

Appendix A

NOP, Initial Study, and Public Comments



County of San Diego

PLANNING & DEVELOPMENT SERVICES
5510 OVERLAND AVENUE, SUITE 310, SAN DIEGO, CA 92123
(858) 505-6445 General • (858) 694-2705 Codes
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DAHVIA LYNCH
DIRECTOR

NOTICE OF PREPARATION AND PUBLIC SCOPING MEETING FOR A DRAFT ENVIRONMENTAL IMPACT REPORT

Date: March 23, 2023

NOTICE IS HEREBY GIVEN that the County of San Diego, Planning & Development Services, will be the Lead Agency and will prepare an Environmental Impact Report in accordance with the California Environmental Quality Act for the following project. The Department is seeking public and agency input on the scope and content of the environmental information to be contained in the Environmental Impact Report (EIR). A Notice of Preparation (NOP) document, which contains a description of the probable environmental effects of the project, can be reviewed at the following website link: http://www.sdcountry.ca.gov/pds/ceqa_public_review.html.

STARLIGHT SOLAR, PDS2022-MUP-22-010

Description of the Project:

The Starlight Solar Project (Project) would utilize photovoltaic (PV) electric generation system technology by constructing a remotely-controlled solar energy generation and storage facility within the Mountain Empire Subregional Plan area in unincorporated San Diego County. The Project would produce a total rated capacity of up to 100 megawatts (MW) of alternating current (AC) solar energy at the utility scale. The Project would also include a battery energy storage system (BESS) that would store up to approximately 217.4 MW of electricity for dispatch into the local San Diego Gas and Electric (SDG&E) grid via the same point of interconnection as the solar array. The power produced by the proposed solar facility would interconnect into the Boulevard East Substation via an underground generation tie-line (gen-tie) located generally on the east side of Tule Jim Lane. The Project would be constructed in two phases, the first of 20 MW solar energy generation and 17 MW of battery storage and the second of 80 MW solar energy generation and 200 MW of battery storage.

Construction of the Project is anticipated to occur over approximately 12-18 months and would employ approximately 125 workers per day during the peak construction period. The Project includes 350,000 cubic yards (cy) of grading with a balance of cut and fill.

The Project would include the following primary components:

- Approximately 255,000 PV modules mounted on support structures (typically single-axis and/or fixed- tilt). The final number of modules and support structures will depend on the final design.

Notice of Preparation and Notice of Public Scoping Meeting for a Draft EIR
Starlight Solar Project

- 1,500-volt direct current (DC) underground collection system linking the modules to the inverters and eight solar array systems based on current design standards.
- Inverter/transformer platforms, located throughout the solar facility, to convert the DC power generated by the modules into AC power, a compatible form for use with the transmission network
- A 34.5-kilovolt (kV) underground AC collection system would link the inverters to the on-site collector substation
- An on-site collector substation located on the northeastern tip of the project site within an approximately 3-acre substation.
- The 7-acre gen-tie line would run from the project substation on site to the Boulevard East Substation. It will consist of two lines – 69 kV and 138 kV, that will be strung overhead to cross Tule Jim Lane and underground the rest of the way.
- BESS systems of up to 217.4 MW of 4-hour battery storage (approximately 8 acres).
- Biological resource mitigation land would be conserved and managed south and west of the project area.
- Supervisory Control and Data Acquisition (SCADA) System
- 24-foot-wide internal access roads
- Security fencing, lighting, and signage
- 30-foot fuel modification zone
- Water tanks for fire protection

Project Location

The Project site is located south of the community of Boulevard in southern unincorporated San Diego County (Figure 1, Regional Location Map). The Project site encompasses a total of approximately 565 acres within the Mountain Empire Subregional Plan, which is split into five subregional group areas. The project site is located in the Boulevard Subregional Planning Area (Figure 2, Vicinity Map). The Project site is located south of Interstate 8 (I-8) and Old Highway 80, and east of Tierra Del Sol Road. Regional access to the Project site would be provided by State Route 94 highway and I-8 freeway, respectively. Access to the Project site would be provided by Jewel Valley Road and Tule Jim Lane, which each connect to Old Highway 80 in the town of Boulevard. As depicted in Figure 3, Starlight Solar Site Plan, the Project site would be divided into eight solar array areas totaling approximately 565 acres. An underground gen-tie would be located generally on the east side of Tule Jim Lane and connect into the southeastern corner of the Boulevard East Substation. The following list includes the Assessor's Parcel Numbers (APNs) on the Project site:

- | | | |
|----------------|----------------|----------------|
| • 612-082-1200 | • 659-020-0100 | • 612-110-0400 |
| • 612-120-0100 | • 612-092-1300 | • 659-020-0600 |
| • 612-090-5900 | • 659-020-0200 | • 612-110-1700 |
| • 612-120-4300 | • 612-110-0200 | • 659-020-0800 |
| • 612-090-6800 | • 659-020-0500 | • 612-110-1800 |

- 659-080-0200
- 612-110-1900
- 659-080-0900

Potential Environmental Effects

Pursuant to CEQA Guidelines Section 15063, the County has prepared an Initial Study to identify the effects determined not to be significant and focus the EIR on the effects determined to be significant. The impact analysis in the EIR will be conducted in accordance with the CEQA Guidelines and the County's Guidelines for Determining Significance.

Potential issues and impacts to the existing environment to be analyzed in the Draft EIR include the following environmental topics:

- Aesthetics
- Air Quality
- Biological Resources
- Cultural Resources
- Energy
- Geology and Soils
- Greenhouse Gas Emissions
- Hazards and Hazardous Materials
- Hydrology and Water Quality
- Land Use and Planning
- Noise
- Public Services
- Transportation
- Tribal Cultural Resources
- Utilities and Service Systems
- Wildfire

The EIR, consistent with CEQA, will include sufficient information to facilitate meaningful public review and informed public decision making regarding the significant effects on the environment that may be caused by the project. The EIR will include information regarding the environmental baseline, including the past, current, and reasonably foreseeable expected future environmental impacts of implementing the project in the project area. Where needed, the Draft EIR will identify potentially feasible mitigation measures to avoid and/or substantially lessen any significant adverse effects identified in the EIR's impact analysis.

The EIR will also address the cumulative environmental consequences of the proposed project in combination with other closely related past, present, and reasonably foreseeable future projects in the area. This will serve to satisfy CEQA requirements regarding potential regional cumulative effects.

In compliance with CEQA Guidelines Section 15126.6, the EIR will describe and evaluate the effects of a reasonable range of alternatives to the proposed project and will compare the impacts of the alternatives to the impacts of the proposed project. The EIR will also identify any alternatives that were considered but rejected by the lead agency as infeasible and briefly explain their reasoning. The EIR will provide an analysis of the No Project Alternative and will also identify the Environmentally Superior Alternative. The alternatives to be analyzed in the EIR will be developed during the environmental review process and will consider input received during the public scoping period.

Public Scoping Meeting

The County will conduct a public scoping meeting at 39919 Ribbonwood Road, Boulevard, CA 91905. The scoping meeting will involve a presentation about the proposed project and the environmental review process and schedule. The purpose of the meeting is to facilitate the receipt of written comments about the scope and content of the environmental analysis to be addressed in the Draft EIR. The scoping meeting is for information gathering; it is not a public

Notice of Preparation and Notice of Public Scoping Meeting for a Draft EIR
Starlight Solar Project

hearing, and no public testimony will be taken. No decisions about the project will be made at the public scoping meeting. The meeting date and time are as follows:

Date: Wednesday, April 12, 2023

Time: 6:00 pm

Submitting Comments:

At this time, the County is soliciting comments on the NOP regarding your views on how the project may affect the environment. This information will be considered when preparing the Draft EIR's discussion of environmental topics, significant effects, mitigation measures, and alternatives. Because of time limits mandated by State law, comments should be provided no later than 4:00 p.m. on April 24, 2023 (the end of 30-day comment period, which starts on March 23, 2023).

You have several options for submitting comments: (1) in writing during the scoping meeting, (2) by U.S. mail, or (3) by email. Comments provided by email should include "Starlight Solar Project – NOP Scoping Comments" in the subject line.

Please send all comments to:

County of San Diego

Attention: Ashley Smith

Mailing Address: 5510 Overland Avenue, Suite 310, San Diego, CA 92123

OR via email: ashley.smith2@sdcounty.ca.gov; include "Starlight Solar Project – NOP Scoping Comments" in the subject line.

Attachments:

- Figure 1 – Regional Location Map
- Figure 2 – Vicinity Map
- Figure 3 – Project Site Plan

Environmental Initial Study Checklist

Notice of Preparation and Notice of Public Scoping Meeting for a Draft EIR
Starlight Solar Project

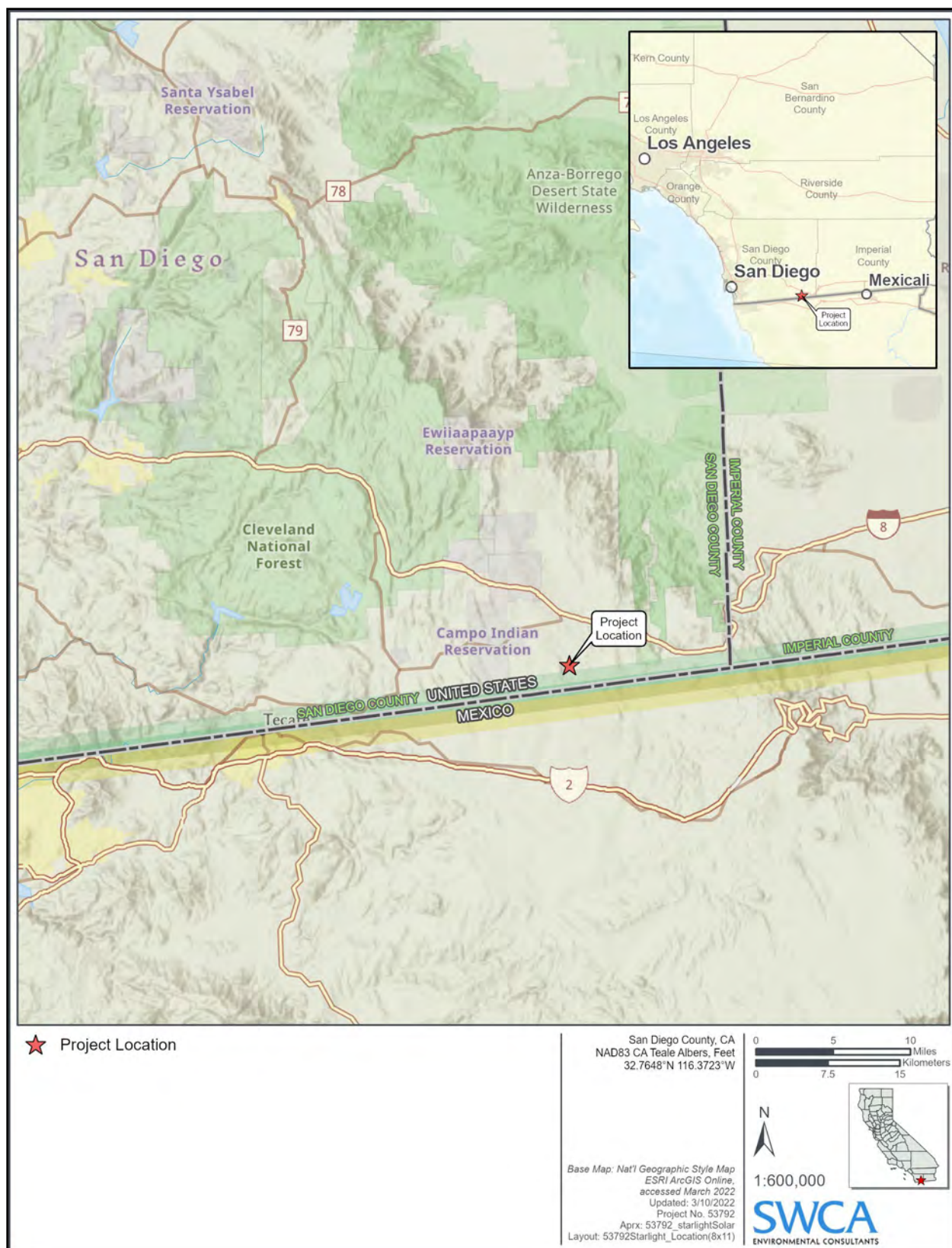


Figure 1. Regional Location Map.

Notice of Preparation and Notice of Public Scoping Meeting for a Draft EIR
Starlight Solar Project

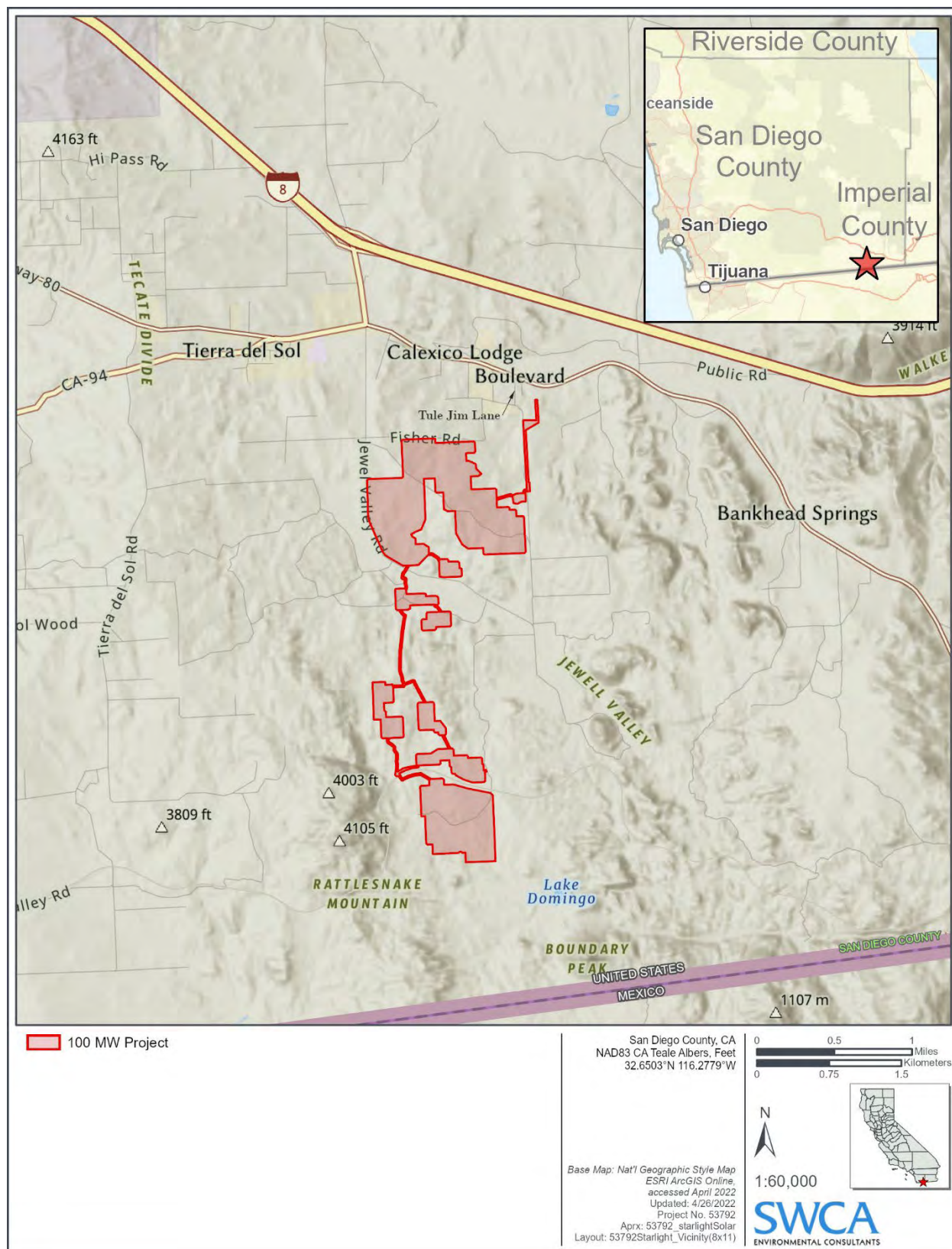


Figure 2. Vicinity Map.

Notice of Preparation and Notice of Public Scoping Meeting for a Draft EIR
Starlight Solar Project

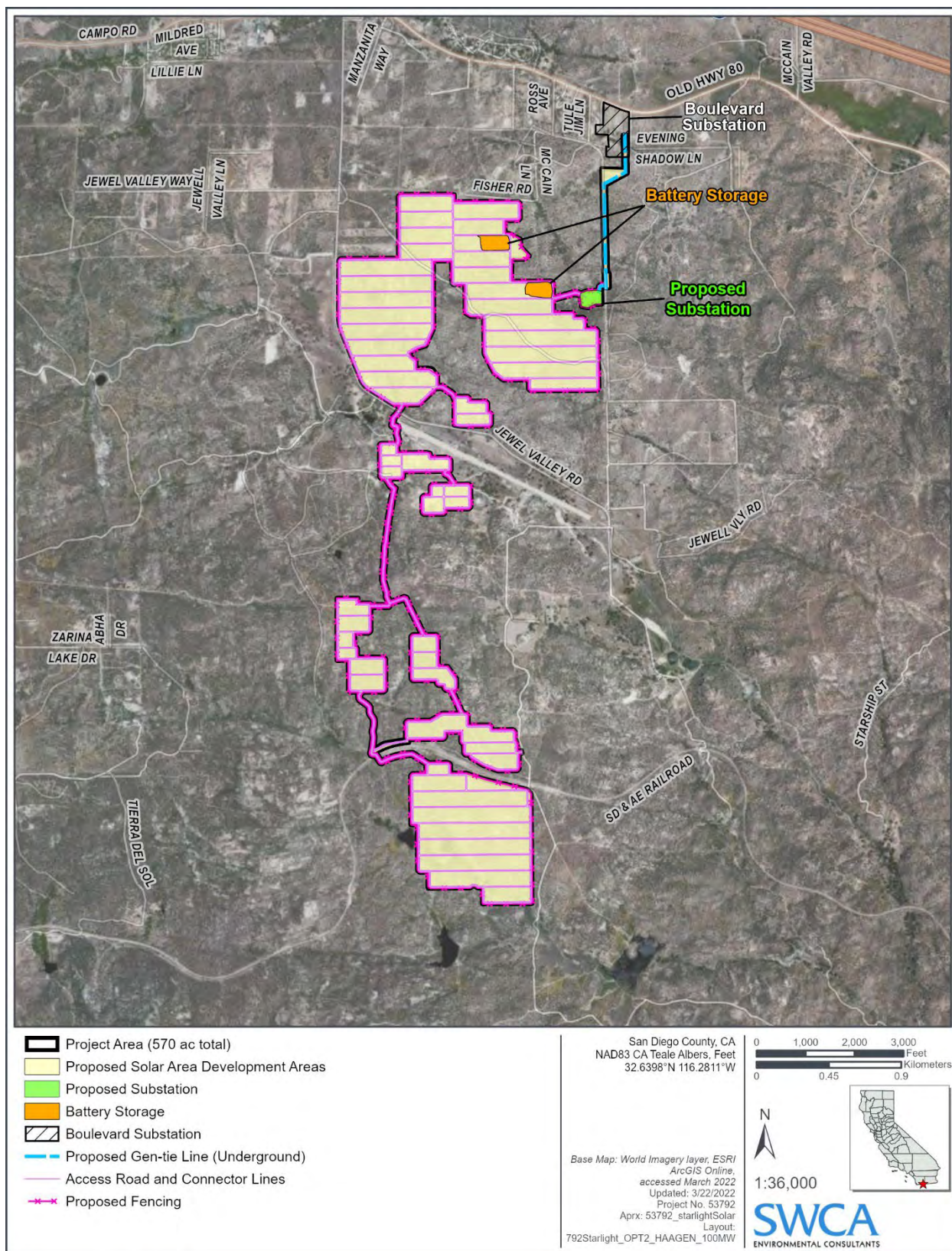


Figure 3. Project Site Plan.



