Initial Study & Environmental Analysis
For:

True North Organics Renewable Energy Facility

SP21-0002, ZC21-0007, CUP21-0019, MERG00150, V21-0003, and IS21-0035

Prepared By:

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March 2023

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SECTION 1
INTRODUCTION

A. PURPOSE

This document is a ☐ policy-level, ☒ project level Initial Study for evaluation of potential environmental impacts resulting from the proposed True North Organics Renewable Energy Facility Project .

B. CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) REQUIREMENTS AND THE IMPERIAL COUNTY'S GUIDELINES FOR IMPLEMENTING CEQA

As defined by Section 15063 of the State California Environmental Quality Act (CEQA) Guidelines and Section 7 of the County's "CEQA Regulations Guidelines for the Implementation of CEQA, as amended," an **Initial Study** is prepared primarily to provide the Lead Agency with information to use as the basis for determining whether an Environmental Impact Report (EIR), Negative Declaration, or Mitigated Negative Declaration would be appropriate for providing the necessary environmental documentation and clearance for any proposed project.

☐ According to Section 15065, an **EIR** is deemed appropriate for a particular proposal if the following conditions occur:

- The proposal has the potential to substantially degrade quality of the environment.
- The proposal has the potential to achieve short-term environmental goals to the disadvantage of long-term environmental goals.
- The proposal has possible environmental effects that are individually limited but cumulatively considerable.
- The proposal could cause direct or indirect adverse effects on human beings.

☐ According to Section 15070(a), a **Negative Declaration** is deemed appropriate if the proposal would not result in any significant effect on the environment.

☒ According to Section 15070(b), a **Mitigated Negative Declaration** is deemed appropriate if it is determined that though a proposal could result in a significant effect, mitigation measures are available to reduce these significant effects to insignificant levels.

This Initial Study (IS) is prepared in conformance with the California Environmental Quality Act of 1970, as amended (Public Resources Code, Section 21000 et. seq.); Section 15070 of the State & County of Imperial's Guidelines for Implementation of the California Environmental Quality Act of 1970, as amended (California Code of Regulations, Title 14, Chapter 3, Section 15000, et. seq.); applicable requirements of the County of Imperial; and the regulations, requirements, and procedures of any other responsible public agency or an agency with jurisdiction by law.

Pursuant to the County of Imperial *Guidelines for Implementing CEQA*, depending on the project scope, the County of Imperial Board of Supervisors, Planning Commission and/or Planning Director is designated the Lead Agency, in accordance with Section 15050 of the CEQA Guidelines. The Lead Agency is the public agency that has the principal responsibility for approving the necessary environmental clearances and analyses for any project in the County.

C. INTENDED USES OF INITIAL STUDY AND NEGATIVE DECLARATION

1) This IS and Notice of Preparation (NOP) are informational documents that are intended to inform County of Imperial decision-makers, other responsible or interested agencies, and the general public of potential environmental effects of the proposed applications. The environmental review process has been established to enable public agencies to evaluate environmental consequences and to examine and implement methods of eliminating or reducing any potentially adverse impacts. While CEQA requires that consideration be given to avoiding environmental damage, the Lead Agency and other responsible public agencies must balance adverse environmental effects against other public objectives, including economic and social goals. The IS and NOP prepared for the Project would be circulated for a period of 35 days for public and agency review and comments.

D. CONTENTS OF INITIAL STUDY

This IS is organized to facilitate a basic understanding of the existing setting and environmental implications of the proposed applications.

SECTION 1

I. INTRODUCTION presents an introduction to the entire report. This section discusses the environmental process, scope of environmental review, and incorporation by reference documents.

SECTION 2

II. ENVIRONMENTAL CHECKLIST FORM contains the County's Environmental Checklist Form. The checklist form presents results of the environmental evaluation for the proposed applications and those issue areas that would have either a significant impact, a potentially significant impact, or no impact.

PROJECT SUMMARY, LOCATION, AND EVIRONMENTAL SETTING describe the proposed project entitlements and required applications. A description of discretionary approvals and permits required for project implementation is also included. It also identifies the location of the project and a general description of the surrounding environmental settings.

ENVIRONMENTAL ANALYSIS evaluates each response provided in the environmental checklist form. Each response checked in the checklist form is discussed and supported with sufficient data and analysis as necessary. As appropriate, each response discussion describes and identifies specific impacts anticipated with project implementation.

SECTION 3

III. MANDATORY FINDINGS presents Mandatory Findings of Significance in accordance with Section 15065 of the CEQA Guidelines.

IV. SUMMARY OF MITGATION MEASURES summarizes all of the mitigation measures for the Proposed Project.

V. PERSONS AND ORGANIZATIONS CONSULTED identifies those persons consulted and involved in preparation of this IS.

VI. REFERENCES lists bibliographical materials used in preparation of this document.

E. SCOPE OF ENVIRONMENTAL ANALYSIS

For evaluation of environmental impacts, each question from the Environmental Checklist Form is summarized

and responses are provided according to the analysis undertaken as part of the Initial Study. Impacts and effects will be evaluated and quantified when appropriate. Each question has are four possible responses:

1. **No Impact:** A "No Impact" response is adequately supported if the impact simply does not apply to the proposed applications.

2. **Less Than Significant Impact:** The proposed applications will have the potential to impact the environment. These impacts, however, will be less than significant; no additional analysis is required.

3. **Less Than Significant with Mitigation Incorporated:** This applies where incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact."

4. **Potentially Significant Impact:** The proposed applications could have impacts that are considered significant. Additional analyses and possibly an EIR could be required to identify mitigation measures that could reduce these impacts to less than significant levels.

F. POLICY-LEVEL or PROJECT-LEVEL ENVIRONMENTAL ANALYSIS

This Initial Study will be conducted under a ☐ policy-level, ☒ project level analysis. Regarding mitigation measures, it is not the intent of this document to overlap or restate conditions of approval that are commonly established for future known projects or the proposed applications. Additionally, those other standard requirements and regulations that any development must comply with that are outside the County's jurisdiction are also not considered mitigation measures and, therefore, will not be identified in this document.

G. TIERED DOCUMENTS AND INCORPORATION BY REFERENCE

Information, findings, and conclusions contained in this document are based on incorporation by reference of tiered documentation, which is discussed in the following section.

1. Tiered Documents

As permitted in Section 15152(a) of the CEQA Guidelines, information and discussions from other documents can be included into this document. Tiering is defined as follows:

> Tiering refers to using the analysis of general matters contained in a broader EIR (such as the one prepared for a general plan or policy statement) with later EIRs and negative declarations on narrower projects; incorporating by reference the general discussions from the broader EIR; and concentrating the later EIR or negative declaration solely on the issues specific to the later project.

Tiering also allows this document to comply with Section 15152(b) of the CEQA Guidelines, which discourages redundant analyses, as follows:

> Agencies are encouraged to tier the environmental analyses which they prepare for separate but related projects including the general plans, zoning changes, and development projects. This approach can eliminate repetitive discussion of the same issues and focus the later EIR or negative declaration on the actual issues ripe for decision at each level of environmental review. Tiering is appropriate when the sequence of analysis is from an EIR prepared for a general plan, policy or program to an EIR or negative declaration for another plan, policy, or program of lesser scope, or to a site-specific EIR or negative declaration.

Further, Section 15152(d) of the CEQA Guidelines states:

Where an EIR has been prepared and certified for a program, plan, policy, or ordinance consistent with the requirements of this section, any lead agency for a later project pursuant to or consistent with the program, plan, policy, or ordinance should limit the EIR or negative declaration on the later project to effects which:

(1) Were not examined as significant effects on the environment in the prior EIR; or

(2) Are susceptible to substantial reduction or avoidance by the choice of specific revisions in the project, by the imposition of conditions, or other means.

2. Incorporation By Reference

Incorporation by reference is a procedure for reducing the size of EIRs/MND and is most appropriate for including long, descriptive, or technical materials that provide general background information, but do not contribute directly to the specific analysis of the project itself. This procedure is particularly useful when an EIR or Negative Declaration relies on a broadly-drafted EIR for its evaluation of cumulative impacts of related projects (*Las Virgenes Homeowners Federation v. County of Los Angeles* [1986, 177 Ca.3d 300]). If an EIR or Negative Declaration relies on information from a supporting study that is available to the public, the EIR or Negative Declaration cannot be deemed unsupported by evidence or analysis (*San Francisco Ecology Center v. City and County of San Francisco* [1975, 48 Ca.3d 584, 595]). This document incorporates by reference appropriate information from the Final Environmental Impact Report and Environmental Assessment for the County of Imperial General Plan EIR prepared by Brian F. Mooney Associates in 1993 and updates.

When an EIR or ND incorporates a document by reference, the incorporation must comply with Section 15150 of the CEQA Guidelines as follows:

- The incorporated document must be available to the public or be a matter of public record (CEQA Guidelines Section 15150[a]). The General Plan EIR and updates are available, along with this document, at the County of Imperial Planning & Development Services Department, 801 Main Street, El Centro, CA 92243 Ph. (442) 265-1736.

- This document must be available for inspection by the public at an office of the lead agency (CEQA Guidelines Section 15150[b]). These documents are available at the County of Imperial Planning & Development Services Department, 801 Main Street, El Centro, CA 92243 Ph. (442) 265-1736.

- These documents must summarize the portion of the document being incorporated by reference or briefly describe information that cannot be summarized. Furthermore, these documents must describe the relationship between the incorporated information and the analysis in the tiered documents (CEQA Guidelines Section 15150[c]). As discussed above, the tiered EIRs address the entire project site and provide background and inventory information and data that apply to the project site. Incorporated information and/or data will be cited in the appropriate sections.

- These documents must include the State identification number of the incorporated documents (CEQA Guidelines Section 15150[d]). The State Clearinghouse Number for the County of Imperial General Plan EIR is SCH #93011023.

- The material to be incorporated in this document will include general background information (CEQA Guidelines Section 15150[f]). This has been previously discussed in this document.

This document incorporates by reference the Mesquite Lake Specific Plan and Mesquite Lake Specific Plan

EIR (SCH# 2005021116), both prepared by the County of Imperial in 2006. The Mesquite Lake Specific Plan consists of approximately 5,100 acres located in central Imperial County, between State Route (SR) 86 on the west and SR 111 plus one-quarter mile on the east and is bordered by Harris Road on the south and Keystone Road on the north. Imperial County designated the Mesquite Lake Specific Plan Area (SPA) on the 1993 General Plan to provide an opportunity to develop new job-producing light, medium, and heavy industrial uses.

The overall goal of the Mesquite Lake Specific Plan is to support economic development within Imperial County and allow for heavy industrial development in an area that is away from urban conflicts and its cities through job creation in the employment sectors of manufacturing, fabrication, processing, wholesaling, transportation, and energy resource development; and create and preserve an area where a full range of industrial uses with moderate to high nuisance characteristics may locate. The Mesquite Lake Specific Plan EIR (MEIR) previously analyzed and approved development on the Proposed Project site of the Palo Verde Valley Disposal Facility (County 2006b and 2006c); however, the facility was never constructed. Where appropriate, mitigation has been utilized from that specific development for the Proposed Project.

II. Environmental Checklist

1. **Project Title**: True North Organics Renewable Energy Facility
2. **Lead Agency**: Imperial County Planning & Development Services Department
3. **Contact person and phone number:**

   Diana Robinson
   Planning Division Manager
   (442) 265-1736, ext. 1751
4. **Address**: 801 Main Street, El Centro CA, 92243
5. **E-mail**: DianaRobinson@co.imperial.ca.us
6. **Project location**: The Proposed Project site comprises approximately 75.21 acres within Imperial County (County), California, approximately 3 miles north of the City of Imperial. The Project is north of Harris Road, west of Old State Highway 111, and east of Rose Drain, within the Mesquite Lake Specific Plan on land owned by True North Renewable Energy, LLC. The Project would be within Section 34 of Tract 43, Township 14 South, Range 14 East, San Bernardino Base Meridian, and Assessor Parcel Numbers (APNs) 040-360-036, 040-360-037, 040-360-038, and 040-360-039.
7. **Project sponsor's name and address**:

   True North Renewable Energy, LLC
   2390 East Camelback Road, Suite 203
   Phoenix, AZ 85016
8. **General Plan designation**: Mesquite Lake Specific Plan
9. **Zoning:** ML-I-2-RE & ML-I-3-RE (Medium & Heavy Industrial/Renewable Energy)
10. **Description of project**: True North Renewable Energy, LLC (Applicant) is proposing the True North Organics Renewable Energy Facility (Project or Proposed Project), a high solids anaerobic digestion (HSAD) facility with incidental advanced composting for the management and processing of residential, commercial, and industrial organic waste and green material. The Proposed Project would be located on approximately 75 acres of vacant land in unincorporated Imperial County (County), California. The Proposed Project would provide organics processing infrastructure and organic materials diversion from regional landfills. The Proposed Project would also generate renewable energy through the HSAD process and may incorporate behind the meter on-site solar and battery storage as an accessory use for the Project. Renewable energy generated through the HSAD process would be in the form of renewable natural gas, which could be directly injected into the pipeline system. The Project consists of four parcels, of which three are proposed to undergo a Zone Change from ML-I-2-RE to ML-I-3-RE to accommodate the Proposed Project's activities under a proposed Conditional Use Permit (CUP). Parcels would be merged by way of a Lot Merger to meet the Project's acreage requirements; in addition, a Variance would be requested to accommodate the height of a digester necessary for the Project's activity. Lastly, the applicant is seeking an amendment to the Mesquite Lake Specific Plan to alter the land use designation from Medium Industrial to Heavy Industrial to allow for the anaerobic digester, as well as a text amendment to further clarify the anaerobic and composting processes.
11. **Surrounding land uses and setting**: Mesquite Lake Specific Plan covers the area north, east, and west of the Project site. The surrounding properties are currently used for agricultural and industrial purposes. North of the Project site is a nonoperational industrial power generation plant. Existing land use to the east of the Project site is agricultural. West of the Project site is a commercial fish farm, including retention ponds for commercial fish habitat. Land south of the Project site is outside of the Mesquite Lake Specific Plan and includes agricultural uses. The nearest single-family home is located approximately one mile south of the Project site.
12. **Other public agencies whose approval is required (e.g., permits, financing approval, or participation agreement):** U.S. Fish and Wildlife Service (USFWS), California Department of Fish and Wildlife (CDFW), State Water Resources Control Board (SWRCB), Regional Water Quality Control Board (RWQCB), California Integrated

Waste Management Board (CIWMB), California Department of Toxic Substances, California Department of Industrial Relations, Division of Occupational Safety and Health (Cal/OSHA), National Pollutant Discharge Elimination System (NPDES), and Imperial County Air Pollution Control District (ICAPCD).

13. **Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code section 21080.3.1? If so, has consultation begun?** In accordance with Senate Bill (SB) 18 and Assembly Bill (AB) 52, Native American tribes with potential resources in the area were notified of the Project on November 23, 2022. Responses for SB 18 were due by December 23, 2022 and AB 52 responses were due by February 21, 2023. The Quechan Tribe responded on December 19, 2022, noting that they had no further comments, and the Manzanita Tribe responded on January 31, 2023 requesting further information via email.

Note: Conducting consultation early in the CEQA process allows tribal governments, lead agencies, and project proponents to discuss the level of environmental review, identify and address potential adverse impacts to tribal cultural resources, and reduce the potential for delay and conflict in the environmental review process. (See Public Resources Code, Section 21083.3.2). Information may also be available from the California Native American Heritage Commission's Sacred Lands File per Public Resources Code, Section 5097.96 and the California Historical Resources Information System administered by the California Office of Historic Preservation. Please also note that Public Resources Code, Section 21082.3 (c) contains provisions specific to confidentiality.

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

☐	Aesthetics	☐	Agriculture and Forestry Resources	☒	Air Quality
☒	Biological Resources	☒	Cultural Resources	☐	Energy
☒	Geology /Soils	☐	Greenhouse Gas Emissions	☒	Hazards & Hazardous Materials
☒	Hydrology / Water Quality	☐	Land Use / Planning	☐	Mineral Resources
☐	Noise	☐	Population / Housing	☒	Public Services
☐	Recreation	☒	Transportation	☒	Tribal Cultural Resources
☒	Utilities/Service Systems	☒	Wildfire	☒	Mandatory Findings of Significance

ENVIRONMENTAL EVALUATION COMMITTEE (EEC) DETERMINATION

After Review of the Initial Study, the Environmental Evaluation Committee has:

☐ Found that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.

☒ Found 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.

☐ Found that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

☐ Found that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.

☐ Found that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE DE MINIMIS IMPACT FINDING: ☐ Yes ☒ No

EEC VOTES	YES	NO	ABSENT
PUBLIC WORKS	☒	☐	☐
ENVIRONMENTAL HEALTH SVCS	☒	☐	☐
OFFICE EMERGENCY SERVICES	☒	☐	☐
APCD	☒	☐	☐
AG	☒	☐	☐
SHERIFF DEPARTMENT	☒	☐	☐
ICPDS	☒	☐	☐

Jim Minnick, Director of Planning/EEC Chairman

Date: 4/3/23

PROJECT SUMMARY

True North Renewable Energy, LLC (Applicant) is proposing to construct, operate, and maintain the True North Organics Renewable Energy Facility (Project or Proposed Project), a High Solids Anaerobic Digestion (HSAD) facility with incidental advanced composting for the management and processing of residential, commercial, and industrial organic waste and green material. The Proposed Project would be located on approximately 75 acres of vacant land in unincorporated Imperial County (County), California. The Proposed Project would provide organics processing infrastructure and organic materials diversion from regional landfills (Imperial and neighboring counties). The Proposed Project would also generate renewable energy through the HSAD process and may incorporate on-site solar and battery storage as an accessory use for the Project. Renewable energy generated through the HSAD process would be in the form of renewable natural gas, which could be directly injected into the pipeline system. The Project consists of four parcels, of which three are proposed to undergo a Zone Change from ML-I-2-RE to ML-I-3-RE to accommodate the Proposed Project's activities under a proposed Conditional Use Permit (CUP). Parcels would be merged by way of a Lot Merger to meet the Project's acreage requirements; in addition, a variance would be requested to accommodate the height of a digester necessary for the Project's activity. Last, the applicant is seeking an amendment to the Mesquite Lake Specific Plan to alter the land use designation from Medium Industrial to Heavy Industrial to allow the anaerobic digester, as well as a text amendment to further clarify the anaerobic and composting processes.

A. PROJECT LOCATION

The Project would be located on approximately 75 acres within Imperial County, California, approximately 3 miles north of the City of Imperial (Figure 1, Project Site Location). The Project site is north of Harris Road, west of Old State Highway 111, and east of Rose Drain, and is within the Mesquite Lake Specific Plan. The Project would be within Section 34 of Tract 43, Township 14 South, Range 14 East, San Bernardino Base Meridian, and comprise Assessor Parcel Numbers (APNs) 040-360-036, 040-360-037, 040-360-038, and 040-360-039.

The Project area is zoned Mesquite Lake Specific Plan, including ML-I-2 (Mesquite Lake Medium Industrial) and ML-I-3 (Mesquite Lake Heavy Industrial), with a Renewable Energy (RE) Overlay Zone (Figure 2, Zoning Map). The General Plan Land Use designation for the entire Project is Mesquite Lake Specific Plan with both Medium and Heavy Industrial Uses (Figure 3, Land Use Designation Map).

B. CURRENT USE OF THE PROJECT SITE, SURROUNDING AREAS, AND EXISTING CONDITIONS

The Proposed Project site has previously been utilized for agricultural purposes; however, the site is currently vacant. The surrounding properties are currently used for agricultural and industrial use purposes. The Project is located within the Mesquite Lake Specific Plan, which also surrounds the site to the north, east, and west. North of the Project site is a nonoperational industrial power generation plant. Existing land use to the east of the Project site is agricultural. West of the Project site is a commercial fish farm, including retention ponds for commercial fish habitat. South of the Project site is land outside of the Mesquite Lake Specific Plan that includes agricultural uses, has an agricultural land use designation, and is zoned A3G (Heavy Agriculture/Geothermal Overlay).

As previously mentioned, this document incorporates by reference the Mesquite Lake Specific Plan and MEIR (SCH# 2005021116), both prepared by the County of Imperial in 2006. The Mesquite Lake Specific Plan consists of approximately 5,100 acres located in central Imperial County between State Route (SR) 86 on the west and SR 111 plus ¼ mile on the east and is bordered by Harris Road on the south and Keystone Road on the north. Imperial County designated the Mesquite Lake SPA on the 1993 General Plan to provide an opportunity to develop new job-producing light, medium, and heavy industrial uses. The following specific environmental issues were identified by the County for evaluation in the Mesquite Lake Specific Plan Master Environmental Impact Report (MEIR):

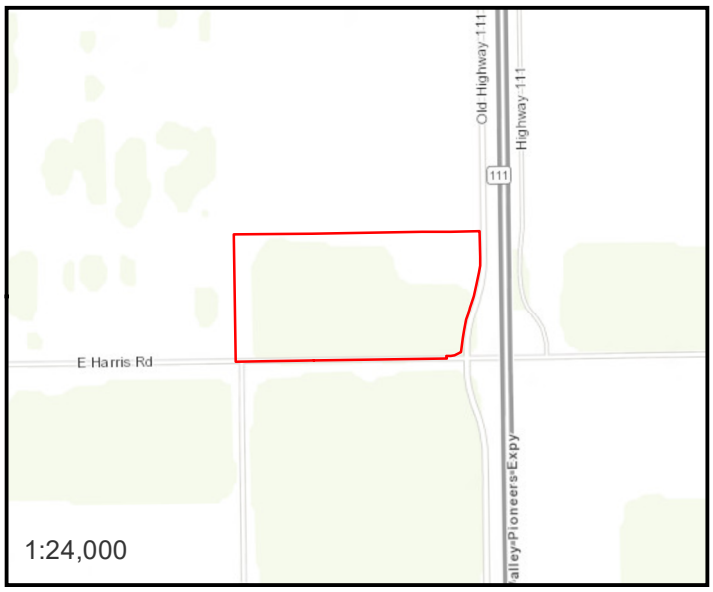
- Agricultural Resources
- Hydrology and Water Quality
- Air Quality and Odor
- Land Use and Planning
- Biological Resources

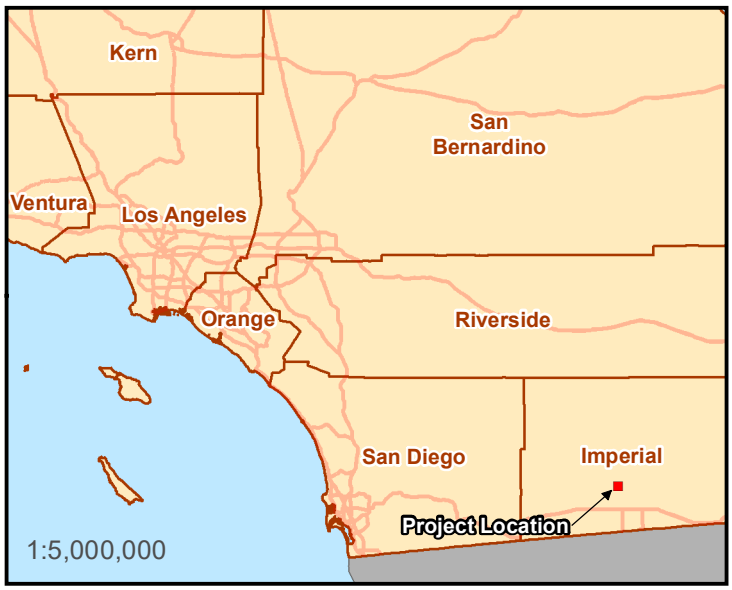
- Archaeological Resources
- Hazards and Hazardous Materials
- Aesthetics and Visual Resources
- Public Services and Utilities
- Traffic/Circulation

Impacts to Mineral Resources, Noise, Population and Housing, and Recreation were evaluated under the effects found not to be significant section of the MEIR. All other resource areas that are evaluated per the 2022 Appendix G CEQA Guidelines, were not required to be evaluated at the time 2006.

The overall goals of the Mesquite Lake Specific Plan are to (1) support economic development through job creation in the employment sectors of manufacturing, fabrication, processing, wholesaling, transportation, and energy resource development within Imperial County and allow for heavy industrial development in an area that is away from urban conflicts and its cities; and (2) create and preserve an area where a full range of industrial uses with moderate to high nuisance characteristics may be located.

The MEIR previously evaluated and approved the development and operation of the Palo Verde Valley Disposal Service for the Proposed Project site. However, the facility was never constructed. Where appropriate, mitigation from that specific development has been incorporated into the Proposed Project (County 2006b and 2006c).





Project Location

N

0 150 300 600

Feet

Figure 1
True North Organics Renewable Energy Facility
Project Location and Vicinity

Name: 21377 PLAN Fig 1 Project Site Location.Mxd
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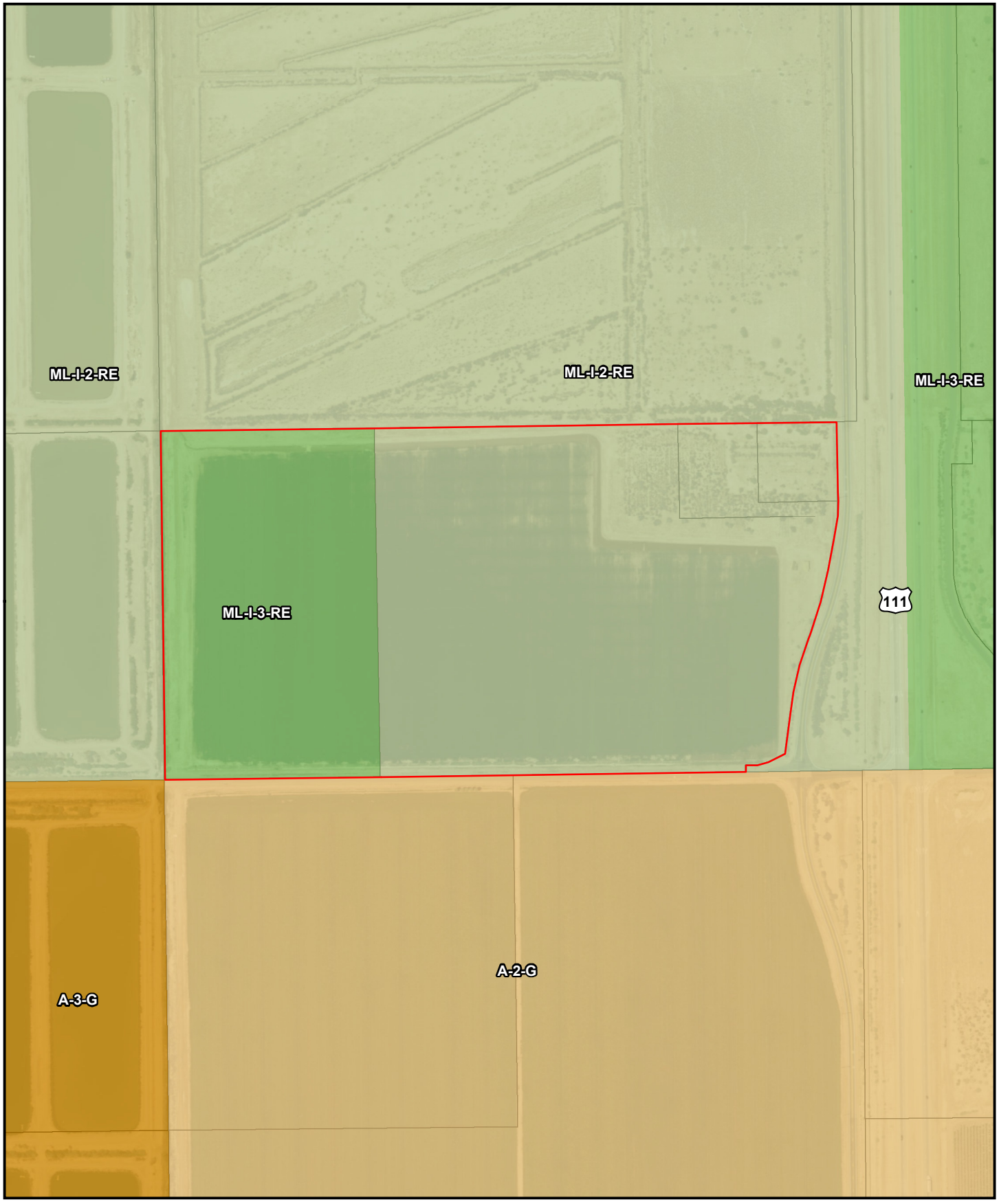
CHAMBERS GROUP



Project Location

Zoning

A-2-G
A-3-G
ML-I-2-RE
ML-I-3-RE

N

0 200 400 800

Feet

Figure 2

True North Organics Renewable Energy Facility

Zoning

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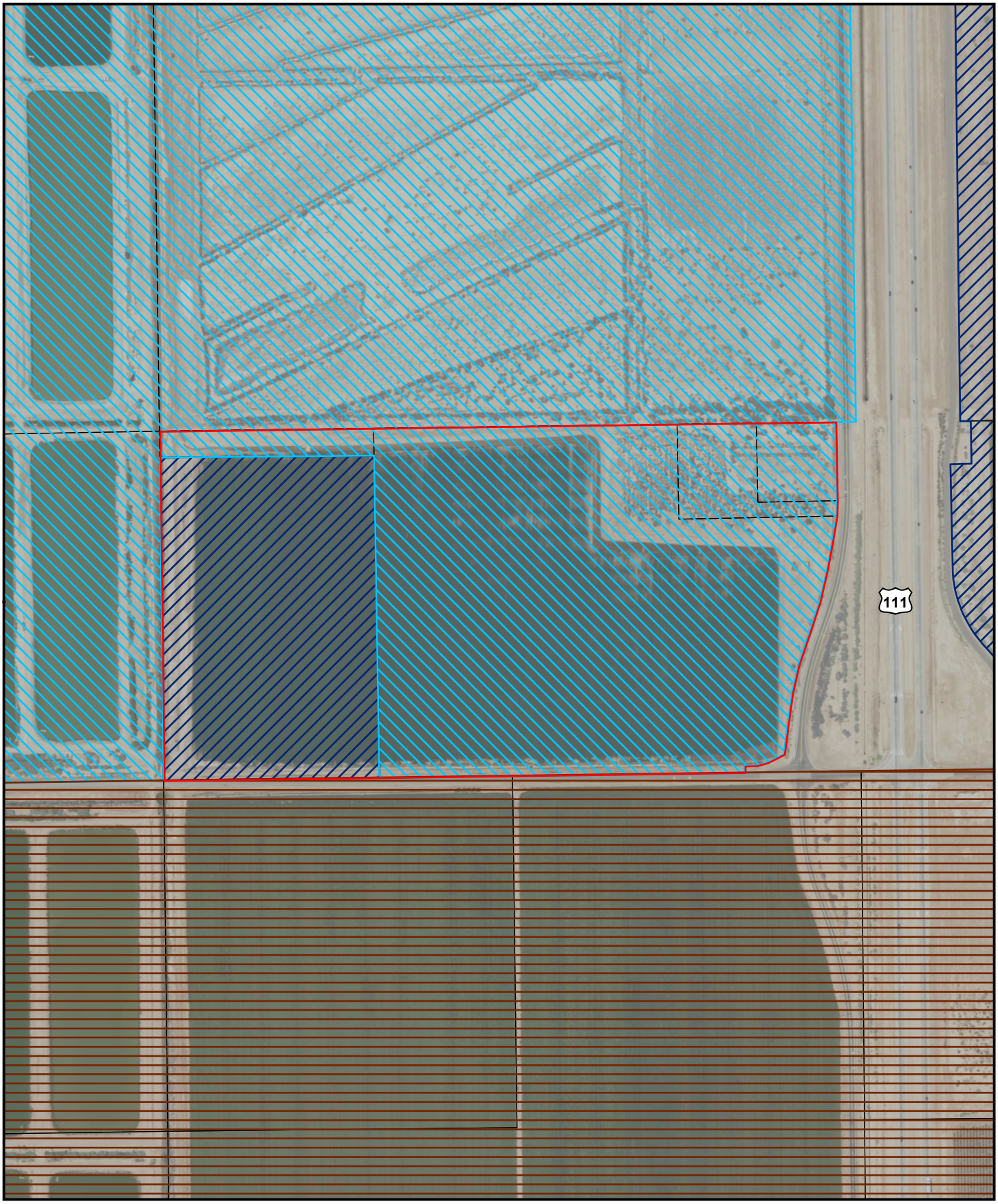

Project Location

Land Use Designation

Heavy Industrial

Medium Industrial

Agriculture – Outside Mesquite Lake Specific Plan

N

0 200 400 800

Feet

Figure 3
True North Organics Renewable Energy Facility
Land Use Designation

Name: 21377 PLAN Fig 3 Land Use Designation.Mxd
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C. PROJECT SUMMARY

Anaerobic digestion is the controlled decomposition of organic material in an oxygen-free environment. The Proposed Project would add organics processing infrastructures to the County to conform to California's waste diversion regulations including Senate Bill (SB) 1383. Starting in 2022, the California Department of Resources Recycling and Recovery (CalRecycle) would enforce local jurisdiction responsibilities under SB 1383, including providing organic material collection to residents and business, this enforcement would also result in the way the Project would be phased as the Project would need to meet market demand and would be dependent on the enforcement of the policy under SB 1383.

The Proposed Project would provide organics processing infrastructure and organic materials diversion from regional landfills. Organics constitutes the largest component of municipal solid waste and, when deposited into a landfill, results in the emission of methane, a source of greenhouse gas emissions. The Project is focused on eliminating these current practices with efficient and effective solutions, using naturally occurring bacteria to produce biogas (a renewable fuel) and natural fertilizers that can be sold locally to enrich or amend soils.

Initially, the composting would be done on aerated pads when the organic material mix is mainly green with small amounts of food. Once the amount of food in the feedstock becomes significant, the full aeration buildings would be added as the primary composting stage.

The Proposed Project would also generate renewable energy through the HSAD process and may incorporate behind-the-meter, on-site solar and battery storage (up to 11 megawatts [MW]) as an accessory use of the Project for on-site consumption only. The Proposed Project is anticipated to generate up to 3,240 million standard cubic feet per day (Mscf/d) of natural gas. The produced gas would be injected into an existing Southern California Gas (SoCalGas) pipeline located just east of the Project along Old Highway 111.

Transfer trucks or local collection trucks would deliver to the Proposed Project organic material that would be tipped inside the receiving building. Incoming material would be sorted and blended using automated equipment. The organic material would be conveyed to an anaerobic digester vessel where microorganism would breakdown the material in an oxygen-free environment to generate biogas, which then would be cleaned up to renewable natural gas. The digestate from the anaerobic digestion process would transported to the aeration pads and/or building to create a pathogen-free soil amendment and organic compost product. Two separate access points to the site would be provided, one along Harris Road and one along Old Highway 111.

The Proposed Project would include the full build-out of a 2,500-ton-per-day (TPD) (600,000-ton-per-year) HSAD and aerated static pile (ASP) compost facility on approximately 75 acres of vacant land. The Project would use either horizontal or vertical digesters. The Proposed Project would be developed in two phases as follows:

- Phase 1 of the Project would be designed to process 300,000 tons per year (TPY) and would consist of the following components:
    - Daily feedstock (up to a maximum of 1,150 TPY)
    - Receiving building (101,000 square feet [sf])
    - Anaerobic digesters (horizontal;150 feet [ft] long by 45 ft high *or* vertical;120 ft high)
    - Flares (40 ft high)
    - Four aeration pads for composting (180,400 sf total)
    - Two aeration buildings for composting (each 82,560 sf)
    - Office (6,000 sf)
    - Employees (20 to 25)
    - Building height (60 ft maximum)
    - Solar arrays (the electricity generated by the array would be used to operate the AD facility [behind the meter]). Battery storage, as an accessory use, might be utilized.

- Phase 2 of the Project would be designed to process an additional 300,000 tons per year (TPY) and would consist of the following additional components:
    - Daily feedstock (up to a maximum of 1,150 TPY)
    - Receiving building (44,543 sf)
    - Anaerobic digesters (horizontal [150 ft long by 45 ft high] *or* vertical [120 ft high])
    - Flares (40 feet high)
    - Four aeration pads for composting (180,400 sf total)
    - Two aeration buildings for composting (each 82,560 sf)
    - Employees (20 to 25)
    - Building height (60 ft maximum)
    - Rooftop solar (the electricity generated by the rooftop solar array would be used to operate the AD facility [behind the meter]). Battery storage, as an accessory use, might be utilized.

All buildings would be pre-engineered steel buildings. The Project site layout is illustrated in Figure 4, Project Site Plan. As mentioned, the Project also includes a lot merger to merge all four parcels to one parcel to meet acreage requirements; a Specific Plan amendment from Medium Industrial to Heavy Industrial; and a zone change from ML-I-2-RE to ML-I-3-RE, as shown in Figure 5, Proposed Land Use and Zoning Changes. The ML-I-3-RE designation would allow for greater flexibility in terms of industrial uses. The allowed uses for each zone are described below and in Table 1: Allowed Uses. The Project also proposes a text amendment to the Specific Plan to further clarify the anaerobic and composting processes. This text amendment is shown below.

