

Imperial Solar Energy Center South

Appendix A

Notice of Preparation and Responses

Imperial County
Planning & Development Services Department

NOTICE OF PREPARATION OF DRAFT EIR FOR IMPERIAL SOLAR ENERGY CENTER SOUTH
AND NOTICE OF PUBLIC EIR SCOPING MEETING

The Imperial County Planning & Development Services Department intends to prepare an Environmental Impact Report (EIR) for the proposed Imperial Solar Energy Center South, as described below. A public scoping meeting for the proposed EIR will be held by the Imperial County Planning & Development Services Department on Thursday, June 24, 2010 at 6:30 p.m. The scoping meeting will be held at the Board of Supervisors Chambers, 2nd Floor, County Administration Center located at 940 Main Street, El Centro, CA 92243. Comments regarding the scope of the EIR will be accepted at this meeting. Also a NEPA environmental assessment will be prepared to address the Applicant's request for Grant of right of way through BLM lands.

SUBJECT: Imperial Solar Energy Center South EIR

BOARD OF SUPERVISORS APPROVAL: To Be Determined.

PROJECT LOCATION: The proposed photovoltaic facility project site is located on private land within the unincorporated area of the County of Imperial. The site is located on Pullman Road and Anza Road in Mt. Signal, CA. The proposed transmission line corridor will extend from the project site through BLM lands (BLM Utility Corridor "N") for approximately five miles, connecting to the Imperial Valley Substation.

PROJECT DESCRIPTION: The proposed project is the development of a solar energy center on 903 acres of mostly agricultural land. The project would include a facility consisting of ground mounted photovoltaic solar power generating system, supporting structures, operations and maintenance building, substation, water treatment facility, plant control system, meteorological station, and roads and fencing. The electric generating facility would connect to the Imperial Valley Substation via 230 kV transmission lines. The Imperial Valley Substation is isolated by federal lands managed by the Bureau of Land Management (BLM). The project plans 120-foot wide Right-of-Way form the project site, along BLM land (BLM Utility Corridor "N") to the Imperial Valley Substation.

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

BOARD OF SUPERVISORS DISTRICT: District 2, Supervisor Jack Terrazas

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

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

NOTICE OF PREPARATION REVIEW PERIOD: June , 2010 through July , 2010

To: Office of Planning & Research
 (Agency)
P.O. Box 3044, 1400 Tenth Street, Room 212
 (Address)
Sacramento, CA 95812-3044

Subject: Notice of Preparation of a Draft Environmental Impact Report

Lead Agency:	Consulting Firm (If applicable):
Agency Name <u>Imperial County, Planning & Dev Svcs</u>	Firm Name <u>BRG Consulting, Inc.</u>
Street Address <u>801 Main Street</u>	Street Address <u>304 Ivy Street</u>
City/State/Zip <u>El Centro, CA 92243</u>	City/State/Zip <u>San Diego, CA 92101</u>
Contact <u>Patricia Valenzuela</u>	Contact <u>Tim Gnibus</u>

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

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

Due to the time limits mandated by State law, your response must be sent at the earliest possible date but **not later than 35 days** after receipt of this notice.

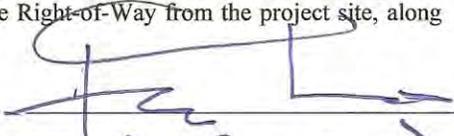
Please send your response to Imperial County Planning & Development Services, Attn: Patricia Valenzuela at the address shown above. We will need the name for a contact person in your agency.

Project Title: Imperial Solar Energy Center South

Project Location: Located on private land within the unincorporated area of the County of Imperial. The project site is located on Pullman Road and Anza Road in the Mount Signal area, Imperial County, California.

Project Description: (brief) Development of a solar energy center on 903 acres of mostly undeveloped land designated as agriculture. Project would include a facility consisting of ground mounted photovoltaic solar power generating system, supporting structures, operations and maintenance building, substation, water treatment facility, plant control system, meteorological station, and roads and fencing. The electric generating facility would connect to the Imperial Valley Substation via 230 kV transmission lines. The Imperial Valley Substation is isolated by federal lands managed by the Bureau of Land Management (BLM). The project plans a 120-foot wide Right-of-Way from the project site, along BLM land to the Imperial Valley Substation.

Date June 10, 2010

Signature 

Title PLANNING & DEV. SERVICES DIRECTOR

Telephone 760-482-4236 ext 4310

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

ENVIRONMENTAL CHECKLIST

1. **Project Title:** Imperial Solar Energy Center South **Date:** June 2010
2. **Lead Agency:** IMPERIAL COUNTY (PLANNING & DEVELOPMENT SERVICES DEPARTMENT) [ICPDS]
3. **Contact Person:** Patricia Valenzuela, Planner III
4. **Address:** 801 Main Street
El Centro, CA 92243
5. **Phone Number:** (760) 482-4320 **Fax Number:** (760) 353-8338
6. **Project Location:** Pullman Road and Anza Road
Mt. Signal, CA 92231
7. **Project Sponsor:** CSOLAR Development, LLC
8. **Sponsor's Address:** 1044 N. 115th Street, Suite 400
Omaha, NE 68154
9. **General Plan Designation:** Agriculture
10. **Zoning:** A-3 (Heavy Agriculture), A-2-R (General Agricultural Rural Zone)
11. **Description of Project:** See attached project summary.
 also see attached
12. **Surrounding Land Uses and Setting:** See attached project summary.
 also see attached
13. **Other Agencies whose approval is required**
(e.g., permits, financing approval, or participation agreement.)
 - a) Bureau of Land Management
 - b) Department of Energy

Environmental Factors Potentially Affected:

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

- | | | |
|--|--|---|
| <input checked="" type="checkbox"/> Aesthetics | <input checked="" type="checkbox"/> Agriculture and Forestry Resources | <input checked="" type="checkbox"/> Air Quality |
| <input checked="" type="checkbox"/> Biological Resources | <input checked="" type="checkbox"/> Cultural Resources | <input checked="" type="checkbox"/> 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 type="checkbox"/> Public Services | <input type="checkbox"/> Recreation |
| <input checked="" type="checkbox"/> Transportation / Traffic | <input type="checkbox"/> Utilities and Service and Systems | |
| <input checked="" type="checkbox"/> Mandatory Findings of Significance | | |

E. E. C. DETERMINATION

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

- 1) Found that the proposed project COULD NOT have significant effect on the environmental, and a NEGATIVE DECLARATION will be prepared.
- 2) 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 in the form of mitigation measures which are described on an attached sheet have been added to the project. A MITIGATED NEGATIVE DECLARATION will be prepared.
- 3) Found that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- 4) 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.
- 5) 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.

CALIF. DEPARTMENT OF FISH AND GAME
DE MINIMIS IMPACT FINDING Y N

VOTE
 YES NO ABS

_____	_____	_____	Public Works
_____	_____	_____	EHS
_____	_____	_____	OES
_____	_____	_____	APCD
_____	_____	_____	AG
_____	_____	_____	ICPDS

 JURG HEUBERGER, AICP, CEP
 EEC CHAIRMAN/Planning Director

 DATE

PROJECT SUMMARY

LOCATION:

The project site is located on Pullman Road and Anza Road on private land in an unincorporated portion of Imperial County (Figure 1). The project site consist of 903 acres of vacant land, which has been disturbed through agricultural operations.

THE PROJECT:

The proposed project is the development of a solar energy center on 903 acres of mostly agricultural land. The project would include a facility consisting of ground mounted photovoltaic solar power generating system, supporting structures, operations and maintenance building, substation, water treatment facility, plant control system, meteorological station, and roads and fencing.

The electric generating facility would connect to the Imperial Valley Substation via 230 kV transmission lines. The Imperial Valley Substation is isolated by federal lands managed by the Bureau of Land Management (BLM). The project plans a 120-foot wide Right-of-Way from the project site, along BLM land, within BLM's designated Utility Corridor "N" to the Imperial Valley Substation.

