

ERRATA No. 1
PLANNING COMMISSION HEARING
JANUARY 16, 2015
ITEM No. 1

**SUBJECT: Soitec Solar Development -- 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); PDS2012-3910-120005 (ER)**

This errata is submitted to the Planning Commission to revise the following information in the January 16, 2015 Hearing Report for Soitec Solar Development such that deletions are shown in ~~strikeout~~ and additions are show in underline:

Page 1-2:

| | Site Location | Proposed Development | CEQA Analysis | Project Modifications | Discretionary Actions |
|-----------------------------|---|---|---------------|-------------------------------|--|
| Rugged Solar | East of Ribbonwood Road and west of McCain Valley Road | <ul style="list-style-type: none"> • 765 acre site • Concentrated photovoltaic (CPV) technology (trackers) • 80 MW | EIR | Removal of 177 trackers | <ul style="list-style-type: none"> • Rezone • Agricultural Preserve Disestablishment • Major Use Permit |
| Tierra Del Sol Solar | South of Tierra Del Sol and adjacent to the United States-Mexico border | <ul style="list-style-type: none"> • 420 acre site • Concentrated photovoltaic (CPV) technology (trackers) • 60 MW | EIR | Removal of 99 trackers | <ul style="list-style-type: none"> • <u>Rezone</u> • <u>Agricultural Preserve Disestablishment</u> • Major Use Permit |
| LanWest | South of Interstate-8 and north of Old Highway 80 | <ul style="list-style-type: none"> • 55 acre site • Concentrated photovoltaic (CPV) technology (trackers) • 6.5 MW | EIR | Elimination of entire project | <ul style="list-style-type: none"> • Major Use Permit (Withdrawn) |
| LanEast | South of Interstate-8 and north of Old Highway 80 | <ul style="list-style-type: none"> • 233 acre site • Concentrated photovoltaic (CPV) technology (trackers) • 22 MW | EIR | Elimination of entire project | <ul style="list-style-type: none"> • N/A |

Pages 1-15 to 1-16:

D. ANALYSIS AND DISCUSSION

1. Rugged Solar Project Issues

During processing of the Rugged Solar project, environmental issues were analyzed in the EIR. Concerns were raised by a number of interested parties regarding a number of environmental issues. A summary of the subject areas analyzed for which concerns were raised are summarized below.

a. *Groundwater Resources*

The Rugged Solar project is located within a groundwater-dependent portion of the County. Concerns have been raised regarding the use of groundwater as a source of construction water for the proposed project. The Rugged Solar project proposes the use of groundwater from on-site wells, groundwater from the Jacumba Community Services District (JCSD), water from the Pine Valley Mutual Water Company (PVMWC) and recycled water from the Padre Dam Municipal Water District (PDMWD) for construction water demands and water from on-site wells for ongoing water demands.

The total construction water demand for the Rugged Solar project was determined to be 83 acre-feet and the total operational water demand for the Rugged Solar project was determined to be 8.7 acre-feet. A Groundwater Resources Investigation Report was completed for the Rugged Solar project which determined that ~~32.7~~54 acre-feet of groundwater could be extracted from the site during the projects construction period and 8.7 acre-feet of groundwater could be extracted from the site for ongoing use in compliance with the County Groundwater Ordinance.

The JCSD has been identified as a source of construction water for the Rugged Solar project. A Groundwater Resources Investigation Report was completed for the JCSD which determined that ~~16~~27 acre-feet of water for the Rugged Solar project could be utilized for construction water demands in compliance with the County significance thresholds for groundwater storage and well interference.

The PVMWC has also been identified as a source of construction water for the Rugged Solar project. A Groundwater Resources Investigation Report was completed for the PVMWC which determined that 16 acre-feet of water for the Rugged Solar project could be utilized for construction water demands in compliance with the County significance thresholds for groundwater storage and well interference.

The PDMWD has been identified as a source of recycled water for construction water demands for the Rugged Solar project to supply the balance of water that cannot be provided by identified on-site and off-site sources discussed above.