ML-I-2: Medium Industrial

The ML-I-2 (Mesquite Lake Medium Industrial) zoning designation is intended to provide areas to accommodate light (MLI-1) and medium intensity industrial type uses such as wholesale distribution centers, warehousing, storage, trucking, assembly type manufacturing, general manufacturing, research and development, medium intensity fabrication, and other similar medium intensity processing facilities, industrial/business parks, industrial plants, power plants (generation and transmission of electrical energy), truck and rail container storage, and research and development facilities. The processing or fabrication within any of these facilities is to be limited to activities conducted either entirely within a building or within securely fenced (obscured fencing) areas. Provided further that such facilities do not omit fumes, odor, dust, smoke, or gas beyond the confines of the property line within which their activity occurs or produces significant levels of noise or vibration beyond the perimeter of the site. Certain specified agricultural and agricultural processing uses would also be permitted.

ML-I-3: Heavy Industrial

The ML-I-3 zoning designation is for most intense, heaviest type of manufacturing processing, or fabrication facilities. It would, however, also allow "permitted" uses from the MLI-1 and MLI-2 type of uses, provided they are compatible and meet the standards of the plan. Processing or fabrication in these areas is allowed to be conducted entirely within a building or outside of a building, provided however the facility does not omit fumes, odors, dust, smoke, or gas beyond the confines of the property upon which the activity occurs, nor produces significant levels of noise or vibrations beyond the perimeter of the site. Certain specified agricultural uses would also be permitted.

Table 1. Allowed Uses

Use	Zoning	
	ML-I-2	ML-I-3
Caretaker or Security Residence	A	A
Retail Trade	A	A
Agricultural/Nursery Supplies and Services	A	A
Automotive and Light Truck Repair	A	A
Building Contractor's Offices and Yards	A	A

Use	Zoning	
	ML-I-2	ML-I-3
Services and Related Support Facilities	A	A
Administrative and Professional Offices	A	A
Conference/Convention/Meeting Facilities	A	A
Repair and Rental Services	A	A
Manufacturing and Assembly	A	A
Light Manufacturing	A	A
Medium Manufacturing	A	A
Heavy Manufacturing	–	A
Wholesale, Storage, and Distribution	A	A
Light/Medium Wholesale, Storage, and Distribution Activities	A	A
Heavy Wholesale, Storage and Distribution	CUP	A
Agricultural Crops and Processing (growing and harvesting agricultural crops)	A	A
Agricultural Processing (packing and processing excluding animal products or byproducts)	CUP	A
Agricultural Crops and Processing (growing and harvesting including fish and frog farms or other agricultural packing and processing for products sold for human consumption)	–	A
Agricultural Processing (packing and processing including products or byproducts)	–	CUP
Public, Semi-Public, and Institutional Uses	A	A
(i) Post Office	A	A
(ii) Law Enforcement/Life Safety Facilities	A	A
(iii) Water treatment plants	A	A
(iv) Sewage treatment plants	A	A
(v) Flood Control Facilities (other than on-site detention)	A	A
Similar Uses Permitted by Planning Commission Determination	A	A
Generation and Transmission of Electrical Power	CUP	A
Manufacturing and Assembly	CUP	A
Minimum Impact Heavy Manufacturing	CUP	A
Wholesale, Storage and Distribution	CUP	A
Transportation Facilities	CUP	A
(a) Heliports/Helistops	CUP	A
(b) Railroads Spurs and Yards	CUP	A
Communication and Public Utilities	CUP	A
Recycling Facilities	CUP	CUP
Alternative Fuel Power Generating Facilities	–	CUP
Tire/Rubber Rendering Plan	–	CUP

Notes:
A = Allowed
CUP = Allowed with Conditional Use Permit
– = Not Allowed Use

Specific Allowed Uses:

Medium Manufacturing: Activities typically include but are not limited to manufacturing; compounding of materials; processing; assembly; packaging; treatment or fabrication of materials and products that require frequent large container truck traffic or rail traffic; or the transport of heavy, bulky items. The new products are semifinished to be a component for further manufacturing, fabrication, and assembly. These types of business establishments are customarily directed to interplant transfer, or to order from industrial uses, rather than for direct sale to the domestic consumer. Such uses may include but are not limited to activities involving the following products: frozen foods; canned food; fresh agricultural products; textile products; furniture and fixtures; converted paper and paper board products; plastic products made from purchased rubber, plastic, or resin; graphite, gypsum, and fabricated metal products made from sheet metals; electrical and electronic machinery, equipment and supplies; and office, computing, and accounting machines. Activities may produce noise, odors, vibrations, illumination, or particulates that may affect the persons residing or conducting business in the vicinity. Where 24-hour, on-site surveillance is necessary, a caretaker's

Use	Zoning	
	ML-I-2	ML-I-3
residence may be permitted when approved by a CUP. *Heavy Manufacturing:* Activities typically include but are not limited to manufacturing; compounding of material; processing; assembly; packaging; treatment or fabrication of material; and activities that may result in frequent rail or truck traffic or the transportation of heavy, large-scale products. Activities in this area may generate noise, odor, vibration, illumination, or particulates that may be obnoxious or offensive to persons residing or conducting business in the vicinity. Uses typically use raw materials such as wood, metal, glass, composites, plastic, rubber, gelatin, or aggregate materials (e.g., gypsum, sand, rock, granite, concrete) to fabricate semifinished products that include but are not limited to forge shops; metal fabricating facilities; open welding shops; lumber woodworking facilities; heavy machine shops; chemical storage and distribution; plastics plants; and light or vacuum casting facilities. Manufacturing uses allowed in the MLI-3 Land Use Designation include the following: (i) All manufacturing uses allowed in the MLI-2 Land Use Designation. (ii) Acid manufacturing, ammunition manufacturing, asbestos manufacturing plant, creosote manufacturing, curing, tanning and storage of raw hides or skins, distillation of bones, distillation of coal, wood or tar, drop forge industries, explosive manufacturing and storage, fat rendering, gas manufacturing, graphite manufacturing, iron, steel, brass or copper foundries or fabrication plants, rubber and rubber products manufacturing, automobile assembly plants (body and fender works). (iii) Smelting of tin, copper, zinc or iron ore, ore reduction plants, quarry, or stone mills, rolling mills, lumber mills. (iv) Petroleum refineries, incinerators, coke ovens.		

Development Standards
All new construction and future use of land within the Mesquite Lake Specific Plan must be in accordance with the Development Standards specified in Section IV of the Specific Plan. Where the provisions of Section IV differ from specified development standards or regulations in the County Land Use Ordinance, the provisions in the Specific Plan take precedence. Where Section IV of the Specific Plan does not address a particular use, standard, or regulation specified in the County Land Use Ordinance, the provisions of the Land Use Ordinance apply.

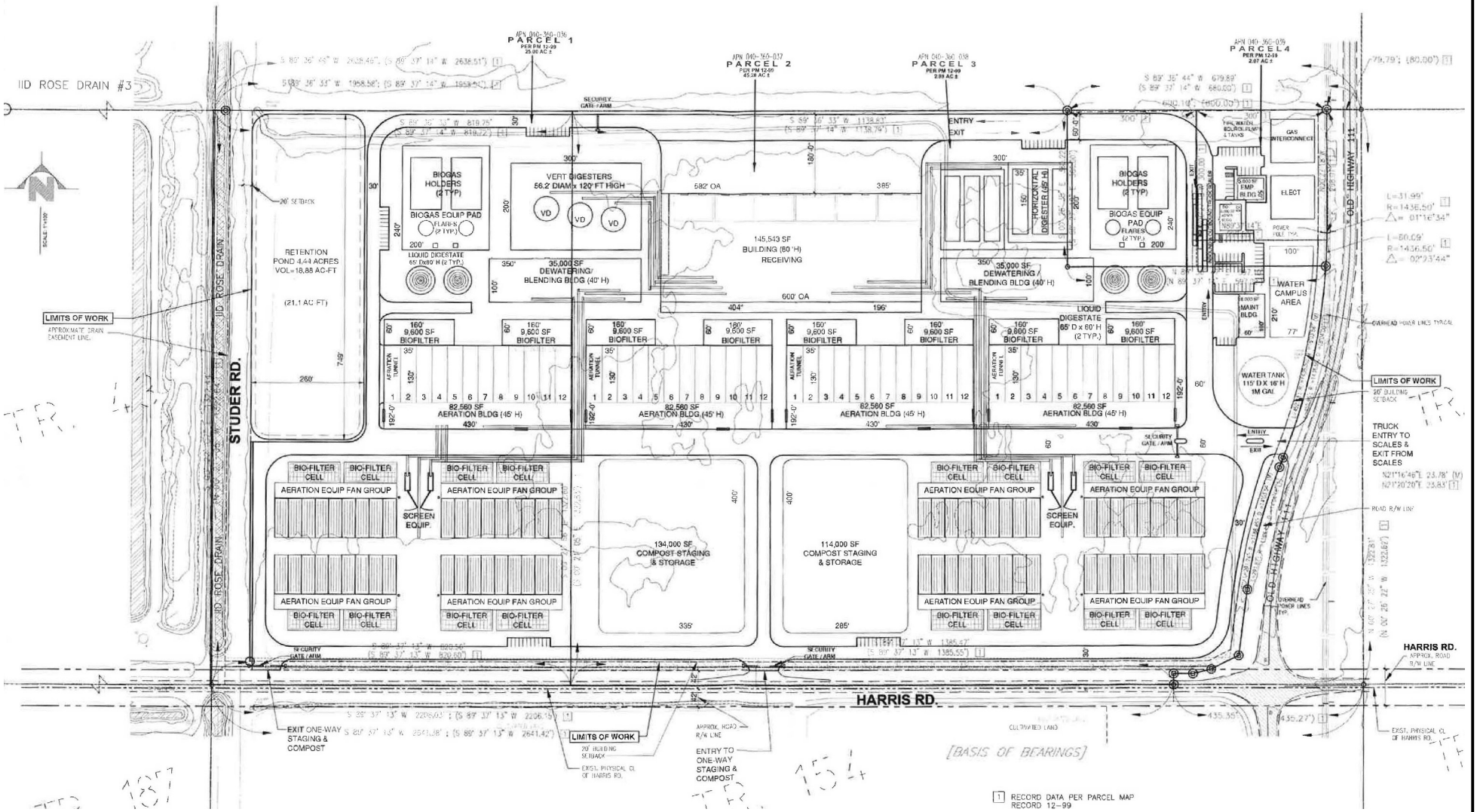
Specific Plan Text Amendments
The Project would require the following proposed text amendments to further clarify the anaerobic and composting processes.

Pages 50 and 51 of the Specific Plan would include a description of alternative fuel production using anaerobic digesters under "Uses Permitted with a Conditional Use Permit Only" and the addition of a composting facility to "Agricultural Processing permitted under a CUP." The proposed changes are shown below with ~~strikethrough~~ text to note deletions and <u>underlined</u> text to note additions.

b. Uses Permitted With a Conditional Use Permit Only

(1) Alternative Fuel Power-Generating Facilities
Activities typically include but are not limited to, anaerobic digesters, biomass, biosolid, and solar conversions and/or transformation.
<u>(2) Alternative fuel production using anaerobic digesters.</u>
<u>(3) Anaerobic digestion—the controlled biological decomposition of organic material in the absence of oxygen or in an oxygen-starved environment. Anaerobic digestion produces biogas and a residual digestate.</u>

~~(3)~~(5) Agricultural Processing <u>and Composting</u>
Activities are limited to packing and processing of agricultural crops, including animal products or byproducts such as an animal rendering plant. This would also include uses such as cotton gins, seed mills, and animal feed production; and may also allow expansion of existing fish or frog farming in the MLAA Zone onto adjacent property in the MLI-3 Zone.
<u>(6) Composting Facility</u>

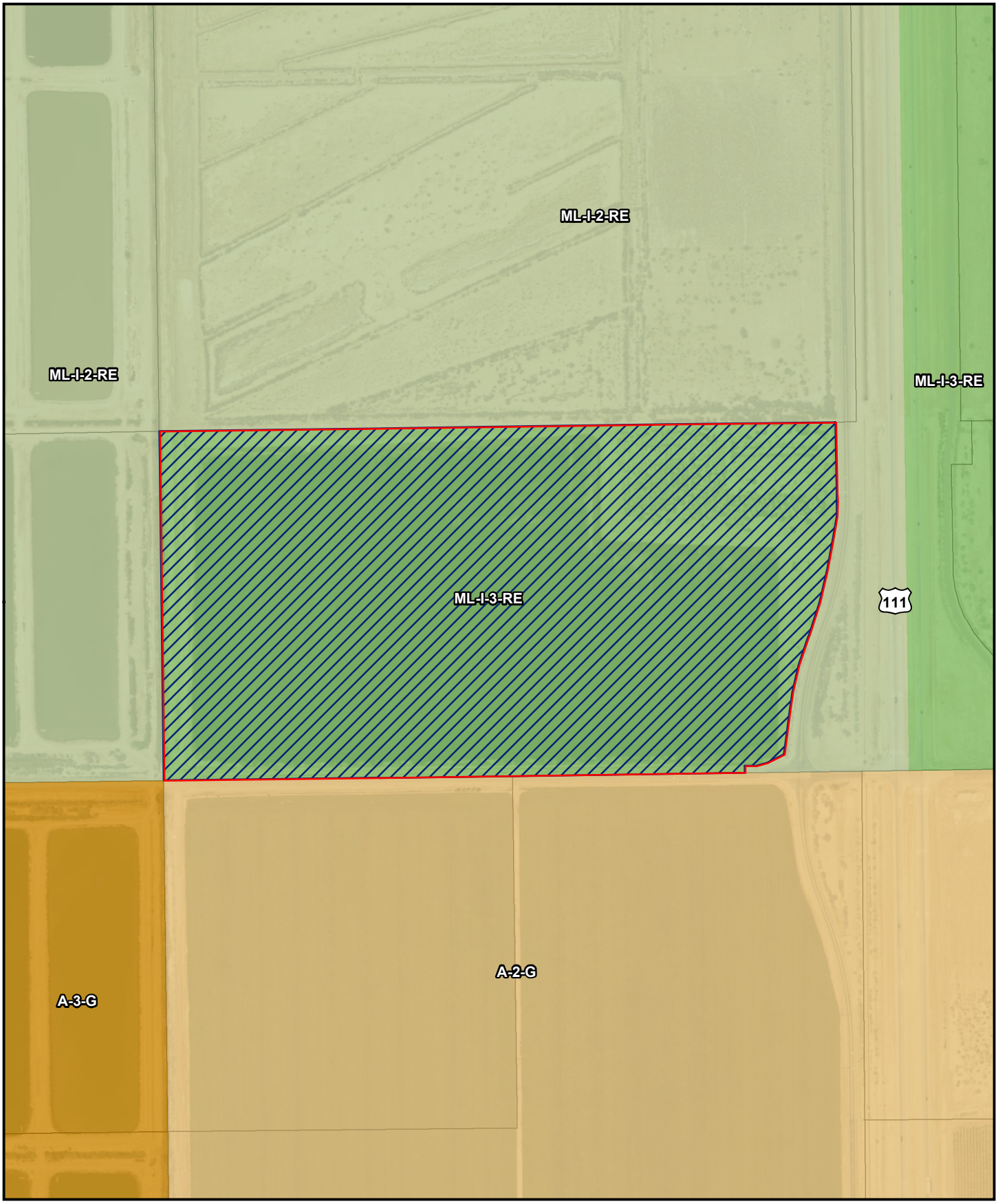


NOT TO SCALE

Figure 4
True North Organics Renewable Energy Facility
Project Site Plan

Name: 21377 PLAN Fig 4 Project Site Plan.Mxd
Print Date: 9/8/2022 1:19:12 PM Author: pcarlos

CHAMBERS GROUP



Project Location

Land Use Designation

Heavy Industrial

Zoning

A-2-G
A-3-G
ML-I-2-RE
ML-I-3-RE

N

0 200 400 800

Feet

Figure 5

True North Organics Renewable Energy Facility

Proposed Land Use and Zoning Changes

Name: 21377 PLAN Fig 5 Proposed Land Use and Zoning Changes.Mxd
Print Date: 9/20/2022 10:55:25 AM Author: pcarlos

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D. PROJECT CONSTRUCTION:

Schedule and Workforce

The construction activities for the Proposed Project fall into site grading and earthwork. The entire process is estimated to take approximately 18 to 24 months. Site grading and earthwork is anticipated to begin during the first quarter of 2023, with operations beginning in 2024. Construction would primarily occur during daylight hours, Monday through Friday. Additional hours/days may be necessary to facilitate the schedule.

The construction workforce would consist of laborers, craftsmen, supervisory personnel, support personnel, and construction management personnel. The on-site workforce has been conservatively estimated to peak at approximately 300 individuals for short periods of time, which is typically a few weeks. It is anticipated that the construction workforce would commute to the site each day from local communities. Construction staff not drawn from the local labor pool would stay in nearby hotels, thereby supporting the local economy.

During construction, dusk-to-dawn security lighting would be required for the construction staging areas, parking area, construction office trailer entries, and site access points. Lighting is not planned for typical construction activities because construction activities would occur primarily during daylight; however, if required, any lighting would be temporary and be limited to that needed to ensure safety and security.

Multiple portable toilets would be used during construction, and wastewater would be trucked off-site for disposal by a licensed sewage disposal company for treatment at a licensed or government wastewater treatment facility.

Site Grading and Earthwork

Initial work on the Project site would involve preparing the land for installation of related infrastructure, access driveways, and temporary construction staging areas. Prior to initial construction mobilization, preconstruction surveys would be performed, and sediment and erosion controls would be installed in accordance with an approved Storm Water Pollution Prevention Plan (SWPPP). Stabilized construction entrance and exits would be installed at driveways to reduce tracking of sediment onto adjacent public roadways.

Site preparation would involve the removal and proper disposal of existing vegetation and debris that would unduly interfere with Project construction or the health and safety of on-site personnel. The site preparation includes plans to balance soils on-site but, worst case, would include minimal amounts of cut or fill. Dust-minimizing techniques would be employed, such as maintaining natural vegetation where possible, utilizing a mow-and-roll vegetation clearance strategy, placement of wind-control fencing, application of water, and application of dust suppressants. Conventional grading would be minimized to the maximum extent possible to reduce unnecessary soil movement that may result in dust. Earthworks scrapers, excavators, dozers, water trucks, paddlewheels, haul vehicles and graders may all be used to perform grading. Land-leveling equipment, such as a smooth steel drum roller, would be used to even the surface of the ground and to compact the upper layer of soil to a value recommended by a geotechnical engineer for structural support. Access roads may be additionally compacted to 90 percent or greater, as required, to support construction and emergency vehicles. Certain access roads may also require the use of aggregate to meet emergency access requirements. Soil movement from grading would be balanced on the site, and it is anticipated that no import or export of soils would occur.

Trenching would be required for placement of underground electrical and communications lines, and may include the use of trenchers, backhoes, excavators, haul vehicles, compaction equipment, and water trucks. After preparation of the site, structure pads, equipment enclosures, and equipment vaults would be prepared per geotechnical engineer recommendations.

Construction Water Use

Water needed for construction is expected to be trucked from the Imperial Irrigation District (IID) water system. The Project construction is estimated to occur over 18 to 24 months. Construction water demands for each phase are

estimated to be approximately 33.7 acre-feet (AF), or approximately 67.4 AF total, for the following uses:

- Dust control
    - Approximately 9.2 AF per phase (10,000 gallons/day × approximately 200 days = 3 million gallons)
- Site preparation and miscellaneous construction:
    - Approximately 24.5 AF per phase (40,000 gallons/day × 200 days = 5 million gallons)

Initial construction water usage would support site preparation and grading activities. During earthwork for grading of access road foundations, equipment pads, and Project components, the main use of water would be for compaction and dust control. Smaller quantities would be required for preparation of the concrete needed for foundations and other minor uses. Subsequent to the earthwork activities, water usage would be used for dust suppression and normal construction water requirements that would be associated with construction of the building and internal access roads.

E. PROJECT OPERATIONS

The staffed operating hours of the Project are expected to be Monday through Friday from 5:00 AM to 7:00 PM, aligned to the delivery of organic material arriving to the facility. Assuming a total processing capacity of 600,000 tons per year (for 15 years, with an option to extend), the Proposed Project is expected to receive up to 100 truck trips per day for feedstock delivery and could dispatch up to 37 trucks daily for compost delivery, although it is anticipated that the same trucks for delivering feedstock would be used for dispatching compost.

Odors and Emissions

To mitigate and minimize potential odors, the facility would be fully enclosed for organic material reception, pretreatment, continuous thermophilic anaerobic digestion, and subsequent enclosed composting. Primary and secondary composting would occur on the aeration pads when the material is mainly green with small amounts of food. When the amount of food in the material stream increases, primary composting would occur in a fully enclosed building. The facility would operate with a constant negative air ventilation system with source aspiration and air cleaning systems, consisting of a biofilter and with an acid scrubber (if required). Further, the Project would develop an Odor Control Plan as required by the Solid Waste Facility Permit, which would be issued by CalRecycle and administered the by Imperial County Air Pollution Control District.

Operational Water Use

Water needed for ongoing operation of the facility is expected to be supplied by the IID. The Project's operational water demands are estimated to be approximately 15.6 acre-feet/year (AFY).

Hydrology and Water Quality

The majority of the process water would be recycled in the anaerobic digestion and composting process. However, a small amount of effluent would be generated from the acid washer and runoff from the facility, which would be managed in accordance with State and local water quality regulations. The entire Project site would drain into a stormwater retention basin at the northwestern portion of the Project site that is approximately 4.44, acres, with a volume of 18.99 AF. A lined pond would be constructed to hold and treat the effluent generated during the composting process. Water from the lined pond would be recycled back into the process. Based on final design of the pond and if required by Environmental Health and Safety (EHS), a vector control plan would be submitted. Storm water will be retained in a pond prior to discharging into surface waters.

Utilities: Sewer and Water

The Project is adjacent to an IID water supply canal that the Project anticipates using for its' water needs. It is anticipated that this water would be treated for domestic uses. The closest sewer line is located several miles away from the Project, but the Project anticipates treating on-site wastewater with a package treatment plant designed to

meet the requirements of the RWQCB and using that water for dust control, irrigation, or other similar uses.

Utilities: Electric and Natural Gas

Electrical service would be provided by IID and/or self-generated solar panels. A Facility Study Report was prepared by IID on April, 28, 2022, that indicated that IID requires the design and construction of the new 34.5 kV Harris Switching Station to allow the Project to feed from the 34.5 kV LB line. The existing 34.5 kV transmission line would be looped into and out of the new switching station to safely and reliably allow the addition of the 11 MW Project. The switching station would be located in the electrical area in the northeast corner as shown on the site plan in Figure 4. If solar panels are used, they would be installed on the roofs of buildings and would interconnect by way of a bidirectional meter that would also serve as the metering element for power purchased from IID. The solar panels would be used solely for Project operations. The solar panels could utilize a battery energy storage element that would require approval from the County Planning Department, prior to installation. The Project would require approximately 331,526 kilowatt hours per year (kWh/year).

The Proposed Project would require minimal gas for heating, including boilers for the anaerobic digester in the cooler months. Gas usage is estimated to be 1,080,470 thousand British thermal units per year (kBTU/yr) or approximately 1,059 million standard cubic feet per year (Mscf/year) and would be provided by SoCalGas. The Proposed Project is anticipated to generate up to 3,240 Mscf/d or 1,182,600 Mscf/year of natural gas. The produced gas would be injected into an existing SoCalGas pipeline located just east of the Project along Old Highway 111.

Project Features and Best Management Practices

The following sections describe standard Project features and best management practices that would be applied during construction and long-term operation of the Project to maintain safety and minimize or avoid environmental impacts.

Waste and Hazardous Materials Management

The Proposed Project would have minimal levels of materials on-site that have been defined as hazardous under 40 CFR, Part 261. The following materials are expected to be used during the construction, operation, and long-term maintenance of the Proposed Project:

- Diesel fuel, gasoline and motor oil- used in vehicles
- Mineral oil- sealed within the transformers of the solar array
- Various solvents/detergents - equipment cleaning

Hazardous materials and wastes would be managed, used, handled, stored, and transported in accordance with applicable local and State regulations. All hazardous wastes would be maintained at quantities below the threshold requiring a Hazardous Material Management Program (HMMP) also referred to as a Hazardous Materials Business Plan (HMBP) (one 55-gallon drum). Although not expected, should any on-site storage of hazardous materials exceed one 55-gallon drum, a HMMP / HMBP would be prepared and implemented.

Chemical storage tanks (if any) would be designed and installed to meet applicable local and State regulations. Any wastes classified as hazardous, such as solvents, degreasing agents, concrete-curing compounds, paints, adhesives, chemicals, or chemical containers would be stored (in an approved storage facility /shed/structure) and disposed of as required by local and State regulations. Material quantities of hazardous wastes are not expected

Spill Prevention and Containment

Spill prevention and containment for construction and operation of the Proposed Project would adhere to the U. S. Environmental Protection Agency's (EPA) guidance on Spill Prevention Control and Countermeasures (SPCC).

Health and Safety Plan

Safety precautions and emergency systems would be implemented as part of the design and construction of the Proposed Project to ensure safe and reliable operation. Administrative controls would include classroom and hands-on training in operating and maintenance procedures, general safety items, and a planned maintenance program. These would work with the system design and monitoring features to enhance safety and reliability.

The Proposed Project would have an Emergency Response Plan (ERP). The ERP would address potential emergencies, including chemical releases, fires, and injuries. All employees would be provided with communication devices, cell phones, or walkie-talkies, to provide aid in the event of an emergency.

Solid Waste

Inert solid wastes resulting from construction activities may include recyclable items such as paper, cardboard, solid concrete and block, metals, wire, glass, types 1–4 plastics, drywall, wood, and lubricating oils. Nonrecyclable items include insulation, other plastics, food waste, vinyl flooring and base, carpeting, paint containers, packing materials, and other construction wastes. A Construction Waste Management Plan would be prepared for review by the County. Consistent with local regulations and the California Green Building Code, the plan would provide for diversion of a minimum of 50 percent of construction waste from landfills.

Operation of the Proposed Project would ultimately result in a net decrease in solid waste because the Project would divert solid waste to be decomposed and converted to energy.

Fire Protection and Safety

Water for fire protection would be purchased from IID and stored in an aboveground storage tank in accordance with County Fire Department standards. The system would be designed in accordance with federal, State, and local fire codes; occupational health and safety regulations; and other jurisdictional codes, requirements, and standard practices.

F. PROJECT DECOMMISSIONING AND ABANDONMENT

The projected life of the Project is approximately 15 years, with an option to extend every 3 years. At the end of operations, a Site Abandonment Plan would be prepared and implemented in conformance with the County and CUPA requirements for consideration by the Planning Commission prior to Project approval. The plan would describe the proposed equipment dismantling and site restoration program in conformance with the wishes of the respective landowners/lessors and requirements in effect at the time of abandonment and would be implemented at the end of Project operations.

G. REQUIRED PERMITS AND APPROVALS

Construction and operation of the Proposed Project may include but not be limited to the following regulatory reviews and approvals:

Federal

- U.S. Fish and Wildlife Service (USFWS)

State

- California Department of Fish and Wildlife (CDFW)
- State Water Resources Control Board (SWRCB)
- Regional Water Quality Control Board (RWQCB)
- California Integrated Waste Management Board (CIWMB)
    - Odor Impact Minimization Plan

    - Solid Waste Facility Permit
- California Department of Toxic Substances
- California Department of Industrial Relations, Division of Occupational Safety and Health (Cal/OSHA)

Imperial County Planning Department

- Approval of Zone Change
- Approval of Variance
- Approval of Conditional Use Permit
- Lot Merger
- Mesquite Lake Specific Plan Amendment

Imperial County Building Department

- Building Permits
- Construction Waste Management Plan

Imperial County Environmental Health and Safety (EHS)

- Vector Control Plan for Retention Pond

Other Responsible Agencies

- Imperial County Air Pollution Control District (ICAPCD)
    - Fugitive Dust Control Plan
    - Authority to Construct
    - Permit to Operate
    - Odor Control Plan
    - Any other permits as required
- National Pollutant Discharge Elimination System (NPDES)
    - Stormwater Pollution Prevention Plan (SWPPP)

Other additional permits or approvals from responsible agencies may be required for the Proposed Project.

H. OBJECTIVES

The purpose of the Project is to develop, build and operate an anaerobic digestion facility with incidental advanced composting for the management and processing of residential, commercial and industrial food and green waste throughout the State of California. The objectives of the Project are interrelated and are as follows:

- Assist Imperial County to conform to California's waste diversion regulations, including SB1383.
- Assist the State of California in reducing 75% of organic waste reduction from landfills by 2025 and enforcing implementation of a diversion program staring in 2022.
- Generate substantial direct and indirect economic activity in Imperial County during construction and operation.
- Increase local short- and long-term employment opportunities in Imperial County.
- Assist the State of California in achieving or exceeding its Renewable Portfolio Standard (RPS), SB 350, SB 100, Assembly Bill (AB) 32 (California Global Warming Solutions Act), and greenhouse gas emissions reduction objectives.

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 off-site as well as on-site, 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, 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) "Negative Declaration: 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 (mitigation measures from "Earlier Analyses," as described in (5) below, may be cross-referenced).

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 Measures Incorporated," describe the mitigation measures which 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) Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.

8) This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.

9) 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

	Potentially Significant Impact **(PSI)**	Potentially Significant Unless Mitigation Incorporated **(PSUMI)**	Less Than Significant Impact **(LTSI)**	No Impact **(NI)**

I. *AESTHETICS*

Except as provided in Public Resources Code Section 21099, would the project:

a)	Have a substantial adverse effect on a scenic vista or scenic highway?	☐	☐	☒	☐
b)	Substantially damage scenic resources, including, but not limited to trees, rock outcroppings, and historic buildings within a state scenic highway?	☐	☐	☒	☐
c)	In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surrounding? (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?	☐	☐	☒	☐
d)	Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	☐	☐	☒	☐

Summary of Impacts Identified in the MEIR

The MEIR included an analysis of the aesthetic and visual resources within the SPA. Among other development standards, the MEIR evaluated a maximum height of six stories or 80 feet. The Specific Plan also notes, "Additional building height or for ancillary facilities may be permitted by variance or conditional use permit pursuant to Division 2 of the County Land Use Ordinance." At the time the MEIR was approved, most of the SPA was covered with farmland or farm-related auxiliary structures with minimal ornamental vegetation. Most of the trees were associated with the cemetery. Given the flat topography of the SPA, no surrounding elevated views are possible. The viewshed included surrounding farmlands and segments of State Route (SR) 86, SR 111, Keystone Road, Dogwood Road, and Harris Road.

The MEIR found that the Mesquite Lake SPA was not located within a scenic vista or near a scenic highway. It thus determined that due to the aesthetics of the area, no sensitive viewers would be impacted by development occurring within the SPA. Given that the area was on a former flat lake bed with little topographic relief, any grading required during development would not result in significant landform alteration. Construction at the undeveloped areas (or proposed redevelopment) would be introducing utilitarian structures that would be comparable to the existing facilities, in addition to complying with the development standards within the SPA. While future development within the SPA would intensify the number of structures and scale of the built environment, the majority of the viewers (which would be motorists and workers) would have low visual quality expectations.

Construction-related effects with the presence of equipment and stockpiles would have short-term, negative visual impacts. However, it was determined that these would be less than significant due to it being temporary, and no sensitive vistas or viewers would demand high visual quality in the area.

Impacts Related to the Proposed Project

a)	Have a substantial adverse effect on a scenic vista or scenic highway?	☐	☐	☒	☐

a) Consistent with the MEIR; Less than Significant Impact. The MEIR identified the Specific Plan as not being located on or within a scenic vista. According to the County's Conservation and Open Space Element, the Proposed Project and its immediate surroundings are not located within areas designated to have significant visual quality or scenic potential (County 2016a).

The General Plan EIR (County 1993a), notes that there were highways within the County that had potential to be considered as State-designated or eligible scenic highways. These included Interstate (I) 8 (I-8), SR 78, SR 111 and the Borrego-Salton Seaway, also known as S-22. According to the California Department of Transportation (Caltrans) State Scenic Highway System Map (Caltrans 2018), these highways are part of the eligible and State-designated highways listings. However, these designated/potentially eligible routes are not located within the Proposed Project. The closest portion of Highway 111 eligible for listing is almost 34 miles north of the Project site.

Additionally, If the vertical option for the anaerobic digester is chosen, the structure height may be up to 120 feet, and the Project would require a variance request. The Proposed Project would introduce new structures to an area of the site that contains no existing vertical elements and would change the existing visual character of the area. While the Proposed Project is located adjacent to Highway 111, this portion of Highway 111 is not within the eligible section as noted in Caltrans (Caltrans 2023). Furthermore, given the low visual quality of the area, no scenic vistas, parks or residences would have sensitive viewers.

While the Proposed Project may be viewed from various roadways by motorists, such as those traveling along East Harris Road and Highway 111, these areas are not designated as scenic, and views would be consistent with and typical of industrial uses that are permitted land uses at the Project site. Furthermore, the Proposed Project would be required to comply with the Development Standards of the Mesquite Lake Specific Plan to ensure the design would be consistent with existing and future development.

Since the Specific Plan allows additional building height with a variance, implementation of the Project would be consistent with the MEIR, and would not result in any new impacts that were not previously analyzed, and impacts would be less than significant.

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

b) Consistent with the MEIR; Less than Significant Impact. As discussed in part a), the Proposed Project is not located within a State or eligible scenic highway, nor is the Proposed Project near or within scenic vistas or areas that may provide users with visual quality. The Project site is undeveloped and zoned for medium to heavy industrial, with a land use of medium to heavy industrial. The Project site remains largely unchanged from the conditions described in the MEIR. Additionally, no rock outcroppings, or current historic buildings are found within the Proposed Project site. No trees are visible at the Project site outside of natural vegetation. The vegetation present does not define the visual characteristics of the site, and removal of these as proposed would not substantially change or damage the visual character. Therefore, implementation of the Project would be consistent with the MEIR, and impacts would be less than significant.

c) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surrounding? (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? ☐ ☐ ☒ ☐

c) Consistent with the MEIR; Less than Significant Impact. The MEIR conducted a Visual Resources Analysis discussing the potential visual impacts of development within the SPA. As discussed in threshold a) above, the MEIR and the County's General Plan Conservation Element identified that the Project site area does not have significant visual quality or scenic potential. The Project site would be defined as a mostly nonurbanized area. As discussed further in threshold a), even with the potential increase in height, the Proposed Project would not substantially degrade the existing visual character or quality of public views. As discussed in the MEIR, the SPA has been designated to be used for industrial and agricultural uses. The Proposed Project would be consistent with the uses as defined in the Specific Plan. Furthermore, the Proposed Project would be required to comply with the Development Standards of the Mesquite Lake Specific Plan to ensure the design would be consistent with existing and future development. Therefore, implementation of the Project would be consistent with the MEIR, and impacts would be less than significant.

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

d) Consistent with the MEIR; Less than Significant Impact. Existing light and glare sources at the Proposed Project are from vehicles commuting along the roadways from Harris Road and Highway 111. During construction, sources of light and glare would come from the construction equipment being used and stored at the Project site. Once operational, new light sources would come from the newly constructed buildings and from the presence of vehicles. Glare sources would come from any areas with reflective surfaces, such as building facades and windows. As discussed in the MEIR, construction effects would be temporary and short-term and would be limited during the hours of 7:00 AM to 7:00 PM Monday through Friday, and 9:00 AM to 5:00 PM on Saturdays, per the County's General Plan Noise Element (County 2015a).

Project operations would occur Monday through Friday from 5:00 AM to 7:00 PM, aligned to the delivery of organic material arriving to the facility. Depending on the time of year, minimal lighting would be required during these hours; moreover, little to no lighting would be required when the Project is not operating. Glare during operations could be seen from buildings and vehicles; however, the Proposed Project would be designed per the Development Standards of the Mesquite Lake Specific Plan, which notes, "Exterior wall finishes should generally be concrete, masonry, or stucco, though metal or synthetic wall panels with a similar appearance to these materials may also be acceptable as determined by the Planning & Development Services Department." Additionally, potential glare impacts could occur from solar panels, if utilized. However, if solar panels are used, they would be installed on the roofs of buildings and would only be visible from above by sources such as aircraft. However, as discussed in Section IX: Hazards and Hazardous Materials, the nearest airport is over 6 miles southwest from the Project Site.

As described in the MEIR, the area does not propose development of residential spaces, and the area is not compatible for residential uses. Furthermore, as mentioned, the Proposed Project would be designed per the Development Standards of the Mesquite Lake Specific Plan so that it would be consistent and compatible with existing and future development. Therefore, implementation of the Project would be consistent with the MEIR, and impacts would be less than significant.

