



# COUNTY OF RIVERSIDE

## TRANSPORTATION AND LAND MANAGEMENT AGENCY



*Juan C. Perez, P.E., T.E.  
Director of Transportation*

### Transportation Department

**DATE:** December 13, 2011

**TO:** The Board of Supervisors

**FROM:** The Transportation Department, Juan C. Perez

**RE:** **Agenda Item 16.1- Additional information for Travertine Point SP375**

The Transportation Department has added the following conditions of approval to the project to maintain consistency with the mitigation measures found in the Recirculated Revised Draft Environmental Impact Report.

30.TRANS.15  
SP – SP375/Road Improvements

Roadways internal to the project shall be developed as needed for development and as determined based on the recommendations presented in Exhibits 6.2-B through 6.2-T of the TSS dated August 5, 2010.

Prior to the issuance of any building permits within SP00375, the project proponent shall construct Lincoln Street between the northern project boundary and 81st Avenue and 81st Avenue between SR-86 and Lincoln Street as two-lane interim roadways (34 ft traveled way).

Prior to the issuance of any building permits within Planning Areas 1-1, 1-2, or 1-9 within SP00375, the project proponent shall construct 81st Avenue between the western boundary of Planning Area 1-1 and SR-86S as a Secondary (64-ft. curb-to-curb, 100-ft. right-of-way). At the discretion of the Director of Transportation, the right-of-way requirement in the off-site portion of the facility may be reduced, so long as four through travel lanes and necessary turn lanes at intersections are provided.

Prior to the issuance of any building permits within Planning Areas 1-1, 1-2, or 1-9 within SP00375, the project proponent shall realign, as necessary, the portion of SR-86/Harrison Street north of 81st Avenue to form the four-legged intersection at 81st Avenue/ SR-86/Village Way and shall get Caltrans concurrence for the relinquishment of the portion of SR-86 between 81st Avenue and SR-86S.

Prior to the issuance of any certificates of occupancy that would result in more than 7,078 dwelling units in SP00375, or sooner if the need is indicated in DRP-level or project-level traffic studies, the project proponent, or implementing projects within SP00375, shall construct 81st Avenue between SR-86S and Paseo Street as a Major. Based on subsequent traffic studies and at the discretion of the Director of Transportation, the threshold number of residential units may be adjusted.



*Carolyn Syms Luna*  
*Director*

# RIVERSIDE COUNTY

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# PLANNING DEPARTMENT

## Memorandum

**DATE:** December 13, 2011

**TO:** The Board of Supervisors

**FROM:** The Planning Department, Matt Straite

**RE:** **Agenda Item 16.1- Additional information for Travertine Point SP375**

As of 10am Tuesday December 13, 2011, the Planning Department has received five (5) additional letters regarding the Travertine Point project. The following letters are attached-

1. Department of the Air Force dated 11/30/11
2. James Barrett representing the Salton Community Services District dated 12/9/11
3. California State Department of Parks and Recreation dated 12/12/11
4. California Rural Legal Assistance, Inc. dated 12/12/11
5. Shute, Mihaly, & Weinberger LLP dated 12/9/11

Y:\Planning Case Files-Riverside office\SP00375\BOS\December 13, 2011 for approval\Memo for day of hearing\December 13, 2011 BOS Memo.docx

Riverside Office · 4080 Lemon Street, 12th Floor  
P.O. Box 1409, Riverside, California 92502-1409  
(951) 955-3200 · Fax (951) 955-1811

Desert Office · 38686 El Cerrito Road  
Palm Desert, California 92211  
(760) 863-8277 · Fax (760) 863-7555

*"Planning Our Future... Preserving Our Past"*

16-1



**DEPARTMENT OF THE AIR FORCE**  
AIR FORCE RESERVE COMMAND

30 November 2011

MEMORANDUM FOR RIVERSIDE COUNTY PLANNING DEPARTMENT  
ATTN: MATT STRAITE  
14177 FREDERICK STREET  
RIVERSIDE CA 92502-1409

FROM: 452d Mission Support Group/Civil Engineers  
Base Operating Support  
610 Meyer Drive Bldg 2403  
March ARB CA 92518-2166

SUBJECT: Travertine Point Recirculated Revised EIR

1. March Air Reserve Base (MARB) has completed its review of the Travertine Point Recirculated Revised Draft EIR and acknowledges the updated expanded discussion of military training routes and activity in Sections 6.3, Air Quality; 6.9, Land Use and Planning; and 6.11, Noise.
2. We support the proposed mandatory disclosure statement to future buyers addressing potential for noise impacts from military training flights over the project site.
3. In principle, we support the general inclusion of "Smart Growth" and "Sustainable Development" design elements in the project design.
4. We appreciate the outreach and inclusion of MARB in the CEQA process and look forward to receiving any additional relevant or pertinent information about the proposed development as it becomes available.
5. Thank you for the opportunity to review and comment on this proposed development. If you have questions please contact Ms. Denise Hauser at (951) 655-4862.

