8.2 Comment Letters and Responses

This section of the EIR presents responses to comment letters that were received on the Draft EIR for the proposed Starlight Solar Project (project). These comments were received from multiple entities, including Tribes, agencies, non-agency organizations, and individuals (members of the public). In accordance with State CEQA Guidelines Sections 15132(d) and 15088, this Final EIR presents the County of San Diego's (County's) responses to comments submitted during the Draft EIR review process.

Information provided in this section clarifies, amplifies, or makes minor modifications to the Draft EIR. No significant changes have been made to the information contained in the Draft EIR that would result in a new or substantially increased environmental impact because of the responses to comments, and no significant new information has been added that would require recirculation of the document under State CEQA Guidelines Section 15088.5.

The comment letters addressed in this section are organized as follows:

- Global Responses (Section 8.2.1)
- Comment Letters from Tribes (Section 8.2.2)
- Comment Letters from Agencies (Section 8.2.3)
- Comment Letters from Organizations (Section 8.2.4)
- Comment Letters from Individuals (Section 8.2.5)

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8.2.1 Global Responses

Many comments submitted by members of the public related to substantially similar issues. Table 8.2.1-1 presents global responses intended to address the comments submitted regarding these issue areas. All individual responses in Sections 8.2.2 through 8.2.5 addressing comments regarding these issue areas refer to the appropriate global response identified in Table 8.2.1-1 to avoid unnecessary length and duplication.

Table 8.2.1-1. Global Responses

Global Response No.	Global Response
GR-1	**Visual Impacts** As discussed in the Draft EIR, the project would result in significant and unavoidable impacts to visual resources. Specifically, as detailed in Section 2.1, Aesthetics, the project would result in significant impacts related to Visual Character and Quality (Impact AE-1), Valued Visual Character and Image of Neighborhood or Community (Impact AE-2), and Focal and Panoramic Vistas (Impact AE-3). No feasible mitigation measures have been identified to reduce the visual impacts of the project to a less than significant level. As such, if the proposed project is approved, the County must prepare a Statement of Overriding Considerations, as required by CEQA Guidelines Section 15093: (a) CEQA requires the decision-making agency to balance, as applicable, the economic, legal, social, technological, or other benefits, including region-wide or statewide environmental benefits, of a proposed project against its unavoidable environmental risks when determining whether to approve the project. If the specific economic, legal, social, technological, or other benefits, including region-wide or statewide environmental benefits, of a proposed project outweigh the unavoidable adverse environmental effects, the adverse environmental effects may be considered "acceptable." (b) When the lead agency approves a project which will result in the occurrence of significant effects which are identified in the final EIR but are not avoided or substantially lessened, the agency shall state in writing the specific reasons to support its action based on the final EIR and/or other information in the record. The statement of overriding considerations shall be supported by substantial evidence in the record. (c) If an agency makes a statement of overriding considerations, the statement should be included in the record of the project approval and should be mentioned in the notice of determination. This statement does not substitute for, and shall be in addition to, findings required pursuant to Section 15091. Several comments were received on the Draft EIR requesting that the project should incorporate the following design changes in order to reduce the project's significant and unavoidable visual impacts: 1. Adding a 300-foot buffer between the proposed solar photovoltaic (PV) panels and all adjacent property lines and roads 2. Adding native vegetation or other landscaping screening around all solar panels and other proposed project components 3. Undergrounding of the proposed gen-tie line at the Tule Jim Lane overcrossing 4. Overall reduction in the footprint of the project The comments received on the Draft EIR will be included in the project's administrative record and presented to the Board of Supervisors (Board) for review. If the Board decides to approve the project, or one of the proposed alternatives, it may require conditions of approval, which may include alterations to the project design. The following information is provided in response to each of the four points listed above. 1. The project, as currently proposed, does not include a uniform 300-foot buffer between the proposed PV panels and adjacent properties and roads. Rather, the project includes a minimum buffer of 30 feet, between the proposed project components and the boundaries of the project site. Further, as shown in Figure 1-3 in Chapter 1.0, Project Description, Location, and Environmental Setting, of the Draft EIR, the project boundaries do not fully encompass the entire footprint of the parcels in which the project is proposed, which greatly increases the buffer distances in some areas of the project site. For example, Panel Area B would be located over 2,000 feet east of the adjacent parcel to the west, and Panel Area E would be located over 200 feet west of the adjacent parcel to the east. Additionally, as shown in Figure 1-6 in Chapter 1.0 of the Draft EIR, the project contains 15 cultural open space easement areas of various sizes within the project site, totaling 24.44 acres. No development or disturbance would occur within the open space easement areas. The open space easements along the edges of the site would increase the distance of the project components from the nearest adjacent

Global Response No.	Global Response

parcels by between 120 feet and 500 feet in some areas, including the northwestern and southwestern edges of Panel Area A-2, as well as the southwestern corner of Panel Area A-1. Further, it should be noted that most existing residences in the surrounding vicinity are often set back from their own property lines, which increases the distance between existing residences and the proposed project components. With the exception of the residence located 150 feet west of the project site (northwest of Panel Area A-2), all other residences would be over 400 feet away from the proposed PV panels. Even with the inclusion of the requested 300-foot setbacks, the project would still result in significant impacts related to Visual Character and Quality (Impact AE-1), Valued Visual Character and Image of Neighborhood or Community (Impact AE-2), and Focal and Panoramic Vistas (Impact AE-3). Although the surrounding topography and viewing distance would limit visibility from some viewpoints, the vast scale and overall visual exposure of the project would still be evident from many public viewpoints and would fundamentally alter the scenic quality of the landscape.