GENERAL PLAN ANALYSIS:

The proposed photovoltaic facility portion of the project site is located within the County's General Plan as an unincorporated area of the County. The existing General Plan land use designation is "Agriculture." The project site is currently zoned A-3 (Heavy Agriculture) and A-2-R (General Agricultural Rural Zone). The proposed project is allowed within the existing zone under a Conditional Use Permit. The proposed transmission line is located within Utility Corridor "N" of the Bureau of Land Management's California Desert Conservation Area Plan.

(SEE ATTACHED (MAP OF THE AREA))

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 is 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,
- 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 follow:
 - 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 documents 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.

OFFICIAL CHECKLIST:

	<i>Potentially Significant Impact (PSI)</i>	<i>Potentially Significant Unless Mitigation Incorporated (PSUMI)</i>	<i>Less Than Significant Impact (LTSI)</i>	<i>No Impact (NI)</i>
I. AESTHETICS -- Would the project:				
a) Have a substantial adverse effect on a scenic vista or scenic highway?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Substantially damage scenic resources, including, but limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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

a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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"/>

	<i>(PSI)</i>	<i>(PSUMI)</i>	<i>(LTSI)</i>	<i>(NI)</i>
III. AIR QUALITY -- Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to the following determinations. Would the Project:				
a) Conflict with or obstruct implementation of the applicable air quality plan?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Expose sensitive receptors to substantial pollutants concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Create objectionable odors affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
IV. BIOLOGICAL RESOURCES -- Would the project:				
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Interfere substantially with the movement of any resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) Conflict with any local polices or ordinances Protecting biological resource, 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

	<i>(PSI)</i>	<i>(PSUMI)</i>	<i>(LTSI)</i>	<i>(NI)</i>
V. CULTURAL RESOURCES -- Would the project:				
a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) 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"/>
d) Disturb any human remains, including those interred outside of formal cemeteries?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
VI. GEOLOGY AND SOILS -- Would the project:				
a) Expose people or structures to potential substantial adverse effects, including risk of loss, injury, or death involving:				
1) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
2) Strong Seismic ground shaking?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3) Seismic-related ground failure, including liquefaction and seiche/tsunami?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4) 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 landslides, 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 the latest Uniform Building Code, creating substantial risk to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

	(PSI)	(PSUMI)	(LTSI)	(NI)
VII. GREENHOUSE GAS EMISSIONS -- Would the project:				
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Conflict with an applicable plan or policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
VIII. HAZARDS AND HAZARDOUS MATERIALS -- Would the project:				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonable foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on a site, which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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

	(PSI)	(PSUMI)	(LTSI)	(NI)
X. LAND USE AND PLANNING -- Would the project:				
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (include, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
XI. MINERAL RESOURCES -- Would the project:				
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"/>
XII. NOISE -- Would the project result in:				
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input 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 expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	(PSI)	(PSUMI)	(LTSI)	(NI)
XII. POPULATION AND HOUSING -- Would the project:				
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
XIII. PUBLIC SERVICES				
a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
1) Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
2) Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
3) Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
4) Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
5) Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
XIV. RECREATION				
a) Would the project increase the use of the existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	(PSI)	(PSUMI)	(LTSI)	(NI)
XVI. TRANSPORTATION / TRAFFIC -- Would the project:				
a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Conflict with an applicable congestion management program, including but not limited to level of service standard and travel demand measures, or other standards established by the county congestion/management agency for designated roads or highways?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Result in inadequate emergency access	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Conflicts with adopted policies, plans, programs, regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
XVII. UTILITIES AND SERVICE SYSTEMS -- Would the project:				
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Require or result in the construction of new water or water treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

	<i>(PSI)</i>	<i>(PSUMI)</i>	<i>(LTSI)</i>	<i>(NI)</i>
e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) Comply with federal, state, and local statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

XVIII. MANDATORY FINDINGS OF SIGNIFICANCE.

(TO BE COMPLETED BY THE EEC AT THE HEARING)

	<i>(PSI)</i>	<i>(PSUMI)</i>	<i>(LTSI)</i>	<i>(NI)</i>
a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory?	<input 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 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 type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

CHECKLIST ANSWERS:

I: Aesthetics (a,c) PSI

The proposed project is the construction of a solar facility, which would include low-lying solar panels, pole transformers, and switchyard. The project also includes construction of transmission lines through BLM lands. Transmission towers will be up to 140 feet in height, which exceeds the height limit allowed in the zone (60 feet) and a variance is required. The proposed solar facility would also include a single operations and maintenance building and onsite water treatment facility. The project will change the look and character of the site. Therefore, a potentially significant impact is identified for these issue areas.

I: Aesthetics (d) LTSI

As part of the project, lighting would be installed on the operations and maintenance building for safety and security. However, all lighting would be directed downward or at a narrow beam angle, in order to focus all light only on the desired areas. The solar panels will not be constructed of reflective materials. Therefore, a less than significant impact is identified for this issue area.

I: Aesthetics (b) NI

The proposed project site is not located near any scenic vista or scenic highway, nor does it appear that it would damage or degrade any existing scenic resources. Thus, no impact is identified for this issue area.

II: Agriculture and Forest Resources (a,e) PSI

Based on the farmland maps prepared by the *California Department of Conservation* (2006), the project site contains prime farmland and farmland of statewide importance. Therefore, a potentially significant impact would result from the conversion of Prime Farmland or Farmland of Statewide Importance to non-agricultural use, as proposed on the project site. A Land Evaluation Site Assessment (LESA) shall be prepared for the proposed project and this issue will be addressed in the EIR.

II: Agriculture and Forest Resources (b, c, d) NI

The land is currently zoned A-3 (Heavy Agriculture) and A-2-R (General Agricultural Rural Zone) and designated by the General Plan as "Agriculture." Solar energy facilities are allowed within these zones subject to a Conditional Use Permit. Thus, the project does not conflict with existing zoning for agriculture and no impact is identified for this issue area.

There are no existing forest lands, timberlands, or timberland zoned Timberland Production either on-site or in the immediate vicinity that would conflict with existing zoning or cause rezoning (ESRI, 2008). Therefore, no impact is identified for this issue area.

There are no existing forest lands either on-site or in the immediate vicinity of the site (ESRI, 2008). 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.

III: Air Quality (a-c) PSI

The project site is located within the Salton Sea Air Basin (SSAB) and is subject to the Imperial County Air Pollution Control District (ICAPCD) Rules and Regulations. Construction of the proposed project would potentially create temporary emissions of dust, fumes, equipment exhaust, and other air contaminants that may conflict with the ICAPCD Rules and Regulations. Thus, a potentially significant impact is identified for this issue area.

Currently, the SSAB is either in attainment or unclassified for all federal and state air pollutant standards with the exception of O₃ (8-hour) and total suspended particulate matter less than 10 microns in diameter (PM₁₀). Air pollutants transported into the SSAB from the adjacent South Coast Air Basin (Los Angeles, San Bernardino County, Orange County, and Riverside County) and from Mexicali (Mexico) substantially contribute to the non-attainment conditions in the SSAB. Thus, a potentially significant impact is identified for this issue area.

The proposed construction phases of the project may result in a cumulatively considerable net increase of one or more criteria pollutants as a result of point, and non-point source emissions, for which the project region is in non-attainment under applicable federal and state ambient air quality standards. Thus, a potentially significant impact is identified for this issue area.

No sensitive receptors immediately surrounding the project site have been identified. No stationary source emissions are proposed from the project; however, temporary construction air quality emissions have the potential to result in a significant impact.

To address the above-identified issues, an analysis of air quality impacts is being prepared for the proposed project and these potential air quality impacts will be addressed in the EIR.

III: Air Quality (d-e) NI

No sensitive receptors surrounding the project site have been identified. No housing exists on the project site or within the immediate vicinity of the project site that would be impacted by substantial pollutant concentrations from the project site.

The proposed project is the installation of a solar electricity generating facility, which is not anticipated to generate objectionable odors. No impact is identified for these issue areas.

