

# PROJECT REPORT

**TO: ENVIRONMENTAL EVALUATION COMMITTEE**

**AGENDA DATE: September 26, 2024**

**FROM: PLANNING & DEVELOPMENT SERVICES**

**AGENDA TIME: 1:30 PM/ No.1**

**INFORMATIONAL ONLY**

Big Rock 2 Cluster - GPA #240002 and ZC # 24-0003

PROJECT TYPE: CUP #24-0006 - 0009 and V #24-0002 - 0005 SUPERVISOR. DIST #2

LOCATION: 1520 Jessup Rd. APN: 051-300-036-000 et al

El Centro , CA 92243 PARCEL SIZE: +/- 1569 AC

GENERAL PLAN (existing) Agriculture GENERAL PLAN (proposed) RE Overlay Zone

ZONE (existing) A-2 / A-2-R / A-2-RE / A-3 / A-2-R-RE ZONE (proposed) A-2-RE /A-2-R-RE / A-3-RE

GENERAL PLAN FINDINGS     CONSISTENT     INCONSISTENT     MAY BE/FINDINGS

PLANNING COMMISSION DECISION:    HEARING DATE: \_\_\_\_\_

APPROVED     DENIED     OTHER

PLANNING DIRECTORS DECISION:    HEARING DATE: \_\_\_\_\_

APPROVED     DENIED     OTHER

ENVIROMENTAL EVALUATION COMMITTEE DECISION: HEARING DATE: 09/26/24

INITIAL STUDY: #24-0009

NEGATIVE DECLARATION     MITIGATED NEG. DECLARATION     EIR

**DEPARTMENTAL REPORTS / APPROVALS:**

PUBLIC WORKS	<input checked="" type="checkbox"/>	NONE	<input type="checkbox"/>	ATTACHED
AG COMMISSIONER	<input checked="" type="checkbox"/>	NONE	<input type="checkbox"/>	ATTACHED
APCD	<input checked="" type="checkbox"/>	NONE	<input type="checkbox"/>	ATTACHED
DEH/E.H.S.	<input checked="" type="checkbox"/>	NONE	<input type="checkbox"/>	ATTACHED
FIRE / OES	<input checked="" type="checkbox"/>	NONE	<input type="checkbox"/>	ATTACHED
OTHER				

CEO, Imperial County Sheriff's Office

**REQUESTED ACTION:**

**(See Attached)**



## Screencheck Initial Study and NOP

Big Rock 2 Cluster Solar & Storage Project

**Initial Study #:** 24-0009

**CUP #s:**

- Big Rock Cluster North: #24-0006
- Big Rock Cluster South: #24-0007
- Big Rock Cluster East/Laurel Cluster South: #24-0008
- Big Rock Cluster West: #24-0009

**General Plan Amendment:** #24-0002

**Zone Change:** #24-0003

**Variance:** #24-0002

*Imperial County CA*

September 2024

**Reviewed by:**

County of Imperial  
Planning & Development  
Services Department  
801 Main Street  
El Centro, CA 92243

**Prepared by:**

HDR Engineering, Inc.  
591 Camino de la Reina,  
Suite 300  
San Diego, CA 92108



*This page is intentionally blank.*



## Contents

Introduction .....	1
A. Purpose.....	1
B. CEQA Requirements and the Imperial County's Rules and Regulations for Implementing CEQA .....	1
C. Intended Uses of Initial Study and Notice of Preparation .....	2
D. Contents of Initial Study and Notice of Preparation .....	2
E. Scope of Environmental Analysis .....	3
F. Policy-Level or Project-Level Environmental Analysis.....	3
G. Tiered Documents and Incorporation by Reference.....	3
Environmental Checklist Form.....	6
Environmental Factors Potentially Affected.....	9
Environmental Evaluation Committee Determination .....	9
Project Summary .....	11
Project Location .....	11
Project Summary .....	13
Environmental Setting.....	18
General Plan Consistency .....	19
Evaluation of Environmental Impacts .....	23
I. Aesthetics .....	25
II. Agriculture and Forestry Resources .....	27
III. Air Quality .....	29
IV. Biological Resources .....	30
V. Cultural Resources .....	32
VI. Energy.....	33
VII. Geology and Soils.....	34
VIII. Greenhouse Gas Emissions .....	36
IX. Hazards and Hazardous Materials .....	37
X. Hydrology and Water Quality.....	39
XI. Land Use and Planning .....	41
XII. Mineral Resources .....	42
XIII. Noise.....	43
XIV. Population and Housing.....	44
XV. Public Services .....	45
XVI. Recreation.....	46
XVII. Transportation.....	47
XVIII. Tribal Cultural Resources .....	48
XIX. Utilities and Service Systems .....	49
XX. Wildfire .....	51
XXI. Mandatory Findings of Significance.....	53
References .....	55
List of Preparers .....	56



*This page is intentionally blank.*

# Introduction

## A. Purpose

This document is a  policy-level;  project-level Initial Study for evaluation of potential environmental impacts resulting with the proposed Big Rock 2 Cluster Solar & Storage Project.

## B. 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 35 days for public and agency review and comments.

## D. Contents of Initial Study and 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) 265-1736.
- 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) 265-1736.
- 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])

# Environmental Checklist Form

1. **Project Title:** Big Rock 2 Cluster Solar & Storage Project
2. **Lead Agency name and address:** Imperial County Planning & Development Services  
Department, 801 Main Street, El Centro, CA 92243
3. **Contact person and phone number:** Diana Robinson, Planning Division Manager, 442-265-1736
4. **Project location:** The proposed Big Rock 2 Cluster Solar and Storage Project is located in unincorporated Imperial County, south of Interstate 8, approximately one mile southwest of the town of Seeley, California, and approximately six miles north of the United States International Border with Mexico. The project site is west of Drew Road and east and north of Mandapa Road. The entire project site comprises 1,849 acres of privately owned land, comprising 24 assessor parcels. The project site includes 1,569 acres of land that has not previously been entitled for solar development, as well as 280 acres of land that was previously entitled under active CUPs known as Laurel Cluster 2 North (120 acres), and Laurel Cluster 2 South (160 acres). The Laurel Cluster 2 North and Laurel Cluster 2 south will be re-entitled as part of the proposed project.

The entire Project area is designated Agricultural in the General Plan. Current land use of the Project parcels includes cropland, dryland grain crops, irrigated grain and hayfields, row crops, orchards, and pastureland.

5. **Project sponsor's name and address:**  
Avantus, LLC,  
4370 Town Center Boulevard, Suite 110  
El Dorado Hills, CA 95762
6. **General Plan Designation:** Agriculture
7. **Zoning:** A-2 (General Agricultural), A-2-R (General Agricultural Rural), A-3 (Heavy Agriculture), and A-2-RE (General Agricultural - Renewable Energy Overlay).
8. **Description of project:** The Project would include the construction and operation of a PV solar energy generation and battery energy storage system (BESS) facility comprised of up to 500 megawatts alternating current (MWac) PV solar and up to 500 MWac of BESS. Power generated by the Project would be collected using up to 66-kV collector lines which could run overhead and/or underground to a dedicated Project substation, with a 230-kV overhead generation transmission line or "gen-tie" line linking a Project substation to the Imperial Irrigation District (IID) Liebert Switchyard. The Liebert Switchyard would then be connected to the San Diego Gas & Electric (SDG&E) Imperial Valley substation via an overhead 230-kV gen-tie line. Two gen-tie line alternatives are proposed.
9. **Surrounding land uses and setting: Briefly describe the project's surroundings:** The project site is surrounded by a mix of agricultural fields, and within and/or adjacent to the Laurel Cluster Solar Farm Project site, formally known as Big Rock 1 Cluster and is adjacent to, and/or in immediate proximity to other solar farms including the VEGA SES Solar Energy Project and Campo Verde Solar project.

**10. Other public agencies whose approval is required (e.g., permits, financing approval, or participation agreement.):**

- Dust Control Plan - Air Pollution Control District
- Rule 310 Exemption (as applicable) - Air Pollution Control District
- Construction Traffic Control Plan - Department of Public Works
- County Road Encroachment Permits - Department of Public Works
- Vacation of Public Easements (as applicable) - Department of Public Works
- Site Plan and Architectural Review - Planning & Development Services
- Occupancy Permits - Planning & Development Services
- Fire Safety Plan - Fire Department and Office of Emergency Management
- Project Access and Fire Water Requirements - Fire Department and Office of Emergency Management
- On-site Water Treatment Permit - Division of Environmental Health, Department of Public Works
- Private Sewage Disposal Permit - Division of Environmental Health
- Project Decommissioning Plan - Planning & Development Services, Department of Public Works
- Pest Management Plan - Agricultural Commissioner's Office

**Imperial Irrigation District**

Various approvals may be required from IID in conjunction with implementation of the proposed Project. Wherever an IID facility (drain, irrigation canal, electric line, etc.) intersects the Project, an encroachment would occur as the proposed Project would cross IID facilities with access points and electrical crossings. The proposed Project may also drain into IID drain facilities. Due to the preliminary nature of the Project and the rapidly changing technology, the exact locations of proposed access and drainage encroachments, and electrical crossings, are not known at this time. The Project encroachments/crossings would not interfere with the purpose of IID's facilities. The following IID approvals, although not discretionary approvals, include, but are not limited to:

- Encroachment Permits/Agreements
- Electrical Crossings
- Water Supply Agreements/Water Card
- Station Service/"Backfeed" Agreement
- Distribution Power/Electric Service Agreement

**Other Agency Approvals**

- U.S. Army Corps of Engineers (USACE) Clean Water Act (CWA) Section 404 Nation Wide Permit (NWP) (if required)

- California Department of Fish and Wildlife (CDFW) Section 1600 Streambed Alteration Agreement (SAA) (if required)
- Regional Water Quality Control Board Water Quality (RWQCB) Clean Water Act (CWA) 401 Water Quality Certification (WQC) Permit (if required), Waste Discharge Requirements (WDR) Permit, and National Pollution Discharge Elimination System (NPDES) Construction General Permit Coverage (for project construction activities)
- California Department of Transportation (Caltrans) Right-of-Way Encroachment Permits and/or Oversized Loads Permits (as required)

**11. Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code section 21080.3.1? If so, is there a plan for consultation that includes, for example, the determination of significance of impacts to tribal cultural resources, procedures regarding confidentiality, etc.?**

Pursuant to AB-52 and Public Resources Code, Section 21080.3.1(d) Formal Notification of Determination that a Project Application is Complete or Decision to undertake a Project, and Notification of Consultation Opportunity, the County sent the following via certified mail:

- Campo Band of Mission Indians (June 12, 2024)
- Quechan Indian Tribe (June 12, 2024)

(Waiting for response from NAHC, then County sent out SB 18 letters and the GPA/Zone Change on September 3, 2024. The comment period will close on November 27, 2024.).



## 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 type="checkbox"/> Energy  |
| <input checked="" type="checkbox"/> Geology/Soils             | <input checked="" type="checkbox"/> Greenhouse Gas Emissions           | <input checked="" type="checkbox"/> Hazards & Hazardous Materials      |
| <input checked="" type="checkbox"/> Hydrology / Water Quality | <input checked="" type="checkbox"/> Land Use/Planning                  | <input type="checkbox"/> Mineral Resources                             |
| <input checked="" type="checkbox"/> Noise                     | <input type="checkbox"/> Population/Housing                            | <input checked="" type="checkbox"/> Public Services                    |
| <input checked="" type="checkbox"/> Recreation                | <input checked="" type="checkbox"/> Transportation                     | <input checked="" type="checkbox"/> Tribal Cultural Resources          |
| <input checked="" type="checkbox"/> Utilities/Service Systems | <input type="checkbox"/> Wildfire                                      | <input checked="" type="checkbox"/> Mandatory Findings of Significance |

## Environmental Evaluation Committee Determination

After Review of the Initial Study, the Environmental Evaluation Committee (EEC) 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.

<b>EEC VOTES</b>	<b>YES</b>	<b>NO</b>	<b>ABSENT</b>
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, Director of Planning/EEC Chairman

Signature

---

Date:



# Project Summary

## Project Location

The proposed Big Rock 2 Cluster Solar and Storage Project is located in unincorporated Imperial County, south of Interstate 8, approximately one mile southwest of the town of Seeley, California, and approximately six miles north of the United States International Border with Mexico. An overview of the project location from a regional perspective is shown in Figure 1. The project site is west of Drew Road and east and north of Mandapa Road. The entire project site comprises 1,849 acres of privately owned land, comprising 24 assessor parcels. The project site includes 1,569 acres of land that has not previously been entitled for solar development, as well as 280 acres of land that was previously entitled under active CUPs known as Laurel Cluster 2 North (120 acres), and Laurel Cluster 2 South (160 acres). The Laurel Cluster 2 North and Laurel Cluster 2 South projects will be re-entitled as part of the proposed project.

The entire Project area is designated Agricultural in the General Plan. Current land use of the Project parcels includes cropland, dryland grain crops, irrigated grain and hayfields, row crops, orchards, and pastureland.

### 1. Big Rock Cluster North: CUP No. 24-0006

Big Rock Cluster North: CUP No. 24-0006 is located immediately south of I-8 and north of W Vaughn Road. The easterly limits of this site are generally defined by the New River, with the westerly limits of this site defined by Westside Road. The site is traversed by the Fern Canal and the Fig Lateral.

	APN	Zoning	Acres
1	051-270-020	A-2-R	101.8
2	051-270-028	A-2	52.3
3	051-270-036	A-2	67.4
4	051-270-041	A-2-R	279.0
5	051-280-054	A-2	149.5
6	051-300-011	A-2	79.6
7	051-300-016	A-2	10.8
8	051-300-026	A-2	13.4
9	051-300-035	A-3	40.3
10	051-300-037	A-3	28.9
11	051-300-032 (northern portion)	A-2	85.5
	<b>Sub-total</b>		<b>910.0</b>
<b>Laurel 2 North CUP #21-0014 (Expires December 2024)</b>			
12	051-300-032 (southern portion) (to be re-entitled)	A-2-RE	80.0
13	051-300-036 (to be re-entitled)	A-3-RE	40.3



	<b>Sub-total</b>		<b>120.3</b>
	<b>TOTAL ACRES</b>		<b>1,030</b>

**2. Big Rock Cluster South: CUP No. 24-0007**

Big Rock Cluster South: CUP No. 24-0007 is located generally south of Dixie Lateral One and north of the Westside Main Canal. The Dixie Drain Three generally marks the eastern boundary and an unnamed, unpaved farm road delineates the western boundary.

	<b>APN</b>	<b>Zoning</b>	<b>Acres</b>
1	051-330-003	A-3	246.5
2	051-350-004	A-3	57.4
3	051-350-006	A-3	26.3
4	051-350-007	A-3	40.0
5	051-350-008	A-3	40.0
	<b>TOTAL ACRES</b>		<b>410.0</b>

**3. Big Rock Cluster East/Laurel Cluster South: CUP No. 24-0008 (to be re-entitled)**

Big Rock Cluster East/Laurel Cluster South: CUP No. 24-0008 is north of W Diehl Road, west of Jessup Road, and east of Derrick Road. An unnamed, unpaved farm road marks the northern boundary.

	<b>APN</b>	<b>Zoning</b>	<b>Acres</b>
1	051-310-027	A-2-R-RE	120.0
2	051-310-028	A-2-R-RE	39.9
	<b>TOTAL ACRES</b>		<b>160.0</b>

**4. Big Rock Cluster West: CUP No. 24-0009**

Big Rock Cluster West: CUP No. 24-0009 is located immediately east of Mandapa Road, south of W Vaughn Road, west of an unnamed, unpaved farm road, and north of the Westside Main Canal and Mandrapa Road.

	<b>APN</b>	<b>Zoning</b>	<b>Acres</b>
1	051-290-018	A-2-R	79.8
2	051-290-019	A-3	48.7
3	051-320-005	A-3	45.0
4	051-320-006	A-3	39.9

5	051-320-007	A-3	35.3
<b>TOTAL ACRES</b>			<b>249.0</b>

## Project Summary

The Applicant proposes to develop, design, and construct a PV solar energy generation and BESS facility comprised of up to 500 megawatt alternating current (MWac) PV solar and up to 500 MWac of BESS. Power generated by the Project would be collected using up to 66-kV collector lines which could run overhead and/or underground to a dedicated Project substation, with a 230-kV overhead generation transmission line or “gen-tie” line linking a Project substation to the IID Liebert Switchyard. The Liebert Switchyard would then be connected to the SDG&E Imperial Valley substation via an overhead 230-kV gen-tie line. Two gen-tie line alternatives are also under consideration.

In order to implement the project, 90FI 8me LLC (“the Applicant”) is seeking approval of four (4) Conditional Use Permits (CUPs) associated with the construction and operation of the utility-scale [solar energy generation and BESS facility].

It is anticipated that all BESS facilities associated with the Project will be developed concurrently with PV componentry and situated in proximity to Project sub-station(s); however, the CUP areas may cooperate if necessary to meet energy production and Project needs, by allowing one CUP area to utilize “BESS” credits of another. Likewise, the Project may share facilities such as Operations & Maintenance (O&M) facilities, transmission-related facilities, Project sub-station(s), and/or other appurtenances.

The project will include PV modules, collection, inverter and transformer systems, BESS, substation(s), transmission line and interconnection, an operations and maintenance building, roadway and IID crossings, water use and storage, site security and fencing, and lighting.

### ***PV Module Configuration***

The Project would use PV panels or modules on mounting frameworks to convert sunlight directly into electricity. Individual panels would be installed on either fixed-tilt or tracker mount systems (single- or dual-axis, using galvanized steel or aluminum). Although the panels could stand up to 15 feet in height, depending on the mounting system used, panels are expected to remain between six and eight feet in height.

The solar panel array would be arranged in groups called blocks, with inverter stations generally located centrally within the blocks. Blocks would produce direct electrical current (“DC”), which is converted to alternating current (“AC”) at the inverter stations.

### ***Collection, Inverter and Transformer Systems***

DC energy is delivered from the PV panels via cable to inverter stations, generally located near the center of each block. Inverter stations convert the DC energy to AC energy which can be dispatched to the transmission system. BESS units for the Project would be connected to bidirectional inverter stations, high-level control system(s), transformers, and ultimately the Project substation(s) bus bar via a series of overhead or underground electrical collector lines ranging from 66kV to 230kV.

PV and BESS inverter stations are typically comprised of one or more inverter modules with a rated power of up to 10 MW each, and a unit transformer, and voltage switchgear. The unit transformer and voltage switch gear are housed in steel enclosures, while the inverter module(s) and control system(s) are housed in cabinets.

Overhead and/or underground collector lines may be bundled together as they approach the substation(s), sharing common poles or trenches. Collector lines would then connect to the Project substation bus bar before being stepped up to 230kV for transmission. Potential collector line routes for the Project are shown in Figure 3; however, not all routes will ultimately be developed.

### ***Battery Energy Storage System***

The Project will include one or more BESS, located at or near the Project substation(s)/switchyard(s), the inverter stations, or elsewhere onsite. BESS' consist of modular and scalable battery packs and battery control systems that conform to California and U.S. national safety standards. The BESS modules, which could include commercially available lithium or flow batteries, and typically consist of ISO standard all-weather containers (approximately 40'L x 8'W x 8'H) housed in pad- or post-mounted, stackable metal structures, but may also be housed in a dedicated building(s) in compliance with applicable regulations. The maximum height of a dedicated structure is not expected to exceed 25 feet.

The BESS would be in unmanned, remotely controlled containers that would be periodically inspected by Project personnel for maintenance purposes. The BESS would be designed to conform with Imperial County and national BESS fire standard NFPA 855 and/or other applicable national standards. The BESS would have all required UL9540A reports (or equivalent) and would be certified to UL9540 (or equivalent), if required. BESS' require additional components to be fully operational, and that allow the batteries to be connected to the regional transmission grid as discussed below.

### ***Substation(s)***

The proposed Project would have its own dedicated substation equipment located within the Project footprint. Dedicated equipment may incorporate several components, including high-voltage and auxiliary power transformers, distribution cabinets, revenue metering systems, a microwave transmission tower, voltage switch gear, transmission poles and racking, and bus bar(s) of various voltages for interconnection(s). The substation may also include telecommunications facilities, fiber optic communication cables, equipment, and associated structures for diverse path routing of communications. Substations typically occupy an area of up to approximately five (5) acres and are secured separately by a chain-link fence.

Dedicated Project substations typically include a small control building (approximately 500 square feet) standing approximately ten (10) feet tall. The building is either prefabricated concrete or steel housing with rooms for the voltage switch gear and the metering equipment, a room for the station supply transformer, and a separate control technology room in which the main computer, the intrusion detection system, and the main distribution equipment are housed. Components of this building (e.g., control technology room and intrusion detection system) may instead be located at an O&M building.

### ***Transmission Line and Interconnection***

The Project 230kV step-up substation would connect to the 230kV Liebert Switchyard/Sub-station via one of the proposed gen-tie line alternatives as shown in Figure 3. Big Rock 2 will transmit electricity to IID via the Liebert Switchyard/Sub-station, currently under construction in the Big Rock

1 Project; therefore, a new IID switchyard/sub-station will not be required, and thus obviating the need for any real estate conveyance to IID specific to Big Rock 2. The Liebert Switchyard will have a direct connection to the existing SDG&E Imperial Valley Substation via an existing overhead 230kV gen-tie line. Overhead transmission conductors may be mounted on tubular steel poles up to 200 feet in height and would include associated insulator and hardware assemblies, the appropriate number of spans of conductor and optical ground wiring, and dead-end structures at both the Project substation and the Liebert Switchyard. Portions (or all) of the gen-tie line may be undergrounded as necessary.

Alternative gen-tie routing(s) is depicted in Figure 2 may utilize currently entitled lands and/or private easements; however, additional alternate routing may include gen-tie line(s) directly to the Imperial Valley substation, utilizing additional/other private and/or Bureau of Land Management (BLM) lands.

### ***Operations and Maintenance (O&M) Building***

The Project may include an O&M building of approximately 40' x 80' in size, with associated onsite parking. The O&M building would be steel framed, with metal siding and roof panels. The O&M building may include the following:

- Office
- Repair building/parts storage
- Control room
- Restroom
- Septic tank and leach field
- Water supply
- Heating, ventilation, and air conditioning (HVAC)

Roads, driveways, and parking lot entrances would be constructed in accordance with Imperial County standards. Parking spaces and walkways would be constructed in conformance with all California Accessibility Regulations. Any unused O&M areas onsite may be covered by solar panels.

### ***Roadway and IID Crossings***

The Project may require the following crossing types of IID canals and/or drains and unimproved Imperial County roads: overhead electric, underground electric, vehicular crossings. The exact locations of the crossings are not known at this time but are not anticipated to interfere with the purpose or continued use of these facilities. For instance, where a drain flows, the Project crossing or access point would still allow the drain to flow. As required by IID, the Project may be required to make minor improvements to on-site drains. IID requires solar projects to improve existing drain outflow pipes. This typically involves installation of new drain outflow pipes to reduce erosion within the drains.

### ***Water Usage***

Water demand for panel washing and O&M domestic use is not expected to exceed 100 acre-feet per year. Water usage during construction, primarily for dust-suppression purposes, is not expected to exceed 700 acre-feet in total. Decommissioning of the Project at the end of its anticipated useful lifespan may require approximately an additional 700 acre-feet. Water would be obtained from the landowner's water supply, local irrigation district, or delivered via truck from off-area source(s). A

small water treatment system may be installed onsite near or within the O&M building to provide deionized water for panel washing.

### ***Water Storage***

One or more above-ground water storage tanks with a total capacity of up to 100,000 gallons may be placed near the O&M building. The storage tank(s) near the O&M building would have the appropriate fire department connections to be used for fire suppression. These storage tanks could be up to 30-feet in height.

### ***Site Security and Fencing***

The Project area would be enclosed within a chain link fence measuring seven (7) to ten (10) feet in height from finished grade. An intrusion alarm system comprised of sensor cables integrated into the perimeter fence, intrusion detection cabinets placed approximately every 1,500 feet along the perimeter fence, and an intrusions control unit, located either in the substation control room or at the O&M building, or similar technology, may be installed. Additionally, the Project may include additional security measures including, but not limited to, low voltage fencing with warning reflective signage, controlled access points, security camera systems, and security guard vehicle patrols to deter trespassing and/or unauthorized activities that could interfere with operation of the Project.

Controlled access gates would be maintained at the main entrances to the Project. Project area access would be provided to offsite emergency response teams that respond in an after-hours emergency. Enclosure gates would be manually operated with a code or key provided in an identified key box location.

### ***Lighting***

Outdoor lighting for the Project would be the minimum required for safety and will be directed away from public rights-of-way and adjacent private property. All outdoor lighting used onsite would be of the lowest intensity necessary to provide suitable light for site security and safe ingress and egress, in compliance with any applicable regulations, measured at the property line after dark. Outdoor lighting is anticipated to be necessary for the access gates, substation(s), O&M building, control room, and inverters to allow for safe access and emergency maintenance. Site lighting may also include motion sensor lights installed within the solar fields in proximity to the inverters for security purposes.

### ***Annual Production***

The Project PV solar will have a nominal output capacity of up to 500 (AC), generating sufficient electricity to power approximately 130,000 homes. The Project would generate electrical power during daylight hours. Peak electricity demand in California corresponds with air conditioning use on summer afternoons when ambient temperatures are high. The Project's peak generating capacity corresponds to this time period. There is no generating capacity between sunset and sunrise due to the lack of solar energy, though power may be released from the 500 MW BESS at any time of day.

### ***Electric Service***

Commercial operational low voltage electric service may be obtained from IID for the Projects' O&M building(s) and auxiliary loads. Temporary electric service is typically obtained for primary construction logistical areas. Generator power may be utilized for temporary portable construction trailer(s) during Project construction and/or decommissioning.

## **Project Construction**

### ***Construction Activities and Duration***

The construction period for the Project is approximately 18 to 24 months.

Construction would include the following activities:

- Site preparation
- Access and internal circulation roads
- Grading and earthwork
- Concrete foundations
- Structural steel work
- Panel installation
- Electrical/instrumentation work
- Collector line installation
- Battery unit installation
- Stormwater management facilities
- Gen-tie line poles and conductor stringing

*Construction Access.* Roadways would only be temporarily affected, and only during the Project's construction period. Construction traffic could access the Project site from the north or south via Derrick Road, Jessip Road, Westside Road, and Hyde Road, and from the east via Diel Road and Wixom Road (or other nearby local roads). An additional access alternative includes entrance to the Project site from Interstate 8 (I-8) to Dunaway Road, to West Evan Hewes Highway, to Westside Road. Large trucks would likely utilize I-8 and S29 (Drew Road) for materials deliveries. It is anticipated that traffic would entirely avoid the town of Seely.

### **Workforce (Construction Phase)**

It is estimated that up to 500 workers per day (during peak construction periods) would be required to construct the Project.

## **Project Operation**

### ***Operational Activities***

The PV solar and BESS facility would operate seven days a week, 24 hours a day. Maintenance activities may occur seven days a week, 24 hours a day to ensure PV panel output when solar energy is available, while the BESS could dispatch energy at any time during the day or night.

Once constructed, maintenance of the PV solar and BESS facility would generally be limited to the following:

- Cleaning of PV panels
- Monitoring PV panel and BESS electricity generation
- Providing site security
- Maintenance of stormwater facilities

- Maintenance of PV solar and BESS facilities including replacing or repairing inverters, wiring, or electrical components, and maintaining, repairing, or replacing substation components.

### **Workforce (Operational Phase)**

It is expected that the Project would require an operational staff of up to 15 full-time employees. It is possible that the proposed Project could share O&M, substation, and/or transmission facilities with other adjacent PV solar and BESS projects that have been approved and entitled by Imperial County, or with any future proposed renewable energy projects nearby. In such a scenario, the projects would share personnel, thereby potentially reducing the project's on-site staff.

## **Environmental Setting**

The project site is surrounded by a mix of agricultural fields and utility-scale solar facilities.

The topography of the Project area is relatively flat, consisting primarily of fields and unpaved roads, and all the Project parcels have been extensively cleared, plowed, and maintained for agricultural production. Due to the extensive irrigated farming history within the Project area, as well as locally high-water table, many irrigation canals and drains occur within proximity of the Project. These include a segment of the New River adjacent to the northeast corner of the Project, and the Imperial Irrigation District (IID) Westside Main Canal which is located along the west and southern edges of the Project area. In addition, multiple named irrigation canals and drains are located adjacent to the unimproved roadways in the Project area, including Fern Canal and Sidemain, Foxglove Canal, Wixom and Fig Drains, and Dixie Drains Two, Three, Three A and Three B.

### **Adjacent Lands**

#### *Existing Land Use*

The Project is adjacent and proximal to both Agricultural and Agricultural/Rural lands that have been rezoned for renewable energy (RE), specifically for PV solar and BESS projects that have been approved by Imperial County.

Nearby land uses are predominantly agricultural and/or renewable energy generation, but also include commercial, transportation, military, and electric utility uses. Commercial land uses include the Rio Bend Golf Course (*and associated Specific Plan Area*) to the east of the Project. The Interstate 8 and Union Pacific Railroad transportation corridors are located to the north of the Project. To the south of the Project, utility land uses include the SDG&E Imperial Valley Substation, as well as additional agricultural lands that have been designated for PV solar, and BESS renewable energy projects.

#### *Operational Renewable Energy Facilities*

Campo Verde Solar, owned by Southern Power, became operational in September 2013 and is located on multiple APNs that are adjacent to the proposed Project (Figure 3).

#### *Renewable Energy Facilities Pending Entitlement*

The Consolidated Edison Development Westside Canal Battery Storage Project is a utility-scale energy storage development approved by Imperial County and is located on two APNs adjacent to the southernmost parcels of the proposed Big Rock 2 Project (Figure 3).

## 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 (General Agricultural), A-2-R (General Agricultural Rural), A-3 (Heavy Agriculture) and A-2-RE (General Agricultural within the Renewable Energy Overlay). Construction of a solar facility would be allowed within the existing zoning under a Conditional Use Permit (CUP).

The County Land Use Ordinance, Division 17, includes the Renewable Energy (RE) 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 majority of the project site is located outside of the RE Overlay Zone. Therefore, the proposed project requires a General Plan Amendment and Zone Change to include/classify the project parcels into the RE Overlay Zone. No change in the underlying General Plan land use (Agriculture) is proposed.



Figure 1. Regional Location

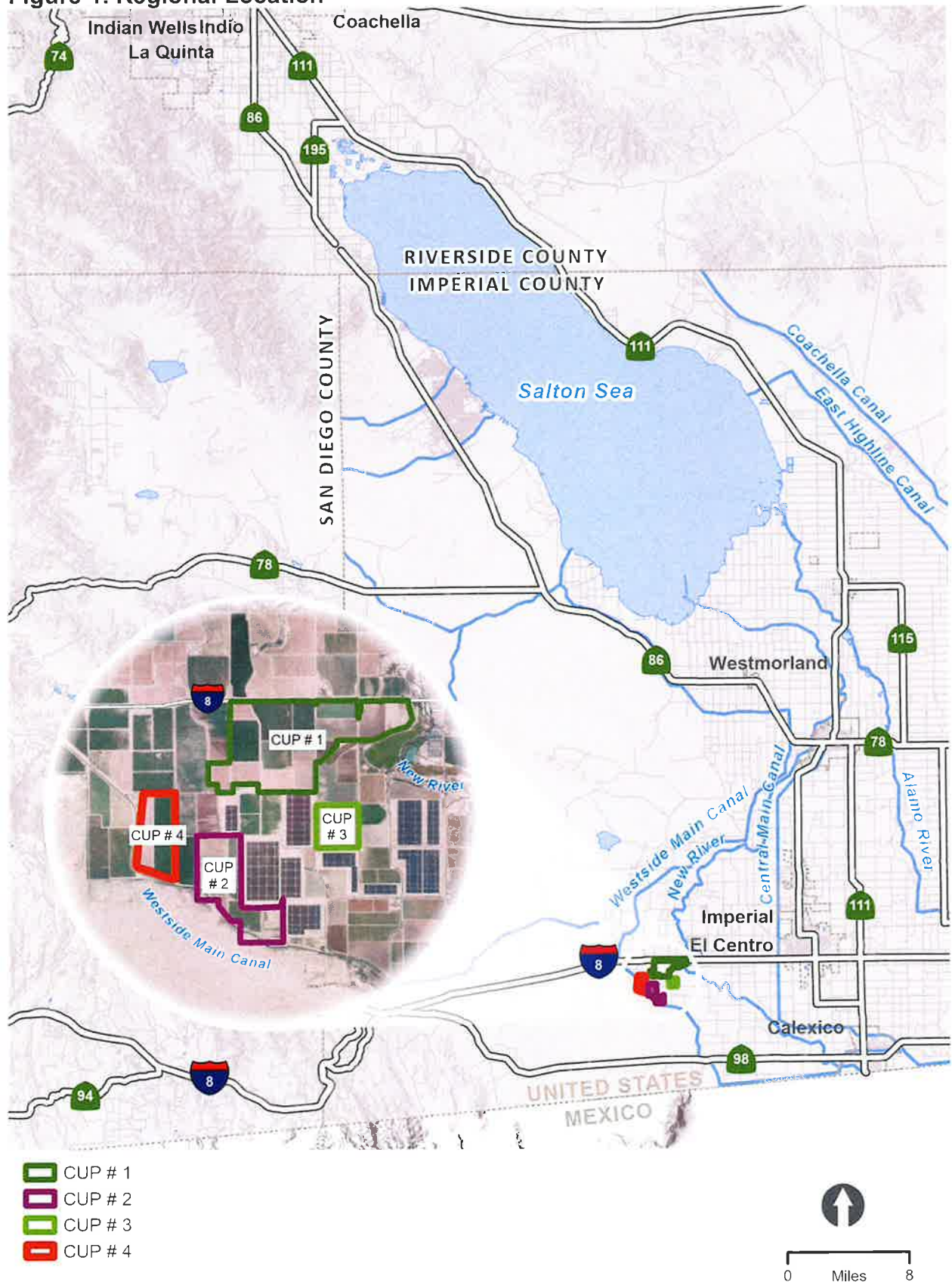


Figure 2. Project Site

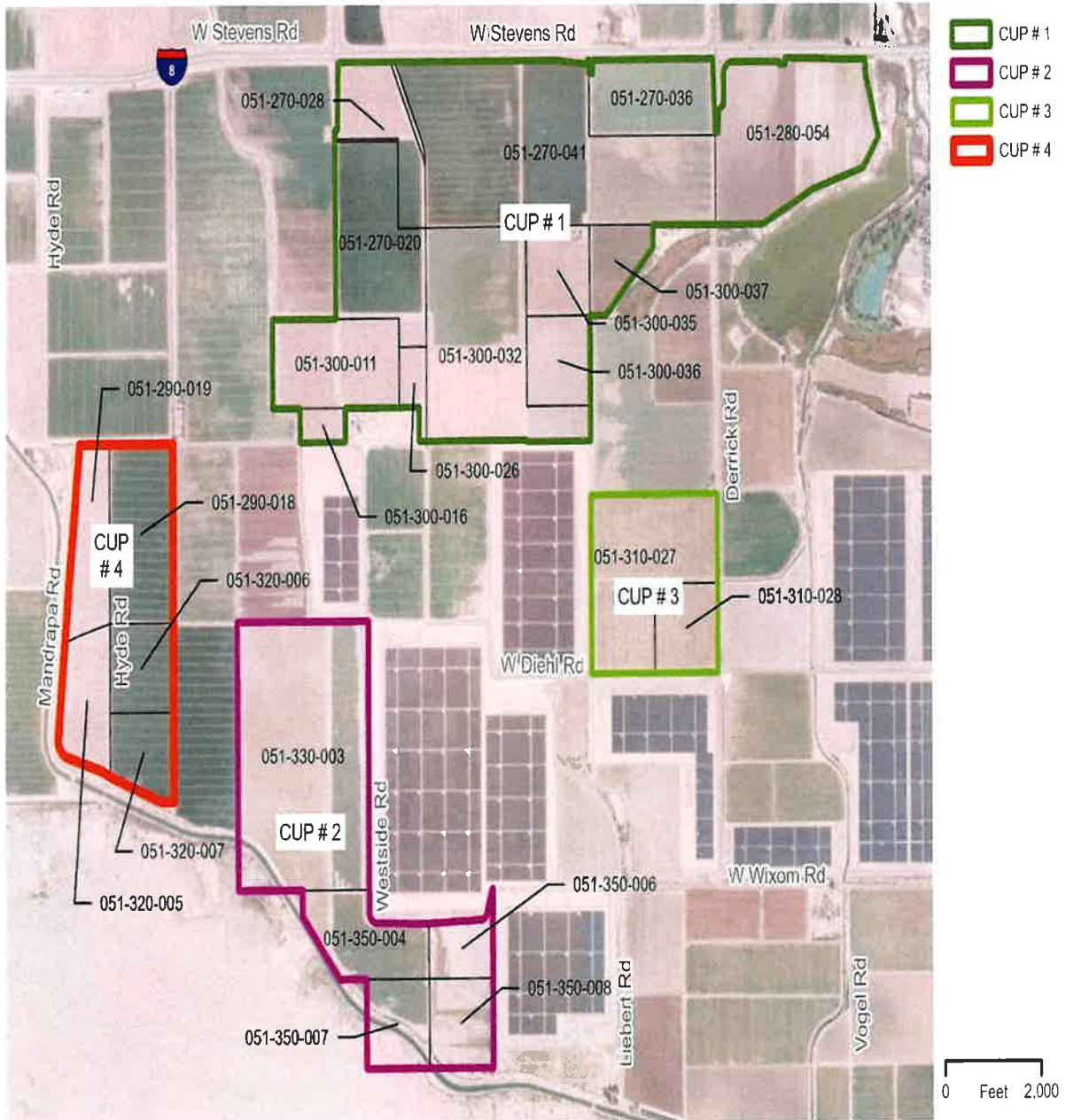
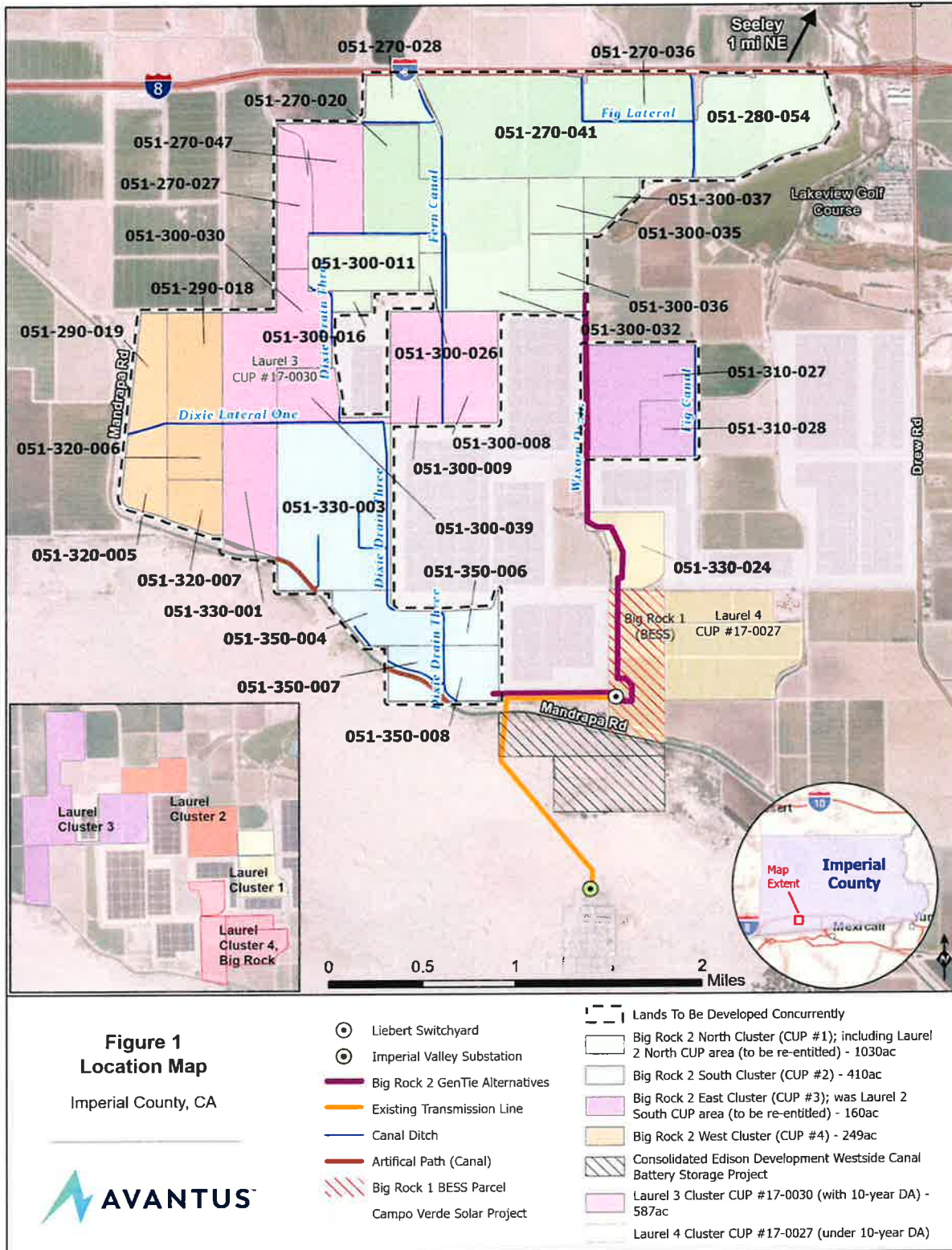


Figure 3 Detailed Site Plan



# 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.




**I. Aesthetics**

Environmental Issue Area:	Potentially Significant Impact (PSI)	Potentially Significant Unless Mitigation Incorporated (PSUMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
<b>Except as provided in Public Resources Code Section 21099, would the project:</b>				
a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic building within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage points). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?	<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"/>

**Impact Analysis**

- a) **No Impact.** According to the Conservation and Open Space Element of the Imperial County General Plan, the solar energy facility site is not located within an area that has been formally identified as a federal, state, or county scenic vista. No scenic vistas or areas with high visual quality would be disrupted. Thus, no impact is identified for this issue area and no further analysis is warranted.
- b) **No Impact.** According to the California Department of Transportation (Caltrans) California Scenic Highway Mapping System (Caltrans 2018), the project site is not located within a state scenic highway corridor, nor are there any state scenic highways located in proximity to the project site. The nearest eligible State scenic highway is the segment of the Sunset Cliffs Boulevard/State Route 98 west of Ocotillo. The project is located approximately 14 miles east of Ocotillo and therefore would not be visible from the project site. The proposed project would not substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic building within a state scenic highway. Therefore, no impact is identified for this issue area and no further analysis is warranted.
- c) **Potentially Significant Impact.** Although the project site is not located near a scenic highway or designated scenic vista, the proposed project may result in a change to the look and rural character of the area. Therefore, a potentially significant impact is identified for this issue area. A visual assessment will be prepared for the project and this issue will be addressed in the EIR.
- d) **Potentially Significant Impact.** The proposed project is located in a rural area of Imperial County and is developed with agricultural uses and utility-scale solar generation facilities. There are no established residential neighborhoods immediately adjacent to the project site. Minimal lighting is required for project operation and is limited to safety and security functions. All lighting will be directed away from any public right-of-way. The Big Rock Cluster 2 North is located along (immediately south of) I-8, and development



setbacks from I-8 are incorporated into the project concept plan for this area. Further, the solar panels will be constructed of low reflective materials; therefore, it is not anticipated that they would result in creating glare. Although the proposed project is not expected to create a new source of substantial light or glare affecting day or nighttime views, a glint and glare assessment will be prepared for the project and this issue will be addressed in the EIR. Therefore, a potentially significant impact is identified for this issue area.



## II. Agriculture and Forestry Resources

Environmental Issue Area:	Potentially Significant Impact (PSI)	Potentially Significant Unless Mitigation Incorporated (PSUMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
<p><b><i>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:</i></b></p>				
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"/>

### Impact Analysis

- a) **Potentially Significant Impact.** According to the California Department of Conservation's California Important Farmland Finder, portions of the project site are designated as Prime Farmland, Farmland of Statewide Importance, and Unique Farmland (California Department of Conservation 2020). Therefore, implementation of the proposed project has a potential to result in the conversion of Prime Farmland, Farmland of Statewide Importance, and Unique Farmland to non-agricultural use. This is considered a potentially significant impact, a Land Evaluation Site Assessment will be prepared for the project and this issue will be analyzed in further detail in the EIR.



- b) **Potentially Significant Impact.** The project sites are currently zoned A-2, A-2-R, A-2-RE, A-3 and A-3-RE and designated by the General Plan as "Agriculture." Solar energy facilities are allowed within these zones subject to a conditional use permit; however, project approvals include a General Plan Amendment and zone change for the entire project area. Approval of the General Plan amendment and zone change would add portions of the project area that are not currently within the Renewable Energy overlay to Imperial County's Renewable Energy Overlay only; no land use amendment is requested, and the underlying "Agriculture" designation would remain. Because the project sites are located on land designated for agricultural uses, this issue will be analyzed in further detail. As mentioned above, a Land Evaluation Site Assessment will be prepared for the projects, and this issue will be addressed in the EIR.

As of December 31, 2018, all Williamson Act contracts in Imperial County have been terminated. The project site is not located on Williamson Act contracted land. Therefore, the proposed project would not conflict with a Williamson Act contract and no impact is identified.

- c) **No Impact.** There are no existing forest lands, timberlands, or timberland zoned "Timberland Production" within or immediately adjacent to the project site that would conflict with existing zoning or cause rezoning. Therefore, no impact is identified for this issue area.
- d) **No Impact.** There are no existing forest lands within or immediately adjacent to the project site. The proposed project would not result in the loss of forest land or conversion of forest land to non-forest use. Therefore, no impact is identified for this issue area.
- e) **Potentially Significant Impact.** Refer to response II. a) above.



### III. Air Quality

Environmental Issue Area:	Potentially Significant Impact (PSI)	Potentially Significant Unless Mitigation Incorporated (PSUMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
<b>Where available, the significance criteria established by the applicable air quality management district or air pollution control district may be relied upon to make the following determinations.</b>				
<b>Would the project:</b>				
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) 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?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Expose sensitive receptors to substantial pollutant concentrations?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Result in other emissions (such as those leading to odors adversely affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

#### Impact Analysis

- a) **Potentially Significant Impact.** The project site is located within the jurisdiction of Imperial County Air Pollution Control District (ICAPCD) in the Imperial County portion of the Salton Sea Air Basin. Construction of the proposed project would create temporary emissions of dust, fumes, equipment exhaust, and other air contaminants that may conflict with the ICAPCD's rules and regulations. These temporary construction emissions have the potential to result in a significant air quality impact.
- b) **Potentially Significant Impact.** The criteria pollutants for which the project area is in state nonattainment under applicable air quality standards are O<sub>3</sub> and PM<sub>10</sub>. Air pollutants transported into the Salton Sea Air Basin from the adjacent South Coast Air Basin (Los Angeles County, San Bernardino County, Orange County, and Riverside County) and 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. The CalEEMod air quality model will be utilized to estimate the project's air quality emissions and the results will be included in the EIR analysis.
- c) **Potentially Significant Impact.** The project site is located in a rural agricultural area of Imperial County, however, the area also has been developed with utility-scale solar projects. The nearest sensitive land use to the project site is a single-family residence located approximately 100 feet west and south of the proposed Big Rock 2 Cluster North facility. This issue is potentially significant and will be addressed in the EIR analysis.
- d) **Less Than Significant Impact.** Land uses commonly considered to be potential sources of odorous emissions include wastewater treatment plants, sanitary landfills, food processing facilities, chemical manufacturing plants, rendering plants, paint/coating operations, and concentrated agricultural feeding operations and dairies. The construction and operation of the proposed solar and BESS, and supporting infrastructure and facilities

are not anticipated to result in odor emissions, and impacts would be less than significant.

#### IV. Biological Resources

Environmental Issue Area:	Potentially Significant Impact (PSI)	Potentially Significant Unless Mitigation Incorporated (PSUMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
<b>Would the project:</b>				
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, and 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 state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of 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"/>

#### Impact Analysis

- a) **Potentially Significant Impact.** According to the Conservation and Open Space Element of the General Plan (County of Imperial 2016), numerous special-status plants and special status species occur in the County of Imperial, and of particular concern is western burrowing owl. The project site has the potential to support native habitats and/or sensitive species. Burrowing owls and burrows are commonly found along canals and drains. Canals and laterals traverse portions of the project site, and the site is in relative proximity



to the larger Westside Main Canal, and New River. Therefore, the project site has the potential to be used as burrowing owl foraging habitat, as burrowing owls and burrows are commonly found along canals and drains. Thus, a potentially significant impact is identified for this issue area. A biological resources technical report that will address the proposed project's potential impacts on biological resources will be prepared and this issue will be addressed in the EIR.

- b) **Potentially Significant Impact.** Refer to response IV. a) above.
- c) **Potentially Significant Impact.** Being situated in an agricultural area, the project site and surrounding areas are traversed by a network of drains, canals, and other irrigation infrastructure administered by the IID, some of which constitute potentially jurisdictional features. An aquatic resources delineation that will address the proposed project's potential impacts on state or federally protected wetlands will be prepared and included in the EIR analysis.
- d) **Potentially Significant Impact.** Refer to response IV. a) above.
- e) **Potentially Significant Impact .** Refer to response IV. a) above.
- f) **No Impact.** The project site is located within the designated boundaries of a Natural Community Conservation Plan & Habitat Conservation Plan (NCCP/HCP), nor is the project site not located within or adjacent to an Area of Critical Environmental Concern. No impact is identified for this issue area.

## V. Cultural Resources

Environmental Issue Area:	Potentially Significant Impact (PSI)	Potentially Significant Unless Mitigation Incorporated (PSUMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
<b><i>Would the project:</i></b>				
a) Cause a substantial adverse change in the significance of a historical resource pursuant to §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 dedicated cemeteries?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

### ***Impact Analysis***

- a) **Potentially Significant Impact.** The project site has been disturbed by past farming and farming-related uses. Thus, the presence of significant or undamaged cultural resources on the project site is unlikely. Although the proposed project is not expected to cause a substantial adverse change in the significance of a historical 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 potential impacts on historic and prehistoric resources will be prepared and this issue will be addressed in the EIR.
- b) **Potentially Significant Impact.** Refer to response V. a) above.
- c) **Potentially Significant Impact.** Although unlikely, there is a potential for unknown human remains to be unearthed during earthwork activities. This issue is potentially significant and will be addressed in the EIR analysis.



**VI. Energy**

Environmental Issue Area:	Potentially Significant Impact (PSI)	Potentially Significant Unless Mitigation Incorporated (PSUMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
<b><i>Would the project:</i></b>				
a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

***Impact Analysis***

- a) **Less than Significant Impact.** The use of energy associated with the proposed project includes both construction and operational activities. Construction activities consume energy through the use of heavy construction equipment and truck and worker traffic. The proposed project will use several energy- and fuel-efficient design features that would help minimize inefficient or wasteful use of energy and increase conservation during construction. The operation of the solar and BESS facilities would promote the use of renewable energy and contribute incrementally to the reduction in demand for fossil fuel use for electricity-generating purposes. Therefore, the proposed project would generate renewable energy resources and is considered a beneficial effect.

Based on these considerations, the proposed project would not result in significant environmental impacts due to wasteful, inefficient, or unnecessary consumption of energy resources during construction or operation. A less than significant impact has been identified for this issue area.

- b) **Less Than Significant Impact.** Construction equipment would comply with federal, state, and regional requirements where applicable. With respect to truck fleet operations the USEPA and the National Highway Traffic Safety Administration (NHTSA) have adopted fuel efficiency standards for medium- and heavy-duty trucks. Construction equipment and trucks are required to comply with CARB’s regulations regarding heavy duty truck idling limits of five minutes at a location and the phase in of off-road emission standards that result in an increase in energy savings in the form of reduced fuel consumption for more fuel-efficient engines. Because the main objectives of the project are to assist the state in meeting its obligations under California’s RPS Program and assist California in meeting the GHG emissions reduction goal 85 percent below 1990 levels in 2045, the project would be consistent with the applicable recommended actions of CARB’s 22022 Climate Change Scoping Plan, as well as applicable federal, state, and local policies. The project would assist the State and regulated utility providers to generate a greater portion of energy from renewable sources consistent with the RPS. Therefore, the project would not conflict with or obstruct a state or local plan for renewable energy or energy efficiency during construction and operations. Short-term and long-term impacts would be less than significant.

## VII. Geology and Soils

Environmental Issue Area:	Potentially Significant Impact (PSI)	Potentially Significant Unless Mitigation Incorporated (PSUMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
<b>Would the project:</b>				
a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury or death involving:				
i. 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"/>
ii. Strong seismic ground shaking?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
iii. Seismic-related ground failure, including liquefaction?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
iv. Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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 landslide, lateral spreading, subsidence, liquefaction, or collapse?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Be located on expansive soil, as defined in Table 18-1B of the Uniform Building Code (1994), creating substantial direct or indirect risk to life or property?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) 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"/>

### Impact Analysis

- ai) **No Impact.** The project site is not located within or near an Alquist-Priolo Special Fault Study Zone. Therefore, no impact is identified for this issue area.
- aii) **Potentially Significant Impact.** The project site is located in the seismically-active Imperial Valley in Southern California and considered likely to be subjected to moderate to strong ground motion from earthquakes in the region. The closest mapped earthquake fault zone is an unnamed fault located approximately 2.1 miles west of the project site. Geologic mapping by the USGS of the Imperial Valley after the April 4, 2010 magnitude 7.2MW El Mayor-Cucapah Earthquake indicates movement along several known and unknown faults west of the project site. Due to the project's location in a seismically active area, seismic hazards related to ground shaking could occur on the project site. With the exception of proposed operation and maintenance facilities, the project is not designed for human occupancy; however, the project could pose a threat to emergency personnel and/or persons utilizing operation and maintenance facilities. A potentially significant impact has been identified for this issue area. A geotechnical report that will address the proposed project's potential impacts on geology and soils will be prepared and this issue will be addressed in the EIR.

- aiii) **Potentially Significant Impact.** Liquefaction occurs when granular soil below the water table is subjected to vibratory motions, such as vibratory motion 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).
- 4) Groundshaking of sufficient intensity must occur to function as a trigger mechanism.

All of these conditions may exist to some degree at the project site. Therefore, there is a potentially significant impact associated with liquefaction. A geotechnical report that will address the proposed project's potential impacts on geology and soils will be prepared and this issue will be addressed in the EIR.

- aiv) **No Impact.** According to Figure 2: Landslide Activity in the Seismic and Public Safety Element of the General Plan (County of Imperial 1997), the project site is not located in an area that is prone to landslide hazards. Furthermore, the site topography is flat, and no ancient landslides have been mapped in the area. Development of the project would not directly or indirectly cause potential substantive adverse effects, including the risk of loss, injury, or death involving landslides. Therefore, no impact is identified for this issue area.
- b) **Less than Significant Impact.** 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 because erosion would be controlled on-site in accordance with Imperial County standards, including preparation, review, and approval of a grading plan by the Imperial County engineer, as well as the applicant's proposed best management practices to control erosion. Implementation of Imperial County standards would reduce the potential impacts to a less than significant level.
- c) **Potentially Significant Impact.** Near surface soils within the project site will need to be identified to determine if these soils are unstable. Therefore, this issue is potentially significant and will be analyzed in the EIR.
- d) **Potentially Significant Impact.** Near surface soils within the project site will need to be identified to determine if these soils are unstable. Therefore, this issue is potentially significant and will be analyzed in the EIR.
- e) **Less than Significant Impact.** The project proposes operations and maintenance facilities, which may include restrooms that would rely on septic tanks or similar wastewater disposal systems. However, the septic system(s) would be installed in accordance with County standards and therefore, the project would have a less than significant impact on the project site soil and its capacity to adequately support the use of septic tanks or alternative wastewater disposal systems.
- f) **Potentially Significant Impact.** 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 excavation cut into geological deposits (formations) with buried fossils. It is not known if any paleontological resources are located on the project site. The proposed project's potential to impact paleontological resources is considered potentially significant and this issue will be addressed in the EIR.



### VIII. Greenhouse Gas Emissions

Environmental Issue Area:	Potentially Significant Impact (PSI)	Potentially Significant Unless Mitigation Incorporated (PSUMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
<b>Would the project:</b>				
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, 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"/>

**Impact Analysis**

- a) **Potentially Significant Impact.** The production of greenhouse gas emissions associated with the proposed project includes both construction and operational activities. In the long-term, the project is expected to provide a benefit with respect to reduction of greenhouse gas emissions. However, construction of the project would generate GHG emissions over the anticipated construction period for the project, which is estimated at approximately 18 – 24 months. Exhaust emissions would result from construction equipment and machinery as well as from vehicular traffic generated by construction activities. Thus, a potentially significant impact is identified for this issue area. The CalEEMod air quality model will be utilized to estimate the project’s GHG emissions and the results will be included in the EIR analysis.
- b) **Potentially Significant Impact.** Refer to response VIII. a) above.



**IX. Hazards and Hazardous Materials**

Environmental Issue Area:	Potentially Significant Impact (PSI)	Potentially Significant Unless Mitigation Incorporated (PSUMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
<b>Would the project:</b>				
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 reasonably foreseeable upset and accident conditions involving the likely 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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 result in a safety hazard or excessive noise for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury, or death involving wildland fires?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Impact Analysis**

- a) **Potentially Significant Impact.** Construction of the proposed project would require the use of construction vehicles, associated grease, oil, and fuels, and potential use of other hazardous materials. Additionally, the project would include operation and maintenance facilities, which have the potential to store and handle hazardous materials. Vehicle fuels, oils, grease, and other potentially hazardous materials have the potential to be released into the environment through natural events or human error. This is considered a potentially significant impact and will be addressed in the EIR analysis.

- b) **Potentially Significant Impact.** Refer to response IX. a) above.
- c) **Potentially Significant Impact.** Westside Elementary School is located within APN 051-300-016, which is within the Big Rock 2 North project area. Because the project involves the construction and operation of BESS system(s), there is a potentially significant impact related to emitting or handling hazardous or acutely hazardous materials substances or waste within one-quarter mile of an existing or proposed school.
- d) **Potentially Significant Impact.** The project site has been utilized for agricultural production and there is the potential that contaminated soils are located within the project site. The project site is not known or anticipated to be listed as a hazardous materials site (Department of Toxic Substances Control 2023, State Water Resources Control Board 2023). However, a potentially significant impact associated with the potential for contaminated soils to be present on the project site has been identified, and a Phase I Environmental Site Assessment will be prepared for the project. This issue will be addressed in the EIR.
- e) **No Impact.** The project is not located within 2 miles of a public airport or a public use airport. Therefore, implementation of the proposed project would not result in a safety hazard or excessive noise for people residing or working in the project area. No impact is identified for this issue area.
- f) **Less Than Significant Impact.** Imperial County Office of Emergency Services (OES) has provided three plans addressing evacuation and evacuation responsibilities for County Fire, Police, and the OES among other topics related to emergency preparedness that do not identify specific evacuation routes. The project applicant would coordinate any construction activities and use of oversized loads or movement of construction/decommissioning equipment with the Imperial County Department of Public Works (ICDPW) and/or California Department of Transportation (Caltrans) and the El Centro Highway Patrol office. The project applicant will be required to file for an encroachment permit for any work or proposed work in the affected County or Caltrans road rights-of-way and for any and all new, altered or unauthorized existing driveway(s) to access the lot or lots and for any proposed road crossings. Thus, the project would not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan and would result in a less than significant impact.
- g) **No Impact.** The project site is located in the unincorporated area of Imperial County. According to the Seismic and Public Safety Element of the General Plan, the potential for a major fire in the unincorporated areas of the County is generally low (County of Imperial 1997). The project site is not located in areas considered wildlands, as the vast majority of the surrounding area is cultivated farmlands and other utility-scale solar facilities. According to the Fire Hazard Severity Zone Viewer provided by the California Department of Forestry and Fire Protection, the project area is not located in or near state responsibility areas or lands classified as very high hazard severity zones (California Department of Forestry and Fire Protection 2023). Therefore, there would be no impact associated with risk involving wildland fires.



## X. Hydrology and Water Quality

Environmental Issue Area:	Potentially Significant Impact (PSI)	Potentially Significant Unless Mitigation Incorporated (PSUMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
<b>Would the project:</b>				
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 or through the addition of impervious surfaces, in a manner which would:				
i. result in substantial erosion or siltation on- or off-site;	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii. substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite;	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii. 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; or	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iv. impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

### Impact Analysis

- a) **Potentially Significant Impact.** The proposed 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 project site. However, potentially significant water quality impacts have been identified and will be addressed in the EIR.

- b) **No Impact.** The proposed project would not involve the use of groundwater resources. No groundwater wells will be drilled, nor will the project require the use of ground water. No impact on groundwater supply or recharge would occur.
- ci) **Less than Significant Impact.** The proposed project would result in the creation of impervious surfaces. Soil erosion could result during construction and earthmoving as well as during site reclamation. However, the project applicant is required to comply with the Construction General Permit and the Industrial General Permit, as well as Imperial County Land Use Ordinance, Title 9, Chapter 10 – Grading Regulations. County standards and compliance with the NPDES require the creation of a Stormwater Pollution Prevention Plan (SWPPP), and the use of best management practices (BMPs) to reduce impacts to surface and ground water quality attributed to erosion or siltation to a level less than significant. Applicant compliance with Imperial County and State standards would ensure the project does not significantly alter the site's drainage resulting in erosion or siltation on-or off-site, and impacts would be less than significant.
- cii) **Less than Significant Impact.** Refer to response X. ci) above.
- ciii) **Less than Significant Impact.** Refer to response X. ci) above.
- civ) **Less Than Significant Impact.** According to the Federal Management Agency (FEMA) Flood Insurance Rate Map (Panel 06025C2075C), the project site is within Zone X, which is an area determined to be outside the 0.2 percent annual chance floodplain (FEMA 2008). Therefore, the proposed project would not impede or redirect flood flows and this is considered a less than significant impact.
- d) **No Impact.** According to the Federal Management Agency (FEMA) Flood Insurance Rate Map (Panel 06025C2075C), the project site is within Zone X, which is an area determined to be outside the 0.2 percent annual chance floodplain (FEMA 2008). In addition, there are no large bodies of water near the project site. The Salton Sea is the closest body of water near the project site but is over 28 miles away from the site, and the Pacific Ocean is over 90 miles away. Therefore, the project would not risk release of pollutants due to project inundation by flood, tsunami or seiche. No impact would occur.
- e) **Less Than Significant Impact.** No groundwater wells will be drilled, nor will the project require the use of ground water. Any water needed for fugitive dust control, or other BMPs that require water will be obtained through the project applicant's existing IID contract. Furthermore, the project is required to comply with County, State, and Federal water quality standards. The proposed project will not conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan. This is considered a less than significant impact.



**XI. Land Use and Planning**

Environmental Issue Area:	Potentially Significant Impact (PSI)	Potentially Significant Unless Mitigation Incorporated (PSUMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
<b>Would the project:</b>				
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Impact Analysis**

- a) **No Impact.** The project site is located in a sparsely populated, agriculturally zoned portion of Imperial County. There are no established residential communities located within or in the vicinity of the project site. The nearest established residential community is the community of Seeley located north of the project site and north of I-8. Therefore, implementation of the project would not divide an established community and no impact would occur.
- b) **Potentially Significant Impact.** The project site is currently designated by the General Plan as "Agriculture." Existing project site zoning consists of A-2, A-2-R, A-2-RE, A-3 and A-3-RE. 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 conditional use permit. Conditional use permit applications proposed for specific renewable energy projects not located in the Renewable Energy Overlay Zone would not be allowed without an amendment to the Renewable Energy Overlay Zone. The majority of the project site is located outside of the Renewable Energy Overlay Zone. Therefore, a General Plan Amendment and Zone Change is required in order to include/classify the project sites into the Renewable Energy Overlay Zone. Because a General Plan amendment and zone change would be required for project implementation, the proposed project may result in a conflict with an applicable land plan, policy, or regulation. The project site is not located within a Habitat Conservation Plan or Natural Community Conservation Plan.

## XII. Mineral Resources

Environmental Issue Area:	Potentially Significant Impact (PSI)	Potentially Significant Unless Mitigation Incorporated (PSUMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
<b>Would the project:</b>				
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"/>

### Impact Analysis

- a) **No Impact.** The project site is not used for mineral resource production. According to Figure 8: Imperial County Existing Mineral Resources of the Conservation and Open Space Element of the General Plan (County of Imperial 2016), no known mineral resources occur within the project site nor does the project site contain mapped mineral resources. Therefore, the proposed project would not result in the loss of availability of any known mineral resources that would be of value to the region and the residents of California nor would the proposed project result in the loss of availability of a locally important mineral resource. Thus, no impact is identified for this issue area and no further analysis is warranted.
- b) **No Impact.** Refer to response XIII. a) above.



**XIII. Noise**

Environmental Issue Area:	Potentially Significant Impact (PSI)	Potentially Significant Unless Mitigation Incorporated (PSUMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
<b>Would the project result in:</b>				
a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Generation of excessive groundborne vibration or groundborne noise levels?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) For a project located within the vicinity of a private airstrip or 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"/>

**Impact Analysis**

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

The proposed project will also be expected to comply with the Noise Element of the General Plan which states that construction noise, from a single piece of equipment or a combination of equipment, shall not exceed 75 dB, when averaged over an eight-hour period, and measured at the nearest sensitive receptor. Construction equipment operation is also limited to the hours of 7 a.m. to 7 p.m., Monday through Friday, and 9 a.m. to 5 p.m. on Saturday. Nevertheless, the proposed project will result in the increase in ambient noise levels during construction. A noise report that will address the proposed project's potential noise impacts will be prepared and this issue will be addressed in the EIR.

- b) **Potentially Significant Impact.** Groundborne vibration and 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. Construction activities most likely to cause vibration include heavy construction equipment and site grading operations. Although all heavy, mobile construction equipment has the potential to cause at least some perceptible vibration when operating close to buildings, the vibration is usually short term and is not of sufficient magnitude to cause building damage. Heavy equipment such as dozers, loaders, and drill rig equipment would be operated and, depending on the location within the project site, could be close enough to residences or structures to cause vibration impact. Operation of the project would not result in vibrations perceptible to nearby receptors. This issue will be addressed in the EIR.

- c) **No Impact.** The project site is not located within an airport land use plan nor is it within two miles of a public airport or public use airport. As such, no impact would occur to people residing or working in the project area related to excessive noise levels.



#### XIV. Population and Housing

Environmental Issue Area:	Potentially Significant Impact (PSI)	Potentially Significant Unless Mitigation Incorporated (PSUMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
<b>Would the project:</b>				
a) Induce substantial unplanned population growth in an area, either directly (e.g., by proposing new homes and businesses) or indirectly (e.g., 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 people or housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Impact Analysis**

- a) **No Impact.** The project site is currently used for agricultural production. Development of residential uses is not proposed. Project construction would involve the use of temporary workforce, however, once operational, the project will only involve a limited number of employees for periodic maintenance activities. It is assumed that the workforce would be from southern California and would likely not require accommodations. The project would not appear to induce population growth; therefore, the project would have no impact.
- b) **No Impact.** No housing exists within the project site. Therefore, the proposed project would not displace any existing people or housing, which would require the construction of replacement housing elsewhere. No impact is identified for this issue area.



**XV. Public Services**

Environmental Issue Area:	Potentially Significant Impact (PSI)	Potentially Significant Unless Mitigation Incorporated (PSUMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
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:				
i. Fire Protection?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
ii. Police Protection?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
iii. Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iv. Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
v. Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**Impact Analysis**

- a) **Potentially Significant Impact.** 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 in 2000, the project site may be located within, and/or adjacent to an area identified as a Moderate Fire Hazard Area. Additionally, the project proposes BESS facilities, which require specialized fire suppression equipment and training to contain fires associated with lithium-ion batteries. 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 projects will be further evaluated in the EIR.
- a ii) **Potentially Significant Impact.** Police (law enforcement) 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 sites during construction and operation, thereby minimizing the need for police surveillance. However, the projects' impacts on sheriff services will be further evaluated in the EIR.
- a iii) **Less Than Significant Impact.** The proposed project does not include the development of residential land uses that would result in an increase in population or student generation. Also, the number of construction and operational workers coming to the region is low and is not expected to increase demand for schools or require the construction of new schools. Therefore, impacts would be less than significant.
- a iv) **Less Than Significant Impact.** The number of construction and operational workers coming to the region is low and is not expected to increase demand on existing or future parks. Therefore, impacts would be less than significant.
- a v) **Less Than Significant Impact.** The number of construction and operational workers coming to the region is low and is not expected to increase demand for any public services (such as post offices). Therefore, impacts would be less than significant.

## XVI. Recreation

Environmental Issue Area:	Potentially Significant Impact (PSI)	Potentially Significant Unless Mitigation Incorporated (PSUMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
<b>Would the project:</b>				
a) Would the project increase the use of 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 physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

### Impact Analysis

- a) **No Impact.** The project would not directly or indirectly increase the number of residents keeping the county compliant with the Quimby Act which requires 5 acres of parkland for every 1,000 residents. No new residents will be introduced into the project area. The workforce required to construct the project are anticipated to come from existing populations that live in or commute from the surrounding local community. As there is no increase of residencies or residents, it is reasonably foreseeable that the project would not lead to an increase of use or deterioration of existing neighborhood, regional, or other recreational facilities. Therefore, the project would have no impact on the use or deterioration of existing recreational resources.
- b) **No Impact.** The project does not include nor require the construction of a recreational facility as the project does not alter the current ratio of parkland acres to residents. Therefore, the project will have no impact on the construction or expansion of recreational facilities which might have an adverse effect on the environment.



**XVII. Transportation**

Environmental Issue Area:	Potentially Significant Impact (PSI)	Potentially Significant Unless Mitigation Incorporated (PSUMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
<b>Would the project:</b>				
a) Conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Conflict with or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Substantially increase hazards due to a geometric 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"/>
d) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Impact Analysis**

- a) **Potentially Significant Impact.** Construction of the proposed project would result in a small increase of traffic to the area, which may result in a potentially significant impact. As proposed, construction access to the project site could occur from the north or south via Derrick Road, Jessip Road, Westside Road, and Hyde Road, and from the east via Diel Road and Wixom Road (or other nearby local roads). An additional access alternative includes entrance to the Project site from Interstate 8 (I-8) to Dunaway Road, to West Evan Hewes Highway, to Westside Road. Large trucks would likely utilize I-8 and S29 (Drew Road) for materials deliveries. This impact is considered potentially significant, and a traffic impact study that will address the proposed project's potential impacts on traffic will be prepared. This issue will be addressed in the EIR.
- b) **Potentially Significant Impact.** Section 15064.3(b) of the CEQA Guidelines provides guidance on determining the significance of transportation impacts and focuses on the use of vehicle miles traveled (VMT), which is defined as the amount and distance of automobile travel associated with a project. Given the nature of the project, after construction, there would be a nominal amount of vehicle trips generated by the project. Once the proposed project is implemented, the proposed project would require intermittent maintenance requiring a negligible amount of traffic trips on an annual basis. However minimal, the proposed project would increase the number of vehicular trips related to construction and the need for intermittent maintenance on an annual basis. Therefore, this issue is potentially significant and will be addressed in the traffic impact study and EIR analysis.
- c) **No Impact.** The project would not result in any changes to any roads, intersections, streets, highways, nor would it provide any incompatible uses to the street and highway system. All vehicles that would be used for travel to and from the project site would be licensed and comply with all appropriate transportation laws and regulations including obtaining and adhering to provisions of any required permits for oversized loads. As such, no impact related to transportation design hazards would occur.
- d) **No Impact.** All proposed facilities would be constructed within the property boundaries of the project site and would not affect emergency vehicle access to the facility or any roadway. Emergency vehicle access identified and designated in the project site, would not be changed as result of the proposed project. Therefore, no impacts to emergency access to the plant site or surrounding area would occur under the project.

### XVIII. Tribal Cultural Resources

Environmental Issue Area:	Potentially Significant Impact (PSI)	Potentially Significant Unless Mitigation Incorporated (PSUMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
<b>Would the project cause a substantial adverse change in the significance of a tribal cultural resource defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:</b>				
a) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Impact Analysis**

a-b) **Potentially Significant Impact.** Assembly Bill 52 was passed in 2014 and took effect July 1, 2015. It established a new category of environmental resources that must be considered under CEQA called tribal cultural resources (Public Resources Code 21074) and established a process for consulting with Native American tribes and groups regarding those resources. Assembly Bill 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.

In accordance with AB 52, Imperial County, as the CEQA lead agency, sent an AB 52 consultation request letter to the Campo Band of Mission Indians and Fort Yuma-Quechan Indian Tribe on June 12, 2024. This issue will be further analyzed in the EIR.

Also need to address SB-18 Consultation response



**XIX. Utilities and Service Systems**

Environmental Issue Area:	Potentially Significant Impact (PSI)	Potentially Significant Unless Mitigation Incorporated (PSUMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
<b>Would the project:</b>				
a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) 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"/>
d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**Impact Analysis**

- a) **Less Than Significant Impact.** Operational use of water resources for the project would be limited to domestic use within operations and maintenance buildings, solar panel washing, and fire protection services. Impacts associated with water facilities would be less than significant. Construction of the proposed facilities would not generate/discharge any wastewater. Impacts associated with water facilities would be less than significant.  
  
No natural gas facilities are located near the project and no natural gas hookup is required for the project. No impacts associated with natural gas facilities would occur. The project will not have an impact on any telecommunications.  
  
The project would not require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, impacts would be less than significant.
- b) **Potentially Significant Impact.** Although water for operations and maintenance buildings, solar panel washing, and fire protection services during project operation is not anticipated to result in a significant

increase in water demand/use, IID would provide the water required for operations and maintenance and potable water will be trucked onto the site. Thus, a potentially significant impact is identified for the availability of sufficient water supplies to serve the proposed project for the reasonably foreseeable future. The proposed project's potential impacts on water supplies will be analyzed in the EIR.

- c) **No Impact.** The proposed project would generate a minimal volume of wastewater during construction, which would be in the form of portable chemical sanitary facilities that would be used by all construction personnel. These facilities will be serviced by a local contractor. In addition, all construction liquids would be disposed of in compliance with all appropriate local, state and federal disposal regulations. Therefore, no impacts to the wastewater treatment utility's service capacity would occur.
- d) **Less than Significant Impact.** Solid waste generation would be minor for the construction and operation of the proposed project. Solid waste during construction will be disposed of in an approved solid waste disposal site in accordance with Imperial County Environmental Health Department requirements. Waste will be routinely collected and disposed of at an authorized landfill by a licensed disposal contractor. The project would not generate solid waste in excess of state or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals.

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 conditional use permit will contain provisions for recycling and diversion of Imperial County construction waste policies. Therefore, a less than significant impact is identified for this issue area.

- e) **Less than Significant Impact.** Refer to response XIX. d) above.




**XX. Wildfire**

Environmental Issue Area:	Potentially Significant Impact (PSI)	Potentially Significant Unless Mitigation Incorporated (PSUMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
<b><i>If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:</i></b>				
a) Substantially impair an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Impact Analysis**

- a) **No Impact.** According to the Fire Hazard Severity Zone Viewer provided by the California Department of Forestry and Fire Protection, the project area is not located in or near state responsibility areas or lands classified as very high hazard severity zones (California Department of Forestry and Fire Protection 2023). Therefore, the project would not substantially impair an adopted emergency response plan or emergency evacuation plan. No impact is identified for this issue area.
- b) **No Impact.** The project area is not located in or near state responsibility areas or lands classified as very high hazard severity zones (California Department of Forestry and Fire Protection 2023). The Seismic and Public Safety Element of the County General Plan also states that the potential for a major fire in the unincorporated areas of the County are generally low (County of Imperial 1997). The project site is located on flat land, which does not pose a risk due to slope. The County’s Multi-Jurisdictional Hazard Mitigation Plan (2021) recognizes and manages events of high winds and other extreme weather in Imperial County. The project would not exacerbate wildfire risks associated with slope or prevailing winds; no impact would occur.
- c) **No Impact.** The project area is not located in or near state responsibility areas or lands classified as very high hazard severity zones (California Department of Forestry and Fire Protection 2023). The project will have two double-walled 20,000-gallon isopentane tanks on site which would be equipped with a fire suppression system supported by additional onsite water. This is required by the California Fire Code as adopted by the Imperial County Code. Additionally, the underground interconnection line would be situated along the existing utility lines along Dogwood Road. All infrastructure would comply with existing regulations and would not exacerbate fire risk; no impacts would occur.



- 
- d) **No Impact.** According to Figure 2: Landslide Activity in the Seismic and Public Safety Element of the General Plan (County of Imperial 1997), the project site is not located in an area that is prone to landslide hazards. Furthermore, the site topography is flat, and no ancient landslides have been mapped in the area. The project would not alter the existing drainage pattern surrounding the project site and it would comply with regulations that reduce the potential for excess runoff waters from the project site. The project would not expose people or structures to significant risks as a result of runoff, post-fire instability, or drainage changes, therefore no impact would occur.



**XXI. Mandatory Findings of Significance**

Environmental Issue Area:	Potentially Significant Impact (PSI)	Potentially Significant Unless Mitigation Incorporated (PSUMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
<b><i>Would the project:</i></b>				
a) Does the project have the potential to substantially 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, substantially 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"/>

***Impact Analysis***

- a) **Potentially Significant Impact.** The proposed project has the potential to result in significant environmental effects on biological resources and cultural resources, which could directly or indirectly cause adverse effects on the environment. These issues will be further evaluated in the EIR.
- b) **Potentially Significant Impact.** Implementation of the proposed project has the potential to result in impacts related to: aesthetics, agricultural resources, air quality, biological resources, cultural resources, geology/soils, greenhouse gas emissions, hazards and hazardous materials, hydrology and water quality, transportation, tribal cultural resources, and utilities/service systems. 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.
- c) **Potentially Significant Impact.** Implementation of the proposed project has the potential to result in impacts related to: air quality, geology/soils, and hazards and hazardous materials. These potential environmental effects could cause substantial adverse effects on human beings. These issues will be further evaluated in the EIR.



## References

- California Department of Conservation (DOC). 2020. California Important Farmland Finder. Available on-line at: <https://maps.conservation.ca.gov/DLRP/CIFF/>. Accessed December 8, 2023.
- California Department of Forestry and Fire Protection. 2023. Fire Hazard Severity Zone Viewer. Available on-line at: <https://calfire-forestry.maps.arcgis.com/apps/webappviewer/index.html?id=988d431a42b242b29d89597ab693d008>. Accessed December 8, 2023.
- California Department of Resources Recycling and Recovery (CalRecycle). 2019 Facility/Site Summary Details: Calexico Solid Waste Site (13-AA-0004). <https://www2.calrecycle.ca.gov/SolidWaste/SiteActivity/Details/4179?siteID=591>. Accessed December 11, 2023.
- California Department of Transportation (Caltrans). 2018. California Scenic Highway Mapping System. Available on-line at: <https://caltrans.maps.arcgis.com/apps/webappviewer/index.html?id=465dfd3d807c46cc8e8057116f1aaca>. December 8, 2023.
- County of Imperial. 1997. County of Imperial General Plan. Seismic and Public Safety Element. <https://www.icpds.com/assets/planning/seismic-and-public-safety.pdf>.
- 2016. County of Imperial General Plan. Conservation and Open Space Element. Available on-line at: <https://www.icpds.com/planning/land-use-documents/general-plan/conservation-and-open-space-element>.
- 2021. Imperial County Multi-Jurisdictional Hazard Mitigation Plan. January 2021. Available on-line at: [https://firedept.imperialcounty.org/wp-content/uploads/2021/01/Imperial-County-MHMP-2021-Plan-Update-2021\\_01\\_11.pdf](https://firedept.imperialcounty.org/wp-content/uploads/2021/01/Imperial-County-MHMP-2021-Plan-Update-2021_01_11.pdf).
- Department of Toxic Substances Control. 2023. EnviroStor. Available on-line at: <https://www.envirostor.dtsc.ca.gov/public/>. Accessed December 8, 2023.
- Federal Emergency Management Agency (FEMA). 2008. Flood Insurance Rate Map (Panel 06025C2075C).
- State Water Resources Control Board. GeoTracker. Available on-line at: <https://geotracker.waterboards.ca.gov/>. Accessed on December 8, 2023.

