



**ERIC GIBSON**  
DIRECTOR

# County of San Diego

## DEPARTMENT OF PLANNING AND LAND USE

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May 26, 2011

### **CEQA Initial Study – Environmental Checklist Form (Based on the State CEQA Guidelines, Appendix G Rev. March 2010)**

**1. Title; Project Number(s); Environmental Log Number:**

NRG Borrego Solar One  
3300-10-026 (MUP)  
ER No. 3910-10-05-001

**2. Lead agency name and address:**

County of San Diego, Department of Planning and Land Use  
5201 Ruffin Road, Suite B  
San Diego, CA 92123-1666

**3. Contact Information:**

- a. Patrick Brown, Project Manager
- b. Phone number: (858) 694-3011
- c. E-mail: [Patrick.Brown@sdcounty.ca.gov](mailto:Patrick.Brown@sdcounty.ca.gov)

**4. Project location:**

The Project Site is approximately 308 acres of private land. It is located in the eastern half of Section 21, Township 10 South, Range 6 East, SB Meridian, San Diego County, California. It is located on the corner of Henderson Canyon Rd. to the north and Borrego Valley Rd. to the east, Borrego Springs, Desert Subregional Planning Area within the Unincorporated County of San Diego. Thomas Brothers Coordinates: Page 1059, Grid: B-4

**APN:** Project Parcel 140-290-12-00  
Substation Property: 14121001

**5. Project Applicant name and address:**

NRG Borrego Solar One LLC

Attention: Mike Elliot, Project Manager  
1015 West Hays  
Boise, ID 83702

6. **General Plan Regional Category Policy:** Rural Development Area (RDA) Policy 1.4  
**General Plan Land Use Designation:** (18) Multiple Rural Use  
**Community Plan:** Desert Subregional Plan
7. **Zoning:** General Rural (S92).  
**Minimum Lot Size:** 4 acre  
**Other Non-Zoning Special Regulations:** The Project lies within safety zone six in review area (Area 2) of the Borrego Valley Airport Land Use Compatibility Plan (ALUCP).
8. **Description of Project:** For a more thorough Description of the exact Project details, see the Project Description Prepared by EnValue Consulting. (Attached Herein and listed in the Section XVIII References).

**Applicants Request:** The applicant's request is for a Major Use Permit to authorize a Major Impact Utility Pursuant to Sections 1350 and 2926 of the Zoning Ordinance. The Project consists of a 308 acre 26 Mega Watt (MW) Alternating Current (ac) unmanned photovoltaic (PV) solar energy system that utilizes crystalline silicon or thin film PV panel technology. The applicant proposes either to use a "Fixed Tilt" structure that would occupy approximately 80 percent of the site, or a "Single Axis Tracking" system that would utilize the entire Project site. The exact technology and mounting system will be determined prior to construction and will depend upon market availability of materials and the preference of the power purchaser. The two types of technologies are similar in appearance, so the analysis included in this initial study assumes both designs.

**Point of Interconnection:** The Project includes an estimated one mile 69kV generation tie line (gen-tie) that would connect the Project to the existing 69kV SDG&E Borrego Valley Substation. The gen-tie has been proposed within the County Right of Way along the west side of Borrego Valley Road. The placement of the gen-tie includes the undergrounding of the existing 12kV Distribution Line owned by San Diego Gas and Electric (SDG&E) on the east side of Borrego Valley Road.

This Initial Study includes the analysis for the required upgrades to the Borrego Valley Substation that will be completed by SDG&E, and are under the authority of the California Public Utilities Commission (CPUC). The applicant's executed Interconnection Agreement (IA) from the California Independent State Operator (CAISO), provides evidence that the only improvements needed to interconnect the Project is the addition of a 69kV transformer rack, required electrical bus equipment, disconnects, circuit breakers, and relaying, all located within the substation property. The expansion of the existing substation is the only off-site improvements that are required to interconnect the Project, and no additional improvements are needed beyond the substation property. There are no transmission line (CAISO controlled) upgrades that leave the substation and

traverse the Anza-Borrego Desert State Park, required to accommodate this Project.

**Specific Equipment Details:** The layout of the solar field for both designs has the PV modules, inverters, and transformers grouped into approximately 1 Mega Watt (MW) Direct Current (dc) blocks that, when combined, will produce the Project output of 26 MW. The major equipment in the solar field includes the following:

1. PV solar panels: Approximate amount of panels for the fixed tilt design will be 283,392 and 138,942 for the single axis tracking.
2. Two panel mounting system designs:
  - Fixed-tilt supports: The highest point on the fixed tilt supports mounted at an approximate angle of 20 degrees (the uppermost solar panel) varies from 4' to 6' feet high, but will not exceed 10' feet high.
  - Single-axis tracker supports: The highest point on the single axis-tracker design would be about 6 to 8 feet occurring during the morning and evening hours when the panels are tilted to face the rising or setting sun, but will not exceed 10 feet high.
3. DC to AC Inverters: The inverter and transformer sizes will vary and will be selected based on cost and market availability prior to construction. The inverters and transformers will be covered by shade structures measuring approximately 8 to 10 feet high and 155 square feet in size.
4. The Project will also include a small meteorological monitoring station to track solar insolation, temperature, wind direction, and speed. This will have a height of approximately 10 feet.

**Facilities and Improvements:** Minimal frontage improvements are required to allow for access onto Borrego Valley Road. The site will access Borrego Valley Road via an onsite private improved driveway. Potable Water and septic improvements are not required because the facility would be unmanned. However, groundwater will be used for initial construction, decommissioning, periodic cleaning of the solar panels up to four times per year, and reapplication of the soil-binding agent when necessary. The estimated groundwater demand for the Project is **3.4-acre feet** annually. The water will be drawn from an on-site well, and the use of imported water will not be permitted. The Project site would be grubbed and cleared of the existing agricultural remnants. This would also include the discing and recompacting of approximately 489,913 cubic yards of material.

9. **Surrounding land uses and setting:** Project construction will take place on two separate properties and along Borrego Valley Road.

The unmanned photovoltaic (PV) solar energy system will be located on a property that is bounded by Borrego Valley Road on the east and Henderson

Canyon Road on the north. The site itself is has been previously used for intensive agriculture production but has been fallow for the last several years. The site vegetation is made up of mostly invasive species. The Project site is nearly flat with a very slight gradient from northwest to southeast. There are vacant parcels that have previously been farmed adjacent to the site on the west and south. Lands surrounding the Project site directly to the north and the east are actively used for commercial agriculture (citrus orchards).

The land the gen-tie is on is Borrego Valley Road, which runs from the solar project site to the substation property and is adjacent to fallowed agricultural land on the west side of the road and active citrus orchard on the east side of the road. The substation property is located on a partially developed parcel that contains native vegetation and sensitive cultural resources on the eastern portion of the property. There is one single family home located to the north, one single family home to the south, and a commercial tree farm located to the east. The parcel directly to the west of the substation is vacant and contains native vegetation.

(See Land Use Community Character Analysis and Visual Analysis for more information)

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

<b>Permit Type/Action</b>	<b>Agency</b>
Major Use Permit	County of San Diego
Grading Permit	County of San Diego
County Right-of-Way Permits Construction, Excavation, Encroachment	County of San Diego
General Construction Storm water Permit	RWQCB
California Public Utilities Commission	Permit To Construct
Fire District Approval	Borrego Springs Fire Districts

**ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:** The environmental factors checked below would be potentially affected by this Project and involve at least one impact that is a “Potentially Significant Impact” or a “Less Than Significant With Mitigation Incorporated,” as indicated by the checklist on the following pages.

- |  |   |  |
|--|---|--|
| <input type="checkbox"/> <a href="#">Aesthetics</a>                      | <input type="checkbox"/> <a href="#">Agriculture and Forest Resources</a>           | <input checked="" type="checkbox"/> <a href="#">Air Quality</a>                        |
| <input checked="" type="checkbox"/> <a href="#">Biological Resources</a> | <input checked="" type="checkbox"/> <a href="#">Cultural Resources</a>              | <input checked="" type="checkbox"/> <a href="#">Geology &amp; Soils</a>                |
| <input type="checkbox"/> <a href="#">Greenhouse Gas Emissions</a>        | <input type="checkbox"/> <a href="#">Hazards &amp; Haz. Materials</a>               | <input checked="" type="checkbox"/> <a href="#">Hydrology &amp; Water Quality</a>      |
| <input type="checkbox"/> <a href="#">Land Use &amp; Planning</a>         | <input type="checkbox"/> <a href="#">Mineral Resources</a>                          | <input type="checkbox"/> <a href="#">Noise</a>   |
| <input type="checkbox"/> <a href="#">Population &amp; Housing</a>        | <input type="checkbox"/> <a href="#">Public Services</a>                            | <input type="checkbox"/> <a href="#">Recreation</a>                                    |
| <input type="checkbox"/> <a href="#">Transportation/Traffic</a>          | <input checked="" type="checkbox"/> <a href="#">Utilities &amp; Service Systems</a> | <input checked="" type="checkbox"/> <a href="#">Mandatory Findings of Significance</a> |

**DETERMINATION:** (To be completed by the Lead Agency)

**On the basis of this initial evaluation:**

- On the basis of this Initial Study, the Department of Planning and Land Use finds that although the proposed Project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the Project have been made by or agreed to by the Project proponent. A **MITIGATED NEGATIVE DECLARATION** will be prepared.



May 26, 2011

**Signature**

**Date**

Patrick Brown

Project Manager

**Printed Name**

**Title**

**I. AESTHETICS** -- Would the Project:

a) Have a substantial adverse effect on a scenic vista?

- |   |   |
|---|---|
| <input type="checkbox"/> Potentially Significant Impact                     | <input checked="" type="checkbox"/> <b>Less than Significant Impact</b> |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact                                      |

Discussion/Explanation:

A vista is a view from a particular location or composite views along a roadway or trail. Scenic vistas often refer to views of natural lands, but may also be compositions of natural and developed areas, or even entirely of developed and unnatural areas, such as a scenic vista of a rural town and surrounding agricultural lands. What is scenic to one person may not be scenic to another, so the assessment of what constitutes a scenic vista must consider the perceptions of a variety of viewer groups.

The items that can be seen within a vista are visual resources. Adverse impacts to individual visual resources or the addition of structures or developed areas may or may not adversely affect the vista. Determining the level of impact to a scenic vista requires analyzing the changes to the vista as a whole and also to individual visual resources.

**Less Than Significant Impact:**

The viewshed and visible components of the landscape within that viewshed, including the underlying landform and overlaying land cover, establish the visual environment for

the scenic vista. The visual environment of the subject scenic vista extends from the valley floor to the foothills of the surrounding mountains. The visual composition and environment consists of four aspects, those of the project site, those in the immediate vicinity, those on the valley floor in general, and those in the higher elevations around the periphery of the valley. For purposes of this analysis, the Project located on the valley floor, could be seen from the higher elevations from such places as Montezuma Grade Overlook (County Sign Route S22) that enters the valley from the west, Font's Point located within the Anza Borrego Desert State Park, and the Visitor's Center when first entering the valley floor from the west.

The proposed project is a 308 acre 26 MW unmanned photovoltaic solar farm that includes a 1 mile gen-tie line and minor improvements at the existing Borrego Valley substation. An Aesthetic Visual Resource Analysis (Visual Analysis) for the proposed Project, dated May 2011, was prepared by Chagala and Associates and a site a site visit completed by County staff. The proposed project is located near or within the viewshed of at least two scenic vistas and a visitor's center that is frequented by incoming tourist.

Based on the results of the Visual Analysis, the project has been determined to be compatible with the existing visual environment in terms of visual character and quality and will not impact views from the three relevant scenic views.

The higher elevations in the mountains and on the periphery of the valley have key views from which the Project could be seen. These views are from a long distance, measuring roughly 5 to 7 miles. Due to the size of this project area and the contrasting color of the modules against the desert soils, the project will be visible, with the visibility increasing with higher elevation. As elevation increases, the Project blends into the valley floor because of the uniformity of the panel arrays and the lack of vertical presence. The higher elevations provide views of the valley floor, which consist of existing and abandoned agriculture, natural desert vegetation, low density, residential development, golf courses, and mountains in the background. The color of the natural vegetation contrasts sharply with the dark greens of the agriculture and the golf courses, as well as the pink or purple colors of the mountains surrounding the valley. Additionally the agriculture has a standardized pattern, while the golf courses tend to have turf of various shapes and colors. The natural vegetation, the low density scattered homes, the mountain patterns, and to a lesser extent, the abandoned agriculture tend to be a more random pattern. Also, lines of site from the higher elevations are expansive and include the entire valley and the mountains beyond.

The dominant features from the higher elevations are the mountains in the background and the dark agricultural areas and golf courses that contrast with the much lighter natural vegetation. This is all in a backdrop of the natural vegetation and the scattered homes. In terms of continuity, the mountains would be the most continuous feature, along with the natural vegetation. Taken together, views of the higher elevations would tend to relate more to mountains, landscape areas, and natural vegetation. After construction, this project will blend with the contrasting agriculture adjacent to it and will not block any views from the mountains. Additionally, since the project is not located on a parcel with existing native vegetation, it will not affect any views from the scenic vistas referenced above.

However, since the project is adjacent to productive agriculture, there are already contrasting colors in the vicinity with the only difference being this project will be dark blue as opposed to a variety of greens. The Visual Analysis provides current and simulated photos of this project from the Anza-Borrego State Park Visitor Center, Montezuma Grade Overlook (S22), and Font's Point. As such, it is not anticipated that the Project will substantially obstruct, interrupt, or detract from a valued focal and/or panoramic vista from a public road or a scenic vista or highway. In addition, views from established recreational areas will not be obstructed or interrupted with development of the site as proposed. Therefore, impacts would be less than significant, and no mitigation is required.

**Cumulative Analysis:** The Project will not result in cumulative impacts on a scenic vista because the proposed Project viewshed and past, present and future Projects within that viewshed were evaluated to determine their cumulative effects. Refer to XVII. Mandatory Findings of Significance for a comprehensive list of the Projects considered. Those Projects listed in Section XVII are located within the scenic vista's viewshed and will not contribute to a cumulative impact for the following reasons:

- The cumulative Projects do not result in the introduction of feature that would detract or contrast with the existing visual features of the surrounding area. The existing development in the Borrego Valley consists of a range of uses that include high end desert resorts, mobile home parks, agricultural uses, commercial uses, and single family residential uses. The inclusion of this Project with the other two solar Projects in the area does not conflict with the visual quality of the area because the solar Projects are spread out and are not concentrated in one area. When combined, the solar projects will not disrupt the pattern of development within the Borrego Valley.
- The addition of the cumulative Projects does not remove or create a substantial adverse change to the features that represent a valued visual resource in the area. The valley floor is still visible from higher elevations and will still appear to have a scattered development pattern. None of the projects would alter the mountain views from the valley floor from places where they are currently observed.
- The proposed Project does not substantially obstruct or detract from valued lookouts our panoramic views from public roads, scenic highways, or recreational area. Build-out of the cumulative Projects would not have an adverse effect on these public viewsheds because the projects will match the existing development pattern in the Borrego Valley. As noted above, most of the cumulative Projects are residential Projects or modifications to existing developments. From a vantage point where all of the developments would be visible it would appear as the continuation of the existing development pattern in the area. In order to see all three proposed solar projects, the viewpoint (Such as Montezuma Grade) would have to be located at a higher elevation than the valley floor and would be several miles away from any one of the proposed solar projects. Because of the distance between the solar Projects and the distance from the public viewpoints, the cumulative visual effect of the solar Projects will not have an adverse effect on a scenic vistas.

Moreover, all future discretionary projects within the Borrego Springs community would be subject to an evaluation of the significance of potential cumulative visual and aesthetic changes on a site-specific, Project-by-Project basis, with consideration for its scope and contribution to a change in the overall visual pattern or character within the community.

In conclusion, although the Project would result in a permanent visual change in the existing landscape with development of the proposed PV solar farm, as demonstrated by evaluation of the visual simulations prepared, the Project is not considered to contribute to a significant direct or cumulative effect with regard to the loss of views to scenic resources. Therefore, the Project will not result in adverse Project or cumulative impacts on a scenic vista.

b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?

- |   |   |
|---|---|
| <input type="checkbox"/> Potentially Significant Impact                     | <input checked="" type="checkbox"/> <b>Less than Significant Impact</b> |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact                                      |

Discussion/Explanation:

State scenic highways refer to those highways that are officially designated by the California Department of Transportation (Caltrans) as scenic ([Caltrans - California Scenic Highway Program](#)). Generally, the area defined within a State scenic highway is the land adjacent to and visible from the vehicular right-of-way. The dimension of a scenic highway is usually identified using a motorist's line of vision, but a reasonable boundary is selected when the view extends to the distant horizon. The scenic highway corridor extends to the visual limits of the landscape abutting the scenic highway.

**Less Than Significant Impact:** Based on a site visit completed by staff and the Visual Analysis prepared by James Chagala and Associates dated May 2011, the proposed Project is not located near or visible within the composite viewshed of a State Scenic Highway. The only State designated Scenic Highway located near the project is Highway 78 (SR-78), which is approximately 9 miles to the south and cannot be seen because of the distance, the minor scale and lack of vertical presence of the Project, and intervening topography. Therefore, the presence of the Project would not substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway.

**Cumulative Analysis:** The Project will not result in cumulative impacts on trees, rock outcroppings, and historic buildings within a state scenic highway because the proposed is not located near a State Scenic Highway; therefore, an incremental effect cannot be considered. Refer to XVII. Mandatory Findings of Significance for a comprehensive list of the projects considered. Some of the projects listed in Section XVII are located within the viewshed of Highway 78, but are not relevant to the projects incremental impacts because they do not contribute to a cumulative impact due to distance from the project and SR-78.

