

NOTICE OF DETERMINATION

TO: Recorder/County Clerk
Attn: James Scott
1600 Pacific Highway, M.S. A33
San Diego, CA 92101

FROM: County of San Diego
Planning & Development Services, M.S. O650
Attn: Project Planning Section Secretary
5510 Overland Avenue, Suite 110
San Diego, CA 92123

Office of Planning and Research
P.O. Box 3044
Sacramento, CA 95812

SUBJECT: FILING OF NOTICE OF DETERMINATION IN COMPLIANCE WITH PUBLIC RESOURCES CODE SECTION 21108 OR 21152

Project Name and Number: JVR Energy Park – Minor Deviation to Major Use Permit, PDS2021-MUP-18-022M1

State Clearinghouse No.: 2019039044

Project Location: Jacumba Hot Springs, south of Interstate 8 – APNs: 614-100-20 & -21; 614-110-04; 660-020-05 & -06; 660-150-04, -07, -08, -10, -14, -17 & -18; 660-170-09; 661-010-02, -15, -26, -27, & -30; 661-060-12 & -22; 660-140-06 & -08; 660-150-16 & -21

Project Applicant: JVR Energy Park LLC, 18575 Jamboree Road, Suite 850, Irvine, CA 92612
Phone: (949) 398-3915

Project Description: The Project is a Minor Deviation to the approved Major Use Permit for the JVR Energy Park Project. The Major Use Permit (MUP) allows for the operation and construction of a 90 megawatt (MW) solar energy facility and a battery energy storage system of up to 90 MW. The Minor Deviation permits the following changes to the project permitted in the MUP: relocation of battery storage containers and inverter/transformer platforms within the Major Use Permit boundary area (24 equipment locations); increase in the number of battery storage containers (96 containers total); sound barriers at specified battery storage locations; water line extension for irrigation; one additional water tank (for irrigation purposes); and minor modifications to the roads and the location of the perimeter fence within the MUP boundary.

The Project site is located in Jacumba Hot Springs within unincorporated southeastern San Diego County, within the Mountain Empire Subregion. Primary access would be provided from Interstate 8 with local access from Carrizo Gorge Road and Old Highway 80.

This Minor Deviation is associated with the JVR Energy Park Project (PDS2018-MUP-18-022). The approved JVR Energy Park Project is described in the Final Environmental Impact Report as the Community Buffer Alternative with an additional setback as directed by the County Board of Supervisors during project approval on August 18, 2021. The Minor Deviation project is described in the Addendum to the Final EIR.

Agency Approving Project: County of San Diego

County Contact Person: Ashley Smith

Date Form Completed: November 10, 2022

This is to advise that the County of San Diego Director of Planning & Development Services has approved the above-described project on November 10, 2022 and has made the following determinations:

1. The project will will not have a significant effect on the environment.
2. An Environmental Impact Report was prepared and certified for this project pursuant to the provisions of the CEQA.
 A Negative Declaration or Mitigated Negative Declaration was adopted for this project pursuant to the provisions of the CEQA.
 An Addendum to a previously certified Environmental Impact Report, or to a previously adopted Negative Declaration or Mitigated Negative Declaration, was prepared and considered for this project pursuant to the provisions of CEQA.

3. Mitigation measures were were not made a condition of the approval of the project. (Mitigation measures for certified Final EIR remain in effect)
4. A Mitigation reporting or monitoring plan was was not adopted for this project. (Mitigation reporting and monitoring plan for certified Final EIR remains in effect)

The following determinations are only required for projects with Environmental Impact Reports:

5. A Statement of Overriding Considerations was was not adopted for this project. (A statement of overriding considerations was adopted as part of the certification of the Final EIR)
6. Findings were were not made pursuant to the provisions of State CEQA Guidelines Section 15091. (Findings were made as part of the certification fo the Final EIR)

Project status under Fish and Wildlife Code Section 711.4 (Department of Fish and Wildlife Fees):

- Certificate of Fee Exemption (attached)
- Proof of Payment of Fees (attached)

Signature: Ashley Smith Telephone: (619) 857-8012

Name (Print): Ashley Smith Title: Chief, Project Planning

This notice must be filed with the Recorder/County Clerk within five working days after project approval by the decision-making body. The Recorder/County Clerk must post this notice within 24 hours of receipt and for a period of not less than 30 days. At the termination of the posting period, the Recorder/County Clerk must return this notice to the Department address listed above along with evidence of the posting period. The originating Department must then retain the returned notice for a period of not less than twelve months. Reference: CEQA Guidelines Section 15075 or 15094.