



RIVERSIDE COUNTY PLANNING DEPARTMENT

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Planning Director

COUNTY OF RIVERSIDE – NOTICE OF AVAILABILITY OF THE PARTIALLY RECIRCULATED DRAFT ENVIRONMENTAL IMPACT REPORT FOR THE IP EASLEY RENEWABLE ENERGY PROJECT

Date: May 24, 2024

Project: IP Easley Renewable Energy Project Partially Recirculated Draft Environmental Impact Report (CUP 220021/PUP 230002/DA 2200016/SCH 2022110240)

To: Agencies, Organizations, and Interested Parties

Lead Agencies: County of Riverside
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Transmittal Date: May 24, 2024

ALL COMMENTS MUST BE RECEIVED NO LATER THAN JULY 8, 2024

A PARTIALLY RECIRCULATED DRAFT ENVIRONMENTAL IMPACT REPORT (Draft EIR) for the Easley Renewable Energy Project (Easley or Project) proposed by IP Easley I, LLC, IP Easley II, LLC, and IP Easley III, LLC (Applicant), as described below, has been completed and is now available for public review. The Partially Recirculated Draft EIR evaluates potentially significant adverse environmental impacts that could be associated with the Project and identifies project components, mitigation measures, and project alternatives that would avoid, reduce, or eliminate significant impacts. The EIR does not set forth policy for the County of Riverside (County) about the proposed Project’s desirability. Rather, it is an information document to be used by decision-makers, public agencies, and the public.

Project Location: 2 miles north of Desert Center, Riverside County, CA

Project Description: The Applicant is proposing to construct, operate, maintain, and decommission an up to 400 megawatts (MW) solar photovoltaic (PV) electricity generating station, up to 650 MW battery energy storage facility, electrical substation, gen-tie lines and associated access roads on 990 acres of private land and 2,745 acres of BLM-administered land in Riverside County, California. A 6.7-mile 500 kilovolt (kV) generation-tie (gen-tie) line would mainly traverse BLM-administered land across the Oberon Renewable Energy Project site and connect into an existing switchyard on the Oberon Project site, an adjacent solar and energy storage facility owned by Intersect Power. From the Oberon Switchyard, the power generated by the Easley Project would be transmitted to the electrical grid at the SCE Red Bluff Substation via the existing Oberon 500 kV gen-tie line. Project construction is anticipated to take approximately 20 months. Public lands administered by the BLM within the Project solar application area include lands designated as Development Focus Area by the BLM Desert Renewable Energy Conservation Plan (DRECP) and associated Record of Decision, and thus, have been targeted for renewable energy development.

The Applicant would site the solar facility, battery energy storage system, onsite substation, and a short portion of a 500 kV gen-tie line within the County of Riverside’s jurisdiction, requiring a Conditional Use Permit (CUP 220021), Public Use Permit (PUP 230002), and Development Agreement (DA 2200016) for construction, operation, and decommissioning.

In addition to CUP 220021, PUP 230002, and DA 2200016, the Applicant is planning to merge contiguous Project parcels within the Project area into a contiguous area. Roads along the Project perimeter on the solar facility lands would remain dedicated public access. Williamson Act contracts would need to be cancelled, for 8 parcels that would be included as part of the Project.

The EIR will consider the environmental impacts of the Project as a whole, including components outside State and local agency jurisdiction. The BLM will prepare and rely on its own environmental review document in accordance with the National Environmental Policy Act, and if approved, BLM will issue a Right-of-Way (ROW) Grant for portions of the Project on federal lands managed by BLM. Maps and project information may be viewed online at <https://planning.rctlma.org/projects/>

Purpose of the Partially Recirculated Draft EIR: The Partially Recirculated Draft EIR is part of the ongoing environmental review process for the Project and has been prepared to address public comments, clarify and expand upon the analysis in the Draft EIR, and reflect the updated regulatory context. CEQA requires recirculation of an EIR when the lead agency adds “significant new information” to an EIR regarding changes to the project description or the environmental setting after public notice is given of the availability of a draft EIR for public review (State CEQA Guidelines Section 15087) but before EIR certification (State CEQA Guidelines Section 15088.5[a]). Recirculation is not required unless the EIR is changed in a way that would deprive the public of the opportunity to comment on significant new information, including a new significant impact for which no feasible mitigation is available to fully mitigate the impact (thus resulting in a significant and unavoidable impact), a substantial increase in the severity of a disclosed environmental impact, or development of a new feasible alternative or mitigation measures that would clearly lessen environmental impacts but that the project proponent declines to adopt (State CEQA Guidelines Section 15088.5[a]). Recirculation is not required when the new information added to the EIR merely clarifies or amplifies or makes insignificant modifications in an adequate EIR (State CEQA Guidelines Section 15088.5[b]).