## List of Preparers

This Initial Study was prepared for the Imperial County Planning and Development Services Department by HDR at 591 Camino de la Reina, Suite 300, San Diego, CA 92108. The following professionals participated in its preparation:

### Imperial County Planning and Development Services Department

Jim Minnick, Planning and Development Services Director

Michael Abraham, AICP, Assistant Planning and Development Services Director

Diana Robinson, Planning Director

Rocio Yee, Planner I

### HDR

Tim Gnibus, Principal/Project Manager

Anitra Rice, Deputy Project Manager

Regan Del Rosario, Deputy Project Manager

Anders Burvall, Senior Geographic Information Systems Analyst

Sharon Jacob, Geographic Information Systems Analyst

Katherine Turner, Document Production Administrator

**APPLICANT SUBMITTAL**



29 April 2024

Jim Minnick, Planning Director  
C/o Michael Abraham, and Diana Robinson  
Imperial County Planning & Development Services  
801 Main Street  
El Centro, CA 92243  
Phone: 442-265-1736

*Letter of Request*

Dear Mr. Minnick,

90FI 8me LLC (applicant) would like to request a General Plan Amendment to add the assessor parcel numbers (APNs) (in the attached) to the Imperial County Renewable Energy Overlay.

These APNs constitute the proposed Big Rock 2 Cluster Solar Farm Project, for which the following Conditional Use Permit (CUP) application packages are currently under consideration by Planning and Development Services Department:

1. CUP 24-0006
2. CUP 24-0007
3. CUP 24-0008
4. CUP 24-0009

- |                |                 |                 |
|----------------|-----------------|-----------------|
| 1. 051-270-020 | 9. 051-300-016  | 17. 051-350-004 |
| 2. 051-270-028 | 10. 051-300-026 | 18. 051-350-006 |
| 3. 051-270-036 | 11. 051-300-035 | 19. 051-350-007 |
| 4. 051-270-041 | 12. 051-300-037 | 20. 051-350-008 |
| 5. 051-280-054 | 13. 051-320-005 | 21. 051-300-032 |
| 6. 051-290-018 | 14. 051-320-006 | 22. 051-300-036 |
| 7. 051-290-019 | 15. 051-320-007 | 23. 051-310-027 |
| 8. 051-300-011 | 16. 051-330-003 | 24. 051-310-028 |

**Note:** APNs 051-300-032, 051-300-036, 051-310-027, and 051-310-028 were previously amended (-RE) under the previously entitled Laurel Cluster Solar Farms Project (Laurel 2 North and South); however, since the active CUPs are expiring at the end of 2024, the applicant seeks to re-entitle those APNs under the CUP application package listed above.

With this request to add the parcels to the Renewable Energy Overlay, no amendment is requested to their underlying "agricultural" designations under the Imperial County General Plan.

Please contact me if you should need any additional information or materials at this time to fulfill this request at (303) 588-3855 or at [jjackson@avantus.com](mailto:jjackson@avantus.com).

Sincerely,



**Jennifer Jackson**  
**DIRECTOR, PERMITTING**  
(303) 588-3855 MOBILE





29 April 2024

Jim Minnick, Planning Director  
C/o Michael Abraham, and Diana Robinson  
Imperial County Planning & Development Services  
801 Main Street  
El Centro, CA 92243  
Phone: 442-265-1736

*Letter of Request*

Dear Mr. Minnick,

90FI 8me LLC (applicant) seeks a variance to deviate from the 120-foot height limit for non-residential structures in the A-2 and A-3 Zones. The applicant is asking for a height limit increase on private lands associated with the Big Rock 2 Cluster Solar Farm Project (Project) to construct an overhead transmission “gen-tie” line that may be mounted on tubular steel poles up to 200 feet in height.

This variance is being requested for the Project, for which the following Conditional Use Permit (CUP) application packages are currently under consideration by Planning and Development Services Department:

- CUP 24-0006
- CUP 24-0007
- CUP 24-0008
- CUP 24-0009

Variance applications for each CUP are included herein. Please contact me if you should need any additional information or materials at this time to fulfill this request at (303) 588-3855 or at [jjackson@avantus.com](mailto:jjackson@avantus.com).

Sincerely,

A handwritten signature in black ink that reads "Jennifer Jackson".

**Jennifer Jackson**  
**DIRECTOR, PERMITTING**  
**(303) 588-3855 MOBILE**



**RECEIVED**

**MAR 15 2024**

**Indemnification Forms and Owner Affidavits  
Cover Letter**

**IMPERIAL COUNTY  
PLANNING & DEVELOPMENT SERVICES**

13 March 2024

Jim Minnick, Planning Director  
Imperial County Planning & Development Services  
801 Main Street  
El Centro, CA 92243  
Phone: 442-265-1736

**RE: Indemnification Forms and Affidavits associated with Conditional Use Permit Application(s)  
for the Big Rock 2 Cluster Solar Storage Project**

Dear Mr. Minnick,

Please find included in this package the original fully-executed Indemnification Forms and Affidavts associated with the Conditional Use Permit (CUP) application packages for the Big Rock 2 Solar Storage Project (Project).

We look forward to working with you to bring this renewable energy generation and energy storage project to Imperial County. Please contact me if you should need any additional information or materials at this time to fulfill this request at (303) 588-3855 or at [jjackson@avantus.com](mailto:jjackson@avantus.com).

Sincerely,

**Jennifer Jackson**  
**DIRECTOR, PERMITTING**  
**(303) 588-3855 MOBILE**



29 April 2024

Jim Minnick, Planning Director  
C/o Michael Abraham, and Diana Robinson  
Imperial County Planning & Development Services  
801 Main Street  
El Centro, CA 92243  
Phone: 442-265-1736

*Letter of Request*

Dear Mr. Minnick,

90FI 8me LLC (applicant) seeks a variance to deviate from the 120-foot height limit for non-residential structures in the A-2 and A-3 Zones. The applicant is asking for a height limit increase on private lands associated with the Big Rock 2 Cluster Solar Farm Project (Project) to construct an overhead transmission "gen-tie" line that may be mounted on tubular steel poles up to 200 feet in height.

This variance is being requested for the Project, for which the following Conditional Use Permit (CUP) application packages are currently under consideration by Planning and Development Services Department:

- CUP 24-0006
- CUP 24-0007
- CUP 24-0008
- CUP 24-0009

Variance applications for each CUP are included herein. Please contact me if you should need any additional information or materials at this time to fulfill this request at (303) 588-3855 or at [jjackson@avantus.com](mailto:jjackson@avantus.com).

Sincerely,

A handwritten signature in black ink that reads "Jennifer Jackson".

**Jennifer Jackson**  
**DIRECTOR, PERMITTING**  
**(303) 588-3855 MOBILE**



29 April 2024

Jim Minnick, Planning Director  
C/o Michael Abraham, and Diana Robinson  
Imperial County Planning & Development Services  
801 Main Street  
El Centro, CA 92243  
Phone: 442-265-1736

*Letter of Request*

Dear Mr. Minnick,

90FI 8me LLC (applicant) seeks a variance to deviate from the 120-foot height limit for non-residential structures in the A-2 and A-3 Zones. The applicant is asking for a height limit increase on private lands associated with the Big Rock 2 Cluster Solar Farm Project (Project) to construct an overhead transmission “gen-tie” line that may be mounted on tubular steel poles up to 200 feet in height.

This variance is being requested for the Project, for which the following Conditional Use Permit (CUP) application packages are currently under consideration by Planning and Development Services Department:

- CUP 24-0006
- CUP 24-0007
- CUP 24-0008
- CUP 24-0009

Variance applications for each CUP are included herein. Please contact me if you should need any additional information or materials at this time to fulfill this request at (303) 588-3855 or at [jjackson@avantus.com](mailto:jjackson@avantus.com).

Sincerely,

A handwritten signature in black ink that reads "Jennifer Jackson".

**Jennifer Jackson**  
**DIRECTOR, PERMITTING**  
**(303) 588-3855 MOBILE**



29 April 2024

Jim Minnick, Planning Director  
C/o Michael Abraham, and Diana Robinson  
Imperial County Planning & Development Services  
801 Main Street  
El Centro, CA 92243  
Phone: 442-265-1736

*Letter of Request*

Dear Mr. Minnick,

90FI 8me LLC (applicant) seeks a variance to deviate from the 120-foot height limit for non-residential structures in the A-2 and A-3 Zones. The applicant is asking for a height limit increase on private lands associated with the Big Rock 2 Cluster Solar Farm Project (Project) to construct an overhead transmission “gen-tie” line that may be mounted on tubular steel poles up to 200 feet in height.

This variance is being requested for the Project, for which the following Conditional Use Permit (CUP) application packages are currently under consideration by Planning and Development Services Department:

- CUP 24-0006
- CUP 24-0007
- CUP 24-0008
- CUP 24-0009

Variance applications for each CUP are included herein. Please contact me if you should need any additional information or materials at this time to fulfill this request at (303) 588-3855 or at [jjackson@avantus.com](mailto:jjackson@avantus.com).

Sincerely,

A handwritten signature in black ink, appearing to read "Jennifer Jackson".

**Jennifer Jackson**  
**DIRECTOR, PERMITTING**  
**(303) 588-3855 MOBILE**





Jim Minnick  
DIRECTOR

## Imperial County Planning & Development Services Planning / Building / Parks & Recreation

---

### NOTICE TO APPLICANT

**SUBJECT: PAYMENT OF FEES**

**Dear Applicant:**

Pursuant to County Codified Ordinance Division 9, Chapter 1, Section 90901.02, all Land Use Applications must be submitted with their appropriate application fee. Failure to comply will cause application to be rejected.

Please note that once the Department application is received and accepted, a "time track" billing will commence immediately. Therefore, should you decide to cancel or withdraw your project at any time, the amount of time incurred against your project will be billed and deducted from your payment. As a consequence, if you request a refund pursuant to County Ordinance, your refund, if any, will be the actual amount paid minus all costs incurred against the project.

Please note there will be no exceptions to this policy. Thank you for your attention.

Sincerely yours,

Jim Minnick, Director  
Planning & Development Services

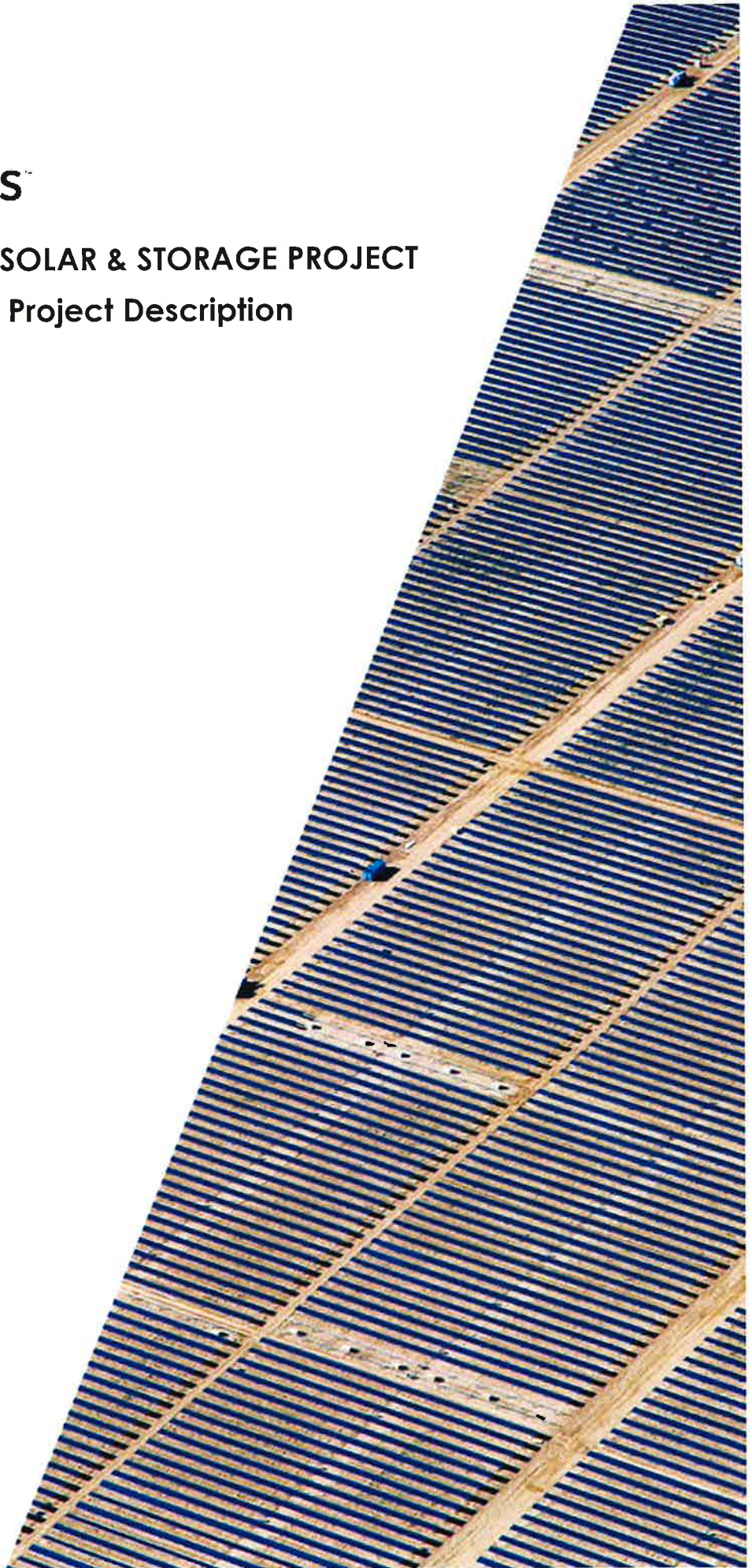
RECEIVED BY: Stephen Ruy DATE: 3/27/24



# BIG ROCK 2 CLUSTER SOLAR & STORAGE PROJECT CUP Application and Project Description

19 August 2024

Submitted by:  
90FI 8me LLC  
4370 Town Center Blvd., Suite 110  
El Dorado Hills, CA 95762



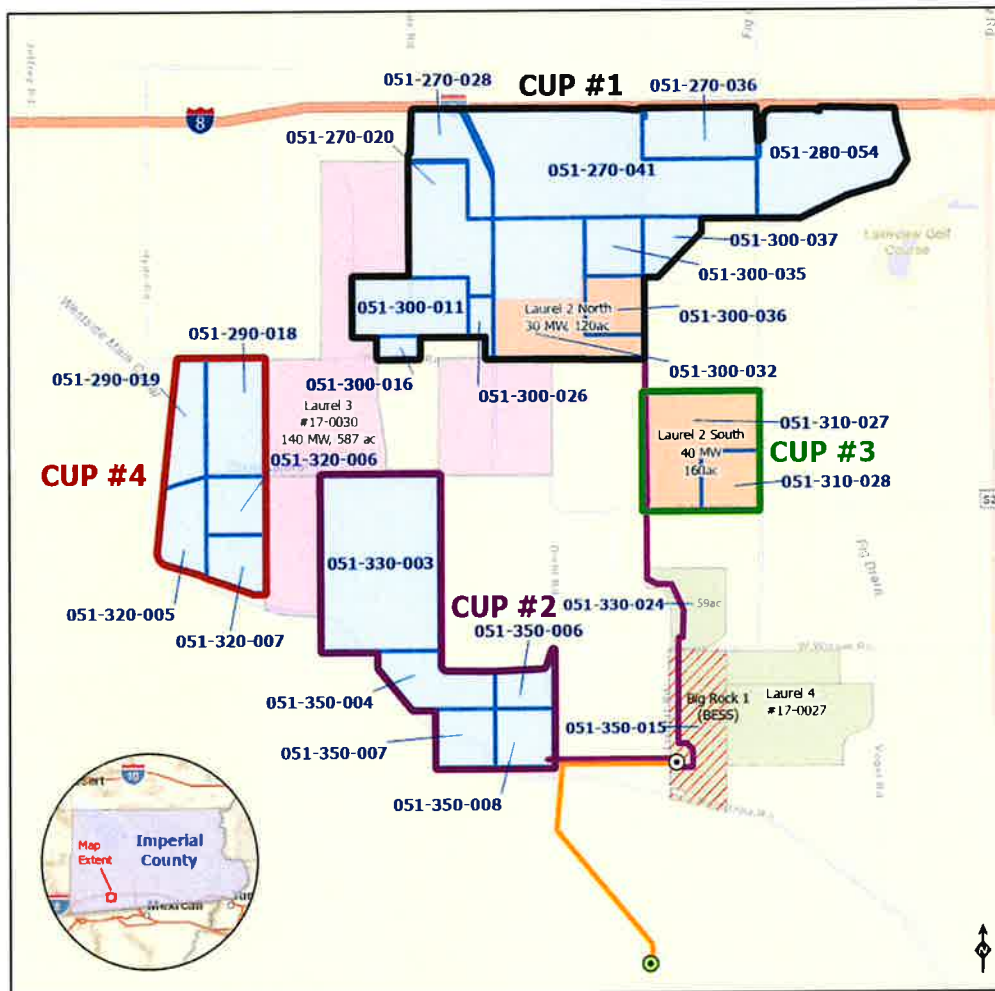


**This page left blank intentionally.**

## Big Rock 2 Cluster Solar and Storage Project

This document contains Supporting Materials for the following Conditional Use Permit Applications Packages:

1. CUP #1: Big Rock 2 Cluster North (1,030 acres)
  - Big Rock 2 Cluster North (910 acres), including;
    - Laurel Cluster 2 North /CUP # 21-0014 (120 acres) *(to be re-entitled)*
2. CUP #2: Big Rock 2 Cluster South (410 acres)
3. CUP #3: Big Rock 2 Cluster East/Laurel Cluster 2 South CUP # 21-0013) (160 acres) *(to be re-entitled)*
4. CUP #4 Big Rock Cluster West (249 acres)



**This page left blank intentionally.**

# TABLE OF CONTENTS

<b>INTRODUCTION .....</b>	<b>1</b>
<b>Site Information.....</b>	<b>4</b>
<b>PROJECT DESCRIPTION.....</b>	<b>7</b>
<b>Overview.....</b>	<b>7</b>
<b>Project Objectives .....</b>	<b>7</b>
<b>Project Components .....</b>	<b>8</b>
PV Module Configuration .....	8
Collection, Inverter and Transformer Systems.....	11
Battery Energy Storage System .....	12
Substation(s).....	15
Transmission Line and Interconnection.....	15
Operations and Maintenance (O&M) Building.....	16
Roadway and IID Crossings .....	16
Water Usage .....	16
Water Storage.....	17
Site Security and Fencing.....	17
Lighting .....	17
Annual Production .....	17
Electric Service .....	18
<b>Project Construction .....</b>	<b>18</b>
Construction Activities and Duration .....	18
Laydown Areas.....	19
Workforce.....	19
<b>Project Operation.....</b>	<b>19</b>
Operational Activities .....	19
Workforce.....	20
<b>Project Compliance Plans and Best Management Practices .....</b>	<b>20</b>
Hazardous Materials and Hazardous Waste Management.....	20
Spill Prevention and Containment.....	21
Wastewater/Septic System .....	21
Solid Waste Management .....	21
Dust Control.....	21
Pest and Vegetation Management.....	22
Fire Management .....	22
Health and Safety .....	22
General Plan Consistency .....	23
<b>Decommissioning and Reclamation .....</b>	<b>23</b>
<b>Anticipated Required Project Entitlements.....</b>	<b>24</b>

## **APPENDICES**

**Appendix A      Site Plan**

**Appendix B      Full Resolution Map Figures**

## INTRODUCTION

90FI 8me LLC (“the Applicant”) is seeking approval of four (4) Conditional Use Permits (CUPs) associated with the construction and operation of a utility-scale [up to 500-megawatt (MW) in capacity] photovoltaic (“PV”) solar energy generation and Battery Energy Storage System (“BESS”) facility (also up to 500-MW in capacity). The proposed Project, collectively called, the Big Rock 2 Cluster Solar and Storage Project (“Big Rock 2” or the “Project”) contemplates utilizing approximately 1,569 acres of “new lands” that have not previously been entitled, in addition to up to 867 acres of lands that are currently entitled under active CUPs known as Laurel Cluster 3 (587 acres), Laurel Cluster 2 North (120 acres), and Laurel Cluster 2 South (160 acres) totaling 2,436 acres of available land for development (Figure 1).

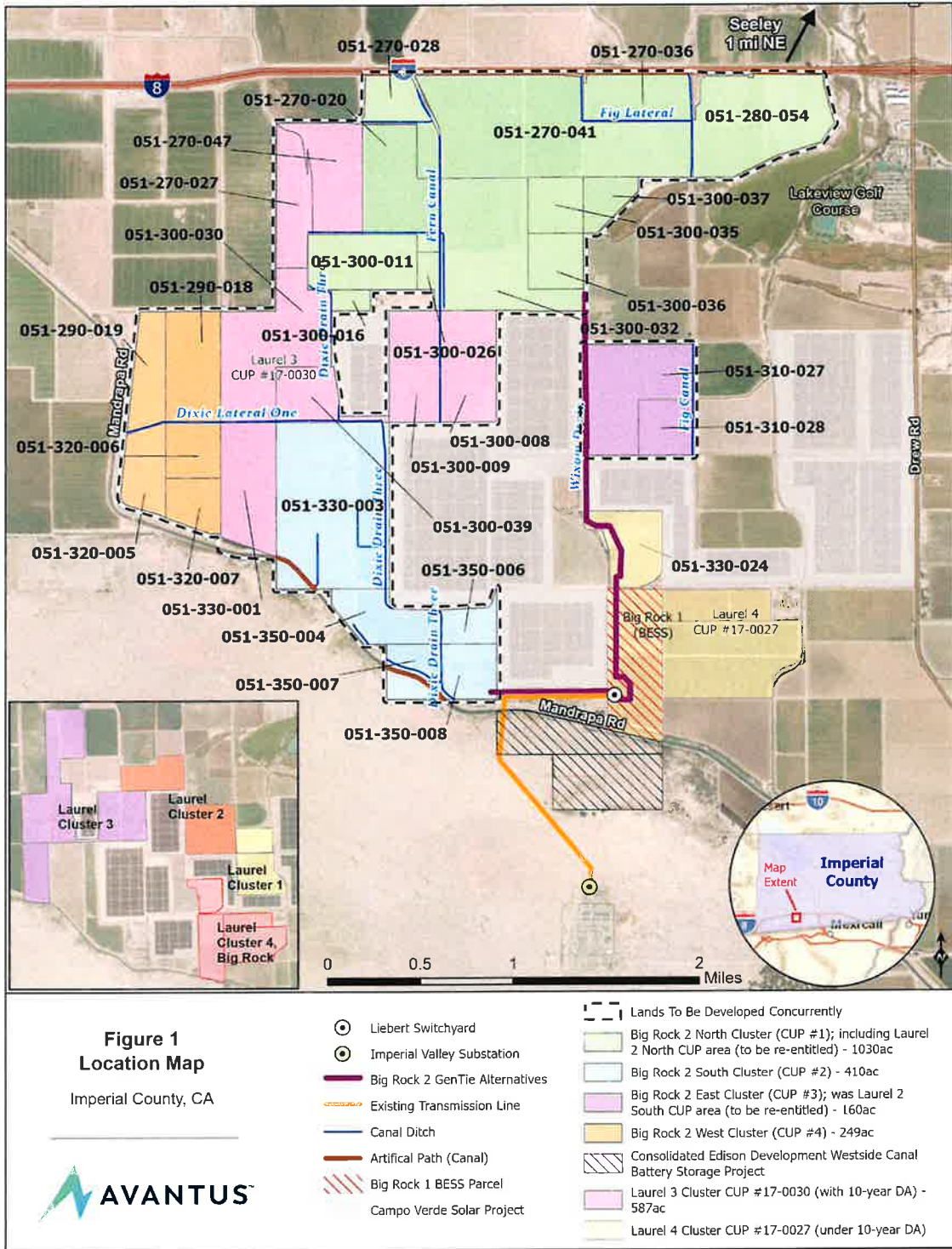
Energy generated by the Project would be collected using up to 66 kilovolt (“kV”) collector lines which could run overhead and/or underground to a dedicated Project substation. A 230-kV overhead generation intertie (gen-tie) transmission line is anticipated to link the Project substation to the Liebert Switchyard (pending construction), which will then be connected via an overhead 230-kV gen-tie line to the existing San Diego Gas and Electric (SDG&E) Imperial Valley Substation (Figure 1). It is anticipated that all BESS facilities associated with the Project will be developed concurrently with PV componentry and situated in proximity to Project sub-station(s); however, the CUP areas may cooperate if necessary to meet energy production and Project needs, by allowing one CUP area to utilize “BESS” credits of another. Likewise, the Project may share facilities such as Operations & Maintenance (O&M) facilities, transmission-related facilities, Project sub-station(s), and/or other appurtenances.

The Applicant intends to secure CUPs from Imperial County as the lead agency, along with permits and approvals from other relevant agencies as required by law. Laurel Cluster 3 CUP (#17-0030) is associated with a 10-year Development Agreement (DA) (Document Number 2023012228). However, Laurel Cluster 2 CUPs may expire prior to this approval, therefore, those areas have been integrated into this request, upon approval, Imperial County would void CUPs #21-0014 and #21-0013. Table 1 provides a breakdown of Project areas and acreage availability.

**Table 1: Total Project Area and Land Availability**

	Acres Available	CUP #
Big Rock 2 Cluster North, including Laurel Cluster 2 North (120 acres) parcels under CUP # 21-0014 (expires Dec. 2024)	1,030	CUP Request #1 (partial re-entitlement)
Big Rock 2 Cluster South	410	CUP Request #2
Big Rock 2 Cluster East/Laurel Cluster 2 South parcels under CUP #21-0013 (expires Dec. 2024)	160	CUP Request #3 (re-entitlement)
Big Rock 2 Cluster West	249	CUP Request #4
Laurel Cluster 3 CUP #17-0030	587	NA (under 10-year DA)

Figure 1: Project Location Map



## Site Information

### Site Characteristics

The proposed Project site is located in unincorporated Imperial County, south of Interstate 8, approximately one mile southwest of the town of Seeley, California, and approximately six miles north of the United States International Border with Mexico (Figure 1).

The topography of the Project area is relatively flat, consisting primarily of fields and unpaved roads, and all the Project parcels have been extensively cleared, plowed, and maintained for agricultural production. Due to the extensive irrigated farming history within the Project area, as well as locally high-water table, many irrigation canals and drains occur within proximity of the Project. These include a segment of the New River adjacent to the northeast corner of the Project, and the Imperial Irrigation District (IID) Westside Main Canal which is located along the west and southern edges of the Project area. In addition, multiple named irrigation canals and drains are located adjacent to the unimproved roadways in the Project area, including Fern Canal and Sidemain, Foxglove Canal, Wixom and Fig Drains, and Dixie Drains Two, Three, Three A and Three B.

### Parcels, Zoning, and Acreage(s)

**Table 2: Big Rock 2 Cluster North (New CUP Request #1)**

	APN	Zoning	Acres
1	051-270-020	A-2-R	101.8
2	051-270-028	A-2	52.3
3	051-270-036	A-2	67.4
4	051-270-041	A-2-R	279.0
5	051-280-054	A-2	149.5
6	051-300-011	A-2	79.6
7	051-300-016	A-2	10.8
8	051-300-026	A-2	13.4
9	051-300-035	A-3	40.3
10	051-300-037	A-3	28.9
11	051-300-032 (northern portion)	A-2	<b>85.5</b>
	<b>Sub-total</b>		<b>910</b>
	<b>Laurel 2 North CUP #21-0014 (Expires December 2024)</b>		
12	051-300-032 (southern portion) (to be re-entitled)	A-2-RE	80
13	051-300-036 (to be re-entitled)	A-3-RE	40.3
	<b>Sub-total</b>		<b>120</b>
	<b>TOTAL ACRES</b>		<b>1,030</b>

**Table 3: Big Rock 2 Cluster South (New CUP Request #2)**

	APN	Zoning	Acres
1	051-330-003	A-3	246.5
2	051-350-004	A-3	57.4



	APN	Zoning	Acres
3	051-350-006	A-3	26.3
4	051-350-007	A-3	40.0
5	051-350-008	A-3	40.0
	<b>TOTAL ACRES</b>		<b>410</b>

**Table 4: Big Rock Cluster 2 East (to be re-entitled) (New CUP Request #3)**

<b>Laurel Cluster 2 South CUP #21-0013 (Expires December 2024)</b>			
1	051-310-027	A-2-R-RE	120.0
2	051-310-028	A-2-R-RE	39.9
	<b>Total</b>		<b>160</b>

**Table 5: Big Rock 2 Cluster West (New CUP Request #4)**

	APN	Zoning	Acres
1	051-290-018	A-2-R	79.8
2	051-290-019	A-3	48.7
3	051-320-005	A-3	45.0
4	051-320-006	A-3	39.9
5	051-320-007	A-3	35.3
	<b>TOTAL ACRES</b>		<b>249</b>

## Site Information

### Site Characteristics

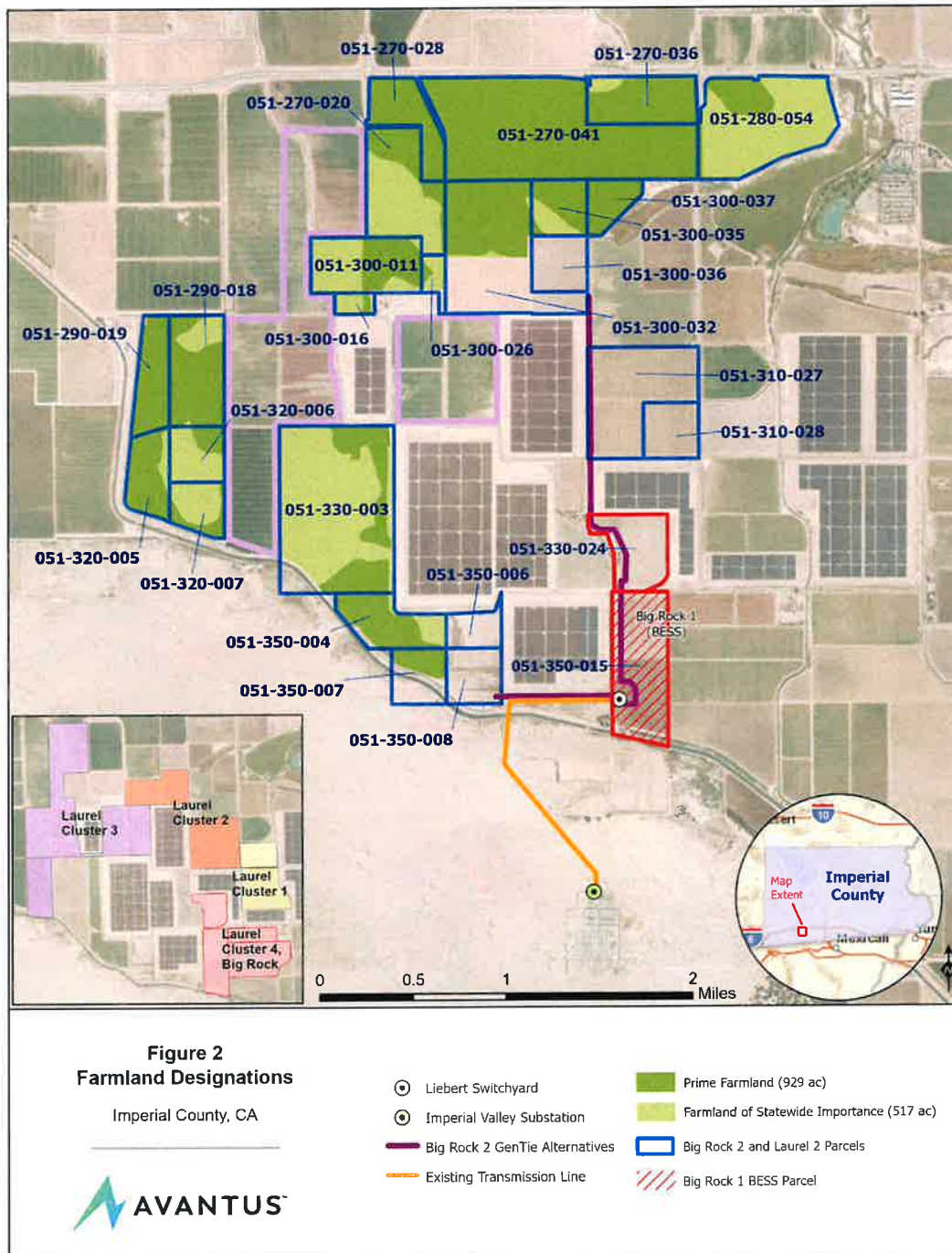
The Project site is located in unincorporated Imperial County, south of Interstate 8, approximately one mile southwest of the town of Seeley, California, and approximately six miles north of the United States International Border with Mexico (Figure 3).

The topography of the Project area is relatively flat, consisting primarily of agricultural fields and unpaved roads, and all the Project parcels have been extensively cleared, plowed, and maintained for agricultural production. Due to the extensive irrigated farming history within the Project area, as well as locally high-water table, many irrigation canals and drains occur within proximity of the Project. These include a segment of the New River adjacent to the northeast corner of the Project, and the IID Westside Main Canal which is located along the west and southern edges of the Project area. In addition, multiple named irrigation canals and drains are located adjacent to the unimproved roadways in the Project area, including Fern Canal and Sidemain, Foxglove Canal, Wixom and Fig Drains, and Dixie Drains Two, Three, Three A and Three B.

The entire Project area is designated Agricultural in the Imperial County General Plan. Current land use of the Project parcels includes cropland, dryland grain crops, irrigated grain and hayfields, row crops, orchards, and pastureland.

Figure 2 also illustrates Prime Farmland and Farmland of Statewide Importance; however, the Project does not include agricultural lands designated under the “Williamson Act”.

**Figure 2: Farmland Designations**



## **Adjacent Lands**

### *Existing Land Use*

The Project is adjacent and proximal to both Agricultural and Agricultural/Rural lands that have been rezoned for renewable energy (RE), specifically for PV solar and BESS projects that have been approved by Imperial County.

Nearby land uses are predominantly agricultural and/or renewable energy generation, but also include commercial, transportation, military, and electric utility uses. Commercial land uses include the Rio Bend Golf Course (*and associated Specific Plan Area*) to the east of the Project. The Interstate 8 and Union Pacific Railroad transportation corridors are located to the north of the Project. To the south of the Project, utility land uses include the SDG&E Imperial Valley Substation, as well as additional agricultural lands that have been designated for PV solar, and BESS renewable energy projects.

### *Operational Renewable Energy Facilities*

Campo Verde Solar, owned by Southern Power, became operational in September 2013 and is located on multiple APNs that are adjacent to the proposed Project (Figure 1).

### *Renewable Energy Facilities Pending Entitlement*

The Consolidated Edison Development Westside Canal Battery Storage Project is a utility-scale energy storage development approved by Imperial County and is located on two APNs adjacent to the southernmost parcels of the proposed Big Rock 2 Project (Figure 1).

## PROJECT DESCRIPTION

### Overview

The Applicant proposes to develop, design, and construct a PV solar energy generation and BESS facility comprised of up to 500 megawatt alternating current (MWac) PV solar and up to 500 MWac of BESS. Power generated by the Project would be collected using up to 66-kV collector lines which could run overhead and/or underground to a dedicated Project substation, with a 230-kV overhead generation transmission line or “gen-tie” line linking a Project substation to the IID Liebert Switchyard. The Liebert Switchyard would then be connected to the SDG&E Imperial Valley substation via an overhead 230-kV gen-tie line. The Project contemplates two gen-tie line alternatives as depicted in Figure 1.

The Applicant has considered the following in its selection of the Big Rock 2 PV solar and BESS Project for detailed evaluation:

- Private land availability suitable for renewable energy development
- Compatible Land Use Zoning: Agricultural/Rural Zone(s)
- Proximity to the SDG&E Imperial Valley substation
- Proximity to the applicant’s previously approved PV solar and BESS projects entitled with Imperial County

### Project Objectives

The primary objective of 90FI 8me LLC is to develop, design and construct a large-scale solar PV and BESS facility in Imperial County that, when operational, maximizes the production of clean, reliable, and renewable electric power in an economically feasible and commercially financeable manner. The power produced by the Project is expected to be marketed to utility companies, Community Choice Aggregators (CCAs), or other large-scale energy off-takers. Additional Project objectives include:

- Provide renewable energy to the electric grid to meet increasing demand for in-state generation and provide energy storage that can be dispatched to the regional grid during times of greatest energy demand.
- Integrate the proposed Project operating facilities with previously proposed and entitled PV solar and BESS projects in the project vicinity to maximize economies of scale.
- Provide annual revenues consistent with the Public Benefit Program for Solar Power Plants in Imperial County (Amended May 9, 2023, by the Board of Supervisors) that directly supports Agriculture, Community Benefits Funds, and Public Services (e.g., Sheriff, Public Health, Fire Department) within Imperial County.
- Assist the County in continuing the goal in the Energy Element of its General Plan to develop large scale solar energy development as a major energy source in the County.
- Promote economic development and bring regionally defined living-wage jobs to the region throughout the life of the proposed Project.

- Support California’s efforts to reduce greenhouse gas (GHG) emissions consistent with the timeline established in 2006 under California Assembly Bill 32, the Global Warming Solutions Act of 2006, which requires the California Air Resources Board to reduce statewide emissions of greenhouse gases (GHGs) to at least the 1990 emissions level by 2020. This timeline was updated in 2016 under SB 32, which requires that statewide GHG emissions are reduced to at least 40 percent below the statewide GHG emissions limit by 2030.
- Support California’s Renewable Portfolio Standards (RPS) Program consistent with the timeline established by SB 100 (De León, also known as the “California Renewables Portfolio Standard Program: emissions of greenhouse gases”) as approved by the California Legislature and signed by Governor Brown in September 2018, which established a 50 percent RPS goal by December 31, 2026, 60 percent by December 31, 2030, and a goal that 100 percent of electric retail sales to end-use customers be provided by renewable energy and zero-carbon resources by 2045.
- Utilize historically farmed lands that could otherwise be fallowed due to current and future water shortages, thereby providing local farmers and/or agricultural landowners in Imperial County an alternative to the economic losses associated with limiting their agricultural production.

## **Project Components**

### ***PV Module Configuration***

The Project would use PV panels or modules<sup>1</sup> on mounting frameworks to convert sunlight directly into electricity. Individual panels would be installed on either fixed-tilt or tracker mount systems (single- or dual-axis, using galvanized steel or aluminum). If the panels are configured for fixed tilt, they would be oriented toward the south. For tracking configurations, the panels would rotate to follow the sun over the course of the day. Although the panels could stand up to 15 feet in height (H), depending on the mounting system used, panels are expected to remain between six (6) and eight (8) feet in height.

---

<sup>1</sup> Including but not limited to bi-facial or concentrated photovoltaic (CPV) technology.



*Typical fixed-tilt solar panel rows*



*Typical single axis tracking solar panels*



*Typical dual axis tracking solar panels*

The solar panel array would be arranged in groups called blocks, with inverter stations generally located centrally within the blocks. Blocks would produce direct electrical current (“DC”), which is converted to alternating current (“AC”) at the inverter stations.

Each PV module would be placed on a fixed-tilt or tracker mounting structure. The foundations for the mounting structures can extend up to 10 feet below ground, depending on the structure, soil conditions, and wind loads, and may be encased in concrete or use small concrete footings. A light-colored ground cover or palliative may be used to increase electricity production. Final solar panel layout and spacing would be optimized for the Project area characteristics and the desired energy production profile.



*Typical fixed-tilt mounting structure*



*Typical dual axis mounting structure*

#### ***Collection, Inverter and Transformer Systems***

DC energy is delivered from the PV panels via cable to inverter stations, generally located near the center of each block. Inverter stations convert the DC energy to AC energy which can be dispatched to the transmission system. PV Inverter stations are typically comprised of one or more inverter modules with a rated power of up to 5-MW each, a unit transformer, and voltage switch gear. BESS units for the Project would be connected to bidirectional inverter stations, high-level control system(s), transformers, and ultimately the Project substation(s) bus bar via a series of overhead or underground electrical collector lines ranging from 66kV to 230kV. Utilizing these Project components, the DC onsite PV panel and battery energy would be converted to AC energy and dispatched to the regional transmission grid, and this process would be reversed to charge the batteries from electrical energy imported from the regional transmission grid for onsite energy storage. PV and BESS inverter stations are typically comprised of one or more inverter modules with a rated power of up to 10 MW each, and a unit transformer, and voltage switchgear. The unit transformer and voltage switch gear are housed in steel enclosures, while the inverter module(s) and control system(s) are housed in cabinets. Depending on the vendor selected for the Project, the inverter stations may be located within an enclosed or canopied metal structure, typically a skid or concrete pad.

Overhead and/or underground collector lines may be bundled together as they approach the substation(s), sharing common poles or trenches. Collector lines would then connect to the Project substation bus bar before being stepped up to 230kV for transmission. Potential collector line routes for the Project are provided in Figure 1; however, not all routes will ultimately be developed. The 66kV collector lines would be connected from the various PV parcels and the BESS system to the step-up project substation. The final location(s) of each component, height, and structure type(s) would be determined before the issuance of building permits for the Project by Imperial County.





*Typical inverter stations*

**Battery Energy Storage System**

The Project will include one or more BESS, located at or near the Project substation(s)/switchyard(s), the inverter stations, or elsewhere onsite. BESS' consist of modular and scalable battery packs and battery control systems that conform to California and U.S. national safety standards. The BESS modules, which could include commercially available lithium or flow batteries, and typically consist of ISO standard all-weather containers (approximately 40'L x 8'W x 8'H) housed in pad- or post-mounted, stackable metal structures, but may also be housed in a dedicated building(s) in compliance with applicable regulations. The maximum height of a dedicated structure is not expected to exceed 25 feet. The actual dimensions and number of energy storage modules and structures vary depending on the application, supplier, and configuration chosen, as well as on off taker/power purchase agreement requirements for the Project.

The BESS would be in unmanned, remotely controlled containers that would be periodically inspected by Project personnel for maintenance purposes. The BESS would be designed to conform with Imperial County and national BESS fire standard NFPA 855 and/or other applicable national standards. The BESS would have all required UL9540A reports (or equivalent) and would be certified to UL9540 (or equivalent), if required. BESS' require additional components to be fully operational, and that allow the batteries to be connected to the regional transmission grid as discussed below.

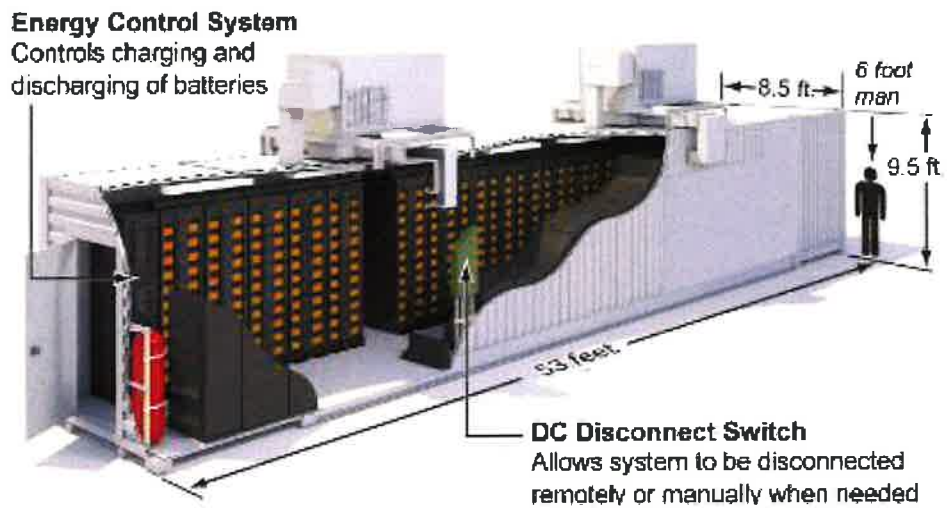


*BESS Installed in Dedicated Structure*





*Modular BESS Installed on Multiple Concrete Pads*



*Typical BESS module configuration*



*Typical BESS*

### ***Substation(s)***

The proposed Project would have its own dedicated substation equipment located within the Project footprint. Dedicated equipment may incorporate several components, including high-voltage and auxiliary power transformers, distribution cabinets, revenue metering systems, a microwave transmission tower, voltage switch gear, transmission poles and racking, and bus bar(s) of various voltages for interconnection(s). The substation may also include telecommunications facilities, fiber optic communication cables, equipment, and associated structures for diverse path routing of communications. Substations typically occupy an area of up to approximately five (5) acres and are secured separately by a chain-link fence.

Dedicated Project substations typically include a small control building (approximately 500 square feet) standing approximately ten (10) feet tall. The building is either prefabricated concrete or steel housing with rooms for the voltage switch gear and the metering equipment, a room for the station supply transformer, and a separate control technology room in which the main computer, the intrusion detection system, and the main distribution equipment are housed. Components of this building (e.g., control technology room and intrusion detection system) may instead be located at an O&M building described later in this Project Description.



*Typical Substation*

### ***Transmission Line and Interconnection***

The Project 230kV step-up substation would connect to the 230kV Liebert Switchyard/Substation via one of the proposed gen-tie line alternatives (Figure 1). Big Rock 2 will transmit electricity to IID via the Liebert Switchyard/Substation, currently under construction in the Big Rock 1 Project; therefore, a new IID switchyard/substation will not be required, and thus obviating the need for any real estate conveyance to IID specific to Big Rock 2. The Liebert Switchyard will have a direct connection to the existing SDG&E Imperial Valley Substation via an existing overhead 230kV gen-tie line. Overhead transmission conductors may be mounted on tubular steel poles up to 200 feet in height and would include associated insulator and hardware assemblies, the appropriate number of spans of conductor and optical ground wiring, and dead-

end structures at both the Project substation and the Liebert Switchyard. Portions (or all) of the gen-tie line may be undergrounded as necessary. The structure type(s), height, and final location(s) of each component would be determined before the issuance of building permits by Imperial County.

Alternative gen-tie routing(s) is depicted in Figure 1 and may utilize currently entitled lands and/or private easements; however, additional alternate routing may include gen-tie line(s) directly to the Imperial Valley substation, utilizing additional/other private and/or Bureau of Land Management (BLM) lands.

#### ***Operations and Maintenance (O&M) Building***

The Project may include an O&M building of approximately 40' x 80' in size, with associated onsite parking. The O&M building would be steel framed, with metal siding and roof panels. The O&M building may include the following:

- Office
- Repair building/parts storage
- Control room
- Restroom
- Septic tank and leach field
- Water supply
- Heating, ventilation, and air conditioning (HVAC)

Roads, driveways, and parking lot entrances would be constructed in accordance with Imperial County standards. Parking spaces and walkways would be constructed in conformance with all California Accessibility Regulations. Any unused O&M areas onsite may be covered by solar panels. The structure type(s), height, and final location(s) of each component would be determined before the issuance of building permits by Imperial County.

#### ***Roadway and IID Crossings***

The Project may require the following crossing types of IID canals and/or drains and unimproved Imperial County roads: overhead electric, underground electric, vehicular crossings. The exact locations of the crossings are not known at this time but are not anticipated to interfere with the purpose or continued use of these facilities. For instance, where a drain flows, the Project crossing or access point would still allow the drain to flow. As required by IID, the Project may be required to make minor improvements to on-site drains. IID requires solar projects to improve existing drain outflow pipes. This typically involves installation of new drain outflow pipes to reduce erosion within the drains. Exact locations and dimensions of any required IID facility and/or County roadway crossings would be determined prior to issuance of building permits by Imperial County.

#### ***Water Usage***

Water demand for panel washing and O&M domestic use is not expected to exceed 100 acre-feet per year. Water usage during construction, primarily for dust-suppression purposes, is not expected to exceed 700 acre-feet in total. Decommissioning of the Project at the end of its anticipated useful lifespan may require approximately an additional 700 acre-feet. Water would be obtained from the landowner's water supply, local irrigation district, or delivered via truck

from off-area source(s). A small water treatment system may be installed onsite near or within the O&M building to provide deionized water for panel washing.

#### ***Water Storage***

One or more above-ground water storage tanks with a total capacity of up to 100,000 gallons may be placed near the O&M building. The storage tank(s) near the O&M building would have the appropriate fire department connections to be used for fire suppression. These storage tanks could be up to 30-feet in height.

#### ***Site Security and Fencing***

The Project area would be enclosed within a chain link fence measuring seven (7) to ten (10) feet in height from finished grade. An intrusion alarm system comprised of sensor cables integrated into the perimeter fence, intrusion detection cabinets placed approximately every 1,500 feet along the perimeter fence, and an intrusions control unit, located either in the substation control room or at the O&M building, or similar technology, may be installed. Additionally, the Project may include additional security measures including, but not limited to, low voltage fencing with warning reflective signage, controlled access points, security camera systems, and security guard vehicle patrols to deter trespassing and/or unauthorized activities that could interfere with operation of the Project.

- Controlled access gates would be maintained at the main entrances to the Project. Project area access would be provided to offsite emergency response teams that respond in an after-hours emergency. Enclosure gates would be manually operated with a code or key provided in an identified key box location.

#### ***Lighting***

Outdoor lighting for the Project would be the minimum required for safety and will be directed away from public rights-of-way and adjacent private property. All outdoor lighting used onsite would be of the lowest intensity necessary to provide suitable light for site security and safe ingress and egress, in compliance with any applicable regulations, measured at the property line after dark. Outdoor lighting is anticipated to be necessary for the access gates, substation(s), O&M building, control room, and inverters to allow for safe access and emergency maintenance. Site lighting may also include motion sensor lights installed within the solar fields in proximity to the inverters for security purposes.

#### ***Annual Production***

The Project PV solar will have a nominal output capacity of up to 500 (AC), generating sufficient electricity to power approximately 130,000 homes. The Project would generate electrical power during daylight hours. Peak electricity demand in California corresponds with air conditioning use on summer afternoons when ambient temperatures are high. The Project's peak generating capacity corresponds to this time period. There is no generating capacity between sunset and sunrise due to the lack of solar energy, though power may be released from the 500 MW BESS at any time of day.

### *Electric Service*

Commercial operational low voltage electric service may be obtained from IID for the Projects' O&M building(s) and auxiliary loads. Temporary electric service is typically obtained for primary construction logistical areas. Generator power may be utilized for temporary portable construction trailer(s) during Project construction and/or decommissioning.

## **Project Construction**

### *Construction Activities and Duration*

The construction period for the Project is approximately 18 to 24 months.

Construction would include the following activities:

- Site preparation
- Access and internal circulation roads
- Grading and earthwork
- Concrete foundations
- Structural steel work
- Panel installation
- Electrical/instrumentation work
- Collector line installation
- Battery unit installation
- Stormwater management facilities
- Gen-tie line poles and conductor stringing

Roadways would only be temporarily affected, and only during the Project's construction period. Construction traffic could access the Project site from the north or south via Derrick Road, Jessip Road, Westside Road, and Hyde Road, and from the east via Diel Road and Wixom Road (or other nearby local roads). An additional access alternative includes entrance to the Project site from Interstate 8 (I-8) to Dunaway Road, to West Evan Hewes Highway, to Westside Road. Large trucks would likely utilize I-8 and S29 (Drew Road) for materials deliveries. It is anticipated that traffic would entirely avoid the town of Seely.

Noise generated during construction activities would comply with the Imperial County noise ordinances (Title 9 Land Use Code, Division 7). Heavy construction is expected to occur between 6:00 am and 5:00 pm, Monday through Saturday. Additional hours may be necessary to make up schedule deficiencies or to complete critical construction activities. Some activities may continue 24 hours per day, seven days per week. Low level noise activities may potentially occur between the hours of 10:00 pm and 7:00 am. Nighttime activities could potentially include, but are not limited to, refueling equipment, concrete pours, staging material for the following day's construction activities, quality assurance/control, and commissioning.

Materials and supplies would be delivered to the Project Area by truck. Truck deliveries would normally and primarily occur during daylight hours. However, there would be occasional offloading and/or transporting to the Project on weekends and during evening hours.

Earthmoving activities are expected to be limited to the construction of the access roads, O&M building, substation, water storage tank(s), solar panel foundation supports, BESS(s), transmission poles and conductor stringing, and any storm water protection or storage (detention) facilities. The Project is not anticipated to pave, remove, or significantly alter existing agricultural soil(s). Rather, solar panels would be installed atop the flat lots, leaving the farming soil relatively undisturbed and available for crop cultivation at the end of the Project's life. Final grading may include revegetation with low lying grass or applying earth-binding materials to disturbed areas to control dust and increase the reflectivity of the ground surface.

Site preparation would be planned and designed to minimize the amount of earth movement required for the Project, to the extent feasible. The hydrology design would be given priority to protect the Project's facility components, as well as adjacent IID canals/drains and County roads, from erosion during large storm events. The existing on-site drainage patterns would be maintained to the greatest extent feasible. Compaction of the soil to support the building and traffic loads as well as the PV module and BESS supports may be required and is dependent on final geotechnical investigations and engineering designs. These final engineering designs would be reviewed by IID and the County prior to Imperial County issuing building permits.

#### ***Laydown Areas***

At full build-out, most of the Project footprint would be disturbed by construction of the Project. Therefore, temporary construction lay down and materials staging areas, construction trailer locations, and construction parking areas will all be provided within the Project disturbance footprint. Due to the large scale of the Project, the lay down areas may be relocated periodically within the solar field acreage as the project is built out.

#### ***Workforce***

It is estimated that up to 500 workers per day (during peak construction periods) would be required to construct the Project.

### **Project Operation**

#### ***Operational Activities***

The PV solar and BESS facility would operate seven days a week, 24 hours a day. Maintenance activities may occur seven days a week, 24 hours a day to ensure PV panel output when solar energy is available, while the BESS could dispatch energy at any time during the day or night.

Once constructed, maintenance of the PV solar and BESS facility would generally be limited to the following:

- Cleaning of PV panels
- Monitoring PV panel and BESS electricity generation
- Providing site security
- Maintenance of stormwater facilities
- Maintenance of PV solar and BESS facilities including replacing or repairing inverters, wiring, or electrical components, and maintaining, repairing, or replacing substation components.



### ***Workforce***

It is expected that the Project would require an operational staff of up to 15 full-time employees. It is possible that the proposed Project could share O&M, substation, and/or transmission facilities with other adjacent PV solar and BESS projects that have been approved and entitled by Imperial County, or with any future proposed renewable energy projects nearby. In such a scenario, the projects would share personnel, thereby potentially reducing the project's on-site staff.

### **Project Compliance Plans and Best Management Practices**

The following sections describe standard Project feature compliance plans and best management practices that would be applied during construction and/or long-term operation of the Project, as applicable, to maintain human health and safety, ensure local, state, and federal regulatory compliance, and to avoid or minimize unplanned environmental impacts resulting from construction and/or operation of the Project.

#### ***Hazardous Materials and Hazardous Waste Management***

The Project would utilize and store materials onsite that have been defined as hazardous under Title 40 of the Code of Federal regulations (CFR) Part 261, require a Material Safety Data Sheet (MSDS) per the California Labor Code Section 6360, is a listed substance in Section 339 of Title 8 of the California Code of Regulations (CCR), or is defined as hazardous waste per Chapter 6.5 of the California Health and Safety Code.

The following hazardous materials are expected to be used during the construction, operation, and long-term maintenance of the Project:

- Insulating mineral oil for electrical transformers and other electrical equipment
- Lubricating oil for maintenance vehicles
- Various solvents and detergents for cleaning equipment
- Gasoline for maintenance vehicles
- Lithium-ion batteries for storage of electrical energy

Note that additional materials may be used for the project, as required. All hazardous materials would be transported, managed, used, handled, and stored on the Project site during construction and operations. Hazardous waste would be inventoried, stored, transported, and disposed of in accordance with all applicable local, state, and federal regulations at the end of construction or as required during Project operation. Most hazardous materials would be maintained at the Project site in quantities below the threshold requiring a Hazardous Material Business Plan (HMBP) per California Environmental Protection Agency (CalEPA): 55-gallons of a liquid, 200 cubic feet of a gas, and 500 pounds of a solid.

The Project anticipates preparing and implementing a HMBP for the lithium-ion batteries within the BESS, as well as any other hazardous materials that may be stored on the Project site at or above the state-defined thresholds. Chemical storage tanks (if any) would also be designed and installed to meet applicable local and state regulations. Any wastes classified as hazardous such as solvents, degreasing agents, concrete curing compounds, paints, adhesives, chemicals, or

chemical containers would be stored in an approved storage facility/shed/structure onsite and disposed of as required by local, state, and federal regulations, as outlined in the HMBP.

#### ***Spill Prevention and Containment***

Spill prevention and containment for construction and operation of the Project would adhere to the Environmental Protection Agency's (EPAs) Rule on Spill Prevention Control and Countermeasures (SPCC), which helps facilities prevent oil spills into navigable waters of the U.S. Although aboveground stored quantities of diesel fuel, gasoline, lubricating or hydraulic oils are not expected to exceed EPA storage thresholds during construction, the quantity of insulating mineral oil required for operation of the Project substation transformers may reach EPA thresholds. SPCC plans would be developed for both Project construction and operations to ensure compliance with the EPA SPCC Rule, and ensure that appropriate spill prevention, control and countermeasures are developed to ensure that potential spills would not discharge into the New River or other navigable waters of the U.S. (e.g., IID canals) located in proximity to the Project.

#### ***Wastewater/Septic System***

A standard onsite septic tank and leach field may be installed and used at the O&M building to dispose of small daily volumes of sanitary wastewater generated by the Projects' operational personnel. The septic system would be designed to meet operation and maintenance guidelines required by Imperial County.

#### ***Solid Waste Management***

Inert solid wastes resulting from Project construction activities may include recyclable items such as paper, cardboard, solid concrete and block, metals, wire, glass, type 1 through 4 plastics, wood, and lubricating oils. Non-recyclable items may include insulation, drywall, other plastics, food waste, vinyl flooring and base, carpeting, paint containers, packing materials, and other construction wastes. To ensure that these wastes are recycled and disposed of properly, the applicant will prepare a Construction Waste Management Plan for review by the County prior to issuance of building permits. Consistent with Imperial County Public Health Department solid waste regulations and the California Green Building Code, the Plan would provide for diversion of a minimum of 50 percent of construction waste from landfill. Project operations are not anticipated to generate significant amounts of any inert solid wastes, recyclable or otherwise, and therefore are not expected to require a management plan.

#### ***Dust Control***

Fugitive dust generated during Project construction would be controlled by utilizing Best Available Control Measures for Fugitive Dust (PM10) (e.g., watering, soil binders or tackifiers, wind screens, signage, speed restrictions, etc.) required by Imperial County Air Pollution Control District (ICAPCD) Rule 801, or California Air Resources Board (CARB) Rule 403. The applicant would prepare a Project Dust Control Plan (DCP) for review by Imperial County prior to issuance of building permits. The DCP would specify appropriate control measures to implement during both active construction and while construction on the Project site is inactive and outline appropriate control measures for both disturbed onsite Project areas, as well as any offsite unimproved or unpaved roads utilized for the Project construction access. During long-term

project operations, fugitive dust control is not anticipated to be required for the Project to comply with ICAPCD or CARB Fugitive Dust Rules.

#### ***Pest and Vegetation Management***

Non-native invasive plants and other pests that establish within the Project area would be controlled during Project construction and operations, consistent with the Imperial County office of the Agricultural Commissioner requirements for solar projects. The Applicant would prepare a Pest Management Plan for submission to the Imperial County Agricultural Commission. Long-term implementation of the Plan would include routine pest monitoring of the Project area, use of physical, mechanical, or chemical controls as necessary to manage pests, maintenance of proper records documenting monitoring and pest management controls, and regular reporting to the Agricultural Commission as required.

#### ***Fire Management***

The Project is located within the jurisdiction of Imperial County Fire Department. The Applicant will prepare a Fire Management Plan in accordance with Fire Department requirements for Project construction activities as well as long-term operations, including establishing appropriate emergency access to the Project site for first responders, and identifying Project-specific onsite fire protection or suppression systems that comply with Imperial County requirements.

The Project will incorporate many fire safety features to be described in detail in the Fire Management Plan, including access gates and service roads along the perimeter of the Project designed to meet or exceed fire code specifications (e.g., road width, turnarounds, etc.), PV modules and ancillary equipment constructed of fire-resistant materials, non-flammable ground cover and perimeter barriers (as required) around electrical equipment, and both portable and fixed fire suppression systems. Portable fire extinguishers would be provided at various locations throughout the Project site, while fixed fire suppression systems would be employed throughout the Project based on equipment manufacturer specifications and coordination with the Fire Department. These may include onsite water tank(s), built-in thermal, chemical and/or mechanical monitoring systems, and built-in fire suppression systems. The Plan will also describe best practices including vegetation management and landscape maintenance to help maintain fire-safe operating facilities. Access to nearby properties would not be hindered or restricted by any aspect of the Project Fire Management Plan.

#### ***Health and Safety***

Health and safety precautions and best practices consistent with local, state, and federal regulations would be identified and implemented to ensure the safety for all personnel during Project construction and long-term operations. These administrative procedures and controls for Project construction and operational personnel will be supplemented with emergency response plans.

Administrative controls would include classroom and hands-on training in safe procedures for personnel operating and maintaining PV solar, BESS, and high-voltage electrical facilities, including general safety and implementation of a planned maintenance program. These controls would enhance overall Project safety and reliability when applied with the other physical Project safety system(s) and monitoring features incorporated as part of the Project design.

The Applicant will also prepare a Project-specific Emergency Response Plan (ERP). The ERP would outline the major components of an ERP specific to the Project, and address potential facility emergencies including chemical releases, fires, or personnel injuries, as well as identify appropriate protocols and actions during larger emergencies like earthquakes or regional emergency responses led by the Imperial County Office of Emergency Services. All Project employees would be provided with communication devices (e.g., cell phones and/or walkie-talkies) to ensure the ability to provide aid in the event of an emergency as described in the Plan.

### ***General Plan Consistency***

An amendment to the Imperial County General Plan and a zone change are anticipated to be required to implement the proposed Project. The Project parcels are located outside of the Imperial County Renewable Energy (RE) Overlay Zone, but directly adjacent to areas within the RE Overlay Zone. CUP applications proposed for specific RE projects not located in the RE Overlay Zone are not allowed without an amendment to the RE Overlay Zone. Therefore, the applicant is anticipating a General Plan amendment and zone change to include/classify the Project area in its entirety into the RE Overlay Zone.

### **Decommissioning and Reclamation**

PV solar and BESS equipment typically has a lifespan of over 30 years. The proposed Project expects to sell the renewable energy produced by the project under the terms of a long-term Power Purchase Agreement (PPA) with a utility or other power off taker. Upon completion of the PPA term, the project operator may, at its discretion, continue to generate and sell power from the project or decommission and remove the system and its components. Upon decommissioning, the PV solar and BESS facilities could be converted to other uses in accordance with applicable land use regulations in effect at that time.

It is anticipated that during project decommissioning, project structures that would not be needed for subsequent use would be removed from the project site. Above-ground equipment that may be removed would include module posts and support structures, on-site transmission poles that are not shared with third parties and the overhead collection system within the project site, inverters, substation(s), transformers, electrical wiring, equipment on the BESS and inverter pads, and related equipment and concrete pads.

Equipment would be de-energized prior to removal, salvaged (where possible), and shipped off-site to be recycled or disposed of at an appropriately licensed disposal facility. Once the PV solar modules are removed, the racks would be disassembled, and the structures supporting the racks would be removed. Site infrastructure would be removed, including fences, and concrete pads that may support the batteries, inverters, transformers, and related equipment, would also be removed. The demolition debris and removed equipment may be cut or dismantled into pieces that can be safely lifted or carried by standard construction equipment. The fencing and gates would be removed, and all materials would be recycled to the extent practical. Project roads would be restored to their pre-construction function unless they may be used for subsequent land use. The area would be thoroughly cleaned, and all debris removed. Materials would be recycled to the extent feasible, with the remainder disposed of in landfills in compliance with all applicable laws.

The applicant would prepare a Project Reclamation Plan that would be implemented at the end of the Project's useful life, and would be consistent with Imperial County's decommissioning/reclamation requirements, including, but not limited to:

- Description of the proposed decommissioning measures for the facility and for all appurtenances constructed as part of the facility.
- Description of the activities necessary to restore the Project area to its previous condition. Such activities include removing and recycling PV solar and battery equipment, storage equipment, medium voltage collector line, substation, and gen-tie lines. The soils would then be de-compacted and restored to agricultural purposes.
- Presentation of the costs associated with the proposed decommissioning/reclamation measures.
- Discussion of conformance with applicable regulations and with local and regional plans.

In the phased buildout, the phases would be decommissioned/reclaimed independently of one another.

### **Utility Grid Upgrades**

Certain utility grid upgrades will be performed by the utility to support the interconnection of the Big Rock 2 Project. Upgrades will be limited to areas already within the footprint of the utility but are included in this project description to ensure that they are appropriately described under CEQA.

The utility upgrades, known as Network Upgrades, required for Big Rock 2 include Twenty-four (24) 230 kV circuit breaker upgrades at Imperial Valley Substation, a Remote Terminal Unit (RTU) at Imperial Valley Substation, installation of one or more new 230-kV circuit breakers, two or more 230 kV disconnect switches, and associated foundations, structures, and relaying at Imperial Valley Substation.

### **Anticipated Required Project Entitlements**

#### ***Imperial County (Lead Agency)***

- Consideration and certification of the Final EIR
- Adoption of the Mitigation Measure Monitoring Program (MMMP)
- Approval of the proposed CUP by the County Board of Supervisors
- Approval by the County Board of Supervisors for applicable items as follows:
  - General Plan Amendment to the Renewable Energy Overlay Element (Zone Change(s),
  - Height Variances, and/or

- Development Agreement and/or Voluntary Public Benefit Agreement
- County Grading Permit
- County Building permit(s)
- County encroachment permits, easements and/or licenses, as applicable.

The following ministerial reviews and permit approvals are anticipated to be required for the Project by the Imperial County Department(s) and/or Division(s) shown below:

- Dust Control Plan - Air Pollution Control District
- Rule 310 Exemption (as applicable) - Air Pollution Control District
- Construction Traffic Control Plan - Department of Public Works
- County Road Encroachment Permits - Department of Public Works
- Vacation of Public Easements (as applicable) - Department of Public Works
- Site Plan and Architectural Review - Planning & Development Services
- Occupancy Permits - Planning & Development Services
- Fire Safety Plan - Fire Department and Office of Emergency Management
- Project Access and Fire Water Requirements - Fire Department and Office of Emergency Management
- On-site Water Treatment Permit - Division of Environmental Health, Department of Public Works
- Private Sewage Disposal Permit - Division of Environmental Health
- Project Decommissioning Plan - Planning & Development Services, Department of Public Works
- Pest Management Plan - Agricultural Commissioner's Office

### ***Anticipated Imperial Irrigation District Approvals***

Various approvals may be required from IID in conjunction with implementation of the proposed Project. Wherever an IID facility (drain, irrigation canal, electric line, etc.) intersects the Project, an encroachment would occur as the Proposed Project would cross IID facilities with access points and electrical crossings. The Proposed Project may also drain into IID drain facilities. Due to the preliminary nature of the Project and the rapidly changing technology, the exact locations of proposed access and drainage encroachments, and electrical crossings, are not known at this time. The Project encroachments/crossings would not interfere with the purpose of IID's facilities. The following IID approvals, although not discretionary approvals, include, but are not limited to:

- Encroachment Permits/Agreements
- Electrical Crossings
- Water Supply Agreements/Water Card
- Station Service/"Backfeed" Agreement
- Distribution Power/Electric Service Agreement

### **Other Agency Approvals**

- U.S. Army Corps of Engineers (USACE) Clean Water Act (CWA) Section 404 Nation Wide Permit (NWP) (if required)
- California Department of Fish and Wildlife (CDFW) Section 1600 Streambed Alteration Agreement (SAA) (if required)
- Regional Water Quality Control Board Water Quality (RWQCB) Clean Water Act (CWA) 401 Water Quality Certification (WQC) Permit (if required), Waste Discharge Requirements (WDR) Permit, and National Pollution Discharge Elimination System (NPDES) Construction General Permit Coverage (for project construction activities)
- California Department of Transportation (Caltrans) Right-of-Way Encroachment Permits and/or Oversized Loads Permits (as required)

*\*The preceding discretionary actions/approvals are potentially required and do not necessarily represent a comprehensive list of all possible discretionary permits/approvals required. Other additional permits or approvals from responsible agencies may ultimately be required to implement the proposed Project.*

## **APPENDIX A: SITE PLAN**



## APPENDIX B: FULL RESOLUTION MAP FIGURES

1

14

# Attachment 1

*CUP North*

# Attachment A

*Conditional Use Permit Form*

# CONDITIONAL USE PERMIT

I.C. PLANNING & DEVELOPMENT SERVICES DEPT.  
801 Main Street, El Centro, CA 92243 (760) 482-4236

- APPLICANT MUST COMPLETE ALL NUMBERED (black) SPACES - Please type or print -

1. PROPERTY OWNER'S NAME Multiple owners. Please see attachment.	EMAIL ADDRESS: Please see attachment.	
2. MAILING ADDRESS (Street / P O Box, City, State) Multiple owners. Please see attachment.	ZIP CODE See attached.	PHONE NUMBER See attached.
3. APPLICANT'S NAME 90FI 8me LLC	CUP Application #1 of 4	
4. MAILING ADDRESS (Street / P O Box, City, State) 4370 Town Center Blvd., Suite 110 El Dorado Hills, CA 95762	ZIP CODE 95762	jjackson@avantus.com, 303.588.3855
4. ENGINEER'S NAME TBD	CA. LICENSE NO.	EMAIL ADDRESS
5. MAILING ADDRESS (Street / P O Box, City, State)	ZIP CODE	PHONE NUMBER

6. ASSESSOR'S PARCEL NO. Multiple APNs. Please see attachment.	1,030 acres	ZONING (existing) A 2, A 2 R, A 3, A-2-RE, A-3-RE
7. PROPERTY (site) ADDRESS Multiple APNs. Please see attachment.		
8. GENERAL LOCATION (i.e. city, town, cross street) Approximately 1 mile southwest of Seely, immediately south of Interstate 8, west of Drew Road and east and north of Mandrapa Road.		
9. LEGAL DESCRIPTION Multiple APNs. Please see attachment. _____ _____		

**PLEASE PROVIDE CLEAR & CONCISE INFORMATION (ATTACH SEPARATE SHEET IF NEEDED)**

10. DESCRIBE PROPOSED USE OF PROPERTY (list and describe in detail) Please see attachment _____	
11. DESCRIBE CURRENT USE OF PROPERTY	Farmland
12. DESCRIBE PROPOSED SEWER SYSTEM	Septic tank with leach field
13. DESCRIBE PROPOSED WATER SYSTEM	IID distribution system and private water treatment facility
14. DESCRIBE PROPOSED FIRE PROTECTION SYSTEM	Above-ground tanks and dedicated fire protection water, see attached
15. IS PROPOSED USE A BUSINESS? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	IF YES, HOW MANY EMPLOYEES WILL BE AT THIS SITE? Please see attachment

I / WE THE LEGAL OWNER (S) OF THE ABOVE PROPERTY CERTIFY THAT THE INFORMATION SHOWN OR STATED HEREIN IS TRUE AND CORRECT.

Stephanie Perry Chief Operating Officer of Avantus LLC, ultimate parent, duly authorized 3/6/2024  
 Print Name \_\_\_\_\_ Date \_\_\_\_\_  
 Signature [Signature]  
 Print Name \_\_\_\_\_ Date \_\_\_\_\_  
 Signature \_\_\_\_\_

**REQUIRED SUPPORT DOCUMENTS**

A. SITE PLAN	_____
B. FEE	_____
C. OTHER	_____
D. OTHER	_____

APPLICATION RECEIVED BY: _____	DATE _____	REVIEW / APPROVAL BY OTHER DEPT'S required. <input type="checkbox"/> P. W. <input type="checkbox"/> E. H. S. <input type="checkbox"/> A. P. C. D. <input type="checkbox"/> O. E. S. <input type="checkbox"/> _____ <input type="checkbox"/> _____
APPLICATION DEEMED COMPLETE BY: _____	DATE _____	
APPLICATION REJECTED BY: _____	DATE _____	
TENTATIVE HEARING BY: _____	DATE _____	
FINAL ACTION: <input type="checkbox"/> APPROVED <input type="checkbox"/> DENIED	DATE _____	

**CUP #**  
\_\_\_\_\_

# Attachment B

*B1 Legal Description*

*B2 Indemnification Forms*

*B3 Owner Affidavits*

*B4 Project Owner Contact Information*

# Attachment B1

*Legal Description*

**Legal Descriptions:**

**Big Rock 2 Cluster North (CUP Request #1)**

	<b>APN</b>	<b>Zoning</b>	<b>Acres</b>
1	051-270-020	A-2-R	101.8
2	051-270-028	A-2	52.3
3	051-270-036	A-2	67.4
4	051-270-041	A-2-R	279.0
5	051-280-054	A-2	149.5
6	051-300-011	A-2	79.6
7	051-300-016	A-2	10.8
8	051-300-026	A-2	13.4
9	051-300-035	A-3	40.3
10	051-300-037	A-3	28.9
11	051-300-032 (northern portion)	A-2	<b>85.5</b>
	<b>Sub-total</b>		<b>910</b>
<b>Laurel Cluster 2 North CUP #21-0014 (Expires Dec. 2024)</b>			
12	051-300-032 (southern portion) (to be re-entitled)	A-2-RE	80
13	051-300-036 (to be re-entitled)	A-3-RE	40.3
	<b>Sub-total</b>		<b>120</b>
	<b>TOTAL ACRES</b>		<b>1,030</b>

*Landowners: Tomlinson, Prisco, John*

Tomlinson

**PARCEL A:**

THE EAST ONE-HALF OF TRACT 83, LYING WEST OF THE FERN CANAL, TOWNSHIP 16 SOUTH, RANGE 12 EAST, SAN BERNARDINO BASE AND MERIDIAN, AS PER MAP OF THE RESURVEY APPROVED AND FILE IN THE UNITED STATES LAND OFFICE AT LOS ANGELES, CALIFORNIA.

PORTION OF APN: 051-270-028

**PARCEL B:**

THAT PORTION OF TRACT 79, LYING WEST OF THE FERN CANAL, TOWNSHIP 16 SOUTH, RANGE 12 EAST, SAN BERNARDINO BASE AND MERIDIAN, AS PER MAP OF THE RESURVEY APPROVED AND FILE IN THE UNITED STATES LAND OFFICE AT LOS ANGELES, CALIFORNIA.

PORTION OF APN: 051-270-028

**PARCEL C:**

THE SOUTH HALF OF TRACT 81, TOWNSHIP 16 SOUTH, RANGE 12 EAST, SAN BERNARDINO BASE AND MERIDIAN

ACCORDING TO THE UNITED STATES GOVERNMENT PLAT OF RE-SURVEY APPROVED MAY 2, 1913, AND ON FILE IN THE UNITED STATES LAND OFFICE AT LOS ANGELES, CALIFORNIA.

APN: 051-300-011

PARCEL D:

GOVERNMENT LOT 13 OF SECTION 21, TOWNSHIP 16 SOUTH, RANGE 12 EAST, SAN BERNARDINO BASE AND MERIDIAN, AS PER MAP OF THE RESURVEY APPROVED AND FILE IN THE UNITED STATES LAND OFFICE AT LOS ANGELES, CALIFORNIA.

EXCEPTING THEREFROM THAT PORTION CONVEYED TO RALPH H. YOUNG AND ROSALYNN M. YOUNG BY GRANT DEED

RECORDED AUGUST 22, 1972, IN BOOK 1333, PAGE 278, OF OFFICIAL RECORDS OF IMPERIAL COUNTY, CALIFORNIA.

APN: 051-300-026

PARCEL E:

GOVERNMENT LOT 8 OF SECTION 21, TOWNSHIP 16 SOUTH, RANGE 12 EAST, SAN BERNARDINO BASE AND MERIDIAN, ACCORDING TO THE UNITED STATES GOVERNMENT OFFICIAL PLAT OF RE-SURVEY APPROVED MARCH 15, 1909, AND ON FILE IN THE UNITED STATES LAND OFFICE AT LOS ANGELES, CALIFORNIA.

APN: 051-300-016

PARCEL F:

THE NORTHEAST QUARTER OF TRACT 81, OF SECTION 21, TOWNSHIP 16 SOUTH, RANGE 12 EAST, SAN BERNARDINO BASE AND MERIDIAN, AS PER MAP OF THE RESURVEY APPROVED AND FILE IN THE UNITED STATES LAND OFFICE AT LOS ANGELES, CALIFORNIA.

PORTION OF APN: 051-270-020

PARCEL G:

TRACT 80, EXCEPT THE NORTH 40 FEET THEREOF, OF SECTION 21, TOWNSHIP 16 SOUTH, RANGE 12 EAST, SAN BERNARDINO BASE AND MERIDIAN, AS PER MAP OF THE RESURVEY APPROVED AND FILE IN THE UNITED STATES LAND OFFICE AT LOS ANGELES, CALIFORNIA.

PORTION OF APN: 051-270-020

PARCEL H:

GOVERNMENT LOTS 11 AND 12 OF SECTION 21, TOWNSHIP 16 SOUTH, RANGE 12 EAST, SAN BERNARDINO BASE AND MERIDIAN, AS PER MAP OF THE RESURVEY APPROVED AND FILE IN THE UNITED STATES LAND OFFICE AT LOS ANGELES, CALIFORNIA.

PORTION OF APN: 051-270-020



## Preece

That portion of Tract 72, Township 16 South, Range 12 East, S.B.M., in an unincorporated area, County of Imperial, State of California, according to the Official Plat thereof.

Excepting therefrom that portion deeded to the State of California, in deed recorded December 6, 1965 as File No. 2 in Book 1219 page 166 of Official Records.

APN: 051-270-036

## Kuhn

### Parcel 1A:

Parcel Tract 57-B, and Lot 2, Section 14, Township 16 South, Range 12 East, San Bernardino Base and Meridian, County of Imperial, State of California, according to the Official Plat thereof, excepting from Lot 2, Section 14 that portion conveyed to the State of California by deed recorded September 23, 1965 in Book 1215, Page(s) 358 of Official Records.

Also excepting that portion of Tract 57B, described as follows:

Beginning at the Southeast corner of said tract;

Thence North 0°06' West, 710.96 feet along the East line of said tract;

Thence South 73°38' West, 656.68 feet to a point;

Thence South 66°45' West, 1,297.5 feet to a point in the South line of said tract;

Thence South 89°53' East along said South line to the Point of Beginning.

### Parcel 1B:

That portion of Tract 57-A, Township 16 South, Range 12 East, San Bernardino Base and Meridian, County of Imperial, State of California, according to the Official Plat thereof, designated as Parcel 'B' on License Survey Map on file in Book 10, Page(s) 1 of License Surveys.

### Parcel 1C:

That portion of the West 40 acres of the South 80 acres of Tract 71, Township 16 South, Range 12 East, San Bernardino Base and Meridian, County of Imperial, State of California, according to the Official Plat thereof, lying southerly of the southerly line of land granted to the State of California for freeway purposes by deed recorded June 8, 1965 in Book 1208, Page(s) 734 of Official Records.