Therefore, the Project will not result in any adverse direct Project or cumulative level effects on a scenic resource within a State scenic highway. Also see discussion of scenic vistas above in Visual response (a).

c) Substantially degrade the existing visual character or quality of the site and its surroundings?

- |   |   |
|---|---|
| <input type="checkbox"/> Potentially Significant Impact                     | <input checked="" type="checkbox"/> <b>Less than Significant Impact</b> |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact                                      |

Discussion/Explanation:

**Less Than Significant Impact:** Visual character is the objective composition of the visible landscape within a viewshed. Visual character is based on the organization of the pattern elements line, form, color, and texture. Visual character is commonly discussed in terms of dominance, scale, diversity and continuity. Visual quality is the viewer's perception of the visual environment and varies based on exposure, sensitivity and expectation of the viewers. The existing visual character of the neighborhood is one of vacant properties and agricultural operations. Additionally, there are no sensitive viewers in the immediate vicinity who can see the Project because of the level terrain and the extensive system of windrows in this area. In the remote areas of the viewshed, the Project will be visible but the distances are so great that the Project will appear similar to the adjacent agricultural areas.

Based on a site visit completed by staff and the Visual Analysis prepared by James Chagala and Associates dated May 2011, the Project would have a less than significant impact on visual character and quality of the surrounding community because the Project will not introduce features that would detract from or contrast with the existing visual character and/or quality of a neighborhood, community, or localized area by conflicting with important visual element or the quality of the area that would affect scenic vistas within the viewshed.

The property is presently vacant with remnants of the previous agricultural activity. The site is presently covered with dead or dormant grasses with some stakes and other features of the previous agriculture. The Project will be laid out with modules on a series of racks and a number of inverters. The solar arrays will be no higher than 10 feet high with an inverter and shade structure every 5.5 acres. As discussed previously, the Project would be visible from higher elevations, but the project features would not be discernibly noticeable because of the uniformity of the Project layout and equipment that is proposed.

An inventory has been done of all buildings within the neighborhood, defined as that area within 1 mile of the outer boundaries of the property, an area of 4,800 acres. Within this area it was determined that there were about 32 structures approximately 160 square feet in size, of which 4 were residences and 41 were agricultural buildings. There were no commercial or industrial buildings that were not tied to an agricultural operation. The Project can only be seen from an immediate location because of the existing windrows to the west and north, and the existing orchards immediately to the

east and further to the south beyond the fallowed agricultural land the project is adjacent to.

Improvements at the Borrego Substation and associated transmission line improvements along Borrego Valley Road would not significantly affect the existing visual quality of the area. Similar facilities are present on the site, and the Project would not introduce new components that would significantly contrast with the existing utility use. Limited grading would be required onsite to provide a level building pad, and therefore, the Project would not create topographical features that would differ from that which presently exists or detract from the character of the surrounding landscape. As the visual quality of the site is presently considered to be low, as the site is utilized for utility purposes and offers no landscape components of visual memorability or distinctive visual patterns, the proposed improvements are not anticipated to significantly change or decrease the visual quality of existing conditions at the Borrego Substation.

For those reasons explained above, the Project would significantly affect the existing visual quality of the lands affected by the Project or of surrounding lands. Potential visual impacts affecting view quality would be less than significant, and no mitigation measures are required.

**Cumulative Analysis:** The Project will not result in cumulative impacts on visual character or quality because the entire existing viewshed and a list of past, present and future Projects within that viewshed were evaluated. Refer to XVII. Mandatory Findings of Significance for a comprehensive list of the Projects considered. Those Projects listed in Section XVII are located within the viewshed surrounding the Project and will not contribute to a cumulative impact for the following reasons:

- The cumulative Projects do not result in the introduction of feature that would detract or contrast with the existing visual features of the surrounding area. The existing development in the Borrego Valley consists of a range of uses that include high end desert resorts, mobile home parks, agricultural uses, commercial uses, and single family residential uses. The inclusion of the three solar Projects in the land use mix does not conflict with the visual quality of the area because the solar Projects are spread out and not concentrated in one area.
- The addition of the cumulative Projects does not remove or create a substantial adverse change to the features that represent a valued visual resource in the area. The valley floor is still visible from higher elevations and will still appear to have a scattered development pattern once the cumulative projects are constructed. None of the projects would alter the mountain views from the valley floor from places where they are currently observed.
- The proposed Project does not substantially obstruct or detract from valued lookouts our panoramic views from public roads, scenic highways, or recreational area. Build-out of the cumulative Projects would not have an adverse effect on these public viewsheds because the projects will match the existing development pattern in the Borrego Valley. As noted above, most of the cumulative Projects are residential Projects or modifications to existing developments. From a

vantage point where all of the developments would be visible it would appear as the continuation of the existing development pattern in the area. In order to see all three proposed solar projects, the viewpoint would have to be located at a higher elevation than the valley floor and would be several miles away from any one of the proposed solar projects. Because of the distance between the solar projects and the distance from the public viewpoints, the cumulative visual effect of the solar Projects will not substantially affect the immediate and close views from other land uses in the area.

- Moreover, all future discretionary projects within the Borrego Springs community would be subject to an evaluation of the significance of potential cumulative visual and aesthetic changes on a site-specific, Project-by-Project basis, with consideration for its scope and contribution to a change in the overall visual pattern or character within the community.

Therefore, the impacts of this Project will not result in any adverse direct Project or cumulative level effect on visual character or quality on-site or in the surrounding area.

- d) Create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area?

- |   |   |
|---|---|
| <input type="checkbox"/> Potentially Significant Impact                     | <input checked="" type="checkbox"/> <b>Less than Significant Impact</b> |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact                                      |

Discussion/Explanation:

**Less Than Significant Impact:**

The project consists of the installation of a 308 acre 26 Mega Watt (MW) Alternating Current (ac) unmanned photovoltaic (PV) solar energy system that utilizes crystalline silicon or thin film PV panel technology and off-site improvements consisting of an estimated one mile 69kV generation tie line (gen-tie) and a minor expansion of the existing 69kV SDG&E Borrego Valley Substation. Improvements include solar panel that could create a new source of glare and nighttime lighting that could affect views in the area.

Based on the technical evidence evaluating the reflectivity of the solar PV panels, the proposed Project will not install highly reflective building materials that would result in a substantial increase in light and glare that would affect the surrounding area, including surrounding houses and public viewpoints. The PV panels would not produce reflective light that would create adverse disability or discomfort glare. There would a minimal amount of veiling reflection that would be minimized by the solar panels because they would have an anti-reflective coating (AR) that would reduce reflective glare. The reduced reflectivity of the PV solar panels with an antireflective coating (AR) would not adversely affect day or nighttime views in the area. The slight increase in glare from the Project would be a less than significant impact.

The proposed Project which is located within Zone B as identified by the San Diego County Light Pollution Code will not adversely affect nighttime views or astronomical

observations, because the Project will conform to the Light Pollution Code (Section 59.101-59.115).

In addition, the proposed Project will control outdoor lighting in the following ways:

1. The Project will not install outdoor lighting that directly illuminates neighboring properties.
2. The Project will not install outdoor lighting that would cast a direct beam angle towards a potential observer, such as a motorists, cyclist or pedestrian.
3. The Project will not install outdoor lighting for vertical surfaces such as buildings, landscaping, or signs in a manner that would result in useful light or spill light being cast beyond the boundaries of intended area to be lit.

**Cumulative Analysis:** The project will not contribute to significant cumulative impacts on day or nighttime views because the project will conform to the Light Pollution Code. The Code was developed by the San Diego County Department of Planning and Land Use and Department of Public Works in cooperation with lighting engineers, astronomers, land use planners from San Diego Gas and Electric, Palomar and Mount Laguna observatories, and local community planning and sponsor groups to effectively address and minimize the impact of new sources light pollution on nighttime views. The standards in the Code are the result of this collaborative effort and establish an acceptable level for new lighting. Compliance with the Code is required prior to issuance of any building permit for any project. Mandatory compliance for all new building permits ensures that this project in combination with all past, present and future projects will not contribute to a cumulatively considerable impact. Therefore, compliance with the Code ensures that the project will not create a significant new source of substantial light or glare, which would adversely affect daytime or nighttime views in the area, on a project or cumulative level.

In addition, the project's outdoor lighting is controlled through the Major Use Permit, which further limits outdoor lighting through strict controls. Therefore, compliance with the Code, in combination with the outdoor lighting and glare controls listed above ensures that the project will not create a significant new source of substantial light or glare.

## **II. AGRICULTURE AND FORESTRY RESOURCES** -- Would the Project:

- a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide or Local Importance (Important Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, or other agricultural resources, to non-agricultural use?

- |   |   |
|---|---|
| <input type="checkbox"/> Potentially Significant Impact                     | <input checked="" type="checkbox"/> <b>Less than Significant Impact</b> |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact                                      |

Discussion/Explanation:

**Less Than Significant Impact:** The Project site has land designated as Farmland of Statewide or Local Importance according to the State Farmland Mapping and Monitoring Program (FMMP). However, based on a site visit and a review of historic aerial photography, there is no evidence of current agricultural use on the Project site because it was fallowed many years ago. This date is at least four years prior to the last FMMP mapping date. In order to qualify for the Prime Farmland, Unique Farmland, Farmland of Statewide or Local Importance designations, land must have been cropped at some time during the four years prior to the last FMMP mapping date. Because Project is located east of the Tecate Divide and outside of the County Water Authority, the Farmland of Statewide or Local Importance designation of this area according to the State is incorrect. The Farmland designation is likely misapplied as a result of the large scale of the Statewide mapping effort, which assigns Farmland designations based on aerial photography and limited ground verification. Therefore, due to the lack of water within the Borrego Valley and the fact the land was fallowed many years ago, the site does not meet the definition of an agricultural resource and no potentially significant Project or cumulative level conversion of Prime Farmland, Unique Farmland, or Farmland of Statewide or Local Importance to a non-agricultural use will occur as a result of this Project.

b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?

- |   |   |
|---|---|
| <input type="checkbox"/> Potentially Significant Impact                     | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input checked="" type="checkbox"/> <b>No Impact</b>  |

Discussion/Explanation:

**No Impact:** The Project site is zoned General Rural (S92), which is not considered to be an agricultural zone. Additionally, the Project site's land is not under a Williamson Act Contract. Therefore, the Project does not conflict with existing zoning for agricultural use, or a Williamson Act Contract.

c) Involve other changes in the existing environment, which, due to their location or nature, could result in conversion of Important Farmland or other agricultural resources, to non-agricultural use?

- |   |   |
|---|---|
| <input type="checkbox"/> Potentially Significant Impact                     | <input checked="" type="checkbox"/> <b>Less than Significant Impact</b> |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact                                      |

Discussion/Explanation:

**Less Than Significant Impact:** The Project site and adjacent property has land designated as Prime Farmland, Unique Farmland, and Farmland of Statewide Importance. As a result, the proposed Project was reviewed by the County, and was determined not to have significant adverse impacts related to the conversion of Prime Farmland, Unique Farmland, Farmland of Statewide or Local importance, for the following reasons: (1) The community discourages the farming because of the use of groundwater, which is a depleting nonrecharging resource. The Project parcels are

followed agricultural land that would not be farmed in the future. (2) The proposed use of a photovoltaic solar farm would not affect the adjacent surrounding commercial farms because it is a passive use. (3) The proposed solar farm is not a sensitive receptor; therefore, the agricultural operation would not affect the proposed use. Therefore, no potentially significant Project or cumulative level conversion of Prime Farmland, Unique Farmland, Farmland of Statewide Importance or Farmland of Local Importance to a non-agricultural use will occur as a result of this Project.

d) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), or timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?

- |   |   |
|---|---|
| <input type="checkbox"/> Potentially Significant Impact                     | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input checked="" type="checkbox"/> <b>No Impact</b>  |

Discussion/Explanation:

**No Impact:** The Project site including offsite improvements do not contain forestlands or timberland. The County of San Diego does not have any existing Timberland Production Zones. In addition, the Project is consistent with existing zoning and a rezone of the property is not proposed. Therefore, Project implementation would not conflict with existing zoning for, or cause rezoning of, forestland, timberland or timberland production zones.

e) Result in the loss of forest land conversion of forestland to non-forest use, or involve other changes in the existing environment, which, due to their location or nature, could result in conversion of forest land to non-forest use?

- |   |   |
|---|---|
| <input type="checkbox"/> Potentially Significant Impact                     | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input checked="" type="checkbox"/> <b>No Impact</b>  |

Discussion/Explanation:

**No Impact:** The Project site including any offsite improvements do not contain any forest lands as defined in Public Resources Code section 12220(g), therefore Project implementation would not result in the loss or conversion of forest land to a non-forest use. In addition, the Project is not located in the vicinity of offsite forest resources.

**III. AIR QUALITY** -- Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the Project:

a) Conflict with or obstruct implementation of the San Diego Regional Air Quality Strategy (RAQS) or applicable portions of the State Implementation Plan (SIP)?

- |   |   |
|---|---|
| <input type="checkbox"/> Potentially Significant Impact                     | <input checked="" type="checkbox"/> <b>Less than Significant Impact</b> |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact                                      |

Discussion/Explanation:

**Less Than Significant Impact:**

The Project is an unmanned photovoltaic facility, which is considered to be a Civic Use type within the County of San Diego. However, as discussed in the Air Quality Analysis, dated April 2011, prepared by LDN Consulting, the Project is not expected to conflict with either the RAQS or the SIP. The Project proposes development that was anticipated in SANDAG growth Projections used in development of the RAQS and SIP. Operation of the Project will not result in emissions of significant quantities of criteria pollutants listed in the California Ambient Air Quality Standards or toxic air contaminants as identified by the California Air Resources Board. As such, the proposed Project is not expected to conflict with either the RAQS or the SIP. In addition, the Project is consistent the SANDAG growth Projections used in the RAQS and SIP, therefore, the Project will not contribute to a cumulatively considerable impact.

b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?

- |   |   |
|---|---|
| <input type="checkbox"/> Potentially Significant Impact                                       | <input type="checkbox"/> Less than Significant Impact |
| <input checked="" type="checkbox"/> <b>Less Than Significant With Mitigation Incorporated</b> | <input type="checkbox"/> No Impact                    |

Discussion/Explanation:

In general, air quality impacts from land use Projects are the result of emissions from motor vehicles, and from short-term construction activities associated with such Projects. The San Diego County Land Use Environment Group (LUEG) has established guidelines for determining significance which incorporate the Air Pollution Control District's (SDAPCD) established screening-level criteria for all new source review (NSR) in APCD Rule 20.2. These screening-level criteria can be used as numeric methods to demonstrate that a Project's total emissions (e.g. stationary and fugitive emissions, as well as emissions from mobile sources) would not result in a significant impact to air quality. Since APCD does not have screening-level criteria for emissions of volatile organic compounds (VOCs), the use of the screening level for reactive organic compounds (ROC) from the South Coast Air Quality Management District (SCAQMD) for the Coachella Valley (which are more appropriate for the San Diego Air Basin) are used.

**Less Than Significant With Mitigation Incorporated:**

Air quality emissions associated with the Project include emissions of PM<sub>10</sub>, NO<sub>x</sub> and VOCs from construction, grading, and trenching activities. However, grading operations associated with the construction of the Project would be subject to County of San Diego

Grading Ordinance, which requires the implementation of dust control measures. Emissions from the construction phase would be minimal and localized, resulting in criteria pollutant emissions below the screening-level criteria established by SDAPCD Rule 20.2 and by the South Coast Air Quality Management District (SCAQMD) CEQA air quality handbook section 6.2 and 6.3. The Project would have a significant impact on air quality due to the increased PM<sub>10</sub> (Fugitive Dust) PM<sub>2.5</sub> (Exhaust Particulate), that exceeds the established standards.

All temporary impacts (Including undergrounding) have been mitigated below a level of significance due to the mitigation that would reduce PM<sub>10</sub> (Fugitive Dust) PM<sub>2.5</sub> (Exhaust Particulate) below levels of significance:

- a. All haul/dump trucks entering or leaving the site with soil or fill material must maintain at least 2 feet of freeboard or cover loads of all haul/dump trucks securely (unnumbered design measure).
- b. Dust control measures of the Grading Ordinance will be enhanced with a minimum of three (3) daily applications of water to the construction areas, between dozer/scrapper passes and on any unpaved roads within the Project limits.
- c. Grading is to be terminated in winds exceed 25 mph.
- d. Sweepers and water trucks shall be used to control dust and debris at public street access points.
- e. Dirt storage piles will be stabilized by chemical binders, tarps, fencing or other suppression measures.
- f. A minimum of Five 15 mph signs shall be posted and enforced on unpaved areas during construction.
- g. Internal construction-roadways will be stabilized by paving, chip sealing or chemicals after rough grading.

**Operational:** The disturbed surfaces of the Project site have the potential to stir up fugitive dust particles if the surfaces are not replanted or treated with a soil-binding agent. The following mitigation measures would reduce this impact to levels below significance:

In order to mitigate for fugitive dust caused from the permanent disturbance of the site from clearing and grading, a permeable soil-binding agent or permeable rock material shall be used to limit the dust. Prior to occupancy of the first structure built a non-toxic, biodegradable permeable soil-binding agent or permeable rock material will be applied to all disturbed or exposed surface areas as follows:

- a. A permeable soil-binding binding agent suitable for both traffic and non-traffic areas shall be used. These agent shall be are biodegradable, eco-safe, with liquid copolymers that stabilize and solidify soils or aggregates, which and facilitate dust suppression.
- b. Alternatively, a permeable rock material consisting of either river stone decomposed granite or gravel could be placed in a thin cover over all exposed surface area in-lieu of the binding agent referenced above.

