

This Final Environmental Impact Report (Final EIR) was prepared in accordance with the California Environmental Quality Act (CEQA) and the State CEQA Guidelines (Section 15132). The County of Imperial (County) is the lead agency for the environmental review of the Centinela Solar Energy Project (project) and has the principal responsibility for approving the project. This Final EIR assesses the expected environmental impacts resulting from approval of the project and associated impacts from subsequent development of the project, as well as responds to comments received on the Draft EIR/Environmental Assessment.

1.1 JOINT DRAFT EIR/EA VS. FINAL EIR

The Draft EIR/EA was prepared as a joint document to fulfill the requirements of both CEQA and the National Environmental Policy Act (NEPA). The County served as the Lead Agency under CEQA for the EIR and the United States Department of the Interior, Bureau of Land Management (BLM) served as a cooperating agency with the County and the lead agency under the NEPA. The CEQA and NEPA environmental review processes followed a similar track until publication of the draft document. Following publication of the Draft EIR/EA, the CEQA and NEPA processes diverged. The BLM comment period for the EA under NEPA was 30-days (October 14 thru November 13, 2011) while the County had a 50-day review period under CEQA (October 14 thru December 2, 2011).

As a result of the CEQA and NEPA processes diverging at publication of the Draft EIR/EA, this document pertains only to fulfilling the requirements of CEQA and has been prepared as a Final EIR, rather than a joint document. The BLM may prepare a Finding of No Significant Impact (FONSI) and Decision Record as part of completing the NEPA process.

1.2 BACKGROUND AND PURPOSE OF THE FINAL EIR

1.2.1 OVERVIEW OF CEQA REQUIREMENTS FOR PREPARATION OF AN EIR

Imperial County has prepared this Final EIR to provide the public, responsible and trustee agencies with information about the potential environmental effects of the proposed project. As set forth in the provisions of CEQA and implementing regulations, public agencies are charged with the duty to consider the environmental impacts of proposed development and to minimize these impacts where feasible while carrying out an obligation to balance a variety of public objectives, including economic, environmental, and social factors.

State CEQA Guidelines Section 15121(a) states that an EIR is an informational document for decision-makers and the general public that analyzes the significant environmental effects of a project, identifies possible ways to minimize significant effects, and describes reasonable alternatives to the project that could reduce or avoid its adverse environmental impacts. Public agencies with discretionary authority are required to consider the information in the EIR, along with any other relevant information, in making decisions on the project.

CEQA requires the preparation of an environmental impact report prior to approving any project which may have a significant effect on the environment. For the purposes of CEQA, the term “project” refers to the whole of an action which has the potential for resulting in a direct physical change or a reasonably foreseeable indirect physical change in the environment (State CEQA Guidelines Section 15378[a]). With respect to the Centinela Solar Energy Project, the County has determined that the proposed development is a “project” within the definition of CEQA.

1.0 INTRODUCTION

1.2.2 BACKGROUND OF ENVIRONMENTAL REVIEW PROCESS OF THE PROJECT

The following is an overview of the environmental review process for the project that led to the preparation of this FEIR:

1.2.2.1 NOTICE OF PREPARATION AND INITIAL STUDY

In accordance with Section 15082 of the State CEQA Guidelines, Imperial County prepared a Notice of Preparation (NOP) of an EIR on November 12, 2010. The County was identified as the lead agency for the proposed project. The purpose of the notice was to solicit comments on the proposed project, and it was therefore circulated to interested parties as well as to the public, local, state, and federal agencies. The November 2010 NOP and the comments received in response to the NOP are presented in Appendix A of the Draft EIR/EA.

1.2.2.2 Draft EIR/EA

The Draft EIR was prepared in October 2011 and circulated for public and agency review. The Draft EIR/EA contains a description of the project, description of the environmental setting, identification of project impacts, and mitigation measures for impacts found to be significant, as well as an analysis of project alternatives. The Draft EIR/EA was provided to interested public agencies and the public and was made available for review at the Imperial County Planning and Development Services Department, the Imperial County Website, and local libraries.