2. The project, as currently proposed, would not include landscaping screening around the entire perimeter of the project site. As discussed in Section 2.1, Aesthetics, of the Draft EIR, installing landscaping around the entire project site for screening purposes would be infeasible, due to the high winds and arid conditions of the area. It would be highly unlikely that new vegetation would survive at a large enough scale (i.e., grow to maturity) to screen the entire project from nearby views. Pursuant to State CEQA Guidelines Section 15091(a)(3), CEQA does not require the adoption of infeasible mitigation measures. Additional detail regarding the infeasibility of potential mitigation measures for visual resources has been added to Section 2.1 Aesthetics, of the Final EIR (see revisions to page 2.1-36 and Table 8-2). Further, although impacts to private views are not considered significant under CEQA and mitigations for private views are not required, the project will include project design feature PDF-AE-1, which would help screen views of the project from nearby private residences. As discussed in PDF-AE-1, the Applicant will coordinate with the resident of any existing private residence located within a distance of 500 feet of a project solar panel installation to assess possible remedies, including financial assistance, for the installation of visual screening measures, including landscape screening. For ease of reference, PDF-AE-1 states:

   > The Applicant will coordinate with the resident of any existing (existing as of the date of this Major Use Permit Decision) private residence located within a distance of 500 feet of a project solar panel installation to assess visibility impact complaints made within 1 year from the initial operations date of the project. This assessment would include possible remedies that the Applicant may implement depending upon the level of visibility impacts occurring at the residence, including financial assistance for the installation of visual screening measures, such as landscaping or fencing. Requests for assistance can be made through a project hotline to be established by the Applicant and published on the Applicant's website.

   Therefore, through implementation of PDF-AE-1, some of the proposed project components would be screened from view.

3. The project, as currently proposed, would not underground the entire proposed gen-tie line; however, only 100 feet of the approximately 3,500-foot-long gen-tie would be above ground. The primary reason for an overhead section crossing Tule Jim Lane is to avoid encroaching on an existing underground 138-kilovolt (kV) transmission line in Tule Jim Lane that connects to the substation. Also, undergrounding the proposed gen-tie line at the Tule Jim Lane overcrossing would require a full road closure during project construction, which would severely limit access to the residences along Tule Jim Lane (traffic detours would not be feasible due to the lack of improved roads in the area). Further, the proposed gen-tie overcrossing would be visually consistent with the existing overhead power lines along Tule Jim Lane. CEQA does not require an EIR to consider alternatives that would improve a project's environmental baseline (see *In re Bay-Delta Programmatic Envt'l Impact Report* (2008) 43 Cal.4th 1143). Here, the issue is not the visual impact of overhead power lines, but whether the addition of a new overhead power line similar in form, line, color, and texture to existing overhead power lines will cause a significant new environmental impact. Therefore, the County disagrees with the commenters' assertion that undergrounding the gen-tie line at the Tule Jim Lane crossing is required because the overhead gen-tie line would not introduce a new visual element to the area surrounding Tule Jim Lane, and it would not result in a significant new visual impact.

4. A reduced project footprint was considered in the Draft EIR. The project, as currently proposed, would include 588 acres of development. However, as discussed in Chapter 4.0, Project Alternatives, of the Draft EIR, the "Reduced Development Alternative" proposes to implement a smaller version of the project. Under the Reduced Development Alternative, the development footprint would be 538 acres, a reduction of 50 acres from the proposed project. This alternative would remove approximately 50 acres of solar arrays and infrastructure in the northern portion of the project (Areas A-1 and A-2). This reduction in the development footprint would remove solar arrays from the northern side of the ridgeline and provide a visual buffer between the proposed solar facility, Old Highway 80, I-8, and some of the off-site private properties. Compared to the project, the Reduced Development Alternative would have decreased impacts to aesthetics and would have decreased impacts to biological resources, cultural resources, hydrology and drainage patterns, and construction noise due to decreased earthwork and grading activities. However, mitigation would still be required of the

