

Attachment K – Environmental Findings

**FINDINGS REGARDING SIGNIFICANT EFFECTS PURSUANT
TO STATE CEQA GUIDELINES SECTIONS 15090, 15091 AND
15093**

SOITEC SOLAR DEVELOPMENT PROJECT

**Log No. 3910-120005 (ER); 3800 12-010 (GPA); Tierra Del Sol 3300 12-010 (MUP),
3600 12-005 (REZ), 3921 77-046-01 (AP); Rugged Solar 3300 12-007 (MUP)**

SCH No. 2012-121-018

January 21, 2015

I. INTRODUCTION

The Final Program Environmental Impact Report (FPEIR), dated January 2015 for the Soitec Solar Development Project analyzes the Rugged solar farm and Tierra del Sol solar farm at a project level, and the LanEast solar farm and LanWest solar farm at a programmatic level (jointly, the Proposed Project). The FPEIR analyzes ten alternatives to the Proposed Project, including five reduced project alternatives (Alternatives 1, 2, 2A, 3, and 4), four alternatives involving an alternative site (Alternatives 5, 6, 7, and 8), and the No Project alternative.

The County adopts the Tailored Proposed Project and No LanEast and LanWest Alternative (Alternative 2A), and not the Proposed Project, for the reasons explained in these findings.

Alternative 2A reduces the concentrator photovoltaic (CPV) trackers on the Tierra del Sol solar farm by approximately 99 trackers, and the Rugged solar farm by approximately 177 trackers. The Rugged solar farm would include an optional energy storage system for the Rugged solar farm. The LanEast and LanWest solar farms are removed from further consideration under this alternative. In all other respects, Alternative 2A would be the same as the Proposed Project.

Alternative 2A's tracker reductions at the Tierra del Sol solar farm would enhance visual screening associated with implementation of Mitigation Measures M-AE-PP-1. In addition to the removal of 71 trackers associated with the installed of landscape screens (i.e., mitigation measure M-AE-PP-1), Alternative 2A would retain an approximately 55-foot wide swath of native chaparral vegetation along the northern project boundary south of Tierra Del Sol Road and an approximately 225-foot wide swath of wide swath of native chaparral vegetation along the western project boundary east of Tierra Del Sol Road. More specifically, where the project boundary parallels paved segments of Tierra Del Sol Road, Alternative 2A would remove of two rows of trackers along the northern project boundary and three rows of trackers along the western project boundary. Because of the reduced limits of grading due to maintaining existing in-place vegetation, tracker reductions under Alternative 2A would reduce impacts to air quality, biological resources and aesthetic resources.

Alternative 2A's tracker reductions at both the Rugged solar farm and the Tierra del Sol solar farm would diminish PM₁₀ emissions below a level of significance without the application of any mitigation measures. Alternative 2A would also reduce NO_x emissions below the Proposed Projects, but not to a level below significance for the short period when construction activities for Rugged solar farm and Tierra del Sol solar farm overlap, and for Alternative 2A's NO_x emissions combined with all past, present, and potential cumulative NO_x impacts.

Alternative 2A's tracker reductions at the Rugged solar farm would enhance wildlife movement opportunities in response to comments received from the U.S. Fish and Wildlife Service (USFWS). In addition to the removal of 120 trackers associated with the installation of landscape screens (i.e., mitigation measure M-AE-PP-1) and voluntary reduction of trackers on a visually prominent area of the site (project design feature (PDF) PDF-AE-1), Alternative 2A would remove approximately 177 additional CPV trackers within the western subarea (APN 611-060-

CEQA Findings and Statement of Overriding Considerations

04-00) near the Tule Creek corridor. Accordingly, tracker reductions under Alternative 2A would reduce impacts to air quality, biological resources, and aesthetics as compared to the Proposed Project.

Alternative 2A would meet the project objectives, and does not add any “significant new information” as that term is defined by CEQA Guidelines section 15088.5. As a result of the analysis in the FPEIR, Alternative 2A is the preferred alternative and is being proposed as the Project. Alternative 2A is more fully described in Chapter 4.3.5 of the FPEIR.

II. POTENTIALLY SIGNIFICANT IMPACTS REDUCED TO NO IMPACT

As a result of the County’s adoption of Alternative 2A, the LanEast and LanWest solar farms would not be constructed, and certain potentially significant impacts identified in the FPEIR would no longer occur. Under Alternative 2A, the following potentially significant impacts identified in the FPEIR would be reduced to no impact:

- **Aesthetics:** Impacts AE-LE-LW-1, AE-LE-LW-2, AE-LE-LW-3, AE-PP-1, and AE-PP-CUM-1.
- **Air Quality:** Impacts AQ-PP-2, AQ-LE-1, AQ-LE-2, AQ-LW-1, and AQ-LW-2.
- **Biological Resources:** Impacts BI-LE-1, BI-LE-2, BI-LE-3, BI-LE-4, BI-LE-5, BI-LE-6, BI-LE-7, BI-LE-8, BI-LW-1, BI-LW-2, BI-LW-3, BI-LW-4, BI-LW-5, BI-LW-6, BI-LW-7, BI-LW-8, BI-LW-9, BI-LW-10, BI-LW-11, BI-LW-12, BI-LW-13, BI-LW-14, BI-LW-15, BI-LW-16, BI-LW-17, BI-LW-18, BI-LW-19, BI-LW-20, BI-LW-21, BI-LW-22, BI-LW-23, BI-LW-24, BI-LW-25, BI-LW-26, BI-LW-27, BI-LW-28, BI-LW-29, BI-LW-30, and BI-LW-31.
- **Cultural Resources:** Impacts CR-LE-1 and CR-LW-1.
- **Land Use:** Impacts LU-LE-1, LU-LW-1, and LU-PP-1.
- **Noise:** Impacts N-LE-1, N-LE-2, N-LE-3, N-LE-4, N-LW-1, N-LW-2, N-LW-3, and N-LW-4.

Due to the County’s adoption of Alternative 2A, all further references to the “project” or “Project” in these findings refer to Alternative 2A, and not to the Proposed Project as described in the FPEIR.

III. POTENTIALLY SIGNIFICANT IMPACTS THAT CAN BE MITIGATED BELOW A LEVEL OF SIGNIFICANCE (CEQA GUIDELINES § 15091(A)(1))

Pursuant to Section 21081(a) of the Public Resources Code and Section 15091(a)(1) of the State CEQA Guidelines, the County of San Diego Board of Supervisors finds that, for each of the following significant effects identified in the FPEIR, changes or alterations have been required in, or incorporated into, the Project which mitigate or avoid the significant effects on the

environment. The significant effects and mitigation measures are stated fully in the FPEIR. These findings are explained below and are supported by substantial evidence in the record of proceedings.

A. Biological Resources

1) Significant Effect: Impact BI-TDS-1 - Three County List A plant species would be directly impacted by the Tierra del Sol project— Tecate tarplant, Tecate cypress, and Jacumba milk-vetch—and two County List B plant species would be directly impacted by the Tierra del Sol project—desert beauty and sticky geraea. Short-term, or temporary direct impacts to County List A and B plant species on site would primarily result from construction activities. (2.3-104.)

Finding: Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment.

Mitigation Measures: M-BI-PP-2, M-BI-PP-3, and M-BI-PP-4 were proposed to mitigate the significance of BI-TDS-1. M-BI-PP-2 requires that all grading shall be monitored by a biologist. (2.3-194.) M-BI-PP-3 requires that specific measures and/or restrictions shall be incorporated into the Storm Water Pollution Prevention Plan (SWPPP) and noted on construction plans, where appropriate, to avoid impacts on special-status species and sensitive vegetation communities during construction. (2.3-195.) For M-BI-PP-4, the Project Biologist shall prepare a final biological monitoring report to ensure that the biological monitoring occurred during the grading phase of the project. (2.3-196.)

Rationale: Mitigation Measures M-BI-PP-2, M-BI-PP-3, and M-BI-PP-4 were proposed to mitigate the significance of BI-TDS-1. Alternative 2A would further reduce the area of disturbance of the Tierra del Sol solar farm (4.0-34.) and fewer trackers would be developed on the Tierra del Sol solar farm. (4.0-34.) Potentially significant impacts would continue to occur as a result of the reduced Tierra del Sol site, however, these impacts would be reduced to less than significant through implementation of the proposed mitigation measures. Thus, there would be an overall reduction of impacts to biological resources. (4.0-34.) With M-BI-PP-2, M-BI-PP-3, and M-BI-PP-4, the reduced Tierra del Sol solar farm would reduce short-term, or temporary direct impacts to County List A and B plant species, including the Tecate tarplant, Tecate cypress, Jacumba milk-vetch, desert beauty and sticky geraea, to less than significant.

2) Significant Effect: Impact BI-TDS-2 - Long-term, direct impacts to County List A and B species, including Tecate tarplant, desert beauty, Jacumba milk-vetch, and sticky geraea could be a potentially significant impact. Long-term, direct impacts to Tecate cypress would not be considered significant because Tecate cypress on the project site are of a single age class, appear to have been planted, and do not appear to naturally occur in the area. (2.3-104.)

CEQA Findings and Statement of Overriding Considerations

Finding: Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment.

Mitigation Measures: M-BI-PP-1 would preserve in permanent open space an off-site property of substantial acreage, which adequately mitigates for the loss of special-status species along with vegetation community impacts (based on County Requirements). (2.3-191.)

Rationale: Mitigation Measures M-BI-PP-1 was proposed to mitigate the significance of BI-TDS-2. Alternative 2A would further reduce the area of disturbance of the Tierra del Sol solar farm (4.0-34.), and fewer trackers would be developed on the Tierra del Sol solar farm. (4.0-34.) Potentially significant impacts would continue to occur as a result of the reduced Tierra del Sol site, however, these impacts would be reduced to less than significant through implementation of the proposed mitigation measures. Thus, there would be an overall reduction of impacts to biological resources. (4.0-34.) With M-BI-PP-1, the reduced Tierra del Sol solar farm would reduce long-term, direct impacts to County List A and B species, including Tecate tarplant, desert beauty, Jacumba milk-vetch, and sticky geraea to less than significant.

3) Significant Effect: Impact BI-TDS-3 - Short-term or temporary direct impacts to suitable habitat for special-status wildlife species (County Group I or state SSC animals) on site could be a significant impact. (FPEIR, p. 2.3-105.)

Finding: Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment.

Mitigation Measures: M-BI-PP-2, M-BI-PP-3, M-BI-PP-4 and M-BI-PP-11 were proposed to mitigate the significance of BI-TDS-3. M-BI-PP-2 requires that all grading shall be monitored by a biologist. (2.3-194.) M-BI-PP-3 requires that specific measures and/or restrictions shall be incorporated into the SWPPP and noted on construction plans, where appropriate, to avoid impacts on special-status species and sensitive vegetation communities during construction. (2.3-195.) For M-BI-PP-4, the Project Biologist shall prepare a final biological monitoring report to ensure that the biological monitoring occurred during the grading phase of the project. (2.3-196.) M-BI-PP-11 would provide a cover and/or provide escape routes for wildlife from excavated areas and monitor these areas daily. (2.3-201.)

Rationale: Mitigation Measures M-BI-PP-2, M-BI-PP-3, M-BI-PP-4 and M-BI-PP-11 were proposed to mitigate the significance of BI-TDS-3. Alternative 2A would reduce the size of the Tierra del Sol solar farm (4.0-34), and fewer trackers would be developed on the Tierra del Sol solar farm. (4.0-34.) The reduced Tierra del Sol solar farm would reduce short-term or temporary direct impacts to suitable habitat for special-status wildlife species. Potentially significant impacts would continue to occur as a result of the reduced Tierra del Sol site, however, these impacts would be reduced to less than significant through implementation of the proposed mitigation measures. Thus, there would be an overall reduction of impacts to biological resources. (4.0-34.) With M-BI-

CEQA Findings and Statement of Overriding Considerations

PP-2, M-BI-PP-3, M-BI-PP-4 and M-BI-PP-11, the reduced Tierra del Sol solar farm would reduce short-term or temporary direct impacts to suitable habitat for special-status wildlife species to less than significant.

4) Significant Effect: Impact BI-TDS-4 - Construction-related impacts could result in the loss of active nests and/or young during vegetation clearing activities for Cooper's hawk, Bell's sage sparrow, and loggerhead shrike. (2.3-105.)

Finding: Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment.

Mitigation Measures: M-BI-PP-10 includes submitting to the California Department of Fish and Wildlife (CDFW) and USFWS a Nesting Bird Management, Monitoring, and Reporting Plan (NBMMRP) for review and approval prior to commencement project activities during the breeding season (February 1 to August 31, and as early as January 1 for some raptors). (2.3-199.)

Rationale: Mitigation Measures M-BI-PP-10 was proposed to mitigate the significance of BI-TDS-4. It requires submittal of a NBMMRP to CDFW and USFWS for review and approval prior to commencement of project activities during the breeding season (February 1 to August 1, and as early as January 1 for some raptors). It also requires preconstruction nesting bird surveys, sweeps, and avoidance measures for identified nesting birds. Alternative 2A would reduce the size of the Tierra del Sol solar farm (4.0-34.), and fewer trackers would be developed on the Tierra del Sol solar farm. (4.0-34.) Potentially significant impacts would continue to occur as a result of the reduced Tierra del Sol site, however, these impacts would be reduced to less than significant through implementation of the proposed mitigation measures. Thus, there would be an overall reduction of impacts to biological resources. (4.0-34.) With M-BI-PP-10, the reduced Tierra del Sol solar farm would reduce short-term direct impacts to special-status wildlife including Cooper's hawk, Bell's sage sparrow, and loggerhead shrike and reduce potentially significant impact BI-TDS-4 to less than significant.

5) Significant Effect: Impact BI-TDS-5 - Long-term or permanent direct special status wildlife, County Group 1 or CDFW Special Concern, resulting in the loss of suitable habitat of County Group I wildlife species. (2.3-105.)

Finding: Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment.

Mitigation Measures: M-BI-PP-1 would preserve in permanent open space an off-site property of substantial acreage, which adequately mitigates for the loss of special-status species along with vegetation community impacts (based on County Requirements). (2.3-191.)

Rationale: Mitigation Measures M-BI-PP-1 was proposed to mitigate the significance of BI-TDS-5. Alternative 2A would reduce the size of the Tierra del Sol solar farm (4.0-

CEQA Findings and Statement of Overriding Considerations

34.), and fewer trackers would be developed on the Tierra del Sol solar farm. (4.0-34.) Potentially significant impacts would continue to occur as a result of the reduced Tierra del Sol site, however, these impacts would be reduced to less than significant through implementation of the proposed mitigation measures. Thus, there would be an overall reduction of impacts to biological resources. (4.0-34.) With M-BI-PP-1, the reduced Tierra del Sol solar farm would reduce long-term, direct impacts to County Group 1 or CDFW Special Concern species, and reduce potentially significant impact BI-TDS-5 to less than significant.

6) Significant Effect: Impact BI-TDS-6 - Construction related activities could result in short-term direct impacts to special status wildlife in County Group 2, specifically the rosy boa. (2.3.111.)

Finding: Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment.

Mitigation Measures: M-BI-PP-2, M-BI-PP-3, M-BI-PP-4, M-BI-PP-11. M-BI-PP-2 requires that all grading shall be monitored by a biologist. (2.3-194.) M-BI-PP-3 requires that specific measures and/or restrictions shall be incorporated into the SWPPP and noted on construction plans, where appropriate, to avoid impacts on special-status species and sensitive vegetation communities during construction. (2.3-195.) For M-BI-PP-4, the Project Biologist shall prepare a final biological monitoring report to ensure that the biological monitoring occurred during the grading phase of the project. (2.3-196.) M-BI-PP-11 would provide a cover and/or provide escape routes for wildlife from excavated areas and monitor these areas daily. (2.3-201.)

Rationale: Mitigation Measures M-BI-PP-2, M-BI-PP-3, M-BI-PP-4, M-BI-PP-11 were proposed to mitigate the significance of BI-TDS-6. Alternative 2A would reduce the size of the Tierra del Sol solar farm (4.0-34.), and fewer trackers would be developed on the Tierra del Sol solar farm. (4.0-34.) Potentially significant impacts would continue to occur as a result of the reduced Tierra del Sol site, however, these impacts would be reduced to less than significant through implementation of the proposed mitigation measures. Thus, there would be an overall reduction of impacts to biological resources. (4.0-34.) With M-BI-PP-2, M-BI-PP-3, M-BI-PP-4, and M-BI-PP-11, the reduced Tierra del Sol solar farm would reduce short-term, direct impacts to County Group 2 species, specifically the rosy boa, and reduce potentially significant impact BI-TDS-6 to less than significant.

7) Significant Effect: Impact BI-TDS-7 - Construction-related activities may have short-term direct impacts on special status wildlife in County Group 2, specifically active nests or young of nesting special-status bird species. (2.3-111.)

Finding: Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment.

CEQA Findings and Statement of Overriding Considerations

Mitigation Measures: M-BI-PP-10 - M-BI-PP-10 includes submitting to the CDFW and USFWS a NBMMRP for review and approval prior to commencement of project activities during the breeding season (February 1 to August 31, and as early as January 1 for some raptors), and conducting preconstruction nesting bird measures prior to construction-related activities. (2.3-199.)

Rationale: Mitigation Measure M-BI-PP-10 was proposed to mitigate the significance of BI-TDS-7. It requires submittal of a NBMMRP to CDFW and USFWS for review and approval prior to commencement of project activities during the breeding season (February 1 to August 1, and as early as January 1 for some raptors). It also requires preconstruction nesting bird surveys, sweeps, and avoidance measures for identified nesting birds. Alternative 2A would reduce the size of the Tierra del Sol solar farm (4.0-34.), and fewer trackers would be developed on the Tierra del Sol solar farm. (4.0-34.) Potentially significant impacts would continue to occur as a result of the reduced Tierra del Sol site, however, these impacts would be reduced to less than significant through implementation of the proposed mitigation measures. Thus, there would be an overall reduction of impacts to biological resources. (4.0-34.) With M-BI-PP-10, the reduced Tierra del Sol solar farm would reduce short-term, direct impacts to County Group 2 species, specifically active nests or young of nesting special-status bird species, and reduce potentially significant impact BI-TDS-7 to less than significant.

8) Significant Effect: Impact BI-TDS-8 - Potential permanent direct impacts to suitable habitat for rosy boa could occur as a result of the Tierra del Sol project. (2.3-111.)

Finding: Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment.

Mitigation Measures: M-BI-PP-1 would preserve in permanent open space an off-site property of substantial acreage, which adequately mitigates for the loss of special-status species along with vegetation community impacts (based on County Requirements). (2.3-191.)

Rationale: Mitigation Measure M-BI-PP-1 was proposed to mitigate the significance of BI-TDS-8. Alternative 2A would reduce the size of the Tierra del Sol solar farm (4.0-34.), and fewer trackers would be developed on the Tierra del Sol solar farm. (4.0-34.) Potentially significant impacts would continue to occur as a result of the reduced Tierra del Sol site, however, these impacts would be reduced to less than significant through implementation of the proposed mitigation measures. Thus, there would be an overall reduction of impacts to biological resources. (4.0-34.) With M-BI-PP-1, the reduced Tierra del Sol solar farm would reduce long-term, direct impacts to County Group 2 species, specifically the rosy boa, and reduce potentially significant impact BI-TDS-8 to less than significant.

9) Significant Effect: Impact BI-TDS-9 - The Tierra del Sol project area is located within an historical golden eagle territory that is currently extirpated. There is recent

CEQA Findings and Statement of Overriding Considerations

golden eagle breeding activity in six territories that surround the project site, however, they do not overlap with the project site. However, the Tierra del Sol project may have long-term direct impacts on special status wildlife, specifically foraging habitat for raptors (2.3-117.)

Finding: Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment.

Mitigation Measures: M-BI-PP-1 would preserve in permanent open space an off-site property of substantial acreage, which adequately mitigates for the loss of special-status species along with vegetation community impacts (based on County Requirements). (2.3-191.)

Rationale: Mitigation Measure M-BI-PP-1 was proposed to mitigate the significance of BI-TDS-9. Alternative 2A would reduce the size of the Tierra del Sol solar farm (4.0-34.), and fewer trackers would be developed on the Tierra del Sol solar farm. (4.0-34.) Potentially significant impacts would continue to occur as a result of the reduced Tierra del Sol site, however, these impacts would be reduced to less than significant through implementation of the proposed mitigation measures. Thus, there would be an overall reduction of impacts to biological resources. (4.0-34.) With M-BI-PP-1, the reduced Tierra del Sol solar farm would reduce long-term direct impacts on special status wildlife, specifically foraging habitat for raptors, and reduce potentially significant impact BI-TDS-8 to less than significant.

10) Significant Effect: Impact BI-TDS-10 - The Tierra del Sol project area is a portion of a core wildlife area. Because the project area represents only a small fraction of the open space available in the vicinity of the project area, destruction of wildlife habitat within the project area is not likely to affect the viability of local wildlife populations. However, there may be long-term direct impacts on special status wildlife in core wildlife areas. (2.3-120.)

Finding: Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment.

Mitigation Measures: M-BI-PP-1 would preserve in permanent open space an off-site property of substantial acreage, which adequately mitigates for the loss of special-status species along with vegetation community impacts (based on County Requirements). (2.3-191.)

Rationale: Mitigation Measure M-BI-PP-1 was proposed to mitigate the significance of BI-TDS-10. Alternative 2A would reduce the size of the Tierra del Sol solar farm (4.0-34.), and fewer trackers would be developed on the Tierra del Sol solar farm. (4.0-34.) Potentially significant impacts would continue to occur as a result of the reduced Tierra del Sol site, however, these impacts would be reduced to less than significant through implementation of the proposed mitigation measures. Thus, there would be an overall reduction of impacts to biological resources. (4.0-34.) With M-BI-PP-1, the reduced

CEQA Findings and Statement of Overriding Considerations

Tierra del Sol solar farm would reduce long-term direct impacts on special status wildlife in core wildlife areas, and reduce potentially significant impact BI-TDS-10 to less than significant.

11) Significant Effect: Impact BI-TDS-11 - Construction activities, such as grading and earthwork associated with the Tierra del Sol project, could potentially lead to short-term indirect impacts to County List A and B plant species found on site. (2.3-123.)

Finding: Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment.

Mitigation Measures: M-BI-PP-2, M-BI-PP-3, M-BI-PP-4, M-BI-PP-5 - M-BI-PP-2 require that all grading shall be monitored by a biologist. (2.3-194.) M-BI-PP-3 requires that specific measures and/or restrictions shall be incorporated into the SWPPP and noted on construction plans, where appropriate, to avoid impacts on special-status species and sensitive vegetation communities during construction. (2.3-195.) For M-BI-PP-4, the Project Biologist shall prepare a final biological monitoring report to ensure that the biological monitoring occurred during the grading phase of the project. (2.3-196.) M-BI-PP-5 requires the creation of a Fugitive Dust Control Plan in compliance with San Diego County Air Pollution Control District Regulations. (2.3-197.)

Rationale: Mitigation Measures M-BI-PP-1, M-BI-PP-2, M-BI-PP-3, M-BI-PP-4 and M-BI-PP-5 were proposed to mitigate the significance of BI-TDS-11. Alternative 2A would reduce the size of the Tierra del Sol solar farm (4.0-34.), and fewer trackers would be developed on the Tierra del Sol solar farm. (4.0-34.) Potentially significant impacts would continue to occur as a result of the reduced Tierra del Sol site, however, these impacts would be reduced to less than significant through implementation of the proposed mitigation measures. Thus, there would be an overall reduction of impacts to biological resources. (4.0-34.) With M-BI-PP-1, M-BI-PP-2, M-BI-PP-3, M-BI-PP-4 and M-BI-PP-5, the reduced Tierra del Sol solar farm would reduce short-term indirect impacts to County List A and B plant species found on site, and reduce potentially significant impact BI-TDS-11 to less than significant.

12) Significant Effect: Impact BI-TDS-12 - As a result of the Tierra del Sol project, there could be potential long-term or permanent indirect impacts to County List A and B plant species on site. (2.3-123.)

Finding: Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment.

Mitigation Measures: M-BI-PP-1, M-BI-PP-5, M-BI-PP-6, M-BI-PP-7, M-BI-PP-8, M-BI-PP-9 - Mitigation Measure M-BI-PP-1 would preserve in permanent open space an off-site property of substantial acreage, which adequately mitigates for the loss of special-status species along with vegetation community impacts (based on County Requirements). (2.3-191.) M-BI-PP-5 requires the creation of a Fugitive Dust Control Plan in compliance with San Diego County Air Pollution Control District Regulations.

CEQA Findings and Statement of Overriding Considerations

(2.3-197.) M-BI-PP-6 requires the review of plant palettes prior to installation of any landscaping and the integrations of native plants species in the landscaping plans. (2.3-198.) M-BI-PP-7 restricts the actions of operation and maintenance personnel from harming plant life and species in the project area. (2.3-198.) M-BI-PP-8 requires all features of the Fire Protection Plan to be implemented. (2.3-198.) M-BI-PP-9 governs and restricts weed control treatments and the application of herbicides. (2.3-199.)

Rationale: Mitigation Measures M-BI-PP-1, M-BI-PP-5, M-BI-PP-6, M-BI-PP-7, M-BI-PP-8 and M-BI-PP-9 were proposed to mitigate the significance of BI-TDS-12. Alternative 2A would reduce the size of the Tierra del Sol solar farm (4.0-34.), and fewer trackers would be developed on the Tierra del Sol solar farm. (4.0-34.) Potentially significant impacts would continue to occur as a result of the reduced Tierra del Sol site, however, these impacts would be reduced to less than significant through implementation of the proposed mitigation measures. Thus, there would be an overall reduction of impacts to biological resources. (4.0-34.) With M-BI-PP-1, M-BI-PP-5, M-BI-PP-6, M-BI-PP-7, M-BI-PP-8 and M-BI-PP-9, the reduced Tierra del Sol solar farm would reduce potential long-term or permanent indirect impacts to County List A and B plant species on site, and reduce potentially significant impact BI-TDS-12 to less than significant.

13) Significant Effect: Impact BI-TDS-13 - As a result of the Tierra del Sol project, there would be short-term, construction-related, or temporary indirect impacts that could result in the destruction of breeding and foraging habitat; increased shading of the project area by solar trackers; construction-generated dust, noise, and nighttime lighting; and increased human use of the project area. (2.3-123.)

Finding: Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment.

Mitigation Measures: M-BI-PP-2, M-BI-PP-3, M-BI-PP-4, M-BI-PP-5, M-BI-PP-11, M-BI-PP-12 - M-BI-PP-2 requires that all grading shall be monitored by a biologist. (2.3-194.) M-BI-PP-3 requires that specific measures and/or restrictions shall be incorporated into the SWPPP and noted on construction plans, where appropriate, to avoid impacts on special-status species and sensitive vegetation communities during construction. (2.3-195.) For M-BI-PP-4, the Project Biologist shall prepare a final biological monitoring report to ensure that the biological monitoring occurred during the grading phase of the project. (2.3-196.) M-BI-PP-5 requires the creation of a Fugitive Dust Control Plan in compliance with San Diego County Air Pollution Control District Regulations. (2.3-197.) M-BI-PP-11 would provide a cover and/or provide escape routes for wildlife from excavated areas and monitor these areas daily. (2.3-201.) M-BI-PP-12 requires minimizing night construction lighting adjacent to native habitats. (2.3-201.)

Rationale: Mitigation Measures M-BI-PP-2, M-BI-PP-3, M-BI-PP-4, M-BI-PP-5, M-BI-PP-11 and M-BI-PP-12 were proposed to mitigate the significance of BI-TDS-13. Alternative 2A would reduce the size of the Tierra del Sol solar farm (4.0-34.), and fewer trackers would be developed on the Tierra del Sol solar farm. (4.0-34.) Potentially significant impacts would continue to occur as a result of the reduced Tierra del Sol site,

CEQA Findings and Statement of Overriding Considerations

however, these impacts would be reduced to less than significant through implementation of the proposed mitigation measures. Thus, there would be an overall reduction of impacts to biological resources. (4.0-34.) With M-BI-PP-2, M-BI-PP-3, M-BI-PP-4, M-BI-PP-5, M-BI-PP-11 and M-BI-PP-12, the reduced Tierra del Sol solar farm would reduce short-term, construction-related, or temporary indirect impacts to habitat, and reduce potentially significant impact BI-TDS-13 to less than significant.

14) Significant Effect: Impact BI-TDS-14 - Long-term indirect impacts to special status wildlife may result from generation of fugitive dust; non-native, invasive plant and animal species; habitat fragmentation; increased human activity; and alteration of the natural fire regime. (2.3-123.)

Finding: Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment.

Mitigation Measures: M-BI-PP-1, M-BI-PP-5, M-BI-PP-6, M-BI-PP-7, M-BI-PP-8 - Mitigation Measure M-BI-PP-1 would preserve in permanent open space an off-site property of substantial acreage, which adequately mitigates for the loss of special-status species along with vegetation community impacts (based on County Requirements). (2.3-191.) M-BI-PP-5 requires the creation of a Fugitive Dust Control Plan in compliance with San Diego County Air Pollution Control District Regulations. (2.3-197.) M-BI-PP-6 requires the review of plant palettes prior to installation of any landscaping and the integrations of native plants species in the landscaping plans. (2.3-198.) M-BI-PP-7 restricts the actions of operation and maintenance personnel from harming plant life and species in the project area. (2.3-198.) M-BI-PP-8 requires all features of the Fire Protection Plan to be implemented. (2.3-198.)

Rationale: Mitigation Measures M-BI-PP-1, M-BI-PP-5, M-BI-PP-6, M-BI-PP-7, and M-BI-PP-8 were proposed to mitigate the significance of BI-TDS-14. Alternative 2A would reduce the size of the Tierra del Sol solar farm (4.0-34.), and fewer trackers would be developed on the Tierra del Sol solar farm. (4.0-34.) Potentially significant impacts would continue to occur as a result of the reduced Tierra del Sol site, however, these impacts would be reduced to less than significant through implementation of the proposed mitigation measures. Thus, there would be an overall reduction of impacts to biological resources. (4.0-34.) With M-BI-PP-1, M-BI-PP-5, M-BI-PP-6, M-BI-PP-7, and M-BI-PP-8, the reduced Tierra del Sol solar farm would reduce long-term indirect impacts to special status species, and reduce potentially significant impact BI-TDS-14 to less than significant.

15) Significant Effect: Impact BI-TDS-15 - Long-term indirect impacts to special status wildlife based on potential electrocution and/or collision with overhead transmission lines. (2.3-123.)

Finding: Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment.

CEQA Findings and Statement of Overriding Considerations

Mitigation Measures: M-BI-PP-13 would implement applicable Avian Power Line Interaction Committee (APLIC) standards to protect raptors and other birds from electrocution. Additionally, bird diverters or other means to make lines more visible to birds would be installed to help avoid collisions. (2.3-201.)

Rationale: Mitigation Measures M-BI-PP-13 was proposed to mitigate the significance of BI-TDS-15. Alternative 2A would reduce the size of the Tierra del Sol solar farm (4.0-34.), and fewer trackers would be developed on the Tierra del Sol solar farm. (4.0-34.) Potentially significant impacts would continue to occur as a result of the reduced Tierra del Sol site, however, these impacts would be reduced to less than significant through implementation of the proposed mitigation measures. Thus, there would be an overall reduction of impacts to biological resources. (4.0-34.) With M-BI-PP-13, the reduced Tierra del Sol solar farm would reduce long-term indirect impacts to special status wildlife, and reduce potentially significant impact BI-TDS-15 to less than significant.