IV: Biological Resources (a-f) PSI

The flat-tailed horned lizard is a Bureau of Land Management (BLM) sensitive species. According to the *Flat-tailed Horned Lizard Rangewide Management Strategy* (2003), the historical range of the flat-tailed horned lizard is located primarily in Imperial Valley. As part of the project, the electricity generating facility is anticipated to connect to the Imperial Valley Substation via 230 kV transmission lines constructed on existing transmission corridors located on BLM land. The BLM land has the potential to provide habitat for the flat-tailed horned lizard. Therefore, a flat-tailed horned lizard habitat assessment/survey shall be conducted to determine if potential/suitable habitat is present on the project site. Other species such as the burrowing owl have the potential to be present on the project site. Thus, a potentially significant impact is identified for this issue area, and this issue will be addressed in the EIR.

The transmission lines would cover about 5.5 miles from the project site to the Imperial Valley Substation. The construction and operation of these transmission lines may potentially interfere with the movement of wildlife species and cause a substantial adverse effect on riparian habits or wetlands. Therefore, a potentially significant impact is identified for these issue areas.

V: Cultural Resources (a-d) PSI

A cultural resources survey and records search of cultural resource sites located within one mile of the project site and transmission corridors shall be completed to determine if any cultural resources are located on or near the project site. Thus, a potentially significant impact has been identified for this issue, and this issue will be addressed in the EIR.

In addition, a search of sacred lands on file at the Native American Heritage Commission shall be conducted to determine if any designated Sacred Lands are present in the immediate project vicinity. Thus, a potentially significant impact has been identified for this issue, and this issue will be addressed in the EIR.

Many paleontological fossil sites are recorded in Imperial County have been discovered during construction activities. Paleontological resources are typically impacted when earthwork activities such as mass excavation cut into geological deposits (formations) with buried fossils. It is not known if any paleontological resources are located on the project site. Based on the San Diego-El Centro Sheet Geologic Map of California prepared by the Division of Mines and Geology, dated 1962, the project site is underlain by geologic units comprised of quaternary lake deposits of the ancient Lake Cahuilla. This type of deposit arrived during the late Pleistocene age (the last 10,000 years) and is suitable for discovery of paleontological resources. Thus, a potentially significant impact has been identified for this issue area, and this issue will be addressed in the EIR.

VI: Geology and Soils (a2, a3, c,e) PSI

The project site is located in the seismically active Imperial Valley in Southern California and is considered likely to be subjected to moderate to strong ground motion from earthquakes in the region. The site could be affected by the occurrence of seismic activity to some degree, but no more than the surrounding properties. Additionally, Imperial County is classified as Seismic Zone 4 by the Uniform Building Code, (Sections 1626 through 1635), which requires developments to incorporate the most stringent earthquake resistant measures. A potentially significant impact has been identified for this issue, and will be evaluated in more detail in the EIR.

According to the Soil Survey of Imperial County, the proposed project is underlain with Imperial silty clay; Imperial-Glenbar silty clay loams, wet, 0 to 2 percent slopes; Indio-Vint complex; Meloland very fine sandy loam, wet; Meloland and Holtville loams, wet; Rositas sand, 0 to 2 percent slopes; Rositas fine sand, wet, 0 to 2 percent slopes; Vint loamy very fine sand, wet; and, Vint and Indio very fine sandy loams, wet (United States Department of Agriculture Soil Conservation Service, 1981). These soils are considered potentially unstable and incapable of adequately supporting the use of septic tanks. Therefore, a potentially significant impact has been identified for this issue area, and this issue will be addressed in the EIR.

VI: Geology and Soils (b,d) LTSI

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. However, impacts are not considered significant since erosion would be controlled on-site in accordance with County standards including preparation, review and approval of a grading plan by the County Engineer. Upon completion of construction, potential for on-site soil erosion would be eliminated since developed areas would either be paved or landscaped. Thus, implementation of County standards would reduce the potential impacts to below a level of significance.

The proposed project is the development of a solar facility. According to the Soil Survey of Imperial County, the proposed project is underlain with Imperial silty clay; Imperial-Glenbar silty clay loams, wet, 0 to 2 percent slopes; Indio-Vint complex; Meloland very fine sandy loam, wet; Meloland and Holtville loams, wet; Rositas sand, 0 to 2 percent slopes; Rositas fine sand, wet, 0 to 2 percent slopes; Vint loamy very fine sand, wet; and, Vint and Indio very fine sandy loams, wet (United States Department of Agriculture Soil Conservation Service, 1981). These soils have a low expansion potential; thus, a less than significant impact is identified for this issue area.

VI: Geology and Soils (a1, a4) NI

The project site is not located within a State of California, Alquist-Priolo Earthquake Fault Zone.

In addition, as identified in the Seismic and Public Safety Element of the County of Imperial General Plan, the hazard of landsliding is unlikely due to the regional planar topography. Thus, no impact is identified for this issue areas.

VII: Greenhouse Gas Emissions (a-b) PSI

The proposed project has the potential to generate greenhouse gas emissions with the construction of the solar facility and the travel required to and from the project site by construction workers. The on-site assembly and construction workforce is expected to reach a peak of approximately 250 workers. In the long-term, the project is expected to provide a benefit with respect to reduction of greenhouse gas emissions. A Greenhouse Gas Emissions/Climate Change technical report is being completed for the proposed project. Thus, a potentially significant impact is identified for these issue areas.

VIII: Hazards and Hazardous Materials (a-b) PSI

The operation of the solar facility could potentially handle hazardous materials. The hazardous materials handled on-site would be limited to small amounts of everyday use cleaners, common chemicals used for maintenance, and other common chemicals. The project will be required to comply with State laws and County Ordinance restrictions, which regulate and control the materials handled on-site. Such hazardous wastes would be transported off-site for disposal according to applicable State and County restrictions and laws governing the disposal of hazardous waste during construction and operation of the project. Disposal of hazardous wastes on the project site is not part of the proposed project. However, a potentially significant impact remains for this issue area, and this issue will be addressed in the EIR.

The project site is currently in agricultural production; therefore, there is a potential that the project may contain contaminated soils. A Phase I Environmental Site Assessment is being completed for the proposed project. Thus, a potentially significant impact is identified for this issue area, and this issue will be discussed in the EIR.

VIII: Hazards and Hazardous Materials (c-h) NI

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

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

The project site is not located within two miles of a public airport or a private airstrip. Thus, no impact is identified for these issue areas.

As identified in the Seismic and Public Safety Element of the County of Imperial General Plan, the "Imperial County Emergency Plan" addressed Imperial County's planned response to extraordinary emergency situations associated with natural disasters, technological incidents, and nuclear defense operations. The proposed circulation plan for the project site will be required to provide emergency access points and safe vehicular travel. In addition, local building codes would be followed to minimize flood, seismic, and fire hazard. Thus, the proposed project would not impair the implementation or physically interfere with any adopted emergency response plans or emergency evacuation plans. No impact is identified for this issue area.

The project site is not characterized as an area of urban/wildland interface. According to the Imperial County Natural Hazard Disclosure (Fire) Map prepared by the California Department of Forestry and Fire Protection (2000) the project site does not fall into an area characterized as either: (1) a wildland area that may contain substantial forest fire risk and hazard; or (2) very high fire hazard severity zone. Thus, the project site would not expose people or structures to significant risk of loss injury or death involving wildland fire, and no impact is identified for this issue area.

IX: Hydrology and Water Quality (a) PSI

No point sources of discharge are proposed on the project site. However, 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 site or proposed project. A water quality technical report is being prepared for the proposed project and will be addressed in the EIR. Thus, potentially significant impacts have been identified for these issue areas as the proposed project has the potential to violate water quality standards and waste discharge requirements, and could otherwise substantially degrade water quality. This issue will be addressed in the EIR.