A handwritten signature in cursive script that reads "Pamela M. Hann".

PAMELA M. HANN  
Base Civil Engineer

## Straite, Matt

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**From:** Director Barrett [sparkyjim@dishmail.net]  
**Sent:** Friday, December 09, 2011 10:00 AM  
**To:** Straite, Matt  
**Cc:** directorbarrett@saltoncsd.org; Rosa Reagles; garywyatt@co.imperial.ca.us  
**Subject:** Travertine Point EIR Comment  
**Attachments:** Fire Department comments -proofed.pdf

**Categories:** Blue Category

December 9, 2011

Greetings Mr. Straite:

My name is James Barrett and I am a resident of the Salton Community Services District as well as just being sworn in as a Director on their Board of Directors. I also served as a director from 2005-2009, so I am well informed about the inner workings of the district.

Having just been brought onboard as director, the first opportunity that I had to view the Travertine Point EIR was on December 7, 2011. As such, and being that it is so late in the game to submit comments to the EIR, I understand that my comments might fall on deaf ears as a matter of procedure. However, as a director it is still my duty to protect the interests of my constituents, and in that vein I submit the attached comments both as a resident of the district and a representative of my constituents.

I believe my comments accurately explain some major **factual flaws** in the Fire Protection portions of the EIR, and I submit these comments in the spirit of full public disclosure and fairness to the process of the EIR. Further, I believe that if these incorrect facts are intentionally left in the final EIR, that substantial harm will be done to the interests of the Salton Community Services District and its residents, as well as to the project itself.

Thank you for your time and have a great day,

James G. Barrett

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(These comments are also attached as "noted" pdf)

**Page 6.13-1**

*"The Riverside County Fire Department (RCFD) and the Salton Community Services District (SCSD) currently provide fire fighting service to the proposed Travertine Point Specific Plan project. RCFD Station 42 is approximately 6 miles north of the proposed project, and the SCSD Desert Shores Fire Station is located 2 miles south of the proposed project."*



COMMENT:

Though the SCSD currently provides fire fighting service to the project area, it is under an annual contract with Imperial County which can be revoked by either party on 30 days notice.

Page 6.13-11

"The Imperial County portion of the proposed project would be served by the Salton Community Service District (SCSD) Fire Department."

COMMENT:

This statement is in direct conflict with one on page 6.13-40 which states that, "The related projects within Imperial County would be served by the Imperial County Fire Department."

Page 6.13-13

*"The SCSD contracts with Imperial County to provide funding for the fire fighting services within its boundaries. A portion of the property taxes that the County of Imperial collects from residents is allocated to the SCSD in order to provide fire fighting service to residents within the district. Once this money is allocated to the SCSD, funds are put into a general fund where it is distributed evenly as needed to the Salton City Fire Station and Desert Shores Fire Station for station upgrades, equipment upgrades, and equipment purchases."*

COMMENT:

This is factually incorrect. The SCSD /Imperial County contract provides that the SCSD will respond to alarms OUTSIDE of district boundaries but within their Sphere of Influence as defined in their 2006 Service Area Plan on file with the Imperial County LAFCO.

NO COUNTY CONTRACT FUNDS ARE PROVIDED TO THE SCSD FOR THE PURPOSE OF FIRE FIGHTING WITHIN THE DISTRICT'S BOUNDARIES.

Additionally, the property tax revenue that the SCSD receives "flows through" the county from the state and is not earmarked for fire fighting, e.g., the funds are general revenue funds that the SCSD can spend on any of the powers granted to it under CSD Law, i.e. sewer service, fire service, solid waste disposal, street lighting, emergency medical service, and parks and recreation.

Page 6.13-13

"The Imperial County Crash/Fire/Rescue Department is responsible for fire protection in the unincorporated portions of Imperial County. The Imperial County Crash/Fire/Rescue Department shares space with the SCSD, and maintains one engine within the shared Salton City Fire Station."

COMMENT:

The Imperial County Fire Department IS NOT responsible for fire protection services in the unincorporated portions of the county that are under the control of special districts that have the power of fire protection. The SCSD is just one of those special districts.