16) Significant Effect: Impact BI-TDS-16 - Construction-related impacts could create short-term indirect impacts to special status wildlife, specifically the nesting success of tree-nesting raptors. (2.3-134.)

Finding: Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment.

Mitigation Measures: M-BI-PP-10 - M-BI-PP-10 includes submitting to the CDFW and USFWS a NBMMRP for review and approval prior to commencement project activities during the breeding season (February 1 to August 31, and as early as January 1 for some raptors), and conducting preconstruction nesting bird measures prior to construction-related activities. (2.3-199.)

Rationale: Mitigation Measures M-BI-PP-10 was proposed to mitigate the significance of BI-TDS-16. It requires submittal of a NBMMRP to CDFW and USFWS for review and approval prior to commencement of project activities during the breeding season (February 1 to August 1, and as early as January 1 for some raptors). It also requires preconstruction nesting bird surveys, sweeps, and avoidance measures for identified nesting birds. Alternative 2A would reduce the size of the Tierra del Sol solar farm (4.0-34.), and fewer trackers would be developed on the Tierra del Sol solar farm. (4.0-34.) Potentially significant impacts would continue to occur as a result of the reduced Tierra del Sol site, however, these impacts would be reduced to less than significant through implementation of the proposed mitigation measures. Thus, there would be an overall reduction of impacts to biological resources. (4.0-34.) With M-BI-PP-10, the reduced Tierra del Sol solar farm would reduce short-term indirect impacts to special status wildlife, and reduce potentially significant impact BI-TDS-16 to less than significant.

17) Significant Effect: Impact BI-TDS-17 - Long-term direct impacts to nesting habitat for Cooper's hawk and red-shouldered hawk could result from the Tierra del Sol project. (2.3-134.)

CEQA Findings and Statement of Overriding Considerations

Finding: Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment.

Mitigation Measures: M-BI-PP-1 would preserve in permanent open space an off-site property of substantial acreage, which adequately mitigates for the loss of special-status species along with vegetation community impacts (based on County Requirements). (2.3-191.)

Rationale: Mitigation Measures M-BI-PP-1 was proposed to mitigate the significance of BI-TDS-17. Alternative 2A would reduce the size of the Tierra del Sol solar farm (4.0-34.), and fewer trackers would be developed on the Tierra del Sol solar farm. (4.0-34.) Potentially significant impacts would continue to occur as a result of the reduced Tierra del Sol site, however, these impacts would be reduced to less than significant through implementation of the proposed mitigation measures. Thus, there would be an overall reduction of impacts to biological resources. (4.0-34.) With M-BI-PP-1, the reduced Tierra del Sol solar farm would reduce long-term direct impacts to nesting habitat, and reduce potentially significant impact BI-TDS-17 to less than significant.

18) Significant Effect: Impact BI-TDS-18 - Short-term, construction-related, or temporary direct impacts to vegetation communities would primarily result from construction activities. Clearing, trampling, or grading of vegetation outside designated construction zones could occur in the absence of avoidance and mitigation measures. (2.3-140.)

Finding: Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment.

Mitigation Measures: M-BI-PP-2, M-BI-PP-3, M-BI-PP-4, and M-BI-PP-5 - M-BI-PP-2 requires that all grading shall be monitored by a biologist. (2.3-194.) M-BI-PP-3 requires that specific measures and/or restrictions shall be incorporated into the SWPPP and noted on construction plans, where appropriate, to avoid impacts on special-status species and sensitive vegetation communities during construction. (2.3-195.) For M-BI-PP-4, the Project Biologist shall prepare a final biological monitoring report to ensure that the biological monitoring occurred during the grading phase of the project. (2.3-196.) M-BI-PP-5 requires the creation of a Fugitive Dust Control Plan in compliance with San Diego County Air Pollution Control District Regulations. (2.3-197.)

Rationale: Mitigation Measures M-BI-PP-2, M-BI-PP-3, M-BI-PP-4, and M-BI-PP-5 were proposed to mitigate the significance of BI-TDS-18. Alternative 2A would reduce the size of the Tierra del Sol solar farm (4.0-34.), and fewer trackers would be developed on the Tierra del Sol solar farm. (4.0-34.) Potentially significant impacts would continue to occur as a result of the reduced Tierra del Sol site, however, these impacts would be reduced to less than significant through implementation of the proposed mitigation measures. Thus, there would be an overall reduction of impacts to biological resources. (4.0-34.) With M-BI-PP-2, M-BI-PP-3, M-BI-PP-4, and M-BI-PP-5, the reduced Tierra del Sol solar farm would reduce short-term, construction-related, or temporary direct

CEQA Findings and Statement of Overriding Considerations

impacts to vegetation communities, and reduce potentially significant impact BI-TDS-18 to less than significant.

19) Significant Effect: Impact BI-TDS-19 - Long-term or permanent direct impacts to vegetation communities may result from the Tierra del Sol project. (2.3-141.)

Finding: Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment.

Mitigation Measures: M-BI-PP-1 would preserve in permanent open space an off-site property of substantial acreage, which adequately mitigates for the loss of special-status species along with vegetation community impacts (based on County Requirements). (2.3-191.)

Rationale: Mitigation Measure M-BI-PP-1 was proposed to mitigate the significance of BI-TDS-19. Alternative 2A would reduce the size of the Tierra del Sol solar farm (4.0-34.), and fewer trackers would be developed on the Tierra del Sol solar farm. (4.0-34.) Potentially significant impacts would continue to occur as a result of the reduced Tierra del Sol site, however, these impacts would be reduced to less than significant through implementation of the proposed mitigation measures. Thus, there would be an overall reduction of impacts to biological resources. (4.0-34.) With M-BI-PP-1, the reduced Tierra del Sol solar farm would reduce long-term or permanent direct impacts to vegetation communities, and reduce potentially significant impact BI-TDS-19 to less than significant.

20) Significant Effect: Impact BI-TDS-20 - Tierra del Sol project could result in short term indirect impacts by affecting groundwater and causing the potential for well drawdown at three locations (the Boundary Creek well site, Pine Valley, and Jacumba). (2.3-146.)

Finding: Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment.

Mitigation Measures: M-BI-PP-15 - M-BI-PP-15 would implement the Groundwater Monitoring and Mitigation Plans (GMMPs) that have been prepared for the Rugged Solar Project and the Tierra del Sol Solar Farm to establish the current status and health of the existing oak woodland and document oak conditions up to a 5-year post-construction time frame. (2.3-203.)

Rationale: Mitigation Measure M-BI-PP-15 was proposed to mitigate the significance of BI-TDS-20. Alternative 2A would reduce the size of the Tierra del Sol solar farm (4.0-34.), and fewer trackers would be developed on the Tierra del Sol solar farm. (4.0-34.) Potentially significant impacts would continue to occur as a result of the reduced Tierra del Sol site, however, these impacts would be reduced to less than significant through implementation of the proposed mitigation measures. Thus, there would be an overall reduction of impacts to biological resources. (4.0-34.) With M-BI-PP-15, the reduced

CEQA Findings and Statement of Overriding Considerations

Tierra del Sol solar farm would reduce short term indirect impacts to groundwater, and reduce potentially significant impact BI-TDS-20 to less than significant.

21) Significant Effect: Impact BI-TDS-21 - Construction activities may have potential short-term or temporary indirect impacts to special-status upland vegetation communities in the project area resulting from the generation of fugitive dust; changes in hydrology resulting from construction, including sedimentation and erosion; and the introduction of chemical pollutants (including herbicides). (2.3-149.)

Finding: Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment.

Mitigation Measures: M-BI-PP-2, M-BI-PP-3, M-BI-PP-4 and M-BI-PP-5 - M-BI-PP-2 requires that all grading shall be monitored by a biologist. (2.3-2194.) M-BI-PP-3 requires that specific measures and/or restrictions shall be incorporated into the SWPPP and noted on construction plans, where appropriate, to avoid impacts on special-status species and sensitive vegetation communities during construction. (2.3-195.) For M-BI-PP-4, the Project Biologist shall prepare a final biological monitoring report to ensure that the biological monitoring occurred during the grading phase of the project. (2.3-196.) M-BI-PP-5 requires the creation of a Fugitive Dust Control Plan in compliance with San Diego County Air Pollution Control District Regulations. (2.3-197.)

Rationale: Mitigation Measures M-BI-PP-2, M-BI-PP-3, M-BI-PP-4, and M-BI-PP-5 were proposed to mitigate the significance of BI-TDS-21. Alternative 2A would reduce the size of the Tierra del Sol solar farm (4.0-34.), and fewer trackers would be developed on the Tierra del Sol and Rugged solar farms. (4.0-34.) Potentially significant impacts would continue to occur as a result of the reduced Tierra del Sol site, however, these impacts would be reduced to less than significant through implementation of the proposed mitigation measures. Thus, there would be an overall reduction of impacts to biological resources. (4.0-34.) With M-BI-PP-2, M-BI-PP-3, M-BI-PP-4, and M-BI-PP-5, the reduced Tierra del Sol solar farm would reduce potential short-term or temporary indirect impacts to special-status upland vegetation, and reduce potentially significant impact BI-TDS-21 to less than significant.

22) Significant Effect: Impact BI-TDS-22 - This impact is long-term (operation-related) or permanent indirect impacts could result from the proximity of the Tierra del Sol solar farm to special-status vegetation communities after construction, including impacts related to operation and maintenance. (2.3-149.)

Finding: Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment.

Mitigation Measures: M-BI-PP-1; M-BI-PP-5; M-BI-PP-6; M-BI-PP-7; M-BI-PP-8; M-BI-PP-9 - Mitigation Measure M-BI-PP-1 would preserve in permanent open space an off-site property of substantial acreage, which adequately mitigates for the loss of special-status species along with vegetation community impacts (based on County

CEQA Findings and Statement of Overriding Considerations

Requirements). (2.3-191.) M-BI-PP-5 requires the creation of a Fugitive Dust Control Plan in compliance with San Diego County Air Pollution Control District Regulations. (2.3-197.) M-BI-PP-6 requires the review of plant palettes prior to installation of any landscaping and the integrations of native plants species in the landscaping plans. (2.3-198.) M-BI-PP-7 restricts the actions of operation and maintenance personnel from harming plant life and species in the project area. (2.3-198.) M-BI-PP-8 requires all features of the Fire Protection Plan to be implemented. (2.3-198.) M-BI-PP-9 governs and restricts weed control treatments and the application of herbicides. (2.3-199.)

Rationale: Mitigation Measures M-BI-PP-1, M-BI-PP-5, M-BI-PP-6, M-BI-PP-7, M-BI-PP-8, and M-BI-PP-9 were proposed to mitigate the significance of BI-TDS-22.

Alternative 2A would reduce the size of the Tierra del Sol solar farm (4.0-34.), and fewer trackers would be developed on the Tierra del Sol solar farm. (4.0-34.) Potentially significant impacts would continue to occur as a result of the reduced Tierra del Sol site, however, these impacts would be reduced to less than significant through implementation of the proposed mitigation measures. Thus, there would be an overall reduction of impacts to biological resources. (4.0-34.) With M-BI-PP-1, M-BI-PP-5, M-BI-PP-6, M-BI-PP-7, M-BI-PP-8, and M-BI-PP-9, the reduced Tierra del Sol solar farm would reduce potential long-term or permanent indirect impacts to special-status vegetation, and reduce potentially significant impact BI-TDS-22 to less than significant.

23) Significant Effect: Impact BI-TDS-23 - Short-term, construction-related, or temporary direct impacts to potential foraging and breeding habitat for species that use the project area (e.g., special-status birds) would primarily result from construction activities. (2.3-156.)

Finding: Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment.

Mitigation Measures: M-BI-PP-2, M-BI-PP-3, and M-BI-PP-4 - M-BI-PP-2 requires that all grading shall be monitored by a biologist. (2.3-194.) M-BI-PP-3 requires that specific measures and/or restrictions shall be incorporated into the SWPPP and noted on construction plans, where appropriate, to avoid impacts on special-status species and sensitive vegetation communities during construction. (2.3-195.) For M-BI-PP-4, the Project Biologist shall prepare a final biological monitoring report to ensure that the biological monitoring occurred during the grading phase of the project. (2.3-196.)

Rationale: Mitigation Measures M-BI-PP-2, M-BI-PP-3, and M-BI-PP-4 were proposed to mitigate the significance of BI-TDS-23. Alternative 2A would reduce the size of the Tierra del Sol solar farm (4.0-34.), and fewer trackers would be developed on the Tierra del Sol solar farm. (4.0-34.) Potentially significant impacts would continue to occur as a result of the reduced Tierra del Sol site, however, these impacts would be reduced to less than significant through implementation of the proposed mitigation measures. Thus, there would be an overall reduction of impacts to biological resources. (4.0-34.) With M-BI-PP-2, M-BI-PP-3, and M-BI-PP-4, the reduced Tierra del Sol solar farm would reduce potential short-term, construction-related, or temporary direct impacts to potential

CEQA Findings and Statement of Overriding Considerations

foraging and breeding habitat, and reduce potentially significant impact BI-TDS-23 to less than significant.

24) Significant Effect: Impact BI-TDS-24 - Permanent direct impacts to potential foraging and breeding habitat for species that use the project area (e.g., special-status birds) would occur as a result of the Tierra del Sol project. (2.3-156.)

Finding: Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment.

Mitigation Measures: M-BI-PP-1 would preserve in permanent open space an off-site property of substantial acreage, which adequately mitigates for the loss of special-status species along with vegetation community impacts (based on County Requirements). (2.3-191.)

Rationale: Mitigation Measure M-BI-PP-1 was proposed to mitigate the significance of BI-TDS-24. Alternative 2A would reduce the size of the Tierra del Sol solar farm (4.0-34.), and fewer trackers would be developed on the Tierra del Sol solar farm. (4.0-34.) Potentially significant impacts would continue to occur as a result of the reduced Tierra del Sol site, however, these impacts would be reduced to less than significant through implementation of the proposed mitigation measures. Thus, there would be an overall reduction of impacts to biological resources. (4.0-34.) With M-BI-PP-1, the reduced Tierra del Sol solar farm would reduce potential permanent direct impacts to potential foraging and breeding habitat, and reduce potentially significant impact BI-TDS-24 to less than significant.

25) Significant Effect: Impact BI-TDS-25 - This impact is the short-term indirect impacts to wildlife access to foraging, breeding, or watering habitat (including impacts to groundwater-dependent habitat from well drawdown) for small and mid-sized animals. (2.3-156.)

Finding: Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment.

Mitigation Measures: M-BI-PP-1, M-BI-PP-15 - M-BI-PP-1 would preserve in permanent open space an off-site property of substantial acreage, which adequately mitigates for the loss of special-status species along with vegetation community impacts (based on County Requirements). (2.3-191.) M-BI-PP-15 would implement the Groundwater Monitoring and Mitigation Plans (GMMPs) that have been prepared for the Rugged Solar Project and the Tierra del Sol Solar Farm to establish the current status and health of the existing oak woodland and document oak conditions up to a 5-year post-construction time frame. (2.3-203.)

Rationale: Mitigation Measures M-BI-PP-1 and M-BI-PP-15 were proposed to mitigate the significance of BI-TDS-25. Alternative 2A would reduce the size of the Tierra del Sol solar farm (4.0-34.), and fewer trackers would be developed on the Tierra del Sol solar

CEQA Findings and Statement of Overriding Considerations

farm. (4.0-34.) Potentially significant impacts would continue to occur as a result of the reduced Tierra del Sol site, however, these impacts would be reduced to less than significant through implementation of the proposed mitigation measures. Thus, there would be an overall reduction of impacts to biological resources. (4.0-34.) With M-BI-PP-1 and M-BI-PP-15, the reduced Tierra del Sol solar farm would reduce short-term indirect impacts to wildlife access, and reduce potentially significant impact BI-TDS-25 to less than significant.

26) Significant Effect: Impact BI-TDS-26 - This impact is regarding long term direct impacts to movement of small and mid-sized wildlife. (2.3-159.)

Finding: Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment.

Mitigation Measures: M-BI-PP-1 would preserve in permanent open space an off-site property of substantial acreage, which adequately mitigates for the loss of special-status species along with vegetation community impacts (based on County Requirements). (2.3-191.)

Rationale: Mitigation Measure M-BI-PP-1 was proposed to mitigate the significance of BI-TDS-26. Alternative 2A would reduce the size of the Tierra del Sol solar farm (4.0-34.), and fewer trackers would be developed on the Tierra del Sol solar farm. (4.0-34.) Potentially significant impacts would continue to occur as a result of the reduced Tierra del Sol site, however, these impacts would be reduced to less than significant through implementation of the proposed mitigation measures. Thus, there would be an overall reduction of impacts to biological resources. (4.0-34.) With M-BI-PP-1, the reduced Tierra del Sol solar farm would reduce long term direct impacts to movement of small and mid-sized wildlife, and reduce potentially significant impact BI-TDS-26 to less than significant.

27) Significant Effect: Impact BI-TDS-27 - Impact BI-TDS-27 is short-term, temporary, or construction-related impacts to migratory birds and active migratory bird nests and/or eggs protected under the Migratory Bird Treaty Act (MBTA). (2.3-174.)

Finding: Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment.

Mitigation Measures: M-BI-PP-10 - M-BI-PP-10 includes submitting to the CDFW and USFWS a NBMMRP for review and approval prior to commencement project activities during the breeding season (February 1 to August 31, and as early as January 1 for some raptors), and conducting preconstruction nesting bird measures prior to construction-related activities. (2.3-199.)

Rationale: Mitigation Measure M-BI-PP-10 was proposed to mitigate the significance of BI-TDS-27. It requires submittal of a NBMMRP to CDFW and USFWS for review and approval prior to commencement of project activities during the breeding season

(February 1 to August 1, and as early as January 1 for some raptors). It also requires preconstruction nesting bird surveys, sweeps, and avoidance measures for identified nesting birds. Alternative 2A would reduce the size of the Tierra del Sol solar farm (4.0-34.), and fewer trackers would be developed on the Tierra del Sol solar farm. (4.0-34.) Potentially significant impacts would continue to occur as a result of the reduced Tierra del Sol site, however, these impacts would be reduced to less than significant through implementation of the proposed mitigation measures. Thus, there would be an overall reduction of impacts to biological resources. (4.0-34.) With M-BI-PP-10, the reduced Tierra del Sol solar farm would reduce short term direct impacts to migratory birds and active migratory bird nests and/or eggs, and reduce potentially significant impact BI-TDS-27 to less than significant.

28) Significant Effect: Impact BI-R-1 - Short-term, construction-related, or temporary direct impacts to County List A and B plant species on site would primarily result from construction activities. Clearing, trampling, or grading of special-status plants could occur. (2.3-106.)

Finding: Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment.

Mitigation Measures: M-BI-PP-2, M-BI-PP-3, M-BI-PP-4 - M-BI-PP-2 requires that all grading shall be monitored by a biologist. (2.3-194.) M-BI-PP-3 requires that specific measures and/or restrictions shall be incorporated into the SWPPP and noted on construction plans, where appropriate, to avoid impacts on special-status species and sensitive vegetation communities during construction. (2.3-195.) For M-BI-PP-4, the Project Biologist shall prepare a final biological monitoring report to ensure that the biological monitoring occurred during the grading phase of the project. (2.3-196.)

Rationale: Mitigation Measures M-BI-PP-2, M-BI-PP-3, and M-BI-PP-4 were proposed to mitigate the significance of BI-R-1. Alternative 2A would reduce the size of the Rugged solar farm (4.0-34.), and fewer trackers would be developed on the Rugged solar farm, and would contribute toward the overall reduction of impacts to biological resources. (4.0-34.) Potentially significant impacts would continue to occur as a result of the reduced Rugged site, however, these impacts would be reduced to less than significant through implementation of the proposed mitigation measures. With M-BI-PP-2, M-BI-PP-3, and M-BI-PP-4, the reduced Rugged solar farm would reduce short term direct impacts to County List A and B plant species, and reduce potentially significant impact BI-R-1 to less than significant.

29) Significant Effect: Impact BI-R-2 - This impact is the long-term direct impacts to special status plants in County List A which may include the expected loss of 66-480 individuals of Jacumba milk-vetch within footprint. (2.3-106.)

Finding: Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment.

CEQA Findings and Statement of Overriding Considerations

Mitigation Measures: M-BI-PP-1 would preserve in permanent open space an off-site property of substantial acreage, which adequately mitigates for the loss of special-status species along with vegetation community impacts (based on County Requirements). (2.3-191.)

Rationale: Mitigation Measure M-BI-PP-1 was proposed to mitigate the significance of BI-R-2. The conservation area would provide similar or greater biological function and value. The mitigation for Jacumba milk-vetch would be compensated at a 2:1 mitigation to impact ratio and Tecate tarplant. Additionally, the mitigation contains options for mitigation bank credit, direct purchase of land, and protections/monitoring to keep land as open space and permanent open space would be preserved. Alternative 2A would reduce the size of the Rugged solar farm (4.0-34.), and fewer trackers would be developed on the and Rugged solar farm, and would contribute toward the overall reduction of impacts to biological resources. (4.0-34.) Potentially significant impacts would continue to occur as a result of the reduced Rugged site, however, these impacts would be reduced to less than significant through implementation of the proposed mitigation measures. With M-BI-PP-1, the reduced Rugged solar farm would reduce long-term direct impacts to special status plants, and reduce potentially significant impact BI-R-2 to less than significant.

30) Significant Effect: Impact BI-R-3 - The long-term direct impacts here are to special status plants from County List B with the expected loss of 161-690 individuals of sticky geraea and 414-1,820 individuals of desert beauty within the project footprint. (2.3-106.)

Finding: Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment.

Mitigation Measures: M-BI-PP-1 would preserve in permanent open space an off-site property of substantial acreage, which adequately mitigates for the loss of special-status species along with vegetation community impacts (based on County Requirements). (2.3-191.)

Rationale: Mitigation Measure M-BI-PP-1 was proposed to mitigate the significance of BI-R-3. Alternative 2A would reduce the size of the Rugged solar farm (4.0-33.), and fewer trackers would be developed on the Rugged solar farm, and would contribute toward the overall reduction of impacts to biological resources. (4.0-34.) Potentially significant impacts would continue to occur as a result of the reduced Rugged site, however, these impacts would be reduced to less than significant through implementation of the proposed mitigation measures. With M-BI-PP-1, the reduced Rugged solar farm would reduce long term direct impacts to special status plants, and reduce potentially significant impact BI-R-3 to less than significant.

31) Significant Effect: Impact BI-R-4 - The impact would have short-term direct special status wildlife in County Group 1. There are ten County Group 1/state SSC species detected within project area and ten County Group 1/state SSC species have a

CEQA Findings and Statement of Overriding Considerations

high potential to occur within project area: nine County Group 1/state SSC species have a high potential to forage in project area. (2.3-107) The impacts related to construction including clearing, trampling, or grading of vegetation communities could reduce habitat, alter their ecosystem and create gaps in vegetation allowing non-native species to become established. (2.3-107.)

Finding: Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment.

Mitigation Measures: M-BI-PP-2, M-BI-PP-3, M-BI-PP-4, M-BI-PP-11 - M-BI-PP-2 requires that all grading shall be monitored by a biologist. (2.3-194.) M-BI-PP-3 requires that specific measures and/or restrictions shall be incorporated into the SWPPP and noted on construction plans, where appropriate, to avoid impacts on special-status species and sensitive vegetation communities during construction. (2.3-195.) For M-BI-PP-4, the Project Biologist shall prepare a final biological monitoring report to ensure that the biological monitoring occurred during the grading phase of the project. (2.3-196.) M-BI-PP-11 would provide a cover and/or provide escape routes for wildlife from excavated areas and monitor these areas daily. (2.3-201.)

Rationale: Mitigation Measures M-BI-PP-2, M-BI-PP-3, M-BI-PP-4, and M-BI-PP-11 were proposed to mitigate the significance of BI-R-4. Alternative 2A would reduce the size of the Rugged solar farm (4.0-34.), and fewer trackers would be developed on the Rugged solar farm, and would contribute toward the overall reduction of impacts to biological resources. (4.0-34.) Potentially significant impacts would continue to occur as a result of the reduced Rugged site, however, these impacts would be reduced to less than significant through implementation of the proposed mitigation measures. With M-BI-PP-2, M-BI-PP-3, M-BI-PP-4, and M-BI-PP-11, the reduced Rugged solar farm would reduce short term direct impacts to special status wildlife, and reduce potentially significant impact BI-R-4 to less than significant.

32) Significant Effect: Impact BI-R-5 - Construction activities have the potential to result in short-term, direct significant impacts to active nests or young of nesting special-status wildlife species with a potential loss of active nests and/or young during vegetation clearing activities. (2.3-107.)

Finding: Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment.

Mitigation Measures: M-BI-PP-10 - M-BI-PP-10 includes submitting to the CDFW and USFWS a NBMMRP for review and approval prior to commencement project activities during the breeding season (February 1 to August 31, and as early as January 1 for some raptors), and conducting preconstruction nesting bird measures prior to construction-related activities. (2.3-199.)

Rationale: Mitigation Measure M-BI-PP-10 was proposed to mitigate the significance of BI-R-5. It requires submittal of a NBMMRP to CDFW and USFWS for review and

CEQA Findings and Statement of Overriding Considerations

approval prior to commencement of project activities during the breeding season (February 1 to August 1, and as early as January 1 for some raptors). It also requires preconstruction nesting bird surveys, sweeps, and avoidance measures for identified nesting birds. Alternative 2A would reduce the size of the Rugged solar farm (4.0-34.), and fewer trackers would be developed on the Rugged solar farm, and would contribute toward the overall reduction of impacts to biological resources. (4.0-34.) Potentially significant impacts would continue to occur as a result of the reduced Rugged site, however, these impacts would be reduced to less than significant through implementation of the proposed mitigation measures. With M-BI-PP-10, the reduced Rugged solar farm would reduce short term direct impacts to migratory birds, and reduce potentially significant impact BI-R-5 to less than significant.

33) Significant Effect: Impact BI-R-6 - The acreage removed of suitable nesting and/or foraging habitat as a result of the Rugged solar farm would cause long-term direct impacts to special status wildlife from County Group 1 or CDFW Special Concern. (2.3-107.)

Finding: Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment.

Mitigation Measures: M-BI-PP-1 would preserve in permanent open space an off-site property of substantial acreage, which adequately mitigates for the loss of special-status species along with vegetation community impacts (based on County Requirements). (2.3-191.)

Rationale: Mitigation Measure M-BI-PP-1 was proposed to mitigate the significance of BI-R-6. The conservation area would provide similar or greater biological function and value. Alternative 2A would reduce the size of the Rugged solar farm (4.0-34.), and fewer trackers would be developed on the Rugged solar farm, and would contribute toward the overall reduction of impacts to biological resources. (4.0-34.) Potentially significant impacts would continue to occur as a result of the reduced Rugged site, however, these impacts would be reduced to less than significant through implementation of the proposed mitigation measures. With M-BI-PP-1, the reduced Rugged solar farm would reduce long term direct impacts to special status wildlife, and reduce potentially significant impact BI-R-6 to less than significant.

34) Significant Effect: Impact BI-R-7 - Construction related activities would result in short-term direct impacts to special status species in County Group 2, specifically the potential loss of the rosy boa or ringneck snake. These species may occur within a variety of habitats or wide geographic, topographic, and elevational ranges of which there is an abundance in this region. (2.3-112.)

Finding: Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment.

Mitigation Measures: M-BI-PP-2, M-BI-PP-3, M-BI-PP-4, M-BI-PP-11 - M-BI-PP-2 requires that all grading shall be monitored by a biologist. (2.3-194.) M-BI-PP-3 requires that specific measures and/or restrictions shall be incorporated into the SWPPP and noted on construction plans, where appropriate, to avoid impacts on special-status species and sensitive vegetation communities during construction. (2.3-195.) For M-BI-PP-4, the Project Biologist shall prepare a final biological monitoring report to ensure that the biological monitoring occurred during the grading phase of the project. (2.3-196.) M-BI-PP-11 would provide a cover and/or provide escape routes for wildlife from excavated areas and monitor these areas daily. (2.3-201.)

Rationale: Mitigation Measures M-BI-PP-2, M-BI-PP-3, M-BI-PP-4, and M-BI-PP-11 were proposed to mitigate the significance of BI-R-7. The conservation area would provide similar or greater biological function and value. Alternative 2A would reduce the size of the Rugged solar farm (4.0-34.), and fewer trackers would be developed on the Rugged solar farm, and would contribute toward the overall reduction of impacts to biological resources. (4.0-34.) Potentially significant impacts would continue to occur as a result of the reduced Rugged site, however, these impacts would be reduced to less than significant through implementation of the proposed mitigation measures. With M-BI-PP-2, M-BI-PP-3, M-BI-PP-4, and M-BI-PP-11, the reduced Rugged solar farm would reduce short-term direct impacts to special status species in County Group 2, and reduce potentially significant impact BI-R-7 to less than significant.

35) Significant Effect: Impact BI-R-8 - Construction related activities would result in short-term direct impacts to special status wildlife in County Group 2, specifically affecting the active nests or young of nesting special-status bird species during grading activities. (2.3-112.)

Finding: Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment.

Mitigation Measures: M-BI-PP-10 - M-BI-PP-10 includes submitting to the CDFW and USFWS a NBMMRP for review and approval prior to commencement project activities during the breeding season (February 1 to August 31, and as early as January 1 for some raptors), and conducting preconstruction nesting bird measures prior to construction-related activities. (2.3-199.)

Rationale: Mitigation Measure M-BI-PP-10 was proposed to mitigate the significance of BI-R-8. It requires submittal of a NBMMRP to CDFW and USFWS for review and approval prior to commencement of project activities during the breeding season (February 1 to August 1, and as early as January 1 for some raptors). It also requires preconstruction nesting bird surveys, sweeps, and avoidance measures for identified nesting birds. Alternative 2A would reduce the size of the Rugged solar farm (4.0-34.), and fewer trackers would be developed on the Rugged solar farm, and would contribute toward the overall reduction of impacts to biological resources. (4.0-34.) Potentially significant impacts would continue to occur as a result of the reduced Rugged site, however, these impacts would be reduced to less than significant through implementation

CEQA Findings and Statement of Overriding Considerations

of the proposed mitigation measures. With M-BI-PP-10, the reduced Rugged solar farm would reduce short term direct impacts to special status species, particularly for nesting birds and setbacks, and reduce potentially significant impact BI-R-8 to less than significant.

36) Significant Effect: Impact BI-R-9 - The Rugged project may result in long-term direct impacts to special status wildlife in County Group 2, specifically loss of suitable habitat for the San Diego ringneck snake and rosy boa could occur. (2.3-113.)

Finding: Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment.

Mitigation Measures: M-BI-PP-1 would preserve in permanent open space an off-site property of substantial acreage, which adequately mitigates for the loss of special-status species along with vegetation community impacts (based on County Requirements). (2.3-191.)

Rationale: Mitigation Measure M-BI-PP-1 was proposed to mitigate the significance of BI-R-9. The conservation area would provide similar or greater biological function and value. Alternative 2A would reduce the size of the Rugged solar farm (4.0-34.), and fewer trackers would be developed on the Rugged solar farm, and would contribute toward the overall reduction of impacts to biological resources. (4.0-34.) Potentially significant impacts would continue to occur as a result of the reduced Rugged site, however, these impacts would be reduced to less than significant through implementation of the proposed mitigation measures. With M-BI-PP-1, the reduced Rugged solar farm would reduce long term direct impacts to special status wildlife, and reduce potentially significant impact BI-R-9 to less than significant.