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DAHVIA LYNCH
DIRECTOR

March 23, 2023

CEQA Initial Study - Environmental Checklist Form (Based on the State CEQA Guidelines, Appendix G)

1. Title: Starlight Solar Project
Project Number(s): PDS2022-MUP-22-0
2. Lead agency name and address:
County of San Diego, Planning & Development Services (PDS)
5510 Overland Avenue, Suite 310
San Diego, CA 92123-1239
3.
 - a. Contact: Ashley Smith
 - b. Phone number: (619) 857-8012
 - c. E-mail: Ashley.smith2@sdcounty.ca.gov
4. Project location:
The Project site encompasses a total of approximately 565 acres within the Mountain Empire Subregional Plan area in southeastern unincorporated San Diego County (County). The Mountain Empire Subregional Plan area contains five subregional group areas. The Project site is located in the Boulevard Subregional Planning Area. Figure 1, Regional Location Map, shows the location of the Project site in the Boulevard area. The Project site is located south of Interstate (I-) 8 and Old Highway 80, and east of Tierra Del Sol Road. Regional access would be provided by State Routes (SR-) 94 and I-8, respectively. Access to the Project site would be provided by Jewel Valley Road and Tule Jim Lane, which each connect to Old Highway 80 in the town of Boulevard.
5. Project Applicant name and address:
Empire II, LLC
12301 Exposition Boulevard
Los Angeles, CA 90068
6. General Plan

Community Plan:	Mountain Empire Subregional Plan
Land Use Designation:	Rural Lands 80 (RL-80)
Density:	1 du/80 acres
Floor Area Ratio (FAR)	N/A

7. Zoning
- | | |
|--------------------------|---------------------|
| Use Regulation: | General Rural (S92) |
| Minimum Lot Size: | 8.0 acres |
| Special Area Regulation: | N/A |

8. Description of Project:

Empire II, LLC (Applicant) is requesting a Major User Permit from the County to construct and operate a remotely-operated photovoltaic (PV) electric generation and storage system in unincorporated San Diego County (see Figure 1, Regional Location Map). The County's General Plan designates the Project site as Rural Lands 80 (RL-80) and the County's Zoning Ordinance identifies the site as General Rural (S92). The County's General Regulation states that solar power plant projects are considered Major Impact Service and Utility in all zones and thus, require the approval of a Major Use Permit.

The Starlight Solar Project (Project) Applicant would construct and operate a remotely-controlled renewable solar energy generation and storage facility, which would produce a total rated capacity of 100 megawatts (MW) of alternating current (AC) solar energy at the utility scale. The power produced by the proposed solar facility would interconnect into the Boulevard East Substation via an underground generation tie-line (gen-tie) located generally on the east side of Tule Jim Lane. The Project would also include a battery energy storage system (BESS) that would store up to approximately 217.4 MW of electricity for dispatch into the local San Diego Gas and Electric (SDG&E) grid via the same point of interconnection as the solar array.

The Project site would be divided into eight solar array areas totaling approximately 565 acres. The Project would include the following primary components:

- Approximately 255,000 PV modules mounted on support structures (typically single-axis and/or fixed-tilt). The final number of modules and support structures will depend on the final design.
- 1,500-volt direct current (DC) underground collection system linking the modules to the inverters and 8 solar array systems based on current design standards.
- Inverter/transformer platforms located throughout the solar facility to convert the DC power generated by the modules into AC power, a compatible form for use with the transmission network
- A 34.5-kilovolt (kV) underground AC collection system would link the inverters to the on-site collector substation
- An on-site collector substation and 20-foot by 20-foot storage building located on the northeastern tip of the Project site within an approximately 3-acre substation.
- The 7-acre gen-tie line would run from the Project substation on-site to the Boulevard East Substation. It will consist of two lines – 69 kV and 138 kV, that will be strung overhead to cross Tule Jim Lane and underground the rest of the way.

- BESS of up to 217.4 MW of 4-hour battery storage (approximately 8 acres).
- Biological resource mitigation land would be conserved and managed south and west of the Project area.
- Supervisory Control and Data Acquisition (SCADA) System
- 24-foot-wide internal access roads
- Security fencing, lighting, and signage
- 30-foot fuel modification zone
- Water tanks for fire protection
- Off-site roadway improvements

Construction

The Project would be constructed in two phases, the first phase would include 20 MW solar energy generation and 17.4 MW of battery storage and the second phase would include 80 MW solar energy generation and 200 MW of battery storage. Construction of the Project is anticipated to occur over approximately 12-18 months and would employ approximately 125 workers per day during the peak construction period. The Project includes 350,000 cubic yards (cy) of grading with a balance of cut and fill.

The battery storage containers would be constructed on concrete pads, and each container would be bolted to the pads. The Power Conditioning System (PCS) and the medium voltage control system (i.e., inverters and transformers) would be constructed on level concrete pads between the battery storage containers. Minor rough grading (included in total 350,000 cy) may be needed for the preparation of the proposed PCS and medium voltage control system pads if the pads cannot be constructed using the existing slope. Any cut-and-fill as a result of rough grading for the BESS would be contained within the proposed Project site. No import or export of soil from the proposed Project site is expected. The BESS would be constructed over an approximate 18-month period.

9. Surrounding land uses and setting:

The Project site is located in the Boulevard community within the Mountain Empire Subregional Plan area in unincorporated San Diego County. Surrounding land uses consist of single-family residences, ranches and vacant land.

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

<u>Permit Type/Action</u>	<u>Agency</u>
General Construction Storm Water Permit	RWQCB
Stormwater Pollution Prevention Plan	RWQCB
Nationwide Permit (NWP) under Section 404 of the Clean Water Act	USACE
Water Quality Certification under Section 401 of the Clean Water Act and	RWQCB

Waste Discharge Requirements	
Lake and Streambed Alteration Agreement (LSAA) Section 1602	CDFW
Fire District Approval	County Fire Authority
Air Quality Control Permit	San Diego APCD

Note: RWQCB = Regional Water Quality Control Board, USACE = U.S. Army Corps of Engineers, CDFW = California Department of Fish and Wildlife, APCD = Air Pollution Control District; this is a non-exhaustive list of approvals that may change when the County begins the Environmental Impact Report.

11. Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code §21080.3.1? If so, is there a plan that includes consultation that includes, for example, the determination of significance of impacts to tribal cultural resources, procedures regarding confidentiality, etc.?

YES

☒

NO

☐

Note: Conducting consultation early in the CEQA process allows tribal governments, public lead agencies, and project proponents to discuss the level of environmental review, identify and address potential adverse impacts to tribal cultural resources, and to reduce the potential for delay and conflict in the environmental review process (see Public Resources Code §21080.3.2). Information is also available from the Native American Heritage Commission's Sacred Lands File per Public Resources Code §5097.96 and the California Historical Resources Information System administered by the California Office of Historic Preservation. Please also note that Public Resources Code §21082.3(e) contains provisions specific to confidentiality.

Figure 1. Regional Location Map

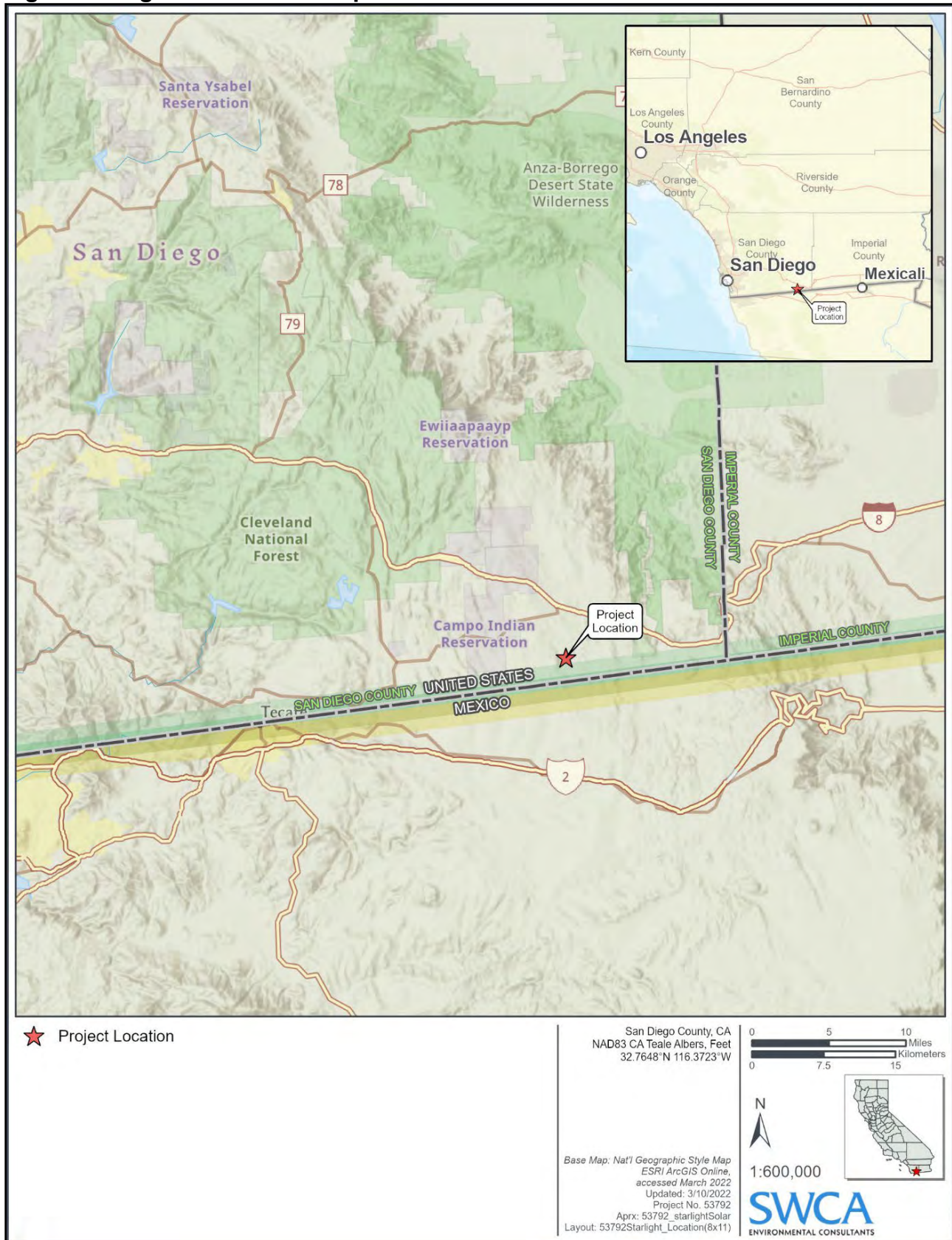
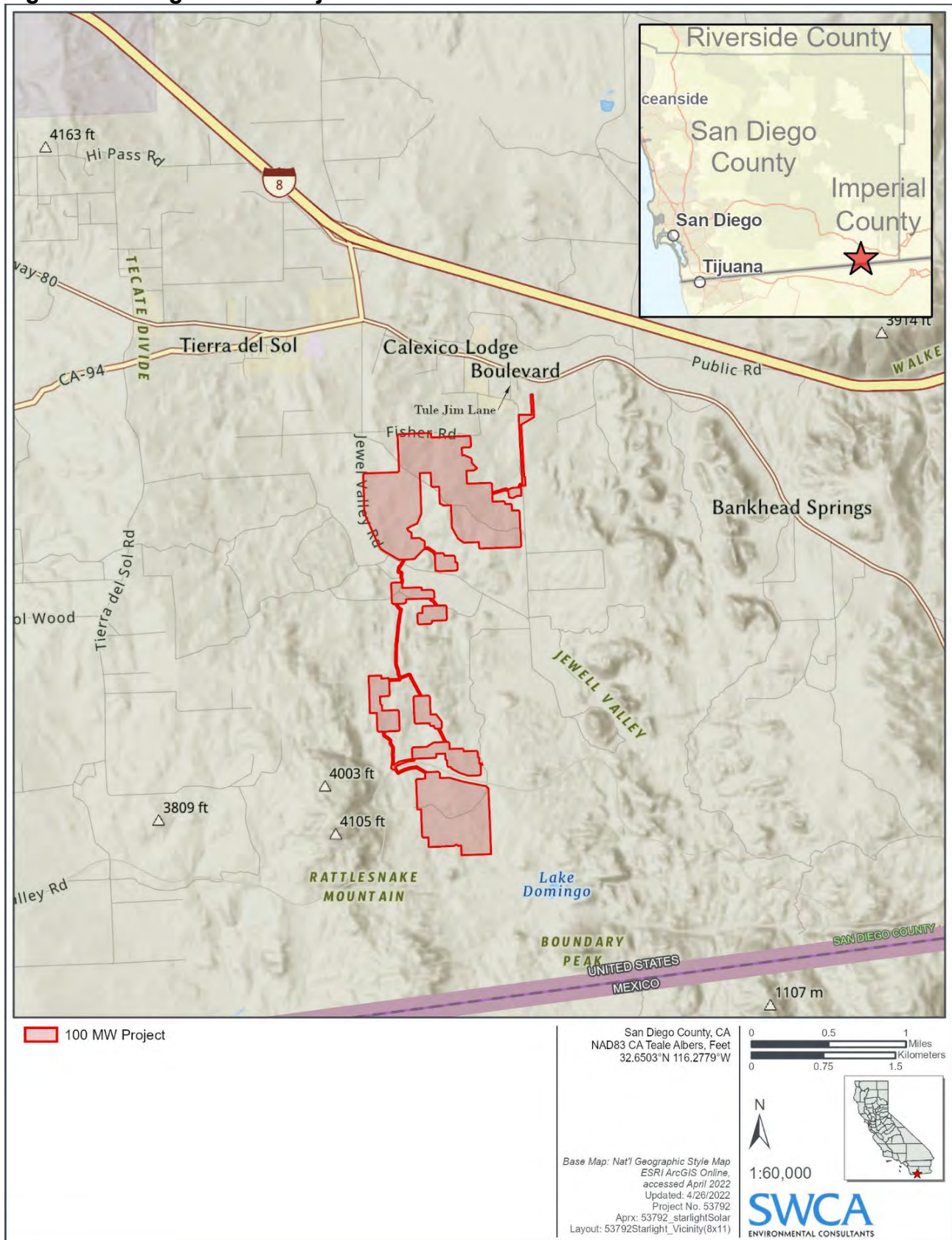


Figure 2. Starlight Solar Project Site



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 checked="" type="checkbox"/> <u>Aesthetics</u> | <input type="checkbox"/> <u>Agriculture and Forestry Resources</u> | <input checked="" type="checkbox"/> <u>Air Quality</u> |
| <input checked="" type="checkbox"/> <u>Biological Resources</u> | <input checked="" type="checkbox"/> <u>Cultural Resources</u> | <input checked="" type="checkbox"/> <u>Energy</u> |
| <input type="checkbox"/> <u>Geology & Soils</u> | <input checked="" type="checkbox"/> <u>Greenhouse Gas Emissions</u> | <input checked="" type="checkbox"/> <u>Hazards & Haz Materials</u> |
| <input checked="" type="checkbox"/> <u>Hydrology & Water Quality</u> | <input checked="" type="checkbox"/> <u>Land Use & Planning</u> | <input type="checkbox"/> <u>Mineral Resources</u> |
| <input checked="" type="checkbox"/> <u>Noise</u> | <input type="checkbox"/> <u>Population & Housing</u> | <input checked="" type="checkbox"/> <u>Public Services</u> |
| <input type="checkbox"/> <u>Recreation</u> | <input checked="" type="checkbox"/> <u>Transportation</u> | <input checked="" type="checkbox"/> <u>Tribal Cultural Resources</u> |
| <input checked="" type="checkbox"/> <u>Utilities & Service Systems</u> | <input checked="" type="checkbox"/> <u>Wildfire</u> | <input checked="" type="checkbox"/> <u>Mandatory Findings of Significance</u> |

DETERMINATION: (To be completed by the Lead Agency)
On the basis of this initial evaluation:

- ☐ On the basis of this Initial Study, PDS finds that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- ☐ On the basis of this Initial Study, PDS 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.
- ☒ On the basis of this Initial Study, PDS finds that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

Signature

Ashley Smith

Printed Name

Date

Chief

Title

INSTRUCTIONS ON EVALUATION OF ENVIRONMENTAL IMPACTS

1. A brief explanation is required for all answers except “No Impact” answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A “No Impact” answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A “No Impact” answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
2. All answers must take account of the whole action involved, including offsite as well as onsite, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
3. Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, Less Than Significant With Mitigation Incorporated, or less than significant. “Potentially Significant Impact” is appropriate if there is substantial evidence that an effect may be significant. If there are one or more “Potentially Significant Impact” entries when the determination is made, an EIR is required.
4. “Less Than Significant With Mitigation Incorporated” applies where the incorporation of mitigation measures has reduced an effect from “Potentially Significant Impact” to a “Less Than Significant Impact.” The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level.
5. Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:
 - a) Earlier Analysis Used. Identify and state where they are available for review.
 - b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
 - c) Mitigation Measures. For effects that are “Less Than Significant With Mitigation Incorporated,” describe the mitigation measures that were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
6. Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
7. The explanation of each issue should identify:
 - a) The significance criteria or threshold, if any, used to evaluate each question; and
 - b) The mitigation measure identified, if any, to reduce the impact to less than significance

I. AESTHETICS -- Except as provided in Public Resources Code §21099 -- Would the project:

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

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

Potentially Significant Impact: The Project area is located in San Diego County's geographic transitional zone between the desert region and peninsular ranges. The Laguna Mountains are prominently located to the north of the site. The area landscape is characterized by rolling hills covered by granite boulders and transitional Mountain Chaparral vegetation, such as mixed chaparral and some chamise. Vegetation for the site itself is primarily chaparral, native grasses, and forbs, with scattered juniper. The Project would introduce a large solar array into an otherwise naturalistic setting. Project implementation would introduce a large array of solar panels across currently undeveloped land. Due to the viewshed angles, as well as the layout and scale of the Project, a potentially significant impact to scenic vistas across the Project site may occur from implementation of the Project. Therefore, a Project-specific visual analysis will be prepared for and discussed further in the Draft Environmental Impact Report (DEIR) to analyze potential impacts to scenic vistas.

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

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

Potentially Significant Impact: There are no designated scenic highways within vicinity of the Project area, although portions of it may be visible in the distance from I-8. Therefore, the Project would not damage scenic resources within a state scenic highway. However, SR-94 and I-8 are both eligible for Scenic Highway designation. At their nearest respective locations, SR-94 is within 0.8 mile of the Project site and I-8 is approximately 1 mile north of the Project area. Due to distance as well as prevailing slope and topography, it is unlikely the Project site would be visible from these highways. Nevertheless, a Project-specific visual analysis will be prepared for and discussed further in the DEIR to analyze potential impacts to scenic resources.

- c) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?

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

Discussion/Explanation: Visual character is the objective composition of the visible landscape within a viewshed; it 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.

Potentially Significant Impact: The Project site is located in a non-urbanized area. The Project would introduce development (a large solar array, a BESS, and associated buildings and equipment) on the Project site, which is not found in the existing landscape. Therefore, a potential impact to the existing visual character or quality of public views of the site and its surroundings may occur. A Project-specific visual analysis will be prepared for and discussed further in the DEIR to analyze potential impacts to visual character and quality of the site and its surroundings.

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

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

Discussion/Explanation:

Potentially Significant Impact: The Project would introduce a large solar array, which includes reflective surfaces, into an otherwise naturalistic setting. Due to the viewshed angles, as well as the layout and scale of the Project, Project implementation could result in a new source of substantial light or glare. Therefore, a Project-specific visual analysis will be prepared for and discussed further in the DEIR to analyze potential impacts related to light and glare affecting day or nighttime views in the area.

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 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 is not designated by the Farmland Mapping and Monitoring Program (FMMP) as Prime Farmland, Unique Farmland, or Farmland of Statewide or Local Importance. The Project site has been mapped as other lands. Therefore, the Project would not convert an important farmland category designated by the FMMP to a non-agricultural use. The site does not meet other criteria for the definition of an agricultural resource as defined by the County's Guidelines for Determining Significance for Agricultural Resources (Agricultural Guidelines), since the site is not an active agricultural operation and is not designated an important Farmland Category by the FMMP. Therefore, according to the Agricultural Guidelines, the Project site is not considered an agricultural resource. This issue will not be further addressed in the DEIR.

- 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"/> No Impact |

Discussion/Explanation:

No Impact: The Project site is not located within or in the vicinity of a Williamson Act Contract or Agricultural Preserve. The closest Contract or Preserve is located approximately 1.1 miles southwest of the Project site. According to the Agricultural Guidelines, interface conflicts usually only occur within 300 feet. In addition, the Project would be consistent with existing zoning and a rezone of the property is not proposed. Therefore, the Project would not conflict with the existing zoning for agricultural use, or a Williamson Act Contract. This issue will not be further addressed in the DEIR.

- c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code §12220(g)), or timberland (as defined by Public Resources Code §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"/> No Impact |

Discussion/Explanation:

No Impact: The Project site, including offsite improvements, does not contain forest land or timberland. The County of San Diego does not have any existing Timberland Production Zones. In addition, the Project would be 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, forest land, timberland, or timberland production zones. This issue will not be further addressed in the DEIR.

d) Result in the loss of forest land or 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"/> No Impact |

Discussion/Explanation:

No Impact: The Project site, including any offsite improvements, does not contain any forest lands as defined in Public Resources Code §12220(g). The nearest forest land to the Project site is the Cleveland National Forest, located approximately 11.5 miles northwest of the Project site. Therefore, due to distance from the Project site to the Cleveland National Forest, Project implementation would not result in the loss of forest land or conversion of forest land to a non-forest use. This issue will not be further addressed in the DEIR.

e) 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 or 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"/> No Impact |

Discussion/Explanation:

No Impact: As described above in Section II (a), while the Project site is compatible with agricultural use types due to its rural nature, the Project has been determined to not meet the definition of an agricultural resource pursuant to the Agricultural Guidelines. In addition, the Project is not under a Williamson Act Contract or Agricultural Preserve, nor is the Project site located within the vicinity of a Williamson Act Contract or an Agricultural Preserve. Therefore, the Project would not have significant adverse impacts related to the conversion of Important Farmland or other agricultural resource to a non-agricultural use. In addition, as described above in Section II (c) and (d), the Project would not result in the loss of forest land or conversion of forest land to non-forest use. This issue will not be further addressed in the DEIR.