Groundwater Monitoring and Mitigation Plans (GMMPs) have been prepared for the Rugged Solar project, JCSD and PVMWC which detail establishment of groundwater thresholds for off-site well interference and groundwater dependent habitat. Although groundwater investigations have shown that well interference and groundwater in storage impacts are not expected to be significant, the GMMPs would ensure that any unanticipated impacts ~~to groundwater storage, from~~ well interference, and/or groundwater dependent habitat are detected and reversed through curtailment or cessation of pumping.

Pages 1-21 to 1-22:

2. Tierra Del Sol Solar Project Issues

During processing of the Tierra Del Sol Solar project, environmental issues were analyzed in the EIR. Concerns were raised by a number of interested parties regarding a number of environmental issues. A summary of the subject areas analyzed for which concerns were raised are summarized below.

a. *Groundwater Resources*

The Tierra Del Sol Solar project is located within a groundwater-dependent portion of the County. Concerns have been raised regarding the use of groundwater as a source of construction water for the proposed project. The Tierra Del Sol Solar project proposes the use of groundwater from on-site wells, groundwater from the JCSD and recycled water from the PDMWD for construction water demands and water from on-site wells for ongoing water demands.

The total construction water demand for the Tierra Del Sol Solar project was determined to be 68 acre-feet and the total operational water demand for the Tierra Del Sol Solar project was determined to be seven acre-feet. A Groundwater Resources Investigation Report was completed for the Tierra Del Sol Solar project which determined that 18 acre-feet of groundwater could be extracted from the site during the projects construction period and seven acre-feet of groundwater could be extracted from the site for ongoing use in compliance with the County Groundwater Ordinance.

The JCSD has been identified as a source of construction water for the Tierra Del Sol Solar project. A Groundwater Resources Investigation Report was completed for the JCSD which determined that 21 acre-feet of water for the Tierra Del Sol Solar project could be utilized for construction water demands in compliance with the County significance thresholds for groundwater storage and well interference.

The PDMWD has been identified as a source of recycled water for construction water demands for the Tierra Del Sol Solar project to supply the balance of 29 acre-feet of water that cannot be provided by identified on-site and off-site sources discussed above.

Groundwater Monitoring and Mitigation Plans (GMMP) have been prepared for the Tierra Del Sol Solar project and the JCSD which detail establishment of groundwater thresholds for off-site well interference and groundwater dependent habitat. Although groundwater investigations have shown that well interference and groundwater in storage impacts are not expected to be significant, the GMMPs would ensure that any unanticipated impacts ~~to groundwater storage from~~ well interference, and/or groundwater dependent habitat are detected and reversed through curtailment or cessation of pumping.

With the conditioning of the Major Use Permit decision for the Tierra Del Sol Solar project to limit the amount of water from each of the identified groundwater sources as well as the conditioning for GMMPs, it has been concluded that there would be a less than significant impact to groundwater resources.

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| <p>Section 4800 of the Zoning Ordinance sets minimum setback requirements. The project site has a "D" setback designators that requires proposed structures to be setback at a minimum of 60 feet from centerline of the frontage roadway, 15 feet from interior side lot lines, 35 feet from centerline of an exterior side roadway and 25 feet from the rear lot line.</p> | <p>The Tierra Del Sol Solar project includes perimeter fencing within portions of the interior side yard and rear yard setbacks. All other structures would meet all setback requirements.</p> | <p>Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Upon granting of an exception pursuant to Section 4813 of the Zoning Ordinance.</p> |
| <p><u>Section 4830 requires a 90 foot open space corridor for any parcels within the Mountain Empire Subregional Plan Area in the vicinity of the International Border (in addition to the 60' Public Reserve Area immediately proximate to the Border).</u></p> | <p><u>The Tierra Del Sol Solar requires a waiver of the 90 foot Border setback. The Department of Homeland Security was notified of this waiver request in October of 2012.</u></p> | <p>Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> <u>Upon granting of an exception pursuant to Section 4813 of the Zoning Ordinance and the granting of a Major Use Permit in lieu of an Administrative Permit.</u></p> |
| <p>Section 5100 of the Zoning Ordinance requires that the Agricultural Preserve Regulations be applied to areas that contain an "A" Special Area Designator.</p> | <p>A portion of the Tierra Del Sol Solar project site is within County Agricultural Preserve 77-46.</p> | <p>Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Upon approval of a Rezone and Agricultural Preserve Disestablishment</p> |