Global Response No.	Global Response
	Reduced Development Alternative to reduce these impacts to less than significant, as for the proposed project. Additionally, impacts to visual quality (Impact AE-1) and valued visual character (Impact AE-2) would remain significant and unavoidable. Furthermore, CEQA provides that the lead agency, in the Final EIR, may reject alternatives that do not satisfy project goals, do not offer substantial environmental advantages, or are infeasible given economic, environmental, or technological factors involved (see *Bay Area Citizens v. Association of Bay Area Governments* (2016) 248 Cal.App.4th 966). Implementation of a project alternative with a footprint smaller than the Reduced Development Alternative would not meet several of the project's objectives and would therefore not be feasible. Additionally, several commenters stated that buffer distances should be increased to reduce impacts associated with noise and fire risk. However, the County disagrees that the requested increase in buffer distance would lessen or avoid such impacts. Regarding noise impacts and fire risk, an increase in buffer distance from 30 feet to 300 feet would not meaningfully change the location of the project's inverters, battery energy storage system (BESS), and other sources of operational noise or fire risk with respect to adjacent properties. The Draft EIR adopts mitigation measures M-N-1 and M-N-2 to reduce impacts associated with operational and construction-related noise to less than significant, as provided in Section 2.5, Noise. The Draft EIR also adopts mitigation measures M-WF-1, M-WF-2, M-WF-3, M-WF-4, M-WF-5, and M-WF-6 to reduce impacts associated with wildfire risk to less than significant, as discussed in Section 2.7, Wildfire. As provided in State CEQA Guidelines Section 15126.4(a)(3), CEQA does not require the adoption of additional mitigation measures for impacts already mitigated to a level that is less than significant. Therefore, no increase in buffer distance is warranted because the Draft EIR already adopts mitigation measures to reduce impacts associated with noise and fire risk, and the commenters' proposed additional mitigation measure would not lessen project impacts associated with operational noise or fire risk. With respect to aesthetics, the Draft EIR provides an extensive analysis of potential impacts to aesthetic resources and states that no feasible mitigation measures have been identified to reduce the visual impacts of the project to a less than significant level (see Section 2.1, Aesthetics). Additional detail regarding the infeasibility of potential mitigation measures for visual resources has been added to Section 2.1 Aesthetics, of the Final EIR (see revisions to page 2.1-36 and Table 8-2). The project, as currently proposed, would not include the suggested project design changes. As discussed above, implementation of perimeter landscaping, undergrounding of the Tule Jim Lane overhead gen-tie line, and significantly reducing the project's footprint would not be feasible. Furthermore, as discussed in Chapter 4.0, Project Alternatives, of the Draft EIR, adding additional setbacks could reduce the severity of the project's visual impacts, however, they would remain significant and unavoidable. As the Draft EIR acknowledges the significant and unavoidable impact to visual resources and incorporates all feasible reduction measures, no revisions to the Draft EIR are required and a Statement of Overriding Considerations will be prepared.
GR-2	**Cumulative Impacts** Several comments on the Draft EIR claim that the cumulative impact analysis presented in the Draft EIR is inadequate, and that the County should prepare a programmatic EIR to address the environmental impacts of all utility-scale renewable energy projects within the Mountain Empire subregion of Eastern San Diego County. In response to these comments, two new projects have been added to the cumulative project list included in the Final EIR. Refer to Table 1-4 and Figure 1-13 in Chapter 1.0 of the Final EIR. Specifically, the following projects have been added to the project's cumulative impact analysis: • Boulevard Solar Project: Construction and operation of a 60-megawatt (MW) solar energy project on an approximately 420-acre site in Boulevard, adjacent to the U.S.-Mexico Border. • Desert Jewel Storage Project: Construction and operation of a 200-MW battery energy storage project on an approximately 131-acre site along Old Highway 80 near Ozz Road in Boulevard. However, the County disagrees with the commenters' assertion that the Draft EIR's cumulative impacts analysis is inadequate. State CEQA Guidelines Section 15130(a) requires that an EIR must discuss cumulative impacts when they are significant and the project's incremental contribution is cumulatively considerable. Where the lead agency (in this case, the County) finds that the combined cumulative effect associated with the proposed project's incremental effect and the effects of other projects is not significant, the EIR must include a brief explanation of the basis for the finding and identify facts and analysis supporting it. When an EIR concludes that a project's potential contribution to a cumulative impact will be fully mitigated, a separate cumulative impact analysis is not required (see *Environmental Protection Info. Ctr. V. Department of Forestry & Fire Protection* (2008) 44 Cal.4th 459, 526). Here, the Draft EIR provides a detailed analysis of potential cumulative impacts for all applicable areas of environmental effects, including both significant and insignificant cumulative impacts. As discussed in Section 2.1, Aesthetics, of the Draft EIR, the project would result in significant and unavoidable impacts related to aesthetics that would contribute to existing cumulative impacts. Consistent with the cumulative analysis included in the Draft EIR, the project, in conjunction with other nearby renewable energy projects, including the Desert Jewel and Boulevard Solar projects, would contribute toward an increasingly modified landscape and reduced visual quality in the project area for which no feasible mitigation measures are