### Parcel 1D:

That portion of the East 40 acres of Tract 71, Township 16 South, Range 12 East, San Bernardino Base and Meridian, County of Imperial, State of California, according to the Official Plat thereof, designated as Parcel 'A' on License Survey Maps on file in Book 10, Page(s) 1, of License Survey Map in the Office of the County Recorder of Imperial County.

APN: 051-280-054-0

**Parcel 2:**

That portion of Section 22, Township 16 South, Range 12 East, San Bernardino Base and Meridian, in an unincorporated area of the County of Imperial, State of California, according to the Official Plat thereof, described as follows:

Beginning at the Northwest corner of Section 22;

Thence South 00°01'38" West, a distance of 803.60 feet to the Northwest corner of Lot 4 of Section 22;

Thence North 89°55'19" East a distance of 2082.69 feet to the Northwest corner of Tract 44; Thence

North 89°55'19" East a distance of 1317.4 feet to the Southeast corner of Tract 78;

Thence South 89°45'57" East, along the North line of tract 55, a distance of 1.19 feet to the Northeast corner of the Northwest quarter of Tract 4, said corner also being the True Point of Beginning; Thence South 00°00'59" West along the East line of the Northwest quarter of Tract 55, a distance of 1325.89 feet; Thence South 89°54'25" East, along the South line of the Northeast quarter of Tract 55, a distance of 330.00 feet;

Thence North 44°56'49" East, a distance of 1400.20 feet to a point on the East line of Tract 55;

Thence South 00°01'25" West, along the East line of Tract 55, a distance of 198.00 feet: Thence North 53°20'52" East a distance of 658.39 feet;

Thence East a distance of 198.00 feet;

Thence North a distance of 132.00 feet to a point on the North line of Tract 50;

Thence North 89°45'57" West a distance of 726.00 feet to the Northeast corner of Tract 55; Thence

North 89°45'57" West along the North line of Tract 55; a distance of 1318.94 feet to the Northeast corner of the Northwest quarter of Tract 55, which corner is also the True Point of Beginning.

Also shown as Parcel 4 of that certain Certificate of Compliance PM 2078, recorded September 18, 1992 as Instrument No. 19893 of Official Records.

APN: 051-300-037-000

**Parcel 1E:**

Lot 1 of Section 15 and Lot 1 of Section 22 and Tract No. 56, all in Township 16 South, Range 12 East, S.B. & M., County of Imperial, State of California, according to the official plat thereof.

APN: 051-270-041

**Parcel B:**

That portion of Section 22, Township 16 South, Range 12 East, S.B.M., in an unincorporated area of the County of Imperial, in the State of California, according to the Official Plat thereof, described as follows:

Beginning at the Northwest corner of said Section 22; thence S 00 Degrees 01' 38" W a distance of 803.60 feet to the Northwest corner of Lot 4 of Section 22, said corner also being the True Point of Beginning; thence N 89 Degrees 55' 19" E a distance of 2082.69 feet to the Northwest corner of Tract 55; thence S 00 Degrees 00' 33" W. along the West line of Tract 44, a distance of 2643.86 feet to the Southwest corner of Tract 55; thence S 89 Degrees 53' 32" E, along the South line of Tract 44, a distance of 1318.60 feet to the Northeast corner of the West 120 acres of Tract 54, a distance of 523.82 feet to the centerline of the County Road, as it now exists, and was described in the Deed recorded in Book 1134, Page 297 of Official

Records of the Imperial County Recorder; thence N 89 Degrees 43' 08" W, along the centerline of the County Road, as it now exists, and as described above, a distance of 1319.67 feet to a point on the West line of Tract 54; thence N 00 Degrees 00' 33" E, along the West line of Tract 54, a distance of 2.54 feet to the Southeast corner of Lot 6 of Section 22; thence N 89 Degrees, 59' 56" W. a distance of 2083.68 feet to the Southwest corner of the Northwest ¼ of the Southwest ¼ of said Section 22; thence N 00 Degrees 01' 38" E. along the West line of said Section 22, a distance of 3158.27 feet to the Northwest corner of Lot 4 of Section 22, said corner also being the True Point of Beginning.

Also shown as Parcel 3 of that certain Certificate of Compliance PM 2078, recorded September 18, 1992, as Instr. # 19893 of Official Records.

APN: 051-300-032 (North)

Re-entitlement(s)

Parcel A:

The Southwest ¼ of Tract 55 of Section 22, Township 16 South, Range 12 East, S.B.M., in an unincorporated area of the County of Imperial, in the State of California, according to the Official Plat thereof, described as follows:

Beginning at the Northwest corner of said Section 22, thence S 00 Degrees 01' 38" W., a distance of 803.60 feet to the Northwest corner of Lot 4 of Section 22; thence N 89 Degrees 55' 19" E a distance of 2082.69 feet to the Northwest corner of Tract 55; thence S 00 Degrees 00' 33" W. along the West line of Tract 55, a distance of 1321.93 feet to the Northwest corner of the Southwest ¼ of Tract 44, said corner also being the True Point of Beginning; thence S 89 Degrees 54' 25" E. along the North line of the Southwest ¼ Tract 55, a distance of 1318.77 feet to the Northeast corner of the Southwest ¼ of Tract 55; thence S 00 Degrees 00' 59" W. along the East line of the Southwest ¼ of Tract 55; thence N 89 Degrees 53' 32" W/ along the South line of Tract 55, a distance of 1318.60 feet to the Southwest corner of Tract 55; thence N 00 Degrees 00' 33" E. along the West line of Tract 44, a distance of 1321.93 feet to the Northwest corner of the Southwest ¼ of Tract 44, said corner also being the True Point of Beginning. Also shown as Parcel 2 of that certain Certificate of Compliance PM 2078, recorded September 18, 1992, as Instr. # 19893 of Official Records.

APN: 051-300-036

Parcel B:

That portion of Section 22, Township 16 South, Range 12 East, S.B.M., in an unincorporated area of the County of Imperial, in the State of California, according to the Official Plat thereof, described as follows:

Beginning at the Northwest corner of said Section 22; thence S 00 Degrees 01' 38" W a distance of 803.60 feet to the Northwest corner of Lot 4 of Section 22, said corner also being the True Point of Beginning; thence N 89 Degrees 55' 19" E a distance of 2082.69 feet to the Northwest corner of Tract 55; thence S 00 Degrees 00' 33" W. along the West line of Tract 44, a distance of 2643.86 feet to the Southwest corner of Tract 55; thence S 89 Degrees 53' 32" E, along the South line of Tract 44, a distance of 1318.60 feet to the Northeast corner of the West 120 acres of Tract 54, a distance of 523.82 feet to the centerline of the County Road, as it now exists, and was described in the Deed recorded in Book 1134, Page 297 of Official Records of the Imperial County Recorder; thence N 89 Degrees 43' 08" W,

along the centerline of the County Road, as it now exists, and as described above, a distance of 1319.67 feet to a point on the West line of Tract 54; thence N 00 Degrees 00' 33" E, along the West line of Tract 54, a distance of 2.54 feet to the Southeast corner of Lot 6 of Section 22; thence N 89 Degrees, 59' 56" W, a distance of 2083.68 feet to the Southwest corner of the Northwest  $\frac{1}{4}$  of the Southwest  $\frac{1}{4}$  of said Section 22; thence N 00 Degrees 01' 38" E, along the West line of said Section 22, a distance of 3158.27 feet to the Northwest corner of Lot 4 of Section 22, said corner also being the True Point of Beginning.

Also shown as Parcel 3 of that certain Certificate of Compliance PM 2078, recorded September 18, 1992, as Instr. # 19893 of Official Records.

APN: 051-300-032 (South)

# Attachment B2

*Indemnification Forms*

# IMPERIAL COUNTY PLANNING & DEVELOPMENT SERVICES GENERAL INDEMNIFICATION AGREEMENT

As part of this application, applicant and real party in interest, if different, agree to defend, indemnify, hold harmless, and release the County of Imperial ("County"), its agents, officers, attorneys, and employees (including consultants) from any claim, action, or proceeding brought against any of them, the purpose of which is to attack, set aside, void, or annul the approval of this application or adoption of the environmental document which accompanies it. This indemnification obligation shall include, but not be limited to, damages, costs, expenses, attorney fees, or expert witness fees that may be asserted by any person or entity, including the applicant, arising out of or in connection with the approval of this application, whether or not there is concurrent negligence on the part of the County, its agents, officers, attorneys, or employees (including consultants).

If any claim, action, or proceeding is brought against the County, its agents, officers, attorneys, or employees (including consultants), to attack, set aside, void, or annul the approval of the application or adoption of the environmental document which accompanies it, then the following procedures shall apply:

1. The Planning Director shall promptly notify the County Board of Supervisors of any claim, action or proceeding brought by an applicant challenging the County's action. The County, its agents, attorneys and employees (including consultants) shall fully cooperate in the defense of that action.
2. The County shall have the final determination on how to best defend the case and will consult with applicant regularly regarding status and the plan for defense. The County will also consult and discuss with applicant the counsel to be used by County to defend it, either with in-house counsel, or by retaining outside counsel provided that the County shall have the final decision on the counsel retained to defend it. Applicant shall be fully responsible for all costs incurred. Applicant shall be entitled to provide his or her own counsel to defend the case, and said independent counsel shall work with County Counsel to provide a joint defense.

Executed at Los Angeles California on February 21, 2024

## APPLICANT

Name: 90FI 8me LLC, Michael Straly  
By: [Signature]  
Title: CCO of Avantus LLC, ultimate parent, duly authorized

Mailing Address:

c/o Avantus Clean Energy LLC  
4370 Town Center Blvd., Suite 110  
El Dorado Hills, CA 95762

## REAL PARTY IN INTEREST (If different from Applicant)

Name: John Kuhn  
By: [Signature]  
Title: Sole Trustee of the Madeline Kuhn Legacy Trust

Mailing Address:

APNs 051-270-041, 051-300-035, 051-300-037  
and 051-280-054

ACCEPTED/RECEIVED BY \_\_\_\_\_ Date \_\_\_\_\_

PROJECT ID NO \_\_\_\_\_ APN \_\_\_\_\_

S:\FORMS \_ LISTS\General Indemnification FORM 041516.doc

# IMPERIAL COUNTY PLANNING & DEVELOPMENT SERVICES GENERAL INDEMNIFICATION AGREEMENT

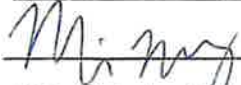
As part of this application, applicant and real party in interest, if different, agree to defend, indemnify, hold harmless, and release the County of Imperial ("County"), its agents, officers, attorneys, and employees (including consultants) from any claim, action, or proceeding brought against any of them, the purpose of which is to attack, set aside, void, or annul the approval of this application or adoption of the environmental document which accompanies it. This indemnification obligation shall include, but not be limited to, damages, costs, expenses, attorney fees, or expert witness fees that may be asserted by any person or entity, including the applicant, arising out of or in connection with the approval of this application, whether or not there is concurrent negligence on the part of the County, its agents, officers, attorneys, or employees (including consultants).

If any claim, action, or proceeding is brought against the County, its agents, officers, attorneys, or employees (including consultants), to attack, set aside, void, or annul the approval of the application or adoption of the environmental document which accompanies it, then the following procedures shall apply:

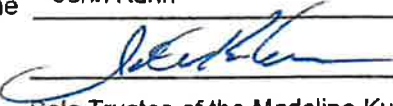
1. The Planning Director shall promptly notify the County Board of Supervisors of any claim, action or proceeding brought by an applicant challenging the County's action. The County, its agents, attorneys and employees (including consultants) shall fully cooperate in the defense of that action.
2. The County shall have the final determination on how to best defend the case and will consult with applicant regularly regarding status and the plan for defense. The County will also consult and discuss with applicant the counsel to be used by County to defend it, either with in-house counsel, or by retaining outside counsel provided that the County shall have the final decision on the counsel retained to defend it. Applicant shall be fully responsible for all costs incurred. Applicant shall be entitled to provide his or her own counsel to defend the case, and said independent counsel shall work with County Counsel to provide a joint defense.

Executed at Los Angeles California on March 13, 2024

## APPLICANT

Name: 90Fl 8me LLC  
By:   
Title: Michael Healy, Chief Commercial Officer  
of Avantus LLC, Ultimate parent, duly authorized  
Mailing Address:  
c/o Avantus Clean Energy LLC  
4370 Town Center Blvd., Suite 110  
El Dorado Hills, CA 95762

## REAL PARTY IN INTEREST (If different from Applicant)

Name: John Kuhn  
By:   
Title: Sole Trustee of the Madeline Kuhn Legacy Trust  
Mailing Address: 473 Savannah Hwy  
Charleston, SC 29407  
APNs 051-300-032, 051-300-036, 051-310-027,  
051-310-028

ACCEPTED/RECEIVED BY \_\_\_\_\_ Date \_\_\_\_\_

PROJECT ID NO \_\_\_\_\_ APN \_\_\_\_\_

S:\FORMS \_ LISTS\General Indemnification FORM 041516.doc

MAIN OFFICE: 801 Main Street El Centro, CA 92243 (442) 265-1736 FAX: (442) 265-1735 E-MAIL: [planning@co.imperial.ca.us](mailto:planning@co.imperial.ca.us)

# IMPERIAL COUNTY PLANNING & DEVELOPMENT SERVICES GENERAL INDEMNIFICATION AGREEMENT

As part of this application, applicant and real party in interest, if different, agree to defend, indemnify, hold harmless, and release the County of Imperial ("County"), its agents, officers, attorneys, and employees (including consultants) from any claim, action, or proceeding brought against any of them, the purpose of which is to attack, set aside, void, or annul the approval of this application or adoption of the environmental document which accompanies it. This indemnification obligation shall include, but not be limited to, damages, costs, expenses, attorney fees, or expert witness fees that may be asserted by any person or entity, including the applicant, arising out of or in connection with the approval of this application, whether or not there is concurrent negligence on the part of the County, its agents, officers, attorneys, or employees (including consultants).

If any claim, action, or proceeding is brought against the County, its agents, officers, attorneys, or employees (including consultants), to attack, set aside, void, or annul the approval of the application or adoption of the environmental document which accompanies it, then the following procedures shall apply:

1. The Planning Director shall promptly notify the County Board of Supervisors of any claim, action or proceeding brought by an applicant challenging the County's action. The County, its agents, attorneys and employees (including consultants) shall fully cooperate in the defense of that action.
2. The County shall have the final determination on how to best defend the case and will consult with applicant regularly regarding status and the plan for defense. The County will also consult and discuss with applicant the counsel to be used by County to defend it, either with in-house counsel, or by retaining outside counsel provided that the County shall have the final decision on the counsel retained to defend it. Applicant shall be fully responsible for all costs incurred. Applicant shall be entitled to provide his or her own counsel to defend the case, and said independent counsel shall work with County Counsel to provide a joint defense.

Executed at Los Angeles California on February 21, 2024

**APPLICANT**

Name: 90FI 8me LLC, Michael Healy  
 By: [Signature]  
 Title: CEO of Avantus LLC, ultimate parent, duty authorized  
 Mailing Address:  
c/o Avantus Clean Energy LLC  
4370 Town Center Blvd., Suite 110  
El Dorado Hills, CA 95762

**REAL PARTY IN INTEREST**  
(If different from Applicant)

Name: Melvin Jerry Preece, Jr.  
 By: [Signature]  
 Title: President of J.R. Preece, Inc. and Trustee of the Melvin Jerry Preece, Jr. Trust on December 11, 1995  
 Mailing Address:  
APN 051-270-036

ACCEPTED/RECEIVED BY \_\_\_\_\_ Date \_\_\_\_\_

PROJECT ID NO \_\_\_\_\_ APN \_\_\_\_\_



# IMPERIAL COUNTY PLANNING & DEVELOPMENT SERVICES GENERAL INDEMNIFICATION AGREEMENT

As part of this application, applicant and real party in interest, if different, agree to defend, indemnify, hold harmless, and release the County of Imperial ("County"), its agents, officers, attorneys, and employees (including consultants) from any claim, action, or proceeding brought against any of them, the purpose of which is to attack, set aside, void, or annul the approval of this application or adoption of the environmental document which accompanies it. This Indemnification obligation shall include, but not be limited to, damages, costs, expenses, attorney fees, or expert witness fees that may be asserted by any person or entity, including the applicant, arising out of or in connection with the approval of this application, whether or not there is concurrent negligence on the part of the County, its agents, officers, attorneys, or employees (including consultants).

If any claim, action, or proceeding is brought against the County, its agents, officers, attorneys, or employees (including consultants) to attack, set aside, void, or annul the approval of the application or adoption of the environmental document which accompanies it, then the following procedures shall apply:

1. The Planning Director shall promptly notify the County Board of Supervisors of any claim, action or proceeding brought by an applicant challenging the County's action. The County, its agents, attorneys and employees (including consultants) shall fully cooperate in the defense of that action.
2. The County shall have the final determination on how to best defend the case and will consult with applicant regularly regarding status and the plan for defense. The County will also consult and discuss with applicant the counsel to be used by County to defend it, either with in-house counsel, or by retaining outside counsel provided that the County shall have the final decision on the counsel retained to defend it. Applicant shall be fully responsible for all costs incurred. Applicant shall be entitled to provide his or her own counsel to defend the case, and said independent counsel shall work with County Counsel to provide a joint defense.

Executed at Los Angeles California on February 21, 2024

## APPLICANT

Name: 90Fl 8me LLC, Michael Healy

By 

Title CEO of Avantus LLC, ultimate parent, duly authorized

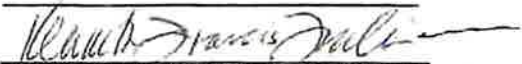
Mailing Address:

c/o Avantus Clean Energy LLC  
4370 Town Center Blvd., Suite 110  
El Dorado Hills, CA 95762

## REAL PARTY IN INTEREST

(If different from Applicant)

Name Kenneth Francis Tomlinson

By 

Title Trustee of the Kenneth F. Tomlinson Irrevocable Trust Dated December 27, 2012

Mailing Address:

APNs 051-300-016, 051-300-011, 051-300-026  
051-270-020 and 051-270-028

ACCEPTED/RECEIVED BY \_\_\_\_\_ Date \_\_\_\_\_

PROJECT ID NO \_\_\_\_\_ APN \_\_\_\_\_

S:\FORMS\_LISTS\General Indemnification FORM 041515.doc

MAIN OFFICE: 801 Main Street El Centro, CA 92243 (442) 265-1736 FAX: (442) 265-1735 E-MAIL: [planning@co.imperial.ca.us](mailto:planning@co.imperial.ca.us)

# IMPERIAL COUNTY PLANNING & DEVELOPMENT SERVICES GENERAL INDEMNIFICATION AGREEMENT

As part of this application, applicant and real party in interest, if different, agree to defend, indemnify, hold harmless, and release the County of Imperial ("County"), its agents, officers, attorneys, and employees (including consultants) from any claim, action, or proceeding brought against any of them, the purpose of which is to attack, set aside, void, or annul the approval of this application or adoption of the environmental document which accompanies it. This indemnification obligation shall include, but not be limited to, damages, costs, expenses, attorney fees, or expert witness fees that may be asserted by any person or entity, including the applicant, arising out of or in connection with the approval of this application, whether or not there is concurrent negligence on the part of the County, its agents, officers, attorneys, or employees (including consultants).

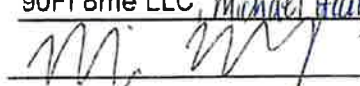
If any claim, action, or proceeding is brought against the County, its agents, officers, attorneys, or employees (including consultants), to attack, set aside, void, or annul the approval of the application or adoption of the environmental document which accompanies it, then the following procedures shall apply:

1. The Planning Director shall promptly notify the County Board of Supervisors of any claim, action or proceeding brought by an applicant challenging the County's action. The County, its agents, attorneys and employees (including consultants) shall fully cooperate in the defense of that action.
2. The County shall have the final determination on how to best defend the case and will consult with applicant regularly regarding status and the plan for defense. The County will also consult and discuss with applicant the counsel to be used by County to defend it, either with in-house counsel, or by retaining outside counsel provided that the County shall have the final decision on the counsel retained to defend it. Applicant shall be fully responsible for all costs incurred. Applicant shall be entitled to provide his or her own counsel to defend the case, and said independent counsel shall work with County Counsel to provide a joint defense.

Executed at Los Angeles California on February 21, 2024

## APPLICANT

Name: 90FI 8me LLC, Michael Healy

By 

Title CEO of Avantus LLC, ultimate parent, duly authorized

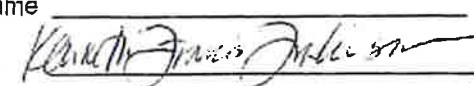
Mailing Address:

c/o Avantus Clean Energy LLC  
4370 Town Center Blvd., Suite 110  
El Dorado Hills, CA 95762

## REAL PARTY IN INTEREST

(If different from Applicant)

Name Kenneth Francis Tomlinson

By 

Title an individual

Mailing Address:

APNs 051-300-016, 051-300-011, 051-300-026  
051-270-020 and 051-270-028

ACCEPTED/RECEIVED BY \_\_\_\_\_ Date \_\_\_\_\_

PROJECT ID NO \_\_\_\_\_ APN \_\_\_\_\_

S:\FCRMS\_LISTS\General Indemnification FORM 041516.doc

# IMPERIAL COUNTY PLANNING & DEVELOPMENT SERVICES GENERAL INDEMNIFICATION AGREEMENT

As part of this application, applicant and real party in interest, if different, agree to defend, indemnify, hold harmless, and release the County of Imperial ("County"), its agents, officers, attorneys, and employees (including consultants) from any claim, action, or proceeding brought against any of them, the purpose of which is to attack, set aside, void, or annul the approval of this application or adoption of the environmental document which accompanies it. This indemnification obligation shall include, but not be limited to, damages, costs, expenses, attorney fees, or expert witness fees that may be asserted by any person or entity, including the applicant, arising out of or in connection with the approval of this application, whether or not there is concurrent negligence on the part of the County, its agents, officers, attorneys, or employees (including consultants).

If any claim, action, or proceeding is brought against the County, its agents, officers, attorneys, or employees (including consultants), to attack, set aside, void, or annul the approval of the application or adoption of the environmental document which accompanies it, then the following procedures shall apply:

1. The Planning Director shall promptly notify the County Board of Supervisors of any claim, action or proceeding brought by an applicant challenging the County's action. The County, its agents, attorneys and employees (including consultants) shall fully cooperate in the defense of that action.
2. The County shall have the final determination on how to best defend the case and will consult with applicant regularly regarding status and the plan for defense. The County will also consult and discuss with applicant the counsel to be used by County to defend it, either with in-house counsel, or by retaining outside counsel provided that the County shall have the final decision on the counsel retained to defend it. Applicant shall be fully responsible for all costs incurred. Applicant shall be entitled to provide his or her own counsel to defend the case, and said independent counsel shall work with County Counsel to provide a joint defense.

Executed at Los Angeles California on February 21, 2024

**APPLICANT**

Name: 90Fl 8me LLC, Michael Healy  
 By: *[Signature]*  
 Title: CEO of Avantus LLC, without power, duly authorized

Mailing Address:

c/o Avantus Clean Energy LLC  
4370 Town Center Blvd., Suite 110  
El Dorado Hills, CA 95762

**REAL PARTY IN INTEREST**  
(If different from Applicant)

Name: John A. Tomlinson  
 By: *[Signature]*  
 Title: Co-Trustee of the Frank N Tomlinson Separate Property Trust, U/D/T Dated October 6, 2005

Mailing Address:

APNs 051-300-016, 051-300-011, 051-300-026  
051-270-020 and 051-270-028

ACCEPTED/RECEIVED BY \_\_\_\_\_ Date \_\_\_\_\_

PROJECT ID NO \_\_\_\_\_ APN \_\_\_\_\_

S:\FORMS\_LISTS\General Indemnification FORM 04151R.doc

# IMPERIAL COUNTY PLANNING & DEVELOPMENT SERVICES GENERAL INDEMNIFICATION AGREEMENT

As part of this application, applicant and real party in interest, if different, agree to defend, indemnify, hold harmless, and release the County of Imperial ("County"), its agents, officers, attorneys, and employees (including consultants) from any claim, action, or proceeding brought against any of them, the purpose of which is to attack, set aside, void, or annul the approval of this application or adoption of the environmental document which accompanies it. This indemnification obligation shall include, but not be limited to, damages, costs, expenses, attorney fees, or expert witness fees that may be asserted by any person or entity, including the applicant, arising out of or in connection with the approval of this application, whether or not there is concurrent negligence on the part of the County, its agents, officers, attorneys, or employees (including consultants).

If any claim, action, or proceeding is brought against the County, its agents, officers, attorneys, or employees (including consultants), to attack, set aside, void, or annul the approval of the application or adoption of the environmental document which accompanies it, then the following procedures shall apply:

1. The Planning Director shall promptly notify the County Board of Supervisors of any claim, action or proceeding brought by an applicant challenging the County's action. The County, its agents, attorneys and employees (including consultants) shall fully cooperate in the defense of that action.
2. The County shall have the final determination on how to best defend the case and will consult with applicant regularly regarding status and the plan for defense. The County will also consult and discuss with applicant the counsel to be used by County to defend it, either with in-house counsel, or by retaining outside counsel provided that the County shall have the final decision on the counsel retained to defend it. Applicant shall be fully responsible for all costs incurred. Applicant shall be entitled to provide his or her own counsel to defend the case, and said independent counsel shall work with County Counsel to provide a joint defense.

Executed at Los Angeles California on February 21, 2024

**APPLICANT**

Name: 90FI 8me LLC, Michael Healy  
 By: [Signature]  
 Title: CEO of Avantis LLC, ultimate parent, duly authorized  
 Mailing Address:  
c/o Avantis Clean Energy LLC  
4370 Town Center Blvd., Suite 110  
El Dorado Hills, CA 95762

**REAL PARTY IN INTEREST**  
 (If different from Applicant)

Name: Carma J. Tomlinson  
 By: [Signature]  
 Title: Co-Trustee of the Frank N Tomlinson Separate Property Trust U/D/T Dated October 6, 2005  
 Mailing Address:  
APNs 051-300-016, 051-300-011, 051-300-026  
051-270-020 and 051-270-028

ACCEPTED/RECEIVED BY \_\_\_\_\_ Date \_\_\_\_\_

PROJECT ID NO \_\_\_\_\_ APN \_\_\_\_\_

S:\FORMS\_LISTS\General indemnification FORM 041516.doc

# IMPERIAL COUNTY PLANNING & DEVELOPMENT SERVICES GENERAL INDEMNIFICATION AGREEMENT

As part of this application, applicant and real party in interest, if different, agree to defend, indemnify, hold harmless, and release the County of Imperial ("County"), its agents, officers, attorneys, and employees (including consultants) from any claim, action, or proceeding brought against any of them, the purpose of which is to attack, set aside, void, or annul the approval of this application or adoption of the environmental document which accompanies it. This indemnification obligation shall include, but not be limited to, damages, costs, expenses, attorney fees, or expert witness fees that may be asserted by any person or entity, including the applicant, arising out of or in connection with the approval of this application, whether or not there is concurrent negligence on the part of the County, its agents, officers, attorneys, or employees (including consultants).

If any claim, action, or proceeding is brought against the County, its agents, officers, attorneys, or employees (including consultants), to attack, set aside, void, or annul the approval of the application or adoption of the environmental document which accompanies it, then the following procedures shall apply:

1. The Planning Director shall promptly notify the County Board of Supervisors of any claim, action or proceeding brought by an applicant challenging the County's action. The County, its agents, attorneys and employees (including consultants) shall fully cooperate in the defense of that action.
2. The County shall have the final determination on how to best defend the case and will consult with applicant regularly regarding status and the plan for defense. The County will also consult and discuss with applicant the counsel to be used by County to defend it, either with in-house counsel, or by retaining outside counsel provided that the County shall have the final decision on the counsel retained to defend it. Applicant shall be fully responsible for all costs incurred. Applicant shall be entitled to provide his or her own counsel to defend the case, and said independent counsel shall work with County Counsel to provide a joint defense.

Executed at Los Angeles California on February 21, 2024

## APPLICANT

Name: 90FI 8me LLC, Michael Healy  
By: [Signature]  
Title: CEO of Avantus LLC, ultimate parent, duty authorized

Mailing Address:

c/o Avantus Clean Energy LLC  
4370 Town Center Blvd., Suite 110  
El Dorado Hills, CA 95762

## REAL PARTY IN INTEREST (If different from Applicant)

Name: Thomas Grant Tomlinson  
By: [Signature]  
Title: Trustee of the Thomas G. Tomlinson Irrevocable Trust Dated December 27, 2012

Mailing Address:

APNs 051-300-016, 051-300-011, 051-300-026  
051-270-020 and 051-270-028

ACCEPTED/RECEIVED BY \_\_\_\_\_ Date \_\_\_\_\_

PROJECT ID NO \_\_\_\_\_ APN \_\_\_\_\_

S:\FORMS \_ LISTS\General Indemnification FORM 041516.doc

# IMPERIAL COUNTY PLANNING & DEVELOPMENT SERVICES GENERAL INDEMNIFICATION AGREEMENT

As part of this application, applicant and real party in interest, if different, agree to defend, indemnify, hold harmless, and release the County of Imperial ("County"), its agents, officers, attorneys, and employees (including consultants) from any claim, action, or proceeding brought against any of them, the purpose of which is to attack, set aside, void, or annul the approval of this application or adoption of the environmental document which accompanies it. This indemnification obligation shall include, but not be limited to, damages, costs, expenses, attorney fees, or expert witness fees that may be asserted by any person or entity, including the applicant, arising out of or in connection with the approval of this application, whether or not there is concurrent negligence on the part of the County, its agents, officers, attorneys, or employees (including consultants).

If any claim, action, or proceeding is brought against the County, its agents, officers, attorneys, or employees (including consultants), to attack, set aside, void, or annul the approval of the application or adoption of the environmental document which accompanies it, then the following procedures shall apply:

1. The Planning Director shall promptly notify the County Board of Supervisors of any claim, action or proceeding brought by an applicant challenging the County's action. The County, its agents, attorneys and employees (including consultants) shall fully cooperate in the defense of that action.
2. The County shall have the final determination on how to best defend the case and will consult with applicant regularly regarding status and the plan for defense. The County will also consult and discuss with applicant the counsel to be used by County to defend it, either with in-house counsel, or by retaining outside counsel provided that the County shall have the final decision on the counsel retained to defend it. Applicant shall be fully responsible for all costs incurred. Applicant shall be entitled to provide his or her own counsel to defend the case, and said independent counsel shall work with County Counsel to provide a joint defense.

Executed at Los Angeles California on February 21, 2024

**APPLICANT**

Name: 90FI 8me LLC *Michael Healy*  
 By: *MJ MJ*  
 Title: CEO of Avantus LLC, ultimate parent, duly authorized  
 Mailing Address:  
c/o Avantus Clean Energy LLC  
4370 Town Center Blvd., Suite 110  
El Dorado Hills, CA 95762

**REAL PARTY IN INTEREST**

(If different from Applicant)

Name: William Morton Tomlinson, II  
 By: *William Morton Tomlinson II*  
 Title: Trustee of the William-M. Tomlinson, II Irrevocable Trust Dated December 27, 2012  
 Mailing Address:  
APNs 051-300-016, 051-300-011, 051-300-026  
051-270-020 and 051-270-028

ACCEPTED/RECEIVED BY \_\_\_\_\_ Date \_\_\_\_\_

PROJECT ID NO \_\_\_\_\_ APN \_\_\_\_\_

S:\FORMS - LISTS\General indemnification FORM 041516.doc

# IMPERIAL COUNTY PLANNING & DEVELOPMENT SERVICES GENERAL INDEMNIFICATION AGREEMENT

As part of this application, applicant and real party in interest, if different, agree to defend, indemnify, hold harmless, and release the County of Imperial ("County"), its agents, officers, attorneys, and employees (including consultants) from any claim, action, or proceeding brought against any of them, the purpose of which is to attack, set aside, void, or annul the approval of this application or adoption of the environmental document which accompanies it. This indemnification obligation shall include, but not be limited to, damages, costs, expenses, attorney fees, or expert witness fees that may be asserted by any person or entity, including the applicant, arising out of or in connection with the approval of this application, whether or not there is concurrent negligence on the part of the County, its agents, officers, attorneys, or employees (including consultants).

If any claim, action, or proceeding is brought against the County, its agents, officers, attorneys, or employees (including consultants), to attack, set aside, void, or annul the approval of the application or adoption of the environmental document which accompanies it, then the following procedures shall apply:

1. The Planning Director shall promptly notify the County Board of Supervisors of any claim, action or proceeding brought by an applicant challenging the County's action. The County, its agents, attorneys and employees (including consultants) shall fully cooperate in the defense of that action.
2. The County shall have the final determination on how to best defend the case and will consult with applicant regularly regarding status and the plan for defense. The County will also consult and discuss with applicant the counsel to be used by County to defend it, either with in-house counsel, or by retaining outside counsel provided that the County shall have the final decision on the counsel retained to defend it. Applicant shall be fully responsible for all costs incurred. Applicant shall be entitled to provide his or her own counsel to defend the case, and said independent counsel shall work with County Counsel to provide a joint defense.

Executed at Los Angeles California on February 21, 2024

### APPLICANT

Name: 90FI 8me LLC, Michael Hraly  
By [Signature]  
Title CCO of Avantus LLC, ultimate parent, duly authorized  
Mailing Address:  
c/o Avantus Clean Energy LLC  
4370 Town Center Blvd., Suite 110  
El Dorado Hills, CA 95762

### REAL PARTY IN INTEREST (If different from Applicant)

Name Thomas Grant Tomlinson  
By [Signature]  
Title an individual  
Mailing Address:  
APNs 051-300-016, 051-300-011, 051-300-026  
051-270-020 and 051-270-028

ACCEPTED/RECEIVED BY \_\_\_\_\_ Date \_\_\_\_\_

PROJECT ID NO \_\_\_\_\_ APN \_\_\_\_\_

S:\FORMS\_LISTS\General Indemnification FORM 041516.doc

# IMPERIAL COUNTY PLANNING & DEVELOPMENT SERVICES GENERAL INDEMNIFICATION AGREEMENT

As part of this application, applicant and real party in interest, if different, agree to defend, indemnify, hold harmless, and release the County of Imperial ("County"), its agents, officers, attorneys, and employees (including consultants) from any claim, action, or proceeding brought against any of them, the purpose of which is to attack, set aside, void, or annul the approval of this application or adoption of the environmental document which accompanies it. This indemnification obligation shall include, but not be limited to, damages, costs, expenses, attorney fees, or expert witness fees that may be asserted by any person or entity, including the applicant, arising out of or in connection with the approval of this application, whether or not there is concurrent negligence on the part of the County, its agents, officers, attorneys, or employees (including consultants).

If any claim, action, or proceeding is brought against the County, its agents, officers, attorneys, or employees (including consultants), to attack, set aside, void, or annul the approval of the application or adoption of the environmental document which accompanies it, then the following procedures shall apply:

1. The Planning Director shall promptly notify the County Board of Supervisors of any claim, action or proceeding brought by an applicant challenging the County's action. The County, its agents, attorneys and employees (including consultants) shall fully cooperate in the defense of that action.
2. The County shall have the final determination on how to best defend the case and will consult with applicant regularly regarding status and the plan for defense. The County will also consult and discuss with applicant the counsel to be used by County to defend it, either with in-house counsel, or by retaining outside counsel provided that the County shall have the final decision on the counsel retained to defend it. Applicant shall be fully responsible for all costs incurred. Applicant shall be entitled to provide his or her own counsel to defend the case, and said independent counsel shall work with County Counsel to provide a joint defense.

Executed at Los Angeles California on February 21, 2024

## APPLICANT

Name: 90F1 8me LLC, Michael Healy

By M. Healy

Title CEO of Avantus LLC, ultimate parent, duly authorized

Mailing Address:

c/o Avantus Clean Energy LLC  
4370 Town Center Blvd., Suite 110  
El Dorado Hills, CA 95762

## REAL PARTY IN INTEREST

(If different from Applicant)

Name William Morton Tomlinson, II

By William Morton Tomlinson, II

Title an individual

Mailing Address:

APNs 051-300-016, 051-300-011, 051-300-026  
051-270-020 and 051-270-028

ACCEPTED/RECEIVED BY \_\_\_\_\_ Date \_\_\_\_\_

PROJECT ID NO \_\_\_\_\_ APN \_\_\_\_\_

S:\FORMS \_ LISTS\General Indemnification FORM 041516.doc

MAIN OFFICE: 801 Main Street El Centro, CA 92243 (442) 265-1735 FAX (442) 265-1735 E-MAIL: [planning@coimperial.ca.us](mailto:planning@coimperial.ca.us)



# IMPERIAL COUNTY PLANNING & DEVELOPMENT SERVICES GENERAL INDEMNIFICATION AGREEMENT

As part of this application, applicant and real party in interest, if different, agree to defend, indemnify, hold harmless, and release the County of Imperial ("County"), its agents, officers, attorneys, and employees (including consultants) from any claim, action, or proceeding brought against any of them, the purpose of which is to attack, set aside, void, or annul the approval of this application or adoption of the environmental document which accompanies it. This indemnification obligation shall include, but not be limited to, damages, costs, expenses, attorney fees, or expert witness fees that may be asserted by any person or entity, including the applicant, arising out of or in connection with the approval of this application, whether or not there is concurrent negligence on the part of the County, its agents, officers, attorneys, or employees (including consultants).

If any claim, action, or proceeding is brought against the County, its agents, officers, attorneys, or employees (including consultants), to attack, set aside, void, or annul the approval of the application or adoption of the environmental document which accompanies it, then the following procedures shall apply:

1. The Planning Director shall promptly notify the County Board of Supervisors of any claim, action or proceeding brought by an applicant challenging the County's action. The County, its agents, attorneys and employees (including consultants) shall fully cooperate in the defense of that action.
2. The County shall have the final determination on how to best defend the case and will consult with applicant regularly regarding status and the plan for defense. The County will also consult and discuss with applicant the counsel to be used by County to defend it, either with in-house counsel, or by retaining outside counsel provided that the County shall have the final decision on the counsel retained to defend it. Applicant shall be fully responsible for all costs incurred. Applicant shall be entitled to provide his or her own counsel to defend the case, and said independent counsel shall work with County Counsel to provide a joint defense.

Executed at Los Angeles California on February 21, 2024

## APPLICANT

Name: 90FI 8me LLC, Michael Hraly  
By: [Signature]  
Title: CCO of Avantus LLC, Ultimate Parent  
duty authorized

Mailing Address:

c/o Avantus Clean Energy LLC  
4370 Town Center Blvd., Suite 110  
El Dorado Hills, CA 95762

## REAL PARTY IN INTEREST

(If different from Applicant)

Name: John A. Tomlinson  
By: [Signature]  
Title: Member of F.C. and M.K. Tomlinson, LLC

Mailing Address:

APNs 051-300-016, 051-300-011, 051-300-026  
051-270-020 and 051-270-028

ACCEPTED/RECEIVED BY \_\_\_\_\_ Date \_\_\_\_\_

PROJECT ID NO \_\_\_\_\_ APN \_\_\_\_\_

S:\FORMS \_ USTS\General Indemnification FORM 041516.doc

# Attachment B3

*Owner Affidavits*

**OWNER'S AFFIDAVIT**

In the event the applicant is not owner, the following shall be signed and acknowledge by the owner.

Permission is hereby granted to 90FI BME LLC to apply for this  
(Lessee, Tenant, Contractor-Specify)

any and all permits, applications and CEQA actions \_\_\_\_\_ on the described property located at address  
(State permit type clearly i.e. building, land used)

Further identified by Assessor's Parcel Number  
(APN) 051-270-041, 051-300-035, 051-300-037 and 051-280-054 is hereby granted.

[Signature]  
OWNER (SIGNATURE)

John Kuhn  
OWNER (TYPED OR PRINT)

473 Savannah Hwy  
OWNER'S ADDRESS

Charleston SC 29401  
DATE

9/20/23

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF ~~CALIFORNIA~~ SOUTH CAROLINA  
COUNTY OF Charleston S.S.

On SEPTEMBER 20, 2023 before me,  
MICHELLE L. CAVANAUGH personally appeared  
JOHN KUHN who proved to me on the basis of  
satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and  
acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and  
that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the  
person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of ~~California~~ SOUTH CAROLINA that the foregoing  
paragraph is true and correct.

WITNESS my hand and official seal.  
Signature [Signature] (Seal)



**ATTENTION NOTARY:** Although the information requested below is optional, it may help prevent fraudulent attachment of this certificate to unauthorized document.

Title or Type of Document \_\_\_\_\_  
Number of Pages \_\_\_\_\_ Date of Document \_\_\_\_\_  
Signer(s) Other Than Named Above \_\_\_\_\_

**OWNER'S AFFIDAVIT**

In the event the applicant is not owner, the following shall be signed and acknowledge by the owner.

Permission is hereby granted to 90FI 8ME LLC to apply for this  
(Lessee, Tenant, Contractor-Specify)

any and all permits, applications and CEQA actions on the described property located at address  
(State permit type clearly i.e. building, land used)

Further identified by Assessor's Parcel Number  
(APN) 051-300-032, 051-300-036, 051-310-027, 051-310-028 is hereby granted.

[Signature]  
OWNER (SIGNATURE)

John Kuhn  
OWNER (TYPED OR PRINT)

473 Savannah Hwy  
OWNER'S ADDRESS  
Charleston, SC 29407

DATE 3/4/24

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF CALIFORNIA South Carolina  
COUNTY OF Imperial Charleston S.S.

On MARCH 4 2024 before me,  
MICHELLE L. CAVANAUGH personally appeared  
JOHN KUHN, who proved to me on the basis of  
satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and  
acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and  
that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the  
person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing  
paragraph is true and correct.

WITNESS my hand and official seal.

Signature [Signature] (Seal)



**ATTENTION NOTARY:** Although the information requested below is OPTIONAL, it could prevent fraudulent attachment of this certificate to unauthorized document.

Title or Type of Document \_\_\_\_\_  
Number of Pages \_\_\_\_\_ Date of Document \_\_\_\_\_  
Signer(s) Other Than Named Above \_\_\_\_\_

**OWNER'S AFFIDAVIT**

In the event the applicant is not owner, the following shall be signed and acknowledge by the owner.

Permission is hereby granted to 90FI 8ME LLC to apply for this  
(Lessee, Tenant, Contractor-Specify)

any and all permits, applications and CEQA actions on the described property located at address  
(State permit type clearly i.e. building, land used)

Further identified by Assessor's Parcel Number  
(APN) 051-270-036 is hereby granted.

Melvin Jerry Proece Jr  
OWNER (SIGNATURE)

Melvin Jerry Jr. Proece  
OWNER (TYPED OR PRINT)

33910 W. Vaughn Rd, El Centro, CA  
OWNER'S ADDRESS 92243

October 2, 2023  
DATE

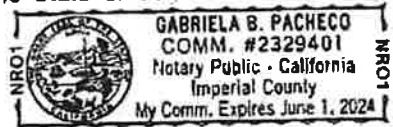
A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF CALIFORNIA  
COUNTY OF Imperial ) S.S.

On October 2, 2023 before me,  
Gabriela B. Pacheco, Notary Public personally appeared  
Melvin Jerry Jr. Proece, who proved to me on the basis of  
satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and  
acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and  
that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the  
person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing  
paragraph is true and correct.

WITNESS my hand and official seal.  
Signature [Signature] (Seal)



**ATTENTION NOTARY:** Although the information requested below is OPTIONAL, it could prevent  
fraudulent attachment of this certificate to unauthorized document.

Title or Type of Document Owner's Affidavit  
Number of Pages 1 Date of Document October 2, 2023  
Signer(s) Other Than Named Above Melvin Jerry Jr. Proece

**OWNER'S AFFIDAVIT**

In the event the applicant is not owner, the following shall be signed and acknowledge by the owner.

Permission is hereby granted to 90FI 8ME LLC to apply for this  
(Lessee, Tenant, Contractor-Specify)

any and all permits, applications and CEQA actions on the described property located at address  
(State permit type clearly i.e. building, land used)

Further identified by Assessor's Parcel Number  
(APN) 051-300-016, 051-300-011, 051-300-026, 051-270-020 and 051-270-020 is hereby granted.

*Thomas Grant Tomlinson*

OWNER (SIGNATURE)

Thomas Grant Tomlinson, Trustee of the Thomas G. Tomlinson Irrevocable Trust Dated December 27, 2012

OWNER (TYPED OR PRINT)

250 W. Marquita #A, San Clemente, CA 92672

OWNER'S ADDRESS

10/18/2023

DATE

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document

STATE OF CALIFORNIA  
COUNTY OF Orange ) S.S.

On 10/28/2023 before me,  
Maxfield Samuel Conklin, notary Public personally appeared  
Thomas Grant Tomlinson who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal

Signature *Maxfield Samuel Conklin* (Seal)



**ATTENTION NOTARY:** Although the information requested below is OPTIONAL, it could prevent fraudulent attachment of this certificate to unauthorized document.

Title or Type of Document \_\_\_\_\_  
Number of Pages \_\_\_\_\_ Date of Document \_\_\_\_\_  
Signer(s) Other Than Named Above \_\_\_\_\_

### OWNER'S AFFIDAVIT

In the event the applicant is not owner, the following shall be signed and acknowledge by the owner.

Permission is hereby granted to 90FI 8ME LLC to apply for this  
(Lessee, Tenant, Contractor-Specify)

any and all permits, applications and CEQA actions on the described property located at address  
(State permit type clearly i.e. building, land used)

Further identified by Assessor's Parcel Number  
(APN) 051-300-016, 051-300-011, 051-300-026, 051-270-020 and 051-270-020 is hereby granted.

[Signature]  
OWNER (SIGNATURE)

Thomas Grant Tomlinson  
OWNER (TYPED OR PRINT)

250 W. Marquita #A, San Clemente, CA 92672  
OWNER'S ADDRESS

10/18/2023  
DATE

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF CALIFORNIA  
COUNTY OF Orange } S.S.

On 10/18/2023 before me,  
Maxfield Samuel Conklin, Notary Public personally appeared  
Thomas Grant Tomlinson, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal  
Signature [Signature] (Seal)



**ATTENTION NOTARY:** Although the information requested below is OPTIONAL, it could prevent fraudulent attachment of this certificate to unauthorized document.

Title or Type of Document \_\_\_\_\_  
Number of Pages \_\_\_\_\_ Date of Document \_\_\_\_\_  
Signer(s) Other Than Named Above \_\_\_\_\_

**OWNER'S AFFIDAVIT**

In the event the applicant is not owner, the following shall be signed and acknowledge by the owner.

Permission is hereby granted to 90FI 8ME LLC to apply for this  
(Lessee, Tenant, Contractor-Specify)

any and all permits, applications and CEQA actions on the described property located at address  
(State permit type clearly i.e. building, land used)

Further identified by Assessor's Parcel Number

(APN) 051-300-016, 051-300-011, 051-300-026, 051-270-020 and 051-270-020 is hereby granted.

*Kenneth Francis Tomlinson*

OWNER (SIGNATURE)

Kenneth Francis Tomlinson  
OWNER (TYPED OR PRINT)

156 Wilshire Ct., San Carlos, CA 94070  
OWNER'S ADDRESS

10/03/2023

DATE

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF CALIFORNIA  
COUNTY OF San Mateo } S.S.

On October 3, 2023 before me,  
Helen Sutherland, Notary Public personally appeared  
Kenneth Francis Tomlinson who proved to me on the basis of  
satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and  
acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and  
that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the  
person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing  
paragraph is true and correct.

WITNESS my hand and official seal.

Signature Helen Sutherland (Seal)



**ATTENTION NOTARY:** Although the information requested below is OPTIONAL, it could prevent  
fraudulent attachment of this certificate to unauthorized document.

Title or Type of Document \_\_\_\_\_  
Number of Pages \_\_\_\_\_ Date of Document \_\_\_\_\_  
Signer(s) Other Than Named Above \_\_\_\_\_



**OWNER'S AFFIDAVIT**

In the event the applicant is not owner, the following shall be signed and acknowledge by the owner.

Permission is hereby granted to 90FI 8ME LLC to apply for this  
(Lessee, Tenant, Contractor-Specify)

any and all permits, applications and CEQA actions on the described property located at address  
(State permit type clearly i.e., building, land used)

Further Identified by Assessor's Parcel Number  
(APN) 051-300-016, 051-300-011, 051-300-026, 051-270-020 and 051-270-020 is hereby granted.

Kenneth Francis Tomlinson

OWNER (SIGNATURE)

Kenneth Francis Tomlinson, Trustee of the  
Kenneth F. Tomlinson Irrevocable Trust Dated

OWNER (TYPED OR PRINT)

December 27, 2012  
156 Wilshire Ct., San Carlos, CA 94070

OWNER'S ADDRESS

10/03/2013  
DATE

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF CALIFORNIA  
COUNTY OF San Mateo ) S.S.

On October 30, 2013 before me,  
Helen Sutherland, Notary Public personally appeared  
Kenneth Francis Tomlinson, who proved to me on the basis of  
satisfactory evidence to be the person(s) whose name(s) are subscribed to the within instrument and  
acknowledged to me that he/she/they executed the same in his/har/their authorized capacity(ies), and  
that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the  
person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature Helen Sutherland (Seal)



**ATTENTION NOTARY:** Although the information requested below is OPTIONAL, it could prevent fraudulent attachment of this certificate to unauthorized document.

Title or Type of Document \_\_\_\_\_  
Number of Pages \_\_\_\_\_ Date of Document \_\_\_\_\_  
Signer(s) Other Than Named Above \_\_\_\_\_

**OWNER'S AFFIDAVIT**

In the event the applicant is not owner, the following shall be signed and acknowledge by the owner.

Permission is hereby granted to 90FI 8ME LLC to apply for this  
(Lessee, Tenant, Contractor-Specify)

any and all permits, applications and CEQA actions on the described property located at address  
(State permit type clearly i.e. building, land used)

Further identified by Assessor's Parcel Number  
(APN) 051-300-016, 051-300-011, 051-300-026, 051-270-020 and 051-270-020 is hereby granted.

John A Tomlinson Member/Co-Trustee  
OWNER (SIGNATURE)

P.C. and M.K. Tomlinson, LLC  
OWNER (TYPED OR PRINT)

P.O. Box 759, Brea, CA 92822  
OWNER'S ADDRESS

October 4, 2023  
DATE

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

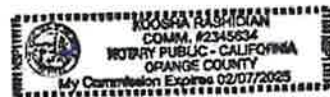
STATE OF CALIFORNIA  
COUNTY OF Orange } S.S.

On OCTOBER 4<sup>TH</sup> 2023 before me,  
KOOSHA RASHIDIAN NOTARY PUBLIC personally appeared  
JOHN A TOMLINSON, who proved to me on the basis of  
satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and  
acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and  
that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the  
person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing  
paragraph is true and correct.

WITNESS my hand and official seal.

Signature [Signature] (Seal)



**ATTENTION NOTARY:** Although the information requested below is OPTIONAL, it could prevent  
fraudulent attachment of this certificate to unauthorized document.

Title or Type of Document \_\_\_\_\_  
Number of Pages \_\_\_\_\_ Date of Document \_\_\_\_\_  
Signer(s) Other Than Named Above \_\_\_\_\_

**OWNER'S AFFIDAVIT**

In the event the applicant is not owner, the following shall be signed and acknowledge by the owner

Permission is hereby granted to 90FI BME LLC to apply for this  
(Lessee, Tenant, Contractor-Specify)

any and all permits, applications and CEQA actions on the described property located at address  
(State permit type clearly i.e. building, land used)

Further identified by Assessor's Parcel Number

(APN) 051-300-016, 051-300-011, 051-300-026, 051-270-020 and 051-270-020 is hereby granted.

[Signature] Trustee's  
OWNER (SIGNATURE)  
Carma J. Tomlinson and John A. Tomlinson, Co-Trustees  
of the Frank N. Tomlinson Separate Property Trust,

OWNER (TYPED OR PRINT)  
U/D/T dated October 6, 2005  
P.O. Box 759, Brea, CA 92822

OWNER'S ADDRESS

October 4, 2023  
DATE

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF CALIFORNIA  
COUNTY OF Orange ) S.S.

On OCTOBER 4<sup>th</sup> 2023 before me,  
KOOSHIA RASHIDIAN NOTARY PUBLIC personally appeared  
CARMA J. TOMLINSON and JOHN A. TOMLINSON, who proved to me on the basis of  
satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and  
acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and  
that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the  
person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing  
paragraph is true and correct.

WITNESS my hand and official seal.

Signature [Signature] (Seal)



**ATTENTION NOTARY:** Although the information requested below is OPTIONAL, it could prevent  
fraudulent attachment of this certificate to unauthorized document.

Title or Type of Document \_\_\_\_\_  
Number of Pages \_\_\_\_\_ Date of Document \_\_\_\_\_  
Signer(s) Other Than Named Above \_\_\_\_\_

**OWNER'S AFFIDAVIT**

In the event the applicant is not owner, the following shall be signed and acknowledge by the owner.

Permission is hereby granted to 90FI 8ME LLC to apply for this  
(Lessee, Tenant, Contractor-Specify)

any and all permits, applications and CEQA actions on the described property located at address  
(State permit type clearly i.e. building, land used)

Further identified by Assessor's Parcel Number  
(APN) 051-300-016, 051-300-011, 051-300-026, 051-270-020 and 051-270-020 is hereby granted.

William Morton Tomlinson, II  
OWNER (SIGNATURE)

William Morton Tomlinson, II  
OWNER (TYPED OR PRINT)

P.O. Box 759, Brea, CA 92822  
OWNER'S ADDRESS

9-29-23  
DATE

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.



STATE OF CALIFORNIA  
COUNTY OF ORANGE } S.S.

On SEPTEMBER 29, 2023 before me,  
ELIZABETH MATTHEWS, NOTARY PUBLIC personally appeared  
WILLIAM TOMLINSON who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.  
Signature [Signature] (Seal)

**ATTENTION NOTARY:** Although the information requested below is OPTIONAL, it could prevent fraudulent attachment of this certificate to unauthorized document.

Title or Type of Document \_\_\_\_\_  
Number of Pages \_\_\_\_\_ Date of Document \_\_\_\_\_  
Signer(s) Other Than Named Above \_\_\_\_\_

**OWNER'S AFFIDAVIT**

In the event the applicant is not owner, the following shall be signed and acknowledge by the owrier.

Permission is hereby granted to 90FI 8ME LLC to apply for this  
(Lessee, Tenant, Contractor-Specify)

any and all permits, applications and CEQA actions on the described property located at address  
(State permit type clearly i.e. building, land used)

Further identified by Assessor's Parcel Number  
(APN) 051-300-016, 051-300-011, 051-300-026, 051-270-020 and 051-270-020 is hereby granted.

*William Morton Tomlinson II*

OWNER (SIGNATURE)  
William Morton Tomlinson, II, Trustee of the  
William M. Tomlinson, II Irrevocable Trust dated

OWNER (TYPED OR PRINT)  
December 27, 2012

P.O. Box 759, Brea, CA 92822

OWNER'S ADDRESS

9-29-23

DATE

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.



STATE OF CALIFORNIA  
COUNTY OF ORANGE } S.S.

On SEPTEMBER 29, 2023 before me,  
ELIZABETH MATTHEWS, NOTARY PUBLIC personally appeared  
WILLIAM TOMLINSON, who proved to me on the basis of  
satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and  
acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and  
that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the  
person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing  
paragraph is true and correct.

WITNESS my hand and official seal.

Signature [Signature] (Seal)

**ATTENTION NOTARY:** Although the information requested below is OPTIONAL, it could prevent  
fraudulent attachment of this certificate to unauthorized document.

Title or Type of Document \_\_\_\_\_  
Number of Pages \_\_\_\_\_ Date of Document \_\_\_\_\_  
Signer(s) Other Than Named Above \_\_\_\_\_

# Attachment B4

*Project Owner Contact Information*

BIG ROCK SOUTH CUP #1, LANDOWNER INFORMATION

CUP Request #	CUP Area	APN	Owner	Contact Information
CUP #1	BR 2 Cluster North	051-270-020	Tomlinson	Tomlinson Management, Inc. PO Box 759 Brea, CA 92822 Attn: William M. Tomlinson (714) 529-1335 <a href="mailto:bill@tomlinsonmgt.com">bill@tomlinsonmgt.com</a> <a href="mailto:toment1@aol.com">toment1@aol.com</a>
CUP #1	BR 2 Cluster North	051-270-028	Tomlinson	Tomlinson Management, Inc. PO Box 759 Brea, CA 92822 Attn: William M. Tomlinson (714) 529-1335 <a href="mailto:bill@tomlinsonmgt.com">bill@tomlinsonmgt.com</a> <a href="mailto:toment1@aol.com">toment1@aol.com</a>
CUP #1	BR 2 Cluster North	051-270-036	Preece	Jerry Preece 2396 W Vaughn Road El Centro, CA 92243 (760) 339-4856 <a href="mailto:jerrypreceir@jrpreece.com">jerrypreceir@jrpreece.com</a>
CUP #1	BR 2 Cluster North	051-270-041	Kuhn	John Kuhn 1904 Savannah Highway, Suite 202 Charleston, SC 29407 (843) 708-2188 <a href="mailto:ir@kuhnandkuhn.com">ir@kuhnandkuhn.com</a>
CUP #1	BR 2 Cluster North	051-280-054	Kuhn	John Kuhn 1904 Savannah Highway, Suite 202 Charleston, SC 29407 (843) 708-2188 <a href="mailto:ir@kuhnandkuhn.com">ir@kuhnandkuhn.com</a>

BIG ROCK SOUTH CUP #1, LANDOWNER INFORMATION

CUP #1	BR 2 Cluster North	051-300-011	Tomlinson	Tomlinson Management, Inc. PO Box 759 Brea, CA 92822 Attn: William M. Tomlinson (714) 529-1335 <a href="mailto:bill@tomlinsonmgt.com">bill@tomlinsonmgt.com</a> <a href="mailto:toment1@aol.com">toment1@aol.com</a>
CUP #1	BR 2 Cluster North	051-300-016	Tomlinson	Tomlinson Management, Inc. PO Box 759 Brea, CA 92822 Attn: William M. Tomlinson (714) 529-1335 <a href="mailto:bill@tomlinsonmgt.com">bill@tomlinsonmgt.com</a> <a href="mailto:toment1@aol.com">toment1@aol.com</a>
CUP #1	BR 2 Cluster North	051-300-026	Tomlinson	Tomlinson Management, Inc. PO Box 759 Brea, CA 92822 Attn: William M. Tomlinson (714) 529-1335 <a href="mailto:bill@tomlinsonmgt.com">bill@tomlinsonmgt.com</a> <a href="mailto:toment1@aol.com">toment1@aol.com</a>
CUP #1	BR 2 Cluster North	051-300-035	Kuhn	John Kuhn 1904 Savannah Highway, Suite 202 Charleston, SC 29407 (843) 708-2188 <a href="mailto:jr@kuhnandkuhn.com">jr@kuhnandkuhn.com</a>
CUP #1	BR 2 Cluster North	051-300-037	Kuhn	John Kuhn 1904 Savannah Highway, Suite 202 Charleston, SC 29407 (843) 708-2188 <a href="mailto:jr@kuhnandkuhn.com">jr@kuhnandkuhn.com</a>



BIG ROCK SOUTH CUP #1 LANDOWNER INFORMATION

CUP #1	BR 2 Cluster North / Laurel 2 Cluster North	051-300-036	Kuhn	John Kuhn 1904 Savannah Highway, Suite 202 Charleston, SC 29407 (843) 708-2188 <a href="mailto:ir@kuhnandkuhn.com">ir@kuhnandkuhn.com</a>
CUP #1	BR 2 Cluster North /Laurel Cluster 2North	051-300-032	Kuhn	John Kuhn 1904 Savannah Highway, Suite 202 Charleston, SC 29407 (843) 708-2188 <a href="mailto:ir@kuhnandkuhn.com">ir@kuhnandkuhn.com</a>

# Attachment C

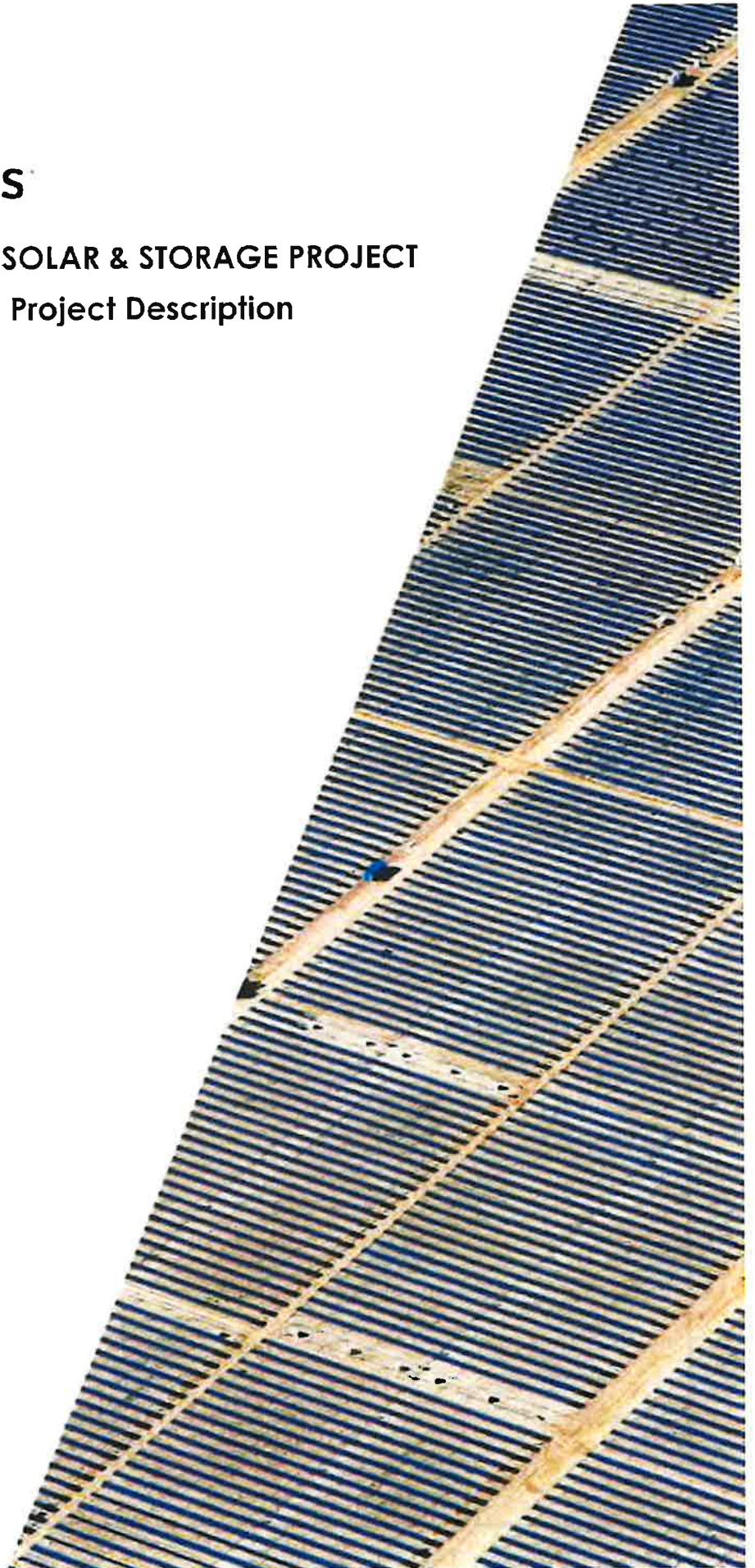
*Project Description*



# BIG ROCK 2 CLUSTER SOLAR & STORAGE PROJECT CUP Application and Project Description

18 March 2024

Submitted by:  
90FI 8me LLC  
4370 Town Center Blvd., Suite 110  
El Dorado Hills, CA 95762

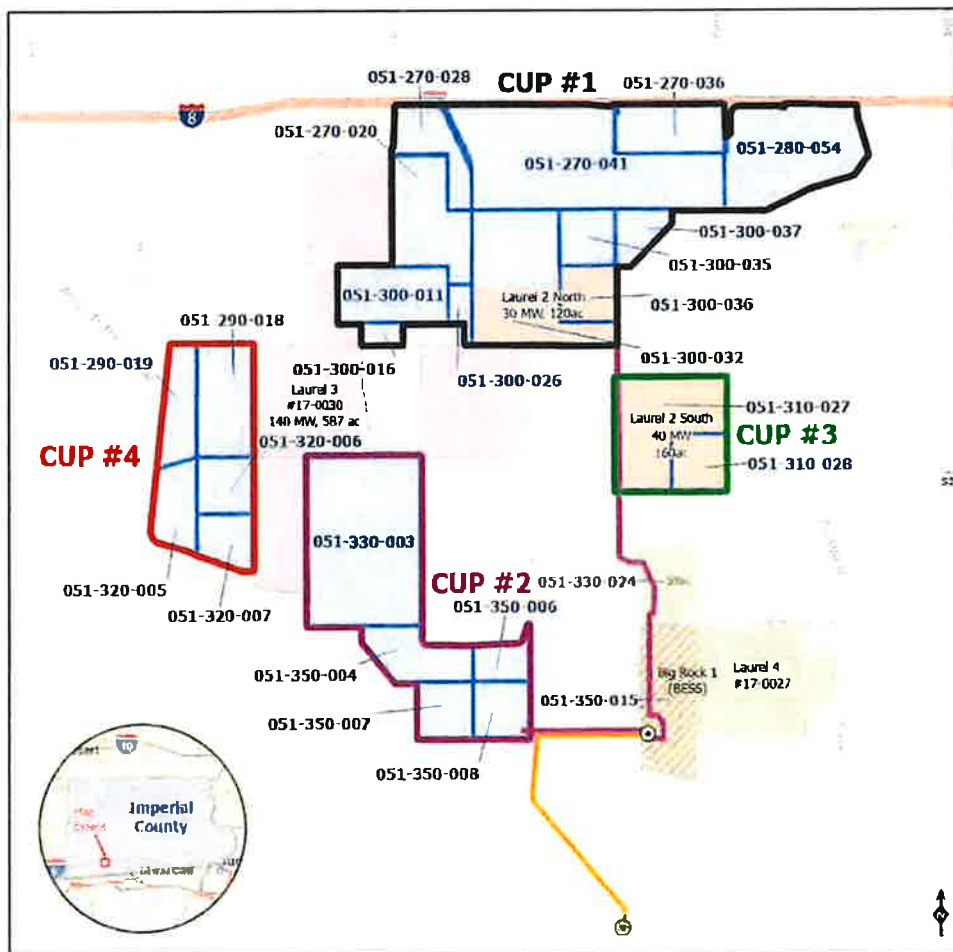


**This page left blank intentionally.**

## Big Rock 2 Cluster Solar and Storage Project

This document contains Supporting Materials for the following Conditional Use Permit Applications Packages:

1. CUP #1: Big Rock 2 Cluster North (1,030 acres)
  - Big Rock 2 Cluster North (910 acres), including;
    - Laurel Cluster 2 North /CUP # 21-0014 (120 acres) *(to be re-entitled)*
2. CUP #2: Big Rock 2 Cluster South (410 acres)
3. CUP #3: Big Rock 2 Cluster East/Laurel Cluster 2 South CUP # 21-0013) (160 acres) *(to be re-entitled)*
4. CUP #4 Big Rock Cluster West (249 acres)



**This page left blank intentionally.**

# TABLE OF CONTENTS

<b>INTRODUCTION .....</b>	<b>1</b>
<b>Site Information.....</b>	<b>4</b>
<b>PROJECT DESCRIPTION.....</b>	<b>7</b>
<b>Overview.....</b>	<b>7</b>
<b>Project Objectives .....</b>	<b>7</b>
<b>Project Components .....</b>	<b>8</b>
PV Module Configuration .....	8
Collection, Inverter and Transformer Systems .....	11
Battery Energy Storage System .....	12
Substation(s).....	15
Transmission Line and Interconnection.....	15
Operations and Maintenance (O&M) Building.....	16
Roadway and IID Crossings.....	16
Water Usage .....	16
Water Storage.....	17
Site Security and Fencing.....	17
Lighting .....	17
Annual Production.....	17
Electric Service.....	17
<b>Project Construction .....</b>	<b>18</b>
Construction Activities and Duration .....	18
Laydown Areas.....	19
Workforce .....	19
<b>Project Operation.....</b>	<b>19</b>
Operational Activities .....	19
Workforce .....	19
<b>Project Compliance Plans and Best Management Practices .....</b>	<b>20</b>
Hazardous Materials and Hazardous Waste Management .....	20
Spill Prevention and Containment.....	20
Wastewater/Septic System .....	21
Solid Waste Management .....	21
Dust Control.....	21
Pest and Vegetation Management.....	21
Fire Management .....	22
Health and Safety .....	22
General Plan Consistency .....	23
<b>Decommissioning and Reclamation .....</b>	<b>23</b>
<b>Anticipated Required Project Entitlements.....</b>	<b>24</b>

## **APPENDICES**

**Appendix A      Site Plan**

**Appendix B      Full Resolution Map Figures**



## INTRODUCTION

90FI 8me LLC (“the Applicant”) is seeking approval of four (4) Conditional Use Permits (CUPs) associated with the construction and operation of a utility-scale [up to 500-megawatt (MW) in capacity] photovoltaic (“PV”) solar energy generation and Battery Energy Storage System (“BESS”) facility (also up to 500-MW in capacity). The proposed Project, collectively called, the Big Rock 2 Cluster Solar and Storage Project (“Big Rock 2” or the “Project”) contemplates utilizing approximately 1,569 acres of “new lands” that have not previously been entitled, in addition to up to 867 acres of lands that are currently entitled under active CUPs known as Laurel Cluster 3 (587 acres), Laurel Cluster 2 North (120 acres), and Laurel Cluster 2 South (160 acres) totaling 2,436 acres of available land for development (Figure 1).

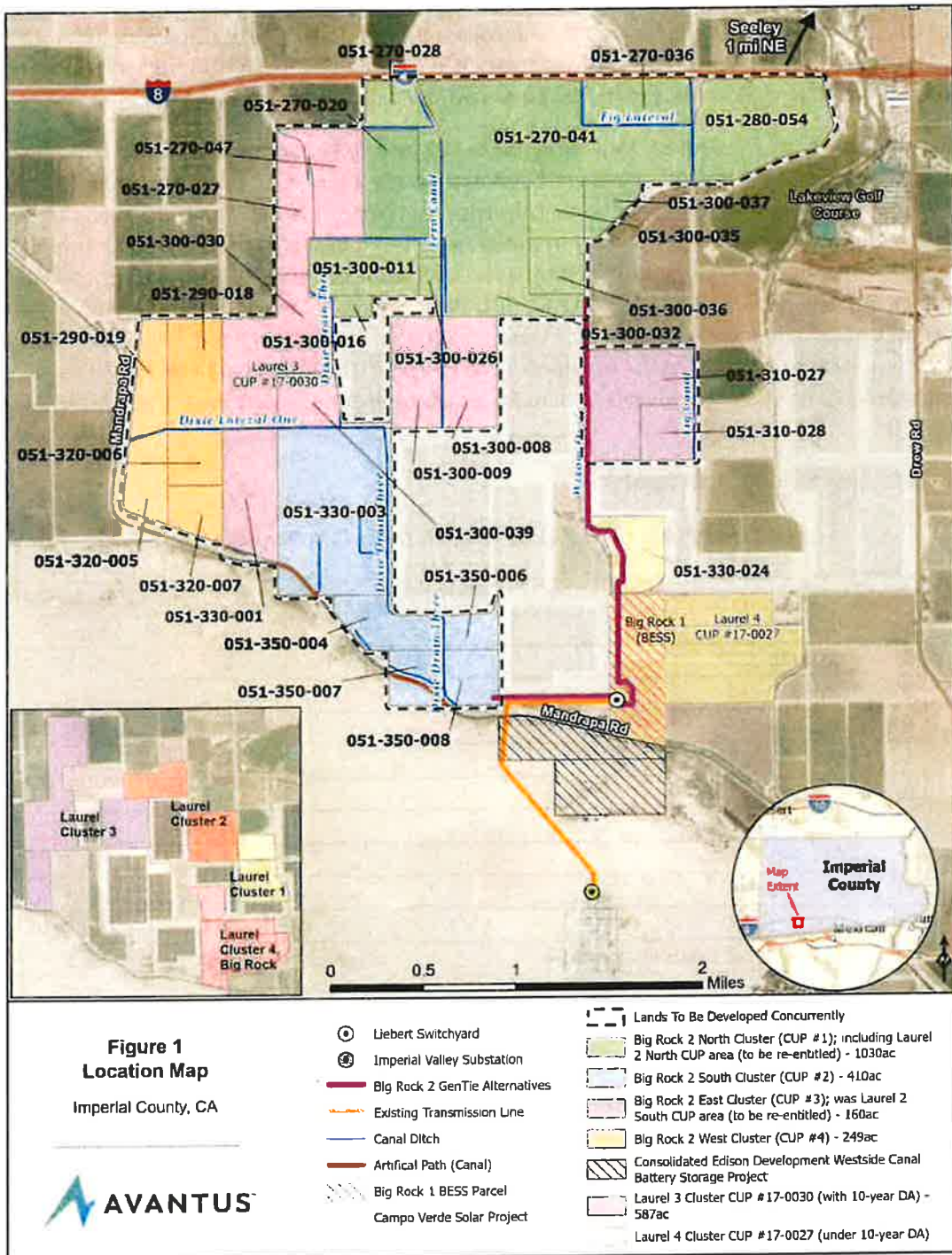
Energy generated by the Project would be collected using up to 66 kilovolt (“kV”) collector lines which could run overhead and/or underground to a dedicated Project substation. A 230-kV overhead generation intertie (gen-tie) transmission line is anticipated to link the Project substation to the Liebert Switchyard (pending construction), which will then be connected via an overhead 230-kV gen-tie line to the existing San Diego Gas and Electric (SDG&E) Imperial Valley Substation (Figure 1). It is anticipated that all BESS facilities associated with the Project will be developed concurrently with PV componentry and situated in proximity to Project sub-station(s); however, the CUP areas may cooperate if necessary to meet energy production and Project needs, by allowing one CUP area to utilize “BESS” credits of another Likewise, the Project may share facilities such as Operations & Maintenance (O&M) facilities, transmission-related facilities, Project sub-station(s), and/or other appurtenances.

The Applicant intends to secure CUPs from Imperial County as the lead agency, along with permits and approvals from other relevant agencies as required by law. Laurel Cluster 3 CUP (#17-0030) is associated with a 10-year Development Agreement (DA) (Document Number 2023012228). However, Laurel Cluster 2 CUPs may expire prior to this approval, therefore, those areas have been integrated into this request, upon approval, Imperial County would void CUPs #21-0014 and #21-0013. Table 1 provides a breakdown of Project areas and acreage availability.

**Table 1: Total Project Area and Land Availability**

	<b>Acres Available</b>	<b>CUP #</b>
Big Rock 2 Cluster North, including Laurel Cluster 2 North (120 acres) parcels under CUP # 21-0014 (expires Dec. 2024)	1,030	CUP Request #1 (partial re-entitlement)
Big Rock 2 Cluster South	410	CUP Request #2
Big Rock 2 Cluster East/Laurel Cluster 2 South parcels under CUP #21-0013 (expires Dec. 2024)	160	CUP Request #3 (re-entitlement)
Big Rock 2 Cluster West	249	CUP Request #4
<i>Laurel Cluster 3 CUP #17-0030</i>	587	<i>NA (under 10-year DA)</i>

Figure 1: Project Location Map



## Site Information

### Site Characteristics

The proposed Project site is located in unincorporated Imperial County, south of Interstate 8, approximately one mile southwest of the town of Seeley, California, and approximately six miles north of the United States International Border with Mexico (Figure 1).

The topography of the Project area is relatively flat, consisting primarily of fields and unpaved roads, and all the Project parcels have been extensively cleared, plowed, and maintained for agricultural production. Due to the extensive irrigated farming history within the Project area, as well as locally high-water table, many irrigation canals and drains occur within proximity of the Project. These include a segment of the New River adjacent to the northeast corner of the Project, and the Imperial Irrigation District (IID) Westside Main Canal which is located along the west and southern edges of the Project area. In addition, multiple named irrigation canals and drains are located adjacent to the unimproved roadways in the Project area, including Fern Canal and Sidemain, Foxglove Canal, Wixom and Fig Drains, and Dixie Drains Two, Three, Three A and Three B.

### Parcels, Zoning, and Acreage(s)

**Table 2: Big Rock 2 Cluster North (New CUP Request #1)**

	APN	Zoning	Acres
1	051-270-020	A-2-R	101.8
2	051-270-028	A-2	52.3
3	051-270-036	A-2	67.4
4	051-270-041	A-2-R	279.0
5	051-280-054	A-2	149.5
6	051-300-011	A-2	79.6
7	051-300-016	A-2	10.8
8	051-300-026	A-2	13.4
9	051-300-035	A-3	40.3
10	051-300-037	A-3	28.9
11	051-300-032 (northern portion)	A-2	85.5
	<b>Sub-total</b>		<b>910</b>
	<i>Laurel 2 North CUP #21-0014 (Expires December 2024)</i>		
12	051-300-032 (southern portion) (to be re-entitled)	A-2-RE	80
13	051-300-036 (to be re-entitled)	A-3-RE	40.3
	<b>Sub-total</b>		<b>120</b>
	<b>TOTAL ACRES</b>		<b>1,030</b>

**Table 3: Big Rock 2 Cluster South (New CUP Request #2)**

	APN	Zoning	Acres
1	051-330-003	A-3	246.5
2	051-350-004	A-3	57.4

	APN	Zoning	Acres
3	051-350-006	A-3	26.3
4	051-350-007	A-3	40.0
5	051-350-008	A-3	40.0
	<b>TOTAL ACRES</b>		<b>410</b>

**Table 4: Big Rock Cluster 2 East (to be re-entitled) (New CUP Request #3)**

<b>Laurel Cluster 2 South CUP #21-0013 (Expires December 2024)</b>			
1	051-310-027	A-2-R-RE	120.0
2	051-310-028	A-2-R-RE	39.9
	<b>Total</b>		<b>160</b>

**Table 5: Big Rock 2 Cluster West (New CUP Request #4)**

	APN	Zoning	Acres
1	051-290-018	A-2-R	79.8
2	051-290-019	A-3	48.7
3	051-320-005	A-3	45.0
4	051-320-006	A-3	39.9
5	051-320-007	A-3	35.3
	<b>TOTAL ACRES</b>		<b>249</b>

## Site Information

### Site Characteristics

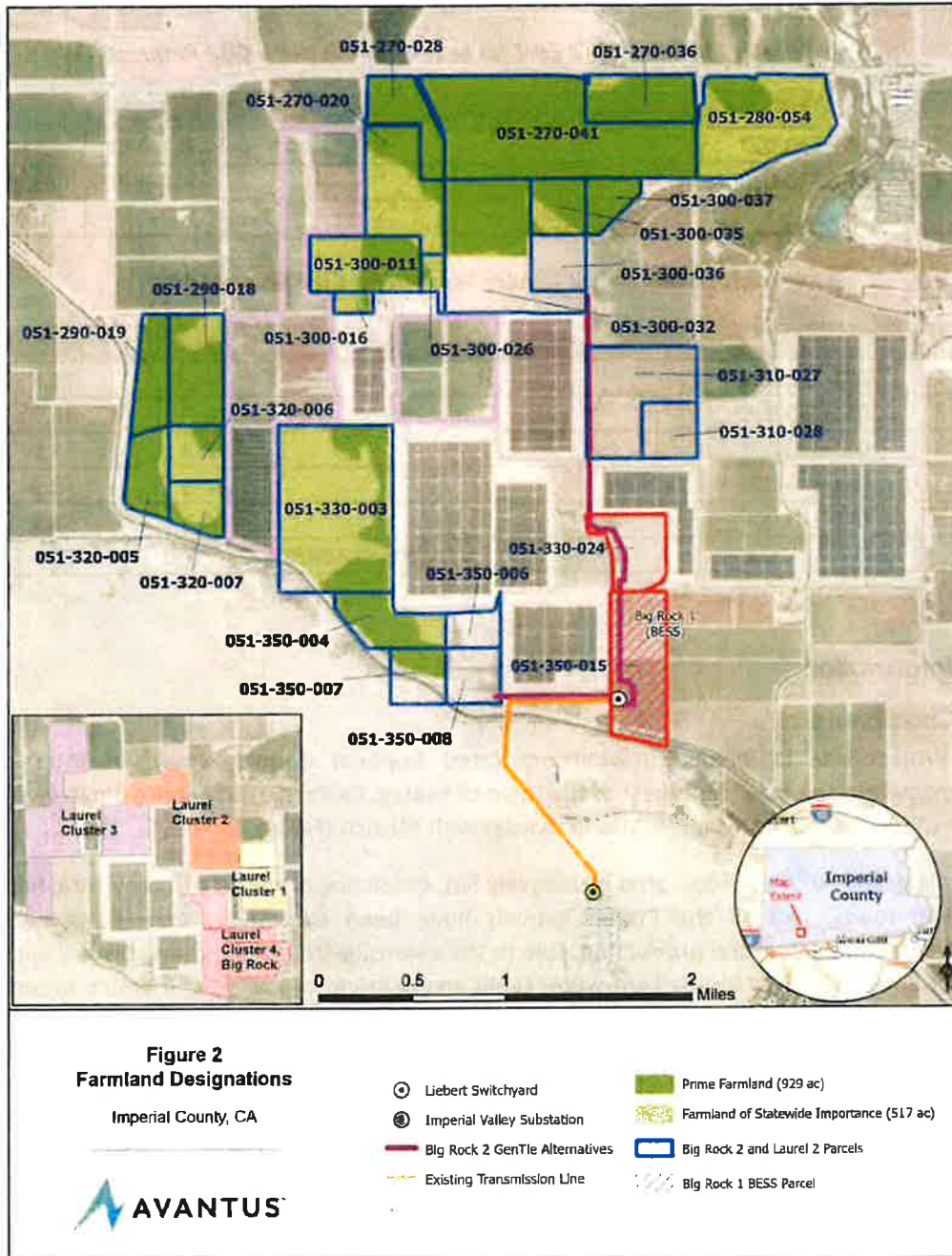
The Project site is located in unincorporated Imperial County, south of Interstate 8, approximately one mile southwest of the town of Seeley, California, and approximately six miles north of the United States International Border with Mexico (Figure 3).