III. AIR QUALITY -- Where available, the significance criteria established by the applicable air quality management district 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 checked="" type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact |

Discussion/Explanation:

Potentially Significant Impact: The Project site is located within the San Diego Air Basin and is subject to the San Diego Air Pollution Control District (SDAPCD) Guidelines and regulations. The RAQS relies on population and projected growth in the County and projects future mobile, area, and all other source emissions. Based on these emissions, the RAQS determines the strategies necessary for the reduction of stationary source emissions through regulatory controls. Mobile source emission projections and growth projections are based on population and vehicle trends and land use plans developed by the cities and the County. As such, projects that are consistent with the growth anticipated in the General Plan would be considered consistent with the RAQS.

The Project may conflict with or obstruct implementation of the RAQS and SIP because the Project requires a Major Use Permit. The Project's potential impacts related to the RAQS and SIP will be discussed in a Project-specific air quality analysis in the DEIR to analyze potential cumulative impacts to air quality.

- b) 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?

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

Discussion/Explanation:

The SDAPCD does not provide quantitative thresholds for determining the significance of construction or mobile source-related air emission impacts. However, the SDAPCD does specify screening-level thresholds (SLTs) that trigger an Air Quality Impact Analysis (AQIA) for new or modified stationary sources (SDAPCD Rules 20.2 and 20.3). If these SLTs for stationary sources are exceeded, an AQIA must be performed for the proposed new or modified stationary source. Although these SLTs levels do not generally apply to mobile sources or general land development projects, for comparative purposes these levels may be used to evaluate the increased emissions, which would be discharged to the San Diego Air Basin from proposed land development projects. For projects whose stationary source emissions are below these SLTs, no AQIA is typically required, and project level emissions are presumed to be less than

significant.

For CEQA purposes, these SLTs can be used to demonstrate that a project's total emissions would not result in a significant impact to air quality. The daily SLTs are most appropriately used to compare against standard construction and operational emissions. When project emissions have the potential to approach or exceed the SLTs (Table 1), additional air quality modeling may need to be prepared to demonstrate that ground level concentrations resulting from project emissions (with background levels) will be below National and California Ambient Air Quality Standards (NAAQS and CAAQS, respectively).

SDAPCD Rules 20.2 and 20.3 do not have AQIA thresholds for emissions of volatile organic compounds (VOCs) and particulate matter less than or equal to 2.5 microns (PM_{2.5}). The SLT for VOCs is based on the threshold of significance for VOCs established by the South Coast Air Quality Management District (SCAQMD), which is recommended for evaluating projects in San Diego County. For PM_{2.5}, the U.S. Environmental Protection Agency (USEPA) "Proposed Rule to Implement the Fine Particle National Ambient Air Quality Standards" published September 8, 2005, which quantifies significant emissions as 10 tons per year, will be used as the SLT as shown in Table 1 below.

Table 1. San Diego County Screening-Level Thresholds for Air Quality Impact Analysis

Pollutant	Total Emissions		
	Lbs. per Hour	Lbs. per Day	Tons per Year
Respirable Particulate Matter (PM ₁₀)	---	100	15
Fine Particulate Matter (PM _{2.5})	--- *	55	10*
Nitrogen Oxides (NO _x)	25	250	40
Sulfur Oxides (SO _x)	25	250	40
Carbon Monoxide (CO)	100	550	100
Lead	---	3.2	0.6
Volatile Organic Compounds (VOCs)	---	75**	13.7***

Notes: * EPA "Proposed Rule to Implement the Fine Particle National Ambient Air Quality Standards" published September 8, 2005. Also used by the SCAQMD.

** Threshold for VOCs based on the threshold of significance for VOCs from the SCAQMD for the Coachella Valley.

*** 13.7 Tons Per Year threshold based on 75 lbs/day multiplied by 365 days/year and divided by 2,000 lbs/ton.

Potentially Significant Impact: Currently, San Diego County is in "non-attainment" status for the NAAQS and CAAQS federal and state Ozone (O₃) and state Particulate Matter less than or equal to 10 microns and less than or equal to 2.5 microns (PM₁₀ and PM_{2.5}). O₃ is formed when volatile organic compounds (VOCs) and nitrogen oxides (NO_x) 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 PM₁₀ in both urban and rural areas include the following: 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.

The proposed Project has the potential to exceed SLTs related to construction activities, specifically grading, and operational activities primarily from battery off-gassing. Any exceedance of SLTs could cumulatively contribute to a net increase of a criteria air pollutant or

precursor emissions for which the San Diego Air Basin is in nonattainment under the NAAQS and/or CAAQS. Therefore, the Project may contribute to a cumulatively considerable net increase of criteria pollutants for which the Project region is in non-attainment under an applicable federal or state ambient air quality standard. The Project's potential impacts related to air quality standards and existing or projected air quality violations will be discussed in a Project-specific air quality analysis in the DEIR to analyze potential cumulative impacts to air quality.

c) Expose sensitive receptors to substantial pollutant concentrations?

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

Discussion/Explanation:

Potentially Significant Impact: Air quality regulators typically define sensitive receptors as schools (Preschool-12th Grade), hospitals, resident care facilities, 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 also considers residences as sensitive receptors since they house children and the elderly. Grading and construction activities associated with the proposed development could expose sensitive receptors to substantial pollutant concentrations. A Project-specific air quality analysis will be prepared for and discussed in the DEIR to analyze the Project's potential to expose sensitive receptors to substantial pollutant concentrations.

d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?

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

Discussion/Explanation:

Potentially Significant Impact: Construction of the Project could result in objectionable odors from the emission of diesel fumes and other odors typically associated with construction activities. If located near sensitive receptors, construction odors could affect a substantial number of people. During operations, land uses and industrial operations that are associated with odor complaints include agricultural uses, wastewater treatment plants, food processing plants, chemical plants, composting, refineries, landfills, dairies, and fiberglass molding. Odor impacts are unlikely with the operation of the solar facility. Construction impacts related to odor will be discussed further in the DEIR.

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 Wildlife or U.S. Fish and Wildlife Service?

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

Potentially Significant Impact: Sensitive or special status species occur or have the potential to occur within the Project site. Therefore, the Project has the potential to directly and indirectly impact candidate, sensitive, and/or special status species. A Project-specific biological resources analysis will be prepared for and discussed in the DEIR to analyze potential impacts to candidate, sensitive, or special status species.

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

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

Discussion/Explanation:

Potentially Significant Impact: The Project site is currently undeveloped. Seventeen natural communities and land cover types have been mapped on the site including: granitic northern mixed chaparral, redshank chaparral, granitic chamise chaparral, montane buckwheat scrub, field/pasture, big sagebrush scrub, open coast live oak woodland, non-native grassland, southern riparian scrub, freshwater, coast live oak woodland, tamarisk scrub, freshwater seep, and alkali marsh. In addition to the natural communities, three additional cover types within the category of disturbed or developed areas were also mapped, including "urban/developed," "bare ground," and "disturbed." Therefore, the Project has the potential to result in an adverse effect on riparian habitat or other sensitive natural community. A Project-specific biological resources analysis will be prepared for and discussed in the DEIR to analyze potential impacts to riparian habitat or other sensitive natural community.

- 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?

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

Discussion/Explanation:

Potentially Significant Impact: The Project site could contain federally protected wetlands as defined by the Section 404 of the Clean Water Act. Therefore, the Project has the potential to cause a substantial adverse effect on state or federally protected wetlands. A Project-specific

biological resources analysis will be prepared for and discussed in the DEIR to analyze potential impacts to a state or federally protected wetland.

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

Discussion/Explanation:

Potentially Significant Impact: The Project site is currently undeveloped and allows for unrestricted wildlife movement across the site. Given that the Project would include a large solar array bordered by a fence, the Project has the potential to adversely impact native resident or migratory wildlife corridors across the site. A Project-specific biological resources analysis will be prepared for and discussed in the DEIR to analyze potential impacts to wildlife movement.

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

Discussion/Explanation:

Potentially Significant Impact: The Project is located within the planned East County Multiple Species Conservation Program area. As stated above, the Project has the potential to conflict with local policies or ordinances protecting biological resources. A Project-specific biological resources analysis will be prepared for and discussed in the DEIR to analyze potential conflicts with local, regional, and state plans, policies, and ordinances.

V. CULTURAL RESOURCES -- Would the project:

- a) Cause a substantial adverse change in the significance of a historical resource pursuant to 15064.5?

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

Discussion/Explanation:

Potentially Significant Impact: Historical resources may be located within the Project stie. Therefore, the Project has the potential to cause a substantial adverse change in the significance of a historical resource. A Project-specific cultural resources analysis will be prepared for and discussed in the DEIR to analyze the potential for impacts to historical resources resulting from the project.

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

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

Discussion/Explanation:

Potentially Significant Impact: Archaeological resources may be located within the Project site. Therefore, the Project has the potential to cause a substantial adverse change of an archaeological resource. A Project-specific cultural resources analysis will be prepared for and discussed in the DEIR to analyze the potential for impacts to archaeological resources resulting from the project.

- c) Disturb any human remains, including those interred outside of dedicated cemeteries?

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

Discussion/Explanation:

Potentially Significant Impact: There may be archaeological resources within the Project area that could contain interred human remains. As outlined in CEQA Guidelines Section 15064.5, in the event that human remains are discovered during grading or construction of the project, the County and applicant would work with the appropriate Native American tribe(s) as identified by the Native American Heritage Commission (NAHC) as provided in Public Resources Code Section 5097.98 to ensure that all human remains would be appropriately treated. A Project-specific cultural resources analysis of the potential impacts to disturb any human remains, including those interred outside of formal cemeteries, will be prepared for and discussed in the DEIR.

VI. ENERGY -- Would the project:

- a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?

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

Discussion/Explanation:

Potentially Significant Impact. The Project would result in the use of electricity, natural gas, petroleum, and other consumption of energy resources during the construction and operation phases of the project. The Project would construct and operate a remotely-operated renewable solar energy generation and battery storage facility, which would produce a total rated capacity of 100 MW of AC solar energy and include a 217.4 MW BESS, at the utility scale. The facility would only require operational trips during occasional operation and maintenance activities. Further, the Project would improve electric power reliability for the San Diego region by providing a source of local renewable generation as near as possible to existing SDG&E transmission infrastructure. Nonetheless, because the amount of energy anticipated to be used during construction and operation of the Project is not known at this time, the Project could have a potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources. An analysis of the Project's energy consumption will be prepared for and discussed in the DEIR.

b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?

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

Discussion/Explanation:

Potentially Significant Impact. Many of the regulations regarding energy efficiency are focused on increasing the energy efficiency of buildings and renewable energy generation, as well as reducing water consumption and vehicle miles traveled (VMT). The Project would construct and operate an unoccupied renewable solar energy generation and battery storage facility, which would produce a total rated capacity of 100 MW of AC solar energy and include a 217.4 MW BESS, at the utility scale. The facility would only require operational trips during occasional operation and maintenance activities.. Additionally, the Project would generate renewable energy in accordance with state and local plans for renewable energy. Nonetheless, because the amount of energy anticipated to be used during construction and operation of the project, and the features for energy efficiency implemented for the Project are not known at this time, the Project could conflict with or obstruct a state or local plan for renewable energy and/or energy efficiency. An analysis of the potential to conflict with or obstruct a state or local plan for renewable energy or energy efficiency will be prepared for and discussed in the DEIR.

VII. GEOLOGY AND SOILS -- Would the project:

- a) Directly or indirectly cause 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 checked="" type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact |

Less than Significant Impact: The Project site is not located in a fault rupture hazard zone identified by the Alquist-Priolo Earthquake Fault Zoning Act, Special Publication 42, Revised 2007, Fault-Rupture Hazards Zones in California, or located within any other area with substantial evidence of a known fault. Although no active faults traverse the Project site, all new development would be required to comply with the requirements of the Alquist-Priolo Fault Zoning Act and the California Building Code (CBC). CBC requirements address structural seismic safety and include design criteria for seismic loading and other geologic hazards, including design criteria for geologically induced loading that govern sizing of structural members, building supports, and materials and provide calculation methods to assist in the design process. The CBC includes provisions for buildings to structurally survive an earthquake without collapsing and measures such as anchoring to the foundation and structural frame design.

The Project would neither negate nor supersede the requirements of the Alquist-Priolo Earthquake Fault Zoning Act. Given that the Project would construct and operate an unoccupied renewable energy and battery storage facility, the proposed Project would not expose people or structures to potentially substantial adverse effects, including the risk of loss, injury, or death involving rupture of a known earthquake fault as delineated on the current Alquist-Priolo Earthquake Fault Zoning Map. Therefore, impacts would be less than significant.

ii. Strong seismic ground shaking?

- | | |
|---|--|
| <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"/> No Impact |

Discussion/Explanation:

Less than Significant Impact: Seismic activity poses two types of potential hazards for people and structures, categorized as either primary or secondary hazards. Primary hazards include ground rupture, ground shaking, ground displacement, subsidence, and uplift from earth movement. Secondary hazards include ground failure (lurch cracking, lateral spreading, and slope failure), liquefaction, water waves (seiches), movement on nearby faults (sympathetic fault movement), dam failure, and fires.

The Project site is in a seismically active region and could experience ground shaking associated with an earthquake along nearby faults. The Project site is likely to be subjected to strong ground motion from seismic activity, similar to the rest of the County and Southern California due to seismic activity in the region as a whole. Given that the Project would construct and operate a remotely-operated renewable energy and battery storage facility, the proposed Project would not expose people to the risk of loss, injury, or death involving strong seismic ground shaking. To ensure the structural integrity of all structures, the Project must conform to the Seismic

Requirements as outlined within the CBC. In addition, 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 CBC and the County Code ensures the Project would 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 checked="" type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact |

Discussion/Explanation:

Less than Significant Impact: Liquefaction typically occurs when a site is located in a zone with seismic activity, on-site soils are cohesionless (such as sand or gravel), groundwater is encountered within 50 feet of the surface, and soil relative densities are less than about 70 percent. The Project site is not located within a "Potential Liquefaction Area" per the County geographic information system (GIS) as identified in the County's Guidelines for Determining Significance for Geologic Hazards (Geologic Hazards Guidelines). As such, there would be a less than significant impact from the exposure of people or structures to adverse effects from a known area susceptible to ground failure, including liquefaction. In addition, given that the Project would construct and operate an unoccupied renewable energy and battery storage facility, the proposed Project would not expose people to the risk of loss, injury, or death involving susceptible to ground failure, including liquefaction.

iv. Landslides?

- | | |
|---|--|
| <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"/> No Impact |

Discussion/Explanation:

Less than Significant Impact: The Project site is not located within a "Landslide Susceptibility Area" as identified in the County's Geologic Hazards Guidelines. Landslide Susceptibility Areas were developed based on landslide risk profiles included in the San Diego County Multi-Jurisdictional Hazard Mitigation Plan (MJHMP) (County Office of Emergency Services 2017). Data used to profile liquefaction hazard included probabilistic peak ground acceleration (PGA) data from the United States Geological Survey (USGS) and a Scenario Earthquake Shake map for Rose Canyon from the California Integrated Seismic Network (CISN), along with existing liquefaction hazard areas from local maps. Liquefaction hazards were modeled as collateral damages of earthquakes using HAZUS-MH, which uses base information and National Earthquake Hazards Reduction Program soils data to derive probabilistic peak ground accelerations much like the PGA map from USGS. In addition, given that the Project would construct and operate an unoccupied renewable energy and battery storage facility, the proposed Project would not expose people to the risk of loss, injury, or death involving landslides. Impacts would be less than significant.

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

- | | |
|---|--|
| <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"/> No Impact |

Discussion/Explanation:

Less than Significant Impact: Soil erosion may result during construction of the proposed project, as grading and other ground disturbing activities loosen surface soils and make soils susceptible to the effects of wind and water movement across the surface. The construction contractor would be required to implement a Stormwater Pollution Prevention Plan (SWPPP) prepared for the Project prior to grading. The SWPPP would identify site-specific best management practices (BMPs) to control erosion, sediment, and other potential construction-related pollutants from entering downstream waterbodies. By keeping soil stabilized and minimizing soil erosion using BMPs identified in the SWPPP, minimal soil erosion is expected to occur during Project grading.

In addition, the Project would not result in substantial soil erosion or the loss of topsoil for the following reasons:

- The Project would not result in unprotected erodible soils.
- The Project is not located in a floodplain.
- A SWPPP would be prepared for the project, and would include site-specific BMPs to control erosion, sediment, and other potential construction-related pollutants.
- A Standard SWQMP and Drainage Study will be prepared for the project, which will require additional BMPs to minimize soil erosion and sedimentation.
- The Project would be required to comply with the County's Grading Ordinance [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 would minimize the potential for water and wind erosion.

Due to these factors, it has been found that the Project would not result in substantial soil erosion or the loss of topsoil, and impacts would be less than significant.

c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in an on- or offsite landslide, lateral spreading, subsidence, liquefaction or collapse?

- | | |
|---|--|
| <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"/> No Impact |

Discussion/Explanation:

Less than Significant Impact: The Project includes 350,000 cy of grading with a balance of cut and fill. In order to assure that any proposed structures (including those proposed on the Project site) are adequately supported (whether on native soils, cut or fill), a Soils Engineering Report is required as part of the Building Permit process. This report would evaluate the strength of underlying soils and make recommendations on the design of building foundation systems. The Soils Engineering Report must demonstrate that a proposed building meets the structural stability standards required by the CBC. The report must be approved by the County prior to the issuance of a Building Permit. With this standard requirement, impacts would be less than significant. For further information regarding landslides, liquefaction, and lateral spreading, refer to Section VI(a)(iii)-(iv) listed above.

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

- | | |
|---|--|
| <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"/> No Impact |

Discussion/Explanation:

Less than Significant Impact: According to the U.S. Department of Agriculture's Web Soil Survey, the Project site is not underlain by expansive soils. In addition, no habitable structures are proposed as part of the Project and the Project would operate as an unoccupied renewable energy and battery storage facility. Therefore, the Project would not create a substantial risk to life or property, and impacts would be less than significant.

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"/> No Impact |

Discussion/Explanation:

No Impact: The Project does not include any septic tanks or alternative wastewater disposal systems because the Project includes construction and operation of an unoccupied solar energy and battery storage facility. Therefore, the Project would have no impact related to the use of septic tanks or alternative wastewater disposal systems. This issue will not be further addressed in the DEIR.

f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

- | | |
|---|--|
| <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"/> No Impact |

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.

Less than Significant Impact: A review of the County's Paleontological Resources Maps and data on San Diego County's geologic formations indicates that the Project is located entirely on granitic bedrock and has no potential for producing fossil remains. 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. Therefore, impacts would be less than significant.

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

Discussion/Explanation: Greenhouse gas (GHG) emissions result in an increase in the earth's average surface temperature commonly referred to as global warming. This rise in global temperature is associated with long-term changes in precipitation, temperature, wind patterns, and other elements of the earth's climate system, known as climate change. These changes are now broadly attributed to GHG emissions, particularly those emissions that result from the human production and use of fossil fuels.

GHGs include carbon dioxide, methane, halocarbons, and nitrous oxide, among others. Human-induced GHG emissions are a result of energy production and consumption in buildings as well as personal vehicle use, among other sources.

Climate changes resulting from GHG emissions could produce an array of adverse environmental impacts including water supply shortages, severe drought, increased flooding, sea level rise, air pollution from increased formation of ground level ozone and particulate matter, ecosystem changes, increased wildfire risk, agricultural impacts, and ocean and terrestrial species impacts, among other adverse effects.

It should be noted that an individual project's GHG emissions would generally not result in direct impacts under CEQA, as the climate change issue is global in nature; however, an individual project could be found to contribute to a potentially significant cumulative impact. CEQA Guidelines Section 15130(f) states that an EIR shall analyze GHG emissions resulting from a proposed project when the incremental contribution of those emissions may be cumulatively considerable.

Potentially Significant Impact: The Project would generate GHG emissions primarily during construction activities. Other potential sources of GHG emissions associated with the Project include vehicle trips and other activities required for maintenance of the Project components. However, the Project is expected to result in net beneficial impacts related to GHG emissions given that the project would be a source of clean energy to indirectly reduce the need to emit GHGs caused by the generation of similar quantities of electricity from either existing or future nonrenewable sources to meet existing and future electricity demands. The Project includes a BESS that would provide clean energy to the grid when the sun is down and/or in time of power safety shut off, and, thus, reduce the need for coal or natural gas-fired peaker plants. Nevertheless, a Project-specific GHG Technical Study will be prepared for and discussed in the DEIR to address the project's potential impacts from GHG emissions.