- c. In-lieu of, or in combination with #1 and #2 above, the areas located between the arrays, and any non-drivable surface may be revegetated with native noninvasive plant species. A Revegetation Plan, shall be prepared, that which provides sufficient ground cover to mitigate fugitive dust from the ground disturbances. The revegetation plan shall conform to the most current version of the [County of San Diego Report Format and Content Requirements for Revegetation Plans](#). The Revegetation Plan shall include the following:
1. The monitoring plan shall be for a length of 3 years and have an 80 percent success criterion.
  2. The report shall be prepared by a County approved biologist and the construction plans shall be prepared by a State of California Licensed Landscape Architect.
  3. Revegetation objectives, revegetation site biological resource map, 24"x 36" landscape plan, map showing revegetation areas according to mitigation type and amount, site preparation information, type of planting materials (e.g. species ratios, source, size material, etc.), planting program, 80 percent success criteria, and a detailed cost estimate.
  4. A cost estimate based on a 3% annual inflation rate shall be submitted and approved, which includes the cost of the plant stock and its installation, irrigation system and installation, cost of monitoring and maintenance of the revegetation area for the required monitoring period, and report preparation and staff time to review.
  5. The applicant shall enter into a Secured Agreement with the County of San Diego to the satisfaction of the [DPLU, LA] as follows: The security shall consist of a letter of credit, bond, or cash for 100 percent of the estimated costs associated with the implementation of the Revegetation Plan and, Provide a 10 percent cash deposit of the cost of all improvements, but no less than \$3,000 and no more than \$30,000.

The applicant shall install the permeable soil-binding agent or permeable rock as referenced above. Upon completion a photographic letter report with manufacture data sheets and specifications of the material shall submitted to the County for review and approval. Upon establishment of the use, this mitigation measure shall be enforced for the duration of the permit to ensure that the disturbed soils are protected from creating fugitive dust that would leave the site.

In addition, a list of past, present and future Projects within the surrounding area were evaluated and none of these Projects emit significant amounts of criteria pollutants. No cumulative impact will occur with the implementation of the Project. Refer to XVII. Mandatory Findings of Significance for a comprehensive list of the Projects considered. The proposed Project as well as the past, present and future Projects within the

surrounding area, have emissions below the screening-level criteria established by SDAPCD Rule 20.2 and by the SCAQMD CEQA air quality handbook section 6.2 and 6.3, therefore, the construction and operational emissions associated with the proposed Project are not expected to create a cumulatively considerable impact nor a considerable net increase of PM<sub>10</sub>, or any O<sub>3</sub> precursors.

c) Result in a cumulatively considerable net increase of any criteria pollutant for which the Project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?

- |   |   |
|---|---|
| <input type="checkbox"/> Potentially Significant Impact                                       | <input type="checkbox"/> Less than Significant Impact |
| <input checked="" type="checkbox"/> <b>Less Than Significant With Mitigation Incorporated</b> | <input type="checkbox"/> No Impact                    |

Discussion/Explanation:

San Diego County is presently in non-attainment for the 1-hour concentrations under the California Ambient Air Quality Standard (CAAQS) for Ozone (O<sub>3</sub>). San Diego County is also presently in non-attainment for the annual geometric mean and for the 24-hour concentrations of Particulate Matter less than or equal to 10 microns (PM<sub>10</sub>) under the CAAQS. O<sub>3</sub> is formed when volatile organic compounds (VOCs) and nitrogen oxides (NO<sub>x</sub>) react in the presence of sunlight. VOC sources include any source that burns fuels (e.g., gasoline, natural gas, wood, oil); solvents; petroleum processing and storage; and pesticides. Sources of PM<sub>10</sub> in both urban and rural areas include: motor vehicles, wood burning stoves and fireplaces, dust from construction, landfills, agriculture, wildfires, brush/waste burning, and industrial sources of windblown dust from open lands.

**Less Than Significant With Mitigation Incorporated:**

In general, air quality impacts from land use Projects are the result of emissions from motor vehicles, and from short-term construction activities associated with such Projects. The San Diego County Land Use Environment Group (LUEG) has established guidelines for determining significance which incorporate the Air Pollution Control District's (SDAPCD) established screening-level criteria for all new source review (NSR) in APCD Rule 20.2. These screening-level criteria can be used as numeric methods to demonstrate that a Project's total emissions (e.g. stationary and fugitive emissions, as well as emissions from mobile sources) would not result in a significant impact to air quality. Since APCD does not have screening-level criteria for emissions of volatile organic compounds (VOCs), the use of the screening level for reactive organic compounds (ROC) from the South Coast Air Quality Management District (SCAQMD) for the Coachella Valley (which are more appropriate for the San Diego Air Basin) are used.

**Construction:** Air quality emissions associated with the Project include emissions of PM<sub>10</sub>, NO<sub>x</sub> and VOCs from construction, grading, and trenching activities. However, grading operations associated with the construction of the Project would be subject to County of San Diego Grading Ordinance, which requires the implementation of dust control measures. Emissions from the construction phase would be minimal and

localized, resulting in criteria pollutant emissions below the screening-level criteria established by SDAPCD Rule 20.2 and by the South Coast Air Quality Management District (SCAQMD) CEQA air quality handbook section 6.2 and 6.3. The Project would have a significant impact on air quality due to the increased PM<sub>10</sub> (Fugitive Dust) PM<sub>2.5</sub> (Exhaust Particulate) that exceeds the established standards. These temporary impacts have been mitigated below a level of significance due to the mitigation that would reduce PM<sub>10</sub> (Fugitive Dust) PM<sub>2.5</sub> (Exhaust Particulate) below levels of significance:

- a. All haul/dump trucks entering or leaving the site with soil or fill material must maintain at least 2 feet of freeboard or cover loads of all haul/dump trucks securely (unnumbered design measure).
- b. Dust control measures of the Grading Ordinance will be enhanced with a minimum of three (3) daily applications of water to the construction areas, between dozer/scrapper passes and on any unpaved roads within the Project limits.
- c. Grading is to be terminated in winds exceed 25 mph.
- d. Sweepers and water trucks shall be used to control dust and debris at public street access points.
- e. Dirt storage piles will be stabilized by chemical binders, tarps, fencing or other suppression measures.
- f. A minimum of Five 15 mph signs shall be posted and enforced on unpaved areas during construction.
- g. Internal construction-roadways will be stabilized by paving, chip sealing or chemicals after rough grading.

**Operational:** The disturbed surfaces of the Project site have the potential to stir up fugitive dust particles if the surfaces are not replanted or treated with a permeable soil-binding agent. The following mitigation measures would reduce this impact to levels below significance:

In order to mitigate for fugitive dust caused from the permanent disturbance of the site from clearing and grading, a permeable soil-binding agent or permeable rock material shall be used to limit the dust. Prior to occupancy of the first structure built a non-toxic, biodegradable permeable soil-binding agent or permeable rock material will be applied to all disturbed or exposed surface areas as follows:

- a. A permeable soil-binding agent suitable for both traffic and non-traffic areas shall be used. These agent shall be are biodegradable, eco-safe, with liquid copolymers that stabilize and solidify soils or aggregates, which and facilitate dust suppression.
- b. Alternatively, a permeable rock material consisting of either river stone decomposed granite or gravel could be placed in a thin cover over all exposed surface area in-lieu of the binding agent referenced above.
- c. In-lieu of, or in combination with #1 and #2 above, the areas located +between the arrays, and any non-drivable surface may be revegetated with native noninvasive plant species. A Revegetation Plan, shall be

prepared, that which provides sufficient ground cover to mitigate fugitive dust from the ground disturbances. The revegetation plan shall conform to the most current version of the [County of San Diego Report Format and Content Requirements for Revegetation Plans](#). The Revegetation Plan shall include the following:

1. The monitoring plan shall be for a length of 3 years and have an 80 percent success criterion.
2. The report shall be prepared by a County approved biologist and the construction plans shall be prepared by a State of California Licensed Landscape Architect.
3. Revegetation objectives, revegetation site biological resource map, 24"x 36" landscape plan, map showing revegetation areas according to mitigation type and amount, site preparation information, type of planting materials (e.g. species ratios, source, size material, etc.), planting program, 80 percent success criteria, and a detailed cost estimate.
4. A cost estimate based on a 3% annual inflation rate shall be submitted and approved, which includes the cost of the plant stock and its installation, irrigation system and installation, cost of monitoring and maintenance of the revegetation area for the required monitoring period, and report preparation and staff time to review.
5. The applicant shall enter into a Secured Agreement with the County of San Diego to the satisfaction of the [DPLU, LA] as follows: The security shall consist of a letter of credit, bond, or cash for 100 percent of the estimated costs associated with the implementation of the Revegetation Plan and, Provide a 10 percent cash deposit of the cost of all improvements, but no less than \$3,000 and no more than \$30,000.

The applicant shall install the permeable soil-binding agent or permeable rock as referenced above. Upon completion a photographic letter report with manufacture data sheets and specifications of the material shall be submitted to the County for review and approval. Upon establishment of the use, this mitigation measure shall be enforced for the duration of the permit to ensure that the disturbed soils are protected from creating fugitive dust that would leave the site.

In addition, a list of past, present and future Projects within the surrounding area were evaluated and none of these Projects emit significant amounts of criteria pollutants. No cumulative impact will occur with the implementation of the Project. Refer to XVII. Mandatory Findings of Significance for a comprehensive list of the Projects considered. The proposed Project as well as the past, present and future Projects within the surrounding area, have emissions below the screening-level criteria established by SDAPCD Rule 20.2 and by the SCAQMD CEQA air quality handbook section 6.2 and 6.3, therefore, the construction and operational emissions associated with the proposed

Project are not expected to create a cumulatively considerable impact nor a considerable net increase of PM10, or any O<sub>3</sub> precursors.

d) Expose sensitive receptors to substantial pollutant concentrations?

- |   |   |
|---|---|
| <input type="checkbox"/> Potentially Significant Impact                     | <input checked="" type="checkbox"/> <b>Less than Significant Impact</b> |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact                                      |

Discussion/Explanation:

Air quality regulators typically define sensitive receptors as schools (Preschool-12<sup>th</sup> Grade), hospitals, resident care facilities, or day-care centers, or other facilities that may house individuals with health conditions that would be adversely impacted by changes in air quality. The County of San Diego also considers residences as sensitive receptors since they house children and the elderly.

**Less Than Significant Impact:**

Based a site visit conducted by staff and the Air Quality Analysis prepared by LDN Consultants dated April 2011, no sensitive receptors have been identified within a quarter-mile of the Project (the radius determined by the SCAQMD in which the dilution of pollutants is typically significant). Further, the proposed Project will not generate significant levels of air pollutants. As such, the Project will not expose sensitive populations to excessive levels of air pollutants.

e) Create objectionable odors affecting a substantial number of people?

- |   |   |
|---|---|
| <input type="checkbox"/> Potentially Significant Impact                     | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input checked="" type="checkbox"/> <b>No Impact</b>  |

Discussion/Explanation:

**No Impact:** No potential sources of objectionable odors have been identified in association with the proposed Project. As such, no impact from odors is anticipated.

**IV. BIOLOGICAL RESOURCES** -- Would the Project:

a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?

- |   |   |
|---|---|
| <input type="checkbox"/> Potentially Significant Impact                                       | <input type="checkbox"/> Less than Significant Impact |
| <input checked="" type="checkbox"/> <b>Less Than Significant With Mitigation Incorporated</b> | <input type="checkbox"/> No Impact                    |

Discussion/Explanation:

**Less than Significant with Mitigation Incorporated:**

Biological resources on the Project site were evaluated by a Biological Resources Report prepared by John Messina, April 2011, County's Geographic Information System (GIS) records, the County's Comprehensive Matrix of Sensitive Species, and a site visit by staff biologist in September 2010. The Project consists of a 308 acre Project parcel, offsite 69kV transmission line improvements, and a 4 acre parcel for the substation expansion by SDG&E. The Project would result in the construction, operation, and maintenance of a photovoltaic (PV) solar farm.

The proposed Project consists of the following vegetation communities: 4.1 acres of desert saltbush scrub, 2.6 acres of sonoran creosote bush scrub, 1.6 acres of sonoran mixed woody scrub, 17.4 acres of athel dominated nonnative woodland, 2.6 acres of developed habitat, and 282.1 disturbed habitats. No sensitive plant or animal species were observed onsite. There is a high potential for the following species to occur onsite during migration but low potential for any nesting onsite: loggerhead shrike (*Lanius ludovicianus*) and Swainson's hawk (*Buteo swainsoni*).

To mitigate for direct impacts the Project is proposing mitigation as follows:

- **Project Parcel:** Sonoran Creosote Bush Scrub (Holland Code 33100): 2.6 acres mitigated at a 1:1 ratio for a total of 2.6 acres, Desert Saltbush Scrub (Holland Code 36110): 2.2 acres mitigated at a 2:1 ratio for a total of 4.4 acres, Sonoran Mixed Woody Scrub (Holland Code 33210): 1.6 acres mitigated at a ratio of 1:1 for a total of 1.6 acres.
- **Gen-Tie Line:** Impacts to native vegetation will not occur because it is within the existing disturbed County Right of Way (Borrego Valley Road).
- **Substation Expansion:** Desert Saltbush Scrub (Holland Code 36110): 1.9 acres mitigated at a 2:1 ratio for a total of 3.8 acres.

The Project will provide mitigation measures that will ensure that habitat compensation will occur offsite with a total of 12.4 acres of equal or greater valued habitat.

The offsite preservation will occur within or adjacent to the Anza Borrego State Park. To ensure that no impacts occur to loggerhead shrike or Swainson's hawk breeding season avoidance will be implemented as a mitigation measure that prevents brushing, clearing, and/or grading during the breeding season between March 1 and August 31.

Therefore, staff has determined that although the site supports native biological habitat, implementation of the mitigation measures described above will ensure that removal of this habitat will not result in substantial adverse effects, or have a cumulatively considerable impact to species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service.

- b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?

- Potentially Significant Impact                       Less than Significant Impact  
 **Less Than Significant With Mitigation Incorporated**                       No Impact

Discussion/Explanation:

**Less than Significant with Mitigation Incorporated:** Based on the Biological Resources Report prepared by John Messina, April 2011, no wetlands or jurisdictional waters were found onsite or offsite. The following sensitive habitats were identified on the site: desert saltbush scrub, sonoran creosote bush scrub, and sonoran mixed woody scrub. As detailed in response a) above, direct, indirect and cumulative impacts to sensitive natural communities identified in the County of San Diego Resource Protection Ordinance, Natural Community Conservation Plan, Fish and Game Code, and Endangered Species Act are considered less than significant through the implementation of offsite habitat purchases. Therefore, proposed mitigation measures will reduce impacts to less than significant since no direct impacts are expected to occur to any riparian habitats or sensitive natural community identified in the County of San Diego Multiple Species Conservation Program, County of San Diego Resource Protection Ordinance, Natural Community Conservation Plan, Fish and Game Code, Endangered Species Act, Clean Water Act, or any other local or regional plans, policies or regulations.

- c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?

- Potentially Significant Impact                       Less than Significant Impact  
 Less Than Significant With Mitigation Incorporated                       **No Impact**

Discussion/Explanation:

**No Impact:** The proposed Project site does not contain any wetlands as defined by Section 404 of the Clean Water Act, including, but not limited to, marsh, vernal pool, stream, lake, river or water of the U.S., that could potentially be impacted through direct removal, filling, hydrological interruption, diversion or obstruction by the proposed development. Therefore, no impacts will occur to wetlands defined by Section 404 of the Clean Water Act and under the jurisdiction of the Army Corps of Engineers.

- d) Interfere substantially with the movement of any native resident or migratory Fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?

- |   |   |
|---|---|
| <input type="checkbox"/> Potentially Significant Impact                     | <input checked="" type="checkbox"/> <b>Less than Significant Impact</b> |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact                                      |

Discussion/Explanation:

**Less than Significant Impact:** This site is not part of a regional linkage/corridor as identified on County maps, nor is it in an area considered regionally important for wildlife dispersal. Based on aerial evidence, the site has historically been farmed as early as 1967 as well as much of the area adjacent to this Project on all sides. This portion of Borrego Valley lacks the connectivity due to the lack of natural vegetation features such as wetlands. There are also many developed and historically farmed parcels that add to the lack of continuity of biological resources.

The existing wildlife corridors would exist on the habitats 5 miles to the north of the Project site along the alluvial fan of Coyote Creek away from the development. Therefore, the Project is not expected to interfere substantially with the movement of native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites. With the offsite habitat purchase required for mitigation of Project impacts, the Project will contribute to the development of large, biologically viable areas that provide wildlife corridors and native wildlife nursery sites. Therefore, the Project's contribution to any cumulative impact will be rendered less than cumulatively considerable.

- e) Conflict with the provisions of any adopted Habitat Conservation Plan, Natural Communities Conservation Plan, other approved local, regional or state habitat conservation plan or any other local policies or ordinances that protect biological resources?