IX: Hydrology and Water Quality (c-f) LTSI

The proposed project is anticipated to generate a minimal increase in the amount of runoff water from water use involving solar panel washing. However, water will continue to percolate through the ground, as a majority of the surfaces on the project site will remain pervious. Thus, the proposed project will not substantially alter the existing drainage pattern of the site, substantially increase the rate of runoff, or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems. Therefore, a less than significant impact is identified for these issue areas.

IX: Hydrology and Water Quality (b, g, h, i, j) NI

The proposed project does not propose the use of groundwater. Water will continue to percolate through the ground, as a majority of the surfaces on the project site will remain pervious. No impact is identified for this issue area.

According to the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map, the project site is located in Zone X, which is an area determined to be outside of the 0.2% annual chance floodplain. In addition, the project does not propose the placement of housing or structures within a 100-year flood hazard area. Thus, no impact is identified for these issue areas.

No bays or lakes are located within a two-mile radius of the project site and the project site is located over 100 miles from the Pacific Ocean. In addition, the project site is relatively flat and level. Therefore, there is no potential for the project site to be inundated by seiches, tsunamis, or mudflows. Thus, no impact is identified for this issue.

X: Land Use and Planning (b,c) PSI

No land use amendment would be required for the portion of the project located within the County's jurisdiction, as the facility is an allowed use within the existing zones subject to a Conditional Use Permit. However, the transmission line component of the project will need to be examined in the context of the BLM's Land Use Plan (LUP) for the project area. The proposed project falls under the California Desert Conservation Area, but is consistent with the plan because it is located entirely within BLM's designated utility corridor. The proposed project is within a desert management area under the Flat-tailed Horned Lizard Rangeland Management Strategy. Thus, a potentially significant impact has been identified for this issue area. This issue will be addressed in the EIR.

The project site is currently designated by the General Plan as "Agriculture." The County identifies agricultural land as a form of open space. As such, there are activities such as hunting, bike riding, walking, and bird watching that can take place in agricultural areas. Furthermore, it is anticipated that the impact to recreation use on BLM lands would need to be assessed. The analysis would analyze the compatibility of the proposed transmission lines with designated BLM recreational use areas, based on BLM's LUP. Thus, a potentially significant impact has been identified for this issue.

X: Land Use and Planning (a) NI

The proposed project does not physically divide any established community. Thus, no impact is identified for this issue area.

XI: Mineral Resources (a-b) NI

The entire project site is not utilized for mineral resource production. According to the Conservation and Open Space Element of the County of Imperial General Plan, no known mineral resources occur within the project site nor does the project site contain mapped mineral resources. As such, the proposed project would not adversely affect the availability of any known mineral resources within the project site. Thus, no impact is identified for these issue areas.

XII: Noise (a,c,d) PSI

The proposed project has the potential to exceed construction noise (temporary noise) standards on-site and off-site (e.g., sensitive habitat areas). A noise analysis is being prepared to identify any potential temporary and permanent impacts of the proposed project. Thus, potentially significant impacts have been identified for these issue areas. These issues will be addressed in the EIR.

XII: Noise (b,e,f) NI

The proposed project is a solar facility development. This use would not create excessive groundborne vibration or noise levels. In addition, grading associated with project development is unlikely to generate groundborne vibration or noise levels through blasting or other construction related activity, as the project is characterized by flat topography. Therefore, no impact is identified for this issue area.

The project site is not located within two miles of a public airport or a private airstrip. Thus, no impacts have been identified for these issue areas.

XIII: Population and Housing(a-c) NI

The proposed project is currently used for agricultural production and does not propose the development of housing. The project would require approximately 4 full-time personnel for operations and maintenance of the solar facility and one security guard. The proposed project would not result in a substantial population growth, as the number of employees required to operate and maintain the facility is minimal. Therefore, no impact is identified for these issue areas.

XIV: Public Services (a) (1-5) NI

The proposed solar facility would not result in a substantial increase in population. The proposed project would not result in an increase need of public services; existing services would be sufficient to service the proposed project. As such, the proposed project would not have an adverse physical effect on the environment because the project does

not require new or significantly altered services or facilities to be constructed. Therefore, no impact is identified for this issue area.

XV: Recreation (a-b) NI

The proposed project is a solar facility and would not create a demand for recreation or parks in the County. No impact is identified for this issue area.

XVI: Transportation/Traffic (a-b) PSI

The construction phases of the proposed project would result in an increase of traffic to the area, which may result in a potentially significant impact. A traffic impact study is being prepared. Thus a potentially significant impact is identified for this issue area. This issue will be addressed in the EIR.

XVI: Transportation/Traffic (c-f) NI

The proposed project would not result in changes to existing air traffic patterns through an increase in traffic levels or change in location. Thus, no impact is identified for this issue area.

The proposed project would not change the existing surrounding circulation network. Thus, no impact is identified for this issue area.

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

The proposed project would not conflict with any adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities. Thus, no impact is identified for this issue area.

XVII: Utilities and Services Systems (a-g) LTSI

The proposed project is anticipated to result in a minimal increase in water demand/use. Water will be needed for domestic use, solar panel washing and fire protection once the project facilities are fully operational. An onsite water treatment facility is proposed and would draw water from the Westside Main canal and treat it to the level required for domestic and solar panel washing use. The project site is currently used for agricultural production. The existing agricultural farm currently uses more water than the proposed solar facility would need during and post construction. Therefore, a less than significant impact is identified for this issue.

Domestic wastewater from the operations and maintenance building is expected to be limited in volume due to the few staff members required on-site. This wastewater will be treated via an on-site septic system. Thus, a less than significant impact is identified for this issue area.

During operations of the proposed project, waste generation will be minor. Solid wastes will be disposed of using a locally-licensed waste hauling service. Thus, a less than significant impact is identified for this issue.

XVIII: Mandatory Findings of Significance

Implementation of the proposed project has the potential to impact sensitive biological resources, cultural resources, and transportation/circulation. These issues will be further evaluated in the EIR.

In addition, the proposed project has the potential to result in a cumulatively considerable net increase or one or more criteria pollutants for which the project region is in non-attainment under applicable federal and state ambient air quality standards. Therefore a potentially significant cumulative impact may occur. An analysis of air quality impacts is being prepared for the proposed project and will be discussed in the EIR.

The proposed project has the potential to result in significant environmental effects, which could directly or indirectly cause adverse effects on human beings. As demonstrated in this Initial Study, the proposed project has the potential to result in significant impacts to air quality, geology/soils, hazards and hazardous materials, and noise. These impact areas could result in direct or indirect adverse effects on human beings. Thus, a potentially significant is identified for this issue area. These issues will be discussed in the EIR.

REVIEWING AGENCIES (Copies and/or Notice Provided)

LOCAL AGENCIES

- AG. DEPT.
 APCD
 ASSESSOR
 C.E.O.
 COUNTY COUNSEL
 E.H.S. DIVISION
 FIRE / O.E.S.
 FISH & GAME (COUNTY)
 IMPERIAL IRRIGATION DISTRICT
 PUBLIC WORKS DEPT.
 SHERIFF
 OTHER _____

CITIES

- BRAWLEY
 CALEXICO
 CALIPATRIA
 EL CENTRO
 HOLTVILLE
 IMPERIAL
 WESTMORLAND

LIBRARIES

- CALEXICO
 COACHELLA VALLEY
 BRAWLEY
 EL CENTRO
 HOLTVILLE
 IMPERIAL
 IMPERIAL VALLEY COLLEGE
 INDIAN HILL
 MEYER MEMORIAL
 PALO VERDE
 SAN DIEGO STATE UNIVERSITY