37) Significant Effect: Impact BI-R-10 - The Rugged site would have a long-term direct impact on special status wildlife, specifically the loss of foraging habitat for raptors. The foraging area for two golden eagle pairs (Carrizo Canyon, Table Mountain territories) overlaps slightly with the Rugged site. (2.3-118.) The Rugged site also includes golden eagle flyways.

Finding: Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment.

Mitigation Measures: M-BI-PP-1 would preserve in permanent open space an off-site property of substantial acreage, which adequately mitigates for the loss of special-status species along with vegetation community impacts (based on County Requirements). (2.3-191.)

Rationale: Mitigation Measure M-BI-PP-1 was proposed to mitigate the significance of BI-R-10. The conservation area would provide similar or greater biological function and value. Alternative 2A would reduce the size of the Rugged solar farm (4.0-34.), and fewer trackers would be developed on the Rugged solar farm, and would contribute

CEQA Findings and Statement of Overriding Considerations

toward the overall reduction of impacts to biological resources. (4.0-34.) Potentially significant impacts would continue to occur as a result of the reduced Rugged site, however, these impacts would be reduced to less than significant through implementation of the proposed mitigation measures. With M-BI-PP-1, the reduced Rugged solar farm would reduce long term direct impacts to special status wildlife, specifically for raptors, and reduce potentially significant impact BI-R-10 to less than significant.

38) Significant Effect: Impact BI-R-11 - The Rugged site would have long-term direct impacts to special status wildlife, specifically in core wildlife areas. Various sensitive wildlife species occur on site. The Rugged site alone is not large enough to support viable populations of most species, the site is part of a larger area supporting multiple wildlife populations, but solar farm area may constitute a portion of a core wildlife area. (2.3-121.)

Finding: Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment.

Mitigation Measures: M-BI-PP-1 would preserve in permanent open space an off-site property of substantial acreage, which adequately mitigates for the loss of special-status species along with vegetation community impacts (based on County Requirements). (2.3-191.)

Rationale: Mitigation Measure M-BI-PP-1 was proposed to mitigate the significance of BI-R-11. The conservation area would provide similar or greater biological function and value. The Rugged site represents only a small fraction of the open space available in the vicinity of the solar farm area, thus destruction of wildlife habitat within this area is not likely to affect the viability of local wildlife populations. Alternative 2A would reduce the size of the Rugged solar farm (4.0-34.), and fewer trackers would be developed on the Rugged solar farm, and would contribute toward the overall reduction of impacts to biological resources. (4.0-34.) Potentially significant impacts would continue to occur as a result of the reduced Rugged site, however, these impacts would be reduced to less than significant through implementation of the proposed mitigation measures. With M-BI-PP-1, the reduced Rugged solar farm would reduce long term direct impacts to special status wildlife, and reduce potentially significant impact BI-R-11 to less than significant.

39) Significant Effect: Impact BI-R-12 - Short-term, construction related indirect impacts to special status plants as a result of the Rugged site would create soil disturbance, runoff and sedimentation, erosion which can damage individuals or alter site conditions sufficiently to favor other species that would displace special status species. Additionally, fugitive dust may adversely affect plants by reducing the rates of metabolic processes such as photosynthesis and respiration. (2.3-125.)

Finding: Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment.

CEQA Findings and Statement of Overriding Considerations

Mitigation Measures: M-BI-PP-2, M-BI-PP-3, M-BI-PP-4, M-BI-PP-5 - M-BI-PP-2 requires that all grading shall be monitored by a biologist. (2.3-194.) M-BI-PP-3 requires that specific measures and/or restrictions shall be incorporated into the SWPPP and noted on construction plans, where appropriate, to avoid impacts on special-status species and sensitive vegetation communities during construction. (2.3-195.) For M-BI-PP-4, the Project Biologist shall prepare a final biological monitoring report to ensure that the biological monitoring occurred during the grading phase of the project. (2.3-196.) M-BI-PP-5 requires the creation of a Fugitive Dust Control Plan in compliance with San Diego County Air Pollution Control District Regulations. (2.3-197.)

Rationale: Mitigation Measures M-BI-PP-2, M-BI-PP-3, M-BI-PP-4, and M-BI-PP-5 were proposed to mitigate the significance of BI-R-12. Alternative 2A would reduce the size of the Rugged solar farm (4.0-34.), and fewer trackers would be developed on the Rugged solar farm, and would contribute toward the overall reduction of impacts to biological resources. (4.0-34.) Potentially significant impacts would continue to occur as a result of the reduced Rugged site, however, these impacts would be reduced to less than significant through implementation of the proposed mitigation measures. With M-BI-PP-2, M-BI-PP-3, M-BI-PP-4, and M-BI-PP-5, the reduced Rugged solar farm would reduce short term direct impacts to special status plant species, and reduce potentially significant impact BI-R-12 to less than significant.

40) Significant Effect: Impact BI-R-13 - Potential long-term or permanent indirect impacts to County List A and B plant species on site, as result of the Rugged solar farm, include the generation of fugitive dust, habitat fragmentation, chemical pollutants (herbicides), non-native invasive species, increased human activity, and the alteration of the natural fire regime. (2.3-125.)

Finding: Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment.

Mitigation Measures: M-BI-PP-1, M-BI-PP-5, M-BI-PP-6, M-BI-PP-7, M-BI-PP-8, M-BI-PP-9 - **Mitigation Measure M-BI-PP-1** would preserve in permanent open space an off-site property of substantial acreage, which adequately mitigates for the loss of special-status species along with vegetation community impacts (based on County Requirements). (2.3-191.) M-BI-PP-5 requires the creation of a Fugitive Dust Control Plan in compliance with San Diego County Air Pollution Control District Regulations. (2.3-197.) M-BI-PP-6 requires the review of plant palettes prior to installation of any landscaping and the integrations of native plants species in the landscaping plans. (2.3-198.) M-BI-PP-7 restricts the actions of operation and maintenance personnel from harming plant life and species in the project area. (2.3-198.) M-BI-PP-8 requires all features of the Fire Protection Plan to be implemented. (2.3-198.) M-BI-PP-9 governs and restricts weed control treatments and the application of herbicides. (2.3-199.)

Rationale: Mitigation Measures M-BI-PP-1, M-BI-PP-5, M-BI-PP-6, M-BI-PP-7, M-BI-PP-8 and M-BI-PP-9 were proposed to mitigate the significance of BI-R-13. Alternative 2A would reduce the size of the Rugged solar farm (4.0-34.), and fewer trackers would be

CEQA Findings and Statement of Overriding Considerations

developed on the Rugged solar farm, and would contribute toward the overall reduction of impacts to biological resources. (4.0-34.) Potentially significant impacts would continue to occur as a result of the reduced Rugged site, however, these impacts would be reduced to less than significant through implementation of the proposed mitigation measures. With M-BI-PP-1, M-BI-PP-5, M-BI-PP-6, M-BI-PP-7, M-BI-PP-8 and M-BI-PP-9, the reduced Rugged solar farm would reduce long term indirect impacts to special status plant species, and reduce potentially significant impact BI-R-13 to less than significant.

41) Significant Effect: Impact BI-R-14 - Short-term indirect impacts to County Group I and II special-status wildlife species on site, as a result of the Rugged solar farm, include construction-related, or temporary indirect impacts such as the destruction of breeding and foraging habitat; increased shading of the project area by solar trackers; construction-generated dust, noise, and nighttime lighting; and increased human use of the project area. (2.3-125.)

Finding: Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment.

Mitigation Measures: M-BI-PP-2, M-BI-PP-3, M-BI-PP-4, M-BI-PP-5, M-BI-PP-11, M-BI-PP-12 - M-BI-PP-2 requires that all grading shall be monitored by a biologist. (2.3-194.) M-BI-PP-3 requires that specific measures and/or restrictions shall be incorporated into the SWPPP and noted on construction plans, where appropriate, to avoid impacts on special-status species and sensitive vegetation communities during construction. (2.3-195.) For M-BI-PP-4, the Project Biologist shall prepare a final biological monitoring report to ensure that the biological monitoring occurred during the grading phase of the project. (2.3-196.) M-BI-PP-5 requires the creation of a Fugitive Dust Control Plan in compliance with San Diego County Air Pollution Control District Regulations. (2.3-197.) M-BI-PP-11 would provide a cover and/or provide escape routes for wildlife from excavated areas and monitor these areas daily. (2.3-201.) M-BI-PP-12 requires minimizing night construction lighting adjacent to native habitats. (2.3-201.)

Rationale: Mitigation Measures M-BI-PP-2, M-BI-PP-3, M-BI-PP-4, M-BI-PP-5, M-BI-PP-11 and M-BI-PP-12 were proposed to mitigate the significance of BI-R-14. Alternative 2A would reduce the size of the Rugged solar farm (4.0-34.), and fewer trackers would be developed on the Rugged solar farm, and would contribute toward the overall reduction of impacts to biological resources. (4.0-34.) Potentially significant impacts would continue to occur as a result of the reduced Rugged site, however, these impacts would be reduced to less than significant through implementation of the proposed mitigation measures. With M-BI-PP-2, M-BI-PP-3, M-BI-PP-4, M-BI-PP-5, M-BI-PP-11 and M-BI-PP-12, the reduced Rugged solar farm would reduce short term indirect impacts to special status wildlife, and reduce potentially significant impact BI-R-14 to less than significant.

42) Significant Effect: Impact BI-R-15 - Potential long-term or permanent indirect impacts to special-status wildlife species on site, as result of the Rugged solar farm,

CEQA Findings and Statement of Overriding Considerations

include generation of fugitive dust; non-native, invasive plant and animal species; habitat fragmentation; increased human activity; and alteration of the natural fire regime. Artificial structures associated with the Rugged solar farm (e.g., utility poles, fencing, solar trackers) provide perches from which avian species may forage, thereby, increasing potential risk of fatality associated with collisions and electrocutions from utility poles. Fencing and solar panels would not be an electrocution threat as electrical current would not pass through fencing under normal project operations and solar panels are completely sealed (insulated). Potential long-term impacts related to the 34.5kV overhead connector line operations and maintenance activities could result from line washing, and electrocution of, and/or collisions by, listed or special-status bird or bat species. (2.3-126.)

Finding: Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment.

Mitigation Measures: M-BI-PP-1, M-BI-PP-5, M-BI-PP-6, M-BI-PP-7, M-BI-PP-8 and M-BI-PP-13 - Mitigation Measure M-BI-PP-1 would preserve in permanent open space an off-site property of substantial acreage, which adequately mitigates for the loss of special-status species along with vegetation community impacts (based on County Requirements). (2.3-191.) M-BI-PP-5 requires the creation of a Fugitive Dust Control Plan in compliance with San Diego County Air Pollution Control District Regulations. (2.3-197.) M-BI-PP-6 requires the review of plant palettes prior to installation of any landscaping and the integrations of native plants species in the landscaping plans. (2.3-198.) M-BI-PP-7 restricts the actions of operation and maintenance personnel from harming plant life and species in the project area. (2.3-198.) M-BI-PP-8 requires all features of the Fire Protection Plan to be implemented. (2.3-198.) M-BI-PP-11 would provide a cover and/or provide escape routes for wildlife from excavated areas and monitor these areas daily. (2.3-201.) M-BI-PP-13 would implement applicable Avian Power Line Interaction Committee (APLIC) standards to would protect raptors and other birds from electrocution. Additionally, bird diverters or other means to make lines more visible to birds would be installed to help avoid collisions. (2.3-201.)

Rationale: Mitigation Measures M-BI-PP-1, M-BI-PP-5, M-BI-PP-6, M-BI-PP-7, M-BI-PP-8 and M-BI-PP-13 were proposed to mitigate the significance of BI-R-15. Alternative 2A would reduce the size of the Rugged solar farm (4.0-34.), and fewer trackers would be developed on the Rugged solar farm, and would contribute toward the overall reduction of impacts to biological resources. (4.0-34.) Potentially significant impacts would continue to occur as a result of the reduced Rugged site, however, these impacts would be reduced to less than significant through implementation of the proposed mitigation measures. With M-BI-PP-1, M-BI-PP-5, M-BI-PP-6, M-BI-PP-7, M-BI-PP-8 and M-BI-PP-13, the reduced Rugged solar farm would reduce long term indirect impacts to special status wildlife, and reduce potentially significant impact BI-R-15 to less than significant.

43) Significant Effect: Impact BI-R-16 - Indirect impacts related to construction, such as noise, could affect nesting success causing short-term indirect special status wildlife. (2.3-135.)

Finding: Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment.

Mitigation Measures: M-BI-PP-10 - M-BI-PP-10 includes submitting to the CDFW and USFWS a NBMMRP for review and approval prior to commencement project activities during the breeding season (February 1 to August 31, and as early as January 1 for some raptors), and conducting preconstruction nesting bird measures prior to construction-related activities. (2.3-199.)

Rationale: Mitigation Measure M-BI-PP-10 was proposed to mitigate the significance of BI-R-16. It requires submittal of a NBMMRP to CDFW and USFWS for review and approval prior to commencement of project activities during the breeding season (February 1 to August 1, and as early as January 1 for some raptors). It also requires preconstruction nesting bird surveys, sweeps, and avoidance measures for identified nesting birds. Alternative 2A would reduce the size of the Rugged solar farm (4.0-34.), and fewer trackers would be developed on the Rugged solar farm, and would contribute toward the overall reduction of impacts to biological resources. (4.0-34.) Potentially significant impacts would continue to occur as a result of the reduced Rugged site, however, these impacts would be reduced to less than significant through implementation of the proposed mitigation measures. With M-BI-PP-1, the reduced Rugged solar farm would reduce short term indirect impacts to special status wildlife, particularly for nesting success, and reduce potentially significant impact BI-R-16 to less than significant.

44) Significant Effect: Impact BI-R-17 - The Rugged site would result in long-term indirect impacts to special status wildlife, specifically impacts to nesting success of tree-nesting raptors (e.g. great-horned owl, red-tailed hawk) as a result of habitat removal. (2.3-135.)

Finding: Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment.

Mitigation Measures: M-BI-PP-1 would preserve in permanent open space an off-site property of substantial acreage, which adequately mitigates for the loss of special-status species along with vegetation community impacts (based on County Requirements). (2.3-191.)

Rationale: Mitigation Measure M-BI-PP-1 was proposed to mitigate the significance of BI-R-17. The conservation area would provide similar or greater biological function and value. The Rugged site represents only a small fraction of the open space available in the vicinity of the solar farm area, thus destruction of wildlife habitat within this area is not likely to affect the viability of local wildlife populations. Alternative 2A would reduce the size of the Rugged solar farm (4.0-34.), and fewer trackers would be developed on the Rugged solar farm, and would contribute toward the overall reduction of impacts to biological resources. (4.0-34.) Potentially significant impacts would continue to occur as

a result of the reduced Rugged site, however, these impacts would be reduced to less than significant through implementation of the proposed mitigation measures. With M-PP-BI-1, the reduced Rugged solar farm would reduce long term direct impacts to special status wildlife, and reduce potentially significant impact BI-R-17 to less than significant.

45) Significant Effect: Impact BI-R-18 - Short-term, construction-related, or temporary direct impacts to special-status upland vegetation communities would primarily result from construction activities, specifically from clearing, trampling, or grading of special-status vegetation communities could occur. This could damage vegetation communities or alter their ecosystem, create gaps in vegetation allowing non-native species to become established and cause increased soil compaction leading to soil erosion. (2.3-141.)

Finding: Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment.

Mitigation Measures: M-BI-PP-2, M-BI-PP-3, M-BI-PP-4 - M-BI-PP-2 requires that all grading shall be monitored by a biologist. (2.3-194) M-BI-PP-3 requires that specific measures and/or restrictions shall be incorporated into the SWPPP and noted on construction plans, where appropriate, to avoid impacts on special-status species and sensitive vegetation communities during construction. (2.3-195.) For M-BI-PP-4, the Project Biologist shall prepare a final biological monitoring report to ensure that the biological monitoring occurred during the grading phase of the project. (2.3-196.)

Rationale: Mitigation Measures M-BI-PP-2, M-BI-PP-3, and M-BI-PP-4 were proposed to mitigate the significance of BI-R-18. Alternative 2A would reduce the size of the Rugged solar farm (4.0-34.), and fewer trackers would be developed on the Rugged solar farm, and would contribute toward the overall reduction of impacts to biological resources. (4.0-34.) Potentially significant impacts would continue to occur as a result of the reduced Rugged site, however, these impacts would be reduced to less than significant through implementation of the proposed mitigation measures. With M-BI-PP-2, M-BI-PP-3, and M-BI-PP-4, the reduced Rugged solar farm would reduce short term direct impacts to special status wildlife, and reduce potentially significant impact BI-R-18 to less than significant.

46) Significant Effect: Impact BI-R-19 - Long-term on-site and off-site direct impacts to 398.9 acres of special-status upland vegetation communities would occur as a result of the Rugged solar farm. (2.3-141.)

Finding: Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment.

Mitigation Measures: M-BI-PP-1 would preserve in permanent open space an off-site property of substantial acreage, which adequately mitigates for the loss of special-status species along with vegetation community impacts (based on County Requirements). (2.3-191.)

Rationale: Mitigation Measure M-BI-PP-1 was proposed to mitigate the significance of BI-R-19. The conservation area would provide similar or greater biological function and value. The Rugged site represents only a small fraction of the open space available in the vicinity of the solar farm area, thus destruction of wildlife habitat within this area is not likely to affect the viability of local wildlife populations. Alternative 2A would reduce the size of the Rugged solar farm (4.0-34.), and fewer trackers would be developed on the Rugged solar farm, and would contribute toward the overall reduction of impacts to biological resources. (4.0-34.) Potentially significant impacts would continue to occur as a result of the reduced Rugged site, however, these impacts would be reduced to less than significant through implementation of the proposed mitigation measures. With M-BI-PP-1, the reduced Rugged solar farm would reduce long term direct impacts to special status wildlife, and reduce potentially significant impact BI-R-19 to less than significant.

47) Significant Effect: Impact BI-R-20 - Short-term, construction-related, or temporary direct impacts to jurisdictional wetlands and waters would primarily result from construction activities. Clearing, trampling, or grading of jurisdictional wetlands and waters outside designated construction zones could occur. (2.3-143.)

Finding: Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment.

Mitigation Measures: M-BI-PP-2, M-BI-PP-3, M-BI-PP-4 - M-BI-PP-2 requires that all grading shall be monitored by a biologist. (2.3-194.) M-BI-PP-3 requires that specific measures and/or restrictions shall be incorporated into the SWPPP and noted on construction plans, where appropriate, to avoid impacts on special-status species and sensitive vegetation communities during construction. (2.3-195.) For M-BI-PP-4, the Project Biologist shall prepare a final biological monitoring report to ensure that the biological monitoring occurred during the grading phase of the project. (2.3-196.)

Rationale: Mitigation Measures M-BI-PP-2, M-BI-PP-3, and M-BI-PP-4 were proposed to mitigate the significance of BI-R-20. Alternative 2A would reduce the size of the Rugged solar farm (4.0-34.), and fewer trackers would be developed on the Rugged solar farm, and would contribute toward the overall reduction of impacts to biological resources. (4.0-34.) Potentially significant impacts would continue to occur as a result of the reduced Rugged site, however, these impacts would be reduced to less than significant through implementation of the proposed mitigation measures. With M-BI-PP-2, M-BI-PP-3, and M-BI-PP-4, the reduced Rugged solar farm would reduce short term direct impacts to jurisdictional wetlands and waters, and reduce potentially significant impact BI-R-20 to less than significant.

48) Significant Effect: Impact BI-R-21 - The Rugged site would result in long-term direct impacts jurisdictional wetlands and waters. Specifically, 0.01 acres (446 linear feet) of ephemeral stream channel that would be impacted (ACOE, RWQCB, CDFW jurisdiction), 0.10 acre of wetlands (ACOE, RWQCB, CDFW, County jurisdiction)

CEQA Findings and Statement of Overriding Considerations

would be impacted, and 3.11 acres of tamarisk scrub under CDFW jurisdiction would be impacted. (2.3-143.)

Finding: Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment.

Mitigation Measures: M-BI-PP-1, M-BI-PP-14, M-BI-R-1 – Mitigation Measure M-BI-PP-1 would preserve in permanent open space an off-site property of substantial acreage, which adequately mitigates for the loss of special-status species along with vegetation community impacts (based on County Requirements). (2.3-191.) M-BI-PP-14 requires the applicants to comply with state and federal regulations for impacts to “waters of the United States and state,” and requires the applicants to acquire certain federal and state permits, or provide agency confirmation that they are not needed. (2.3-203.) A minimum 1:1 ratio to compensate for impacts to ephemeral stream channel, and a minimum 3:1 ratio for wetland and tamarisk scrub impacts are proposed, although these impacts require permits from the ACOE, CDFW, and RWQCB, which would determine the final mitigation ratio required to compensate for this impact. M-BI-R-1 provides for two options. Option 1 is a Revegetation Plan. The Revegetation Plan shall conform to the most current version of the County of San Diego Report Format and Content Requirements for Revegetation Plans. Option 2 allows the purchase of Mitigation Credit, so long as the mitigation bank has been approved by the CDFW. (2.3-211.)

Rationale: Mitigation Measures M-BI-PP-1, M-BI-PP-14, and M-BI-R-1 were proposed to mitigate the significance of BI-R-21. The conservation area would provide similar or greater biological function and value. Alternative 2A would reduce the size of the Rugged solar farm (4.0-34.), and fewer trackers would be developed on the Rugged solar farm, and would contribute toward the overall reduction of impacts to biological resources. (4.0-34.) Potentially significant impacts would continue to occur as a result of the reduced Rugged site, however, these impacts would be reduced to less than significant through implementation of the proposed mitigation measures. With M-BI-PP-1, M-BI-PP-14, and M-BI-R-1, the reduced Rugged solar farm would reduce long-term direct impacts to jurisdictional wetlands and waters and reduce potentially significant impact BI-R-21 to less than significant.

49) Significant Effect: Impact BI-R-22 - Short-term, construction-related, or temporary indirect impacts to jurisdictional wetlands and waters would primarily result from construction activities. Indirect impacts could include the generation of fugitive dust; changes in hydrology resulting from construction, including sedimentation and erosion; and the introduction of chemical pollutants (including herbicides). (2.3-144.)

Finding: Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment.

Mitigation Measures: M-BI-PP-2, M-BI-PP-3, M-BI-PP-4, M-BI-PP-5, - M-BI-PP-2 requires that all grading shall be monitored by a biologist. (2.3-194.) M-BI-PP-3

CEQA Findings and Statement of Overriding Considerations

requires that specific measures and/or restrictions shall be incorporated into the SWPPP and noted on construction plans, where appropriate, to avoid impacts on special-status species and sensitive vegetation communities during construction. (2.3-195.) For M-BI-PP-4, the Project Biologist shall prepare a final biological monitoring report to ensure that the biological monitoring occurred during the grading phase of the project. (2.3-196.) M-BI-PP-5 requires the creation of a Fugitive Dust Control Plan in compliance with San Diego County Air Pollution Control District Regulations. (2.3-197.)

Rationale: Mitigation Measures M-BI-PP-2, M-BI-PP-3, M-BI-PP-4, and M-BI-PP-5 were proposed to mitigate the significance of BI-R-22. Alternative 2A would reduce the size of the Rugged solar farm (4.0-34.), and fewer trackers would be developed on the Rugged solar farm, and would contribute toward the overall reduction of impacts to biological resources. (4.0-34.) Potentially significant impacts would continue to occur as a result of the reduced Rugged site, however, these impacts would be reduced to less than significant through implementation of the proposed mitigation measures. With M-BI-PP-2, M-BI-PP-3, M-BI-PP-4, and M-BI-PP-5, the reduced Rugged solar farm would reduce short-term indirect impacts to jurisdictional wetlands and waters and reduce potentially significant impact BI-R-22 to less than significant.

50) Significant Effect: Impact BI-R-23 - Long-term indirect impacts that could affect jurisdictional wetlands and waters include generation of fugitive dust, habitat fragmentation, chemical pollutants, non-native invasive species, increased human activity, and alteration of the natural fire regime. (2.3-144.)

Finding: Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment.

Mitigation Measures: M-BI-PP-1, M-BI-PP-5, M-BI-PP-6, M-BI-PP-7, M-BI-PP-8, M-BI-PP-9 - Mitigation Measure M-BI-PP-1 would preserve in permanent open space an off-site property of substantial acreage, which adequately mitigates for the loss of special-status species along with vegetation community impacts (based on County Requirements). (2.3-191.) M-BI-PP-5 requires the creation of a Fugitive Dust Control Plan in compliance with San Diego County Air Pollution Control District Regulations. (2.3-197.) M-BI-PP-6 requires the review of plant palettes prior to installation of any landscaping and the integrations of native plants species in the landscaping plans. (2.3-207.) M-BI-PP-7 restricts the actions of operation and maintenance personnel from harming plant life and species in the project area. (2.3-198.) M-BI-PP-8 requires all features of the Fire Protection Plan to be implemented. (2.3-198.) M-BI-PP-9 governs and restricts weed control treatments and the application of herbicides. (2.3-199.)

Rationale: Mitigation Measures M-BI-PP-1, M-BI-PP-5, M-BI-PP-6, M-BI-PP-7, M-BI-PP-8 and M-BI-PP-9 were proposed to mitigate the significance of BI-R-23. Alternative 2A would reduce the size of the Rugged solar farm (4.0-34.), and fewer trackers would be developed on the Rugged solar farm, and would contribute toward the overall reduction of impacts to biological resources. (4.0-34.) Potentially significant impacts would continue to occur as a result of the reduced Rugged site, however, these impacts would be

CEQA Findings and Statement of Overriding Considerations

reduced to less than significant through implementation of the proposed mitigation measures. With M-BI-PP-1, M-BI-PP-5, M-BI-PP-6, M-BI-PP-7, M-BI-PP-8 and M-BI-PP-9, the reduced Rugged solar farm would reduce long term indirect impacts to jurisdictional wetlands and waters, and reduce potentially significant impact BI-R-23 to less than significant.

51) Significant Effect: Impact BI-R-24 - The Rugged site would result in short-term indirect impacts groundwater-dependent vegetation. There would be an estimated drawdown from wells 6a and 6b where these vegetation communities are located would be between 2.9 and 3.2 feet. A lack of historical water level data in the vicinity of these vegetation communities precludes determination of a water level threshold 3 feet below the historical low, so impacts may be significant. (2.3-147.)

Finding: Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment.

Mitigation Measures: M-BI-PP-15 - M-BI-PP-15 would implement the Groundwater Monitoring and Mitigation Plans (GMMPs) that have been prepared for the Rugged Solar Project and the Tierra del Sol Solar Farm to establish the current status and health of the existing oak woodland and document oak conditions up to a 5-year post-construction time frame. (2.3-203.)

Rationale: Mitigation Measure M-BI-PP-15 was proposed to mitigate the significance of BI-R-24. Alternative 2A would reduce the size of the Rugged solar farm (4.0-33.), and fewer trackers would be developed on the Rugged solar farm, and would contribute toward the overall reduction of impacts to biological resources. (4.0-34.) Potentially significant impacts would continue to occur as a result of the reduced Rugged site, however, these impacts would be reduced to less than significant through implementation of the proposed mitigation measures. With M-BI-PP-15, the reduced Rugged solar farm would reduce short term indirect impacts to groundwater-dependent vegetation, and reduce potentially significant impact BI-R-24 to less than significant.

52) Significant Effect: Impact BI-R-25 - Short-term indirect impacts to special-status upland vegetation communities are construction-related and include generation of fugitive dust, changes in hydrology resulting from construction, and the introduction of chemical pollutants (including herbicides). (2.3-149.)

Finding: Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment.

Mitigation Measures: M-BI-PP-2, M-BI-PP-3, M-BI-PP-4, M-BI-PP-5 - M-BI-PP-2 requires that all grading shall be monitored by a biologist. (2.3-194.) M-BI-PP-3 requires that specific measures and/or restrictions shall be incorporated into the SWPPP and noted on construction plans, where appropriate, to avoid impacts on special-status species and sensitive vegetation communities during construction. (2.3-195.) For M-BI-PP-4, the Project Biologist shall prepare a final biological monitoring report to ensure

CEQA Findings and Statement of Overriding Considerations

that the biological monitoring occurred during the grading phase of the project. (2.3-196.) M-BI-PP-5 requires the creation of a Fugitive Dust Control Plan in compliance with San Diego County Air Pollution Control District Regulations. (2.3-197.)

Rationale: Mitigation Measures M-BI-PP-2, M-BI-PP-3, M-BI-PP-4, and M-BI-PP-5 were proposed to mitigate the significance of BI-R-25. Alternative 2A would reduce the size of the Rugged solar farm (4.0-34.), and fewer trackers would be developed on the Rugged solar farm, and would contribute toward the overall reduction of impacts to biological resources. (4.0-34.) Potentially significant impacts would continue to occur as a result of the reduced Rugged site, however, these impacts would be reduced to less than significant through implementation of the proposed mitigation measures. With M-BI-PP-2, M-BI-PP-3, M-BI-PP-4, and M-BI-PP-5, the reduced Rugged solar farm would reduce short term direct impacts to special-status upland vegetation communities, and reduce potentially significant impact BI-R-25 to less than significant.

53) Significant Effect: Impact BI-R-26 - Potential long-term or permanent indirect impacts to special-status upland vegetation communities as a result of the Rugged solar farm include generation of fugitive dust, habitat fragmentation, chemical pollutants (herbicides), non-native invasive species, increased human activity, and alteration of the natural fire regime. (2.3-149.)

Finding: Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment.

Mitigation Measures: M-BI-PP-1, M-BI-PP-5, M-BI-PP-6, M-BI-PP-7, M-BI-PP-8, M-BI-PP-9 Mitigation Measure M-BI-PP-1 would preserve in permanent open space an off-site property of substantial acreage, which adequately mitigates for the loss of special-status species along with vegetation community impacts (based on County Requirements). (2.3-191.) M-BI-PP-5 requires the creation of a Fugitive Dust Control Plan in compliance with San Diego County Air Pollution Control District Regulations. (2.3-198.) M-BI-PP-6 requires the review of plant palettes prior to installation of any landscaping and the integrations of native plants species in the landscaping plans. (2.3-198.) M-BI-PP-7 restricts the actions of operation and maintenance personnel from harming plant life and species in the project area. (2.3-198.) M-BI-PP-8 requires all features of the Fire Protection Plan to be implemented. (2.3-198.) M-BI-PP-9 governs and restricts weed control treatments and the application of herbicides. (2.3-199.)

Rationale: Mitigation Measures M-BI-PP-1, M-BI-PP-5, M-BI-PP-6, M-BI-PP-7, M-BI-PP-8 and M-BI-PP-9 were proposed to mitigate the significance of BI-R-26. Alternative 2A would reduce the size of the Rugged solar farm (4.0-34.), and fewer trackers would be developed on the Rugged solar farm, and would contribute toward the overall reduction of impacts to biological resources. (4.0-34.) Potentially significant impacts would continue to occur as a result of the reduced Rugged site, however, these impacts would be reduced to less than significant through implementation of the proposed mitigation measures. With M-BI-PP-1, M-BI-PP-5, M-BI-PP-6, M-BI-PP-7, M-BI-PP-8 and M-BI-PP-9, the reduced Rugged solar farm would reduce long term indirect impacts to special

status upland vegetation communities, and reduce potentially significant impact BI-R-26 to less than significant.