Global Response No.	Global Response
	available. As such, the project's cumulative impacts related to aesthetics and visual resources would remain significant and unavoidable. As discussed within the Draft EIR, the project could contribute to existing significant cumulative impacts related to wildfire. However, as discussed in Section 2.7, Wildfire, of the Draft EIR, the project's impacts related to wildfire would be less than significant with mitigation. As such, the project would not contribute considerably to existing cumulative impacts related to wildfire following mitigation. Consistent with the cumulative analysis included in the Draft EIR, the project, in conjunction with other nearby renewable energy projects, including the Desert Jewel and Boulevard Solar projects, would not contribute to existing cumulative impacts with implementation of mitigation measures M-WF-1, M-WF-2, M-WF-3, M-WF-4, M-WF-5, and M-WF-6. Therefore, the project's cumulative impacts related to wildfire would remain less than significant. Furthermore, the Draft EIR concludes that existing cumulative impacts related to Biological Resources (Section 2.2); Cultural Resources (Section 2.3); Hydrology and Water Quality (Section 2.4); Noise (Section 2.5); Tribal Cultural Resources (Section 2.6); Air Quality (Section 3.1.1); Energy (Section 3.1.2); Geologic Hazards, Soils, and Paleontological Resources (Section 3.1.3); Greenhouse Gas Emissions (Section 3.1.4); Hazards and Hazardous Materials (Section 3.1.5); Land Use and Planning (Section 3.1.6); Mineral Resources (Section 3.1.7); Public Services (Section 3.1.8); Transportation and Traffic (Section 3.1.9); and Utilities and Service Systems (Section 3.1.10) would be less than significant. As the project would implement mitigation measures to reduce impacts to Biological Resources, Cultural Resources, Hydrology and Water Quality, Noise, and Tribal Cultural Resources to less than significant, the project would not considerably contribute to significant cumulative impacts related to these resources. Similarly, as the project would result in less than significant impacts to Air Quality, Energy, Geology, Greenhouse Gas, Hazards, Land Use and Planning, Mineral Resources, Public Services, Transportation, and Utilities and Service Systems, without mitigation, the project would not considerably contribute to significant cumulative impacts related to these resources. With the addition of the Desert Jewel and Boulevard Solar projects, existing cumulative impacts related to these resources would remain less than significant, and the project's impacts would remain less than significant. The Desert Jewel and Boulevard Solar projects would be similar to the other renewable energy projects included in the Draft EIR's cumulative impact analysis, and these projects would also be subject to the same regulations and CEQA requirements. As such, the Desert Jewel and Boulevard Solar projects would have similar contributions to existing cumulative impacts in the project area compared to the other renewable energy projects included in the Draft EIR. Furthermore, no significant new information has been identified as a result of expanding the cumulative project list to include the Desert Jewel Storage and Boulevard Solar projects. The changes to the Draft EIR only clarify and support the conclusions regarding the cumulative impacts that were already discussed within the Draft EIR. The cumulative impacts of the project have not changed with the addition of the above projects; therefore, recirculation of the Draft EIR is not required. Regarding the request for the County to prepare a Program EIR related to utility-scale renewable development in the Mountain Empire subregion of Eastern San Diego County, such level of analysis is not required by CEQA for the project. State CEQA Guidelines Section 15168(a) specifies that a Program EIR may be prepared on a series of actions that can be characterized as one large project and are related geographically, as logical parts in the chain of contemplated actions, in connection with issuance of rules, regulations, plans, or other general criteria to govern the conduct of a continuing program, or as individual activities carried out under the same authorizing statutory or regulatory authority and having generally similar environmental effects which can be mitigated in similar ways. Therefore, the preparation of a Program EIR is an option and not a mandate. Here, the environmental impacts of utility-scale renewable energy projects vary considerably with technology and location, they are not part of a project or plan being undertaken by the County or any particular applicant, and the lead agency has not yet determined whether a single Program EIR would adequately address the site-specific detail needed for meaningful environmental review. Therefore, the County disagrees with the commenters' assertion that a Program EIR is required. CEQA only requires environmental review when there is a specific project or policy being proposed for approval. In this case, the County is not creating a new program or plan for renewable energy—individual projects will continue to be reviewed separately under existing policies and zoning. The County previously considered doing broader renewable energy planning through its Renewable Energy Work Plan (2013–2014) and determined that a program-level study was not necessary. Since that time, renewable projects have been reviewed individually with the level of CEQA analysis appropriate for each proposal.
GR-3	**Groundwater Impacts** Several comments on the Draft EIR express concern related to the project's direct and cumulative impacts related to the use of groundwater resources and the potential effects on groundwater quality. Some commenters claimed that the Draft EIR's cumulative groundwater impacts analysis was inadequate as the analysis did not include all foreseeable projects in the area. Specifically, these comments claim that the JVR Energy Park project was omitted from the Draft EIR's analysis. Additionally, many commenters specifically request that the project include ongoing water quality testing and monitoring for all residential wells within the properties located adjacent to the project site. As discussed in Sections 2.4, Hydrology and Water Quality, and 3.1.10, Utilities and Service Systems, of the Draft EIR, the project would not result in cumulative impacts to groundwater resources. Specifically, the *Updated*