STATE AGENCIES

- AIR RESOURCES BOARD
 CALTRANS/District 11/San Diego
 CALIFORNIA HIGHWAY PATROL
 DEPT. OF FISH & GAME *TRUSTEE AGENCY*
 HISTORIC PRESERVATION
 HOUSING & COMMUNITY DEVELOPMENT
 CALIFORNIA INTEGRATED WASTE BOARD
 STATE LANDS COMMISSION *TRUSTEE AGENCY*
 MINE RECLAMATION (OMR)
 NATIVE AMERICAN HERITAGE
 OFFICE OF PLANNING & RESEARCH (OPR)
 PARKS & RECREATION DEPT. *TRUSTEE AGENCY*
 REGIONAL WATER QUALITY BOARD
 RESOURCE AGENCY
 SCAG
 STATE GEOLOGIST
 WATER RESOURCE BOARD
 OTHER _____

FEDERAL AGENCIES

- BUREAU OF LAND MANAGEMENT (BLM)
 BUREAU OF MINES
 BUREAU OF RECLAMATION
 BORDER PATROL
 MARINE CORPS. AIR STATION, YUMA
 NAVAL AIR FACILITY, EL CENTRO
 SOIL CONSERVATION SERVICE
 U.S. FISH & WILDLIFE SERVICES
 OTHER _____

**FOR ADDITIONAL & GENERAL NOTICING
SEE DISTRIBUTION LIST IN PROJECT FILE**

DEPARTMENT OF TRANSPORTATION

DISTRICT 11, DIVISION OF PLANNING
4050 TAYLOR ST, M.S. 240
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PHONE (619) 688-6960
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June 23, 2010

11-IMP-98

PM 23.09

Imperial Solar Energy Center South
Draft EIR

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

Dear Ms. Valenzuela:

The California Department of Transportation (Caltrans) received a copy of the Notice of Preparation (NOP) of a Draft Environmental Impact Report (Draft EIR) for the proposed Imperial Solar Energy Center South project located near Highway 98 (SR-98). Caltrans has the following comments:

Utility Encroachment:

Please refer to Caltrans Encroachment Permits Manual

(http://www.dot.ca.gov/hq/traffops/developserv/permits/encroachment_permits_manual/index.html) for guidance on utility encroachment. The following information is contained in Chapter 600, Table 6.7 (page 6-35) of the Encroachment Permit Manual. Line supports for overhead lines crossing freeways must comply with these requirements, they:

1. Should have a minimum lateral clearance of 30' from the edge of a through lane and 30' from the edge of a ramp lane, when possible.
2. Shall be located outside the right-of-way (R/W) or between the R/W line and access control line if different. Any other placement must be approved by the Division of Design, Chief.
3. Should not be permitted in medians.
4. Should not be permitted on cut or fill slopes.
5. Shall not impair sight distances.
6. Shall be compatible with access requirements.

Traffic:

Please refer to Caltrans Encroachment Permits Manual for guidance on Traffic Control. The following information is contained in Appendix E (page E-42) of the Encroachment Permit Manual. For placement of aerial lines, installation or removal of overhead conductors crossing a

Ms. Valenzuela
June 23, 2010
Page 2

freeway requires traffic control by the California Highway Patrol (CHP) and usually occur on weekend mornings. The CHP can perform a rolling break in traffic on most highways to allow

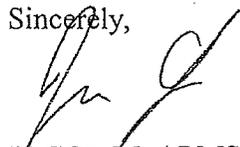
up to a five-minute clearing. These breaks are adequate for simple cable installation. Utility personnel carry the conductors across the freeway lanes and hoist them into place on the opposite side of the freeway. On larger conductor crossings such as transmission lines, 1" or greater in diameter, districts may determine that safety nets are needed to prevent transmission lines from falling on traffic during cabling installations. Temporary safety-net support poles are placed at protected locations outside shoulders and in medians. If locations for temporary supports are not available, the utility company may use K-rail and sand barrel crash cushions. After rope nets are strung during CHP traffic breaks other work is then allowed to proceed. Placement of the aerial line may be by helicopter.

Any work performed within Caltrans R/W must provide an approved final environmental document including the California Environmental Quality Act (CEQA) determination addressing any environmental impacts within the Caltrans' R/W, and any corresponding technical studies. If these materials are not included with the encroachment permit application, the applicant will be required to acquire and provide these to Caltrans before the permit application will be accepted. Identification of avoidance and/or mitigation measures will be a condition of the encroachment permit approval as well as procurement of any necessary regulatory and resource agency permits

Additional information regarding encroachment permits may be obtained by contacting the Caltrans Permits Office at (619) 688-6158. Early coordination with Caltrans is strongly advised for all encroachment permits.

If you have any questions on the comments Caltrans has provided, please contact Leila Ibrahim of the Development Review Branch at (619) 688-6954.

Sincerely,



JACOB M. ARMSTRONG, Chief
Development Review Branch



UNITED STATES MARINE CORPS

MARINE CORPS AIR STATION
BOX 99100
YUMA, ARIZONA 85369-9100

5726
CP&L/IMPEIP SECS
June 23, 2010

Mr. Jurg Heuberger
Imperial County Planning Department
939 Main Street
El Centro, CA

Dear Mr. Heuberger:

We have received the Notice of Preparation of a Draft Environmental Impact Report for the Imperial Solar Energy Center South. This is a request by CSOLAR Development, LLC to develop a solar energy center on 903 acres of vacant land previously utilized for agricultural purposes. The project would include a facility consisting of ground mounted photovoltaic solar power generating system, support structures, operations and maintenance buildings, substation, water treatment facility, plant control system, meteorological station, roads and fencing. The property is located on Pullman Road and Anza Road on private land within the unincorporated portion of Imperial County. We offer the following comments.

The property is located outside any military low-level training routes. The Marine Corps Air Station does not have any additional comments at this time. Thank you for giving this Command the opportunity to comment. If you have any questions, please feel free to contact me at (928) 269-2103/2272.

Sincerely


JAMES L. COMBS
Major, U. S. Marine Corps
Community Planner
By direction of the
Commanding Officer

AIR POLLUTION CONTROL DISTRICT



RECEIVED

June 25, 2010

JUN 28 2010

Mr. Jurg Heuberger, AICP, CEP, CBO
Planning & Development Services Director
801 Main Street
El Centro, CA 92243

IMPERIAL COUNTY
PLANNING & DEVELOPMENT SERVICES

SUBJECT: Notice of Preparation (NOP) and Initial Study (IS) for Imperial Solar Energy Center South

Dear Mr. Heuberger:

The NOP/IS for the Imperial Solar Energy Center South been reviewed by the Imperial County Air Pollution Control District (Air District). As you know, the established programs to help keep the air in Imperial County from declining are influenced by the Rules and Regulations as adopted by the Air District, the California Environmental Quality Act (CEQA), the most current CEQA Air Quality Handbook for Imperial County (ICCEQA), the Air District State Implementation Plans (SIP's) for 8-Hour Ozone and 24-Hour PM₁₀. In addition, CEQA requires full disclosure of all the potential air pollutants and/or toxic air emissions from any given project. The IS associate with this project has indicated that a Comprehensive Air Quality Analysis may be required. To help project proponents Section 6 of the CEQA handbook describes the preparation of the Air Quality Analysis for an Environmental Impact Report (EIR).

The following is a synopsis of the information pertinent to the development of an Air Quality analysis. A **comprehensive Air Quality Analysis** will include the construction and operational impacts of a given project. A thorough analysis should include a description, impacts and health consequences of all air quality and emissions. The analysis should be conducted using APCD approved modeling factors.¹ The analysis should include short and long term emissions as well as daily and yearly emission calculations. Project alternatives should be included along with a thorough emissions analysis. A description of the attainment status, State and Federal, of the Air District is required as is describing any regulatory restrictions to the project. All temporary construction and grading impacts should quantify fugitive dust and combustion emissions and propose mitigation measures. A health risk assessment such as a diesel exhaust screening level should be included for projects anticipating the use of heavy-duty diesel equipment.² As well as, projects locating near already existing facilities with the potential to emit toxics should have a health risk assessment conducted. Typically, these health risk assessments are of a quantitative nature but can be a mixed

¹ Such as using the most current URBEMIS.

² Guidelines and procedures as approved by the California Air Resources Board and the Office of Environmental Health Hazard Assessment (OEHHA)

qualitative and quantitative analysis. In any case, the relative human exposure, location of the project, distance to sensitive receptors all should be considered when developing the risk assessment.