The topography of the Project area is relatively flat, consisting primarily of agricultural fields and unpaved roads, and all the Project parcels have been extensively cleared, plowed, and maintained for agricultural production. Due to the extensive irrigated farming history within the Project area, as well as locally high-water table, many irrigation canals and drains occur within proximity of the Project. These include a segment of the New River adjacent to the northeast corner of the Project, and the Imperial Irrigation District (IID) Westside Main Canal which is located along the west and southern edges of the Project area. In addition, multiple named irrigation canals and drains are located adjacent to the unimproved roadways in the Project area, including Fern Canal and Sidemain, Foxglove Canal, Wixom and Fig Drains, and Dixie Drains Two, Three, Three A and Three B.

The entire Project area is designated Agricultural in the Imperial County General Plan. Current land use of the Project parcels includes cropland, dryland grain crops, irrigated grain and hayfields, row crops, orchards, and pastureland.

Figure 2 also illustrates Prime Farmland and Farmland of Statewide Importance; however, the Project does not include agricultural lands designated under the “Williamson Act”.

**Figure 2: Farmland Designations**



## ***Adjacent Lands***

### *Existing Land Use*

The Project is adjacent and proximal to both Agricultural and Agricultural/Rural lands that have been rezoned for renewable energy (RE), specifically for PV solar and BESS projects that have been approved by Imperial County.

Nearby land uses are predominantly agricultural and/or renewable energy generation, but also include commercial, transportation, military, and electric utility uses. Commercial land uses include the Rio Bend Golf Course (*and associated Specific Plan Area*) to the east of the Project. The Interstate 8 and Union Pacific Railroad transportation corridors are located to the north of the Project. To the south of the Project, utility land uses include the SDG&E Imperial Valley Substation, as well as additional agricultural lands that have been designated for PV solar, and BESS renewable energy projects.

### *Operational Renewable Energy Facilities*

Campo Verde Solar, owned by Southern Power, became operational in September 2013 and is located on multiple APNs that are adjacent to the proposed Project (Figure 1).

### *Renewable Energy Facilities Pending Entitlement*

The Consolidated Edison Development Westside Canal Battery Storage Project is a utility-scale energy storage development approved by Imperial County and is located on two APNs adjacent to the southernmost parcels of the proposed Big Rock 2 Project (Figure 1).

## **PROJECT DESCRIPTION**

### **Overview**

The Applicant proposes to develop, design, and construct a PV solar energy generation and BESS facility comprised of up to 500 megawatt alternating current (MWac) PV solar and up to 500 MWac of BESS. Power generated by the Project would be collected using up to 66-kV collector lines which could run overhead and/or underground to a dedicated Project substation, with a 230-kV overhead generation transmission line or “gen-tie” line linking a Project substation to the Imperial Irrigation District (IID) Liebert Switchyard. The Liebert Switchyard would then be connected to the SDG&E Imperial Valley substation via an overhead 230-kV gen-tie line. The Project contemplates two gen-tie line alternatives as depicted in Figure 1.

The Applicant has considered the following in its selection of the Big Rock 2 PV solar and BESS Project for detailed evaluation:

- Private land availability suitable for renewable energy development
- Compatible Land Use Zoning: Agricultural/Rural Zone(s)
- Proximity to the SDG&E Imperial Valley substation
- Proximity to the applicant’s previously approved PV solar and BESS projects entitled with Imperial County

### **Project Objectives**

The primary objective of 90FI 8me LLC is to develop, design and construct a large-scale solar PV and BESS facility in Imperial County that, when operational, maximizes the production of clean, reliable, and renewable electric power in an economically feasible and commercially financeable manner. The power produced by the Project is expected to be marketed to utility companies, Community Choice Aggregators (CCAs), or other large-scale energy off-takers. Additional Project objectives include:

- Provide renewable energy to the electric grid to meet increasing demand for in-state generation and provide energy storage that can be dispatched to the regional grid during times of greatest energy demand.
- Integrate the proposed Project operating facilities with previously proposed and entitled PV solar and BESS projects in the project vicinity to maximize economies of scale.
- Provide annual revenues consistent with the Public Benefit Program for Solar Power Plants in Imperial County (Amended May 9, 2023, by the Board of Supervisors) that directly supports Agriculture, Community Benefits Funds, and Public Services (e.g., Sheriff, Public Health, Fire Department) within Imperial County.
- Assist the County in continuing the goal in the Energy Element of its General Plan to develop large scale solar energy development as a major energy source in the County.
- Promote economic development and bring regionally defined living-wage jobs to the region throughout the life of the proposed Project.

- Support California’s efforts to reduce greenhouse gas (GHG) emissions consistent with the timeline established in 2006 under California Assembly Bill 32, the Global Warming Solutions Act of 2006, which requires the California Air Resources Board to reduce statewide emissions of greenhouse gases (GHGs) to at least the 1990 emissions level by 2020. This timeline was updated in 2016 under SB 32, which requires that statewide GHG emissions are reduced to at least 40 percent below the statewide GHG emissions limit by 2030.
- Support California’s Renewable Portfolio Standards (RPS) Program consistent with the timeline established by SB 100 (De León, also known as the “California Renewables Portfolio Standard Program: emissions of greenhouse gases”) as approved by the California Legislature and signed by Governor Brown in September 2018, which established a 50 percent RPS goal by December 31, 2026, 60 percent by December 31, 2030, and a goal that 100 percent of electric retail sales to end-use customers be provided by renewable energy and zero-carbon resources by 2045.
- Utilize historically farmed lands that could otherwise be fallowed due to current and future water shortages, thereby providing local farmers and/or agricultural landowners in Imperial County an alternative to the economic losses associated with limiting their agricultural production.

## **Project Components**

### ***PV Module Configuration***

The Project would use PV panels or modules<sup>1</sup> on mounting frameworks to convert sunlight directly into electricity. Individual panels would be installed on either fixed-tilt or tracker mount systems (single- or dual-axis, using galvanized steel or aluminum). If the panels are configured for fixed tilt, they would be oriented toward the south. For tracking configurations, the panels would rotate to follow the sun over the course of the day. Although the panels could stand up to 15 feet in height (H), depending on the mounting system used, panels are expected to remain between six (6) and eight (8) feet in height.

---

<sup>1</sup> Including but not limited to bi-facial or concentrated photovoltaic (CPV) technology.





*Typical fixed-tilt solar panel rows*



*Typical single axis tracking solar panels*



*Typical dual axis tracking solar panels*

The solar panel array would be arranged in groups called blocks, with inverter stations generally located centrally within the blocks. Blocks would produce direct electrical current (“DC”), which is converted to alternating current (“AC”) at the inverter stations.

Each PV module would be placed on a fixed-tilt or tracker mounting structure. The foundations for the mounting structures can extend up to 10 feet below ground, depending on the structure, soil conditions, and wind loads, and may be encased in concrete or use small concrete footings. A light-colored ground cover or palliative may be used to increase electricity production. Final solar panel layout and spacing would be optimized for the Project area characteristics and the desired energy production profile.



*Typical fixed-tilt mounting structure*

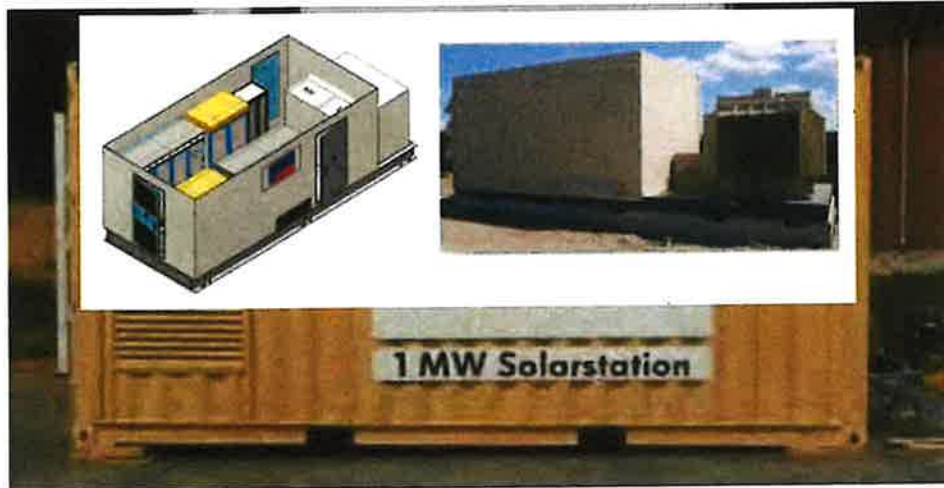


*Typical dual axis mounting structure*

#### ***Collection, Inverter and Transformer Systems***

DC energy is delivered from the PV panels via cable to inverter stations, generally located near the center of each block. Inverter stations convert the DC energy to AC energy which can be dispatched to the transmission system. PV Inverter stations are typically comprised of one or more inverter modules with a rated power of up to 5-MW each, a unit transformer, and voltage switch gear. BESS units for the Project would be connected to bidirectional inverter stations, high-level control system(s), transformers, and ultimately the Project substation(s) bus bar via a series of overhead or underground electrical collector lines ranging from 66kV to 230kV. Utilizing these Project components, the DC onsite PV panel and battery energy would be converted to AC energy and dispatched to the regional transmission grid, and this process would be reversed to charge the batteries from electrical energy imported from the regional transmission grid for onsite energy storage. PV and BESS inverter stations are typically comprised of one or more inverter modules with a rated power of up to 10 MW each, and a unit transformer, and voltage switchgear. The unit transformer and voltage switch gear are housed in steel enclosures, while the inverter module(s) and control system(s) are housed in cabinets. Depending on the vendor selected for the Project, the inverter stations may be located within an enclosed or canopied metal structure, typically a skid or concrete pad.

Overhead and/or underground collector lines may be bundled together as they approach the substation(s), sharing common poles or trenches. Collector lines would then connect to the Project substation bus bar before being stepped up to 230kV for transmission. Potential collector line routes for the Project are provided in Figure 1; however, not all routes will ultimately be developed. The 66kV collector lines would be connected from the various PV parcels and the BESS system to the step-up project substation. The final location(s) of each component, height, and structure type(s) would be determined before the issuance of building permits for the Project by Imperial County.

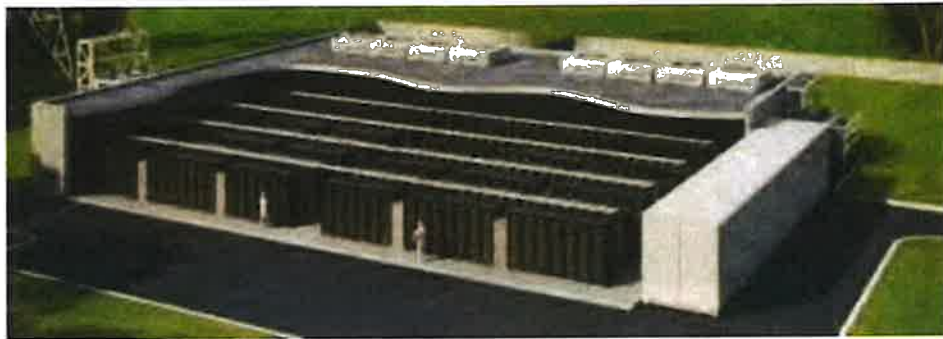


*Typical inverter stations*

***Battery Energy Storage System***

The Project will include one or more BESS, located at or near the Project substation(s)/switchyard(s), the inverter stations, or elsewhere onsite. BESS' consist of modular and scalable battery packs and battery control systems that conform to California and U.S. national safety standards. The BESS modules, which could include commercially available lithium or flow batteries, and typically consist of ISO standard all-weather containers (approximately 40'L x 8'W x 8'H) housed in pad- or post-mounted, stackable metal structures, but may also be housed in a dedicated building(s) in compliance with applicable regulations. The maximum height of a dedicated structure is not expected to exceed 25 feet. The actual dimensions and number of energy storage modules and structures vary depending on the application, supplier, and configuration chosen, as well as on off taker/power purchase agreement requirements for the Project.

The BESS would be in unmanned, remotely controlled containers that would be periodically inspected by Project personnel for maintenance purposes. The BESS would be designed to conform with Imperial County and national BESS fire standard NFPA 855 and/or other applicable national standards. The BESS would have all required UL9540A reports (or equivalent) and would be certified to UL9540 (or equivalent), if required. BESS' require additional components to be fully operational, and that allow the batteries to be connected to the regional transmission grid as discussed below.

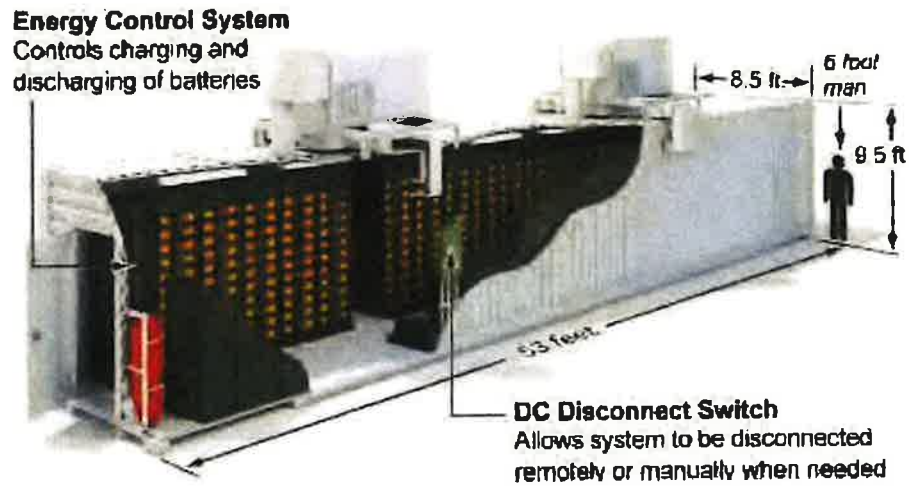


*BESS Installed in Dedicated Structure*





*Modular BESS Installed on Multiple Concrete Pads*



*Typical BESS module configuration*



### *Typical BESS*

#### ***Substation(s)***

The proposed Project would have its own dedicated substation equipment located within the Project footprint. Dedicated equipment may incorporate several components, including high-voltage and auxiliary power transformers, distribution cabinets, revenue metering systems, a microwave transmission tower, voltage switch gear, transmission poles and racking, and bus bar(s) of various voltages for interconnection(s). The substation may also include telecommunications facilities, fiber optic communication cables, equipment, and associated structures for diverse path routing of communications. Substations typically occupy an area of up to approximately five (5) acres and are secured separately by a chain-link fence.

Substations typically include a small control building (approximately 500 square feet) standing approximately ten (10) feet tall. The building is either prefabricated concrete or steel housing with rooms for the voltage switch gear and the metering equipment, a room for the station supply transformer, and a separate control technology room in which the main computer, the intrusion detection system, and the main distribution equipment are housed. Components of this building (e.g., control technology room and intrusion detection system) may instead be located at an O&M building described later in this Project Description.



*Typical Substation*

#### ***Transmission Line and Interconnection***

The Project 230kV step-up substation would connect to the 230kV Liebert Switchyard, via one of the proposed gen-tie line alternatives (Figure 1). The Liebert Switchyard will have a direct connection to the existing SDG&E Imperial Valley Substation via an existing overhead 230kV gen-tie line. Overhead transmission conductors may be mounted on tubular steel poles up to 200 feet in height and would include associated insulator and hardware assemblies, the appropriate number of spans of conductor and optical ground wiring, and dead-end structures at both the Project substation and the Liebert Switchyard. Portions (or all) of the gen-tie line may be

undergrounded as necessary. The structure type(s), height, and final location(s) of each component would be determined before the issuance of building permits by Imperial County.

Alternative gen-tie routing(s) is depicted in Figure 1 and may utilize currently entitled lands and/or private easements; however, additional alternate routing may include gen-tie line(s) directly to the Imperial Valley substation, utilizing additional/other private and/or Bureau of Land Management (BLM) lands.

#### ***Operations and Maintenance (O&M) Building***

The Project may include an O&M building of approximately 40' x 80' in size, with associated onsite parking. The O&M building would be steel framed, with metal siding and roof panels. The O&M building may include the following:

- Office
- Repair building/parts storage
- Control room
- Restroom
- Septic tank and leach field
- Water supply
- Heating, ventilation, and air conditioning (HVAC)

Roads, driveways, and parking lot entrances would be constructed in accordance with Imperial County standards. Parking spaces and walkways would be constructed in conformance with all California Accessibility Regulations. Any unused O&M areas onsite may be covered by solar panels. The structure type(s), height, and final location(s) of each component would be determined before the issuance of building permits by Imperial County.

#### ***Roadway and IID Crossings***

The Project may require the following crossing types of Imperial Irrigation District (IID) canals and/or drains and unimproved Imperial County roads: overhead electric, underground electric, vehicular crossings. The exact locations of the crossings are not known at this time but are not anticipated to interfere with the purpose or continued use of these facilities. For instance, where a drain flows, the Project crossing or access point would still allow the drain to flow. As required by IID, the Project may be required to make minor improvements to on-site drains. IID requires solar projects to improve existing drain outflow pipes. This typically involves installation of new drain outflow pipes to reduce erosion within the drains. Exact locations and dimensions of any required IID facility and/or County roadway crossings would be determined prior to issuance of building permits by Imperial County.

#### ***Water Usage***

Water demand for panel washing and O&M domestic use is not expected to exceed 100 acre-feet per year. Water usage during construction, primarily for dust-suppression purposes, is not expected to exceed 700 acre-feet in total. Decommissioning of the Project at the end of its anticipated useful lifespan may require approximately an additional 700 acre-feet. Water would be obtained from the landowner's water supply, local irrigation district, or delivered via truck from off-area source(s). A small water treatment system may be installed onsite near or within the O&M building to provide deionized water for panel washing.



### ***Water Storage***

One or more above-ground water storage tanks with a total capacity of up to 100,000 gallons may be placed near the O&M building. The storage tank(s) near the O&M building would have the appropriate fire department connections to be used for fire suppression. These storage tanks could be up to 30-feet in height.

### ***Site Security and Fencing***

The Project area would be enclosed within a chain link fence measuring seven (7) to ten (10) feet in height from finished grade. An intrusion alarm system comprised of sensor cables integrated into the perimeter fence, intrusion detection cabinets placed approximately every 1,500 feet along the perimeter fence, and an intrusions control unit, located either in the substation control room or at the O&M building, or similar technology, may be installed. Additionally, the Project may include additional security measures including, but not limited to, low voltage fencing with warning reflective signage, controlled access points, security camera systems, and security guard vehicle patrols to deter trespassing and/or unauthorized activities that could interfere with operation of the Project.

Controlled access gates would be maintained at the main entrances to the Project. Project area access would be provided to offsite emergency response teams that respond in an after-hours emergency. Enclosure gates would be manually operated with a code or key provided in an identified key box location.

### ***Lighting***

Outdoor lighting for the Project would be the minimum required for safety and will be directed away from public rights-of-way and adjacent private property. All outdoor lighting used onsite would be of the lowest intensity necessary to provide suitable light for site security and safe ingress and egress, in compliance with any applicable regulations, measured at the property line after dark. Outdoor lighting is anticipated to be necessary for the access gates, substation(s), O&M building, control room, and inverters to allow for safe access and emergency maintenance. Site lighting may also include motion sensor lights installed within the solar fields in proximity to the inverters for security purposes.

### ***Annual Production***

The Project PV solar will have a nominal output capacity of up to 500 (AC), generating sufficient electricity to power approximately 130,000 homes. The Project would generate electrical power during daylight hours. Peak electricity demand in California corresponds with air conditioning use on summer afternoons when ambient temperatures are high. The Project's peak generating capacity corresponds to this time period. There is no generating capacity between sunset and sunrise due to the lack of solar energy, though power may be released from the 500 MW BESS at any time of day.

### ***Electric Service***

Commercial operational low voltage electric service may be obtained from IID for the Projects' O&M building(s) and auxiliary loads. Temporary electric service is typically obtained for primary construction logistical areas. Generator power may be utilized for temporary portable construction trailer(s) during Project construction and/or decommissioning.

## **Project Construction**

### ***Construction Activities and Duration***

The construction period for the Project is approximately 18 to 24 months.

Construction would include the following activities:

- Site preparation
- Access and internal circulation roads
- Grading and earthwork
- Concrete foundations
- Structural steel work
- Panel installation
- Electrical/instrumentation work
- Collector line installation
- Battery unit installation
- Stormwater management facilities
- Gen-tie line poles and conductor stringing

Roadways would only be temporarily affected, and only during the Project's construction period. Construction traffic would access the Project site from the north or south via Derrick Road, Jessip Road, Westside Road, and Hyde Road, and from the east via Diel Road and Wixom Road (or other nearby local roads). Large trucks would likely utilize Interstate 8 and S29 (Drew Road) for materials deliveries. It is anticipated that traffic would entirely avoid the town of Seely.

Noise generated during construction activities would comply with the Imperial County noise ordinances (Title 9 Land Use Code, Division 7). Heavy construction is expected to occur between 6:00 am and 5:00 pm, Monday through Saturday. Additional hours may be necessary to make up schedule deficiencies or to complete critical construction activities. Some activities may continue 24 hours per day, seven days per week. Low level noise activities may potentially occur between the hours of 10:00 pm and 7:00 am. Nighttime activities could potentially include, but are not limited to, refueling equipment, concrete pours, staging material for the following day's construction activities, quality assurance/control, and commissioning.

Materials and supplies would be delivered to the Project Area by truck. Truck deliveries would normally and primarily occur during daylight hours. However, there would be occasional offloading and/or transporting to the Project on weekends and during evening hours.

Earthmoving activities are expected to be limited to the construction of the access roads, O&M building, substation, water storage tank(s), solar panel foundation supports, BESS(s), transmission poles and conductor stringing, and any storm water protection or storage (detention) facilities. The Project is not anticipated to pave, remove, or significantly alter existing agricultural soil(s). Rather, solar panels would be installed atop the flat lots, leaving the farming soil relatively undisturbed and available for crop cultivation at the end of the Project's life. Final grading may include revegetation with low lying grass or applying earth-binding materials to disturbed areas to control dust and increase the reflectivity of the ground surface.

Site preparation would be planned and designed to minimize the amount of earth movement required for the Project, to the extent feasible. The hydrology design would be given priority to protect the Project's facility components, as well as adjacent IID canals/drains and County roads, from erosion during large storm events. The existing on-site drainage patterns would be maintained to the greatest extent feasible. Compaction of the soil to support the building and traffic loads as well as the PV module and BESS supports may be required and is dependent on final geotechnical investigations and engineering designs. These final engineering designs would be reviewed by IID and the County prior to Imperial County issuing building permits.

#### ***Laydown Areas***

At full build-out, most of the Project footprint would be disturbed by construction of the Project. Therefore, temporary construction lay down and materials staging areas, construction trailer locations, and construction parking areas will all be provided within the Project disturbance footprint. Due to the large scale of the Project, the lay down areas may be relocated periodically within the solar field acreage as the project is built out.

#### ***Workforce***

It is estimated that up to 500 workers per day (during peak construction periods) would be required to construct the Project.

### **Project Operation**

#### ***Operational Activities***

The PV solar and BESS facility would operate seven days a week, 24 hours a day. Maintenance activities may occur seven days a week, 24 hours a day to ensure PV panel output when solar energy is available, while the BESS could dispatch energy at any time during the day or night.

Once constructed, maintenance of the PV solar and BESS facility would generally be limited to the following:

- Cleaning of PV panels
- Monitoring PV panel and BESS electricity generation
- Providing site security
- Maintenance of stormwater facilities
- Maintenance of PV solar and BESS facilities including replacing or repairing inverters, wiring, or electrical components, and maintaining, repairing, or replacing substation components.

#### ***Workforce***

It is expected that the Project would require an operational staff of up to 15 full-time employees. It is possible that the proposed Project could share O&M, substation, and/or transmission facilities with other adjacent PV solar and BESS projects that have been approved and entitled by Imperial County, or with any future proposed renewable energy projects nearby. In such a scenario, the projects would share personnel, thereby potentially reducing the project's on-site staff.

## **Project Compliance Plans and Best Management Practices**

The following sections describe standard Project feature compliance plans and best management practices that would be applied during construction and/or long-term operation of the Project, as applicable, to maintain human health and safety, ensure local, state, and federal regulatory compliance, and to avoid or minimize unplanned environmental impacts resulting from construction and/or operation of the Project.

### ***Hazardous Materials and Hazardous Waste Management***

The Project would utilize and store materials onsite that have been defined as hazardous under Title 40 of the Code of Federal regulations (CFR) Part 261, require a Material Safety Data Sheet (MSDS) per the California Labor Code Section 6360, is a listed substance in Section 339 of Title 8 of the California Code of Regulations (CCR), or is defined as hazardous waste per Chapter 6.5 of the California Health and Safety Code.

The following hazardous materials are expected to be used during the construction, operation, and long-term maintenance of the Project:

- Insulating mineral oil for electrical transformers and other electrical equipment
- Lubricating oil for maintenance vehicles
- Various solvents and detergents for cleaning equipment
- Gasoline for maintenance vehicles
- Lithium-ion batteries for storage of electrical energy

Note that additional materials may be used for the project, as required. All hazardous materials would be transported, managed, used, handled, and stored on the Project site during construction and operations. Hazardous waste would be inventoried, stored, transported, and disposed of in accordance with all applicable local, state, and federal regulations at the end of construction or as required during Project operation. Most hazardous materials would be maintained at the Project site in quantities below the threshold requiring a Hazardous Material Business Plan (HMBP) per California Environmental Protection Agency (CalEPA): 55-gallons of a liquid, 200 cubic feet of a gas, and 500 pounds of a solid.

The Project anticipates preparing and implementing a HMBP for the lithium-ion batteries within the BESS, as well as any other hazardous materials that may be stored on the Project site at or above the state-defined thresholds. Chemical storage tanks (if any) would also be designed and installed to meet applicable local and state regulations. Any wastes classified as hazardous such as solvents, degreasing agents, concrete curing compounds, paints, adhesives, chemicals, or chemical containers would be stored in an approved storage facility/shed/structure onsite and disposed of as required by local, state, and federal regulations, as outlined in the HMBP.

### ***Spill Prevention and Containment***

Spill prevention and containment for construction and operation of the Project would adhere to the Environmental Protection Agency's (EPAs) Rule on Spill Prevention Control and Countermeasures (SPCC), which helps facilities prevent oil spills into navigable waters of the U.S. Although aboveground stored quantities of diesel fuel, gasoline, lubricating or hydraulic oils are not expected to exceed EPA storage thresholds during construction, the quantity of insulating

mineral oil required for operation of the Project substation transformers may reach EPA thresholds. SPCC plans would be developed for both Project construction and operations to ensure compliance with the EPA SPCC Rule, and ensure that appropriate spill prevention, control and countermeasures are developed to ensure that potential spills would not discharge into the New River or other navigable waters of the U.S. (e.g., IID canals) located in proximity to the Project.

#### ***Wastewater/Septic System***

A standard onsite septic tank and leach field may be installed and used at the O&M building to dispose of small daily volumes of sanitary wastewater generated by the Projects' operational personnel. The septic system would be designed to meet operation and maintenance guidelines required by Imperial County.

#### ***Solid Waste Management***

Inert solid wastes resulting from Project construction activities may include recyclable items such as paper, cardboard, solid concrete and block, metals, wire, glass, type 1 through 4 plastics, wood, and lubricating oils. Non-recyclable items may include insulation, drywall, other plastics, food waste, vinyl flooring and base, carpeting, paint containers, packing materials, and other construction wastes. To ensure that these wastes are recycled and disposed of properly, the applicant will prepare a Construction Waste Management Plan for review by the County prior to issuance of building permits. Consistent with Imperial County Public Health Department solid waste regulations and the California Green Building Code, the Plan would provide for diversion of a minimum of 50 percent of construction waste from landfill. Project operations are not anticipated to generate significant amounts of any inert solid wastes, recyclable or otherwise, and therefore are not expected to require a management plan.

#### ***Dust Control***

Fugitive dust generated during Project construction would be controlled by utilizing Best Available Control Measures for Fugitive Dust (PM10) (e.g., watering, soil binders or tackifiers, wind screens, signage, speed restrictions, etc.) required by Imperial County Air Pollution Control District (ICAPCD) Rule 801, or California Air Resources Board (CARB) Rule 403. The applicant would prepare a Project Dust Control Plan (DCP) for review by Imperial County prior to issuance of building permits. The DCP would specify appropriate control measures to implement during both active construction and while construction on the Project site is inactive and outline appropriate control measures for both disturbed onsite Project areas, as well as any offsite unimproved or unpaved roads utilized for the Project construction access. During long-term project operations, fugitive dust control is not anticipated to be required for the Project to comply with ICAPCD or CARB Fugitive Dust Rules.

#### ***Pest and Vegetation Management***

Non-native invasive plants and other pests that establish within the Project area would be controlled during Project construction and operations, consistent with the Imperial County office of the Agricultural Commissioner requirements for solar projects. The Applicant would prepare a Pest Management Plan for submission to the Imperial County Agricultural Commission. Long-term implementation of the Plan would include routine pest monitoring of the Project area, use of physical, mechanical, or chemical controls as necessary to manage pests, maintenance of

proper records documenting monitoring and pest management controls, and regular reporting to the Agricultural Commission as required.

### ***Fire Management***

The Project is located within the jurisdiction of Imperial County Fire Department. The Applicant will prepare a Fire Management Plan in accordance with Fire Department requirements for Project construction activities as well as long-term operations, including establishing appropriate emergency access to the Project site for first responders, and identifying Project-specific onsite fire protection or suppression systems that comply with Imperial County requirements.

The Project will incorporate many fire safety features to be described in detail in the Fire Management Plan, including access gates and service roads along the perimeter of the Project designed to meet or exceed fire code specifications (e.g., road width, turnarounds, etc.), PV modules and ancillary equipment constructed of fire-resistant materials, non-flammable ground cover and perimeter barriers (as required) around electrical equipment, and both portable and fixed fire suppression systems. Portable fire extinguishers would be provided at various locations throughout the Project site, while fixed fire suppression systems would be employed throughout the Project based on equipment manufacturer specifications and coordination with the Fire Department. These may include onsite water tank(s), built-in thermal, chemical and/or mechanical monitoring systems, and built-in fire suppression systems. The Plan will also describe best practices including vegetation management and landscape maintenance to help maintain fire-safe operating facilities. Access to nearby properties would not be hindered or restricted by any aspect of the Project Fire Management Plan.

### ***Health and Safety***

Health and safety precautions and best practices consistent with local, state, and federal regulations would be identified and implemented to ensure the safety for all personnel during Project construction and long-term operations. These administrative procedures and controls for Project construction and operational personnel will be supplemented with emergency response plans.

Administrative controls would include classroom and hands-on training in safe procedures for personnel operating and maintaining PV solar, BESS, and high-voltage electrical facilities, including general safety and implementation of a planned maintenance program. These controls would enhance overall Project safety and reliability when applied with the other physical Project safety system(s) and monitoring features incorporated as part of the Project design.

The Applicant will also prepare a Project-specific Emergency Response Plan (ERP). The ERP would outline the major components of an ERP specific to the Project, and address potential facility emergencies including chemical releases, fires, or personnel injuries, as well as identify appropriate protocols and actions during larger emergencies like earthquakes or regional emergency responses led by the Imperial County Office of Emergency Services. All Project employees would be provided with communication devices (e.g., cell phones and/or walkie-talkies) to ensure the ability to provide aid in the event of an emergency as described in the Plan.

### ***General Plan Consistency***

An amendment to the Imperial County General Plan and a zone change are anticipated to be required to implement the proposed Project. The Project parcels are located outside of the Imperial County Renewable Energy (RE) Overlay Zone, but directly adjacent to areas within the RE Overlay Zone. CUP applications proposed for specific RE projects not located in the RE Overlay Zone are not allowed without an amendment to the RE Overlay Zone. Therefore, the applicant is anticipating a General Plan amendment and zone change to include/classify the Project area in its entirety into the RE Overlay Zone.

### **Decommissioning and Reclamation**

PV solar and BESS equipment typically has a lifespan of over 30 years. The proposed Project expects to sell the renewable energy produced by the project under the terms of a long-term Power Purchase Agreement (PPA) with a utility or other power off taker. Upon completion of the PPA term, the project operator may, at its discretion, continue to generate and sell power from the project or decommission and remove the system and its components. Upon decommissioning, the PV solar and BESS facilities could be converted to other uses in accordance with applicable land use regulations in effect at that time.

It is anticipated that during project decommissioning, project structures that would not be needed for subsequent use would be removed from the project site. Above-ground equipment that may be removed would include module posts and support structures, on-site transmission poles that are not shared with third parties and the overhead collection system within the project site, inverters, substation(s), transformers, electrical wiring, equipment on the BESS and inverter pads, and related equipment and concrete pads.

Equipment would be de-energized prior to removal, salvaged (where possible), and shipped off-site to be recycled or disposed of at an appropriately licensed disposal facility. Once the PV solar modules are removed, the racks would be disassembled, and the structures supporting the racks would be removed. Site infrastructure would be removed, including fences, and concrete pads that may support the batteries, inverters, transformers, and related equipment, would also be removed. The demolition debris and removed equipment may be cut or dismantled into pieces that can be safely lifted or carried by standard construction equipment. The fencing and gates would be removed, and all materials would be recycled to the extent practical. Project roads would be restored to their pre-construction function unless they may be used for subsequent land use. The area would be thoroughly cleaned, and all debris removed. Materials would be recycled to the extent feasible, with the remainder disposed of in landfills in compliance with all applicable laws.

The applicant would prepare a Project Reclamation Plan that would be implemented at the end of the Project's useful life, and would be consistent with Imperial County's decommissioning/reclamation requirements, including, but not limited to:

- Description of the proposed decommissioning measures for the facility and for all appurtenances constructed as part of the facility.

- Description of the activities necessary to restore the Project area to its previous condition. Such activities include removing and recycling PV solar and battery equipment, storage equipment, medium voltage collector line, substation, and gen-tie lines. The soils would then be de-compacted and restored to agricultural purposes.
- Presentation of the costs associated with the proposed decommissioning/reclamation measures.
- Discussion of conformance with applicable regulations and with local and regional plans.

In the phased buildout, the phases would be decommissioned/reclaimed independently of one another.

### **Anticipated Required Project Entitlements**

#### ***Imperial County (Lead Agency)***

- Consideration and certification of the Final EIR
- Adoption of the Mitigation Measure Monitoring Program (MMMP)
- Approval of the proposed CUP by the County Board of Supervisors
- Approval by the County Board of Supervisors for applicable items as follows:
  - General Plan Amendment to the Renewable Energy Overlay Element (Zone Change(s),
  - Height Variances, and/or
  - Development Agreement and/or Voluntary Public Benefit Agreement
  - County Grading Permit
  - County Building permit(s)
  - County encroachment permits, easements and/or licenses, as applicable.



The following ministerial reviews and permit approvals are anticipated to be required for the Project by the Imperial County Department(s) and/or Division(s) shown below:

- Dust Control Plan - Air Pollution Control District
- Rule 310 Exemption (as applicable) - Air Pollution Control District
- Construction Traffic Control Plan - Department of Public Works
- County Road Encroachment Permits - Department of Public Works
- Vacation of Public Easements (as applicable) - Department of Public Works
- Site Plan and Architectural Review - Planning & Development Services
- Occupancy Permits - Planning & Development Services
- Fire Safety Plan - Fire Department and Office of Emergency Management
- Project Access and Fire Water Requirements - Fire Department and Office of Emergency Management
- On-site Water Treatment Permit - Division of Environmental Health, Department of Public Works
- Private Sewage Disposal Permit - Division of Environmental Health
- Project Decommissioning Plan - Planning & Development Services, Department of Public Works
- Pest Management Plan - Agricultural Commissioner's Office

### ***Anticipated Imperial Irrigation District Approvals***

Various approvals may be required from IID in conjunction with implementation of the proposed Project. Wherever an IID facility (drain, irrigation canal, electric line, etc.) intersects the Project, an encroachment would occur as the Proposed Project would cross IID facilities with access points and electrical crossings. The Proposed Project may also drain into IID drain facilities. Due to the preliminary nature of the Project and the rapidly changing technology, the exact locations of proposed access and drainage encroachments, and electrical crossings, are not known at this time. The Project encroachments/crossings would not interfere with the purpose of IID's facilities. The following IID approvals, although not discretionary approvals, include, but are not limited to:

- Encroachment Permits/Agreements
- Electrical Crossings
- Water Supply Agreements/Water Card
- Station Service/"Backfeed" Agreement
- Distribution Power/Electric Service Agreement

### ***Other Agency Approvals***

- U.S. Army Corps of Engineers (USACE) Clean Water Act (CWA) Section 404 Nation Wide Permit (NWP) (if required)
- California Department of Fish and Wildlife (CDFW) Section 1600 Streambed Alteration Agreement (SAA) (if required)
- Regional Water Quality Control Board Water Quality (RWQCB) Clean Water Act (CWA) 401 Water Quality Certification (WQC) Permit (if required), Waste Discharge

Requirements (WDR) Permit, and National Pollution Discharge Elimination System (NPDES) Construction General Permit Coverage (for project construction activities)

- California Department of Transportation (Caltrans) Right-of-Way Encroachment Permits and/or Oversized Loads Permits (as required)

*\*The preceding discretionary actions/approvals are potentially required and do not necessarily represent a comprehensive list of all possible discretionary permits/approvals required. Other additional permits or approvals from responsible agencies may ultimately be required to implement the proposed Project.*

**APPENDIX A: SITE PLAN  
(Provided Under Separate Cover)**

**APPENDIX B: FULL RESOLUTION MAP FIGURES  
(Provided Under Separate Cover)**

# Attachment D

*D1 – Site Plan*

*D2 – Full Resolution Figures*

# Attachment D1

*Site Plan*



NO.	DESCRIPTION
1	REVISED PERMANENT LAYOUT
2	REVISED PERMANENT LAYOUT PERMIT
3	REVISED PERMANENT LAYOUT PERMIT
4	REVISED PERMANENT LAYOUT PERMIT

**NOTE:**

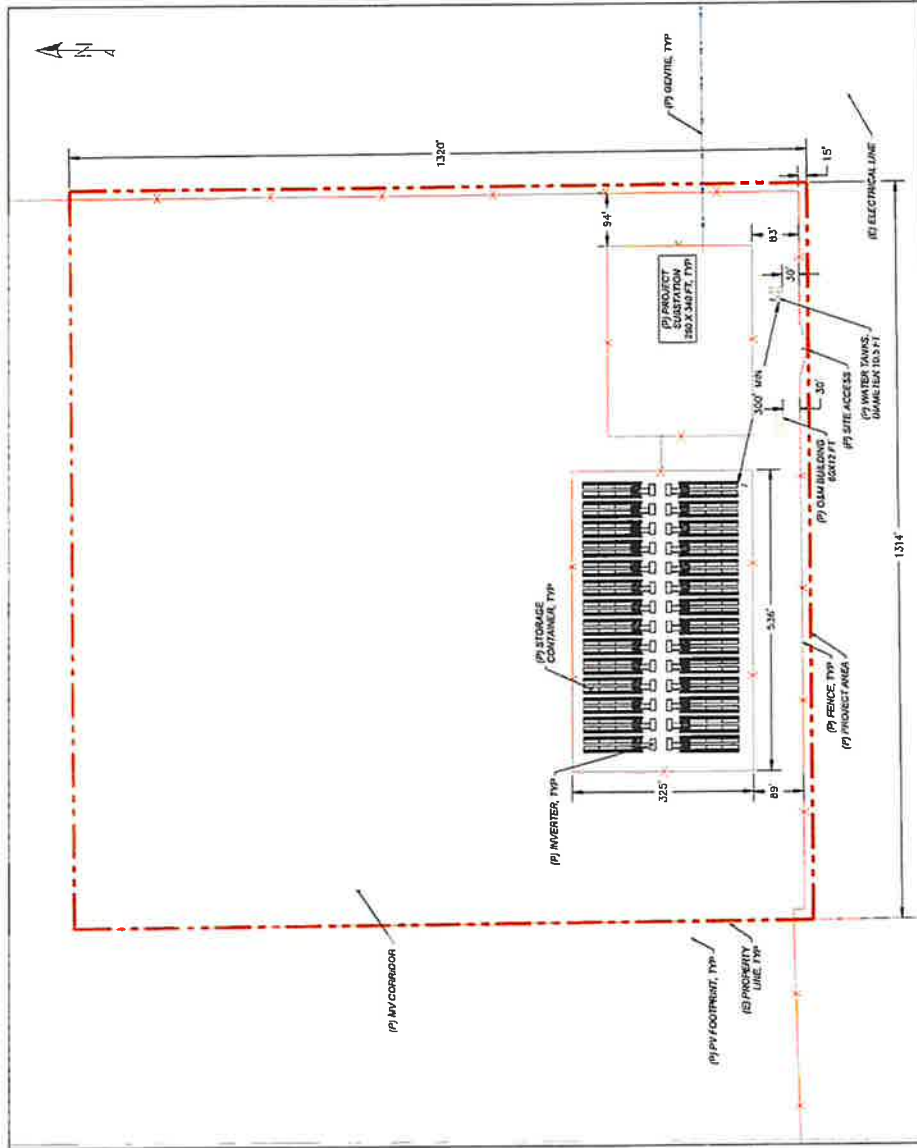
- CURRENT DESIGN IS PRELIMINARY AND SUBJECT CHANGE
- FINAL DESIGN TO ADHERE TO ALL CONSTRAINTS, SETBACKS, AND OTHERS SUBJECT TO REVIEW AND BUILDING PERMIT APPROVALS.

**90FI 8ME LLC**  
**Big Rock 2**  
IMPERIAL COUNTY, CA

**CONCEPTUAL BESS LAYOUT**

DATE: March 13, 2024

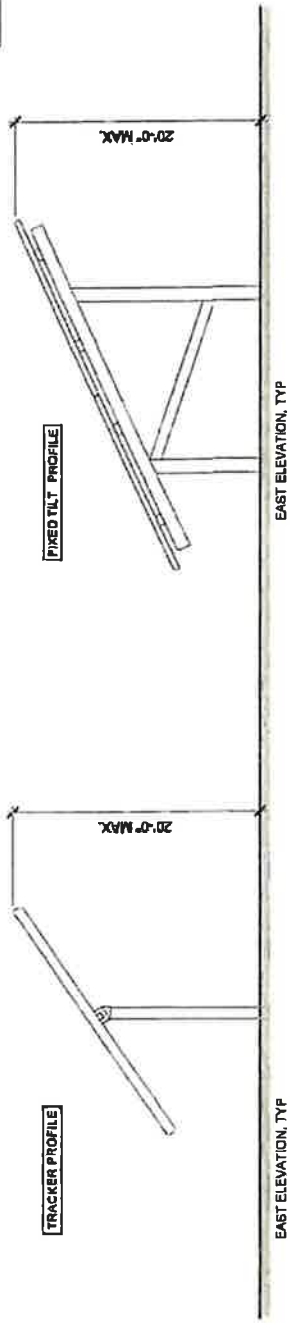
SHEET: EX-2



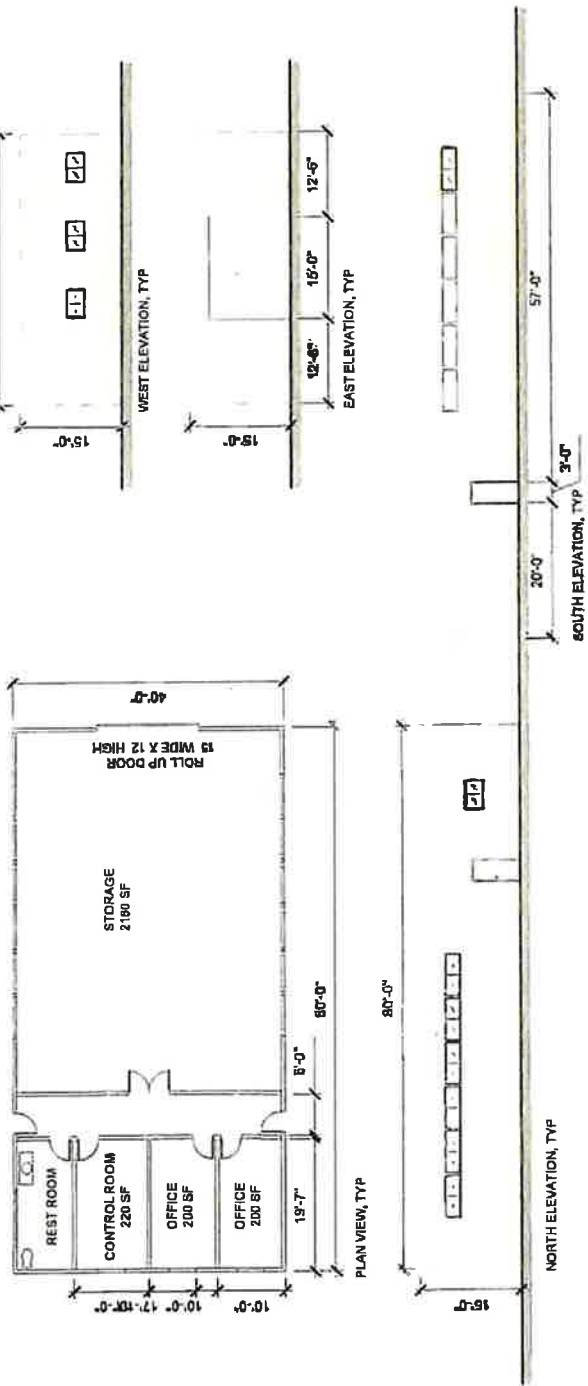


**PRELIMINARY  
NOT FOR  
CONSTRUCTION**

**1 TYPICAL PANEL & MOUNTING STRUCTURE**  
Scale: 1/2" = 1'-0"

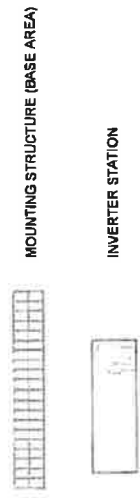
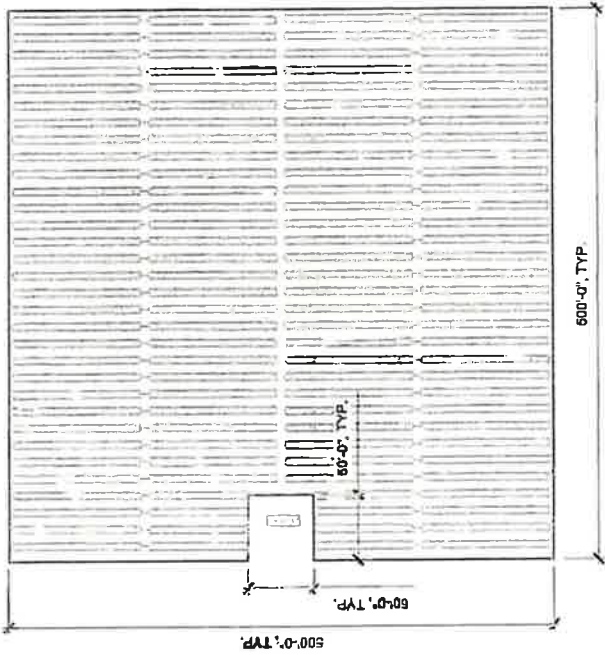


**2 O&M BUILDING, TYP.**  
Scale: 1/8" = 1'-0"

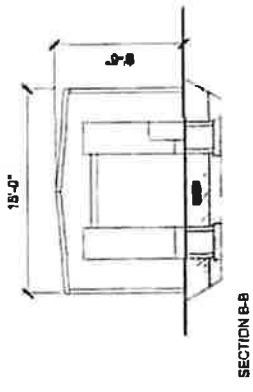
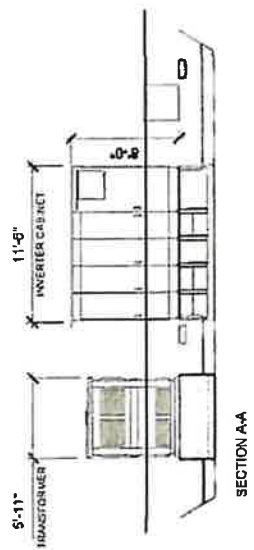
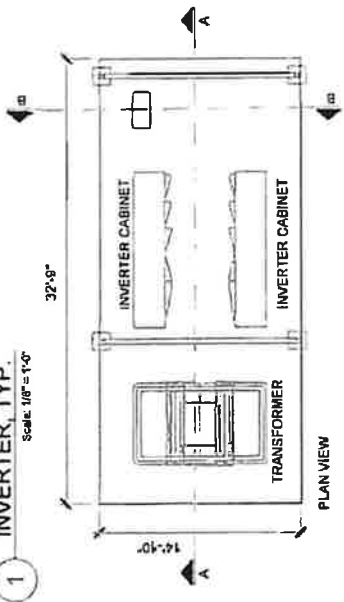


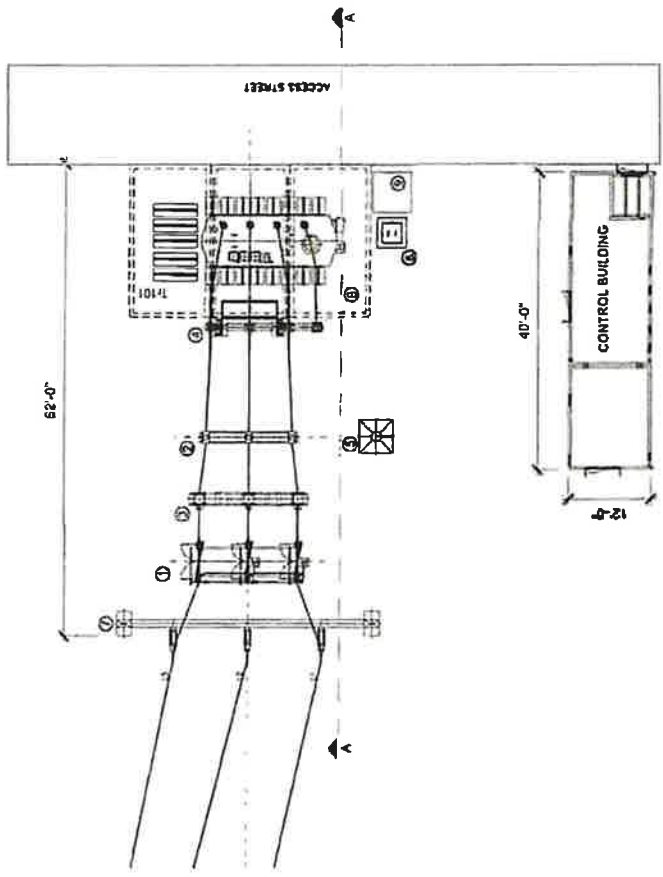
**PRELIMINARY  
 NOT FOR  
 CONSTRUCTION**

**2 STANDARD SOLAR BLOCK**  
 Scale: N.T.S.



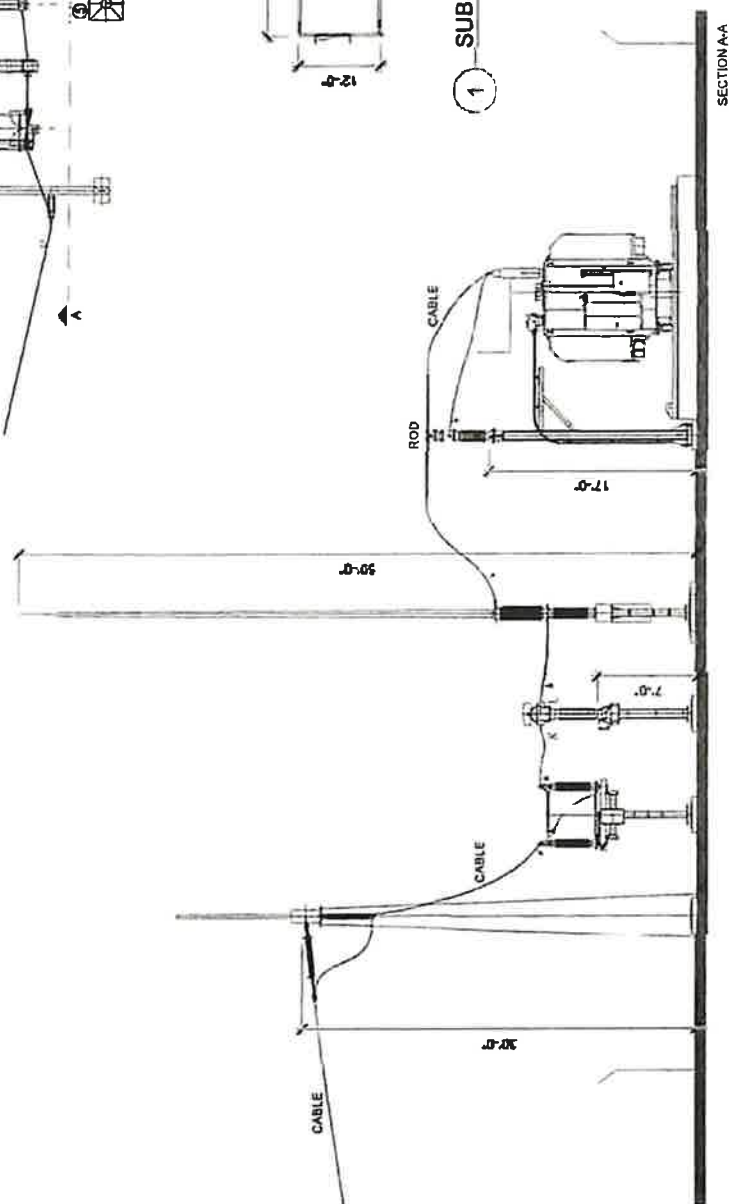
**1 INVERTER, TYP.**  
 Scale: 1/8" = 1'-0"

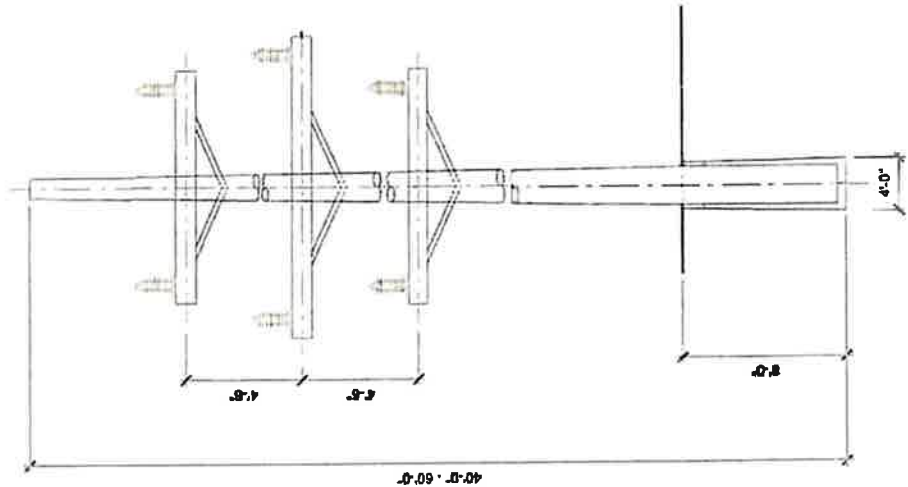




1 SUBSTATION and CONTROL BUILDING  
 Scale: N.T.S.

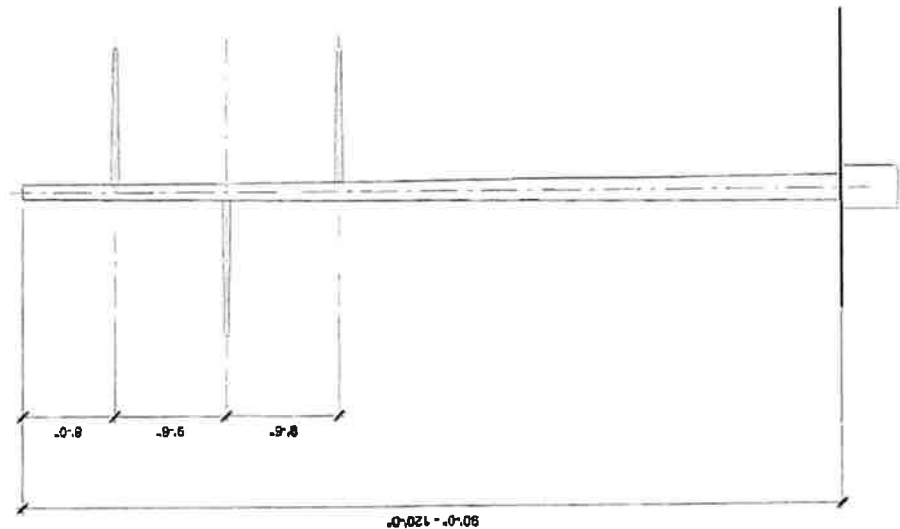
**PRELIMINARY  
 NOT FOR  
 CONSTRUCTION**





2 66 kV MONOPOLE STRUCTURE, TYP.  
 Scale: N.T.S.

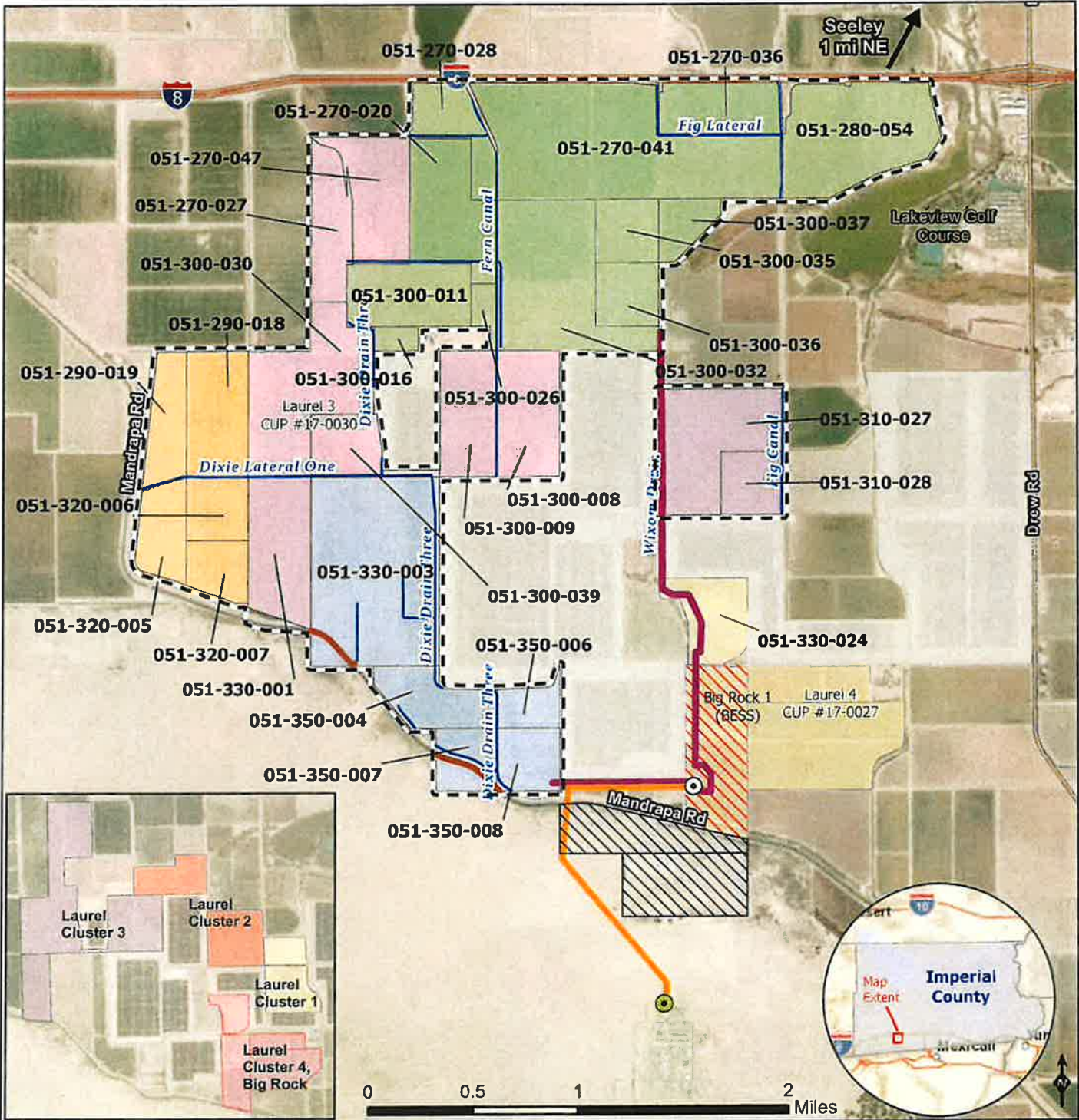
**PRELIMINARY  
 NOT FOR  
 CONSTRUCTION**



1 230 kV MONOPOLE STRUCTURE, TYP.  
 Scale: N.T.S.

# Attachment D2

*Figures 1 and 2 (Full Resolution)*



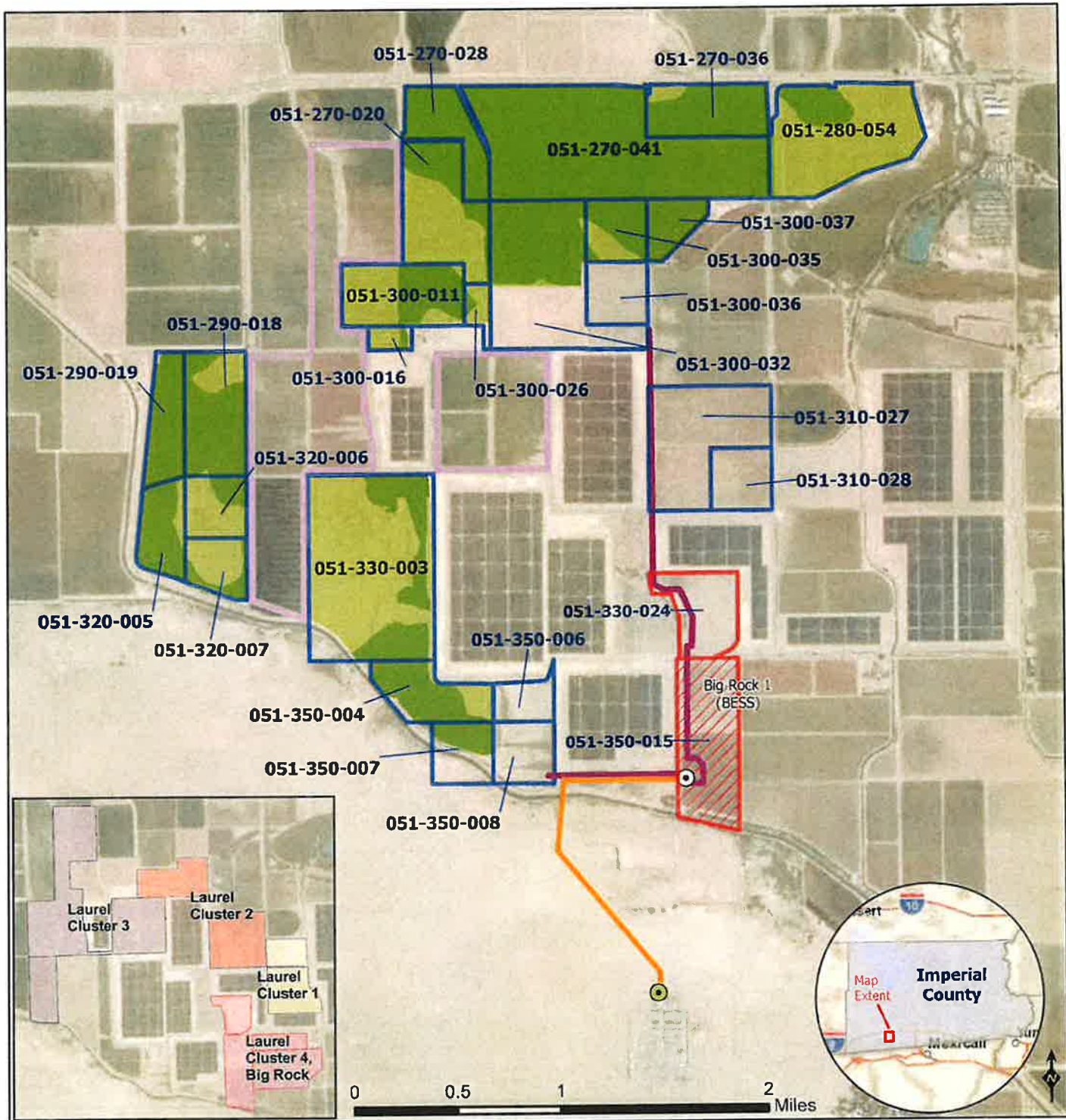
**Figure 1  
Location Map**

Imperial County, CA



- ⊙ Liebert Switchyard
- ⊙ Imperial Valley Substation
- Big Rock 2 GenTie Alternatives
- Existing Transmission Line
- Canal Ditch
- Artificial Path (Canal)
- ▨ Big Rock 1 BESS Parcel
- ▨ Campo Verde Solar Project

- - - Lands To Be Developed Concurrently
- Big Rock 2 North Cluster (CUP #1); including Laurel 2 North CUP area (to be re-entitled) - 1030ac
- Big Rock 2 South Cluster (CUP #2) - 410ac
- Big Rock 2 East Cluster (CUP #3); was Laurel 2 South CUP area (to be re-entitled) - 160ac
- Big Rock 2 West Cluster (CUP #4) - 249ac
- ▨ Consolidated Edison Development Westside Canal Battery Storage Project
- Laurel 3 Cluster CUP #17-0030 (with 10-year DA) - 587ac
- Laurel 4 Cluster CUP #17-0027 (under 10-year DA)



**Figure 2**  
**Farmland Designations**

Imperial County, CA



- ⊙ Liebert Switchyard
- ⊙ Imperial Valley Substation
- Big Rock 2 GenTie Alternatives
- Existing Transmission Line
- Prime Farmland (929 ac)
- Farmland of Statewide Importance (517 ac)
- Big Rock 2 and Laurel 2 Parcels
- Big Rock 1 BESS Parcel

# Attachment 2

*CUP South*



# CONDITIONAL USE PERMIT

I.C. PLANNING & DEVELOPMENT SERVICES DEPT.  
801 Main Street, El Centro, CA 92243 (760) 482-4236

- APPLICANT MUST COMPLETE ALL NUMBERED (black) SPACES - Please type or print -

1. PROPERTY OWNER'S NAME Multiple owners. Please see attachment.	EMAIL ADDRESS Multiple owners. Please see attachment.	
2. MAILING ADDRESS (Street / P O Box, City, State) Multiple owners. Please see attachment.	ZIP CODE See attachment.	PHONE NUMBER See attachment.
3. APPLICANT'S NAME 90FI 8me LLC	CUP Request #2 of 4	
4. MAILING ADDRESS (Street / P O Box, City, State) 4370 Town Center Blvd., Suite 110 El Dorado Hills, CA 95762	ZIP CODE 95762	jjackson@avantus.com 303.588.3855
4. ENGINEER'S NAME TBD	CA. LICENSE NO.	EMAIL ADDRESS
5. MAILING ADDRESS (Street / P O Box, City, State)	ZIP CODE	PHONE NUMBER
6. ASSESSOR'S PARCEL NO. Multiple APNs. Please see attachment.	410 acres	ZONING (existing) A 3
7. PROPERTY (site) ADDRESS Multiple APNs. Please see attachment.		
8. GENERAL LOCATION (i.e. city, town, cross street) Approximately 1 mile southwest of Seely, immediately south of Interstate 8, west of Drew Road and east and north of Mandrapa Road.		
9. LEGAL DESCRIPTION Multiple APNs. Please see attachment.		

## PLEASE PROVIDE CLEAR & CONCISE INFORMATION (ATTACH SEPARATE SHEET IF NEEDED)

10. DESCRIBE PROPOSED USE OF PROPERTY (list and describe in detail) Please see attachment.	
11. DESCRIBE CURRENT USE OF PROPERTY	Farmland
12. DESCRIBE PROPOSED SEWER SYSTEM	Septic tank with leach field
13. DESCRIBE PROPOSED WATER SYSTEM	IID distribution system and private water treatment facility
14. DESCRIBE PROPOSED FIRE PROTECTION SYSTEM	Above-ground tanks with gallons dedicated fire protection water
15. IS PROPOSED USE A BUSINESS? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	IF YES, HOW MANY EMPLOYEES WILL BE AT THIS SITE? Please see attachment.

I / WE THE LEGAL OWNER (S) OF THE ABOVE PROPERTY CERTIFY THAT THE INFORMATION SHOWN OR STATED HEREIN IS TRUE AND CORRECT.

Stephanie Perry Chief Operating Officer of Avantus LLC,  
ultimate parent, duly authorized 3/6/2024  
Print Name Stephanie Perry Date  
Signature \_\_\_\_\_  
Print Name \_\_\_\_\_ Date  
Signature \_\_\_\_\_

### REQUIRED SUPPORT DOCUMENTS

A. SITE PLAN	_____
B. FEE	_____
C. OTHER	_____
D. OTHER	_____

APPLICATION RECEIVED BY: _____	DATE _____	REVIEW / APPROVAL BY OTHER DEPT'S required. <input type="checkbox"/> P. W. <input type="checkbox"/> E. H. S. <input type="checkbox"/> A. P. C. D. <input type="checkbox"/> O. E. S. <input type="checkbox"/> _____ <input type="checkbox"/> _____
APPLICATION DEEMED COMPLETE BY: _____	DATE _____	
APPLICATION REJECTED BY: _____	DATE _____	
TENTATIVE HEARING BY: _____	DATE _____	
FINAL ACTION <input type="checkbox"/> APPROVED <input type="checkbox"/> DENIED	DATE _____	

**CUP #**  
\_\_\_\_\_

# Attachment B

*B1 Legal Description*

*B2 Indemnification Forms*

*B3 Owner Affidavits*

*B4 Project Owner Contact Information*

# Attachment B1

*Legal Description*

**Legal Descriptions:**

**Big Rock 2 Cluster South (CUP Request #2)**

	<b>APN</b>	<b>Zoning</b>	<b>Acres</b>
1	051-330-003	A-3	246.5
2	051-350-004	A-3	57.4
3	051-350-006	A-3	26.3
4	051-350-007	A-3	40.0
5	051-350-008	A-3	40.0
		<b>TOTAL ACRES</b>	<b>410</b>

*Landowners: Whitmer, La Valle Sabbia*

Whitmer

THAT PORTION OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER 4 OF SECTION 34, TOWNSHIP 16 SOUTH, RANGE 12 EAST, S.B.M., IN THE COUNTY OF IMPERIAL, STATE OF CALIFORNIA, AS PER PLAT OF THE U.S. GOVERNMENT RE-SURVEY APPROVED MARCH 15, 1909 AND ON FILE IN THE UNITED STATES LAND OFFICE AT LOS ANGELES, CALIFORNIA, LYING SOUTH OF THE CENTER LINE OF THE DIXIE DRAIN NO. 3-A AS SAID DRAIN WAS LOCATED ON FEBRUARY 20, 1951.

APN: 051-350-006-000

THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 33, AND THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 34, ALL IN TOWNSHIP 16 SOUTH, RANGE 12 EAST, S.B.M., ACCORDING TO THE UNITED STATES GOVERNMENT PLAT OF RE-SURVEY APPROVED MARCH 15, 1909, AND ON FILE IN THE UNITED STATES LAND OFFICE AT LOS ANGELES, CALIFORNIA.

APN: 051-350-008-000

La Valle Sabbia

PARCEL 1:

THE EAST HALF OF THE SOUTHWEST QUARTER OF SECTION 28, TOWNSHIP 16 SOUTH, RANGE 12 EAST, S.B.M., IN AN UNINCORPORATED AREA OF THE COUNTY OF IMPERIAL, STATE OF CALIFORNIA, AS PER OFFICIAL PLAT THEREOF.

EXCEPTING THEREFROM 50% OF ALL RIGHTS IN OIL, GAS, STEAM, GEOTHERMAL RESOURCES AND MINERALS LOCATED ON OR UNDER THE PROPERTY, AS RESERVED BY SAM ETCHEGARAY, MARRIED MAN, IN DEED RECORDED OCTOBER 14, 1981 AS FILE NO. 10, IN BOOK 1475, PAGE 1660 OF OFFICIAL RECORDS.

APN: 051-330-003

PARCEL 2:

THOSE PORTIONS OF THE NORTH HALF OF NORTHEAST QUARTER OF SECTION 33, TOWNSHIP 16 SOUTH, RANGE 12 EAST, S.B.M., LYING NORTH AND EAST OF THE CENTER LINE OF THE WEST SIDE MAIN CANAL, AND SOUTH OF THE WEST OF THE CENTER LINE OF THE DIXIE DRAIN NO. 3, AS SAID CANAL AND DRAIN WERE LOCATED ON DECEMBER 14, 1954, TOWNSHIP 16 SOUTH, RANGE 12 EAST, S.B.M., COUNTY OF IMPERIAL, STATE OF CALIFORNIA, ACCORDING TO OFFICIAL PLAT THEREOF.

EXCEPTING THEREFROM 50% OF ALL RIGHTS IN OIL, GAS, STEAM, GEOTHERMAL RESOURCES AND MINERALS LOCATED ON OR UNDER THE PROPERTY, AS RESERVED BY SAM ETCHEGARY, A MARRIED MAN, IN DEED RECORDED OCTOBER 14, 1981 AS FILE NO. 10, IN BOOK 1475, PAGE 1660 OF OFFICIAL RECORDS.

APN: 051-350-004

PARCEL 3:

THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 33, TOWNSHIP 16 SOUTH, RANGE 12 EAST, S.B.M., IN AN UNINCORPORATED AREA OF THE COUNTY OF IMPERIAL, STATE OF CALIFORNIA, AS PER OFFICIAL PLAT THEREOF.

EXCEPTING THEREFROM AN UNDIVIDED ONE HALF INTEREST IN ALL OIL, GAS AND OTHER HYDROCARBON SUBSTANCES IN AND UNDER OR THAT MAY BE PRODUCED FROM SAID LAND, AS RESERVED BY HARVEY P. JONES, PAUL M. JONES AND CONSTANCE L. JONES, IN DEED RECORDED OCTOBER 25, 1955 IN BOOK 922, PAGE 303 OF OFFICIAL RECORDS.

EXCEPTING THEREFROM 50% OF ALL RIGHTS IN OIL, GAS, STEAM, GEOTHERMAL RESOURCES AND MINERALS LOCATED ON OR UNDER THE PROPERTY, AS RESERVED BY SAM ETCHEGARY, A MARRIED MAN, IN DEED RECORDED OCTOBER 14, 1981 AS FILE NO. 10, IN BOOK 1475, PAGE 1660 OF OFFICIAL RECORDS.

APN: 051-350-007

# Attachment B2

*Indemnification Forms*

# IMPERIAL COUNTY PLANNING & DEVELOPMENT SERVICES GENERAL INDEMNIFICATION AGREEMENT

As part of this application, applicant and real party in interest, if different, agree to defend, indemnify, hold harmless, and release the County of Imperial ("County"), its agents, officers, attorneys, and employees (including consultants) from any claim, action, or proceeding brought against any of them, the purpose of which is to attack, set aside, void, or annul the approval of this application or adoption of the environmental document which accompanies it. This indemnification obligation shall include, but not be limited to, damages, costs, expenses, attorney fees, or expert witness fees that may be asserted by any person or entity, including the applicant, arising out of or in connection with the approval of this application, whether or not there is concurrent negligence on the part of the County, its agents, officers, attorneys, or employees (including consultants).

If any claim, action, or proceeding is brought against the County, its agents, officers, attorneys, or employees (including consultants), to attack, set aside, void, or annul the approval of the application or adoption of the environmental document which accompanies it, then the following procedures shall apply:

1. The Planning Director shall promptly notify the County Board of Supervisors of any claim, action or proceeding brought by an applicant challenging the County's action. The County, its agents, attorneys and employees (including consultants) shall fully cooperate in the defense of that action.
2. The County shall have the final determination on how to best defend the case and will consult with applicant regularly regarding status and the plan for defense. The County will also consult and discuss with applicant the counsel to be used by County to defend it, either with in-house counsel, or by retaining outside counsel provided that the County shall have the final decision on the counsel retained to defend it. Applicant shall be fully responsible for all costs incurred. Applicant shall be entitled to provide his or her own counsel to defend the case, and said independent counsel shall work with County Counsel to provide a joint defense.

Executed at El Centro California on February 6th, 2024

## APPLICANT

Name: 90FI 8me LLC, Michael Healy

By [Signature]

Title CCO of Avantis LLC, ultimate owner, duly authorized

Mailing Address:

c/o Avantis Clean Energy LLC  
4370 Town Center Blvd., Suite 110  
El Dorado Hills, CA 95762

## REAL PARTY IN INTEREST

(If different from Applicant)

Name Alex Abatti, Jr.

By [Signature]

Title President of La Valle Sabbia, Inc.