Further, the Imperial County Fire Department DOES NOT "share" space with the SCSD. The two county engines that are part of the SCSD/Imperial County contract are housed in SCSD Fire Department Fire Stations but are completely under the control of the SCSD AT ALL TIMES. They are not for use by the Imperial County Fire Department.

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**Page 6.13-24**

*"As development occurs, property taxes collected by Imperial County would be allocated and provided to the SCSD to support the firefighting service that SCSD provides within its boundaries. Payment of these development impact fees and an allocation of property taxes would assist SCSD in making necessary equipment upgrades or purchases".*

COMMENT:

As the comment on page 6.13-13 clarifies, property taxes that flow through the county to the SCSD are not earmarked for any specific purpose.

Additionally, and historically, Development Impact Fees that have been collected by the County of Imperial from areas within district boundaries have NEVER been made available by the county to the SCSD. Several attempts by the SCSD to compel the County to abide by the Mitigation Fee Act have proved to be unsuccessful.

A case on point is that between 2005-2007 the county collected over \$350,000.00 in fire mitigation fees from areas under the control of the SCSD Fire Department, yet the county has not used one cent of those impact fees to help mitigate the detrimental impact that the related new development has had on the SCSD Fire Department.

This means, short of an agreement between the County of Imperial and the SCSD, there is no guarantee that the county will expend ANY of the fire impact fees collected from the project to mitigate effects of the project on the SCSD Fire Department.

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**Page 6.13-25**

*"Finally, applicants of implementing projects within the Imperial County portion of the specific plan area would be required to pay the Imperial County Fire Development Impact Fees."*

COMMENT:

Again, as noted on page 6.13-24, the County of Imperial has traditionally NOT abided by the Mitigation Fee Act in that fire impact fee moneys collected from areas within SCSD district boundaries have not been used to mitigate the impacts that the related development has had on the SCSD Fire Department.

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**Page 6.13-40**

*"The related projects within Imperial County would be served by the Imperial County Fire Department."*

COMMENT:

This directly contradicts several statements made in the EIR about the SCSD Fire Department servicing the project. (See page 6.13-11)

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**Page 6.13-41**

*“Increases in emergency calls, fire suppression calls, and increase in response times would cumulatively contribute to the burden on the Imperial County Fire Department’s ability to provide adequate service within its response area.”*

COMMENT:

Again, this directly contradicts several statements made in the EIR about the SCSD Fire Department servicing the project. (See page 6.13-11)

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**Page 6.13-41**

*“Additionally, as build out of the related projects occurs, individual projects would be required to undergo environmental review to determine the need for additional services from the Imperial County Fire Department.”*

COMMENT:

Yet another reference to the Imperial County Fire Department providing service to the project rather than the SCSD Fire Department.

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END OF COMMENTS

# Summary of Comments on Fire Department comments - proofed.pdf

Page: 1

Comments to the Recirculation Draft Environmental Impact Report NO. 514  
Project No. and Name: SP 00375, GPA 00910, and CZ 07623 - Travertine Point Specific Plan.  
Comments from:  
James G. Barrett  
(Resident of Salton City and a member on the  
Board of Directors of the Salton Community Services District.)  
Submitted 12/09/2011

Author: Jim Subject: TextBox Date: 12/9/2011 9:54:49 AM  
Comments to the Recirculation Draft Environmental Impact Report NO. 514

Project No. and Name: SP 00375, GPA 00910, and CZ 07623 - Travertine Point Specific Plan.

Comments from:  
James G. Barrett  
(Resident of Salton City and a member on the  
Board of Directors of the Salton Community Services District.)  
Submitted 12/09/2011

## 6.13 PUBLIC SERVICES – FIRE PROTECTION

### 6.13.1 OVERVIEW AND SUMMARY

The Riverside County Fire Department (RCFD) and the Salton Community Services District (SCSD) currently provide fire fighting service to the proposed Traverline Point Specific Plan project. RCFD Station 42 is approximately 6 miles north of the proposed project, and the SCSD Desert Shores Fire Station is located 2 miles south of the proposed project.

Using standards to determine the need for additional fire protection services, it was determined that neither the fire stations nor the service providers would be able to provide proper fire protection once the proposed project is built out. The proposed project would require additional fire stations within the project boundaries to provide adequate services. The RCFD has indicated that only two additional fire stations would be required<sup>1</sup> and analysis indicates that one SCSD fire station would be required to provide adequate services.