	Potentially Significant Impact **(PSI)**	Potentially Significant Unless Mitigation Incorporated **(PSUMI)**	Less Than Significant Impact **(LTSI)**	No Impact **(NI)**

II. *AGRICULTURE AND FOREST RESOURCES*

In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the State's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board.

Would the project:

a)	Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	☐	☐	☒	☐
b)	Conflict with existing zoning for agricultural use, or a Williamson Act Contract?	☐	☐	☐	☒
c)	Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104(g))?	☐	☐	☐	☒
d)	Result in the loss of forest land or conversion of forest land to non-forest use?	☐	☐	☐	☒
e)	Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?	☐	☐	☐	☒

Summary of Impacts Identified in the MEIR

The MEIR noted that the EIR prepared for the 1993 general plan update addressed the agricultural impacts that would result from designation of non-agricultural uses in areas of existing farmland. This included areas designated for urban uses, including designated SPAs. The proposed Mesquite Lake SPA designation was specifically addressed in the Agriculture section of the EIR, which stated that this was an area of poor agricultural land, in spite of its Important Farmland designation. The evaluation of agricultural impacts included the following statement:

> The direct loss of 4,260 acres of Important Farmland in the Mesquite Lake SPA would be justified if a major portion of this proposed industrial park is devoted to agricultural-related operations. In particular, as detailed in the Agricultural Element, the County requires and would benefit from additional agricultural processing and packaging facilities. The development of packaging and processing facilities in the Mesquite Lake SPA would stabilize and increase the value of farm products; increase local employment; diversify the overall agricultural industry and thereby stabilize the local economy; and lower the prices of many locally produced commodities for local consumption.

The MEIR noted that approval of the Specific Plan would commit nearly the entire property, some 4,780 acres (of which approximately 1,420 acres is currently under cultivation), to nonagricultural use and would include all Project lands designated as Prime Farmland and Farmland of Statewide Importance. It is important to note, however, that due to poor soil conditions, farmlands within the Project that are designated as Prime or of Statewide Importance are less productive than these designations would imply. The Mesquite Lake Specific Plan, including the general plan amendment to change approximately 570 acres from the Agriculture designation to SPA, would not significantly impact the County's agricultural resources and no mitigation would be required.

Additionally, no portion of the Project is subject to a California Land Conservation Act (Williamson Act) contract for agricultural preservation.

Impacts Related to the Proposed Project:

a)	Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	☐	☐	☒	☐

	Potentially Significant Impact **(PSI)**	Potentially Significant Unless Mitigation Incorporated **(PSUMI)**	Less Than Significant Impact **(LTSI)**	No Impact **(NI)**

a) Consistent with the MEIR; Less than Significant. The majority of the Proposed Project is located on land classified as Farmland of Statewide Importance, with portions of the outer boundary of the site being classified as "Other Land," which is land not included in any other category, such as low density rural development, riparian areas not suitable for grazing, strip mines, or aquaculture facilities, among others (DOC 2023a). Currently, agricultural activities exist on site. However, impacts associated with conversion of this land from agricultural to nonagricultural uses were evaluated in the MEIR, and it was concluded that no impacts to agricultural land would occur due to poor soil conditions and given that farmlands within this area are less productive than their designation would imply. Implementation of the Project would be consistent with the MEIR, would not result in any new impacts that were not previously analyzed, and impacts would be less than significant.

b)	Conflict with existing zoning for agricultural use, or a Williamson Act Contract?	☐	☐	☐	☒

b) Consistent with the MEIR; No Impact. As previously mentioned, the MEIR noted that no portion of the Mesquite Lake Specific Plan was identified in containing any land subject to the Williamson Act. Additionally, since 2006, no new lands have been subject to the provisions of a Williamson Act contract (DOC 2023b). Imperial County currently does not participate in Williamson Act contracts and there are currently no active contracts within the County. On February 23, 2010 the Board of Supervisors approved Minute Order #10a which forced all existing Williamson Act contracts into non-renewal and denied any new contracts. The last Williamson Act contracts expired in 2020. No land within the Project site is zoned for agricultural use; the current zoning for the site is Mesquite Lake Specific Plan consisting of Medium and Heavy Industrial (County 2006a). Implementation of the Project would be consistent with the MEIR and would not result in any new impacts to a Williamson Act Contract or existing agricultural zoning and no impacts would occur.

c)	Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104(g))?	☐	☐	☐	☒
d)	Result in the loss of forest land or conversion of forest land to non-forest use?	☐	☐	☐	☒

c) and d) Consistent with the MEIR; No Impact. Currently no land within the Mesquite Lake Specific Plan is zoned for forest land or timberland (County 2006a). As discussed in threshold b), the Project site is zoned Medium and Heavy Industrial. (County 2006a). Additionally, no forests or tree production occurs on the site. Therefore no impacts to forest land or timberland would occur.

e)	Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?	☐	☐	☐	☒

e) Consistent with the MEIR; Less than Significant. As mentioned in threshold a) above, impacts associated with conversion of this land from agricultural to nonagricultural uses were evaluated in the MEIR, and it was concluded that no impacts to agricultural land would occur due to poor soil conditions and given that farmlands within this area are less productive than their designation would imply. Implementation of the Project would not result in any new impacts that were not previously analyzed and would be consistent with the MEIR. Impacts would be less than significant.

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 the following determinations. Would the Project:

a)	Conflict with or obstruct implementation of the applicable air quality plan?	☐	☒	☐	☐
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?	☐	☐	☒	☐
c)	Expose sensitive receptors to substantial pollutants concentrations?	☐	☐	☒	☐
d)	Result in other emissions (such as those leading to odors adversely affecting a substantial number of people)?	☐	☒	☐	☐

Summary of Impacts Identified in the MEIR:

The MEIR included an analysis of the existing air quality conditions at the time of preparation of the MEIR and an impact analysis for construction and operation based on full buildout of the Specific Plan.

The MEIR noted that at the time of preparation, neither Imperial County nor the Imperial County Air Pollution Control District (ICAPCD) had quantitative thresholds for determining significance of impact under CEQA. For federal projects in a marginal ozone (O3) (8-hour) nonattainment area, thresholds for the presumption that a project would conform to the State Implementation Plan (SIP) were 100 tons per year for both nitrous oxides (NOx) and reactive organic gases (ROCs). In recognition of the State "nonattainment" designation for O3 and to be conservative, thresholds of 50 tons per year for NOX and ROC were used. The federal SIP conformity threshold for PM10 in a federal "nonattainment-serious" area is 70 tons per year. Because the Salton Sea Air Basin (SSAB) was in compliance with both State and federal standards, the conformity threshold for CO of 100 tons per year was used as a significance guideline.

Construction
The MEIR noted that the principal concern for potential impacts during construction would be the generation of fugitive dust and particulates, including particulate matter less than 10 microns (PM10) and 2.5 microns (PM2.5). Grading, earthmoving, driving on unpaved haul roads, and exposure of graded surfaces and stockpiles to the wind would be the major sources of fugitive dust. Windblown dust and dust from unpaved roads are the predominant sources of particulates in Imperial County. Construction equipment operations would result in emissions of O3 precursors NOx and ROC. The quantity of emissions would depend on the level of activity and number of concurrent projects, in addition to other parameters. The MEIR concluded that to avoid a significant air quality impact, the anticipated quantity of emissions should be calculated and compared with the guidelines for significant impact.

Operation
The MEIR noted that the operation of many industrial facilities has the potential to emit non-negligible amounts of regulated air pollutants. To protect the public and maintain air quality, the APCD has a process for the permitting of all sources with the potential to emit such pollutants. In addition, vehicle operations would result in the regional emissions of O3 precursors NOx and ROC. The quantity of emissions would be dependent on the types of vehicles, number of trips, and average trip distance, as well as other parameters. The MEIR concluded that for all proposed developments within the Specific Plan, the anticipated quantity of emissions should be calculated and compared with the guidelines for significant impact specified above.

Odors
The MEIR noted that there are few residences within 1 mile of the Specific Plan and, therefore, it is unlikely that odors emitted from project facilities would result in a significant impact. However, projects within the Specific Plan that include composting, sorting of recyclables, or transforming of biosolids would require that an Odor Impact Minimization Plan (OIMP) be prepared to obtain a Solid Waste Facilities Permit (SWFP). To avoid the potential for significant impact to workers at these and other on-site properties, as well as off-site populations, a mitigation measure for potential odor impact is included below.

The MEIR concluded that with implementation of the following mitigation measures, future projects would avoid conflict with local air quality plans, prevent violation or a substantial contribution to an existing or projected air quality violation, protect sensitive receptors from substantial air pollutant concentrations, and minimize objectionable odors. However, the MEIR also concluded that individual air quality analyses would be required for each project within the Specific Plan and additional mitigation measures may be required. Mitigation measures 4.3.1 through 4.3.5 have been updated from the wording MEIR in consultation with the APCD to reflect the most recent requirements.

Mitigation Measure 4.3.1: Prior to issuance of any grading permit or building permit, the applicant shall provide evidence that construction specifications incorporate the requirement to comply with Imperial County Air Pollution Control District (ICAPCD) Regulation VIII, Fugitive Dust Rules, and the standard and discretionary mitigation measures for construction equipment and fugitive PM10 control for construction activities in Section 7.1 of the Imperial County APCD CEQA Air Quality Handbook. This includes but is not limited to the submission of the Construction Notification 20 days prior to any earthmoving activity and the submission an enhanced construction dust control plan for approval by the Imperial County Air Pollution Control District.

Mitigation Measure 4.3.2: Prior to issuance of any grading permit or building permit, the applicant shall provide evidence that construction plans and specifications incorporate elements that ensure the paving, planting, or equivalent long-term dust stabilization of all surfaces that would be disturbed during construction. This includes but is not limited to the submission of an enhanced construction dust control plan addressing long-term dust stabilization for approval by the Imperial County Air Pollution Control District.

Mitigation Measure 4.3.3: Prior to issuance of any grading permit or building permit, the applicant shall coordinate with the APCD in establishing the submittal of a periodic construction equipment list by Make, Model, Horsepower and actual hours of construction equipment usage in order to perform a NOx analysis. Should the analysis indicate that NOx emissions exceed the Imperial County Air Pollution District's CEQA thresholds for construction NOx emissions the applicant shall apply Policy 5. Policy 5 provides two options to projects that exceed established thresholds: 1) propose an off-site mitigation project providing supporting documentation that the reductions are met or 2) pay an in-lieu mitigation fee. The APCD will provide concurrence of compliance with the NOx analysis prior to the issuance of the Certificate of Occupancy..

Mitigation Measure 4.3.4: Prior to issuance of any building permit, the applicant shall comply with the APCD permitting program established under Rule 207, New and Modified Stationary Source by submitting an application for an Authority to Construct/Permit to Operate permit.

Mitigation Measure 4.3.5: Prior to issuance of any discretionary approval or building permit, the applicant shall provide information to the

Planning and Development Services Director and the APCD on average daily vehicle trips using approved air pollution control on-road modeling tools such as EMFAC. Should operational criteria pollutant emissions exceed established operational Imperial County CEQA thresholds then the applicant must apply Policy 5. Policy 5 provides two options to projects that exceed established thresholds: 1) propose an off-site mitigation project providing supporting documentation that the reductions are met or 2) pay an in-lieu mitigation fee. The APCD will provide concurrence of compliance with the operational vehicle trip analysis prior to the issuance of the Certificate of Occupancy.

Mitigation Measure 4.3.6: Prior to issuance of any building permit, the permit applicant shall provide, for approval by the County Planning/Building Department, a description of the odor-producing potential of the facility and the controls that would be incorporated into the Project to avoid an impact to on-site or off-site receptors. Uses proposing composting, sorting of recyclables, or biosolids transformation, shall be required to obtain approval by the Local Enforcement Agency (LEA) at the County Environmental Health Services Division (EHS), which may require preparation of an Odor Impact Minimization Plan (OIMP) and approval of a Solid Waste Facilities Permit (SWFP).

Impacts Related to the Proposed Project:
An Air Quality and Greenhouse Gas Analysis was prepared by UltraSystems, as provided in Appendix A. Regional emissions of criteria air pollutants and precursors, and toxic air contaminants during Project construction and operations were assessed in accordance with the methodologies as described in Section 4.4 of Appendix A. ICAPCD suggests that the "approach of the CEQA analyses for construction PM10 impacts should be qualitative as opposed to quantitative, but that any projects which are greater than the level of significance for construction may have a significant impact on local and, under certain circumstances, regional air quality. For full disclosure purposes, construction emissions were quantified. In order for the Air Quality and Greenhouse Gas Analysis to evaluate impacts from the Project, the report evaluated the Project in the following phases:

- Phase 0-IC (Initial Composting): Outdoor primary and secondary composting of 150,000 tons per year (tpy) greenwaste (>90%) and food waste (<10%) in aerated static piles; no anaerobic digestion.
- Phase1-A: Anaerobic digestion of 300,000 tpy greenwaste (>75%) and food waste (<25%) and outdoor composting of digestate in aerated static piles.
- Phase1-B: Anaerobic digestion of 300,000 tpy greenwaste (<75%) and food waste (>25%) and in-vessel, indoor composting of digestate with biofilters for emissions control, followed by outdoor secondary composting in aerated static piles.
- Phase 2-A: Anaerobic digestion of 300,000 tpy greenwaste (>75%) and food waste (<25%) and composting of digestate in outdoor aerated static piles.
- Phase 2-B: Anaerobic digestion of 300,000 tpy greenwaste (>75%) and food waste (>25%) and in-vessel, indoor composting of digestate with biofilters for emissions control, followed by outdoor secondary composting in aerated static piles.

Construction will begin with clearing and grading, along with excavations for trenching. Building of structures is summarized in Table 2: Construction Phases.

Table 2: Construction Characteristics

Site Element	Phase 0-IC	Phase 1-A	Phase 1-B	Phase 2-A	Phase 2-B
Clearing and Grading	3,179,880 ft^2				
Buildings	33, 420 ft^2	145,000 ft^2	165,121 ft^2	79,543 ft^2	165,121 ft^2
Concrete Pads	191,630 ft^2	146,400 ft^2	None	303,380 ft^2	None
Demolition	None	27,420 ft^2	None	None	None
Asphalt Paving	472,881 ft^2				

Short Term Impacts

Project construction activities will generate short-term air quality impacts. Construction emissions can be distinguished as either onsite or offsite. Onsite air pollutant emissions would consist principally of exhaust emissions from off-road heavy-duty construction equipment, as well as fugitive particulate matter from earthwork. Offsite emissions would result from workers commuting to and from the job site, as well as from trucks hauling building materials and taking away debris. For calculations, each of the five main phases was divided into the following subphases, which do not overlap in time:

- Demolition (for Phase 1-A only)
- Site preparation
- Grading
- Building Construction
- Paving
- Architectural Coating

Table 3: Maximum Daily Unmitigated Construction Emissions, shows the results of the CalEEMod analysis and compares them with the ICAPCD significance criteria.

Table 3: Maximum Daily Unmitigated Construction Emissions

Project Phase Construction	Maximum Emissions (lbs/day)

	ROG	CO	NO_x	PM_{10}
Phase 0-1c	13.1	9.2	0.8	3.4
Phase 1-A	13.9	23.8	3.2	16.3
Phase 1-B	56.7	21.2	3.3	18.3
Phase 2-A	27.3	13.2	12.4	9.2
Phase 2-B	27.2	21.1	3.2	18.3
ICAPCD Significance Thresholds	75	550	100	150
Significant (Yes or No)	**No**	**No**	**No**	**No**

Long Term Impacts

To properly characterize air pollution impacts under CEQA, operational impacts for two period of maximum emissions were calculated: Phase 0-IC, the only phase in which there is direct composting of feedstock and no anaerobic digestion; and the combination of Phases 1-B and 2-B, when the facility is fully operational. Both phases are discussed below.

Phase 0-IC Operational Emissions

During the months in which the facility will only perform composting of green waste and food waste, the main emissions sources will be the aerated static piles, on road trucks delivering feedstock to the facility and distributing compost to customers, and employee commuting. Table 4 summarizes the daily operating emissions for this phase.

Table 4: Daily Project Operational Emissions in Phase 0-IC

Emissions Source	Pollutant (maximum lbs/day)					
	ROG	CO	NO_X	PM_{10}	$PM_{2.5}$	NH_3
Composting	10.8	-	-	-	-	0.66
Incoming Feedstock Trucks	0.08	0.63	8.41	0.68	0.31	-
Outgoing Compost Trucks	0.01	0.04	0.58	0.05	0.02	-
Employee Commuting	0.01	0.68	0.05	0.04	0.02	-
Road Dust	-	-	-	8.8	1.2	
Total Operational Emissions	**10.9**	**1.3**	**9.0**	**9.6**	**1.6**	**0.7**
Thresholds for Tier II	137	550	137	150	550	N/A
Tier	**I**	**I**	**I**	**I**	**I**	**N/A**

Note: Tier I level of significance is less than significant.

Phase 1-B and Phase 2-B Operational Emissions

The Phase 1-B and 2-B evaluates the Project at full buildout, after equipment no longer needed has been demolished or otherwise removed, and all the equipment needed for processing the maximum expected rate of feedstock has been built. Table 5 summarizes maximum daily emissions under full operation.

Table 5: Daily Project Operational Emissions in Phase 1-B Plus 2-B

Emissions Source	Pollutant (maximum lbs/day)						
	ROG	CO	NO_X	PM_{10}	$PM_{2.5}$	NH_3	SO_x
Anaerobic Digestion	-	-	-	-	-	-	-
In-Vessel Composting	43.4	-	-	-	-	2.6	-
Mobile Diesel Equipment	9.0	51.1	54.7	1.8	1.7	-	-
Boilers	1.5	23.0	13.7	2.1	2.1[a]	-	0.2

				Potentially Significant Impact **(PSI)**	Potentially Significant Unless Mitigation Incorporated **(PSUMI)**	Less Than Significant Impact **(LTSI)**	No Impact **(NI)**
Flares	1.0	7.7	9.4	2.0	2.0[a]	-	6.6
Incoming Feedstock Trucks	0.3	2.7	35.5	2.8	1.3	-	-
Incoming Feedstock (Road Dust)	-	-	-	6.9	1.7	-	-
Outgoing Compost Trucks	0.0	0.2	2.5	0.2	0.1	-	-
Outgoing Compost (Road Dust)	-	-	-	27.4	2.8	-	-
Employee Commuting	0.0	1.1	0.1	0.1	0.0	-	-
Employee Commuting (Road Dust)	-	-	-	0.2	0.1	-	-
Total Operational Emissions	**55.2**	**44.7**	**115.9**	**41.9**	**11.8**	**2.6**	**6.8**
Thresholds for Tier II	*137*	*550*	*137*	*150*	*550*	*N/A*	*N/A*
Tier	**I**	**I**	**I**	**I**	**I**	*N/A*	*N/A*

Note: Tier I level of significance is less than significant.

The Air Quality and Greenhouse Gas Analysis also evaluated impacts to sensitive receptors, objectionable odors, and conformity with the air quality management plan (AQMP) which are discussed below.

Where available, the significance criteria established by the applicable air quality management district or air pollution control district may be relied upon to the following determinations. Would the Project:

a) Conflict with or obstruct implementation of the applicable air quality plan? ☐ ☒ ☐ ☐

a) Consistent with the MEIR; Less than Significant Impact with Mitigation. The ICAPCD CEQA Air Quality Handbook calls for a consistency analysis with the regional clean air plans, namely ozone and PM_{10} attainment demonstration plans, for large residential and commercial developments that are required to develop an EIR. Projects that are projected to exceed ICAPCD thresholds of significance for its operations are considered large developments and are required to demonstrate consistency with regional air quality plans. Because the proposed Projects emissions will not exceed the District's significance thresholds, analysis for conformity with regional air quality plans is not required for the Project. Nonetheless, the MEIR concluded that development of the Mesquite Lake SPA has the potential to emit significant quantities of fugitive dust and particulates during construction activities. Similarly, development of industries within the Mesquite Lake SPA would generate vehicle trips within the County, including many heavy truck trips. These vehicles would emit significant quantities of NOX and lesser quantities of VOC, which contribute to the formation of O_3, a nonattainment pollutant. However, the MEIR noted that the principal source of PM_{10} in Imperial County is wind-blown dust. While the proposed Project would lead to the increase of truck trips per day during construction and operational use, the development of the Project would lead to a reduction in bare land and therefore a reduction in PM_{10}.

Additionally, as previously mentioned, the MEIR concluded that with implementation of Mitigation Measures 4.3.1 through 4.3.5, future projects would avoid conflict with local air quality plans and prevent violation or a substantial contribution to an existing or projected air quality violation. In summary, these mitigation measures request that the Project provide evidence that both construction and operational impacts related to air quality, would be below ICAPCD thresholds. With preparation of the Air Quality and Greenhouse Gas Analysis, and as shown in Tables 3, 4, and 5 above, construction and operation of the proposed Project would not exceed any significance thresholds. The Project will still be required to implement Mitigation Measures 4.3.1 through 4.3.5, to provide the Air Quality and Greenhouse Gas Analysis to the APCD and the Planning and Development Services Director, as appropriate. Therefore, with implementation of the aforementioned mitigation, impacts would remain less than significant.

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? ☐ ☐ ☒ ☐

b) Consistent with the MEIR; Less than Significant Impact. In general, individual projects that exceed recommended daily thresholds for project-specific impacts would be considered to cause a cumulatively considerable increase in emissions for those pollutants for which the SSAB is in nonattainment. As shown in Tables 3, 4, and 5 above, the Project would not result in exceedance of regional thresholds during construction or operation, and would therefore not result in a cumulatively considerable impact. As such, the proposed Project's cumulative construction and operation related impacts would be less than significant.

	Potentially Significant Impact (PSI)	Potentially Significant Unless Mitigation Incorporated (PSUMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
c) Expose sensitive receptors to substantial pollutants concentrations?	☐	☐	☒	☐

c) Consistent with the MEIR; Less than Significant Impact. Sensitive receptors are people who would be more susceptible to air pollution than the general population, such as children, athletes, the elderly, and the chronically ill. Examples of land uses where substantial numbers of sensitive receptors are often found are schools, daycare centers, parks, recreational areas, medical facilities, nursing homes, and convalescent care facilities. Residential areas are also considered to be sensitive to air pollution because residents (including children and the elderly) tend to be at home for extended periods of time, resulting in sustained exposure to pollutants. The closest sensitive receptor is a rural residence near the intersection of Studer Road and East Ralph Road, about 6,000 feet south-southwest of the center of activity of the Project Site. This residence is too far away to be affected by emissions from the proposed Project, and therefore impacts would be less than significant. .

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

d) Consistent with the MEIR; Less than Significant Impact with Mitigation The MEIR notes that there are very few residences within 1 mile of the Specific Plan and, therefore, it is unlikely that odors emitted from project facilities would result in a significant impact. However, projects within the Specific Plan that include composting, sorting of recyclables, or biosolids transformation would be required to adhere to Mitigation Measure 4.3.6, which requires that an OIMP be prepared in order to obtain a SWFP. Consistent with the MEIR, the Project would implement Mitigation Measure 4.3.6 and would prepare an OIMP to minimize odor impacts during operation.

In addition, construction activities for the Project would generate airborne odors associated with the operation of construction vehicles (i.e., diesel exhaust) and asphalt paving operations. These emissions would occur during daytime hours only and would be isolated to the immediate vicinity of the construction site and activity. Therefore, they would not affect a substantial number of people. Consistent with the MEIR, impacts would be less than significant with mitigation incorporated.

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?	☐	☒	☐	☐
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 U.S. Fish and Wildlife Service?	☐	☐	☒	☐
c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	☐	☒	☐	☐
d) Interfere substantially with the movement of any 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?	☐	☒	☐	☐
e) Conflict with any local policies or ordinance protecting biological resource, such as a tree preservation policy or ordinance?	☐	☐	☒	☐
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	☐	☐	☒	☐

Summary of Impacts Identified in the MEIR:
At the time the MEIR was prepared, the existing conditions described were based on the results of the site assessment prepared in 2004. Observations were made for sensitive species, though no focused surveys pursuant to the U.S. Fish and Wildlife (USFWS) protocols were conducted.

Three vegetation communities were found to occur within the SPA: bush seepweed–iodine bush scrub (total of 729.7 acres, with 562.2 acres

disturbed), tamarisk scrub (total of 287.5 acres, with 64.5 acres as disturbed and 161.2 classified as tamarisk scrub/ponds), and disturbed wetlands (total of 6.6 acres of disturbed wetlands). The remaining lands were occupied by agriculture (2,244.3 acres, with 1,336.2 under active agriculture, 268.10 as fallow agriculture, and 640 acres of aquaculture facility and developed and disturbed areas (1,831.9 acres).

Wildlife
A total of 26 wildlife species were observed or detected within the SPA in the bush seepweed-iodine bush scrub habitat, tamarisk scrub communities, disturbed wetland area, and within the agricultural fields. While the developed and disturbed areas do not support native vegetation, these areas provide access to perches, roosts or covers for various disturbance-adapted animal species. These species are detailed within the MEIR.

Sensitive Habitats
Sensitive habitats within the MEIR were identified to be areas that were regulated by the U.S. Army Corps of Engineers (ACOE) as federal wetlands or waters under Section 404 of the Clean Water Act (CWA), regulated by the California Department of Fish and Wildlife (formerly known as the California Department of Fish and Game[CDFG]) as State wetlands or waters under Section 1600 of the CDFG code, and/or were areas worthy of consideration by the California Natural Diversity Database (CNDDB). While some portions of the SPA were found to possibly fall under ACOE and CDFG jurisdiction, none of the habitats were found to be rarer or worthy of consideration. Implementation of SPA would result in disturbance to bush seepweed-iodine bush scrub, tamarisk scrub, and disturbed wetlands. However, these impacts to the vegetation communities (or portions thereof) would be significant if they were qualified as federal and/or State jurisdictional waters or wetlands. Agricultural lands within the SPA would be impacted by future development; however, impacts would not be significant because these lands were not considered as sensitive. However, there would indirect and temporary impacts during development. Therefore, the following mitigation measures provided in the MEIR, would address these impacts to vegetation, including wetland habitats, that could arise during construction generated erosion, sedimentation, and fugitive dust.

Mitigation Measure 4.5.1: Prior to approval of any discretionary permit, final map, grading plan, or building permit for any phase or unit of development within the Specific Plan, the Planning and Development Services Director shall determine whether the Project could potentially impact wetlands or waters of the U.S. Where the Planning and Development Services Director determines that a potential impact could occur, the applicant shall provide evidence to the Planning and Development Services Director that a qualified biologist has inspected the site and made a determination regarding the presence of wetlands or waters of the U.S. If determined to be present, the following actions shall be taken: (1) a formal wetland and waters of the U.S. determination and delineation shall be conducted by trained personnel to determine the extent of these resources on the Project site; (2) any required ACOE permit pursuant to Section 404 of the CWA and certification from the RWQCB pursuant to Section 401 of the CWA shall have been issued; and (3) any required Streambed Alteration Agreement from the CDFG pursuant to Section 1600 of the California Fish and Game Code and either a Statewide General Order (2004-0004-DWQ) or Form 200-Report of Waste Discharge (ROWD) from the RWQCB under Section 13260 of the California Water Code has been issued.

As part of the permitting process for impacts to either federal or State wetlands or waters, mitigation in the form of habitat compensation (either creation, restoration, or enhancement) would be required. Because of the federal and State policy of a no net loss of wetland functions and values, habitat creation at least equal to the amount of jurisdictional habitat impacted, shall be included with the habitat compensation program. The ultimate mitigation replacement ratios would be determined through consultation with the appropriate resource agencies during the permitting process.

Mitigation Measure 4.5.2: Prior to approval of any discretionary permit, final map, grading plan, or building permit for any phase or unit of development within the Specific Plan, the Planning and Development Services Director shall determine whether the Project could potentially impact rare plants. Where the Planning and Development Services Director determines that a potential impact could occur, the applicant shall provide evidence to the Planning and Development Services Director that focused rare plant surveys by a qualified biologist were conducted during the appropriate season. If these surveys detect sensitive plant species and determine that significant impacts would occur, mitigation in the form of habitat compensation would be required as determined appropriate by the County.

Mitigation Measure 4.5.3: Prior to construction within the Specific Plan, the applicant shall provide evidence to the Planning and Development Services Director that standard best management practices (BMPs) have been installed to avoid erosion and sedimentation into federal and/or State jurisdictional waters and wetlands. It is anticipated that such BMPs would be components of a Stormwater Prevention Pollution Plan required as a component of the State Water Resources Control Board's NPDES General Permit, which prevents construction pollutants from contacting storm water and with the intent of keeping all products of erosion from moving off-site into receiving waters. A National Pollutant Discharge Elimination System General Permit is required for construction projects that encompass more than 5 acres of soil disturbance that would discharge stormwater into waters of the U.S.

Sensitive Plant Species
Sensitive plants were listed to be as endangered, threatened, or proposed for listing as endangered or threatened by the USFWS, CDFW, and California Native Plant Society (CNPS) Inventory of Rare and Endangered Plants in California. Based on a CNDDB search at the time of the preparation of the MEIR, no federally or State listed or proposed for listing plant species were found to be within the SPA. Two species, Abrams's spurge (*Chamaesyce abramsiana*) and Sand food (*Pholisma sonorae*) were found near the Project site; however, the potential for them to occur, was considered low . Sensitive plant species present within the SPA would be impacted, but its intensity would be based on current status and

population size of the population. However, as noted in the MEIR, the potential for such species to be present is low.

Sensitive Wildlife
Sensitive wildlife was listed to be as endangered, threatened, proposed for listing, or candidates for listing by the USFWS and CDFW. The three sensitive wildlife species detected within the SPA were the burrowing owl (*Athene cunicularia*), prairie falcon (*Falco mexicanus*), and black-tailed jackrabbit (*Lepus californicus*). Six other sensitive species known from the region with a low to moderate potential to occur within the SPA are the federally endangered and State-threatened Yuma clapper rail (*Rallus longirostris yumanensis*), as well as the Colorado River toad (*Bufo alvarius*), flat-tailed horned lizard (*Phrynosma mcalli*), ferruginous hawk (*Buteo regalis*), Crissal thrasher (*Toxostoma crissale*), and mountain plover (*Charadrius montanus*), which are State species of special concern.

The MEIR concluded that implementation of the Specific Plan would directly impact wildlife such as the burrowing owl if proposed activities occur within 50 meters (160 feet) of occupied burrows, burrows and entrances are destroyed, or foraging habitat adjacent to burrows is degraded. Depending on the timing of development within the SPA, other bird species covered by the Migratory Bird Treaty Act MBTA) may be impacted during the breeding season. Therefore, direct impacts would be significant if development were to occur during the nesting season (February 1 through September 30). While burrowing owl was not present at the time of the reconnaissance during the preparation of the MEIR within the Proposed Project site (or known as the Palo Verde Valley Disposal Service site in the MEIR), there is potential for them to colonize the site and therefore, impacts would be addressed with implementation of the following mitigation measure.

Mitigation Measure 4.5.4: Prior to grading or construction within the Specific Plan, the Planning and Development Services Director shall determine whether the Project could potentially impact burrowing owl. Where the Planning and Development Services Director determines that a potential impact could occur, the applicant shall engage the services of a biologist that has been determined by the USFWS as qualified to conduct burrowing owl surveys. An initial survey to determine the presence of burrowing owls shall be conducted between February and September. Prior to conduct of any burrowing owl survey, CDFG and the USFWS Office of Law Enforcement shall be contacted regarding use of the CBOC Guidelines for the survey and for relocation requirements. Information received from these agencies shall be provided in writing to the Development Services Director prior to commencement of any survey. The survey shall be conducted in accordance with the latest USFWS-approved guidelines for conducting borrowing owl surveys and the requirements of CDFG. A report on the results of the survey and recommended avoidance or mitigation measures shall be provided by the applicant to the USFWS, CDFG, and Imperial County Planning and Development Services Department. No clearing or ground-disturbing activities may be taken until the report and recommendations have been accepted by the USFWS, CDFG, and Imperial County Planning and Development Services Department. Relocation of found burrowing owls may be required. All burrowing owls found on the Project site shall be tagged by a USFWS-qualified burrowing owl biologist. If burrowing owl burrows are found present within construction areas and a 50-meter (165-foot) boundary of construction limits, avoidance is the preferred level of mitigation. Avoidance requires no disturbance within 50 meters (165 feet) of occupied burrows during the nonbreeding season (September 1 through January 31), no disturbance within 75 meters (250 feet) of occupied burrows during the breeding season (February 1 through August 31), and a minimum of 6.5 acres of foraging habitat preserved contiguous with occupied burrow sites for each pair of breeding burrowing owls.

If avoidance cannot be met, or no burrowing owls were detected during the first survey, a second survey shall be conducted no less than 30 days prior to any clearing, ground disturbance, or demolition of existing structures. If no burrowing owls are present, a third survey shall be conducted no less than five days prior to the commencement of construction and, if no burrowing owls are present, clearing, grading, demolition, or construction may commence. If burrowing owls are present at the time of the second survey and CDFG and USFWS Office of Law Enforcement concur, on-site passive relocation can be implemented wherein owls are encouraged to move from occupied burrows to alternate natural or artificial burrows beyond 50 meters from the impact zone, within a minimum of 6.5 acres of foraging habitat for each pair of relocated owls. The project biologist shall evaluate the suitability of nearby habitat, the availability of an existing or constructed alternate burrow for each burrow excavated, and the opportunity for preservation of the site, such as through a conservation easement that would be managed to promote burrowing owl use of the site. Relocation requires that owls should be excluded from burrows in the immediate impact zone and 50-meter buffer zone by installing one-way doors in burrow entrances, left in place for 48 hours before excavation. Relocation of owls should only be implemented during the nonbreeding season. Passive relocation may occur only if there is at least 6.5 acres of suitable nearby habitat for each relocated pair, and an alternate burrow for each burrow excavated.

Mitigation Measure 4.5.5: Prior to finalization of construction plans, timing of construction within the Specific Plan shall be scheduled, if feasible, to avoid the migratory bird nesting season in the Project area (February 1 through September 30). One week prior to commencement of construction activities outside of the nesting season, a focused bird nest survey shall be conducted within the plan area by a qualified biologist. Should any inactive or active bird nests be noted, the CDFG will be notified pursuant to CDFG Code 3503 and appropriate actions shall be taken per CDFG recommendations.

However, if construction is necessary before close of the nesting season, the applicant could elect to have a qualified biologist conduct focused surveys for migratory bird nests throughout the individual project site in the season of planned construction. If this measure were selected, surveys shall be completed 1 week prior to commencement of construction. If surveys noted no sensitive wildlife species or migratory bird nests within the area of potential construction impact, construction could occur during the nesting season. If the biologist determines that habitat slated for removal/disturbance is being used for nesting at the time of the focused survey, disturbance shall be avoided until after the young have fledged from the nest and achieved independence. Results of focused bird nest surveys shall be submitted to the CDFG via a letter report. Should construction halt for any reason for longer than 1 week after initial commencement of activities, an additional focused survey for migratory bird

nests would be required 1 week prior to recommencement of construction activities. If the surveys were completed and no sensitive wildlife species or nests were observed, construction could recommence during the nesting season.

Because construction equipment could have temporary impacts, such as construction noise above ambient levels in locations within 500 feet of an active nest covered by the MBTA, during the nesting season construction, activities are required to limit noise levels. The County precedent for construction noise is that projects shall not exceed a 60-decibel level at a nesting site of designated habitat.

Wildlife Corridors
Wildlife migration corridors are linear landscape features with sufficient width and buffer to allow the movement of animals between patches of similar undisturbed habitat or between habitats and vital resources. Regional corridors links two or more large areas of natural open space, while local corridors allow resident animals to access critical resources such as food, cover and water in smaller areas that may be isolated by urban development. The MEIR notes that the SPA is part of a major contiguous wildlife corridor in the County, situated between the New River and Alamo River, and south of the Salton Sea. Areas within the SPA provide bush seepweed-iodine bush and tamarisk scrub habitats that support wildlife movement and are part of an important avian and wildlife corridor to the Salton Sea. However, no direct impacts were found to occur within because the SPA is surrounded by large amounts of similar habitat and linkages that would be available for wildlife movement.

Impacts Related to the Proposed Project:

Chambers Group conducted a literature review and biological reconnaissance-level survey on November 1, 2022, for the Project (Appendix B). The purpose of this survey was to determine if any changes had occurred since the 2004 survey, document existing vegetation communities, identify whether the site may support special status species with a potential for occurrence, map habitats that could support special status wildlife species, and delineate jurisdictional water features. The report also evaluates potential impacts of the Project to these resources. By conducting the survey and preparing the report, MEIR Mitigation Measures 4.5.1 and 4.5.2 were satisfied.

The area surveyed by the biologists (Survey Area) is located in the Brawley United States Geological Survey (USGS) 7.5-min quadrangle. The Survey Area is primarily an old agricultural field with topographical variation and is surrounded by active and inactive agricultural fields. The elevation at the Survey Area ranges from approximately 70 to 90 feet below mean sea level (bmsl). The Survey Area lies outside the scope of the Imperial Irrigation District (IID) Habitat Conservation Plan (HCP), according to communication with the County of Imperial.

