

Response to Comment Letter I133

Morgan Stevens

- I133-1** The comment is an introduction to the attached comment letter regarding the Draft EIR for the Proposed Project. The comment does not raise concerns related to the adequacy of the Draft EIR; therefore, no further response is required.
- I133-2** The commenter states that the Jacumba Hot Springs community is requesting the Proposed Project be denied. The County acknowledges the commenter’s opposition to the Proposed Project. The comment does not raise concerns related to the adequacy of the Draft EIR; therefore, no further response is required.
- I133-3** The commenter states that the Draft EIR identifies significant environmental impacts that will “adversely affect the health and welfare of our community, the vital resources that support this community, the environment, and fauna and flora, that cannot be in any way mitigated.” In response, please refer to Chapters 2 and 3 of the EIR, which analyze the Proposed Project’s potential impacts to the environment, including air quality and biological resources. Please also refer to Global Response GR-1 Socioeconomics and Environmental Justice in the Final EIR.
- I133-4** The commenter states that the commenter needs the support of the Board of Supervisors and Planning Commission to stop the “dangerous project.” The commenter also states that the Proposed Project will destroy the community and the environment in the Project vicinity. The comment does not raise concerns related to the adequacy of the Draft EIR; therefore, no further response is required.
- I133-5** The commenter states that the Proposed Project should not be a “consideration in a residential area and in an area already overwhelmed with energy projects.” The comment does not raise concerns related to the adequacy of the Draft EIR; therefore, no further response is required.
- I133-6** The commenter states that the Proposed Project is being “pushed through the process at an alarming rate to beat the federal solar credit expiration deadline.” The comment does not raise concerns related to the adequacy of the Draft EIR; therefore, no further response is required.
- I133-7** The commenter states that the Project applicant is from Germany and that it does not have “any regard for the safety and welfare” of the community. The commenter states that the Proposed Project is purely financially motivated. The comment does not raise concerns related to the adequacy of the Draft EIR; therefore, no further response is required.

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- I133-8** The commenter states that the Draft EIR discloses unmitigated impacts to aesthetics, air quality, biological resources, geology, soil, seismicity, hazards and hazardous materials, pesticides, herbicide, permeability, hydrology and water quality, mineral resources, noise, paleontology resources, tribal cultural resources and wildlife. In response, as disclosed in the Draft EIR, the Proposed Project would result in significant and unavoidable impacts to aesthetic and visual resources. In addition, implementation of on-site habitat preservation (mitigation measure **M-BI-3**) would result in significant and unavoidable impacts to mineral resources.
- I133-9** This commenter states that the Project will result in negative health impacts due to “electromagnetic radiation, silicon dust, exposure to electrical and chemical components (selenium dioxide).” The commenter also states that this information is not discussed in the Draft EIR. In response, with respect to electromagnetic radiation, please refer to Response to Comment O6-94. With respect to “silicon dust” and chemical components of the solar panels, please refer to Response to Comment O7-99. Further, the Project will not emit silicon tetrachloride, or selenium dioxide. Please also refer to Global Response GR-4 Electromagnetic Field Impacts in the Final EIR, which discusses additional comments made concerning electromagnetic frequency and stray current.
- I133-10** The commenter states that the Proposed Project is too large and close to the Jacumba community. The commenter also states that the proposed buffer of 75 feet is insufficient to protect from significant health risks, and no buffer zone would be sufficient for a project of this size. In response, the Draft EIR analyzes impacts to public health and safety in Sections 2.2, Air Quality, 2.6, Hazards and Hazardous Materials, 2.9, Noise, 2.12, Wildfire, 3.1.3, Greenhouse Gas Emissions, and 3.1.6, Public Services. Further, the Draft EIR analyzes alternatives to the Proposed Project in Chapter 4, including the Community Buffer Alternatives, includes a setback of 300 feet from residences in Jacumba north of Old Highway 80. Subsequent to public review of the Draft EIR, the Proposed Project was revised to include increased setbacks along Old Highway 80 and adjacent to Jacumba Community Park. These increased are also included in the Community Buffer Alternative in the Final EIR.
- I133-11** The commenter states that the mitigation measures identified in the Draft EIR are not sufficient to ensure community and environmental safety. Because the comment does not identify any specific issue with respect to mitigation measures identified in the Draft EIR, no further response can be provided. However, please refer to Chapter 5 of the EIR, which includes all of the Proposed Project’s mitigation measures.
- I133-12** The commenter states that herbicides and pesticides will pollute the groundwater and blow into town. In response, mitigation measure **M-BI-8** applies to the application of

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any herbicides, and limits herbicide application to just those products that are permitted by the County agricultural commissioner. In addition, herbicide application must be conducted by a licensed Pest Control Adviser with at least two years' experience. With implementation of **M-BI-8**, the application of herbicides, which is slated for at least once per year, will be governed by defined standards and applied professionally. The Proposed Project will not apply pesticides.