Mailing Address:

APNs 051-350-007, 051-350-004  
and 051-330-003

ACCEPTED/RECEIVED BY \_\_\_\_\_ Date \_\_\_\_\_

PROJECT ID NO \_\_\_\_\_ APN \_\_\_\_\_

S:\FORMS \_LISTS\General Indemnification FORM 041516.doc

# IMPERIAL COUNTY PLANNING & DEVELOPMENT SERVICES GENERAL INDEMNIFICATION AGREEMENT

As part of this application, applicant and real party in interest, if different, agree to defend, indemnify, hold harmless, and release the County of Imperial ("County"), its agents, officers, attorneys, and employees (including consultants) from any claim, action, or proceeding brought against any of them, the purpose of which is to attack, set aside, void, or annul the approval of this application or adoption of the environmental document which accompanies it. This indemnification obligation shall include, but not be limited to, damages, costs, expenses, attorney fees, or expert witness fees that may be asserted by any person or entity, including the applicant, arising out of or in connection with the approval of this application, whether or not there is concurrent negligence on the part of the County, its agents, officers, attorneys, or employees (including consultants).

If any claim, action, or proceeding is brought against the County, its agents, officers, attorneys, or employees (including consultants), to attack, set aside, void, or annul the approval of the application or adoption of the environmental document which accompanies it, then the following procedures shall apply:

1. The Planning Director shall promptly notify the County Board of Supervisors of any claim, action or proceeding brought by an applicant challenging the County's action. The County, its agents, attorneys and employees (including consultants) shall fully cooperate in the defense of that action.
2. The County shall have the final determination on how to best defend the case and will consult with applicant regularly regarding status and the plan for defense. The County will also consult and discuss with applicant the counsel to be used by County to defend it, either with in-house counsel, or by retaining outside counsel provided that the County shall have the final decision on the counsel retained to defend it. Applicant shall be fully responsible for all costs incurred. Applicant shall be entitled to provide his or her own counsel to defend the case, and said independent counsel shall work with County Counsel to provide a joint defense.

Executed at Los Angeles California on February 21, 2024

## APPLICANT

Name: 90FI 8me LLC Michael Healy

By *M. Healy*

Title CEO of Avantis LLC, Ultimate Parent, duly authorized

Mailing Address:

c/o Avantis Clean Energy LLC  
4370 Town Center Blvd., Suite 110  
El Dorado Hills, CA 95762

## REAL PARTY IN INTEREST

(If different from Applicant)

Name Randall R. Whitmer

By *Randall R. Whitmer*

Title Trustee of the Randall R. Whitmer Trust  
Created January 15, 2007

Mailing Address:

APNs 051-350-006 and 051-350-008

ACCEPTED/RECEIVED BY \_\_\_\_\_ Date \_\_\_\_\_

PROJECT ID NO \_\_\_\_\_ APN \_\_\_\_\_

S:\FORMS\_LISTS\General Indemnification FORM 041516.doc



# IMPERIAL COUNTY PLANNING & DEVELOPMENT SERVICES GENERAL INDEMNIFICATION AGREEMENT

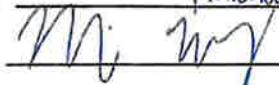
As part of this application, applicant and real party in interest, if different, agree to defend, indemnify, hold harmless, and release the County of Imperial ("County"), its agents, officers, attorneys, and employees (including consultants) from any claim, action, or proceeding brought against any of them, the purpose of which is to attack, set aside, void, or annul the approval of this application or adoption of the environmental document which accompanies it. This indemnification obligation shall include, but not be limited to, damages, costs, expenses, attorney fees, or expert witness fees that may be asserted by any person or entity, including the applicant, arising out of or in connection with the approval of this application, whether or not there is concurrent negligence on the part of the County, its agents, officers, attorneys, or employees (including consultants).

If any claim, action, or proceeding is brought against the County, its agents, officers, attorneys, or employees (including consultants), to attack, set aside, void, or annul the approval of the application or adoption of the environmental document which accompanies it, then the following procedures shall apply:

1. The Planning Director shall promptly notify the County Board of Supervisors of any claim, action or proceeding brought by an applicant challenging the County's action. The County, its agents, attorneys and employees (including consultants) shall fully cooperate in the defense of that action.
2. The County shall have the final determination on how to best defend the case and will consult with applicant regularly regarding status and the plan for defense. The County will also consult and discuss with applicant the counsel to be used by County to defend it, either with in-house counsel, or by retaining outside counsel provided that the County shall have the final decision on the counsel retained to defend it. Applicant shall be fully responsible for all costs incurred. Applicant shall be entitled to provide his or her own counsel to defend the case, and said independent counsel shall work with County Counsel to provide a joint defense.

Executed at Los Angeles California on February 21, 2024

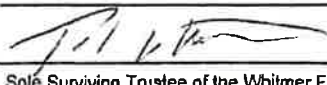
**APPLICANT**

Name: 90FI 8me LLC, Michael Healy  
By:   
Title: CO of Avantus LLC, ultimate parent, duly authorized

Mailing Address:

c/o Avantus Clean Energy LLC  
4370 Town Center Blvd., Suite 110  
El Dorado Hills, CA 95762

**REAL PARTY IN INTEREST**  
(If different from Applicant)

Name: Ted L. Whitmer  
By:   
Title: Sole Surviving Trustee of the Whitmer Family Trust  
Created on December 15, 2006

Mailing Address:

APNs 051-350-006 and 051-350-008

ACCEPTED/RECEIVED BY \_\_\_\_\_ Date \_\_\_\_\_

PROJECT ID NO \_\_\_\_\_ APN \_\_\_\_\_

S:\FORMS\_LISTS\General Indemnification FORM 041516.doc

# Attachment B3

*Owner Affidavits*

**OWNER'S AFFIDAVIT**

In the event the applicant is not owner, the following shall be signed and acknowledge by the owner.

Permission is hereby granted to 90FI 8ME LLC to apply for this  
(Lessee, Tenant, Contractor-Specify)

any and all permits, applications and CEQA actions on the described property located at address  
(State permit type clearly i.e. building, land used)

Further identified by Assessor's Parcel Number  
(APN) 051-350-007, 051-350-004 and 051-330-003 is hereby granted.

[Signature]  
OWNER (SIGNATURE)

Alex Abatti Jr.  
OWNER (TYPED OR PRINT)

2015 Silsbee Rd. El Centro Ca. 92243  
OWNER'S ADDRESS

09/19/2023  
DATE

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

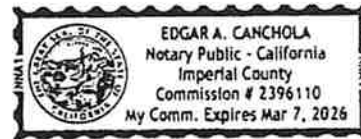
STATE OF CALIFORNIA  
COUNTY OF Imperial } S.S.

On September 19th, 2023 before me,  
Notary Public - Edgar A. Canchola personally appeared  
Cinto Alexander Abatti Jr., who proved to me on the basis of  
satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and  
acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and  
that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the  
person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing  
paragraph is true and correct.

WITNESS my hand and official seal.

Signature [Signature] (Seal)



**ATTENTION NOTARY:** Although the information requested below is **OPTIONAL**, it could prevent  
fraudulent attachment of this certificate to unauthorized document.

Title or Type of Document owner's Affidavit  
Number of Pages 1 Date of Document 9/19/2023  
Signer(s) Other Than Named Above \_\_\_\_\_

**OWNER'S AFFIDAVIT**

In the event the applicant is not owner, the following shall be signed and acknowledge by the owner.

Permission is hereby granted to 90FI 8ME LLC to apply for this  
(Lessee, Tenant, Contractor-Specify)

any and all permits, applications and CEQA actions on the described property located at address  
(State permit type clearly i.e. building, land used)

Further identified by Assessor's Parcel Number  
(APN) 051-350-008 and 051-350-006 is hereby granted.

Ted Loyal Whitmer  
OWNER (SIGNATURE)

Ted Loyal Whitmer  
OWNER (TYPED OR PRINT)

1095 S. 18th St, El Centro, CA  
OWNER'S ADDRESS

Sept 18, 2023  
DATE

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF CALIFORNIA  
COUNTY OF Imperial S.S.

On September 18, 2023 before me,  
Gabriela B. Pralvico, Notary Public personally appeared  
Ted Loyal Whitmer, who proved to me on the basis of  
satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and  
acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and  
that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the  
person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature [Signature] (Seal)

**ATTENTION NOTARY:** Although the information requested below is OPTIONAL, it could prevent fraudulent attachment of this certificate to unauthorized document.

Title or Type of Document Owner's Affidavit  
Number of Pages 1 Date of Document Sept 18, 2023  
Signer(s) Other Than Named Above NA

**OWNER'S AFFIDAVIT**

In the event the applicant is not owner, the following shall be signed and acknowledge by the owner.

Permission is hereby granted to 90FI 8ME LLC to apply for this  
(Lessee, Tenant, Contractor-Specify)

any and all permits, applications and CEQA actions on the described property located at address  
(State permit type clearly i.e. building, land used)

Further identified by Assessor's Parcel Number  
(APN) 051-350-008 and 051-350-006 is hereby granted.

Randall R Whitmer  
OWNER (SIGNATURE)

Randall Richard Whitmer  
OWNER (TYPED OR PRINT)

1803 Farmer Dr, El Centro, CA 92543  
OWNER'S ADDRESS

Sept 18, 2023  
DATE

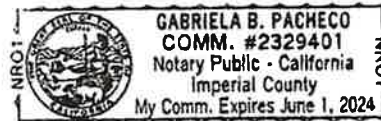
A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF CALIFORNIA  
COUNTY OF Imperial ) S.S.

On September 18, 2023 before me,  
Gabriela B Pacheco, Notary Public personally appeared  
Randall Richard Whitmer, who proved to me on the basis of  
satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and  
acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and  
that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the  
person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.  
Signature [Signature] (Seal)



**ATTENTION NOTARY:** Although the information requested below is OPTIONAL, it could prevent fraudulent attachment of this certificate to unauthorized document.

Title or Type of Document Owner's Affidavit  
Number of Pages 1 Date of Document Sept 18, 2023  
Signer(s) Other Than Named Above n/a

# Attachment B4

*Project Owner Contact Information*

BIG ROCK SOUTH CUP #2, LANDOWNER INFORMATION

CUP Request #	CUP Area	APN	Owner	Contact Information
CUP #2	Bigi Rock 2 Cluster South	051-330-003	La Valle Sabbia	La Valle Sabbia, Inc. Attn: Alex Abatti Jr. and Antonette Abatti 2015 Silsbee Road El Centro, CA 92243 (760) 353-3336 <a href="mailto:aabatti@abatti.com">aabatti@abatti.com</a> <a href="mailto:aabatti1@abatti.com">aabatti1@abatti.com</a>
CUP #2	Bigi Rock 2 Cluster South	051-350-004	La Valle Sabbia	La Valle Sabbia, Inc. Attn: Alex Abatti Jr. and Antonette Abatti 2015 Silsbee Road El Centro, CA 92243 (760) 353-3336 <a href="mailto:aabatti@abatti.com">aabatti@abatti.com</a> <a href="mailto:aabatti1@abatti.com">aabatti1@abatti.com</a>
CUP #2	Bigi Rock 2 Cluster South	051-350-006	Whitmer	Randall Whitmer 1803 Farmer Dr. El Centro, CA 92243 (760) 482-0745 <a href="mailto:sikninwhitmer@gmail.com">sikninwhitmer@gmail.com</a> Ted Whitmer 1095 S. 18 <sup>th</sup> Steet El Centro, CA 92243 (760) 353-1683
CUP #2	Bigi Rock 2 Cluster South	051-350-007	La Valle Sabbia	La Valle Sabbia, Inc. Attn: Alex Abatti Jr. and Antonette Abatti 2015 Silsbee Road El Centro, CA 92243 (760) 353-3336 <a href="mailto:aabatti@abatti.com">aabatti@abatti.com</a> <a href="mailto:aabatti1@abatti.com">aabatti1@abatti.com</a>

BIG ROCK SOUTH CUP #2, LANDOWNER INFORMATION

CUP Request #	CUP Area	APN	Owner	Contact Information
CUP #2	Bigi Rock 2 Cluster South	051-350-008	Whitmer	Randall Whitmer 1803 Farmer Dr. El Centro, CA 92243 (760) 482-0745 <a href="mailto:sikninwhitmer@gmail.com">sikninwhitmer@gmail.com</a>  Ted Whitmer 1095 S. 18 <sup>th</sup> Steet El Centro, CA 92243 (760) 353-1683



# Attachment C

*Project Description*

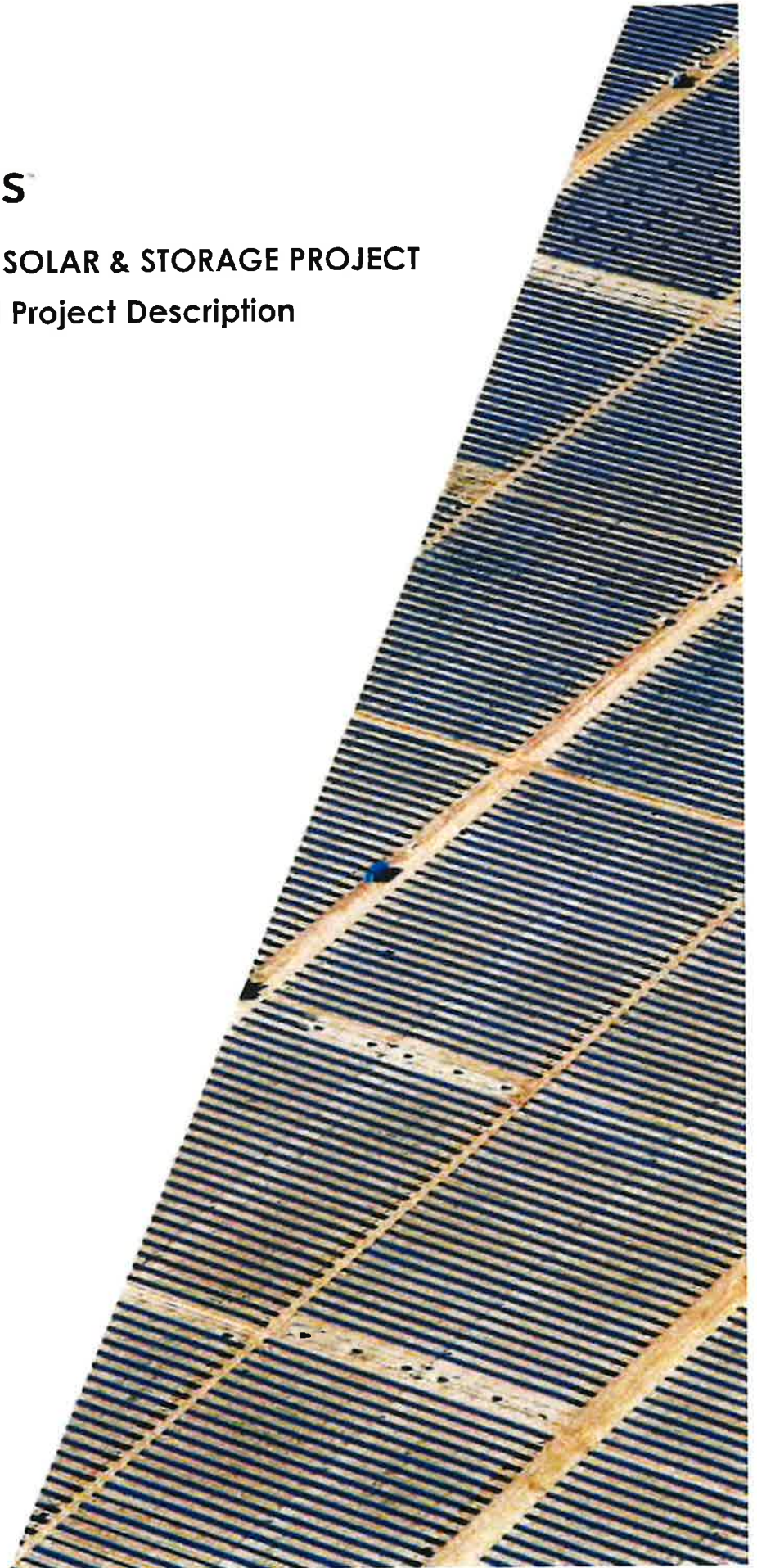


# **BIG ROCK 2 CLUSTER SOLAR & STORAGE PROJECT**

## **CUP Application and Project Description**

18 March 2024

Submitted by:  
90FI 8me LLC  
4370 Town Center Blvd., Suite 110  
El Dorado Hills, CA 95762

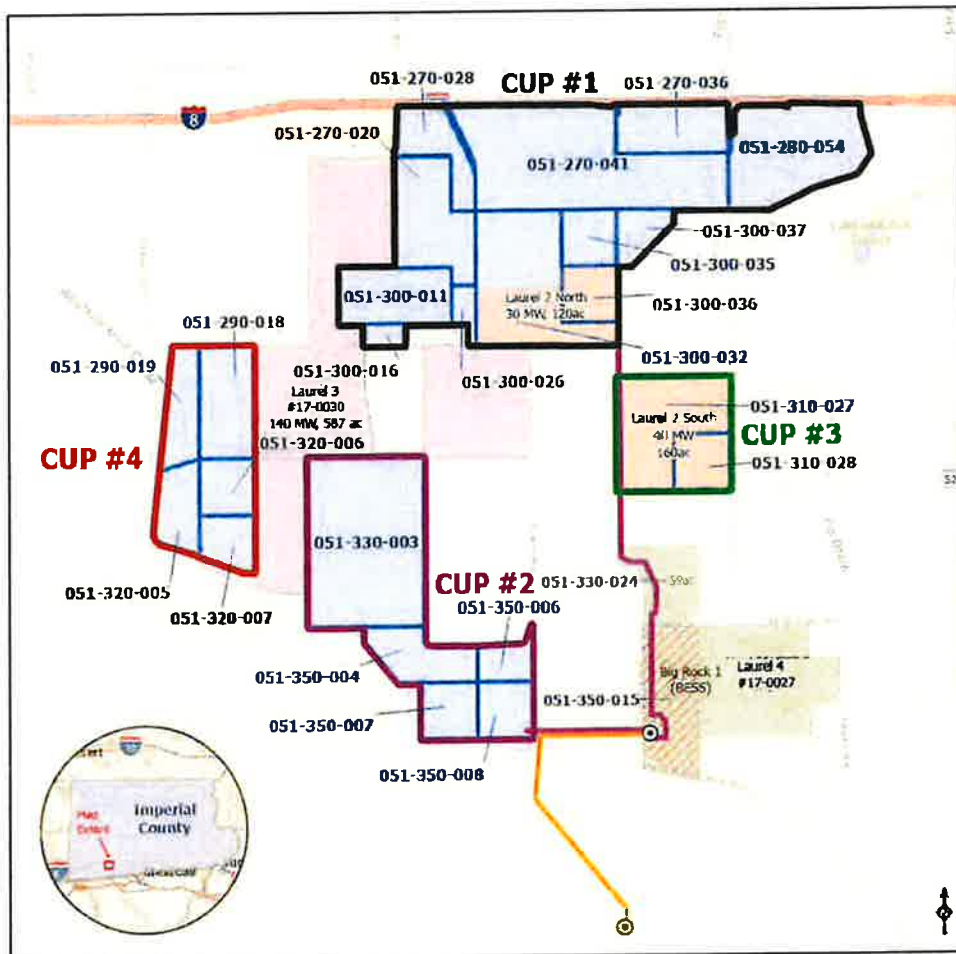


**This page left blank intentionally.**

## Big Rock 2 Cluster Solar and Storage Project

This document contains Supporting Materials for the following Conditional Use Permit Applications Packages:

1. CUP #1: Big Rock 2 Cluster North (1,030 acres)
  - Big Rock 2 Cluster North (910 acres), including;
    - Laurel Cluster 2 North /CUP # 21-0014 (120 acres) *(to be re-entitled)*
2. CUP #2: Big Rock 2 Cluster South (410 acres)
3. CUP #3: Big Rock 2 Cluster East/Laurel Cluster 2 South CUP # 21-0013 (160 acres) *(to be re-entitled)*
4. CUP #4 Big Rock Cluster West (249 acres)



**This page left blank intentionally.**

# TABLE OF CONTENTS

<b>INTRODUCTION .....</b>	<b>1</b>
<b>Site Information.....</b>	<b>4</b>
<b>PROJECT DESCRIPTION.....</b>	<b>7</b>
<b>Overview.....</b>	<b>7</b>
<b>Project Objectives .....</b>	<b>7</b>
<b>Project Components .....</b>	<b>8</b>
PV Module Configuration .....	8
Collection, Inverter and Transformer Systems .....	11
Battery Energy Storage System .....	12
Substation(s).....	15
Transmission Line and Interconnection.....	15
Operations and Maintenance (O&M) Building.....	16
Roadway and IID Crossings.....	16
Water Usage .....	16
Water Storage.....	17
Site Security and Fencing.....	17
Lighting .....	17
Annual Production .....	17
Electric Service.....	17
<b>Project Construction .....</b>	<b>18</b>
Construction Activities and Duration .....	18
Laydown Areas.....	19
Workforce.....	19
<b>Project Operation.....</b>	<b>19</b>
Operational Activities .....	19
Workforce.....	19
<b>Project Compliance Plans and Best Management Practices .....</b>	<b>20</b>
Hazardous Materials and Hazardous Waste Management .....	20
Spill Prevention and Containment.....	20
Wastewater/Septic System .....	21
Solid Waste Management .....	21
Dust Control.....	21
Pest and Vegetation Management.....	21
Fire Management .....	22
Health and Safety .....	22
General Plan Consistency .....	23
<b>Decommissioning and Reclamation .....</b>	<b>23</b>
<b>Anticipated Required Project Entitlements.....</b>	<b>24</b>

## **APPENDICES**

**Appendix A      Site Plan**

**Appendix B      Full Resolution Map Figures**

## INTRODUCTION

90FI 8me LLC (“the Applicant”) is seeking approval of four (4) Conditional Use Permits (CUPs) associated with the construction and operation of a utility-scale [up to 500-megawatt (MW) in capacity] photovoltaic (“PV”) solar energy generation and Battery Energy Storage System (“BESS”) facility (also up to 500-MW in capacity). The proposed Project, collectively called, the Big Rock 2 Cluster Solar and Storage Project (“Big Rock 2” or the “Project”) contemplates utilizing approximately 1,569 acres of “new lands” that have not previously been entitled, in addition to up to 867 acres of lands that are currently entitled under active CUPs known as Laurel Cluster 3 (587 acres), Laurel Cluster 2 North (120 acres), and Laurel Cluster 2 South (160 acres) totaling 2,436 acres of available land for development (Figure 1).

Energy generated by the Project would be collected using up to 66 kilovolt (“kV”) collector lines which could run overhead and/or underground to a dedicated Project substation. A 230-kV overhead generation intertie (gen-tie) transmission line is anticipated to link the Project substation to the Liebert Switchyard (pending construction), which will then be connected via an overhead 230-kV gen-tie line to the existing San Diego Gas and Electric (SDG&E) Imperial Valley Substation (Figure 1). It is anticipated that all BESS facilities associated with the Project will be developed concurrently with PV componentry and situated in proximity to Project sub-station(s); however, the CUP areas may cooperate if necessary to meet energy production and Project needs, by allowing one CUP area to utilize “BESS” credits of another. Likewise, the Project may share facilities such as Operations & Maintenance (O&M) facilities, transmission-related facilities, Project sub-station(s), and/or other appurtenances.

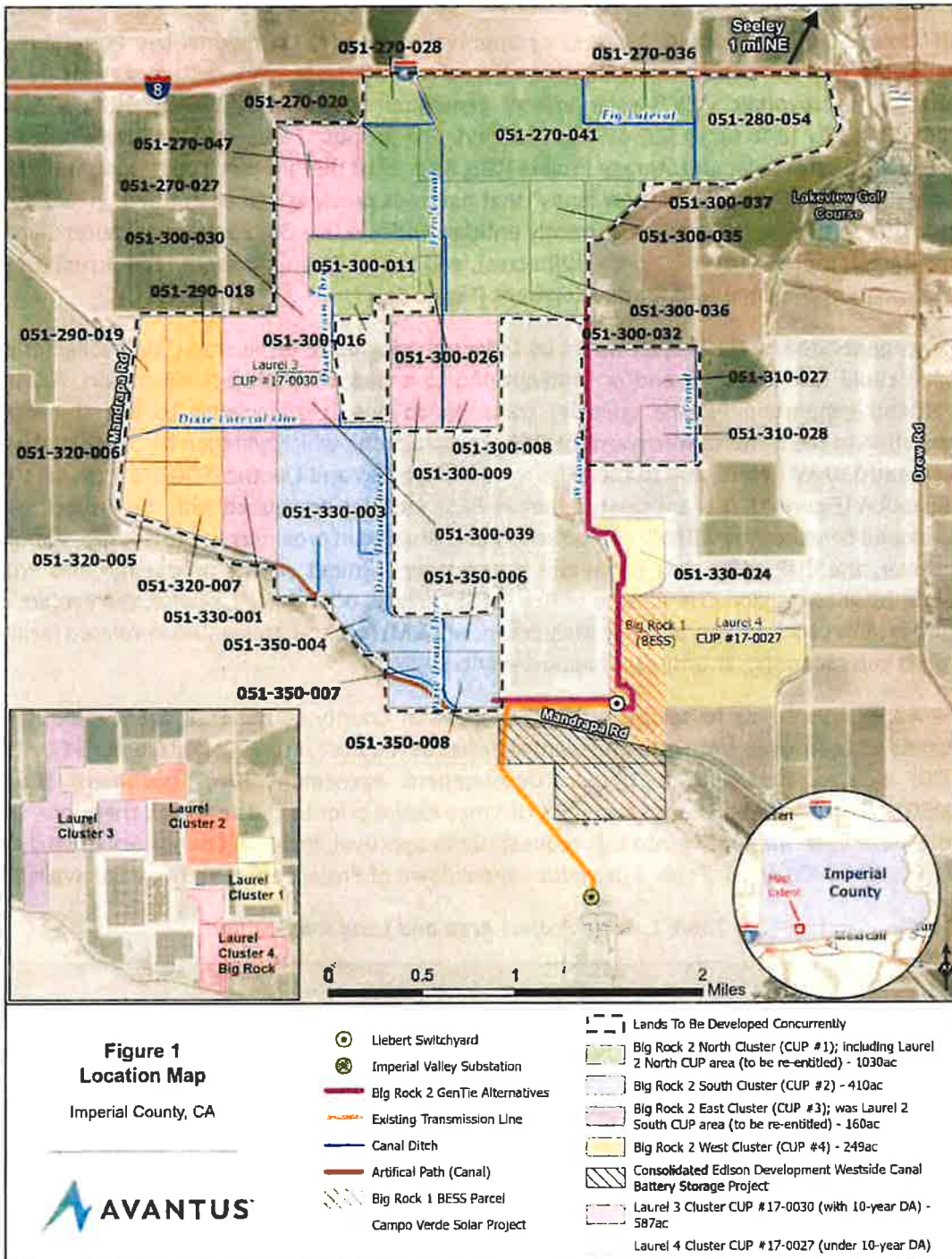
The Applicant intends to secure CUPs from Imperial County as the lead agency, along with permits and approvals from other relevant agencies as required by law. Laurel Cluster 3 CUP (#17-0030) is associated with a 10-year Development Agreement (DA) (Document Number 2023012228). However, Laurel Cluster 2 CUPs may expire prior to this approval, therefore, those areas have been integrated into this request, upon approval, Imperial County would void CUPs #21-0014 and #21-0013. Table 1 provides a breakdown of Project areas and acreage availability.

**Table 1: Total Project Area and Land Availability**

	Acres Available	CUP #
Big Rock 2 Cluster North, including Laurel Cluster 2 North (120 acres) parcels under CUP # 21-0014 (expires Dec. 2024)	1,030	CUP Request #1 (partial re-entitlement)
Big Rock 2 Cluster South	410	CUP Request #2
Big Rock 2 Cluster East/Laurel Cluster 2 South parcels under CUP #21-0013 (expires Dec. 2024)	160	CUP Request #3 (re-entitlement)
Big Rock 2 Cluster West	249	CUP Request #4
Laurel Cluster 3 CUP #17-0030	587	NA (under 10-year DA)



Figure 1: Project Location Map



**Site Information**

**Site Characteristics**

The proposed Project site is located in unincorporated Imperial County, south of Interstate 8, approximately one mile southwest of the town of Seeley, California, and approximately six miles north of the United States International Border with Mexico (Figure 1).

The topography of the Project area is relatively flat, consisting primarily of fields and unpaved roads, and all the Project parcels have been extensively cleared, plowed, and maintained for agricultural production. Due to the extensive irrigated farming history within the Project area, as well as locally high-water table, many irrigation canals and drains occur within proximity of the Project. These include a segment of the New River adjacent to the northeast corner of the Project, and the Imperial Irrigation District (IID) Westside Main Canal which is located along the west and southern edges of the Project area. In addition, multiple named irrigation canals and drains are located adjacent to the unimproved roadways in the Project area, including Fern Canal and Sidemain, Foxglove Canal, Wixom and Fig Drains, and Dixie Drains Two, Three, Three A and Three B.

**Parcels, Zoning, and Acreage(s)**

**Table 2: Big Rock 2 Cluster North (New CUP Request #1)**

	<b>APN</b>	<b>Zoning</b>	<b>Acres</b>
1	051-270-020	A-2-R	101.8
2	051-270-028	A-2	52.3
3	051-270-036	A-2	67.4
4	051-270-041	A-2-R	279.0
5	051-280-054	A-2	149.5
6	051-300-011	A-2	79.6
7	051-300-016	A-2	10.8
8	051-300-026	A-2	13.4
9	051-300-035	A-3	40.3
10	051-300-037	A-3	28.9
11	051-300-032 (northern portion)	A-2	85.5
	<b>Sub-total</b>		<b>910</b>
	<b>Laurel 2 North CUP #21-0014 (Expires December 2024)</b>		
12	051-300-032 (southern portion) (to be re-entitled)	A-2-RE	80
13	051-300-036 (to be re-entitled)	A-3-RE	40.3
	<b>Sub-total</b>		<b>120</b>
	<b>TOTAL ACRES</b>		<b>1,030</b>

**Table 3: Big Rock 2 Cluster South (New CUP Request #2)**

	<b>APN</b>	<b>Zoning</b>	<b>Acres</b>
1	051-330-003	A-3	246.5
2	051-350-004	A-3	57.4

	APN	Zoning	Acres
3	051-350-006	A-3	26.3
4	051-350-007	A-3	40.0
5	051-350-008	A-3	40.0
	<b>TOTAL ACRES</b>		<b>410</b>

**Table 4: Big Rock Cluster 2 East (to be re-entitled) (New CUP Request #3)**

<b>Laurel Cluster 2 South CUP #21-0013 (Expires December 2024)</b>			
1	051-310-027	A-2-R-RE	120.0
2	051-310-028	A-2-R-RE	39.9
	<b>Total</b>		<b>160</b>

**Table 5: Big Rock 2 Cluster West (New CUP Request #4)**

	APN	Zoning	Acres
1	051-290-018	A-2-R	79.8
2	051-290-019	A-3	48.7
3	051-320-005	A-3	45.0
4	051-320-006	A-3	39.9
5	051-320-007	A-3	35.3
	<b>TOTAL ACRES</b>		<b>249</b>

## Site Information

### Site Characteristics

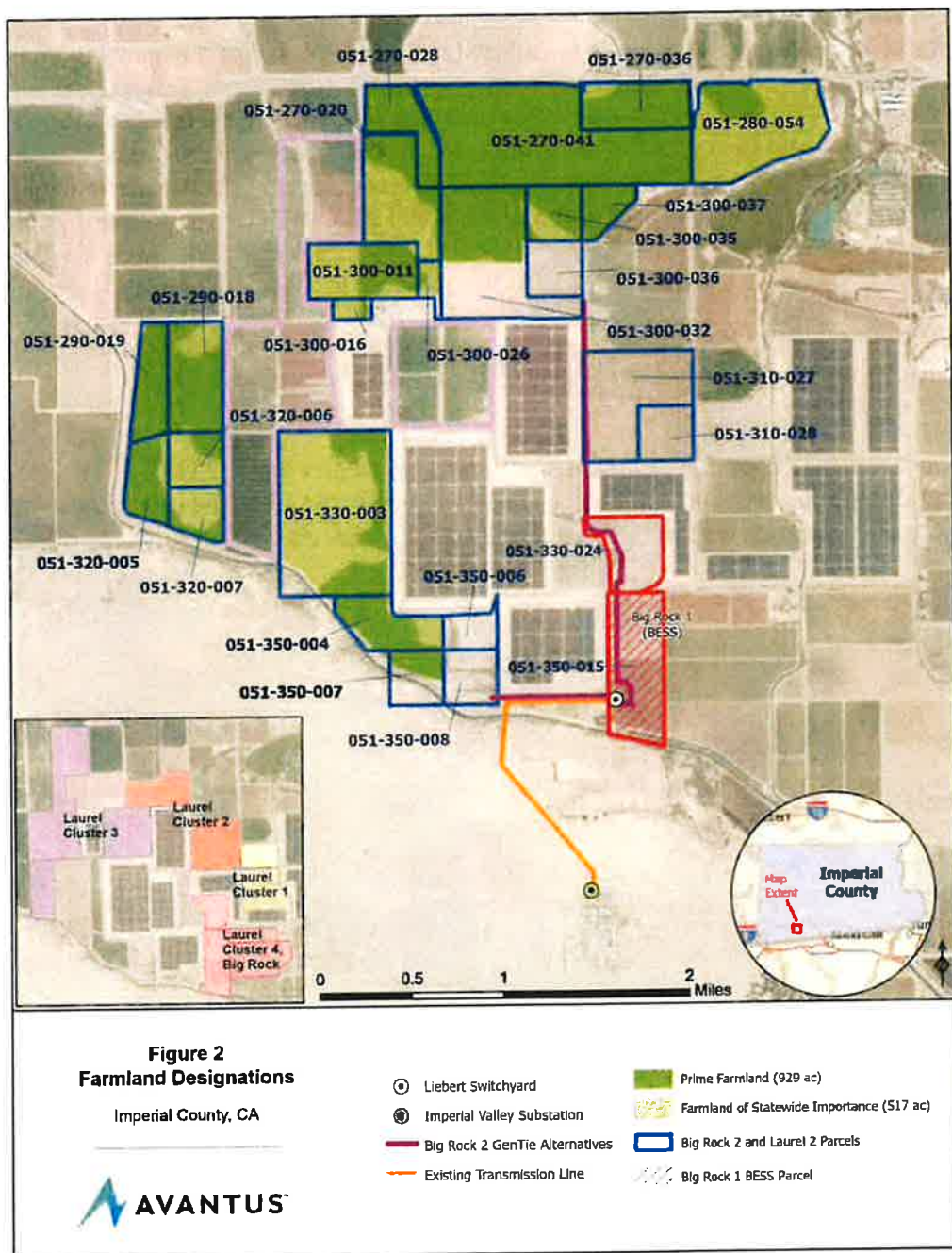
The Project site is located in unincorporated Imperial County, south of Interstate 8, approximately one mile southwest of the town of Seeley, California, and approximately six miles north of the United States International Border with Mexico (Figure 3).

The topography of the Project area is relatively flat, consisting primarily of agricultural fields and unpaved roads, and all the Project parcels have been extensively cleared, plowed, and maintained for agricultural production. Due to the extensive irrigated farming history within the Project area, as well as locally high-water table, many irrigation canals and drains occur within proximity of the Project. These include a segment of the New River adjacent to the northeast corner of the Project, and the Imperial Irrigation District (IID) Westside Main Canal which is located along the west and southern edges of the Project area. In addition, multiple named irrigation canals and drains are located adjacent to the unimproved roadways in the Project area, including Fern Canal and Sidemain, Foxglove Canal, Wixom and Fig Drains, and Dixie Drains Two, Three, Three A and Three B.

The entire Project area is designated Agricultural in the Imperial County General Plan. Current land use of the Project parcels includes cropland, dryland grain crops, irrigated grain and hayfields, row crops, orchards, and pastureland.

Figure 2 also illustrates Prime Farmland and Farmland of Statewide Importance; however, the Project does not include agricultural lands designated under the “Williamson Act”.

**Figure 2: Farmland Designations**



## ***Adjacent Lands***

### *Existing Land Use*

The Project is adjacent and proximal to both Agricultural and Agricultural/Rural lands that have been rezoned for renewable energy (RE), specifically for PV solar and BESS projects that have been approved by Imperial County.

Nearby land uses are predominantly agricultural and/or renewable energy generation, but also include commercial, transportation, military, and electric utility uses. Commercial land uses include the Rio Bend Golf Course (*and associated Specific Plan Area*) to the east of the Project. The Interstate 8 and Union Pacific Railroad transportation corridors are located to the north of the Project. To the south of the Project, utility land uses include the SDG&E Imperial Valley Substation, as well as additional agricultural lands that have been designated for PV solar, and BESS renewable energy projects.

### *Operational Renewable Energy Facilities*

Campo Verde Solar, owned by Southern Power, became operational in September 2013 and is located on multiple APNs that are adjacent to the proposed Project (Figure 1).

### *Renewable Energy Facilities Pending Entitlement*

The Consolidated Edison Development Westside Canal Battery Storage Project is a utility-scale energy storage development approved by Imperial County and is located on two APNs adjacent to the southernmost parcels of the proposed Big Rock 2 Project (Figure 1).

## **PROJECT DESCRIPTION**

### **Overview**

The Applicant proposes to develop, design, and construct a PV solar energy generation and BESS facility comprised of up to 500 megawatt alternating current (MWac) PV solar and up to 500 MWac of BESS. Power generated by the Project would be collected using up to 66-kV collector lines which could run overhead and/or underground to a dedicated Project substation, with a 230-kV overhead generation transmission line or “gen-tie” line linking a Project substation to the Imperial Irrigation District (IID) Liebert Switchyard. The Liebert Switchyard would then be connected to the SDG&E Imperial Valley substation via an overhead 230-kV gen-tie line. The Project contemplates two gen-tie line alternatives as depicted in Figure 1.

The Applicant has considered the following in its selection of the Big Rock 2 PV solar and BESS Project for detailed evaluation:

- Private land availability suitable for renewable energy development
- Compatible Land Use Zoning: Agricultural/Rural Zone(s)
- Proximity to the SDG&E Imperial Valley substation
- Proximity to the applicant’s previously approved PV solar and BESS projects entitled with Imperial County

### **Project Objectives**

The primary objective of 90FI 8me LLC is to develop, design and construct a large-scale solar PV and BESS facility in Imperial County that, when operational, maximizes the production of clean, reliable, and renewable electric power in an economically feasible and commercially financeable manner. The power produced by the Project is expected to be marketed to utility companies, Community Choice Aggregators (CCAs), or other large-scale energy off-takers. Additional Project objectives include:

- Provide renewable energy to the electric grid to meet increasing demand for in-state generation and provide energy storage that can be dispatched to the regional grid during times of greatest energy demand.
- Integrate the proposed Project operating facilities with previously proposed and entitled PV solar and BESS projects in the project vicinity to maximize economies of scale.
- Provide annual revenues consistent with the Public Benefit Program for Solar Power Plants in Imperial County (Amended May 9, 2023, by the Board of Supervisors) that directly supports Agriculture, Community Benefits Funds, and Public Services (e.g., Sheriff, Public Health, Fire Department) within Imperial County.
- Assist the County in continuing the goal in the Energy Element of its General Plan to develop large scale solar energy development as a major energy source in the County.
- Promote economic development and bring regionally defined living-wage jobs to the region throughout the life of the proposed Project.

- Support California’s efforts to reduce greenhouse gas (GHG) emissions consistent with the timeline established in 2006 under California Assembly Bill 32, the Global Warming Solutions Act of 2006, which requires the California Air Resources Board to reduce statewide emissions of greenhouse gases (GHGs) to at least the 1990 emissions level by 2020. This timeline was updated in 2016 under SB 32, which requires that statewide GHG emissions are reduced to at least 40 percent below the statewide GHG emissions limit by 2030.
- Support California’s Renewable Portfolio Standards (RPS) Program consistent with the timeline established by SB 100 (De León, also known as the “California Renewables Portfolio Standard Program: emissions of greenhouse gases”) as approved by the California Legislature and signed by Governor Brown in September 2018, which established a 50 percent RPS goal by December 31, 2026, 60 percent by December 31, 2030, and a goal that 100 percent of electric retail sales to end-use customers be provided by renewable energy and zero-carbon resources by 2045.
- Utilize historically farmed lands that could otherwise be fallowed due to current and future water shortages, thereby providing local farmers and/or agricultural landowners in Imperial County an alternative to the economic losses associated with limiting their agricultural production.

## **Project Components**

### ***PV Module Configuration***

The Project would use PV panels or modules<sup>1</sup> on mounting frameworks to convert sunlight directly into electricity. Individual panels would be installed on either fixed-tilt or tracker mount systems (single- or dual-axis, using galvanized steel or aluminum). If the panels are configured for fixed tilt, they would be oriented toward the south. For tracking configurations, the panels would rotate to follow the sun over the course of the day. Although the panels could stand up to 15 feet in height (H), depending on the mounting system used, panels are expected to remain between six (6) and eight (8) feet in height.

---

<sup>1</sup> Including but not limited to bi-facial or concentrated photovoltaic (CPV) technology.



*Typical fixed-tilt solar panel rows*



*Typical single axis tracking solar panels*





*Typical dual axis tracking solar panels*

The solar panel array would be arranged in groups called blocks, with inverter stations generally located centrally within the blocks. Blocks would produce direct electrical current (“DC”), which is converted to alternating current (“AC”) at the inverter stations.

Each PV module would be placed on a fixed-tilt or tracker mounting structure. The foundations for the mounting structures can extend up to 10 feet below ground, depending on the structure, soil conditions, and wind loads, and may be encased in concrete or use small concrete footings. A light-colored ground cover or palliative may be used to increase electricity production. Final solar panel layout and spacing would be optimized for the Project area characteristics and the desired energy production profile.



*Typical fixed-tilt mounting structure*

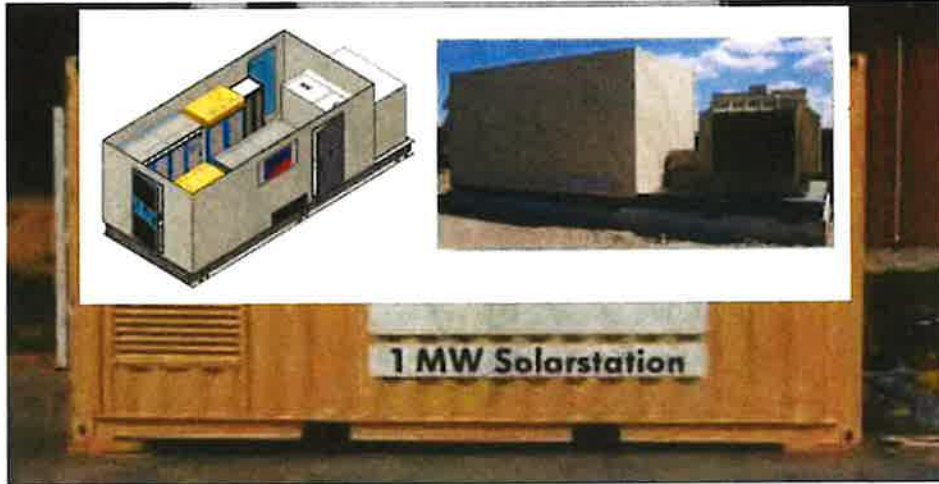


*Typical dual axis mounting structure*

#### ***Collection, Inverter and Transformer Systems***

DC energy is delivered from the PV panels via cable to inverter stations, generally located near the center of each block. Inverter stations convert the DC energy to AC energy which can be dispatched to the transmission system. PV Inverter stations are typically comprised of one or more inverter modules with a rated power of up to 5-MW each, a unit transformer, and voltage switch gear. BESS units for the Project would be connected to bidirectional inverter stations, high-level control system(s), transformers, and ultimately the Project substation(s) bus bar via a series of overhead or underground electrical collector lines ranging from 66kV to 230kV. Utilizing these Project components, the DC onsite PV panel and battery energy would be converted to AC energy and dispatched to the regional transmission grid, and this process would be reversed to charge the batteries from electrical energy imported from the regional transmission grid for onsite energy storage. PV and BESS inverter stations are typically comprised of one or more inverter modules with a rated power of up to 10 MW each, and a unit transformer, and voltage switchgear. The unit transformer and voltage switch gear are housed in steel enclosures, while the inverter module(s) and control system(s) are housed in cabinets. Depending on the vendor selected for the Project, the inverter stations may be located within an enclosed or canopied metal structure, typically a skid or concrete pad.

Overhead and/or underground collector lines may be bundled together as they approach the substation(s), sharing common poles or trenches. Collector lines would then connect to the Project substation bus bar before being stepped up to 230kV for transmission. Potential collector line routes for the Project are provided in Figure 1; however, not all routes will ultimately be developed. The 66kV collector lines would be connected from the various PV parcels and the BESS system to the step-up project substation. The final location(s) of each component, height, and structure type(s) would be determined before the issuance of building permits for the Project by Imperial County.



*Typical inverter stations*

**Battery Energy Storage System**

The Project will include one or more BESS, located at or near the Project substation(s)/switchyard(s), the inverter stations, or elsewhere onsite. BESS' consist of modular and scalable battery packs and battery control systems that conform to California and U.S. national safety standards. The BESS modules, which could include commercially available lithium or flow batteries, and typically consist of ISO standard all-weather containers (approximately 40'L x 8'W x 8'H) housed in pad- or post-mounted, stackable metal structures, but may also be housed in a dedicated building(s) in compliance with applicable regulations. The maximum height of a dedicated structure is not expected to exceed 25 feet. The actual dimensions and number of energy storage modules and structures vary depending on the application, supplier, and configuration chosen, as well as on off taker/power purchase agreement requirements for the Project.

The BESS would be in unmanned, remotely controlled containers that would be periodically inspected by Project personnel for maintenance purposes. The BESS would be designed to conform with Imperial County and national BESS fire standard NFPA 855 and/or other applicable national standards. The BESS would have all required UL9540A reports (or equivalent) and would be certified to UL9540 (or equivalent), if required. BESS' require additional components to be fully operational, and that allow the batteries to be connected to the regional transmission grid as discussed below.



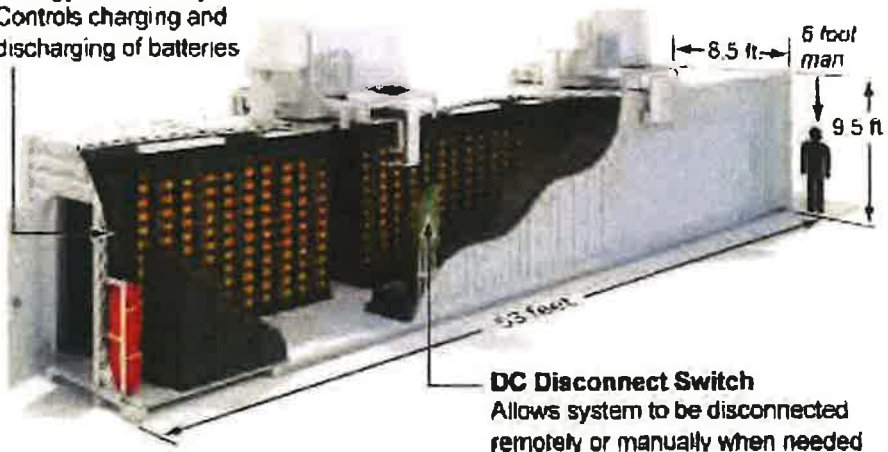
*BESS Installed in Dedicated Structure*





*Modular BESS Installed on Multiple Concrete Pads*

**Energy Control System**  
Controls charging and discharging of batteries



**DC Disconnect Switch**  
Allows system to be disconnected remotely or manually when needed

*Typical BESS module configuration*



### *Typical BESS*

#### ***Substation(s)***

The proposed Project would have its own dedicated substation equipment located within the Project footprint. Dedicated equipment may incorporate several components, including high-voltage and auxiliary power transformers, distribution cabinets, revenue metering systems, a microwave transmission tower, voltage switch gear, transmission poles and racking, and bus bar(s) of various voltages for interconnection(s). The substation may also include telecommunications facilities, fiber optic communication cables, equipment, and associated structures for diverse path routing of communications. Substations typically occupy an area of up to approximately five (5) acres and are secured separately by a chain-link fence.

Substations typically include a small control building (approximately 500 square feet) standing approximately ten (10) feet tall. The building is either prefabricated concrete or steel housing with rooms for the voltage switch gear and the metering equipment, a room for the station supply transformer, and a separate control technology room in which the main computer, the intrusion detection system, and the main distribution equipment are housed. Components of this building (e.g., control technology room and intrusion detection system) may instead be located at an O&M building described later in this Project Description.



*Typical Substation*

#### ***Transmission Line and Interconnection***

The Project 230kV step-up substation would connect to the 230kV Liebert Switchyard, via one of the proposed gen-tie line alternatives (Figure 1). The Liebert Switchyard will have a direct connection to the existing SDG&E Imperial Valley Substation via an existing overhead 230kV gen-tie line. Overhead transmission conductors may be mounted on tubular steel poles up to 200 feet in height and would include associated insulator and hardware assemblies, the appropriate number of spans of conductor and optical ground wiring, and dead-end structures at both the Project substation and the Liebert Switchyard. Portions (or all) of the gen-tie line may be

undergrounded as necessary. The structure type(s), height, and final location(s) of each component would be determined before the issuance of building permits by Imperial County.

Alternative gen-tie routing(s) is depicted in Figure 1 and may utilize currently entitled lands and/or private easements; however, additional alternate routing may include gen-tie line(s) directly to the Imperial Valley substation, utilizing additional/other private and/or Bureau of Land Management (BLM) lands.

#### ***Operations and Maintenance (O&M) Building***

The Project may include an O&M building of approximately 40' x 80' in size, with associated onsite parking. The O&M building would be steel framed, with metal siding and roof panels. The O&M building may include the following:

- Office
- Repair building/parts storage
- Control room
- Restroom
- Septic tank and leach field
- Water supply
- Heating, ventilation, and air conditioning (HVAC)

Roads, driveways, and parking lot entrances would be constructed in accordance with Imperial County standards. Parking spaces and walkways would be constructed in conformance with all California Accessibility Regulations. Any unused O&M areas onsite may be covered by solar panels. The structure type(s), height, and final location(s) of each component would be determined before the issuance of building permits by Imperial County.

#### ***Roadway and IID Crossings***

The Project may require the following crossing types of Imperial Irrigation District (IID) canals and/or drains and unimproved Imperial County roads: overhead electric, underground electric, vehicular crossings. The exact locations of the crossings are not known at this time but are not anticipated to interfere with the purpose or continued use of these facilities. For instance, where a drain flows, the Project crossing or access point would still allow the drain to flow. As required by IID, the Project may be required to make minor improvements to on-site drains. IID requires solar projects to improve existing drain outflow pipes. This typically involves installation of new drain outflow pipes to reduce erosion within the drains. Exact locations and dimensions of any required IID facility and/or County roadway crossings would be determined prior to issuance of building permits by Imperial County.

#### ***Water Usage***

Water demand for panel washing and O&M domestic use is not expected to exceed 100 acre-feet per year. Water usage during construction, primarily for dust-suppression purposes, is not expected to exceed 700 acre-feet in total. Decommissioning of the Project at the end of its anticipated useful lifespan may require approximately an additional 700 acre-feet. Water would be obtained from the landowner's water supply, local irrigation district, or delivered via truck from off-area source(s). A small water treatment system may be installed onsite near or within the O&M building to provide deionized water for panel washing.

### ***Water Storage***

One or more above-ground water storage tanks with a total capacity of up to 100,000 gallons may be placed near the O&M building. The storage tank(s) near the O&M building would have the appropriate fire department connections to be used for fire suppression. These storage tanks could be up to 30-feet in height.

### ***Site Security and Fencing***

The Project area would be enclosed within a chain link fence measuring seven (7) to ten (10) feet in height from finished grade. An intrusion alarm system comprised of sensor cables integrated into the perimeter fence, intrusion detection cabinets placed approximately every 1,500 feet along the perimeter fence, and an intrusions control unit, located either in the substation control room or at the O&M building, or similar technology, may be installed. Additionally, the Project may include additional security measures including, but not limited to, low voltage fencing with warning reflective signage, controlled access points, security camera systems, and security guard vehicle patrols to deter trespassing and/or unauthorized activities that could interfere with operation of the Project.

Controlled access gates would be maintained at the main entrances to the Project. Project area access would be provided to offsite emergency response teams that respond in an after-hours emergency. Enclosure gates would be manually operated with a code or key provided in an identified key box location.

### ***Lighting***

Outdoor lighting for the Project would be the minimum required for safety and will be directed away from public rights-of-way and adjacent private property. All outdoor lighting used onsite would be of the lowest intensity necessary to provide suitable light for site security and safe ingress and egress, in compliance with any applicable regulations, measured at the property line after dark. Outdoor lighting is anticipated to be necessary for the access gates, substation(s), O&M building, control room, and inverters to allow for safe access and emergency maintenance. Site lighting may also include motion sensor lights installed within the solar fields in proximity to the inverters for security purposes.

### ***Annual Production***

The Project PV solar will have a nominal output capacity of up to 500 (AC), generating sufficient electricity to power approximately 130,000 homes. The Project would generate electrical power during daylight hours. Peak electricity demand in California corresponds with air conditioning use on summer afternoons when ambient temperatures are high. The Project's peak generating capacity corresponds to this time period. There is no generating capacity between sunset and sunrise due to the lack of solar energy, though power may be released from the 500 MW BESS at any time of day.

### ***Electric Service***

Commercial operational low voltage electric service may be obtained from IID for the Projects' O&M building(s) and auxiliary loads. Temporary electric service is typically obtained for primary construction logistical areas. Generator power may be utilized for temporary portable construction trailer(s) during Project construction and/or decommissioning.



## **Project Construction**

### ***Construction Activities and Duration***

The construction period for the Project is approximately 18 to 24 months.

Construction would include the following activities:

- Site preparation
- Access and internal circulation roads
- Grading and earthwork
- Concrete foundations
- Structural steel work
- Panel installation
- Electrical/instrumentation work
- Collector line installation
- Battery unit installation
- Stormwater management facilities
- Gen-tie line poles and conductor stringing

Roadways would only be temporarily affected, and only during the Project's construction period. Construction traffic would access the Project site from the north or south via Derrick Road, Jessip Road, Westside Road, and Hyde Road, and from the east via Diel Road and Wixom Road (or other nearby local roads). Large trucks would likely utilize Interstate 8 and S29 (Drew Road) for materials deliveries. It is anticipated that traffic would entirely avoid the town of Seely.

Noise generated during construction activities would comply with the Imperial County noise ordinances (Title 9 Land Use Code, Division 7). Heavy construction is expected to occur between 6:00 am and 5:00 pm, Monday through Saturday. Additional hours may be necessary to make up schedule deficiencies or to complete critical construction activities. Some activities may continue 24 hours per day, seven days per week. Low level noise activities may potentially occur between the hours of 10:00 pm and 7:00 am. Nighttime activities could potentially include, but are not limited to, refueling equipment, concrete pours, staging material for the following day's construction activities, quality assurance/control, and commissioning.

Materials and supplies would be delivered to the Project Area by truck. Truck deliveries would normally and primarily occur during daylight hours. However, there would be occasional offloading and/or transporting to the Project on weekends and during evening hours.

Earthmoving activities are expected to be limited to the construction of the access roads, O&M building, substation, water storage tank(s), solar panel foundation supports, BESS(s), transmission poles and conductor stringing, and any storm water protection or storage (detention) facilities. The Project is not anticipated to pave, remove, or significantly alter existing agricultural soil(s). Rather, solar panels would be installed atop the flat lots, leaving the farming soil relatively undisturbed and available for crop cultivation at the end of the Project's life. Final grading may include revegetation with low lying grass or applying earth-binding materials to disturbed areas to control dust and increase the reflectivity of the ground surface.

Site preparation would be planned and designed to minimize the amount of earth movement required for the Project, to the extent feasible. The hydrology design would be given priority to protect the Project's facility components, as well as adjacent IID canals/drains and County roads, from erosion during large storm events. The existing on-site drainage patterns would be maintained to the greatest extent feasible. Compaction of the soil to support the building and traffic loads as well as the PV module and BESS supports may be required and is dependent on final geotechnical investigations and engineering designs. These final engineering designs would be reviewed by IID and the County prior to Imperial County issuing building permits.

#### ***Laydown Areas***

At full build-out, most of the Project footprint would be disturbed by construction of the Project. Therefore, temporary construction lay down and materials staging areas, construction trailer locations, and construction parking areas will all be provided within the Project disturbance footprint. Due to the large scale of the Project, the lay down areas may be relocated periodically within the solar field acreage as the project is built out.

#### ***Workforce***

It is estimated that up to 500 workers per day (during peak construction periods) would be required to construct the Project.

### **Project Operation**

#### ***Operational Activities***

The PV solar and BESS facility would operate seven days a week, 24 hours a day. Maintenance activities may occur seven days a week, 24 hours a day to ensure PV panel output when solar energy is available, while the BESS could dispatch energy at any time during the day or night.

Once constructed, maintenance of the PV solar and BESS facility would generally be limited to the following:

- Cleaning of PV panels
- Monitoring PV panel and BESS electricity generation
- Providing site security
- Maintenance of stormwater facilities
- Maintenance of PV solar and BESS facilities including replacing or repairing inverters, wiring, or electrical components, and maintaining, repairing, or replacing substation components.

#### ***Workforce***

It is expected that the Project would require an operational staff of up to 15 full-time employees. It is possible that the proposed Project could share O&M, substation, and/or transmission facilities with other adjacent PV solar and BESS projects that have been approved and entitled by Imperial County, or with any future proposed renewable energy projects nearby. In such a scenario, the projects would share personnel, thereby potentially reducing the project's on-site staff.

## **Project Compliance Plans and Best Management Practices**

The following sections describe standard Project feature compliance plans and best management practices that would be applied during construction and/or long-term operation of the Project, as applicable, to maintain human health and safety, ensure local, state, and federal regulatory compliance, and to avoid or minimize unplanned environmental impacts resulting from construction and/or operation of the Project.

### ***Hazardous Materials and Hazardous Waste Management***

The Project would utilize and store materials onsite that have been defined as hazardous under Title 40 of the Code of Federal regulations (CFR) Part 261, require a Material Safety Data Sheet (MSDS) per the California Labor Code Section 6360, is a listed substance in Section 339 of Title 8 of the California Code of Regulations (CCR), or is defined as hazardous waste per Chapter 6.5 of the California Health and Safety Code.

The following hazardous materials are expected to be used during the construction, operation, and long-term maintenance of the Project:

- Insulating mineral oil for electrical transformers and other electrical equipment
- Lubricating oil for maintenance vehicles
- Various solvents and detergents for cleaning equipment
- Gasoline for maintenance vehicles
- Lithium-ion batteries for storage of electrical energy

Note that additional materials may be used for the project, as required. All hazardous materials would be transported, managed, used, handled, and stored on the Project site during construction and operations. Hazardous waste would be inventoried, stored, transported, and disposed of in accordance with all applicable local, state, and federal regulations at the end of construction or as required during Project operation. Most hazardous materials would be maintained at the Project site in quantities below the threshold requiring a Hazardous Material Business Plan (HMBP) per California Environmental Protection Agency (CalEPA): 55-gallons of a liquid, 200 cubic feet of a gas, and 500 pounds of a solid.

The Project anticipates preparing and implementing a HMBP for the lithium-ion batteries within the BESS, as well as any other hazardous materials that may be stored on the Project site at or above the state-defined thresholds. Chemical storage tanks (if any) would also be designed and installed to meet applicable local and state regulations. Any wastes classified as hazardous such as solvents, degreasing agents, concrete curing compounds, paints, adhesives, chemicals, or chemical containers would be stored in an approved storage facility/shed/structure onsite and disposed of as required by local, state, and federal regulations, as outlined in the HMBP.

### ***Spill Prevention and Containment***

Spill prevention and containment for construction and operation of the Project would adhere to the Environmental Protection Agency's (EPAs) Rule on Spill Prevention Control and Countermeasures (SPCC), which helps facilities prevent oil spills into navigable waters of the U.S. Although aboveground stored quantities of diesel fuel, gasoline, lubricating or hydraulic oils are not expected to exceed EPA storage thresholds during construction, the quantity of insulating

mineral oil required for operation of the Project substation transformers may reach EPA thresholds. SPCC plans would be developed for both Project construction and operations to ensure compliance with the EPA SPCC Rule, and ensure that appropriate spill prevention, control and countermeasures are developed to ensure that potential spills would not discharge into the New River or other navigable waters of the U.S. (e.g., IID canals) located in proximity to the Project.

#### ***Wastewater/Septic System***

A standard onsite septic tank and leach field may be installed and used at the O&M building to dispose of small daily volumes of sanitary wastewater generated by the Projects' operational personnel. The septic system would be designed to meet operation and maintenance guidelines required by Imperial County.

#### ***Solid Waste Management***

Inert solid wastes resulting from Project construction activities may include recyclable items such as paper, cardboard, solid concrete and block, metals, wire, glass, type 1 through 4 plastics, wood, and lubricating oils. Non-recyclable items may include insulation, drywall, other plastics, food waste, vinyl flooring and base, carpeting, paint containers, packing materials, and other construction wastes. To ensure that these wastes are recycled and disposed of properly, the applicant will prepare a Construction Waste Management Plan for review by the County prior to issuance of building permits. Consistent with Imperial County Public Health Department solid waste regulations and the California Green Building Code, the Plan would provide for diversion of a minimum of 50 percent of construction waste from landfill. Project operations are not anticipated to generate significant amounts of any inert solid wastes, recyclable or otherwise, and therefore are not expected to require a management plan.

#### ***Dust Control***

Fugitive dust generated during Project construction would be controlled by utilizing Best Available Control Measures for Fugitive Dust (PM<sub>10</sub>) (e.g., watering, soil binders or tackifiers, wind screens, signage, speed restrictions, etc.) required by Imperial County Air Pollution Control District (ICAPCD) Rule 801, or California Air Resources Board (CARB) Rule 403. The applicant would prepare a Project Dust Control Plan (DCP) for review by Imperial County prior to issuance of building permits. The DCP would specify appropriate control measures to implement during both active construction and while construction on the Project site is inactive and outline appropriate control measures for both disturbed onsite Project areas, as well as any offsite unimproved or unpaved roads utilized for the Project construction access. During long-term project operations, fugitive dust control is not anticipated to be required for the Project to comply with ICAPCD or CARB Fugitive Dust Rules.

#### ***Pest and Vegetation Management***

Non-native invasive plants and other pests that establish within the Project area would be controlled during Project construction and operations, consistent with the Imperial County office of the Agricultural Commissioner requirements for solar projects. The Applicant would prepare a Pest Management Plan for submission to the Imperial County Agricultural Commission. Long-term implementation of the Plan would include routine pest monitoring of the Project area, use of physical, mechanical, or chemical controls as necessary to manage pests, maintenance of

proper records documenting monitoring and pest management controls, and regular reporting to the Agricultural Commission as required.

### ***Fire Management***

The Project is located within the jurisdiction of Imperial County Fire Department. The Applicant will prepare a Fire Management Plan in accordance with Fire Department requirements for Project construction activities as well as long-term operations, including establishing appropriate emergency access to the Project site for first responders, and identifying Project-specific onsite fire protection or suppression systems that comply with Imperial County requirements.

The Project will incorporate many fire safety features to be described in detail in the Fire Management Plan, including access gates and service roads along the perimeter of the Project designed to meet or exceed fire code specifications (e.g., road width, turnarounds, etc.), PV modules and ancillary equipment constructed of fire-resistant materials, non-flammable ground cover and perimeter barriers (as required) around electrical equipment, and both portable and fixed fire suppression systems. Portable fire extinguishers would be provided at various locations throughout the Project site, while fixed fire suppressions systems would be employed throughout the Project based on equipment manufacturer specifications and coordination with the Fire Department. These may include onsite water tank(s), built-in thermal, chemical and/or mechanical monitoring systems, and built-in fire suppression systems. The Plan will also describe best practices including vegetation management and landscape maintenance to help maintain fire-safe operating facilities. Access to nearby properties would not be hindered or restricted by any aspect of the Project Fire Management Plan.

### ***Health and Safety***

Health and safety precautions and best practices consistent with local, state, and federal regulations would be identified and implemented to ensure the safety for all personnel during Project construction and long-term operations. These administrative procedures and controls for Project construction and operational personnel will be supplemented with emergency response plans.

Administrative controls would include classroom and hands-on training in safe procedures for personnel operating and maintaining PV solar, BESS, and high-voltage electrical facilities, including general safety and implementation of a planned maintenance program. These controls would enhance overall Project safety and reliability when applied with the other physical Project safety system(s) and monitoring features incorporated as part of the Project design.

The Applicant will also prepare a Project-specific Emergency Response Plan (ERP). The ERP would outline the major components of an ERP specific to the Project, and address potential facility emergencies including chemical releases, fires, or personnel injuries, as well as identify appropriate protocols and actions during larger emergencies like earthquakes or regional emergency responses led by the Imperial County Office of Emergency Services. All Project employees would be provided with communication devices (e.g., cell phones and/or walkie-talkies) to ensure the ability to provide aid in the event of an emergency as described in the Plan.

### ***General Plan Consistency***

An amendment to the Imperial County General Plan and a zone change are anticipated to be required to implement the proposed Project. The Project parcels are located outside of the Imperial County Renewable Energy (RE) Overlay Zone, but directly adjacent to areas within the RE Overlay Zone. CUP applications proposed for specific RE projects not located in the RE Overlay Zone are not allowed without an amendment to the RE Overlay Zone. Therefore, the applicant is anticipating a General Plan amendment and zone change to include/classify the Project area in its entirety into the RE Overlay Zone.

### **Decommissioning and Reclamation**

PV solar and BESS equipment typically has a lifespan of over 30 years. The proposed Project expects to sell the renewable energy produced by the project under the terms of a long-term Power Purchase Agreement (PPA) with a utility or other power off taker. Upon completion of the PPA term, the project operator may, at its discretion, continue to generate and sell power from the project or decommission and remove the system and its components. Upon decommissioning, the PV solar and BESS facilities could be converted to other uses in accordance with applicable land use regulations in effect at that time.

It is anticipated that during project decommissioning, project structures that would not be needed for subsequent use would be removed from the project site. Above-ground equipment that may be removed would include module posts and support structures, on-site transmission poles that are not shared with third parties and the overhead collection system within the project site, inverters, substation(s), transformers, electrical wiring, equipment on the BESS and inverter pads, and related equipment and concrete pads.

Equipment would be de-energized prior to removal, salvaged (where possible), and shipped off-site to be recycled or disposed of at an appropriately licensed disposal facility. Once the PV solar modules are removed, the racks would be disassembled, and the structures supporting the racks would be removed. Site infrastructure would be removed, including fences, and concrete pads that may support the batteries, inverters, transformers, and related equipment, would also be removed. The demolition debris and removed equipment may be cut or dismantled into pieces that can be safely lifted or carried by standard construction equipment. The fencing and gates would be removed, and all materials would be recycled to the extent practical. Project roads would be restored to their pre-construction function unless they may be used for subsequent land use. The area would be thoroughly cleaned, and all debris removed. Materials would be recycled to the extent feasible, with the remainder disposed of in landfills in compliance with all applicable laws.

The applicant would prepare a Project Reclamation Plan that would be implemented at the end of the Project's useful life, and would be consistent with Imperial County's decommissioning/reclamation requirements, including, but not limited to:

- Description of the proposed decommissioning measures for the facility and for all appurtenances constructed as part of the facility.

- Description of the activities necessary to restore the Project area to its previous condition. Such activities include removing and recycling PV solar and battery equipment, storage equipment, medium voltage collector line, substation, and gen-tie lines. The soils would then be de-compacted and restored to agricultural purposes.
- Presentation of the costs associated with the proposed decommissioning/reclamation measures.
- Discussion of conformance with applicable regulations and with local and regional plans.

In the phased buildout, the phases would be decommissioned/reclaimed independently of one another.

### **Anticipated Required Project Entitlements**

#### ***Imperial County (Lead Agency)***

- Consideration and certification of the Final EIR
- Adoption of the Mitigation Measure Monitoring Program (MMMP)
- Approval of the proposed CUP by the County Board of Supervisors
- Approval by the County Board of Supervisors for applicable items as follows:
  - General Plan Amendment to the Renewable Energy Overlay Element (Zone Change(s),
  - Height Variances, and/or
  - Development Agreement and/or Voluntary Public Benefit Agreement
  - County Grading Permit
  - County Building permit(s)
  - County encroachment permits, easements and/or licenses, as applicable.

The following ministerial reviews and permit approvals are anticipated to be required for the Project by the Imperial County Department(s) and/or Division(s) shown below:

- Dust Control Plan - Air Pollution Control District
- Rule 310 Exemption (as applicable) - Air Pollution Control District
- Construction Traffic Control Plan - Department of Public Works
- County Road Encroachment Permits - Department of Public Works
- Vacation of Public Easements (as applicable) - Department of Public Works
- Site Plan and Architectural Review - Planning & Development Services
- Occupancy Permits - Planning & Development Services
- Fire Safety Plan - Fire Department and Office of Emergency Management
- Project Access and Fire Water Requirements - Fire Department and Office of Emergency Management
- On-site Water Treatment Permit - Division of Environmental Health, Department of Public Works
- Private Sewage Disposal Permit - Division of Environmental Health
- Project Decommissioning Plan - Planning & Development Services, Department of Public Works
- Pest Management Plan - Agricultural Commissioner's Office

#### ***Anticipated Imperial Irrigation District Approvals***

Various approvals may be required from IID in conjunction with implementation of the proposed Project. Wherever an IID facility (drain, irrigation canal, electric line, etc.) intersects the Project, an encroachment would occur as the Proposed Project would cross IID facilities with access points and electrical crossings. The Proposed Project may also drain into IID drain facilities. Due to the preliminary nature of the Project and the rapidly changing technology, the exact locations of proposed access and drainage encroachments, and electrical crossings, are not known at this time. The Project encroachments/crossings would not interfere with the purpose of IID's facilities. The following IID approvals, although not discretionary approvals, include, but are not limited to:

- Encroachment Permits/Agreements
- Electrical Crossings
- Water Supply Agreements/Water Card
- Station Service/"Backfeed" Agreement
- Distribution Power/Electric Service Agreement

#### ***Other Agency Approvals***

- U.S. Army Corps of Engineers (USACE) Clean Water Act (CWA) Section 404 Nation Wide Permit (NWP) (if required)
- California Department of Fish and Wildlife (CDFW) Section 1600 Streambed Alteration Agreement (SAA) (if required)
- Regional Water Quality Control Board Water Quality (RWQCB) Clean Water Act (CWA) 401 Water Quality Certification (WQC) Permit (if required), Waste Discharge



Requirements (WDR) Permit, and National Pollution Discharge Elimination System (NPDES) Construction General Permit Coverage (for project construction activities)

- California Department of Transportation (Caltrans) Right-of-Way Encroachment Permits and/or Oversized Loads Permits (as required)

*\*The preceding discretionary actions/approvals are potentially required and do not necessarily represent a comprehensive list of all possible discretionary permits/approvals required. Other additional permits or approvals from responsible agencies may ultimately be required to implement the proposed Project.*

**APPENDIX A: SITE PLAN  
(Provided Under Separate Cover)**

**APPENDIX B: FULL RESOLUTION MAP FIGURES  
(Provided Under Separate Cover)**

# Attachment D

*D1 – Site Plan*

*D2 – Full Resolution Figures*

# Attachment D1

*Site Plan*

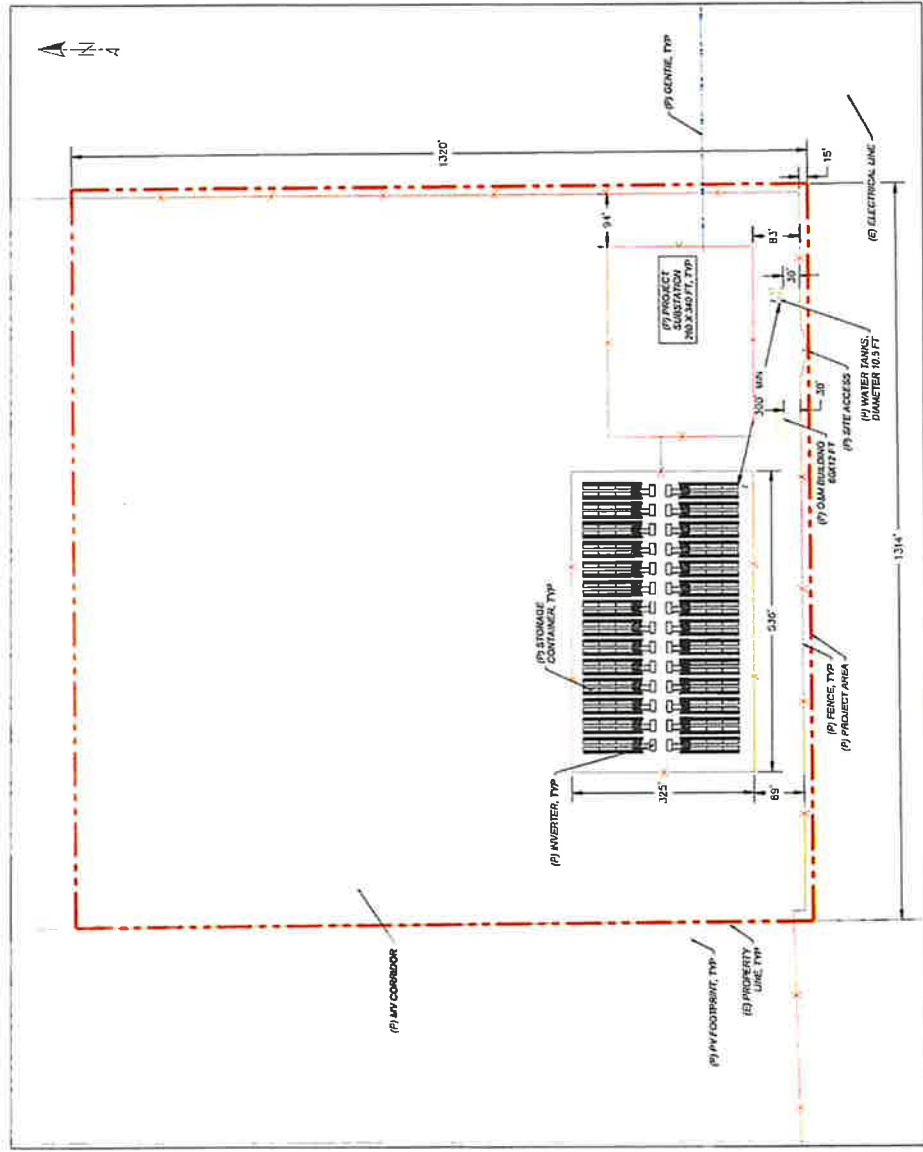


NO.	DATE	DESCRIPTION	BY	CHECKED
1	11/07/23	PRELIMINARY LAYOUT		
2	03/13/24	REVISIONS FOR PERMITS		
3	03/13/24	REVISIONS FOR PERMITS		

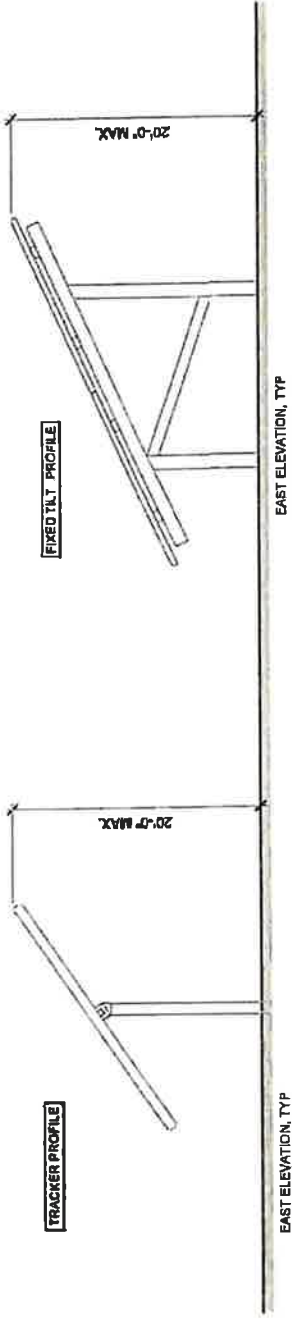
**NOTES**  
 1. CURRENT DESIGN IS PRELIMINARY AND SUBJECT TO CHANGE.  
 2. FINAL DESIGN TO ADHERE TO ALL CITY, COUNTY AND STATE REGULATIONS AND REQUIREMENTS. PERMITS SHALL BE SUBJECT TO REVIEW AND BUILDING PERMIT APPROVALS.