Special Status Plant Species
Following the literature review and after the assessment of the habitat type in the Survey Area, it was determined that of the four special status plant species known to historically occur within the Survey Area and surrounding quads, three species were considered absent within the Survey Area due to lack suitable habitat. One special status plant species, Abram's spurge, which is known to occur within the Brawley quad, is considered unlikely to occur within the Survey Area as the site was highly disturbed with evidence of past human use and agricultural activity (e.g., disking, irrigation ditches) which is not conducive to the long-term survival for Abram's spurge. No special status species were observed during the biological reconnaissance survey. Therefore, no impacts to special status plants are anticipated to occur as a result of Project activities.

Special Status Wildlife Species
Following the literature review and the assessment of the habitat type in the Survey Area, it was determined that of the 19 special status wildlife species known to occur within the Survey Area and surrounding quads, 18 species are considered absent from the Survey Area and one species, burrowing owl, has a high potential to occur within the site. No special status wildlife species were observed during the survey.
In order to minimize potential impacts to sensitive species with the potential to occur within the Survey Area, the following mitigation measures should be implemented prior to and during construction activities:

Mitigation Measure BIO-1 Worker Awareness Education Program: Prior to the start of construction activities, an environmental education program shall be provided for all project personnel. The education program shall include the following: (1) the potential presence of covered species and their habitats, (2) the requirements and boundaries of the Project, (3) the importance of complying with avoidance and minimization measures, (4) environmentally responsible construction practices, (5) identification of sensitive resource areas in the field, and (6) problem reporting and resolution methods. The construction footprint shall be clearly defined with flagging and/or fencing and shall be removed upon completion.

The following two mitigation measures would replace MEIR Mitigation Measure 4.5.4:

Mitigation Measure BIO-2 Burrowing Owl Preconstruction Surveys: Preconstruction surveys shall be conducted for the burrowing owl within 30 days of construction in all suitable habitat within the Proposed Project Impact Areas.

Mitigation Measure BIO-3 Burrowing Owl Avoidance Measures: If any ground-disturbing activities are planned during the burrowing owl nesting season (approximately February 1 through August 31), avoidance measures shall include a no construction buffer zone of a minimum distance of 250 feet, consistent with the Staff Report on Burrowing Owl Mitigation (CDFG, 2012). Compliance shall be maintained with CDFW burrowing owl mitigation guidelines as detailed in the Staff Report on Burrowing Owl Mitigation (CDFG, 2012) or more recent updates, if available.

	Potentially Significant Impact **(PSI)**	Potentially Significant Unless Mitigation Incorporated **(PSUMI)**	Less Than Significant Impact **(LTSI)**	No Impact **(NI)**

The following two mitigation measures would replace MEIR Mitigation Measure 4.5.5.

Mitigation Measure BIO-4 Nesting Bird Surveys for Clearing: If vegetation clearing or project construction activities must occur during the bird breeding season (February 15–August 31), a qualified biologist shall conduct a preconstruction nesting survey to ensure that no active nests are present within or adjacent to the Project areas. If an active nest is observed that may be impacted by project-related activities, avoidance measures shall be implemented to avoid impacting the nest. Avoidance measures include delaying construction within the immediate vicinity of the active nest until the young have fledged or naturally failed, or instituting a buffer around the nest that prohibits construction activities to occur, but allows construction to continue outside the buffer. The appropriate avoidance buffer is to be determined by the qualified biologist based on vegetative cover, topography, stage of nest or young development, and species type.

Jurisdictional Waters and Wetlands
Two NWI mapped agricultural canals are shown to occur along the northern and western portions of the Survey Area, just outside the Project impact area. In addition, one man-made agricultural ditch occurs along the southern boundary of the site. However, all of these features are outside of the proposed impact area and any impacts from Project activities can be avoided with the use of best management practices including straw waddles. Therefore, no impacts to jurisdictional waters are anticipated to occur as a result of Project activities. Soil pits taken in potential wetland areas did not show evidence of hydric soils; therefore, no impacts to wetlands are anticipated to occur as a result of Project activities.

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? ☐ ☒ ☐ ☐

a) Consistent with the MEIR; Less than Significant Impact with Mitigation. As discussed in the MEIR, there is a potential for sensitive species to occur on and the MEIR required Mitigation Measure 4.5.2, to evaluate rare plant species within areas of specific development prior to construction. As mentioned above, Chambers Group surveyed the Proposed Project to evaluate the potential for sensitive species on site, and thus meet the requirements of Mitigation Measure 4.5.2. As mentioned above, while there is a potential for sensitive plant species to exist on site, none were observed during the survey. Similarly, no special status species were observed during the survey.

Nonetheless, a potential for special status species to occur on site, particularly with regards to the burrowing owl and other flighted species, still exists. The Project would be required to implement Mitigation Measure BIO-1, which would require worker awareness training prior to construction so sensitive species can be spotted by on-site employees.

Additionally, the MEIR included mitigation measures to protect these species; however, since protocols and requirements have changed since the time of adoption of the MEIR, those mitigation measures have been replaced with similar, new mitigation measures. In lieu of MEIR Mitigation Measure 4.5.4, the Project would be required to implement Mitigation Measures BIO-2 and BIO-3 which would require protection for Burrowing Owls. In lieu of MEIR Mitigation Measure 4.5.5, the Project would be required to implement Mitigation Measure BIO-4, which would protect migratory birds during nesting and breeding seasons.

Similar to the MEIR, with implementation of Mitigation Measures BIO-1 through BIO-4, impacts would be less than significant.

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 U.S. Fish and Wildlife Service? ☐ ☐ ☒ ☐

b) Consistent with the MEIR; Less than Significant Impact. As discussed in the MEIR, portions of the SPA were found to be considered jurisdictional waters and the MEIR required Mitigation Measure 4.5.1 to evaluate if wetlands or waters would be impacted with implementation of projects in the SPA. As mentioned above, Chambers Group surveyed the Proposed Project to confirm the hydrology and hydrologic connectivity of the area, and thus meet the requirements of Mitigation Measure 4.5.1. Chambers Group found that several man-made agricultural ditches occur along the borders of the Project. Two historically National Wetlands Inventory (NWI)–mapped agricultural canals are shown to occur along the northern and western boundaries of the site; however, no water was observed during the survey. Another man-made agricultural ditch occurs along the southern boundary of the Survey Area. Water was observed within the ditch, and some riparian species, including cattails, were observed along the banks of the ditch. However, these are located outside of the impact areas and can be avoided with construction BMPs. Therefore, implementation of the Project would not result in any new impacts that were not previously analyzed and would be consistent with the MEIR. Impacts would be less than significant.

c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means? ☐ ☒ ☐ ☐

	Potentially Significant Impact (PSI)	Potentially Significant Unless Mitigation Incorporated (PSUMI)	Less Than Significant Impact (LTSI)	No Impact (NI)

c) Consistent with the MEIR; Less than Significant with Mitigation. As discussed in threshold b), two NWI-mapped agricultural canals occur along the northern and western portions of the Project. However, both of these canals are located outside of the impact area. Additionally, soil pits were taken in potential wetland areas, which did not show evidence of hydric soils; therefore, impacts to wetlands are not anticipated to occur. Nonetheless, the Project would be required to implement Mitigation Measure 4.5.3 to ensure that standard BMPs have been installed to avoid erosion and sedimentation into federal and/or State jurisdictional waters and wetlands. Therefore, with implementation of mitigation, the Project would not result in any new impacts that were not previously analyzed and would be consistent with the MEIR. Impacts would be less than significant.

d)	Interfere substantially with the movement of any 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?	☐	☒	☐	☐

d) Consistent with the MEIR; Less than Significant with Mitigation. As discussed in the MEIR, the SPA is part of a major contiguous wildlife corridor in the County. Development within the SPA was found to have no indirect or direct impacts because the SPA is surrounded by large amounts of similar habitat and linkages that would be available for wildlife movement; thus, development of the SPA would not result in removing significant acres of migration corridors. However, the potential for migratory birds to utilize the site still exists. As mentioned above, the Project would be required to implement Mitigation Measure BIO-1 which would require worker awareness training prior to construction so sensitive species can be spotted by on-site employees. In addition, the Project would be required to implement Mitigation Measure BIO-4, which would protect migratory birds during nesting and breeding seasons. Similar to the MEIR, with implementation of Mitigation Measures BIO-1 and BIO-4, impacts would be less than significant.

e)	Conflict with any local policies or ordinance protecting biological resource, such as a tree preservation policy or ordinance?	☐	☐	☒	☐

e) Consistent with the MEIR; Less than Significant. The County's Land Use Ordinance Section 90302.03, outlines the requirements for landscaping withing industrial uses. The Proposed Project's grading activities would remove the existing vegetation. However, as discussed in the Biological Reconnaissance Assessment, the Project would not result in significant impacts to sensitive habitats, and would be required to follow the requirements in the County's Land Use Ordinance. Implementation of the Project would not result in any new impacts that were not previously analyzed and would be consistent with the MEIR. Impacts would be less than significant.

f)	Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	☐	☐	☒	☐

f) Consistent with the MEIR; Less than Significant. As discussed in the Biological Reconnaissance Assessment, the Project lies outside the scope of the IID Habitat Conservation Plan. Based on the results of the survey, it was found that the Proposed Project would not result in significant impacts to habitats and would have no impacts to wetlands based on the vegetation present at the Project site. Furthermore, the area is zoned for industrial use and is not designated to be part of any local, regional or State conservation plan. Implementation of the Project would not result in any new impacts that were not previously analyzed and would be consistent with the MEI. Impacts would be less than significant.

V. *CULTURAL RESOURCES*

Would the project:

a)	Cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5?	☐	☒	☐	☐
b)	Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	☐	☒	☐	☐
c)	Disturb any human remains, including those interred outside of dedicated cemeteries?	☐	☐	☒	☐

Summary of Impacts Identified in the MEIR:
The existing MEIR evaluated historical and archaeological impacts associated with development of the Mesquite Specific Plan. The MEIR noted that the beginning of Imperial Valley's agricultural and water resource development in the late 1800s also represents important historic elements. However, within the study area, surviving structures or sites reflecting Imperial County historical development are not likely to be found. The nearest documented historic resource is the Imperial Cemetery located south of the study area approximately three-quarters of a mile. There are also roads, canals, drains, powerlines, and the Niland–Calexico rail line that are old enough (50 years or older) and perhaps important enough in the development of Imperial County to be considered significant historic resources for planning purposes. Most of these appear to have been constantly modified, maintained, and improved over the years so that little of the original historic fabric is left. The significance of these potential

historic features would have to be evaluated on a case-by-case basis.

Further, the MEIR noted that Development within the Mesquite Lake Specific Plan would have the potential to impact Late Prehistoric archaeological materials in areas associated with lower elevation recessional shorelines of Lake Cahuilla. These potential resources sites are most likely to occur in the southwestern portion of the study area between elevation -75 feet at the corner of Harris Road and SR 86 and elevation -100 feet just west of the Rose Canal in the western part of the study area. Areas where intensive cultivation for agriculture use has occurred would have a low probability for the presence of significant cultural resource due to deep excavation for drainage tiles and recurring surface disturbance. Pre-construction surveys of existing cultivated areas would also have a low probability of discovery of cultural resources. However, cultural resources could be uncovered during site clearing, grading, or construction, in which case site development should be halted and a qualified archaeologist should be consulted.

As previously mentioned, the Proposed Project is located in the area where the previously approved Palo Verde Valley Disposal Service Project was approved. The MEIR concluded that the Palo Verde Valley Disposal Service Project site, and therefore the current Project site, is "within an area of very low probability for presence of archaeological materials and no significant project impacts are anticipated." Further, the MEIR concluded, "No archaeological mitigation measures are required for the Liberty X Biofuels Power, Palo Verde Valley Disposal, or NEAC Compressed Hay Facility." Nonetheless the MEIR concluded that with implementation of Mitigation Measure 4.6.1 and 4.6.2, impacts would be less than significant.

Mitigation Measure 4.6.1 No preconstruction archaeological surveys shall be required in areas previously developed. However, if during grading or construction, evidence of potential archaeological resources is encountered, grading and construction shall be halted, the SCIC [South Coastal Information Center (located at California State University, San Diego)] and the County Planning and Development Services Director shall be notified, and a qualified archaeologist shall be contracted by the developer to inspect the site. Resumption of grading or construction shall not be commenced until the archaeologist has advised the Planning and Development Services Director regarding the potential for cultural resources at the site, and the Planning and Development Services Director notifies the developer that grading or construction may proceed. If further archaeological investigation is required by the Planning and Development Services Director, the procedures in Mitigation Measure 4.6.2 shall be followed.

Mitigation Measure 4.6.2 Prior to approval of a CUP, tentative map, site plan, grading plan, or building permit for any phase or unit of development on lands not previously disturbed by agricultural use that are within the portion of the Specific Plan shown as the Cultural Resource Survey Area in Figure 4-5, field surveys shall be conducted to determine the presence/absence of archaeological resources and a report of the surveys provided to the Planning and Development Services Director. A testing program shall be approved by the Planning and Development Services Director for any identified resources to determine their significance and proper mitigation. Mitigation may include preservation in place, documentation, including recordation of findings at the Southeastern Information Center (located at the Imperial Valley College Desert Museum), and curation of materials at an appropriate local facility for long-term preservation and study. If a testing and/or excavation program is required, local Native American groups shall be notified, and a Native American monitor shall be present during excavation.

Impacts Related to the Proposed Project:

a)	Cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5?	☐	☒	☐	☐
b)	Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	☐	☒	☐	☐

a) and b) Consistent with the MEIR; Less than Significant with Mitigation. As noted in the summary of impacts above, the current Project site was found to be "within an area of very low probability for presence of archaeological materials, and no significant project impacts are anticipated"; therefore, no mitigation measures were required. Nonetheless, Chambers Group conducted a site visit on October 26, 2022, in accordance with the MEIR Mitigation Measures 4.6.1 and 4.6.2 (Appendix C). Additionally, Chambers Group requested a Sacred Lands File (SLF) records search from the Native American Heritage Commission (NAHC). The purpose of the request is to determine if any sacred lands or other resources have been recorded within the Project site or adjacent areas. The results of the SLF search, provided by the NAHC on November 4, 2022, were positive.

MEIR Mitigation Measure 4.6.1 stipulates, "No preconstruction archaeological surveys shall be required in areas of existing agricultural or other substantial development." Based on historic aerials and as observed during the site visit, the Project site contains land previously utilized for agriculture, with some evidence associated of a built environment. Chambers Group observed evidence of previous agricultural land use in aerial photographs dating to 1953 through 2020. Additionally, 1953 aerial imagery displays two parallel rectangular structures in the northeastern corner of the Project site. These structures are no longer visible in aerial imagery by 1984. Based on the structures' overall footprint and orientation observed in aerial imagery, it is interpreted that they were likely temporary storage in the form of pole barns or similar structures that were used to store material harvested from the adjacent agricultural activity. Additionally, no supporting evidence exists of any residential buildings or other historic period development in this area. The site visit observed that the overall condition of the Project site was largely unchanged from the conditions cited in the MEIR.

Chambers Group concluded that while surface manifestations of cultural resources were not observed during either the previous

	Potentially Significant Impact **(PSI)**	Potentially Significant Unless Mitigation Incorporated **(PSUMI)**	Less Than Significant Impact **(LTSI)**	No Impact **(NI)**

cultural resources study in support of the MEIR or the current site visit, it should be noted that the landscape has been under historic-period use and settlement. This historic utilization may have resulted in unrecognized buried features, such as footings and foundations, or refuse areas, such as trash pits or outhouses. Similarly, ethnographic data and historic-period maps indicate that Native American groups such as the Kamia occupied and utilized major and minor drainages within the Salton Basin, as is documented on the 1856 General Land Office map, which depicted an "Indian Village" in the northeast quarter of Section 36 (Township 14S, Range 14E). The understanding that the area is important to Native American groups is further supported by the positive NAHC SLF records search results. However, the Project would implement MEIR Mitigation Measures 4.6.1 and 4.6.2, the former of which notes that if any unanticipated discovery of potential cultural resources were to be encountered during the Project, then proper protocols would be implemented.

Additionally, as previously mentioned, the MEIR noted that there are roads, canals, drains, powerlines, and the Niland–Calexico rail line old enough (50 years or older) and perhaps important enough in the development of Imperial County to be considered significant historic resources for planning purposes that would need to be evaluated on a case-by-case basis. While the Rose Canal is adjacent to the Project site, the canal itself would not be significantly impacted by the Proposed Project. Therefore, with implementation of MEIR Mitigation Measures 4.6.1 and 4.6.2, impacts to cultural resources would be consistent with the MEIR. Impacts would be less than significant.

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

c) Consistent with the MEIR; Less than Significant. As discussed in Thresholds a) and b) above, it is unlikely that any resources would be found on-site. However, in the unlikely event that human remains are discovered during ground-disturbing activities, then the Proposed Project would be subject to California State law (California Health and Safety Code 7050.5) and federal law and regulations (Archaeological Resources Protection Act [ARPA], 16 United States Code [U.S.C.] 470 and 43 Code of Federal Regulations, [CFR] 7, Native American Graves Protection and Repatriation Act [NAGPRA] 25 U.S.C. 3001 and 43 CFR 10, and Public Lands, Interior 43 CFR 8365.1-7), which require a defined protocol if human remains are discovered in the state of California regardless if the remains are modern or archaeological. Upon discovery of human remains, all work within a minimum of 200 feet of the remains must cease immediately, and the County Coroner must be notified. The appropriate land manager/owner or the site shall also be notified of the discovery. If the remains are located on federal lands, the federal land manager(s), federal law enforcement, and/or federal archaeologist should also be notified. If the human remains are determined by the Coroner to be prehistoric, the appropriate federal archaeologist must be called. The archaeologist will initiate the proper procedures under ARPA and/or NAGPRA. If the remains can be determined to be Native American, the steps as outlined in NAGPRA 43 CFR 10.6 Inadvertent Discoveries must be followed. Therefore, consistent with the MEIR, a less than significant impact would occur.

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

Summary of Impacts Identified in the MEIR:

In 2018, the Office of Planning and Research updated the CEQA Guidelines to include Energy as a resource area of the Appendix G checklist. The section aimed to evaluate the energy usage of a project during both construction and operation to ensure wasteful or inefficient energy usage was being properly evaluated. During the preparation of the MEIR, energy impacts were not part of the analysis because at that time, Energy was not a resource area required for discussion. The only mention of energy usage was in regard to building standards, which are in the Specific Plan and include recommendations for sustainable building design efficient in its use of natural resources for building construction and maintenance. These building standards also promotes use of the LEED (Leadership in Energy and Environmental Design) Green Building Rating System™, developed by the U.S. Green Building Council.

Impacts Related to the Proposed Project:

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

a) Less than Significant Impact. The Proposed Project would provide organics processing infrastructure and organic materials diversion from regional landfills (Imperial and neighboring counties). As shown in the CalEEMod results prepared for the Project

	Potentially Significant Impact (PSI)	Potentially Significant Unless Mitigation Incorporated (PSUMI)	Less Than Significant Impact (LTSI)	No Impact (NI)

(Appendix A), the Project would require approximately 1,080,470 thousand British thermal units per year (kBTU/yr) or approximately 1,059 Mscf/year of natural gas. The Project would also require approximately 331,526 kWh/year of electrcity.

The Project would generate renewable energy through the HSAD process and may incorporate behind the meter on-site solar and battery storage (up to 11 MW) as an accessory use of the Project for on-site consumption only. The Proposed Project is anticipated to generate up to 3,240 Mscf/d or 1,182,600 Mscf/year of natural gas, which would result in a net increase in natural gas production. The produced gas will be injected into an existing SoCal Gas pipeline located just east of the Project along Old Highway 111. The Project may also offset the electrical usage with incorporation of behind the meter on-site solar and battery store. Therefore, the Project would not result in a significant impact to energy resources and impacts would be less than significant.

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

b) No Impact. The purpose of the proposed Project is the construction and operation of an anaerobic digester facility that will assist the State of California in achieving or exceeding its Renewable Portfolio Standard (RPS), Senate Bill 350, Senate Bill 100, and the California Global Warming Solutions Act (Assembly Bill 32) and greenhouse gas emissions reduction objectives in Imperial County. Once in operation, it will decrease the need for energy from fossil fuel–based power plants in the state and would offset GHG emissions as discussed in Section VIII, Threshold a. The result would be a net increase in natural gas resources available to the regional area, generated from a renewable source. Additionally, the Project would also be consistent with the County's General Plan Conservation and Open Space Element, Objective 9.2 which encourages renewable energy developments. Therefore, the Project would directly support state and local plans for renewable energy development. The proposed Project would not conflict with or obstruct a state or local plan for renewable energy or energy efficiency; therefore, no impact would occur.

VII. *GEOLOGY AND SOILS*

Would the project:

a)	Directly or indirectly cause potential substantial adverse effects, including risk of loss, injury, or death involving:				
	1) 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?	☐	☒	☐	☐
	2) Strong Seismic ground shaking?	☐	☒	☐	☐
	3) Seismic-related ground failure, including liquefaction and seiche/tsunami?	☐	☐	☒	☐
	4) Landslides?	☐	☐	☐	☒
b)	Result in substantial soil erosion or the loss of topsoil?	☐	☒	☐	☐
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 on- or off-site landslides, lateral spreading, subsidence, liquefaction or collapse?	☐	☒	☐	☐
d)	Be located on expansive soil, as defined in the latest Uniform Building Code, creating substantial direct or indirect risk to life or property?	☐	☒	☐	☐
e)	Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	☐	☐	☐	☒
f)	Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	☐	☒	☐	☐

Summary of Impacts Identified in the MEIR:

While Geology and Soils was not a separate environmental category under CEQA in 2006, potential impacts due to geological hazards were evaluated under the Hazards and Hazardous Materials section of the MEIR. The MEIR notes that the Specific Plan area contains geologic features that must be considered during site planning and development. The Imperial Fault passes through Mesquite Lake, generally on a north–

south alignment. In accordance with the Alquist-Priolo Earthquake Fault Zoning Act (Chapter 7.5 of Division 2, P.R.C.), the Office of the State Geologist has delineated "Special Study Zones," which encompass potentially and recently active traces of major faults. MEIR Figure 2-2 shows the location of the Special Study Zone within Mesquite Lake. Division 15 of the County Land Use Ordinance includes procedures for review of structures intended for human occupancy that are located within a Special Study Zone. These procedures require preparation of a geologic report by a State-registered geologist. In most cases, a minimum setback of 50 feet from the trace of a fault would be required. Additionally, in all cases of a proposed human-occupied structure to be located within a special study zone, a determination must be made and supported by the geologic report that no undue hazard would be created by the proposed structure.

Compliance with Division 15 of the County Land Use Ordinance would ensure that all Project structures intended for human occupancy that are proposed to be located within the special studies zone shown in MEIR Figure 2-2 would require preparation of a geologic report and a determination that no undue hazard would be created by the proposed structure.

Mitigation Measure 4.7.1: Prior to approval of a final map, grading plan, or building permit for any phase or unit of development within the Specific Plan in the vicinity of the Imperial Fault near the Rose Canal, fault investigations shall be performed for human occupancy structures (structures designed for 2,000 or more person-hours per year) to be located in the State of California Special Studies Zone for Earthquake Faults in accordance with the County's Geologic Hazards Ordinance. The fault investigations shall include, but shall not be limited to, the following: (1) excavation of an exploratory fault trench; (2) logging of the trench by a California-registered engineering geologist; (3) evaluation of liquefaction potential of the subsurface data; and (4) report on the results of the fault investigations, to be approved by the Planning and Development Services Director. Should an active fault be found, a minimum 50-foot building setback from the fault shall be required and shown on the face of all applicable final maps, plot plans, and grading plans. If liquefiable soils are present, special building foundations (e.g., driven piles, cast-in-drilled-hole piers, stone columns) and/or ground modification (e.g., dynamic compaction) shall be incorporated into the design of all applicable human-occupancy structures.

Liquefaction, seiches, tsunamis, and landslides were not previously discussed in the MEIR. However, all other impacts related to geology and soils were considered to be less than significant with compliance to existing regulations.

Regarding paleontological resources, as previously discussed in Section V, Cultural Resources, the MEIR concluded that with implementation of Mitigation Measures 4.6.1 and 4.6.2, impacts to paleontological resources would be less than significant.

Impacts Related to the Proposed Project:

A Preliminary Geotechnical Report was prepared for a portion of the Proposed Project Site in May 2021 (Appendix D). The report covered approximately 23 acres of the 75-acre site. The Preliminary Geotechnical Report evaluated potential geotechnical hazards for the Project; however as part of the final engineering design, the Proposed Project would be required to prepare a Final Geotechnical Report for the entire site and to adhere to all the recommendations in that report, as detailed further in Mitigation Measure GEO-1 below. Nonetheless, the Preliminary Geotechnical Report had the following conclusions:

Soils
Soils on site were found to be clay soils (CL) with a medium expansion potential (shrink/swell). The CL soils have very slow infiltration rates, and the civil engineer would need to determine means to satisfy Imperial County stormwater requirements for the on-site retention pond.

Groundwater
Groundwater levels were found at 7 feet below the surface level.

Ground Shaking
The primary seismic hazard at the Project site is the potential for strong ground shaking during earthquakes along the Imperial, Brawley, and Superstition Hills faults. The nearest constrained location fault is the Imperial Fault located just over a mile west of the Project Site. However, there is an inferred location of the Brawley Fault that could run through the Project Site.

Surface Rupture
The California Geological Survey has established Earthquake Fault Zones in accordance with the 1972 Alquist-Priolo Earthquake Fault Zone Act. The Earthquake Fault Zones consists of boundary zones surrounding well defined, active faults or fault segments. The project site does not lie within an Alquist-Priolo Earthquake Fault Zone; therefore, surface fault rupture is considered to be low at the Project site. The nearest fault is the Imperial Fault located just over a mile west of the Project site.

Liquefaction and Lateral Spreading
Liquefaction is a potential design consideration because of underlying saturated sandy substrata. Although the Imperial Valley has not yet been evaluated for seismic hazards by the California Geological Survey seismic hazards zonation program, liquefaction is well documented in the Imperial Valley after strong seismic events. The risk of liquefaction-induced settlement is low. Liquefaction-induced lateral spreading is not expected to occur at this site due to the planar topography.

	Potentially Significant Impact **(PSI)**	Potentially Significant Unless Mitigation Incorporated **(PSUMI)**	Less Than Significant Impact **(LTSI)**	No Impact **(NI)**

Landsliding
The hazard of landsliding is unlikely due to the regional planar topography. No ancient landslides are shown on geologic maps, aerial photographs, or topographic maps of the region, and no indications of landslides were observed during our site investigation.

Volcanic Hazards
The site is not located proximal to any known volcanically active area, and the risk of volcanic hazards is considered low. Obsidian Butte and Red Hill, located at the south end of the Salton Sea approximately 21 miles north of the Project site, are small remnants of volcanic domes. The domes erupted about 1,800 to 2,500 years ago. The subsurface brine fluids around the domes have a high heat flow and are currently being utilized to produce geothermal energy.

Tsunamis and Seiches
Tsunamis are giant ocean waves created by strong underwater seismic events, asteroid impact, or large landslides. Seiches are large waves generated in enclosed bodies of water in response to strong ground shaking. The Project site is not located near any large bodies of water; therefore, the threat of tsunamis, seiches, or other seismically induced flooding is considered unlikely.

Flooding
Based on FEMA (2008) FIRM Panel 06025C1375C, which encompasses the Project site, the Project site is located in Flood Zone X, an area determined to be outside the 0.2% annual chance (500-year) floodplain.

Mitigation Measure GEO-1 Prepare Final Geotechnical Report and Implement Required Measures: Facility design for all project components shall comply with the site-specific design recommendations as provided by a licensed geotechnical or civil engineer to be retained by the Project applicant. The final geotechnical and/or civil engineering report shall address and make recommendations on the following:

- Site preparation
- Soil-bearing capacity
- Appropriate sources and types of fill
- Potential need for soil amendments
- Structural foundations
- Grading practices
- Soil corrosion of concrete and steel
- Erosion/Winterization
- Seismic ground shaking
- Liquefaction
- Expansive/Unstable soils

In addition to the recommendations for the conditions listed above, the geotechnical investigation shall include subsurface testing of soil and groundwater conditions, and shall determine appropriate foundation designs that are consistent with the version of the CBC that is applicable at the time building and grading permits are applied for. All recommendations contained in the final geotechnical engineering report shall be implemented by the Project applicant. The final geotechnical and/or civil engineering report shall be submitted to Imperial County Public Works Department, Engineering Division for review and approval prior to issuance of building permits.

a)	Directly or indirectly cause potential substantial adverse effects, including risk of loss, injury, or death involving:				
	1) 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?	☐	☒	☐	☐
	2) Strong Seismic ground shaking?	☐	☒	☐	☐

1) and 2) Consistent with the MEIR; Less than Significant with Mitigation. The Imperial Fault, which is an Alquist-Priolo–designated fault, is located just over a mile from the Project site. Additionally, there is an inferred location of the Brawley Fault that could run through the Project site. The Proposed Project is not located on or near the fault zone as shown in the MEIR Figure 2-2. Nonetheless, similar to all of California, Imperial County is a seismically active area that could result in strong seismic ground shaking. To lessen potential hazards related to seismic ground shaking, Project structures would be analyzed for earthquake loading during design and would be designed in accordance with the 2022 seismic requirements provided in the California Building Code (CBC). Additionally, if the Project meets the occupancy requirements of Mitigation Measure 4.7.1, the Project would be required to conduct a fault investigation, prior to approval of a final map, grading plan, or building permit. Compliance with the 2022 CBC and implementation of Mitigation Measure 4.7.1, would ensure that impacts due to seismic hazards would remain less than significant.

	Potentially Significant Impact **(PSI)**	Potentially Significant Unless Mitigation Incorporated **(PSUMI)**	Less Than Significant Impact **(LTSI)**	No Impact **(NI)**

3) Seismic-related ground failure, including liquefaction and seiche/tsunami? ☐ ☐ ☒ ☐

3) Less than Significant. The Proposed Project is not located near an ocean or large body of water and would not result in any seiche or tsunami. Additionally, the Project site is not located in a liquefaction zone. Nonetheless, the Project would be designed in accordance with the 2022 CBC, which would ensure that impacts associated with seismic-related ground failures would be less than significant.

4) Landslides? ☐ ☐ ☐ ☒

4) No Impact. The Proposed Project is in the Imperial Valley, and the area surrounding the site is relatively flat, with no chance for seismic induced landslides. According to the County General Plan, the closest area of landslide activity is on the border of San Diego and Imperial Counties approximately 30 miles west of the Project site (County 1993b). The Project would not exacerbate the risk of loss, injury, or death involving landslides. No impacts would occur and no further analysis is required.

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

b) Consistent with the MEIR; Less Than Significant with Mitigation. Project construction and operations have the potential to result in soil erosion and loss of topsoil, mainly through grading. The site preparation plans to balance soils on site, but worst case, would include minimal amounts of cut or fill. Compliance with Specific Plan Mitigation Measure 4.2.3, Construction Stormwater Pollution Prevention Plan, as described in Section X, Hydrology and Water Quality, would require that a Stormwater Pollution Prevention Plan (SWPPP) be prepared for the Project. The SWPPP would include erosion and sediment control measures and BMPs; in addition, the SWPPP would require that all erosion and sediment control measures be inspected and maintained for proper integrity. Compliance with the MEIR mitigation, would ensure impacts would remain 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 on- or off-site landslides, lateral spreading, subsidence, liquefaction or collapse? ☐ ☒ ☐ ☐

d) Be located on expansive soil, as defined in the latest Uniform Building Code, creating substantial direct or indirect risk to life or property? ☐ ☒ ☐ ☐

c) and d) Consistent with the MEIR; Less than Significant with Mitigation. As previously discussed, the Project site is flat and is not located within a liquefaction or landslide zone. However, the County General Plan identifies that liquefaction is a common hazard in the County (County 1993b). Additionally, soils on the Project site are also majority clay soils, which may be susceptible to soil instabilities, including expansion or shrink-swell. However, the Project would be required to adhere to the 2022 CBC. Additionally, the Project would implement Mitigation Measure GEO-1, which would require preparation of a Final Geotechnical Report, and require that the Project implement all the recommendations in the report during construction. Implementation of the mitigation and adherence to the 2022 CBC would ensure that impacts due to unstable or expansive soil would remain less than significant.

e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water? ☐ ☐ ☐ ☒

e) Consistent with the MEIR; No Impact. The Project does not include any septic systems as currently designed. The Project would treat on-site wastewater with a package treatment plant designed to meet the requirements of RWQCB. An on-site alternative system may be required with the packaged sewer treatment system, also requiring approval from the RWQCB and a NPDES permit for release to the evapotranspiration beds. Due to changes in State and County ordinance for on-site sewage systems, a new percolation test would be required prior to any system design. Therefore, no impacts would occur.

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

f) Consistent with the MEIR; Less than Significant with Mitigation. As previously mentioned under Section V, Cultural Resources, Chambers Group conducted a site visit of the Project site and concluded that while surface manifestations of cultural resources, including paleontological resources, were not observed during either the previous cultural resources study in support of the MEIR or the current site visit, it should be noted that the landscape has been under historic-period use and settlement. This historic utilization may have resulted in unrecognized buried features such as footings and foundations or refuse area such as trash pits or outhouses. Similarly, ethnographic data and historic-period maps indicate that Native American groups such as the Kamia occupied and utilized major and minor drainages within the Salton Basin, as is documented on the 1856 General Land Office map, which depicted an "Indian Village" in the northeast quarter of Section 36 (Township 14S, Range 14E). The understanding that the area is important to Native American groups is further supported by the positive NAHC SLF records search results. However, the Project would implement MEIR Mitigation Measures 4.6.1 and 4.6.2, the former of which notes that if any unanticipated discovery of potential cultural resources are encountered during the Project, that proper protocols would be implemented. Therefore, consistent with the MEIR, with implementation

	Potentially Significant Impact **(PSI)**	Potentially Significant Unless Mitigation Incorporated **(PSUMI)**	Less Than Significant Impact **(LTSI)**	No Impact **(NI)**

of Mitigation Measures 4.6.1 and 4.6.2, 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?	☐	☐	☒	☐
b)	Conflict with an applicable plan or policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	☐	☐	☒	☐

Summary of Impacts Identified in the MEIR:

In 2010, the Office of Planning and Research updated the CEQA Guidelines to include Greenhouse Gas Emissions (GHGs) as a resource area to the Appendix G checklist. The section aimed to evaluate project GHG generation during both construction and operation. In 2018, the guidelines were updated again to include further provisions on how to evaluate GHG impacts. These provisions touched on both climate change mitigation and adaptation, providing more detailed guidance on topics such as assessing the significance of GHG emissions; analyzing energy impacts and efficiency; estimating vehicle emissions; and evaluating environmental risks in light of a changing and uncertain baseline. During the preparation of the MEIR, GHG impacts were not part of the analysis because it was not a resource area required for discussion.

Impacts Related to the Proposed Project:

An Air Quality and Greenhouse Gas Analysis was prepared by UltraSystems, as provided in Appendix A. The Project will cause both direct and indirect source emissions of GHG. Direct emission sources are those which produce onsite emissions through the combustion of fossil fuels or oxidation or fermentation of feedstock. Typically, the two main direct emission sources will be in the use of internal combustion (IC) engines and space heating. Indirect GHG source emissions are those for which the Project is responsible, but that occur offsite. For example, the solid waste that is distributed to landfills will decay and emit the GHGs CO2 and CH4. GHG's are also emitted by combustion of fossil fuels to generate electricity used by the project. Production of the electricity used to convey water to the Project and to treat wastewater generated by the Project is also an indirect source.

Due to the persistence of GHG in the atmosphere, all the impacts addressed in the analysis prepared for the Project, are defined as long-term. Greenhouse gas emissions from construction are amortized over the next 30 years and added to operational emissions for the purpose of estimating annual emissions. Impacts are analyzed for both direct (construction and operation), indirect, and unmitigated emissions, utilizing the phases indicated in Table 2 above.

Direct Source Emissions

Construction Emissions

Table 6 shows the estimated annual construction-related GHG emissions, by construction year. The total of these values would be 1,716 tonnes of CO2e. The annual average over 30 years would be 57.2 tonnes per year.

Table 6: Annual GHG Emissions from Construction, 2024-2032

Phase	CO_2e Emissions (metric tons) (All fossil-fuel related)									
	2024	2025	2026	2027	2028	2029	2030	2031	2032	Total
0-IC	90.3	14.8								105
1-A		368	192.7							561
1-B				173.6	22.1					196
2-A						286	128			414
2-B								225	215.4	440
Total	**90**	**383**	**193**	**174**	**22**	**286**	**128**	**225**	**215**	**1,716**

Operational Emissions

Tables 7 and 8 show direct annual GHG emissions during Phases 0-IC and Phase 2, respectively.