Significant Impacts on the Environment Anticipated as a Result of the Proposed Project: The Draft EIR identifies the following issues as having one or more significant effects on the environment, despite the incorporation of all feasible mitigation. As a result, adoption of a Statement of Overriding Considerations will be required pursuant to the California Environmental Quality Act (CEQA) in order for the project to be approved.

- Project Specific: Aesthetics
- Cumulative: Aesthetics, Cultural and Tribal Cultural Resources

Public Review Period: The County of Riverside is the Lead Agency under CEQA and is holding a 45-day public review period of the Partially Recirculated Draft EIR, during which time the public and interested parties are invited to comment on the Draft EIR for the Project. Comments on the adequacy of the analysis and the appropriateness of the Project may be made in writing or email, indicating the section of concern. Comments may include additional or alternative mitigation measures to those proposed in the document. The project name and number should be noted on all correspondence and the comments should indicate if you would like to be notified of public hearings. At this time, public hearings have not yet been scheduled.

Commenting on the Partially Recirculated Draft EIR: Consistent with the requirements of Sections 15087 and 15088.5(d) of the State CEQA Guidelines, this Partially Recirculated Draft EIR is being made available on May 24, 2024, for public review for a period of 45 days. During

this period, the general public, agencies, tribes, and organizations may submit written comments on the content of the Partially Recirculated Draft EIR to Riverside County. Pursuant to procedures set forth in Section 15088.5(f)(2) of the State CEQA Guidelines, reviewers are directed to limit their comments to the revised information contained in this Partially Recirculated Draft EIR. Reviewers need not resubmit comments on the Draft EIR.

Consistent with Section 15088.5(f)(2), the County will respond to (i) comments received during the initial circulation period that relate to chapters or portions of the Original Draft EIR that were not revised and recirculated as part of this Partially Recirculated Draft EIR, and (ii) comments received during the recirculation period that relate to the chapters or portions of the Original Draft EIR that were revised and recirculated as part of this Partially Recirculated Draft EIR. Riverside County will not respond to comments on the Partially Recirculated Draft EIR that do not pertain to the recirculated text.

Please note that the public comment period for the Partially Recirculated Draft EIR is Friday May 24, 2024, to Monday July 8, 2024. All comments must be submitted to the County of Riverside at the address indicated below, and must be received no later than 5:00 pm on July 8, 2024.

Riverside County Planning Department
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Locations Where the Partially Recirculated Draft EIR May be Reviewed: The Partially Recirculated Draft EIR in its entirety, the previously circulated Draft EIR, and its technical appendices may be reviewed online at: <https://planning.rctlma.org/projects>. To request a hardcopy of the Partially Recirculated Draft EIR, technical appendices or other project documents, please reach out to Tim Wheeler whose contact information is above.

The Description of the Proposed Project and Alternatives chapter has been revised to provide an updated description of the proposed Project and alternatives, including a description of five new alternatives, as follows:

- **Lighting of Gen-tie Line Crossing Structures.** Depending on the outcome of the BLM-DoD consultation, infrared obstruction lighting (not visible to the human eye) may be installed in the area of one crossing of an existing transmission line on Easley structure(s) over 180 feet high (see EIR Section 2.3.4).
- **Best Management Practices and BLM Conservation and Management Actions.** In Section 2.7, the Applicant has added a list of commenter-requested best management practices (BMPs) to be implemented during site preparation and construction. Section 2.7 discusses compliance with Conservation and Management Actions (CMAs) that would be required by BLM under the Desert Renewable Energy Conservation Plan and would apply to Project development on BLM-administered land. The Applicant has stated that it will comply with applicable DRECP CMAs on private lands. The DRECP CMAs are listed in a new EIR Appendix CC.
- **No Project Alternative (Alternative A2).** Under the No Project Alternative, an additional analysis of Uses Allowed by Right within the Existing Land Designations (Alternative A2) has been added to EIR Section 2.8.2, which assumes development of scattered rural residences on private parcels in the Project area.