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

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

Discussion/Explanation:

Potentially Significant Impact: The Project would generate GHG emissions primarily during construction activities. Other potential sources of GHG emissions associated with the Project include vehicle trips and other activities required for maintenance of the Project components. However, the Project is expected to result in net beneficial impacts related to GHG emissions given that the Project would be a source of clean energy to indirectly reduce the need to emit GHGs caused by the generation of similar quantities of electricity from either existing or future nonrenewable sources to meet existing and future electricity demands. The Project is anticipated to assist in 1) achieving the state's Renewables Portfolio Standard (RPS), as mandated under the 100 Percent Clean Energy Act of 2018 (Senate Bill [SB] 100), by developing and constructing California RPS-qualified solar generation from eligible renewable energy resources; 2) achieving or exceeding its energy storage targets, consistent with the terms of Assembly Bill (AB) 2514; and 3) achieving its GHG reduction targets, consistent with AB 32, SB 32, and AB 1279. Nevertheless, a Project-specific GHG Technical Study will be prepared for and discussed in the DEIR to quantify and analyze any potential conflicts with any applicable plan, policy, or regulation for the purpose of reducing the emissions of GHG emissions.

IX. 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?

- | | |
|---|--|
| <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"/> No Impact |

Discussion/Explanation:

Potentially Significant Impact: During construction activities, typical construction-related hazardous materials would be used in the Project area, including hydraulic fluids and vehicle fuels for construction equipment. Additionally, materials delivery and other heavy construction equipment supporting the construction activities would access the Project site either via Jewel Valley Road or Tule Jim Lane, which pass adjacent to residents in the town of Boulevard. The construction phase may include the transport and on-site storage of petroleum products for the purpose of fueling construction equipment. However, the use and transport of these materials during construction activities would be short-term in nature and would occur in accordance with standard construction BMPs included in the SWPPP required in accordance with the National Pollutant Discharge Elimination System (NPDES) Construction General Permit to control the discharge of material from the site (see Section X, Hydrology and Water Quality). All transport, handling, use, and disposal of substances such as petroleum products related to Project construction would comply with applicable federal, state, and local health and safety regulations. Therefore, impacts associated with Project construction would be less than significant.

Project operation would involve long-term storage of batteries, transformers, and invertors, which may contain hazardous materials. Therefore, the Project could result in potentially significant impacts to hazardous materials during operation. This issue will be discussed further in the DEIR to determine the Project's potential to create a substantial hazard to the public or environment through the routine transport, use, or disposal of hazardous materials .

- b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?

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

Discussion/Explanation:

Potentially Significant Impact: The proposed Project may result in a potential risk of upset or accidental release of hydraulic fluid or vehicle fuel resulting from construction activities within the Project site or along construction haul routes. However, all transport, handling, use, and disposal of substances such as petroleum products related to Project construction activities would comply with all federal, state, and local laws regulating the management and use of hazardous materials. The applicant would be required to develop and implement a SWPPP per the requirements of the NPDES Construction General Permit to ensure that reasonably foreseeable risks of upset involving the release of hazardous materials into the environment are avoided and minimized. However, long-term operation of the Project could result in potentially significant impacts to hazardous materials involving long-term storage of batteries, transformers, and invertors. Therefore, impacts will be discussed further in the DEIR.

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

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

Discussion/Explanation:

Potentially Significant Impact: There are no schools located within 0.25-mile of the Project site. The nearest school to the Project site is Clover Flat Elementary School, approximately 0.67 mile northwest of the site. Further, the transport and handling of minor amounts of hazardous materials during construction would comply with all applicable federal, state, and local regulations that control hazardous material handling. However, given that materials delivery and other heavy construction equipment supporting the construction activities would access the Project site regionally via Old Highway 80, which is adjacent to Clover Flat Elementary School, this issue will be discussed further in the DEIR.

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

Discussion/Explanation:

Potentially Significant Impact: The California Department of Toxic Substances Control (DTSC) Hazardous Waste and Substances Sites (Cortese) List is a planning document used by the state, local agencies, and developers to comply with CEQA requirements to provide information about the location of hazardous materials release sites. Numerous known contaminated sites occur throughout the county, and there are likely many more that have not yet been recorded. As a result, there is a potential for construction activities associated with the Project to be located on or adjacent to a contaminated site, which could create a significant hazard to the public or the environment. Impacts could be potentially significant, and will be discussed further in the DEIR.

- 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 result in a safety hazard or excessive noise for people residing or working in the project area?

<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"/> No Impact

Discussion/Explanation:

Less than Significant Impact: The Project is not located within two miles of a public Airport Influence Area, Airport Safety Zone, Avigation Easement, Overflight area, or a Federal Aviation Administration Height Notification Surface area. The nearest public airport to the Project site is Jacumba airport, approximately 6.8 miles to the east. A private airstrip is located on the Project site. However, given that the Project would be remotely-controlled, the Project is not expected to expose people in the Project area to a safety hazard or excessive noise levels. In addition, the Project does not propose construction of any structure which would constitute a safety hazard to aircraft and/or operations from an airport or heliport. Therefore, impacts would be less than significant.

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

<input checked="" type="checkbox"/> Potentially Significant Impact	<input type="checkbox"/> Less than Significant Impact
<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. SAN DIEGO COUNTY OPERATIONAL AREA EMERGENCY PLAN AND MJHMP:

Potentially 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 MJHMP 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, including all cities and the County unincorporated areas.

Most of the Project (approximately 470 acres) is located within a California Department of Forestry and Fire Protection (CAL FIRE) designated Very High Fire Hazard Severe Zone (FHSZ). Development of the Project could create an increase in demand for fire protection and emergency services due to increased activity, and a greater number of ignition sources on the site. The potential for the Project to impair implementation of or physically interfere with these plans will be analyzed in the DEIR.

- ii. UNIFIED SAN DIEGO COUNTY EMERGENCY SERVICES ORGANIZATION AREA
HAZARDOUS MATERIALS PLAN: OIL SPILL CONTINGENCIES ELEMENT

No Impact: The Oil Spill Contingency Element would not be interfered with because the Project is not located along the coastal zone or coastline. Therefore, no impact would occur. This issue will not be further addressed in the DEIR.

iii. EMERGENCY WATER CONTINGENCIES ANNEX AND ENERGY SHORTAGE RESPONSE PLAN

Potentially Significant Impact: The Emergency Water Contingencies Annex and Energy Shortage Response Plan could be interfered with because the Project includes the alteration of energy supply infrastructure. The potential for the Project to impair implementation of or physically interfere with these plans will be analyzed in the DEIR.

v. DAM EVACUATION PLAN

No Impact: The Dam Evacuation Plan would not be interfered with because no grading is proposed on the portion of the Project site that is located within a dam inundation zone. In addition, no sensitive receptors, such as a hospital, day-care facility, school, etc., are proposed as part of the project. Because no occupied structures are proposed and Project grading would be located outside the Dam Inundation Zone, no impacts would occur. This issue will not be further addressed in the DEIR.

g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?

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

Discussion/Explanation:

Potentially Significant Impact: Most of the Project (approximately 470 acres) is located within a CAL FIRE designated Very High FHSZ. The Project site is also located adjacent to wildlands that have the potential to support wildland fires. The Project would be required to comply with the regulations relating to emergency access, water supply, and defensible space specified in the Consolidated Fire Code for the 16 Fire Protection Districts in the County. Additionally, given that the Project would construct and operated an unoccupied solar energy generation and battery storage facility, the Project would not include occupied or habitable structures that would expose people or structures to significant risks. Nevertheless, due to the Project's location in a Very High FHSZ, increased activity, and a greater number of ignition sources on the site, a Project-specific Fire Protection Plan will be prepared for and discussed in the DEIR to determine the Project's potential to expose people or structures to a significant risk of loss, injury or death involving wildland fires.

X. HYDROLOGY AND WATER QUALITY -- Would the project:

a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?

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

Potentially Significant Impact: The Project site is currently undeveloped and vacant. Construction of the proposed BESS facility and substation would increase the total area of impervious surfaces across the Project area, which could result in an increase in peak runoff. Therefore, the Project could potentially result in an increase in stormwater runoff and pollutant discharge. A Project-specific Stormwater Quality Management Plan (SWQMP) will be prepared for and discussed in the DEIR to determine the Project's compliance with regulations pertaining to water quality and waste discharge.

- b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?

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

Discussion/Explanation:

Potentially Significant Impact: The Project would require additional water demand that is not required for the existing undeveloped and vacant site. The Project would likely obtain its water supply from imported water from the Jacumba Community Services District (JCSD). Additionally, construction of the proposed BESS facility and substation would increase the total area of impervious surfaces across the Project area, which could interfere with groundwater recharge at the site. As such, the Project has the potential to decrease groundwater supplies and interfere substantially with groundwater recharge. A Project-specific Groundwater Investigation Report will be prepared for and discussed in the DEIR to determine the Project's potential to substantially decrease groundwater supplies or interfere substantially with groundwater recharge.

- c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or through the addition of impervious surface, in a manner which would:

- (i) result in substantial erosion or siltration on- or offsite;

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

Discussion/Explanation:

Potentially Significant Impact: The Project could result in the alteration of the existing drainage pattern resulting in erosion or siltation. A Project-specific Drainage Study and SWQMP will be

prepared and discussed within the context of the DEIR to determine the Project's potential to result in substantial erosion or siltation on- or off-site.

(ii) substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite;

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

Discussion/Explanation:

Potentially Significant Impact: The Project site is currently undeveloped and vacant. Construction of the proposed BESS facility and substation would increase the total area of impervious surfaces across the Project area, which could result in an increase in peak runoff. A Project-specific Drainage Study will be prepared for and discussed in the DEIR to determine the Project's potential impact on drainage patterns of the site and surrounding area related to erosion and siltation.

(iii) create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or

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

Discussion/Explanation:

Potentially Significant Impact: The Project site is currently undeveloped and vacant. Construction of the proposed BESS facility and substation would increase the total area of impervious surfaces across the Project area, which could result in an increase in peak runoff. A Project-specific Drainage Study will be prepared for and discussed in the DEIR to determine the Project's potential impacts on the increases in drainage patterns of the site and surrounding area related to capacity of the stormwater drainage systems.

(iv) impede or redirect flood flows?

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

Discussion/Explanation:

Potentially Significant Impact: The Project would include development that may impede or redirect flood flows. A Project-specific Drainage Study will be prepared to analyze the runoff quantities and conditions before and after development of the Project, including analysis of existing and proposed drainage facility capacity and lines of inundation by the 100-year flood.

The Drainage Study will be discussed in the DEIR to determine the Project's potential to impede or redirect flood flows.

- d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?

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

Discussion/Explanation:

i. FLOODING

Potentially Significant Impact: The Project site lies outside a mapped dam inundation area for a major dam/reservoir within San Diego County. However, the County of San Diego County Floodplain Maps indicates that sections of the western portion of the Project site are within a Federal Emergency Management Agency (FEMA) and County Floodplain. A Project-specific Drainage Study will be prepared for and discussed in the DEIR to determine the Project's potential to result in a release of pollutants due to inundation.

ii. TSUNAMI

No Impact: The Project site is located more than one mile from the coast; therefore, in the event of a tsunami, the Project would not be inundated. This issue will not be further addressed in the DEIR.

iii. 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. This issue will not be further addressed in the DEIR.

- e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?

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

Discussion/Explanation:

Potentially Significant Impact: The Project could potentially result in an increase in stormwater runoff and pollutant discharge which could conflict with the San Diego Basin Plan. A SWQMP will be prepared for and discussed in the DEIR to determine the Project's compliance with a water quality control plan.

Additionally, the Project would require additional water demand that is not required for the existing undeveloped and vacant site. The Project would likely obtain its water supply from imported water from the JCSD. The Project would also result in an increase in impervious surfaces that would affect groundwater recharge in the area. Therefore, the Project could conflict with or obstruct implementation of a sustainable groundwater management plan. A Project-specific Groundwater Investigation Report will be prepared for and discussed in the DEIR to determine if sufficient water supplies are available to serve the Project.

XI. LAND USE AND PLANNING -- Would the project:

a) Physically divide an established community?

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

Discussion/Explanation:

Potentially Significant Impact: The Project includes the construction and operation of an unoccupied renewable energy solar and battery storage facility. New utility infrastructure and access roadways would be constructed as part of the Project that could potentially divide established communities in the unincorporated areas of the County. An underground gen-tie would be located on the east side of Tule Jim Lane and connect into the southeastern corner of the Boulevard Substation. The majority of the areas surrounding the Project site consist of undeveloped, vacant land, with a few scattered single-family residences. Therefore, the Project has the potential to significantly disrupt or divide the established community, and this issue will be discussed further in the DEIR.

b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?

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

Discussion/Explanation:

Potentially Significant Impact: The Project includes the construction and operation of an unoccupied renewable energy solar and battery storage facility. The Project is anticipated to assist in 1) achieving the state's RPS, as mandated under the 100 Percent Clean Energy Act of 2018 (SB 100), by developing and constructing California RPS-qualified solar generation from eligible renewable energy resources; 2) achieving or exceeding its energy storage targets, consistent with the terms of AB 2514; and 3) achieving its GHG reduction targets, consistent with AB 32 and SB 32. Nevertheless, the potential remains for the Project to conflict with a land use plan, policy, or regulation, and this issue will be discussed further in the DEIR.

XII. 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"/> No Impact

Discussion/Explanation:

No Impact: The lands within the Project site have not been classified by the California Department of Conservation – Division of Mines and Geology. The Project site does not contain alluvium or mines. The nearest mineral extraction area to the Project site is a fill dirt production facility located approximately 10.5 miles west of the Project site. Therefore, the proposed Project would not 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. This issue will not be further addressed in the DEIR.

- 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"/> No Impact

Discussion/Explanation:

No Impact: The Project site is not located in a Mineral Resource Zone, nor is it located within 1,300 feet of such lands, as shown in Figure C-4 of the County General Plan Conservation and Open Space Element. Therefore, the Project would not result in the loss of availability of locally important mineral resource(s). No potentially significant loss of availability of a locally important mineral resource recovery (extraction) site delineated on a local general plan, specific plan, or other land use plan would occur as a result of this project. This issue will not be further addressed in the DEIR.

XIII. NOISE -- Would the project result in:

- a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?

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

Discussion/Explanation:

Potentially Significant Impact: The Project would generate noise from construction activities and ongoing operations. Construction noise would be primarily associated with ground disturbing

activities, vehicle and truck trips to and from the site, and operation of standard construction equipment. Operational noise would be primarily associated with operation of the proposed transformers and inverters, on-site collector substation, PV tracking systems, and the heating, ventilation, and air conditioning (HVAC) system for the BESS. These construction and operational noise sources could expose people at nearby single-family residences to noise levels that exceed allowable limits of the County of San Diego General Plan, Noise Ordinance and other applicable standards. A Project-specific Noise Analysis Report will be prepared for and discussed in the DEIR to determine if the Project would result in a substantial temporary or permanent increase in ambient noise levels in the vicinity of the Project in excess of established noise standards.

b) Generation of excessive groundborne vibration or groundborne noise levels?

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

Discussion/Explanation:

Potentially Significant 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.

Additionally, 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. However, the Project may produce groundborne vibration or groundborne noise levels during construction. Blasting activities may be required during construction to facilitate siting of array foundations and the gentle. Therefore, impulsive noise sources are expected. A Project-specific Noise Analysis Report will be prepared to evaluate the potential for groundborne vibration and groundborne noise levels during Project construction. The conclusions of the Noise Analysis Report will be discussed in the DEIR to determine the Project's potential generation of groundborne vibration and groundborne noise levels.

c) For a project located within the vicinity of a private airstrip or 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"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact |

Discussion/Explanation:

Less than Significant Impact: The Project is not located within two miles of a public Airport Influence Area, Airport Safety Zone, Avigation Easement, Overflight area, or a Federal Aviation Administration Height Notification Surface area. The nearest public airport to the Project site is Jacumba airport, approximately 6.8 miles to the east. A private airstrip is located on the Project site. However, given that the Project would be remotely-controlled, the Project is not expected to expose people in the Project area to excessive noise levels. Therefore, impacts would be less than significant.

XIV. POPULATION AND HOUSING -- Would the project:

- a) Induce substantial unplanned 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"/> No Impact |

Discussion/Explanation:

No Impact: The Project does not include residential or commercial uses that would directly increase population growth in the area, nor does it include the extension of infrastructure that would indirectly induce population growth. The Project would construct and operate an unoccupied renewable solar energy generation and storage facility to improve electrical reliability for the San Diego region. Construction employment opportunities provided by the proposed Project would not result in long-term relocation by workers due the temporary nature of the proposed construction activities. The proposed Project would neither affect population or housing located within the Project vicinity, nor in the greater County area. Therefore, there would be no population growth impacts as a result of the proposed Project. This issue will not be further addressed in the DEIR.

- b) Displace substantial numbers of existing people or 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"/> No Impact |

Discussion/Explanation:

No Impact: The Project site is currently undeveloped, vacant land, and the Project would not displace any existing people or housing. Therefore, no impact would occur. This issue will not be further addressed in the DEIR.

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

Discussion/Explanation:

i. Fire Protection

Potentially Significant Impact. There are several fire stations within the Project area; these include CAL FIRE, San Diego County Fire Protection District (SDCFPD), and U.S. Forest Service fire stations. The Boulevard area is serviced by the CAL FIRE's Boulevard Fire Station (Station 47). Fire emergencies that may occur at the Project site would be primarily responded to by CAL FIRE's Boulevard Fire Station (Station 47), which is staffed by both volunteer reserve and career firefighters. Additional response would be available from SDCFPD's Jacumba and Lake Moreno Station (Stations 43 and 42, respectively), and CAL FIRE's Campo Station (Station 40). Most of the Project (approximately 470 acres) is located within a CAL FIRE designated Very High FHSZ. The Project could create an increase in demand for fire protection and emergency services due to increased activity, and a greater number of ignition sources on the site. This issue will be discussed further in the DEIR to determine the Project's potential to result in substantial adverse impacts to fire protection services.

ii. Police Protection

Less than Significant. The County Sheriff's Department currently provides law enforcement services to the Project area and would continue to provide services in the area. The Project includes the construction and operation of an unoccupied renewable energy solar and battery storage facility and would not increase demand for law enforcement services. Further, the Project would install security fencing,

motion-detecting lights, and Private Property/No Trespassing and High Voltage signs. Impacts would be less than significant.

iii. Schools

Less than Significant Impact. The Project is located in the Unified Mountain Empire School District. The Project includes the construction and operation of an unoccupied renewable energy solar and battery storage facility and would not directly or indirectly increase population growth in the area (refer to Section XIV(a)). Thus, given the nature of the Project, there would be no increased demand for schools or need for new or physically altered school facilities as a result of the Project. Impacts would be less than significant.

iv. Parks

Less than Significant. The Project includes the construction and operation of an unoccupied renewable energy solar and battery storage facility and would not directly or indirectly increase population growth in the area (refer to Section XIV(a)). Therefore, the Project would not result in the need for new or physically altered parks. Impacts would be less than significant.

v. Other public facilities

Less than Significant. The Project includes the construction and operation of an unoccupied renewable energy solar and battery storage facility and would not directly or indirectly increase population growth in the area (refer to Section XIV(a)). Therefore, the Project would not result in the need for new or physically altered public facilities including libraries. Impacts would be less than significant.

XVI. 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"/> No Impact |

Discussion/Explanation:

No Impact: As described in Section XIV(a), the Project does not include residential or commercial uses that would directly increase population growth in the area, nor does it include the extension of infrastructure that would indirectly induce population growth. The Project includes the construction and operation of an unoccupied renewable energy solar and battery storage facility. Therefore, the Project would not 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. No impact would occur. This issue will not be further

addressed in the DEIR.

- 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"/> No Impact |

Discussion/Explanation:

No Impact: The Project does not include recreational facilities or require the construction or expansion of recreational facilities. Therefore, no impacts would occur from the Project. This issue will not be further addressed in the DEIR.

XVII. TRANSPORTATION -- Would the project:

- a) Conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?

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

Discussion/Explanation:

Potentially Significant Impact: The Project includes the construction and operation of an unoccupied renewable energy solar and battery storage facility. The Project would improve electrical reliability for the San Diego region by providing a source of local generation as near as possible to existing SDG&E transmission infrastructure. Construction and operation of the Project could potentially conflict with a program, plan, ordinance or policy addressing the circulation system. A Project-specific transportation analysis will be prepared for and discussed in the DEIR to determine the Project's potential impact.

- b) Would the project conflict or be consistent with CEQA Guidelines section 15064.3, subdivision (b)?

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

Discussion/Explanation: Per CEQA Guidelines Section 15064.3, *Determining the Significance of Transportation Impacts*, land use projects should be evaluated based on vehicle miles traveled (VMT).