Table 7: Annual Direct GHG Emissions in Phase 0-IC

Emissions Source	Emissions (metric tons/year)			
	Fossil-Fuel CO2	CH_4	N_2O	CO_2e
Composting		381	5	11,015
Incoming Feedstock Trucks	1,459	0.0007	0.23	1,528
Outgoing Compost Trucks	63	0	0.01	66
Employee Commuting	27	0.0003	0.0005	27
Amortized Construction	4			
Total Operational Emissions	**12,640**			

Table 8: Annual Direct GHG Emissions in Phase 2

Emissions Source	Emissions (metric tons/year)			
	Fossil-Fuel CO_2	CH_4	N_2O	CO_2e
Anaerobic Digestion	-	-	-	-
In-Vessel Composting		1,524	22	44,656
Mobile Diesel Equipment	2,728	0.45		2,739
Boilers	5,442	0.10	0.03	5,453
Flares		1.9	0.07	67
Incoming Feedstock Trucks	5,594	0.003	0.88	5,856
Outgoing Compost Trucks	242	0.0001	0.038	253
Employee Commuting	50	0.0004	0.0008	50
Amortized Construction	57			
Total Operational Emissions	**59,131**			

Indirect Source Emissions
Table 9 shows indirect source GHG emissions during Phases 0-IC and Phase 2.

Table 9
Annual Indirect GHG Emissions in Phases 0-IC and 2

Phase	CO_2e Emissions (metric tons/yr)	
	Electricity	Water
0-IC	915	1.4
2	3,658	5.8

Total Unmitigated Greenhouse Gas Emissions
Table 10 shows total GHG emissions during Phases 0-IC and Phase 2.

Table 10: Annual Total GHG Emissions in Phases 0-IC and 2

Phase	CO2e Emissions (metric tons per year)		
	Direct	Indirect	Total
O-IC	12,640	916	13,556
2	59,131	3,664	62,795

a) Conflict with an applicable plan or policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases? ☐ ☐ ☒ ☐

a) Less Than Significant Impact. As shown in Table 10, future annual GHG emissions will greatly exceed the SCAQMD interim

	Potentially Significant Impact **(PSI)**	Potentially Significant Unless Mitigation Incorporated **(PSUMI)**	Less Than Significant Impact **(LTSI)**	No Impact **(NI)**

significance threshold of 10,000 metric tons per year of CO2e (MTCO2e), at a total of 62,795 MTCO2e per year. Therefore, under this criterion, GHG emissions would ordinarily be significant. However, the Project in and of itself offsets GHG emissions, and therefore the net change in GHG should be taken into account.

The proposed Project was evaluated with the ARB's Benefits Calculator Tool for organics programs. For standalone anaerobic digestion of organics (greenwaste and food waste) producing biofuels or bioenergy, GHG emission reductions are calculated as:

Reductions = Avoided Landfill Methane Emissions + Avoided Emissions from Use of Biomethane in Vehicle Fuel, Electricity Production or Pipeline Injection – Fugitive Emissions from AD Process

For composting of organic material, GHG emission reductions are calculated as:

Reductions = Avoided landfill methane emissions – fugitive emissions from composting process.

Over the first ten years of operation, the anaerobic digesters and the composters would result in average annual net reductions of 101,138 and 39,343 MTCO2e, respectively, for a total of 140,481 MTCO2e per year. Once the facility is in full operation, the annual net reduction in emissions would be 210,600 MTCO2e per year. This not only offsets the Project's estimated emissions of 62,795 MTCO2e per year, but actually results in a net benefit to GHG emissions. Therefore, impacts would be less than significant.

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

b) Less than Significant Impact There are currently no regional or local climate action plans or general or specific plan provisions to reduce GHG emissions in the study area. The only applicable plan is the set of regulations to be developed under AB 32, which has a target of reducing GHG emissions to 1990 levels by 2020. The potential significance of emissions from the Project therefore depends upon the extent to which the project furthers or hinders implementation of AB 32. Given the net reduction in GHG emissions, the project would further the implementation of AB 32.

IX. *HAZARDS AND HAZARDOUS MATERIALS*

Would the project:

a)	Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	☐	☒	☐	☐
b)	Create a significant hazard to the public or the environment through reasonable foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	☐	☒	☐	☐
c)	Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	☐	☐	☐	☒
d)	Be located on a site, which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	☐	☒	☐	☐
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?	☐	☐	☒	☐
f)	Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	☐	☐	☒	☐
g)	Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?	☐	☒	☐	☐

Summary of Impacts Identified in the MEIR:
As previously mentioned, Geology and Soils, Hazards and Hazardous Materials, and Public Services related to fire, were all discussed under the Hazards and Hazardous Materials section of the MEIR in 2006.

Federal and State codes regulate the handling, storage, and transport of hazardous materials. Within Imperial County, the EHS of the Public

Health Department administers the requirements of the State Health and Safety Code that a Business Plan be prepared for businesses that handle more than 500 pounds of a solid substance, 55 gallons of a liquid, or 200 cubic feet of a compressed gas. The Business Plan is required to provide an inventory and map of materials stored or used on the premises, an emergency response plan, and employee training procedures for materials handling and emergency actions. The EHS Division conducts routine inspections of businesses required to submit Business Plans and requires updates at least every 3 years. Businesses are also required to notify specified State and local authorities of an imminent or actual on-site emergency so that action to avoid or minimize public health or environmental impacts can be taken.

In addition to the County EHS Business Plan program, businesses within the MEIR would also be subject to regulation by the California Office of Emergency Services under the California Accidental Release Prevention (CalARP) program. The CalARP program merges the federal and State programs for the prevention of accidental release of regulated toxic and flammable substances from stationary sources that handle more than a threshold quantity of regulated substances. The regulated substances and their threshold quantities are specified in Section 2770.5 of the CalARP program contained in the California Code of Regulations (CCR), Title 19, Division 2, Chapter 4.5. The CalARP program requires that both a Risk Management Plan and an Emergency Response Program be prepared and submitted to the County EHS.

The MEIR noted that the County EHS Division would determine the need for a Business Plan pursuant to the State Health and Safety Code. Business Plans would be required for the storage of hydrocarbon fuels, solvents, and other substances necessary for the maintenance of vehicles and equipment. The MEIR also noted that potential human and wildlife exposure to hazards could also result from storage or evaporation ponds for containment of wastewater from industrial processes that might contain toxic substances.

The MEIR concluded that with compliance with County EHS Division requirements for a Business Plan and CalARP program requirements for a Risk Management Plan and an Emergency Response Program, as further required in compliance with mitigation, significant impacts associated with handling of hazardous materials would be avoided. The measures relevant to the Proposed Project are as follows:

Mitigation Measure 4.7.4: Prior to approval of a final map, grading plan, or building permit for any phase or unit of development within the Specific Plan, the applicant shall provide evidence to the Planning and Development Services Director that (1) a hazardous materials Business Plan has been prepared and implemented in accordance with federal, state, and local regulations; and (2) all local, state, and federal permit requirements to generate, use, store, and transport hazardous materials have been satisfied. This evidence shall include a determination by the County EHS Division whether toxic substances may be present in wastewater or stormwater runoff directed to a storage pond. If toxic substances could be present, measures shall be implemented to prevent such transport of toxic substances or to prevent human and wildlife, including birds, access to the storage pond. Additionally, in coordination with the County Fire Department's Office of Emergency Services and the Hazardous Materials Response Team, specific routes shall be established for the transport of hazardous materials to avoid public use areas.

Mitigation Measure 4.7.5: For any project determined by the Planning and Development Services Director to require County EHS approval under the CalARP Program, and prior to approval of a final map, grading plan, or building permit for any such project, the applicant shall provide evidence to the Planning and Development Services Director that (1) a determination has been made by the County EHS Division on the need for project approval under the CalARP Program to prevent accidental release of regulated toxic and flammable substances from stationary sources that handle more than the threshold quantity of regulated substances; and if applicable to the Project, (2) all local, state, and federal permit requirements to prevent accidental release of regulated toxic and flammable substances pursuant to the CalARP Program have been satisfied, including the requirement for preparation of a Risk Management Plan and an Emergency Response Program.

Impacts regarding wildfires are further discussed in Section X, Wildfire; however as mentioned, wildfire impacts were not previously discussed in the MEIR because those thresholds were not a required topic in 2006.

Impacts Related to the Proposed Project:

A Phase I Environmental Site Assessment (ESA) was prepared for the Project (Appendix E). The Phase I ESA had the following conclusions and recommendations:

Recognized Environmental Conditions
A recognized environmental condition (REC) refers to the presence or likely presence of any hazardous substances or petroleum products in, on, or at a property: (1) due to any release to the environment; (2) under conditions indicative of a release to the environment; or (3) under conditions that pose a material threat of a future release to the environment. under conditions that indicate an existing release, a past release, or a material threat of a release of any hazardous substances or petroleum products into structures on the property or into the ground, groundwater, or surface water of the property. The term REC includes hazardous substances and petroleum products even under conditions that might be in compliance with laws. The Phase I ESA revealed no evidence of recognized environmental conditions in connection with the subject property.

Historical Recognized Environmental Conditions
A historical recognized environmental condition (HREC) refers to a past release of any hazardous substances or petroleum products that has occurred in connection with the property and has been addressed to the satisfaction of the applicable regulatory authority or meeting unrestricted use criteria established by a regulatory authority, without subjecting the property to any required controls (for example, property use restrictions, activity and use limitations, institutional controls, or engineering controls). The Phase I ESA revealed no evidence of historical recognized

environmental conditions in connection with the subject property.

Environmental Concerns and De Minimis Conditions
A de minimis condition is a condition that generally does not present a threat to human health or the environment and that generally would not be the subject of an enforcement action if brought to the attention of appropriate governmental agencies. Conditions determined to be de minimis conditions are not recognized environmental conditions nor controlled recognized environmental conditions. The Phase I ESA revealed that the only de minimis conditions or environmental concerns in connection with the subject property due to pesticide residues (low concentrations) typical to agricultural crop applications are present (1) in the near surface soil and the concrete-lined basin, and (2) several piles of concrete debris located in the northeast corner that may have a potential to contain asbestos.

Conclusions
Based on the scope of work performed for the Phase I ESA, it was concluded that no RECs were identified in connection with the Project site that would warrant further environmental study (Phase II ESA).

The subject property has been in agricultural use since the 1930s, and residues of both currently available pesticides and currently banned pesticides, such as DDT/DDE may be present in near-surface soils in limited concentrations. A concrete-lined basin and several piles of concrete debris are located in the northeast portion of the subject property. To determine the presence and concentration of near surface pesticides in the site soils and asbestos content in the concrete-lined basin and concrete debris at the subject property, a Phase II ESA should be conducted. Therefore, the following mitigation measure would be required:

HAZ-1 Phase II Environmental Site Assessment: Prior to demolition and/or vegetation clearing, a qualified professional engineer shall conduct a Phase II Environmental Site Assessment to evaluate for presence and concentration of pesticides and asbestos. If high concentrations of either material are found on site, the Applicant would be required to adhere to any recommendations given by the professional engineer.

a)	Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	☐	☒	☐	☐
b)	Create a significant hazard to the public or the environment through reasonable foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	☐	☒	☐	☐

a and b) Consistent with the MEIR; Less than Significant with Mitigation. The Proposed Project proposes construction of an anaerobic digestion facility with incidental advanced composting for the management and processing of residential, commercial, and industrial organic waste and green material.

The Project site has been in agricultural use since the 1930s, and residues of both currently available pesticides and currently banned pesticides, such as DDT/DDE, may be present in near surface soils in limited concentrations. Additionally, existing concrete on site may contain asbestos. The Project would be required to implement HAZ-1, which would require that a qualified Professional Engineer evaluate these materials prior to Project construction in the form of a Phase II Environmental Site Assessment, and that appropriate actions be taken to avoid any risk from potential materials.

During short term construction activities, the Proposed Project would involve the use of heavy equipment for grading, hauling, and handling of the construction materials and equipment. Construction would require the temporary use of fuels and other similar materials that may have hazardous properties (such as flammability, corrosivity, combustibility, etc.). During construction, the handling and disposal of these materials would occur in compliance with the manufacturer's requirements and local, State, and federal regulations. Portable bins or other storage containers would be on-site for storage of maintenance lube oils, chemicals, paints, and other construction materials as needed. The Proposed Project would have minimal levels of materials on-site that have been defined as hazardous under 40 CFR, Part 261. The following materials are expected to be used during the construction, operation, and long-term maintenance of the Proposed Project:

- Diesel fuel, gasoline and motor oil used in vehicles
- Mineral oil sealed within the transformers of the solar array
- Various solvents/detergents used for equipment cleaning

All hazardous wastes would be maintained at quantities below the threshold requiring a HMMP, also referred to as a Hazardous Materials Business Plan (HMBP) (one 55-gallon drum). Although not expected, should any on-site storage of hazardous materials exceed one 55-gallon drum, an HMMP/HMBP would be prepared and implemented. As further detailed and required by Mitigation Measure 4.7.4, the Project would develop and implement an HMMP/HMBP, in compliance with California Health and Safety Code, Division 20, Chapter 6.95, Sections 25500-25519 and California Code of Regulations, Title 19, Division 2, Chapter 4, if required. The HMMP/HMBP would be provided to the California Office of Emergency Services, the County Fire Department, and the Certified Unified Program Agency for the County (the local California Department of Toxic Substances Control [DTSC] office), for review and approval

before plant operation. The HMMP/HMBP would include, at a minimum, procedures for:

- Hazardous materials handling, use and storage
- Emergency response
- Spill control and prevention
- Employee training
- Reporting and record keeping

The Proposed Project would also be required to implement Mitigation Measure 4.7.5, which requires compliance with the CalARP Program, including the requirement for preparation of a Risk Management Plan and an Emergency Response Program. Additionally, spill prevention and containment for construction and operation of the Proposed Project would adhere to the Environmental Protection Agency's (EPA) guidance on Spill Prevention Control and Countermeasures (SPCC). For any occupational hazards that may be encountered by workers, the Proposed Project would be required to comply with the California Occupational Safety and Health Administration (OSHA) requirements that relate to worker risk of exposure and on-site safety procedures.

Hazardous materials and wastes would be managed, used, handled, stored, and transported in accordance with applicable local and State regulations. Hazardous material carriers and hazardous waste transporters are required by law to adhere to applicable local, State, and federal regulations regarding proper truck signage, indicating the materials being transported, carrying a shipping/waste manifest of the types and concentrations of materials being transported, and other appropriate measures. Hazardous material carriers also are responsible for their loads, reporting spills, and initiating appropriate emergency response to releases of any transported hazardous materials, from the point of origin up to the destination of the hazardous material delivery.

Chemical storage tanks (if any) would be designed and installed to meet applicable local and State regulations. Any wastes classified as hazardous, such as solvents, degreasing agents, concrete curing compounds, paints, adhesives, chemicals, or chemical containers, would be stored in an approved storage facility, or other structure and disposed of as required by local and State regulations. Material quantities of hazardous wastes are not expected.

Given the proposed construction and operations of the Project, adherence with the required mitigation, and compliance with local, State, and federal regulations, impacts associated with the Proposed Project would be less than significant.

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

c) Consistent with the MEIR; No Impact. The Proposed Project is not located within one-quarter mile of an existing or proposed school. The nearest schools are located southwest of the Project site within the City of Imperial downtown area, the nearest being Frank Wright Middle School, which is approximately 5.2 miles driving distance southwest (Google 2023). Due to the distance to the Project site, and that the Proposed Project does not involve operations that would create a significant impact to nearby schools. No impact would occur

d) Be located on a site, which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment? ☐ ☒ ☐ ☐

d) Consistent with the MEIR; Less than Significant. According to the State Water Resources Control Board (SWRCB) GeoTracker (SWRCB 2023) and DTSC EnviroStor (DTSC 2023) databases, no active or inactive clean-up sites are within 1 mile from the Proposed Project. Nonetheless, as mentioned above, a Phase I ESA was prepared for the Proposed Project and concluded there were no RECs recorded on the site; however, a Phase II ESA would be required to evaluate the materials. As such, the Project would be required to implement Mitigation Measure HAZ-1, which would require that a qualified professional engineer evaluate these materials prior to Project construction in the form of a Phase II ESA and that appropriate actions be taken to avoid any risk from potential materials. Therefore, with incorporation of mitigation, the Proposed Project is not expected to result in the release of hazardous materials into the environment from existing sites that may have contained hazardous materials and impacts would be less than significant.

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? ☐ ☐ ☐ ☒

e) Consistent with the MEIR; No Impact. The nearest airport to the Project is the Imperial County Airport which is approximately 6.6 miles to the southwest (Google 2023). Because the Project is not located near an airport or within an airport zone of influence, the Project would not result in a safety hazard or excessive noise. Therefore, no impact would occur.

	Potentially Significant Impact **(PSI)**	Potentially Significant Unless Mitigation Incorporated **(PSUMI)**	Less Than Significant Impact **(LTSI)**	No Impact **(NI)**

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

f) Consistent with the MEIR; Less Than Significant Impact. Temporary or single-lane closure of some roadways may occur during the transport of oversized equipment or construction activities. Road closures would be coordinated with County Public Works, the County Sheriff, and ICFD prior to closure, and would be scheduled to occur during off-peak commute hours. The Project's construction and operational activities would be in compliance with the Imperial County Emergency Operations Plan (EOP) and Multi-Jurisdiction Hazard Mitigation Plan (MJHMP), and would not physically interfere with the execution of the policies and procedures in these plans (County 2015b; 2021a). Therefore, the Project would not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan. Implementation of the Project would not result in any new impacts that were not previously analyzed and would be consistent with the MEIR, and impacts would be less than significant.

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

g) Less than Significant with Mitigation. The California Department of Forestry and Fire Protection's Fire and Resource Assessment Program (FRAP) provides a Fire Hazards Severity Zone Viewer (FHSZ) to provide a visual reference to locate fire hazards areas in California. The maps were developed utilizing science and field-tested models that assign a hazard score based on factors that influence fire likelihood and behavior. Factors include but are not limited to fire history, existing and potential fuel (natural vegetation), predicted flame length, embers, terrain, and typical fire weather in the area.

The Project site is not located within a FHSZ area. Most of the moderate to very high fire hazard areas are located north–northwest adjacent to the Salton Sea near Salton City, Anza-Borrego Desert State Park, and the Cleveland National Forest. No areas within the immediate vicinity of the Project site are designated as areas that have potential for wildland fires.

The Proposed Project may utilize solar panels for Project operations. The solar panels could utilize a battery energy storage element, which may result in an additional fire hazard. However, if a battery storage element is utilized, it would require approval from the County Planning Department and Fire Department prior to installation, and would be designed and operated in accordance with all relevant building and fire codes. Additionally, as noted in Section XV, Public Services, and as required by Mitigation Measure 4.7.8, the Project the applicant would be required to provide evidence to the Planning and Development Services Director that a determination has been made by the County Fire Department that an adequate system for delivery of an adequate supply of water for fire suppression, as well as other required equipment, alarms, and water connections, is provided to serve the Project. Therefore, with implementation of this mitigation, impacts would be less than significant.

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? ☐ ☒ ☐ ☐

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

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 surfaces, in a manner which would:

(i) 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; ☐ ☒ ☐ ☐

(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; ☐ ☒ ☐ ☐

		Potentially Significant Impact **(PSI)**	Potentially Significant Unless Mitigation Incorporated **(PSUMI)**	Less Than Significant Impact **(LTSI)**	No Impact **(NI)**
	(iv) impede or redirect flood flows?	☐	☒	☐	☐
d)	In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	☐	☒	☐	☐
e)	Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	☐	☒	☐	☐

Summary of Impacts Identified in the MEIR:

The MEIR analyzed the potential impacts to hydrological conditions and water quality associated with build out of the Specific Plan. The MEIR discussed flooding, surface water, rainfall, groundwater, and water quality. A summary of the existing conditions is discussed below:

Flooding
The MEIR noted that the Specific Plan contains a depressed sink area adjacent to Keystone Road that causes water to be retained during heavy rainstorms, which can make Keystone Road impassable.

Surface Water
The MEIR noted that surface waters in the Valley mostly drain toward the Salton Sea (north).

Rainfall
The MEIR noted that the average annual precipitation ranges from less than 3 inches over most of the planning area to 8 inches in the mountains along the western border.

Groundwater
The MEIR noted that groundwater is stored in the Pleistocene sediments of the valley floor, the mesas on the west, and the East Mesa and sand hills on the east. However, the fine-grained lake sediments in the central portion of Imperial Valley inhibit groundwater movement. Tile-drain systems are used to dewater sediments to a depth below the root zone of crops to prevent the surface accumulation of saline water. Few wells have been drilled in these lake sediments because the yield is poor and the water is generally saline. The few wells in the Valley are for domestic use only.

Water Quality
The Mesquite Lake SPA is located within the Colorado River Basin, which contains two substantial surface water bodies of State and national significance: the Colorado River and the Salton Sea. The major local rivers that flow into the Salton Sea are the New and Alamo Rivers, both of which originate in Mexico. The New River carries treated wastewater from point sources in the Imperial Valley, as well as in Mexico; and the Alamo River carries mostly agricultural return flows and treated municipal wastewater from the Imperial Valley. Existing topographic conditions in the Project area direct drainage to the Alamo River via the Rose Outlet, which discharges approximately 4 miles northeast of the Project site. The New River is approximately 2 miles west of the Project site but is upgradient and separated from the Project site by the Central Main Canal.

The Valley's agricultural drain system provides over 1,450 miles of surface drains that discharge directly into the Alamo and New rivers, and the Salton Sea. The Imperial Valley portion of the Colorado River Basin region faces several water quality issues, including increasing salinity, selenium, and eutrophication in the Salton Sea; and silt, nutrient, and pesticide pollution of the agricultural drains and the New and Alamo rivers. Discharges of water and stormwater runoff into the Valley's drains and river systems are subject to federal and State water quality regulations.

The MEIR concluded that from a watershed perspective, the topography, soil condition, vegetation, drainage features and other relevant hydrology and water quality factors would not be adversely affected by development within the Specific Plan area, with implementation of the listed mitigation. The MEIR provided both general mitigation measures for all projects within the Specific Plan, as well as project-specific mitigation measures for the developments that were proposed at the time of the Specific Plan implementation. Some of the previously proposed projects are similar to the Proposed Project, and therefore, some project-specific mitigation measures would be relevant for the Proposed Project. Alternatively, the Project site is not located in or near the Mesquite Lake depression area and therefore some general mitigation measures do not apply. The relevant mitigation measures are as follows:

General Mitigation Measures:

Mitigation Measures 4.2.1: Hydrological Analysis: As part of the building permit application process for each project, a hydrologic analysis shall be conducted to determine that:

- The proposed project would not cause undercutting erosion, slope stability degradation, vegetative stress (due to flooding, erosion, water quality degradation, or loss of water supplies), sedimentation, or habitat alteration in downstream areas as a result of an altered flow regime.

- Downstream IID drainage systems would have sufficient capacity to convey the increase in site runoff due to the increase in impervious surfaces, and the ability to attenuate the resulting peak flows.
- Any on-site BMPs are designed in accordance with the County Engineering Design Guidelines Manual (County of Imperial 2004) and to the satisfaction of the County Engineer.

Mitigation Measure 4.2.2: Hydrologic Design: Based on the hydrological analysis conducted in the MEIR, natural hydrologic designs shall be integrated into site layouts to the maximum extent practicable by:

- Reducing imperviousness and directly connected impervious surfaces to facilitate natural infiltration of runoff, conserving natural resources and areas, maintaining and using natural drainage courses in the stormwater conveyance system, and minimizing clearing and grading.
- Providing runoff storage measures dispersed uniformly throughout a site's landscape with the use of a variety of detention, retention, and runoff practices.
- Implementing on-site hydrologically functional landscape design and management practices.
- Incorporating pervious pavements wherever practicable.

Mitigation Measure 4.2.3: Construction Stormwater Pollution Prevention Plan: Prior to issuance of a grading permit for any phase or unit of development within the Specific Plan, an NOI shall be submitted to the SWRCB, and an SWPPP shall be developed and implemented on-site in compliance with Water Quality Order 99-08-DWQ/NPDES General Permit No. CAS000002 (General Construction Permit). The County Director of Public Works shall be provided an opportunity to review the SWPPP as part of the review/approval process at least 30 days prior to construction. The SWPPP shall include, but shall not be limited to, the following:

- BMPs to prevent construction-related pollutants from being exposed to runoff that can transport pollutants into nearby receiving waters. The selection and placement of BMPs shall be designed to protect all areas disturbed by construction activities from erosive forces and capture sediment from stormwater before it leaves the site. Erosion and sediment controls shall include both stabilization (erosion control) and structural (sediment control) measures. These measures shall be implemented such that the exposure of unprotected, disturbed earth during site development is minimized to the shortest duration practicable.
- Soil-tracking BMPs to limit off-site transport of sediment from the construction areas by implementing tire-cleaning measures such as stabilized construction entrance/exit designs (e.g., metal corrugated shaker plates, gravel strips, and/or wheel-washing facilities) at access points.
- Inspect/maintain all erosion and sediment control measures for proper integrity and function during the entire construction period. All stabilization and structural controls shall be inspected at least monthly or after any significant storm event and shall be repaired or maintained for optimum performance. Access to these facilities shall be maintained during wet weather.
    - Examples of erosion control include:
        - slope benching and terracing
        - soil roughening
        - temporary revegetation
        - soil stabilizers
        - mulches and matrices
        - erosion control blankets
        - fiber rolls
    - Examples of sediment control include:
        - perimeter controls (e.g., gravel bag or straw bale berms, silt fence)
        - stormwater inlet protection (e.g., fiber roll, gravel bags, geofabric grate covering)
        - silt fencing
        - gravel construction site entrance/exits
        - truck tire wheel wash
        - check dams
- Material and waste management programs during construction such as solid, sanitary, septic, hazardous, contaminated soil, concrete, and construction waste management; spill prevention; appropriate material delivery and storage; employee training; dust control; and vehicle and equipment cleaning, maintenance, and fueling. Each of these programs would address proper secondary containment requirements, spill prevention and protection, structural material storage needs, proper concrete wash-out design and containment, perimeter and surface protection for laydown and maintenance areas, and relaying all such requirements to construction staff.
- Structural and non-structural programs (i.e., routine procedures or practices) to reduce the amount of pollutants in runoff; to prohibit the storage of uncovered hazardous substances in outdoor areas; to prohibit the use of pesticides and herbicides; and to prevent spills.
- A monitoring program involving inspection and maintenance procedures for all post-construction stormwater pollution control measures to ensure that they continue to function properly. The monitoring program shall specify the monitoring entity; the funding

source for the inspection/monitoring program; and enforcement provisions in the event of failure to implement, operate, or maintain the approved stormwater pollution control measures.

- Maintaining records of all stormwater control measure implementation, inspection, and maintenance activities for at least 5 years.

Mitigation Measure 4.2.4: Industrial SWPPP: Thirty (30) days prior to new facility start-up for any phase or unit of development within the Specific Plan, an NOI shall be submitted to the SWRCB, and a SWPPP shall be developed and implemented on-site in compliance with Water Quality Order 97-03-DWQ/NPDES General Permit No. CAS000001 (General Industrial Permit), which requires:

- Verifying that any illicit connections to storm drains have been eradicated.
- Incorporating non-structural and structural BMPs to reduce pollutants in site runoff, such as outfall protection and treatment devices, proper storage and disposal of potential pollutants, secondary containment protection, and prohibiting pesticide and herbicide use; waste management, employee training, erosion control, vehicle/equipment cleaning, maintenance, and fueling; spill prevention/response practices; and shipping/receiving practices. Storage of potential pollutants shall be contained within approved safety lockers with secondary containment, within constructed secondary containment structures, or stored off-site in suitable protective enclosures. Disposal shall occur at an authorized landfill, waste collection center, or other certified disposal facility approved for disposing the waste in question. The methods and procedures shall be consistent with the philosophies of EPA and California guidance documentation for industrial stormwater pollution prevention.
- Developing and executing a Monitoring and Reporting Program to assess the effectiveness of BMPs through visual inspection of storm drains and outfall points during wet and dry weather and storm sampling. The program shall also address the maintenance needs of any on-site BMPs to ensure optimum functionality.
- Preparing and submitting an annual report to the RWQCB with monitoring results.
- Maintaining all related records of all control measure implementation, inspection, and maintenance for at least 5 years.

Mitigation Measure 4.2.5, Service Area Agreement: The Imperial County Planning and Development Services Director shall review and approve the County Service Area agreement or other documents establishing an independent authority responsible for operation of public facilities and services within the Specific Plan. The agreement or other documents shall include information sufficient to address the ongoing maintenance of stormwater facilities on individual lots/parcels as well as future storm drain systems within the County road rights-of-way. These considerations shall include, but not be limited to, maintaining erosion control BMPs to minimize on-site soil loss, clearing of sediment from BMPs on an as-needed basis, trash and debris collection (aesthetic maintenance), and maintaining public safety. The agreements shall demonstrate that there are sufficient funding sources to operate these facilities in an environmentally responsible manner, and that stormwater controls will be implemented and maintained throughout their operational lifetime.

Additionally, the following mitigation measure from the MEIR Hazards and Hazardous Materials section would be relevant.

Mitigation Measure 4.7.2: Since development would occur in the vicinity of the lakebed of Mesquite Lake shown in Figure 4-4, prior to construction, a hydrology study shall be prepared by a registered civil engineer for approval by the County Engineer and the Planning and Development Services Director that demonstrates that areas proposed for location of buildings or storage are protected from flooding by a 100-year frequency flood and that the sites of such buildings or storage are designed to drain to a retention basin with sufficient capacity to prevent flooding of the site.[1]

Relevant Portions of Project Specific Mitigation Measures:

Mitigation Measure 4.2.8:

Stormwater Retention Basin
The stormwater retention basin shall be designed to appropriately treat all water released to the Rose Drain such that any off-site discharge causes no further impairment of local water quality and complies with IID specifications and all other locally imposed performance-based regulations.

The retention pond shall also be designed to retain the volume generated by a 100-year frequency storm. An emergency drain valve shall incorporate a standpipe to bleed off surface water from the retention basin such that sediment and other settled materials are not conveyed to the natural drainage in the event of severe rainfall. Protocols for managing the emergency release of such waters shall meet all requirements of the IID, County EHS, the RWQCB, the CDFG, and the County Planning and Development Services Department.

Impacts Related to the Proposed Project:

As discussed in Section VII Geology and Soils above, a Preliminary Geotechnical Report was prepared for a portion of the Proposed Project Site

[1] Minor revisions were made from the mitigation measure adopted in the MEIR to reflect the timing of implementation relevant to this Project, and to reference the correct figure number that is referred to in the mitigation measure.

in May 2021 (Appendix D). The report evaluated some impacts related to hydrology and water quality as shown below:

Groundwater
Groundwater levels were found at seven feet below the surface level.

Tsunamis and Seiches
Tsunamis are giant ocean waves created by strong underwater seismic events, asteroid impact, or large landslides. Seiches are large waves generated in enclosed bodies of water in response to strong ground shaking. The site is not located near any large bodies of water, so the threat of tsunami, seiches, or other seismically-induced flooding is considered unlikely.

Flooding
Based on FEMA (2008) FIRM Panel 06025C1375C which encompasses the Project site, the Project site is located in Flood Zone X, an area determined to be outside the 0.2% annual chance (500-year) floodplain.

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

a) Consistent with the MEIR; Less than Significant with Mitigation. As mentioned above, groundwater is stored in the Pleistocene sediments of the valley floor, mesas to the east, and East Mesa and sand hills in the east. The sediments within the central portion of Imperial Valley inhibit groundwater movement. Therefore, tile-drain systems are used to dewater the sediments below the root zone of the crops to prevent accumulation of saline water on the surfaces. There are only a few wells in the Valley for domestic use.

The Proposed Project is located within the Mesquite Lake Specific Plan, which is within the Colorado River Basin. It contains two surface water bodies that are State and national significance which are the Colorado River and the Salton Sea. Surface waters within the Imperial Valley drain north towards the Salton Sea. The Alamo and New rivers convey agricultural irrigation drainage water, surface runoff, and treated municipal land industrial waste waters from the Imperial Valley to the Salton Sea.

The Project proposes construction and operation of an anaerobic digester facility. Construction and operational discharges would generate sediments, debris, green waste, oil and grease residue, from activities such as truck washout, site cleanups, accidental spills and other similar activities that may be carried over during rain or site water uses. Potential impacts during construction and operation are described below.

Construction Impacts
As previously discussed in the MEIR, any development occurring within the Specific Plan would not result in adverse impacts with implementation of the required permitting, construction measures and mitigation measures. Similar to the MEIR, the Project would be required to implement Mitigation Measures 4.2.1 and 4.2.2, which would ensure that runoff amount would be minimized, and that BMPs approved by the County engineer, would be implemented to ensure that runoff would not violate water quality. Additionally, Mitigation Measure 4.2.3 would be implemented which would require a stormwater pollution prevention plan (SWPPP) be developed to prevent construction-related pollutants from being exposed to runoff. With implementation of these mitigation measures, impacts would be less than significant.

Operational Impacts

Implementation of the Project could result in accidental releases and/or spills due to normal operations which could affect water quality. The majority of the process water would be recycled in the anaerobic digestion and composting process. However, there would be a small amount of effluent generated from the acid washer and runoff from the facility, which would be managed in accordance with State and local water quality regulations. The entire Project site would drain into a retention basin stormwater retention basin located on the northern western portion of the Project site that is approximately 4.44 acres with a volume of 18.99 acre-feet. A lined pond would be constructed to hold and treat the effluent generated during the composting process. Water from the lined pond would be recycled back into the process. Based on final design of the pond, if required by Environmental Health and Safety (EHS), a vector control plan would be submitted.

Similar to the MEIR, the Project would be required to implement Mitigation Measure 4.2.4, which would require that 30 days prior to the start of the Project, that a notice of intent (NOI) be submitted to the SWRCB, and an industrial SWPPP be developed and implemented on-site to ensure that runoff during operation would not violate any water quality standards. Nonetheless, the anaerobic digestion process could result in leakage during dewater or transportation. The energy storage, composting and anaerobic digestion process are proposed to occur within enclosed tanks which would be designed to prevent leakage; however, the Project would also develop and implement a Hazardous Materials Business Plan (HMBP) as required by Mitigation Measures 4.7.4 above, in compliance with California Health and Safety Code, Division 20, Chapter 6.95, Sections 25500-25519 and California Code of Regulations, Title 19, Division 2, Chapter 4. The HMBP would be provided to the California Office of Emergency Services, the County Fire Department, and

the Certified Unified Program Agency for The County (the local California Department of Toxic Substances Control office), for review and approval before plant operation. The HMBP would include, at a minimum, procedures for hazardous materials handling, use and storage; emergency response; spill control and prevention; employee training; and reporting and record keeping.

In addition to preparation of the HMBP, the Project would conduct a hydrological analysis and design the Project around the findings of the analysis, as discussed in Mitigation Measures 4.2.1 and 4.2.2, in order to ensure that runoff amount would be minimized, and that runoff would not violate water quality. Additionally, the Proposed Project would be required to implement applicable parts of MEIR Mitigation Measure 4.2.8 as written above, to ensure compliance with on and off-site discharges, specifically to the Rose Drain. The stormwater retention basin would be constructed and designed to meet the County Engineering Design Guidelines

With implementation of the aforementioned mitigation measures and the HMBP, operation of the Proposed Project would not violate any water quality standards, and consistent with the MEIR, impacts would be less than significant.

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

b) Consistent with the MEIR; Less than Significant Impact. As discussed in the MEIR, development within the Specific Plan would receive raw water service from IID. The Proposed Project would result in a net increase water demand of 15.6 acre-feet per year (AFY) with construction water demands at 67.4 AF.

The Project is adjacent to an IID water supply canal, which the Project anticipates using for its' water needs. It is anticipated that this water would be treated for domestic uses. Additionally, to help offset water needs, the Project anticipates treating on-site wastewater with a package treatment plant designed to meet the requirements of the RWQCB, and using that water for dust control, irrigation, or other similar uses.

A Water Supply Assessment (WSA) will be prepared for the Proposed Project for all water demands, to show water supply is able to meet demand over the next 20 years.

The introduction of new impervious surfaces to the Project would affect the amount of water absorption through the soils. However, the Project would implement Mitigation Measures 4.2.1 and 4.2.2 which would ensure that the amount and quality of stormwater would remain as unchanged as possible. The entire Project site would drain into a retention basin located on the western portion of the Project site that is approximately 4.44 acres with a volume of 18.99 acre-feet. A lined pond would be constructed to hold and treat the effluent generated during the composting process which would be managed in accordance with State and local water quality regulations, including the SWRCB. Water from the lined pond would be recycled back into the process. Based on final design of the pond, if required by Environmental Health and Safety (EHS), a vector control plan would be submitted. The retention basin would be designed to meet SWRCB requirements and would include an appropriate mosquito abatement per County guidelines if the retention basin does fully discharge in less than 72 hours. With implementation of these mitigation measures and project design features, impacts would be consistent with the MEIR.