- |   |   |
|---|---|
| <input type="checkbox"/> Potentially Significant Impact                     | <input checked="" type="checkbox"/> <b>Less than Significant Impact</b> |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact                                      |

Discussion/Explanation:

**Less than Significant Impact:**

Refer to the attached Ordinance Compliance Checklist dated May 26, 2011, for further information on consistency with any adopted Habitat Conservation Plan, Natural Communities Conservation Plan, other approved local, regional or state habitat conservation plan, including, Habitat Management Plans (HMP), Special Area Management Plans (SAMP), or any other local policies or ordinances that protect biological resources including the Multiple Species Conservation Program (MSCP), Biological Mitigation Ordinance, Resource Protection Ordinance (RPO), Habitat Loss Permit (HLP).

**V. CULTURAL RESOURCES** -- Would the Project:

a) Cause a substantial adverse change in the significance of a historical resource as defined in 15064.5?

- |   |   |
|---|---|
| <input type="checkbox"/> Potentially Significant Impact                     | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input checked="" type="checkbox"/> <b>No Impact</b>  |

Discussion/Explanation:

**No Impact:**

Based on an analysis of records and a survey of the Di Giorgio Ranch property by County of San Diego approved archaeologist, Patricia Mitchell of KP Environmental, LLC on July 12-15, 2010 and the San Diego Gas and Electric (SDG&E) substation expansion area on April 5, 2011, it has been determined that there are no impacts to historical resources because they do not occur within the Di Giorgio Ranch property or SDG&E substation. The Di Giorgio Ranch property contains remnants of grape vines, foundations, and historic trash. There are no standing structures associated with the vineyard on the Di Giorgio Ranch property (although there are some structures offsite on an adjacent parcel that are unaffiliated with the currently proposed development Project and will not be impacted by the proposed Project). The results of the survey are provided in a cultural resources report titled, "*Cultural Resources Survey and Inventory Report for the Proposed Borrego 1 Solar Project, Borrego Springs, San Diego County, California Borrego Springs, San Diego County, California, Permit Number 3300 10-026 (MUP); Kiva Number 05-0061012; Log Number 10-05-001*", prepared by Patricia Mitchell of KP Environmental, LLC, dated May 2011.

b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to 15064.5?

- |   |   |
|---|---|
| <input type="checkbox"/> Potentially Significant Impact                                       | <input type="checkbox"/> Less than Significant Impact |
| <input checked="" type="checkbox"/> <b>Less Than Significant With Mitigation Incorporated</b> | <input type="checkbox"/> No Impact                    |

Discussion/Explanation:

**Less Than Significant Impact with Mitigation Incorporated:**

The Di Giorgio Ranch property has been surveyed by a County approved archaeologist, Patricia Mitchell of KP Environmental, LLC on July 12-15, 2010 and the SDG&E substation expansion area was surveyed on April 5, 2011 and it has been determined that there are two resources and two isolates on the Di Giorgio Ranch property and one archaeological site and one isolate located within the SDG&E substation expansion survey area. The resources within the Di Giorgio Ranch property are CA-SDI-20016, CA-SDI-20017, and three isolates P-37-031497 (a graniteware pitcher), P-37-031498 (a Nehi bottle). Site CA-SDI-20016 is known as the Borrego or Di Giorgio Farms site. It contains features associated with the production of grapes such as a wooden trellis, pumping station, water wells, and irrigation system, foundation remains, and associated features and objects associated with the vineyard. There are no standing structures associated with the vineyard onsite (although there are some buildings offsite on an adjacent parcel). Site CA-SDI-20017 is a historic trash scatter that contains broken

glass, ceramic fragments, assorted nails, and rusted metal fragments associated with the farm. The site appears to be a secondary deposit as there is much alluvial action from the Coyote Canyon drainage in the area. Four diagnostic artifacts were found that show that the trash dates from the 1930s to 60s. These artifacts will be curated in a County approved facility.

SDGE Substation Parcel: The resources within the SDG&E substation expansion area are newly recorded loci 1a and 1b of habitation site CA-SDI-2366 and SE-iso-1 (a mano fragment). Site CA-SDI-2366 is a large habitation site which consists of at least 15 discrete loci (two of which were newly recorded just outside the SDG&E substation boundary). A cultural resources study titled, "*Cultural Resources Survey and Inventory Report for the Proposed Borrego 1 Solar Project, Borrego Springs, San Diego County, California Borrego Springs, San Diego County, California, Permit Number 3300 10-026 (MUP); Kiva Number 05-0061012; Log Number 10-05-001,*" prepared by Patricia Mitchell of KP Environmental, LLC, dated May 2011, evaluated the significance of the archaeological resources based on analysis of recovered artifacts, and other investigations and has determined that CA-SDI-20017 is not significant pursuant to the State of California Environmental Quality Act (CEQA) Guidelines, Section 15064.5.

Moreover, if the resources are not considered significant archaeological resources pursuant to CEQA Section 15064.5 loss of these resources cannot contribute to a potentially significant cumulative impact. Site CA-SDI-2366 will not be impacted by the proposed Project as it is located just outside the Project area and was not tested for significance and is thus presumed significant. The nearby loci for CA-SDI-2366 (1a and 1b) will be temporarily fenced during grading to ensure that they protected from Project impacts. Site CA-SDI-20016 is a significant resource but with mitigation incorporated such as intensive mapping, archival research, oral history, historic context development, public interpretive document and archaeological investigation the impacts will be reduced to less than significant. In addition, grading monitoring and curation of diagnostic artifacts will be required. The three isolates, SE-iso-1, P-37-031497 and P-37-031498, are not considered significant resources since they are isolated finds and are not eligible for inclusion on the National or California Register. The isolate SE-iso-1 will be collected in curated since it is most likely associated with CA-SDI-2366.

In addition, the Native American Heritage Commission (NAHC) was contacted for a listing of Native American Tribes whose ancestral lands may be impacted by the Project. The tribes listed by the NAHC were received and letters requesting tribal consultation were sent out November 17, 2010. A follow-up sacred lands check was conducted on May 10, 2011 and letters to the tribes were sent on May 20, 2011. Tribes contacted did not respond.

c) Directly or indirectly destroy a unique geologic feature?

- |   |   |
|---|---|
| <input type="checkbox"/> Potentially Significant Impact                     | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input checked="" type="checkbox"/> <b>No Impact</b>  |

Discussion/Explanation:

San Diego County has a variety of geologic environments and geologic processes which generally occur in other parts of the state, country, and the world. However, some features stand out as being unique in one way or another within the boundaries of the County.

**No Impact:** The site does not contain any unique geologic features that have been listed in the County's Guidelines for Determining Significance for Unique Geology Resources nor does the site support any known geologic characteristics that have the potential to support unique geologic features.

d) Directly or indirectly destroy a unique paleontological resource or site?

- |  |  |
|--|--|
| <input type="checkbox"/> Potentially Significant Impact                                | <input type="checkbox"/> <b>Less than Significant Impact</b> |
| <input checked="" type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact                           |

Discussion/Explanation:

**Less than Significant With Mitigation Incorporated:**

The project has low potential for containing paleontological resources and will excavate the substratum and/or bedrock below the soil horizons.

A monitoring program implemented by the excavation/grading contractor will be required. Equipment operators and others involved in the excavation should watch for fossils during the normal course of their duties. In accordance with the Grading Ordinance, if a fossil or fossil assemblage of greater than twelve inches in any dimension is encountered during excavation, all excavation operations in the area where the fossil or fossil assemblage was found shall be suspended immediately, the County's Permit Compliance Coordinator shall be notified, and a Qualified Paleontologist shall be retained by the applicant to inspect the find to determine if it is significant. A Qualified Paleontologist is a person who has, to the satisfaction of the Planning and Land Use Director:

- A Ph.D. or M.S. or equivalent in paleontology or closely related field (e.g., sedimentary or stratigraphic geology, evolutionary biology, etc.);
- Demonstrated knowledge of southern California paleontology and geology; and
- Documented experience in professional paleontological procedures and techniques.

If the Qualified Paleontologist determines that the fossil or fossil assemblage is significant; a mitigation program involving salvage, cleaning, and curation of the fossil(s) and documentation shall be implemented. If no fossils or fossil assemblages of greater than 12 inches in any dimension are encountered during excavation, a "No Fossils Found" letter will be submitted to the County Department of Planning and Land Use identifying who conducted the monitoring and that no fossils were found. If one or more fossils or fossil assemblages are found, the Qualified Paleontologist shall prepare a report documenting the mitigation program, including field and laboratory methodology, location and the geologic and stratigraphic setting, list(s) of collected fossils and their paleontological significance, descriptions of any analyses, conclusions, and references cited.

Therefore, with the implementation of the above project requirements during project grading operations, potential impacts to paleontological resources will be less than significant. Furthermore, the project will not result in a cumulative impact to paleontological resources because other projects that require grading in sensitive paleontological resource areas will be required to have the appropriate level of paleontological monitoring and resource recovery. In addition, other projects that propose any amount of significant grading would be subject to the requirements for paleontological monitoring as required pursuant to the County's Grading Ordinance. Therefore, the project would not result in a significant direct, indirect, or cumulatively significant loss of paleontological resources.

e) Disturb any human remains, including those interred outside of formal cemeteries?

- |   |   |
|---|---|
| <input type="checkbox"/> Potentially Significant Impact                     | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input checked="" type="checkbox"/> No Impact         |

Discussion/Explanation:

**No Impact:**

Based on an analysis of records and a survey of the Di Giorgio Ranch property by a County of San Diego approved archaeologist, Patricia Mitchell of KP Environmental, LLC on July 12-15, 2010 and the SDG&E substation expansion area on April 5, 2011, it has been determined that the Project will not disturb any human remains because the Project site does not include a formal cemetery or any archaeological resources that might contain interred human remains. The results of the survey are provided in an a cultural resources study titled "*Cultural Resources Survey and Inventory Report for the Proposed Borrego 1 Solar Project, Borrego Springs, San Diego County, California Borrego Springs, San Diego County, California, Permit Number 3300 10-026 (MUP); Kiva Number 05-0061012; Log Number 10-05-001,*" prepared by Patricia Mitchell of KP Environmental, LLC, dated May 2011. Grading monitoring consisting of a County approved archaeologist and Native American monitor is required to ensure that there are no impacts to undiscovered human remains. In addition, the Project must comply with the San Diego County Grading, Clearing, and Watercourse Ordinance (§87.101-87.804), CEQA §15064.5(d), and §7050.5 of the Health & Safety Code. Section 87.429 of the Grading, Clearance, and Watercourse Ordinance requires the suspension of grading operations when human remains or Native American artifacts are encountered.

**VI. GEOLOGY AND SOILS** -- Would the Project:

- a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:
- i. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.

- |   |   |
|---|---|
| <input type="checkbox"/> Potentially Significant Impact                     | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input checked="" type="checkbox"/> <b>No Impact</b>  |

Discussion/Explanation:

**No Impact:** The Project is not located in a fault rupture hazard zone identified by the Alquist-Priolo Earthquake Fault Zoning Act, Special Publication 42, Revised 1997, Fault-Rupture Hazards Zones in California, or located within any other area with substantial evidence of a known fault. Therefore, there will be no impact from the exposure of people or structures to adverse effects from a known fault-rupture hazard zone as a result of this Project.

ii. Strong seismic ground shaking?

- |   |   |
|---|---|
| <input type="checkbox"/> Potentially Significant Impact                     | <input checked="" type="checkbox"/> <b>Less than Significant Impact</b> |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact                                      |

Discussion/Explanation:

**Less Than Significant Impact:** To ensure the structural integrity of all buildings and structures, the Project must conform to the Seismic Requirements as outlined within the California Building Code. The County Code requires a soils compaction report with proposed foundation recommendations to be approved before the issuance of a building permit. Therefore, compliance with the California Building Code and the County Code ensures the Project will not result in a potentially significant impact from the exposure of people or structures to potential adverse effects from strong seismic ground shaking.

iii. Seismic-related ground failure, including liquefaction?

- |   |   |
|---|---|
| <input type="checkbox"/> Potentially Significant Impact                                       | <input type="checkbox"/> Less than Significant Impact |
| <input checked="" type="checkbox"/> <b>Less Than Significant With Mitigation Incorporated</b> | <input type="checkbox"/> No Impact                    |

Discussion/Explanation:

**Less Than Significant With Mitigation Incorporated:** The Project site is located within a "Potential Liquefaction Area" as identified in the County Guidelines for Determining Significance for Geologic Hazards. The Project would be constructed 1 foot above the floodplain elevation which would provide a feasible foundation designs that could mitigate the liquefaction hazard (including liquefaction-induced lateral spreading). Prior to issuance of building permits, a geotechnical study shall be reviewed and approved which specifies foundation design adequate to preclude substantial damage to the proposed structure due to liquefaction. With a site-specific engineering design, impacts due to liquefaction would be less than significant.

iv. Landslides?

- |   |   |
|---|---|
| <input type="checkbox"/> Potentially Significant Impact                     | <input checked="" type="checkbox"/> <b>Less than Significant Impact</b> |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact                                      |

Discussion/Explanation:

**Less than Significant Impact:** The Project site is not within a "Landslide Susceptibility Area" as identified in the County Guidelines for Determining Significance for Geologic Hazards. Landslide Susceptibility Areas were developed based on landslide risk profiles included in the *Multi-Jurisdictional Hazard Mitigation Plan, San Diego, CA* (URS, 2004). Landslide risk areas from this plan were based on data including steep slopes (greater than 25%); soil series data (SANDAG based on USGS 1970s series); soil-slip susceptibility from USGS; and Landslide Hazard Zone Maps (limited to western portion of the County) developed by the California Department of Conservation, Division of Mines and Geology (DMG). Also included within Landslide Susceptibility Areas are gabbroic soils on slopes steeper than 15% in grade because these soils are slide prone. Since the Project is not located within an identified Landslide Susceptibility Area and the geologic environment has a low probability to become unstable, the Project would have a less than significant impact from the exposure of people or structures to potential adverse effects from landslides.

b) Result in substantial soil erosion or the loss of topsoil?

- |   |   |
|---|---|
| <input type="checkbox"/> Potentially Significant Impact                     | <input checked="" type="checkbox"/> <b>Less than Significant Impact</b> |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact                                      |

Discussion/Explanation:

**Less Than Significant Impact:** According to the Soil Survey of San Diego County, the soils on-site are identified as Quaternary Alluvium that has a soil erodibility rating of "moderate" or "severe" as indicated by the Soil Survey for the San Diego Area, prepared by the US Department of Agriculture, Soil Conservation and Forest Service dated December 1973. However, the Project will not result in substantial soil erosion or the loss of topsoil for the following reasons: The Project will not result in unprotected erodible soils; will not alter existing drainage patterns; is not located in a floodplain, wetland, or significant drainage feature; and will not develop steep slopes.

- The Project has prepared a Storm water Management Plan, which includes Best Management Practices to ensure sediment does not erode from the Project site.
- The Project involves grading. However, the Project is required to comply with the San Diego County Code of Regulations, Title 8, Zoning and Land Use Regulations, Division 7, Sections 87.414 (DRAINAGE - EROSION PREVENTION) and 87.417 (PLANTING). Compliance with these regulations minimizes the potential for water and wind erosion.

Due to these factors, it has been found that the Project will not result in substantial soil erosion or the loss of topsoil on a Project level.

In addition, the Project will not contribute to a cumulatively considerable impact because all the of past, present and future Projects included on the list of Projects that involve grading or land disturbance are required to follow the requirements of the San Diego County Code of Regulations, Title 8, Zoning and Land Use Regulations, Division 7, Sections 87.414 (DRAINAGE - EROSION PREVENTION) and 87.417 (PLANTING); Order 2001-01 (NPDES No. CAS 0108758), adopted by the San Diego Region RWQCB on February 21, 2001; County Watershed Protection, Storm Water Management, and Discharge Control Ordinance (WPO) (Ord. No. 9424); and County Storm water Standards Manual adopted on February 20, 2002, and amended January 10, 2003 (Ordinance No. 9426). Refer to XVII. Mandatory Findings of Significance for a comprehensive list of the Projects considered.

c) Will the Project produce unstable geological conditions that will result in adverse impacts resulting from landslides, lateral spreading, subsidence, liquefaction or collapse?

- |   |   |
|---|---|
| <input type="checkbox"/> Potentially Significant Impact                     | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input checked="" type="checkbox"/> <b>No Impact</b>  |

Discussion/Explanation:

**No Impact:** The Project is not located on or near geological formations that are unstable or would potentially become unstable as a result of the Project. For further information refer to VI Geology and Soils, Question a., i-iv listed above.

d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?

- |   |   |
|---|---|
| <input type="checkbox"/> Potentially Significant Impact                     | <input checked="" type="checkbox"/> <b>Less than Significant Impact</b> |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact                                      |

Discussion/Explanation:

**Less Than Significant Impact:** The Project is located on expansive soils as defined within Table 18-I-B of the Uniform Building Code (1994). This was confirmed by staff review of the Soil Survey for the San Diego Area, prepared by the US Department of Agriculture, Soil Conservation and Forest Service dated December 1973. The soils on-site are Quaternary Alluvium. However the Project will not have any significant impacts because the Project is required to comply the improvement requirements identified in the 1997 Uniform Building Code, Division III – Design Standard for Design of Slab-On-Ground Foundations to Resist the Effects of Expansive Soils and Compressible Soils, which ensure suitable structure safety in areas with expansive soils. Therefore, these soils will not create substantial risks to life or property.

- e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?

- |   |   |
|---|---|
| <input type="checkbox"/> Potentially Significant Impact                     | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input checked="" type="checkbox"/> <b>No Impact</b>  |

Discussion/Explanation:

**No Impact:**

The Project is for an unmanned photovoltaic solar farm. The Project does not propose any septic tanks or alternative wastewater disposal systems since no wastewater will be generated.