Potentially Significant Impact: The Project includes the construction and operation of an unoccupied renewable energy solar and battery storage facility. The Project would improve electrical reliability for the San Diego region by providing a source of local generation as near as possible to existing SDG&E transmission infrastructure. Construction of the Project is anticipated

to occur over approximately 18 months and would employ approximately 125 workers per day during the peak construction period. Over the approximately 12-18-month construction period, the Project would require up to approximately 625 truckloads of construction materials per month for delivery of components and construction materials. Up to 7,500 truck trips would result over the total construction period, excluding travel by construction workers. Average truck traffic would be approximately 150 trucks per day, 25 days per month. During operation of the collector substation, operation and maintenance staff would visit the substation periodically for maintenance. The Project could conflict with CEQA Guidelines Section 15064.3, subdivision (b). A Project-specific transportation analysis will be prepared for and discussed in the DEIR to determine the Project's potential impact on VMT.

c) Substantially increase hazards due to a geometric 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"/> No Impact |

Discussion/Explanation:

Less than Significant Impact: The Project would not substantially increase driving hazards due to a geometric design feature or incompatible uses. The Project includes the construction and operation of an unoccupied renewable energy solar and battery storage facility. Access to the solar facility would be provided via Jewel Valley Road and Tule Jim Lane. Each site entrance would feature a manual swing gate, and a sign with a lighted directory map and contact information. The perimeter internal access within the fenced solar facility would be constructed to a minimum improved width of 24 feet. The interior on-site vehicle access roads would be constructed to a minimum improved width of 20 feet. All internal access would be designed to provide a minimum inner turning radius of 28 feet and would be designed and maintained to provide all-weather driving capabilities. Therefore, the Project would not substantially increase hazards due to a geometric design feature or incompatible uses. Impacts would be less than significant.

d) Result in inadequate emergency access?

- | | |
|---|--|
| <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"/> No Impact |

Discussion/Explanation:

Less than Significant Impact: Access to the solar facility would be provided via Jewel Valley Road and Tule Jim Lane. Each site entrance would feature a manual swing gate, and a sign with a lighted directory map and contact information. All entrance gates would feature fire authority approved strobe light activation and a 'Knox Box' key-operated switch to allow ease of access for emergency service providers. All access to the site has been designed per the County Fire Code.

The perimeter internal access within the fenced solar facility would be constructed to a minimum improved width of 24 feet. The interior on-site vehicle access roads would be constructed to a minimum improved width of 20 feet. All internal access would be designed to provide a minimum inner turning radius of 28 feet, would be graded and maintained to support the imposed loads of fire apparatus (not less than 75,000 pounds), and would be designed and maintained to provide all-weather driving capabilities. The internal access would allow for two-way access of fire apparatus throughout the solar facility in order to access all of the inverter/transformer pads. Therefore, the Project would not result in inadequate emergency access. Impacts would be less than significant.

XVIII. TRIBAL CULTURAL RESOURCES -- Would the project:

a) Cause a substantial adverse change in the significance of a tribal cultural resource, as defined in Public Resources Code §21074 as either a site, feature, place, or cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:

i. Listed or eligible for listing in the California Register of Historical Resources, or in a local register of Historical Resources as defined in Public Resources Code §5020.1(k), or

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

ii. A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code §5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code §5024.1, the Lead Agency shall consider the significance of the resource to a California Native American tribe.

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

Discussion/Explanation:

Potentially Significant Impact: The Project site is entirely undeveloped, vacant land. Construction of the proposed Project components would require ground disturbing activities during which unknown, buried tribal cultural resources could be encountered or disturbed. Consultation with the appropriate tribes will be initiated prior to publishing of the DEIR in accordance with AB 52, and an analysis of tribal cultural resources will be prepared for and discussed in the DEIR to determine the Project's potential impact to tribal cultural resources.

XIX. UTILITIES AND SERVICE SYSTEMS -- Would the project:

a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or stormwater drainage, electric power, natural gas, or telecommunications

facilities, the construction or relocation of which could cause significant environmental effects?

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

Discussion/Explanation:

Potentially Significant Impact: The Project includes the construction and operation of an unoccupied renewable energy solar and battery storage facility. Given that the Project would not require employees or other occupants at the site, the Project would not require the relocation or construction of new or expanded water, wastewater treatment or stormwater drainage, natural gas, or telecommunication facilities. The Project would include installation of new electric infrastructure and connections to existing infrastructure to improve electrical reliability for the San Diego region. Construction, installation, operation, and maintenance of this proposed infrastructure could cause significant environmental impacts. Therefore, this issue will be discussed further in the DEIR.

- b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?

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

Discussion/Explanation:

Potentially Significant Impact: The Project would require water for construction of the Project (e.g., washing construction equipment, watering exposed soils) as well as for operational activities, including washing the solar PV panels and irrigation for landscaping, if required. The Project would likely obtain its water supply from imported water from the JCSD. A Project-specific Groundwater Investigation Report will be prepared for and discussed in the DEIR to determine if sufficient water supplies are available to serve the Project.

- c) 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"/> No Impact |

Discussion/Explanation:

No Impact: The Project includes the construction and operation of an unoccupied renewable energy solar and battery storage facility. It does not propose any use types that would require wastewater treatment. Therefore, the Project would not interfere with any wastewater treatment

providers service capacity, and there would be no impact. This issue will not be further addressed in the DEIR.

- d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?

☐

Potentially Significant Impact

☒

Less than Significant Impact

☐

Less Than Significant With Mitigation
Incorporated

☐

No Impact

Discussion/Explanation:

Less than Significant Impact: The Project includes the construction and operation of an unoccupied renewable energy solar and battery storage facility and does not propose any new structures or use types that would result in operational solid waste generation. Construction of the proposed Project would result in minor, short-term generation of solid waste. Therefore, impacts would be less than significant.

Following eventual decommissioning of the solar facility, the aboveground (detachable) equipment and structures would be disassembled and removed from the site when it became time to remove or replace equipment. Detachable elements include all PV modules and support structures, battery storage units, inverters, transformers, and associated controllers. Removal of the fencing, substation, and aboveground conductors on the transmission facilities would also be implemented. Underground collector and transmission components would be removed. Most of these materials can be recycled or reclaimed. Remaining materials that cannot be recycled or reclaimed would be limited and would be contained and disposed of offsite, consistent with the County of San Diego Construction Demolition and Debris Management Plan (County Ordinance 68.508-68.518).

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

☐

Potentially Significant Impact

☒

Less than Significant Impact

☐

Less Than Significant With Mitigation
Incorporated

☐

No Impact

Discussion/Explanation:

Less than Significant Impact: The Project would be required to comply with applicable federal, state, and local statutes and regulations related to solid waste and recycling. During construction, solid waste would be appropriately sorted and recycled, when feasible, in accordance with the California Green (CALGreen) Building Standards (i.e., a minimum 65 percent of the nonhazardous construction and demolition waste or meet a local construction and demolition waste management ordinance, whichever is more stringent). Further, construction waste would meet local standards of solid waste and recycling policies as defined in the Conservation and Open Space Element of the County's General Plan and in Chapter 5, Management of Solid Waste, of the County Administrative Code. Compliance with these

regulations and statutes would result in less than significant Project impacts related to disposal of solid waste.

XX. WILDFIRE -- If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:

- a) Substantially impair an adopted emergency response plan or emergency evacuation plan?

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

Discussion/Explanation:

Potentially Significant Impact: Most of the project (approximately 470 acres) is located within a CAL FIRE designated Very High FHSZ and the remainder of the site is within a Moderate FHSZ. Development of the Project could create an increase in demand for fire protection and emergency services due to increased activity, and a greater number of ignition sources on the site. Therefore, the Project could substantially impair an adopted emergency response plan or emergency evacuation plan during a fire. A Project-specific Fire Protection Plan analysis will be prepared for and discussed in the DEIR to determine the Project's potential to substantially impair an adopted emergency response or evacuation plan.

- b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentration from a wildfire or the uncontrolled spread of a wildfire?

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

Discussion/Explanation:

Potentially Significant Impact: As discussed under Section XX(a) above, the majority of the Project site lies within areas designated as Very High FHSZ and the remainder of the site is within a Moderate FHSZ. Additionally, given the electrical nature of the Project, there is potential for the Project to exacerbate wildfire at the site. A Project-specific Fire Protection Plan analysis will be prepared for and discussed in the DEIR to determine the Project's potential to exacerbate wildfire risks.

- c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?

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

Discussion/Explanation:

Potentially Significant Impact: The Project would include the proposed solar generation and battery storage facility and associated infrastructure, such as internal roadways, fuel modification buffers, a water tower, and utilities. This infrastructure could exacerbate fire risk that may result in temporary or ongoing impacts to the environment. A Project-specific Fire Protection Plan analysis will be prepared for and discussed in the DEIR to determine the Project's potential to result in exacerbated fire risks or temporary or ongoing impacts to the environment due to installation, operation, or maintenance of Project infrastructure.

- d) Expose people or structure to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?

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

Discussion/Explanation:

Potentially Significant Impact: As discussed under Section VII(a)(iv), the Project site is not located within a "Landslide Susceptibility Area" as identified in the County's Geologic Hazards Guidelines. Nonetheless, because the Project is located within Moderate and Very High FHSZs and has steep slopes, the Project could potentially expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes. A Project-specific Fire Protection Plan analysis will be prepared for and discussed in the DEIR to determine the Project's potential to expose people or structures to significant risks associated with wildfire.

XXI. MANDATORY FINDINGS OF SIGNIFICANCE:

- a) Does the project have the potential to substantially 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?

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

Potentially Significant Impact: The Project has the potential to impact biological resources and important examples of the major periods of California history or prehistory. The DEIR will further analyze the Project's potential to degrade the quality of the environment, 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.

- 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)?

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

Potentially Significant Impact: The Project has the potential to incrementally contribute to cumulatively significant impacts. Potentially significant cumulative effects could occur related to Aesthetics, Air Quality, Biological Resources, Cultural Resources, Energy, Geology and Soils, GHG Emissions, Hazards and Hazardous Materials, Hydrology and Water Quality, Land Use Planning, Noise, Public Services, Transportation, Tribal Cultural Resources, and Utilities and Service Systems. Therefore, cumulative impacts associated with the Project will be analyzed further in the DEIR.

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

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

Potentially Significant Impact: The Project has the potential to result in impacts to environmental issue areas that could directly or indirectly affect human beings. The Project is required to prepare a DEIR which shall address environmental effects that may cause adverse direct or indirect effects on humans.

XXII. REFERENCES USED IN THE COMPLETION OF THE INITIAL STUDY CHECKLIST

County of San Diego; (June 23, 2015), County of San Diego Guidelines for Determining Significance and Report Format and Content Requirements for Agricultural Resources

County of San Diego; (September 15, 2010), County of San Diego Guidelines for Determining Significance and Report Format and Content Requirements for Biological Resources

County of San Diego; (July 30, 2007), County of San Diego Guidelines for Determining Significance for Geologic Hazards

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. For County regulation refer to www.amlegal.com. All other references are available upon request.

California Department of Transportation

DISTRICT 11
4050 TAYLOR STREET, MS-240
SAN DIEGO, CA 92110
(619) 709-5152 | FAX (619) 688-4299 TTY 711
www.dot.ca.gov



April 14, 2023

11- SD-8

PM 67.45

Starlight Solar Project Major Use Permit
NOP/DEIR/SCH# 2023030603

Ms. Ashely Smith
Chief of Project Planning
San Diego County Planning and Development Services
5510 Overland Avenue, Suite 310
San Diego, CA 92123

Dear Ms. Smith:

Thank you for including the California Department of Transportation (Caltrans) in the review for the Notice of Preparation (NOP) of a Draft Environmental Impact Report (DEIR) of the Starlight Solar Project Major Use Permit (SCH# 2023030603) located south of Interstate 8 (I-8) and Old Highway 80, and east of Tierra Del Sol Road in San Diego County. The mission of Caltrans is to provide a safe and reliable transportation network that serves all people and respects the environment. The Local Development Review (LDR) Program reviews land use projects and plans to ensure consistency with our mission and state planning priorities.

Safety is one of Caltrans' strategic goals. Caltrans strives to make the year 2050 the first year without a single death or serious injury on California's roads. We are striving for more equitable outcomes for the transportation network's diverse users. To achieve these ambitious goals, we will pursue meaningful collaboration with our partners. We encourage the implementation of new technologies, innovations, and best practices that will enhance the safety on the transportation network. These pursuits are both ambitious and urgent, and their accomplishment involves a focused departure from the status quo as we continue to institutionalize safety in all our work.

Caltrans is committed to prioritizing projects that are equitable and provide meaningful benefits to historically underserved communities, to ultimately improve transportation accessibility and quality of life for people in the communities we serve.

We look forward to working with the County of San Diego in areas where the County and Caltrans have joint jurisdiction to improve the transportation network and connections between various modes of travel, with the goal of improving the experience of those who use the transportation system.

Caltrans has the following comments:

Traffic Impact Study

- A Vehicle Miles of Travel (VMT) based Traffic Impact Study (TIS) should be provided for this project. Please use the Governor's Office of Planning and Research Guidance to identify VMT related impacts.¹
- The TIS may also need to identify the proposed project's near-term and long-term safety or operational issues, on or adjacent any existing or proposed State facilities.
- The geographic area examined in the TIS should also include, at a minimum, all regionally significant arterial system segments and intersections, including State highway facilities.
- Any increase in goods movement operations and its impacts to State highway facilities should be addressed in the TIS.
- The data used in the TIS should not be more than 2 years old.

Traffic Control Plan/Hauling

Caltrans has discretionary authority with respect to highways under its jurisdiction and may, upon application and if good cause appears, issue a special permit to operate or move a vehicle or combination of vehicles or special mobile equipment of a size or weight of vehicle or load exceeding the maximum limitations specified in the California Vehicle Code. The Caltrans Transportation Permits Issuance Branch is responsible for the issuance of these special transportation permits for oversize/overweight vehicles on the State Highway network. Additional information is provided online at: <http://www.dot.ca.gov/trafficops/permits/index.html>

A Traffic Control Plan is to be submitted to Caltrans District 11, including the interchanges at I-8/Ribbonwood Road, at least 30 days prior to the start of any

¹ California Governor's Office of Planning and Research (OPR) 2018. "Technical Advisory on Evaluating Transportation Impacts in CEQA." https://opr.ca.gov/docs/20190122-743_Technical_Advisory.pdf

construction. Traffic shall not be unreasonably delayed. The plan shall also outline suggested detours to use during closures, including routes and signage.

Potential impacts to the highway facilities (I-8) and traveling public from the detour, demolition and other construction activities should be discussed and addressed before work begins.

Glare

As stated on page 10 of the Initial Study Section I. Aesthetics; (d), the project's Environmental Checklist identifies that there is potential for a glare related significant impact:

The Project would introduce a large solar array, which includes reflective surfaces, into an otherwise naturalistic setting. Due to viewshed angles, as well as the layout and scale of the project, project implementation could result in a new source of substantial light or glare.

The proximity of the project site to I-8 raises some concerns regarding potential glare that could pose a potential risk to motorists traveling on I-8. The project's potential glare characteristics should be considered as part of the County of San Diego's Permit approval. Caltrans would want to ensure that all lighting, including reflected sunlight and reflected night lighting, within this project should be placed and/or shielded so as not to be hazardous to vehicles traveling on I-8.

Environmental

Caltrans welcomes the opportunity to be a Responsible Agency under the California Environmental Quality Act (CEQA), as we have some discretionary authority of a portion of the project that is in Caltrans' R/W through the form of an encroachment permit process. We look forward to the coordination of our efforts to ensure that Caltrans can adopt the alternative and/or mitigation measure for our R/W. We would appreciate meeting with you to discuss the elements of the EIR that Caltrans will use for our subsequent environmental compliance.

An encroachment permit will be required for any work within the Caltrans' R/W prior to construction. As part of the encroachment permit process, the applicant must provide approved final environmental documents for this project, corresponding technical studies, and necessary regulatory and resource agency permits. Specifically, CEQA determination or exemption. The supporting documents must address all environmental impacts within the Caltrans' R/W and address any impacts from avoidance and/or mitigation measures.

We recommend that this project specifically identifies and assesses potential impacts caused by the project or impacts from mitigation efforts that occur within Caltrans' R/W that includes impacts to the natural environment, infrastructure including but not limited to highways, roadways, structures, intelligent transportation systems elements, on-ramps and off-ramps, and appurtenant features including but not limited to fencing, lighting, signage, drainage, guardrail, slopes and landscaping. Caltrans is interested in any additional mitigation measures identified for the project's draft Environmental Document.

Mitigation

Caltrans endeavors that any direct and cumulative impacts to the State Highway network be eliminated or reduced to a level of insignificance pursuant to the CEQA and National Environmental Policy Act (NEPA) standards.

Mitigation measures to State facilities should be included in TIS/TIA. Mitigation identified in the traffic study, subsequent environmental documents, and mitigation monitoring reports, should be coordinated with Caltrans to identify and implement the appropriate mitigation. Mitigation improvements should be compatible with Caltrans concepts.

Right-of-Way

- Per Business and Profession Code 8771, perpetuation of survey monuments by a licensed land surveyor is required, if they are being destroyed by any construction.
- Any work performed within Caltrans' R/W will require discretionary review and approval by Caltrans and an encroachment permit will be required for any work within the Caltrans' R/W prior to construction.

Ms. Ashley Smith, Chief of Project Planning
April 14, 2023
Page 5

Additional information regarding encroachment permits may be obtained by contacting the Caltrans Permits Office at (619) 688-6158 or emailing D11.Permits@dot.ca.gov or by visiting the website at <https://dot.ca.gov/programs/traffic-operations/ep>. Early coordination with Caltrans is strongly advised for all encroachment permits.

If you have any questions, please contact Mark McCumsey at (619) 985-4957 or by email at mark.mccumsey@dot.ca.gov.

Sincerely,

Maurice A. Eaton

MAURICE EATON
Branch Chief
Local Development Review



State of California – Natural Resources Agency
DEPARTMENT OF FISH AND WILDLIFE
South Coast Region
3883 Ruffin Road
San Diego, CA 92123
(858) 467-4201
www.wildlife.ca.gov

GAVIN NEWSOM, Governor
CHARLTON H. BONHAM, Director



April 24, 2023

Ashley Smith
Chief of Project Planning
County of San Diego - Planning and Development Services
5510 Overland Ave
San Diego, CA 92123
Ashley.Smith2@sdcounty.ca.gov

Subject: Starlight Solar Major Use Permit (Project), Notice of Preparation (NOP) of a Draft Environmental Impact Report (DEIR), SCH #2023030603

Dear Ashley Smith:

The California Department of Fish and Wildlife (CDFW) has reviewed the above-referenced NOP for the Project pursuant to the California Environmental Quality Act (CEQA) and CEQA Guidelines.¹

Thank you for the opportunity to provide comments and recommendations regarding those activities involved in the Project that may affect California fish and wildlife. Likewise, CDFW appreciates the opportunity to provide comments regarding those aspects of the Project that CDFW, by law, may be required to carry out or approve through the exercise of its own regulatory authority under the Fish and Game Code.

CDFW ROLE

CDFW is California's **Trustee Agency** for fish and wildlife resources and holds those resources in trust by statute for all the people of the State. (Fish & G. Code, §§ 711.7, subd. (a) & 1802; Pub. Resources Code, § 21070; CEQA Guidelines § 15386, subd. (a).) CDFW, in its trustee capacity, has jurisdiction over the conservation, protection, and management of fish, wildlife, native plants, and habitat necessary for biologically sustainable populations of those species (*Id.*, § 1802.). Similarly, for purposes of CEQA, CDFW is charged by law to provide, as available, biological expertise during public agency environmental review efforts, focusing specifically on projects and related activities that have the potential to adversely affect fish and wildlife resources.

CDFW is also submitting comments as a **Responsible Agency** under CEQA. (Pub. Resources Code, § 21069; CEQA Guidelines, § 15381.) CDFW expects that it may need to exercise regulatory authority as provided by the Fish and Game Code. As proposed, for example, the Project may be subject to CDFW's lake and streambed alteration regulatory authority. (Fish & G. Code, § 1600 et seq.) Likewise, to the extent implementation of the Project as proposed may result in "take" as defined by State law of any species protected under the California Endangered Species Act (CESA) (Fish & G. Code, § 2050 et seq.), the project proponent may seek related take authorization as provided by the Fish and Game Code.

CDFW also administers the Natural Community Conservation Planning (NCCP) program, a California regional habitat conservation planning program. CDFW, the County of San Diego, and the United States Fish and Wildlife Service signed the Third Restated and Amended Planning Agreement for the development of the North and East County Multiple Species Conservation Program (MSCP) Plans in March of 2021. The Proposed Project occurs within the plan boundary of the draft East County MSCP Plan. The Planning Agreement includes an interim process to review projects within the Planning Areas to ensure that preliminary conservation objectives and preserve options for establishing a viable reserve system are not precluded and that project impacts are adequately mitigated.