Projects anticipating heavy volumes of traffic should conduct hot spot modeling.³ Hot spot modeling will help determine compliance with the state CO standard at intersections and roadway links as determined by traffic impact analysis. In addition, existing and proposed projects must have a cumulative impact analysis. For each sub analysis and risk assessment mitigation measures should be identified, quantified for effectiveness and incorporated into the EIS. All mitigation measures should follow all District Rules and Regulations including the most current CEQA handbook. Consultation with the most recent Clean Air Plans (SIP's), District Rules and Regulations and other Air District approved programs is recommended for effective applicability of standards. When it becomes apparent that on-site mitigation is insufficient to reduce impacts to insignificance then off-site mitigation should be discussed and appropriately applied. Finally, in accordance with Assembly Bill 32, known as the Global Warming Solutions Act of 2006, a discussion of the impacts from Green House Gas emissions is necessary.

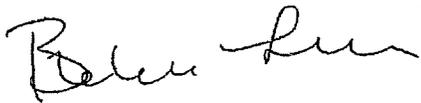
All construction sites regardless of size must adhere to the requirements of Regulation VIII, Fugitive Dust Control. This regulation is comprised of six individual rules which combined apply Best Available Control Measures to any size construction or earthmoving activity. One most notable change, aside from the standard of measurement, is the requirement of a dust control plan and notification 10 days prior to the commencement of construction to the Air District. The entire rule book for the Imperial County can be found at <http://www.imperialcounty.net> under "Air Pollution." We encourage all developers, construction companies, cities and interested parties to obtain a copy of the newly proposed Regulation VIII, Fugitive Dust Control. Should you have any questions please do not hesitate to call.

Furthermore, per the project description a maintenance and equipment facility will be build on the property. Therefore the project proponent must abide by the Air Districts Rule 310 – Operation Development Fee. The purpose of this rule is to provide the Air District with a sound method for mitigating the emissions produced from the operation of new commercial and residential development projects throughout the County of Imperial and incorporated cities. All project proponents have the option to either provide: off-site mitigation, pay the operational development fee, or do a combination of both.

For your convenience our Rule book can be accessed via the internet at www.imperialcounty.net under "Air Pollution Control". Should you have any questions please do not hesitate to call the office at (760) 482-4606.

³ Using APCD approved hot spot modeling such as CALINE4, developed by and available through the California Department of Transportation.

Sincerely,

A handwritten signature in black ink, appearing to read "Belen Leon". The signature is fluid and cursive, with the first name "Belen" written in a larger, more prominent script than the last name "Leon".

Belen Leon
APC Environmental Coordinator

CC: Brad Poiriez
Reyes Romero
Monica Soucier

**DEPARTMENT OF CONSERVATION****DIVISION OF LAND RESOURCE PROTECTION**

801 K STREET • MS 18-01 • SACRAMENTO, CALIFORNIA 95814

PHONE 916 / 324-0850 • FAX 916 / 327-3430 • TDD 916 / 324-2555 • WEBSITE conservation.ca.gov

July 16, 2010

RECEIVED

JUL 19 2010

VIA FACSIMILE (760) 353-8338

Ms. Patricia Valenzuela, Planner III
Imperial County Planning & Development Services
801 main Street
El Centro, CA 92243

IMPERIAL COUNTY
PLANNING & DEVELOPMENT SERVICES

Subject: Notice of Preparation for a DEIR for Imperial Solar Energy Center South
- SCH# 2010061038

Dear Ms. Valenzuela:

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

Project Description:

The project is located on Pullman Road and Anza Road in an unincorporated part of Imperial County on the US/Mexico Border. The project site is 903 acres of agricultural land. The site is designated Prime Farmland and Farmland of Statewide Importance per the Imperial County Farmland Mapping and Monitoring Program maps. The existing General Plan designation is Agriculture and the zoning is General Agriculture Rural Zone and Heavy Agriculture.

The project proposes the development of a solar energy center and would consist of ground mounted photovoltaic solar power generation system; supporting structures, an operations and maintenance building, substation, water treatment facility, plant control system, meteorological station, roads and fencing. The project also plans a 120-foot wide Right-of-Way from the project site, along BLM land, within BLM's designated Utility Corridor "N" to the Imperial Valley Substation.

Division Comments:

The initial study for the NOP stated that because solar generation facilities are an allowed use within the zone district and subject to a conditional use permit, they do not conflict with existing zoning for agriculture and thus no impact is identified. However, the entire purpose of going through the conditional use permit process is to trigger a thorough CEQA review of a project's potential impacts. The development of 903 acres of Prime Farmland and Farmland of Statewide Importance is a substantial amount of development and displacement of agricultural resources.

The Department of Conservation considers the construction of a solar facility that removes and replaces agriculture on agricultural lands to have a significant impact on those agricultural lands, including grazing land. While solar panels may be an allowed use under the County zoning and General Plan, they can and should be considered an impact under CEQA to the project site's agricultural resources.

Although direct conversion of agricultural land is often an unavoidable impact under California Environmental Quality Act (CEQA) analysis, mitigation measures must be considered. A principal purpose of an EIR is to present a discussion of mitigation measures in order to fully inform decision-makers and the public about ways to lessen a project's impacts. In some cases, the argument is made that mitigation cannot reduce impacts to below the level of significance because agricultural land will still be converted by the project, and, therefore, mitigation is not required. However, reduction to a level below significance is not a criterion for mitigation. Rather, the criterion is feasible mitigation that lessens a project's impacts. Pursuant to CEQA Guideline §15370, mitigation includes measures that "avoid, minimize, rectify, reduce or eliminate, or compensate" for the impact. For example, mitigation includes "*Minimizing impacts by limiting the degree or magnitude of the action and its implementation (§15370(b))*" or "*Compensating for the impact by replacing or providing substitute resources or environments (§15370(e)).*"

All measures allegedly feasible should be included in the DEIR. Each measure should be discussed, as well as the reasoning for selection or rejection. A measure brought to the attention of the Lead Agency should not be left out unless it is infeasible based on its elements.

Finally, when presenting mitigation measures in the DEIR, it is important to note that mitigation should be specific, measurable actions that allow monitoring to ensure their implementation and evaluation of success. A mitigation consisting only of a statement of intention or an unspecified future action may not be adequate pursuant to CEQA.

Project Impacts on Agricultural Land

When determining the agricultural value of the land, the value of a property may have been reduced over the years due to inactivity, but it does not mean that there is no longer any agricultural value. The inability to farm the land, rather than the choice not to do so, is what could constitute a reduced agricultural value. The Division recommends the following discussion under the Agricultural Resources section of the Draft EIR:

- Type, amount, and location of farmland (Prime, Unique, and Farmland of Statewide Importance) conversion that may result directly and indirectly from project implementation and growth inducement, respectively.
- Impacts on current and future agricultural operations; e.g., land-use conflicts, increases in land values and taxes, etc.
- Incremental project impacts leading to cumulative impacts on agricultural land. This would include impacts from uses allowed with the proposed solar facility, as well as impacts from past, current, and likely projects in the future.