**90FI 8ME LLC**  
**Big Rock 2**  
 IMPERIAL COUNTY, CA

**CONCEPTUAL BESS LAYOUT**  
 DATE: March 13, 2024  
 SHEET: EX-2

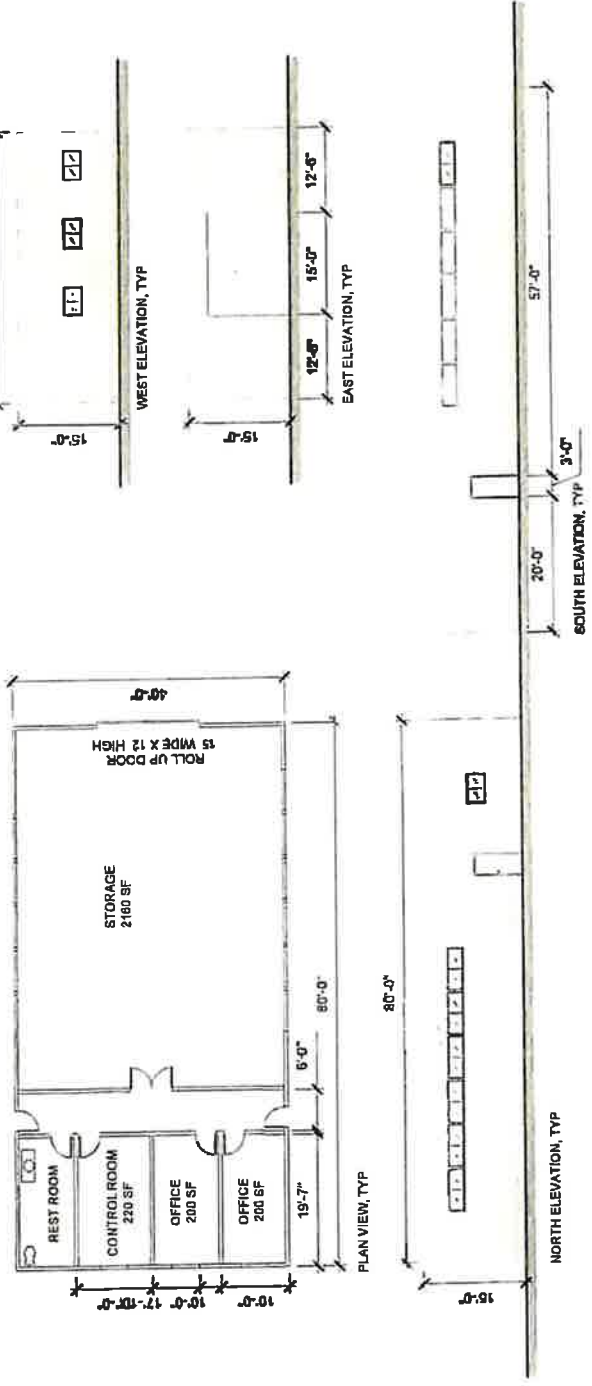


**1 TYPICAL PANEL & MOUNTING STRUCTURE**  
Scale: N 1/8"



**PRELIMINARY  
NOT FOR  
CONSTRUCTION**

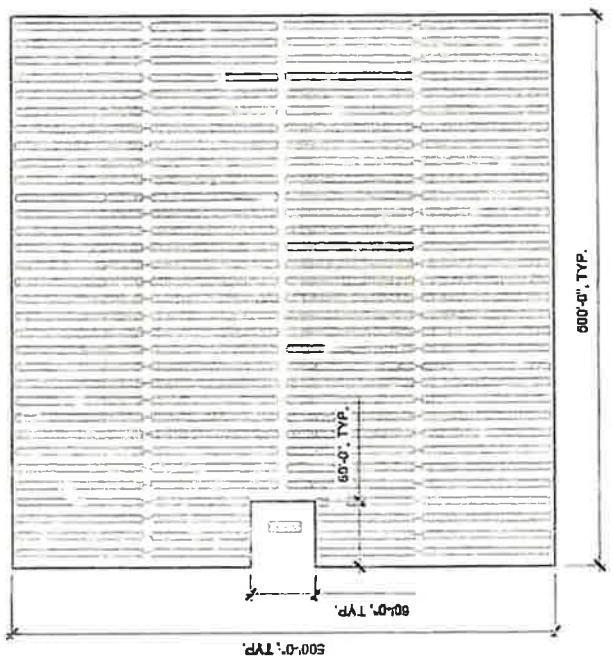
**2 O&M BUILDING, TYP.**  
Scale: 1/16" = 1'-0"



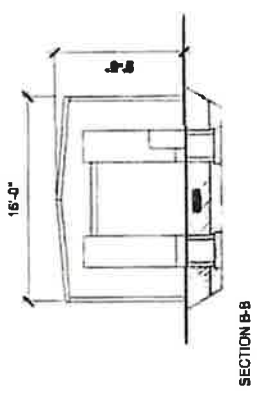
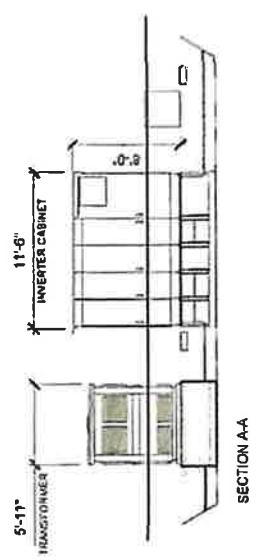
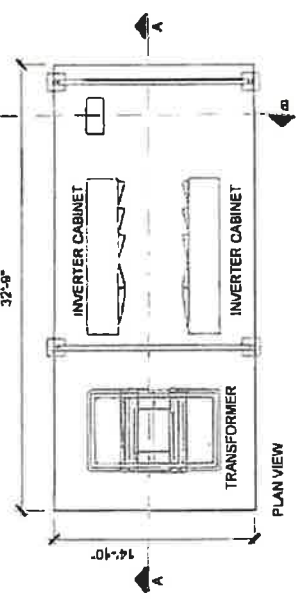


PRELIMINARY  
 NOT FOR  
 CONSTRUCTION

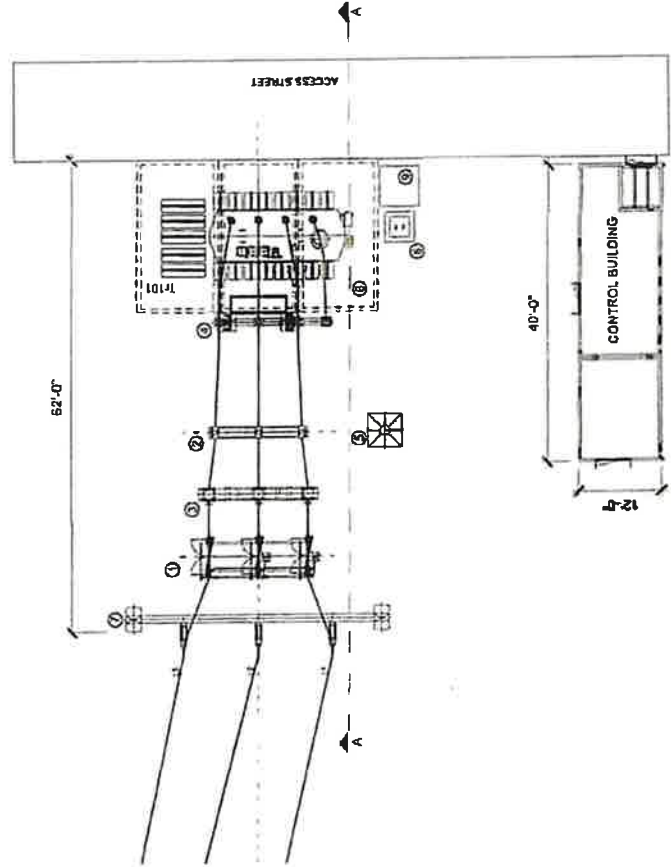
2 STANDARD SOLAR BLOCK  
 Scale: N.T.S.



1 INVERTER, TYP.  
 Scale: 1/8" = 1'-0"

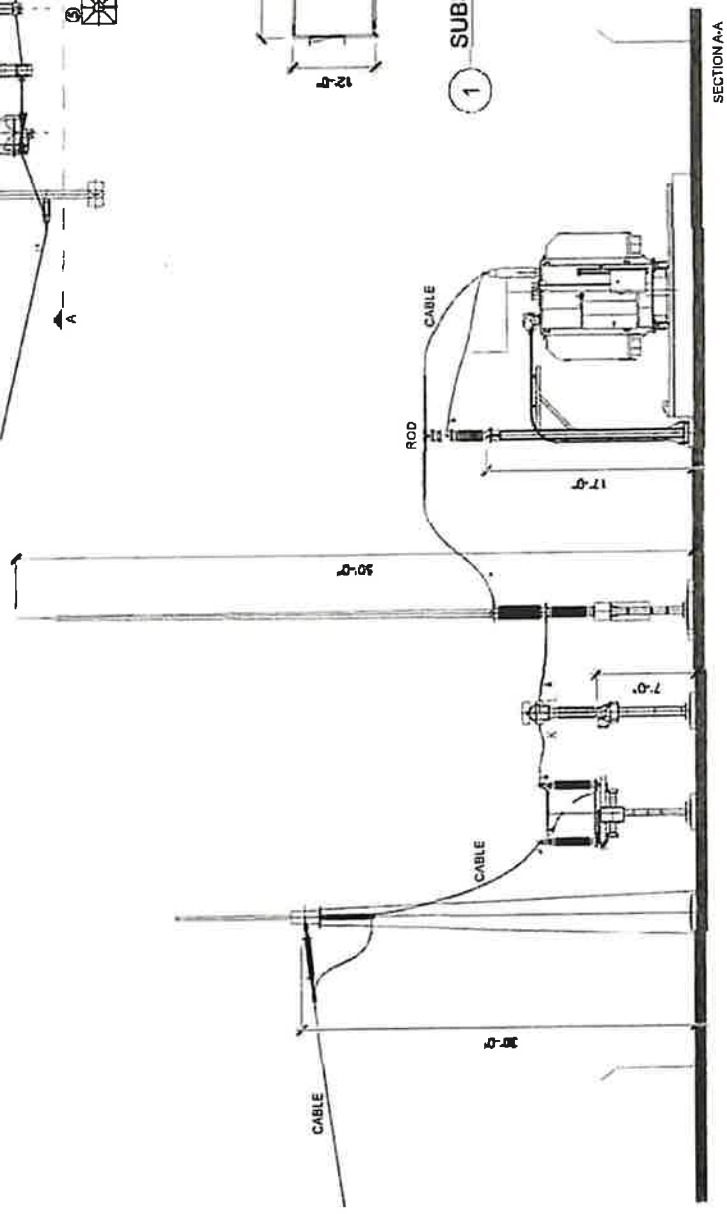


PROJECT NO.	2020-01-001
DATE	10/20/20
SCALE	AS NOTED
SHEET	EX-5

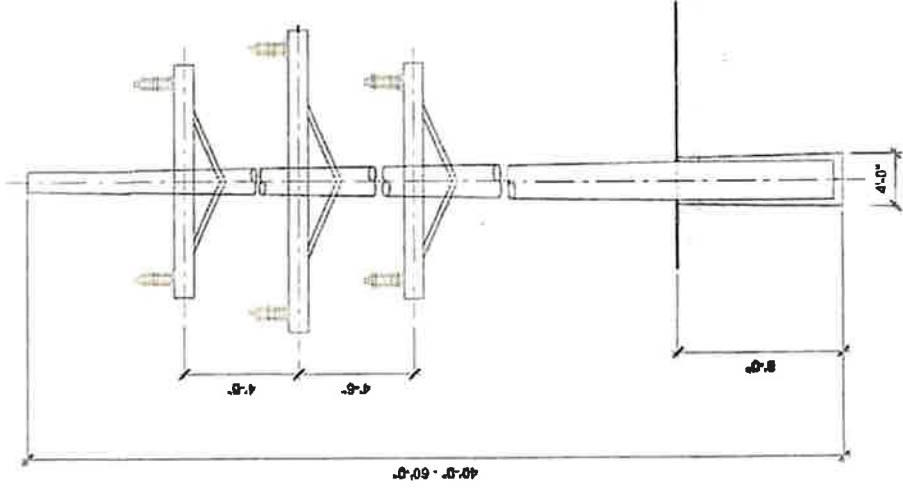


1 SUBSTATION and CONTROL BUILDING  
 Scale: N.T.S.

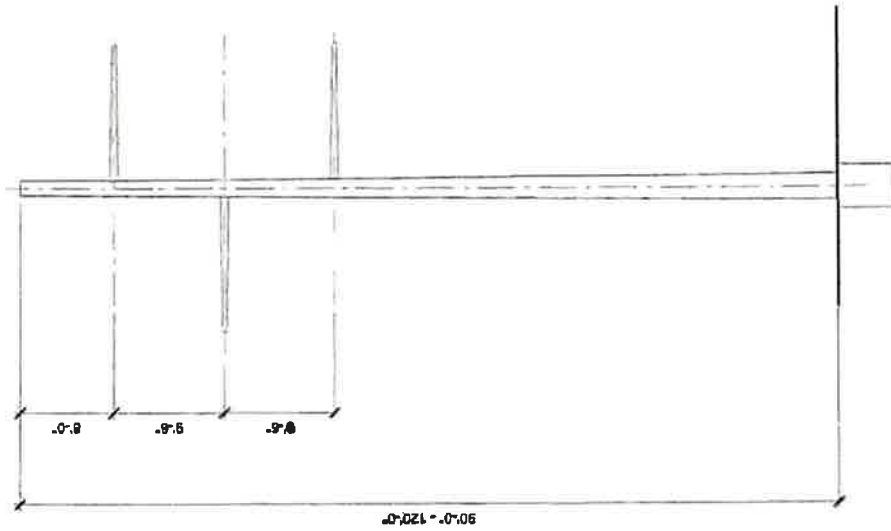
**PRELIMINARY  
 NOT FOR  
 CONSTRUCTION**



**PRELIMINARY  
NOT FOR  
CONSTRUCTION**



2 66 KV MONOPOLE STRUCTURE, TYP.  
Scale: N.T.S.

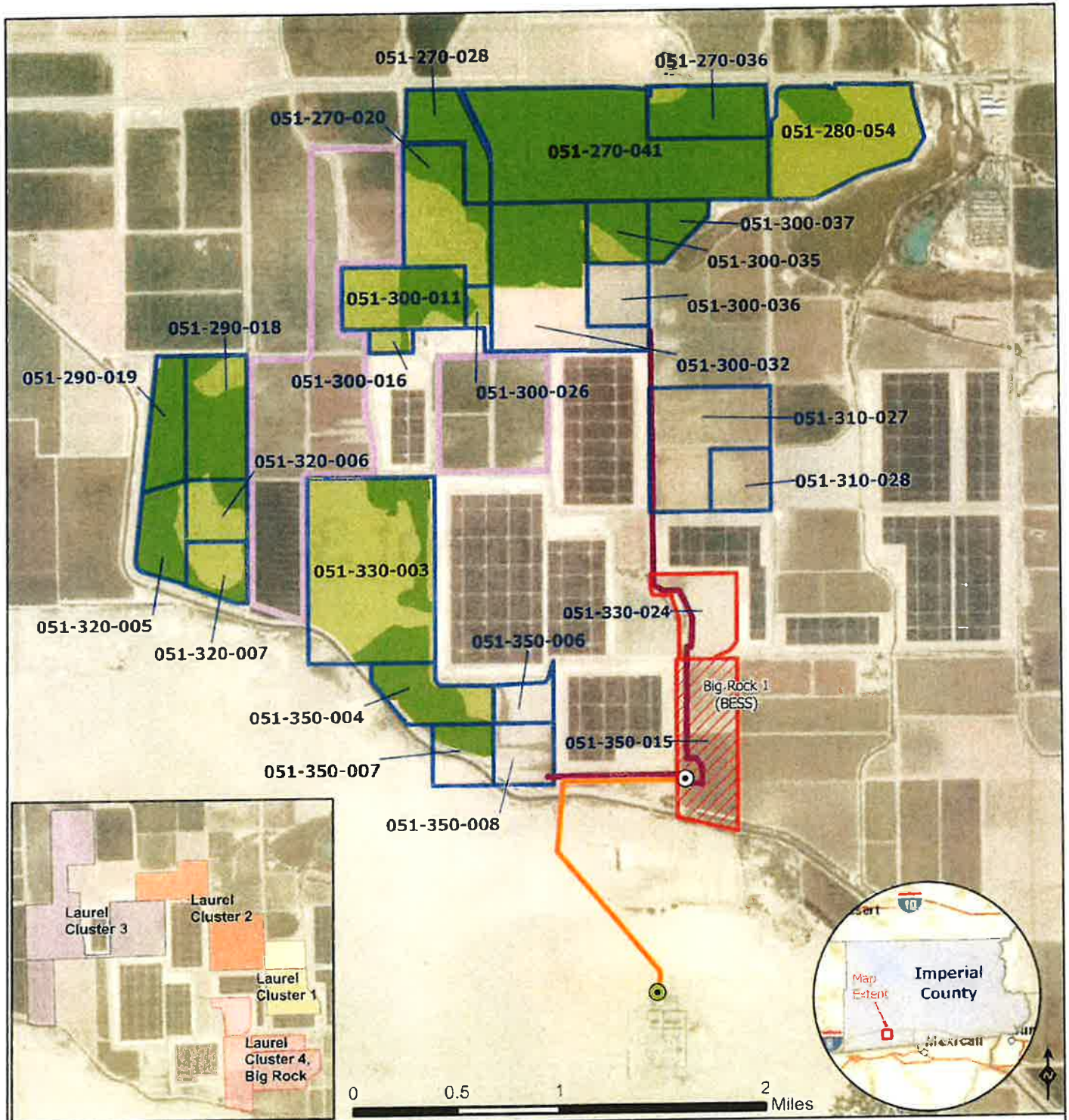


1 230 KV MONOPOLE STRUCTURE, TYP.  
Scale: N.T.S.

# Attachment D2

*Figures 1 and 2 (Full Resolution)*





**Figure 2**  
**Farmland Designations**  
 Imperial County, CA

- Liebert Switchyard
- Imperial Valley Substation
- Big Rock 2 GenTie Alternatives
- Existing Transmission Line
- Prime Farmland (929 ac)
- Farmland of Statewide Importance (517 ac)
- Big Rock 2 and Laurel 2 Parcels
- Big Rock 1 BESS Parcel





# Attachment 3

*CUP East*





# CONDITIONAL USE PERMIT

I.C. PLANNING & DEVELOPMENT SERVICES DEPT.  
801 Main Street, El Centro, CA 92243 (760) 482-4236

- APPLICANT MUST COMPLETE ALL NUMBERED (black) SPACES - Please type or print -

1. PROPERTY OWNER'S NAME Multiple owners. Please see attachment.	EMAIL ADDRESS Multiple owners. Please see attachment.	
2. MAILING ADDRESS (Street / P O Box, City, State) Multiple owners. Please see attachment.	ZIP CODE See attachment.	PHONE NUMBER See attachment.
3. APPLICANT'S NAME 90FI 8me LLC	CUP Request #3 of 4	
4. MAILING ADDRESS (Street / P O Box, City, State) 4370 Town Center Blvd., Suite 110 El Dorado Hills, CA 95762	ZIP CODE 95762	jjackson@avantus.com 303.588.3855
4. ENGINEER'S NAME TBD	CA. LICENSE NO.	EMAIL ADDRESS
5. MAILING ADDRESS (Street / P O Box, City, State)	ZIP CODE	PHONE NUMBER
6. ASSESSOR'S PARCEL NO. Multiple APNs. Please see attachment.	160 acres	ZONING (existing) A 2-RE
7. PROPERTY (site) ADDRESS Multiple APNs. Please see attachment.		
8. GENERAL LOCATION (i.e. city, town, cross street) Approximately 1 mile southwest of Seely, immediately south of Interstate 8, west of Drew Road and east and north of Mandrapa Road.		
9. LEGAL DESCRIPTION Multiple APNs. Please see attachment.		

**PLEASE PROVIDE CLEAR & CONCISE INFORMATION (ATTACH SEPARATE SHEET IF NEEDED)**

10. DESCRIBE PROPOSED USE OF PROPERTY (list and describe in detail) Please see attachment.	Re-entitlement of Laurel Cluster 2 South CUP #21-0013
11. DESCRIBE CURRENT USE OF PROPERTY	Farmland
12. DESCRIBE PROPOSED SEWER SYSTEM	Septic tank with leach field
13. DESCRIBE PROPOSED WATER SYSTEM	IID distribution system and private water treatment facility
14. DESCRIBE PROPOSED FIRE PROTECTION SYSTEM	Above-ground tanks with gallons dedicated fire protection water
15. IS PROPOSED USE A BUSINESS? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	IF YES, HOW MANY EMPLOYEES WILL BE AT THIS SITE? Please see attachment.

I / WE THE LEGAL OWNER (S) OF THE ABOVE PROPERTY CERTIFY THAT THE INFORMATION SHOWN OR STATED HEREIN IS TRUE AND CORRECT.

Stephanie Perry Chief Operating Officer of Avantus LLC, ultimate parent, duly authorized 3/6/2024  
 Print Name \_\_\_\_\_ Date \_\_\_\_\_  
 Signature [Signature] \_\_\_\_\_  
 Print Name \_\_\_\_\_ Date \_\_\_\_\_  
 Signature \_\_\_\_\_

**REQUIRED SUPPORT DOCUMENTS**

A. SITE PLAN	_____
B. FEE	_____
C. OTHER	_____
D. OTHER	_____

APPLICATION RECEIVED BY: _____	DATE _____	REVIEW / APPROVAL BY _____
APPLICATION DEEMED COMPLETE BY: _____	DATE _____	OTHER DEPT'S required.
APPLICATION REJECTED BY: _____	DATE _____	<input type="checkbox"/> P. W.
TENTATIVE HEARING BY: _____	DATE _____	<input type="checkbox"/> E. H. S.
FINAL ACTION: <input type="checkbox"/> APPROVED <input type="checkbox"/> DENIED	DATE _____	<input type="checkbox"/> A. P. C. D.
		<input type="checkbox"/> O. E. S.
		<input type="checkbox"/> _____
		<input type="checkbox"/> _____

**CUP #**  
\_\_\_\_\_

# Attachment B

*B1 Legal Description*

*B2 Indemnification Forms*

*B3 Owner Affidavits*

*B4 Project Owner Contact Information*

# Attachment B1

*Legal Description*

**Legal Descriptions:**

**Big Rock 2 Cluster East/ Laurel 2 South CUP (to be re-entitled) (CUP Request #3)**

	<b>APN</b>	<b>Zoning</b>	<b>Acres</b>
	<i>Laurel Cluster 2 South CUP #21-0013 (Expires Dec. 2024)</i>		
<b>1</b>	<b>051-310-027</b>	A-2-R-RE	<b>120.0</b>
<b>2</b>	<b>051-310-028</b>	A-2-R-RE	<b>39.9</b>
		<b>Total</b>	<b>160</b>

**Landowners: Kuhn**

**Kuhn**

Kuhn A

Parcel C:

Tract 53, Township 16 South, Range 12 East, San Bernardino Meridian, County of Imperial, State of California, according to the Official Plat thereof.

Excepting therefrom the North 40 acres thereof.

APN: 051-310-027

Parcel D:

The West half of Tract 45-B, Township 16 South, Range 12 East, San Bernardino Meridian, County of Imperial, State of California, according to the Official Plat thereof.

APN: 051-310-028

# Attachment B2

*Indemnification Forms*

# IMPERIAL COUNTY PLANNING & DEVELOPMENT SERVICES GENERAL INDEMNIFICATION AGREEMENT

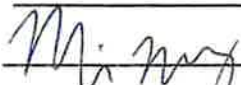
As part of this application, applicant and real party in interest, if different, agree to defend, indemnify, hold harmless, and release the County of Imperial ("County"), its agents, officers, attorneys, and employees (including consultants) from any claim, action, or proceeding brought against any of them, the purpose of which is to attack, set aside, void, or annul the approval of this application or adoption of the environmental document which accompanies it. This indemnification obligation shall include, but not be limited to, damages, costs, expenses, attorney fees, or expert witness fees that may be asserted by any person or entity, including the applicant, arising out of or in connection with the approval of this application, whether or not there is concurrent negligence on the part of the County, its agents, officers, attorneys, or employees (including consultants).

If any claim, action, or proceeding is brought against the County, its agents, officers, attorneys, or employees (including consultants), to attack, set aside, void, or annul the approval of the application or adoption of the environmental document which accompanies it, then the following procedures shall apply:

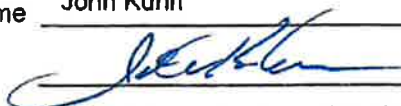
1. The Planning Director shall promptly notify the County Board of Supervisors of any claim, action or proceeding brought by an applicant challenging the County's action. The County, its agents, attorneys and employees (including consultants) shall fully cooperate in the defense of that action.
2. The County shall have the final determination on how to best defend the case and will consult with applicant regularly regarding status and the plan for defense. The County will also consult and discuss with applicant the counsel to be used by County to defend it, either with in-house counsel, or by retaining outside counsel provided that the County shall have the final decision on the counsel retained to defend it. Applicant shall be fully responsible for all costs incurred. Applicant shall be entitled to provide his or her own counsel to defend the case, and said independent counsel shall work with County Counsel to provide a joint defense.

Executed at Los Angeles California on March 13, 2024

## APPLICANT

Name: 90Fl 8me LLC  
By:   
Title: Michael Healy, Chief Commercial Officer of Avantus LLC, Ultimate parent, duly authorized  
Mailing Address:  
c/o Avantus Clean Energy LLC  
4370 Town Center Blvd., Suite 110  
El Dorado Hills, CA 95762

## REAL PARTY IN INTEREST (If different from Applicant)

Name: John Kuhn  
By:   
Title: Sole Trustee of the Madeline Kuhn Legacy Trust  
Mailing Address: 473 Savannah Hwy  
Charleston, SC 29407  
APNs 051-300-032, 051-300-036, 051-310-027,  
051-310-028

ACCEPTED/RECEIVED BY \_\_\_\_\_ Date \_\_\_\_\_

PROJECT ID NO \_\_\_\_\_ APN \_\_\_\_\_

S:\FORMS \_ LISTS\General Indemnification FORM 041516.doc

MAIN OFFICE: 801 Main Street El Centro, CA 92243 (442) 265-1736 FAX: (442) 265-1735 E-MAIL: [planning@co.imperial.ca.us](mailto:planning@co.imperial.ca.us)

# Attachment B3

*Owner Affidavits*



**OWNER'S AFFIDAVIT**

In the event the applicant is not owner, the following shall be signed and acknowledge by the owner.

Permission is hereby granted to 90FI 8ME LLC to apply for this  
(Lessee, Tenant, Contractor-Specify)

any and all permits, applications and CEQA actions on the described property located at address  
(State permit type clearly i.e. building, land used)

Further identified by Assessor's Parcel Number  
(APN) 051-300-032, 051-300-036, 051-310-027, 051-310-028 is hereby granted.

[Signature]  
OWNER (SIGNATURE)

John Kuhn  
OWNER (TYPED OR PRINT)

473 Savannah Hwy  
OWNER'S ADDRESS

Charleston, SC 29407

DATE 3/4/24

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF CALIFORNIA South Carolina  
COUNTY OF Imperial Charleston S.S.

On MARCH 4 2024 before me, personally appeared MICHELLE L. CAVANAUGH who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature [Signature] (Seal)



**ATTENTION NOTARY:** Although the information requested below is OPTIONAL, it could prevent fraudulent attachment of this certificate to unauthorized document.

Title or Type of Document \_\_\_\_\_  
Number of Pages \_\_\_\_\_ Date of Document \_\_\_\_\_  
Signer(s) Other Than Named Above \_\_\_\_\_

# Attachment B4

*Project Owner Contact Information*

BIG ROCK SOUTH CUP #3, LANDOWNER INFORMATION

CUP Request #	CUP Area	APN	Owner	Contact Information
CUP #3	Big Rock 2 Cluster East/Laurel 2 Cluster South	051-310-027	Kuhn	John Kuhn 1904 Savannah Highway, Suite 202 Charleston, SC 29407 (843) 708-2188 <a href="mailto:ir@kuhnandkuhn.com">ir@kuhnandkuhn.com</a>
CUP #3	Big Rock 2 Cluster East/Laurel 2 Cluster South	051-310-028	Kuhn	John Kuhn 1904 Savannah Highway, Suite 202 Charleston, SC 29407 (843) 708-2188 <a href="mailto:ir@kuhnandkuhn.com">ir@kuhnandkuhn.com</a>

# Attachment C

## *Project Description*

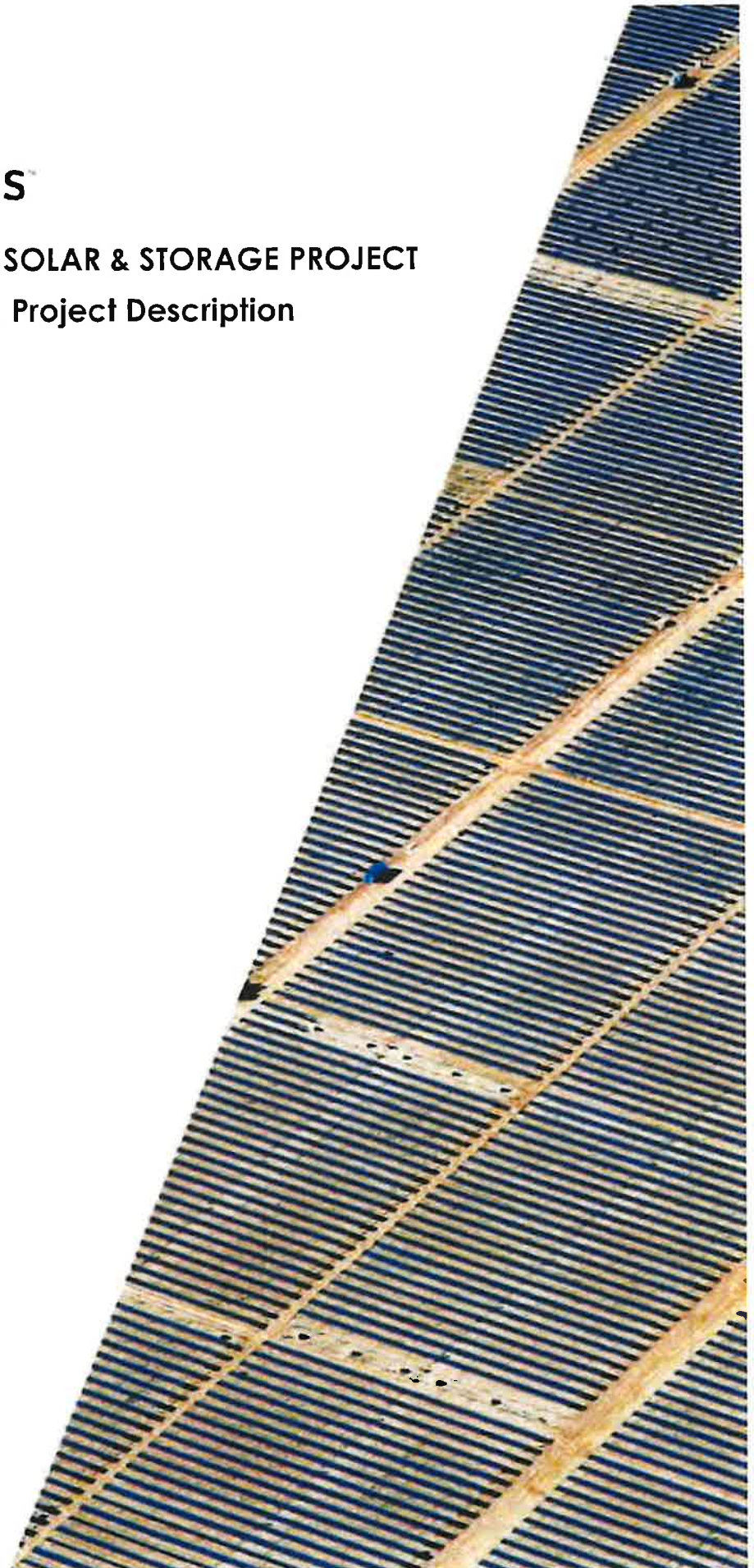


# **BIG ROCK 2 CLUSTER SOLAR & STORAGE PROJECT**

## **CUP Application and Project Description**

18 March 2024

Submitted by:  
90FI 8me LLC  
4370 Town Center Blvd., Suite 110  
El Dorado Hills, CA 95762

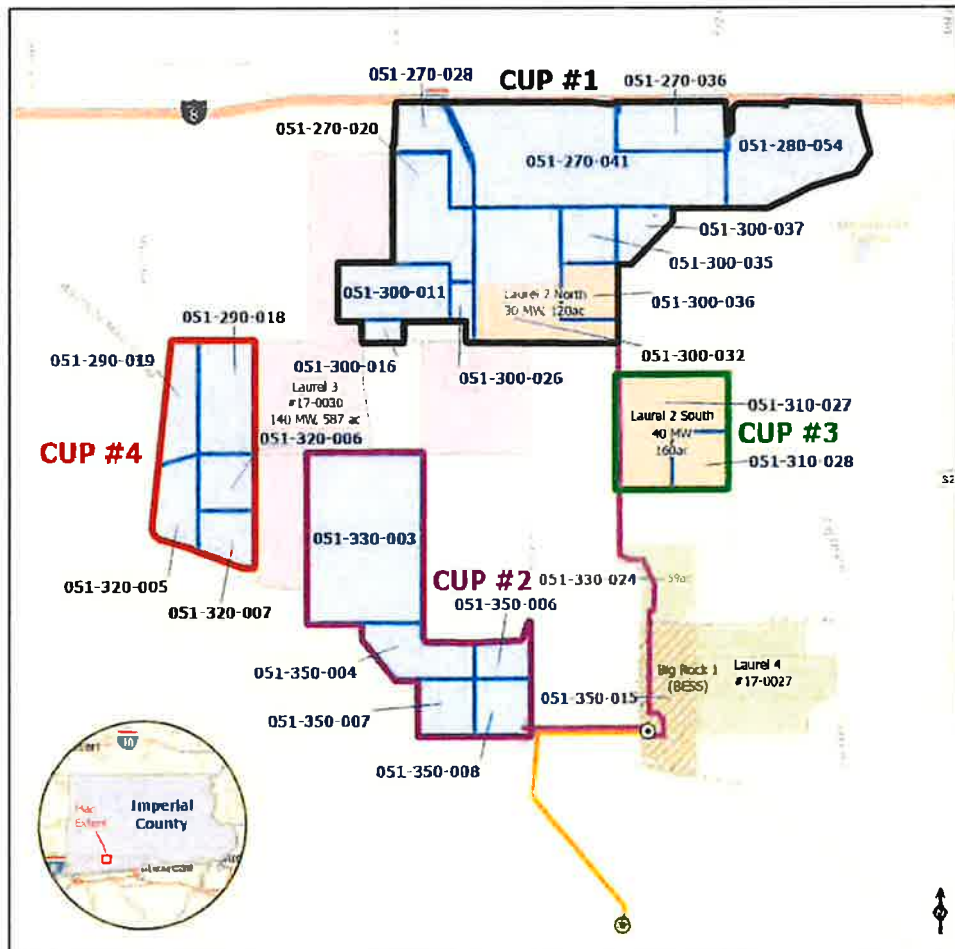


**This page left blank intentionally.**

## **Big Rock 2 Cluster Solar and Storage Project**

This document contains Supporting Materials for the following Conditional Use Permit Applications Packages:

1. **CUP #1: Big Rock 2 Cluster North (1,030 acres)**
  - Big Rock 2 Cluster North (910 acres), including;
    - Laurel Cluster 2 North /CUP # 21-0014 (120 acres) *(to be re-entitled)*
2. **CUP #2: Big Rock 2 Cluster South (410 acres)**
3. **CUP #3: Big Rock 2 Cluster East/Laurel Cluster 2 South CUP # 21-0013) (160 acres) *(to be re-entitled)***
4. **CUP #4 Big Rock Cluster West (249 acres)**



**This page left blank intentionally.**



# TABLE OF CONTENTS

<b>INTRODUCTION .....</b>	<b>1</b>
<b>Site Information.....</b>	<b>4</b>
<b>PROJECT DESCRIPTION.....</b>	<b>7</b>
<b>Overview.....</b>	<b>7</b>
<b>Project Objectives .....</b>	<b>7</b>
<b>Project Components .....</b>	<b>8</b>
PV Module Configuration .....	8
Collection, Inverter and Transformer Systems .....	11
Battery Energy Storage System .....	12
Substation(s).....	15
Transmission Line and Interconnection.....	15
Operations and Maintenance (O&M) Building.....	16
Roadway and IID Crossings.....	16
Water Usage .....	16
Water Storage.....	17
Site Security and Fencing.....	17
Lighting .....	17
Annual Production .....	17
Electric Service.....	17
<b>Project Construction .....</b>	<b>18</b>
Construction Activities and Duration .....	18
Laydown Areas.....	19
Workforce.....	19
<b>Project Operation.....</b>	<b>19</b>
Operational Activities .....	19
Workforce.....	19
<b>Project Compliance Plans and Best Management Practices .....</b>	<b>20</b>
Hazardous Materials and Hazardous Waste Management .....	20
Spill Prevention and Containment.....	20
Wastewater/Septic System .....	21
Solid Waste Management .....	21
Dust Control.....	21
Pest and Vegetation Management.....	21
Fire Management .....	22
Health and Safety .....	22
General Plan Consistency .....	23
<b>Decommissioning and Reclamation .....</b>	<b>23</b>
<b>Anticipated Required Project Entitlements.....</b>	<b>24</b>

## **APPENDICES**

**Appendix A**      **Site Plan**

**Appendix B**      **Full Resolution Map Figures**

## INTRODUCTION

90FI 8me LLC (“the Applicant”) is seeking approval of four (4) Conditional Use Permits (CUPs) associated with the construction and operation of a utility-scale [up to 500-megawatt (MW) in capacity] photovoltaic (“PV”) solar energy generation and Battery Energy Storage System (“BESS”) facility (also up to 500-MW in capacity). The proposed Project, collectively called, the Big Rock 2 Cluster Solar and Storage Project (“Big Rock 2” or the “Project”) contemplates utilizing approximately 1,569 acres of “new lands” that have not previously been entitled, in addition to up to 867 acres of lands that are currently entitled under active CUPs known as Laurel Cluster 3 (587 acres), Laurel Cluster 2 North (120 acres), and Laurel Cluster 2 South (160 acres) totaling 2,436 acres of available land for development (Figure 1).

Energy generated by the Project would be collected using up to 66 kilovolt (“kV”) collector lines which could run overhead and/or underground to a dedicated Project substation. A 230-kV overhead generation intertie (gen-tie) transmission line is anticipated to link the Project substation to the Liebert Switchyard (pending construction), which will then be connected via an overhead 230-kV gen-tie line to the existing San Diego Gas and Electric (SDG&E) Imperial Valley Substation (Figure 1). It is anticipated that all BESS facilities associated with the Project will be developed concurrently with PV componentry and situated in proximity to Project sub-station(s); however, the CUP areas may cooperate if necessary to meet energy production and Project needs, by allowing one CUP area to utilize “BESS” credits of another. Likewise, the Project may share facilities such as Operations & Maintenance (O&M) facilities, transmission-related facilities, Project sub-station(s), and/or other appurtenances.

The Applicant intends to secure CUPs from Imperial County as the lead agency, along with permits and approvals from other relevant agencies as required by law. Laurel Cluster 3 CUP (#17-0030) is associated with a 10-year Development Agreement (DA) (Document Number 2023012228). However, Laurel Cluster 2 CUPs may expire prior to this approval, therefore, those areas have been integrated into this request, upon approval, Imperial County would void CUPs #21-0014 and #21-0013. Table 1 provides a breakdown of Project areas and acreage availability.

**Table 1: Total Project Area and Land Availability**

	<b>Acres Available</b>	<b>CUP #</b>
Big Rock 2 Cluster North, including Laurel Cluster 2 North (120 acres) parcels under CUP # 21-0014 (expires Dec. 2024)	1,030	CUP Request #1 (partial re-entitlement)
Big Rock 2 Cluster South	410	CUP Request #2
Big Rock 2 Cluster East/Laurel Cluster 2 South parcels under CUP #21-0013 (expires Dec. 2024)	160	CUP Request #3 (re-entitlement)
Big Rock 2 Cluster West	249	CUP Request #4
<i>Laurel Cluster 3 CUP #17-0030</i>	<i>587</i>	<i>NA (under 10-year DA)</i>



## Site Information

### Site Characteristics

The proposed Project site is located in unincorporated Imperial County, south of Interstate 8, approximately one mile southwest of the town of Seeley, California, and approximately six miles north of the United States International Border with Mexico (Figure 1).

The topography of the Project area is relatively flat, consisting primarily of fields and unpaved roads, and all the Project parcels have been extensively cleared, plowed, and maintained for agricultural production. Due to the extensive irrigated farming history within the Project area, as well as locally high-water table, many irrigation canals and drains occur within proximity of the Project. These include a segment of the New River adjacent to the northeast corner of the Project, and the Imperial Irrigation District (IID) Westside Main Canal which is located along the west and southern edges of the Project area. In addition, multiple named irrigation canals and drains are located adjacent to the unimproved roadways in the Project area, including Fern Canal and Sidemain, Foxglove Canal, Wixom and Fig Drains, and Dixie Drains Two, Three, Three A and Three B.

### Parcels, Zoning, and Acreage(s)

**Table 2: Big Rock 2 Cluster North (New CUP Request #1)**

	APN	Zoning	Acres
1	051-270-020	A-2-R	101.8
2	051-270-028	A-2	52.3
3	051-270-036	A-2	67.4
4	051-270-041	A-2-R	279.0
5	051-280-054	A-2	149.5
6	051-300-011	A-2	79.6
7	051-300-016	A-2	10.8
8	051-300-026	A-2	13.4
9	051-300-035	A-3	40.3
10	051-300-037	A-3	28.9
11	051-300-032 (northern portion)	A-2	85.5
	<b>Sub-total</b>		<b>910</b>
	<b>Laurel 2 North CUP #21-0014 (Expires December 2024)</b>		
12	051-300-032 (southern portion) (to be re-entitled)	A-2-RE	80
13	051-300-036 (to be re-entitled)	A-3-RE	40.3
	<b>Sub-total</b>		<b>120</b>
	<b>TOTAL ACRES</b>		<b>1,030</b>

**Table 3: Big Rock 2 Cluster South (New CUP Request #2)**

	APN	Zoning	Acres
1	051-330-003	A-3	246.5
2	051-350-004	A-3	57.4

	APN	Zoning	Acres
3	051-350-006	A-3	26.3
4	051-350-007	A-3	40.0
5	051-350-008	A-3	40.0
	<b>TOTAL ACRES</b>		<b>410</b>

**Table 4: Big Rock Cluster 2 East (to be re-entitled) (New CUP Request #3)**

<b>Laurel Cluster 2 South CUP #21-0013 (Expires December 2024)</b>			
	APN	Zoning	Acres
1	051-310-027	A-2-R-RE	120.0
2	051-310-028	A-2-R-RE	39.9
	<b>Total</b>		<b>160</b>

**Table 5: Big Rock 2 Cluster West (New CUP Request #4)**

	APN	Zoning	Acres
1	051-290-018	A-2-R	79.8
2	051-290-019	A-3	48.7
3	051-320-005	A-3	45.0
4	051-320-006	A-3	39.9
5	051-320-007	A-3	35.3
	<b>TOTAL ACRES</b>		<b>249</b>

## Site Information

### Site Characteristics

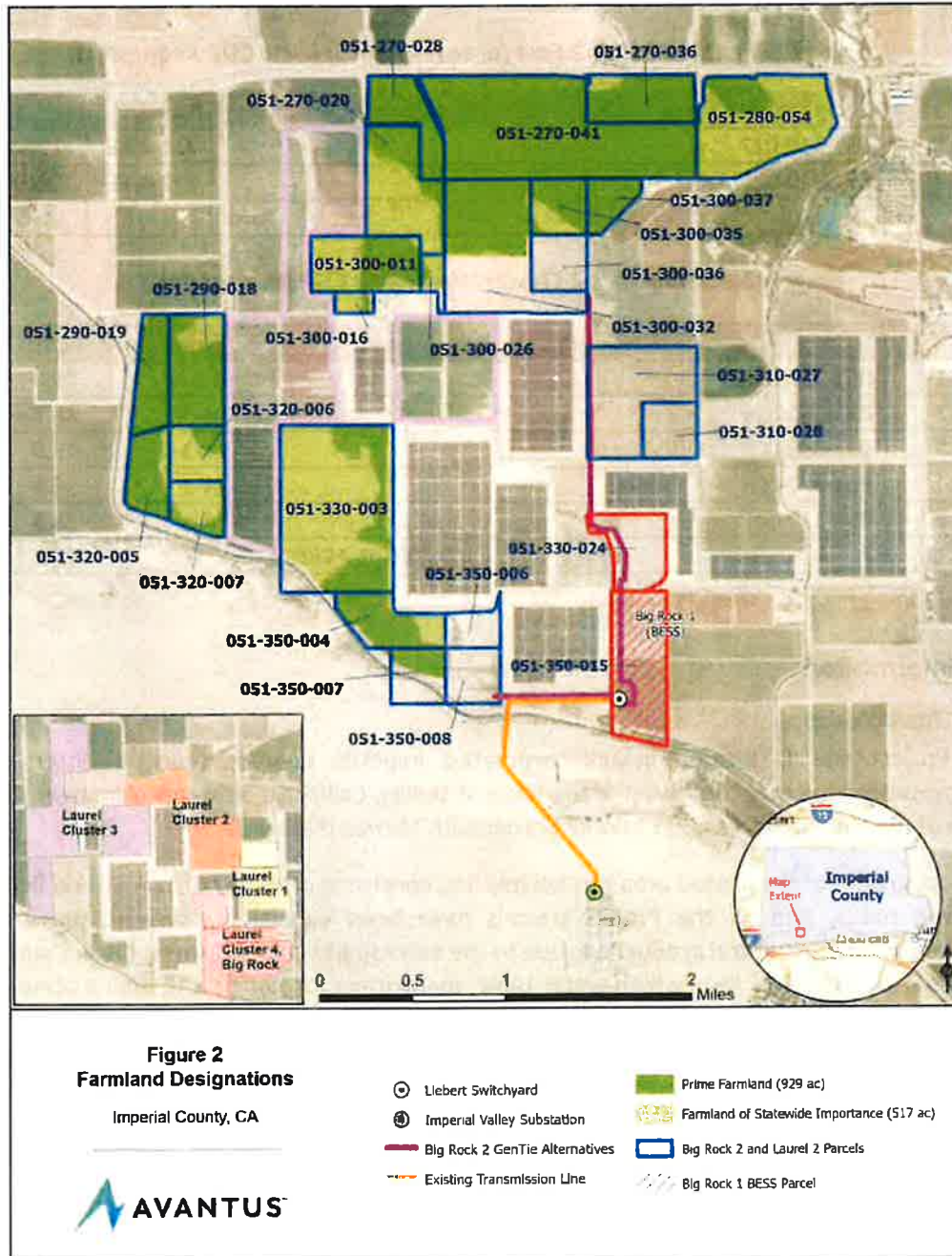
The Project site is located in unincorporated Imperial County, south of Interstate 8, approximately one mile southwest of the town of Seeley, California, and approximately six miles north of the United States International Border with Mexico (Figure 3).

The topography of the Project area is relatively flat, consisting primarily of agricultural fields and unpaved roads, and all the Project parcels have been extensively cleared, plowed, and maintained for agricultural production. Due to the extensive irrigated farming history within the Project area, as well as locally high-water table, many irrigation canals and drains occur within proximity of the Project. These include a segment of the New River adjacent to the northeast corner of the Project, and the Imperial Irrigation District (IID) Westside Main Canal which is located along the west and southern edges of the Project area. In addition, multiple named irrigation canals and drains are located adjacent to the unimproved roadways in the Project area, including Fern Canal and Sidemain, Foxglove Canal, Wixom and Fig Drains, and Dixie Drains Two, Three, Three A and Three B.

The entire Project area is designated Agricultural in the Imperial County General Plan. Current land use of the Project parcels includes cropland, dryland grain crops, irrigated grain and hayfields, row crops, orchards, and pastureland.

Figure 2 also illustrates Prime Farmland and Farmland of Statewide Importance; however, the Project does not include agricultural lands designated under the “Williamson Act”.

**Figure 2: Farmland Designations**



## ***Adjacent Lands***

### *Existing Land Use*

The Project is adjacent and proximal to both Agricultural and Agricultural/Rural lands that have been rezoned for renewable energy (RE), specifically for PV solar and BESS projects that have been approved by Imperial County.

Nearby land uses are predominantly agricultural and/or renewable energy generation, but also include commercial, transportation, military, and electric utility uses. Commercial land uses include the Rio Bend Golf Course (*and associated Specific Plan Area*) to the east of the Project. The Interstate 8 and Union Pacific Railroad transportation corridors are located to the north of the Project. To the south of the Project, utility land uses include the SDG&E Imperial Valley Substation, as well as additional agricultural lands that have been designated for PV solar, and BESS renewable energy projects.

### *Operational Renewable Energy Facilities*

Campo Verde Solar, owned by Southern Power, became operational in September 2013 and is located on multiple APNs that are adjacent to the proposed Project (Figure 1).

### *Renewable Energy Facilities Pending Entitlement*

The Consolidated Edison Development Westside Canal Battery Storage Project is a utility-scale energy storage development approved by Imperial County and is located on two APNs adjacent to the southernmost parcels of the proposed Big Rock 2 Project (Figure 1).



## **PROJECT DESCRIPTION**

### **Overview**

The Applicant proposes to develop, design, and construct a PV solar energy generation and BESS facility comprised of up to 500 megawatt alternating current (MWac) PV solar and up to 500 MWac of BESS. Power generated by the Project would be collected using up to 66-kV collector lines which could run overhead and/or underground to a dedicated Project substation, with a 230-kV overhead generation transmission line or “gen-tie” line linking a Project substation to the Imperial Irrigation District (IID) Liebert Switchyard. The Liebert Switchyard would then be connected to the SDG&E Imperial Valley substation via an overhead 230-kV gen-tie line. The Project contemplates two gen-tie line alternatives as depicted in Figure 1.

The Applicant has considered the following in its selection of the Big Rock 2 PV solar and BESS Project for detailed evaluation:

- Private land availability suitable for renewable energy development
- Compatible Land Use Zoning: Agricultural/Rural Zone(s)
- Proximity to the SDG&E Imperial Valley substation
- Proximity to the applicant’s previously approved PV solar and BESS projects entitled with Imperial County

### **Project Objectives**

The primary objective of 90FI 8me LLC is to develop, design and construct a large-scale solar PV and BESS facility in Imperial County that, when operational, maximizes the production of clean, reliable, and renewable electric power in an economically feasible and commercially financeable manner. The power produced by the Project is expected to be marketed to utility companies, Community Choice Aggregators (CCAs), or other large-scale energy off-takers. Additional Project objectives include:

- Provide renewable energy to the electric grid to meet increasing demand for in-state generation and provide energy storage that can be dispatched to the regional grid during times of greatest energy demand.
- Integrate the proposed Project operating facilities with previously proposed and entitled PV solar and BESS projects in the project vicinity to maximize economies of scale.
- Provide annual revenues consistent with the Public Benefit Program for Solar Power Plants in Imperial County (Amended May 9, 2023, by the Board of Supervisors) that directly supports Agriculture, Community Benefits Funds, and Public Services (e.g., Sheriff, Public Health, Fire Department) within Imperial County.
- Assist the County in continuing the goal in the Energy Element of its General Plan to develop large scale solar energy development as a major energy source in the County.
- Promote economic development and bring regionally defined living-wage jobs to the region throughout the life of the proposed Project.

- Support California’s efforts to reduce greenhouse gas (GHG) emissions consistent with the timeline established in 2006 under California Assembly Bill 32, the Global Warming Solutions Act of 2006, which requires the California Air Resources Board to reduce statewide emissions of greenhouse gases (GHGs) to at least the 1990 emissions level by 2020. This timeline was updated in 2016 under SB 32, which requires that statewide GHG emissions are reduced to at least 40 percent below the statewide GHG emissions limit by 2030.
- Support California’s Renewable Portfolio Standards (RPS) Program consistent with the timeline established by SB 100 (De León, also known as the “California Renewables Portfolio Standard Program: emissions of greenhouse gases”) as approved by the California Legislature and signed by Governor Brown in September 2018, which established a 50 percent RPS goal by December 31, 2026, 60 percent by December 31, 2030, and a goal that 100 percent of electric retail sales to end-use customers be provided by renewable energy and zero-carbon resources by 2045.
- Utilize historically farmed lands that could otherwise be fallowed due to current and future water shortages, thereby providing local farmers and/or agricultural landowners in Imperial County an alternative to the economic losses associated with limiting their agricultural production.

## **Project Components**

### ***PV Module Configuration***

The Project would use PV panels or modules<sup>1</sup> on mounting frameworks to convert sunlight directly into electricity. Individual panels would be installed on either fixed-tilt or tracker mount systems (single- or dual-axis, using galvanized steel or aluminum). If the panels are configured for fixed tilt, they would be oriented toward the south. For tracking configurations, the panels would rotate to follow the sun over the course of the day. Although the panels could stand up to 15 feet in height (H), depending on the mounting system used, panels are expected to remain between six (6) and eight (8) feet in height.

---

<sup>1</sup> Including but not limited to bi-facial or concentrated photovoltaic (CPV) technology.



*Typical fixed-tilt solar panel rows*



*Typical single axis tracking solar panels*



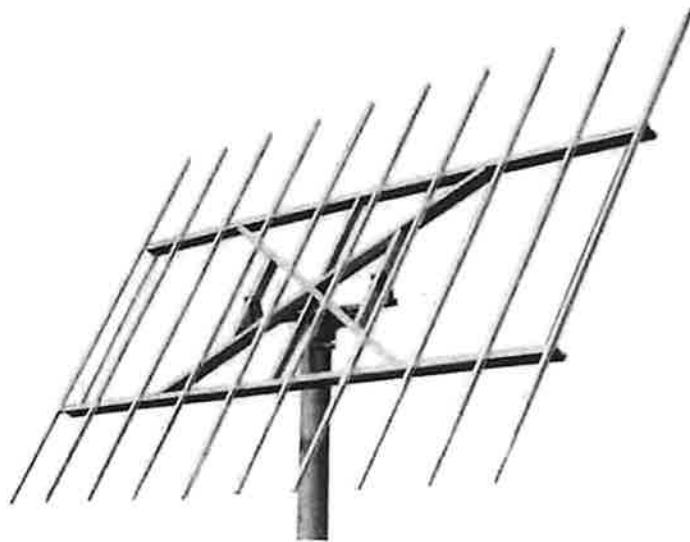
*Typical dual axis tracking solar panels*

The solar panel array would be arranged in groups called blocks, with inverter stations generally located centrally within the blocks. Blocks would produce direct electrical current (“DC”), which is converted to alternating current (“AC”) at the inverter stations.

Each PV module would be placed on a fixed-tilt or tracker mounting structure. The foundations for the mounting structures can extend up to 10 feet below ground, depending on the structure, soil conditions, and wind loads, and may be encased in concrete or use small concrete footings. A light-colored ground cover or palliative may be used to increase electricity production. Final solar panel layout and spacing would be optimized for the Project area characteristics and the desired energy production profile.



*Typical fixed-tilt mounting structure*

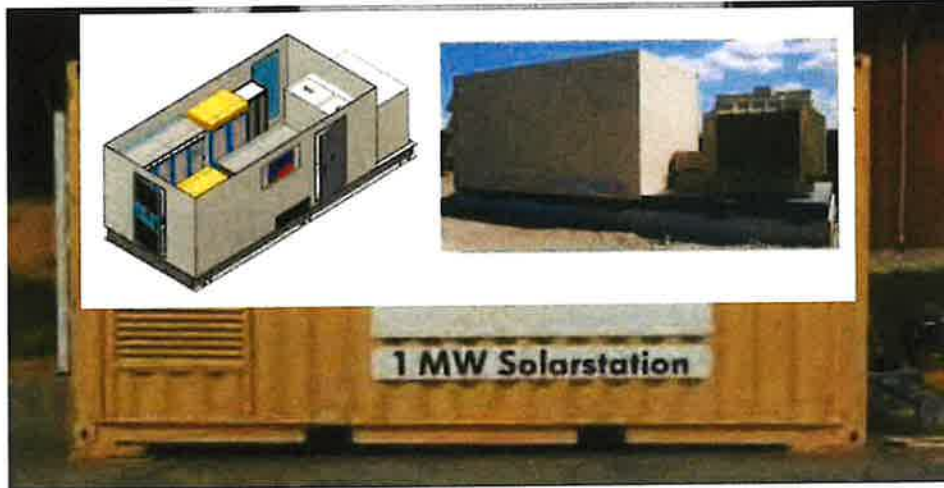


*Typical dual axis mounting structure*

#### ***Collection, Inverter and Transformer Systems***

DC energy is delivered from the PV panels via cable to inverter stations, generally located near the center of each block. Inverter stations convert the DC energy to AC energy which can be dispatched to the transmission system. PV Inverter stations are typically comprised of one or more inverter modules with a rated power of up to 5-MW each, a unit transformer, and voltage switch gear. BESS units for the Project would be connected to bidirectional inverter stations, high-level control system(s), transformers, and ultimately the Project substation(s) bus bar via a series of overhead or underground electrical collector lines ranging from 66kV to 230kV. Utilizing these Project components, the DC onsite PV panel and battery energy would be converted to AC energy and dispatched to the regional transmission grid, and this process would be reversed to charge the batteries from electrical energy imported from the regional transmission grid for onsite energy storage. PV and BESS inverter stations are typically comprised of one or more inverter modules with a rated power of up to 10 MW each, and a unit transformer, and voltage switchgear. The unit transformer and voltage switch gear are housed in steel enclosures, while the inverter module(s) and control system(s) are housed in cabinets. Depending on the vendor selected for the Project, the inverter stations may be located within an enclosed or canopied metal structure, typically a skid or concrete pad.

Overhead and/or underground collector lines may be bundled together as they approach the substation(s), sharing common poles or trenches. Collector lines would then connect to the Project substation bus bar before being stepped up to 230kV for transmission. Potential collector line routes for the Project are provided in Figure 1; however, not all routes will ultimately be developed. The 66kV collector lines would be connected from the various PV parcels and the BESS system to the step-up project substation. The final location(s) of each component, height, and structure type(s) would be determined before the issuance of building permits for the Project by Imperial County.

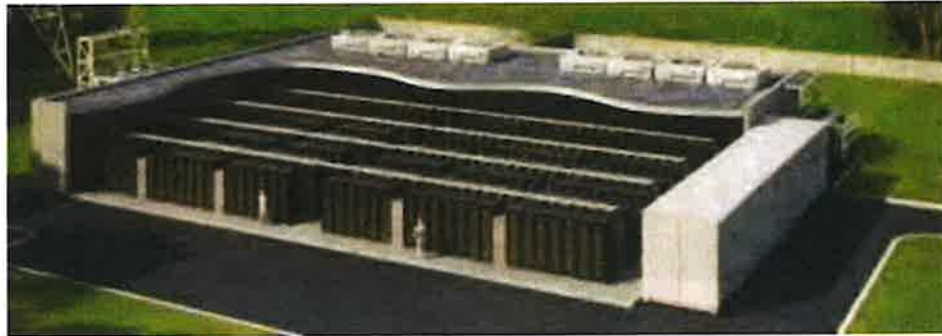


*Typical inverter stations*

**Battery Energy Storage System**

The Project will include one or more BESS, located at or near the Project substation(s)/switchyard(s), the inverter stations, or elsewhere onsite. BESS' consist of modular and scalable battery packs and battery control systems that conform to California and U.S. national safety standards. The BESS modules, which could include commercially available lithium or flow batteries, and typically consist of ISO standard all-weather containers (approximately 40'L x 8'W x 8'H) housed in pad- or post-mounted, stackable metal structures, but may also be housed in a dedicated building(s) in compliance with applicable regulations. The maximum height of a dedicated structure is not expected to exceed 25 feet. The actual dimensions and number of energy storage modules and structures vary depending on the application, supplier, and configuration chosen, as well as on off taker/power purchase agreement requirements for the Project.

The BESS would be in unmanned, remotely controlled containers that would be periodically inspected by Project personnel for maintenance purposes. The BESS would be designed to conform with Imperial County and national BESS fire standard NFPA 855 and/or other applicable national standards. The BESS would have all required UL9540A reports (or equivalent) and would be certified to UL9540 (or equivalent), if required. BESS' require additional components to be fully operational, and that allow the batteries to be connected to the regional transmission grid as discussed below.

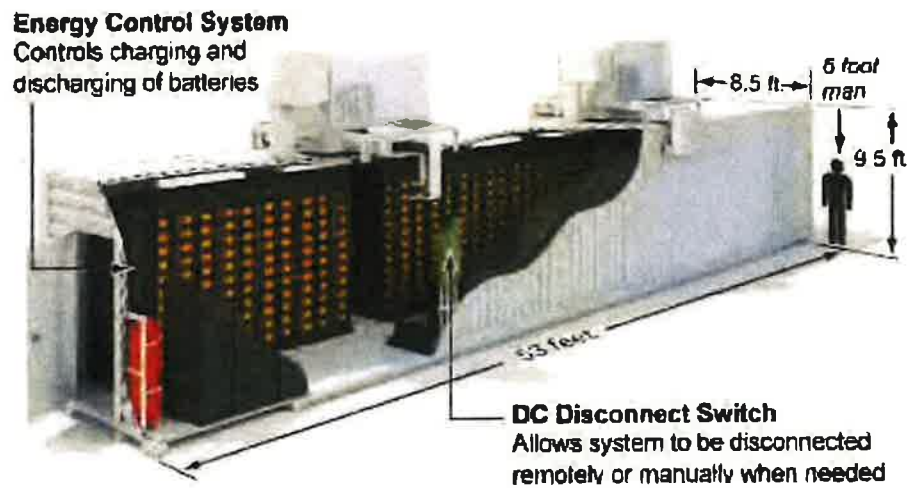


*BESS Installed in Dedicated Structure*





*Modular BESS Installed on Multiple Concrete Pads*



*Typical BESS module configuration*





### *Typical BESS*

#### ***Substation(s)***

The proposed Project would have its own dedicated substation equipment located within the Project footprint. Dedicated equipment may incorporate several components, including high-voltage and auxiliary power transformers, distribution cabinets, revenue metering systems, a microwave transmission tower, voltage switch gear, transmission poles and racking, and bus bar(s) of various voltages for interconnection(s). The substation may also include telecommunications facilities, fiber optic communication cables, equipment, and associated structures for diverse path routing of communications. Substations typically occupy an area of up to approximately five (5) acres and are secured separately by a chain-link fence.

Substations typically include a small control building (approximately 500 square feet) standing approximately ten (10) feet tall. The building is either prefabricated concrete or steel housing with rooms for the voltage switch gear and the metering equipment, a room for the station supply transformer, and a separate control technology room in which the main computer, the intrusion detection system, and the main distribution equipment are housed. Components of this building (e.g., control technology room and intrusion detection system) may instead be located at an O&M building described later in this Project Description.



*Typical Substation*

#### ***Transmission Line and Interconnection***

The Project 230kV step-up substation would connect to the 230kV Liebert Switchyard, via one of the proposed gen-tie line alternatives (Figure 1). The Liebert Switchyard will have a direct connection to the existing SDG&E Imperial Valley Substation via an existing overhead 230kV gen-tie line. Overhead transmission conductors may be mounted on tubular steel poles up to 200 feet in height and would include associated insulator and hardware assemblies, the appropriate number of spans of conductor and optical ground wiring, and dead-end structures at both the Project substation and the Liebert Switchyard. Portions (or all) of the gen-tie line may be

undergrounded as necessary. The structure type(s), height, and final location(s) of each component would be determined before the issuance of building permits by Imperial County.

Alternative gen-tie routing(s) is depicted in Figure 1 and may utilize currently entitled lands and/or private easements; however, additional alternate routing may include gen-tie line(s) directly to the Imperial Valley substation, utilizing additional/other private and/or Bureau of Land Management (BLM) lands.

#### ***Operations and Maintenance (O&M) Building***

The Project may include an O&M building of approximately 40' x 80' in size, with associated onsite parking. The O&M building would be steel framed, with metal siding and roof panels. The O&M building may include the following:

- Office
- Repair building/parts storage
- Control room
- Restroom
- Septic tank and leach field
- Water supply
- Heating, ventilation, and air conditioning (HVAC)

Roads, driveways, and parking lot entrances would be constructed in accordance with Imperial County standards. Parking spaces and walkways would be constructed in conformance with all California Accessibility Regulations. Any unused O&M areas onsite may be covered by solar panels. The structure type(s), height, and final location(s) of each component would be determined before the issuance of building permits by Imperial County.

#### ***Roadway and IID Crossings***

The Project may require the following crossing types of Imperial Irrigation District (IID) canals and/or drains and unimproved Imperial County roads: overhead electric, underground electric, vehicular crossings. The exact locations of the crossings are not known at this time but are not anticipated to interfere with the purpose or continued use of these facilities. For instance, where a drain flows, the Project crossing or access point would still allow the drain to flow. As required by IID, the Project may be required to make minor improvements to on-site drains. IID requires solar projects to improve existing drain outflow pipes. This typically involves installation of new drain outflow pipes to reduce erosion within the drains. Exact locations and dimensions of any required IID facility and/or County roadway crossings would be determined prior to issuance of building permits by Imperial County.

#### ***Water Usage***

Water demand for panel washing and O&M domestic use is not expected to exceed 100 acre-feet per year. Water usage during construction, primarily for dust-suppression purposes, is not expected to exceed 700 acre-feet in total. Decommissioning of the Project at the end of its anticipated useful lifespan may require approximately an additional 700 acre-feet. Water would be obtained from the landowner's water supply, local irrigation district, or delivered via truck from off-area source(s). A small water treatment system may be installed onsite near or within the O&M building to provide deionized water for panel washing.

### ***Water Storage***

One or more above-ground water storage tanks with a total capacity of up to 100,000 gallons may be placed near the O&M building. The storage tank(s) near the O&M building would have the appropriate fire department connections to be used for fire suppression. These storage tanks could be up to 30-feet in height.

### ***Site Security and Fencing***

The Project area would be enclosed within a chain link fence measuring seven (7) to ten (10) feet in height from finished grade. An intrusion alarm system comprised of sensor cables integrated into the perimeter fence, intrusion detection cabinets placed approximately every 1,500 feet along the perimeter fence, and an intrusions control unit, located either in the substation control room or at the O&M building, or similar technology, may be installed. Additionally, the Project may include additional security measures including, but not limited to, low voltage fencing with warning reflective signage, controlled access points, security camera systems, and security guard vehicle patrols to deter trespassing and/or unauthorized activities that could interfere with operation of the Project.

Controlled access gates would be maintained at the main entrances to the Project. Project area access would be provided to offsite emergency response teams that respond in an after-hours emergency. Enclosure gates would be manually operated with a code or key provided in an identified key box location.

### ***Lighting***

Outdoor lighting for the Project would be the minimum required for safety and will be directed away from public rights-of-way and adjacent private property. All outdoor lighting used onsite would be of the lowest intensity necessary to provide suitable light for site security and safe ingress and egress, in compliance with any applicable regulations, measured at the property line after dark. Outdoor lighting is anticipated to be necessary for the access gates, substation(s), O&M building, control room, and inverters to allow for safe access and emergency maintenance. Site lighting may also include motion sensor lights installed within the solar fields in proximity to the inverters for security purposes.

### ***Annual Production***

The Project PV solar will have a nominal output capacity of up to 500 (AC), generating sufficient electricity to power approximately 130,000 homes. The Project would generate electrical power during daylight hours. Peak electricity demand in California corresponds with air conditioning use on summer afternoons when ambient temperatures are high. The Project's peak generating capacity corresponds to this time period. There is no generating capacity between sunset and sunrise due to the lack of solar energy, though power may be released from the 500 MW BESS at any time of day.

### ***Electric Service***

Commercial operational low voltage electric service may be obtained from IID for the Projects' O&M building(s) and auxiliary loads. Temporary electric service is typically obtained for primary construction logistical areas. Generator power may be utilized for temporary portable construction trailer(s) during Project construction and/or decommissioning.

## **Project Construction**

### ***Construction Activities and Duration***

The construction period for the Project is approximately 18 to 24 months.

Construction would include the following activities:

- Site preparation
- Access and internal circulation roads
- Grading and earthwork
- Concrete foundations
- Structural steel work
- Panel installation
- Electrical/instrumentation work
- Collector line installation
- Battery unit installation
- Stormwater management facilities
- Gen-tie line poles and conductor stringing

Roadways would only be temporarily affected, and only during the Project's construction period. Construction traffic would access the Project site from the north or south via Derrick Road, Jessip Road, Westside Road, and Hyde Road, and from the east via Diel Road and Wixom Road (or other nearby local roads). Large trucks would likely utilize Interstate 8 and S29 (Drew Road) for materials deliveries. It is anticipated that traffic would entirely avoid the town of Seely.

Noise generated during construction activities would comply with the Imperial County noise ordinances (Title 9 Land Use Code, Division 7). Heavy construction is expected to occur between 6:00 am and 5:00 pm, Monday through Saturday. Additional hours may be necessary to make up schedule deficiencies or to complete critical construction activities. Some activities may continue 24 hours per day, seven days per week. Low level noise activities may potentially occur between the hours of 10:00 pm and 7:00 am. Nighttime activities could potentially include, but are not limited to, refueling equipment, concrete pours, staging material for the following day's construction activities, quality assurance/control, and commissioning.

Materials and supplies would be delivered to the Project Area by truck. Truck deliveries would normally and primarily occur during daylight hours. However, there would be occasional offloading and/or transporting to the Project on weekends and during evening hours.

Earthmoving activities are expected to be limited to the construction of the access roads, O&M building, substation, water storage tank(s), solar panel foundation supports, BESS(s), transmission poles and conductor stringing, and any storm water protection or storage (detention) facilities. The Project is not anticipated to pave, remove, or significantly alter existing agricultural soil(s). Rather, solar panels would be installed atop the flat lots, leaving the farming soil relatively undisturbed and available for crop cultivation at the end of the Project's life. Final grading may include revegetation with low lying grass or applying earth-binding materials to disturbed areas to control dust and increase the reflectivity of the ground surface.

Site preparation would be planned and designed to minimize the amount of earth movement required for the Project, to the extent feasible. The hydrology design would be given priority to protect the Project's facility components, as well as adjacent IID canals/drains and County roads, from erosion during large storm events. The existing on-site drainage patterns would be maintained to the greatest extent feasible. Compaction of the soil to support the building and traffic loads as well as the PV module and BESS supports may be required and is dependent on final geotechnical investigations and engineering designs. These final engineering designs would be reviewed by IID and the County prior to Imperial County issuing building permits.

#### ***Laydown Areas***

At full build-out, most of the Project footprint would be disturbed by construction of the Project. Therefore, temporary construction lay down and materials staging areas, construction trailer locations, and construction parking areas will all be provided within the Project disturbance footprint. Due to the large scale of the Project, the lay down areas may be relocated periodically within the solar field acreage as the project is built out.

#### ***Workforce***

It is estimated that up to 500 workers per day (during peak construction periods) would be required to construct the Project.

### **Project Operation**

#### ***Operational Activities***

The PV solar and BESS facility would operate seven days a week, 24 hours a day. Maintenance activities may occur seven days a week, 24 hours a day to ensure PV panel output when solar energy is available, while the BESS could dispatch energy at any time during the day or night.

Once constructed, maintenance of the PV solar and BESS facility would generally be limited to the following:

- Cleaning of PV panels
- Monitoring PV panel and BESS electricity generation
- Providing site security
- Maintenance of stormwater facilities
- Maintenance of PV solar and BESS facilities including replacing or repairing inverters, wiring, or electrical components, and maintaining, repairing, or replacing substation components.

#### ***Workforce***

It is expected that the Project would require an operational staff of up to 15 full-time employees. It is possible that the proposed Project could share O&M, substation, and/or transmission facilities with other adjacent PV solar and BESS projects that have been approved and entitled by Imperial County, or with any future proposed renewable energy projects nearby. In such a scenario, the projects would share personnel, thereby potentially reducing the project's on-site staff.

## **Project Compliance Plans and Best Management Practices**

The following sections describe standard Project feature compliance plans and best management practices that would be applied during construction and/or long-term operation of the Project, as applicable, to maintain human health and safety, ensure local, state, and federal regulatory compliance, and to avoid or minimize unplanned environmental impacts resulting from construction and/or operation of the Project.

### ***Hazardous Materials and Hazardous Waste Management***

The Project would utilize and store materials onsite that have been defined as hazardous under Title 40 of the Code of Federal regulations (CFR) Part 261, require a Material Safety Data Sheet (MSDS) per the California Labor Code Section 6360, is a listed substance in Section 339 of Title 8 of the California Code of Regulations (CCR), or is defined as hazardous waste per Chapter 6.5 of the California Health and Safety Code.

The following hazardous materials are expected to be used during the construction, operation, and long-term maintenance of the Project:

- Insulating mineral oil for electrical transformers and other electrical equipment
- Lubricating oil for maintenance vehicles
- Various solvents and detergents for cleaning equipment
- Gasoline for maintenance vehicles
- Lithium-ion batteries for storage of electrical energy

Note that additional materials may be used for the project, as required. All hazardous materials would be transported, managed, used, handled, and stored on the Project site during construction and operations. Hazardous waste would be inventoried, stored, transported, and disposed of in accordance with all applicable local, state, and federal regulations at the end of construction or as required during Project operation. Most hazardous materials would be maintained at the Project site in quantities below the threshold requiring a Hazardous Material Business Plan (HMBP) per California Environmental Protection Agency (CalEPA): 55-gallons of a liquid, 200 cubic feet of a gas, and 500 pounds of a solid.

The Project anticipates preparing and implementing a HMBP for the lithium-ion batteries within the BESS, as well as any other hazardous materials that may be stored on the Project site at or above the state-defined thresholds. Chemical storage tanks (if any) would also be designed and installed to meet applicable local and state regulations. Any wastes classified as hazardous such as solvents, degreasing agents, concrete curing compounds, paints, adhesives, chemicals, or chemical containers would be stored in an approved storage facility/shed/structure onsite and disposed of as required by local, state, and federal regulations, as outlined in the HMBP.

### ***Spill Prevention and Containment***

Spill prevention and containment for construction and operation of the Project would adhere to the Environmental Protection Agency's (EPAs) Rule on Spill Prevention Control and Countermeasures (SPCC), which helps facilities prevent oil spills into navigable waters of the U.S. Although aboveground stored quantities of diesel fuel, gasoline, lubricating or hydraulic oils are not expected to exceed EPA storage thresholds during construction, the quantity of insulating

mineral oil required for operation of the Project substation transformers may reach EPA thresholds. SPCC plans would be developed for both Project construction and operations to ensure compliance with the EPA SPCC Rule, and ensure that appropriate spill prevention, control and countermeasures are developed to ensure that potential spills would not discharge into the New River or other navigable waters of the U.S. (e.g., IID canals) located in proximity to the Project.

#### ***Wastewater/Septic System***

A standard onsite septic tank and leach field may be installed and used at the O&M building to dispose of small daily volumes of sanitary wastewater generated by the Projects' operational personnel. The septic system would be designed to meet operation and maintenance guidelines required by Imperial County.

#### ***Solid Waste Management***

Inert solid wastes resulting from Project construction activities may include recyclable items such as paper, cardboard, solid concrete and block, metals, wire, glass, type 1 through 4 plastics, wood, and lubricating oils. Non-recyclable items may include insulation, drywall, other plastics, food waste, vinyl flooring and base, carpeting, paint containers, packing materials, and other construction wastes. To ensure that these wastes are recycled and disposed of properly, the applicant will prepare a Construction Waste Management Plan for review by the County prior to issuance of building permits. Consistent with Imperial County Public Health Department solid waste regulations and the California Green Building Code, the Plan would provide for diversion of a minimum of 50 percent of construction waste from landfill. Project operations are not anticipated to generate significant amounts of any inert solid wastes, recyclable or otherwise, and therefore are not expected to require a management plan.

#### ***Dust Control***

Fugitive dust generated during Project construction would be controlled by utilizing Best Available Control Measures for Fugitive Dust (PM10) (e.g., watering, soil binders or tackifiers, wind screens, signage, speed restrictions, etc.) required by Imperial County Air Pollution Control District (ICAPCD) Rule 801, or California Air Resources Board (CARB) Rule 403. The applicant would prepare a Project Dust Control Plan (DCP) for review by Imperial County prior to issuance of building permits. The DCP would specify appropriate control measures to implement during both active construction and while construction on the Project site is inactive and outline appropriate control measures for both disturbed onsite Project areas, as well as any offsite unimproved or unpaved roads utilized for the Project construction access. During long-term project operations, fugitive dust control is not anticipated to be required for the Project to comply with ICAPCD or CARB Fugitive Dust Rules.

#### ***Pest and Vegetation Management***

Non-native invasive plants and other pests that establish within the Project area would be controlled during Project construction and operations, consistent with the Imperial County office of the Agricultural Commissioner requirements for solar projects. The Applicant would prepare a Pest Management Plan for submission to the Imperial County Agricultural Commission. Long-term implementation of the Plan would include routine pest monitoring of the Project area, use of physical, mechanical, or chemical controls as necessary to manage pests, maintenance of

proper records documenting monitoring and pest management controls, and regular reporting to the Agricultural Commission as required.

### ***Fire Management***

The Project is located within the jurisdiction of Imperial County Fire Department. The Applicant will prepare a Fire Management Plan in accordance with Fire Department requirements for Project construction activities as well as long-term operations, including establishing appropriate emergency access to the Project site for first responders, and identifying Project-specific onsite fire protection or suppression systems that comply with Imperial County requirements.

The Project will incorporate many fire safety features to be described in detail in the Fire Management Plan, including access gates and service roads along the perimeter of the Project designed to meet or exceed fire code specifications (e.g., road width, turnarounds, etc.), PV modules and ancillary equipment constructed of fire-resistant materials, non-flammable ground cover and perimeter barriers (as required) around electrical equipment, and both portable and fixed fire suppression systems. Portable fire extinguishers would be provided at various locations throughout the Project site, while fixed fire suppression systems would be employed throughout the Project based on equipment manufacturer specifications and coordination with the Fire Department. These may include onsite water tank(s), built-in thermal, chemical and/or mechanical monitoring systems, and built-in fire suppression systems. The Plan will also describe best practices including vegetation management and landscape maintenance to help maintain fire-safe operating facilities. Access to nearby properties would not be hindered or restricted by any aspect of the Project Fire Management Plan.

### ***Health and Safety***

Health and safety precautions and best practices consistent with local, state, and federal regulations would be identified and implemented to ensure the safety for all personnel during Project construction and long-term operations. These administrative procedures and controls for Project construction and operational personnel will be supplemented with emergency response plans.

Administrative controls would include classroom and hands-on training in safe procedures for personnel operating and maintaining PV solar, BESS, and high-voltage electrical facilities, including general safety and implementation of a planned maintenance program. These controls would enhance overall Project safety and reliability when applied with the other physical Project safety system(s) and monitoring features incorporated as part of the Project design.

The Applicant will also prepare a Project-specific Emergency Response Plan (ERP). The ERP would outline the major components of an ERP specific to the Project, and address potential facility emergencies including chemical releases, fires, or personnel injuries, as well as identify appropriate protocols and actions during larger emergencies like earthquakes or regional emergency responses led by the Imperial County Office of Emergency Services. All Project employees would be provided with communication devices (e.g., cell phones and/or walkie-talkies) to ensure the ability to provide aid in the event of an emergency as described in the Plan.



### ***General Plan Consistency***

An amendment to the Imperial County General Plan and a zone change are anticipated to be required to implement the proposed Project. The Project parcels are located outside of the Imperial County Renewable Energy (RE) Overlay Zone, but directly adjacent to areas within the RE Overlay Zone. CUP applications proposed for specific RE projects not located in the RE Overlay Zone are not allowed without an amendment to the RE Overlay Zone. Therefore, the applicant is anticipating a General Plan amendment and zone change to include/classify the Project area in its entirety into the RE Overlay Zone.

### **Decommissioning and Reclamation**

PV solar and BESS equipment typically has a lifespan of over 30 years. The proposed Project expects to sell the renewable energy produced by the project under the terms of a long-term Power Purchase Agreement (PPA) with a utility or other power off taker. Upon completion of the PPA term, the project operator may, at its discretion, continue to generate and sell power from the project or decommission and remove the system and its components. Upon decommissioning, the PV solar and BESS facilities could be converted to other uses in accordance with applicable land use regulations in effect at that time.

It is anticipated that during project decommissioning, project structures that would not be needed for subsequent use would be removed from the project site. Above-ground equipment that may be removed would include module posts and support structures, on-site transmission poles that are not shared with third parties and the overhead collection system within the project site, inverters, substation(s), transformers, electrical wiring, equipment on the BESS and inverter pads, and related equipment and concrete pads.

Equipment would be de-energized prior to removal, salvaged (where possible), and shipped off-site to be recycled or disposed of at an appropriately licensed disposal facility. Once the PV solar modules are removed, the racks would be disassembled, and the structures supporting the racks would be removed. Site infrastructure would be removed, including fences, and concrete pads that may support the batteries, inverters, transformers, and related equipment, would also be removed. The demolition debris and removed equipment may be cut or dismantled into pieces that can be safely lifted or carried by standard construction equipment. The fencing and gates would be removed, and all materials would be recycled to the extent practical. Project roads would be restored to their pre-construction function unless they may be used for subsequent land use. The area would be thoroughly cleaned, and all debris removed. Materials would be recycled to the extent feasible, with the remainder disposed of in landfills in compliance with all applicable laws.

The applicant would prepare a Project Reclamation Plan that would be implemented at the end of the Project's useful life, and would be consistent with Imperial County's decommissioning/reclamation requirements, including, but not limited to:

- Description of the proposed decommissioning measures for the facility and for all appurtenances constructed as part of the facility.

- Description of the activities necessary to restore the Project area to its previous condition. Such activities include removing and recycling PV solar and battery equipment, storage equipment, medium voltage collector line, substation, and gen-tie lines. The soils would then be de-compacted and restored to agricultural purposes.
- Presentation of the costs associated with the proposed decommissioning/reclamation measures.
- Discussion of conformance with applicable regulations and with local and regional plans.

In the phased buildout, the phases would be decommissioned/reclaimed independently of one another.

### **Anticipated Required Project Entitlements**

#### ***Imperial County (Lead Agency)***

- Consideration and certification of the Final EIR
- Adoption of the Mitigation Measure Monitoring Program (MMMP)
- Approval of the proposed CUP by the County Board of Supervisors
- Approval by the County Board of Supervisors for applicable items as follows:
  - General Plan Amendment to the Renewable Energy Overlay Element (Zone Change(s),
  - Height Variances, and/or
  - Development Agreement and/or Voluntary Public Benefit Agreement
  - County Grading Permit
  - County Building permit(s)
  - County encroachment permits, easements and/or licenses, as applicable.