- **No Project Alternative (Alternative A3).** Under the No Project Alternative, an additional analysis of Development of Other Renewable Energy within the Existing Land Designations (Alternative A3) has been added to EIR Section 2.8.3, which assumes development of the federal lands under the existing Development Focus Area designation and with other solar, wind, or geothermal generation projects and development of the private lands under the current General Plan and Zoning designations if the proposed Project is not approved or constructed.
- **Reduced Footprint Alternative (Alternative B).** The “Lake Tamarisk Alternative (Alternative 1)” in the Draft EIR has been renamed as the Reduced Footprint Alternative (Alternative B) throughout the Recirculated Draft EIR. As described in EIR Section 2.8.3, the Reduced Footprint Alternative would remove an additional 20 acres of solar panels directly north of the community of Lake Tamarisk (50 acres total). With this reduction in acreage, the electrical output would be reduced by approximately 7 to 10 MW (up to 390 MW) compared to the proposed Project (up to 400 MW).
- **Further Reduced Footprint Alternative with Berms (Alternative C).** EIR Section 2.8.4 describes an additional Reduced Footprint Alternative 2 (Alternative C), which includes the following components shown in a new Figure 2-15 (see EIR Appendix A): (1) minimum buffer zone setback of one mile from the Lake Tamarisk Desert Resort borders, including the "Phase II" expansion area; (2) earthen berms at 2 locations; and (3) onsite substation relocation and gen-tie line relocation.
- **Offsite Alternative (Alternative D).** Commenters requested consideration of alternatives east of State Route (SR-) 177/Rice Road on BLM-managed lands farther from the community of Lake Tamarisk Desert Resort. Therefore, the Offsite Alternative would involve the construction, operation, maintenance, and decommissioning of an up to 400 MW solar facility, up to 650 MW BESS, and a 500 kV gen-tie line on lands that were originally included in the Applicant's application to BLM. The alternative is described in EIR Section 2.8.5.
- **Distributed Commercial and Industrial Rooftop Solar Alternative (Alternative E).** The Partially Recirculated Draft EIR analyzes a new Distributed Commercial and Industrial Rooftop Solar Alternative, which would involve the development of a number of geographically distributed small to medium solar PV systems (100 kilowatt hours to 1 MW) within existing developed areas, typically on the rooftops of commercial and industrial facilities situated throughout Riverside County. The alternative is described in EIR Section 2.8.6.

Environmental Setting, Impacts, and Mitigation Measures (Chapter 3)

Certain subchapters within Chapter 3, Environmental Setting, Impacts, and Mitigation Measures, have been revised and recirculated, as summarized below:

Aesthetics (Chapter 3.2). The Aesthetics chapter has been revised to include updated information relating to the adjacent Oberon project, a new Key Observation Point 7 (facing north from Lake Tamarisk Desert Resort), additional discussion of glare impacts, and an updated analysis of County General Plan Policy LU 9.1 related to permanent preservation of open space lands that contain important natural resources, cultural resources, hazards, water features, watercourses including arroyos and canyons, and scenic and recreational values.

Agriculture and Forestry (Chapter 3.3). The Agriculture and Forestry chapter has been revised to change Impacts AG-1 and AG-3 to a less-than-significant impact. The EIR concludes that potentially significant impacts would be avoided through cancellation of the Williamson Act contracts and removal of lands within the Project site from County agricultural preserves, as requested by the Project applicant.

Biological Resources (Chapter 3.5). The Biological Resources chapter has been revised to more clearly describe DRECP Conservation and Management Actions (CMAs) that would apply to the Project, including compensatory mitigation, as well as issues related to desert pavement. Certain mitigation measures have been revised to further clarify plan requirements and performance standards. The revisions do not result in greater environmental impacts or more significant impacts.

Cultural and Tribal Cultural Resources (Chapter 3.6). The Cultural Resources chapter has been revised to address cultural and tribal resources impacts on BLM-administered land, comments raised about the Lake Tamarisk Desert Resort as a potential historic resource, and comments raised by the Colorado Indian River Tribes that the Project is located in and would adversely impact cultural and tribal cultural resources. In the Partially Recirculated Draft EIR, cumulative visual impacts to Prehistoric Trails Network Cultural Landscape from the development of the Project in combination with other past, present, and reasonably foreseeable solar projects in the area would be significant and unavoidable, and the Project's incremental contribution to those visual impacts would be cumulatively considerable.