Ms. Patricia Valenzuela
July 16, 2010
Page 3 of 4

Under California Code of Regulations Section 15064.7, impacts on agricultural resources may also be both quantified and qualified by use of established thresholds of significance. As such, the Division has developed a California version of the USDA Land Evaluation and Site Assessment (LESA) Model. The California LESA model is a semi-quantitative rating system for establishing the environmental significance of project-specific impacts on farmland. The model may also be used to rate the relative value of alternative project sites. The LESA Model is available on the Division's website at:

http://www.consrv.ca.gov/DLRP/gh_lesa.htm

Solar Facility Mitigations and Reclamation Plan

If the solar facility is considered a temporary displacement of agricultural resources, then there should be some assurances that it will be temporary and will be removed in the future. Hence the need for a reclamation plan. The loss of agricultural land (even temporary) represents a reduction in the State's agricultural land resources. The Division has witnessed the negative impacts of non-operational wind power generation facilities and related equipment that have been left to deteriorate on agricultural land. For that reason, the Division offers a variety of permitting conditions the County might use for energy projects on agricultural land:

- Require a reclamation plan suited for solar facilities, based on the principles of the Surface Mining and Reclamation Act (SMARA). As part of this plan, a performance bond or other similar measure may be used.
 - A typical requirement would be for the soil to be restored to the same condition it was in prior to the solar facility's construction. Whatever project-related materials have been brought in, or changes made to the land (i.e. graveling, roads, compaction, equipment), would be removed once the solar facility (or portions of) is no longer active.
- Solar projects are generally considered to be "temporary". The County could require that a new permit must be applied for after a certain period of time. Because this is a new and unprecedented use for agricultural land, this would allow the County more flexibility in determining what conditional uses or conditions may be most appropriate in the longer term.
- Require permanent agricultural conservation easements on land of at least equal quality and size as partial compensation for the direct loss of agricultural land.
 - Conservation easements will protect a portion of those remaining agricultural land resources and lessen project impacts in accordance with California Environmental Quality Act (CEQA) Guideline §15370. The Department highlights this measure because of its acceptance and use by lead agencies as an appropriate mitigation measure under CEQA and because it follows an established rationale similar to that of wildlife habitat mitigation.

Mitigation via agricultural conservation easements can be implemented by at least two alternative approaches: the outright purchase of easements or the donation of mitigation fees to a local, regional or statewide organization or agency whose purpose includes the acquisition and stewardship of agricultural conservation easements. The proposed conversion of agricultural land should be deemed an impact of at least regional significance. Hence, the search for replacement lands can be conducted regionally or statewide, and need not be limited strictly to lands within the project's surrounding area. Mitigation for the loss of Prime Farmland

Ms. Patricia Valenzuela
July 16, 2010
Page 4 of 4

is suggested at a 2:1 ratio due to its importance in the State of California. The use of conservation easements is only one form of mitigation, and any other feasible mitigation measures should also be considered. Mitigations for temporary solar projects can also be flexible, especially in cases where there is a reclamation plan in place that requires the land to be returned to an agricultural state.

The Department also has available a listing of approximately 30 "conservation tools" that have been used to conserve or mitigate project impacts on agricultural land. This compilation report may be requested from the Division at the address or phone number at the conclusion of this letter. Of course, the use of conservation easements is only one form of mitigation that should be considered. Any other feasible mitigation measures should also be considered.

Thank you for giving us the opportunity to comment on the Notice of Preparation for a DEIR for Imperial Solar Energy Center South project. Please provide this Department with a copy of the DEIR, the date of any hearings for this particular action, and any staff reports pertaining to it. If you have questions regarding our comments, or require technical assistance or information on agricultural land conservation, please contact Meri Meraz, Environmental Planner, at 801 K Street, MS 18-01, Sacramento, California 95814, or by phone at (916) 445-9411.

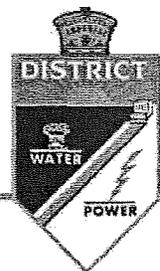
Sincerely,



Dan Otis
Program Manager
Williamson Act Program

cc: State Clearinghouse

Imperial County Farm Bureau
1000 Broadway
El Centro, CA 92243
FAX (760) 352-0232



IMPERIAL IRRIGATION DISTRICT

ENVIRONMENTAL, REGULATORY AND EMERGENCY PLANNING • P.O. BOX 937 • IMPERIAL, CA 92251
TELEPHONE (760) 482-3600 • FAX (760) 482-3603

GS-EREP

July 8, 2010

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

SUBJECT: Notice of Preparation Imperial Solar Energy Center **South** Draft
Environmental Impact Report

Dear Ms. Valenzuela:

On June 15, 2009 we received a Notice of Preparation of a Draft Environmental Impact Report (DEIR) for the Imperial Solar Energy Center South project. The project consists of the development of solar energy center on 903 acres of mostly agricultural land to include a ground mounted photovoltaic (PV) solar power generating system facility, supporting structures, operations and maintenance building, substation, water treatment facility, plant control system, meteorological station, roads and fencing. The electrical generating facility would connect, by way of a 120-foot wide ROW within BLM's designated Utility Corridor "N", to the Imperial Valley Substation via a 5.5-mile 230 kV transmission line to be constructed as part of the project. The project site is located on Pullman Road and Anza Road in an unincorporated portion of Imperial County.

Pursuant to the above, the Imperial Irrigation District (IID) has reviewed the DEIR and submits the following comments:

1. IID has not received a request for electrical service for the project's O & M building. Line extensions to serve this facility will be made in accordance with current IID Regulations. Due to unforeseen development, other projects could impact existing resources which could affect our ability to serve this load. Some revisions (to be performed by the IID) to the distribution circuit serving this area may be required. These revisions will be at the project proponent's expense. For additional information contact IID Energy - Customer Operations & Planning Section at 760-482-3402.
2. IID facilities that may be impacted include Westside Main Canal, Wormwood Canal, and canal crossing for Westside Main and Wormwood Canals, All American Canal, Drop No. 1, Walnut Canal, Woodbine Lateral 5 Canal, Mt. Signal Drain, Mt. Signal. Drain No. 3, and Mt. Signal Drain No. 4.
3. Fences should be installed at the boundary of IID's right of way for safety and allow access for Imperial Irrigation District operation and maintenance activities.

4. The proponent may not use IID's Westside Main and Wormwood Canals structures to access the western section of its site. The Imperial Solar Energy Center South Project is required to construct a new bridge to cross these facilities (or any other) to access their project site.
5. Any construction or operation on IID property or within its existing and proposed right of way or easements will require an encroachment permit, including but not limited to: surface improvements such as proposed new streets, driveways, parking lots, landscape; and all water, sewer, storm water, or any other above ground or underground utilities. A copy of the encroachment permit application is included in the Imperial Irrigation District 2008 Developer Project Guide and can be found at: <http://www.iid.com/Media/Developer-Project-Guide-2008.pdf>. For additional information regarding encroachment permits, the Imperial Irrigation District Real Estate Section at (760) 339-9239 should be contacted.
6. Storm water for the project could be connected to drains at the existing agricultural discharge locations. Adjustment of discharge locations is permitted upon review and approval. The storm water discharge connections shall be in accordance with IID's Standard Drawing 12F-6855, which is included in the 2008 Developer Project Guide (see internet link to the site in item 4 above).
7. The impacts to the Salton Sea via the New River and to IID drains, due to loss or reduction of agricultural runoff caused by agricultural land conversion to urban use is not discussed in the document. Due to the potential loss or reduction of inflow to the Salton Sea and to IID drains with its concurrent environmental impacts, developer should address this issue as well as provide analysis that the project does not impact the IID Water Conservation and Transfer Draft Habitat Conservation Plan (HCP), the existing Section 7 Biological Opinion and the California Endangered Species Act (CESA) Permit 2081.
8. Since the DEIR lacks any assessment or discussion of cumulative impacts considering other non-agricultural facilities whose water use (or potential water use) would reduce the inflow conveyed to IID drains and the Salton Sea, it is advisable that project proponent present a cumulative impact analysis on inflow to IID drains and the Salton Sea.

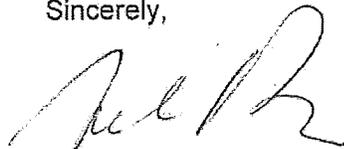
The following are the access links to the documents mentioned:

- The HCP is part of the IID Water Conservation and Transfer Project, Final EIR/EIS and can be found at <http://www.iid.com/Water/FinalEIREIS>; Volume II, Appendix A, Habitat Conservation Plan. (The HCP in the Draft EIR/EIS may contain small changes from the final version of the EIR/EIS. It is in a different appendix in the draft than the final EIR/EIS. Until the final HCP/NCCP is approved IID uses the HCP in the draft document, which can be accessed at <http://www.iid.com/Water/DraftEIREIS>).
- The **Biological Opinion** (federal ESA permit) is at <http://www.iid.com/Media/In-Valley-BO.pdf>.