54) Significant Effect: Impact BI-R-27 - The Rugged site would result in long-term direct impacts to jurisdictional wetlands and waters, specifically with impacts to 0.10 acre of RPO wetland and 0.15 acres of RPO wetland buffer from on-site access roads. (2.3-151.)

Finding: Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment.

Mitigation Measures: M-BI-PP-1, M-BI-PP-14, M-BI-R-1 - Mitigation Measure M-BI-PP-1 would preserve in permanent open space an off-site property of substantial acreage, which adequately mitigates for the loss of special-status species along with vegetation community impacts (based on County Requirements). (2.3-191.) M-BI-R-1 provides for two options. Option 1 is a Revegetation Plan. The Revegetation Plan shall conform to the most current version of the County of San Diego Report Format and Content Requirements for Revegetation Plans. Option 2 allows the purchase of Mitigation Credit, so long as the mitigation bank has been approved by the CDFW. (2.3-211.) M-BI-PP-14 requires the applicants to comply with state and federal regulations for impacts to “waters of the United States and state,” and requires the applicants to acquire certain federal and state permits, or provide agency confirmation that they are not needed. (2.3-203.) A minimum 1:1 ratio to compensate for impacts to ephemeral stream channel, and a minimum 3:1 ratio for wetland and tamarisk scrub impacts are proposed, although these impacts require permits from the ACOE, CDFW, and RWQCB, which would determine the final mitigation ratio required to compensate for this impact.

Rationale: Mitigation Measures M-BI-PP-1, M-BI-PP-14, and M-BI-R-1 were proposed to mitigate the significance of BI-R-27. The Rugged solar farm has been designed to avoid and minimize impacts to wetlands and their surrounding buffers to the maximum extent practicable. Specifically, to the extent practicable, the Rugged solar farm would maintain a 50-foot buffer around wetland features in the central portion of the project area to protect the functions and values of this existing wetland. Many of the RPO wetlands are disturbed by high cover of non-native grasses and herbs or are composed of non-native hydrophytic vegetation and do not support a significant population of special-status species. In addition, solar panels and trackers designed to allow for vegetation underneath the panels to reduce indirect impacts to wetlands from soil erosion. Alternative 2A would reduce the size of the Rugged solar farm (4.0-34.), and fewer trackers would be developed on the Rugged solar farm, and would contribute toward the overall reduction of impacts to biological resources. (4.0-34.) Potentially significant impacts would continue to occur as a result of the reduced Rugged site, however, these impacts would be reduced to less than significant through implementation of the proposed mitigation measures. With M-BI-PP-1, M-BI-PP-14, and M-BI-R-1, the reduced Rugged solar farm would reduce long-term direct impacts to jurisdictional wetlands and waters, and reduce potentially significant impact BI-R-27 to less than significant.

55) Significant Effect: Impact BI-R-28 - Short-term, construction-related, or temporary direct impacts to potential foraging and breeding habitat for species that use the project area (e.g., special-status birds) would primarily result from construction activities. Clearing, trampling, or grading of foraging and breeding habitat outside designated construction zones could occur. (2.3-156.)

Finding: Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment.

Mitigation Measures: M-BI-PP-2, M-BI-PP-3, M-BI-PP-4 - M-BI-PP-2 requires that all grading shall be monitored by a biologist. (2.3-194.) M-BI-PP-3 requires that specific measures and/or restrictions shall be incorporated into the SWPPP and noted on construction plans, where appropriate, to avoid impacts on special-status species and sensitive vegetation communities during construction. (2.3-195.) For M-BI-PP-4, the Project Biologist shall prepare a final biological monitoring report to ensure that the biological monitoring occurred during the grading phase of the project. (2.3-196.)

Rationale: Mitigation Measures M-BI-PP-2, M-BI-PP-3, and M-BI-PP-4 were proposed to mitigate the significance of BI-R-28. Alternative 2A would reduce the size of the Rugged solar farm (4.0-34.), and fewer trackers would be developed on the Rugged solar farm, and would contribute toward the overall reduction of impacts to biological resources. (4.0-34.) Potentially significant impacts would continue to occur as a result of the reduced Rugged site, however, these impacts would be reduced to less than significant through implementation of the proposed mitigation measures. With M-BI-PP-2, M-BI-PP-3, and M-BI-PP-4, the reduced Rugged solar farm would reduce short term direct impacts to special-status species, and reduce potentially significant impact BI-R-28 to less than significant.

56) Significant Effect: Impact BI-R-29 - Permanent on-site and off-site direct impacts to potential foraging and breeding habitat for species that use the project area (e.g., special-status birds) would occur as a result of the Rugged solar farm. (2.3-157.)

Finding: Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment.

Mitigation Measures: M-BI-PP-1 - Mitigation Measure M-BI-PP-1 would preserve in permanent open space an off-site property of substantial acreage, which adequately mitigates for the loss of special-status species along with vegetation community impacts (based on County Requirements). (2.3-191.)

Rationale: Mitigation Measure M-BI-PP-1 was proposed to mitigate the significance of BI-R-29. The conservation area would provide similar or greater biological function and value. Alternative 2A would reduce the size of the Rugged solar farm (4.0-34.), and fewer trackers would be developed on the Rugged solar farms, and would contribute toward the overall reduction of impacts to biological resources. (4.0-34.) Potentially

CEQA Findings and Statement of Overriding Considerations

significant impacts would continue to occur as a result of the reduced Rugged site, however, these impacts would be reduced to less than significant through implementation of the proposed mitigation measures. With M-BI-PP-1, the reduced Rugged solar farm would reduce impacts to potential foraging and breeding habitat for species, and reduce potentially significant impact BI-R-29 to less than significant.

57) Significant Effect: Impact BI-R-30 - Short-term and long-term indirect impacts to wildlife access to foraging, breeding, or watering habitat for small and mid-sized animals would occur. (2.3-157.)

Finding: Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment.

Mitigation Measures: M-BI-PP-1 and M-BI-PP-15 - Mitigation Measure M-BI-PP-1 would preserve in permanent open space an off-site property of substantial acreage, which adequately mitigates for the loss of special-status species along with vegetation community impacts (based on County Requirements). (2.3-191.) M-BI-PP-15 would implement the Groundwater Monitoring and Mitigation Plans (GMMPs) that have been prepared for the Rugged Solar Project and the Tierra del Sol Solar Farm to establish the current status and health of the existing oak woodland and document oak conditions up to a 5-year post-construction time frame. (2.3-201.)

Rationale: Mitigation Measures M-BI-PP-1 and M-BI-PP-15 were proposed to mitigate the significance of BI-R-30. The conservation area would provide similar or greater biological function and value. Alternative 2A would reduce the size of the Rugged solar farm (4.0-34.), and fewer trackers would be developed on the Rugged solar farm, and would contribute toward the overall reduction of impacts to biological resources. (4.0-34.) Potentially significant impacts would continue to occur as a result of the reduced Rugged site, however, these impacts would be reduced to less than significant through implementation of the proposed mitigation measures. With M-BI-PP-1 and M-PP-BI-15, the reduced Rugged solar farm would reduce short-term and long-term indirect impacts to wildlife, and reduce potentially significant impact BI-R-30 to less than significant.

58) Significant Effect: Impact BI-R-31- The Rugged site would result in long-term impacts to direct wildlife movement. Due to the removal of habitat on portions of the project site, smaller wildlife would be unable to navigate through these portions; impacts would be potentially significant. Smaller wildlife species would not be able to navigate through the site to access habitat on the far side since the size would be insurmountable for small wildlife. (2.3-159.)

Finding: Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment.

Mitigation Measures: M-BI-PP-1 - Mitigation Measure M-BI-PP-1 would preserve in permanent open space an off-site property of substantial acreage, which adequately

CEQA Findings and Statement of Overriding Considerations

mitigates for the loss of special-status species along with vegetation community impacts (based on County Requirements). (2.3-191.)

Rationale: Mitigation Measure M-BI-PP-1 was proposed to mitigate the significance of BI-R-31. Rugged solar farm is designed to allow for movement through the majority of Tule Creek, which may serve as a local wildlife movement corridor, by maintaining a minimum 675-foot wide corridor suitable for common types of wildlife using the area. This would maintain connectivity across and through low sloping hills and the valley. East/west and north/south connections would be maintained, so that connectivity across the solar farm area is not compromised. Alternative 2A would reduce the size of the Rugged solar farm (4.0-34.), and fewer trackers would be developed on the Rugged solar farm, and would contribute toward the overall reduction of impacts to biological resources. (4.0-34.) Potentially significant impacts would continue to occur as a result of the reduced Rugged site, however, these impacts would be reduced to less than significant through implementation of the proposed mitigation measures. With M-BI-PP-1, the reduced Rugged solar farm would reduce impacts to the long-term impacts to direct wildlife movement, and reduce potentially significant impact BI-R-31 to less than significant.

59) Significant Effect: Impact BI-R-32 - Due to the removal of habitat on portions of the Rugged project site, smaller wildlife would be unable to navigate through these portions (FPEIR, p. 2.3-157.) Small wildlife species (e.g., lizards and small mammals) would continue to be able to access the project area through openings in the fence; however, the loss of suitable habitat on the site would impact movement of small and mid-sized wildlife. (FPEIR, p. 2.3-161.)

Finding: Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment.

Mitigation Measures: M-BI-PP-1 - M-BI-PP-1 would preserve in permanent open space an off-site property of substantial acreage, which adequately mitigates for the loss of special-status species along with vegetation community impacts (based on County Requirements). (FPEIR, p. 2.3-191.)

Rationale: Mitigation Measure M-BI-PP-1 was proposed to mitigate the significance of BI-R-32. Rugged solar farm is designed to allow for movement through the majority of Tule Creek, which may serve as a local wildlife movement corridor, by maintaining a minimum 675-foot wide corridor suitable for common types of wildlife using the area. This would maintain connectivity across and through low sloping hills and the valley. East/west and north/south connections would be maintained, so that connectivity across the solar farm area is not compromised. Alternative 2A would reduce the size of the Rugged solar farm (4.0-34.), and fewer trackers would be developed on the Rugged solar farm, and would contribute toward the overall reduction of impacts to biological resources. (4.0-34.) Potentially significant impacts would continue to occur as a result of the reduced Rugged site, however, these impacts would be reduced to less than significant through implementation of the proposed mitigation measures. With M-BI-PP-

CEQA Findings and Statement of Overriding Considerations

1, the reduced Rugged solar farm would reduce impacts to the long-term impacts to direct wildlife movement, and reduce potentially significant impact BI-R-32 to less than significant.

60) Significant Effect: Impact BI-R-33 - The Rugged site would have short-term, temporary, or construction-related impacts to migratory birds and active migratory bird nests and/or eggs protected under the MBTA. (2.3-175.)

Finding: Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment.

Mitigation Measures: M-BI-PP-10 - M-BI-PP-10 includes submitting to the CDFW and USFWS a NBMMRP for review and approval prior to commencement project activities during the breeding season (February 1 to August 31, and as early as January 1 for some raptors), and conducting preconstruction nesting bird measures prior to construction-related activities. (2.3-199.)

Rationale: Mitigation Measure M-BI-PP-10 was proposed to mitigate the significance of BI-R-32. Alternative 2A would reduce the size of the Rugged solar farm (4.0-33.), and fewer trackers would be developed on the Rugged solar farm, and would contribute toward the overall reduction of impacts to biological resources. (4.0-34.) Potentially significant impacts would continue to occur as a result of the reduced Rugged site, however, these impacts would be reduced to less than significant through implementation of the proposed mitigation measures. With M-BI-PP-10, the reduced Rugged solar farm would reduce short-term construction-related impacts to migratory birds for species, and reduce potentially significant impact BI-R-32 to less than significant.

B. Cultural Resources

1) Significant Effect: Impact CR-TDS-1 - Any cultural resources at the Tierra del Sol project site could potentially be impacted during earth moving activities associated with project construction of the trackers, O&M building, substation site, gen-tie, staging areas, and access roads. (2.4-28.) The potential exists for the discovery of unknown archaeological or cultural resources, and thus there is still the potential for significant impacts to cultural deposits, if discovered. (2.4-16.)

Finding: Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment.

Mitigation Measures: M-CR-PP-1 - M-CR-PP-1 requires monitoring for archaeological and cultural resources during grading, clearing, grubbing, trenching, and construction activities associated with the Tierra del Sol solar farm. M-CR-PP-1 also requires preparation of a grading monitoring and data recovery report to document the results, analysis, and conclusions of the archaeological and cultural resources monitoring, or preparation of a negative monitoring report if no resources are discovered during monitoring.

CEQA Findings and Statement of Overriding Considerations

Rationale: Mitigation Measure M-CR-PP-1 was proposed to mitigate the significance of CR-TDS-1. Under Alternative 2A fewer trackers would be developed on the Tierra del Sol solar farm. (4.0-40.) Additionally, the importance of a resource can be exhausted through documentation, artifact collection and curation. (2.4-20.) With M-CR-PP-1, the reduced Tierra del Sol solar farm would reduce impacts to unknown archaeological and/or cultural deposits, and reduce potentially significant impact CR-TDS-1 to less than significant.

2) Significant Effect: Impact CR-TDS-2 -The 29 sites along the Tierra del Sol gen-tie were not evaluated and would be avoided by project design. In absence of formal evaluations, these sites are considered significant under CEQA and the County RPO and are considered eligible for listing in the CRHR and local register, according to County guidelines. (2.4-17.) Indirect impacts to these sites could be potentially significant.

Finding: Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment.

Mitigation Measures: M-CR-PP-1 - M-CR-PP-1 requires monitoring for archaeological and cultural resources during grading, clearing, grubbing, trenching, and construction activities associated with the Tierra del Sol solar farm. M-CR-PP-1 also requires preparation of a grading monitoring and data recovery report to document the results, analysis, and conclusions of the archaeological and cultural resources monitoring, or preparation of a negative monitoring report if no resources are discovered during monitoring.

Rationale: Mitigation Measure M-CR-PP-1 was proposed to mitigate the significance of CR-TDS-2. Under Alternative 2A fewer trackers would be developed on the Tierra del Sol solar farm. (4.0-40.) Additionally, the importance of a resource can be exhausted through documentation, artifact collection and curation. (2.4-20.) With M-CR-PP-1, the reduced Tierra del Sol solar farm would reduce indirect impacts to known archaeological and/or cultural deposits in unevaluated sites, and reduce potentially significant impact CR-TDS-2 to less than significant.

3) Significant Effect: Impact CR-R-1 - Any cultural resources at the Rugged project site could potentially be impacted during earth moving activities associated with project construction of the trackers, O&M building, substation site, gen-tie, staging areas, and access roads. (2.4-28.) The potential exists for the discovery of unknown archaeological or cultural resources, and thus there is still the potential for significant impacts to cultural deposits, if discovered. (2.4-16.)

Finding: Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment.

Mitigation Measures: M-CR-PP-1 - M-CR-PP-1 requires monitoring for archaeological and cultural resources during grading, clearing, grubbing, trenching, and construction

CEQA Findings and Statement of Overriding Considerations

activities associated with the Rugged solar farm. M-CR-PP-1 also requires preparation of a grading monitoring and data recovery report to document the results, analysis, and conclusions of the archaeological and cultural resources monitoring, or preparation of a negative monitoring report if no resources are discovered during monitoring.

Rationale: Mitigation Measure M-CR-PP-1 was proposed to mitigate the significance of CR-R-1. Under Alternative 2A fewer trackers would be developed on the Rugged solar farm. (4.0-40.) Also mitigation measures would be implemented under Alternative 2A that would reduce potentially significant impacts to cultural resources associated with the reduced Rugged solar farm to less than significant. Additionally, the importance of a resource can be exhausted through documentation, artifact collection and curation. (2.4-20.) With M-CR-PP-1, the reduced Rugged solar farm would reduce impacts to unknown archaeological and/or cultural deposits, and reduce potentially significant impact CR-R-1 to less than significant.

C. Noise

1) Significant Effect: Impact N-TDS-1 - Long-term operational equipment noise from on-site operational equipment including pad-mounted inverters and transformers, substation transformers, and tracker array motors and dryers/blowers would exceed the County Noise Ordinance and County's Guidelines for Determining Noise Significance standards. (2.6-14.)

Finding: Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment.

Mitigation Measures: M-N-TDS-1 - M-N-TDS-1 would locate non-enclosed inverters a minimum of 800 feet or greater from the nearest property line, or enclose inverters within 800 feet of property lines in cement blocks or other type of structure capable of achieving a minimum 10 dB attenuation. Additionally, M-N-TDS-1 would direct all switch station doorways and exterior ventilation ducts away from adjacent property lines. (2.6-52.)

Rationale: Mitigation Measure M-N-TDS-1 was proposed to mitigate the significance of N-TDS-1. M-N-TDS-1 would ensure that noise generated by operational equipment would not exceed County standards by enclosing inverters within 800 feet of property boundaries, along with other noise reducing measures. Alternative 2A would reduce operational noise by reducing the number of trackers on the Tierra del Sol site, thereby reducing operational noise generated by tracker array motors, blowers/dryers, and pad-mounted inverters and transformers. (4.0-41.) With M-N-TDS-1, the reduced Tierra del Sol solar farm would reduce long term operational equipment noise and reduce potentially significant impact N-TDS-1 to less than significant.

2) Significant Effect: Impact N-TDS-2 – Temporary noise generated during maintenance of the Tierra del Sol gen-tie line (including activities such as vegetation trimming, equipment maintenance and repair activities, and helicopter inspections and

CEQA Findings and Statement of Overriding Considerations

maintenance activities) could result in significant noise impacts to sensitive receptors along the gen-tie line. (2.6-19.)

Finding: Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment.

Mitigation Measures: M-N-TDS-2 - M-N-TDS-2 would ensure noise from maintenance activities along the Tierra del Sol gen-tie line would comply with County noise standards by: requiring brush clearance along the gen-tie route be accomplished using non-motorized equipment when within 1,125 feet of a noise sensitive land use; limiting the number of simultaneously operating trucks or other support equipment to the minimum practicable number; and preparing a Helicopter Noise Control Plan that addressed the use of helicopters for annual line inspection, and delivery of repair parts and materials.

Rationale: Mitigation Measure M-N-TDS-2 was proposed to mitigate the significance of N-TDS-2. M-N-TDS-2 would ensure non-motorized equipment would be used to clear brush along the gen-tie line alignment when proximate to noise sensitive land uses, and would limit the number of trucks running during maintenance activities on the gen-tie line to ensure that noise levels would not exceed County standards. Alternative 2A would not reduce noise generated during maintenance of the Tierra del Sol gen-tie line because it would not change the Tierra del Sol gen-tie line. With M-N-TDS-2, the reduced Tierra del Sol solar farm would reduce temporary gen-tie maintenance noise and reduce potentially significant impact N-TDS-2 to less than significant.

3) Significant Effect: Impact N-R-1 – Long-term operational equipment noise from on-site operational equipment including pad-mounted inverters and transformers, substation transformers, tracker array motors and dryers/blowers, and the O&M operations yard would exceed the County Noise Ordinance and County’s Guidelines for Determining Noise Significance standards. (2.6-20.)

Finding: Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment.

Mitigation Measures: M-N-R-1 - M-N-R-1 would locate non-enclosed inverters a minimum of 800 feet or greater from the nearest property line, or enclose inverters within 800 feet of property lines in cement blocks or other type of structure capable of achieving a minimum 10 dB attenuation. M-N-R-1 would direct all switch station doorways and exterior ventilation ducts away from adjacent property lines. Prior to building plan approval, a noise analysis shall be prepared to demonstrate that the inverters comply with the County Noise Ordinance. M-N-R-1 would require the O&M building to be located no closer than 1,250 feet from the property line. (FPEIR, p. 2.6-54.)

Rationale: Mitigation Measure M-N-R-1 was proposed to mitigate the significance of N-R-1. M-N-R-1 would ensure that noise generated by operational equipment would not exceed County standards by enclosing inverters within 800 feet of property boundaries, locating the O&M building no closer than 1,250 feet from the property

CEQA Findings and Statement of Overriding Considerations

line, and other noise reducing measures. Alternative 2A would reduce operational noise by reducing the number of trackers on the Rugged site, thereby reducing operational noise generated by tracker array motors, blowers/dryers, and pad-mounted inverters and transformers. With M-N-R-1, the reduced Rugged solar farm would reduce long term operational equipment noise and reduce potentially significant impact and reduce potentially significant impact N-R-1 to less than significant.

4) Significant Effect: Impact N-TDS-3 – Temporary activities associated with the gen-tie line construction (with the exception of blasting) could exceed the County’s 75 dB standard at the nearest sensitive receptors along the Tierra del Sol gen-tie route. (2.6-30.)

Finding: Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment.

Mitigation Measures: M-N-TDS-3 - M-N-TDS-3 requires the preparation of a construction management plan prior to construction, which establishes construction restrictions in order to achieve compliance with the County’s 8-hour average 75 dB standard at the property lines, or edge of construction easement, for occupied residences along the gen-tie route.

Rationale: Mitigation Measure M-N-TDS-3 was proposed to mitigate the significance of N-TDS-3. M-N-TDS-3 would require the preparation and implementation of a construction management plan for the construction of the Tierra del Sol gen-tie line. Alternative 2A would not reduce temporary noise generated during construction of the Tierra del Sol gen-tie line because it would not change the Tierra del Sol gen-tie line. With M-N-TDS-3, the reduced Tierra del Sol solar farm would reduce short-term gen-tie construction noise and reduce potentially significant impact N-TDS-3 to less than significant.

5) Significant Effect: Impact N-TDS-4 - Short-term construction blasting noise could exceed the County’s impulsive noise standard. (2.6-30.)

Finding: Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment.

Mitigation Measures: M-N-TDS-4 - M-N-TDS-4 requires a blasting plan. The blasting plan would be site-specific, based on general and exact locations of required blasting and the results of a project-specific geotechnical investigation. The blasting plan would prohibit blasting associated with gen-tie construction within 430 feet of any occupied parcel zoned for agricultural use, and within 1,700 feet of existing structures; would ensure notice by mail be given to potentially impacted residents within 1,700 feet of the project at least 1 week before the start of construction activities; would limit blasting to between 7 a.m. and 7 p.m.; and would incorporate all recommended noise reducing measures that demonstrate compliance with the County Noise Ordinance. (2.6-56.)

CEQA Findings and Statement of Overriding Considerations

Rationale: Mitigation Measure M-N-TDS-4 was proposed to mitigate the significance of N-TDS-4. M-N-TDS-4 would require the preparation and implementation of a blasting plan for the construction of the Tierra del Sol gen-tie line. Alternative 2A would not reduce temporary noise generated during construction of the Tierra del Sol gen-tie line because it would not change the Tierra del Sol gen-tie line. With M-N-TDS-4, the reduced Tierra del Sol solar farm would reduce short-term construction blasting noise and reduce potentially significant impact N-TDS-4 to less than significant.

6) Significant Effect: Impact N-TDS-5 – Short-term noise from the use of helicopters during construction of the Tierra del Sol gen-tie line could exceed the County construction noise standard at nearby residences. (2.6-31.)

Finding: Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment.

Mitigation Measures: M-N-TDS-5 - M-N-TDS-5 requires the preparation of a Construction Helicopter Noise Control Plan. The Construction Helicopter Noise Control Plan would indicate where helicopters would be used and the frequency and duration for such use during construction, would provide notice to property owners prior to the use of helicopters within 1,600 feet of property boundaries, and would restrict the duration of helicopter use within 400 feet of property boundaries to no more than 1 hour per 8 hour period, within 600 feet to no more than 5 hours per 8 hour period, and would place no restrictions on use more than 800 feet from a property line. (2.6-57.)

Rationale: Mitigation Measure M-N-TDS-5 was proposed to mitigate the significance of N-TDS-5. M-N-TDS-5 would require the preparation and implementation of a construction helicopter noise control plan for the construction of the Tierra del Sol gen-tie line. Alternative 2A would not reduce temporary noise generated during construction of the Tierra del Sol gen-tie line because it would not change the Tierra del Sol gen-tie line. With M-N-TDS-5, the reduced Tierra del Sol solar farm would reduce short-term construction helicopter noise and reduce potentially significant impact N-TDS-5 to less than significant.

7) Significant Effect: Impact N-TDS-6 - Short-term ground-borne construction blasting vibrations (within 1,700 feet of property lines) may violate County-recommended thresholds during construction of the Tierra del Sol gen-tie line. (2.6-42.)

Finding: Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment.

Mitigation Measures: M-N-TDS-4 - M-N-TDS-4 requires a blasting plan. The blasting plan would be site-specific, based on general and exact locations of required blasting and the results of a project-specific geotechnical investigation. The blasting plan would prohibit blasting associated with gen-tie construction within 430 feet of any occupied parcel zoned for agricultural use, and within 1,700 feet of existing structures; would ensure notice by mail be given to potentially impacted residents within 1,700 feet of the

CEQA Findings and Statement of Overriding Considerations

project at least 1 week before the start of construction activities; would limit blasting to between 7 a.m. and 7 p.m.; and would incorporate all recommended noise reducing measures that demonstrate compliance with the County Noise Ordinance. (2.6-56.)

Rationale: Mitigation Measure M-N-TDS-4 was proposed to mitigate the significance of N-TDS-5. M-N-TDS-4 would require the preparation and implementation of a blasting plan for the construction of the Tierra del Sol gen-tie line. Alternative 2A would not reduce temporary vibrations generated during construction of the Tierra del Sol gen-tie line because it would not change the Tierra del Sol gen-tie line. With M-N-TDS-4, the reduced Tierra del Sol solar farm would reduce short-term construction vibrations and reduce potentially significant impact N-TDS-6 to less than significant.

IV. POTENTIALLY SIGNIFICANT IMPACTS THAT CANNOT BE MITIGATED BELOW A LEVEL OF SIGNIFICANCE (CEQA GUIDELINES § 15091(A)(3))

Pursuant to Section 21081(a) of the Public Resources Code and Section 15091(a)(3) of the State CEQA Guidelines, the County of San Diego Board of Supervisors finds that, for each of the following significant effects, specific economic, legal, social, technological, or other considerations, including provisions of employment opportunities for highly trained workers, make infeasible the mitigation measures or alternatives identified in the FPEIR. These findings are explained below and are supported by substantial evidence in the record of proceedings.

A. Aesthetics

1) Significant Effect: Impact AE-TDS-1 - Alteration of visual landscape with replacement of 420 contiguous acres of native vegetation with uniformly lightly colored CPV trackers placed in uniform rows, alteration of the horizon line resulting from introduction of tall CPV trackers. (2.1-49.)

Finding: Specific economic, legal, social, technological, or other considerations make other mitigation measures or the project alternatives identified in the FPEIR infeasible for the reasons set forth in Sections V and VI, below. Thus, the impact is considered to be significant and not mitigated. (FPEIR, p. 2.1-78.) This unavoidable impact is overridden by project benefits as set forth in the statement of overriding considerations in Section VIII, below.

Mitigation Measures: M-AE-PP-1 requires the project proponent to install landscape screens in accordance with the Landscape Screening Design in EIR Appendix 2.1-4. The project proponent is responsible for continued maintenance and monitoring of the installed landscape screen. (2.1-77.)

Rationale: M-AE-PP-1 was proposed to mitigate the significance of AE-TDS-1. Alternative 2A would reduce the size of the Tierra del Sol solar farm as a component of the Proposed Project. (4.0-31.) On the reduced Tierra del Sol site, trackers would be removed from areas of high visibility and would have greater setbacks from the property lines adjacent to public ROW. However, despite increased setbacks and larger areas of

CEQA Findings and Statement of Overriding Considerations

native vegetation, conversion of undeveloped land to solar farms at the Tierra del Sol site would still likely result in significant and unmitigable impacts related to visual character and quality. (4.0-33.) Additional mitigation measures such as limiting the height of CPV trackers, triangular spacing of CPV trackers and additional site grading were considered but were ultimately determined to be infeasible or ineffective. CPV trackers on the Tierra del Sol site cannot be entirely screened from public views due to their height, and placement of any number of CPV trackers would significantly alter the visual landscape.

2) Significant Effect: Impact AE-TDS-2 - Several gen-tie poles for the Tierra del Sol solar farm would be visible from Tierra del Sol Road and Jewel Valley Road and rise above the horizon line and represent a visual contrast when viewed against the expansive desert sky. As such, the Tierra del Sol gen-tie alignment could result in potentially significant impacts to the visual character and quality of the area. (2.1-52.)

Finding: Specific economic, legal, social, technological, or other considerations make other mitigation measures or the project alternatives identified in the FPEIR infeasible for the reasons set forth in Sections V and VI, below. (2.1-78.) This unavoidable impact is overridden by project benefits as set forth in the statement of overriding considerations in Section VIII, below.

Mitigation Measures: Mitigation measures to reduce the visual contrast associated with new transmission poles and the background desert sky were considered but determined to be infeasible.

Rationale: No feasible mitigation measures are available to mitigate Impact AE-TDS-2 to less than significant due to technological limitations of color treatments to decrease visual contrast. Mitigation measures to reduce the visual contrast associated with new transmission poles and the background desert sky were considered but determined to be infeasible. The application of color treatments or the selection of other materials for gen-tie structures would not decrease the resulting contrast in form, the visibility of the components, or the resulting overall visual contrast. The color of the sky is regularly subject to change due to the localized weather conditions, the presence of clouds, and other variables. The application of a single static color treatment would be unable to respond to changes in landscape as they relate to the color of the sky and therefore, additional measures that may decrease the anticipated level of visual contrast were not included. While Alternative 2A, would reduce the size of the Tierra del Sol solar farm, the Tierra del Sol gen-tie would be the same under Alternative 2A. (4.0-31.) Accordingly, the Tierra del Sol site would still likely result in significant and unmitigable impacts related to visual character and quality. (4.0-33.)

3) Significant Effect: Impact AE-R-1 - Alteration of visual landscape due to the removal or substantial adverse change in one or more features that contribute to the valued visual character of the community, and from the introduction of features that detract from or contrast with the existing visual character of the community. (2.1-57.)

CEQA Findings and Statement of Overriding Considerations

Finding: Specific economic, legal, social, technological, or other considerations make other mitigation measures or the project alternatives identified in the FPEIR infeasible for the reasons set forth in Sections V and VI, below. (2.1-78.) This unavoidable impact is overridden by project benefits as set forth in the statement of overriding considerations in Section VII, below.

Mitigation Measures: M-AE-PP-1 requires the project proponent to install landscape screens in accordance with the Landscape Screening Design in EIR Appendix 2.1-4. The project proponent is responsible for continued maintenance and monitoring of the installed landscape screen. (2.1-77.)

Rationale: M-AE-PP-1 was proposed to mitigate the significance of AE-R-1. Alternative 2A would reduce the size of the Rugged solar farm. (4.0-31.) On the reduced Rugged site, trackers would be removed from areas of high visibility and would have greater setbacks from the property lines adjacent to public ROW. However, despite increased setbacks and larger areas of native vegetation, conversion of undeveloped land to solar farms at the Rugged site would still result in significant and unmitigable impacts related to visual character and quality. (4.0-33.) Additional mitigation measures such as limiting the height of CPV trackers, triangular spacing of CPV trackers and additional site grading were considered but were ultimately determined to be infeasible or ineffective. CPV trackers on the Rugged site cannot be entirely screened from public views due to their height, and placement of any number of CPV trackers would significantly alter the visual landscape.