Global Response No.	Global Response
	Draft Groundwater Resources Investigation Report – Flat Creek Watershed Analysis (INTERA Incorporated 2025a; Appendix G.5) concludes that reductions in groundwater storage, well interference impacts, and impacts to groundwater-dependent habitat and water quality would be less than significant. In addition, other renewable projects occurring in the area would be required to prepare a Groundwater Monitoring and Mitigation Plan (GMMP) similar to the proposed project, ensuring that groundwater-level monitoring would be conducted in groundwater wells and that groundwater levels would be recorded during groundwater extraction. Table 1-1 in the report includes an analysis of the cumulative impacts related to water supplied by the Jacumba Community Services District (JCSD), which encompasses the proposed project as well as the Jacumba Solar, Boulder Brush, Campo Wind, and Rugged Solar projects. Table 2-4 in the report provides an analysis of the cumulative impacts related to demand for groundwater in the Jacumba Valley Alluvial Aquifer, including the Jacumba Valley Ranch Water Company, JCSD's potable and nonpotable demand, and six private wells. The Jacumba Valley Ranch Water Company would supply water for the proposed JVR Energy Park project. As such, the Draft EIR's cumulative analysis related to groundwater impacts correctly accounts for the potential water use associated with the JVR Energy Park project. As discussed in Section 2.4, Hydrology and Water Quality, of the Draft EIR, the analysis presented in the Groundwater Resources Investigation Report concludes that reduction in groundwater storage, well interference impacts, and impacts to groundwater-dependent habitat and water quality would not be cumulative considerable. As discussed in GR-2 Cumulative Impacts, the Boulevard Solar Project and Desert Jewel Storage Project have been added to the project's list of cumulative projects in the Final EIR. However, the water use associated with these projects is not yet known. These projects could potentially source their water from wells outside of JCSD's service area or outside of the Jacumba Valley Alluvial Aquifer entirely, and any attempt to calculate their potential groundwater demand without further knowledge of specific project details would be speculative. Additionally, other renewable projects occurring in the area, including the Desert Jewel Storage and Boulevard Solar projects, would be required to prepare a GMMP. Similar to the proposed project and other renewable projects occurring in the area, the GMMP which would ensure that groundwater resources would not be significantly impacted by the projects. Consistent with the analysis included in the Draft EIR, cumulative groundwater impacts would remain less than significant with the addition of the Boulevard Solar Project and Desert Jewel Storage Projects to the cumulative project list. The JCSD would continue to have sufficient water supplies to serve each project and reasonably foreseeable future development in the project area. As such, the Draft EIR's cumulative analysis related to groundwater impacts adequately accounts for includes all impacts associated with foreseeable projects and existing demand within the Jacumba Valley Alluvial Aquifer, and no revisions are required. Impacts would remain less than significant with the addition of the Boulevard Solar Project and Desert Jewel Storage Project. Additionally, the County disagrees with the commenters' assertion that additional mitigation related to hydrology and water quality is required. As provided in Section 2.4, Hydrology and Water Quality, the project would adopt mitigation measure M-HY-1, which implements flood control measures to reduce impacts associated with flood hazards and risk of pollutant release to less than significant. With regard to direct impacts to groundwater resources, and as discussed throughout the Draft EIR, the project would not rely on the use of on-site groundwater wells as a water source. Instead, nonpotable construction water would be purchased from JCSD and imported to the project site by water trucks. The JCSD supplies nonpotable water from the Highland Center Well and the Park Well, which are within the Jacumba Valley Groundwater Basin. As required by PDF-HY-2, the project would implement a GMMP for the JCSD wells. This project design feature would ensure that the project would not result in adverse impacts to the underground groundwater aquifers. For ease of reference, PDF-HY-2 states: **Implementation of GMMP for JCSD.** To ensure nonpotable water purchased from the Jacumba Community Services District (JCSD) does not result in impacts to the aquifers accessed by JCSD's nonpotable water production wells (Highland Center Well and Park Well), the Starlight Solar Developer will implement the Groundwater Mitigation Monitoring and Mitigation Plan (GMMP) for the Flat Creek watershed. A groundwater monitoring report will be completed by a Professional Geologist or Professional Engineer licensed in the state of California and will be submitted to County Planning and Development Services (PDS) annually no later than 28 days following the end of the calendar year. Groundwater monitoring reports should be submitted for 5 years after proposed project construction has commenced. After 5 years, County PDS should determine if continuous reporting is required based on the effects of groundwater extraction from the previous 5 years. The annual reports will include the following information: • Groundwater-level hydrographs and tabulated groundwater-level data for each accessible well in the groundwater-monitoring network • Tabulated groundwater production volumes from JCSD nonpotable wells • Documentation of any changes in well pumping or groundwater well conditions for wells in the groundwater-monitoring network

Global Response No.	Global Response
	• Documentation of groundwater-dependent habitat monitoring, if necessary, as described in the GMMP If the baseline groundwater levels at the wells included in the groundwater monitoring network are exceeded by 5 feet, County PDS will be notified via letter and email within 1 working day of the exceedance, or immediately after the exceedance is recognized. Additionally, if groundwater-level thresholds at the off-site wells are exceeded by their respective thresholds, pumping of JCSD non-potable wells for the project will cease and County PDS will be notified via letter and email within 1 working day, or immediately after the exceedance is recognized. Further, some commenters claim that the impervious surfaces included in the project would affect groundwater infiltration at the project site. However, as discussed in Section 2.4, Hydrology and Water Quality, the project would not result in impacts related to groundwater recharge. Specifically, the preliminary drainage study determined that the additional impervious area represents 0.0068% of the watershed that is contributing to the drainage passing through the proposed site. This negligible increase in impervious area constitutes a small enough area that would not change the overall drainage pattern. The water runoff would flow across the project site in a similar manner as in the existing condition. Thus, the additional impervious area would have minimal to no impact on the existing watershed hydrologically. Regarding potential groundwater quality impacts, no conclusive evidence was provided by commenters to indicate that the project would result in significant risk for potential groundwater contamination. Studies have shown that modern PV panels pose minimal risks of leaching during operation, removal, and disposal (American Clean Power 2024; Li et al. 2024). In the event that a panel is damaged during operation, the remotely monitored Supervisory Control and Data Acquisition (SCADA) system would be alerted to the failure, and a maintenance worker would be dispatched as soon as possible to assess and repair the damage. Damaged equipment would be disposed of in accordance with all applicable regulations, including the Resource Conservation and Recovery Act, which would prevent a potential release of toxic chemicals at the project site (U.S. Environmental Protection Agency 2025). Further, commenters did not provide substantial evidence to show that permanent groundwater monitoring of adjacent properties would be warranted. State CEQA Guidelines Section 15064 provides that an effect shall not be considered significant in the absence of substantial evidence. As stated above, the project would implement project design feature PDF-HY-2, which specifies that the County will determine if continuous groundwater monitoring and reporting is required based on the effects of groundwater extraction during the 5-year period after project construction has commenced. The County finds PDF-HY-2 sufficient to address groundwater monitoring requirements. As such, additional mitigation related to hydrology and water quality is not required. The Draft EIR concludes that the project would result in less than significant impacts related to groundwater well interference (i.e., aquifer depletion) and groundwater contamination. The project would also implement mitigation measure M-HY-1 to reduce potential impacts to hydrology and water quality to less than significant. Potential environmental impacts associated with groundwater resources have been adequately assessed in the Draft EIR, and no new "significant environmental issues" have been identified. The Project Facility Availability Water Agreement, dated June 28, 2022, has been included as Appendix Q to the Final EIR to provide clarification regarding the project's anticipated water source during construction. No further changes to the Draft EIR were determined to be necessary.
GR-4	**Heat Island Effect** Several commenters express concern that the project would create a "photovoltaic heat island" effect, resulting in increased ambient air temperatures in the surrounding area. The commenters assert that the effect is comparable to the "urban heat island" phenomenon, which occurs when cities replace natural landscapes with large amounts of pavement, buildings, and other heat-absorbing surfaces, leading to higher temperatures than those found in surrounding undeveloped areas. The County disagrees with the commenters' assertion that solar panels raise local ambient temperatures in a way that creates a significant environmental impact. The normal operating temperature for PV panels is generally 30–40 degrees Fahrenheit (°F) hotter than the ambient air temperature. PV panels are designed to absorb solar energy to produce electrical energy, and can often operate at peak temperatures of 150°F. However, studies vary as to whether solar panels increase or decrease ambient temperatures in the immediate vicinity of the panels. A 2013 study prepared by Columbia University found that the PV panels may increase the average ambient air temperatures in the immediate area of the panels, but that the increased temperature dissipates rapidly: Both the field data and the simulations show that the annual average of air temperatures in the center of PV field can reach up to 1.9°C [approximately 3.5°F] above the ambient temperature, and that this thermal energy completely dissipates to the environment at heights of 5 to 18 m. The data also show a prompt dissipation of thermal energy with distance from the solar farm, with the air temperatures approaching (within 0.3°C) the ambient at about 300 m away from the perimeter of the solar farm. Analysis of 18 months of detailed data showed that in most days, the solar array was completely cooled at night, and, thus, it is unlikely that a heat island effect could occur. (Fthenakis and Yu 2013) A separate year-long field study in 2016 at a 1-MW utility-scale PV site in Tucson, Arizona monitored ambient air temperatures at matched stations over a PV array, nearby undeveloped desert, and an urban parking lot.