PROJECT DESCRIPTION SUMMARY

Proponent: County of San Diego (County)

Objective: The objective of the Project is to construct a remotely-controlled solar energy generation and storage facility. The Project will produce up to 100 megawatts of alternating current solar energy and will include a battery energy storage system that will store up to 217.4 megawatts

¹ CEQA is codified in the California Public Resources Code in section 21000 et seq. The "CEQA Guidelines" are found in Title 14 of the California Code of Regulations, commencing with section 15000.

Ashley Smith, Chief of Project Planning
County of San Diego- Planning and Development Services
April 24, 2023
Page 2 of 5

of electricity for dispatch into the local San Diego Gas and Electric grid. The power produced by the facility will connect into the Boulevard East Substation via an underground generation tie-line. The Project will also include internal access roads, security fencing, lighting, and signage, a 30-foot fuel modification zone, and water tanks for fire protection.

Location: The Project site is located south of the community of Boulevard in southern unincorporated San Diego County. The site is south of Interstate 8 and Old Highway 80, and East of Tierra Del Sol Road. Access to the 565-acre site will be provided by Jewel Valley Road and Tule Jim Lane, which each connect to Old Highway 80 in the town of Boulevard. Land surrounding the site consists of ranches, vacant land, and single-family residences.

Biological Setting: The Project site is largely undeveloped and is designated by the County’s General Plan as Rural. According to the NOP, natural communities mapped on site include granitic northern mixed chaparral, redshank chaparral, granitic chamise chaparral, montane buckwheat scrub, field/pasture, big sagebrush scrub, open coast live oak woodland, non-native grassland, southern riparian scrub, freshwater, coast live oak woodland, tamarisk scrub, freshwater seep, and alkali marsh. The NOP states that biological resource mitigation land will be conserved and managed south and west of the Project area. Acreages of habitat impacts and mitigation land are not provided.

The Project site has potential to support a variety of sensitive wildlife species, including Quino checkerspot butterfly (*Euphydryas editha quino*; Federal Endangered Species Act listed-endangered), western spadefoot (*Spea hammondi*; California Species of Special Concern (SSC)), Southern California legless lizard (*Anniella stebbinsi*; SSC), coastal whiptail (*Aspidoscelis tigris stejnegeri*; SSC), Blainville’s horned lizard (*Phrynosoma blainvillii*; SSC), tricolored blackbird (*Agelaius tricolor*; CESA listed-threatened), prairie falcon (*Falco mexicanus*; Watch List), long-eared owl (*Asio otus*; SSC), burrowing owl (*Athene cunicularia*; SSC), Trinidad kangaroo rat (*Dipodomys merriami trinidadensis*; SSC), Jacumba pocket mouse (*Perognathus longimembris internationalis*; SSC), Bryant’s woodrat (*Neotoma bryanti lepida*; SSC), pallid San Diego pocket mouse (*Chaetodipus fallax pallidus*; SSC), and a very uncommon species, the southern grasshopper mouse (*Onychomys torridus*).

The Project site also has potential to support sensitive and rare plant species, including Jacumba milk-vetch (*Astragalus douglasii* var. *perstrictus*; CRPR 1B.2), long-spined spineflower (*Chorizanthe polygonoides* var. *longispina*; CRPR 1B.2), desert beauty (*Linanthus bellus*; CRPR 2B.1), Tecate tarplant (*Deinandra floribunda*; CRPR 1B.2), sticky geraea (*Geraea viscida*; CRPR 2B.2), Higgin’s barberry (*Berberis higginsiae*; CRPR 3.2), San Bernardino aster (*Symphyotrichum defoliatum*; CRPR 1B.2), decumbent goldenbush (*Isocoma menziesii* var. *decumbens*; CRPR 1B.2), and southern jewelflower (*Streptanthus campestris*; CRPR 1B.3)

COMMENTS AND RECOMMENDATIONS

CDFW offers the comments and recommendations below to assist the County in adequately identifying and/or mitigating the Project’s significant, or potentially significant, direct and indirect impacts on fish and wildlife (biological) resources.

COMMENT #1: Project Footprint and Consistency with Draft East County MSCP Plan

The Project is within the Planning Area for the draft East County MSCP Plan (EC MSCP) and is located within a Focused Conservation Area (FCA). FCAs were identified to conserve large blocks of habitat and connectivity between them and to maintain important ecological functions. We recommend that the DEIR consider potential adverse effects to large blocks of intact habitat relative to the goals of the EC MSCP, identify measures to avoid and minimize impacts to the FCA and any sensitive resources on site, and that unavoidable impacts be mitigated in-kind, in a large habitat block(s), and/or in a manner that provides for comparable biodiversity while minimize edge effects.

In order to maintain consistency with the goals and objectives of the EC MSCP Planning effort, CDFW requests that a Project alternative be developed to facilitate east-west habitat connectivity. Currently, the draft Project footprint creates an approximately three-mile-long barrier to habitat connectivity and wildlife movement. CDFW recommends that the footprint be consolidated into one central area, instead of extending north to south.

COMMENT #2: Biological Baseline Assessment

CDFW acknowledges that the Applicant intends to prepare and discuss a Project-specific Biological Resources Analysis in the DEIR. The DEIR should provide a complete assessment of

Ashley Smith, Chief of Project Planning
 County of San Diego- Planning and Development Services
 April 24, 2023
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the flora and fauna within and adjacent to the project area, with particular emphasis upon identifying endangered, threatened, sensitive, and locally unique species and sensitive habitats. The DEIR should include the following information:

- a. A thorough, recent floristic-based assessment of special status plants and natural communities, following CDFW's Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Natural Communities (see <https://www.wildlife.ca.gov/Conservation/Plants/Info>). CDFW recommends that floristic, alliance-based and/or association-based mapping and vegetation impact assessments be conducted at the Project site and neighboring vicinity, and at potential mitigation sites for the project. Adjoining habitat areas should be included in this assessment where site activities could lead to direct or indirect impacts offsite. Habitat mapping at the alliance level will help establish baseline vegetation conditions.
- b. A current inventory of the biological resources associated with each habitat type on site and within the area of potential effect. CDFW's California Natural Diversity Data Base (CNDDB) in Sacramento should be consulted at <https://www.wildlife.ca.gov/Data/BIOS> to obtain current information on any previously reported sensitive species and habitat. In addition, the San Diego Mammal Atlas should also be reviewed regarding sensitive mammal species known or likely to occur.
- c. An inventory of rare, threatened, endangered and other sensitive species on site and within the area of potential effect. CNDDB indicates the occurrence of several special status species within the Project vicinity. Species to be addressed should include sensitive fish, wildlife, reptile, invertebrate, and amphibian species. Seasonal variations in use of the project area should also be addressed. Focused species-specific surveys, conducted at the appropriate time of year and time of day when the sensitive species are active or otherwise identifiable, are required. Acceptable species-specific survey procedures should be developed in consultation with CDFW and the U.S. Fish and Wildlife Service. It is important that small mammal surveys, including live-trapping, are completed throughout the project footprint to determine which species are present. Other species-specific surveys that should be completed include surveys for Quino checkerspot butterfly, western spadefoot, reptiles, and burrowing owl.

COMMENT #3: Biological Direct, Indirect, and Cumulative Impacts

To provide a thorough discussion of direct, indirect, and cumulative impacts expected to adversely affect biological resources, with specific measures to offset such impacts, the following should be addressed in the DEIR:

- a) Specific acreages of habitat types that will be impacted due to Project-related activities. Details should be provided on whether impacts will be temporary or permanent.
- b) Potential adverse impacts from lighting, noise, human activity, invasive species, and drainage. Mitigation measures proposed to alleviate such impacts in onsite undeveloped areas and onto adjacent lands should be included.
- c) Indirect project impacts on biological resources, including resources in nearby public lands, open space, adjacent natural habitats, riparian ecosystems, and any designated and/or proposed or existing reserve lands (e.g., preserve lands associated with a NCCP). Impacts on, and maintenance of, wildlife corridor/movement areas, including access to undisturbed habitats in adjacent areas, should be fully evaluated in the DEIR.
- d) Cumulative effects on biological resources. This analysis should be developed as described under CEQA Guidelines, section 15130. General and specific plans, as well as past, present, and anticipated future projects, should be analyzed relative to their impacts on similar plant communities and wildlife habitats.

COMMENT #4: Mitigation and Avoidance of Project-Related Biological Impacts

The NOP states that biological resource mitigation land will be conserved and managed south and west of the Project area. Specific details, such as exact location and acreages of mitigation lands should be described in the DEIR. For proposed preservation and/or restoration, the DEIR should include measures to protect the targeted habitat values from direct and indirect negative impacts in perpetuity, such as a Conservation Easement. An appropriate non-wasting endowment should be set aside to provide for long-term management of mitigation lands. Because the mitigation is expected to contribute to the forthcoming EC MSCP preserve system, CDFW strongly recommends that the long-term resource management plan for the mitigation land be provided to

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 County of San Diego- Planning and Development Services
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CDFW and the U.S. Fish and Wildlife Service (jointly, the Wildlife Agencies) for review and approval.

The DEIR should include mitigation measures for adverse project-related impacts to sensitive plants, animals, and habitats. Mitigation measures should emphasize avoidance and reduction of project impacts. For unavoidable impacts, on-site habitat restoration or enhancement should be discussed in detail. If on-site mitigation is not feasible or would not be biologically viable and therefore not adequately mitigate the loss of biological functions and values, off-site mitigation through habitat creation and/or acquisition and preservation in perpetuity should be addressed.

COMMENT #5: Nesting Birds

CDFW recommends that measures be taken to avoid project impacts to nesting birds. Migratory nongame native bird species are protected by international treaty under the Federal Migratory Bird Treaty Act (MBTA) of 1918 (Title 50, § 10.13, Code of Federal Regulations). Sections 3503, 3503.5, and 3513 of the California Fish and Game Code prohibit take of all birds and their active nests including raptors and other migratory nongame birds (as listed under the Federal MBTA). Sections 3503.5 and 3513 of the California Fish and Game Code prohibit take of all raptors and other migratory nongame birds and section 3503 prohibits take of the nests and eggs of all birds. Proposed project activities (including, but not limited to, staging and disturbances to native and nonnative vegetation, structures, and substrates) should occur outside of the avian breeding season which generally runs from February 1- September 1 (as early as January 1 for some raptors) to avoid take of birds or their eggs. If avoidance of the avian breeding season is not feasible, CDFW recommends surveys by a qualified biologist with experience in conducting breeding bird surveys to detect protected native birds occurring in suitable nesting habitat that is to be disturbed and (as access to adjacent areas allows) any other such habitat within 300 feet of the disturbance area (within 500 feet for raptors). Project personnel, including all contractors working on site, should be instructed on the sensitivity of the area. Reductions in the nest buffer distance may be appropriate depending on the avian species involved, ambient levels of human activity, screening vegetation, or possibly other factors.

COMMENT #6: Lake and Streambed Alteration Agreement

CDFW has regulatory authority over activities in streams that will divert or obstruct the natural flow, or change the bed, channel, or bank (which may include associated riparian resources) of any river, stream, or lake or use material from a river, stream, or lake. For any such activities, the Project applicant (or "entity") must provide written notification to CDFW pursuant to section 1600 et seq. of the Fish and Game Code. Based on this notification and other information, CDFW determines whether a Lake and Streambed Alteration Agreement (LSAA) with the applicant is required prior to conducting the proposed activities. CDFW's issuance of a LSAA for a project that is subject to CEQA will require CEQA compliance actions by CDFW as a Responsible Agency. Due to the riparian resources on site, CDFW recommends that the County assess whether notification is appropriate. A Notification package for a LSAA may be obtained by accessing CDFW's web site at <http://www.wildlife.ca.gov/Conservation/LSA>.

ENVIRONMENTAL DATA

CEQA requires that information developed in environmental impact reports and negative declarations be incorporated into a database which may be used to make subsequent or supplemental environmental determinations. (Pub. Resources Code, § 21003, subd. (e).) Accordingly, please report any special status species and natural communities detected during Project surveys to the California Natural Diversity Database (CNDDDB). The CNDDDB field survey form can be found at the following link: http://www.dfg.ca.gov/biogeodata/cnddb/pdfs/CNDDDB_FieldSurveyForm.pdf. The completed form can be mailed electronically to CNDDDB at the following email address: CNDDDB@wildlife.ca.gov. The types of information reported to CNDDDB can be found at the following link: http://www.dfg.ca.gov/biogeodata/cnddb/plants_and_animals.asp.

FILING FEES

The Project, as proposed, would have an impact on fish and/or wildlife, and assessment of filing fees is necessary. Fees are payable upon filing of the Notice of Determination by the Lead Agency and serve to help defray the cost of environmental review by CDFW. Payment of the fee is required in order for the underlying project approval to be operative, vested, and final. (Cal. Code Regs, tit. 14, § 753.5; Fish & G. Code, § 711.4; Pub. Resources Code, § 21089.)

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CONCLUSION

CDFW appreciates the opportunity to comment on the NOP to assist the County in identifying and mitigating Project impacts on biological resources.

Questions regarding this letter or further coordination should be directed to Brigid Moran at Brigid.Moran@wildlife.ca.gov.

Sincerely,

DocuSigned by:

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David Mayer
Environmental Program Manager
South Coast Region

ec: CDFW
Jennifer Turner, San Diego – Jennifer.Turner@wildlife.ca.gov
Cindy Hailey, San Diego – Cindy.Hailey@wildlife.ca.gov

OPR
State Clearinghouse – State.Clearinghouse@opr.ca.gov

USFWS
Jonathan Snyder – Jonathan_d_Snyder@fws.gov

REFERENCES

California Environmental Quality Act (CEQA). California Public Resources Code in section 21000 et seq. The “CEQA Guidelines” are found in Title 14 of the California Code of Regulations, commencing with section 15000.
California Office of Planning and Research. 2009 or current version. CEQA: California Environmental Quality Act. Statutes and Guidelines, § 21081.6 and CEQA Guidelines, § 15097, §15126.4(2).



NATIVE AMERICAN HERITAGE COMMISSION

March 23, 2023

Ashley Smith
County of San Diego (Attn Planning and Development Services)
5510 Overland Avenue, Suite 310
San Diego, CA 92123

Re: 2023030603, Starlight Solar Project, San Diego County

Dear Ms. Smith:

The Native American Heritage Commission (NAHC) has received the Notice of Preparation (NOP), Draft Environmental Impact Report (DEIR) or Early Consultation for the project referenced above. The California Environmental Quality Act (CEQA) (Pub. Resources Code §21000 et seq.), specifically Public Resources Code §21084.1, states that a project that may cause a substantial adverse change in the significance of a historical resource, is a project that may have a significant effect on the environment. (Pub. Resources Code § 21084.1; Cal. Code Regs., tit.14, §15064.5 (b) (CEQA Guidelines §15064.5 (b)). If there is substantial evidence, in light of the whole record before a lead agency, that a project may have a significant effect on the environment, an Environmental Impact Report (EIR) shall be prepared. (Pub. Resources Code §21080 (d); Cal. Code Regs., tit. 14, § 5064 subd.(a)(1) (CEQA Guidelines §15064 (a)(1)). In order to determine whether a project will cause a substantial adverse change in the significance of a historical resource, a lead agency will need to determine whether there are historical resources within the area of potential effect (APE).

CEQA was amended significantly in 2014. Assembly Bill 52 (Gatto, Chapter 532, Statutes of 2014) (AB 52) amended CEQA to create a separate category of cultural resources, "tribal cultural resources" (Pub. Resources Code §21074) and provides that a project with an effect that may cause a substantial adverse change in the significance of a tribal cultural resource is a project that may have a significant effect on the environment. (Pub. Resources Code §21084.2). Public agencies shall, when feasible, avoid damaging effects to any tribal cultural resource. (Pub. Resources Code §21084.3 (a)). **AB 52 applies to any project for which a notice of preparation, a notice of negative declaration, or a mitigated negative declaration is filed on or after July 1, 2015.** If your project involves the adoption of or amendment to a general plan or a specific plan, or the designation or proposed designation of open space, on or after March 1, 2005, it may also be subject to Senate Bill 18 (Burton, Chapter 905, Statutes of 2004) (SB 18). **Both SB 18 and AB 52 have tribal consultation requirements.** If your project is also subject to the federal National Environmental Policy Act (42 U.S.C. § 4321 et seq.) (NEPA), the tribal consultation requirements of Section 106 of the National Historic Preservation Act of 1966 (154 U.S.C. 300101, 36 C.F.R. §800 et seq.) may also apply.

The NAHC recommends consultation with California Native American tribes that are traditionally and culturally affiliated with the geographic area of your proposed project as early as possible in order to avoid inadvertent discoveries of Native American human remains and best protect tribal cultural resources. Below is a brief summary of portions of AB 52 and SB 18 as well as the NAHC's recommendations for conducting cultural resources assessments.

Consult your legal counsel about compliance with AB 52 and SB 18 as well as compliance with any other applicable laws.

AB 52

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Luiseño

VICE CHAIRPERSON
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Chumash

SECRETARY
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COMMISSIONER
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AB 52 has added to CEQA the additional requirements listed below, along with many other requirements:

- 1. Fourteen Day Period to Provide Notice of Completion of an Application/Decision to Undertake a Project:** Within fourteen (14) days of determining that an application for a project is complete or of a decision by a public agency to undertake a project, a lead agency shall provide formal notification to a designated contact of, or tribal representative of, traditionally and culturally affiliated California Native American tribes that have requested notice, to be accomplished by at least one written notice that includes:
 - a. A brief description of the project.
 - b. The lead agency contact information.
 - c. Notification that the California Native American tribe has 30 days to request consultation. (Pub. Resources Code §21080.3.1 (d)).
 - d. A "California Native American tribe" is defined as a Native American tribe located in California that is on the contact list maintained by the NAHC for the purposes of Chapter 905 of Statutes of 2004 (SB 18). (Pub. Resources Code §21073).
- 2. Begin Consultation Within 30 Days of Receiving a Tribe's Request for Consultation and Before Releasing a Negative Declaration, Mitigated Negative Declaration, or Environmental Impact Report:** A lead agency shall begin the consultation process within 30 days of receiving a request for consultation from a California Native American tribe that is traditionally and culturally affiliated with the geographic area of the proposed project. (Pub. Resources Code §21080.3.1, subds. (d) and (e)) and prior to the release of a negative declaration, mitigated negative declaration or Environmental Impact Report. (Pub. Resources Code §21080.3.1(b)).
 - a. For purposes of AB 52, "consultation shall have the same meaning as provided in Gov. Code § 65352.4 (SB 18). (Pub. Resources Code §21080.3.1 (b)).
- 3. Mandatory Topics of Consultation If Requested by a Tribe:** The following topics of consultation, if a tribe requests to discuss them, are mandatory topics of consultation:
 - a. Alternatives to the project.
 - b. Recommended mitigation measures.
 - c. Significant effects. (Pub. Resources Code §21080.3.2 (a)).
- 4. Discretionary Topics of Consultation:** The following topics are discretionary topics of consultation:
 - a. Type of environmental review necessary.
 - b. Significance of the tribal cultural resources.
 - c. Significance of the project's impacts on tribal cultural resources.
 - d. If necessary, project alternatives or appropriate measures for preservation or mitigation that the tribe may recommend to the lead agency. (Pub. Resources Code §21080.3.2 (a)).
- 5. Confidentiality of Information Submitted by a Tribe During the Environmental Review Process:** With some exceptions, any information, including but not limited to, the location, description, and use of tribal cultural resources submitted by a California Native American tribe during the environmental review process shall not be included in the environmental document or otherwise disclosed by the lead agency or any other public agency to the public, consistent with Government Code §6254 (r) and §6254.10. Any information submitted by a California Native American tribe during the consultation or environmental review process shall be published in a confidential appendix to the environmental document unless the tribe that provided the information consents, in writing, to the disclosure of some or all of the information to the public. (Pub. Resources Code §21082.3 (c)(1)).
- 6. Discussion of Impacts to Tribal Cultural Resources in the Environmental Document:** If a project may have a significant impact on a tribal cultural resource, the lead agency's environmental document shall discuss both of the following:
 - a. Whether the proposed project has a significant impact on an identified tribal cultural resource.
 - b. Whether feasible alternatives or mitigation measures, including those measures that may be agreed to pursuant to Public Resources Code §21082.3, subdivision (a), avoid or substantially lessen the impact on the identified tribal cultural resource. (Pub. Resources Code §21082.3 (b)).

7. Conclusion of Consultation: Consultation with a tribe shall be considered concluded when either of the following occurs:

- a. The parties agree to measures to mitigate or avoid a significant effect, if a significant effect exists, on a tribal cultural resource; or
- b. A party, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached. (Pub. Resources Code §21080.3.2 (b)).

8. Recommending Mitigation Measures Agreed Upon in Consultation in the Environmental Document: Any mitigation measures agreed upon in the consultation conducted pursuant to Public Resources Code §21080.3.2 shall be recommended for inclusion in the environmental document and in an adopted mitigation monitoring and reporting program, if determined to avoid or lessen the impact pursuant to Public Resources Code §21082.3, subdivision (b), paragraph 2, and shall be fully enforceable. (Pub. Resources Code §21082.3 (a)).