4) Significant Effect: Impact AE-PP-2 - Construction of the Proposed Project would produce strong visual contrast that would degrade the visual character and quality of the larger Boulevard area, including the temporary influx of construction personnel, equipment, and vehicles, vegetation removal and grading within a primarily rural residential region, the generation of dust, and intermittent nighttime lighting. Operation and maintenance of the project would introduce features that detract from or contrast with the existing visual character of Tierra del Sol and Boulevard by conflicting with existing visual elements in the landscape. Therefore construction and operation of the project would incrementally contribute to the changing visual character of the greater Boulevard area. (2.1-60.)

Finding: Specific economic, legal, social, technological, or other considerations make other mitigation measures or the project alternatives identified in the FPEIR infeasible for the reasons set forth in Sections V and VI, below. (2.1-59.) This unavoidable impact is overridden by project benefits as set forth in the statement of overriding considerations in Section VII, below.

Mitigation Measures: M-AE-PP-1 requires the project proponent to install landscape screens in accordance with the Landscape Screening Design in EIR Appendix 2.1-4. The project proponent is responsible for continued maintenance and monitoring of the installed landscape screen. (2.1-77.) Mitigation measures to reduce the visual contrast associated with new transmission poles and the background desert sky were considered

CEQA Findings and Statement of Overriding Considerations

but determined to be infeasible. The application of color treatments or the selection of other materials for gen-tie structures would not decrease the resulting contrast in form, the visibility of the components, or the resulting overall visual contrast. The color of the sky is regularly subject to change due to the localized weather conditions, the presence of clouds, and other variables. The application of a single static color treatment would be unable to respond to changes in landscape as they relate to the color of the sky and therefore, additional measures that may decrease the anticipated level of visual contrast were not included.

Rationale: M-AE-PP-1 was proposed to mitigate the significance of Impact AE-PP-2. Alternative 2A would remove LanEast and LanWest solar farm from the Proposed Project and provide for reduced Tierra del Sol and Rugged solar farms. (4.0-31.) Alternative 2A would avoid impacts to visual character and quality from the LanEast and LanWest sites since they would not be constructed, and on the Tierra del Sol and Rugged sites, trackers would be removed from areas of high visibility and would have greater setbacks from the property lines adjacent to public ROW. However, despite increased setbacks and larger areas of native vegetation, conversion of undeveloped land to solar farms at the Tierra del Sol and Rugged sites would still likely result in significant and unmitigable impacts related to visual character and quality. (4.0-33.) Additional mitigation measures are infeasible because CPV trackers on the Rugged and Tierra del Sol sites cannot be entirely screened from public views due to their height, and placement of any number of CPV trackers would significantly alter the visual landscape.

5) Significant Effect: Impact AE-TDS-3 - Two residences in the vicinity of the Tierra del Sol solar farm would have glare exposure of one hour or less a day throughout the year. Five residences in the vicinity of the Tierra del Sol solar farm would have glare exposure of 35 minutes or less per day during the spring. Glare produced by the trackers would be lower than that of other man-made surfaces and water and is not considered hazardous to vision, but would be visible to these identified residential properties. (2.1-49.)

Finding: Specific economic, legal, social, technological, or other considerations make other mitigation measures or the project alternatives identified in the FPEIR infeasible for the reasons set forth in Sections V and VI, below. (2.1-78.) This unavoidable impact is overridden by project benefits as set forth in the statement of overriding considerations in Section VII, below.

Mitigation Measures: M-AE-PP-1 requires the project proponent to install landscape screens in accordance with the Landscape Screening Design in EIR Appendix 2.1-4. The project proponent is responsible for continued maintenance and monitoring of the installed landscape screen. (2.1-77.)

Rationale: M-AE-PP-1 was proposed to mitigate the significance of AE-TDS-3. Alternative 2A would reduce the size of the Tierra del Sol solar farm. (4.0-31.) On the reduced Tierra del Sol site, trackers would be removed from areas of high visibility and would have greater setbacks from the property lines adjacent to public ROW. Removal

CEQA Findings and Statement of Overriding Considerations

of trackers and increased setbacks along public ROWs may reduce the glare anticipated to be received at residences and roadways near the Tierra del Sol solar farm site under this alternative, but would not reduce glare impacts to less than significant with mitigation. (4.0-33.) While screens would partially block views of trackers, project glare would be received by residents in the immediate area and by motorists on Tierra del Sol Road, and therefore, even with implementation of M-AE-PP-1, direct impacts AE-TDS-3 would remain significant and unmitigable. (4.0-33.) Additional mitigation measures are infeasible because placement of any number of CPV trackers on the Tierra del Sol site would result in project glare to public viewpoints.

6) Significant Effect: Impact AE-TDS-4 - Motorists along a one-mile segment of Tierra del Sol Road would receive glare from the Tierra del Sol solar farm with a daily duration of between 26 minutes and two hours, depending upon the season. (2.1-65.)

Finding: Specific economic, legal, social, technological, or other considerations make other mitigation measures or the project alternatives identified in the FPEIR infeasible for the reasons set forth in Sections V and VI, below. (2.1-78.) This unavoidable impact is overridden by project benefits as set forth in the statement of overriding considerations in Section VII, below.

Mitigation Measures: M-AE-PP-1 requires the project proponent to install landscape screens in accordance with the Landscape Screening Design in EIR Appendix 2.1-4. Implementation of M-AE-PP-1 would entail the installation and maintenance of landscape screens along the length of Tierra del Sol Road located adjacent to the northern and western project boundary that would partially block views of trackers from identified residences and motorists within a foreground viewing distance of the solar farm. (2.1-78.) The project proponent is responsible for continued maintenance and monitoring of the installed landscape screen. (2.1-77.)

Rationale: M-AE-PP-1 was proposed to mitigate the significance of AE-TDS-4. Alternative 2A would reduce the size of the Tierra del Sol solar farm. (4.0-31.) On the reduced Tierra del Sol site, trackers would be removed from areas of high visibility and would have greater setbacks from the property lines adjacent to public ROW. Removal of trackers and increased setbacks along public ROWs may reduce the glare anticipated to be received at residences and roadways near the Tierra del Sol solar farm site under this alternative, but would not reduce glare impacts to less than significant with mitigation. (4.0-33.) While screens would partially block views of trackers, project glare would be received by residents in the immediate area and by motorists on Tierra del Sol Road, and therefore, even with implementation of M-AE-PP-1, direct impacts AE-TDS-4 would remain significant and unmitigable. (4.0-33.) Additional mitigation measures are infeasible because placement of any number of CPV trackers on the Tierra del Sol site would result in project glare to public viewpoints.

7) Significant Effect: Impact AE-R-2 - Five residences located west of the Rugged solar farm site would experience glare during the hour before sunset, for a total of less than 45 minutes. Two of the five residences would receive glare throughout the year and

CEQA Findings and Statement of Overriding Considerations

three of the five residences would have exposure to glare seasonally. Glare produced by the trackers would be lower than that of other man-made surfaces and water and is not considered hazardous to vision, but would be visible to these identified residential properties. (2.1-67.)

Finding: Specific economic, legal, social, technological, or other considerations make other mitigation measures or the project alternatives identified in the FPEIR infeasible for the reasons set forth in Sections V and VI, below. (2.1-77.) This unavoidable impact is overridden by project benefits as set forth in the statement of overriding considerations in Section VII, below.

Mitigation Measures: M-AE-PP-1 requires the project proponent to install landscape screens in accordance with the Landscape Screening Design in EIR Appendix 2.1-4. The project proponent is responsible for continued maintenance and monitoring of the installed landscape screen. (2.1-75.)

Rationale: M-AE-PP-1 was proposed to mitigate the significance of AE-R-2. Alternative 2A would reduce the size of the Rugged solar farm. (4.0-31.) Removal of trackers and increased setbacks along public ROWs may reduce the glare anticipated to be received at residences and roadways near the Rugged solar farm site under this alternative, but would not reduce glare impacts to a less than significant level without mitigation. (4.0-33.) Potential impacts associated with new sources of daytime glare would be slightly reduced through implementation of M-AE-PP-1, but the installation of landscape screening is not capable of fully screening affected properties from glare exposure. As such, even with implementation of M-AE-PP-1, impact AE-R-2 would remain significant and unmitigable. (4.0-33.) Additional mitigation measures are infeasible because placement of any number of CPV trackers on the Rugged site would result in project glare to public viewpoints.

8) Significant Effect: Impact AE-R-3 - Motorists on a 0.5 mile segment of Ribbonwood Road would be exposed to glare from trackers at the Rugged solar farm throughout the year for no more than 40 minutes a day. Glare exposure would be in the peripheral field of vision of motorists and would be for a duration of less than one minute assuming normal travel speeds. Motorists on a 0.2 mile segment of McCain Valley Road would receive glare in their peripheral vision during spring and fall months prior to sunset, with an exposure of approximately 20 seconds. (2.1-68.)

Finding: Specific economic, legal, social, technological, or other considerations make other mitigation measures or the project alternatives identified in the FPEIR infeasible for the reasons set forth in Sections V and VI, below. (2.1-78.) This unavoidable impact is overridden by project benefits as set forth in the statement of overriding considerations in Section VII, below.

Mitigation Measures: M-AE-PP-1 requires the project proponent to install landscape screens in accordance with the Landscape Screening Design in EIR Appendix 2.1-4. The

CEQA Findings and Statement of Overriding Considerations

project proponent is responsible for continued maintenance and monitoring of the installed landscape screen. (2.1-77.)

Rationale: M-AE-PP-1 was proposed to mitigate the significance of AE-R-3. Alternative 2A would reduce the size of the Rugged solar farm. (4.0-31.) Removal of trackers and increased setbacks along public ROWs may reduce the glare anticipated to be received at residences and roadways near the Rugged solar farm site under this alternative, but not to a less than significant level without mitigation. (4.0-31.) Potential impacts associated with new sources of daytime glare would be slightly reduced through implementation of M-AE-PP-1, but the installation of landscape screening is not capable of fully screening affected properties from glare exposure. As such, even with implementation of M-AE-PP-1, impact AE-R-3 would remain significant and unmitigable. (4.0-33.) Additional mitigation measures are infeasible because placement of any number of CPV trackers on the Rugged site would result in project glare to public viewpoints.

9) Significant Effect: Impact AE-PP-3 - The Proposed Project operation of trackers would produce glare. However, the severity of glare impacts would be determined by the angle of reflected glare and glare reflection height. Glare produced by the Tierra del Sol solar farm would be received by seven residences and by motorists on Tierra del Sol Road in the immediate vicinity of the project site. Glare produced by the Rugged solar farm would be received by five residences located directly west of the Rugged site and by motorists on segments of Ribbonwood Road and McCain Valley Road. While the daily duration of glare exposure would be relatively brief, and the generated reflection values of flare produced by trackers are not considered hazardous to vision, the Tierra del Sol and Rugged solar farms would create daytime glare that would be visible from adjacent properties and nearby local two-lane roadways. Although project-level information has not been developed at this time, glare generated during operation of the LanEast and LanWest solar farms would likely be received at four nearby residences and on local and regional roadways including McCain Valley Road, Old Highway 80, and I-8. (2.1-72.)

Finding: Specific economic, legal, social, technological, or other considerations make other mitigation measures or the project alternatives identified in the FPEIR infeasible for the reasons set forth in Sections V and VI, below. (2.1-78.) This unavoidable impact is overridden by project benefits as set forth in the statement of overriding considerations in Section VII, below.

Mitigation Measures: M-AE-PP-1 requires the project proponent to install landscape screens in accordance with the Landscape Screening Design in EIR Appendix 2.1-4. The project proponent is responsible for continued maintenance and monitoring of the installed landscape screen. (2.1-77.)

Rationale: M-AE-PP-1 was proposed to mitigate the significance of AE-PP-3. Alternative 2A would remove LanEast and LanWest solar farms. (4.0-32.) Alternative 2A would eliminate any glare impacts on the LanEast and LanWest site since they would not be developed. (4.0-33.) Removal of trackers and increased setbacks along public

CEQA Findings and Statement of Overriding Considerations

ROWs for the Rugged and Tierra del Sol solar farms may reduce the glare anticipated to be received at residences and roadways under Alternative 2A, but not to a less than significant level without mitigation. (4.0-33.) Potential impacts associated with new sources of daytime glare would be slightly reduced through implementation of M-AE-PP-1, but the installation of landscape screening is not capable of fully screening affected properties from glare exposure. As such, even with implementation of M-AE-PP-1, impact AE-PP-3 would remain significant and unmitigable. (4.0-33.) Additional mitigation measures are infeasible because placement of any number of CPV trackers on the Tierra del Sol and Rugged sites would result in project glare to public viewpoints.

10) Significant Effect: Impact AE-CUM-PP-2 - If construction schedules were to overlap, composite views of the construction activities of three wind projects and the Proposed Project could be available within the I-8 viewshed (activity would be visible north and south of I-8) and from local area roadways, and the influx of construction personnel, equipment and vehicles on project sites would be readily apparent. (2.1-74.) While the full extent of short-term visual impacts occurring on all renewable energy project sites would not be visible from individual sites comprising the Proposed Project, the Proposed Project would contribute to a cumulatively considerable impact to the alteration of visual landscape. (2.1-74.)

Finding: Specific economic, legal, social, technological, or other considerations make other mitigation measures or the project alternatives identified in the FPEIR infeasible for the reasons set forth in Sections V and VI, below. (2.1-78.) This unavoidable impact is overridden by project benefits as set forth in the statement of overriding considerations in Section VIII, below.

Mitigation Measures: M-AE-PP-1 requires the project proponent to install landscape screens in accordance with the Landscape Screening Design in EIR Appendix 2.1-4. The project proponent is responsible for continued maintenance and monitoring of the installed landscape screen. (2.1-77.)

Rationale: M-AE-PP-1 was proposed to mitigate the significance of AE-CUM-PP-2. Alternative 2A would remove LanEast and LanWest solar farms. (4.0-32.) Alternative 2A would eliminate any construction views on the LanEast and LanWest site since they would not be developed. (4.0-33.) Removal of trackers and increased setbacks along public ROWs for the Rugged and Tierra del Sol solar farms may reduce the composite views of construction activities within the I-8 viewshed and local roadways, but not to a less than significant level without mitigation. (4.0-33.) Potential impacts associated with composite views of the construction activities would be slightly reduced through implementation of M-AE-PP-1, but the installation of landscape screening is not capable of fully screening construction activities from view. As such, even with implementation of M-AE-PP-1, impact AE-CUM-PP-3 would remain significant and unmitigable. (4.0-33.) Additional mitigation measures are infeasible because it is physically impossible to screen views of construction activities from all public viewpoints.

B. Air Quality

1) Significant Effect: Impact AQ-PP-1 - Construction-related emissions of NO_x would exceed SDAPCD thresholds for a brief period during the overlap of construction of the Tierra del Sol and Rugged solar farms. This would be a potentially significant impact. (2.2-35.)

Finding: Specific economic, legal, social, technological, or other considerations make other mitigation measures or the project alternatives identified in the FPEIR infeasible for the reasons set forth in Sections V and VI, below. (2.2-80.) This unavoidable impact is overridden by project benefits as set forth in the statement of overriding considerations in Section VII, below.

Mitigation Measures: M-AQ-PP-1 and M-AQ-PP-2 were proposed to mitigate the significance of AQ-PP-1. M-AQ-PP-1 reduces construction-related NO_x emissions from construction equipment by requiring proper maintenance and tuning, use of electric motors when feasible, and compliance with California Air Resources Board (CARB) or Environmental Protection Agency (EPA) standards. (2.2-69.) M-AQ-PP-2 reduces NO_x emissions and PM₁₀ associated from construction worker trips by implementing a construction worker rideshare program to encourage at least 30% of construction workers to carpool to and from the construction site.

Rationale: M-AQ-PP-1 and M-AQ-PP-2 were proposed to mitigate the significance of AQ-PP-1. Under Alternative 2A, the reduced Tierra del Sol and Rugged solar farms would result in slightly less construction activities and equipment and therefore, less overall NO_x emissions associated with construction. The Tierra del Sol and Rugged construction schedules would overlap, and combined daily NO_x construction emissions would continue to exceed the threshold during peak construction periods without mitigation. M-AQ-PP-1 and M-AQ-PP-2 would reduce NO_x emissions associated with construction, however, not to below a level of significance for short-term NO_x construction emissions. (4.0-33.) Additional mitigation measures are infeasible because the only method for reducing NO_x emissions would be to eliminate equipment from the construction equipment fleet and eliminate construction workers travelling to and from the site, however, this is not feasible as construction requires the delineated construction crew and equipment fleet. Furthermore, the overlapping construction periods are required to ensure that the Tierra del Sol and Rugged solar projects qualify for the 30% investment tax credit by coming into commercial operation prior to January 1, 2017.

2) Significant Effect: Impact AQ-CUM-1 - The project would contribute to a temporary significant cumulative impact to air quality involving the generation of PM₁₀ and NO_x emissions when combined with other cumulative projects, particularly during contemporaneous construction of the Tierra del Sol and Rugged solar farms. (2.2-70.)

Finding: Specific economic, legal, social, technological, or other considerations make other mitigation measures or the project alternatives identified in the FPEIR infeasible for the reasons set forth in Sections V and VI, below. (2.2-79.) This unavoidable impact is

CEQA Findings and Statement of Overriding Considerations

overridden by project benefits as set forth in the statement of overriding considerations in Section VII, below.

Mitigation Measures: M-AQ-PP-1 and M-AQ-PP-2 were proposed to mitigate the significance of construction-related NO_x and PM₁₀ emissions during the overlap of construction of the Tierra del Sol and Rugged solar farms. These mitigation measures would also help mitigate the cumulative impacts of the Proposed Project's construction emissions. No additional mitigation is available to reduce PM₁₀ impacts.

Rationale: Under Alternative 2A, the construction and operational NO_x and PM₁₀ emissions associated with the LanWest and LanEast solar farms would not occur, making any mitigation measures associated with those solar farms unnecessary. (4.0-34.) Therefore, the elimination of the LanWest and LanEast solar farms would reduce this alternative's contribution of NO_x and PM₁₀ during construction since no construction would occur at the LanWest or LanEast sites. Under Alternative 2A, the reduced Tierra del Sol and Rugged solar farms would result in slightly less construction activities and equipment and therefore, less overall NO_x and PM₁₀ emissions associated with construction. However, the Tierra del Sol and Rugged construction schedules would overlap and combined daily NO_x and PM₁₀ construction emissions would continue to exceed the threshold during peak construction periods without mitigation. M-AQ-PP-1 and M-AQ-PP-2 would reduce NO_x and PM₁₀ emissions associated with construction, however, not to below a level of significance for short-term construction emissions. (4.0-34.) Additional mitigation measures are infeasible because the only method for reducing PM₁₀ and NO_x emissions would be to eliminate equipment from the construction equipment fleet and eliminate construction workers travelling to and from the site, however, this is not feasible as construction requires the delineated construction crew and equipment fleet. Furthermore, the overlapping construction periods are required to ensure that the Tierra del Sol and Rugged solar projects qualify for the 30% investment tax credit by coming into commercial operation prior to January 1, 2017.

V. FINDINGS REGARDING SPECIFIC MITIGATION MEASURES

The FPEIR identifies certain mitigation measures that the County has found to be infeasible. Pursuant to Section 21081(a) of the Public Resources Code and Section 15091(a)(3) of the State CEQA Guidelines, the County of San Diego Board of Supervisors finds that, for each of the following mitigation measures as identified in the FPEIR, specific economic, legal, social, technological, or other considerations, including provisions of employment opportunities for highly trained workers, make infeasible the mitigation measures identified in the FPEIR. These findings are explained below and are supported by substantial evidence in the record of proceedings.

A. Mitigation to Reduce Visual Contrast

1. Description

Mitigation measures to reduce the visual contrast associated with new transmission poles

CEQA Findings and Statement of Overriding Considerations

and the background desert sky, including application of color treatments and the selection of other materials for gen-tie structures, were considered but determined to be infeasible.

2. Finding

The County finds that specific economic, legal, social, technological or other considerations make this mitigation measure infeasible.

The County identifies the following specific economic, legal, social, technological or other considerations make this mitigation measure infeasible. The County finds that each of these reasons, standing alone, renders this alternative infeasible:

- The County finds that this mitigation measure is technologically infeasible because application of color treatments or selection of other materials for gen-tie structures would be unable to respond to changes in landscape as they relate to the color of the sky, and therefore, would not be capable of reducing visual contrast.

3. Facts in Support of Finding

As explained in the FPEIR, application of a single static color treatment through the application of color treatments or the selection of other materials for gen-tie structures would be unable to respond to changes in landscape as they relate to the color of the sky. The color of the sky in the area where the Proposed Project would be constructed is regularly subject to change due to the localized weather conditions, the presence of clouds, and other variables. Due to this local variability, this mitigation measure was found to be technologically infeasible because it would not decrease the resulting contrast in form, the visibility of the components, or the resulting overall visual contrast.

B. Finding Regarding All Other Mitigation Measures

With the exception of those mitigation measures set forth in the adopted Mitigation Monitoring and Reporting Plan and explained in these findings, the County of San Diego finds that there are no feasible mitigation measures that would substantially lessen or avoid any significant effect that the project would have on the environment.

VI. FINDINGS REGARDING ALTERNATIVES

Section 15126.6(a) of the CEQA Guidelines requires the discussion of “a reasonable range of alternatives to a project, or the location of a project, which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project, and evaluate the comparative merits of the alternatives.”

Fourteen alternatives to the Proposed Project were evaluated. These alternatives are compared to the impacts of the Proposed Project as defined in the FPEIR and are assessed relative to their ability to meet the basic objectives of the Proposed Project, as follows:.

CEQA Findings and Statement of Overriding Considerations

1. Assist in achieving the state's Renewable Portfolio Standard (RPS) and greenhouse gas emissions (GHG) reduction objectives by developing and constructing California RPS-qualified solar generation, approved under Senate Bill (SB) X1 2, which established renewable energy targets of 20% total electricity sold to retail customers by the end of 2013, 25% by the end of 2016, and 33% of total electricity sold to retail customers by 2020.
2. Create utility-scale solar energy in-basin to improve reliability for the San Diego region by providing a source of local generation.
3. Locate solar power plant facilities as near as possible to existing or planned electrical transmission facilities, including colocating with existing transmission facilities when feasible.
4. Site solar power plant facilities in areas within the County of San Diego (County) that have excellent solar attributes, including but not limited to high direct normal irradiance (DNI), in order to maximize productivity.
5. No net additional emission of GHGs, including GHG emissions from employee transportation, consistent with the methodology employed by the California Air Resources Board (CARB) pursuant to Division 25.5 (commencing with Section 38500) of the Health and Safety Code.
6. Invest a minimum of \$100 million of economic development to support the local economy through the creation of high-wage, highly skilled construction and permanent jobs that pay prevailing and living wages.
7. Develop up to 168.5 MW of renewable solar energy systems that reduce consumption of non-renewable resources and reduce GHG and other long-term air pollutant emissions while minimizing impacts to natural resources.

Of the fourteen alternatives considered, the following ten alternatives, including the No Project/No Action alternative to the Proposed Project, were selected for detailed analysis in the FPEIR:

- Alternative 1 - Reduced Proposed Project Alternative
- Alternative 2 - No LanEast and LanWest Alternative
- Alternative 2A - Tailored Proposed Project and No LanEast and LanWest Alternative
- Alternative 3 - Reduced Proposed Project and Underground Tierra del Sol Gen-tie Alternative

CEQA Findings and Statement of Overriding Considerations

- Alternative 4 - Reduced Tierra del Sol and Rugged Solar Farms, No LanEast and LanWest and Underground Tierra del Sol Gen-Tie Alternative
- Alternative 5 - Relocate Tierra del Sol to Los Robles Alternative
- Alternative 6 - Relocate LanEast and LanWest to Los Robles Alternative
- Alternative 7 - Relocate Tierra del Sol, LanEast, and LanWest to Los Robles Alternative
- Alternative 8- Relocate Tierra del Sol, LanEast, and LanWest to Los Robles and Maximize Los Robles Alternative
- Alternative 9 - No Project Alternative

As noted in Section I, above, and for the reasons explained below, the County of San Diego finds that “Tailored Proposed Project and No LanEast and LanWest Alternative” (Alternative 2A) substantially lessens or avoids significant aesthetic and land use impacts, while still achieving the objectives of the Proposed Project, although it does not reduce all environmentally significant effects below a level of significance. As explained in the Statement of Overriding Considerations, however, the County has determined that the benefits of Alternative 2A outweigh any environmental impacts that are avoided by this alternative, because of specific overriding considerations.

Therefore, the County adopts Alternative 2A as the Project. The County adopts and incorporates by reference herein the analysis in the FPEIR with regard to the Proposed Project and Project alternatives as identified by the FPEIR.

A. Proposed Project as Compared to the Tailored Proposed Project and No LanEast and LanWest Alternative (Alternative 2A)

1. Description of Proposed Project

The Proposed Project would produce up to 168.5 megawatts (MW) of solar energy and would entail the construction and operation of approximately 7,409 CPV trackers and associated components/equipment on approximately 1,490 acres in southeastern San Diego County and the community of Boulevard. The four individual solar farms comprising the Proposed Project (Tierra del Sol, Rugged, LanEast, and LanWest) would include approximately 2,657, 3,588, 900 and 264 CPV trackers, respectively. The Tierra del Sol solar farm would be constructed on vacant land located adjacent to Tierra del Sol Road and the Rugged solar farm would be located in the McCain Valley. The LanEast and LanWest sites are proposed on rural residential and grazing lands located north Old Highway 80, south of Interstate 8 and east and west of McCain Valley Road. Power generated at the Tierra del Sol solar farm would be delivered to the rebuilt Boulevard Substation via an approximate 6-mile long overhead and underground gen-tie line. Power generated at the Rugged Solar would be delivered to the rebuilt Boulevard Substation via

CEQA Findings and Statement of Overriding Considerations

the Tule Wind Energy project (MUP 3300-09-019) gen-tie alignment (a 69 kV undersling line would be used to service the Rugged solar farm).

2. Finding

The County finds that the Proposed Project as defined in the FPEIR does not mitigate, avoid, or substantially lessen all significant environmental impacts identified in the FPEIR.

In addition, the County finds that Alternative 2A mitigates, avoids, or substantially lessens significant environmental impacts identified in the FPEIR and that Alternative 2A is a feasible alternative to the Proposed Project. (Public Resources Code § 21081, Guidelines § 15091.)

Pursuant to Public Resources Code Sections 21002 and 21002.1, the County shall not approve or carry out a project unless necessary findings under Public Resources Code Section 21081 have been made. Accordingly, the County rejects the Proposed Project and selects Alternative 2A as the Project.

3. Facts in Support of Finding

As explained in the FPEIR, under the Proposed Project, conversion of undeveloped to solar farms at each of the four sites and the Tierra del Sol gen-tie would result in significant and unmitigable impacts related to visual character and quality, scenic vistas, and glare. Under Alternative 2A, impacts related to visual character and quality would be reduced from the Proposed Project due to increased setbacks and larger areas of native vegetation, although conversion of undeveloped land to solar farms at the Tierra del Sol and Rugged sites would still result in significant and unmitigable impacts related to visual character and quality, scenic vistas, and glare. The elimination of the LanEast and LanWest sites under Alternative 2A would eliminate impacts related to visual character and quality, scenic vistas, and glare, and would remove the project elements most prominently visible from I-8.

Under the Proposed Project, the Tierra del Sol and Rugged construction schedules would overlap and combined daily construction emissions would continue to exceed the NO_x threshold during peak construction periods. Air quality impacts under Alternative 2A would still result in a significant and unmitigable, however, they would be lessened due to the reduced number of CPV trackers.

Impacts to biological resources under the Proposed Project would be reduced to less than significant with suitable mitigation. Under Alternative 2A, however, potential biological impacts would be substantially less prior to the implementation of mitigation due to the reduced development footprint for Rugged and Tierra del Sol, and the elimination of the LanEast and LanWest sites. Alternative 2A also responds to comments received from wildlife agencies and other commenters regarding potential impacts to wildlife connectivity associated with the proposed Rugged solar farm by removing approximately 177 CPV trackers on the project site near the Tule Creek corridor to enhance wildlife

movement.

Further, development of the LanEast and LanWest solar farms would require General Plan Amendments to be processed through the County of San Diego due to the visibility and proximity of these facilities to a roadway included in the County's scenic highway system (i.e., Interstate 8). Since the LanEast and LanWest solar farms would not be constructed under Alternative 2A, significant and unmitigable impacts related to scenic vistas would not occur.

The Proposed Project would reduce potential noise impacts to less than significant levels. Alternative 2A and increased project setbacks along Tierra del Sol Road would reduce noise impacts associated with operation of tracker array motors and when compared to the Proposed Project, and the removal of trackers associated with Alternative 2A would reduce the duration of panel/array washing.

Overall, the Proposed Project would have greater impacts than Alternative 2A with respect to aesthetics, especially those associated with LanEast and LanWest being highly visible from I-8 and Old Highway 80, air quality, biological resources, cultural resources, land use, noise, greenhouse gas emissions, hazards and hazardous materials, hydrology and water quality, and utilities. Alternative 2A is environmentally superior to the Proposed Project because it Alternative 2A substantially lessens or avoids significant aesthetic and land use impacts, while still achieving the objectives of the Proposed Project.

Thus, as explained in the Statement of Overriding Considerations, the County has determined that the benefits of Alternative 2A outweigh any environmental impacts that are not avoided by this alternative, and Alternative 2A is considered to be the "Project".

B. Reduced Proposed Project Alternative (Alternative 1) as Compared to Alternative 2A

1. Description of Alternative

The Reduced Proposed Project Alternative would reduce the amount of development as a whole, including the Tierra del Sol, Rugged, LanEast, and LanWest sites, by increasing the setbacks from the property lines on highly visible edges of the project sites and reducing the number of CPV trackers at each site by approximately 25%.

Under this alternative, the total disturbed acreage on Tierra del Sol would be reduced by approximately 75 acres. The gen-tie location would remain the same for this alternative. Also, development on the Rugged site would be reduced by removing trackers from approximately half of the eastern subarea, eliminating trackers from the western subarea, and removing trackers from the southern edge of the central subarea. The LanEast and LanWest solar farms would similarly be reduced by removing rows of CPV trackers at the northern and southern property lines to increase the setbacks from Interstate 8 (I-8) and Old Highway 80. Overall, under this alternative, approximately 25% of the total trackers would be removed from the project sites.

2. Finding

The County finds that this alternative does not mitigate, avoid, or substantially lessen all significant environmental impacts identified in the FPEIR.

In addition, the County finds that specific economic, legal, social, technological or other considerations, including considerations for the provision of employment opportunities for highly trained workers, make Alternative 1 infeasible. (Public Resources Code § 21081(a)(3), Guidelines § 15091(a)(3).)