Global Response No.	Global Response
	The Tucson PV Heat Island Study found that the PV site was regularly about 3–4°C warmer at night across seasons, with the greatest influence occurring after sunset due to altered surface energy balance and reduced convective cooling within the array footprint. Importantly, the authors noted that this effect was localized to the immediate area of the array and did not include downwind measurements or quantify dissipation distance, emphasizing the need for future research (Barron-Gafford et al. 2016). The proposed project differs from the solar project analyzed in the Tucson PV Heat Island Study in that the solar facility will be revegetated after the completion of construction. The Tucson study posits that the solar panel heating effect could be reduced through targeted revegetation under the solar panels, which would reduce heat island effects through the heat-dissipating effect of transpiration from vegetation. In addition, the Tucson PV Heat Island Study found that the biggest difference between the desert air temperatures and air temperatures under the solar panels was at night. Unlike the Columbia PV Heat Island Study, the Tucson study did not attempt to measure whether the solar facility raised ambient temperatures at a distance from the solar facility. The two studies discussed above found air temperatures within solar facilities were greater than the ambient temperature at a height of 2.5 meters (about 8 feet) between 1.9 degrees Celsius (°C) and 2.4°C (approximately 3.4 to 4.2°F), although they differed in whether there was a heating effect that persisted overnight. Further, the Tucson PV Heat Island Study did not calculate how far off-site the photovoltaic heat island effect persisted, while the Columbia PV Heat Island Study found dissipation of thermal energy with distance from the solar facility, with the air temperatures approaching (within 0.3°C of) the ambient temperature at about 300 meters (984 feet) away from the perimeter of the solar facility. Given that there are no significance thresholds for the photovoltaic heat island effect and given the limited number of studies regarding this effect, there is no evidence that any possible increase in ambient temperature from the proposed project would significantly impact human health or the environment. Potential environmental impacts of the project related to public health and the surrounding community are analyzed throughout Draft EIR, specifically in Sections 2.5, Noise and 2.7, Wildfire, as well as Sections 3.1.1, Air Quality and 3.1.5, Hazards and Hazardous Materials. Therefore, no revisions to the Draft EIR are necessary.
GR-5	**Wildfire Risks** Several comments on the Draft EIR express concern that the project would result in increased wildfire risk at the project site associated with the proposed BESS and thermal runaway. Additional concerns were expressed regarding how a potential fire at the project site would be contained. As discussed in Chapter 1.0, Project Description, Location, and Environmental Setting, the BESS facilities included in the project would use lithium iron phosphate batteries. Lithium iron phosphate batteries have higher thermal stability and a higher thermal runaway threshold than lithium manganese cobalt batteries. As a result, lithium iron phosphate batteries are inherently safer with a lower risk of thermal runaway as compared to lithium manganese cobalt or traditional lithium-ion batteries (Evro et al. 2024). Thermal runaway is a condition resulting from a battery cell's temperature increasing rapidly which can potentially lead to a fire if not properly managed. The risk of wildfire associated with BESS operations has been carefully considered in the project's design and in the environmental analysis. According to the preliminary fire suppression studies prepared by Hiller, which are provided in Appendices O.1 through O.6, the proposed BESS will incorporate multiple layers of safety measures and industry-standard best practices to minimize the risk of thermal runaway and fire. These measures include advanced battery management systems, fire detection and suppression systems, and robust thermal monitoring. The facility will be designed and operated in accordance with applicable fire codes and regulations, including those established by the National Fire Protection Association (NFPA 855), and the project is subject to review and approval by the San Diego County Fire Protection District (SDCFPD). As discussed in Section 2.7, Wildfire, of the Draft EIR, the project has the potential to increase wildfire ignition risk at the project site. However, with the incorporation of mitigation measures M-WF-1, M-WF-2, M-WF-3, M-WF-4, M-WF-5, and M-WF-6, as well as required compliance with state and local regulations, these impacts would be reduced to less than significant. M-WF-1 (Fire Protection Plan) requires the implementation of numerous risk reduction measures to ensure adequate fire mitigation, internal project site access, and safety during construction, operation, and decommissioning activities. M-WF-2 (Fuel Modification Zones) would require the implementation and maintenance of Fuel Modification Zones, which would reduce wildfire risks during project operations. M-WF-3 (Battery Energy Storage System Measures) requires the incorporation of safety measures that would reduce fire risk at the BESS and would reduce the spread potential from a fire starting in the BESS. M-WF-4 (Construction Fire Protection Plan) requires the implementation of a Construction Fire Protection Plan, which would reduce wildfire ignition risk during construction and decommissioning activities. M-WF-5 (Red Flag Warning Measures) outlines precautions during elevated weather conditions to minimize the potential of uncontrolled spread of a wildfire. Lastly, M-WF-6 (Fire Protection and Mitigation Agreement) requires the Applicant to enter into a Fire Protection and Mitigation Agreement with the SDCFPD to make a fair share contribution toward local emergency response capabilities (see Appendix P, Draft Fire Services Agreement). These measures are consistent with the recommendations of the comprehensive Fire Protection Plan and applicable fire codes (see Appendix L, Fire Protection Plan). With these safeguards in place, the potential for a wildfire resulting from thermal runaway in the BESS is considered to be low.