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 surfaces, in a manner which would:

(i) 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; ☐ ☒ ☐ ☐

(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? ☐ ☒ ☐ ☐

c) i) through iii) Consistent with the MEIR; Less Than Significant Impact with Mitigation. Drainage patterns are typically formed by the streams, rivers, lakes, or other bodies of water. Overtime, the system is formed via a network of channels and tributaries that determine the type of geologic features of a particular landscape. Soil erosion occurs when water or wind deteriorates soil particles in a given area. Siltation is caused by soil erosion and occurs when dirt, soil and sediment is carried by water and is accumulated.

The Proposed Project would require grading of the Project site which could affect the existing topographic and drainage features of the site. In addition, the proposed construction work could result in soil disturbance that could result in soil erosion or siltation.

However, the Project would implement Mitigation Measures 4.2.1 and 4.2.2 which would ensure that drainage, including erosion control, would be evaluated and that proper BMPs be implemented. Additionally, Mitigation Measures 4.2.3 and 4.2.4 would require SWPPPs during both construction and operation respectively, to ensure that erosion control, runoff, and spill prevention would be properly

managed via BMPs.

Additionally, the Project would implement Mitigation Measure 4.2.5 which would require that the Project prepare a service area agreement with the County to address the ongoing maintenance of stormwater facilities on the site, as well as future storm drain systems within the County road rights-of-way. The agreement considerations shall include, but not be limited to, maintaining erosion control BMPs to minimize on-site soil loss, clearing of sediment from BMPs on an as-needed basis, trash and debris collection (aesthetic maintenance), and maintaining public safety. The agreement should also demonstrate that there are sufficient funding sources to operate these facilities in an environmentally responsible manner, and that stormwater controls would be implemented and maintained throughout their operational lifetime.

With implementation of Mitigation Measures 4.2.1 through 4.2.5, impacts related altering drainage, erosion, and runoff, would be considered less than significant.

(iv) impede or redirect flood flows? ☐ ☒ ☐ ☐

c) iii) Consistent with the MEIR; Less Than Significant Impact. As mentioned above, the MEIR noted that the Specific Plan contains a depressed "sink" area adjacent to Keystone Road that causes water to be detained during heavy rainstorms, which can make Keystone Road impassable. This "sink" area is associated with the historic Mesquite Lake. The Project is located towards the southern part of this historic Mesquite Lake area. However, as noted in Section VII Geology and Soils, a Preliminary Geotechnical Report was conducted for the Project site and noted that 'Based on FEMA (2008) FIRM Panel 06025C1375C which encompasses the Project site, the Project site is located in Flood Zone X, an area determined to be outside the 0.2% annual chance (500-year) floodplain. However, due to the Project's location, the Project would be required to implement Mitigation Measure 4.7.2 which would require that the Project conduct a hydrology study prior to construction, to show that areas proposed for location of buildings or storage are protected from flooding by a 100-year frequency flood and that the sites of such buildings or storage are designed to drain to a retention basin with sufficient capacity to prevent flooding of the site. As such, with this mitigation, impacts would be less than significant.

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

d) Consistent with the MEIR; Less Than Significant Impact. Tsunamis are high sea waves typically caused by earthquakes and underwater landslides. Seiche occurs in bodies of water (semi or full-enclosed) and are caused by strong winds or rapid changes in the atmosphere that pushes water from one end to another and typically acts as a standing wave/oscillating body of water. Floods are an overflow of large bodies of water beyond its normal capacity. The Proposed Project is over 20 miles from the nearest large body of water (Salton Sea) and over 95 miles from the ocean, therefore tsunamis or seiches would not occur.

As discussed above, according to the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM) number 06025C1375C, the Project site is located in Zone X, areas determined to be outside the 0.2% annual chance floodplain (FEMA 2008). However, due to the Project's location, the Project would be required to implement Mitigation Measure 4.7.2 which would require that the Project conduct a hydrology study prior to construction, to show that areas proposed for location of buildings or storage are protected from flooding by a 100-year frequency flood and that the sites of such buildings or storage are designed to drain to a retention basin with sufficient capacity to prevent flooding of the site. As such, with this mitigation, impacts would be less than significant.

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

e) Consistent with the MEIR; Less Than Significant Impact with Mitigation As described under Thresholds a and b above, the Proposed Project would be required to implement mitigation measures to help ensure that impacts to water quality would remain less than significant.

The Proposed Project would utilize water from IID, which is ultimately sourced from the Colorado River. Nonetheless, a WSA will be prepared for the Proposed Project to show water supply is able to meet demand over the next 20 years. Additionally,, the Project would implement Mitigation Measures 4.2.1 and 4.2.2 which would ensure that flow and drainage of the site would remain as unchanged as possible. With implementation of these mitigation measures, impacts would remain less than significant.

XI. *LAND USE AND PLANNING*

Would the project:

a)	Physically divide an established community?	☐	☐	☐	☒
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?	☐	☐	☒	☐

Summary of Impacts Identified in the MEIR:

The MEIR discussed the impacts of the Specific Plan with regards to land use and zoning associated with the build out of the Specific Plan. A summary of the existing conditions is discussed below:

At the time of the preparation of the MEIR, the area contained a variety of existing agricultural, industrial and commercial uses as well as extensive vacant or fallow lands. Land uses onsite consisted of agricultural support services, agricultural processing, roofing and building materials, auto dismantling, a fleet storage and repair facility for a waste disposal company, a communications tower, and the Memory Gardens Cemetery and Memorial Park. Although caretaker dwellings may have been present, they were not located along public roads. Surrounding properties mainly included agricultural fields and one residence. The nearest urban centers were the City of Imperial (1 mile south) and Brawley (4 miles north). The Holly Sugar plant, two alternative-fuel-burning electrical power plants along Old Highway 111 and a 640-acre fish-farming operation are main land use operations existing in the area.

the 1993 County General Plan established the designation of the Specific Plan to provide opportunities to construct new job-producing light, medium, and heavy industrial uses. Future development, including the Project-specific development of the MEIR summarized that these would be typical of the types of uses that would be developed in the future and, "…would have visual and operational characteristics that are generally not compatible with residential uses. The Specific Plan's permitted uses would also not be compatible with uses such as hospitals or care facilities where occupants would have reduced tolerance for dust, noise, and potential air contaminants that might be associated with heavy industrial uses. The plan does not permit residential uses, other than caretaker dwellings, or uses such as hospitals or care facilities."

The MEIR summarized that because the surrounding properties would be for agricultural and/or industrial purposes, it would avoid any potential for land use conflicts and therefore would not require mitigation measures. In addition, individual proposed projects are anticipated to conform to the land use goals, and any permitting and conditions of approval shall be reviewed by the County to ensure consistency with the land use and development regulations.

Impacts Related to the Proposed Project:

The Proposed Project is located within the adopted Mesquite Lake Specific Plan. As mentioned, the Project would require a Specific Plan amendment and a zone change to amend parcels, approximately 50 acres, from ML I-2 to ML I-3 and from Medium Industrial to Heavy Industrial, as shown in Figure 5. The Project also includes a lot merger to merge all four parcels to one parcel to meet acreage requirements. The Heavy Industrial designation would allow for greater flexibility in terms of industrial uses. ML I-2 permits medium industrial uses such as distribution center, warehousing, manufacturing, research and development and other similar medium intensity processing facilities. Other permitted uses include power plants, truck and rail container storage and processing or fabrication. ML I-3 permits the most intense, heavy manufacturing or prefabrication facilities, in addition to permitted uses under ML I-2. The Project also proposes a text amendment to the Specific Plan to further clarify the anaerobic and composting processes, as noted below:

Specific Plan Text Amendments
The Project would require the following proposed text amendments to further clarify the anaerobic and composting processes.

Pages 50 and 51 of the Specific Plan would include a description of alternative fuel production using anaerobic digesters under 'Uses Permitted with a Conditional Use Permit Only' and the addition of composting facility to 'Agricultural Processing' permitted under a CUP. The proposed changes are shown below with ~~strikethrough~~ text to note deletions and <u>underlined</u> text to note additions.

b. Uses Permitted With a Conditional Use Permit Only

(a) Alternative Fuel Power-Generating Facilities
Activities typically include, but are not limited to, anaerobic digesters, biomass, biosolid, and solar conversions and/or transformation.
<u>(2) Alternative fuel production using anaerobic digesters.</u>
<u>(3) Anaerobic digestion – the controlled biological decomposition of organic material in the absence of oxygen or in an oxygen-starved environment. Anaerobic digestion produces biogas and a residual digestate.</u>

~~(3)~~(5) Agricultural Processing <u>and Composting</u>
Activities are limited to packing and processing of agricultural crops including animal products or byproducts such as an animal rendering plant. This would also include uses such as cotton gins, seed mills, and animal feed production; and may also allow expansion of existing fish or frog farming in the MLAA Zone onto adjacent property in the MLI-3 Zone.
<u>(6) Composting Facility</u>

The Project proposes construction and operation of an anaerobic digester. The construction and operation of an anaerobic digester is not permitted by right under the Specific Plan. The anaerobic digester is considered to be a renewable energy use and therefore would require the submittal and approval of a CUP per the Specific Plan guidelines.

	Potentially Significant Impact **(PSI)**	Potentially Significant Unless Mitigation Incorporated **(PSUMI)**	Less Than Significant Impact **(LTSI)**	No Impact **(NI)**
a) Physically divide an established community?	☐	☐	☐	☒

a) Consistent with the MEIR; No Impact. The Project proposes construction and operation of an anaerobic digester. The Proposed Project would not include the construction of new roadways or physical barriers between residential communities.

The Project site does not contain any residences, nor is the area zoned for residential uses. As discussed in the MEIR, future development of the SPA would be consistent with the existing surrounding land uses. The area surrounding the Project site consists of agricultural land uses and industrial facilities. There are scattered single family homes throughout the surrounding area, with the closest one being located approximately one mile south of the Project site.

While one residence is adjacent to the Project site, there are no established communities in the area. Furthermore, the zoning of the area consists of industrial operations. While the Project proposes a Specific Plan amendment and zone change from Medium Industrial to Heavy Industrial, these would be consistent uses with the Specific Plan and larger Project site area, and therefore, the addition of the Project would not be an incompatible use. As such, the Proposed Project would not physically divide an established community. The Project would be consistent with the MEIR, would not result in any new impacts that were not previously analyzed, and no impact would occur**.**

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?	☐	☐	☒	☐

b) Consistent with the MEIR; Less than Significant Impact. The Project would require submittal and approval of the CUP, the approval of which would result in the Proposed Project to be compliant with the land use and zoning requirements. Furthermore, the existing land use and zoning of the Project site are compatible with industrial uses and other uses within the SPA. The Project is proposing industrial operations at an increased intensity; however, based on the results of the air quality and traffic analyses, the change in land uses would not result in a significant impact to these resources areas.

Additionally, as a result of the proposed changes, future heavy industrial uses as indicated in Table 2, Allowed Uses above, would now be able to be developed either with a CUP or as an allowed use. Although the newly allowed heavier industrial uses may have the potential to cause additional impacts as compared to the existing lighter industrial uses, the same standards and mitigation measures that the MEIR applied to those heavies uses would also be applied to these uses and parcels and therefore, as demonstrated throughout this IS/MND, impacts would remain less than significant.

The Project also includes a Specific Plan text change to further clarify, the anaerobic and composting processes. This is accomplished by adding the definition of anaerobic and composting processes. However, these text changes, as noted above, wouldn't result in any changes to the existing allowed uses and would not allow any additional allowed uses within the Specific Plan. Therefore, no changes would occur with the Specific Plan text change.

Similar to the MEIR, with the Specific Plan amendment, zone change, and Specific Plan text change, all future projects would be subject to County review and compliance with specific conditions of approval to ensure consistency with land use and development regulations. Therefore, impacts would be less than significant.

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?	☐	☐	☐	☒
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?	☐	☐	☐	☒

Summary of Impacts Identified in the MEIR:

The MEIR noted that the County's mineral resources with the highest economic value, are gold, gypsum, sand, gravel, lime, clay, and stone. Industrial materials are also readily available, including kyanite, mineral fillers (clay, limestone, sericite, mica, and tuff), salt, potash, calcium chloride, and manganese. Most of the active mining operations are in the desert areas of the County and no active mining operations exist within the Project or nearby. Soils within the SPA are not known to possess any unique mineral value that aren't already typical of other similar lands throughout the irrigated portion of the County. The MEIR evaluated impacts to mineral resources within the SPA and found that with implementation of the Specific Plan, impacts to mineral resources would not occur.

Impacts Related to the Proposed Project:

	Potentially Significant Impact **(PSI)**	Potentially Significant Unless Mitigation Incorporated **(PSUMI)**	Less Than Significant Impact **(LTSI)**	No Impact **(NI)**
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?	☐	☐	☐	☒
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?	☐	☐	☐	☒

a) and b) Consistent with the MEIR; No Impact. The Project site has not been evaluated by the California Department of Conservation for potential mineral resources onsite (DOC 2022d). However, as noted previously, the MEIR evaluated impacts to mineral resources within the SPA, including the Project site, and found that no impacts to mineral resources would occur.

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?	☐	☐	☒	☐
b) Generation of excessive groundborne vibration or 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?	☐	☐	☐	☒

Summary of Impacts Identified in the MEIR:

The MEIR included a discussion of resources that were found to have environmental effects found not to be significant per CEQA Guidelines Section 15128. The MEIR summarized that in general, there are few existing, and no planned, residential uses surrounding the SPA, and therefore, there would be no incompatibility between industrial noises and residences. The MEIR noted that for all industrial zones within the Specific Plan (MLI-1 through MLI-3), industrial uses are allowed, provided that such facilities do not emit fumes, odor, dust, smoke, or gas or produce significant levels of noise or vibration beyond the confines of the property line within which their activity occurs. The MEIR concluded that the Specific Plan does not propose residential uses, and only a few single-family residences exist within or adjacent to the Specific Plan that could be potentially affected by noise of future industrial uses or traffic generated by the Project. Therefore, significant impacts would not occur.

Impacts Related to the Proposed Project:

A Noise Analysis was prepared by UltraSystems, as provided in Appendix F. The analysis looked at ambient noise levels, and then evaluated both construction and operational impacts associated with the Project as discussed below. Based on the applicable noise regulations, the Project would have a significant noise impact if it would:

- Result in exposures of sensitive receptor during construction to the short-term noise levels (in Table 11 below)
- During Project operations, result in an increase of 5 dBA CNEL or greater.

Construction Noise

For the closest sensitive receiver (6,000 feet away), it is estimated that construction noise exposure will be 45.4 dBA Leq (decibels, equivalent continuous level). This value is far below either the short-term daytime or the nighttime exposure limits shown below in Table 11. The resulting value of the community noise equivalent level (CNEL) for the construction activity would be 42.4 dBA CNEL. This value is about 15 dBA less than the existing ambient level and would not be noticed. The increase in exposure at the residence would be about 0.1 dBA CNEL, which is not perceptible to the human ear.

Table 11: County of Imperial Construction Noise Standards

Construction Duration	Sound Level (dBA)	Time Interval	Hours of Operation Restriction
Short-Term (days or weeks)	75	8 Hours	7:00 a.m. – 7:00 p.m. Monday to Friday 9:00 a.m. – 5:00 p.m. Saturday No commercial construction operation is permitted on Sundays and holidays

Extended Periods	75	1 Hour	7:00 a.m. – 7:00 p.m. Monday to Friday 9:00 a.m. – 5:00 p.m. Saturday No commercial construction operation is permitted on Sundays and holidays

Operational Noise
The Imperial County General Plan, Noise Element includes Property Line Noise Limits, which apply to noise generation from one property to an adjacent property. The standards imply the existence of a sensitive receiver on the adjacent, or receiving, property. In the absence of a sensitive receiver, an exception or variance to the standard may be appropriate. Because no sensitive receivers are on properties adjacent to the Project Site these standards do not apply. Since most of the potentially noisy processing operations will be in fully enclosed buildings, the only operational phase noise sources left to consider are (1) the flare and (2) onroad truck traffic hauling feedstock to the facility which are described below.

Flare Noise
Elevated flares, especially those using steam as a smoke suppressant, have traditionally been quite noisy. Based on assumptions made in the noise analysis, a noise level of 121 dBA at the stack tip was calculated. Based on distance to the nearest sensitive receiver, the resulting noise exposure would be about 45.5 dBA at the nearest residence. A similar analysis, using an online flare noise calculator, resulted in an exposure of 43.7 dBA Leq. However, the proposed flare will not have steam injection and will have state-of-the art noise reducing design features.

Truck Traffic Noise
The Project will result in an increase in truck traffic as discussed in Section XVII Transportation. A general rule is that traffic needs to double for the increases in exposure to exceed 3 dBA Leq, which is the threshold for awareness of the change. Assuming 12.5 trucks per hour during an eight-hour day, an average vehicle speed of 30 miles per hour, and a worst-case distance of 35 feet from the roadway results in an estimated exposure of 55.6 dBA. Using the same approach for converting hourly average values to CNEL, the truck traffic contribution would be 52.8 dBA.

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? ☐ ☐ ☒ ☐

a) **Consistent with the MEIR; Less Than Significant Impact.** The Project does not propose residential uses and only a few single-family residences exist within or adjacent to the Project site that could be potentially affected by noise of future industrial uses or traffic generated by the Project. As discussed above, the Project would be consistent with the General Plan and would not exceed thresholds for either construction or operation related impacts. The Project would not result in a substantial temporary or permanent increase in ambient noise levels and therefore impacts would be less than significant.

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

b) Consistent with the MEIR; Less Than Significant Impact. Ground-borne vibration can be a concern for nearby neighbors of a transit system route or maintenance facility. However, in contrast to airborne noise, ground-borne vibration is not a common environmental problem. It is unusual for vibration from sources such as buses and trucks to be perceptible, even in locations close to major roads (FTA 2018). The closest sensitive receiver is a stand alone single-family residence that is located approximately 6,000 feet away from the Proposed Project. Considering the distance from the Project to the residence, impacts would be considered less than significant.

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? ☐ ☐ ☐ ☒

c) Consistent with the MEIR; No Impact. The nearest airport to the Project is the Imperial County Airport which is approximately 6.6 miles to the southwest (Google 2023). Because the Project is not located near an airport or within an airport zone of influence, the Project would not expose people in the Project area to excessive noise levels. Therefore, no impact would occur.

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 business) or indirectly (for example, through extension of roads or other infrastructure)? ☐ ☐ ☒ ☐

	Potentially Significant Impact **(PSI)**	Potentially Significant Unless Mitigation Incorporated **(PSUMI)**	Less Than Significant Impact **(LTSI)**	No Impact **(NI)**
b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☒

Summary of Impacts Identified in the MEIR:

The MEIR noted that the Specific Plan does not propose residential uses and very few single-family residences are known to exist within the Specific Plan area. In addition, the Specific Plan is primarily zoned for agricultural and industrial use and is not designated for residential development on the County General Plan. The Specific Plan could induce population growth through new employment opportunities; however, with the chronically high unemployment rate in the County, a population increase would not be required to meet the labor needs of projects within the Specific Plan. The MEIR concluded that with implementation of the Specific Plan, significant impacts to population and housing would not occur.

Impacts Related to the Proposed Project:

a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and business) or indirectly (for example, through extension of roads or other infrastructure)?	☐	☐	☒	☐

a) Consistent with the MEIR; Less Than Significant Impact. Similar to the MEIR, the Project does not propose residential uses and it is unlikely that the Proposed Project would induce substantial population growth. Also, similar to the MEIR, the Project could induce population growth through new employment opportunities. The on-site workforce has been conservatively estimated to peak of approximately 300 individuals for short periods of time, which is typically a few weeks. It is anticipated that the construction workforce would commute to the site each day from local communities. Construction staff not drawn from the local labor pool would stay in nearby hotels, and would not move to the area. Once fully operational, approximately 50 full-time employees are expected each day of the week during Project operations, which would be Monday through Friday from 5:00 AM to 7:00 PM. However, as noted in the MEIR, there is a chronically high unemployment rate in the County. This high unemployment rate still exists today, with the current unemployment rate at 16.0 percent in September 2022 (EDD 2022). It is expected that a majority of the projected employment opportunities would be met via the local employment pool, which would not result in an increase in population.

Additionally, one of the overall goals for the Specific Plan is to support economic development within Imperial County and allow for heavy industrial development in an area that is away from urban conflicts and its cities through job creation in the employment sectors of manufacturing, fabrication, processing, wholesaling, transportation, and energy resource development; and create and preserve an area where a full range of industrial uses with moderate to high nuisance characteristics may locate. The Proposed Project would help realize this goal within the SPA by creating job opportunities. Therefore, population growth impacts would be less than significant.

b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☒

b) **Consistent with the MEIR; No Impact.** As discussed in the 2006 MEIR, no residential uses and very few single-family residences are known to exist within the Project site (County 2006a). No housing units would be removed as part of the Project, and no persons would require replacement housing. Therefore, no impact to housing requiring the construction of replacement housing would occur.

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 objectives for any of the public services:				
1) Fire Protection?	☐	☒	☐	☐
2) Police Protection?	☐	☐	☒	☐
3) Schools?	☐	☐	☒	☐
4) Parks?	☐	☐	☒	☐
5) Other Public Facilities?	☐	☐	☒	☐

Summary of Impacts Identified in the MEIR:

The MEIR discussed the impacts of the Specific Plan with regards to public services in the Hazards and Hazardous Materials section of the MEIR. At the time of the preparation of the MEIR, the area generally lacked public services and utilities necessary to support the proposed project. The Specific Plan describes the need for a fire station in the southerly portion of the Project area, which might also be suitable for use by County Sheriff personnel. The MEIR does state, however, that the lack of an adequate water delivery system for fire suppression is a significant impact that cannot be fully mitigated until a comprehensive program for installation of a system to deliver water to individual properties at pressure suitable for firefighting has been prepared and implemented. Nonetheless, the MEIR included mitigation measures to lessen significant impacts. The measures relevant to the Proposed Project are as follows:

Mitigation Measure 4.7.7: The County Fire Chief shall monitor development of the Specific Plan to determine the need for construction and operation of an on-site fire station. This is expected to require dedication of an approximately 2- to 3-acre site within the Specific Plan to be used for the purpose of developing future emergency service facilities including possibly a combined police/fire station as needed. This facility shall be constructed and become operational at such time as required by the County Fire Chief.

Mitigation Measure 4.7.8: Prior to approval of a final map, grading plan, or building permit for any phase or unit of development within the Specific Plan, the applicant shall provide evidence to the Planning and Development Services Director that a determination has been made by the County Fire Department that an adequate system for delivery of an adequate supply of water for fire suppression, and other required equipment, alarms, and water connections, is to be provided to serve the Project.

Mitigation Measure 4.7.9: Prior to issuance of a certificate of occupancy for any building within any phase or unit of development within the Specific Plan, the applicant shall provide evidence to the Planning and Development Services Director that the fire suppression system required by Mitigation Measure 4.7.8 has been installed to the County Fire Department's satisfaction and is operational.

Law enforcement services rely primarily on tax revenues and mitigation fees as provided in the County's Land Use Ordinance. The MEIR states that these revenue sources would offset the incremental increase in service caused by development of the Specific Plan.

The requirements for emergency medical response to the SPA would not be expected to be a significant impact. However, open irrigation canals, such as the Rose Canal within the Project, present continuing public safety concerns when uses change from agriculture to more urban forms of development. This increases the number of people present in the area of the canal and increases the potential for accidents. However, to ensure safety risk for projects located near the Rose Canal, the MEIR recommended the following mitigation:

Mitigation Measure 4.7.10: Prior to issuance of a certificate of occupancy for any new construction adjacent to the Rose Canal, it shall either be undergrounded, covered, or fenced within the entire unit of development that includes the building for which the certificate of occupancy is requested. Should fencing be the desired mitigation option, both sides of the canal shall be fenced to a height of 5 feet using chain-link material with warning signs installed.

No residential uses are permitted within the Specific Plan other than caretaker/security residences and the handling of hazardous materials would be conducted in compliance with County and State regulations. In addition, businesses and manufacturing processes would be conducted in compliance with California Occupational Safety and Health Administration (Cal/OSHA) requirements and procedures enforced by the California Division of Occupational Safety and Health for workplace safety. Schools and Parks, were not analyzed in the MEIR.

Impacts Related to the Proposed Project:

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 objectives for any of the public services:

1) Fire Protection? ☐ ☒ ☐ ☐

1) Inconsistent with the MEIR; Less than Significant with Mitigation. Fire Protection services are provided by the Imperial County Fire Department, which also provides emergency medical responses. The nearest fire station to the Proposed Project is Imperial County Fire Department Station 1, approximately 5 miles southwest of the Project site (as the crow flies) and approximately 13 minutes south of the Project site. Although the 2006 MEIR stated that the lack of an adequate water delivery system for fire suppression was a significant impact that could not be fully mitigated until a comprehensive program for installation of a system to deliver water to individual properties at pressure suitable for firefighting has been prepared and implemented, the Proposed Project would be required to install a fire protection system. Water for fire protection would be purchased from IID and stored in an above ground storage tank in accordance with County Fire Department standards. The system would be designed in accordance with federal, State, and local fire codes, occupational health and safety regulations and other jurisdictional codes, requirements, and standard practices. The Project

site would also include hydrants for fire suppression. Additionally, similar to the MEIR, the Project would implement Mitigation Measures 4.7.7 and 4.7.8, which would require the County Fire Chief evaluate the Project development to ensure adequate operation of fire emergency services and supply of water. Additionally, Mitigation Measure 4.7.9, requires that the prior to occupancy the fire suppression system be installed and operational.

Furthermore, the Imperial County Fire Department maintains mutual aid agreements with Brawley Fire Department and Imperial County Fire Department and completion of the Proposed Project would include payment of development fees that would support the fire department and other County services. With implementation of the above mitigation and given the Project design features, impacts would be less than significant.

2) Police Protection? ☐ ☐ ☒ ☐

2) Consistent with the MEIR; Less Than Significant Impact. Police services are provided by the Imperial County Sheriff Department, which would provide patrol units and emergency response to the Project site. The nearest Sheriff Station is located approximately 6.3 miles northwest of the Project site (as the crow flies) and approximately 12 minutes from the site. Law enforcement services primarily rely on tax revenue and mitigation fees, per the County's Land Use Ordinance. These revenue sources would offset the incremental increase in service that could be caused by Project development. Similar to fire protection mutual aid, additional mutual aid services for police would be provided by Brawley and El Centro. The Project would also be subject to development fees that would support County services. Impacts would be less than significant.

3) Schools? ☐ ☐ ☒ ☐

3) Less Than Significant Impact. As previously described in Section IV, Population and Housing, it is expected that a majority of the projected employment opportunities would be met via the local employment pool, which would not result in an increase in population. The Project would not directly result in an increase in population and therefore, new students. Impacts would be less than significant.

4) Parks? ☐ ☐ ☒ ☐

4) Less Than Significant Impact. As discussed in Section IV Population and Housing, the Project does not propose residential uses and it is unlikely that the Proposed Project would induce substantial population growth that would use parks. Furthermore, there are no parks or recreational areas within or in the vicinity of the Project site. Impacts would therefore be less than significant.

5) Other Public Facilities? ☐ ☒ ☐ ☐

5) Consistent with the MEIR; Less Than Significant with Mitigation. The Proposed Project is expected to pull from the local employment pool and not encourage relocation of workers from other locations. Similar to the MEIR, the Proposed Project would not contain residential uses, and the handling of hazardous materials would be conducted in compliance with County and State regulations. However, the Project would be located adjacent to the Rose Canal, which as stated in the MEIR, could pose a safety risk. Similar to the MEIR, the Project would implement Mitigation Measure 4.7.10 which would require that prior to issuance of a certificate of occupancy for any new construction adjacent to the Rose Canal, it should either be undergrounded, covered, or fenced within the entire unit of development that includes the building for which the certificate of occupancy is requested. Therefore, similar to the MEIR, impacts on safety, would be considered less than significant with mitigation.

XVI. *RECREATION:*

Would the project:

a)	Would the project increase the use of the existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	☐	☐	☒	☐
b)	Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse effect on the environment?	☐	☐	☐	☒

Summary of Impacts Identified in the MEIR:

The MEIR included a discussion of resources that were found to have environmental effects found not to be significant per CEQA Guidelines Section 15128. The MEIR summarized that recreation sites within the Specific Plan area would be limited to fallow farmlands that are periodically flooded during duck hunting season to be used by hunting clubs. However, implementation of the Specific Plan was not found to prevent the continued use of these lands during duck hunting season. Furthermore, it was noted that there are other adequate sites that may be used should these properties be converted for industrial use. Any future planned industrial uses would not require the expansion or construction of new recreational areas in other areas of the County. No parks or recreation areas were located within the vicinity of the Project site.

Impacts Related to the Proposed Project:

	Potentially Significant Impact **(PSI)**	Potentially Significant Unless Mitigation Incorporated **(PSUMI)**	Less Than Significant Impact **(LTSI)**	No Impact **(NI)**
a) Would the project increase the use of the existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	☐	☐	☒	☐

a) Consistent with the MEIR; Less than Significant Impact. The Project proposes construction and operation of an anaerobic digester. The nearest existing park to the Proposed Project is Evans Park located approximately 4 miles southwest from the Proposed Project (Google 2023). Increased uses of existing neighborhood and regional parks are typically a result of increased neighborhood populations that come with new residential development. The Proposed Project would result in a temporary increase in population with the presence of construction workers. However, their presence would be temporary. Once the Project is completed and in operation, the expected number of employees would be 50, the majority of which would come from the existing work force. The Proposed Project would not involve development of new residences that would introduce significant new permanent populations to the area. Therefore, the Proposed Project would not increase the use of existing neighborhood and regional parks that could result in accelerated deterioration. Implementation of the Project would be consistent with the MEIR and would not result in any new impacts not previously analyzed. Impacts would be less than significant.

b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse effect on the environment?	☐	☐	☐	☒

b) Consistent with the MEIR; Less than Significant Impact. The Proposed Project does not include any recreational facilities and as previously discussed in Section IV Population and Housing, would not result in a population increase that would require additional recreational facilities. Implementation of the Project would be consistent with the MEIR and would not result in any new impacts not previously analyzed. No impacts would occur.

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?	☐	☒	☐	☐
b) Would the project conflict or be inconsistent with the CEQA Guidelines section 15064.3, subdivision (b)?	☐	☐	☒	☐
c) Substantially increases hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	☐	☒	☐	☐
d) Result in inadequate emergency access?	☐	☐	☒	☐

Summary of Impacts Identified in the MEIR:
The MEIR included a Traffic Impacts Analysis (TIA) prepared by Linocut, Law, and Greenspan, Engineers (LLG). The TIA evaluated existing traffic, traffic with full build out of the Specific Plan (2010), and cumulative impacts (2025), which included full build out of the Specific Plan, and off-site planned and approved developments.

The MEIR noted that the volume from Specific Plan buildout would impact existing roads in the area which are generally not currently improved to adequately accommodate the volume of traffic. The level of traffic generation would result in significant on- and offsite impacts. The MEIR included the following mitigation measures:

Mitigation Measure 4.10.1: Signalize the SR 86/Keystone intersection, provide a dedicated eastbound left-turn lane, and provide dedicated westbound left-turn, through, and right-turn lanes with an overlap phase. The existing southbound left-turn lane and northbound right-turn lane shall be lengthened.

Mitigation Measure 4.10.2: Signalize the SR 86/Harris Road intersection and provide dedicated left-turn lanes at all four approaches (i.e., northbound, southbound, eastbound, westbound).

Mitigation Measure 4.10.3: Provide dedicated eastbound and westbound left-turn, through and right-turn lanes at the SR 86/Worthington Road intersection; and provide a dedicated right-turn lane in the northbound direction and a shared through/right-turn lane in the southbound direction.

Mitigation Measure 4.10.4: Signalize the Dogwood Road/Keystone Road intersection and provide dedicated left-turn lanes at each approach (i.e., northbound, southbound, eastbound, westbound).

Mitigation Measure 4.10.5: Signalize the Dogwood Road/Harris Road intersection and provide dedicated left-turn lanes at each approach (i.e.,

northbound, southbound, eastbound, westbound).

Mitigation Measure 4.10.6: Signalize the Dogwood Road/Worthington Road intersection and provide dedicated left-turn lanes at each approach (i.e., northbound, southbound, eastbound, westbound).

Mitigation Measure 4.10.7: Provide a dedicated eastbound right-turn lane with an overlap phase and dual northbound left-turn lanes at the SR 111/Keystone Road intersection. The addition of a second northbound left-turn lane will require widening Keystone Road between SR 111 and Old Highway 111 to accommodate the additional lane of traffic.

Mitigation Measure 4.10.8: Signalize the SR 111/Harris Road intersection and provide dedicated dual left-turn lanes and a right-turn lane for northbound traffic and a dedicated southbound right turn lane. A 4-foot shoulder shall be provided adjacent to the right-turn lanes. The Harris Road intersections with Old Highway 111 and with the east side frontage road shall be realigned to provide increased separation from SR 111 to the satisfaction of Caltrans and the County Engineer.

Mitigation Measure 4.10.9: Widen Dogwood Road to four lanes (i.e., two lanes in each direction) from Keystone Road to Harris Road and from Harris Road to Worthington Road.

Mitigation Measures for Long-Term Traffic/Circulation Impacts:
Mitigation Measure 4.10.10: Future street intersections or proposed project driveways on Keystone Road, Harris Road, and Dogwood Road shall be evaluated for signalization or other driveway intersection controls. Projected traffic volumes on these roads will require that streets and driveways be signalized and configured with dual inbound and outbound left-turn lanes, and dedicated right-turn lanes. If a signal is not provided, access shall be limited to right-turn only on Dogwood Road. Inbound left turns at the Project driveways may be allowed on Keystone Road and Harris Road without signals, but outbound left-turns shall be prohibited at unsignalized intersections.

Mitigation Measure 4.10.11: If access rights to SR 86 exist or are allowed by Caltrans, proposed streets or private driveways shall be limited to right-turn only and dedicated northbound right-turn lanes shall be provided at all such intersections.

Mitigation Measure 4.10.12: All improvements to State-owned road segments and intersections shall provide operations at LOS C or better.

Mitigation Measure 4.10.13: All future development, including improvement to existing uses, shall contribute its fair share of the cost for improving off-site road segments and intersections significantly impacted by the Mesquite Lake Specific Plan. All fair share contributions on State-owned facilities shall be calculated using Caltrans' Guide for the Preparation of Traffic Impact Studies.

The MEIR concluded that with implementation of the Specific Plan, development would require extensive road improvements. At the time of the MEIR, no adequate funding mechanism was established to provide road improvements to the Specific Plan, which was determined to result in significant Traffic/Circulation impacts that cannot be fully mitigated. In addition, street improvements needed for mitigation of Specific Plan plus year 2025 cumulative impacts were determined not to be feasible at that time of the MEIR. Impacts were found to be significant and unavoidable.

The MEIR only evaluated level of service (LOS) as the vehicle miles traveled (VMT) threshold was not added to the Appendix G CEQA thresholds until 2018, and analysis of VMT was not required until July 1, 2020.

Impacts Related to the Proposed Project:
Linscott, Law and Greenspan, Engineers (LLG) prepared a Transportation Impact Analysis, which included a Vehicle Miles Traveled (VMT) and Local Mobility Analysis (LMA) to assess the impacts to the street system as a result of the Harris Road Recycling Project, located in Imperial County (Appendix G).

Project Access
Project access will be provided via a total of three (3) driveways on Old Highway 111 and on Harris Road. The Old Highway 111 driveway will serve employees and feedstock trucks. Two (2) gated driveways will be provided on Harris Road to serve compost trucks. The eastern Harris Road driveway will provide inbound only access and the western Harris Road driveway will provide outbound only access for compost trucks and will not be used by feedstock trucks or employees. The compost trucks will be processed through the gates in a very short amount of time, under a minute, and the arrival of the compost trucks will be sporadic and not all at once. No backups onto Harris Road are anticipated.

Project Traffic
Trip generation estimates for the Project are based on site specific information. The traffic generated by the Project will consist of several unique trip types as described below. Project traffic generation was calculated for each trip type as shown in Table 12. The Project is calculated to generate a total of 922 ADT, with 39 inbound / 29 outbound trips during the AM peak hour, and 29 inbound / 39 outbound trips during the PM peak hour.

Table 12: Project Trip Generation

Number and Types	Daily Trips	AM Peak Hour (w/ PCE)	PM Peak Hour (w/ PCE)

of Trips	ADT[a]	PCE[b]	PCE Adjusted ADT	In	Out	Total	In	Out	Total
50 Worker Vehicles	105[c]	1.0	105	10	0	10	0	10	10
100 Feedstock Trucks	200	3.0	600	21	21	42	21	21	42
37 Compost Trucks	74	3.0	222	8	8	16	8	8	16
Total Trips:			927	39	29	68	29	39	68

a. Average Daily Trips
b. Passenger Car Equivalents. Based on the Highway Capacity Manual, a Passenger Car Equivalent (PCE) factor of 3.0 was applied to the Project's heavy-truck trips. This is the PCE for rolling terrain. This factor was applied conservatively, as the terrain within the study area is mostly level.
c. A total of 50 on-site employees are expected each day. A trip rate of 2.1 ADT per worker vehicle was assumed to account for the trips to and from the Project site as well as the occasional mid-workday errand. Based on the location of the site and the nature of the Project, mid-workday trips are expected to be very sporadic.