- The **CESA 2081** (the water transfer operates under this state ESA permit until NCCP is approved) can be found at <http://www.iid.com/Media/California-Endangered-Species-Act.pdf> and at <http://www.iid.com/Media/LCR-MSCP-CESA-2081-Permit-Final.pdf>.
 - The **MMRP** (Mitigation Monitoring and Report Program) is at <http://www.iid.com/Media/Exhibit-B---MMC MMRP Complete 6-12-08.pdf>.
9. For water requirements, the proponent should review the Interim Water Supply Policy (IWSP) (see <http://www.iid.com/Water/IndustrialCustomers>) to address the project's water needs. Please be reminded that the IWSP requires the project's water use and any related impacts to be analyzed individually and cumulatively if appropriate, in order for IID to issue a Water Supply Agreement.
10. To enter into a water supply agreement with the IID and obtain a water supply for the project, the project proponent will be required to comply with all applicable IID policies and regulations. Such policies and regulations require, among other things, that all potential environmental and water supply impacts of the project have been adequately assessed, appropriate mitigation has been developed, and appropriate conditions have been adopted by the relevant land use permitting/approving agencies.
11. It is important to bear in mind that any new, relocated, upgraded or reconstructed IID facilities required for and by the project (which can include but is not limited to electrical utility substations, electrical transmission and distribution lines, and water delivery and drainage structures) need to be included as part of the project's CEQA and/or NEPA documentation, environmental impact analysis and mitigation. Failure to do so will result in postponement of any construction and/or upgrade of IID facilities until such time as the environmental documentation is amended and environmental impacts are fully mitigated. **Any and all mitigation necessary as a result of the construction, relocation and/or upgrade of IID facilities is the responsibility of the project proponent.**

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

Sincerely,



Donald Vargas
Environmental Specialist I

COLORADO RIVER BOARD OF CALIFORNIA

770 FAIRMONT AVENUE, SUITE 100
GLENDALE, CA 91203-1068
(818) 500-1625
(818) 543-4685 FAX



RECEIVED

August 17, 2010

AUG 19 2010

IMPERIAL COUNTY
PLANNING & DEVELOPMENT SERVICES

Mr. Scott Morgan
Director
State Clearinghouse
1400 Tenth Street
P.O. Box 3044
Sacramento, CA 95812-3044

Regarding: SCH# 2010 061 038: Notice of Preparation for a draft Environmental Impact Report (EIR) for the Imperial Solar Energy Center **South**, County of Imperial, California

Dear Mr. Morgan:

The Colorado River Board of California has issued a Notice of Preparation for a draft Environmental Impact Report (EIR) for the Imperial Solar Energy Center **South**, County of Imperial, California. The project is located on 1,903 acres of mostly undeveloped land designated as

Need to add to NOP

is a copy of Notice of Preparation for the Imperial Solar Energy Center. The project is located on 1,903 acres of mostly undeveloped land designated as

At this juncture, the CRB has no comments. If you have any questions, please contact the CRB at (818) 500-1625.

enclosed with this letter is a copy of Notice of Preparation for the Imperial Solar Energy Center. If you have any questions, please contact the CRB at (818) 500-1625.

Sincerely,

Gerald R. Zimmerman
Acting Executive Director

cc: Mr. Jurg Heuberger, Director, Imperial County Planning and Development Services
Mr. Michael L. King, Manager, Water Department, Imperial Irrigation District

Resources Agency

- Resources Agency - Nadell Gayou
- Dept. of Boating & Waterways Mike Solelo
- California Coastal Commission Elizabeth A. Fuchs
- Colorado River Board Gerald R. Zimmerman
- Dept. of Conservation Rebecca Salazar
- California Energy Commission Eric Knight
- Cal Fire Allen Robertson
- Central Valley Flood Protection Board James Herota
- Office of Historic Preservation Wayne Donaldson
- Dept of Parks & Recreation Environmental Stewardship Section
- California Department of Resources, Recycling & Recovery Sue O'Leary
- S.F. Bay Conservation & Dev't. Comm. Steve McAdam
- Dept. of Water Resources Resources Agency Nadell Gayou
- _____
Conservancy
- Fish and Game
- Depart. of Fish & Game Scott Flint Environmental Services Division
- Fish & Game Region 1 Donald Koch

- Fish & Game Region 1E Laurie Hamsberger
- Fish & Game Region 2 Jeff Drongesen
- Fish & Game Region 3 Charles Amorr
- Fish & Game Region 4 Julie Vance
- Fish & Game Region 5 Don Chadwick Habitat Conservation Program
- Fish & Game Region 6 Gabriela Gatchel Habitat Conservation Program
- Fish & Game Region 6 I/M Brad Henderson Inyo/Mono, Habitat Conservation Program
- Dept. of Fish & Game M George Isaac Marine Region

Other Departments

- Food & Agriculture Steve Shaffer Dept. of Food and Agriculture
- Depart. of General Services Public School Construction
- Dept. of General Services Anna Garbeff Environmental Services Section
- Dept. of Public Health Bridgette Binning Dept. of Health/Drinking Water

Independent Commissions, Boards

- Delta Protection Commission Linda Flack
- Cal EMA (Emergency Management Agency) Dennis Castrillo
- Governor's Office of Planning & Research State Clearinghouse

- Native American Heritage Comm. Debbie Treadway
- Public Utilities Commission Leo Wong
- Santa Monica Bay Restoration Guangyu Wang
- State Lands Commission Marina Brand
- Tahoe Regional Planning Agency (TRPA) Cherry Jacques

Business, Trans & Housing

- Caltrans - Division of Aeronautics Sandy Hesnard
- Caltrans - Planning Terri Pencovic
- California Highway Patrol Scott Loetscher Office of Special Projects
- Housing & Community Development CEQA Coordinator Housing Policy Division

Dept. of Transportation

- Caltrans, District 1 Rex Jackman
- Caltrans, District 2 Marcelino Gonzalez
- Caltrans, District 3 Bruce de Terra
- Caltrans, District 4 Lisa Carboni
- Caltrans, District 5 David Murray
- Caltrans, District 6 Michael Navarro
- Caltrans, District 7 Elmer Alvarez

- Caltrans, District 8 Dan Kopulsky
- Caltrans, District 9 Gayle Rosander
- Caltrans, District 10 Tom Dumas
- Caltrans, District 11 Jacob Armstrong
- Caltrans, District 12 Chris Herre

Cal EPA

Air Resources Board

- Airport Projects Jim Lerner
- Transportation Projects Douglas Ito
- Industrial Projects Mike Tolstrup

- State Water Resources Control Board Regional Programs Unit Division of Financial Assistance

- State Water Resources Control Board Student Intern, 401 Water Quality Certification Unit Division of Water Quality

- State Water Resources Control Board Steven Herrera Division of Water Rights

- Dept. of Toxic Substances Control CEQA Tracking Center

- Department of Pesticide Regulation CEQA Coordinator

Regional Water Quality Control Board (RWQCB)

- RWQCB 1 Cathleen Hudson North Coast Region (1)
- RWQCB 2 Environmental Document Coordinator San Francisco Bay Region (2)
- RWQCB 3 Central Coast Region (3)
- RWQCB 4 Teresa Rodgers Los Angeles Region (4)
- RWQCB 5S Central Valley Region (5)
- RWQCB 5F Central Valley Region (5) Fresno Branch Office
- RWQCB 5R Central Valley Region (5) Redding Branch Office
- RWQCB 6 Lahontan Region (6)
- RWQCB 6V Lahontan Region (6) Victorville Branch Office
- RWQCB 7 Colorado River Basin Region (7)
- RWQCB 8 Santa Ana Region (8)
- RWQCB 9 San Diego Region (9)
- Other _____

→ No Comments?