The County identifies the following specific economic, legal, social, technological or other considerations make this alternative infeasible. The County finds that each of these reasons, standing alone, renders this alternative infeasible:

- The County finds that this alternative is infeasible as a matter of public policy because it would not achieve the project objectives as well as the Project by generating less energy than the Project. Using the calculation formula described in Section 4.3.1.3, approximately 4,122 fewer homes would be served by this alternative than the Project. Accordingly, this alternative would not achieve Project objectives 1, 2, 6, or 7 to the degree that the Project would.
- The County finds that this alternative is infeasible because it would reduce the number of jobs that would be created for highly trained construction and permanent employees due to the approximately 25% reduction in number of CPV trackers across the Rugged, Tierra del Sol, LanEast, and LanWest projects.
- The County finds that this alternative is infeasible because it would fail to fully meet the goals and objectives of the Jobs and Economic Improvement Through Environmental Leadership Act of 2011, Public Resources Code Sections 21178 *et seq.* (AB 900), which was enacted to help California recover from economic recession by accelerating investment and job creation in clean energy and other environmentally beneficial projects that would reduce greenhouse gas emissions. (Pub. Res. Code § 21178.) This alternative would fail to meet this objective by reducing the number of construction and permanent jobs that would be created.
- The County finds that this alternative is infeasible because it would fail to fully utilize an area of the County with high DNI, and therefore, would fail to maximize the generation of clean renewable solar energy that could be produced.

3. Facts in Support of Finding

As explained in the FPEIR, under this alternative, despite increased setbacks and larger areas of native vegetation, conversion of undeveloped land to solar farms at each of these four sites would still result in significant and unmitigable impacts related to visual character and quality. Additionally, the Tierra del Sol gen-tie line would be developed as proposed by the Project and would still result in significant and unmitigable aesthetic impacts related to visual character and quality. Also, the LanEast and LanWest solar farms are highly visible from I-8, and it cannot be determined at this time if increased setbacks on these sites would reduce impacts related to glare to less than significant. Therefore, while aesthetic impacts would be reduced under this alternative, such impacts would remain significant. In addition, impacts related to scenic vistas, visual character or quality, and glare would remain significant and unmitigable under this alternative and would be greater than impacts caused by the Project.

Under this alternative, despite the fact that the reduced LanEast and LanWest solar farms would reduce potential impacts to visual character or quality and glare, significant impacts would still remain as those projects would conflict with County General Plan policies COS-11.1 and COS-11.3. Therefore, land use impacts would remain significant and unmitigable under this alternative and would be greater than the Project.

Overall, the Reduced Proposed Project Alternative would generally result in similar or slightly higher impacts to the environmental resource areas as compared to the Project. This alternative would result in greater impact related to aesthetics and air quality, and therefore, significant and unmitigable impacts would still remain. This alternative would result in similar impacts to biological and cultural resources, and noise, and like the Project will mitigate these impacts below a level of significance.

C. No LanEast and LanWest Alternative (Alternative 2) as Compared to Alternative 2A

1. Description of Alternative

The No LanEast and LanWest Alternative would include the reduced Tierra del Sol and Rugged solar farms as described above, which would generally reduce CPV trackers installed on each site by 25%, and would entirely remove the LanEast and LanWest solar farms from the Proposed Project. The Tierra del Sol gen-tie would be the same as the Proposed Project under this alternative.

2. Finding

The County finds that this alternative does not mitigate, avoid, or substantially lessen all significant environmental impacts identified in the FPEIR.

In addition, the County finds that specific economic, legal, social, technological or other considerations, including considerations for the provision of employment opportunities for highly trained workers, make Alternative 2 infeasible. (Public Resources Code §

CEQA Findings and Statement of Overriding Considerations

21081(a)(3), Guidelines § 15091(a)(3).)

The County identifies the following specific economic, legal, social, technological or other considerations make this alternative infeasible. The County finds that each of these reasons, standing alone, renders this alternative infeasible:

- The County finds that this alternative is infeasible as a matter of public policy because it would not achieve the project objectives as well as the Project by generating less energy than the Project. Using the calculation formula described in Section 4.3.1.3, approximately 12,278 fewer homes would be served by this alternative than the Project. Accordingly, this alternative would not achieve Project objectives 1, 2, 6, or 7 to the degree that the Project would.
- The County finds that this alternative is infeasible because it would reduce the number of jobs that would be created for highly trained construction and permanent employees due to the approximately 25% reduction in number of CPV trackers across the Rugged and Tierra del Sol sites.
- The County finds that this alternative is infeasible because it would fail to fully meet the goals and objectives of the Jobs and Economic Improvement Through Environmental Leadership Act of 2011, Public Resources Code Sections 21178 *et seq.* (AB 900), which was enacted to help California recover from economic recession by accelerating investment and job creation in clean energy and other environmentally beneficial projects that would reduce greenhouse gas emissions. (Pub. Res. Code § 21178.) This alternative would fail to meet this objective by reducing the number of construction and permanent jobs that would be created.
- The County finds that this alternative is infeasible because it would fail to fully utilize an area of the County with high DNI, and therefore, would fail to maximize the generation of clean renewable solar energy that could be produced.

3. Facts in Support of Finding

As explained in the FPEIR, under this alternative, despite increased setbacks and larger areas of native vegetation, conversion of undeveloped land to solar farms at the Tierra del Sol and Rugged sites would still likely result in significant and unmitigable impacts related to visual character and quality. Additionally, the Tierra del Sol gen-tie line would be developed as proposed by the Project and would still result in significant and unmitigable aesthetic impacts related to visual character and quality.

Under this alternative, because the Tierra del Sol and Rugged construction schedules would overlap and combined daily construction emissions would continue to exceed the threshold during peak construction periods, this alternative would still result in a

significant and unmitigable impact related to short-term construction emissions. Impacts to biological resources under this alternative would be reduced to less than significant, similar to the Project, although potential impacts would be substantially less prior to the implementation of mitigation.

Under this alternative, since the LanEast and LanWest solar farms would not be constructed, significant and unmitigable impacts related to scenic vistas would not occur, but significant and unmitigable impacts would likely remain for the Tierra del Sol and Rugged solar farms. This alternative would reduce noise generated by tracker array motors, reduce the duration of panel/array washing, and reduce the amount of grading for tracker foundations. Noise associated with the construction of the Tierra del Sol gen-tie would remain under this alternative.

Overall, this alternative would have similar impacts related to aesthetics and air quality. However, aesthetic and air quality impacts from the Tierra del Sol and Rugged sites are not anticipated to be reduced to a level below significance, and therefore, significant and unmitigable impacts would still remain.

While this alternative would generally meet all project objectives, it would not achieve Project objectives 1, 2, 6, and 7 to the degree that the Project would because the Project would generate substantially more clean renewable solar energy (enough renewable solar energy to power approximately 12,278 more homes than Alternative 2).

D. Reduced Proposed Project and Underground Tierra del Sol Gen-tie Alternative (Alternative 3) as Compared to Alternative 2A

1. Description of Alternative

The Reduced Proposed Project and Underground Tierra del Sol Gen-tie Alternative would include the reduced Tierra del Sol, Rugged, LanEast, and LanWest solar farms described under Alternative 1 (reducing CPV trackers for those sites by approximately 25%), reducing the amount of ground disturbance on each of the sites and increasing setbacks from public ROWs. This alternative would also include an entirely underground Tierra del Sol solar farm gen-tie line for all 6 miles of the gen-tie route, as compared to the Project which includes 3.5 miles of overhead gen-tie. The Tierra del Sol solar farm gen-tie would be constructed within a 50- to 100-foot-wide easement along the same alignment as the Project.

2. Finding

The County finds that this alternative does not mitigate, avoid, or substantially lessen all significant environmental impacts identified in the FPEIR.

In addition, the County finds that specific economic, legal, social, technological or other considerations, including considerations for the provision of employment opportunities for highly trained workers, make Alternative 3 infeasible. (Public Resources Code § 21081(a)(3), Guidelines § 15091(a)(3).)

CEQA Findings and Statement of Overriding Considerations

The County identifies the following specific economic, legal, social, technological or other considerations make this alternative infeasible. The County finds that each of these reasons, standing alone, renders this alternative infeasible:

- The County finds that this alternative is infeasible as a matter of public policy because it would not achieve the project objectives as well as the Project by generating less energy than the Project. Using the calculation formula described in Section 4.3.1.3, approximately 4,122 fewer homes would be served by this alternative than the Project. Accordingly, this alternative would not achieve Project objectives 1, 2, 6, or 7 to the degree that the Project would.
- The County finds that this alternative is infeasible because it would reduce the number of jobs that would be created for highly trained construction and permanent employees due to the approximately 25% reduction in number of CPV trackers across the Rugged, Tierra del Sol, LanEast, and LanWest projects.
- The County finds that this alternative is infeasible because it would fail to fully meet the goals and objectives of the Jobs and Economic Improvement Through Environmental Leadership Act of 2011, Public Resources Code Sections 21178 *et seq.* (AB 900), which was enacted to help California recover from economic recession by accelerating investment and job creation in clean energy and other environmentally beneficial projects that would reduce greenhouse gas emissions. (Pub. Res. Code § 21178.) This alternative would fail to meet this objective by reducing the number of construction and permanent jobs that would be created.
- The County finds that this alternative is infeasible because it would fail to fully utilize an area of the County with high DNI, and therefore, would fail to maximize the generation of clean renewable solar energy that could be produced.
- The County finds that this alternative is infeasible because it would increase environmental impacts to biological resources prior to mitigation, including to candidate, sensitive, or special-status species, riparian habitat or sensitive natural communities, and federally protected wetlands.
- The County finds that this alternative is infeasible because it would increase environmental impacts to cultural resources prior to mitigation because it would require additional ground disturbance and excavation along a narrow corridor where cultural resource avoidance may be very difficult.

3. Facts in Support of Finding

As explained in the FPEIR, under this alternative, significant and unmitigable impacts

CEQA Findings and Statement of Overriding Considerations

related to scenic vistas would remain for the LanEast and LanWest solar farms under this alternative because the project sites would still be visible from Interstate 8 and Old Highway 80. Also, despite the increased setbacks, visual character and quality impacts would remain significant and unavoidable for all sites. This remains true for the Tierra del Sol solar farm despite the fact that this alternative would underground an additional 3.5 mile segment of its 138 kV gen-tie line.

This alternative would require trenching along an additional 3.5 mile segment of the gen-tie alignment. Underground transmission cable trenching would require two approximately 3-foot wide by 5-foot deep trenches (16 feet apart on centerline) for thermal isolation of the 138 kV transmission lines. The 15-foot wide corridor for two 138 kV circuits would be classified as a permanent disturbance because maintenance crews would need to be able to access the cables should a fault occur (which is likely to occur over the life of the project). Temporary disturbance, including construction impacts, is estimated to be approximately 24 feet wide. Splice vaults (approximately 9 by 20 feet) would be required with two manhole cover entries for any length greater than 2,000 feet. The 16-foot width is measured from the outside of trench to outside of trench so the actual disturbance caused by this alternative may be even greater when considering the additional width needed for construction and avoidance of rock outcroppings and any oak trees.

The terrain through which the Tierra del Sol gen-tie would be installed underground includes undulating ridgelines covered with chaparral vegetation and granitic, lightly colored rock outcrops and rolling terrain featuring dense clusters of chaparral vegetation and oaks, interspersed by clumps of lightly colored exposed soils. The gen-tie alignment also would pass through wetland habitat and ephemeral streams. Granite rock formations are common. Instead of being able to span canyons, rock formations, vegetation, oak root zones, and wetland habitat with an overhead alignment, undergrounding the Tierra del Sol gen-tie through this terrain would require blasting and trenching approximately 3.5 linear miles, or 11.34 square acres, of additional disturbance. In addition, because the transmission ROW is only 125' wide, undergrounding may make it more difficult to mitigate potential impacts to biological resources and cultural resources.

Additional environmental impacts associated with this undergrounding include the following:

Air quality impacts: Undergrounding would increase air quality impacts associated with the earthwork necessary to underground the gen-tie. The Tierra del Sol gen-tie is a 138 kV transmission line. This alternative would not substantially reduce maximum daily emissions during peak tracker installation days. Accordingly, this alternative would have similar impacts related to air quality related to conformance with federal and state ambient air quality standards during construction when compared to the Proposed Project, and impacts would not be reduced to a less-than-significant level

CEQA Findings and Statement of Overriding Considerations

Biological impacts: Due to the linear nature of the gen-tie route, sensitive habitat may not be avoided. Therefore, impacts to sensitive biological resources, including coast live oak woodland and jurisdictional wetlands, would be greater under this alternative.

Cultural impacts: Undergrounding the gen-tie would also involve additional ground disturbance due to excavation in areas where cultural resources sites have not been tested for significance, and therefore, would increase potential impacts to cultural resources prior to mitigation.

Noise impacts: Granite rock formations in this area are common and blasting would be required to underground the Tierra del Sol gen-tie. Accordingly, construction-related noise associated with the excavation for the underground Tierra del Sol gen-tie would increase under this alternative. This alternative would also reduce construction and operational noise by reducing the number of CPV trackers installed along project borders.

Additionally, land use impacts would remain significant and unmitigable under this alternative and would be greater than the Project.

E. Reduced Tierra del Sol and Rugged Solar Farms, No LanEast and LanWest and Underground Tierra del Sol Gen-Tie Alternative (Alternative 4) as Compared to Alternative 2A

1. Description of Alternative

Alternative 4 would include the reduced Tierra del Sol and Rugged solar farms as described above under Alternative 1 (reducing CPV trackers for those sites by approximately 25%), would remove the LanEast and LanWest solar farms entirely from the Proposed Project as described under Alternative 2, and would construct the Tierra del Sol solar farm gen-tie entirely underground for all 6 miles of the gen-tie route, as described under Alternative 3.

2. Finding

The County finds that this alternative does not mitigate, avoid, or substantially lessen all significant environmental impacts identified in the FPEIR.

In addition, the County finds that specific economic, legal, social, technological or other considerations, including considerations for the provision of employment opportunities for highly trained workers, make Alternative 4 infeasible. (Public Resources Code § 21081(a)(3), Guidelines § 15091(a)(3).)

The County identifies the following specific economic, legal, social, technological or other considerations make this alternative infeasible. The County finds that each of these reasons, standing alone, renders this alternative infeasible:

CEQA Findings and Statement of Overriding Considerations

- The County finds that this alternative is infeasible as a matter of public policy because it would not achieve the project objectives as well as the Project by generating less energy than the Project. Using the calculation formula described in Section 4.3.1.3, approximately 12,278 fewer homes would be served by this alternative than the Project. Accordingly, this alternative would not achieve Project objectives 1, 2, 6, or 7 to the degree that the Project would.
- The County finds that this alternative is infeasible because it would reduce the number of jobs that would be created for highly trained construction and permanent employees due to the approximately 25% reduction in number of CPV trackers across the Rugged and Tierra del Sol projects.
- The County finds that this alternative is infeasible because it would fail to fully meet the goals and objectives of the Jobs and Economic Improvement Through Environmental Leadership Act of 2011, Public Resources Code Sections 21178 *et seq.* (AB 900), which was enacted to help California recover from economic recession by accelerating investment and job creation in clean energy and other environmentally beneficial projects that would reduce greenhouse gas emissions. (Pub. Res. Code § 21178.) This alternative would fail to meet this objective by reducing the number of construction and permanent jobs that would be created.
- The County finds that this alternative is infeasible because it would fail to fully utilize an area of the County with high DNI, and therefore, would fail to maximize the generation of clean renewable solar energy that could be produced.
- The County finds that this alternative is infeasible because it would increase environmental impacts to biological resources prior to mitigation, including to candidate, sensitive, or special-status species, riparian habitat or sensitive natural communities, and federally protected wetlands.
- The County finds that this alternative is infeasible because it would increase environmental impacts to cultural resources prior to mitigation because it would require additional ground disturbance and excavation along a narrow corridor where avoidance may be very difficult.

3. Facts in Support of Finding

The County incorporates by reference the facts in Sections VI.C and VI.D, above, regarding the benefits, project objectives, environmental impacts, and other policy considerations.

F. Relocate Tierra del Sol to Los Robles Alternative (Alternative 5) as Compared to Alternative 2A

1. Description of Alternative

Alternative 5 would eliminate the development of a solar farm on the Tierra del Sol solar farm site and would instead develop the same number of CPV trackers as the Tierra del Sol solar farm (2,586) on the Los Robles site. This alternative would also eliminate development of the Tierra del Sol solar farm gen-tie. The Los Robles site is located approximately 1 mile south of I-8 and approximately 0.5 miles southwest of the community of Boulevard; it is northeast of the Tierra del Sol site, and southwest of the LanEast and LanWest sites. The Los Robles site consists of two subareas: a larger western portion (approximately 945 acres) located on the east side of Tierra del Sol Road, and an eastern portion (approximately 517 acres) located on the east side of Jewel Valley Road.

2. Finding

The County finds that this alternative does not mitigate, avoid, or substantially lessen all significant environmental impacts identified in the FPEIR.

In addition, the County finds that specific economic, legal, social, technological or other considerations, including considerations for the provision of employment opportunities for highly trained workers, make Alternative 5 infeasible. (Public Resources Code § 21081(a)(3), Guidelines § 15091(a)(3).)

The County identifies the following specific economic, legal, social, technological or other considerations make this alternative infeasible. The County finds that each of these reasons, standing alone, renders this alternative infeasible:

- The County finds that this alternative is infeasible because the applicants lack site control over the Los Robles site despite diligent efforts over several years to reach an agreement with the landowner of the Los Robles site.
- The County finds that this alternative is technically infeasible because the applicants' lack of site control has prohibited them from performing environmental and engineering surveys necessary to prepare and submit a Major Use Permit application for this alternative.
- The County finds that this alternative is economically infeasible because it would take approximately two and one-half to three years to permit and construct the Los Robles site, which would cause the Los Robles site to lose the ability to qualify for the 30% ITC for solar projects. To qualify for the 30% ITC, a solar energy project must be analyzed, permitted, and constructed prior to January 1, 2017. Loss of the 30% ITC would cause two significant economic disadvantages, either one of which would be sufficient to make this

alternative uneconomic:

- Loss of the 30% ITC eliminates a vital after-tax benefit that serves to offset the significant up-front capital cost of the project.
 - Loss of the 30% ITC would lengthen the average payback period (defined as the time required to repay an investor the price paid for the investment), which equates to higher risk to the investor and corresponding reduction in likelihood that the investment is financeable.
- The County finds that this alternative is infeasible because it would fail to meet the goals and objectives of the Jobs and Economic Improvement Through Environmental Leadership Act of 2011, Public Resources Code Sections 21178 *et seq.* (AB 900), which was enacted to help California recover from economic recession by accelerating investment and job creation in clean energy and other environmentally beneficial projects that would reduce greenhouse gas emissions. (Pub. Res. Code § 21178.) This alternative would fail to meet this objective by eliminating the immediate development of the Tierra del Sol solar farm, an environmental leadership project under AB 900, in favor of potential future development of the Los Robles site at least two and one-half to three years in the future. Postponing the immediate development of the Tierra del Sol solar farm in favor of potential future development of the Los Robles site would fail to meet AB 900's goals by:
 - Indefinitely postponing approximately \$200 million in economic investment. (Pub. Res. Code § 21178.)
 - Indefinitely postponing the creation of high-wage, highly skilled jobs that pay prevailing wages and living wages and provide construction and permanent jobs. (Pub. Res. Code § 21178.)
 - Preventing any future Los Robles site from qualifying under AB 900 because it would not be approved prior to January 1, 2016. (Pub. Res. Code § 21189.1.)
 - Place in doubt the likelihood that the Los Robles site would ever be constructed due to its failure to qualify under AB 900, or qualify for the 30% ITC. (Pub. Res. Code § 21178.)

3. Facts in Support of Finding

As explained in the FPEIR, under this alternative, all visual impacts associated with the Rugged, LanEast and LanWest solar farms would remain, including significant and unmitigable impacts related to views of the LanEast and LanWest solar farms from I-8 and Old Highway 80. Overall, aesthetic impacts from this alternative would be greater than impacts associated with construction of the Project, and visual character and quality and glare impacts would remain significant and unmitigated. All other impacts related to this alternative's conformance with the regional air quality strategy, impacts to sensitive receptors, and odor impacts would be similar to the Project. Also, this alternative would

result in generally similar impacts related to biology as the Project; however, reduction in length of the gen-tie line due to the Los Robles' site greater proximity to the Rebuilt Boulevard substation, and greater flexibility in the design of the Los Robles site due to its size, may slightly reduce biological impacts.

Alternative 5 would generally result in similar impacts to the environmental resource areas considered within this PEIR compared to the Project. However, under this alternative, short-term construction emissions would be reduced to less than significant since the construction schedules of the Los Robles solar farm would not overlap with the construction schedule of the Rugged solar farm. This alternative may also result in reduced biological and cultural resources impacts due to construction of a shorter gen-tie line and reduced noise impacts at adjacent property boundaries due to the larger area of the site that would allow for increased setbacks.

G. Relocate LanEast and LanWest to Los Robles Alternative (Alternative 6) as Compared to Alternative 2A

1. Description of Alternative

Alternative 6 would eliminate the development of the LanEast and LanWest solar farm sites, and the CPV trackers that would have been built on those sites (1,164) would instead be developed on the Los Robles site.

Since the Los Robles site would be developed with the same number of trackers as proposed on the LanEast and LanWest sites, ground disturbance on the Los Robles site would also be approximately the same (288 acres). The same CPV solar generation technology would be used on the Los Robles site, and construction and operation of the trackers and associated facilities, including an on-site O&M annex and collector substation, would be the same. The Los Robles solar farm would tie in to the Tierra del Sol gen-tie at the on-site substation and would be contained within the same underground 60-foot easement that would connect the on-site private substation to SDG&E's Rebuilt Boulevard Substation, which is located approximately 0.5 mile northeast of the project boundary. All other components of the Proposed Project would remain the same, including the Tierra del Sol and Rugged solar farms.

2. Finding

The County finds that this alternative does not mitigate, avoid, or substantially lessen all significant environmental impacts identified in the FPEIR.

In addition, the County finds that specific economic, legal, social, technological or other considerations, including considerations for the provision of employment opportunities for highly trained workers, make Alternative 6 infeasible. (Public Resources Code § 21081(a)(3), Guidelines § 15091(a)(3).)

The County identifies the following specific economic, legal, social, technological or other considerations make this alternative infeasible. The County finds that each of these

reasons, standing alone, renders this alternative infeasible:

- The County finds that this alternative is infeasible because the applicants lack site control over the Los Robles site despite diligent efforts over several years to reach an agreement with the landowner of the Los Robles site.
- The County finds that this alternative is technically infeasible because the applicants' lack of site control has prohibited them from performing environmental and engineering surveys necessary to prepare and submit a Major Use Permit application for this alternative.
- The County finds that this alternative is economically infeasible because it would take approximately two and one-half to three years to permit and construct the Los Robles site, which would cause the Los Robles site to lose the ability to qualify for the 30% ITC for solar projects. To qualify for the 30% ITC, a solar energy project must be analyzed, permitted, and constructed prior to January 1, 2017. Loss of the 30% ITC would cause two significant economic disadvantages, either one of which would be sufficient to make this alternative uneconomic:
 - Loss of the 30% ITC eliminates a vital after-tax benefit that serves to offset the significant up-front capital cost of the project.
 - Loss of the 30% ITC would lengthen the average payback period (defined as the time required to repay an investor the price paid for the investment), which equates to higher risk to the investor and corresponding reduction in likelihood that the investment is financeable.

3. Facts in Support of Finding

This alternative does not mitigate, avoid, or substantially lessen significant environmental impacts identified in the FPEIR. As explained in the FPEIR, under this alternative, all visual impacts associated with the Tierra del Sol and Rugged solar farms would be greater than for the Project due to the greater number of CPV trackers, although visual impacts associated with the Tierra del Sol gen-tie would remain the same. Although fewer sensitive receptors would be afforded views of the Los Robles site compared to LanEast and LanWest, the site is undeveloped and displays a primarily natural visual character. Therefore, impacts to the existing visual character and quality of the site would be greater than the Project, and would be significant and unmitigable.

With Alternative 6, biological impacts incurred from implementation of the Rugged and Tierra del Sol solar farms would be greater than the Project, and biological resources impacts associated with the LanEast and LanWest solar farms would be transferred to the Los Robles site. As such, this alternative would result in greater impacts related to biological resources as compared to the Project. Additionally, transfer of the LanEast and LanWest solar farms to the Los Robles site under this alternative

would similarly reduce significant and unmitigable impacts related to land use to less than significant. Under this alternative, however, short-term construction emissions would remain significant and unmitigable since the construction schedules for the Tierra del Sol and Rugged solar farms would continue to overlap.

H. Relocate Tierra del Sol, LanEast, and LanWest to Los Robles Alternative (Alternative 7) as Compared to Alternative 2A

1. Description of Alternative

This alternative would replace the development of solar farms on the Tierra del Sol, LanEast, and LanWest solar farm sites, as well as the Tierra del Sol gen-tie, by instead developing a solar farm on the Los Robles site. The Los Robles site would be developed with the same total number of CPV trackers (3,750) as proposed on the three sites, and therefore, the total number of trackers developed under this alternative would be the same as for the Proposed Project. Ground disturbance on the Los Robles site would total approximately 708 acres, the same as the ground disturbance associated with the Tierra del Sol, LanEast, and LanWest solar farms. The Los Robles site would include an approximately 0.5- to 2-mile underground gen-tie within a 60-foot easement connecting the on-site private substation to SDG&E's Rebuilt Boulevard Substation, which is located approximately 0.5 mile northeast of the project boundary.

The Rugged solar farm would remain the same as the Proposed Project. Potential impacts related to the Rugged solar farm would therefore be the same as the Proposed Project. The following comparison is focused on the impacts associated with the relocation of the Tierra del Sol, LanEast, and LanWest solar farms to the Los Robles site, as well as the elimination of the Tierra del Sol gen-tie, compared to the Project.

2. Finding

The County finds that this alternative does not mitigate, avoid, or substantially lessen all significant environmental impacts identified in the FPEIR. The FPEIR identifies Alternative 7 as the environmentally superior project after the No Project Alternative (Alternative 9), which is identified as the environmentally superior project in Section VI.J. (CEQA Guidelines § 15126.6(e)(2).)

In addition, the County finds that specific economic, legal, social, technological or other considerations, including considerations for the provision of employment opportunities for highly trained workers, make Alternative 7 infeasible. (Public Resources Code § 21081(a)(3), Guidelines § 15091(a)(3).)

The County identifies the following specific economic, legal, social, technological or other considerations make this alternative infeasible. The County finds that each of these reasons, standing alone, renders this alternative infeasible:

- The County finds that this alternative is infeasible because the applicants lack

CEQA Findings and Statement of Overriding Considerations

site control over the Los Robles site despite diligent efforts over several years to reach an agreement with the landowner of the Los Robles site.

- The County finds that this alternative is technically infeasible because the applicants' lack of site control has prohibited them from performing environmental and engineering surveys necessary to prepare and submit a Major Use Permit application for this alternative.
- The County finds that this alternative is economically infeasible because it would take approximately two and one-half to three years to permit and construct the Los Robles site, which would cause the Los Robles site to lose the ability to qualify for the 30% ITC for solar projects. To qualify for the 30% ITC, a solar energy project must be analyzed, permitted, and constructed prior to January 1, 2017. Loss of the 30% ITC would cause two significant economic disadvantages, either one of which would be sufficient to make this alternative uneconomic:
 - Loss of the 30% ITC eliminates a vital after-tax benefit that serves to offset the significant up-front capital cost of the project.
 - Loss of the 30% ITC would lengthen the average payback period (defined as the time required to repay an investor the price paid for the investment), which equates to higher risk to the investor and corresponding reduction in likelihood that the investment is financeable.
- The County finds that this alternative is infeasible because it would fail to meet the goals and objectives of the Jobs and Economic Improvement Through Environmental Leadership Act of 2011, Public Resources Code Sections 21178 *et seq.* (AB 900), which was enacted to help California recover from economic recession by accelerating investment and job creation in clean energy and other environmentally beneficial projects that would reduce greenhouse gas emissions. (Pub. Res. Code § 21178.) This alternative would fail to meet this objective by eliminating the immediate development of the Tierra del Sol solar farm, an environmental leadership project under AB 900, in favor of potential future development of the Los Robles site at least two and one-half to three years in the future. Postponing the immediate development of the Tierra del Sol solar farm in favor of potential future development of the Los Robles site would fail to meet AB 900's goals by:
 - Indefinitely postponing approximately \$200 million in economic investment. (Pub. Res. Code § 21178.)
 - Indefinitely postponing the creation of high-wage, highly skilled jobs that pay prevailing wages and living wages and provide construction and permanent jobs. (Pub. Res. Code § 21178.)
 - Preventing any future Los Robles site from qualifying under AB 900 because it would not be approved prior to January 1, 2016. (Pub. Res.

Code § 21189.1.)

- Place in doubt the likelihood that the Los Robles site would ever be constructed due to its failure to qualify under AB 900, or qualify for the 30% ITC. (Pub. Res. Code § 21178.)

3. Facts in Support of Finding

As explained in the FPEIR, under this alternative, all visual impacts associated with the Rugged solar farm would be greater than for the Project. Alternative 7 would eliminate all visual impacts at the Tierra del Sol, LanEast, and LanWest site; however, the installation of 3,821 trackers on an undeveloped, primarily natural site would significantly impact the existing character and quality of the site. Air quality impacts associated with overlapping construction of the Tierra del Sol and Rugged solar farms would not occur, and air quality emissions associated with the Tierra del Sol gen-tie would be reduced as compared to the Project.

Also, under this alternative, a 3,821 CPV tracker solar farm would be constructed on the Los Robles site in place of solar farm development on the Tierra del Sol, LanEast, and LanWest sites. Impacts associated with Alternative 7 related to agriculture and forestry resources, geology and soils, GHG emissions, hazards and hazardous materials, hydrology and water quality, paleontological resources, public services, traffic and transportation, and utilities would be similar to those associated with the Project.

The County incorporates by reference the facts in Sections VI.F and VI.G, above, regarding benefits, project objectives, environmental impacts, and other policy considerations.

I. Relocate Tierra del Sol, LanEast, and LanWest to Los Robles and Maximize Los Robles Alternative (Alternative 8) as Compared to Alternative 2A

1. Description of Alternative

Alternative 8 would eliminate the development of solar farms on the Tierra del Sol, LanEast, and LanWest sites, as well as the Tierra del Sol gen-tie, and would therefore eliminate all impacts relating to those projects. Alternative 8, however, would instead involve the development of a solar farm on the Los Robles site, as described above.

In addition to the relocation of all 3,750 trackers proposed on the Tierra del Sol, LanEast, and LanWest sites to the Los Robles site, this alternative would also include the development of 1,006 additional trackers on the Los Robles site for a total of 4,756 trackers on this site, which would generate approximately 112 MW of renewable solar energy. The total number of trackers for the entire project, including Rugged, would be increased to 8,224, which would generate a total of approximately 192 MW of renewable solar energy.

Ground disturbance on the Los Robles site would be greater than the total ground

CEQA Findings and Statement of Overriding Considerations

disturbance associated with the Tierra del Sol, LanEast and LanWest solar farms due to the development of the additional trackers to maximize solar power generation on the site. The Los Robles site would include an approximately 0.5-mile to 2-mile underground gen-tie within a 50 to 100 foot easement connecting the on-site private substation to SDG&E's Rebuilt Boulevard Substation, which is located approximately 0.5 mile northeast of the project boundary. The Rugged solar farm would remain the same as the Proposed Project. Potential impacts related to the Rugged solar farm would therefore be the same as the Proposed Project.

2. Finding

The County finds that this alternative does not mitigate, avoid, or substantially lessen all significant environmental impacts identified in the FPEIR.

In addition, the County finds that specific economic, legal, social, technological or other considerations, including considerations for the provision of employment opportunities for highly trained workers, make Alternative 8 infeasible. (Public Resources Code § 21081(a)(3), Guidelines § 15091(a)(3).)