**VII. GREENHOUSE GAS EMISSIONS – Would the Project**

- a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?

- |   |   |
|---|---|
| <input type="checkbox"/> Potentially Significant Impact                     | <input checked="" type="checkbox"/> <b>Less than Significant Impact</b> |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact                                      |

Discussion/Explanation:

**Less Than Significant Impact:**

The Project is intended to allow for the installation and operation of a photovoltaic electrical generation facility. The Project represents an opportunity to provide the residents of Borrego and the greater area with a source of clean energy from renewable sources.

The energy generated by the Project would be transmitted to the existing Borrego Substation, located adjacent to Borrego Valley Road to the south of the Project site (currently operated by San Diego Gas and Electric [SDG&E]). A small portion of the panels may also be used to provide electricity to the Borrego Valley Airport as determined by the Utility. As future population growth continues within San Diego County, the demand for electrical service will continue to increase accordingly. The Project represents an additional clean source of electrical power that would supplement energy currently supplied by the existing power grid, thereby reducing the potential for power shortages to occur and decreasing demands on the capabilities of the existing distribution system.

The Project would provide a source of clean energy from renewable resources, thereby reducing dependence on energy generated from non-renewable sources or through methods that require environmental disturbance. It is estimated that the use of solar power would substantially offset approximately 0.5 tons of carbon dioxide (CO<sub>2</sub>) per

Mega Watt hour (MWh), as compared to that of electricity generated by the processing of fossil fuels.<sup>1</sup> As such, the Project would be consistent with AB 32, producing clean energy while avoiding the generation and/or emission of compounds that would further contribute to global climate change or adverse atmospheric effects. As such, the Project would support County efforts to achieve the required overall reduction in GHG production, consistent with the timeline established by AB 32. Therefore, it is determined that the Project would result in less than cumulatively considerable impacts associated with GHG emissions and no mitigation is required.

b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?

- |   |   |
|---|---|
| <input type="checkbox"/> Potentially Significant Impact                     | <input checked="" type="checkbox"/> <b>Less than Significant Impact</b> |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact                                      |

Discussion/Explanation:

**Less Than Significant Impact:**

In 2006, the State passed the Global Warming Solutions Act of 2006, commonly referred to as AB 32, which set the greenhouse gas emissions reduction goal for the State of California into law. The law requires that by 2020, State emissions must be reduced to 1990 levels by reducing greenhouse gas emissions from significant sources via regulation, market mechanisms, and other actions.

Senate Bill 375 (SB 375), passed in 2008, links transportation and land use planning with global warming. It requires the California Air Resources Board (ARB) to set regional targets for the purpose of reducing greenhouse gas emissions from passenger vehicles. Under this law, if regions develop integrated land use, housing and transportation plans that meet SB 375 targets, new Projects in these regions can be relieved of certain review requirements under CEQA. Development of regional targets is underway and SANDAG is in the process of preparing the region's Sustainable Communities Strategy (SCS), which will be a new element of the 2050 Regional Transportation Plan (RTP). The strategy will identify how regional greenhouse gas reduction targets, as established by the ARB, will be achieved through development patterns, transportation infrastructure investments, and/or transportation measures or policies that are determined to be feasible.

To implement State mandates to address climate change in local land use planning, local land use jurisdictions are generally preparing GHG emission inventories and reduction plans and incorporating climate change policies into local General Plans to ensure development is guided by a land use plan that reduces GHG emissions. The County of San Diego is currently in the process of updating its General Plan and incorporating associated climate change policies. These policies will provide direction

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1. Average CO2 emissions in CA from traditional fuels= 1,100 lbs. CO2/MWh or .55 tons CO2/MWh, Source CPUC: [ftp://ftp.cpuc.ca.gov/puc/070319\\_revernergystory0107.pdf](ftp://ftp.cpuc.ca.gov/puc/070319_revernergystory0107.pdf)

for individual development Projects to reduce GHG emissions and help the County meet its GHG emission reduction targets.

Until local plans are developed to address greenhouse gas emissions, such as a local Sustainable Communities Strategy and updated General Plan Policies, the Project is evaluated to determine whether it would impede the implementation of AB 32 GHG reduction targets. For the reasons discussed in the response to question VII.a), the Project would not impede the implementation of AB 32 reduction targets. Therefore, the Project would not conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases.

**Consistency with Assembly Bill 32:** The Project would also be consistent with and implement the goals and mandates of Assembly Bill 32 (AB 32), referred to as the California Global Warming Solutions Act of 2006, adopted by the California State Legislature in September 2006. AB 32 recognizes that California is the source of a substantial amount of greenhouse gas (GHG) emissions, and further acknowledges that global climate change may potentially result, causing adverse impacts on water supply, air quality, fire hazards, sea level rise (flooding), and/or an increase in human health-related problems. GHGs as defined under AB 32 include carbon dioxide, methane, nitrous oxide, hydrofluorocarbons, perfluorocarbons, and sulfur hexafluoride. AB 32 establishes a State goal of reducing GHG emissions to 1990 levels by the year 2020. In addition, the long-range reduction goal is reflected in Executive Order S-3-05, which requires GHGs to be reduced to 80 percent below 1990 levels by 2050.

In December 2008, the California Air Resources Board (CARB) adopted the AB 32 Scoping Plan which contains the main strategies California will use to reduce GHGs that cause climate change. The Scoping Plan has a range of GHG reduction actions which include direct regulations, alternative compliance mechanisms, monetary and non-monetary incentives, voluntary actions, market-based mechanisms (such as a cap-and-trade system), and a cost of implementation fee regulation to fund the AB 32 program. The Plan utilizes SB 375 as the mechanism to achieve land use and vehicle mile travel reduction goals and proposes full deployment of the California Solar Initiative, high-speed rail, water-related energy efficiency measures, and a range of regulations to reduce emissions from trucks and from ships docked in California ports.

In addition, the proposed County of San Diego General Plan Update is required to comply with CARB rules and regulations that would achieve the GHG reductions stated in AB 32. Any future development (i.e., residential uses), consistent with land uses proposed under the General Plan Update, would be required to comply with Title 24 energy efficiency standards, which would help reduce Project GHG emissions through building techniques and operational standards. Required compliance with air quality standards, such as those of the Air Pollution Control District (APCD), CARB, and the Clean Air Act (CAA), would further reduce criteria GHG emissions throughout the unincorporated County. Therefore, it is determined that the Project would result in less than significant impact to any proposed plan, policy, or regulation that reduces greenhouse gas emissions because of compliance with the aforementioned.

**VIII. HAZARDS AND HAZARDOUS MATERIALS** -- Would the Project:

- a) Create a significant hazard to the public or the environment through the routine transport, storage, use, or disposal of hazardous materials or wastes or through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?

- |   |   |
|---|---|
| <input type="checkbox"/> Potentially Significant Impact                     | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input checked="" type="checkbox"/> <b>No Impact</b>  |

Discussion/Explanation:

**No Impact:** The Project will not create a significant hazard to the public or the environment because it does not propose the storage, use, transport, emission, or disposal of Hazardous Substances, nor are Hazardous Substances proposed or currently in use in the immediate vicinity. In addition, the Project does not propose to demolish any existing structures onsite and therefore would not create a hazard related to the release of asbestos, lead based paint or other hazardous materials from demolition activities.

- b) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?

- |   |   |
|---|---|
| <input type="checkbox"/> Potentially Significant Impact                     | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input checked="" type="checkbox"/> <b>No Impact</b>  |

Discussion/Explanation:

**No Impact:**

The Project is not located within one-quarter mile of an existing or proposed school. Therefore, the Project will not have any effect on an existing or proposed school.

- c) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5, or is otherwise known to have been subject to a release of hazardous substances and, as a result, would it create a significant hazard to the public or the environment?

- |   |   |
|---|---|
| <input type="checkbox"/> Potentially Significant Impact                     | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input checked="" type="checkbox"/> <b>No Impact</b>  |

Discussion/Explanation:

**No Impact:** Based on a site visit and regulatory database search, the Project site has not been subject to a release of hazardous substances. The Project site is not included

in any of the following lists or databases: the State of California Hazardous Waste and Substances sites list compiled pursuant to Government Code Section 65962.5., the San Diego County Hazardous Materials Establishment database, the San Diego County DEH Site Assessment and Mitigation (SAM) Case Listing, the Department of Toxic Substances Control (DTSC) Site Mitigation and Brownfields Reuse Program Database ("CalSites" Envirostor Database), the Resource Conservation and Recovery Information System (RCRIS) listing, the EPA's Superfund CERCLIS database or the EPA's National Priorities List (NPL). Additionally, the Project does not propose structures for human occupancy or significant linear excavation within 1,000 feet of an open, abandoned, or closed landfill, is not located on or within 250 feet of the boundary of a parcel identified as containing burn ash (from the historic burning of trash), does not contain a leaking Underground Storage Tank, and is not located on a site with the potential for contamination from historic uses such as intensive agriculture, industrial uses, a gas station or vehicle repair shop. Therefore, the Project would not create a significant hazard to the public or environment.

The Project location is near the Camp Ensign Munitions Response Area (MRA) of the Borrego Maneuver Area, a site included in the Inventory of Formerly Used Defense Sites (FUDS) identified by the U.S. Army Corps of Engineers. However, there is no evidence that the Camp Ensign MRA was ever used for ordnance related activities. Records show that the Ensign Ranch was used from 1942 to 1944 as a tent camp and training area for Army and Marines to learn nighttime and desert driving skills (USACE, 1997). No Munitions and Explosives of Concern have been found in the area. Therefore, the Project will not create a significant hazard to the public or the environment and will not contribute to a cumulatively considerable impact.

- d) For a Project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the Project result in a safety hazard for people residing or working in the Project area?

- |   |   |
|---|---|
| <input type="checkbox"/> Potentially Significant Impact                     | <input checked="" type="checkbox"/> <b>Less than Significant Impact</b> |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact                                      |

Discussion/Explanation:

**Less Than Significant Impact:**

The Project proposes a solar energy facility consisting of approximately 283,000 solar panels, up to 10 feet in height, replacement of existing power poles along Borrego Valley Road, along with associated small-unoccupied equipment structures. The Project is located within the boundaries of the Airport Land Use Compatibility Plan (ALUCP) for the Borrego Valley Airport, a public airport. Specifically, portions of the Project have been determined to lie within Airport Safety Zone 6 and Review Area #2 of the ALUCP.

The Project is located within an identified Federal Aviation Administration (FAA) Height Notification Layer related to the Borrego Valley Airport.

However, the proposed Project will not result in hazards to airport safety or surrounding land uses for the following reasons:

- Based on an application submitted by the Project applicant, the FAA has conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and Title 14 of the Code of Federal Regulations, part 77. The results of this study, issued November 30, 2009, revealed that the Project does not exceed obstruction standards and would not be a hazard to air navigation. Therefore, the Project complies with the Federal Aviation Administration Runway Approach Protection Standards (Federal Aviation Regulations, Part 77 – Objects Affecting Navigable Airspace).
- Based on an application submitted by the County of San Diego, the San Diego County Airport Land Use Commission found that the Project is compatible with the Airport Land Use Compatibility Plan for the Borrego Valley Airport, including the applicable Safety Compatibility Policies, and nonresidential development criteria for solar farms within the ALUCP. This indicated that the Project will comply with the California Land Use Planning Handbook's Safety Compatibility Criteria for Safety Compatibility Zones including the air traffic characteristics of the Borrego Valley Airport, and the type and the intensity of the proposed land use.
- Moreover, the County Airport and Regional Airport Authority, and Federal Aviation Administration have reviewed the Project for potential conflicts from lighting and glare and have indicated that the Project would not pose a hazard to air navigation.
- The Project has been conditioned to have solar panels coated with anti-reflective material. The FAA considers glare when reviewing a Project. They have made a finding that the use of solar panels, which are light absorption only, or coated with anti-reflective material, will not pose a hazard to air navigation (glare being a significant component of this finding).

Therefore, the Project will not constitute a safety hazard for people residing or working in the Project area.

e) For a Project within the vicinity of a private airstrip, would the Project result in a safety hazard for people residing or working in the Project area?

- |   |   |
|---|---|
| <input type="checkbox"/> Potentially Significant Impact                     | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input checked="" type="checkbox"/> <b>No Impact</b>  |

Discussion/Explanation:

**No Impact:** The proposed Project is not within one mile of a private airstrip. As a result, the Project will not constitute a safety hazard for people residing or working in the Project area.

f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?

- |   |   |
|---|---|
| <input type="checkbox"/> Potentially Significant Impact                     | <input checked="" type="checkbox"/> <b>Less than Significant Impact</b> |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact                                      |

Discussion/Explanation:

The following sections summarize the Project's consistency with applicable emergency response plans or emergency evacuation plans.

i. OPERATIONAL AREA EMERGENCY PLAN AND MULTI-JURISDICTIONAL HAZARD MITIGATION PLAN:

**Less Than Significant Impact:** The Operational Area Emergency Plan is a comprehensive emergency plan that defines responsibilities, establishes an emergency organization, defines lines of communications, and is designed to be part of the statewide Standardized Emergency Management System. The Operational Area Emergency Plan provides guidance for emergency planning and requires subsequent plans to be established by each jurisdiction that has responsibilities in a disaster situation. The Multi-Jurisdictional Hazard Mitigation Plan includes an overview of the risk assessment process, identifies hazards present in the jurisdiction, hazard profiles, and vulnerability assessments. The plan also identifies goals, objectives and actions for each jurisdiction in the County of San Diego, including all cities and the County unincorporated areas. The Project will not interfere with this plan because it will not prohibit subsequent plans from being established or prevent the goals and objectives of existing plans from being carried out.

ii. SAN DIEGO COUNTY NUCLEAR POWER STATION EMERGENCY RESPONSE PLAN

**No Impact:** The San Diego County Nuclear Power Station Emergency Response Plan will not be interfered with by the Project due to the location of the Project, plant and the specific requirements of the plan. The emergency plan for the San Onofre Nuclear Generating Station includes an emergency planning zone within a 10-mile radius. All land area within 10 miles of the plant is not within the jurisdiction of the unincorporated County and as such a Project in the unincorporated area is not expected to interfere with any response or evacuation.

iii. OIL SPILL CONTINGENCY ELEMENT

**No Impact:** The Oil Spill Contingency Element will not be interfered with because the Project is not located along the coastal zone or coastline.

iv. EMERGENCY WATER CONTINGENCIES ANNEX AND ENERGY SHORTAGE RESPONSE PLAN

**No Impact:** The Emergency Water Contingencies Annex and Energy Shortage Response Plan will not be interfered with because the Project does not propose altering major water or energy supply infrastructure, such as the California Aqueduct.

v. DAM EVACUATION PLAN

**No Impact:** The Dam Evacuation Plan will not be interfered with because the Project is not located within a dam inundation zone.

g) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?

- |   |   |
|---|---|
| <input type="checkbox"/> Potentially Significant Impact                     | <input checked="" type="checkbox"/> <b>Less than Significant Impact</b> |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact                                      |

Discussion/Explanation:

**Less Than Significant Impact:** The proposed Project is surrounded by irrigated agricultural lands to the north and east and vacant land with sparse vegetation to the west and south, thus having a low fire risk. Also, a Fire Service Availability Letter and conditions, dated September 2010 and the fire protection plan dated November 2010, have been received from the Borrego Springs Fire Protection District. The conditions from the Fire Protection District include: improving the driveway and internal access roads with decomposed granite, installation of a 5,000 gallon fire water tank, and automatic gate, and mandatory participation in a Community Facilities District (CFD). The Fire Service Availability Letter indicates the expected emergency travel time to the Project site to be 5 minutes. The Maximum Travel Time allowed pursuant to the County Public Facilities Element is 20 minutes. Therefore, based on the location of the Project, compliance with the Fire Protection District's conditions, the Project is not expected to expose people or structures to a significant risk of loss, injury or death involving hazardous wildland fires.

h) Propose a use, or place residents adjacent to an existing or reasonably foreseeable use that would substantially increase current or future resident's exposure to vectors, including mosquitoes, rats or flies, which are capable of transmitting significant public health diseases or nuisances?

- |   |   |
|---|---|
| <input type="checkbox"/> Potentially Significant Impact                     | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input checked="" type="checkbox"/> <b>No Impact</b>  |

Discussion/Explanation:

**No Impact:** The Project does not involve or support uses that allow water to stand for a period of 72 hours (3 days) or more (e.g. artificial lakes, agricultural irrigation ponds). Also, the Project does not involve or support uses that will produce or collect animal waste, such as equestrian facilities, agricultural operations (chicken coops, dairies etc.),

solid waste facility or other similar uses. Moreover, based on a site visit conducted by staff and there are none of these uses on adjacent properties. Therefore, the Project will not substantially increase current or future resident's exposure to vectors, including mosquitoes, rats or flies.

**IX. HYDROLOGY AND WATER QUALITY** -- Would the Project:

a) Violate any waste discharge requirements?

- |   |   |
|---|---|
| <input type="checkbox"/> Potentially Significant Impact                     | <input checked="" type="checkbox"/> <b>Less than Significant Impact</b> |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact                                      |

Discussion/Explanation:

**Less Than Significant Impact:** The Project proposes unmanned Photovoltaic Solar Farm. The Project applicant has provided a copy of a Stormwater Management Plan, which demonstrates that the Project will comply with all requirements of Stormwater Protection Ordinance and the RWQCB. As indicated in the SWMP, the Project site proposes and will be required to implement the site design measures and/or source control BMPs and/or treatment control BMPs to reduce potential pollutants to the maximum extent practicable from entering storm water runoff. These measures will enable the Project to meet waste discharge requirements as required by the Land-Use Planning for New Development and Redevelopment Component of the San Diego Municipal Permit (SDRWQCB Order No. 2001-01), as implemented by the San Diego County Jurisdictional Urban Runoff Management Program (JURMP) and Standard Urban Storm Water Mitigation Plan (SUSMP).