- I133-13** The commenter states that Jacumba is comprised of decomposed granite, which is extremely permeable. The comment states that the Proposed Project will destroy the water, town and surrounding wilderness. In response, please refer to Section 2.3 Biological Resources which analyzes the Proposed Project's impacts to vegetation communities and wildlife habitats. Please also refer to Section 2.5, Geology, Soils, and Seismicity, and Section 2.7, Hydrology and Water Quality, which analyze the Proposed Project's potential impacts to geology and groundwater, among other things, that may be caused by the development of the Project.
- I133-14** The commenter states thousands of "crust perforations will cause weakness in an already fault ridden zone." In response, Section 2.5 Geology, Soils, and Seismicity of the EIR analyzes the Proposed Project's potential impacts, including fault rupture, ground shaking, and liquefaction. Section 2.5 finds that "the closest mapped faults to the Project site are pre-Quaternary in age and are generally considered to have little to no potential to generate an earthquake."
- I133-15** The commenter states that the Proposed Project's construction noise and road degradation will impact the Jacumba community. In response, Chapter 1 of the EIR states that construction will occur over the course of 13 months. Section 2.9 Noise states that construction would take place Monday through Saturday from 7:00 am to 7:00 pm in compliance with the County Noise Ordinance (see Section 2.9.4.6). Section 2.9, Noise concludes that all potentially significant impacts can be mitigated below a level of significance. As discussed in Section 3.1.7, transportation impacts would be less than significant.
- I133-16** The commenter states that Jacumba Hot Springs Resort has a plan to revitalize the community, and the Project will destroy the "historic district." The comment does not raise concerns related to the adequacy of the Draft EIR; therefore, no further response is required. However, please refer to Global Response GR-1 Socioeconomics and Environmental Justice in the Final EIR regarding the relationship between socio-economic considerations and CEQA.
- I133-17** The commenter states that the Proposed Project is not "in line with current historical/ideology/back country development of the area" and is being placed on an agriculturally zoned property. In response, please refer to Section 2.1 Aesthetics,

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Section 2.4 Cultural Resources, and Section 3.1.4 which analyze the Proposed Project’s potential impacts to aesthetic and visual resources, historic resources, and land use and planning respectively.

- I133-18** The commenter states that the Proposed Project is “being rushed through the process without full community access and knowledge.” The County’s environmental review for the Project has proceeded in accordance with all public noticing requirements of CEQA. Please refer to Responses to Comment I117-2 through I117-6.
- I133-19** The commenter states that the Project will “have an enormous negative financial impact to our businesses and property values.” The comment does not raise concerns related to the adequacy of the Draft EIR; therefore, no further response is required. However, please refer to Global Response GR-1 Socioeconomics and Environmental Justice in the Final EIR.
- I133-20** The commenter states that no clear plans are in place for decommissioning the Proposed Project and disposing of “toxic/hazardous materials.” In response, please refer to Section 1.2.1.3 of Chapter 1 in the EIR. This section describes the process for decommissioning the Proposed Project and disposing of the Project’s components. In particular, the section states: “Any hazardous components of the PV panels would be removed and properly disposed of offsite prior to recycling . . . All recycling would be in accordance with state and County regulations.” Further, the Proposed Project will provide a final decommissioning plan within one year of issuance of the building permits for the Project in accordance with the County’s Zoning Ordinance.
- I133-21** The commenter states that the Proposed Project will negatively affect glider port operations and flight safety. Please refer to Response to Comment O7-88, O7-92, O7-93, and I117-20 through I117-24. Please also refer to Global Response GR-5 Airport Impacts in the Final EIR regarding operations at the Jacumba Airport.
- I133-22** The commenter states that the Kangaroo Rat is not included in the Draft EIR, and “has known habitat” on the Project site and surrounding area. In response, as stated on page 2.3-2 of the Draft EIR, numerous sources were reviewed to determine which special-status wildlife species occur in the vicinity of the Project site. Appendix E2 to the Biological Technical Report (Appendix D to the Draft EIR) analyzes Stephen’s kangaroo rat (*Dipodomys stephensi*), which is a federally endangered and state-listed threatened species. As stated in Appendix E2, this species is not expected to occur in the vicinity of the Project site. The site is outside of the species’ known geographic range, which is further north in San Diego County as well as Riverside County. There are no other special-status species of kangaroo rat that are known to occur in the vicinity.

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- I133-23** This commenter states that the Proposed Project will result in significant archaeological and cultural impacts. In response, Section 2.4 Cultural Resources of the EIR analyzes the Proposed Project’s potential impacts to archaeological resources. With implementation of mitigation measures, impacts to cultural resources would be less than significant.
- I133-24** The commenter states that the Proposed Project is a short sighted 35-year project that cannot justify the “environmental, community devastation it will cause to the town of Jacumba Hot Springs.” The County acknowledges the commenter’s opposition to the Proposed Project. The comment does not raise concerns related to the adequacy of the Draft EIR; therefore, no further response is required.
- I133-25** The commenter states that there are more appropriately zoned areas available for the Proposed Project, and the Project does not warrant the amount of energy the Project will produce. The comment states that a more complimentary project needs to be considered. The comment does not raise concerns related to the adequacy of the Draft EIR; therefore, no further response is required. However, please refer to Chapter 4, Project Alternatives, which discusses potential alternatives to the Project, including alternative locations for the project, a Community Buffer Alternative, and a Reduced Project Alternative. Please also refer to Global Response GR-6 Alternatives in the Final EIR.
- I133-26** The commenter states that the property runs adjacent to the Jacumba Wilderness and we need to protect the wilderness character of the property and the surrounding area. This comment requests the County consider other uses for the property. In response, please refer Section 2.3 Biological Resources which analyzes the Proposed Project’s impacts to vegetation communities and habitat for wildlife. The Project site is adjacent to Anza-Borrego Desert State Park and federal Bureau of Land Management lands. The proposed onsite biological open space easement is located adjacent to these state and federal lands. The designated wilderness areas are located to the north of
- I133-27** The commenter states that the County should purchase the Property and preserve it in open space and small community park. The comment does not raise concerns related to the adequacy of the Draft EIR; therefore, no further response is required.

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