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| <p>Board of Supervisors Policies</p> | <p>The Tierra Del Sol Solar and Rugged Solar projects have requested a waiver in accordance with Board of Supervisors Policy I-92 (Undergrounding of Utilities Waiver Requests) and the Tierra Del Sol Solar project has requested a waiver in accordance with Board of Supervisors Policy I-111 (Land Use Policy for Discretionary Permits Adjacent to the International Border). <u>Board of Supervisors Policy I-92 requires the undergrounding of utilities; however, it only applies to new subdivisions and centerline projects. Therefore, Tierra Del Sol Solar and Rugged Solar are not subject to this policy.</u></p> <p><u>Board of Supervisors Policy I-111 establishes a land use policy for discretionary permits adjacent to the international border, such as the Tierra Del Sol Solar Project. Policy I-111 states that it does not apply, however, to "[d]iscretionary</u></p> |
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| | <p><u>applications for properties which are subject to a setback designator or D designator, which prescribe specific actions to be taken relative to development along the International Border." All five parcels that constitute the Tierra del Sol property -- 658-090-31-00, 658-090-55-00, 658-120-03-00, 658-090-54-00, and 658-120-02-00 -- all are subject to a D setback designator, and hence, may not be subject to Policy I-111.</u></p> <p>The Tierra Del Sol project is subject to Board of Supervisors Policy I-38 (Agricultural Preserves). The Agricultural Preserve over a portion of the Tierra Del Sol Solar project site will be disestablished in accordance with this policy.</p> |
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Pages 1-190 to 1-191 (Attachment D of the Staff Report)

Water Supply

The project will require approximately 68-acre feet of water over the 12 month construction period, including a peak water demand of approximately 246,930 gpd during days 1-60 of construction. The annual operational water use is estimated to be up to approximately 7.6 acre-feet per year. The project will obtain water for construction from one on-site production well (Well B) and will obtain an draw additional supply from the Jacumba Community Services District (JCSD), Pine Valley Mutual Water Company (PVMWC), and Padre Dam Municipal Water District (PDMWD). The groundwater resources investigation prepared for the Tierra Del Sol solar farm has determined that the on-site production well has capacity to provide up to 18-acre feet of groundwater during construction and the entirety of its 7.6 acre-feet per year operational demand (Dudek 2014a). The JCSD is expected to provide up to 21.28 acre-feet from Well 6 during the construction period (Dudek 2014b), and JCSD has provided a will serve letter, dated April 1, 2014. PDMWD also is expected to be able to supply up to 29.22-acre feet of water during the peak construction period (Dudek 2014b). PDMWD has provided a will serve letter dated July 3, 2014.

Page 1-278 (Attachment E of the Staff Report)

Water Supply

The project requires approximately 83-acre feet of water over the 12 month construction period, including a peak water demand of approximately 318,501 gpd during days 1-60 of construction. The annual operational water use is estimated to be approximately 8.75 acre-feet per year. The project will obtain water for construction from three on-site production wells (Well 6a, Well 6b, and Well 8), and can draw additional supply from the Jacumba Community Services District (JCSD), Pine Valley Mutual Water Company (PVMWC), and Padre Dam Municipal Water District (PDMWD). The groundwater resources investigation prepared for the Rugged solar farm has determined that on-site production wells have capacity to provide up to 54-acre feet of groundwater during construction and the entirety of its 8.75 acre-feet per year operational demand (Dudek 2014a). The JCSD is expected to provide up to 16 acre-feet from Well 6 during the 60-day peak construction period (Dudek 2014b), and JCSD has provided a will serve letter, dated December 12, 2012. The project will be conditioned to allow for up to 27 acre-feet to be obtained from JCSD. PVMWC also is expected to be able to supply up to 16-acre feet of water during the peak

construction period (Dudek 2013c), and has entered into a bilateral water supply agreement with the Rough Acres Water Company. ~~PDMWD is also expected to be able to supply any additional water needed for construction of the project and has provided a will serve letter, dated July 3, 2013.~~