The following ministerial reviews and permit approvals are anticipated to be required for the Project by the Imperial County Department(s) and/or Division(s) shown below:

- Dust Control Plan - Air Pollution Control District
- Rule 310 Exemption (as applicable) - Air Pollution Control District
- Construction Traffic Control Plan - Department of Public Works
- County Road Encroachment Permits - Department of Public Works
- Vacation of Public Easements (as applicable) - Department of Public Works
- Site Plan and Architectural Review - Planning & Development Services
- Occupancy Permits - Planning & Development Services
- Fire Safety Plan - Fire Department and Office of Emergency Management
- Project Access and Fire Water Requirements - Fire Department and Office of Emergency Management
- On-site Water Treatment Permit - Division of Environmental Health, Department of Public Works
- Private Sewage Disposal Permit - Division of Environmental Health
- Project Decommissioning Plan - Planning & Development Services, Department of Public Works
- Pest Management Plan - Agricultural Commissioner's Office

### ***Anticipated Imperial Irrigation District Approvals***

Various approvals may be required from IID in conjunction with implementation of the proposed Project. Wherever an IID facility (drain, irrigation canal, electric line, etc.) intersects the Project, an encroachment would occur as the Proposed Project would cross IID facilities with access points and electrical crossings. The Proposed Project may also drain into IID drain facilities. Due to the preliminary nature of the Project and the rapidly changing technology, the exact locations of proposed access and drainage encroachments, and electrical crossings, are not known at this time. The Project encroachments/crossings would not interfere with the purpose of IID's facilities. The following IID approvals, although not discretionary approvals, include, but are not limited to:

- Encroachment Permits/Agreements
- Electrical Crossings
- Water Supply Agreements/Water Card
- Station Service/"Backfeed" Agreement
- Distribution Power/Electric Service Agreement

### ***Other Agency Approvals***

- U.S. Army Corps of Engineers (USACE) Clean Water Act (CWA) Section 404 Nation Wide Permit (NWP) (if required)
- California Department of Fish and Wildlife (CDFW) Section 1600 Streambed Alteration Agreement (SAA) (if required)
- Regional Water Quality Control Board Water Quality (RWQCB) Clean Water Act (CWA) 401 Water Quality Certification (WQC) Permit (if required), Waste Discharge

Requirements (WDR) Permit, and National Pollution Discharge Elimination System (NPDES) Construction General Permit Coverage (for project construction activities)

- California Department of Transportation (Caltrans) Right-of-Way Encroachment Permits and/or Oversized Loads Permits (as required)

*\*The preceding discretionary actions/approvals are potentially required and do not necessarily represent a comprehensive list of all possible discretionary permits/approvals required. Other additional permits or approvals from responsible agencies may ultimately be required to implement the proposed Project.*

**APPENDIX A: SITE PLAN  
(Provided Under Separate Cover)**

**APPENDIX B: FULL RESOLUTION MAP FIGURES  
(Provided Under Separate Cover)**

# Attachment D

*D1 – Site Plan*

*D2 – Full Resolution Figures*

# Attachment D1

*Site Plan*





NO.	DATE	DESCRIPTION
1	03/13/24	PRELIMINARY DESIGN
2	03/13/24	PRELIMINARY DESIGN UPDATE
3	03/13/24	PRELIMINARY DESIGN UPDATE
4	03/13/24	PRELIMINARY DESIGN UPDATE

**NOTES:**

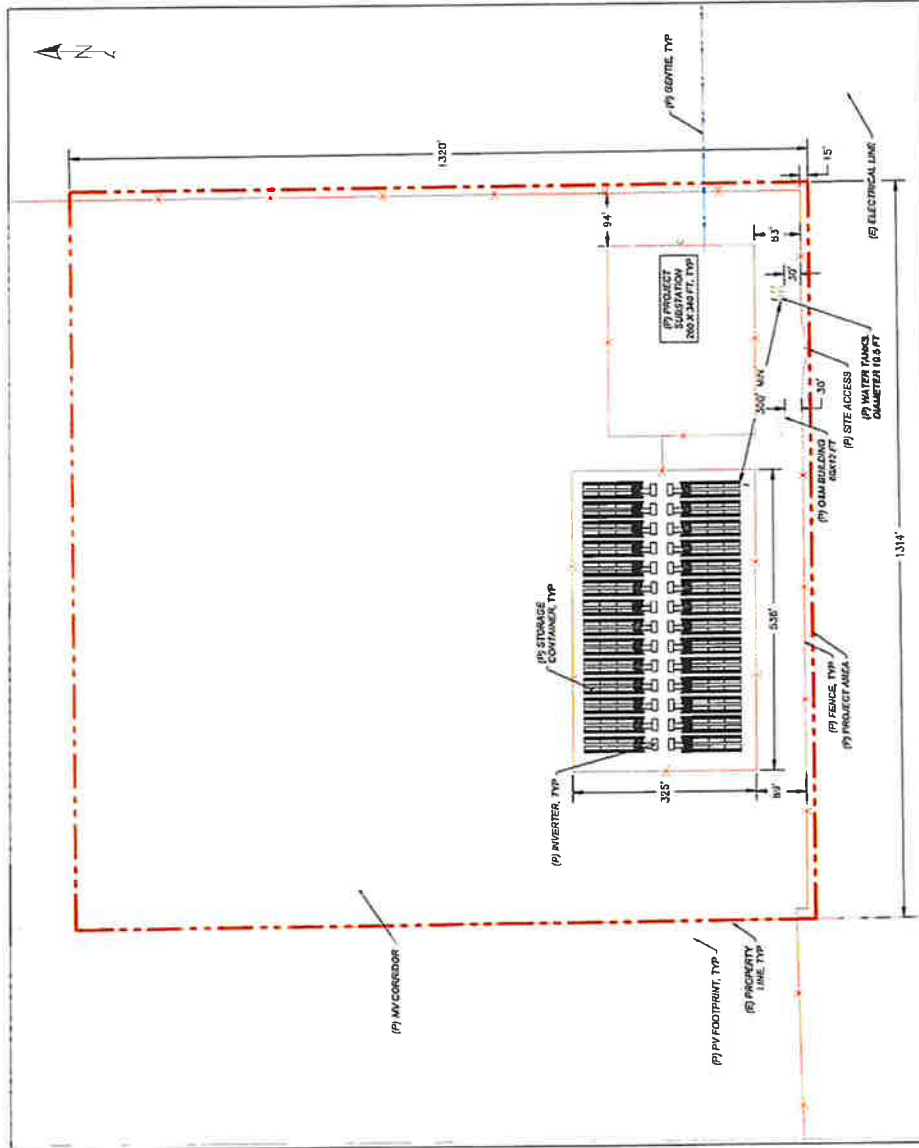
- CURRENT DESIGN IS PRELIMINARY AND SUBJECT TO CHANGE.
- FINAL DESIGN TO ADHERE TO ALL CITY ORDINANCES AND REGULATIONS. ALL DIMENSIONS AND FINISHES SHALL BE SUBJECT TO REVIEW AND BUILDING PERMIT APPROVALS.

**90FI 8ME LLC**  
**Big Rock 2**  
IMPERIAL COUNTY, CA

**CONCEPTUAL BESS LAYOUT**

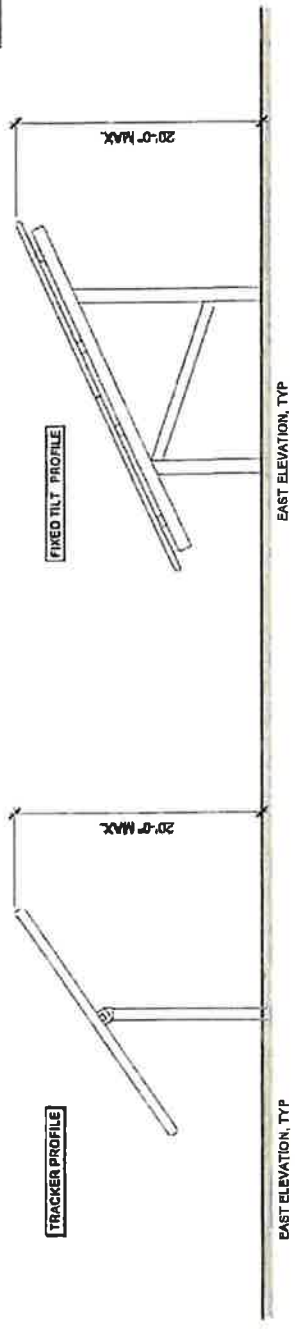
DATE: March 13, 2024

NO. EX-2

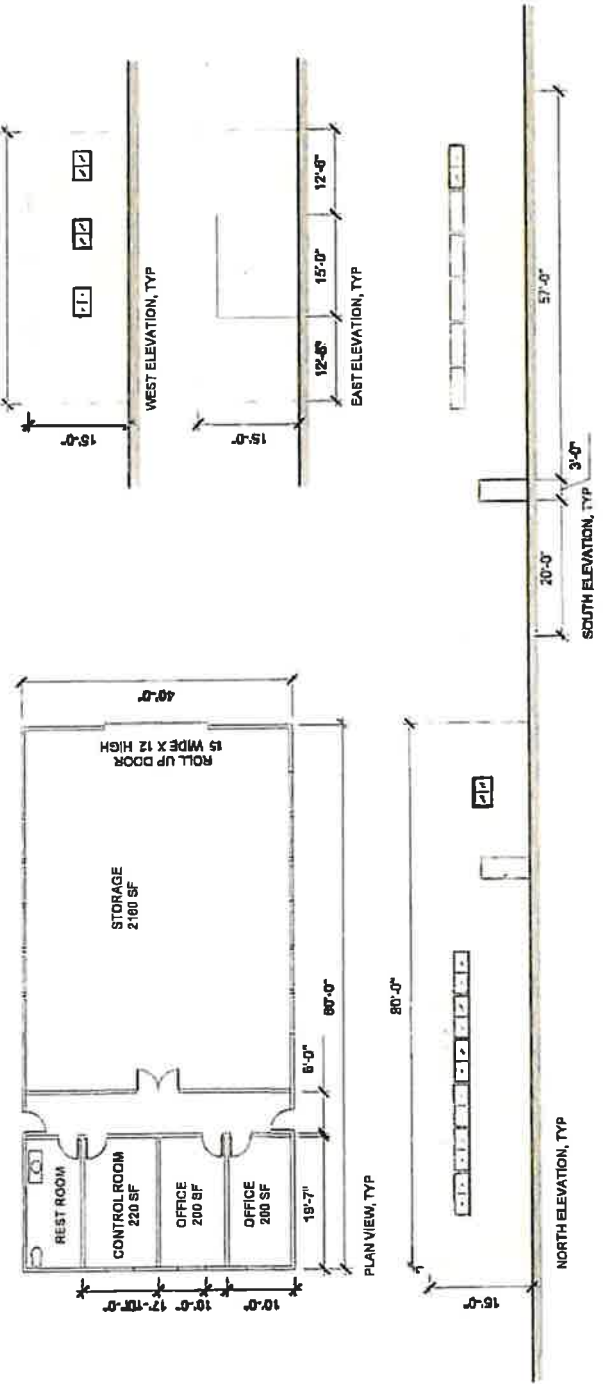


**PRELIMINARY  
NOT FOR  
CONSTRUCTION**

**1 TYPICAL PANEL & MOUNTING STRUCTURE**  
Scale: N.T.S.

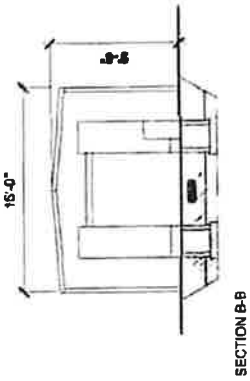
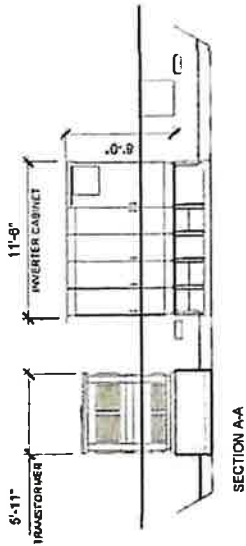
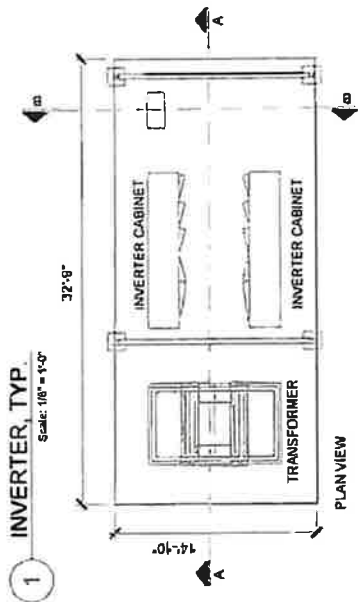
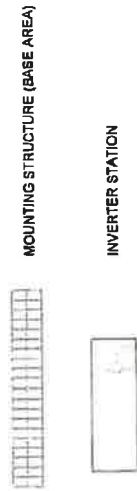
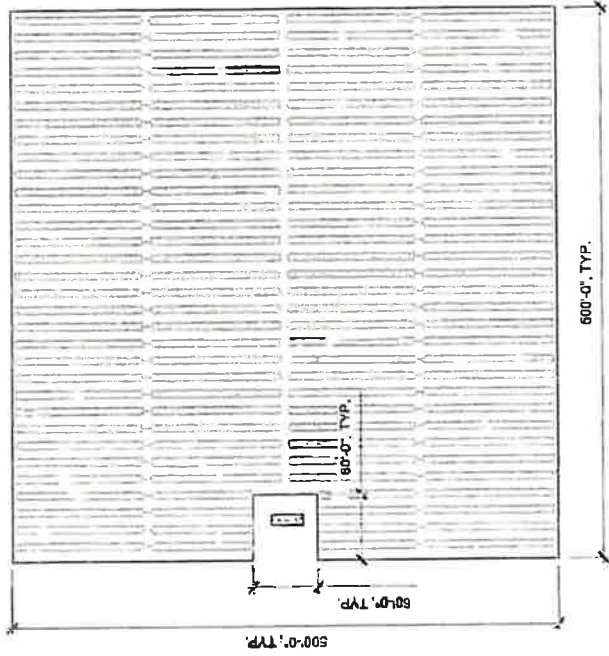


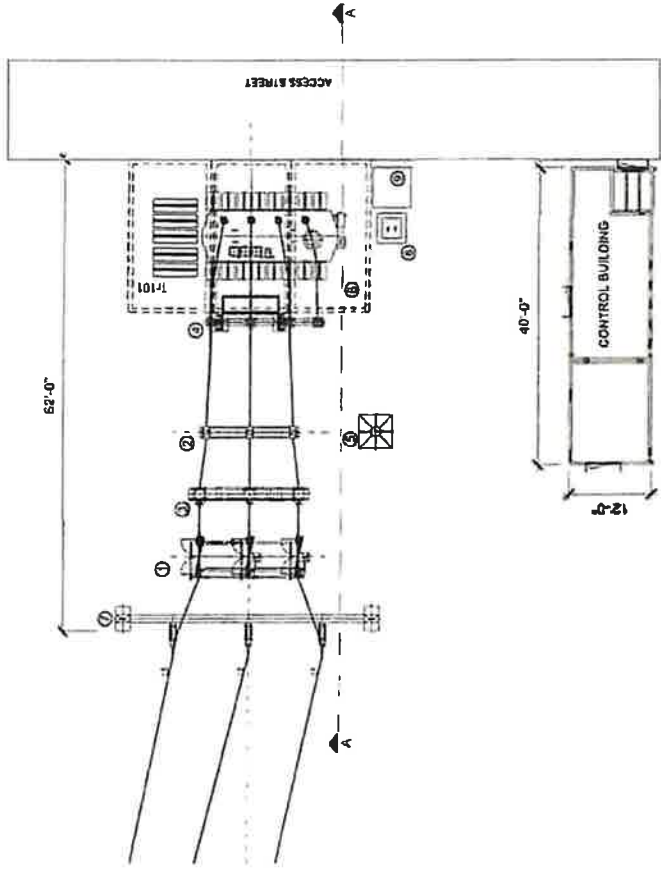
**2 O&M BUILDING, TYP.**  
Scale: 1/8" = 1'-0"



**PRELIMINARY  
 NOT FOR  
 CONSTRUCTION**

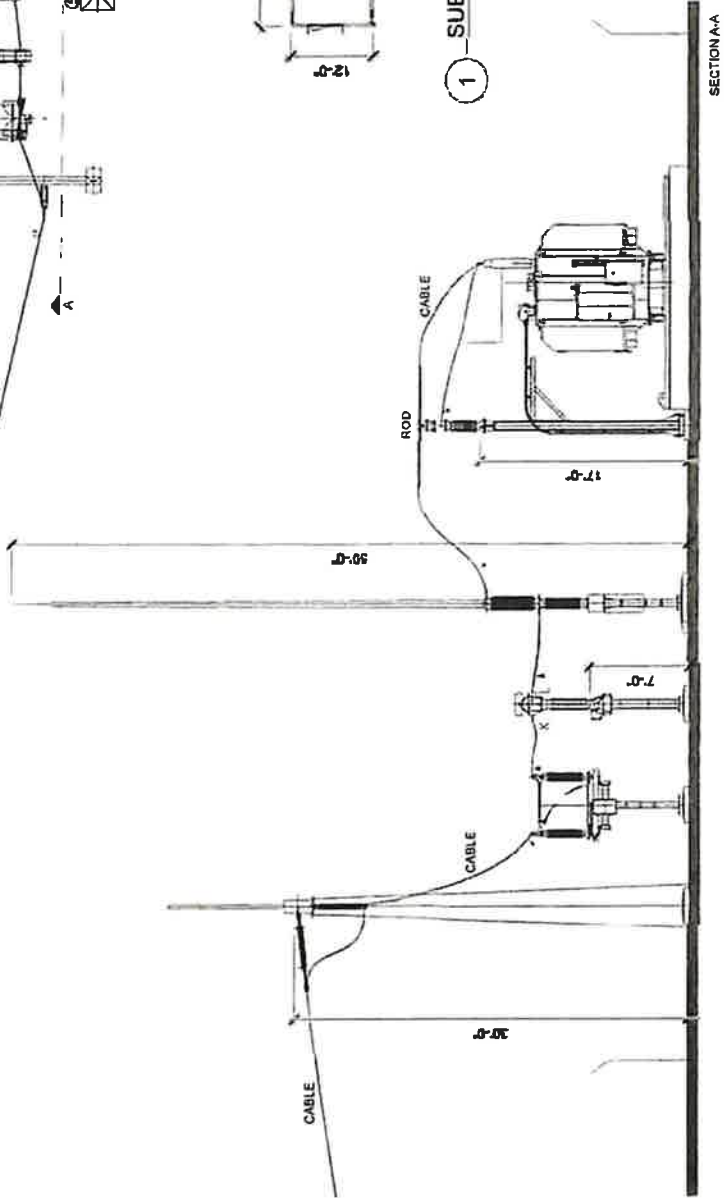
2 STANDARD SOLAR BLOCK  
 Scale: N.T.S.



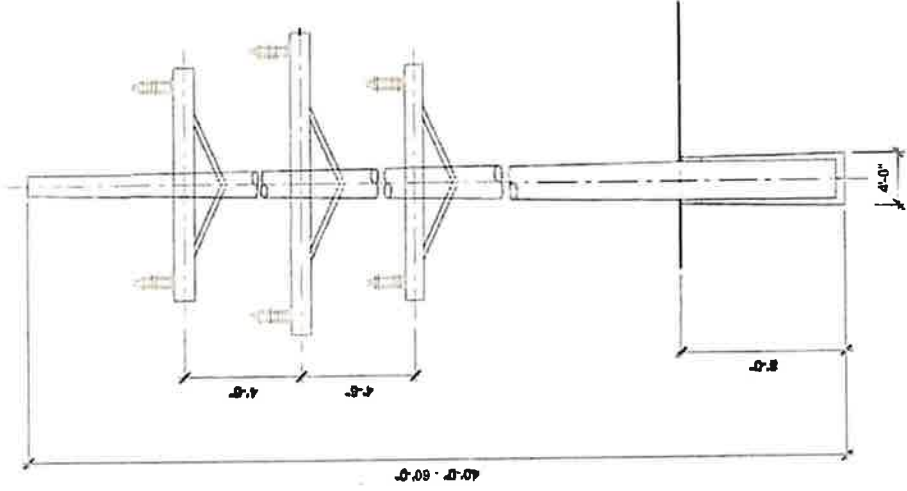


1 SUBSTATION and CONTROL BUILDING  
 Scale: N.T.S.

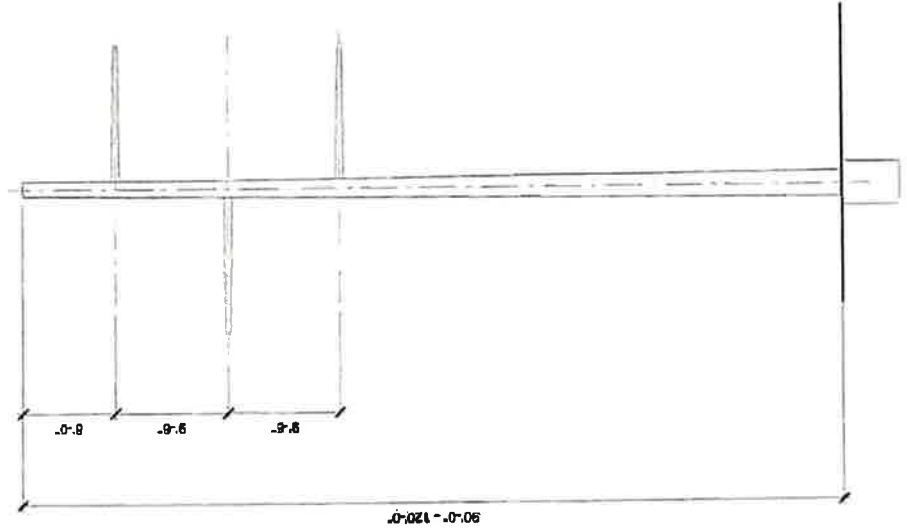
**PRELIMINARY  
 NOT FOR  
 CONSTRUCTION**



**PRELIMINARY  
NOT FOR  
CONSTRUCTION**



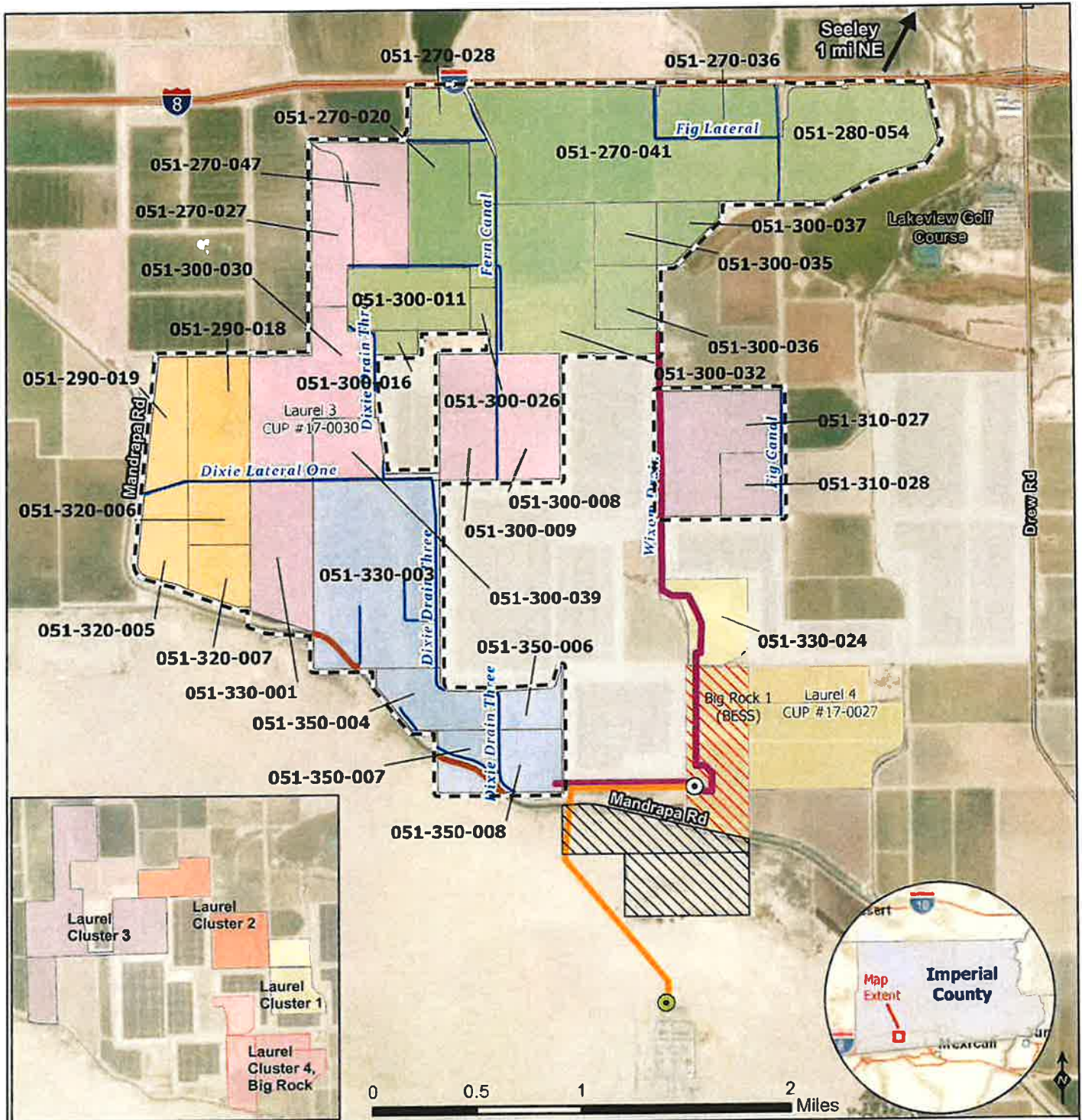
2 66 kV MONOPOLE STRUCTURE, TYP. SCALE: N.T.S.



1 230 kV MONOPOLE STRUCTURE, TYP. SCALE: N.T.S.

# Attachment D2

*Figures 1 and 2 (Full Resolution)*



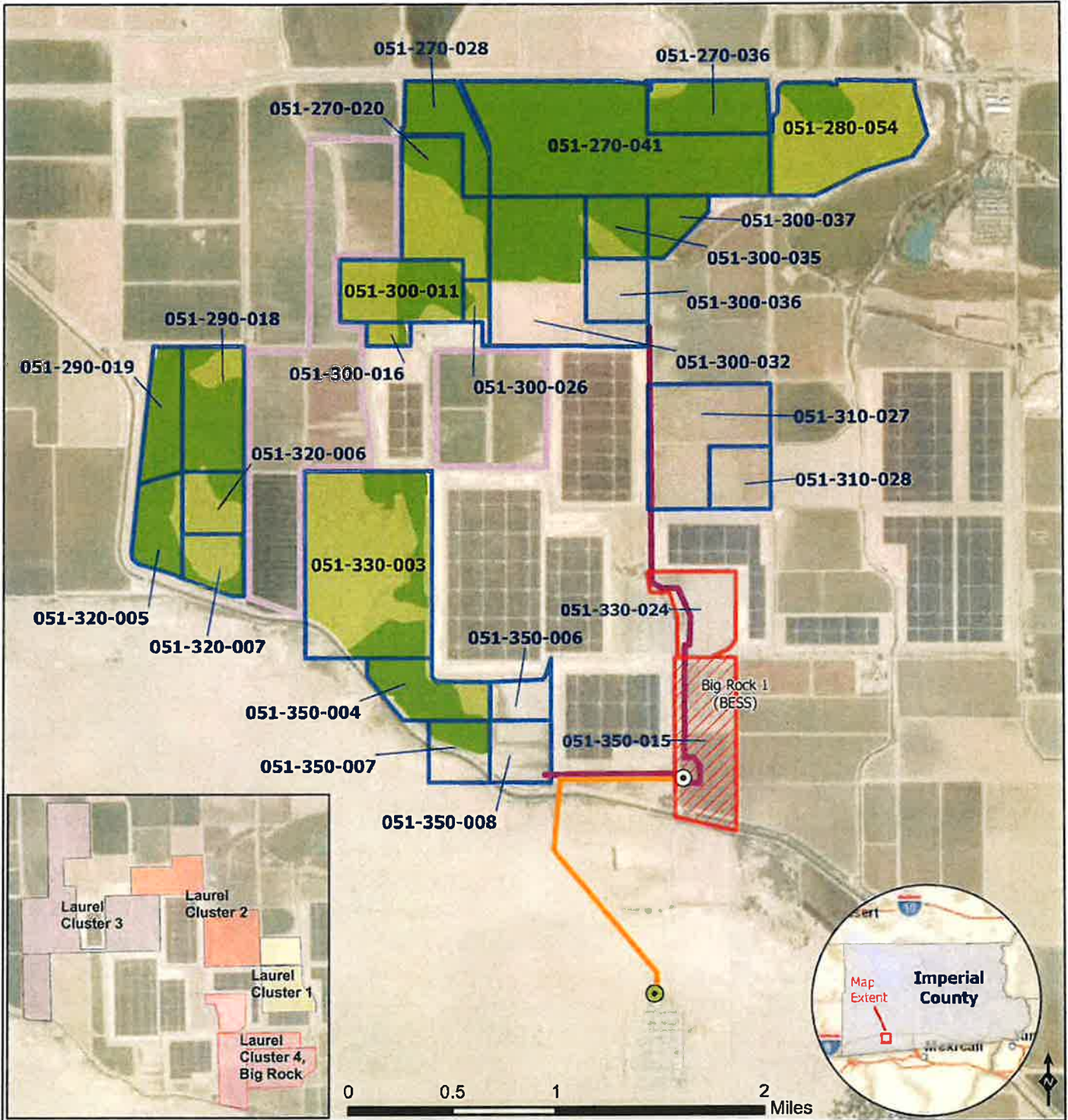
**Figure 1**  
**Location Map**

Imperial County, CA



- Liebert Switchyard
- Imperial Valley Substation
- Big Rock 2 GenTie Alternatives
- Existing Transmission Line
- Canal Ditch
- Artificial Path (Canal)
- Big Rock 1 BESS Parcel
- Campo Verde Solar Project
- Lands To Be Developed Concurrently
- Big Rock 2 North Cluster (CUP #1); including Laurel 2 North CUP area (to be re-entitled) - 1030ac
- Big Rock 2 South Cluster (CUP #2) - 410ac
- Big Rock 2 East Cluster (CUP #3); was Laurel 2 South CUP area (to be re-entitled) - 160ac
- Big Rock 2 West Cluster (CUP #4) - 249ac
- Consolidated Edison Development Westside Canal Battery Storage Project
- Laurel 3 Cluster CUP #17-0030 (with 10-year DA) - 587ac
- Laurel 4 Cluster CUP #17-0027 (under 10-year DA)





**Figure 2**  
**Farmland Designations**

Imperial County, CA



- ⊙ Liebert Switchyard
- ⊙ Imperial Valley Substation
- Big Rock 2 GenTie Alternatives
- Existing Transmission Line
- Prime Farmland (929 ac)
- Farmland of Statewide Importance (517 ac)
- Big Rock 2 and Laurel 2 Parcels
- Big Rock 1 BESS Parcel

# Attachment 4

*CUP West*

# CONDITIONAL USE PERMIT

I.C. PLANNING & DEVELOPMENT SERVICES DEPT.  
801 Main Street, El Centro, CA 92243 (760) 482-4236

- APPLICANT MUST COMPLETE ALL NUMBERED (black) SPACES - Please type or print -

1. PROPERTY OWNER'S NAME Multiple owners. Please see attachment.	EMAIL ADDRESS Multiple owners. Please see attachment.	
2. MAILING ADDRESS (Street / P O Box, City, State) Multiple owners. Please see attachment.	ZIP CODE See attachment.	PHONE NUMBER See attachment.
3. APPLICANT'S NAME 90FI 8me LLC	CUP Request #4 of 4	
4. MAILING ADDRESS (Street / P O Box, City, State) 4370 Town Center Blvd., Suite 110 El Dorado Hills, CA 95762	ZIP CODE 95762	jjackson@avantus.com 303.588.3855
4. ENGINEER'S NAME TBD	CA. LICENSE NO. TBD	EMAIL ADDRESS
5. MAILING ADDRESS (Street / P O Box, City, State)	ZIP CODE	PHONE NUMBER
6. ASSESSOR'S PARCEL NO. Multiple APNs. Please see attachment.	249 acres	ZONING (existing) A 2-R, A-3
7. PROPERTY (site) ADDRESS Multiple APNs. Please see attachment.		
8. GENERAL LOCATION (i.e. city, town, cross street) Approximately 1 mile southwest of Seely, immediately south of Interstate 8, west of Drew Road and east and north of Mandrapa Road.		
9. LEGAL DESCRIPTION Multiple APNs. Please see attachment.		

**PLEASE PROVIDE CLEAR & CONCISE INFORMATION (ATTACH SEPARATE SHEET IF NEEDED)**

10. DESCRIBE PROPOSED USE OF PROPERTY (list and describe in detail) Please see attachment.	
11. DESCRIBE CURRENT USE OF PROPERTY	Farmland
12. DESCRIBE PROPOSED SEWER SYSTEM	Septic tank with leach field
13. DESCRIBE PROPOSED WATER SYSTEM	IID distribution system and private water treatment facility
14. DESCRIBE PROPOSED FIRE PROTECTION SYSTEM	Above-ground tanks with gallons dedicated fire protection water
15. IS PROPOSED USE A BUSINESS? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	IF YES, HOW MANY EMPLOYEES WILL BE AT THIS SITE? Please see attachment.

I / WE THE LEGAL OWNER (S) OF THE ABOVE PROPERTY CERTIFY THAT THE INFORMATION SHOWN OR STATED HEREIN IS TRUE AND CORRECT.

Stephanie Perry Chief Operating Officer of Avantus LLC,  
ultimate parent, duly authorized 3/6/2024  
Print Name Stephanie Perry Date \_\_\_\_\_  
Signature \_\_\_\_\_  
Print Name \_\_\_\_\_ Date \_\_\_\_\_  
Signature \_\_\_\_\_

**REQUIRED SUPPORT DOCUMENTS**

A. SITE PLAN	_____
B. FEE	_____
C. OTHER	_____
D. OTHER	_____

APPLICATION RECEIVED BY: _____	DATE _____	REVIEW / APPROVAL BY OTHER DEPT'S required
APPLICATION DEEMED COMPLETE BY: _____	DATE _____	<input type="checkbox"/> P. W.
APPLICATION REJECTED BY: _____	DATE _____	<input type="checkbox"/> E. H. S.
TENTATIVE HEARING BY: _____	DATE _____	<input type="checkbox"/> A P C D.
FINAL ACTION: <input type="checkbox"/> APPROVED <input type="checkbox"/> DENIED	DATE _____	<input type="checkbox"/> O. E. S.
		<input type="checkbox"/> _____
		<input type="checkbox"/> _____

**CUP #**  
\_\_\_\_\_

# Attachment B

*B1 Legal Description*

*B2 Indemnification Forms*

*B3 Owner Affidavits*

*B4 Project Owner Contact Information*

# Attachment B1

*Legal Description*

**Legal Descriptions:**

**Big Rock 2 Cluster West (CUP Request #4)**

	<b>APN</b>	<b>Zoning</b>	<b>Acres</b>
1	051-290-018	A-2-R	79.8
2	051-290-019	A-3	48.7
3	051-320-005	A-3	45.0
4	051-320-006	A-3	39.9
5	051-320-007	A-3	35.3
	<b>TOTAL ACRES</b>		<b>249</b>

*Landowners: Derrick-Downs, Brundy*

Derrick-Downs

**Parcel A:**

That part of the Southwest quarter of the Northeast quarter, and of Lot 2 of Section 29, lying North of Foxglove Lateral No. 1, and East of the East right of way line of Dixie No. 2 Drain, and also, all that part of the Northwest quarter of the Northeast quarter of Section 29, lying East of the East right of way line of Dixie No. 2 Drain and within Tract 107, and also the Southwest quarter of the Southeast of Section 20, lying East of the East right of way lines of Dixie No. 2 Drain and wholly within Tract 107, all in Township 16 South, Range 12 East, San Bernardino Base and Meridian, as per map of the Resurvey approved June 14, 1910 and filed in the United States Land Office at Los Angeles, California.

APN: 051-290-019

**Parcel B:**

That part of the Southwest quarter of the Northeast quarter and the Northwest quarter of the Southeast quarter of Section 29, Township 16 South, Range 12 East, San Bernardino Base and Meridian, according to the United States Government Plat of Resurvey approved June 14, 1910 and on file in the United States Land Office at Los Angeles, California, lying East of the East right of way of Dixie Drain No. 2, South of the Foxglove Lateral Canal No. 1 and West of the County Road as it is now located.

APN: 051-320-005

Brundy

**Parcel I:**

Lot 1 of Section 29, Township 16 South, Range 12 East, San Bernardino Base and Meridian, together with that portion of Tract 107, lying within the Southeast quarter of the Southeast quarter of Section 20 and the Northeast quarter of the Northeast quarter of Section 29, all in Township 16 South, Range 12 East, San Bernardino Base and Meridian, in an unincorporated area of the County of Imperial, State of California, according to the official government plat thereof.

**APN: 051-290-018-0**

**Parcel II:**

**The Northeast quarter of the Southeast quarter of Section 29, Township 16 South, Range 12 East, San Bernardino Base and Meridian, according to the plat of resurvey approved and filed in the District Land Office;**

**Excepting that portion lying southwesterly of the northeasterly right(s) of way line of Dixie Drain No. 2.**

**APN: 051-320-007**

**Parcel III:**

**The Southeast quarter of the Northeast quarter of Section 29, Township 16 South, Range 12 East, San Bernardino Base and Meridian, according to the plat of resurvey approved and filed in the District Land Office.**

**APN: 051-320-006**

# Attachment B2

*Indemnification Forms*



# IMPERIAL COUNTY PLANNING & DEVELOPMENT SERVICES GENERAL INDEMNIFICATION AGREEMENT

As part of this application, applicant and real party in interest, if different, agree to defend, indemnify, hold harmless, and release the County of Imperial ("County"), its agents, officers, attorneys, and employees (including consultants) from any claim, action, or proceeding brought against any of them, the purpose of which is to attack, set aside, void, or annul the approval of this application or adoption of the environmental document which accompanies it. This indemnification obligation shall include, but not be limited to, damages, costs, expenses, attorney fees, or expert witness fees that may be asserted by any person or entity, including the applicant, arising out of or in connection with the approval of this application, whether or not there is concurrent negligence on the part of the County, its agents, officers, attorneys, or employees (including consultants).

If any claim, action, or proceeding is brought against the County, its agents, officers, attorneys, or employees (including consultants), to attack, set aside, void, or annul the approval of the application or adoption of the environmental document which accompanies it, then the following procedures shall apply:

1. The Planning Director shall promptly notify the County Board of Supervisors of any claim, action or proceeding brought by an applicant challenging the County's action. The County, its agents, attorneys and employees (including consultants) shall fully cooperate in the defense of that action.
2. The County shall have the final determination on how to best defend the case and will consult with applicant regularly regarding status and the plan for defense. The County will also consult and discuss with applicant the counsel to be used by County to defend it, either with in-house counsel, or by retaining outside counsel provided that the County shall have the final decision on the counsel retained to defend it. Applicant shall be fully responsible for all costs incurred. Applicant shall be entitled to provide his or her own counsel to defend the case, and said independent counsel shall work with County Counsel to provide a joint defense.

Executed at El Centro California on Jan, 25, 2024

**APPLICANT**

Name: 90FI 8me LLC, Michael Healy  
 By: [Signature]  
 Title: CEO of Avantus LLC, ultimate parent, duly authorized

Mailing Address:

c/o Avantus Clean Energy LLC  
4370 Town Center Blvd., Suite 110  
El Dorado Hills, CA 95762

**REAL PARTY IN INTEREST**  
(If different from Applicant)

Name: Thomas D. Brundy and Karen D. Brundy  
 By: [Signatures]  
 Title: husband and wife as joint tenants

Mailing Address:

APNs 051-320-007, 051-320-006 and 051-290-018

ACCEPTED/RECEIVED BY \_\_\_\_\_ Date \_\_\_\_\_

PROJECT ID NO \_\_\_\_\_ APN \_\_\_\_\_

S:\FORMS \_ LISTS\General Indemnification FORM 041516.doc

# IMPERIAL COUNTY PLANNING & DEVELOPMENT SERVICES GENERAL INDEMNIFICATION AGREEMENT

As part of this application, applicant and real party in interest, if different, agree to defend, indemnify, hold harmless, and release the County of Imperial ("County"), its agents, officers, attorneys, and employees (including consultants) from any claim, action, or proceeding brought against any of them, the purpose of which is to attack, set aside, void, or annul the approval of this application or adoption of the environmental document which accompanies it. This indemnification obligation shall include, but not be limited to, damages, costs, expenses, attorney fees, or expert witness fees that may be asserted by any person or entity, including the applicant, arising out of or in connection with the approval of this application, whether or not there is concurrent negligence on the part of the County, its agents, officers, attorneys, or employees (including consultants).

If any claim, action, or proceeding is brought against the County, its agents, officers, attorneys, or employees (including consultants), to attack, set aside, void, or annul the approval of the application or adoption of the environmental document which accompanies it, then the following procedures shall apply:

1. The Planning Director shall promptly notify the County Board of Supervisors of any claim, action or proceeding brought by an applicant challenging the County's action. The County, its agents, attorneys and employees (including consultants) shall fully cooperate in the defense of that action.
2. The County shall have the final determination on how to best defend the case and will consult with applicant regularly regarding status and the plan for defense. The County will also consult and discuss with applicant the counsel to be used by County to defend it, either with in-house counsel, or by retaining outside counsel provided that the County shall have the final decision on the counsel retained to defend it. Applicant shall be fully responsible for all costs incurred. Applicant shall be entitled to provide his or her own counsel to defend the case, and said independent counsel shall work with County Counsel to provide a joint defense.

Executed at Imperial, CA California on 1/25/2024

## APPLICANT

Name: 90FJ 8me LLC, Michael Healy

By [Signature]

Title CEO of Avantus LLC, ultimate parent, duly authorized

Mailing Address:

c/o Avantus Clean Energy LLC  
4370 Town Center Blvd., Suite 110  
El Dorado Hills, CA 95762

## REAL PARTY IN INTEREST

(If different from Applicant)

Name Timothy ~~Derrick~~ Derrick

By [Signature]

Title an individual

Mailing Address:

APNs 051-320-005 and 051-290-019

ACCEPTED/RECEIVED BY \_\_\_\_\_ Date \_\_\_\_\_

PROJECT ID NO \_\_\_\_\_ APN \_\_\_\_\_

S:\FORMS\_L\ISTS\General Indemnification FORM 041516.doc

# IMPERIAL COUNTY PLANNING & DEVELOPMENT SERVICES GENERAL INDEMNIFICATION AGREEMENT

As part of this application, applicant and real party in interest, if different, agree to defend, indemnify, hold harmless, and release the County of Imperial ("County"), its agents, officers, attorneys, and employees (including consultants) from any claim, action, or proceeding brought against any of them, the purpose of which is to attack, set aside, void, or annul the approval of this application or adoption of the environmental document which accompanies it. This indemnification obligation shall include, but not be limited to, damages, costs, expenses, attorney fees, or expert witness fees that may be asserted by any person or entity, including the applicant, arising out of or in connection with the approval of this application, whether or not there is concurrent negligence on the part of the County, its agents, officers, attorneys, or employees (including consultants).

If any claim, action, or proceeding is brought against the County, its agents, officers, attorneys, or employees (including consultants), to attack, set aside, void, or annul the approval of the application or adoption of the environmental document which accompanies it, then the following procedures shall apply:

1. The Planning Director shall promptly notify the County Board of Supervisors of any claim, action or proceeding brought by an applicant challenging the County's action. The County, its agents, attorneys and employees (including consultants) shall fully cooperate in the defense of that action.
2. The County shall have the final determination on how to best defend the case and will consult with applicant regularly regarding status and the plan for defense. The County will also consult and discuss with applicant the counsel to be used by County to defend it, either with in-house counsel, or by retaining outside counsel provided that the County shall have the final decision on the counsel retained to defend it. Applicant shall be fully responsible for all costs incurred. Applicant shall be entitled to provide his or her own counsel to defend the case, and said independent counsel shall work with County Counsel to provide a joint defense.

Executed at Imperial California on Jan - 24, 2024

**APPLICANT**

Name: 90FI 8me LLC, Michael Hraly  
 By: [Signature]  
 Title: CEO of Avantus LLC, ultimate parent, duly authorized  
 Mailing Address:  
c/o Avantus Clean Energy LLC  
4370 Town Center Blvd., Suite 110  
El Dorado Hills, CA 95762

**REAL PARTY IN INTEREST**  
(If different from Applicant)

Name: Susan Downs  
 By: [Signature]  
 Title: an individual  
 Mailing Address:  
APNs 051-320-005 and 051-290-019  
 \_\_\_\_\_  
 \_\_\_\_\_

ACCEPTED/RECEIVED BY \_\_\_\_\_ Date \_\_\_\_\_

PROJECT ID NO \_\_\_\_\_ APN \_\_\_\_\_

S:\FORMS\_LISTS\General Indemnification FORM 041516.doc

# Attachment B3

*Owner Affidavits*

**OWNER'S AFFIDAVIT**

In the event the applicant is not owner, the following shall be signed and acknowledge by the owner.

Permission is hereby granted to 90FI 8ME LLC to apply for this  
(Lessee, Tenant, Contractor-Specify)

any and all permits, applications and CEQA actions on the described property located at address  
(State permit type clearly i.e. building, land used)

2525 West Vaughn Rd., El Centro Further identified by Assessor's Parcel Number CM 92243  
(APN) 051-320-005 and 051-290-019 is hereby granted.

Timothy Olin Derrick  
OWNER (SIGNATURE)

Timothy Olin Derrick  
OWNER (TYPED OR PRINT)

600 North D St., Imperial, CA  
OWNER'S ADDRESS 92251

9/21/2023  
DATE

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

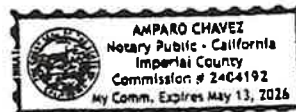
STATE OF CALIFORNIA  
COUNTY OF Imperial ) S.S.

On September 21, 2023 before me,  
Amparo Chavez Notary Public personally appeared  
Timothy Olin Derrick, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature [Signature] (Seal)



**ATTENTION NOTARY:** Although the information requested below is OPTIONAL, it could prevent fraudulent attachment of this certificate to unauthorized document.

Title or Type of Document Owner's Affidavit  
Number of Pages 1 Date of Document 09/21/23  
Signer(s) Other Than Named Above No other signers

**OWNER'S AFFIDAVIT**

In the event the applicant is not owner, the following shall be signed and acknowledge by the owner.

Permission is hereby granted to 90FI 8ME LLC to apply for this  
(Lessee, Tenant, Contractor-Specify)

any and all permits, applications and CEQA actions on the described property located at address  
(State permit type clearly i.e. building, land used)

2525 W. Vaughn Rd. CA 92251 Further identified by Assessor's Parcel Number

(APN) 051-320-005 and 051-290-019 is hereby granted.

Susan Downs  
OWNER (SIGNATURE)

Susan Downs  
OWNER (TYPED OR PRINT)

490 W. Belford Rd, Imperial, CA  
OWNER'S ADDRESS

9-21-2023 92251  
DATE

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

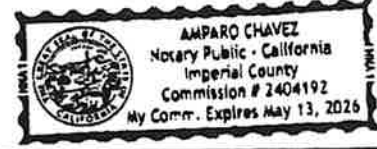
STATE OF CALIFORNIA  
COUNTY OF Imperial } S.S.

On September 21, 2023 before me,  
Amparo Chavez, Notary Public personally appeared  
Susan Lee Downs, who proved to me on the basis of  
satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and  
acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and  
that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the  
person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing  
paragraph is true and correct.

WITNESS my hand and official seal.

Signature [Signature] (Seal)



**ATTENTION NOTARY:** Although the information requested below is OPTIONAL, it could prevent  
fraudulent attachment of this certificate to unauthorized document.

Title or Type of Document Owner's Affidavit  
Number of Pages 1 Date of Document 09/21/23  
Signer(s) Other Than Named Above No other signers

**OWNER'S AFFIDAVIT**

In the event the applicant is not owner, the following shall be signed and acknowledge by the owner.

Permission is hereby granted to 90FI 8ME LLC to apply for this  
(Lessee, Tenant, Contractor-Specify)

any and all permits, applications and CEQA actions on the described property located at address  
(State permit type clearly i.e. building, land used)

Further identified by Assessor's Parcel Number  
(APN) 051-320-007, 051-320-006 and 051-290-018 is hereby granted.

[Signature]  
OWNER (SIGNATURE)

Tom Brundy  
OWNER (TYPED OR PRINT)

1452 McCabe Cove Rd. El Centro Ca.

OWNER'S ADDRESS

9/18/2023  
DATE

92243

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

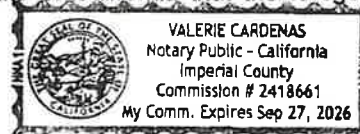
STATE OF CALIFORNIA  
COUNTY OF Imperial } S.S.

On September 19, 2023 before me,  
Valerie Cardenas personally appeared  
Tom Brundy, who proved to me on the basis of  
satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and  
acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and  
that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the  
person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing  
paragraph is true and correct.

WITNESS my hand and official seal.

Signature [Signature] (Seal)



**ATTENTION NOTARY:** Although the information requested below is OPTIONAL, it could prevent  
fraudulent attachment of this certificate to unauthorized document.

Title or Type of Document \_\_\_\_\_  
Number of Pages \_\_\_\_\_ Date of Document \_\_\_\_\_  
Signer(s) Other Than Named Above \_\_\_\_\_

**OWNER'S AFFIDAVIT**

In the event the applicant is not owner, the following shall be signed and acknowledge by the owner.

Permission is hereby granted to 90FI 8ME LLC to apply for this  
(Lessee, Tenant, Contractor-Specify)

any and all permits, applications and CEQA actions on the described property located at address  
(State permit type clearly i.e. building, land used)

Further identified by Assessor's Parcel Number  
(APN) 051-320-007, 051-320-006 and 051-290-018 is hereby granted.

Karen Brundy  
OWNER (SIGNATURE)

Karen Brundy  
OWNER (TYPED OR PRINT)

1452 McCabe Cove Rd  
OWNER'S ADDRESS

9/18/23  
DATE

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

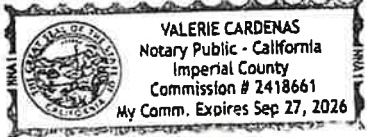
STATE OF CALIFORNIA  
COUNTY OF Imperial S.S.

On September 18, 2023 before me,  
Karen Brundy Valerie Cardenas personally appeared  
Karen Brundy, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature [Signature] (Seal)



**ATTENTION NOTARY:** Although the information requested below is OPTIONAL, it could prevent fraudulent attachment of this certificate to unauthorized document.

Title or Type of Document \_\_\_\_\_  
Number of Pages \_\_\_\_\_ Date of Document \_\_\_\_\_  
Signer(s) Other Than Named Above \_\_\_\_\_



# Attachment B4

*Project Owner Contact Information*

**BIG ROCK 2 CLUSTER WEST, CUP #4 LANDOWNER INFORMATION**

CUP Request #	CUP Area	APN	Owner	Contact Information
CUP #4	Big Rock 2 Cluster West	051-290-019	Derrick/Downs	<p>Timothy Derrick 600 N. D Street Imperial, CA 92251 (760) 996-0361 <a href="mailto:tderrick@sbcglobe.net">tderrick@sbcglobe.net</a></p> <p>Susan Downs 490 W. Belford Road Imperial, CA 92251 (760) 554-4856 <a href="mailto:susandowns@gmail.com">susandowns@gmail.com</a></p>
CUP #4	Big Rock 2 Cluster West	051-320-005	Derrick/Downs	<p>Timothy Derrick 600 N. D Street Imperial, CA 92251 (760) 996-0361 <a href="mailto:tderrick@sbcglobe.net">tderrick@sbcglobe.net</a></p> <p>Susan Downs 490 W. Belford Road Imperial, CA 92251 (760) 554-4856 <a href="mailto:susandowns@gmail.com">susandowns@gmail.com</a></p>
CUP #4	Big Rock 2 Cluster West	051-320-006	Brundy	<p>Thomas D. Brundy and Karen D. Brundy 1452 McCabe Cove Road El Centro, CA 92243 (760) 768-3010 <a href="mailto:tbrundy@thegrid.net">tbrundy@thegrid.net</a></p>
CUP #4	Big Rock 2 Cluster West	051-320-007	Brundy	<p>Thomas D. Brundy and Karen D. Brundy 1452 McCabe Cove Road El Centro, CA 92243 (760) 768-3010 <a href="mailto:tbrundy@thegrid.net">tbrundy@thegrid.net</a></p>

BIG ROCK 2 CLUSTER WEST, CUP #4 LANDOWNER INFORMATION

CUP Request #	CUP Area	APN	Owner	Contact Information
CUP #4	Big Rock 2 Cluster West	051-290-018	Brundy	Thomas D. Brundy and Karen D. Brundy 1452 McCabe Cove Road El Centro, CA 92243 (760) 768-3010 <a href="mailto:tbrundy@thegrid.net">tbrundy@thegrid.net</a>

# Attachment C

## *Project Description*

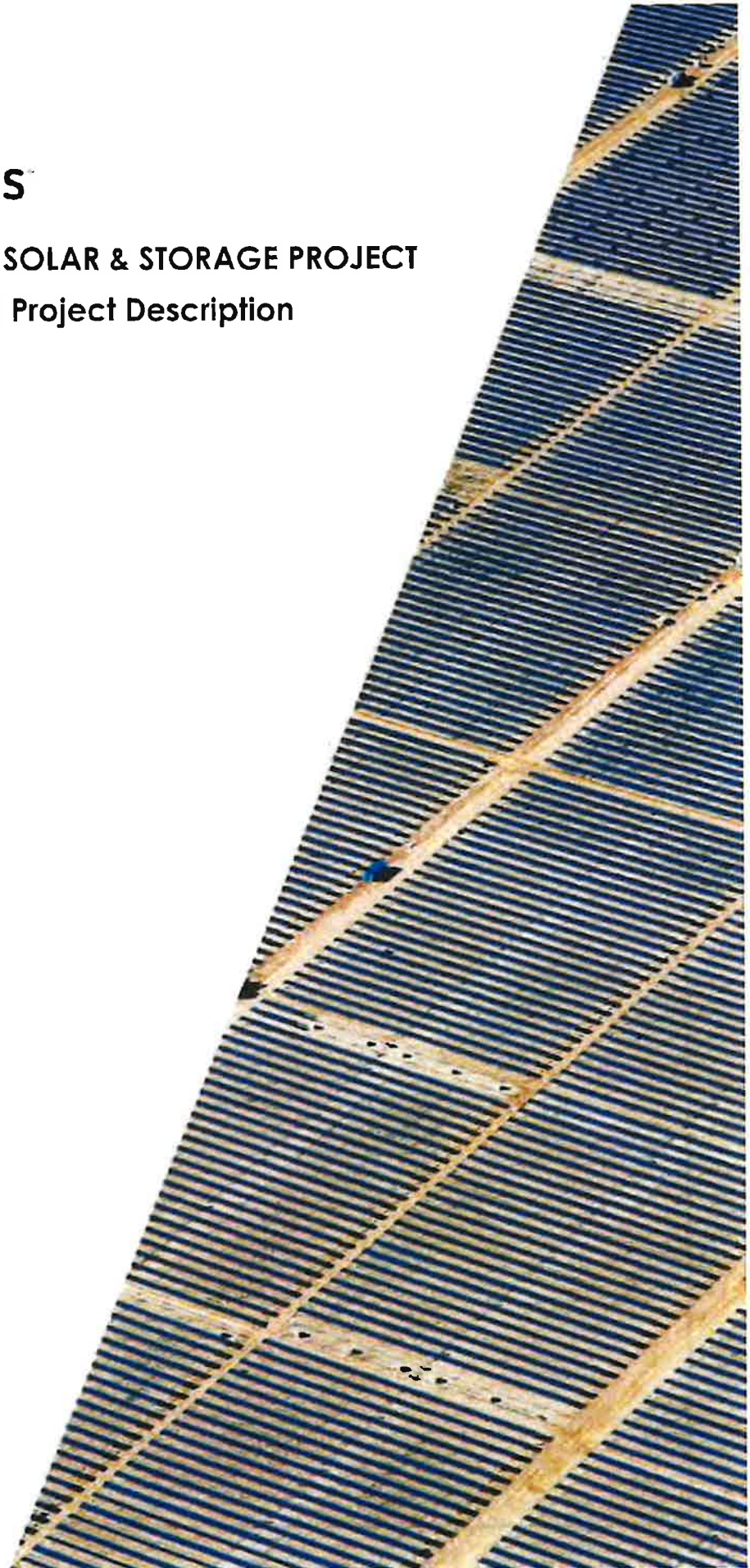


# **BIG ROCK 2 CLUSTER SOLAR & STORAGE PROJECT**

## **CUP Application and Project Description**

18 March 2024

Submitted by:  
90FI 8me LLC  
4370 Town Center Blvd., Suite 110  
El Dorado Hills, CA 95762

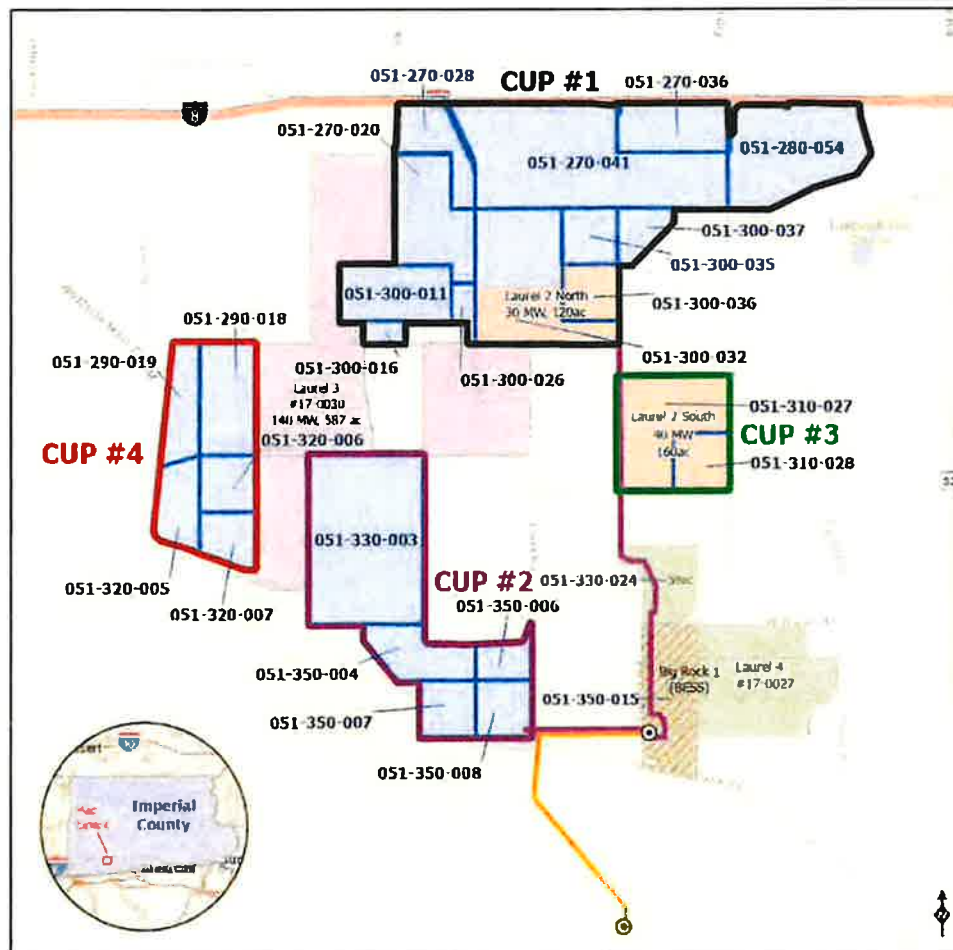


**This page left blank intentionally.**

## Big Rock 2 Cluster Solar and Storage Project

This document contains Supporting Materials for the following Conditional Use Permit Applications Packages:

1. CUP #1: Big Rock 2 Cluster North (1,030 acres)
  - Big Rock 2 Cluster North (910 acres), including;
    - Laurel Cluster 2 North /CUP # 21-0014 (120 acres) *(to be re-entitled)*
2. CUP #2: Big Rock 2 Cluster South (410 acres)
3. CUP #3: Big Rock 2 Cluster East/Laurel Cluster 2 South CUP # 21-0013) (160 acres) *(to be re-entitled)*
4. CUP #4 Big Rock Cluster West (249 acres)



**This page left blank intentionally.**



# TABLE OF CONTENTS

<b>INTRODUCTION .....</b>	<b>1</b>
<b>Site Information.....</b>	<b>4</b>
<b>PROJECT DESCRIPTION.....</b>	<b>7</b>
<b>Overview.....</b>	<b>7</b>
<b>Project Objectives .....</b>	<b>7</b>
<b>Project Components .....</b>	<b>8</b>
PV Module Configuration .....	8
Collection, Inverter and Transformer Systems .....	11
Battery Energy Storage System .....	12
Substation(s).....	15
Transmission Line and Interconnection.....	15
Operations and Maintenance (O&M) Building.....	16
Roadway and IID Crossings.....	16
Water Usage .....	16
Water Storage.....	17
Site Security and Fencing.....	17
Lighting .....	17
Annual Production .....	17
Electric Service.....	17
<b>Project Construction .....</b>	<b>18</b>
Construction Activities and Duration .....	18
Laydown Areas.....	19
Workforce.....	19
<b>Project Operation.....</b>	<b>19</b>
Operational Activities .....	19
Workforce.....	19
<b>Project Compliance Plans and Best Management Practices .....</b>	<b>20</b>
Hazardous Materials and Hazardous Waste Management.....	20
Spill Prevention and Containment.....	20
Wastewater/Septic System .....	21
Solid Waste Management .....	21
Dust Control.....	21
Pest and Vegetation Management .....	21
Fire Management .....	22
Health and Safety .....	22
General Plan Consistency .....	23
<b>Decommissioning and Reclamation .....</b>	<b>23</b>
<b>Anticipated Required Project Entitlements.....</b>	<b>24</b>

## **APPENDICES**

**Appendix A      Site Plan**

**Appendix B      Full Resolution Map Figures**

## INTRODUCTION

90FI 8me LLC (“the Applicant”) is seeking approval of four (4) Conditional Use Permits (CUPs) associated with the construction and operation of a utility-scale [up to 500-megawatt (MW) in capacity] photovoltaic (“PV”) solar energy generation and Battery Energy Storage System (“BESS”) facility (also up to 500-MW in capacity). The proposed Project, collectively called, the Big Rock 2 Cluster Solar and Storage Project (“Big Rock 2” or the “Project”) contemplates utilizing approximately 1,569 acres of “new lands” that have not previously been entitled, in addition to up to 867 acres of lands that are currently entitled under active CUPs known as Laurel Cluster 3 (587 acres), Laurel Cluster 2 North (120 acres), and Laurel Cluster 2 South (160 acres) totaling 2,436 acres of available land for development (Figure 1).

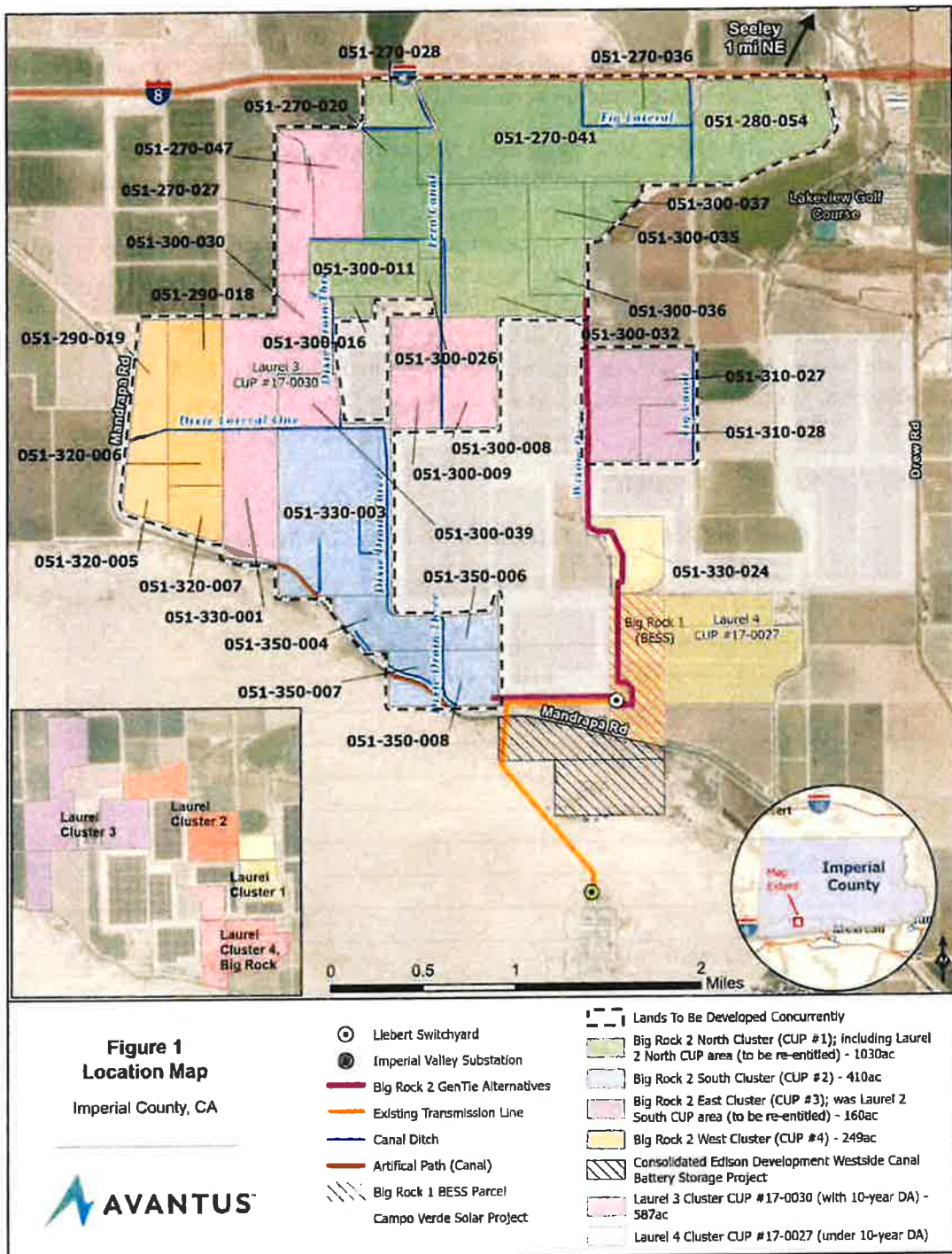
Energy generated by the Project would be collected using up to 66 kilovolt (“kV”) collector lines which could run overhead and/or underground to a dedicated Project substation. A 230-kV overhead generation intertie (gen-tie) transmission line is anticipated to link the Project substation to the Liebert Switchyard (pending construction), which will then be connected via an overhead 230-kV gen-tie line to the existing San Diego Gas and Electric (SDG&E) Imperial Valley Substation (Figure 1). It is anticipated that all BESS facilities associated with the Project will be developed concurrently with PV componentry and situated in proximity to Project sub-station(s); however, the CUP areas may cooperate if necessary to meet energy production and Project needs, by allowing one CUP area to utilize “BESS” credits of another Likewise, the Project may share facilities such as Operations & Maintenance (O&M) facilities, transmission-related facilities, Project sub-station(s), and/or other appurtenances.

The Applicant intends to secure CUPs from Imperial County as the lead agency, along with permits and approvals from other relevant agencies as required by law. Laurel Cluster 3 CUP (#17-0030) is associated with a 10-year Development Agreement (DA) (Document Number 2023012228). However, Laurel Cluster 2 CUPs may expire prior to this approval, therefore, those areas have been integrated into this request, upon approval, Imperial County would void CUPs #21-0014 and #21-0013. Table 1 provides a breakdown of Project areas and acreage availability.

**Table 1: Total Project Area and Land Availability**

	<b>Acres Available</b>	<b>CUP #</b>
Big Rock 2 Cluster North, including Laurel Cluster 2 North (120 acres) parcels under CUP # 21-0014 (expires Dec. 2024)	1,030	CUP Request #1 (partial re-entitlement)
Big Rock 2 Cluster South	410	CUP Request #2
Big Rock 2 Cluster East/Laurel Cluster 2 South parcels under CUP #21-0013 (expires Dec. 2024)	160	CUP Request #3 (re-entitlement)
Big Rock 2 Cluster West	249	CUP Request #4
<i>Laurel Cluster 3 CUP #17-0030</i>	<i>587</i>	<i>NA (under 10-year DA)</i>

Figure 1: Project Location Map



**Site Information**

**Site Characteristics**

The proposed Project site is located in unincorporated Imperial County, south of Interstate 8, approximately one mile southwest of the town of Seeley, California, and approximately six miles north of the United States International Border with Mexico (Figure 1).

The topography of the Project area is relatively flat, consisting primarily of fields and unpaved roads, and all the Project parcels have been extensively cleared, plowed, and maintained for agricultural production. Due to the extensive irrigated farming history within the Project area, as well as locally high-water table, many irrigation canals and drains occur within proximity of the Project. These include a segment of the New River adjacent to the northeast corner of the Project, and the Imperial Irrigation District (IID) Westside Main Canal which is located along the west and southern edges of the Project area. In addition, multiple named irrigation canals and drains are located adjacent to the unimproved roadways in the Project area, including Fern Canal and Sidemain, Foxglove Canal, Wixom and Fig Drains, and Dixie Drains Two, Three, Three A and Three B.

**Parcels, Zoning, and Acreage(s)**

**Table 2: Big Rock 2 Cluster North (New CUP Request #1)**

	<b>APN</b>	<b>Zoning</b>	<b>Acres</b>
1	051-270-020	A-2-R	101.8
2	051-270-028	A-2	52.3
3	051-270-036	A-2	67.4
4	051-270-041	A-2-R	279.0
5	051-280-054	A-2	149.5
6	051-300-011	A-2	79.6
7	051-300-016	A-2	10.8
8	051-300-026	A-2	13.4
9	051-300-035	A-3	40.3
10	051-300-037	A-3	28.9
11	051-300-032 (northern portion)	A-2	85.5
	<b>Sub-total</b>		<b>910</b>
	<b>Laurel 2 North CUP #21-0014 (Expires December 2024)</b>		
12	051-300-032 (southern portion) (to be re-entitled)	A-2-RE	80
13	051-300-036 (to be re-entitled)	A-3-RE	40.3
	<b>Sub-total</b>		<b>120</b>
	<b>TOTAL ACRES</b>		<b>1,030</b>

**Table 3: Big Rock 2 Cluster South (New CUP Request #2)**

	<b>APN</b>	<b>Zoning</b>	<b>Acres</b>
1	051-330-003	A-3	246.5
2	051-350-004	A-3	57.4

	APN	Zoning	Acres
3	051-350-006	A-3	26.3
4	051-350-007	A-3	40.0
5	051-350-008	A-3	40.0
	<b>TOTAL ACRES</b>		<b>410</b>

**Table 4: Big Rock Cluster 2 East (to be re-entitled) (New CUP Request #3)**

<b>Laurel Cluster 2 South CUP #21-0013 (Expires December 2024)</b>			
	APN	Zoning	Acres
1	051-310-027	A-2-R-RE	120.0
2	051-310-028	A-2-R-RE	39.9
	<b>Total</b>		<b>160</b>

**Table 5: Big Rock 2 Cluster West (New CUP Request #4)**

	APN	Zoning	Acres
1	051-290-018	A-2-R	79.8
2	051-290-019	A-3	48.7
3	051-320-005	A-3	45.0
4	051-320-006	A-3	39.9
5	051-320-007	A-3	35.3
	<b>TOTAL ACRES</b>		<b>249</b>

## Site Information

### Site Characteristics

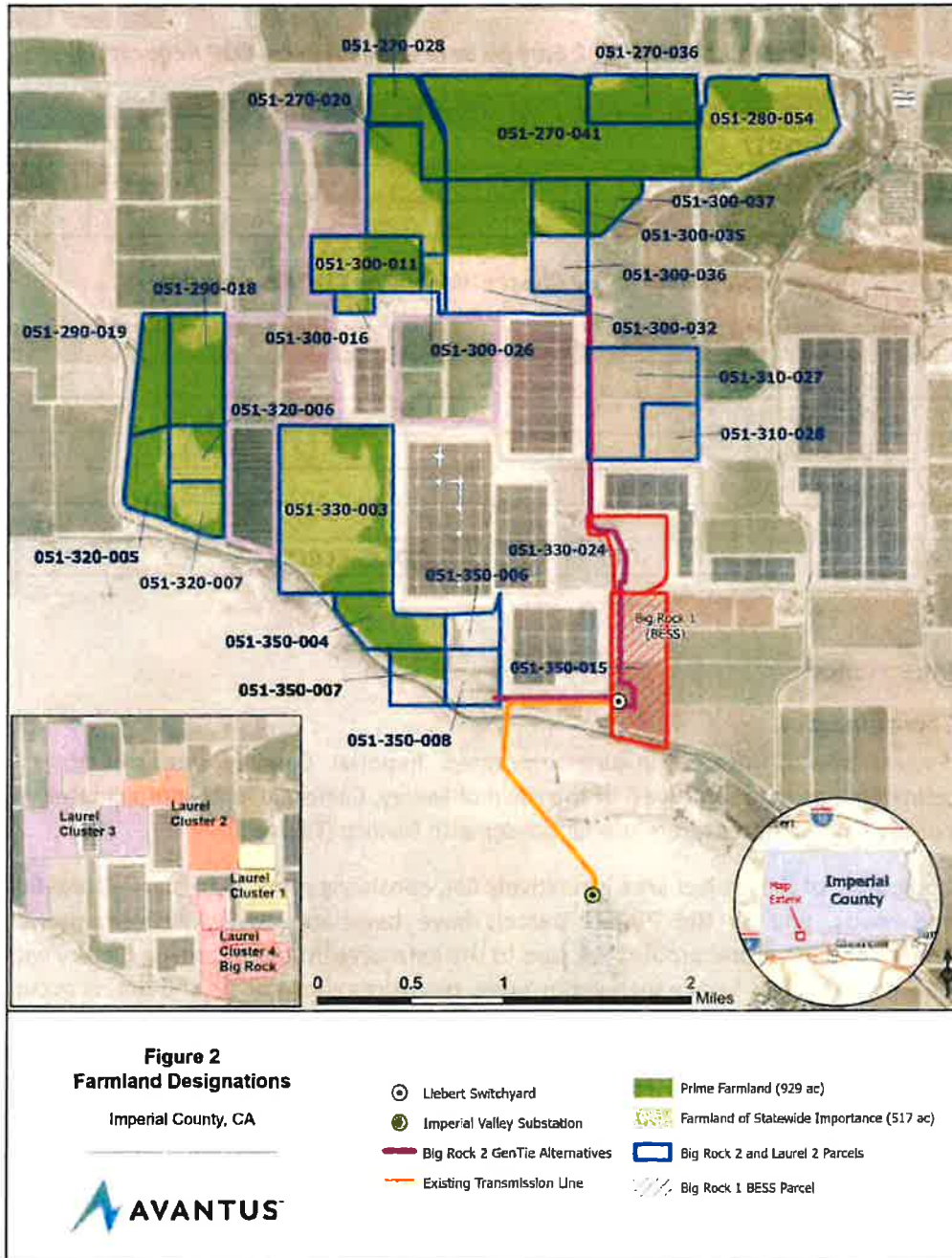
The Project site is located in unincorporated Imperial County, south of Interstate 8, approximately one mile southwest of the town of Seeley, California, and approximately six miles north of the United States International Border with Mexico (Figure 3).

The topography of the Project area is relatively flat, consisting primarily of agricultural fields and unpaved roads, and all the Project parcels have been extensively cleared, plowed, and maintained for agricultural production. Due to the extensive irrigated farming history within the Project area, as well as locally high-water table, many irrigation canals and drains occur within proximity of the Project. These include a segment of the New River adjacent to the northeast corner of the Project, and the Imperial Irrigation District (IID) Westside Main Canal which is located along the west and southern edges of the Project area. In addition, multiple named irrigation canals and drains are located adjacent to the unimproved roadways in the Project area, including Fern Canal and Sidemain, Foxglove Canal, Wixom and Fig Drains, and Dixie Drains Two, Three, Three A and Three B.

The entire Project area is designated Agricultural in the Imperial County General Plan. Current land use of the Project parcels includes cropland, dryland grain crops, irrigated grain and hayfields, row crops, orchards, and pastureland.

Figure 2 also illustrates Prime Farmland and Farmland of Statewide Importance; however, the Project does not include agricultural lands designated under the “Williamson Act”.

**Figure 2: Farmland Designations**



## ***Adjacent Lands***

### *Existing Land Use*

The Project is adjacent and proximal to both Agricultural and Agricultural/Rural lands that have been rezoned for renewable energy (RE), specifically for PV solar and BESS projects that have been approved by Imperial County.

Nearby land uses are predominantly agricultural and/or renewable energy generation, but also include commercial, transportation, military, and electric utility uses. Commercial land uses include the Rio Bend Golf Course (*and associated Specific Plan Area*) to the east of the Project. The Interstate 8 and Union Pacific Railroad transportation corridors are located to the north of the Project. To the south of the Project, utility land uses include the SDG&E Imperial Valley Substation, as well as additional agricultural lands that have been designated for PV solar, and BESS renewable energy projects.

### *Operational Renewable Energy Facilities*

Campo Verde Solar, owned by Southern Power, became operational in September 2013 and is located on multiple APNs that are adjacent to the proposed Project (Figure 1).

### *Renewable Energy Facilities Pending Entitlement*

The Consolidated Edison Development Westside Canal Battery Storage Project is a utility-scale energy storage development approved by Imperial County and is located on two APNs adjacent to the southernmost parcels of the proposed Big Rock 2 Project (Figure 1).



## **PROJECT DESCRIPTION**

### **Overview**

The Applicant proposes to develop, design, and construct a PV solar energy generation and BESS facility comprised of up to 500 megawatt alternating current (MWac) PV solar and up to 500 MWac of BESS. Power generated by the Project would be collected using up to 66-kV collector lines which could run overhead and/or underground to a dedicated Project substation, with a 230-kV overhead generation transmission line or “gen-tie” line linking a Project substation to the Imperial Irrigation District (IID) Liebert Switchyard. The Liebert Switchyard would then be connected to the SDG&E Imperial Valley substation via an overhead 230-kV gen-tie line. The Project contemplates two gen-tie line alternatives as depicted in Figure 1.

The Applicant has considered the following in its selection of the Big Rock 2 PV solar and BESS Project for detailed evaluation:

- Private land availability suitable for renewable energy development
- Compatible Land Use Zoning: Agricultural/Rural Zone(s)
- Proximity to the SDG&E Imperial Valley substation
- Proximity to the applicant’s previously approved PV solar and BESS projects entitled with Imperial County

### **Project Objectives**

The primary objective of 90FI 8me LLC is to develop, design and construct a large-scale solar PV and BESS facility in Imperial County that, when operational, maximizes the production of clean, reliable, and renewable electric power in an economically feasible and commercially financeable manner. The power produced by the Project is expected to be marketed to utility companies, Community Choice Aggregators (CCAs), or other large-scale energy off-takers. Additional Project objectives include:

- Provide renewable energy to the electric grid to meet increasing demand for in-state generation and provide energy storage that can be dispatched to the regional grid during times of greatest energy demand.
- Integrate the proposed Project operating facilities with previously proposed and entitled PV solar and BESS projects in the project vicinity to maximize economies of scale.
- Provide annual revenues consistent with the Public Benefit Program for Solar Power Plants in Imperial County (Amended May 9, 2023, by the Board of Supervisors) that directly supports Agriculture, Community Benefits Funds, and Public Services (e.g., Sheriff, Public Health, Fire Department) within Imperial County.
- Assist the County in continuing the goal in the Energy Element of its General Plan to develop large scale solar energy development as a major energy source in the County.
- Promote economic development and bring regionally defined living-wage jobs to the region throughout the life of the proposed Project.