The County identifies the following specific economic, legal, social, technological or other considerations make this alternative infeasible. The County finds that each of these reasons, standing alone, renders this alternative infeasible:

- The County finds that this alternative is infeasible because the applicants lack site control over the Los Robles site despite diligent efforts over several years to reach an agreement with the landowner of the Los Robles site.
- The County finds that this alternative is technically infeasible because the applicants' lack of site control has prohibited them from performing environmental and engineering surveys necessary to prepare and submit a Major Use Permit application for this alternative.
- The County finds that this alternative is economically infeasible because it would take approximately two and one-half to three years to permit and construct the Los Robles site, which would cause the Los Robles site to lose the ability to qualify for the 30% ITC for solar projects. To qualify for the 30% ITC, a solar energy project must be analyzed, permitted, and constructed prior to January 1, 2017. Loss of the 30% ITC would cause two significant economic disadvantages, either one of which would be sufficient to make this alternative uneconomic:
 - Loss of the 30% ITC eliminates a vital after-tax benefit that serves to offset the significant up-front capital cost of the project.
 - Loss of the 30% ITC would lengthen the average payback period (defined as the time required to repay an investor the price paid for the investment), which equates to higher risk to the investor and

CEQA Findings and Statement of Overriding Considerations

corresponding reduction in likelihood that the investment is financeable.

- The County finds that this alternative is infeasible because it would fail to meet the goals and objectives of the Jobs and Economic Improvement Through Environmental Leadership Act of 2011, Public Resources Code Sections 21178 *et seq.* (AB 900), which was enacted to help California recover from economic recession by accelerating investment and job creation in clean energy and other environmentally beneficial projects that would reduce greenhouse gas emissions. (Pub. Res. Code § 21178.) This alternative would fail to meet this objective by eliminating the immediate development of the Tierra del Sol solar farm, an environmental leadership project under AB 900, in favor of potential future development of the Los Robles site at least two and one-half to three years in the future. Postponing the immediate development of the Tierra del Sol solar farm in favor of potential future development of the Los Robles site would fail to meet AB 900's goals by:
 - Indefinitely postponing approximately \$200 million in economic investment. (Pub. Res. Code § 21178.)
 - Indefinitely postponing the creation of high-wage, highly skilled jobs that pay prevailing wages and living wages and provide construction and permanent jobs. (Pub. Res. Code § 21178.)
 - Preventing any future Los Robles site from qualifying under AB 900 because it would not be approved prior to January 1, 2016. (Pub. Res. Code § 21189.1.)
 - Place in doubt the likelihood that the Los Robles site would ever be constructed due to its failure to qualify under AB 900, or qualify for the 30% ITC. (Pub. Res. Code § 21178.)

3. Facts in Support of Finding

As explained in the FPEIR, under this alternative, all visual impacts and cultural resource impacts associated with the Rugged solar farm would be greater than for the Project. Also, under this alternative, noise generated as a result of construction, operation, and maintenance activities associated with the Rugged solar farm would be the similar to the Project.

However, Alternative 8 would result in an increased construction effort and increased ground disturbance from the installation of more trackers, thereby increasing overall emissions (related to both air quality and GHGs), biological and cultural resource impacts, traffic and water demand.

The County incorporates by reference the facts in Sections VI.F, VI.G, and VI.H, above, regarding Project benefits, project objectives, environmental impacts, and other policy considerations.

J. No Project Alternative (Alternative 9)

1. Description of Alternative

Section 15126.6(e) of the CEQA Guidelines requires that an EIR evaluate a “no project” alternative to allow decision makers to compare the impacts of approving a proposed project with the impacts of not approving that project.

The No Project Alternative assumes that the Proposed Project, including the Tierra del Sol, Rugged, LanEast, and LanWest solar farms, and Tierra del Sol gen-tie components would not be developed and the existing conditions at these sites would remain. The No Project Alternative would be environmentally superior to all other alternatives considered, however, because no solar farm development would occur on the Proposed Project sites, this alternative would not meet any of the project objectives.

2. Finding

The County finds that this alternative would avoid all significant environmental impacts identified in the FPEIR. Accordingly, this alternative would be environmentally superior to all other alternatives considered. (CEQA Guidelines § 15126.6(e)(2).)

The County finds that specific economic, legal, social, technological, or other considerations, including considerations for the provision of employment opportunities for highly trained workers, make this alternative infeasible. (Public Resources Code § 21081(a)(3), Guidelines § 15091(a)(3).)

The County identifies the following specific economic, legal, social, technological or other considerations make this alternative infeasible. The County finds that each of these reasons, standing alone, renders this alternative infeasible:

- The County finds that this alternative is infeasible because it would not fulfill the General Plan’s stated strategies, goals, and policies that call for the facilitation of the development of renewable energy in San Diego County.
- The County finds that this alternative is infeasible because it would fail to meet any of the Project objectives.

3. Facts in Support of Finding

As explained by the FPEIR, the No Project Alternative would result in no impacts to the environmental resource areas as compared to the Project, and therefore, constitutes the environmentally superior alternative. However, this alternative would not meet any of the Project objectives and is found to be infeasible on those grounds.

CEQA Findings and Statement of Overriding Considerations

K. Conclusion

The County of San Diego finds that Alternative 2A substantially lessens or avoids significant aesthetic and land use impacts, while still achieving the project objectives, although it does not reduce all environmentally significant effects below a level of significance. As explained in the Statement of Overriding Considerations, however, the County has determined that the benefits of Alternative 2A outweigh any environmental impacts that are avoided by this alternative, because of specific overriding considerations.

Therefore, the County is adopting the Alternative 2A. The County adopts and incorporates by reference herein the analysis in the FPEIR with regard to the Project and Project alternatives as identified by the FPEIR.

Analysis for Alternatives to Alternative 2A

Issue Areas	Significant Impacts of Alternative 2A					Alternatives to Alternative 2A									
	Tierra del Sol	Rugged	LanEast	LanWest	Proposed Project (Tailored Tierra del Sol and Rugged)	Proposed Project	Reduced Proposed Project	No LanEast and LanWest	Reduced TDS and Underground Gen-tie	No LanEast and LanWest and Underground Gen-tie	Relocate TDS to Los Robles	Relocate LanEast and LanWest to Los Robles	Relocate TDS, LanEast and LanWest to Los Robles	Maximize Los Robles	No Project
<i>2.1 Aesthetics</i>															
Scenic Vistas	NS	NS	NS	NS	NS	▲	—	—	▲	—	▲	▲	▲	▲	▼
Visual Character or Quality	SU	SU	NS	NS	SU	▲	▼	—	▲	▼	▼	▲	▲	▲	▼
Light and Glare	SU	SU	NS	NS	SU	▲	—	—	▼	—	—	—	—	—	▼
<i>2.2 Air Quality</i>															
Conformance to the RAQS and SIP	NS	NS	NS	NS	NS	▲	—	—	—	—	—	—	—	—	▼
Conformance to Federal and State Air Quality Standards	NS	NS	NS	NS	NS	▲	▼	—	—	▼	▼	—	▼	▲	▼
Sensitive Receptors	NS	NS	NS	NS	NS	—	—	—	—	—	—	—	—	—	▼
Odors	NS	NS	NS	NS	NS	—	—	—	—	—	—	—	—	—	▼
<i>2.3 Biological Resources</i>															
Candidate, Sensitive, or Special-Status Species	LTS	LTS	NS	NS	LTS	▲	▼	▲	—	▲	—	—	—	▲	▼

CEQA Findings and Statement of Overriding Considerations

Analysis for Alternatives to Alternative 2A

Issue Areas	Significant Impacts of Alternative 2A					Alternatives to Alternative 2A									
	Tierra del Sol	Rugged	LanEast	LanWest	Proposed Project (Tailored Tierra del Sol and Rugged)	Proposed Project	Reduced Proposed Project	No LanEast and LanWest	Reduced TDS and Underground Gen-tie	No LanEast and LanWest and Underground Gen-tie	Relocate TDS to Los Robles	Relocate LanEast and LanWest to Los Robles	Relocate TDS, LanEast and LanWest to Los Robles	Maximize Los Robles	No Project
Riparian Habitat or Sensitive Natural Community	LTS	LTS	NS	NS	LTS	▲	▼	▲	▲	▲	—	▲	▲	▲	▼
Federally Protected Wetlands	NS	LTS	NS	NS	LTS	▲	▼	▲	▲	▲	—	▲	▲	▲	▼
Wildlife Movement	LTS	LTS	NS	NS	LTS	▲	▼	▲	▲	▲	▲	▲	▲	▲	▼
Local Policies, Ordinances, Adopted Plans	LTS	LTS	NS	NS	LTS	—	—	—	—	—	—	—	—	—	—
<i>2.4 Cultural Resources</i>															
Historical Resources	LTS	LTS	NS	NS	LTS	▲	▼	—	—	—	▲	▲	▲	▲	▼
Archaeological Resources	LTS	LTS	NS	NS	LTS	▲	▼	—	—	—	▲	▲	▲	▲	▼
Human Remains	LTS	LTS	NS	NS	LTS	▲	▼	—	—	—	▲	▲	▲	▲	▼
Paleontological Resources	LTS	LTS	NS	NS	LTS	▲	▼	—	—	—	▲	▲	▲	▲	▼
<i>2.5 Land Use</i>															
Physically Divide a Community	NS	NS	NS	NS	NS	▲	▲	—	▲	—	—	—	—	—	▼
Conflict with Plans, Policies, and Regulations	NS	NS	NS	NS	NS	▲	▲	—	▲	—	—	—	—	—	▼
<i>2.6 Noise</i>															
Operational Noise	LTS	LTS	NS	NS	LTS	▲	▼	▲	▲	—	▲	▲	▼	▼	▼
Construction Noise	LTS	LTS	NS	NS	LTS	▲	▼	▲	▲	—	▲	▲	▼	▼	▼
Vibration	LTS	NS	NS	NS	LTS	▲	▼	▲	▲	—	▲	▲	▼	▼	▼
Corona Noise	NS	NS	NS	NS	NS	—	—	—	▼	▼	—	—	—	—	—
<i>3.1.1 Agriculture and Forestry Resources</i>															
On-Site Agricultural Resources	NS	NS	NS	NS	NS	—	—	—	—	—	—	—	—	—	—

CEQA Findings and Statement of Overriding Considerations

Analysis for Alternatives to Alternative 2A

Issue Areas	Significant Impacts of Alternative 2A					Alternatives to Alternative 2A									
	Tierra del Sol	Rugged	LanEast	LanWest	Proposed Project (Tailored Tierra del Sol and Rugged)	Proposed Project	Reduced Proposed Project	No LanEast and LanWest	Reduced TDS and Underground Gen-tie	No LanEast and LanWest and Underground Gen-tie	Relocate TDS to Los Robles	Relocate LanEast and LanWest to Los Robles	Relocate TDS, LanEast and LanWest to Los Robles	Maximize Los Robles	No Project
Indirect Impacts to Agricultural Resources	NS	NS	NS	NS	NS	—	—	—	—	—	—	—	—	—	—
Conflicts with Agricultural Zoning and Williamson Act Contracts	NS	NS	NS	NS	NS	—	—	—	—	—	▼	—	▼	▼	▼
<i>3.1.2 Geology, Soils, and Seismicity</i>															
Fault Rupture	NS	NS	NS	NS	NS	—	—	—	—	—	—	—	—	—	—
Ground Shaking	NS	NS	NS	NS	NS	—	—	—	—	—	—	—	—	—	—
Liquefaction	NS	NS	NS	NS	NS	—	—	—	—	—	—	—	—	—	—
Landslides	NS	NS	NS	NS	NS	—	—	—	—	—	—	—	—	—	—
Expansive Soils	NS	NS	NS	NS	NS	—	—	—	—	—	—	—	—	—	—
Adequate Soils for Septic Systems or other On-Site Wastewater Systems	NS	NS	NS	NS	NS	—	—	—	—	—	—	—	—	—	—
<i>3.1.3 Greenhouse Gas Emissions</i>															
Generation of greenhouse gas emissions	NS	NS	NS	NS	LTS	▲	▼	▲	▲	▲	▲	▲	▲	▲	▲
Conflict with Plan, Policy, or Regulation	NS	NS	NS	NS	NS	▲	—	—	—	—	—	—	—	—	—
<i>3.1.4 Hazards and Hazardous Materials</i>															
Hazardous Materials	NS	NS	NS	NS	NS	▲	—	—	—	—	—	—	—	—	—
Airport Hazards	NS	NS	NS	NS	NS	▲	—	—	—	—	—	—	—	—	—
Wildfire Hazards	NS	NS	NS	NS	NS	▲	▼	—	▼	▼	—	—	▼	—	▼
Hazards Associated with Interference of	NS	NS	NS	NS	NS	—	▼	—	▼	▼	▼	▼	▼	▼	▼

CEQA Findings and Statement of Overriding Considerations

Analysis for Alternatives to Alternative 2A

Issue Areas	Significant Impacts of Alternative 2A					Alternatives to Alternative 2A									
	Tierra del Sol	Rugged	LanEast	LanWest	Proposed Project (Tailored Tierra del Sol and Rugged)	Proposed Project	Reduced Proposed Project	No LanEast and LanWest	Reduced TDS and Underground Gen-tie	No LanEast and LanWest and Underground Gen-tie	Relocate TDS to Los Robles	Relocate LanEast and LanWest to Los Robles	Relocate TDS, LanEast and LanWest to Los Robles	Maximize Los Robles	No Project
Emergency Responses															
<i>3.1.5 Hydrology and Water Quality</i>															
Hydrology and Drainage Patterns	NS	NS	NS	NS	NS	▲	—	▲	▲	—	▲	—	▲	▲	▼
Flood Hazards	NS	NS	NS	NS	NS	—	—	—	—	—	—	—	—	—	▼
Surface Water and Groundwater Quality	NS	NS	NS	NS	NS	▲	—	▲	▲	—	▲	—	▲	▲	▼
Groundwater Resources	NS	NS	NS	NS	NS	▲	▼	▲	▲	▲	▲	▲	▲	▲	▼
<i>3.1.6 Paleontological Resources</i>															
Impact Paleontological Resources	LTS	LTS	NS	NS	LTS	—	—	—	—	—	—	—	—	—	—
<i>3.1.7 Public Services</i>															
Fire Protection	NS	NS	NS	NS	NS	▲	▲	—	▲	▼	—	—	▼	▼	▼
Police Protection	NS	NS	NS	NS	NS	—	—	—	—	—	—	—	—	—	—
Schools	NS	NS	NS	NS	NS	—	—	—	—	—	—	—	—	—	—
Other Public Services	NS	NS	NS	NS	NS	—	—	—	—	—	—	—	—	—	—
<i>3.1.8 Transportation and Traffic</i>															
Conflict with Transportation Plans, Ordinances, or Policies	NS	NS	NS	NS	NS	—	—	—	—	—	—	—	—	—	—
Conflict with a Congestion Management Plan	NS	NS	NS	NS	NS	—	—	—	—	—	—	—	—	—	—
Air Traffic Patterns	NS	NS	NS	NS	NS	—	—	—	—	—	—	—	—	—	—
Road Safety Hazards	NS	NS	NS	NS	NS	—	—	—	—	—	—	—	—	—	—
Emergency Access	NS	NS	NS	NS	NS	—	—	—	—	—	—	—	—	—	—

CEQA Findings and Statement of Overriding Considerations

Analysis for Alternatives to Alternative 2A

Issue Areas	Significant Impacts of Alternative 2A					Alternatives to Alternative 2A									
	Tierra del Sol	Rugged	LanEast	LanWest	Proposed Project (Tailored Tierra del Sol and Rugged)	Proposed Project	Reduced Proposed Project	No LanEast and LanWest	Reduced TDS and Underground Gen-tie	No LanEast and LanWest and Underground Gen-tie	Relocate TDS to Los Robles	Relocate LanEast and LanWest to Los Robles	Relocate TDS, LanEast and LanWest to Los Robles	Maximize Los Robles	No Project
Alternative Transportation	NS	NS	NS	NS	NS	—	—	—	—	—	—	—	—	—	—
<i>3.1.9 Utilities</i>															
Water	NS	NS	NS	NS	NS	▲	▼	▲	▲	▲	▲	▲	▲	▲	▼
Wastewater Treatment	NS	NS	NS	NS	NS	—	—	—	—	—	—	—	—	—	—
Solid Waste	NS	NS	NS	NS	NS	—	—	—	—	—	—	—	—	—	—
<i>3.2.1 Parks and Recreation</i>															
Require Additional Park Facilities	LTS	LTS	NS	NS	LTS	—	—	—	—	—	—	—	—	—	—
<i>3.2.2 Mineral Resources</i>															
MRZ-2 or MRZ-3 Land	LTS	LTS	NS	NS	LTS	—	—	—	—	—	—	—	—	—	—
Loss of Mineral Resource & Minable Land	LTS	LTS	NS	NS	LTS	—	—	—	—	—	—	—	—	—	—
Loss of Locally Important Resource	LTS	LTS	NS	NS	LTS	—	—	—	—	—	—	—	—	—	—
<i>3.2.3 Population and Housing</i>															
Increase Population	LTS	LTS	NS	NS	LTS	—	—	—	—	—	—	—	—	—	▼
Displace Existing Housing	LTS	LTS	NS	NS	LTS	—	—	—	—	—	—	—	—	—	—
Displace People	LTS	LTS	NS	NS	LTS	—	—	—	—	—	—	—	—	—	—

- ▲ Alternative is likely to result in greater impacts to issue when compared to Alternative 2A.
- Alternative is likely to result in similar impacts to issue when compared to Alternative 2A.
- ▼ Alternative is likely to result in reduced impacts to issue when compared to Alternative 2A.
- NS Not a potentially significant impact
- LTS Less than Significant with mitigation measures
- SU Potentially significant and unavoidable impact

VII. CERTIFICATION OF THE FINAL PROGRAMMATIC ENVIRONMENTAL IMPACT REPORT, CEQA GUIDELINES § 15090

The Board of Supervisors certifies that the Final Program EIR, dated [REDACTED], on file with the Department of Planning & Development Services, as Environmental Review No. [REDACTED], has been completed in compliance with CEQA and the State CEQA Guidelines, that the EIR was presented to the Board of Supervisors, and that the Board of Supervisors reviewed and considered the information contained therein before approving the Project, and that the EIR reflects the independent judgment and analysis of the Board of Supervisors. State CEQA Guidelines § 15090.

VIII. STATEMENT OF OVERRIDING CONSIDERATIONS

As explained above, the following significant impacts remain significant and unavoidable for the Project (Alternative 2A) despite the proposed mitigation measures:

1. Despite the implementation of all feasible and reasonable mitigation, impacts to the existing visual character or quality of the project site and its surroundings under impact AE-TDS-1, Alteration of Visual Landscape, are considered significant and unavoidable. The existing visual landscape would be altered with replacement of 420 contiguous acres of native vegetation with uniformly lightly colored CPV trackers placed in uniform rows, alteration of the horizon line resulting from introduction of tall CPV trackers.
2. Despite the implementation of all feasible and reasonable mitigation, impacts from gen-tie poles could adversely affect views in the area under impact AE-TDS-2, Alteration of Visual Landscape. Several gen-tie poles for the Tierra del Sol solar farm would be visible from Tierra del Sol Road and Jewel Valley Road and rise above the horizon line and represent a visual contrast when viewed against the expansive desert sky. This impact would remain significant and unavoidable.
3. Despite the implementation of all feasible and reasonable mitigation, impacts to the existing visual character or quality of the project site and its surroundings are considered significant and unavoidable under impact AE-R-1, Alteration of Visual Landscape. Alteration of visual landscape due to the removal or substantial adverse change in one or more features that contribute to the valued visual character of the community, and from the introduction of features that detract from or contrast with the existing visual character of the community.
4. Despite the implementation of all feasible and reasonable mitigation, impacts to the existing visual character or quality of the project site and its surroundings are considered significant and unavoidable under impact AE-PP-2, Alteration to Visual Landscape. Construction of the project would produce strong visual contrast that would degrade the visual character and quality of the larger Boulevard area, including the temporary influx of construction personnel, equipment, and vehicles, vegetation removal and grading within a primarily rural residential region, the generation of dust, and intermittent

CEQA Findings and Statement of Overriding Considerations

nighttime lighting. Operation and maintenance of the project would introduce features that detract from or contrast with the existing visual character of Tierra del Sol and Boulevard by conflicting with existing visual elements in the landscape.

5. Despite the implementation of all feasible and reasonable mitigation, impacts from glare produced by the trackers would cause glare exposure to two residencies in the vicinity of the Tierra del Sol solar farm and five residencies in the vicinity of the Tierra del Sol solar farm would have glare exposure of 35 minutes or less per day during the spring under impact AE-TDS-3, Glare Impacts to Adjacent Residents. This impact would remain significant and unavoidable.
6. Despite the implementation of all feasible and reasonable mitigation, impacts from glare produced by the trackers would affect motorists under impact AE-TDS-4, Glare Impacts to Motorists on Tierra del Sol Road. Motorists along a one-mile segment of Tierra del Sol Road would receive glare from the Tierra del Sol solar farm with a daily duration of between 26 minutes and two hours, depending upon the season. This impact would remain significant and unavoidable.
7. Despite the implementation of all feasible and reasonable mitigation, impacts to five residences located west of the Rugged solar farm site would experience glare during the hour before sunset, for a total of less than 45 minutes, under impact AE-R-2, Glare Impacts to Adjacent Residents. Two of the five residences would receive glare throughout the year and three of the five residences would have exposure to glare seasonally. Glare produced by the trackers would be lower than that of other man-made surfaces and water and is not considered hazardous to vision, but would be visible to these identified residential properties. This impact would remain significant and unavoidable.
8. Despite the implementation of all feasible and reasonable mitigation, impacts to motorists on a 0.5 mile segment of Ribbonwood Road would be exposed to glare from trackers at the Rugged solar farm throughout the year for no more than 40 minutes a day under impact AE-R-3, Glare Impacts to Motorists on Ribbonwood Road and McCain Valley Road. Glare exposure would be in the peripheral field of vision of motorists and would be for a duration of less than one minute assuming normal travel speeds. Motorists on a 0.2 mile segment of McCain Valley Road would receive glare in their peripheral vision during spring and fall months prior to sunset, with an exposure of approximately 20 seconds. This impact would remain significant and unavoidable.
9. Despite the implementation of all feasible and reasonable mitigation, operation of trackers would produce glare under impact AE-PP-3, Glare Impacts to Residents and Motorists. Glare produced by the Tierra del Sol solar farm would be received by seven residences and by motorists on Tierra del Sol Road in the immediate vicinity of the project site. Glare produced by the Rugged solar farm would be received by five residences located directly west of the Rugged site and by motorists on segments of Ribbonwood Road and McCain Valley Road. This impact would remain significant and unavoidable.

CEQA Findings and Statement of Overriding Considerations

10. Despite the implementation of all feasible and reasonable mitigation, if construction schedules were to overlap, composite views of the construction activities of three wind projects and the Proposed Project could be available within the I-8 viewshed (activity would be visible north and south of I-8) and from local area roadways, and the influx of construction personnel, equipment and vehicles on project sites would be readily apparent under impact AE-CUM-PP-2, Alteration of Visual Landscape.
11. Despite the implementation of all feasible and reasonable mitigation, construction-related emissions of NO_x would exceed SDAPCD thresholds for a brief period during the overlap of construction of the Tierra del Sol and Rugged solar farms under impact AQ-PP-1, Short-term Construction Emissions (NO_x).
12. Despite the implementation of all feasible and reasonable mitigation, temporary significant cumulative impacts to air quality involving the generation of PM₁₀ and NO_x emissions would occur when combined with other cumulative projects, particularly during contemporaneous construction of the Tierra del Sol and Rugged solar farms, under impact AQ-CUM-1, Short-term Construction Emissions (PM₁₀ and NO_x).

Pursuant to Public Resources Code Section 21081(b) and State CEQA Guidelines section 15093(a) and (b), the County is required to balance, as applicable, the economic, legal, social, technological, or other benefits, including region-wide or statewide environmental benefits, of a proposed project against its unavoidable environmental risks when determining whether to approve the project.

The County finds that Alternative 2A would have the following economic, legal, social, technological, or other overriding benefits, including region-wide or statewide environmental benefits. Each of the benefits cited below constitutes a separate and independent basis that justifies approval of Alternative 2A and outweighs the unavoidable adverse environmental effects of approving the Project. Thus, even in the absence of one or more of the reasons set forth below, the County has determined that each remaining reason, or any combinations of reasons, is a sufficient basis for approving Alternative 2A, notwithstanding any significant and unavoidable impacts that may occur.

The County finds that the Project (Alternative 2A) would have the following substantial overriding benefits:

1. The Project would assist in achieving the state's Renewable Portfolio Standard (RPS) and greenhouse gas (GHG) emissions reduction objectives by generating approximately 140 megawatts (MWs) of California RPS-qualified solar energy. The California Air Resources Board (ARB) Scoping Plan (dated May 22, 2014), which contains the blueprint for California's GHG emissions reductions under AB 32, states that approximately 50 percent of California's GHG emissions are associated with the energy sector. The Scoping Plan states: "efforts to reduce energy-related emissions are a key component of the Scoping Plan. Additionally, energy-sector emission reduction efforts would become increasingly important as more economic activities such as transportation

CEQA Findings and Statement of Overriding Considerations

and freight movement are electrified.” (ARB Scoping Plan, at p. 36.) Renewable energy development is a key component of that strategy. (*Id.* at pp. 40-41.) Furthermore, both the Rugged Solar Farm and Tierra del Sol Solar Farm have committed to offset all of their construction and operational GHG emissions, further achieving California’s GHG emissions reduction goals.

2. The Project would create utility-scale solar energy in the San Diego region that would improve reliability for the San Diego region by providing a source of local generation. San Diego Gas & Electric (SDG&E) and other investor-owned utilities (IOUs) are required to procure utility-scale solar energy facilities in order to meet CPUC requirements to obtain sufficient local and system generation capacity to ensure that they can serve load, referred to as resource adequacy (RA) requirements. Additionally, the recent decision to permanently close the San Onofre Nuclear Generating Station (SONGS) creates the need for Southern California Edison (SCE) and SDG&E to replace over 2 gigawatts of generating capacity. At least 200 MW of “preferred resources,” including renewable resources such as solar CPV, must be acquired to meet local capacity requirements. (CPUC Decision D.14-03-004.)
3. The Project would locate solar power plant facilities as near as possible to existing or planned electrical transmission facilities, including co-locating with existing transmission facilities when feasible. For the Rugged Solar Farm, Rugged Solar LLC and Tule Wind LLC have a joint-use agreement in place for use of the gen-tie line, associated transmission towers, and access road. For the Tierra del Sol Solar Farm, a dual circuit 138 kV overhead/underground transmission line (gen-tie) would connect the project substation to the Rebuilt Boulevard Substation. Additionally, both projects are proximate to existing transmission resources, including the Rebuilt Boulevard Substation, Southwest Powerlink, and Sunrise Powerlink.
4. The Project would maximize solar energy generation by siting CPV technology in the Boulevard area. The project sites have high direct normal irradiance (DNI) due to their elevation and because the Boulevard area climate zone provides hot summers and mild winters with minimal coastal marine influence. The Project’s CPV technology employs Fresnel lenses to concentrate direct sunlight onto the solar cells and convert sunlight into electricity. The dual-axis trackers follow the sun’s trajectory throughout the day, which increases energy generation and efficiency by 30% or more as compared to conventional single-axis photovoltaic (PV) panels. The Project’s CPV technology performs best in areas with high DNI values. The combination of high DNI, combined with CPV’s high efficiency and dual-axis tracking, maximizes energy yield.
5. The Project would result in substantial tax benefits, job benefits, and broader economic benefits for the County of San Diego. Capital expenditures for the Rugged Solar Farm and Tierra del Sol Solar Farm combined would be approximately \$469,000,000, based on anticipated project costs of approximately \$268,000,000 for the Rugged Solar Farm, and \$201,000,000 for the Tierra del Sol Solar Farm.

CEQA Findings and Statement of Overriding Considerations

- a. County property tax revenue would increase with the implementation of the Project through reassessed valuation of property purchased to implement the Project, and increased valuation of land through implementation of the Project. The County's standard property tax is 1% of the value of the Project components that are eligible for assessment pursuant to the State of California Revenue and Taxation Code section 73 "Exclusion for active solar energy systems." Construction and improvement of the land within the Project area would increase the assessed valuation of the land, adding significant new revenue to the County that can be used on County General Fund programs including fire, public safety, and recreation.
 - b. The Project would generate approximately \$26,257,000 of sales and use tax for the County from approximately \$328,212,500 of total taxable project capital costs. The capital cost of the Project that is applicable to sales tax is \$328,212,500 multiplied by 8% sales tax rate.
 - c. The Project would create ancillary economic benefits within San Diego County relating to enhanced opportunities for purchasing goods and services by Project employees, relatives, and visitors. The Project would have economic impacts beyond the jobs and income generated by the Project, often referred to as a multiplier. Economically, a multiplier is a single number which summarizes the total economic benefits resulting from a change in the local economy. A multiplier summarizes the total impact that can be expected from a change in a given economic activity. For example, the Project, like a new manufacturing facility or an increase in exports by a local firm, are economic changes which can spur ripple effects or spin-off activities. Multipliers measure the economic impact of these new exports, including the resulting spin-off activities. (See, e.g., Direct, Indirect, and Induced Economic Impacts of UC San Diego (CBRE Consulting, Inc., Sept. 2008), available at <http://ucsdnews.ucsd.edu/archive/economicimpact/pdf/VII-Direct-Indirect-and-Induced-Economic-Impacts-of-UC-San-Diego.pdf>)
6. The Project would generate approximately 140 MW of renewable solar energy that would reduce consumption of non-renewable resources (e.g., natural gas and other fossil fuels), and reduce GHG emissions and other criteria air pollutant emissions, while minimizing impacts to natural resources. A Climate Change and Greenhouse Gas Emissions Analysis prepared for the Rugged Solar Farm estimates that it would result in a total reduction in GHG emissions of 3,188,490 MTCO₂e by offsetting emissions that might otherwise have been emitted to generate electricity. A Greenhouse Gas Analysis Technical Report prepared for the Tierra del Sol Solar Farm estimates that it would result in a total reduction in GHG emissions of 2,424,887 MTCO₂e by offsetting emissions that might otherwise have been emitted to generate electricity. In sum, the Project is estimated to result in an overall net reduction of GHG emissions of 5,617,377 MTCO₂e over the life of the Project.