LMA

Analysis Scenarios

The Project's opening year is projected to be 2025. The following analysis scenarios are analyzed in this study.

- Existing
- Opening Year (Existing + Cumulative Projects) without Project
- Opening Year + Project

Substantial Effect Criteria

Imperial County does not have published substantial effect criteria. However, the County General Plan does state that the level of service (LOS) goal for intersections is to operate at LOS C or better. Therefore, if a segment degrades from LOS C or better to LOS D or worse with the addition of project traffic, the Project has a substantial effect. If the location operates at LOS D or worse with and without project traffic, the Project has a substantial effect if the Project causes the intersection delta to increase by more than two seconds, or the V/C ratio to increase by more than 0.02. The Traffic Impact Substantial Effect Criteria is shown in Table 13.

Table 13: Traffic Impact Substantial Effect Criteria

Level of Service with Project	Allowable Increase Due to project Impacts					
	Freeways		Roadway Segments		Intersections	Ramp Metering
	V/C	Speed (mph)	V/C	Speed (mph)	Delay (Sec)	Delay (min)
D,E, & F	0.01	1	0.02	1	2	2

V/C = Volume to Capacity Ratio
Speed = Arterial speed measured in miles per hour
Delay = Average stopped delay per vehicle measured in seconds for intersections, or minutes for ramp meters.

Peak Hour Intersection Operations

Opening Year (Existing + Cumulative Projects) Without Project Conditions

Table 14 summarizes the Opening Year without Project intersection operations. As shown, the study intersections are calculated to operate at LOS C or better, with the exception of the Harris Road / SR 111 intersection, where the worst-case minor-street left-turn movement is calculated to operate at LOS E during the AM peak hour and LOS F during the PM peak hour. Opening Year traffic volumes at the minor-street east- and westbound movements are forecast to be very low, with a total of 14/28 eastbound AM/PM peak hour trips and a total of 14/13 westbound AM/PM peak hour trips. The worst-case delay will be experienced by fewer than 30 vehicles in each direction during the peak hours. Overall, the intersection is calculated to operate acceptably.

Opening Year with Project Conditions

Table 14 summarizes the Opening Year with Project intersection operations. As shown, the study intersections are calculated to continue to operate at LOS C or better, with the exception of the Harris Road / SR 111 intersection, where the worst-case minor-street movement is calculated to operate at LOS E during the AM peak hour and LOS F during the PM peak hour.

Table 14: Opening Year Intersection Operations

Intersection	Control Type	Movement	Peak Hour	Opening Year		Opening Year + Project		Delta
				Delay	LOS	Delay	LOS	
1) Keystone Road/Old	MSSC	NB/SB	AM PM	10.5 10.2	B B	10.6 10.2	B B	0.1 0.0

				Potentially Significant Impact **(PSI)**		Potentially Significant Unless Mitigation Incorporated **(PSUMI)**	Less Than Significant Impact **(LTSI)**	No Impact **(NI)**
Highway 111								
2)Keystone Road/SR 111	Signal	Overall	AM PM	7.3 7.1	A A	7.3 7.2	A A	0.0 0.1
3) Harris Road/Dogwood Road	MSSC	EB/WB	AM PM	13.7 14.8	B B	13.8 15.2	B C	0.1 0.4
4) Keystone Road /Old highway 111	MSSC	NB/SB	AM PM	10.4 10.3	B B	10.9 10.6	B B	0.5 0.3
5) Harris Road/SR 111	MSSC	EB/WB NBL SBL Overall	AM PM AM PM AM PM AM PM	**43.7** 69.0 9.6 11.1 9.1 8.8 1.8 2.3	E F A B A A -[b] -[b]	47.9 73.9 9.7 11.2 9.1 8.8 2.5 3.9	E F A B A A -[b] -[b]	4.2 4.9 0.1 0.1 0.0 0.0 - -
6) Worthington Road/Old Highway 111	Signal	Overall	AM PM	15.1 15.2	B B	15.1 15.2	B B	0.0 0.0
7) Worthington Road/SR 111	Signal	Overall	AM PM	10.7 10.2	B A	10.7 10.2	B B	0.0 0.0
8) Harris Road/Proj Dwy #1 [a]	MSSC	SB	AM PM	- -	- -	9.4 9.3	A A	9.4 9.3
9) Harris Road/Proj Dwy #2 [a]	MSSC	EB	AM PM	- -	- -	7.4 7.4	A A	76.4 7.4
10) Old Highway 111/Proj Dwy #3[a]	MSSC	EB	AM PM	- -	- -	8.7 8.7	A A	8.7 8.7

Delay is average delay expressed in seconds per vehicle.
MSSC – Minor-Street Stop Controlled intersection. Worst case delay reported.
Change in delay attributable to the Project
NBL = North-bound left-turn
SBL = South-bound left-turn
[a] Intersection does not exist under "without Project" conditions.
[b] Synchro does not provide an overall LOS for minor-street stop-controlled intersections.

VMT

Imperial County has not yet formally developed guidelines or adopted significance criteria or technical methodologies for VMT analysis. The Project will generate trips from two distinct types of vehicles: heavy vehicles, which consist of the Project's feedstock and compost trucks, and employee passenger vehicles. Heavy vehicles and passenger vehicles are classified as different vehicle types in the OPR guidelines, and are considered differently in regards to VMT analysis.

Heavy Vehicles

Per OPR guidelines, VMT refers to the amount and distance of automobile travel attributable to a project. The term "automobile" refers to on-road passenger vehicles, specifically cars and light trucks. VMT does not include trips from heavy-trucks. Therefore, the trips generated by the Project's feedstock and compost trucks are excluded from VMT analysis.

Employee Passenger Vehicles

OPR contains a screening threshold for small projects which states that, "absent substantial evidence indicating that a project would generate a potentially significant level of VMT, or inconsistency with a Sustainable Communities Strategy (SCS) or general plan, projects that generate or attract fewer than 110 trips per day generally may be assumed to cause a less-than-significant transportation impact." The Project's employee passenger vehicles are calculated to generate 105 ADT, as shown in Table 12. Therefore, the employee component of the Project can be considered a "small project".

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

	Potentially Significant Impact **(PSI)**	Potentially Significant Unless Mitigation Incorporated **(PSUMI)**	Less Than Significant Impact **(LTSI)**	No Impact **(NI)**
c) Substantially increases hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	☐	☒	☐	☐

a and c) Consistent with the MEIR; Less Than Significant with Mitigation. As discussed above, and as shown in Table 14, impacts associated without Project conditions, would be considered less than significant. However, impacts associated with Project conditions, would result in an impact at Harris Road / SR 111 intersection, where the worst-case minor street left turn movement is calculated to operate at LOS E during the AM peak hour and LOS F during the PM peak hour. This impact is primarily caused by heavy trucks traveling from the Project site to northbound SR 111 via Harris Drive. However, all future Projects located within the MEIR, are required to implement mitigation measures to ensure impacts would remain less than significant. The Project would be required to implement Mitigation Measure 4.10.12, which requires all intersections operate at LOS C or better. The Project would accomplish this by implementing Mitigation Measure 4.10.13, which requires that all Projects built within the SPA, pay their fair share for improvements. The MEIR included the required improvements in Mitigation Measures 4.10.1 through 4.10.9. To summarize these Mitigation Measures, the Project would be required to implement Mitigation Measures TRANS-1 as described below:

Mitigation Measures TRANS-1: All future development, including improvement to existing uses, shall contribute its fair share of the cost for improving off-site road segments and intersections prior to the issuance of a grading permit significantly impacted by the Mesquite Lake Specific Plan. All fair share contributions on State-owned facilities shall be calculated using Caltrans' Guide for the Preparation of Traffic Impact Studies. The measures that the Project shall pay their fair share of, are as follows:

- Signalize the SR 86/Keystone intersection, provide a dedicated eastbound left-turn lane, and provide dedicated westbound left-turn, through, and right-turn lanes with an overlap phase. The existing southbound left-turn lane and northbound right-turn lane shall be lengthened.
- Signalize the SR 86/Harris Road intersection and provide dedicated left-turn lanes at all four approaches (i.e., northbound, southbound, eastbound, westbound).
- Provide dedicated eastbound and westbound left-turn, through and right-turn lanes at the SR 86/Worthington Road intersection; and provide a dedicated right-turn lane in the northbound direction and a shared through/right-turn lane in the southbound direction.
- Signalize the Dogwood Road/Keystone Road intersection and provide dedicated left-turn lanes at each approach (i.e., northbound, southbound, eastbound, westbound).
- Signalize the Dogwood Road/Harris Road intersection and provide dedicated left-turn lanes at each approach (i.e., northbound, southbound, eastbound, westbound).
- Signalize the Dogwood Road/Worthington Road intersection and provide dedicated left-turn lanes at each approach (i.e., northbound, southbound, eastbound, westbound).
- Provide a dedicated eastbound right-turn lane with an overlap phase and dual northbound left-turn lanes at the SR 111/Keystone Road intersection. The addition of a second northbound left-turn lane will require widening Keystone Road between SR 111 and Old Highway 111 to accommodate the additional lane of traffic.
- Signalize the SR 111/Harris Road intersection and provide dedicated dual left-turn lanes and a right-turn lane for northbound traffic and a dedicated southbound right turn lane. A 4-foot shoulder shall be provided adjacent to the right-turn lanes. The Harris Road intersections with Old Highway 111 and with the east side frontage road shall be realigned to provide increased separation from SR 111 to the satisfaction of Caltrans and the County Engineer.
- Widen Dogwood Road to four lanes (i.e., two lanes in each direction) from Keystone Road to Harris Road and from Harris Road to Worthington Road.

Additionally, this movement requires a left-turn at an unsignalized minor-street stop-controlled interchange which may result in a potential hazard. In order to address this potential hazard, the Proposed Project would be required to implement Mitigation Measure TRANS-2, which would require that the Applicant implement a heavy truck route. Additionally, the Proposed Project would be required to implement Mitigation Measure 4.10.10, which would require that future street intersections or proposed project driveways on Keystone Road, Harris Road, and Dogwood Road be evaluated for signalization or other driveway intersection controls. Projected traffic volumes on these roads will require that streets and driveways be signalized and configured with dual inbound and outbound left-turn lanes, and dedicated right-turn lanes. If a signal is not provided, access shall be limited to right-turn only on Dogwood Road. With implementation of these mitigation measures, impacts would be less than significant.

Mitigation Measure TRANS-2: The Applicant shall implement a heavy truck route, approved by Imperial County Public Works and Caltrans, in order to ensure that heavy trucks departing the Project-site be prohibited from accessing northbound SR 111 via Harris Drive. Trucks heading northbound from the Project site shall be required to travel along Old Highway 111 to access SR 111 via Keystone Road. This will remove the majority of the eastbound to northbound Project trips at the intersection of Harris Road / SR 111. The heavy truck route shall be enforced through on-site signage, off-site signage as appropriate, and will be included in contracts with outside trucking companies.

	Potentially Significant Impact **(PSI)**	Potentially Significant Unless Mitigation Incorporated **(PSUMI)**	Less Than Significant Impact **(LTSI)**	No Impact **(NI)**

b) Would the project conflict or be inconsistent with the CEQA Guidelines section 15064.3, subdivision (b)? ☐ ☐ ☒ ☐

b) Less than Significant Impact. As discussed above, the Project's employee passenger vehicles are calculated to generate 105 ADT, which is under the thresholds of 110 ADT per the OPR Guidelines. Therefore, the employee component of the Project can be considered a "small project", assumed to cause a less-than significant transportation impact.

d) Result in inadequate emergency access? ☐ ☐ ☒ ☐

d) Consistent with the MEIR; Less than Significant Impact. Temporary or single-lane closure of some roadways may occur during the transport of oversized equipment or construction activities. Road closures would be coordinated with County Public Works, the County Sheriff, and ICFD prior to closure, and would be scheduled to occur during off-peak commute hours. The Project's construction and operational activities would be in compliance with the Imperial County Emergency Operations Plan (EOP) and Multi-Jurisdiction Hazard Mitigation Plan (MJHMP), and would not physically interfere with the execution of the policies and procedures in these plans (County 2015b; 2021a). Access roads may be additionally compacted to 90 percent or greater, as required, to support construction and emergency vehicles. Certain access roads may also require the use of aggregate to meet emergency access requirements. Therefore, the Project would not result in inadequate emergency access and impacts would be less than significant.

XVIII. *TRIBAL CULTURAL RESOURCES*

a) Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code Section 21074 as either a site, feature, place, 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 define in Public Resources Code Section 5020.1(k), or	☐	☒	☐	☐
(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 Section 5024.1. In applying the criteria set forth is subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American Tribe.	☐	☒	☐	☐

California AB 52 was enacted in 2014 (Chapter 532, Statutes of 2014) and became effective within CEQA on January 1, 2015. Per PRC §21080.3.1 lead agencies are required to notify formally requesting tribes of proposed projects located within their traditional use area. Pursuant to Government Codes §65352.3 and §65352.4 SB 18 requires local governments to consult with California Native American Tribes identified by the Native American Heritage Commission (NAHC) for the purpose of avoiding, protecting, and/or mitigating impacts to cultural places when creating or amending General Plans, Specific Plans and Community Plans. The principal objective of SB 18 is to preserve and protect cultural places of California Native Americans. SB 18 is unique in that it requires local governments to involve California Native Americans in early stages of land use planning, extends to both public and private lands, and includes both federally recognized and non-federally recognized tribes.

Summary of Impacts Identified in the MEIR:

Neither AB 52 nor SB 18 were enacted at the time the MEIR was approved. The MEIR states that development within the Specific Plan would have the potential to impact Late Prehistoric archaeological materials in areas associated with lower elevation recessional shorelines of Lake Cahuilla, which include the Project site.

Impacts Related to the Proposed Project:

On September 7, 2022, Chambers Group requested a Sacred Lands File (SLF) records search from the Native American Heritage Commission (NAHC). The purpose of the request is to determine if any sacred lands or other resources have been recorded within the Project site or adjacent areas. The results of the SLF search, provided by the NAHC on November 4, 2022, were positive, indicated the area could contain Tribal Cultural Resources.

	Potentially Significant Impact **(PSI)**	Potentially Significant Unless Mitigation Incorporated **(PSUMI)**	Less Than Significant Impact **(LTSI)**	No Impact **(NI)**

SB 18 letters are required to be sent to all Tribes listed on the NAHC list. AB 52 letters are required to be sent Tribes who request to consult with the County. SB 18 letters were sent to the Tribes listed below, and AB 52 letters were also sent to the bolded Tribes. All letters were sent on November 23, 2022. Responses for SB 18 were due by December 23, 2022, and AB 52 responses were due by February 21, 2023.The Quechan Tribe responded on December 19, 2022, noting that they had no further comments, and the Manzanita Tribe responded on January 31, 2023 requesting further information via email.

- Augustine Band of Cahuilla Mission Indians
- Barona Group of the Capitan Grande
- **Campo Band of Diegueño Mission Indians**
- Chemehuevi Reservation
- Cocopah Indian Tribe
- Colorado River Indian Tribe
- Ewiiaapaayp Band of Kumeyaay Indians
- Ewiiaapaayp Tribal Office
- Iipay Nation of Santa Ysabel
- Inaja-Cosmit Band of Indians
- Inter-Tribal Cultural Resource Protection Council
- Jamul Indian Village
- Kwaaymii Laguna Band of Mission Indians
- La Posta Band of Diegueño Mission Indians
- Manzanita Band of Kumeyaay Nation
- Mesa Grande Band of Diegueño Mission Indians
- NAHC
- **Quechan Tribe of the Fort Yuma Reservation**
- San Pasqual Band of Diegueno Mission Indians
- Sycuan Band of the Kumeyaay Nation
- Torres-Martinez Desert Cahuilla Indians
- **Torres-Martinez Indian Tribe**
- Viejas Band of Kumeyaay Indians

a) Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code Section 21074 as either a site, feature, place, 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:				
(ii) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as define in Public Resources Code Section 5020.1(k), or	☐	☒	☐	☐
(iii) 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 Section 5024.1. In applying the criteria set forth is subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American Tribe.	☐	☒	☐	☐

a) ii) and iii) Less Than Significant with Mitigation. As discussed above, SB 18 and AB 52 consultation were conducted by the County, and the Quechan Tribe responded on December 19, 2022, noting that they had no further comments, and the Manzanita Tribe responded on January 31, 2023, requesting further information via email. Nonetheless, Chambers Group conducted a Cultural Resources Site visit on October 26, 2022. Chambers Group concluded that while surface manifestations of cultural resources were not observed during the previous cultural resources study in support of the MEIR or the current site visit, it should be noted that the landscape has been under historic-period use and settlement. This historic utilization may have resulted in unrecognized buried features such as footings and foundations or refuse area such as trash pits or outhouses. Similarly, ethnographic data and historic-period maps indicate that Native American groups such as the Kamia occupied and utilized major and minor drainages within the Salton Basin, as is documented on the 1856 General Land Office map, which depicted an "Indian Village" in the northeast quarter of Section 36 (Township 14S, Range 14E). The understanding that the area is important to Native American groups is further supported by the positive NAHC SLF records search results. However, the Project would implement MEIR Mitigation Measures 4.6.1 and 4.6.2, the former of which notes that if any unanticipated discovery of potential cultural resources are encountered during the Project, that proper protocols would be implemented. With implementation of these mitigation measures, impacts would remain less than significant.

XIX. *UTILITIES AND SERVICE SYSTEMS*

Would the project:

		Potentially Significant Impact **(PSI)**	Potentially Significant Unless Mitigation Incorporated **(PSUMI)**	Less Than Significant Impact **(LTSI)**	No Impact **(NI)**
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 of which could cause significant environmental effects?	☐	☒	☐	☐
b)	Have sufficient water supplies available to serve the project from existing and reasonably foreseeable future development during normal, dry, and multiple dry years?	☐	☒	☐	☐
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?	☐	☒	☐	☐
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?	☐	☒	☐	☐
e)	Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	☐	☒	☐	☐

Summary of Impacts Identified in the MEIR:

The MEIR evaluated public services and utilities for the entire SPA. The MEIR evaluated impacts to electrical service, water service, drainage systems, wastewater treatment, solid waste disposal, other facilities including natural gas and telecommunications, and other essential services which included police, fire and emergency which are evaluated further in Section V Public Services.

Additionally, development within the SPA was expected to result in an increase in recycling and a net reduction in solid waste disposal and energy use in the County. The MEIR concluded that fully accomplishing the land use objectives would not be possible until a public agency was able to establish, accomplish and operate the necessary infrastructures within the SPA. The MEIR provided general mitigation for public services and utilities as follows:

Mitigation Measure 4.9.1: The County of Imperial and its Departments shall review all final maps, grading plans, building permits, use permits, and other applications for development of property within the Specific Plan and shall determine whether adequate public service improvements are provided or planned to accomplish the long-term land use objectives of the Mesquite Lake Specific Plan. While individual development may be allowed to proceed, the County shall determine the need for appropriate fair-share contributions, by fee or facility construction, to be required of any applicant. In addition, the County may require development agreements from project applicants to ensure participation in the formation and funding of a CFD or other public agency to accomplish the construction and operation of the required infrastructure improvements identified in the Specific Plan. When deemed necessary by the County, further development shall be denied pending establishment of a CFD or other public agency.

Electrical Services

Electrical power to the SPA is supplied by IID Energy from its local power generating resources. The MEIR concluded that adequate electrical services could be provided by IID on site with the following mitigation:

Mitigation Measure 4.9.2: Prior to issuance of any building permit for any new building within the Project, the building permit applicant shall provide evidence from IID Energy that adequate electrical service exists for the Project or that required new facilities would be available prior to issuance of a certificate of occupancy for the building.

Water Service

Water is provided by IID from the Colorado River via the All-American Canal. The SPA is served from the Rose Canal, which bisects the SPA west of Dogwood Road and also via laterals from the Central Main Canal west of SR 86 and the Redwood Canal east of SR 111. The SPA is not within the service area of any water treatment plant, the nearest being the City of Imperial plant approximately 3 miles to the southwest. Raw water from IID can also be used for many industrial processes. The Specific Plan estimated that industrial uses typically require 1,250 to 2,500 gallons per day (GPD) per acre and noted requirements under SB 610. The MEIR concluded that water treatment, storage, pumping, and distribution systems would need to be developed throughout the SPA, not only to supply water to future businesses but also to ensure that water is available at sufficient pressure for firefighting requirements. The MEIR included the following mitigation:

Mitigation Measure 4.9.3: Prior to issuance of any building permit for any new building within the Project, the building permit applicant shall provide evidence from IID that water service exists for the Project, including for irrigation of landscape areas and dust control, and shall provide facilities for on-site treatment of raw water or for storage and distribution of delivered filtered water for hand washing and other sanitary requirements. All facilities required for adequate water service shall be installed and in working order prior to issuance of a certificate of occupancy for the building. Mitigation Measure 4.9.1 shall also be implemented to ensure to ensure participation in the formation and funding of a CFD or other public agency to accomplish the construction and operation of the required infrastructure improvements identified in the Specific Plan.

	Potentially Significant Impact **(PSI)**	Potentially Significant Unless Mitigation Incorporated **(PSUMI)**	Less Than Significant Impact **(LTSI)**	No Impact **(NI)**

Drainage Systems
The MEIR noted that existing IID drainage systems in the Project area do not have sufficient capacity for stormwater drainage and retention basins would need to be developed or be available for use by all Mesquite Lake non-agricultural projects. The MEIR offered the following mitigation to ensure impacts would remain less than significant:

Mitigation Measure 4.9.4: Prior to issuance of any building permit for any new building within the Project, the building permit applicant shall provide evidence satisfactory to the Planning and Development Services Director that an adequate stormwater retention system exists for the Project or that required new facilities will be available prior to issuance of a certificate of occupancy for the building. All new or expanded stormwater retention facilities shall be designed and constructed in accordance with a hydrology report prepared by a registered civil engineer and approved by the County Engineer, Planning and Development Services Director, and IID as adequate to accommodate stormwater runoff and disposal. Mitigation Measure 4.9.1 shall also be implemented to ensure participation in the formation and funding of a CFD or other public agency to accomplish the construction and operation of the required infrastructure improvements identified in the Specific Plan.

Wastewater Treatment
No wastewater treatment is available in the Project area; the nearest treatment plant is in the City of Imperial approximately 1.8 miles to the south, which would require a pump station and force main, as well as an agreement from the City of Imperial to provide service to the SPA. Another alternative would be a future gravity line via Dogwood Road to Brawley approximately 4 miles to the north, which would also require an agreement with the City of Brawley. Evaporation ponds for industrial process water may also be required for some uses. The MEIR offered the following mitigation to ensure impacts would remain less than significant:

Mitigation Measure 4.9.5: Prior to issuance of any building permit for any new building within the project, the building permit applicant shall provide evidence that an adequate system for wastewater disposal and, if required, for industrial process water evaporation, exists for the project or will be constructed and available for use upon completion of the building. All facilities required for adequate wastewater disposal and process water evaporation shall be installed and in working order prior to issuance of a certificate of occupancy for the building. Mitigation Measure 4.9.1 shall also be implemented to ensure participation in the formation and funding of a CFD or other public agency to accomplish the construction and operation of the required infrastructure improvements identified in the Specific Plan.

Solid Waste Disposal
The MEIR found that there are adequate services and infrastructure for solid waste disposal. The Allied Imperial Landfill accepts Class III (municipal) waste at its facility located approximately 1 mile south of the Project on SR 111. Recycling facilities are limited to privately owned and operated drop-off centers.

In addition to regulation of facilities that handle hazardous materials, the California Integrated Waste Management Board (CIWMB) established procedures to implement the requirements of the PRC for solid waste facilities. This would include a solid waste transfer or processing station and composting, transformation, and disposal facilities. The following mitigation measures were included in the MEIR to ensure impacts remain less than significant.

Mitigation Measure 4.9.6: Prior to approval of final maps for each phase or unit of development within the specific plan area, a waste management plan shall be prepared in accordance with the County's Integrated Waste Management Plan and approved by the Planning and Development Services Director and the County Engineer. The plan shall include, but shall not be limited to, an assessment of the type and quantity of waste materials expected to enter the waste stream; source and separation techniques and on-site storage of separated materials; methods of transport and destination of waste materials; and, where economically feasible, implementation of buy-recycled programs.

Solid waste management measures were also discussed under the Hazards and Hazardous Materials section in the MEIR summarized below.

Mitigation Measure 4.7.6: For any project determined by the Planning and Development Services Director to require County Environmental Health and Safety/Local Enforcement Agency (EHS/LEA) approval under procedures established by the CIWMB, and prior to approval of a final map, grading plan, or building permit for any for such project, the applicant shall provide evidence to the Planning and Development Services Director that (1) a determination has been made by the County EHS/LEA on the need for project approval under procedures established by the CIWMB for compliance with the California Public Resources Code for solid waste facilities, including a solid waste transfer or processing station, composting facility, transformation facility, and/or disposal facility; and if applicable to the Project, (2) the property has been designated on the County NDFE and all local, state, and federal requirements for operation of a solid waste facility have been satisfied, including the requirement for issuance of a Solid Waste Facilities Permit by the LEA and in compliance with the County's Integrated Waste Management Plan.

Impacts Related to the Proposed 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 of which could cause significant environmental effects?	☐	☒	☐	☐

a) Consistent with the MEIR; Less than Significant Impact with Mitigation. The Proposed Project would require new connections for utilities to conduct their operations. The MEIR identified that there are existing services and infrastructure that would be able to support future development such as electric, water, solid waste, natural gas, and telecommunications. Section E of the Project Summary discusses the proposed uses and sources of the utilities on the Project site.

Mitigation Measure 4.9.1 would be required to be implemented by the Project to ensure all public service improvements can be adequately provided by all utility providers. A discussion of each utility and service system is detailed below:

Water

The Proposed Project would require 15.6 AFY of water. The Project is adjacent to an IID water supply canal, which the Project anticipates using for its' water needs. It is anticipated that this water would be treated on site for domestic uses. Similar to other Projects in the MEIR, the Project would be required to implement Mitigation Measure 4.9.3, which requires that prior to issuance of a building permit, the applicant shall provide evidence from IID that water service exists for the Project for all needs on site. As described in Threshold b) below, with implementation of Mitigation Measure 4.9.3, impacts would be less than significant.

Wastewater Treatment

The Proposed Project would result in an increase in wastewater generation; however, as described further in Threshold c) below, most of the process water would be recycled in the anaerobic digestion and composting process. The Project is expected to result in approximately 11.7 AFY of wastewater generation (worst-case scenario without the recycling of the process water). The Project anticipates treating on-site wastewater from domestic uses with a package treatment plant designed to meet the requirements of the RWQCB and then using that water for dust control, irrigation, or other similar uses. Process water from the facility will be recycled in the anaerobic digesting and composting processes.

The Project would be required to implement Mitigation Measure 4.9.5 which would require that prior to issuance of any building permit for any new building, the building permit applicant shall provide evidence that an adequate system for wastewater disposal. With implementation of the aforementioned mitigation and compliance with the RWQCB requirements, impacts would remain less than significant.

Stormwater/Runoff

The introduction of new impervious surfaces to the Project would affect the amount of water absorption through the soils. However, the Project would implement Mitigation Measures 4.2.1 and 4.2.2, which would ensure that the amount and quality of stormwater would remain as unchanged as possible. The entire Project site would drain into a stormwater retention basin located on the northern western portion of the Project site that is approximately 24.440 acres, with a volume of 18.99 AF. A lined pond would be constructed to hold and treat the effluent generated during the composting process, which would be managed in accordance with State and local water quality regulations, including those of the SWRCB. Water from the lined pond would be recycled back into the process. Based on final design of the pond, if required by Environmental Health and Safety (EHS), a vector control plan would be submitted. The basin may require an appropriate mosquito abatement per County guidelines if the retention basin does fully discharge in less than 72 hours. Storm water will be retained in a pond prior to discharging into surface waters.

The Project would be required to implement Mitigation Measure 4.9.4 which would require that an adequate stormwater retention system exists for the Project or that required new facilities would be available prior to issuance of a certificate of occupancy for the building. Additionally, compliance with Specific Plan Mitigation Measure 4.2.3, Construction Stormwater Pollution Prevention Plan, as described in Section X, Hydrology and Water Quality, would require that a SWPPP be implemented during construction.

Electric Power

Electrical service would be provided by IID and/or self-generated solar panels. A facility Study Report was prepared by IID on April, 28, 2022 (IID 2022), which indicated that IID requires the design and construction of the new 34.5kV Harris Switching Station to allow the Project to feed from the 34.5kV "LB" Line. The existing 34.5kV transmission line would be looped into and out of the new switching station to safely and reliably allow the addition of the Project. The switching station would be located in the electrical area in the northeast corner. as shown on the site plan in Figure 4. The construction and operation of the switching station would not result in expanded services other than those previously approved within the Specific Plan. If solar panels are used, they would be utilized for on-site use only and they would be installed on the roofs of buildings and would interconnect by way of a bidirectional meter that would also serve as the metering element for power purchased from IID. The solar panels would be used solely for Project operations and would be 11 MW. The solar panels could utilize a battery energy storage element that would require approval from the County Planning Department, prior to installation. The Proposed Project would require approximately 331,526 kWh/year, which would be offset by use of the solar panels if utilized.. The Project would be required to implement Mitigation Measure 4.9.2, which would require that the Project provide evidence that electrical services can be adequately provided prior to issuance of a building permit, if services are required through IID.

	Potentially Significant Impact **(PSI)**	Potentially Significant Unless Mitigation Incorporated **(PSUMI)**	Less Than Significant Impact **(LTSI)**	No Impact **(NI)**

Natural Gas

Natural gas would be serviced by the existing SoCalGas pipeline and from the Project's anaerobic digester. Additionally, the anaerobic digester output would produce an output of approximately 3,240 million standard cubic feet per day or 1,182,600 Mscf/year of renewable biogas annually, which would be pumped back into the SoCalGas pipeline. The Proposed Project would require approximately 1,059 Mscf/year of natural gas to operate. This would result in a net increase in natural gas. While natural gas wasn't specifically analyzed in the MEIR previously, general Mitigation Measure 4.9.1 would ensure that all public utilities would be evaluated for ability to be supplied prior to Project construction.

Telecommunication

Cellular coverage would likely be provided by telecom, and internet service would likely be provided by Spectrum. Both providers have coverage for the area, and given that the area was a planned development, have likely planned buildout of the site into existing and future capacity.

The Proposed Project would utilize the same utility providers that are used by the existing facilities around the Project site. The mitigation measures discussed in the MEIR and discussed above (Mitigation Measures 4.9.1 to 4.9.6 and 4.7.6) would be implemented by the Proposed Project to ensure that the utility providers confirm and work with the Applicant to determine where the utilities shall be connected and that adequate services are available for the Project site. Implementation of the Project would be consistent with the MEIR and would not result in any new impacts not previously analyzed. Impacts would be less than significant with mitigation incorporated.

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

b) **Consistent with the MEIR; Less than Significant with Mitigation**. Construction water demands for each phase are estimated to be approximately 33.7 acre-feet (AF), or approximately 67.4 AF total. Operational water use is expected to be 15.6 AFY. The Project is adjacent to an IID water supply canal, which the Project anticipates using for its' water needs. It is anticipated that this water would be treated on site for domestic uses. Similar to other Projects in the MEIR, the Project would be required to implement Mitigation Measure 4.9.3, which requires that prior to issuance of a building permit, that the applicant shall provide evidence from IID that water service exists for the Project for all needs on site. The Project will do this by completing a Water Supply Assessment and submitting to IID for approval. With implementation of this Mitigation Measures, impacts would be less than significant.

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? ☐ ☒ ☐ ☐

c) Consistent with the MEIR; Less than Significant with Mitigation. As previously mentioned, according to the MEIR, there is no wastewater treatment available within the SPA. The nearest treatment plant is located in the City of Imperial, which would require a pump station and force main, and an agreement from the City to provide service to the Proposed Project.

The Proposed Project would require 15.6 AFY of water. The majority of the process water would be recycled in the anaerobic digestion and composting process. However, evaluating a worst-case scenario, if all water required does go to a wastewater system, a standard conversion rate of water to wastewater generation is 125 percent water and 75 percent wastewater. This would result in approximately 11.7 AFY of wastewater generation. The Project anticipates treating on-site wastewater from domestic uses with a package treatment plant designed to meet the requirements of the RWQCB and then using that water for dust control, irrigation, or other similar uses. Process water from the facility will be recycled in the anaerobic digesting and composting processes.

The Project would be required to implement Mitigation Measure 4.9.5, which would require that prior to issuance of any building permit for any new building, the building permit applicant shall provide evidence that an adequate system for wastewater disposal. With implementation of the aforementioned mitigation and compliance with the RWQCB requirements, impacts would remain less than significant.

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? ☐ ☒ ☐ ☐

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

d and e) Consistent with the MEIR; Less than Significant with Mitigation. Solid wastes would be generated during construction and operation of the Proposed Project. These wastes would include discarded materials and packaging such as

scrap metal, concrete, rubble, plaster, wood, paper material and potentially hazardous materials (which are discussed in Section IX Hazards and Hazardous Materials). The Proposed Project would also include construction and operation of an anaerobic digester which would process up to 600,000 tons of organic waste annually, and create an output of approximately 1,226,356,200 MMBtu of renewable biogas annually, which would be pumped back into the SoCalGas pipeline and/or pumped directly to the Project's on-site CNG fueling station.

All municipal waste would be sent to Allied Imperial Landfill, which is owned and operated by Republic Services, Inc. and is located approximately 4 miles southeast of the Project site (Google 2023). While there no significant information is available for the landfill, in 2011, the permitted area of the landfill increased from 170 acres to 337 acres, waste tonnage limits increased from 1,135 to 1,700 tons per day; and estimated closure date changed from 2012 to 2040 (CalRecycle 2011).

According to CalRecycle's estimated solid waste generation rates, industrial sectors can generate a range of 8.93 pounds to 41.64 pounds of waste per employee per day (CalRecycle 2023a). With an estimate of 50 employees, this would equate to approximately 2,082 pounds per day or 1.04 tons per day (41.64 pounds per employee). Analyzing a worst-case scenario, this amount would represent a minimal increase in the daily throughput at each facility. However, this waste amount would represent approximately 379.6 tons per year, and the Project would be processing up to 600,000 tons per year of organic waste. The Project would represent a net decrease in waste generation.

Per CalGreen Construction Waste Management requirements, projects are required to recycle and/or salvage for reuse a minimum of 65% of the nonhazardous construction and demolition wastes or meet local construction and demolition waste, whichever is more stringent (CalRecycle 2023b). The Proposed Project is also required to comply with SB 1383, which establishes emission reduction goals by reducing the amount of organic material disposed in landfills. The Project would directly help with meeting SB 1383 with construction and operation of the Proposed Project.

As described in the MEIR (Mitigation Measures 4.7.6 and 4.9.6), prior to final approval of the final maps for development within the SPA, a Waste Management Plan (WMP) shall be implemented to comply with the County's Integrated Waste Management Plan to be approved by Planning and Development Services. This should include types and quantity of waste materials that are expected to enter the waste stream. This would ensure that an adequate plan is in place and that the Project is consistent with the County's requirements. Additionally, for construction waste, the Project would prepare and implement a Construction Waste Management Plan that would be reviewed and approved by the County and would represent a diversion of a minimum of 50 percent of construction waste from landfills, consistent with local regulations and the California Green Building Code. Therefore, implementation of the Project would be consistent with the MEIR and would not result in any new impacts not previously analyzed. Impacts would be less than significant with mitigation incorporated.

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

Summary of Impacts Identified in the MEIR:

In 2018, the Office of Planning and Research updated the CEQA Guidelines to include Wildfire as a resource area to the Appendix G checklist. The section aimed to answer wildfire-related questions indicating whether a project was located in or near a State responsibility area or on lands that are classified as Very High Fire Hazard Severity Zones. During the preparation of the MEIR, wildfire impacts were not part of the analysis because it was not a resource area required for discussion. Any fire-related discussions were limited to hazardous materials, public services, fire

	Potentially Significant Impact **(PSI)**	Potentially Significant Unless Mitigation Incorporated **(PSUMI)**	Less Than Significant Impact **(LTSI)**	No Impact **(NI)**

suppression, and emergency services with the County Fire Department.