- Support California’s efforts to reduce greenhouse gas (GHG) emissions consistent with the timeline established in 2006 under California Assembly Bill 32, the Global Warming Solutions Act of 2006, which requires the California Air Resources Board to reduce statewide emissions of greenhouse gases (GHGs) to at least the 1990 emissions level by 2020. This timeline was updated in 2016 under SB 32, which requires that statewide GHG emissions are reduced to at least 40 percent below the statewide GHG emissions limit by 2030.
- Support California’s Renewable Portfolio Standards (RPS) Program consistent with the timeline established by SB 100 (De León, also known as the “California Renewables Portfolio Standard Program: emissions of greenhouse gases”) as approved by the California Legislature and signed by Governor Brown in September 2018, which established a 50 percent RPS goal by December 31, 2026, 60 percent by December 31, 2030, and a goal that 100 percent of electric retail sales to end-use customers be provided by renewable energy and zero-carbon resources by 2045.
- Utilize historically farmed lands that could otherwise be fallowed due to current and future water shortages, thereby providing local farmers and/or agricultural landowners in Imperial County an alternative to the economic losses associated with limiting their agricultural production.

## **Project Components**

### ***PV Module Configuration***

The Project would use PV panels or modules<sup>1</sup> on mounting frameworks to convert sunlight directly into electricity. Individual panels would be installed on either fixed-tilt or tracker mount systems (single- or dual-axis, using galvanized steel or aluminum). If the panels are configured for fixed tilt, they would be oriented toward the south. For tracking configurations, the panels would rotate to follow the sun over the course of the day. Although the panels could stand up to 15 feet in height (H), depending on the mounting system used, panels are expected to remain between six (6) and eight (8) feet in height.

---

<sup>1</sup> Including but not limited to bi-facial or concentrated photovoltaic (CPV) technology.



*Typical fixed-tilt solar panel rows*



*Typical single axis tracking solar panels*



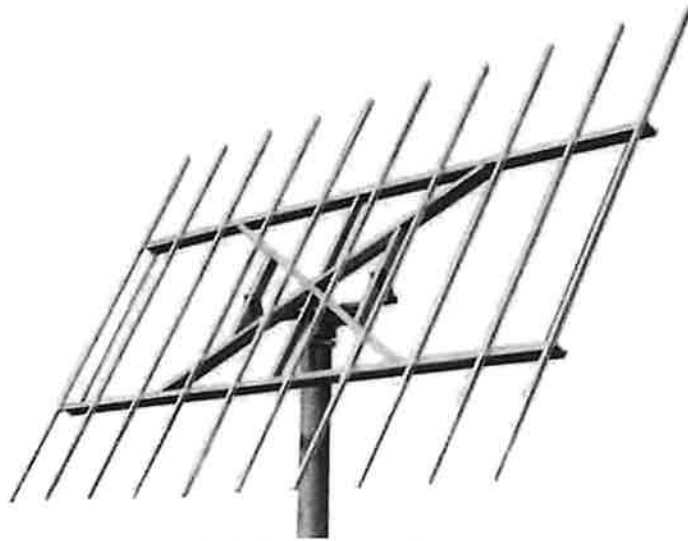
*Typical dual axis tracking solar panels*

The solar panel array would be arranged in groups called blocks, with inverter stations generally located centrally within the blocks. Blocks would produce direct electrical current (“DC”), which is converted to alternating current (“AC”) at the inverter stations.

Each PV module would be placed on a fixed-tilt or tracker mounting structure. The foundations for the mounting structures can extend up to 10 feet below ground, depending on the structure, soil conditions, and wind loads, and may be encased in concrete or use small concrete footings. A light-colored ground cover or palliative may be used to increase electricity production. Final solar panel layout and spacing would be optimized for the Project area characteristics and the desired energy production profile.



*Typical fixed-tilt mounting structure*

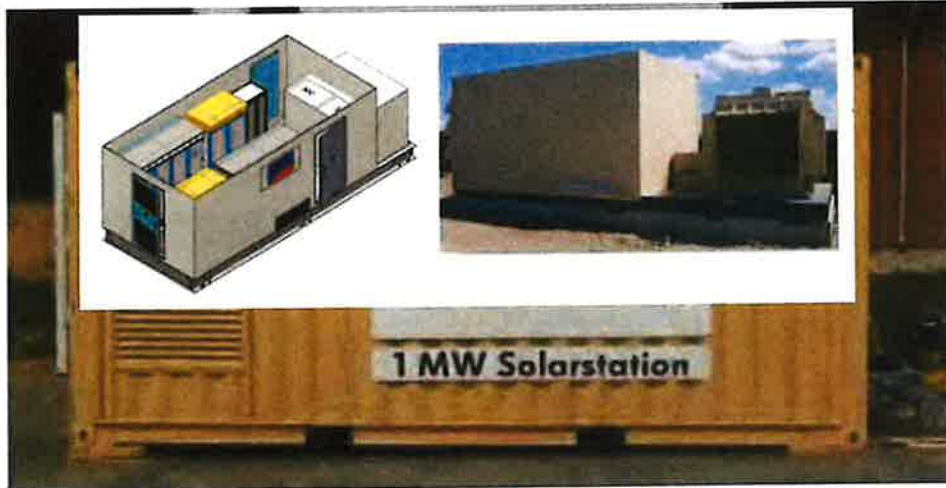


*Typical dual axis mounting structure*

#### ***Collection, Inverter and Transformer Systems***

DC energy is delivered from the PV panels via cable to inverter stations, generally located near the center of each block. Inverter stations convert the DC energy to AC energy which can be dispatched to the transmission system. PV Inverter stations are typically comprised of one or more inverter modules with a rated power of up to 5-MW each, a unit transformer, and voltage switch gear. BESS units for the Project would be connected to bidirectional inverter stations, high-level control system(s), transformers, and ultimately the Project substation(s) bus bar via a series of overhead or underground electrical collector lines ranging from 66kV to 230kV. Utilizing these Project components, the DC onsite PV panel and battery energy would be converted to AC energy and dispatched to the regional transmission grid, and this process would be reversed to charge the batteries from electrical energy imported from the regional transmission grid for onsite energy storage. PV and BESS inverter stations are typically comprised of one or more inverter modules with a rated power of up to 10 MW each, and a unit transformer, and voltage switchgear. The unit transformer and voltage switch gear are housed in steel enclosures, while the inverter module(s) and control system(s) are housed in cabinets. Depending on the vendor selected for the Project, the inverter stations may be located within an enclosed or canopied metal structure, typically a skid or concrete pad.

Overhead and/or underground collector lines may be bundled together as they approach the substation(s), sharing common poles or trenches. Collector lines would then connect to the Project substation bus bar before being stepped up to 230kV for transmission. Potential collector line routes for the Project are provided in Figure 1; however, not all routes will ultimately be developed. The 66kV collector lines would be connected from the various PV parcels and the BESS system to the step-up project substation. The final location(s) of each component, height, and structure type(s) would be determined before the issuance of building permits for the Project by Imperial County.



*Typical inverter stations*

#### ***Battery Energy Storage System***

The Project will include one or more BESS, located at or near the Project substation(s)/switchyard(s), the inverter stations, or elsewhere onsite. BESS' consist of modular and scalable battery packs and battery control systems that conform to California and U.S. national safety standards. The BESS modules, which could include commercially available lithium or flow batteries, and typically consist of ISO standard all-weather containers (approximately 40'L x 8'W x 8'H) housed in pad- or post-mounted, stackable metal structures, but may also be housed in a dedicated building(s) in compliance with applicable regulations. The maximum height of a dedicated structure is not expected to exceed 25 feet. The actual dimensions and number of energy storage modules and structures vary depending on the application, supplier, and configuration chosen, as well as on off taker/power purchase agreement requirements for the Project.

The BESS would be in unmanned, remotely controlled containers that would be periodically inspected by Project personnel for maintenance purposes. The BESS would be designed to conform with Imperial County and national BESS fire standard NFPA 855 and/or other applicable national standards. The BESS would have all required UL9540A reports (or equivalent) and would be certified to UL9540 (or equivalent), if required. BESS' require additional components to be fully operational, and that allow the batteries to be connected to the regional transmission grid as discussed below.

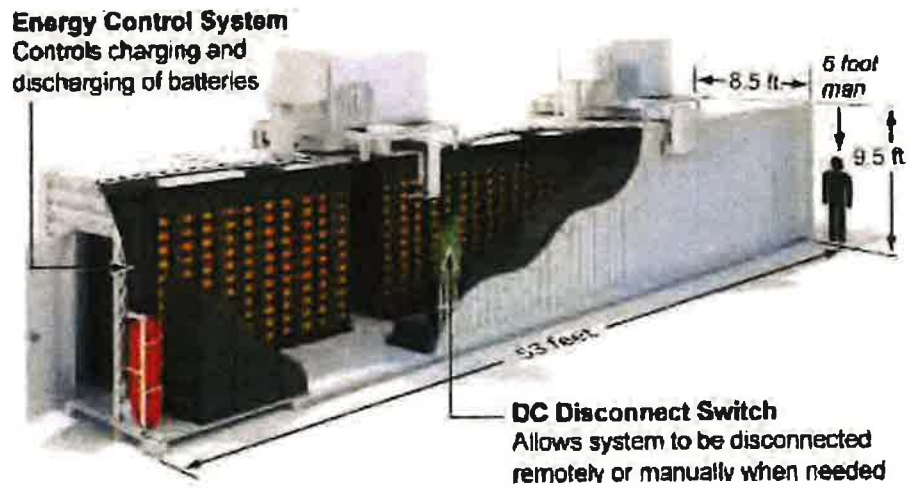


*BESS Installed in Dedicated Structure*





*Modular BESS Installed on Multiple Concrete Pads*



*Typical BESS module configuration*





### *Typical BESS*

#### ***Substation(s)***

The proposed Project would have its own dedicated substation equipment located within the Project footprint. Dedicated equipment may incorporate several components, including high-voltage and auxiliary power transformers, distribution cabinets, revenue metering systems, a microwave transmission tower, voltage switch gear, transmission poles and racking, and bus bar(s) of various voltages for interconnection(s). The substation may also include telecommunications facilities, fiber optic communication cables, equipment, and associated structures for diverse path routing of communications. Substations typically occupy an area of up to approximately five (5) acres and are secured separately by a chain-link fence.

Substations typically include a small control building (approximately 500 square feet) standing approximately ten (10) feet tall. The building is either prefabricated concrete or steel housing with rooms for the voltage switch gear and the metering equipment, a room for the station supply transformer, and a separate control technology room in which the main computer, the intrusion detection system, and the main distribution equipment are housed. Components of this building (e.g., control technology room and intrusion detection system) may instead be located at an O&M building described later in this Project Description.



*Typical Substation*

#### ***Transmission Line and Interconnection***

The Project 230kV step-up substation would connect to the 230kV Liebert Switchyard, via one of the proposed gen-tie line alternatives (Figure 1). The Liebert Switchyard will have a direct connection to the existing SDG&E Imperial Valley Substation via an existing overhead 230kV gen-tie line. Overhead transmission conductors may be mounted on tubular steel poles up to 200 feet in height and would include associated insulator and hardware assemblies, the appropriate number of spans of conductor and optical ground wiring, and dead-end structures at both the Project substation and the Liebert Switchyard. Portions (or all) of the gen-tie line may be

undergrounded as necessary. The structure type(s), height, and final location(s) of each component would be determined before the issuance of building permits by Imperial County.

Alternative gen-tie routing(s) is depicted in Figure 1 and may utilize currently entitled lands and/or private easements; however, additional alternate routing may include gen-tie line(s) directly to the Imperial Valley substation, utilizing additional/other private and/or Bureau of Land Management (BLM) lands.

#### ***Operations and Maintenance (O&M) Building***

The Project may include an O&M building of approximately 40' x 80' in size, with associated onsite parking. The O&M building would be steel framed, with metal siding and roof panels. The O&M building may include the following:

- Office
- Repair building/parts storage
- Control room
- Restroom
- Septic tank and leach field
- Water supply
- Heating, ventilation, and air conditioning (HVAC)

Roads, driveways, and parking lot entrances would be constructed in accordance with Imperial County standards. Parking spaces and walkways would be constructed in conformance with all California Accessibility Regulations. Any unused O&M areas onsite may be covered by solar panels. The structure type(s), height, and final location(s) of each component would be determined before the issuance of building permits by Imperial County.

#### ***Roadway and IID Crossings***

The Project may require the following crossing types of Imperial Irrigation District (IID) canals and/or drains and unimproved Imperial County roads: overhead electric, underground electric, vehicular crossings. The exact locations of the crossings are not known at this time but are not anticipated to interfere with the purpose or continued use of these facilities. For instance, where a drain flows, the Project crossing or access point would still allow the drain to flow. As required by IID, the Project may be required to make minor improvements to on-site drains. IID requires solar projects to improve existing drain outflow pipes. This typically involves installation of new drain outflow pipes to reduce erosion within the drains. Exact locations and dimensions of any required IID facility and/or County roadway crossings would be determined prior to issuance of building permits by Imperial County.

#### ***Water Usage***

Water demand for panel washing and O&M domestic use is not expected to exceed 100 acre-feet per year. Water usage during construction, primarily for dust-suppression purposes, is not expected to exceed 700 acre-feet in total. Decommissioning of the Project at the end of its anticipated useful lifespan may require approximately an additional 700 acre-feet. Water would be obtained from the landowner's water supply, local irrigation district, or delivered via truck from off-area source(s). A small water treatment system may be installed onsite near or within the O&M building to provide deionized water for panel washing.

### ***Water Storage***

One or more above-ground water storage tanks with a total capacity of up to 100,000 gallons may be placed near the O&M building. The storage tank(s) near the O&M building would have the appropriate fire department connections to be used for fire suppression. These storage tanks could be up to 30-feet in height.

### ***Site Security and Fencing***

The Project area would be enclosed within a chain link fence measuring seven (7) to ten (10) feet in height from finished grade. An intrusion alarm system comprised of sensor cables integrated into the perimeter fence, intrusion detection cabinets placed approximately every 1,500 feet along the perimeter fence, and an intrusions control unit, located either in the substation control room or at the O&M building, or similar technology, may be installed. Additionally, the Project may include additional security measures including, but not limited to, low voltage fencing with warning reflective signage, controlled access points, security camera systems, and security guard vehicle patrols to deter trespassing and/or unauthorized activities that could interfere with operation of the Project.

Controlled access gates would be maintained at the main entrances to the Project. Project area access would be provided to offsite emergency response teams that respond in an after-hours emergency. Enclosure gates would be manually operated with a code or key provided in an identified key box location.

### ***Lighting***

Outdoor lighting for the Project would be the minimum required for safety and will be directed away from public rights-of-way and adjacent private property. All outdoor lighting used onsite would be of the lowest intensity necessary to provide suitable light for site security and safe ingress and egress, in compliance with any applicable regulations, measured at the property line after dark. Outdoor lighting is anticipated to be necessary for the access gates, substation(s), O&M building, control room, and inverters to allow for safe access and emergency maintenance. Site lighting may also include motion sensor lights installed within the solar fields in proximity to the inverters for security purposes.

### ***Annual Production***

The Project PV solar will have a nominal output capacity of up to 500 (AC), generating sufficient electricity to power approximately 130,000 homes. The Project would generate electrical power during daylight hours. Peak electricity demand in California corresponds with air conditioning use on summer afternoons when ambient temperatures are high. The Project's peak generating capacity corresponds to this time period. There is no generating capacity between sunset and sunrise due to the lack of solar energy, though power may be released from the 500 MW BESS at any time of day.

### ***Electric Service***

Commercial operational low voltage electric service may be obtained from IID for the Projects' O&M building(s) and auxiliary loads. Temporary electric service is typically obtained for primary construction logistical areas. Generator power may be utilized for temporary portable construction trailer(s) during Project construction and/or decommissioning.

## **Project Construction**

### ***Construction Activities and Duration***

The construction period for the Project is approximately 18 to 24 months.

Construction would include the following activities:

- Site preparation
- Access and internal circulation roads
- Grading and earthwork
- Concrete foundations
- Structural steel work
- Panel installation
- Electrical/instrumentation work
- Collector line installation
- Battery unit installation
- Stormwater management facilities
- Gen-tie line poles and conductor stringing

Roadways would only be temporarily affected, and only during the Project's construction period. Construction traffic would access the Project site from the north or south via Derrick Road, Jessip Road, Westside Road, and Hyde Road, and from the east via Diel Road and Wixom Road (or other nearby local roads). Large trucks would likely utilize Interstate 8 and S29 (Drew Road) for materials deliveries. It is anticipated that traffic would entirely avoid the town of Seely.

Noise generated during construction activities would comply with the Imperial County noise ordinances (Title 9 Land Use Code, Division 7). Heavy construction is expected to occur between 6:00 am and 5:00 pm, Monday through Saturday. Additional hours may be necessary to make up schedule deficiencies or to complete critical construction activities. Some activities may continue 24 hours per day, seven days per week. Low level noise activities may potentially occur between the hours of 10:00 pm and 7:00 am. Nighttime activities could potentially include, but are not limited to, refueling equipment, concrete pours, staging material for the following day's construction activities, quality assurance/control, and commissioning.

Materials and supplies would be delivered to the Project Area by truck. Truck deliveries would normally and primarily occur during daylight hours. However, there would be occasional offloading and/or transporting to the Project on weekends and during evening hours.

Earthmoving activities are expected to be limited to the construction of the access roads, O&M building, substation, water storage tank(s), solar panel foundation supports, BESS(s), transmission poles and conductor stringing, and any storm water protection or storage (detention) facilities. The Project is not anticipated to pave, remove, or significantly alter existing agricultural soil(s). Rather, solar panels would be installed atop the flat lots, leaving the farming soil relatively undisturbed and available for crop cultivation at the end of the Project's life. Final grading may include revegetation with low lying grass or applying earth-binding materials to disturbed areas to control dust and increase the reflectivity of the ground surface.

Site preparation would be planned and designed to minimize the amount of earth movement required for the Project, to the extent feasible. The hydrology design would be given priority to protect the Project's facility components, as well as adjacent IID canals/drains and County roads, from erosion during large storm events. The existing on-site drainage patterns would be maintained to the greatest extent feasible. Compaction of the soil to support the building and traffic loads as well as the PV module and BESS supports may be required and is dependent on final geotechnical investigations and engineering designs. These final engineering designs would be reviewed by IID and the County prior to Imperial County issuing building permits.

#### ***Laydown Areas***

At full build-out, most of the Project footprint would be disturbed by construction of the Project. Therefore, temporary construction lay down and materials staging areas, construction trailer locations, and construction parking areas will all be provided within the Project disturbance footprint. Due to the large scale of the Project, the lay down areas may be relocated periodically within the solar field acreage as the project is built out.

#### ***Workforce***

It is estimated that up to 500 workers per day (during peak construction periods) would be required to construct the Project.

### **Project Operation**

#### ***Operational Activities***

The PV solar and BESS facility would operate seven days a week, 24 hours a day. Maintenance activities may occur seven days a week, 24 hours a day to ensure PV panel output when solar energy is available, while the BESS could dispatch energy at any time during the day or night.

Once constructed, maintenance of the PV solar and BESS facility would generally be limited to the following:

- Cleaning of PV panels
- Monitoring PV panel and BESS electricity generation
- Providing site security
- Maintenance of stormwater facilities
- Maintenance of PV solar and BESS facilities including replacing or repairing inverters, wiring, or electrical components, and maintaining, repairing, or replacing substation components.

#### ***Workforce***

It is expected that the Project would require an operational staff of up to 15 full-time employees. It is possible that the proposed Project could share O&M, substation, and/or transmission facilities with other adjacent PV solar and BESS projects that have been approved and entitled by Imperial County, or with any future proposed renewable energy projects nearby. In such a scenario, the projects would share personnel, thereby potentially reducing the project's on-site staff.

## **Project Compliance Plans and Best Management Practices**

The following sections describe standard Project feature compliance plans and best management practices that would be applied during construction and/or long-term operation of the Project, as applicable, to maintain human health and safety, ensure local, state, and federal regulatory compliance, and to avoid or minimize unplanned environmental impacts resulting from construction and/or operation of the Project.

### ***Hazardous Materials and Hazardous Waste Management***

The Project would utilize and store materials onsite that have been defined as hazardous under Title 40 of the Code of Federal regulations (CFR) Part 261, require a Material Safety Data Sheet (MSDS) per the California Labor Code Section 6360, is a listed substance in Section 339 of Title 8 of the California Code of Regulations (CCR), or is defined as hazardous waste per Chapter 6.5 of the California Health and Safety Code.

The following hazardous materials are expected to be used during the construction, operation, and long-term maintenance of the Project:

- Insulating mineral oil for electrical transformers and other electrical equipment
- Lubricating oil for maintenance vehicles
- Various solvents and detergents for cleaning equipment
- Gasoline for maintenance vehicles
- Lithium-ion batteries for storage of electrical energy

Note that additional materials may be used for the project, as required. All hazardous materials would be transported, managed, used, handled, and stored on the Project site during construction and operations. Hazardous waste would be inventoried, stored, transported, and disposed of in accordance with all applicable local, state, and federal regulations at the end of construction or as required during Project operation. Most hazardous materials would be maintained at the Project site in quantities below the threshold requiring a Hazardous Material Business Plan (HMBP) per California Environmental Protection Agency (CalEPA): 55-gallons of a liquid, 200 cubic feet of a gas, and 500 pounds of a solid.

The Project anticipates preparing and implementing a HMBP for the lithium-ion batteries within the BESS, as well as any other hazardous materials that may be stored on the Project site at or above the state-defined thresholds. Chemical storage tanks (if any) would also be designed and installed to meet applicable local and state regulations. Any wastes classified as hazardous such as solvents, degreasing agents, concrete curing compounds, paints, adhesives, chemicals, or chemical containers would be stored in an approved storage facility/shed/structure onsite and disposed of as required by local, state, and federal regulations, as outlined in the HMBP.

### ***Spill Prevention and Containment***

Spill prevention and containment for construction and operation of the Project would adhere to the Environmental Protection Agency's (EPAs) Rule on Spill Prevention Control and Countermeasures (SPCC), which helps facilities prevent oil spills into navigable waters of the U.S. Although aboveground stored quantities of diesel fuel, gasoline, lubricating or hydraulic oils are not expected to exceed EPA storage thresholds during construction, the quantity of insulating

mineral oil required for operation of the Project substation transformers may reach EPA thresholds. SPCC plans would be developed for both Project construction and operations to ensure compliance with the EPA SPCC Rule, and ensure that appropriate spill prevention, control and countermeasures are developed to ensure that potential spills would not discharge into the New River or other navigable waters of the U.S. (e.g., IID canals) located in proximity to the Project.

#### ***Wastewater/Septic System***

A standard onsite septic tank and leach field may be installed and used at the O&M building to dispose of small daily volumes of sanitary wastewater generated by the Projects' operational personnel. The septic system would be designed to meet operation and maintenance guidelines required by Imperial County.

#### ***Solid Waste Management***

Inert solid wastes resulting from Project construction activities may include recyclable items such as paper, cardboard, solid concrete and block, metals, wire, glass, type 1 through 4 plastics, wood, and lubricating oils. Non-recyclable items may include insulation, drywall, other plastics, food waste, vinyl flooring and base, carpeting, paint containers, packing materials, and other construction wastes. To ensure that these wastes are recycled and disposed of properly, the applicant will prepare a Construction Waste Management Plan for review by the County prior to issuance of building permits. Consistent with Imperial County Public Health Department solid waste regulations and the California Green Building Code, the Plan would provide for diversion of a minimum of 50 percent of construction waste from landfill. Project operations are not anticipated to generate significant amounts of any inert solid wastes, recyclable or otherwise, and therefore are not expected to require a management plan.

#### ***Dust Control***

Fugitive dust generated during Project construction would be controlled by utilizing Best Available Control Measures for Fugitive Dust (PM10) (e.g., watering, soil binders or tackifiers, wind screens, signage, speed restrictions, etc.) required by Imperial County Air Pollution Control District (ICAPCD) Rule 801, or California Air Resources Board (CARB) Rule 403. The applicant would prepare a Project Dust Control Plan (DCP) for review by Imperial County prior to issuance of building permits. The DCP would specify appropriate control measures to implement during both active construction and while construction on the Project site is inactive and outline appropriate control measures for both disturbed onsite Project areas, as well as any offsite unimproved or unpaved roads utilized for the Project construction access. During long-term project operations, fugitive dust control is not anticipated to be required for the Project to comply with ICAPCD or CARB Fugitive Dust Rules.

#### ***Pest and Vegetation Management***

Non-native invasive plants and other pests that establish within the Project area would be controlled during Project construction and operations, consistent with the Imperial County office of the Agricultural Commissioner requirements for solar projects. The Applicant would prepare a Pest Management Plan for submission to the Imperial County Agricultural Commission. Long-term implementation of the Plan would include routine pest monitoring of the Project area, use of physical, mechanical, or chemical controls as necessary to manage pests, maintenance of

proper records documenting monitoring and pest management controls, and regular reporting to the Agricultural Commission as required.

### ***Fire Management***

The Project is located within the jurisdiction of Imperial County Fire Department. The Applicant will prepare a Fire Management Plan in accordance with Fire Department requirements for Project construction activities as well as long-term operations, including establishing appropriate emergency access to the Project site for first responders, and identifying Project-specific onsite fire protection or suppression systems that comply with Imperial County requirements.

The Project will incorporate many fire safety features to be described in detail in the Fire Management Plan, including access gates and service roads along the perimeter of the Project designed to meet or exceed fire code specifications (e.g., road width, turnarounds, etc.), PV modules and ancillary equipment constructed of fire-resistant materials, non-flammable ground cover and perimeter barriers (as required) around electrical equipment, and both portable and fixed fire suppression systems. Portable fire extinguishers would be provided at various locations throughout the Project site, while fixed fire suppression systems would be employed throughout the Project based on equipment manufacturer specifications and coordination with the Fire Department. These may include onsite water tank(s), built-in thermal, chemical and/or mechanical monitoring systems, and built-in fire suppression systems. The Plan will also describe best practices including vegetation management and landscape maintenance to help maintain fire-safe operating facilities. Access to nearby properties would not be hindered or restricted by any aspect of the Project Fire Management Plan.

### ***Health and Safety***

Health and safety precautions and best practices consistent with local, state, and federal regulations would be identified and implemented to ensure the safety for all personnel during Project construction and long-term operations. These administrative procedures and controls for Project construction and operational personnel will be supplemented with emergency response plans.

Administrative controls would include classroom and hands-on training in safe procedures for personnel operating and maintaining PV solar, BESS, and high-voltage electrical facilities, including general safety and implementation of a planned maintenance program. These controls would enhance overall Project safety and reliability when applied with the other physical Project safety system(s) and monitoring features incorporated as part of the Project design.

The Applicant will also prepare a Project-specific Emergency Response Plan (ERP). The ERP would outline the major components of an ERP specific to the Project, and address potential facility emergencies including chemical releases, fires, or personnel injuries, as well as identify appropriate protocols and actions during larger emergencies like earthquakes or regional emergency responses led by the Imperial County Office of Emergency Services. All Project employees would be provided with communication devices (e.g., cell phones and/or walkie-talkies) to ensure the ability to provide aid in the event of an emergency as described in the Plan.



### ***General Plan Consistency***

An amendment to the Imperial County General Plan and a zone change are anticipated to be required to implement the proposed Project. The Project parcels are located outside of the Imperial County Renewable Energy (RE) Overlay Zone, but directly adjacent to areas within the RE Overlay Zone. CUP applications proposed for specific RE projects not located in the RE Overlay Zone are not allowed without an amendment to the RE Overlay Zone. Therefore, the applicant is anticipating a General Plan amendment and zone change to include/classify the Project area in its entirety into the RE Overlay Zone.

### **Decommissioning and Reclamation**

PV solar and BESS equipment typically has a lifespan of over 30 years. The proposed Project expects to sell the renewable energy produced by the project under the terms of a long-term Power Purchase Agreement (PPA) with a utility or other power off taker. Upon completion of the PPA term, the project operator may, at its discretion, continue to generate and sell power from the project or decommission and remove the system and its components. Upon decommissioning, the PV solar and BESS facilities could be converted to other uses in accordance with applicable land use regulations in effect at that time.

It is anticipated that during project decommissioning, project structures that would not be needed for subsequent use would be removed from the project site. Above-ground equipment that may be removed would include module posts and support structures, on-site transmission poles that are not shared with third parties and the overhead collection system within the project site, inverters, substation(s), transformers, electrical wiring, equipment on the BESS and inverter pads, and related equipment and concrete pads.

Equipment would be de-energized prior to removal, salvaged (where possible), and shipped off-site to be recycled or disposed of at an appropriately licensed disposal facility. Once the PV solar modules are removed, the racks would be disassembled, and the structures supporting the racks would be removed. Site infrastructure would be removed, including fences, and concrete pads that may support the batteries, inverters, transformers, and related equipment, would also be removed. The demolition debris and removed equipment may be cut or dismantled into pieces that can be safely lifted or carried by standard construction equipment. The fencing and gates would be removed, and all materials would be recycled to the extent practical. Project roads would be restored to their pre-construction function unless they may be used for subsequent land use. The area would be thoroughly cleaned, and all debris removed. Materials would be recycled to the extent feasible, with the remainder disposed of in landfills in compliance with all applicable laws.

The applicant would prepare a Project Reclamation Plan that would be implemented at the end of the Project's useful life, and would be consistent with Imperial County's decommissioning/reclamation requirements, including, but not limited to:

- Description of the proposed decommissioning measures for the facility and for all appurtenances constructed as part of the facility.

- Description of the activities necessary to restore the Project area to its previous condition. Such activities include removing and recycling PV solar and battery equipment, storage equipment, medium voltage collector line, substation, and gen-tie lines. The soils would then be de-compacted and restored to agricultural purposes.
- Presentation of the costs associated with the proposed decommissioning/reclamation measures.
- Discussion of conformance with applicable regulations and with local and regional plans.

In the phased buildout, the phases would be decommissioned/reclaimed independently of one another.

### **Anticipated Required Project Entitlements**

#### ***Imperial County (Lead Agency)***

- Consideration and certification of the Final EIR
- Adoption of the Mitigation Measure Monitoring Program (MMMP)
- Approval of the proposed CUP by the County Board of Supervisors
- Approval by the County Board of Supervisors for applicable items as follows:
  - General Plan Amendment to the Renewable Energy Overlay Element (Zone Change(s),
  - Height Variances, and/or
  - Development Agreement and/or Voluntary Public Benefit Agreement
  - County Grading Permit
  - County Building permit(s)
  - County encroachment permits, easements and/or licenses, as applicable.

The following ministerial reviews and permit approvals are anticipated to be required for the Project by the Imperial County Department(s) and/or Division(s) shown below:

- Dust Control Plan - Air Pollution Control District
- Rule 310 Exemption (as applicable) - Air Pollution Control District
- Construction Traffic Control Plan - Department of Public Works
- County Road Encroachment Permits - Department of Public Works
- Vacation of Public Easements (as applicable) - Department of Public Works
- Site Plan and Architectural Review - Planning & Development Services
- Occupancy Permits - Planning & Development Services
- Fire Safety Plan - Fire Department and Office of Emergency Management
- Project Access and Fire Water Requirements - Fire Department and Office of Emergency Management
- On-site Water Treatment Permit - Division of Environmental Health, Department of Public Works
- Private Sewage Disposal Permit - Division of Environmental Health
- Project Decommissioning Plan - Planning & Development Services, Department of Public Works
- Pest Management Plan - Agricultural Commissioner's Office

### ***Anticipated Imperial Irrigation District Approvals***

Various approvals may be required from IID in conjunction with implementation of the proposed Project. Wherever an IID facility (drain, irrigation canal, electric line, etc.) intersects the Project, an encroachment would occur as the Proposed Project would cross IID facilities with access points and electrical crossings. The Proposed Project may also drain into IID drain facilities. Due to the preliminary nature of the Project and the rapidly changing technology, the exact locations of proposed access and drainage encroachments, and electrical crossings, are not known at this time. The Project encroachments/crossings would not interfere with the purpose of IID's facilities. The following IID approvals, although not discretionary approvals, include, but are not limited to:

- Encroachment Permits/Agreements
- Electrical Crossings
- Water Supply Agreements/Water Card
- Station Service/"Backfeed" Agreement
- Distribution Power/Electric Service Agreement

### ***Other Agency Approvals***

- U.S. Army Corps of Engineers (USACE) Clean Water Act (CWA) Section 404 Nation Wide Permit (NWP) (if required)
- California Department of Fish and Wildlife (CDFW) Section 1600 Streambed Alteration Agreement (SAA) (if required)
- Regional Water Quality Control Board Water Quality (RWQCB) Clean Water Act (CWA) 401 Water Quality Certification (WQC) Permit (if required), Waste Discharge

- Requirements (WDR) Permit, and National Pollution Discharge Elimination System (NPDES) Construction General Permit Coverage (for project construction activities)
- California Department of Transportation (Caltrans) Right-of-Way Encroachment Permits and/or Oversized Loads Permits (as required)

*\*The preceding discretionary actions/approvals are potentially required and do not necessarily represent a comprehensive list of all possible discretionary permits/approvals required. Other additional permits or approvals from responsible agencies may ultimately be required to implement the proposed Project.*

**APPENDIX A: SITE PLAN  
(Provided Under Separate Cover)**

**APPENDIX B: FULL RESOLUTION MAP FIGURES  
(Provided Under Separate Cover)**

# Attachment D

*D1 – Site Plan*

*D2 – Full Resolution Figures*

# Attachment D1

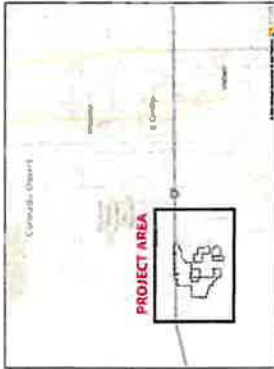
*Site Plan*



NO.	REVISION	DATE
1	ISSUED FOR PERMITS	03/18/2024
2	REVISED PER SAN DIEGO COUNTY PERMITS	03/18/2024
3	REVISED PER SAN DIEGO COUNTY PERMITS	03/18/2024
4	REVISED PER SAN DIEGO COUNTY PERMITS	03/18/2024

**NOTES:**

- CURRENT DESIGN IS PRELIMINARY AND SUBJECT TO CHANGE.
- FINAL DESIGN TO ADHERE TO ALL REGULATIONS, SETBACKS, AND OTHER REQUIREMENTS. FINAL DESIGN SHALL BE REVIEWED AND BIDDING PERMIT APPROVALS.
- UTILITIES TO BE RE-SITED TO INCLUDE:
  - LAUREL 1 NORTH CLUSTER (001-014)
  - LAUREL 2 NORTH CLUSTER (001-014)
  - LAUREL 3 NORTH CLUSTER (001-014)
  - LAUREL 4 NORTH CLUSTER (001-014)

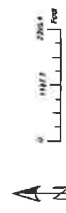
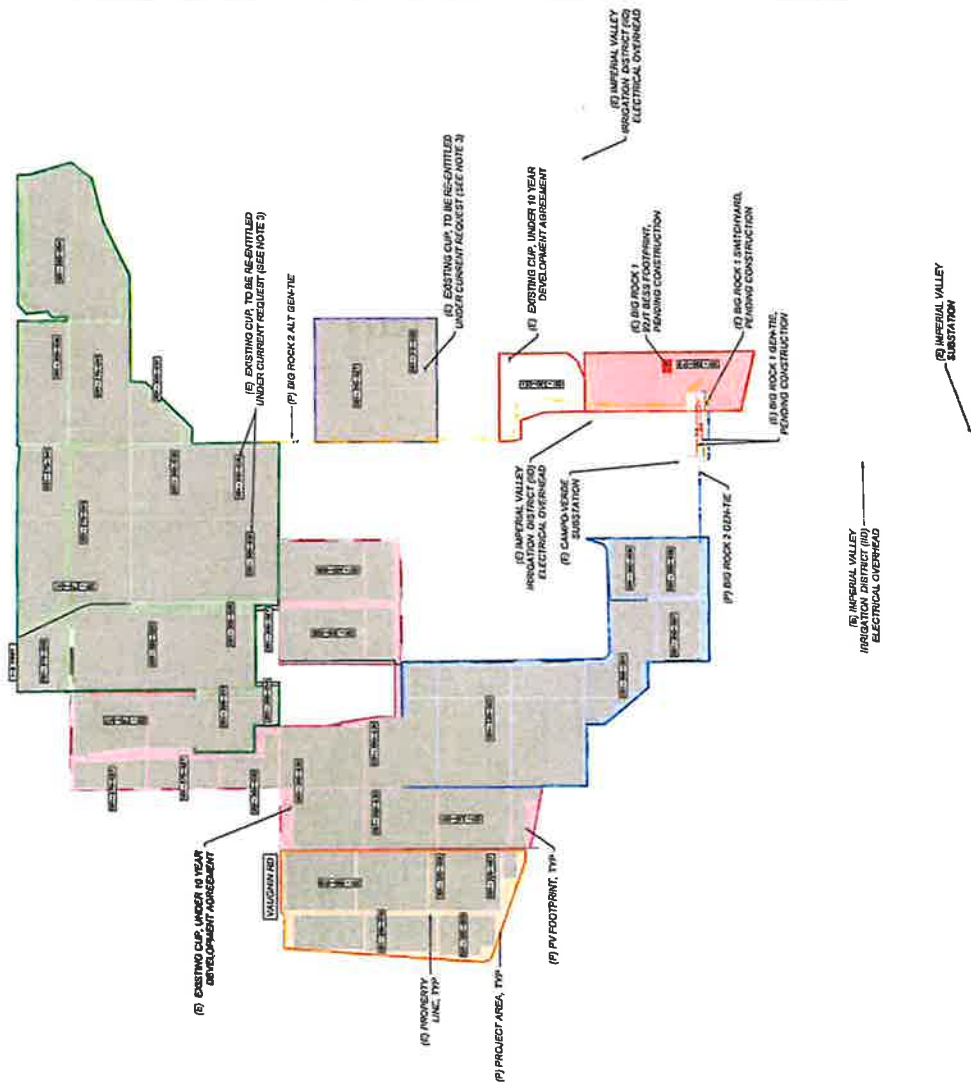


**VICINITY MAP**  
UP TO SCALE

SYSTEM INFORMATION	
MW@ @ POU	500
MW@	T100
DCR	T100
INVERTER SIZE MW@	T100
INVERTER	T100
BESS MW@	500
BESS HOURS	T100

LEGEND	
PROJECT AREA	
PROPERTY LINE	
ELECTRICAL OVERHEAD	
BIG ROCK 3 GEN/TIE LINE	
BIG ROCK 2 ALTERNATIVE GEN/TIE LINE	
BIG ROCK 2 EAST CLUSTER	
LAUREL 3 CLUSTER (MTH 10YR DA)	
BIG ROCK 1 BESS PARCEL	
LAUREL 4 CUP (MTH 10YR DA)	
BIG ROCK 3 SOUTH CLUSTER	
BIG ROCK 2 NORTH CLUSTER	
BIG ROCK 4 WEST CLUSTER	
BIG ROCK 1 BESS FOOTPRINT	
BIG ROCK 1 GEN/TIE	
EXISTING	(E)
PROPOSED	(P)
TYPICAL	TYP



**90FI 8ME LLC**  
**Big Rock 2**  
IMPERIAL COUNTY, CA

**CONCEPTUAL SITE PLAN**  
DATE: March 18, 2024  
SHEET: EX-1

NO.	DATE	DESCRIPTION
1.	11/15/23	PRELIMINARY LAYOUT
2.	11/15/23	PRELIMINARY LAYOUT
3.	11/15/23	PRELIMINARY LAYOUT
4.	11/15/23	PRELIMINARY LAYOUT

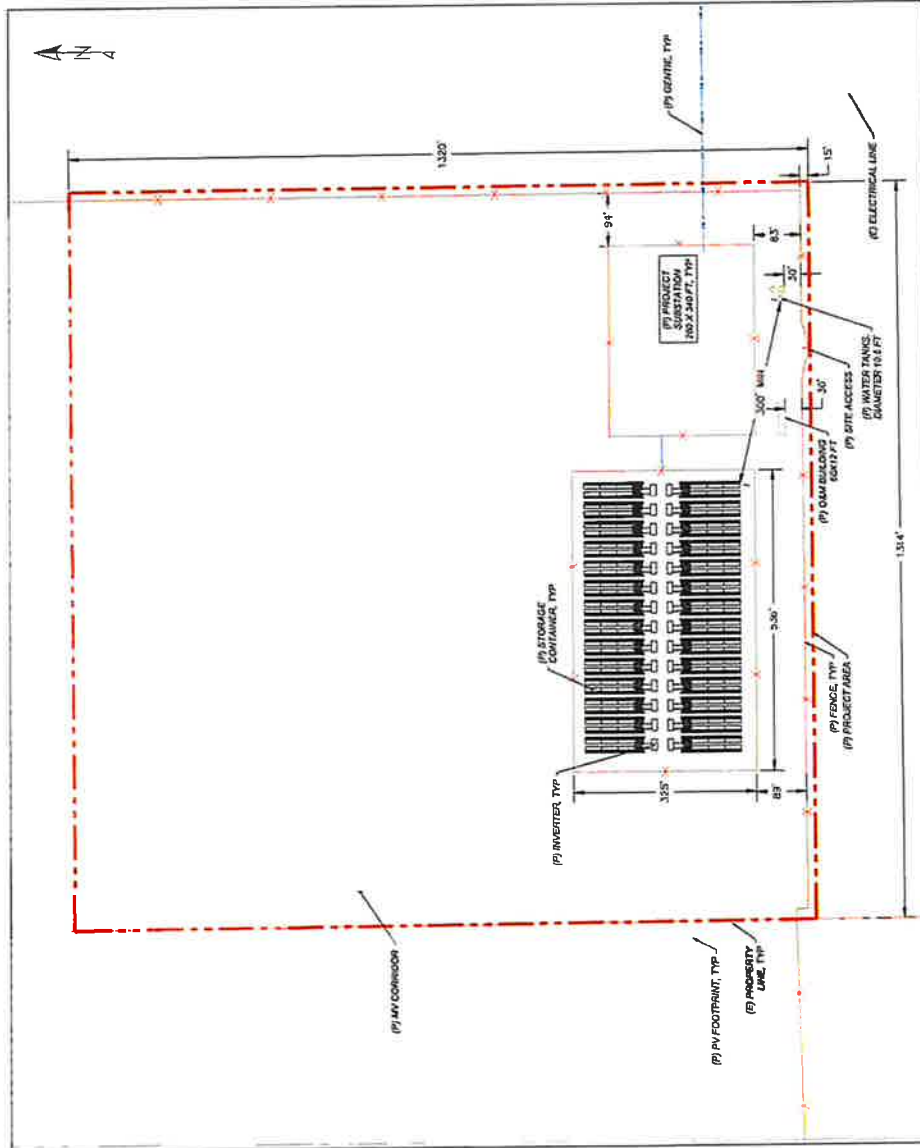
**NOTES:**  
 1. CURRENT DESIGN IS PRELIMINARY AND SUBJECT TO CHANGE.  
 2. FINAL DESIGN TO ADHERE TO ALL CITY AND COUNTY REGULATIONS AND REQUIREMENTS. FINAL DESIGN SHALL BE SUBJECT TO REVIEW AND BUILDING PERMIT APPROVAL.

**90FI 8ME LLC**  
**Big Rock 2**  
 IMPERIAL COUNTY, CA

**CONCEPTUAL BESS LAYOUT**

DATE: March 13, 2024

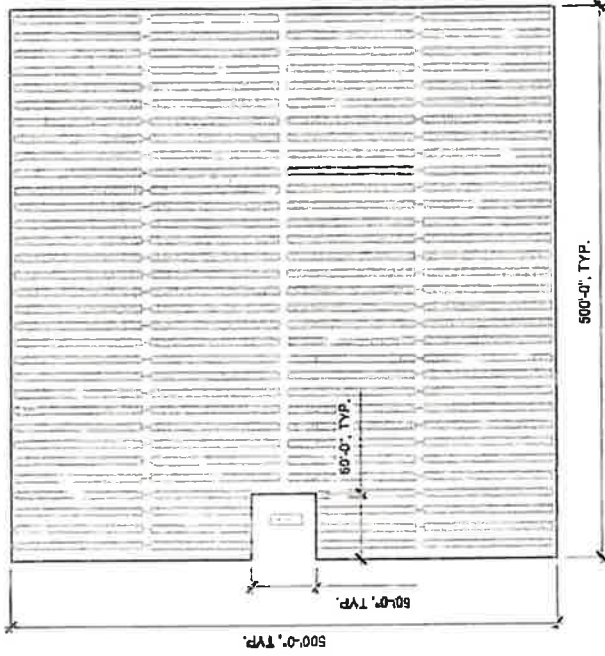
SCALE: EX-2



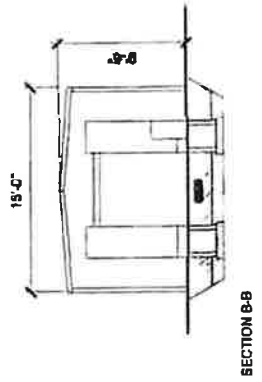
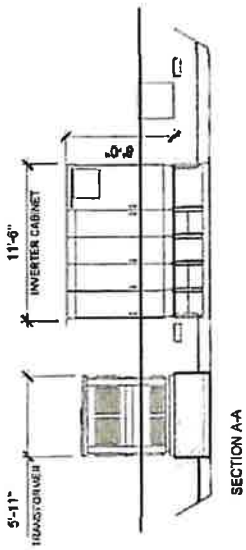
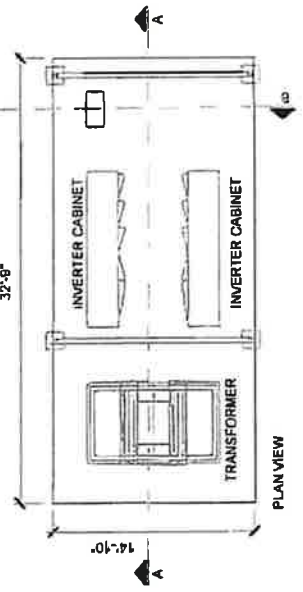


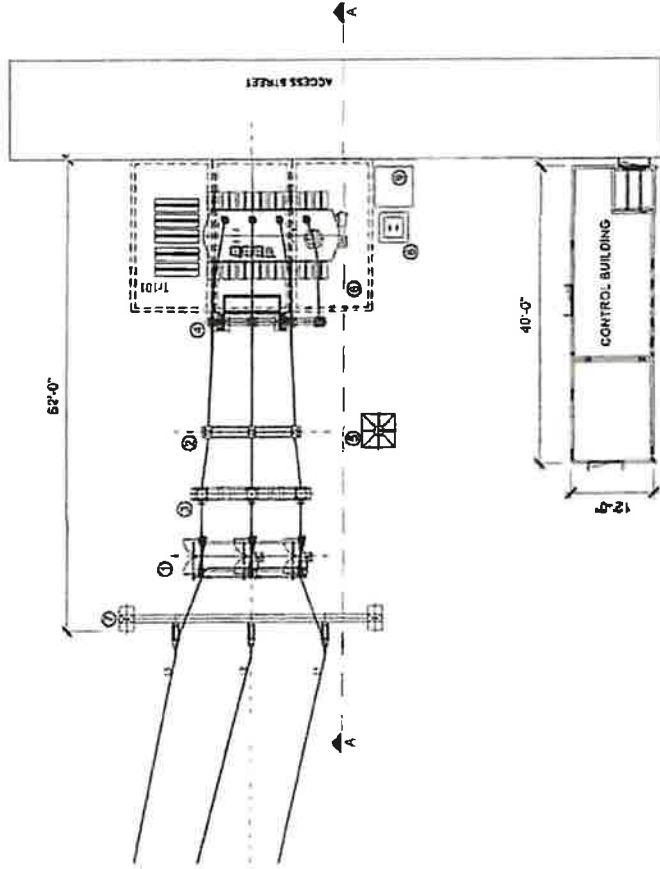
**PRELIMINARY  
NOT FOR  
CONSTRUCTION**

**2 STANDARD SOLAR BLOCK**  
Scale: N.T.S.



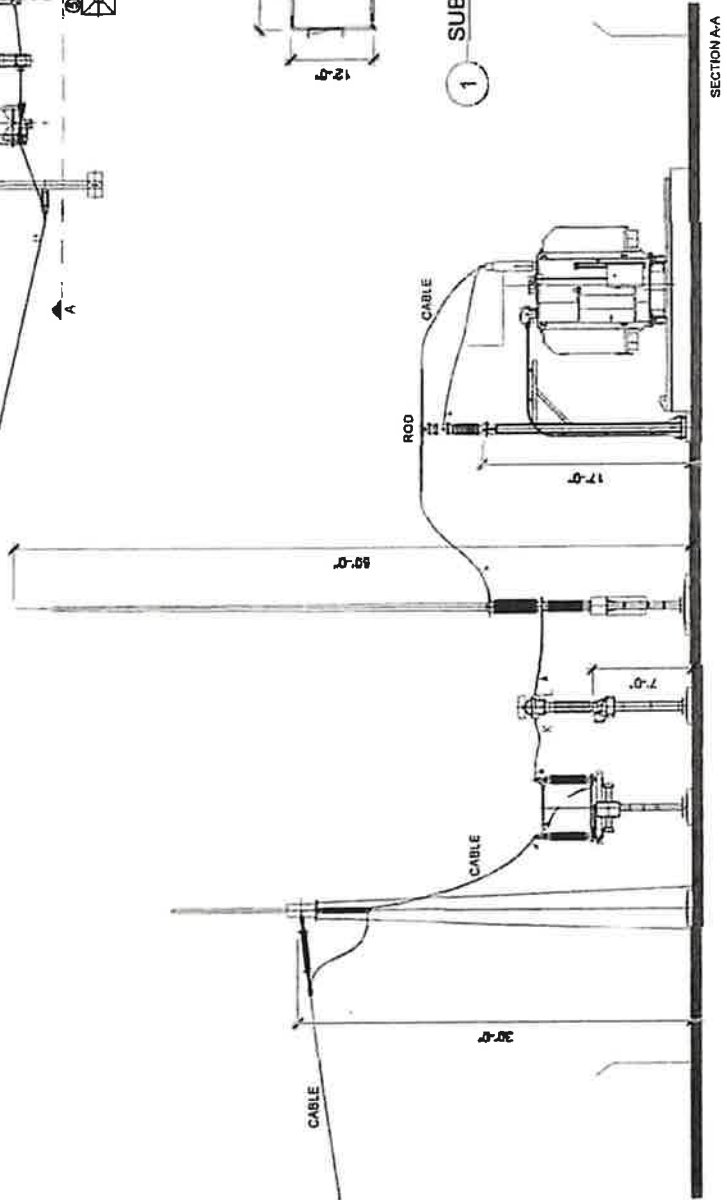
**1 INVERTER, TYP.**  
Scale: 1/8" = 1'-0"





1 SUBSTATION and CONTROL BUILDING  
 Scale: N.T.S.

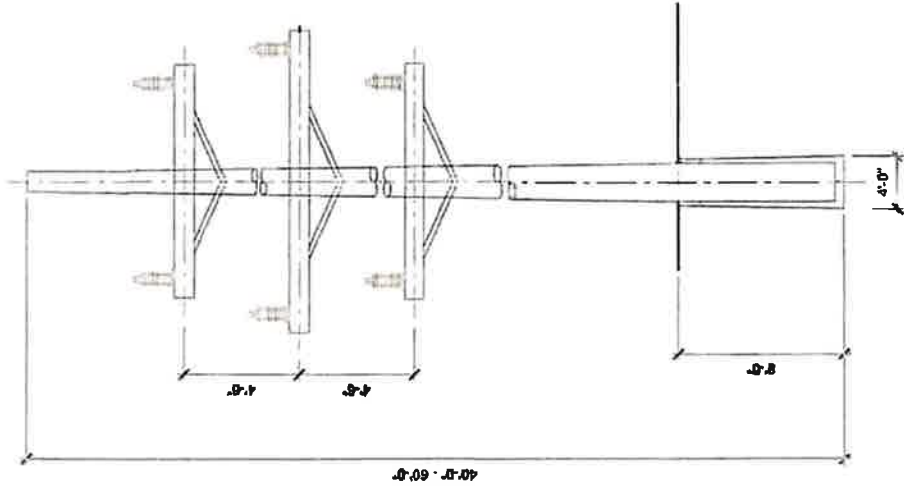
**PRELIMINARY  
 NOT FOR  
 CONSTRUCTION**



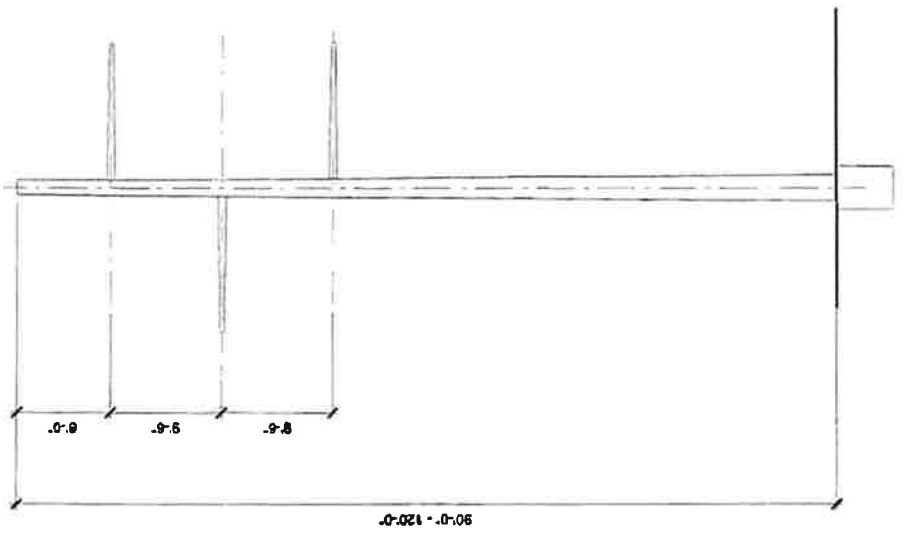
# Attachment D2

*Figures 1 and 2 (Full Resolution)*

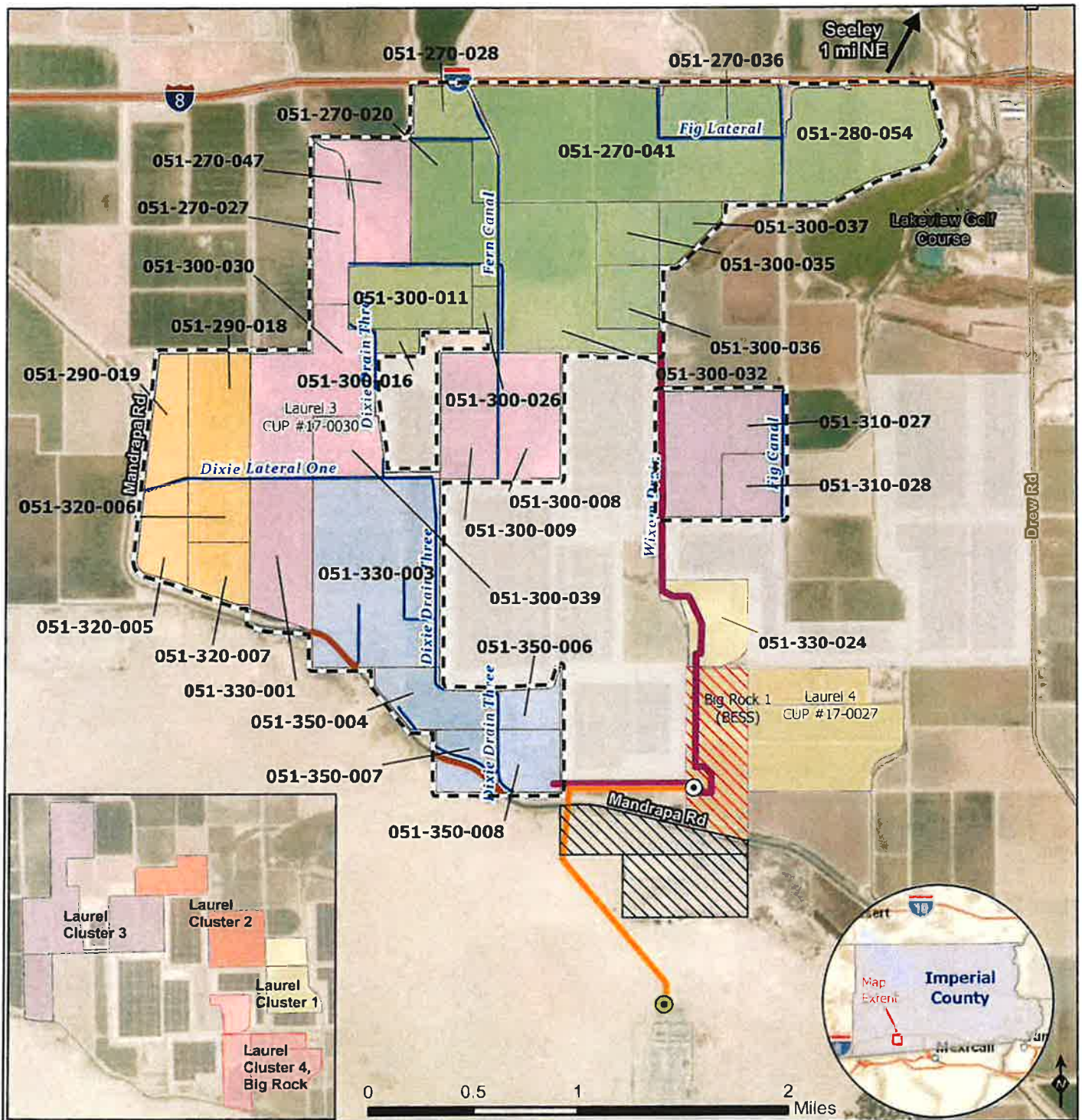
**PRELIMINARY  
 NOT FOR  
 CONSTRUCTION**



2 66 KV MONOPOLE STRUCTURE, TYP.  
 Scale: N.T.S.



1 230 KV MONOPOLE STRUCTURE, TYP.  
 Scale: N.T.S.



**Figure 1  
Location Map**

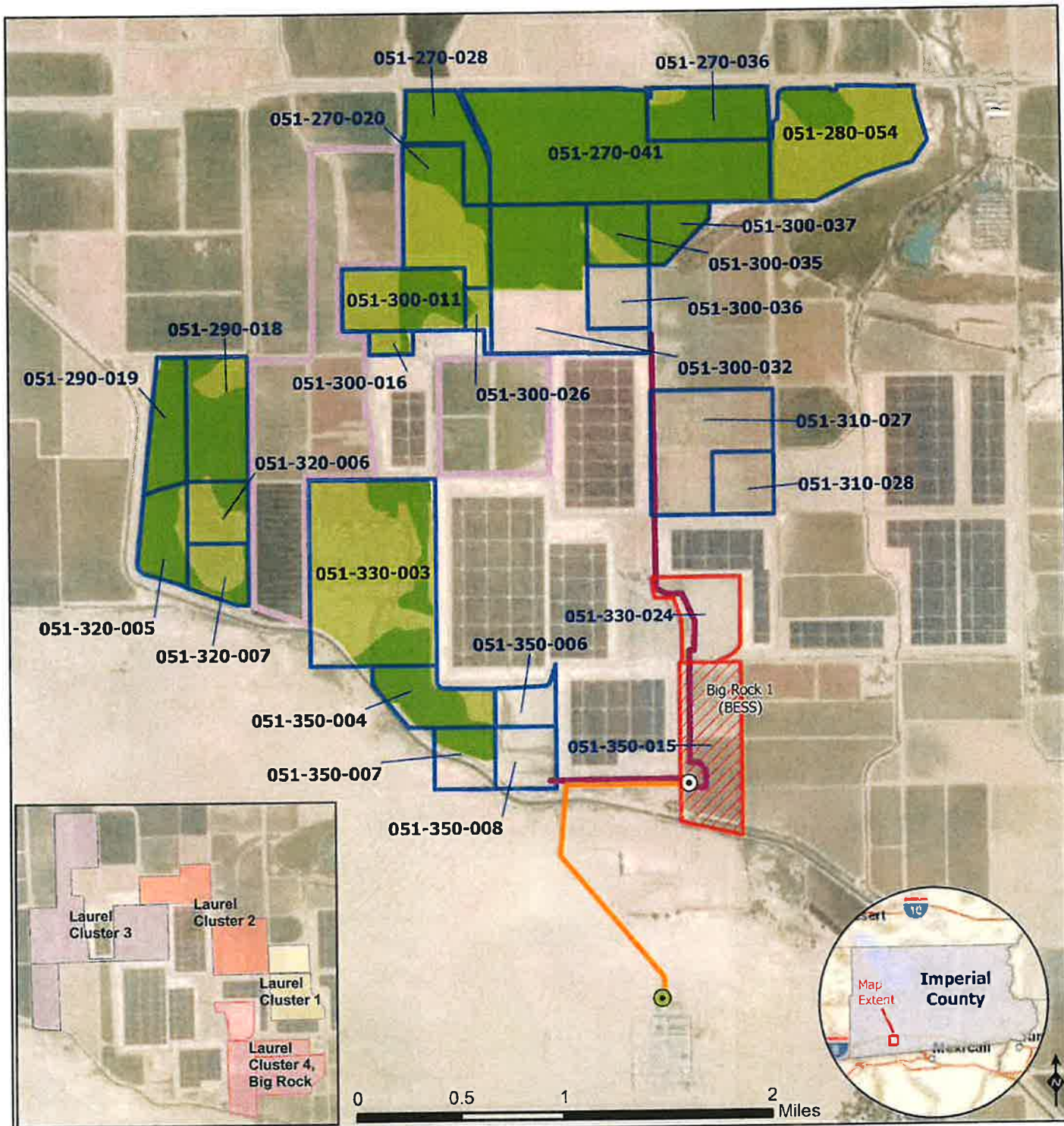
Imperial County, CA



- Liebert Switchyard
- Imperial Valley Substation
- Big Rock 2 GenTie Alternatives
- Existing Transmission Line
- Canal Ditch
- Artificial Path (Canal)
- Big Rock 1 BESS Parcel
- Campo Verde Solar Project

- Lands To Be Developed Concurrently
- Big Rock 2 North Cluster (CUP #1); including Laurel 2 North CUP area (to be re-entitled) - 1030ac
- Big Rock 2 South Cluster (CUP #2) - 410ac
- Big Rock 2 East Cluster (CUP #3); was Laurel 2 South CUP area (to be re-entitled) - 160ac
- Big Rock 2 West Cluster (CUP #4) - 249ac
- Consolidated Edison Development Westside Canal Battery Storage Project
- Laurel 3 Cluster CUP #17-0030 (with 10-year DA) - 587ac
- Laurel 4 Cluster CUP #17-0027 (under 10-year DA)





**Figure 2**  
**Farmland Designations**

Imperial County, CA

- ⊙ Liebert Switchyard
- ⊙ Imperial Valley Substation
- Big Rock 2 GenTie Alternatives
- Existing Transmission Line
- Prime Farmland (929 ac)
- Farmland of Statewide Importance (517 ac)
- Big Rock 2 and Laurel 2 Parcels
- Big Rock 1 BESS Parcel



# **COMMENT LETTERS**



Office of the Agricultural Commissioner  
Sealer of Weights and Measures  
852 Broadway, El Centro CA 92243

Jolene Dessert  
Commissioner / Sealer

Rachel Garewal  
Asst. Commissioner / Sealer

September 13, 2024

Rocio Yee, Planner I  
Planning & Development Services Department  
County of Imperial  
801 Main Street  
El Centro, CA 92243

Re: 90FI 8me LLC BESS Project

Dear Ms. Yee:

Our department received and reviewed the documents pertaining to GPA24-0002, submitted by applicant 90FI 8me LLC. The applicant is proposing to develop, design and construct a PV solar energy generation and BESS facility on approximately 2,436 acres near 1520 Jessup Rd., El Centro, CA 92243.

The California Department of Conservation has classified some of the farm ground for this project to be either Prime Farmland or Farmland of Statewide importance. Mitigation for loss of this farmland is needed as the removal of any farmland out of production of a 30 year period (average life span of solar projects) will have a negative effect on direct, indirect and induced employment, income, sales and tax revenue.

Any plans to mitigate farmland taken out of production through the use of easements must ensure that the mitigating farm ground is in farmable condition. If the mitigation plan involves a Parceling Project, any parcels to remain in farming must align with existing infrastructure such as canals, delivery ditches, and surface & subsurface drainage systems. Mitigating farmland must be maintained in farmable condition, including repairs as needed to the infrastructure.

This project will require an ongoing Pest Management Plan to mitigate negative impacts to surrounding farmland from pests such as insects, vertebrates, weeds, and plant pathogens. The plan must be submitted to our office for approval prior to the issuance of a grading or building permit, whichever occurs first). Attached are the requirements that your company will need to meet.

Projects constructed on farm ground will also require a reclamation plan that would return the land to its pre-constructed agricultural condition at the conclusion or abandonment of the project. The reclamation plan needs to include a written description of the crop history of each field, water delivery system, drainage system, physical infrastructure, the parties responsible for conducting reclamation, and a detailed description of the recycling, and/or disposal of all solar arrays, inverters, transformers and other structures on each of the sites. The plan must be submitted to our office for approval prior to the issuance of a grading permit.

If you or the applicant has any questions, please contact me at 442-265-1500.

Respectfully,

A handwritten signature in blue ink that reads "Jolene Dessert".

Jolene Dessert



Office of the Agricultural Commissioner  
Sealer of Weights and Measures  
852 Broadway, El Centro CA 92243

Jolene Dessert  
Commissioner / Sealer

Rachel Garewal  
Asst. Commissioner / Sealer

## **Pest Management Plan Requirements for Solar Projects**

### **The Project Shall:**

- Maintain a Pest Management Plan until reclamation is complete.
- Develop and implement a Pest Management Plan that will reduce negative impacts to surrounding (not necessarily adjacent) farmland.
- Monitor for all pests including insects, vertebrates, weeds, and pathogens. Promptly control or eradicate pests when found, or when notified by the Agricultural Commissioner's office that a pest problem is present on the project site. The assistance of a licensed pest control advisor is recommended. All treatments must be performed by a qualified applicator or a licensed pest control business.
- "Control" means to reduce the population of common pests below economically damaging levels, and includes attempts to exclude pests before infestation, and effective control methods after infestation. Effective control methods may include physical/mechanical removal, biocontrol, cultural control, or chemical treatments.
- Use of "permanent" soil sterilants to control weeds or other pests is prohibited due to the fact that this would interfere with reclamation.
- Notify the Agricultural Commissioner's office immediately regarding any suspected exotic/invasive pest species as defined by the California Department of Food Agriculture (CDFA) and the United States Department of Agriculture (USDA). Request a sample be taken by the Agricultural Commissioner's Office for a suspected invasive species. Eradication of exotic pests will be performed under the direction of the Agricultural Commissioner's Office and/or CDFA.
- Obey all pesticide use laws, regulations, and permit conditions.
- Allow access by Agricultural Commissioner staff for routine visual and trap pest surveys, compliance inspections, eradication of exotic pests, and other official duties.
- Ensure that all project employees that handle pest control issues are appropriately trained and certified, that all required records are maintained and available for inspection, and that all permits and other required legal documents are current.
- Maintain records of pests found and treatments or pest management methods used. Records should include the date, location/block, project name (current and previous if changed), and methods used. For pesticides, include the chemical(s) used, EPA Registration numbers, application rates, etc. A pesticide use report may be used for this.
- Submit a report of monitoring, pest finds, and treatments, or other pest management methods to the Agricultural Commissioner quarterly within 15 days after the end of the previous quarter, and upon request. The report is required even if no pests were found or treatment occurred. It may consist of a copy of all records for the previous quarter, or may be a summary letter/report as long as the original detailed records are available upon request.

### **Reimbursement:**

The project shall reimburse the Agricultural Commissioner's office for the actual cost of investigations, inspections, or other required non-routine responses to the site that are not funded by other sources.



Office of the Agricultural Commissioner  
Sealer of Weights and Measures  
852 Broadway, El Centro CA 92243

Jolene Dessert  
Commissioner / Sealer

Rachel Garewal  
Asst. Commissioner / Sealer

January 29, 2024

Dear Pest Management Teams and others to whom it may concern:

Imperial County's "Pest Management Plan Requirements for Solar Projects" outlines critical activities needed for solar projects to comply with the Agricultural Commissioner's Office. Part of those requirements include developing and implementing a pest management plan that will reduce negative impacts to surrounding (not necessarily adjacent) farmland.

Recently, it has come to our attention that overgrowth of various weeds has been found on and around development access roads, especially along the dirt and unpaved roads within and surrounding many solar projects. As per the Pest Management Plan requirements developed prior to installation and for continued maintenance, solar projects are required to monitor for all pests, including weeds. Furthermore, the Pest Management Plan also requires promptly controlling or eradicating pests when found during your routine surveys, or when notified by the Agricultural Commissioner's Office that a pest problem is present at the project site.

Please make sure to actively monitor all project areas, including perimeters and surrounding access roads, for weeds and ensure weed abatement practices are set in place for timely removal. The assistance of a licensed pest control advisor is encouraged and recommended, and note that all pesticide use and treatments must be performed by a qualified applicator or a licensed pest control business.

For suspected exotic or invasive pest species as defined by the California Department of Food Agriculture (CDFA) and the United States Department of Agriculture (USDA), contact our office for additional information.

Thank you for your prompt attention to this matter.

Sincerely,

Margo Sanchez  
Deputy Agricultural Commissioner

COUNTY EXECUTIVE OFFICE

**Miguel Figueroa**  
County Executive Officer  
[miguelfigueroa@co.imperial.ca.us](mailto:miguelfigueroa@co.imperial.ca.us)  
[www.co.imperial.ca.us](http://www.co.imperial.ca.us)



County Administration Center  
940 Main Street, Suite 208  
El Centro, CA 92243  
Tel: 442-265-1001  
Fax: 442-265-1010

September 5, 2024

**RECEIVED**

TO: Rocio Yee, Planning and Development Services Department

SEP 05 2024

FROM: Rosa Lopez, Executive Office 

IMPERIAL COUNTY  
PLANNING & DEVELOPMENT SERVICES

SUBJECT: Request for Comments – Big Rock 2 Cluster Solar and Storage Project / APN 051-270-028, 051-270-036, 051-270-041, 051-280-054, 051-300-011, 051-300-016, 051-300-026, 051-300-035, 051-300-037, 051-300-032, 051-330-003, 051-350-004, 051-350-006, 051-350-007, 051-350-008, 051-310-027, 051-310-028, 051-290-018, 051-290-019, 051-320-005, 051-320-006, 051-320-007

The County of Imperial Executive Office is responding to a request for comments: Big Rock 2 Cluster Solar and Storage Project / APN 051-270-028, 051-270-036, 051-270-041, 051-280-054, 051-300-011, 051-300-016, 051-300-026, 051-300-035, 051-300-037, 051-300-032, 051-330-003, 051-350-004, 051-350-006, 051-350-007, 051-350-008, 051-310-027, 051-310-028, 051-290-018, 051-290-019, 051-320-005, 051-320-006, 051-320-007. The Executive Office would like to inform the developer of the conditions and responsibilities of the applicant seeking Conditional Use Permits (CUPs). The conditions commence prior to the approval of an initial grading permit, subsequently continue throughout the permitting process and are individually placed on all CUPs. This includes, but not limited to:

- Sales Tax Guarantee. The permittee is required to have Construction Site Permits reflecting the individual project site address, allowing all eligible sales tax payments are allocated to the County of Imperial, Jurisdictional Code 13998. The permittee will provide the County of Imperial a copy of the CDTFA account numbers and sub-permits for its contractor and subcontractors (if any) related to the jobsites. Permittee shall provide in written verification to the County Executive Office that the necessary sales and use tax permits have been obtained, prior to the issuance of any grading permits.
- Construction/Material Budgets: The permittee will provide the County Executive Office a construction materials budget for each project: an official construction materials budget or detailed budget outlining the construction and materials cost for the processing facility on permittee letterhead.
- At developers cost, the County Executive Office shall hire a third-party consultant to produce individual project Fiscal and Economic Impact Analysis & Job and Employment Analysis (FEIA & JEIA) for all CUPs, prior to the project being placed on Planning Commission meeting.
- Public Service Agreement. The developer shall enter into individual project Public Service Agreements with the County of Imperial for all CUPs.

Should there be any concerns and/or questions, do not hesitate to contact me.



**IMPERIAL COUNTY SHERIFF'S OFFICE**  
**FRED MIRAMONTES**  
**SHERIFF-CORONER-MARSHAL**



Chief Deputy Ryan Kelley  
328 Applestill Road  
El Centro, Ca. 92243  
(442) 265-2003  
[rkelly@icsso.org](mailto:rkelly@icsso.org)

September 9, 2024

Imperial County Planning & Development Services  
801 Main Street  
El Centro, Ca. 92243  
(442) 265-1736

Planning & Development Services,

The proposed project sites are located within the Imperial County Sheriff's Office jurisdiction. The projects are at various locations to include Big Rock 2 Cluster North, Big Rock 2 Cluster South, Big Rock 2 Cluster East and Big Rock Cluster West. The sites are approximately 11 miles from the Imperial County Sheriff's Office and southwest of the Township of Seeley, California.

The applicant is proposing to construct a utility-scale [up to 500-megawatt (MW) in capacity] photovoltaic ("PV") solar energy generation and Battery Energy Storage System (BESS) facility (also up to 500-MW in capacity). The proposed project will be utilizing approximately 1,569 acres of "new lands" that have not previously been entitled, in addition to up to 867 acres of lands that are currently entitled under active CUPs known as Laurel Cluster 3 (587 acres), Laurel Cluster 2 North (120 acres), and Laurel Cluster 2 South (160 acres) totaling 2,436 acres.

The Imperial County Sheriff's Office provides services to similar projects where calls for service can vary from burglaries, vandalisms, thefts and trespassing. Calls can result in arrests of offenders for felony property crimes. Some investigations require extensive follow up from our criminal investigations division and our scientific investigations unit. The Imperial County Sheriff's Office is committed to facilities operating in our area of responsibility and will deploy every resource available to assist in the apprehension and prosecution of those responsible for these crimes.

The Imperial County Sheriff's Office requests that the below conditions be incorporated onto Conditional Use Permits #24-0006, #24-0007, #24-0008 and #24-0009. This request is in consideration of the potential hazards to the Imperial County Sheriff's Office employees associated with responding to calls for service originating at these facilities:

**RECEIVED**

**SEP 09 2024**

**IMPERIAL COUNTY  
PLANNING & DEVELOPMENT SERVICES**

1. The Imperial County Sheriff's Office request that a detailed security/safety plan and diagram be included and approved by the county prior to any activity on the premises.
2. Provide annual training to ICSO employees on safety procedures and emergency response protocols to ensure the safety of our employees in response to an event or unforeseen emergency at an energy storage facility. Procedures shall be detailed in the safety/security plan for the project site.
3. Install adequate lighting, fencing and safety measures to prevent or deter criminal activity.
4. Install license plate reading cameras at all ingress and regress locations at the project sites and grant access to the Imperial County Sheriff's Office to review the data collected. It is requested that these cameras be included in the security plan.
5. Install surveillance cameras at the project sites to allow for 24/7, three hundred and sixty degree remote viewing capabilities and recording of activity on the lots. It is requested that the surveillance cameras be included in the security plan.
6. Provide cost reimbursement for direct police services for response to critical incidents that require prolonged use of resources.

The Sheriff's Office feels that this project would create a significant impact and there are safety concerns for Sheriff's Office personnel and members of our community if a natural or manmade disaster were to occur that resulted in damage or destruction to the facility.

As first responders to emergency situations, the Sheriff's Office would deploy our resources from the El Centro Station in the event of a threat to public safety. If there is an increase for calls for service as a result of this project and the Sheriff's Office maintains its current personnel allocations, funding and equipment, service levels may drop below acceptable levels or industry standards for the residents of the County.

The Imperial County Sheriff's Office is available to discuss our concerns with the advancement of CUP #24-0006, #24-0007, #24-0008 and #24-0009. If you have any questions, please contact the Imperial County Sheriff's Office at (442)265-2002.



## Rocio Yee

---

**From:** Ray Teran <rteran@viejas-nsn.gov>  
**Sent:** Tuesday, September 3, 2024 1:16 PM  
**To:** Aimee Trujillo; Ernest Pingleton  
**Cc:** Jim Minnick; Michael Abraham; Diana Robinson; Rocio Yee; Jenyssa Gutierrez; Kamika Mitchell; Kayla Henderson; Marsha Torres; Olivia Lopez; Valerie Grijalva  
**Subject:** RE: SB-18 Big Rock 2 Solar & Storage Project  
**Categories:** BIG ROCK 2

**CAUTION:** This email originated outside our organization; please use caution.

The Viejas Band of Kumeyaay Indians ("Viejas") has reviewed the proposed project and at this time we have determined that the project site has cultural significance or ties to Viejas. Cultural resources have been located within or adjacent to the APE-DE of the proposed project.

Viejas Band request that a Kumeyaay Cultural Monitor be on site for ground disturbing activities and to inform us of any new developments such as inadvertent discovery of cultural artifacts, cremation sites, or human remains.

If you wish to utilize Viejas cultural monitors (Viejas rate is \$54.15/hr. plus GSA mileage), please call Ernest Pingleton at 619-655-0410 or email, epingleton@viejas-nsn.gov, for contracting and scheduling. Thank you.

If a Tribe, having a closer proximity to the Project, requests to perform cultural monitoring, Viejas will differ to them.

**From:** Aimee Trujillo <aimeetrujillo@co.imperial.ca.us>  
**Sent:** Tuesday, September 3, 2024 11:55 AM  
**To:** Ray Teran <rteran@viejas-nsn.gov>; Ernest Pingleton <epingleton@viejas-nsn.gov>  
**Cc:** Jim Minnick <JimMinnick@co.imperial.ca.us>; Michael Abraham <MichaelAbraham@co.imperial.ca.us>; Diana Robinson <DianaRobinson@co.imperial.ca.us>; Rocio Yee <rocioyee@co.imperial.ca.us>; Aimee Trujillo <aimeetrujillo@co.imperial.ca.us>; Jenyssa Gutierrez <jenyssagutierrez@co.imperial.ca.us>; Kamika Mitchell <kamikamitchell@co.imperial.ca.us>; Kayla Henderson <kaylahenderson@co.imperial.ca.us>; Marsha Torres <marshatorres@co.imperial.ca.us>; Olivia Lopez <olivialopez@co.imperial.ca.us>; Valerie Grijalva <valeriegrijalva@co.imperial.ca.us>  
**Subject:** SB-18 Big Rock 2 Solar & Storage Project

Good morning,

Please see attached SB18 letter for **Big Rock 2 (GPA24-0002 ZC24-0003 CUP24-0006 -0009 V24-0002-0005)**

Should you have any questions, feel free to contact Rocio Yee at 442-265-1736 or via email at [rocioyee@co.imperial.ca.us](mailto:rocioyee@co.imperial.ca.us)

Thank you,

*Aimee Trujillo*

Office Technician