Global Response No.	Global Response
	As detailed in the Construction Fire Protection Plan, each battery storage cabinet would have a metal frame with insulation, air conditioning, and fire suppression, with separate enclosures for the electronic controls, inverters, and rectifiers (see Appendix L, Fire Protection Plan). There would be a built-in heat detection and fire protection system and a fire extinguishing system. The heat and fire detection system would be linked to an automatic inert gas suppression system within each cabinet. The containers would also have an interior aerosol fire suppression system. The NFPA has developed a new Standard for the Installation of Stationary Energy Storage Systems (NFPA 855). This standard addresses the design, construction, installation, commissioning, operation, maintenance, and decommissioning of stationary energy storage systems. The system would be designed in accordance with applicable NFPA safety standards. The BESS would be sited with a setback from off-site areas as a buffer against potential wildfire ignitions. The cabinets would not be walk-in containers; thus, the battery storage cabinets would be non-habitable structures per the state and local fire codes that are in place at the time a building permit application is submitted to the County. As detailed in the Construction Fire Protection Plan, to provide sufficient fire suppression capabilities, the project would have six 10,000-gallon water tanks with a flow of at least 250 gallons per minute (gpm), and fire department connections would be available (see Appendix L, Fire Protection Plan). Water would be stored in aboveground tanks complying with NFPA 22, Standard for Water Tanks for Private Fire Protection. A procedure for ongoing inspection and maintenance of tanks would be in place. The tank and fire engine connections would be located on the side of the access driveways. The width of the driveway at the water tank location would be at least 18 feet wide (travel width), plus an additional 10 feet; this width would be used for 50 feet of the driveway's length to allow for fire engines to park and connect to the tank while leaving the road open. The tanks would be labeled "Fire Water: 10,000 gallons." The Construction Fire Protection Plan concludes that the six 10,000-gallon water tanks would effectively reduce the probability of new ignitions and fire spread from the project. For clarity, water stored in these tanks is not intended to extinguish a battery fire within a storage container; rather, consistent with fire-service practice for BESS incidents, water would be deployed for exposure protection and containment (e.g., cooling adjacent equipment/structures, wetting fuels within Fuel Modification Zones, and protecting life safety) to prevent fire spread to other batteries and to avoid off-site wildfire ignition. Accordingly, the on-site water supply functions as a measure to reduce the potential for off-site fire spread and to protect people and property, which is just one of the extinguishing agents for a storage container level thermal runaway. The Draft EIR concludes that, with the incorporation of M-WF-1 through M-WF-6, the project would not exacerbate the risk of fire ignition at the project site; therefore, environmental impacts were determined to be less than significant. Potential environmental impacts associated with wildfire have been adequately assessed in the Draft EIR, and no new significant environmental issues have been identified. Therefore, no revisions to the Draft EIR are necessary.
GR-6	**Fire Insurance, Socioeconomic Impacts, and Environmental Justice** Several commenters raised concerns that implementing the project, along with other cumulative projects, could lead to socioeconomic impacts, such as decreased home and property values, reduced tourism, increased cost of fire insurance, and diminished quality of life in the area. Additional concerns were expressed regarding environmental justice impacts affecting the Boulevard community. Regarding property values, some commenters suggested that solar projects typically cause property values to decline. Under CEQA, however, social and economic impacts are not required to be evaluated. CEQA specifically states that an economic or social change by itself shall not be considered a significant effect on the environment (see State CEQA Guidelines Sections 15382 and 15131), and only impacts linked to physical changes should be analyzed (see State CEQA Guidelines Section 15358(b)). Social and economic impacts alone do not constitute significant environmental effects under CEQA (see State CEQA Guidelines Sections 15064(e), 15131 & 15382). Losses in property value or business are considered social and economic impacts and, by themselves, are not physical impacts that warrant inclusion in a CEQA analysis. This interpretation has been upheld in several court decisions: *Preserve Poway v. City of Poway* (2016) 245 Cal.App.4th 560, 576; *Porterville Citizens for Responsible Hillside Dev. v. City of Porterville* (2007) 157 Cal.App.4th 885, 903; *Hecton v. People ex rel Department of Transp*. (1976) 58 Cal.App.3d 653, 656. Generally, concerns about reduced property values stem from issues such as visual impacts, fire risk, and increased noise associated with proximity to solar energy projects and BESS facilities. These issues are analyzed in Sections 2.1 Aesthetics, 2.7 Wildfire, 2.5 Noise, and 3.1.5 Hazards and Hazardous Materials, of the Draft EIR. CEQA does not specifically reference "environmental justice," nor does it require analysis of environmental justice concerns (see *Golden Door Properties, LLC v. County of San Diego* (2020) 50 Cal.App.5th 467, 555 n.46). Instead, CEQA focuses on evaluating potentially significant environmental impacts, including those that are cumulatively considerable. Traditionally, environmental justice issues pertain to the effects of pollution on low-income communities (California Department of Justice 2012). Potential environmental impacts of the project related to public health and the surrounding community are analyzed throughout the Draft EIR, specifically in Sections 2.5, Noise and 2.7, Wildfire, as well as Sections 3.1.1, Air Quality and 3.1.5, Hazards and Hazardous Materials. The California Environmental Protection Agency (CalEPA) operates an Environmental Justice Program and Task Force. CalEPA's Office of Environmental Health Hazard Assessment (OEHHA) developed