9. Required Consideration of Feasible Mitigation: If mitigation measures recommended by the staff of the lead agency as a result of the consultation process are not included in the environmental document or if there are no agreed upon mitigation measures at the conclusion of consultation, or if consultation does not occur, and if substantial evidence demonstrates that a project will cause a significant effect to a tribal cultural resource, the lead agency shall consider feasible mitigation pursuant to Public Resources Code §21084.3 (b). (Pub. Resources Code §21082.3 (e)).

10. Examples of Mitigation Measures That, If Feasible, May Be Considered to Avoid or Minimize Significant Adverse Impacts to Tribal Cultural Resources:

- a. Avoidance and preservation of the resources in place, including, but not limited to:
 - i. Planning and construction to avoid the resources and protect the cultural and natural context.
 - ii. Planning greenspace, parks, or other open space, to incorporate the resources with culturally appropriate protection and management criteria.
- b. Treating the resource with culturally appropriate dignity, taking into account the tribal cultural values and meaning of the resource, including, but not limited to, the following:
 - i. Protecting the cultural character and integrity of the resource.
 - ii. Protecting the traditional use of the resource.
 - iii. Protecting the confidentiality of the resource.
- c. Permanent conservation easements or other interests in real property, with culturally appropriate management criteria for the purposes of preserving or utilizing the resources or places.
- d. Protecting the resource. (Pub. Resource Code §21084.3 (b)).
- e. Please note that a federally recognized California Native American tribe or a non-federally recognized California Native American tribe that is on the contact list maintained by the NAHC to protect a California prehistoric, archaeological, cultural, spiritual, or ceremonial place may acquire and hold conservation easements if the conservation easement is voluntarily conveyed. (Civ. Code §815.3 (c)).
- f. Please note that it is the policy of the state that Native American remains and associated grave artifacts shall be repatriated. (Pub. Resources Code §5097.991).

11. Prerequisites for Certifying an Environmental Impact Report or Adopting a Mitigated Negative Declaration or Negative Declaration with a Significant Impact on an Identified Tribal Cultural Resource: An Environmental Impact Report may not be certified, nor may a mitigated negative declaration or a negative declaration be adopted unless one of the following occurs:

- a. The consultation process between the tribes and the lead agency has occurred as provided in Public Resources Code §21080.3.1 and §21080.3.2 and concluded pursuant to Public Resources Code §21080.3.2.
- b. The tribe that requested consultation failed to provide comments to the lead agency or otherwise failed to engage in the consultation process.
- c. The lead agency provided notice of the project to the tribe in compliance with Public Resources Code §21080.3.1 (d) and the tribe failed to request consultation within 30 days. (Pub. Resources Code §21082.3 (d)).

The NAHC's PowerPoint presentation titled, "Tribal Consultation Under AB 52: Requirements and Best Practices" may be found online at: http://nahc.ca.gov/wp-content/uploads/2015/10/AB52TribalConsultation_CalEPAPDF.pdf

SB 18

SB 18 applies to local governments and requires local governments to contact, provide notice to, refer plans to, and consult with tribes prior to the adoption or amendment of a general plan or a specific plan, or the designation of open space. (Gov. Code §65352.3). Local governments should consult the Governor's Office of Planning and Research's "Tribal Consultation Guidelines," which can be found online at: https://www.opr.ca.gov/docs/09_14_05_Updated_Guidelines_922.pdf.

Some of SB 18's provisions include:

1. **Tribal Consultation:** If a local government considers a proposal to adopt or amend a general plan or a specific plan, or to designate open space it is required to contact the appropriate tribes identified by the NAHC by requesting a "Tribal Consultation List." If a tribe, once contacted, requests consultation the local government must consult with the tribe on the plan proposal. **A tribe has 90 days from the date of receipt of notification to request consultation unless a shorter timeframe has been agreed to by the tribe.** (Gov. Code §65352.3 (a)(2)).
2. **No Statutory Time Limit on SB 18 Tribal Consultation.** There is no statutory time limit on SB 18 tribal consultation.
3. **Confidentiality:** Consistent with the guidelines developed and adopted by the Office of Planning and Research pursuant to Gov. Code §65040.2, the city or county shall protect the confidentiality of the information concerning the specific identity, location, character, and use of places, features and objects described in Public Resources Code §5097.9 and §5097.993 that are within the city's or county's jurisdiction. (Gov. Code §65352.3 (b)).
4. **Conclusion of SB 18 Tribal Consultation:** Consultation should be concluded at the point in which:
 - a. The parties to the consultation come to a mutual agreement concerning the appropriate measures for preservation or mitigation; or
 - b. Either the local government or the tribe, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached concerning the appropriate measures of preservation or mitigation. (Tribal Consultation Guidelines, Governor's Office of Planning and Research (2005) at p. 18).

Agencies should be aware that neither AB 52 nor SB 18 precludes agencies from initiating tribal consultation with tribes that are traditionally and culturally affiliated with their jurisdictions before the timeframes provided in AB 52 and SB 18. For that reason, we urge you to continue to request Native American Tribal Contact Lists and "Sacred Lands File" searches from the NAHC. The request forms can be found online at: <http://nahc.ca.gov/resources/forms/>.

NAHC Recommendations for Cultural Resources Assessments

To adequately assess the existence and significance of tribal cultural resources and plan for avoidance, preservation in place, or barring both, mitigation of project-related impacts to tribal cultural resources, the NAHC recommends the following actions:

1. Contact the appropriate regional California Historical Research Information System (CHRIS) Center (https://ohp.parks.ca.gov/?page_id=30331) for an archaeological records search. The records search will determine:
 - a. If part or all of the APE has been previously surveyed for cultural resources.
 - b. If any known cultural resources have already been recorded on or adjacent to the APE.
 - c. If the probability is low, moderate, or high that cultural resources are located in the APE.
 - d. If a survey is required to determine whether previously unrecorded cultural resources are present.
2. If an archaeological inventory survey is required, the final stage is the preparation of a professional report detailing the findings and recommendations of the records search and field survey.
 - a. The final report containing site forms, site significance, and mitigation measures should be submitted immediately to the planning department. All information regarding site locations, Native American human remains, and associated funerary objects should be in a separate confidential addendum and not be made available for public disclosure.
 - b. The final written report should be submitted within 3 months after work has been completed to the appropriate regional CHRIS center.

3. Contact the NAHC for:
 - a. A Sacred Lands File search. Remember that tribes do not always record their sacred sites in the Sacred Lands File, nor are they required to do so. A Sacred Lands File search is not a substitute for consultation with tribes that are traditionally and culturally affiliated with the geographic area of the project's APE.
 - b. A Native American Tribal Consultation List of appropriate tribes for consultation concerning the project site and to assist in planning for avoidance, preservation in place, or, failing both, mitigation measures.
4. Remember that the lack of surface evidence of archaeological resources (including tribal cultural resources) does not preclude their subsurface existence.
 - a. Lead agencies should include in their mitigation and monitoring reporting program plan provisions for the identification and evaluation of inadvertently discovered archaeological resources per Cal. Code Regs., tit. 14, § 15064.5(f) (CEQA Guidelines § 15064.5(f)). In areas of identified archaeological sensitivity, a certified archaeologist and a culturally affiliated Native American with knowledge of cultural resources should monitor all ground-disturbing activities.
 - b. Lead agencies should include in their mitigation and monitoring reporting program plans provisions for the disposition of recovered cultural items that are not burial associated in consultation with culturally affiliated Native Americans.
 - c. Lead agencies should include in their mitigation and monitoring reporting program plans provisions for the treatment and disposition of inadvertently discovered Native American human remains. Health and Safety Code § 7050.5, Public Resources Code § 5097.98, and Cal. Code Regs., tit. 14, § 15064.5, subdivisions (d) and (e) (CEQA Guidelines § 15064.5, subds. (d) and (e)) address the processes to be followed in the event of an inadvertent discovery of any Native American human remains and associated grave goods in a location other than a dedicated cemetery.

If you have any questions or need additional information, please contact me at my email address: Pricilla.Torres-Fuentes@nahc.ca.gov.

Sincerely,

Pricilla Torres-Fuentes

Pricilla Torres-Fuentes
Cultural Resources Analyst

cc: State Clearinghouse

BOULEVARD PLANNING GROUP

PO Box 1272, BOULEVARD, CA 91905

DATE: 4-16-23

TO: Ashley Smith via ashley.smith2@sdcounty.ca.gov ; cc: joel.anderson@sdcounty.ca.gov ;
blvdgoodnight@gmail.com

FROM: Donna Tisdale, Chair; tisdale.donna@gmail.com

RE: Starlight Solar NOP Comments

At our regular meeting held on April 6th, the Boulevard Planning Group (BPG) voted 6 YES, 0 NO, 0 ABSTAINED (1 ABSENT) to authorize me to submit these comments prior to my resignation becoming effective on 4/25. To date, no formal position on Starlight Solar has been taken by the BPG.

These comments fully incorporate by reference the initial Boulevard Planning Group's scoping comment letter submitted to Planner Regina Ochoa on 10/16/22. As of April 25th, Earl Goodnight will take over as BPG Chair when my resignation takes effect.

For the record, approximately 40 local residents / property owners showed up on a weeknight for the April 12th project hearing conducted by staff. We do appreciate the fact that the hearing was held locally, and public comments were allowed. Those who spoke strongly against the project were applauded. The only two non-staff present, who were not opposed to the project, were Jim Whalen, the project consultant, and Cristina Marquez, the IBEW representative. Both were paid to be there.

At that hearing, Jim Whalen claimed that he represents "families". However, they are not your typical families like those you find living in Boulevard. Empire LLC (Starlight Solar Applicant) is actually Alexander Haagen III, a very wealthy developer from the LA area who also owns the Empire Polo Club where the famous Coachella music festival venue is held¹. His family has owned the 4,500-acre Empire Ranch in Boulevard for decades. It includes a private airstrip, stables, equestrian trails and lighted polo fields. In 2017, he sold his home in Palos Verde for \$14.1 million. When asked why he did not put solar on all the shopping centers he has built, we were told it was because it was too difficult, and his tenants did not want their signs blocked from view.

The other "family" Mr. Whalen represents is the Hamann Family who forced their Rugged Solar project into their Rough Acres Ranch in Boulevard. They own the very financially successful Hamann Construction based in El Cajon with lots of subsidiaries. According to their website, they also install rooftop solar². Mr. Whalen has reported to the Boulevard Planning Group that the Hamann's own 5 million square feet of commercial rooftop space that has potential for roof top solar. That rooftop solar goal would be much preferred to destroying undeveloped land in Boulevard.

¹ <https://therealdeal.com/la/2019/01/09/palos-verdes-estate-sells-for-nearly-half-its-27m-asking/>

² <https://hamannco.com/construction/solar/>

As of July 2021, San Diego County's General Plan now includes Chapter 9 - Environmental Justice Element³ that should be included in the Starlight Solar EIR for adverse socio-economic impacts:

- "Environmental Justice" seeks to minimize the effects of environmental hazards and is defined by California Government Code (Section 65040.12) as the "fair treatment and meaningful participation of people of all races, culture, and incomes with respect to the development, adoption, implementation, and enforcement of environmental laws, regulations, and policies." Environmental justice also aims to ensure the availability of a healthy environment for all people; reducing pollution burdens for populations and communities experiencing adverse effects; promote meaningful participation of populations and communities most impacted through accessible engagement and technical assistance; and consideration of recommendations from populations and communities most impacted by pollution into environmental and land use decisions (California Government Code Section 65040.12)
- "Disadvantaged Communities" are defined by California State Law as (1) "an area identified by the California Environmental Protection Agency (CalEPA) pursuant to Section 39711 of the Health and Safety code;" **or (2) "a low-income area that is disproportionately affected by environmental pollution and other hazards that can lead to negative health effects, exposure, or environmental degradation" pursuant to California Government Code Section 650302(h)(4)(A). (emphasis added)**
- Although unrecognized as such, Boulevard qualifies as an Environmental Justice Community, according to Murtaza Baxamusa, who has presented on San Diego County's Regional Decarbonation Framework at Boulevard Planning Group meetings.
- Our predominantly low-income residents will be further overburdened with numerous industrial scale wind, solar, and related infrastructure, and BESS systems, more than any other community in the County.
- The cumulative impact energy / transmission / and storage projects create adverse impacts through increased noise and electrical pollution, increased fire risk, increased risks to sensitive sole-source groundwater resources, adverse impacts to chaparral habitat and rich and diverse wildlife and other biological and cultural resources, and adverse socio-economic impacts including reduced property values for lifetime investments.
- It is ironic that alleged project economic benefits are counted, but the adverse economic impacts that are felt locally are NOT counted. How fair, just, or equitable is that?
- We know from experience that construction of these projects is generally conducted by out of state contractors with non-local workers. Imported workers from other areas of San Diego County cannot and should NOT count as "local" workers. Thus, any alleged economic benefits from proposed projects cannot be considered local benefits unless the directly benefit Boulevard in a meaningful manner.
- Despite denials by developers and proponents, according to at least one study, industrial solar can reduce property values⁴: (excerpts)

³ <https://www.sandiegocounty.gov/content/dam/sdc/pds/gpupdate/09-Environmental-Justice-Aug2021.pdf>

⁴ https://www.providencejournal.com/story/news/2020/10/01/study-solar-farms-reduce-home-values/114176042/?utm_source=substack&utm_medium=email

- After analyzing thousands of property sales in Rhode Island and Massachusetts over a decade and a half, economists at the University of Rhode Island have concluded that solar development is having a negative impact on nearby home values.
- Corey Lang, associate professor of natural resource economics, and doctoral student Vasundhara Gaur found that prices of homes within a mile of a solar installation declined by 1.7%. Homes within a tenth of a mile went down by 7%.
- Some of the largest impacts were in suburban communities when a solar project was built on a farm or forested property. In those instances, housing prices within a mile of the array dropped by 5%.
- That study goes on to talk about project benefits offsetting loss in property value, but those alleged benefits never accrue locally for those who are negatively impacted.

Public Commenters made clear their following positions/concerns with the Starlight Solar project:

- The project is not necessary. Energy should be generated on rooftops; parking lot shade covers and brownfields that do not require expensive long-distance lines.
- It is incompatible with the Jewel Valley / Tule Jim Road area of Boulevard, one of our prettiest neighborhoods with expansive views from elevated locations.
- It is too big and far too close to neighbors. One couple just spent three years building their dream home with spectacular views, only to learn the project will be on three sides of their property. Another has lived on Tule Jim Road for decades and worries about their well with project blasting that can interfere with or damage the well his family relies on. No one spoke in favor of Starlight Solar.
- Adverse impacts to property values were a major concern, along with groundwater impacts, loss of dark skies, habitat, wildlife, visual resources, and more.
- Despite denial of impacts by the project representative, studies are available that show 7% loss. However, most of the projects studied were in desert areas, not in chaparral covered hills that will be clear graded, with 350,000 cubic yards of cut and fill, to make way for 255,000 visually intrusive PV modules mounted on support structures.
- It will destroy chaparral with diverse wildlife habitat. Displaced wildlife will be moved off-site onto residential property or already occupied habitat creating unnecessary territorial conflicts.
- It is far too close to spring fed ponds in the Lake Domingo area where mountain lions and other sensitive wildlife are known to be present. It will require blasting, 350,000 cubic yards of grading, and use too much local groundwater.
- It will increase visual, noise, and electrical pollution overall. It will harm the quality of life and property values for those who have invested their life savings in their homes, and damage cultural and biological resources in a sensitive area.
- These solar and infrastructure projects are grounded. That grounded energy, especially when the project is curtailed from the power grid but keeps generating solar energy, can leave the site and enter homes through plumbing and utility lines. Professional experts have documented noise and electrical pollution at homes around wind and solar projects in Boulevard, Ocotillo, Palm Springs, and Imperial Valley. It really is harmful to human health.

I Aesthetics

- The project will result in significant Impacts for adjacent residents and others who will be subjected to views of the introduction of industrial solar and related infrastructure into a currently scenic, undeveloped, and biologically and culturally sensitive area. If is approved, it should be set back further and screened from adjacent residences.

II Agriculture & Forestry should be included:

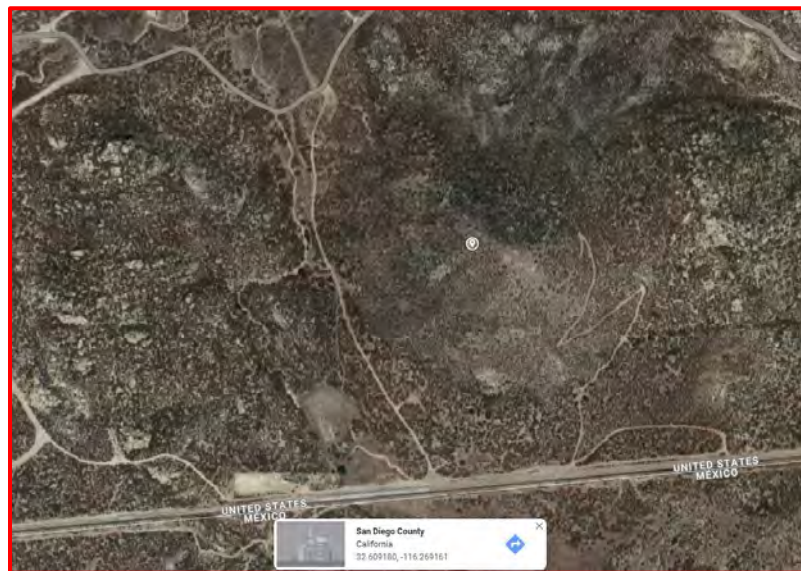
- Impacts to agriculture should still be included. Empire Ranch has historically been used for cattle grazing, polo and equestrian use. It could be used for those purposes or other ag related purposes in the future.
- The project site includes Chaparral Forests

III Air Quality

- This section should include electrical pollution generated by the solar project, Battery Energy Storage System, inverters, gen-tie line, SCADA system, and more.
- Radiation moves through the air and soil and enters the properties and homes on non-participating property owners through no fault of their own.
- Any project fires will generate toxic emissions that will move offsite.

IV Biological Resources

- The pin on the map below shows where a mountain lion was caught on Border Patrol cameras in or around 2021. They are here. The location is near the most southern array of Starlight Solar near Boundary Peak at the border.



- Adverse impacts to the stalled East County MSCP should be included and addressed in the EIR⁵,⁶:
- The MSCP Working Draft Focused Conservation Areas (FCA) includes most if not all the Starlight Solar footprint, that is identified as Agriculture or Natural Upland.

⁵ https://www.sandiegocounty.gov/content/dam/sdc/pds/mscp/docs/east_mscp_ecoregions_8x11.pdf

⁶ https://www.sandiegocounty.gov/content/dam/sdc/pds/mscp/docs/east_mscp_csa2_2_8x11.pdf

- Chapparal is an identified Natural Community.
- There are 7 pages of named species listed in the East County MSCP⁷, many of which are present in our transitional area between the mountains and deserts.
- The following projects have already adversely impacted the Boulevard area FCA footprint with existing and approved industrial wind, solar and related infrastructure:
 - Tule Wind
 - Rugged Solar (PDS2017-MUP-12-00)
 - Boulder Brush Substation and Gen-tie.
 - Sunrise Powerlink
- Terra-Gen's pending Torrey Wind PDS2018-MUP-18-014 (2,041 acres) will only result in significant further reduction of our viable intact habitat and open space.
- Why are decision makers allowing rural East County to be subjected to so much loss of sensitive and scenic habitat? It is unequal protection under the law.

VI Energy

- This section should include the potential inefficient waste of renewable energy during events when the project is curtailed due to grid congestion or other events.
- We frequently witness the curtailment of the existing Tule Wind, Kumeyaay Wind, Energia Sierra Juarez Wind, and Ocotillo Wind turbines for days at a time. Including curtailment for days on end recently.
- Based on these eyewitness realities, we know that renewable energy projects are in fact curtailed for various reasons on a regular basis. This is inefficient and wasteful.
- The difference between wind and solar projects is the fact that you cannot fully stop solar panels from generating energy while the sun is shining. So, when the project is curtailed, but still generating energy, that energy is shunted to the ground and wasted.
- Additionally, that extra energy shunted to the ground moves offsite and enters adjacent homes through utility lines, plumbing, and the air which can be harmful to human health.
- All this energy is being generated and planned for export to distant users, while the targeted Boulevard / Jacumba sacrifice area is still subject to Public Safety Power Shutoff Events (PSPS).
- SDG&E's Boulevard Microgrid that is about 50% complete will only serve the community center, the sheriff's substation, the fire department, Clover Flat School and the Boulevard Post Office.
- SDG&E ran their microgrid line right by Boulevard's only Mt Top Market but failed to connect it. That is where residents go during PSPS events for food, fuel, and water. After complaints /requests, SDG&E now claim they will connect the market to the microgrid.