Finally, the Project's conformance to the waste discharge requirements listed above ensures the Project will not create cumulatively considerable water quality impacts related to waste discharge because, through the permit, the Project will conform to Countywide watershed standards in the JURMP and SUSMP, derived from State regulation to address human health and water quality concerns. Therefore, the Project will not contribute to a cumulatively considerable impact to water quality from waste discharges.

b) Is the Project tributary to an already impaired water body, as listed on the Clean Water Act Section 303(d) list? If so, could the Project result in an increase in any pollutant for which the water body is already impaired?

- |   |   |
|---|---|
| <input type="checkbox"/> Potentially Significant Impact                     | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input checked="" type="checkbox"/> <b>No Impact</b>  |

Discussion/Explanation:

**No Impact:** The Project lies in the 722.13 Tecate Watershed hydrologic subarea, within the Anza Borrego hydrologic unit. According to the Clean Water Act Section 303(d) list, June 2007. The runoff from the Project site flows into the Borrego Sink, which is not a listed 303d impaired water.

The proposed BMPs are consistent with regional surface water and storm water planning and permitting process that has been established to improve the overall water quality in County watersheds. As a result the Project will not contribute to a cumulative impact to an already impaired water body, as listed on the Clean Water Act Section 303(d). Regional surface water and storm water permitting regulation for County of San Diego, Incorporated Cities of San Diego County, and San Diego Unified Port District includes the following: Order 2001-01 (NPDES No. CAS 0108758), adopted by the San Diego Region RWQCB on February 21, 2001; County Watershed Protection, Storm Water Management, and Discharge Control Ordinance (WPO) (Ord. No. 9424); County Storm water Standards Manual adopted on February 20, 2002, and amended January 10, 2003 (Ordinance No. 9426). The stated purposes of these ordinances are to protect the health, safety and general welfare of the County of San Diego residents; to protect water resources and to improve water quality; to cause the use of management practices by the County and its citizens that will reduce the adverse effects of polluted runoff discharges on waters of the state; to secure benefits from the use of storm water as a resource; and to ensure the County is compliant with applicable state and federal laws. Ordinance No. 9424 (WPO) has discharge prohibitions, and requirements that vary depending on type of land use activity and location in the County. Ordinance No. 9426 is Appendix A of Ordinance No. 9424 (WPO) and sets out in more detail, by Project category, what Dischargers must do to comply with the Ordinance and to receive permits for Projects and activities that are subject to the Ordinance. Collectively, these regulations establish standards for Projects to follow which intend to improve water quality from headwaters to the deltas of each watershed in the County. Each Project subject to WPO is required to prepare a Storm water Management Plan that details a Project's pollutant discharge contribution to a given watershed and propose BMPs or design measures to mitigate any impacts that may occur in the watershed.

- c) Could the proposed Project cause or contribute to an exceedance of applicable surface or groundwater receiving water quality objectives or degradation of beneficial uses?

- |   |   |
|---|---|
| <input type="checkbox"/> Potentially Significant Impact                     | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input checked="" type="checkbox"/> <b>No Impact</b>  |

Discussion/Explanation:

**No Impact:** The Project does not propose any known sources of polluted runoff. In addition the Project does not propose new storm water drainage facilities, nor does the Project site contain natural drainage features that would transport runoff offsite.

- d) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?

- |  |   |
|--|---|
| <input type="checkbox"/> Potentially Significant Impact                                      | <input type="checkbox"/> Less than Significant Impact |
| <input checked="" type="checkbox"/> <b>Less Than Significant<br/>Mitigation Incorporated</b> | <input type="checkbox"/> No Impact                    |

Discussion/Explanation:

**Less Than Significant Impact With Mitigation Incorporated:** The Project will obtain its water supply from an on-site groundwater well tapping into the Borrego Valley aquifer. The District is groundwater dependent and obtains its water from the Borrego Valley groundwater aquifer. The Borrego Valley groundwater aquifer has a well-documented groundwater overdraft condition. The condition is a cumulative impact resulting from groundwater pumpage of all users in the aquifer. The applicant proposes to reduce the Project's impact to groundwater resources so that there will be "no net gain" in the amount of groundwater extracted from the Borrego Valley groundwater aquifer.

This Project will use approximately 7.4 acre-feet of groundwater on an annualized basis from the Borrego Valley groundwater aquifer. During the initial construction phase of the Project, which includes brushing, clearing, grading, road construction, foundation construction, and panel installation, the applicant has indicated approximately 104 acre-feet of water will be required during the approximately 6 month construction period. The applicant has indicated approximately 2.95 acre-feet per year of water will be required for cleaning of the solar panels and dust suppression. Assuming a 30-year time period for the Project, approximately 88.5 acre-feet of water would be used for panel cleaning and dust suppression over that time period. This would result in a total water use over the 30-year life of the Project of 192.5 acre-feet. By dividing the total groundwater use of 192.5 acre-feet by 30 years, it estimated the Project would require approximately 6.4 acre-feet on an annualized basis. To take into account potential inaccuracies in the calculations of water use or unforeseen circumstances, 15% has been added to the estimated demand which would increase the annual demand of water to 7.4 acre-feet.

The applicant will ensure that there is "no net gain" by recording an easement or other County-accepted mechanism on off-site land that has been continuously used for agriculture or golf course purposes for at least the past five years and is being irrigated with at least 7.4 acre-feet of groundwater annually from the Borrego Valley groundwater aquifer. The easement or other acceptable mechanism will permanently prohibit the use, extraction, storage, distribution or diversion of water from the Borrego Valley groundwater aquifer on land subject to the easement. Implementation of this measure will mitigate the Project's cumulatively considerable impact to groundwater resources. Therefore, no significant impact to groundwater resources is anticipated.

The Project will be required to include offsetting groundwater use reduction measures that save an amount of water at least equivalent to the Project's demand amount (estimated at 7.4 acre-feet per year), elsewhere in Borrego Valley such that there is a "no net gain" in the overall groundwater extraction in Borrego Valley. A legally enforceable mechanism through an easement or other County-approved mechanism will be required for achieving this reduction. With the inclusion of a condition to ensure water use of the site does not exceed its maximum projected use, and through a legally

enforceable mechanism to offset its water use, the Project will have a less than significant impact to groundwater resources

- e) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?

- |   |   |
|---|---|
| <input type="checkbox"/> Potentially Significant Impact                     | <input checked="" type="checkbox"/> <b>Less than Significant Impact</b> |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact                                      |

Discussion/Explanation:

**Less Than Significant Impact:** The Project does not involve construction of new or expanded development that could alter the drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site for the following reasons:

- Based on the CEQA Drainage Study prepared by Joseph E. Bonadiman & Associates, Inc. on May 2011, the runoff from the Project would be equal to the amount that enters the site in accordance with the County Flood Control and Discharge Ordinance.
- As outlined in the Storm water Management Plan (SWMP) dated February 2010, the Project will implement Best Management Practices (BMP's) to reduce potential pollutants, including sediment from erosion or siltation, to the maximum extent practicable from entering storm water runoff. The SWMP specifies and describes the implementation process of all BMP's that will address equipment operation and materials management, prevent the erosion process from occurring, and prevent sedimentation in any onsite and downstream drainage swales.
- The Project has been designed and conditioned to allow flood waters from the Coyote Creek Alluvial Fan to flow under or around the inverter structures in accordance with the County Flood Damage Prevention Ordinance (Title 8, Division 11 Sec 501 (c)(2)), County Watershed Protection Ordinance (WPO) No.9926, County Code Section 67.801 et. seq. All structures on-site will either shall be elevated one foot above the Federal Emergency Management Agency (FEMA) base flood depth and/or comply with Guideline letter dated April 28, 2011 that allows the inverter and transformer structures to be placed at grade in line with the flood water flow direction.

The Department of Public Works will ensure that the Plan is implemented as proposed. Due to these factors, it has been found that the Project will not result in significantly increased erosion or sedimentation potential and will not alter any drainage patterns of the site or area on- or off-site. In addition, because erosion and sedimentation will be controlled within the boundaries of the Project, the Project will not contribute to a

cumulatively considerable impact. For further information on soil erosion refer to VI, Geology and Soils, Question b.

- f) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner, which would result in flooding on- or off-site?

- |   |   |
|---|---|
| <input type="checkbox"/> Potentially Significant Impact                     | <input checked="" type="checkbox"/> <b>Less than Significant Impact</b> |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact                                      |

Discussion/Explanation:

**Less Than Significant Impact:** The proposed Project will not significantly alter established drainage patterns or significantly increase the amount of surface runoff exiting the Project site equal to or greater than one cubic foot/second, based on the CEQA Drainage Study prepared by Joseph E. Bonadiman & Associates, Inc. on May 2011. The drainage will be conveyed to either natural drainage channels or approved drainage facilities. Therefore, the Project will not substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site. Moreover, the Project will not contribute to a cumulatively considerable alteration or a drainage pattern or increase in the rate or amount of runoff, because the Project will substantially increase water surface elevation or runoff exiting the site, as detailed above.

- g) Create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems?

- |   |   |
|---|---|
| <input type="checkbox"/> Potentially Significant Impact                     | <input checked="" type="checkbox"/> <b>Less than Significant Impact</b> |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact                                      |

Discussion/Explanation:

**Less Than Significant Impact:** The Project does not propose to create or contribute runoff water that would exceed the capacity of existing or planned storm water drainage systems. The Project is located within the Coyote Creek Alluvial Fan, which does not have a fan wide solution for conveying the flood waters from the apex of the alluvial fan. The Borrego Valley does not have any planned storm water drainage systems that the project could affect. Therefore, does not propose to create or contribute runoff water that would exceed the capacity of existing or planned storm water drainage systems.

- h) Provide substantial additional sources of polluted runoff?

- |   |   |
|---|---|
| <input type="checkbox"/> Potentially Significant Impact                     | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input checked="" type="checkbox"/> <b>No Impact</b>  |

Incorporated

Discussion/Explanation:

**No Impact:** The project does not propose any known additional sources of polluted runoff. In addition, the project does not propose new storm water drainage facilities. The project is located in an alluvial fan, which is natural drainage feature that would transport runoff off-site, but there are no elements of pollution that would potentially leave the site. Refer to VIII Hydrology and Water Quality Questions a, b, c, for further information.

- i) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map, including County Floodplain Maps?

- |   |   |
|---|---|
| <input type="checkbox"/> Potentially Significant Impact                     | <input checked="" type="checkbox"/> <b>Less than Significant Impact</b> |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact                                      |

Discussion/Explanation:

**Less Than Significant:** The proposed Project is located within alluvial fan map (Coyote Canyon Fan) in Borrego Spring. However, the Project is not proposing to place structures with a potential for human occupation within flow path and will not place access roads or other improvements which will limit access during flood events or affect downstream properties. The Project is also meets all the requirements from Borrego Valley Flood Management Report prepared by Boyle Engineering Corporation, date October 1989, [County Flood Damage Prevention Ordinance \(Title 8, Division 11 Sec 501 \(c\)\(2\)\)](#), [County Watershed Protection Ordinance \(WPO\) No.9926, County Code Section 67.801 et. seq.](#), and San Diego County [Guideline letter dated April 28, 2011](#).

- j) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?

- |   |   |
|---|---|
| <input type="checkbox"/> Potentially Significant Impact                     | <input checked="" type="checkbox"/> <b>Less than Significant Impact</b> |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact                                      |

Discussion/Explanation:

**Less Than Significant:** The proposed Project is located within alluvial fan map (Coyote Canyon Fan) in Borrego Spring. However, the Project is not proposing to place structures, access roads or other improvements which will in a manner that would impede flows of the alluvial fan during a flooding event. The Project is also meets all the requirements from Borrego Valley Flood Management Report prepared by Boyle Engineering Corporation, date October 1989, [County Flood Damage Prevention Ordinance \(Title 8, Division 11 Sec 501 \(c\)\(2\)\)](#), [County Watershed Protection Ordinance \(WPO\) No.9926, County Code Section 67.801 et. seq.](#), and San Diego County [Guideline letter dated April 28, 2011](#). Therefore, the impacts on adjacent properties

from the development of the Project would be less than significant.

k) Expose people or structures to a significant risk of loss, injury or death involving flooding?

- |   |   |
|---|---|
| <input type="checkbox"/> Potentially Significant Impact                     | <input checked="" type="checkbox"/> <b>Less than Significant Impact</b> |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact                                      |

Discussion/Explanation:

**Less Than Significant:** The project lies within a special flood hazard area as identified on the Flood Insurance Rate Map (FIRM), and the County Flood Plain Map, Alluvial Fan Map). Based on the CEQA Drainage Study prepared by Joseph E. Bonadiman & Associates, Inc. on May 2011 there were no identified erosion or sedimentation hazards that would result in a potential flooding hazard that could expose people or structures to a significant risk of loss, injury or death involving flooding. The Project is also meets all the requirements from Borrego Valley Flood Management Report prepared by Boyle Engineering Corporation, date October 1989, [County Flood Damage Prevention Ordinance \(Title 8, Division 11 Sec 501 \(c\)\(2\)\)](#), [County Watershed Protection Ordinance \(WPO\) No.9926, County Code Section 67.801 et. seq.](#), and San Diego County Guideline letter dated April 28, 2011.

l) Expose people or structures to a significant risk of loss, injury or death involving flooding as a result of the failure of a levee or dam?

- |   |   |
|---|---|
| <input type="checkbox"/> Potentially Significant Impact                     | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input checked="" type="checkbox"/> No Impact         |

Discussion/Explanation:

**No Impact:** The Project site lies outside a mapped dam inundation area for a major dam/reservoir within San Diego County. In addition, the Project is not located immediately downstream of a minor dam that could potentially flood the property. Therefore, the Project will not expose people to a significant risk of loss, injury or death involving flooding.

m) Inundation by seiche, tsunami, or mudflow?

- |   |   |
|---|---|
| <input type="checkbox"/> Potentially Significant Impact                     | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input checked="" type="checkbox"/> <b>No Impact</b>  |

Discussion/Explanation:

i. SEICHE

**No Impact:** The Project site is not located along the shoreline of a lake or reservoir; therefore, could not be inundated by a seiche.

ii. TSUNAMI

**No Impact:** The Project site is located more than a mile from the coast; therefore, in the event of a tsunami, would not be inundated.

iii. MUDFLOW

**No Impact:** Mudflow is type of landslide. The site is not located within a landslide susceptibility zone. Also, staff geologist has determined that the geologic environment of the Project area has a low probability to be located within an area of potential or pre-existing conditions that could become unstable in the event of seismic activity. In addition, though the Project does propose land disturbance that will expose unprotected soils, the Project is not located downstream from unprotected, exposed soils within a landslide susceptibility zone. Therefore, it is not anticipated that the Project will expose people or property to inundation due to a mudflow.

**X. LAND USE AND PLANNING** -- Would the Project:

a) Physically divide an established community?

- |   |   |
|---|---|
| <input type="checkbox"/> Potentially Significant Impact                     | <input checked="" type="checkbox"/> <b>Less than Significant Impact</b> |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact                                      |

Discussion/Explanation:

**Less Than Significant Impact:** The Project proposes a photovoltaic solar farm and to underground an existing 12 kV distribution utility line on the east side of Borrego Valley Road and construct a new 69 kV Generation Tie Line (transmission) within the west side of the County right of way Borrego Valley Road. However, the proposed Project will not significantly disrupt or divide the established community for because the utility right of ways are existing and they were previously planned for utilities. Therefore, the Project will not significantly disrupt or divide the established community.

b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the Project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?

- |   |   |
|---|---|
| <input type="checkbox"/> Potentially Significant Impact                     | <input checked="" type="checkbox"/> <b>Less than Significant Impact</b> |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact                                      |

Discussion/Explanation:

**Less Than Significant Impact:**

As described in the Land Use and Community Character Analysis prepared by NRG Solar dated May 2011, the Project would not conflict with any applicable land use plan, policy, or regulation. The proposed Project is subject to the Regional Land Use Element Policies 1.4 Rural Development Area and General Plan Land Use Designation (18) Multiple Rural Use. The Project is consistent with the General Plan because a Major Impact Service Utility such as a photovoltaic Solar Farm, is anticipated by the (18) Multiple Rural Use Land Use Designation that provides for civic uses with the approval of a Major Use permit. The Project is also subject to and is consistent with the policies of the Desert Subregional Plan. The property is zoned General Rural (S-92), which permits photovoltaic solar farms within the zones pursuant to the Zoning Ordinance. The Project is consistent with all applicable land use plans and policy of said plans that have been adopted for the purpose of avoiding or mitigating environmental effects. Therefore the project would have a less than significant impact on any applicable land use plan, policy, or regulation of an agency with jurisdiction over the Project. For more information see the Land Use Community Character Analysis.

**XI. MINERAL RESOURCES** -- Would the Project:

a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?