Global Response No.	Global Response
	CalEnviroScreen, a statewide tool that identifies communities disproportionately affected by or vulnerable to environmental pollution, using 20 indicators (OEHHA 2018). CalEPA also uses CalEnviroScreen data to identify disadvantaged communities under Senate Bill (SB) 535 (2017). Disadvantaged communities are defined as those in the top 25 percent of CalEnviroScreen scores, as well as other areas with high pollution and low population. CalEnviroScreen ranks the Boulevard community in the 61st percentile, on a scale of 1 to 100, for vulnerability to environmental pollution (OEHHA 2022). Further, the SB 535 Disadvantaged Communities Map does not designate Boulevard as a Disadvantaged Community based on CalEnviroScreen data and SB 535 criteria (OEHHA 2025). Therefore, Boulevard does not meet the State's criteria for being disproportionately impacted by environmental pollution and does not qualify as a disadvantaged community. Additionally, under the County of San Diego's General Plan, the community of Boulevard was not designated as an Environmental Justice community in the County. Regarding fire insurance, as stated previously, CEQA states that economic effects such as insurance rates are not, by themselves, environmental impacts (State CEQA Guidelines Sections 15131 and 15382). While economic changes can sometimes be a factor in determining whether a physical change is significant, an increase in fire insurance costs does not trigger a physical environmental impact that must be reviewed. In this instance, the Draft EIR evaluates wildfire ignition/spread risk and has proposed mitigation measures (M-WF-1 through M-WF-6) that would reduce ignition risk to less than significant, thereby addressing the underlying physical hazard. As of March 13, 2025, the California Public Utilities Commission (CPUC) now oversees maintenance/operations and verifies emergency response plans for battery facilities. Additionally, on October 6, 2025, Governor Gavin Newsom signed Senate Bill 283 which requires battery storage developers to engage with local fire authorities prior to submitting an application. This consultation must address facility design, assess potential risks and integrate emergency response plans. A facility will also be required to undergo a safety inspection by local fire officials before the facility can go online. These actions are separate and independent of CEQA, but relevant to the project's risk context. Nothing in this response affects or limits the authority of the California Department of Insurance to regulate insurance rates. Insurance availability and pricing are determined under separate state laws and regulatory frameworks. As described above, these comments relate to social and economic issues that are not required to be evaluated under CEQA; therefore, they do not specifically relate to the analysis included in the Draft EIR. This response is provided for informational purposes and will be considered by the Board during the project approval process and will be made available through publication of this Final EIR. These comments do not warrant revisions to the Draft EIR.
GR-7	**Non-Substantive Comments** Pursuant to State CEQA Guidelines Section 15132, Contents of Final Environmental Impact Report, and Section 15088, Evaluation of and Response to Comments, a Final EIR shall consist of the responses of the Lead Agency to significant environmental issues raised in the review and consultation process. Substantive comments typically do one or more of the following: • question, with reasonable basis, the accuracy of information in the EIR; • question, with reasonable basis, the adequacy of, methodology for, or assumptions used for the environmental analysis; • present new information relevant to the analysis; • present reasonable alternatives other than those analyzed in the EIR; and/or • cause changes or revisions in one or more of the alternatives. In cases where the comment does not raise a substantive issue relevant to the environmental analysis, detailed responses are not warranted. Non-substantive comments for the purpose of the Final EIR typically include statements of opinion or preferences regarding a project's design or its presence as opposed to points within the purview of the EIR. These points may be relevant for consideration during the project approval process by the Board and will be made available through publication of this Final EIR; however, they do not warrant revisions to the Draft EIR or preparation of detailed responses in the Final EIR.

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