VII Geology & Soils should be included:

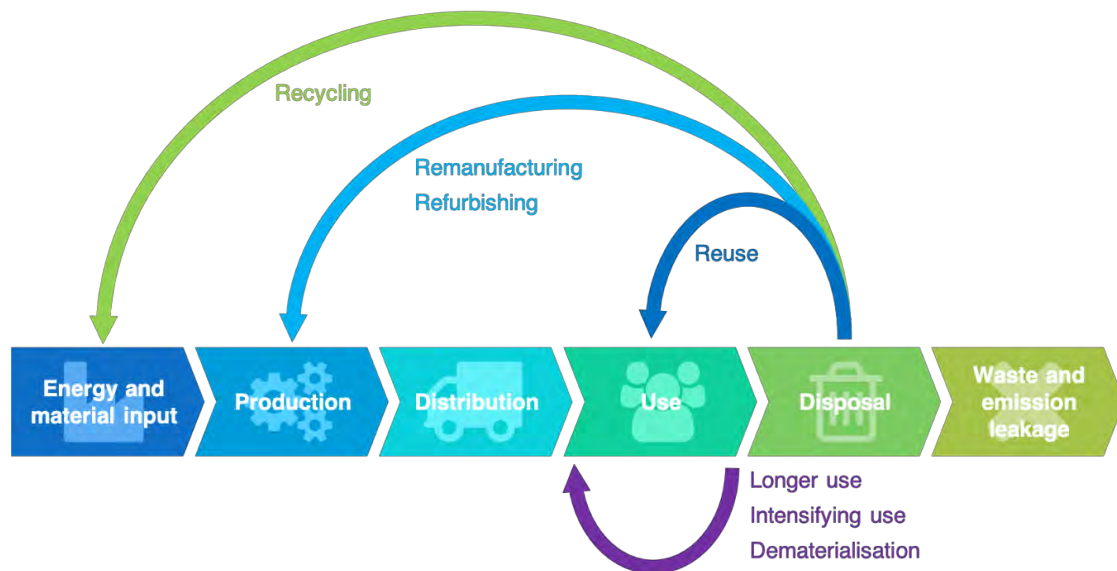
- Our decomposed granite soils are highly erodible, especially with removal of chapparal and the vegetation root systems that hold soil in place.
- The February 23, 1892 earthquake on the Laguna Salada Fault, estimated at 7.8, impacted the Jewel Valley / Empire Ranch that is home to the Starlight Solar site, documented as follows:
 - **Memories of Early Settlements Dulzura Potrero and Campo by Ella McCain (copyright 1955)**

⁷ <https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=65757&inline>

- “At Jewel Valley, then Church Dome, the ground opened up and closed again near where my nephew, Johnny Williams, was playing. He ran to the house, told his father and uncle, they dug down to see and said the earth looked like it had been sifted for several feet down. Rocks rolled from the hillsides. I was in Potrero at the time and have never felt another quake so severe as that one. It kept shaking four or five days, it was said there were one hundred and sixty-two shocks in the next two days...”
- **Revisiting the 23 February 1892 Laguna Salada Earthquake by Susan E. Hough and Austin Elliot: Bulletin of the Seismological Society of America, Vol. 94, No. 4, pp. 1571–1578, August 2004⁸**
 - “Jewel Valley 32.633 116.267 9 9 8 Damage to weak masonry, ground cracked”.
- **The 2010 Easter Sunday Earthquake on the same Laguna Salada Fault was felt strongly in the Boulevard / Jewel Valley area with very strong earth and building shaking.** Just south of the border, experts reported following a 17-mile rupture with maximum offsets of more than 8-ft ⁹. Hot springs in Jacumba significantly increased their flow and with temporarily reduced temperature.

VII Greenhouse Gas Emissions

- The life cycle circular economy of Starlight Solar and project components should be analyzed for all Greenhouse Gas Emissions, not just the construction phase. There are significant mining and processing emissions that cannot be ignored in an honest life cycle circular economic analysis.
- Recycling should be mandated for PV modules, batteries, and all other components that will require periodic replacement and end of life processing.



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⁸ <https://core.ac.uk/download/pdf/216194311.pdf>

⁹ <https://seismo.berkeley.edu/blog/2010/04/09/earthquake-turned-highway-into-staircase.html>

¹⁰ https://en.wikipedia.org/wiki/Circular_economy#/media/File:The_Circular_Economy_concept.png

Geissdoerfer, M., Pieroni, M.P., Pigosso, D.C. and Soufani, K. - Geissdoerfer, M., Pieroni, M.P., Pigosso, D.C. and Soufani, K., 2020. Circular business models: A review. Journal of Cleaner Production,

IX Hazards and Hazardous Materials

- Should be changed from Less than Significant to Potentially Significant Impact
- Increased electrical pollution / radiation.
- Potentially toxic and flammable soil stabilizer may be used on project site that can result in off-site impacts.
- Potential for battery failure and leakage of toxics into sole source groundwater resources, and hazardous / toxic emissions during project and BESS fires.
- Recycling should be mandated for PV modules, batteries, and all other universal / hazardous waste components that will require periodic replacement and end of life processing.
- See comments at XX Wildfire section.

X Hydrology and Water Quality

- Local sourcing of groundwater resources is highly controversial based on previous experience with well interference and lowering of groundwater levels in existing domestic wells.
- Potential for multiple projects to be constructed in Boulevard and Jacumba at the same time, over-stressing local groundwater resources with cumulative adverse impacts, could include JVR Solar, Boulder Brush Substation and Gen-tie, Starlight Solar, Rugged Solar, and Campo Wind.
- Use of unauthorized groundwater sources for construction of local projects including the Boulevard Border Patrol Station, ECO Substation, Sunrise Powerlink, and others has also been highly controversial.
- Use of imported water significantly increases Greenhouse Gas Emissions.
- Public concerns were raised with proposed blasting resulting in well interference through collapse of water bearing fractures that are sole source of water for residents through wells.
- Blasting can also cause debris to filter into residential wells causing cloudy water that may impact potability.
- Boulevard has highly fractured rock aquifer which is fragile. Fractures are subject to collapse with diversion of water from one fracture to another during earthquakes, blasting, or other causes.
- This author has personal experience of losing a 100 gpm well at Morning Star Ranch in Boulevard during the 1979 Imperial Valley Earthquake that caused \$30 million in damages and destroyed the Imperial County Services Building¹¹. The earthquake was 6.5 on the M_w scale, with a maximum perceived intensity of IX (*Violent*) on the [Mercalli intensity scale](#).
- At the same time the 100 gpm well was lost, new springs were reported by residents in Campo to the west, and in Mexico just south of Morning Star Ranch.

XI Land Use and Planning

- Our Boulevard - Jacumba area is targeted as a renewable energy sacrifice zone by City of San Diego, County of San Diego, and the state of California, with even more industrial wind and solar in the planning stages.
- It is incompatible with existing rural residential, livestock, and recreation uses, especially in natural areas like Jewel Valley.

¹¹ https://en.wikipedia.org/wiki/1979_Imperial_Valley_earthquake

- The Regional Decarbonization Framework (RDF) includes maps showing most of Boulevard being converted into industrial wind, solar, and energy storage.
- The RDF is currently the subject of a lawsuit filed 2/27/23 by The Protect Our Communities Foundation over allegations of conflict of interest with consultant who wrote it and who also wrote SDG&E's strategic plan after his university received over \$800,000 in donations from SDG&E^{12, 13}; along with consultant's failure to include billions in cost for adding new transmission infrastructure to support the RDF goals of converting Boulevard and other rural communities into sacrifice zones for the urbanites.
- The suit also alleges that the RDF significantly undervalues roof top, parking shade solar, and other infill projects in the already built environment.
- The Protect Our Communities Foundation also produced the 2020 Roadmap to 100 % Local Solar Buildout by 2030¹⁴ renewable energy that focuses on the already built environment to avoid destroying rural communities and sensitive habitats with remote industrial energy projects.
- See attached document with list of 19 existing, approved, and / or proposed projects in the CAISO grid queue to connect to local substations. It also includes list of 25 wind and solar projects that were withdrawn after community push back, and an additional 8 projects that were proposed but never applied for the CAISO grid queue.
- At the end of April, the CAISO is expected to release the new Cluster 15 list of wind, solar, and BESS projects, including those that plan to connect at local substations including ECO, Boulevard, Boulder Brush Substations.

XIII Noise

- In addition to the noise impacts listed, there is the real potential for Boulevard's famous winds to generate excessive noise and annoyance with rattling noise from PV arrays and chain link fencing.

XV Public Services

- Boulevard Fire Station staffing and the correct equipment for fighting electrical and battery fires must be increased and kept up to date with the increasing number of major industrial wind, solar, BESS, and transmission infrastructure.
- All security lighting should be shielded and faced downward as required. Motion detection lighting could be set off repeatedly by wildlife creating a nuisance. Screening for adjacent residents should be mandated.
- Boulevard is so underserved that we don't even have a park or a real library.
- The Backcountry Resource Center (BRC) should receive some form of funding in the event the project is approved. BRC does not have regular funding from the County like many other community centers do.
- The County should step up regardless of whether Starlight Solar is approved.

¹² <https://www.sandiegouniontribune.com/news/watchdog/story/2023-02-28/decarbonization-utility-solar-lawsuit-ucsd-david-victor>

¹³ <https://static1.squarespace.com/static/61787bd78d872411f0f3a50e/t/6401456274bd6834e33d9a00/1677804899061/2023-02-27+Petition+for+Writ+of+Mandate+%28conformed%29.pdf>

¹⁴ <https://static1.squarespace.com/static/61787bd78d872411f0f3a50e/t/62634481a06e8a480c89bfc0/1650672771701/2020-06-06+Roadmap+V1.1.pdf>

XVI Recreation

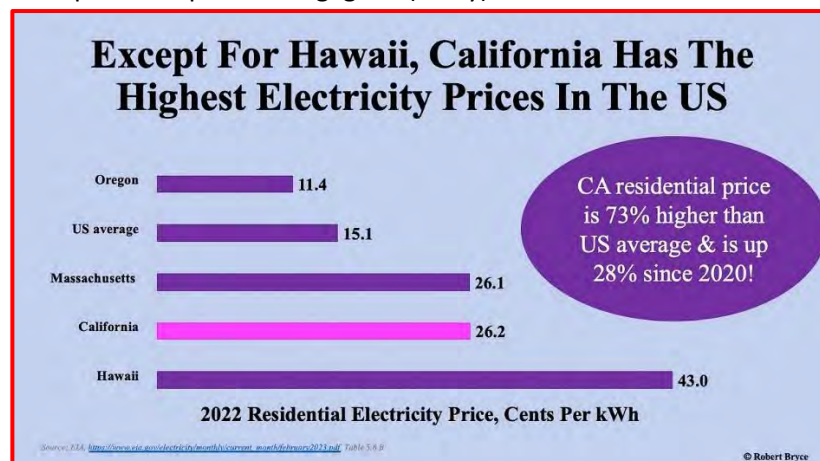
- **Recreation should be included in EIR.**
- The attached Boulevard Community Trails & Pathways Plan, approved by the Board of Supervisors on 6/24/09, includes areas impacted by the project footprint and access routes.
- Trails and pathways should be formalized and created as part of the Starlight Solar project and potential mitigation.
- If they are not included, then the Project should be recognized as adversely impacting recreation in the Boulevard Planning Area.

XVII Transportation

- Public comments included concerns with blind hill on Jewel Valley Road at Jewel Valley Court that is very dangerous and should be addressed with increased project construction traffic.
- Increased traffic will also degrade the thin layer of asphalt on Jewel Valley Road and cause dust and ruts in Tule Jim Road that is currently unpaved.
- The project owner / developer should be required to repave Jewel Valley Road and pave Tule Jim Road as partial mitigation.

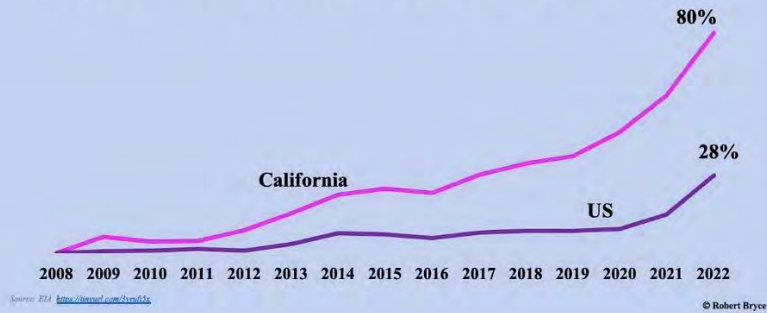
XIX Utilities and Service Systems

- These renewable energy projects / mandates are a huge part of ever-increasing utility rates in California, but the emissions are not going down. Ever increasing utility costs are creating /increasing levels of energy poverty.
- The graphs below with source data are included in an article by Robert Bryce, "California Screaming"¹⁵. He ended his article with this quote:
 - "The punchline here is obvious: California provides a stark warning to the rest of the United States about how NOT to manage an electric grid. Aggressive renewable energy mandates may be politically popular, but they come with exorbitant price tags that punish the poor and provide negligible (if any) cuts in CO₂ emissions."

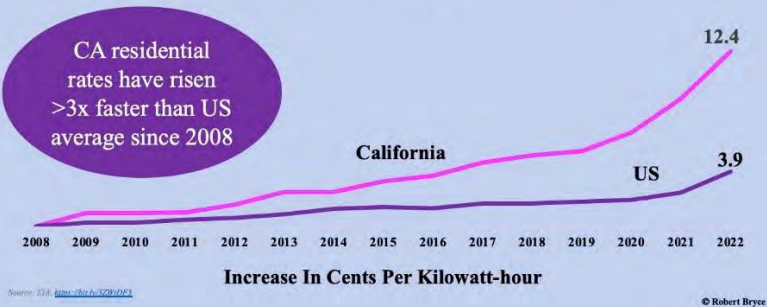


¹⁵ https://robertbryce.substack.com/p/california-screamin?utm_source=substack&utm_medium=email

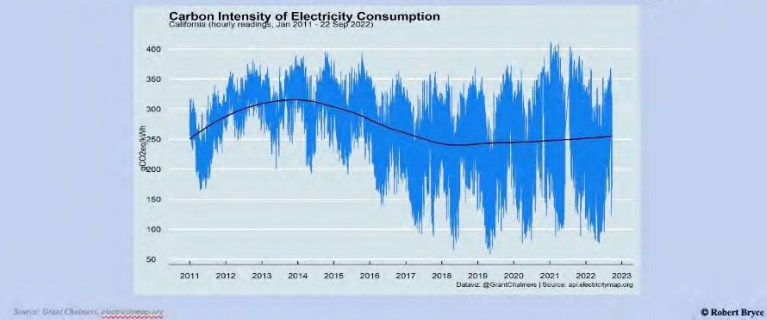
Percentage Change In California's All-Sector Electricity Prices, 2008 to 2022



Nominal Change In California Residential Electricity Prices, 2008 to 2022



CA Is Bingeing On Renewables, But Emissions Aren't Falling



XX Wildfire

- In the event of a wildfire encompassing the project, there will be significant toxic emissions and melted equipment that will need to be handled.
- The largest local wildfire in recent years was the 2,851 + acre Shockey Fire in 2012, that destroyed two dozen structures and killed one resident. It burned from the Campo Reservation on the west, across Tierra Del Sol Road, and into the lower Jewel Valley area on the east, near the Starlight Solar project site. Residents in Tierra Del Sol and Jewel Valley were evacuated.¹⁶

¹⁶ <https://www.kpbs.org/news/evening-edition/2012/09/24/shockey-fire-near-campo-destroys-four-homes>



- The southern arrays of Starlight Solar are in an area with dirt roads that are one way in and one way out. This makes it dangerous for any workers, fire fighters, emergency services, law enforcement, including Border Patrol, impacted residents and unauthorized border crossers.
- The fact that the developer has allegedly agreed to use Lithium Iron Phosphate batteries (LiFePO4) in place of Lithium-Ion is appreciated but does not fully eliminate the concerns.
- **Recent fires at BESS facilities include but are not limited to the following¹⁷:**
 - **September 2022 fire at Pacific Gas & Electric’s (PG&E) 182.5 MW Tesla Megapack at Moss Landing battery storage facility in California.** An editorial in California’s Santa Cruz Sentinel newspaper said that while the move to energy storage will continue, the Moss Landing fire “was also a reminder that battery blazes are becoming increasingly common and destructive – and safety measures, including fire drills, for residents around storage facilities will have to be put in place and widely disseminated.”
 - April 19, 2019, there were reports of smoke from the building housing the energy storage system at APS’s McMicken site in Surprise, Ariz. Among other things, the [report said](#) that the suspected fire “was actually an extensive cascading thermal runaway event, initiated by an internal cell failure within one battery cell in the BESS [battery energy storage system].”
 - **Virginia County Holds Off on Battery Storage Project Decision:** Concerns over battery storage fires and safety prompted the James City County Board of Supervisors in Virginia to recently defer a decision on a proposed battery storage facility in the county. At issue is a 22.35-MW lithium-ion battery storage project proposed by Calvert Energy LLC. At the Oct. 11, 2022 board meeting, several members of the James City County Board of Supervisors raised questions related to fire and safety issues involving the project.
 - **July 2021 fire at Tesla’s “Big Battery” project in Victoria Australia¹⁹:**

¹⁷ https://www.google.com/search?q=Shockey+Fire+map&rlz=1C1GCEA_enUS1046US1046&oq=Shockey+Fire+map&ags=chrome..69i57j69i60.7709j1j15&sourceid=chrome&ie=UTF-8#imgsrc=nzH6EZOq1OMjaM

¹⁸ <https://www.publicpower.org/periodical/article/recent-california-energy-storage-battery-fire-draws-renewed-attention-storage-safety-issues>



- The fire was first detected on July 30 when smoke was spotted coming out of one Megapack and then erupted into flames, which took several hours to subside. It took three day before fire authorities declared the site under control. Investigations by several Victoria state agencies found that the fire in the Megapack, a shipping container-sized battery unit, was triggered by short circuits in two locations likely caused by a coolant leak outside the battery compartment.
- It took 150 firefighters from 30 trucks 3-4 days to declare the fire extinguished.²⁰
- **South Korea had at least 23 BESS fires between August 2017 and June 2019²¹**



- The four top causes were listed as follows:
 - Insufficient battery protection systems against electric shock
 - Inadequate management of the operating environment
 - Faulty Installations
 - ESS System Integration

¹⁹ <https://www.theguardian.com/australia-news/2021/aug/02/tesla-big-battery-fire-in-victoria-burns-into-day-three>

²⁰ <https://www.usatoday.com/story/money/cars/2021/08/02/tesla-megapack-battery-ignites-fire-australia-burns-4-days/5453874001>

²¹ <https://everspring.net/?p=696>

- **BESS Failure Event Database**
- Public data tracking lists 50 known BESS fires from June of 2018 through January 30, 2023²². The database includes linked sources.
- **Toxic and Combustible Gases: *ACS Energy Lett.* 2022, 7, 8, 2725–2733 Publication Date: July 25, 2022²³**
 - (Excerpt) When a large BESS experiences an off-nominal condition, the location in which it is placed must be fully assessed. Release of flammable gases from batteries carries a risk of explosions in BESSs. Immediate ignition of flammable vent gases after release may cause a minor deflagration, whereas a longer accumulation of a large volume of gases and subsequent ignition may cause a large explosion in BESS. (12) Combustible gases released under off-nominal conditions such as fire, smoke, and thermal runaway, if present above the lower threshold limit value (TLV), can cause an explosion. Unpublished research by the authors of this manuscript has shown that, for the cells studied, combustible gases such as hydrogen, carbon monoxide, methane, ethylene, and propylene can be produced in concentrations above the TLV. The gases also need to be assessed for toxicity, as personnel walking into the location can be affected adversely if the volume of toxic gases released is not well known and they are not prepared with the appropriate personal protective equipment (PPE). The worst-case volume of gases released per unit volume under an off-nominal condition should be well assessed in order to provide mitigation strategies for safe handling of an off-nominal event by first responders and fire fighters.

XXI Mandatory Findings of Significance

- We agree with the section’s designation as Potentially Significant Impact.
- All the issues raised in this comment letter should apply.

Thank you for your consideration of these comments. We strongly urge that the adverse impacts to our predominantly low-income community and diverse and critical resources take priority over the desires of a multi-millionaire landowner who does NOT live here. If the project is approved, the developer should offer to buy out willing neighbors who moved to Boulevard for peace and quiet, NOT to live next to an ugly, noisy, and destructive, industrial energy complex.

#

Attachments:

Boulevard Trails map

CAISO GRID QUEUE REPORT 10-7-22 (List produced by Donna Tisdale)

Shockey Fire Map

²² https://storagewiki.epri.com/index.php/BESS_Failure_Event_Database?oldid=1944

²³ <https://doi.org/10.1021/acsenergylett.2c01400>