CEQA Findings and Statement of Overriding Considerations

7. The Project would enhance the County's reputation as a leader in the development and deployment of innovative renewable energy and solar technologies.
8. The Project would implement the will of both the Governor and the Legislature pursuant to the Jobs and Economic Improvement Act of 2011, Public Resources Code §§ 21178 *et seq.* (AB 900). AB 900 provides streamlining benefits under the California Environmental Quality Act (CEQA) for projects that would create jobs while providing cutting-edge environmental benefits. (Pub. Res. Code § 21178.) Both the Rugged and Tierra del Sol Solar Farms are certified as "environmental leadership development projects" under AB 900 by both the Governor and the Legislature. Importantly, the Project was only the third project in the state to be so certified. (Governor's Certification Granting Judicial Streamlining for the Soitec Solar Project in San Diego County (May 2012), available at <http://www.sdcounty.ca.gov/pds/ceqa/Soitec-Documents/Record-Documents/2012-04-00-State-of-California-Governors-Certification-Granting-Judicial-Streamlining-for-Soitec-Solar-Projec.pdf>.)
9. The Project would enable manufactured goods produced in San Diego County, specifically CPV trackers manufactured by Soitec Solar Industries, LLC, to be installed in San Diego County.
10. The Project would provide a series of one-time and on-going contributions to the local community that would provide significant educational, fire protection, medical, and social benefits. These include the following:
 - **Mountain Empire Schools Foundation:** The Project would make an annual donation to the Mountain Empire Schools Foundation in the amount of \$100,000 per year (\$60,000 from Rugged Solar LLC and \$40,000 from Tierra del Sol Solar Farm LLC) for a total contribution of approximately \$3,000,000 over the 30 year life span of the Project. This contribution is contingent upon the Project receiving a 30% Federal Business Energy Investment Tax Credit (ITC), and based upon 140 MW of installed Alternating Current (AC). The Project's contribution would be reduced proportionally if either the ITC is reduced, or the Project's permitted capacity is reduced. This contribution would be used to provide additional funding for education-related services and activities for the children of the Mountain Empire, specifically the communities of Boulevard, Pine Valley, and Jacumba.
 - **Mountain Health & Community Services:** The Project would make an annual donation to the Mountain Health and Community Services Inc. in the amount of \$100,000 per year (\$60,000 from Rugged Solar LLC and \$40,000 from Tierra del Sol Solar Farm LLC) for a total expected contribution of approximately \$3,000,000 for the 30 year life span of the Project. This contribution is contingent upon the Project receiving a 30% Federal Business Energy Investment Tax Credit (ITC), and based upon 140 MW of installed Alternating Current (AC). The Project's contribution would be reduced proportionally if either the ITC is reduced, or the Project's permitted capacity is reduced. This contribution would be used to provide additional

CEQA Findings and Statement of Overriding Considerations

funding for health related services for the community members of the Mountain Empire, specifically the communities of Boulevard Pine Valley, and Jacumba.

- **Imperial Valley Desert Museum Fund:** Rugged Solar LLC would make an annual donation to the Imperial Valley Desert Museum Fund in the amount of \$7,000 per year for a total expected contribution of approximately \$210,000.00 for the 30 year life span of the Rugged Solar Farm. This contribution is contingent upon the Rugged Solar Farm receiving a 30% Federal Business Energy Investment Tax Credit (ITC), and based upon 80 MW of installed Alternating Current (AC). The Rugged Solar Farm's contribution would be reduced proportionally if either the ITC is reduced, or the Rugged Solar Farm's permitted capacity is reduced. This contribution is to preserve, interpret and celebrate the deserts of Southern California through outstanding collections, research, and educational programs.
- **San Diego Astronomy Association (SDAA):** The Tierra del Sol Solar Farm would make a one-time donation to the San Diego Astronomy Association (SDAA) in the amount of \$40,000 when the Tierra del Sol Solar Farm reaches commercial operation. This contribution is to further the mission and purpose of the SDAA.
- **San Diego County Fire Authority:** The Project would fund a San Diego County Fire Authority (SDCFA) paramedic staff position to serve the southeast portion of County Service Area (CSA) 135 for the life of the Project. The Project would also make an initial contribution of up to \$340,000.00 and annual contributions up to \$127,000.00 per year (with yearly increases to account for inflation) to the SDCFA to fund equipment, supplies, and personnel to serve the southeast portion of CSA 135. Over the 30 year life of the Project, the value of the fire and paramedic services provided by the Project would be approximately \$10.7 million, of which approximately \$5.7 million would be contributions to SDCFA equipment, supplies, and personnel. The Project's contributions are contingent upon the Project receiving a 30% Federal Business Energy Investment Tax Credit (ITC), and based upon 140 MW of installed Alternating Current (AC). The Project's contribution would be reduced proportionally if either the ITC is reduced, or the Project's permitted capacity is reduced.
- **County of San Diego Groundwater Monitoring Program:** The Project would make a one-time donation to the County of San Diego, Planning and Development Services Department, Groundwater Monitoring Program in the amount of \$50,000 (\$25,000 from Rugged Solar LLC and \$25,000 from Tierra del Sol Solar Farm LLC). This contribution is to support the County's groundwater monitoring program in the Boulevard community.

For the foregoing reasons, the County finds that the Project's unavoidable potential significant environmental impacts are outweighed by these considerable benefits.

**DECISION AND EXPLANATION REGARDING RECIRCULATION
OF THE DRAFT PROGRAM ENVIRONMENTAL IMPACT REPORT**

SOITEC SOLAR DEVELOPMENT PROJECT

**Log No. 3910-120005 (ER); 3800 12-010 (GPA); Tierra Del Sol 3300 12-010 (MUP),
3600 12-005 (REZ), 3921 77-046-01 (AP); Rugged Solar 3300 12-007 (MUP)
SCH No. 2012-121-018**

December 30, 2014

Pursuant to California Environmental Quality Act (CEQA) Guidelines, Section 15088.5(a), the County of San Diego (County) is required to recirculate a Draft Environmental Impact Report (EIR) when significant new information is added to the Draft EIR after public review of the Draft EIR, but before certification. Significant new information can include changes in the project or environmental setting, as well as additional data or other information. New information added to a Draft EIR is not significant unless the Draft EIR is changed in a way that deprives the public of a meaningful opportunity to comment upon a substantial adverse effect of the project or a feasible way to mitigate or avoid such an effect (including feasible alternatives) that the project's proponents have declined to implement.

BACKGROUND: A Notice of Preparation (NOP) for the Soitec Solar Projects Program Environmental Impact Report was issued on December 6, 2012. The County of San Diego held a public scoping meeting consistent with Public Resources Code section 21083.9 on December 18, 2012, at the Boulevard Fire Training/Community Room located at 39919 Ribbonwood Road.

The County released the Draft Program Environmental Impact Report (DPEIR) for public review and comment on January 2, 2014, and published a Notice of Availability (NOA) setting a 45-day public comment period that was to end on February 17, 2014. On February 12, 2014, the County extended the period for public review to March 3, 2014.

The County received comment letters from individuals, community groups, organizations, and public agencies. The County prepared responses to these comment letters, which are included as Chapter 9.0 of the Final PEIR (FPEIR). The FPEIR includes a Preface that outlines changes made to DPEIR.

DECISION: The Board of Supervisors determines that modifications to the DPEIR for inclusion in the FPEIR, either individually or taken as a whole, do not constitute "significant new information" as defined in Section 15088.5 of the State CEQA Guidelines. As such, the County's decision not to recirculate the DPEIR, either in whole or in part, would not deprive the public of a meaningful opportunity to comment upon substantial adverse effects of the Proposed Project or feasible ways to mitigate or avoid such effects (including feasible project alternatives). The following provides an

explanation of the modifications made to the DPEIR. The described revisions in the FPEIR therefore do not require recirculation.

EXPLANATION: CEQA Guidelines Section 15088.5 states that new information added to a Draft EIR is not significant unless the Draft EIR is changed in a way that deprives the public of a meaningful opportunity to comment upon a substantial adverse effect of the project or a feasible way to mitigate or avoid such an effect (including a feasible project alternative) that the project's proponents have declined to implement. "Significant new information" requiring recirculation includes, for example, a disclosure showing that:

- (1) A new significant environmental impact would result from the project or from a new mitigation measure proposed to be implemented.
- (2) A substantial increase in the severity of an environmental impact would result unless mitigation measures are adopted that reduce the impact to a level of insignificance.
- (3) A feasible project alternative or mitigation measure considerably different from the others previously analyzed would clearly lessen the significant environmental impacts of the project, but the project's proponents decline to adopt it.
- (4) The Revised Draft EIR was so fundamentally and basically inadequate and conclusory in nature that meaningful public review and comment were precluded.

CHANGES TO THE DRAFT EIR:

Preface

A Preface has been included in the FPEIR, which describes the summary of changes made to the DPEIR. The Preface is included as the first chapter of the FPEIR. The Preface provides a description of the changes in the FPEIR that are reflected in underline for new text and strike out for deleted text. Minor text changes, such as typographical errors, that were made to the FPEIR as necessary were not described in the preface. The changes do not alter the conclusions of the environmental analysis such that new significant environmental impacts have been identified, nor do they constitute significant new information. The following provides an explanation of notable changes to the project description, environmental analysis and mitigation measures, as also identified in the Preface of the FPEIR.

Additional Information Statement

The Additional Information Statement is a new section of the Program EIR provided to address a new, optional component of the Proposed Project that was not analyzed in the Draft Program EIR. The Additional Information Statement describes the optional

energy storage system for the Rugged solar farm, analyzes its potential to have a significant environmental impact, and concludes that the addition of the energy storage system on the Rugged solar farm site would not affect the conclusions of the DPEIR prepared and circulated for the development of the Proposed Project. Furthermore, replacing approximately 47 CPV trackers, and associated inverters and step-up transformers, with the optional energy storage system would result in a negligible change to the lot coverage percentage of the Rugged solar farm site, and the development footprint would remain the same. As discussed in the Additional Information Statement, these changes do not result in identification of new significant environmental impacts or a substantial increase in the severity of environmental impacts, nor has the applicant declined to adopt feasible mitigation that would clearly lessen the environmental impacts of the project.

Chapter S.0, Summary

The summary chapter was revised to include, for clarification purposes, tracker reductions to the footnotes in Table S-1, Overview of Proposed Project that would result from implementation of M-AE-PP-1 and PDF-AE-1, both of which were included in the Draft Program EIR. Table S-1 was updated to clarify that the project acreages reflect the total area under control of the Proposed Project applicants, although actual areas of disturbance may be reduced and are reflected in further detail in the chapters of the Final Program EIR. The mitigation measures listed in this chapter were updated for clarification purposes. In addition, several mitigation measures relative to biological resources for the programmatic components of the Proposed Project (LanEast solar farm and LanWest solar farm) were removed because the significance conclusions were removed in response to comments. These project components are analyzed at a program level of detail because project design is still conceptual, all project-level data, including site-specific surveys, have not been completed, and no Major Use Permit application have been submitted. The level of specificity of an EIR is governed by the nature of the project and the rule of reason. Accordingly, no significance determination is provided for the LanEast or LanWest sites in instances where focused surveys or other such information necessary to assess impact to biological resources is not available. If Major Use Permit applications are submitted for the LanEast and LanWest solar farms at some point in the future, project-level environmental review will be conducted to evaluate whether there would be a significant environmental impact, and if so, what mitigation measures, if any, would feasibly reduce that impact. These changes do not result in identification of new significant environmental impacts, or a substantial increase in the severity of environmental impacts, nor has the applicant declined to adopt feasible mitigation or avoidance measures that would clearly lessen the environmental impacts of the project.

Chapter 1.0, Project Description

The Proposed Project description was revised to clarify Proposed Project components and include additional project design features. The changes consist of: (1) clarifications to Table 1-1, Overview of the Proposed Project regarding tracker reductions that would result from implementation of M-AE-PP-1 and PDF-AE-1, both of which were included in the Draft Program EIR, as well as clarifying the project acreages reflect the total area under control of the Proposed Project applicants; actual areas of disturbance may be reduced and are reflected in further detail in the analysis; (2) clarifications regarding site preparation and grading, foundations, soil stabilization and application of soil binding agents, the rock crushing plant, construction water demands; (3) updates to the construction schedule; (4) updates to the cumulative Proposed Projects list; and (5) the editing, addition and deletion of project design features (adding PDF-AE-5; deleting PDF-AQ-3 and PDF-N-2 in favor of making them conditions of approval; and combining PDF-TR-1, PDF-TR-2, and PDF-TR-3 into PDF-TR-1) and converting PDF-AQ-2 to a mitigation measure (M-AQ-PP-2).

Project design feature PDF-AE-5 was added in response to comments and would further ensure that nighttime lighting associated with the Proposed Project remains less than significant. It ensures that outdoor lighting will conform with County of San Diego Light Pollution Code Zone A standards for lamp type and shielding requirements, all outdoor lighting fixtures will be fully shielded and directed downward, motion sensors will be placed on site access lighting, motion sensor infrared cameras will be used for site security, and tracker washing will be limited to evening and morning hours when possible. These voluntary measures go beyond what is required to reduce nighttime lighting impacts to a less than significant level.

Project Design Feature PDF-AQ-2 was revised to be a mitigation measure (M-AQ-PP-2) in order to reduce the significant impact relative to NO_x; although impacts remain significant and unavoidable as in the Draft PEIR.

Project Design Feature PDF-AQ-3 listed in the Draft PEIR has been revised to clarify that the dust control measures during project operation previously identified as project design features would be implemented as a condition of approval for the Proposed Project.

Project design feature PDF-HZ-1 was revised to clarify that the Tierra del Sol solar farm gen-tie line will be designed to avoid potentially contaminated soils located within the

San Diego and Arizona Eastern railroad ROW and burn ash observed on APN 658-051-07-00.

Project Design Feature PDF-HZ-3 was revised to clarify that site-specific fire protection plans will be prepared in accordance with Section 4903 of the County of San Diego Consolidated Fire Code.

Project Design Feature PDF-N-2 listed in the Draft PEIR has been revised to clarify that the noise-reducing features previously identified as project design features would be implemented as a condition of approval for the Proposed Project.

Project Design Feature PDF-N-2 (formerly listed as PDF-N-3 in the Draft PEIR) was revised to clarify the rationale for the measure and indicate that the project's construction schedule shall be phased so that geologic testing and any pre-drilling for tracker mast installation will be completed before any pile driving to install tracker masts occurs.

Project Design Feature PDF-PS-1 funding measures were updated to reflect collaboration with the San Diego County Fire Authority (SDCFA). The cost of the Paramedic staff startup kit and annual funding to staff one Paramedic staff firefighter was increased to reflect SDCFA startup and ongoing costs. Other elements of PDF-PS-1 (i.e., Type VI Fire Engine and fire prevention funding) were removed as unnecessary to ensure that SDCFA emergency medical response capabilities would be adequate to meet response times with the construction of the Proposed Project.

Project Design Features PDF-TR-1, PDF-TR-2 and PDF-TR-3 listed in the Draft PEIR were combined into one Project Design Feature PDF-TR-1.

These changes do not result in identification of new significant environmental impacts, or a substantial increase in the severity of environmental impacts, nor has the applicant declined to adopt feasible mitigation or avoidance measures that would clearly lessen the environmental impacts of the project.

Chapter 2.0, Significant Environmental Effects of the Proposed Project

The Final EIR includes changes to the environmental analysis provided in Chapter 2.0, Environmental Effects of the Proposed Project. These changes and additions consist of clarifications and additional design considerations in response to comments received during public review of the Draft PEIR. The following explains the most notable changes to the environmental analysis for each applicable issue area.

Aesthetics:

- The DPEIR was revised to include an analysis of visual changes to the existing landscape experienced from the small community of Ejido Jardines Del Rincon located in Mexico.
- Project design feature PDF-AE-5 was added to confirm voluntary commitments by the applicants regarding nighttime lighting. See Chapter 1.0, above.
- Added statement that glare effects associated with the Proposed Project are unique to renewable solar energy development and would be localized to a distance of one mile from the Proposed Project sites. Beyond one mile, reflections from trackers would project high enough above the terrain to avoid KOPs within the study area. This information was included in Appendix 2.1-3 of the Public Review DPEIR and has been added to Section 2.1, Aesthetics, for further clarification.

These changes do not result in identification of new significant environmental impacts, or a substantial increase in the severity of environmental impacts, nor has the applicant declined to adopt feasible mitigation or avoidance measures that would clearly lessen the environmental impacts of the project.

Air Quality:

- Amended PDF-AQ-1 to clarify internal construction roadways will be stabilized by paving, application of an aggregate base material (such as disintegrated granite), or chip sealing after rough grading.
- Removed erroneous reference to hydroseeding in PDF-AQ-1 and PDF-AQ-3.
- Included discussion of health effects associated with the potentially significant impacts related to NOx and PM10 emissions.
- Added M-AQ-PP-2 (formerly PDF-AQ-2) to address NOx emissions related to construction worker trips during Proposed Project construction. However, impacts to NOx remain significant and unavoidable.
- Revised LanEast and LanWest significance determinations regarding conformance to Federal and State ambient air quality standards during operation based

on evidence that these solar farms would operate similar to Tierra del Sol and Rugged solar farms and are comparatively smaller in size and scale

- Added Supplemental Air Quality Analysis as part of the Responses to Comments (see Appendix 9.0-5) to address the additional water truck trips associated with the increase in water demand, the optional energy storage system and to reflect the tracker reductions that would result from implementation of M-AE-PP-1 and PDF-AE-1, both of which were included in the Draft Program EIR.

These changes do not result in identification of new significant environmental impacts, or a substantial increase in the severity of environmental impacts, nor has the applicant declined to adopt feasible mitigation or avoidance measures that would clearly lessen the environmental impacts of the project.

Biological Resources:

- Updated analysis to reflect that the Townsend's big-eared bat (*Corynorhinus townsendii*) was recently added as a State Candidate species. Potential impacts to the Townsend's big-eared bat were previously discussed in the Draft Program EIR under Guideline B (County Group I species, or Species of Special Concern).
- In addition to the northern off-site access road, a western off-site access road was added into the analysis and impact acreage calculations. The western off-site access road was included in past site plan designs and was analyzed in the 2011 rare plant survey and June 2012 site visit; this previously prepared data has been incorporated into the analysis. Both off-site access roads are proposed only in the event that Rough Acres Ranch MUP 3300-09-019 and associated Rough Acres Ranch Road is not constructed. If required, the addition of the western off-site access road would require an additional 2.8 acres of disturbance, for which an additional 1.6 acres of offsite mitigation would be required. The western off-site access road would result in a minor increase to previously identified biological resources impacts, which can be mitigated to a less than significant level. No new types of species would be impacted by the development of the western off-site access road beyond those already analyzed in the Draft Program EIR. In addition, minor modifications to the impacts associated with the northern off-site access road were made.
- To meet USFWS requests, the DPEIR has been revised to state that additional surveys for federally-listed endangered Quino checkerspot butterfly will be conducted in 2015. These voluntary surveys are above and beyond the requirements necessary to satisfy CEQA analysis needs.

- Where insufficient data exists to fully analyze a program level portion of the Proposed Project (LanEast and LanWest), the DPEIR notes this and refrains from making findings of significance. See Chapter S.0, Summary, above. The DPEIR was revised to refrain from making certain significance conclusions related to some of the candidate, sensitive, or special-status species and wildlife movement thresholds, and for the jurisdictional wetlands and waterways thresholds.
- Regarding special-status wildlife, particularly bird and bat species, although impacts would be less than significant the applicant has voluntarily agreed to implement a Bird and Bat Monitoring Program as a condition of approval for the Proposed Project. The applicant will contract a County approved biologist to train site O&M staff to perform self-monitoring of the project site for bird and bat strikes for a period of three years. Refer to Section 2.3.3.1, Guideline H, for further details.
- Relabeled mitigation measure M-BI-TDS-1 to M-BI-PP-13 to clarify that it applies to the Proposed Project. This measure ensures all transmission and distribution towers and lines are designed to conform to Avian Power Line Interaction Committee (APLIC) standards.
- Revised M-BI-PP-15 (related to water level monitoring for existing oak woodlands) to include more detailed information.
- Relabeled Impacts BI-R-28, BI-R-29, BI-R-30, BI-R-31, BI-R-32, BI-R-32, BI-LW-27, BI-LW-28, BI-LW-29, BI-LW-30, BI-LW-31, BI-LW-32, and BI-LW-33 to correct clerical numbering errors.

These changes do not result in identification of new significant environmental impacts, or a substantial increase in the severity of environmental impacts, nor has the applicant declined to adopt feasible mitigation or avoidance measures that would clearly lessen the environmental impacts of the project.

Land Use and Planning:

- Clarified the setbacks for the Proposed Project and confirmed that they are greater than those required by the County of San Diego Zoning Ordinance for the underlying A70 and S92 zones.
- Added more rationale as to why the LanEast and LanWest land use impact is significant and unavoidable. As indicated above and in Table 1-11, Approvals/Permits

Expected to be Obtained, LanEast and LanWest would require a General Plan Amendment. Compliance with the County General Plan and other applicable land use plans and policies is a prerequisite for project approval. The LanEast and LanWest solar farms are analyzed at a programmatic level and no permits for these projects are currently being sought.

- Added reference to Mitigation Measure M-AE-PP-1 as described in Section 2.1.6.1, which would help reduce the potential land use impacts LU-LE-1 and LU-LW-1. However, direct and cumulative impacts to scenic and panoramic vistas as a result of the LanEast and LanWest solar farms would remain significant and unmitigable, as would impacts LU-LE-1 and LU-LW-1 because they also relate to scenic impacts along I-8.

These changes do not result in identification of new significant environmental impacts, or a substantial increase in the severity of environmental impacts, nor has the applicant declined to adopt feasible mitigation or avoidance measures that would clearly lessen the environmental impacts of the project.

Noise:

- Added information regarding the Tule Wind Proposed Project to the cumulative analysis.
- To address comments requesting quantification of infrasound and low-frequency noise, an Infrasound and Low-Frequency Noise Memorandum (Appendix 9.0-3) was prepared and incorporated into this section. The Infrasound and Low-Frequency Noise Memorandum includes measurements of key noise components at the concentrator photovoltaic (CPV) solar facility located in Newberry Springs, CA. The solar facility at Newberry Springs, CA deploys CPV technology that is comparable to that of the Proposed Project analyzed in the DPEIR, such as CPV electric generation systems and associated inverters and transformers.

These changes do not result in identification of new significant environmental impacts, or a substantial increase in the severity of environmental impacts, nor has the applicant declined to adopt feasible mitigation or avoidance measures that would clearly lessen the environmental impacts of the project.

Chapter 3.0, Effects Found Not To Be Significant

The Final EIR includes changes to the environmental analysis provided in Chapter 3.0, Effects Found Not To Be Significant. These changes and additions consist of clarifications in response to comments received during public review of the Draft PEIR. The following explains the most notable changes to the environmental analysis for each applicable issue area.

Agriculture and Forestry Resources:

- Clarified zoning for the Rugged solar farm site.

These changes do not result in identification of new significant environmental impacts, or a substantial increase in the severity of environmental impacts, nor has the applicant declined to adopt feasible mitigation or avoidance measures that would clearly lessen the environmental impacts of the project.

Hazards and Hazardous Materials:

- Added Title 24 of the California Code of Regulations, Part 3 – California Electrical Code to the regulatory setting.

Hydrology and Water Quality:

- Analyzed additional construction water demand for several Proposed Project components, including:
 - The Tierra del Sol gen-tie line,
 - The temporary batch plant and rock crushing facility (Rugged Solar Farm),
 - Water requirements for facility foundations (other than CPV tracker foundations),
 - Dust control,
 - Soil binding agent application,
 - Fire protection requirements (water tanks), and
 - Noxious weed mitigation.
- Although construction water demand for the Proposed Project has increased, the combination of on-site and off-site water sources can meet the water demand without having a significant impact on groundwater levels.

As discussed in the FPEIR, although construction water demand for the Proposed Project has increased, the combination of on-site and off-site water sources can meet the water demand without having a significant impact on groundwater levels.

- Added project design feature PDF-HY-1. See Chapter 1.0, Project Description, above.

These changes do not result in identification of new significant environmental impacts, or a substantial increase in the severity of environmental impacts, nor has the applicant declined to adopt feasible mitigation or avoidance measures that would clearly lessen the environmental impacts of the project.

Public Services:

- Updated project design feature PDF-PS-1 funding measures to reflect collaboration with the San Diego County Fire Authority (SDCFA). The cost of the Paramedic staff startup kit and annual funding to staff one Paramedic staff firefighter was increased to reflect SDCFA startup and ongoing costs. Other elements of PDF-PS-1 (i.e., Type VI Fire Engine and fire prevention funding) were removed as unnecessary to ensure that SDCFA emergency medical response capabilities would be adequate to meet response times with the construction of the Proposed Project.

These changes do not result in identification of new significant environmental impacts, or a substantial increase in the severity of environmental impacts, nor has the applicant declined to adopt feasible mitigation or avoidance measures that would clearly lessen the environmental impacts of the project.

Transportation and Traffic:

- Edited project design feature PDF-TR-1 for clarification purposes.

These changes do not result in identification of new significant environmental impacts, or a substantial increase in the severity of environmental impacts, nor has the applicant declined to adopt feasible mitigation or avoidance measures that would clearly lessen the environmental impacts of the project.

Utilities and Services Systems:

- Updated the permitted disposal rate-throughput for Sycamore Landfill.

- Updated information to reflect the additional water demand for several Proposed Project components as analyzed in 3.1.5, Hydrology and Water Quality. See Hydrology and Water Quality, above.

These changes do not result in identification of new significant environmental impacts, or a substantial increase in the severity of environmental impacts, nor has the applicant declined to adopt feasible mitigation or avoidance measures that would clearly lessen the environmental impacts of the project.

Population and Housing:

- Updated the number of workers for project components to be consistent with the project description.

These changes do not result in identification of new significant environmental impacts, or a substantial increase in the severity of environmental impacts, nor has the applicant declined to adopt feasible mitigation or avoidance measures that would clearly lessen the environmental impacts of the project.

Chapter 4.0, Project Alternatives

- Added and analyzed a new alternative, the Tailored Proposed Project and No LanEast and LanWest Alternative (Alternative 2A). Alternative 2A would reduce the Tierra del Sol solar farm by approximately 99 trackers (4% from the original Tierra del Sol project), the Rugged solar farm by approximately 177 trackers (5% from the original Rugged project), and would entirely remove the LanEast and LanWest solar farms, which is approximately 1,164 trackers. The total reduction of trackers equates to approximately 20% as compared to the Proposed Project. The Tierra del Sol gen-tie would remain unchanged from the Proposed Project under this alternative. Alternative 2A is based on Alternative 2, previously analyzed in the Draft Program EIR, and was added in response to comments received. Alternative 2A differs from Alternative 2 in that it would eliminate less trackers from the Rugged and Tierra del Sol sites than Alternative 2 by tailoring the tracker reduction to reduce aesthetics and air quality impacts while still achieving the Project objectives.
- Added discussion to supplement the reasoning provided in the Draft Program EIR as to why the Distributed Generation Policy – Rooftop Solar Panels and Other Alternative Fuel Supplies Alternative – was considered but rejected. This information was added in response to comments received.
- Edited the chapter to remove the statement that the applicants have the ability to acquire the Los Robles site based on changed circumstances.

These changes do not result in identification of new significant environmental impacts, or a substantial increase in the severity of environmental impacts, nor has the applicant declined to adopt feasible mitigation or avoidance measures that would clearly lessen the environmental impacts of the project.

Chapter 7.0, List of Mitigation Measures and Environmental Design Considerations

- Added project design feature (PDF-AE-5) for the reasons described above.
- Relabeled mitigation measure M-BI-TDS-1 to MM-BI-PP-13 for the reasons described above.
- Minor edits to other mitigation measures for clarification purposes; see Chapter 7.0 for revisions to existing text signified by strikeout (i.e., ~~strikeout~~) where text is removed, and by underlined text (i.e., underline) where text is added.

These changes do not result in identification of new significant environmental impacts, or a substantial increase in the severity of environmental impacts, nor has the applicant declined to adopt feasible mitigation or avoidance measures that would clearly lessen the environmental impacts of the project.

Chapter 8.0, Other CEQA Considerations

This chapter was added to the Program EIR. This chapter summarizes the information presented in Chapters 2.0 and 3.0 of the Draft Program EIR to address the broader questions posed by the CEQA Guidelines, Section 15126.2. These include significant effects that cannot be mitigated to less than significant levels, significant irreversible environmental changes, and growth-inducing impacts.

These changes do not result in identification of new significant environmental impacts, or a substantial increase in the severity of environmental impacts, nor has the applicant declined to adopt feasible mitigation or avoidance measures that would clearly lessen the environmental impacts of the project.

Chapter 9.0, Responses to Comments

This chapter was added to the Program EIR. This chapter contains all comments received on the Draft Program EIR and responses thereto. This chapter also includes new appendices that have been added to the Program EIR for additional information related to responses to comments; they are listed as follows:

- 9.0-1 Health Issues Related to the Static and Power-Frequency Electric and Magnetic Fields (EMFs) of the Soitec Solar Energy Farms
- 9.0-2 Critique of “Impacts of Soitec Solar Projects on Boulevard and Surrounding Communities,” by Dr. Victor M. Ponce, dated 15 November 2013
- 9.0-3 Infrasound and Low-Frequency Noise, Tracker Motor and Fenceline Noise Measurements at Newberry Springs Solar Facility
- 9.0-4 Review of Bat Data Related to Soitec Boulevard Portfolio
- 9.0-5 Supplemental Air Quality Analysis – Project Changes
- 9.0-6 20% Contingency for Operational Water Demand – Revised Analysis
- 9.0-7 Revisions to Project Design Feature (PDF) PS-1

These changes do not result in identification of new significant environmental impacts, or a substantial increase in the severity of environmental impacts, nor has the applicant declined to adopt feasible mitigation or avoidance measures that would clearly lessen the environmental impacts of the project.

Conclusion

Modifications to the Draft Program EIR for inclusion in the Final Program EIR, either individually or taken as a whole, do not constitute “significant new information” as defined in Section 15088.5 of the State CEQA Guidelines. The modifications as discussed above and provided in the Preface of the Final Program EIR do not show that: (1) new significant environmental impacts from the Proposed Project or from new mitigation measures were disclosed; (2) a substantial increase in the severity of environmental impacts were disclosed for which adequate mitigation could not be adopted to reduce the impact to below a level of significance; (3) feasible alternatives or mitigation measures considerably different from others previously analyzed that would clearly lessen the significant environmental impacts of the Proposed Project, but which the Proposed Project proponents decline to adopt were disclosed; or (4) that the Draft Program EIR was so fundamentally and basically inadequate and conclusory in nature that meaningful public review and comment were precluded.

As such, the County’s decision not to recirculate the Draft Program EIR, either in whole or in part, would not deprive the public of a meaningful opportunity to comment upon substantial adverse effects of the Proposed Project or feasible ways to mitigate or avoid such effects (including feasible project alternatives. The described revisions in the Final Program EIR therefore do not require recirculation.

**STATEMENT OF LOCATION AND CUSTODIAN OF DOCUMENTS
OR OTHER MATERIALS THAT CONSTITUTE A RECORD OF PROCEEDINGS**

February 4, 2015

Project Name: Soitec Solar Development

Reference Case Numbers: PDS2012-3910-120005 (ER); Rugged Solar,
PDS2012-3300-12-007 (MUP); Tierra Del Sol
Solar, PDS2012-3600-12-005 (REZ),
PDS2012-3921-77-046-01 (AP DIS),
PDS2012-3300-12-010 (MUP)

The CEQA [Section 21081.6(a)(2)] requires that the lead agency (in this case the County of San Diego) specify the location and custodian of the documents or other material that constitute the record of proceedings upon which its decision is based. It is the purpose of this statement to satisfy this requirement.

Location of Documents and Other Materials That Constitute the Record of Proceedings:

County of San Diego, Planning & Development Services
Project Processing Center
5510 Overland Avenue, Suite 110
San Diego, California 92123

County of San Diego, Clerk of the Board of Supervisors
1600 Pacific Highway, Room 402
San Diego, California 92101

Custodian:

County of San Diego, Planning & Development Services
Project Processing Center
5510 Overland Avenue, Suite 110
San Diego, California 92123

County of San Diego, Clerk of the Board of Supervisors
1600 Pacific Highway, Room 402
San Diego, California 92101