

APPENDIX 9.1-2

Supplemental Biological Resources Analysis

TECHNICAL MEMORANDUM

To: Jacumba Solar LLC
From: Brock Ortega, Senior Biologist
Subject: Supplemental Biological Resources Analysis
Date: July 28, 2015

1.0 INTRODUCTION

This memorandum provides information regarding decommissioning impacts. During the public review comment period for the Draft EIR, public comments were received seeking clarification regarding secondary impacts that may occur from the implementation of the mitigation measure M-AE-3 to decommission the solar facility. I am providing the following analysis of that activity as an expert in my field. This analysis does not change the conclusions regarding the level of significance of the prior analysis of Biological Resources included in the Draft EIR. This memorandum analyzes the potential of implementing M-AE-3 to have a significant environmental impact related to biological resources, and concludes that it would be consistent with the conclusions of the Draft EIR prepared and circulated for the development of the Proposed Project.

2.0 REGULATORY SETTING

The regulatory setting remains as established in Section 2.2 of the Draft EIR.

3.0 ANALYSIS

Decommissioning Impacts

As stated in Chapter 1, Project Description of the Draft EIR, the expected lifespan of the Proposed Project is estimated to be at least 30 years. Mitigation measure M-AE-3 requires decommissioning of the solar facility to reduce aesthetics impacts.

Biological Resources

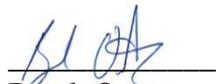
The impacts of undertaking the decommissioning mitigation to biological resources would be similar to those associated with construction and would involve temporary indirect impacts from the presence of heavy machinery. Indirect effects could include the following: generation of

fugitive dust, noise, and increased human activity during the decommissioning process, non-native animal species, and lighting. Because the decommissioning area will have already been considered a permanent direct impact to biological resources, no additional direct impacts would occur. To ensure decommissioning activities would avoid indirect impacts to biological resources, mitigation measures identified for project construction in the Section 2.2 Biological Resources of the Draft EIR (M-BI-1, M-BI-2, M-BI-3, M-BI-6, M-BI-7, M-BI-8, M-BI-9 and M-BI-12) would be required. The secondary impacts from decommissioning would be temporary and less than significant with incorporation of mitigation measures for the same reasons as expressed for project construction in Section 2.2 Biological Resources of the Draft EIR.

The open space areas that could be indirectly affected by the decommissioning will be conserved through a conservation easement or land transfer as specified in the *Conceptual Resource Management Plan for the Jacumba Solar Energy Project* (“RMP”). These open space lands are managed in perpetuity in accordance with the RMP, which includes specific management activities such as sensitive species monitoring, predator/pest control, and adaptive management that are set up to address potential issues in the open space.

4.0 CONCLUSIONS

Decommissioning activities would be expected to result in substantially less disturbance than during initial project construction. However, for the purposes of a conservative analysis, it was assumed that decommissioning would result in indirect impacts similar to those estimated for the Proposed Project construction activities. The potential indirect impacts associated with the decommissioning would be the same as those already analyzed in the Draft EIR and are **significant, absent mitigation**. Incorporation of existing mitigation measures, specifically, M-BI-4 (habitat preservation and management) and M-BI-1, M-BI-2, M-BI-3, M-BI-6, M-BI-7, M-BI-8, M-BI-9 and M-BI-12, will reduce the impact to **less than significant**.



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