Hydrology and Water Quality (Chapter 3.11). The Hydrology and Water Quality chapter has been revised to more clearly describe Project impacts to water supply. The section states that because the cumulative scenario under normal conditions indicates a potential groundwater deficit, the County conservatively concludes that cumulative impacts would be potentially significant, however, the Project's incremental contribution is not considered cumulatively considerable.

Comparison of Alternatives (Chapter 5). The Comparison of Alternatives chapter has been revised to combine and consolidate the analyses of Project alternatives that was previously separated and included within the Original Draft EIR under each subchapter of Chapter 3. The Comparison of Alternative chapter also includes new analysis of five new alternatives: No Project Alternative A2 (Uses Allowed by Right within Existing Land Designations), No Project Alternative A3 (Development of Other Renewable Energy within the Existing Land Designations), Alternative C (Further Reduced Footprint Alternative with Berms), Alternative D (Offsite Alternative), and Alternative E (Distributed Commercial and Industrial Rooftop Solar Alternative).

Chapter 5 now describes the environmentally superior alternative as the Further Reduced Footprint Alternative with Berms (Alternative C). While Alternative C is the Environmentally Superior Alternative, it would result in a reduction of 80 to 100 MW of renewable energy compared to the proposed Project, which reduces its ability to achieve the most important project objectives of meeting State and federal renewable energy goals to counter climate change. Therefore, because Alternative B, the Reduced Footprint Alternative (formerly called the Lake Tamarisk Alternative) meets these critical project objectives to a greater degree and reduces impacts to the Lake Tamarisk community compared to the proposed Project, it is considered to be the next most Environmentally Superior Alternative.

References (Chapter 7). References for sections included in the Partially Recirculated Draft EIR have been included and updated, as applicable.

EIR Appendices. The Partially Recirculated Draft EIR includes updated and new appendices, as follows:

- **EIR Appendix A**, new and revised/updated figures include:
 - Revised Figure 2-3 (Easley Renewable Energy Project Preliminary Engineering)
 - Revised Figure 2-6 Typical Single Axis Tracker with Portrait Module Orientation
 - Revised Figure 2-14 (Alternative B: Reduced Footprint Alternative)
 - New Figure 2-15 (Alternative C: Further Reduced Footprint Alternative with Berms)

- New Figure 2-16 (Alternative D: Offsite Alternative)
- Revised Figure 3.1-1 (Cumulative Projects)
- New Figure 3.3-1 (Parcels with Williamson Act Contracts)
- New Figure 3.5-11 (Alternative D, Offsite Alternative, Biological Resources)
- **EIR Appendix C, Biological Resources Technical Report**, has been updated to discuss Crotch's bumble bee, as well as make consistency edits to the discussions of desert pavement and the rare plant inventory list.
- **EIR Appendix F, Jurisdictional Delineation**, has been revised to reflect updated disturbance acreages.
- **EIR Appendix G, Water Supply Assessment**, has been revised to clarify the connection between the data and the report conclusions.
- **EIR Appendix I, Visual Impact Analysis and Glare Assessment**, has been revised to add glare modeling of low-level military flight paths in the Desert Center area. The results have been incorporated into the glare discussion in Section 3.2 (Aesthetics).

The following new appendices have been added in the Partially Recirculated Draft EIR:

- **Appendix M** Bird and Bat Conservation Strategy
- **Appendix N** Integrated Weed Management Plan
- **Appendix O** Nesting Bird Management Plan
- **Appendix P** Desert Tortoise Protection and Translocation Plan
- **Appendix Q** Raven Management Plan
- **Appendix R** Wildlife Protection and Translocation Plan
- **Appendix S** Vegetation Resources Management Plan
- **Appendix T** Health, Safety and Noise Plan
- **Appendix U** Dust Control Plan
- **Appendix V** Fire Management and Prevention Plan
- **Appendix W** Hazardous Materials Management Plan
- **Appendix X** Environmental Compliance and Monitoring Plan
- **Appendix Y** Closure, Decommissioning, and Reclamation Plan
- **Appendix Z** Easley sUAS Flight Operations Plan
- **Appendix AA** Helicopter Safety Plan
- **Appendix BB** Hydrological Study
- **Appendix CC** BLM DRECP Conservation and Management Actions