1.2.2.3 Final EIR

This Final EIR presents the environmental information and analyses that have been prepared for the proposed project, including comments received addressing the adequacy of the Draft EIR/EA, and responses to those comments. The comments include those received by the BLM (a total of 3) during its 30-day public review which ended on November 13, 2011.

Following the close of the CEQA public review period on December 2, 2011, the County received 8 individual comment letters from agencies, interest groups, and the public regarding the Draft EIR/EA. As required by CEQA, this document responds to all written received during the comment period.

In addition to the responses to comments, clarifications, corrections, or minor revisions have been made to the Draft EIR/EA and are included as part of the Errata, herein. The Final EIR in combination with the Draft EIR/EA and the Mitigation Monitoring and Reporting Program (MMRP), will be used by the Planning Commission and Board of Supervisors in the decision-making process for the proposed project.

1.2.2.4 CERTIFICATION OF THE FINAL EIR/PROJECT CONSIDERATION

The County will review and consider the Final EIR. If the County finds that the Final EIR is “adequate and complete,” the County may certify the Final EIR at a public hearing. The rule of adequacy generally holds that the EIR can be certified if it (1) shows a good faith effort at full disclosure of environmental information, and (2) provides sufficient analysis to allow decisions to be made regarding the project in contemplation of its environmental consequences.

Upon review and consideration of the Final EIR, the County may take action to approve, revise, or reject the project. A decision to approve the project would be accompanied by written findings in accordance with State CEQA Guidelines Section 15091 and Section 15093. Public Resources Code Section 21081.6

also requires lead agencies to adopt a mitigation monitoring and reporting program to describe measures that have been adopted or made a condition of project approval in order to mitigate or avoid significant effects on the environment.

The CEQA Guidelines identify several types of EIRs, each applicable to different project circumstances. The EIR for the Centinela Solar Energy Project has been prepared as a Project EIR pursuant to CEQA Guidelines Section 15161. The analysis associated with a Project EIR focuses primarily on the changes in the environment that would occur as a result of project implementation and examines all phases of the project (i.e., Phase I and Phase II). The analysis also addresses impacts resulting from the construction, operations and maintenance, and decommissioning of the proposed project.

Ultimately, the EIR is used by the County as a tool in evaluating the proposed project's environmental impacts and can be further used to modify, approve, or deny approval of the proposed project based on the analysis.

1.2.3 INTENDED USES OF THE EIR

The EIR is intended to evaluate the environmental impacts of the project to the greatest extent possible. This EIR, in accordance with CEQA Guidelines Section 15126, should be used as the primary environmental document to evaluate all planning and permitting actions associated with the project. These actions include, but are not limited to, the following:

- Demolition Permit for removal of existing structures
- Grading Plan for the project site and roadways
- Construction Traffic Control Plan
- Public Benefit Agreement
- Building Permits
- Encroachment Permits from the Imperial County Public Works Department for access to the lot(s) and for any proposed road crossings
- Occupancy Permit

1.2.4 ORGANIZATION AND SCOPE OF THE FINAL EIR

This document is organized in the following manner:

SECTION 1.0—INTRODUCTION

Section 1.0 provides an overview of the EIR process to date and what the Final EIR is required to contain.

SECTION 2.0—EXECUTIVE SUMMARY

Summarizes the characteristics of the proposed project and provides a concise summary matrix of the project's environmental impacts and associated mitigation measures.

SECTION 3.0—COMMENTS AND RESPONSES TO COMMENTS ON THE DRAFT EIR

1.0 INTRODUCTION

Section 3.0 provides a list of commenters, copies of written comments (coded for reference), and the responses to those written comments made on the Draft EIR/EA.

SECTION 4.0—ERRATA

Section 4.0 consists of revisions to the Draft EIR/EA that are a result of responses to comments, as well as minor staff edits that do not change the intent or content of the analysis; the conclusions regarding level of significance of impacts; or alter mitigation measures in their effectiveness to reduce impacts.

SECTION 5.0-MITIGATION MONITORING AND REPORTING PROGRAM

Section 5.0 contains a matrix identifying each mitigation measure, the timing of the mitigation, the responsible agency and a place to check off when it has been completed.