- |   |   |
|---|---|
| <input type="checkbox"/> Potentially Significant Impact                     | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input checked="" type="checkbox"/> <b>No Impact</b>  |

Discussion/Explanation:

**No Impact:** The project site is within land classified by the California Department of Conservation – Division of Mines and Geology (Update of Mineral Land Classification: Aggregate Materials in the Western San Diego Production-Consumption Region, 1997) as an area where geologic information indicates no significant mineral deposits are present (MRZ-1). Moreover, if the resources are not considered significant mineral deposits, loss of these resources cannot contribute to a potentially significant cumulative impact.

b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?

- |   |   |
|---|---|
| <input type="checkbox"/> Potentially Significant Impact                     | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input checked="" type="checkbox"/> <b>No Impact</b>  |

Discussion/Explanation:

**No Impact:** The Project site is zoned General Rural (S-92), which is not considered to be an Extractive Use Zone (S-82) nor does it have an Impact Sensitive Land Use Designation (24) with an Extractive Land Use Overlay (25) (County Land Use Element, 2000).

**XII. NOISE** -- Would the Project result in:

- a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?

- |   |   |
|---|---|
| <input type="checkbox"/> Potentially Significant Impact                     | <input checked="" type="checkbox"/> <b>Less than Significant Impact</b> |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact                                      |

Discussion/Explanation:

**Less Than Significant Impact:**

The Project consists of the installation of transformers/inverters and an on-site substation also known as the NRG Borrego 1 Solar Project. Based on a Noise Analysis prepared by Ldn Consulting dated January 2011, the Project will not expose people to potentially significant noise levels that exceed the allowable limits of the County of San Diego General Plan, County of San Diego Noise Ordinance, and other applicable standards for the following reasons:

**General Plan – Noise Element**

The County of San Diego General Plan, Noise Element, Policy 4b addresses noise sensitive areas and requires an acoustical study to be prepared for any use that may expose noise sensitive area to noise in excess of a Community Noise Equivalent Level (CNEL) of 60 decibels (dBA). Moreover, if the Project is excess of CNEL 60 dB(A), modifications must be made to Project to reduce noise levels. Noise sensitive areas include residences, hospitals, schools, libraries or similar facilities where quiet is an important attribute. Based on a Noise Analysis prepared by Ldn dated January 2011 Project implementation will not expose existing or planned noise sensitive areas to road, airport, heliport, railroad, industrial or other noise in excess of the CNEL 60 dB(A). Additionally, the Project does not propose any noise sensitive land uses. Therefore, the Project will not expose people to potentially significant noise levels that exceed the allowable limits of the County of San Diego General Plan, Noise Element.

**Noise Ordinance – Section 36.404**

Based on a Noise Analysis prepared by Ldn Consulting dated January 2011, non-transportation noise generated by the Project is not expected to exceed the standards of the County of San Diego Noise Ordinance (Section 36.404) at or beyond the Project's property line.

The Project consists of the installation of transformers/inverters and a site substation also known as the NRG Borrego 1 Solar Project. The Project site is zoned S92 and is subject to the most restrictive one-hour average nighttime sound level limits of 45 dBA at the Project property line. The Project PV panes would be mounted on either a fixed tilt or single axis tracker design. Both scenarios have been evaluated within the noise report. Two worst case scenarios were identified: First scenario is located along the western property line where the transformer/inverter would generate combined noise level impacts. The second scenario is located along the southern and eastern property line where the site Substation and transformers/inverter would generate combined noise

impacts. First scenario: The closest transformer and inverter location is 186 feet from the western property line. Combined noise levels from these sources would generate a sound level of 34.4 dBA at this property line which is well below the 45 dBA requirement. Second scenario: Under the fixed array design, the substation and transformer/inverter located along the southern and eastern property line would generate a combined noise level as high as 44.6 dBA at the nearest property line. Under the tracker array design, combined noise levels would also be as high as 44.6 dBA at the nearest property line. Both proposed fixed and tracker designs and the proposed substation would comply with the 45 dBA property line requirement pursuant to the County Noise Ordinance, Section 36.404.

Field measurements for Corona noise were taken along an existing 69 kV transmission lines in the Borrego Springs area. These measurements would be representative of the proposed Project. Dry condition measurements resulted in very low noise levels below 20 dBA. During moist or wed conditions the Corona noise can double, resulting in a noise level ranging from 35 to 37 dBA. These levels are below the 45 dBA County noise standard. Therefore, the Project's noise levels at the adjoining properties would not exceed County Noise Standards.

#### Noise Ordinance – Section 36.409

Based on a Noise Analysis prepared by Ldn Consulting dated January 2011, the Project will not generate construction noise that may exceed the standards of the County of San Diego Noise Ordinance (Section 36.409). Construction operations will occur only during permitted hours of operation pursuant to Section 36.409. It is not anticipated that the Project will operate construction equipment in excess of an average sound level of 75dB between the hours of 7 AM and 7 PM. Both anticipated grading and installation operations would generate a sound level of 74.9 dBA at the Project property line. Additionally, some of the adjacent properties do not have a legal occupied structure and would not be subject to the 75 dBA requirement. Based on the noise report, operations of construction equipment would generate noise levels below the 75 dBA requirement. Therefore, the proposed Project would comply with County noise standards.

Finally, the Project's conformance to the County of San Diego General Plan (Noise Element, Policy 4b) and County of San Diego Noise Ordinance (Section 36.404 and 36.409) ensures the Project will not create cumulatively considerable noise impacts, because the Project will not exceed the local noise standards for noise sensitive areas; and the Project will not exceed the applicable noise level limits at the property line or construction noise limits, derived from State regulation to address human health and quality of life concerns. Therefore, the Project will not contribute to a cumulatively considerable exposure of persons or generation of noise levels in excess of standards established in the local general plan, noise ordinance, and applicable standards of other agencies.

b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?

- |   |   |
|---|---|
| <input type="checkbox"/> Potentially Significant Impact                     | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input checked="" type="checkbox"/> <b>No Impact</b>  |

Discussion/Explanation:

**No Impact:** The Project does not propose any of the following land uses that can be impacted by groundborne vibration or groundborne noise levels.

1. Buildings where low ambient vibration is essential for interior operation, including research and manufacturing facilities with special vibration constraints.
2. Residences and buildings where people normally sleep including hotels, hospitals, residences and where low ambient vibration is preferred.
3. Civic and institutional land uses including schools, churches, libraries, other institutions, and quiet office where low ambient vibration is preferred.
4. Concert halls for symphonies or other special use facilities where low ambient vibration is preferred.

Also, the Project does not propose any major, new or expanded infrastructure such as mass transit, highways or major roadways or intensive extractive industry that could generate excessive groundborne vibration or groundborne noise levels on-site or in the surrounding area.

c) A substantial permanent increase in ambient noise levels in the Project vicinity above levels existing without the Project?

- |   |   |
|---|---|
| <input type="checkbox"/> Potentially Significant Impact                     | <input checked="" type="checkbox"/> <b>Less than Significant Impact</b> |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact                                      |

Discussion/Explanation:

**Less Than Significant Impact:**

The Project involves the following permanent noise sources that may increase the ambient noise level: transformers/inverters and an on-site substation. As indicated in the response listed under Section XI Noise, Question a., the Project would not expose existing or planned noise sensitive areas in the vicinity to a substantial permanent increase in noise levels that exceed the allowable limits of the County of San Diego General Plan, County of San Diego Noise Ordinance, and other applicable local, State, and Federal noise control. Also, the Project is not expected to expose existing or planned noise sensitive areas to any direct noise impacts due to Project compliance with the County property line sound level limits as referenced in Question a. above. This is based on the Noise Analysis prepared by Ldn Consulting dated January 2011. Studies completed by the Organization of Industry Standards (ISO 362; ISO 1996 1-3; ISO 3095; and ISO 3740-3747) state an increase of 10 dB is perceived as twice as loud and is perceived as a significant increase in the ambient noise level.

The Project will not result in cumulatively noise impacts because a list of past, present and future Projects within in the vicinity were evaluated. It was determined that the Project in combination with a list of past, present and future Project would not expose existing or planned noise sensitive areas to cumulative noise impacts over existing

ambient noise levels. Refer to XVII. Mandatory Findings of Significance for a comprehensive list of the Projects considered.

d) A substantial temporary or periodic increase in ambient noise levels in the Project vicinity above levels existing without the Project?

- |   |   |
|---|---|
| <input type="checkbox"/> Potentially Significant Impact                     | <input checked="" type="checkbox"/> <b>Less than Significant Impact</b> |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact                                      |

Discussion/Explanation:

**Less Than Significant Impact:** The Project does not involve any uses that may create substantial temporary or periodic increases in ambient noise levels in the Project vicinity including but not limited to extractive industry; outdoor commercial or industrial uses that involve crushing, cutting, drilling, grinding, or blasting of raw materials; truck depots, transfer stations or delivery areas; or outdoor sound systems. Also, general construction noise is not expected to exceed the construction noise limits of the County of San Diego Noise Ordinance (Section 36.409), which are derived from State regulations to address human health and quality of life concerns. Construction operations will occur only during permitted hours of operation pursuant to Section 36.409. It is not anticipated that the Project will operate construction equipment in excess of 75 dB for more than an 8 hours during a 24-hour period.

Construction equipment operations would occur during the grading of the Project site which would be completed in one phase. Primary noise sources would occur during the clearing, grading, and grubbing of the site. A total of up to three dozers, five graders, four loader/backhoes and four water trucks are anticipated during the mass grading activities. Based upon normal grading operations, equipment is anticipated to be spread out over the entire site with equipment operating at or near the Project property line while other construction equipment activities may occur over 1,000 feet from the same property line. An acoustical center for grading was used to evaluate temporary construction equipment noise operations. The centroid representative location for construction activities was taken 165 feet from the nearest property line. At this distance, the worst-case scenario of all construction equipment operating would generate a sound level of 74.9 dBA at the nearest property line. These noise levels are below the 75 dBA County Noise Ordinance requirement. Therefore, the Project would not result in a substantial temporary or periodic increase in existing ambient noise levels in the Project vicinity.

e) For a Project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the Project expose people residing or working in the Project area to excessive noise levels?

- |   |   |
|---|---|
| <input type="checkbox"/> Potentially Significant Impact                     | <input checked="" type="checkbox"/> <b>Less than Significant Impact</b> |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact                                      |

Discussion/Explanation:

**Less Than Significant Impact:** The proposed Project is partially located within a Comprehensive Land Use Plan (CLUP) for airports or within 2 miles of a public airport or public use airport for the Borrego Valley Airport. However, the Project implementation is not expected to expose people residing or working in the Project area to excessive noise levels in excess of the CNEL 60 dB(A). This is based on staff's review of projected County noise contour maps (CNEL 60 dB(A) contours), review by County Noise Specialist Emmet Aquino on January 2011, and a Noise Analysis was prepared by Ldn Consulting dated January 2011. The proposed use of the solar farm operations are un-manned activities and would not expose people to excessive noise levels from the Borrego Valley Airport operations.

In addition, based on the list of past, present and future Projects there are no new or expanded public airports Projects in the vicinity that may extend the boundaries of the CNEL 60 dB noise contour or CLUP. Refer to XVII. Mandatory Findings of Significance for a comprehensive list of the Projects considered. Therefore, the Project will not expose people residing or working in the Project area to excessive airport-related noise on a Project or cumulative level.

f) For a Project within the vicinity of a private airstrip, would the Project expose people residing or working in the Project area to excessive noise levels?

- |   |   |
|---|---|
| <input type="checkbox"/> Potentially Significant Impact                     | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input checked="" type="checkbox"/> <b>No Impact</b>  |

Discussion/Explanation:

**No Impact:** The proposed Project is not located within a one-mile vicinity of a private airstrip; therefore, the Project will not expose people residing or working in the Project area to excessive airport-related noise levels.

**XIII. POPULATION AND HOUSING** -- Would the Project:

a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?

- |   |   |
|---|---|
| <input type="checkbox"/> Potentially Significant Impact                     | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input checked="" type="checkbox"/> <b>No Impact</b>  |

Discussion/Explanation:

**No Impact:** The proposed Project will not induce substantial population growth in an area because the Project does not propose any physical or regulatory change that would remove a restriction to or encourage population growth in an area including, but limited to the following: new or extended infrastructure or public facilities; new

commercial or industrial facilities; large-scale residential development; accelerated conversion of homes to commercial or multi-family use; or regulatory changes including General Plan amendments, specific plan amendments, zone reclassifications, sewer or water annexations; or LAFCO annexation actions.

b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?

- |   |   |
|---|---|
| <input type="checkbox"/> Potentially Significant Impact                     | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input checked="" type="checkbox"/> <b>No Impact</b>  |

Discussion/Explanation:

**No Impact:** The proposed Project will not displace any existing housing since the site is currently vacant.

c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?

- |   |   |
|---|---|
| <input type="checkbox"/> Potentially Significant Impact                     | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input checked="" type="checkbox"/> <b>No Impact</b>  |

Discussion/Explanation:

**No Impact:** The proposed Project will not displace a substantial number of people since the site is currently vacant.

#### **XIV. PUBLIC SERVICES**

a) Would the Project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance service ratios, response times or other performance objectives for any of the public services:

- i. Fire protection?
- ii. Police protection?
- iii. Schools?
- iv. Parks?
- v. Other public facilities?

- |   |   |
|---|---|
| <input type="checkbox"/> Potentially Significant Impact                     | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input checked="" type="checkbox"/> <b>No Impact</b>  |

Discussion/Explanation:

**No Impact:** Based on the service availability forms received for the Project, the proposed Project will not result in the need for significantly altered services or facilities. Service availability forms have been provided which indicate existing services are available to the Project from the following agencies/districts: Borrego Springs Fire Protection District and the Borrego Water District. The Project does not involve the construction of new or physically altered governmental facilities including but not limited to fire protection facilities, sheriff facilities, schools, or parks in order to maintain acceptable service ratios, response times or other performance service ratios or objectives for any public services. Therefore, the Project will not have an adverse physical effect on the environment because the Project does not require new or significantly altered services or facilities to be constructed.

#### **XV. RECREATION**

a) Would the Project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?

- |   |   |
|---|---|
| <input type="checkbox"/> Potentially Significant Impact                     | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input checked="" type="checkbox"/> <b>No Impact</b>  |

Discussion/Explanation:

**No Impact:** The Project does not propose any residential use, included but not limited to a residential subdivision, mobilehome park, or construction for a single-family residence that may increase the use of existing neighborhood and regional parks or other recreational facilities in the vicinity.

b) Does the Project include recreational facilities or require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment?

- |   |   |
|---|---|
| <input type="checkbox"/> Potentially Significant Impact                     | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input checked="" type="checkbox"/> <b>No Impact</b>  |

Discussion/Explanation:

**No Impact:** The Project does not include recreational facilities or require the construction or expansion of recreational facilities. Therefore, the construction or expansion of recreational facilities cannot have an adverse physical effect on the environment.

#### **XVI. TRANSPORTATION AND TRAFFIC** -- Would the Project:

a) Conflict with an applicable plan, ordinance or policy establishing measures of the effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to

intersections, streets, highways and freeways, pedestrian and bicycle paths and mass transit?

- |   |   |
|---|---|
| <input type="checkbox"/> Potentially Significant Impact                     | <input checked="" type="checkbox"/> <b>Less than Significant Impact</b> |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact                                      |

Discussion/Explanation:

The County of San Diego Guidelines for Determining Significance for Traffic and Transportation (Guidelines) establish measures of effectiveness for the performance of the circulation system. These Guidelines incorporate standards from the County of San Diego Public Road Standards and Public Facilities Element (PFE), the County of San Diego Transportation Impact Fee Program and the Congestion Management Program.

**Less Than Significant:** The proposed Project will result in an additional 2 ADTs. However, the Project will not have a direct impact related to a conflict with any performance measures establishing measures of effectiveness of the circulation system because the Project trips do not exceed any of the County's Guidelines for Determining Significance for direct impacts related to Traffic and Transportation. As identified in the County's Guidelines for Determining Significance for Traffic and Transportation, the Project trips would not result in a substantial increase in the number of vehicle trips, volume of capacity ratio on roads, or congestion at intersections in relation to existing conditions. In addition, the Project would not conflict with policies related to non-motorized travel such as mass transit, pedestrian or bicycle facilities. Therefore, the Project would not have a direct impact related to a conflict with policies establishing measures of the effectiveness for the performance of the circulation system.

The proposed Project generates 2 ADTs. These trips will be distributed on circulation element roadways in the County some of which currently or are projected to operate at inadequate levels of service. The County of San Diego has developed an overall programmatic solution that addresses existing and projected future road deficiencies in the unincorporated portion of San Diego County. The TIF program creates a mechanism to proportionally fund improvements to roadways necessary to mitigate potential cumulative impacts caused by traffic from future development. These new Projects were based on SANDAG regional growth and land use forecasts, the SANDAG Regional Transportation Model was utilized to analyze projected build-out (year 2030) development conditions on the existing circulation element roadway network throughout the unincorporated area of the County. Based on the results of the traffic modeling, funding necessary to construct transportation facilities that will mitigate cumulative impacts from new development was identified. Existing roadway deficiencies will be corrected through improvement Projects funded by other public funding sources, such as Transnet, gas tax, and grants. Potential cumulative impacts to the region's freeways have been addressed in SANDAG's Regional Transportation Plan (RTP). This plan, which considers freeway buildout over the next 30 years, will use funds from Transnet, State, and Federal funding to improve freeways to projected level of service objectives in the RTP.

These Project trips therefore contribute to a potential significant cumulative impact and mitigation is required. The potential growth represented by this Project was included in

the growth Projections upon which the TIF program is based. By ensuring TIF funds are spend for the specific roadway improvements identified in the TIF Program, the CEQA mitigation requirement is satisfied and the Mitigation Fee nexus is met. Therefore, payment of the TIF, which will be required at issuance of building permits, in combination with other components of the program described above, will mitigate potential cumulative traffic impacts to less than significant.

b) Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?