Impacts Related to the Proposed Project:

a)	Substantially impair an adopted emergency response plan or emergency evacuation plan?	☐	☐	☒	☐
b)	Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?	☐	☐	☒	☐
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?	☐	☒	☐	☐
d)	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), b) and d) Less than Significant Impact. The California Department of Forestry and Fire Protection's Fire and Resource Assessment Program (FRAP) provides a Fire Hazards Severity Zone Viewer (FHSZ) to provide a visual reference to locate fire hazards areas in California. The maps were developed utilizing science and field-tested models that assign a hazard score based on factors that influence fire likelihood and behavior. Factors include but are not limited to fire history, existing and potential fuel (natural vegetation), predicted flame length, embers, terrain, and typical fire weather in the area.

The Project site is not located within a FHSZ area. Most of the moderate to very high fire hazard areas are located to the north adjacent to the Salton Sea near Salton City, Anza-Borrego Desert State Park, and the Cleveland National Forest. No areas within the immediate vicinity of the Project site are designated as areas that have potential for wildland fires. Additionally, the Project site and surrounding area is generally flat and would not result in downstream flooding, landslides or exacerbate wildfire risks or result in result in post-fire slope instability.

As previously discussed in the Hazards and Hazardous Materials Section, temporary or single-lane closure of some roadways may occur during the transport of oversized equipment or construction activities. Road closures would be coordinated with County Public Works, the County Sheriff, and ICFD prior to closure, and would be scheduled to occur during off-peak commute hours. The Project's construction and operational activities would be in compliance with the Imperial County Emergency Operations Plan (EOP) and Multi-Jurisdiction Hazard Mitigation Plan (MJHMP), and would not physically interfere with the execution of the policies and procedures in these plans (County 2015b; 2021a). The Proposed Project would have an Emergency Response Plan (ERP). The ERP would address potential emergencies including chemical releases, fires, and injuries. All employees would be provided with communication devices, cell phones, or walkie-talkies to provide aid in the event of an emergency. Therefore, the Project would not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan.

The Project proposes construction and operation of an anaerobic digester. These uses are permitted with the submittal and approval of Project applications. The Proposed Project does not propose any changes to the EOC or the EOP, nor would construction occur near the primary and alternate EOCs that could cause a physical impairment to the facilities. Therefore, impacts would be less than significant.

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?	☐	☒	☐	☐

c) Less than Significant Impact with Mitigation. The Proposed Project is not located with a FHSZ; however, as previously mentioned, the Proposed Project would be required to install fire suppression systems. Water for fire protection would be purchased from IID and stored in an aboveground storage tank in accordance with County Fire Department standards. The system would be designed in accordance with federal, State, and local fire codes, occupational health and safety regulations and other jurisdictional codes, requirements, and standard practices. The Project site would also include hydrants for fire suppression. Additionally, as mentioned in Section V Public Services, the Project would implement Mitigation Measure 4.7.7 and 4.7.8, which would require the County Fire Chief evaluate the Project development to ensure adequate operation of fire emergency services and supply of water. Additionally, Mitigation Measure 4.7.9 requires that prior to occupancy, the fire suppression system be installed and operational.

Furthermore, the Imperial County Fire Department maintains mutual aid agreements with Brawley Fire Department and Imperial County Fire Department and completion of the Proposed Project would include payment of development fees that would support the fire

department and other County services. With implementation of the above mitigation and given the Project design features, impacts would be less than significant.

Note: Authority cited: Sections 21083 and 21083.05, Public Resources Code. Reference: Section 65088.4, Gov. Code; Sections 21080(c), 21080.1, 21080.3, 21083, 21083.05, 21083.3, 21093, 21094, 21095, and 21151, Public Resources Code; Sundstrom v. County of Mendocino,(1988) 202 Cal.App.3d 296; Leonoff v. Monterey Board of Supervisors, (1990) 222 Cal.App.3d 1337; Eureka Citizens for Responsible Govt. v. City of Eureka (2007) 147 Cal.App.4th 357; Protect the Historic Amador Waterways v. Amador Water Agency (2004) 116 Cal.App.4th at 1109; San Franciscans Upholding the Downtown Plan v. City and County of San Francisco (2002) 102 Cal.App.4th 656.

Revised 2009- CEQA
Revised 2011- ICPDS
Revised 2016 – ICPDS
Revised 2017 – ICPDS
Revised 2019 – ICPDS

	Potentially Significant Impact **(PSI)**	Potentially Significant Unless Mitigation Incorporated **(PSUMI)**	Less Than Significant Impact **(LTSI)**	No Impact **(NI)**

SECTION 3
III. MANDATORY FINDINGS OF SIGNIFICANCE

The following are Mandatory Findings of Significance in accordance with Section 15065 of the CEQA Guidelines.

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, eliminate tribal cultural resources or eliminate important examples of the major periods of California history or prehistory?

☐ ☒ ☐ ☐

a) Less than Significant Impact with Mitigation. As discussed above, the Project is the construction and operation of an Anaerobic Digestor, in an area with an existing Specific Plan. Based on the discussions in Section IV Biological Resources, a biological resources survey was complete for the Project site, and with implementation of mitigation, impacts would be less than significant, and the proposed Project would not have the potential to substantially reduce the habitat of fish and wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, eliminate a plant or animal community, or reduce the number or restrict the range of a rare or endangered plant or animal.

Lastly, as discussed in Section V, Cultural Resources, a cultural resources survey was complete for the Project, and the Project would not have the potential to substantially adversely affect previously unidentified archaeological resources or eliminate important examples of the major periods of California history or prehistory. For the reasons outlined above, the Project would not 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, and therefore the Project would have less than significant impacts.

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.)

☐ ☒ ☐ ☐

b) Less than Significant Impact with Mitigation. The Project does not have potential impacts that are individually limited, but cumulatively considerable. Based on the analysis contained in the above Sections, the proposed Project would not result in any significant and unmitigable impacts in any environmental categories. In all cases, effects associated with the Project would be limited to the existing Project Area/disturbance footprint and either result in no new impacts, less than significant impacts, or less than significant impacts with mitigation incorporated. As such, Project impacts are of such a negligible degree that they would not result in a significant contribution to any cumulative impacts. This is largely due to the fact that the impacts from the Specific Plan buildout were already evaluated in the MEIR, and the Project activities would not significantly stray from what was previously analyzed in the Mesquite Lake Specific Plan.

Cumulative impacts could occur if the construction of other projects occurs at the same time as the Proposed Project and in the same geographic scope, such that the effects of similar impacts of multiple projects combine to create greater levels of impact than would occur at the Project-level. The nearest cumulative Project which may contribute to cumulative impacts, is the Green Valley Logistics Center project, which is located just under 2.5 miles west of the Project site. However, this Project is also located within the Mesquite Lake Specific Plan area, which the area was evaluated as a whole, in the MEIR.

Similar to the Proposed Project, the Green Valley Logistics Center project is also requesting a Specific Plan Amendment to Heavy Industrial uses. Therefore, similar to the Proposed Project, the Green Valley Logistics Center project isn't analyzed fully in the MEIR, but the Specific Plan Amendment will not create impacts that could be cumulatively considerable. Additionally, the approval of either Project would not result in future approvals of any Specific Plan Amendments, or make any Specific Plan Amendments easier to obtain.

All Project impacts were considered to be less than significant with mitigation implemented. Additionally, given that the Project operations would not occur in close proximity to any residences or neighborhood communities, and the fact that Project activities would be short-term (12 to 24 months), the Project's impacts would not combine with the impacts of other projects to create cumulative construction- and/or operation-related impacts in resource areas such as air quality, noise, and transportation.

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

c) Less than Significant Impact with Mitigation. Effects to human beings are generally associated with air quality, noise, traffic safety, geology/soils, and hazards/hazardous materials. As discussed in the previous environmental topic areas, the Project would not result in significant impacts to human beings because the Proposed Project would not cause significant impacts to air quality, noise, hazards, and traffic that would impact humans in the area. Implementation of mitigation measures for air quality and hazards/hazardous materials would reduce impacts to less than significant. The impacts to human beings as a result of the Project, would be less than significant with the mitigation incorporated.

IV. SUMMARY OF MITIGATION MEASURES

The following mitigation measures would be implemented for the Proposed Project:

Mitigation Measure 4.3.1: Prior to issuance of any grading permit or building permit, the applicant shall provide evidence that construction specifications incorporate the requirement to comply with Imperial County Air Pollution Control District (ICAPCD) Regulation VIII, Fugitive Dust Rules, and the standard and discretionary mitigation measures for construction equipment and fugitive PM10 control for construction activities in Section 7.1 of the Imperial County APCD CEQA Air Quality Handbook. This includes but is not limited to the submission of the Construction Notification 20 days prior to any earthmoving activity and the submission an enhanced construction dust control plan for approval by the Imperial County Air Pollution Control District.

Mitigation Measure 4.3.2: Prior to issuance of any grading permit or building permit, the applicant shall provide evidence that construction plans and specifications incorporate elements that ensure the paving, planting, or equivalent long-term dust stabilization of all surfaces that would be disturbed during construction. This includes but is not limited to the submission of an enhanced construction dust control plan addressing long-term dust stabilization for approval by the Imperial County Air Pollution Control District.

Mitigation Measure 4.3.3: Prior to issuance of any grading permit or building permit, the applicant shall coordinate with the APCD in establishing the submittal of a periodic construction equipment list by Make, Model, Horsepower and actual hours of construction equipment usage in order to perform a NOx analysis. Should the analysis indicate that NOx emissions exceed the Imperial County Air Pollution District's CEQA thresholds for construction NOx emissions the applicant shall apply Policy 5. Policy 5 provides two options to projects that exceed established thresholds: 1) propose an off-site mitigation project providing supporting documentation that the reductions are met or 2) pay an in-lieu mitigation fee. The APCD will provide concurrence of compliance with the NOx analysis prior to the issuance of the Certificate of Occupancy..

Mitigation Measure 4.3.4: Prior to issuance of any building permit, the applicant shall comply with the APCD permitting program established under Rule 207, New and Modified Stationary Source by submitting an application for an Authority to Construct/Permit to Operate permit.

Mitigation Measure 4.3.5: Prior to issuance of any discretionary approval or building permit, the applicant shall provide information to the Planning and Development Services Director and the APCD on average daily vehicle trips using approved air pollution control on-road modeling tools such as EMFAC. Should operational criteria pollutant emissions exceed established operational Imperial County CEQA thresholds then the applicant must apply Policy 5. Policy 5 provides two options to projects that exceed established thresholds: 1) propose an off-site mitigation project providing supporting documentation that the reductions are met or 2) pay an in-lieu mitigation fee. The APCD will provide concurrence of compliance with the operational vehicle trip analysis prior to the issuance of the Certificate of Occupancy.

Mitigation Measure 4.3.6: Prior to issuance of any building permit, the permit applicant shall provide, for approval by the County Planning/Building Department, a description of the odor-producing potential of the facility and the controls that would be incorporated into the Project to avoid an impact to on-site or off-site receptors. Uses proposing composting, sorting of recyclables, or biosolids transformation, shall be required to obtain approval by the Local Enforcement Agency (LEA) at the County Environmental Health Services Division (EHS), which may require preparation of an Odor Impact Minimization Plan (OIMP) and approval of a Solid Waste Facilities Permit (SWFP).

Mitigation Measure BIO-1 Worker Awareness Education Program: Prior to the start of construction activities, an environmental education program shall be provided for all project personnel. The education program shall include the following: (1) the potential presence of covered species and their habitats, (2) the requirements and boundaries of the Project, (3) the importance of complying with avoidance and minimization measures, (4) environmentally responsible construction practices, (5) identification of sensitive resource areas in the field, and (6) problem reporting and resolution methods. The construction footprint shall be clearly defined with flagging and/or fencing and shall be removed upon completion.

Mitigation Measure BIO-2 Burrowing Owl Preconstruction Surveys: Preconstruction surveys shall be conducted for the burrowing owl within 30 days of construction in all suitable habitat within the Proposed Project Impact Areas.

Mitigation Measure BIO-3 Burrowing Owl Avoidance Measures: If any ground-disturbing activities are planned during the burrowing owl nesting season (approximately February 1 through August 31), avoidance measures shall include a no construction buffer zone of a minimum distance of 250 feet, consistent with the Staff Report on Burrowing Owl Mitigation (CDFG, 2012). Compliance shall be maintained with CDFW burrowing owl mitigation guidelines as detailed in the Staff Report on Burrowing Owl Mitigation (CDFG, 2012) or more recent updates, if available.

Mitigation Measure BIO-4 Nesting Bird Surveys for Clearing: If vegetation clearing or project construction activities must occur during the bird breeding season (February 15–August 31), a qualified biologist shall conduct a preconstruction nesting survey to ensure that no active nests are present within or adjacent to the Project areas. If an active nest is observed that may be impacted by project-related activities, avoidance measures shall be implemented to avoid impacting the nest. Avoidance measures include delaying construction within the immediate vicinity of the active nest until the young have fledged or naturally failed, or instituting a buffer around the nest that prohibits construction activities to occur, but allows construction to continue outside the buffer. The appropriate avoidance buffer is to be determined by the qualified biologist based on vegetative cover, topography, stage of nest or young development, and species type.

Mitigation Measure 4.6.1 No preconstruction archaeological surveys shall be required in areas previously developed. However, if during grading or construction, evidence of potential archaeological resources is encountered, grading and construction shall be halted, the SCIC [South Coastal Information Center (located at California State University, San Diego)] and the County Planning and Development Services Director shall be notified, and a qualified archaeologist shall be contracted by the developer to inspect the site. Resumption of grading or construction shall not be commenced until the archaeologist has advised the Planning and Development Services Director regarding the potential for cultural resources at the site, and the Planning and Development Services Director notifies the developer that grading or construction may proceed. If further archaeological investigation is required by the Planning and Development Services Director, the procedures in Mitigation Measure 4.6.2 shall be followed.

Mitigation Measure 4.6.2 Prior to approval of a CUP, tentative map, site plan, grading plan, or building permit for any phase or unit of development on lands not previously disturbed by agricultural use that are within the portion of the Specific Plan shown as the Cultural Resource Survey Area in Figure 4-5, field surveys shall be conducted to determine the presence/absence of archaeological resources and a report of the surveys provided to the Planning and Development Services Director. A testing program shall be approved by the Planning and Development Services Director for any identified resources to determine their significance and proper mitigation. Mitigation may include preservation in place, documentation, including recordation of findings at the Southeastern Information Center (located at the Imperial Valley College Desert Museum), and curation of materials at an appropriate local facility for long-term preservation and study. If a testing and/or excavation program is required, local Native American groups shall be notified, and a Native American monitor shall be present during excavation.

Mitigation Measure 4.7.1: Prior to approval of a final map, grading plan, or building permit for any phase or unit of development within the Specific Plan in the vicinity of the Imperial Fault near the Rose Canal, fault investigations shall be performed for human occupancy structures (structures designed for 2,000 or more person-hours per year) to be located in the State of California Special Studies Zone for Earthquake Faults in accordance with the County's Geologic Hazards Ordinance. The fault investigations shall include, but shall not be limited to, the following: (1) excavation of an exploratory fault trench; (2) logging of the trench by a California-registered engineering geologist; (3) evaluation of liquefaction potential of the subsurface data; and (4) report on the results of the fault investigations, to be approved by the Planning and Development Services Director. Should an active fault be found, a minimum 50-foot building setback from the fault shall be required and shown on the face of all applicable final maps, plot plans, and grading plans. If liquefiable soils are present, special building foundations (e.g., driven piles, cast-in-drilled-hole piers, stone columns) and/or ground modification (e.g., dynamic compaction) shall be incorporated into the design of all applicable human-occupancy structures.

Mitigation Measure GEO-1 Prepare Final Geotechnical Report and Implement Required Measures: Facility design for all project components shall comply with the site-specific design recommendations as provided by a licensed geotechnical or civil engineer to be retained by the Project applicant. The final geotechnical and/or civil engineering report shall address and make recommendations on the following:]

- Site preparation
- Soil-bearing capacity
- Appropriate sources and types of fill
- Potential need for soil amendments
- Structural foundations
- Grading practices
- Soil corrosion of concrete and steel
- Erosion/Winterization
- Seismic ground shaking
- Liquefaction
- Expansive/Unstable soils

Mitigation Measure 4.7.4: Prior to approval of a final map, grading plan, or building permit for any phase or unit of development within the Specific Plan, the applicant shall provide evidence to the Planning and Development Services Director that (1) a hazardous materials Business Plan has been prepared and implemented in accordance with federal, state, and local regulations; and (2) all local, state, and federal permit requirements to generate, use, store, and transport hazardous materials have been satisfied. This evidence shall include a determination by the County EHS Division whether toxic substances may be present in wastewater or stormwater runoff directed to a storage pond. If toxic substances could be present, measures shall be implemented to prevent such transport of toxic substances or to prevent human and wildlife, including birds, access to the storage pond. Additionally, in coordination with the County Fire Department's Office of Emergency Services and the Hazardous Materials Response Team, specific routes shall be established for the transport of hazardous materials to avoid public use areas.

Mitigation Measure 4.7.5: For any project determined by the Planning and Development Services Director to require County EHS approval under the CalARP Program, and prior to approval of a final map, grading plan, or building permit for any such project, the applicant shall provide evidence to the Planning and Development Services Director that (1) a determination has been made by the County EHS Division on the need for project approval under the CalARP Program to prevent accidental release of regulated toxic and flammable substances from stationary sources that handle more than the threshold quantity of regulated substances; and if applicable to the Project, (2) all local, state, and federal permit requirements to prevent accidental release of regulated toxic and flammable substances pursuant to the CalARP Program have been satisfied, including the requirement for preparation of a Risk Management Plan and an Emergency Response Program.

HAZ-1 Phase II Environmental Site Assessment: Prior to demolition and/or vegetation clearing, a qualified professional engineer shall conduct

a Phase II Environmental Site Assessment to evaluate for presence and concentration of pesticides and asbestos. If high concentrations of either material are found on site, the Applicant would be required to adhere to any recommendations given by the professional engineer.

Mitigation Measures 4.2.1: Hydrological Analysis: As part of the building permit application process for each project, a hydrologic analysis shall be conducted to determine that:

- The proposed project would not cause undercutting erosion, slope stability degradation, vegetative stress (due to flooding, erosion, water quality degradation, or loss of water supplies), sedimentation, or habitat alteration in downstream areas as a result of an altered flow regime.
- Downstream IID drainage systems would have sufficient capacity to convey the increase in site runoff due to the increase in impervious surfaces, and the ability to attenuate the resulting peak flows.
- Any on-site BMPs are designed in accordance with the County Engineering Design Guidelines Manual (County of Imperial 2004) and to the satisfaction of the County Engineer.

Mitigation Measure 4.2.2: Hydrologic Design: Based on the hydrological analysis conducted in the MEIR, natural hydrologic designs shall be integrated into site layouts to the maximum extent practicable by:

- Reducing imperviousness and directly connected impervious surfaces to facilitate natural infiltration of runoff, conserving natural resources and areas, maintaining and using natural drainage courses in the stormwater conveyance system, and minimizing clearing and grading.
- Providing runoff storage measures dispersed uniformly throughout a site's landscape with the use of a variety of detention, retention, and runoff practices.
- Implementing on-site hydrologically functional landscape design and management practices.
- Incorporating pervious pavements wherever practicable.

Mitigation Measure 4.2.3: Construction Stormwater Pollution Prevention Plan: Prior to issuance of a grading permit for any phase or unit of development within the Specific Plan, an NOI shall be submitted to the SWRCB, and an SWPPP shall be developed and implemented on-site in compliance with Water Quality Order 99-08-DWQ/NPDES General Permit No. CAS000002 (General Construction Permit). The County Director of Public Works shall be provided an opportunity to review the SWPPP as part of the review/approval process at least 30 days prior to construction. The SWPPP shall include, but shall not be limited to, the following:

- BMPs to prevent construction-related pollutants from being exposed to runoff that can transport pollutants into nearby receiving waters. The selection and placement of BMPs shall be designed to protect all areas disturbed by construction activities from erosive forces and capture sediment from stormwater before it leaves the site. Erosion and sediment controls shall include both stabilization (erosion control) and structural (sediment control) measures. These measures shall be implemented such that the exposure of unprotected, disturbed earth during site development is minimized to the shortest duration practicable.
- Soil-tracking BMPs to limit off-site transport of sediment from the construction areas by implementing tire-cleaning measures such as stabilized construction entrance/exit designs (e.g., metal corrugated shaker plates, gravel strips, and/or wheel-washing facilities) at access points.
- Inspect/maintain all erosion and sediment control measures for proper integrity and function during the entire construction period. All stabilization and structural controls shall be inspected at least monthly or after any significant storm event and shall be repaired or maintained for optimum performance. Access to these facilities shall be maintained during wet weather.
    - Examples of erosion control include:
        - slope benching and terracing
        - soil roughening
        - temporary revegetation
        - soil stabilizers
        - mulches and matrices
        - erosion control blankets
        - fiber rolls
    - Examples of sediment control include:
        - perimeter controls (e.g., gravel bag or straw bale berms, silt fence)
        - stormwater inlet protection (e.g., fiber roll, gravel bags, geofabric grate covering)
        - silt fencing
        - gravel construction site entrance/exits
        - truck tire wheel wash
        - check dams
- Material and waste management programs during construction such as solid, sanitary, septic, hazardous, contaminated soil, concrete, and construction waste management; spill prevention; appropriate material delivery and storage; employee training; dust control; and vehicle and equipment cleaning, maintenance, and fueling. Each of these programs would address proper secondary containment requirements, spill prevention and protection, structural material storage needs, proper concrete wash-out design and containment,

perimeter and surface protection for laydown and maintenance areas, and relaying all such requirements to construction staff.

- Structural and non-structural programs (i.e., routine procedures or practices) to reduce the amount of pollutants in runoff; to prohibit the storage of uncovered hazardous substances in outdoor areas; to prohibit the use of pesticides and herbicides; and to prevent spills.
- A monitoring program involving inspection and maintenance procedures for all post-construction stormwater pollution control measures to ensure that they continue to function properly. The monitoring program shall specify the monitoring entity; the funding source for the inspection/monitoring program; and enforcement provisions in the event of failure to implement, operate, or maintain the approved stormwater pollution control measures.
- Maintaining records of all stormwater control measure implementation, inspection, and maintenance activities for at least 5 years.

Mitigation Measure 4.2.4: Industrial SWPPP: Thirty (30) days prior to new facility start-up for any phase or unit of development within the Specific Plan, an NOI shall be submitted to the SWRCB, and a SWPPP shall be developed and implemented on-site in compliance with Water Quality Order 97-03-DWQ/NPDES General Permit No. CAS000001 (General Industrial Permit), which requires:

- Verifying that any illicit connections to storm drains have been eradicated.
- Incorporating non-structural and structural BMPs to reduce pollutants in site runoff, such as outfall protection and treatment devices, proper storage and disposal of potential pollutants, secondary containment protection, and prohibiting pesticide and herbicide use; waste management, employee training, erosion control, vehicle/equipment cleaning, maintenance, and fueling; spill prevention/response practices; and shipping/receiving practices. Storage of potential pollutants shall be contained within approved safety lockers with secondary containment, within constructed secondary containment structures, or stored off-site in suitable protective enclosures. Disposal shall occur at an authorized landfill, waste collection center, or other certified disposal facility approved for disposing the waste in question. The methods and procedures shall be consistent with the philosophies of EPA and California guidance documentation for industrial stormwater pollution prevention.
- Developing and executing a Monitoring and Reporting Program to assess the effectiveness of BMPs through visual inspection of storm drains and outfall points during wet and dry weather and storm sampling. The program shall also address the maintenance needs of any on-site BMPs to ensure optimum functionality.
- Preparing and submitting an annual report to the RWQCB with monitoring results.
- Maintaining all related records of all control measure implementation, inspection, and maintenance for at least 5 years.

Mitigation Measure 4.2.5, Service Area Agreement: The Imperial County Planning and Development Services Director shall review and approve the County Service Area agreement or other documents establishing an independent authority responsible for operation of public facilities and services within the Specific Plan. The agreement or other documents shall include information sufficient to address the ongoing maintenance of stormwater facilities on individual lots/parcels as well as future storm drain systems within the County road rights-of-way. These considerations shall include, but not be limited to, maintaining erosion control BMPs to minimize on-site soil loss, clearing of sediment from BMPs on an as-needed basis, trash and debris collection (aesthetic maintenance), and maintaining public safety. The agreements shall demonstrate that there are sufficient funding sources to operate these facilities in an environmentally responsible manner, and that stormwater controls will be implemented and maintained throughout their operational lifetime.

Mitigation Measure 4.7.2: Since development occur in the vicinity of the lakebed of Mesquite Lake shown in Figure 4-4, prior to construction, a hydrology study shall be prepared by a registered civil engineer for approval by the County Engineer and the Planning and Development Services Director that demonstrates that areas proposed for location of buildings or storage are protected from flooding by a 100-year frequency flood and that the sites of such buildings or storage are designed to drain to a retention basin with sufficient capacity to prevent flooding of the site.

Mitigation Measure 4.2.8:
Stormwater Retention Basin
The stormwater retention basin shall be designed to appropriately treat all water released to the Rose Drain such that any off-site discharge causes no further impairment of local water quality and complies with IID specifications and all other locally imposed performance-based regulations.

The retention pond shall also be designed to retain the volume generated by a 100-year frequency storm. An emergency drain valve shall incorporate a standpipe to bleed off surface water from the retention basin such that sediment and other settled materials are not conveyed to the natural drainage in the event of severe rainfall. Protocols for managing the emergency release of such waters shall meet all requirements of the IID, County EHS, the RWQCB, the CDFG, and the County Planning and Development Services Department.

Mitigation Measure 4.7.7: The County Fire Chief shall monitor development of the Specific Plan to determine the need for construction and operation of an on-site fire station. This is expected to require dedication of an approximately 2- to 3-acre site within the Specific Plan to be used for the purpose of developing future emergency service facilities including possibly a combined police/fire station as needed. This facility shall be constructed and become operational at such time as required by the County Fire Chief.

Mitigation Measure 4.7.8: Prior to approval of a final map, grading plan, or building permit for any phase or unit of development within the Specific Plan, the applicant shall provide evidence to the Planning and Development Services Director that a determination has been made by the County Fire Department that an adequate system for delivery of an adequate supply of water for fire suppression, and other required equipment, alarms, and water connections, is to be provided to serve the Project.

Mitigation Measure 4.7.9: Prior to issuance of a certificate of occupancy for any building within any phase or unit of development within the Specific Plan, the applicant shall provide evidence to the Planning and Development Services Director that the fire suppression system required by Mitigation Measure 4.7.8 has been installed to the County Fire Department's satisfaction and is operational.

Mitigation Measure 4.7.10: Prior to issuance of a certificate of occupancy for any new construction adjacent to the Rose Canal, it shall either be undergrounded, covered, or fenced within the entire unit of development that includes the building for which the certificate of occupancy is requested. Should fencing be the desired mitigation option, both sides of the canal shall be fenced to a height of 5 feet using chain-link material with warning signs installed.

Mitigation Measure 4.10.10: Future street intersections or proposed project driveways on Keystone Road, Harris Road, and Dogwood Road shall be evaluated for signalization or other driveway intersection controls. Projected traffic volumes on these roads will require that streets and driveways be signalized and configured with dual inbound and outbound left-turn lanes, and dedicated right-turn lanes. If a signal is not provided, access shall be limited to right-turn only on Dogwood Road. Inbound left turns at the Project driveways may be allowed on Keystone Road and Harris Road without signals, but outbound left-turns shall be prohibited at unsignalized intersections.

Mitigation Measure 4.10.12: All improvements to State-owned road segments and intersections shall provide operations at LOS C or better.

Mitigation Measures TRANS-1: All future development, including improvement to existing uses, shall contribute its fair share of the cost for improving off-site road segments and intersections prior to the issuance of a grading permit significantly impacted by the Mesquite Lake Specific Plan. All fair share contributions on State-owned facilities shall be calculated using Caltrans' Guide for the Preparation of Traffic Impact Studies. The measures that the Project shall pay their fair share of, are as follows:

- Signalize the SR 86/Keystone intersection, provide a dedicated eastbound left-turn lane, and provide dedicated westbound left-turn, through, and right-turn lanes with an overlap phase. The existing southbound left-turn lane and northbound right-turn lane shall be lengthened.
- Signalize the SR 86/Harris Road intersection and provide dedicated left-turn lanes at all four approaches (i.e., northbound, southbound, eastbound, westbound).
- Provide dedicated eastbound and westbound left-turn, through and right-turn lanes at the SR 86/Worthington Road intersection; and provide a dedicated right-turn lane in the northbound direction and a shared through/right-turn lane in the southbound direction.
- Signalize the Dogwood Road/Keystone Road intersection and provide dedicated left-turn lanes at each approach (i.e., northbound, southbound, eastbound, westbound).
- Signalize the Dogwood Road/Harris Road intersection and provide dedicated left-turn lanes at each approach (i.e., northbound, southbound, eastbound, westbound).
- Signalize the Dogwood Road/Worthington Road intersection and provide dedicated left-turn lanes at each approach (i.e., northbound, southbound, eastbound, westbound).
- Provide a dedicated eastbound right-turn lane with an overlap phase and dual northbound left-turn lanes at the SR 111/Keystone Road intersection. The addition of a second northbound left-turn lane will require widening Keystone Road between SR 111 and Old Highway 111 to accommodate the additional lane of traffic.
- Signalize the SR 111/Harris Road intersection and provide dedicated dual left-turn lanes and a right-turn lane for northbound traffic and a dedicated southbound right turn lane. A 4-foot shoulder shall be provided adjacent to the right-turn lanes. The Harris Road intersections with Old Highway 111 and with the east side frontage road shall be realigned to provide increased separation from SR 111 to the satisfaction of Caltrans and the County Engineer.
- Widen Dogwood Road to four lanes (i.e., two lanes in each direction) from Keystone Road to Harris Road and from Harris Road to Worthington Road.

Mitigation Measure TRANS-2: The Applicant shall implement a heavy truck route, approved by Imperial County Public Works and Caltrans, in order to ensure that heavy trucks departing the Project-site be prohibited from accessing northbound SR 111 via Harris Drive. Trucks heading northbound from the Project site shall be required to travel along Old Highway 111 to access SR 111 via Keystone Road. This will remove the majority of the eastbound to northbound Project trips at the intersection of Harris Road / SR 111. The heavy truck route shall be enforced through on-site signage, off-site signage as appropriate, and will be included in contracts with outside trucking companies.

Mitigation Measure 4.9.1: The County of Imperial and its Departments shall review all final maps, grading plans, building permits, use permits, and other applications for development of property within the Specific Plan and shall determine whether adequate public service improvements are provided or planned to accomplish the long-term land use objectives of the Mesquite Lake Specific Plan. While individual development may be allowed to proceed, the County shall determine the need for appropriate fair-share contributions, by fee or facility construction, to be required of any applicant. In addition, the County may require development agreements from project applicants to ensure participation in the formation and funding of a CFD or other public agency to accomplish the construction and operation of the required infrastructure improvements identified in the Specific Plan. When deemed necessary by the County, further development shall be denied pending establishment of a CFD or other public agency.

Mitigation Measure 4.9.2: Prior to issuance of any building permit for any new building within the Project, the building permit applicant shall provide evidence from IID Energy that adequate electrical service exists for the Project or that required new facilities would be available prior to

issuance of a certificate of occupancy for the building.

Mitigation Measure 4.9.3: Prior to issuance of any building permit for any new building within the Project, the building permit applicant shall provide evidence from IID that water service exists for the Project, including for irrigation of landscape areas and dust control, and shall provide facilities for on-site treatment of raw water or for storage and distribution of delivered filtered water for hand washing and other sanitary requirements. All facilities required for adequate water service shall be installed and in working order prior to issuance of a certificate of occupancy for the building. Mitigation Measure 4.9.1 shall also be implemented to ensure to ensure participation in the formation and funding of a CFD or other public agency to accomplish the construction and operation of the required infrastructure improvements identified in the Specific Plan.

Mitigation Measure 4.9.4: Prior to issuance of any building permit for any new building within the Project, the building permit applicant shall provide evidence satisfactory to the Planning and Development Services Director that an adequate stormwater retention system exists for the Project or that required new facilities will be available prior to issuance of a certificate of occupancy for the building. All new or expanded stormwater retention facilities shall be designed and constructed in accordance with a hydrology report prepared by a registered civil engineer and approved by the County Engineer, Planning and Development Services Director, and IID as adequate to accommodate stormwater runoff and disposal. Mitigation Measure 4.9.1 shall also be implemented to ensure participation in the formation and funding of a CFD or other public agency to accomplish the construction and operation of the required infrastructure improvements identified in the Specific Plan.

Mitigation Measure 4.9.5: Prior to issuance of any building permit for any new building within the project, the building permit applicant shall provide evidence that an adequate system for wastewater disposal and, if required, for industrial process water evaporation, exists for the project or will be constructed and available for use upon completion of the building. All facilities required for adequate wastewater disposal and process water evaporation shall be installed and in working order prior to issuance of a certificate of occupancy for the building. Mitigation Measure 4.9.1 shall also be implemented to ensure participation in the formation and funding of a CFD or other public agency to accomplish the construction and operation of the required infrastructure improvements identified in the Specific Plan.

Mitigation Measure 4.9.6: Prior to approval of final maps for each phase or unit of development within the specific plan area, a waste management plan shall be prepared in accordance with the County's Integrated Waste Management Plan and approved by the Planning and Development Services Director and the County Engineer. The plan shall include, but shall not be limited to, an assessment of the type and quantity of waste materials expected to enter the waste stream; source and separation techniques and on-site storage of separated materials; methods of transport and destination of waste materials; and, where economically feasible, implementation of buy-recycled programs.

Mitigation Measure 4.7.6: For any project determined by the Planning and Development Services Director to require County Environmental Health and Safety/Local Enforcement Agency (EHS/LEA) approval under procedures established by the CIWMB, and prior to approval of a final map, grading plan, or building permit for any for such project, the applicant shall provide evidence to the Planning and Development Services Director that (1) a determination has been made by the County EHS/LEA on the need for project approval under procedures established by the CIWMB for compliance with the California Public Resources Code for solid waste facilities, including a solid waste transfer or processing station, composting facility, transformation facility, and/or disposal facility; and if applicable to the Project, (2) the property has been designated on the County NDFE and all local, state, and federal requirements for operation of a solid waste facility have been satisfied, including the requirement for issuance of a Solid Waste Facilities Permit by the LEA and in compliance with the County's Integrated Waste Management Plan.

V. PERSONS AND ORGANIZATIONS CONSULTED

This section identifies those persons who prepared or contributed to preparation of this document. This section is prepared in accordance with Section 15129 of the CEQA Guidelines.

A. COUNTY OF IMPERIAL

- Jim Minnick, Director of Planning & Development Services
- Michael Abraham, AICP, Assistant Director of Planning & Development Services
- Diana Robinson, Planning Division Manager

B. CHAMBERS GROUP

- Corinne Lytle-Bonine, Principal In Charge
- Victoria Boyd, Project Manager
- Eunice Bagwan, Environmental Planner
- Erik Segura, Environmental Planner
- Paul Morrissey, Director of Biology
- Lucas Tutschulte, Director of Cultural Resources
- Phillip Carlos, GIS Specialist

C. OTHER AGENCIES/ORGANIZATIONS

GS Lyon Consultants, Inc.

GTS (Peer Review)

- Rawad Hani, P.E., T.E., Managing Principal

LandMark Consultants, Inc.

Ldn Consulting (Peer Review)

- Jeremy Louden, Principal

Linscott, Law & Greenspan, Engineers

- John A. Boarman, P.E., Principal

UltraSystems Environmental Incorporated

VI. REFERENCES

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VII. FINDINGS

This is to advise that the County of Imperial, acting as the lead agency, has conducted an Initial Study to determine if the project may have a significant effect on the environment and is proposing this Negative Declaration based upon the following findings:

☐ The Initial Study shows that there is no substantial evidence that the project may have a significant effect on the environment and a NEGATIVE DECLARATION will be prepared.

☒ The Initial Study identifies potentially significant effects but:

(1) Proposals made or agreed to by the applicant before this proposed Mitigated Negative Declaration was released for public review would avoid the effects or mitigate the effects to a point where clearly no significant effects would occur.

(2) There is no substantial evidence before the agency that the project may have a significant effect on the environment.

(3) Mitigation measures are required to ensure all potentially significant impacts are reduced to levels of insignificance.

A MITIGATED NEGATIVE DECLARATION will be prepared.

If adopted, the Negative Declaration means that an Environmental Impact Report will not be required. Reasons to support this finding are included in the attached Initial Study. The project file and all related documents are available for review at the County of Imperial, Planning & Development Services Department, 801 Main Street, El Centro, CA 92243 (442) 265-1736.

NOTICE

The public is invited to comment on the proposed Negative Declaration during the review period.

4/3/23
Date of Determination

Jim Minnick, Director of Planning & Development Services

The Applicant hereby acknowledges and accepts the results of the Environmental Evaluation Committee (EEC) and hereby agrees to implement all Mitigation Measures, if applicable, as outlined in the MMRP.

Applicant Signature (agent)

4/3/23
Date