- Potentially Significant Impact                       **Less than Significant Impact**  
 Less Than Significant With Mitigation Incorporated                       No Impact

Discussion/Explanation: The designated congestion management agency for the San Diego region is SANDAG. SANDAG is responsible for preparing the Regional Transportation Plan (RTP) of which the Congestion Management Program (CMP) is an element to monitor transportation system performance, develop programs to address near- and long-term congestion, and better integrate land use and transportation planning decisions. The CMP includes a requirement for enhanced CEQA review applicable to certain large developments that generate an equivalent of 2,400 or more average daily vehicle trips or 200 or more peak hour vehicle trips. These large Projects must complete a traffic analysis that identifies the Project's impacts on CMP system roadways, their associated costs, and identify appropriate mitigation. Early Project coordination with affected public agencies, the Metropolitan Transit System (MTS) and the North County Transit District (NCTD) is required to ensure that the impacts of new development on CMP transit performance measures are identified.

**Less Than Significant Impact:** The Project proposes an increase of 2 ADTs. The additional 2 ADTs from the proposed Project do not exceed the 2400 trips (or 200 peak hour trips) required for study under the region's Congestion Management Program. Additionally, the Project does not involve construction of any new buildings, nor does it propose a new primary use. The additional access or support structures will not generate ADTs on a daily basis. Therefore the Project will not conflict with travel demand measures or other standards of the congestion management agency.

c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that result in substantial safety risks?

- Potentially Significant Impact                       **Less than Significant Impact**  
 Less Than Significant With Mitigation Incorporated                       No Impact

Discussion/Explanation:

**Less Than Significant Impact:** The Project proposes a solar energy facility consisting of approximately 283,000 solar panels, with a maximum height of 10' feet, replacement

of existing power poles along Borrego Valley Road, along with associated small-unoccupied equipment structures. The Project is located within the boundaries of the Airport Land Use Compatibility Plan (ALUCP) for the Borrego Valley Airport, a public airport. Specifically, portions of the Project have been determined to lie within Airport Safety Zone 6 and Review Area #2 of the ALUCP. The Project is located within an identified Federal Aviation Administration (FAA) Height Notification Layer related to the Borrego Valley Airport.

Based on an application submitted by the Project applicant, the FAA has conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and Title 14 of the Code of Federal Regulations, part 77. The results of this study, issued November 30, 2009, revealed that the Project does not exceed obstruction standards and would not be a hazard to air navigation. Therefore, the proposed Project will not have a significant impact on air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks. See also Section VII.d. above.

d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?

- |   |  |
|---|--|
| <input type="checkbox"/> Potentially Significant Impact                     | <input checked="" type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> <b>No Impact</b>                        |

Discussion/Explanation:

**Less than Significant:** The proposed Project will not significantly alter traffic safety on Borrego Valley Road. A safe and adequate sight distance shall be required at all driveways and intersections to the satisfaction of the Director of the Department of Public Works. All road improvements will be constructed according to the County of San Diego Public and Private Road Standards. Roads used to access the proposed Project site are up to County standards. The proposed Project will not place incompatible uses (e.g., farm equipment) on existing roadways. Therefore, the proposed Project will not significantly increase hazards due to design features or incompatible uses.

e) Result in inadequate emergency access?

- |   |   |
|---|---|
| <input type="checkbox"/> Potentially Significant Impact                     | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input checked="" type="checkbox"/> <b>No Impact</b>  |

Discussion/Explanation:

**No Impact:**

The proposed Project will not result in inadequate emergency access. The Borrego Springs Fire Department has reviewed the proposed Project and has determined that there is adequate emergency fire access. Additionally, roads used to access the proposed Project site are up to County standards.

f) Result in inadequate parking capacity?

- |   |   |
|---|---|
| <input type="checkbox"/> Potentially Significant Impact                     | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input checked="" type="checkbox"/> <b>No Impact</b>  |

Discussion/Explanation:

**No Impact:** The proposed Project is an unmanned photovoltaic solar farm. Thus, parking will not result in an insufficient capacity on-site or off-site.

- g) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?

- |   |   |
|---|---|
| <input type="checkbox"/> Potentially Significant Impact                     | <input checked="" type="checkbox"/> <b>Less than Significant Impact</b> |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact                                      |

Discussion/Explanation:

**Less Than Significant:** The proposed Project is a solar farm and will generate two ADT. Project implementation will not result in the construction of any road improvements or new road design features that would interfere with the provision of public transit, bicycle or pedestrian facilities. In addition, the Project does not generate sufficient travel demand to increase demand for transit, pedestrian or bicycle facilities. Therefore, the Project will not conflict with policies, plans, or programs regarding public transit, bicycle or pedestrian facilities, or otherwise decrease the performance or safety of such facilities.

**XVII. UTILITIES AND SERVICE SYSTEMS** -- Would the Project:

- a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?

- |   |   |
|---|---|
| <input type="checkbox"/> Potentially Significant Impact                     | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input checked="" type="checkbox"/> <b>No Impact</b>  |

Discussion/Explanation:

**No Impact:** The Project does not involve any uses that will discharge any wastewater to sanitary sewer or on-site wastewater systems (septic). Therefore, the Project will not exceed any wastewater treatment requirements.

- b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?

- |   |   |
|---|---|
| <input type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
|---|---|

- Less Than Significant With Mitigation Incorporated  **No Impact**

Discussion/Explanation:

**No Impact:** The Project does not include new or expanded water or wastewater treatment facilities. In addition, the Project does not require the construction or expansion of water or wastewater treatment facilities. Service availability forms have been provided which indicate adequate water facilities are available to the Project from the water agency. Therefore, the Project will not require any construction of new or expanded facilities, which could cause significant environmental effects.

- c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?

- Potentially Significant Impact  Less than Significant Impact  
 Less Than Significant With Mitigation Incorporated  **No Impact**

Discussion/Explanation:

**No Impact:** The Project does not include new or expanded storm water drainage facilities. Moreover, the Project does not involve any landform modification or require any source, treatment or structural Best Management Practices for storm water. Therefore, the Project will not require any construction of new or expanded facilities, which could cause significant environmental effects.

- d) Have sufficient water supplies available to serve the Project from existing entitlements and resources, or are new or expanded entitlements needed?

- Potentially Significant Impact  Less than Significant Impact  
 **Less Than Significant With Mitigation Incorporated**  No Impact

**Less Than Significant Impact With Mitigation Incorporated:** The Project will obtain its water supply from the Borrego Water District or from on-site groundwater wells tapping the Borrego Valley aquifer. The District is groundwater dependent and obtains its water from the Borrego Valley groundwater aquifer. The Borrego Valley groundwater aquifer has a well-documented groundwater overdraft condition. The condition is a cumulative impact resulting from groundwater pumpage of all users in the aquifer. This Project will use approximately 3.4 acre-feet of groundwater on an annualized basis from the Borrego Valley groundwater aquifer. The Project construction would use approximately 119 acre feet of water for the initial construction of the Project. The total amount of water that would be mitigated is 7.4 acre feet, which takes into account a 15% extra contingency added to it.

The applicant proposes to reduce the Project's impact to groundwater resources so that there will be "no net gain" in the amount of groundwater extracted from the Borrego

Valley groundwater aquifer. The applicant will ensure that there is “no net gain” by recording an easement or other County-accepted mechanism on off-site land that has been continuously used for agriculture or golf course purposes for at least the past five years and is being irrigated with at least 7.4 acre-feet of groundwater annually from the Borrego Valley groundwater aquifer. The easement or other acceptable mechanism will permanently prohibit the use, extraction, storage, distribution or diversion of water from the Borrego Valley groundwater aquifer on land subject to the easement. Implementation of this measure will mitigate the Project’s cumulatively considerable impact to groundwater resources. Therefore, no significant impact to groundwater resources is anticipated.

- e) Result in a determination by the wastewater treatment provider, which serves or may serve the Project that it has adequate capacity to serve the Project’s Projected demand in addition to the provider’s existing commitments?

- |   |   |
|---|---|
| <input type="checkbox"/> Potentially Significant Impact                     | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input checked="" type="checkbox"/> <b>No Impact</b>  |

Discussion/Explanation:

**No Impact:** The proposed Project will not produce any wastewater; therefore, the Project will not interfere with any wastewater treatment providers’ service capacity.

- f) Be served by a landfill with sufficient permitted capacity to accommodate the Project’s solid waste disposal needs?

- |   |   |
|---|---|
| <input type="checkbox"/> Potentially Significant Impact                     | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input checked="" type="checkbox"/> <b>No Impact</b>  |

Discussion/Explanation:

**No Impact:** The Project will not generate any solid waste nor place any burden on the existing permitted capacity of any landfill or transfer station within San Diego County.

- g) Comply with federal, state, and local statutes and regulations related to solid waste?

- |   |   |
|---|---|
| <input type="checkbox"/> Potentially Significant Impact                     | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input checked="" type="checkbox"/> <b>No Impact</b>  |

Discussion/Explanation:

**No Impact:** The Project will not generate any solid waste nor place any burden on the existing permitted capacity of any landfill or transfer station within San Diego County.

Therefore, compliance with any Federal, State, or local statutes or regulation related to solid waste is not applicable to this Project.

**XVII. MANDATORY FINDINGS OF SIGNIFICANCE:**

- a) Does the Project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?

- Potentially Significant Impact                       Less than Significant Impact  
 **Less Than Significant With Mitigation Incorporated**                       No Impact

Discussion/Explanation:

**Less Than Significant With Mitigation Incorporated:**

Per the instructions for evaluating environmental impacts in this Initial Study, the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory were considered in the response to each question in sections IV and V of this form. In addition to Project specific impacts, this evaluation considered the Projects potential for significant cumulative effects. Resources that have been evaluated as significant would be potentially impacted by the Project, particularly Air Quality, Biology, Cultural, Utilities and Services Systems, Geology and Soils, Hydrology and Water Quality. However, mitigation has been included that clearly reduces these effects to a level below significance. This mitigation includes off-site biological mitigation, breeding season avoidance, dust control measures, geotechnical investigations and safe building measures, groundwater easements, cultural resource grading monitoring, and historical recordation. As a result of this evaluation, there is no substantial evidence that, after mitigation, significant effects associated with this Project would result. Therefore, this Project has been determined not to meet this Mandatory Finding of Significance.

- b) Does the Project have impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a Project are considerable when viewed in connection with the effects of past Projects, the effects of other current Projects, and the effects of probable future Projects)?

- Potentially Significant Impact                       Less than Significant Impact  
 **Less Than Significant With Mitigation Incorporated**                       No Impact

Discussion/Explanation:

The following list of past, present and future Projects were considered and evaluated as a part of this Initial Study:

Permit	Permit Type	Permit Number	Permit Name
MAJOR USE PERMIT	3300	09-012	EURUS BORREGO SOLAR
MAJOR USE PERMIT	3300	09-014	EURUS BORREGO SOLAR
TENTATIVE MAP	3100	5309	BORREGO SPRINGS COUNTRY CLUB
REZONE	3600	03-006	BORREGO COUNTRY CLUB
TENTATIVE MAP	3100	5319	BORREGO COUNTRY CLUB
TENTATIVE MAP	3100	5487	BORREGO COUNTRY CLUB ESTATES
SITE PLAN	3500	06-039	BORREGO SPRINGS SENIOR CONDOMINIUMS
TENTATIVE PARCEL MAP	3200	21017	DESERT DIAMOND, TPM, 4 LOTS
ADMINISTRATIVE PERMIT	3000	06-029	ELLIS FARMS EXTENSION
TENTATIVE PARCEL MAP SPECIFIC PLAN -	3200	21027	BOWEN/JONAS, TPM,
AMENDMENT	3813	05-002	BORREGO COUNTRY CLUB, SPA, REZ, TM, 178 L
MAJOR USE PERMIT	3300	04-034	BORREGO SAND AND ROCK BORROW PIT, MUP, BORREGO SAND AND ROCK BORROW PIT, MUP, R
RECLAMATION PLAN SPECIFIC PLAN -	3310	04-003	
AMENDMENT	3813	05-002	BORREGO COUNTRY CLUB, SPA, REZ, TM, 178 L
SITE PLAN	3500	07-019	BORREGO 50
ADMINISTRATIVE PERMIT	3000	09-033	SDGE AD PERMIT OVERSIZED FENCE AD 09-033
MAJOR USE PERMIT - MOD / DEVIATION	3301	79-130-08	RAMS HILL MUP MIN DEV 79-130-05
SITE PLAN	3500	07-052	BORREGO COUNTRY CLUB ESTATES
SITE PLAN	3500	07-052	BORREGO COUNTRY CLUB ESTATES
TENTATIVE MAP	3100	5550	MONTESORO DEVELOPMENT LOT 1, 40 LOT SUBD
MAJOR USE PERMIT	3300	08-019	MONTESORO DEVELOPMENT LOT 1, 40 LOT SUBD
SPECIFIC PLAN	3810	08-002	YAQUI PASS, GPA, SP, TM, STP, AND AD
TENTATIVE PARCEL MAP GENERAL PLAN	3200	21038	MILLER, TPM, 4 LOT +
AMENDMENT	3800	08-005	YAQUI PASS, GPA, SP, TM, STP, AND AD
TENTATIVE MAP	3100	5552	YAQUI PASS, GPA, SP, TM, STP, AND AD
SITE PLAN	3500	08-021	YAQUI PASS, GPA, SP, TM, STP, AND AD
ADMINISTRATIVE PERMIT	3000	08-033	YAQUI PASS, GPA, SP, TM, STP, AND AD
MAJOR USE PERMIT - MOD / DEVIATION	3301	99-003-04	ROAD RUNNER CLUB MAJOR USE PERMIT; P 99
REZONE	3600	08-006	YAQUI PASS, GPA, SP, TM, STP, AND AD
TENTATIVE PARCEL MAP	3200	21137	RAINSHADOW, TPM 4 LOTS +1 REMAINDER, TPM
TENTATIVE MAP	3100	5528	BORREGO 138, INLAND LAND DEVELOPMENT TM,
TENTATIVE MAP	3100	5557	ROAD RUNNER CLUB PRE-APP; PRE-APP 07-;
TENTATIVE PARCEL MAP	3200	21147	BOLE, 2 LOT TPM; TPM 21147
MAJOR USE PERMIT	3300	06-101	INLAND LAND DEVELOPMENT TM AND MUP
TENTATIVE MAP	3100	5559	FRIESTEDT, MAJOR SIBDIVISION 10 LOTS, TM
TENTATIVE PARCEL MAP	3200	21058	HENDERSON CYN, TPM, 4 LOTS
TENTATIVE MAP	3100	5511	BORREGO 50
TENTATIVE MAP	3100	5512	BORREGO SPRINGS SENIOR CONDOMINIUMS
TENTATIVE MAP	3100	5513	YAQUI PASS TM
MAJOR USE PERMIT	3300	10-030	AVALON BORREGO SOLAR LLC

**Less Than Significant With Mitigation Incorporated:**

Per the instructions for evaluating environmental impacts in this Initial Study, the potential for adverse cumulative effects were considered in the response to each question in sections I through XVI of this form. In addition to Project specific impacts, this evaluation considered the Projects potential for incremental effects that are cumulatively considerable. As a result of this evaluation, there were determined to be potentially significant cumulative effects related to Biological Resources. However, mitigation has been included that clearly reduces these cumulative effects to a level below significance. This mitigation includes Biological Monitoring, off-site biological mitigation and breeding season avoidance. As a result of this evaluation, there is no substantial evidence that, after mitigation, there are cumulative effects associated with this Project. Therefore, this Project has been determined not to meet this Mandatory Finding of Significance.

c) Does the Project have environmental effects, which will cause substantial adverse effects on human beings, either directly or indirectly?

- |   |   |
|---|---|
| <input type="checkbox"/> Potentially Significant Impact                                       | <input type="checkbox"/> Less than Significant Impact |
| <input checked="" type="checkbox"/> <b>Less Than Significant With Mitigation Incorporated</b> | <input type="checkbox"/> No Impact                    |

Discussion/Explanation:

**Less Than Significant With Mitigation Incorporated:**

In the evaluation of environmental impacts in this Initial Study, the potential for adverse direct or indirect impacts to human beings were considered in the response to certain questions in sections I. Aesthetics, III. Air Quality, VI. Geology and Soils, VIII. Hazards and Hazardous Materials, IX Hydrology and Water Quality XII. Noise, XIII. Population and Housing, and XVI. Transportation and Traffic. As a result of this evaluation, there were determined to be potentially significant effects to human beings related to the following Air Quality, Geology and Soils, Hydrology and Water Quality. However, mitigation has been included that clearly reduces these effects to a level below significance. This mitigation includes dust control measures, geological investigations along with building standards, and groundwater easements. As a result of this evaluation, there is no substantial evidence that, after mitigation, there are adverse effects to human beings associated with this Project. Therefore, this Project has been determined not to meet this Mandatory Finding of Significance.

**XVIII. REFERENCES USED IN THE COMPLETION OF THE INITIAL STUDY CHECKLIST**

All references to Federal, State and local regulation are available on the Internet. For Federal regulation refer to <http://www4.law.cornell.edu/uscode/>. For State regulation refer to [www.leginfo.ca.gov](http://www.leginfo.ca.gov). For County regulation refer to [www.amlegal.com](http://www.amlegal.com). All other references are available upon request.

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