To provide fire protection services to the proposed project upon buildout, the proposed project would incorporate Public Facilities Overlays into its design that allow for the future development of fire stations. The fire stations would be constructed during development of the specific plan. Implementation of mitigation measures would ensure that future stations would be developed.

Furthermore, the RCFD plans to relocate the Oasis Fire Station 42 closer to the project site, which in turn, would provide additional coverage to the project site. Therefore, impacts would be less than significant.

### 6.13.2 LITERATURE AND DATA REVIEW

#### 6.13.2.1 General Plans and Environmental Documents

The following sources were used to analyze fire protection services for the proposed project:

- Riverside County Planning Department, *Riverside County General Plan*, "Safety Element."
- County of Riverside Transportation and Land Management Agency Planning Department, *General Plan Final Program Environmental Impact Report*, Volume 1, Section 4.15.1, "Fire Protection."
- Imperial County Planning and Building Department, *Imperial County General Plan*, "Seismic and Public Safety Element."

<sup>1</sup> Captain Jason Neumann, Riverside County Fire Department, personal communication with Chris Graham, June 1, 2010.

Author: Jim Subject: Highlight Date: 12/19/2011 9:04:36 AM

Author: Jim Subject: Note Date: 12/19/2011 9:05:16 AM

This statement is in direct conflict with one on page 6.13-40 which states that, "The related projects within Imperial County would be served by the Imperial County Fire Department."

Table 6.13-2  
Riverside County Fire Stations Serving the Proposed Project

Station	Location	Distance from Site	Response Time
Station 42 <sup>1</sup>	76-800 Harrison Street, Oasis, CA	6 miles	12 to 15 minutes
Station 40	91100 4th Street, Mecca, CA	12 miles	20 to 30 minutes
Station 39	56-925 Vic Higgins Street, Thermal, CA	17+ miles	30+ minutes

Source: Captain Jason Neumann, Riverside County Fire Department, personal communication with Clark Company, May 26, 2010.

Notes:

1 The symbol is the primary response station for the Riverside County portion of the Truckee River Specific Plan

The three fire stations described in Table 6.13-2 are staffed at all times with a minimum three-person crew, including paramedics, operating "Type 1" structural fire fighting apparatus.<sup>23</sup> The adopted Riverside County Fire Protection Master Plan, the California Urban designation, which would apply to the proposed project, specifies that a full-alarm assignment arrive within 15 minutes and that a fire station be located within 3 miles.<sup>24</sup> Currently, the primary station (Riverside County Station 42, Oasis) is the closest Riverside County Fire Station to the project site, which is approximately 6 miles away from the project site. According to the RCFD, they are planning to relocate Fire Station 42, farther south of its existing position, to provide better service to the area where the project site would be located.

Under current conditions, the Riverside County portion of the proposed project site east of SR-866 does have an existing water conveyance infrastructure system (CYWD provides Colorado River Canal Water) that provides fire flow to the uses within this area. However, the Riverside County portion of the specific plan west of SR-866 does not have an established water conveyance infrastructure system.

6.13.5.2 Imperial County

The potential for a major fire in the unincorporated areas of Imperial County is generally low.

The Imperial County portion of the proposed project would be served by the Salton Community Service District (SCSD) Fire Department. Additionally, the Imperial County Fire Department, the Salton Sea

23 Captain Jason Neumann, personal communication with Chris Graham, May 26, 2010.

24 Captain Jason Neumann, personal communication with Chris Graham, June 1, 2010.

emergencies. At present, this portion of the proposed project site does not have an existing water conveyance system that provides fire flows to the user.

The SCSD contracts with Imperial County to provide funding for the fire fighting services within its boundaries. A portion of the property taxes that the County of Imperial collects from residents is allocated to the SCSD in order to provide fire fighting services to residents within the district. Once this money is allocated to the SCSD, funds are put into a general fund where it is distributed evenly as needed to the Salton City Fire Station and Desert Shores Fire Station for station upgrades, equipment upgrades and equipment purchases.<sup>26</sup>

Imperial County Fire Department

~~The Imperial County Crash/Fire/Rescue Department is responsible for the protection of the unincorporated portions of Imperial County. The Imperial County Crash/Fire/Rescue Department shares space with the SCSD, and maintains one engine within the shared Salton City Fire Station.<sup>27</sup>~~

The Imperial County Fire Department follows the National Fire Protection Association (NFPA) recommendations for estimated time of responses of 4 minutes or less for the arrival of the first arriving engine company at a fire suppression incident and/or 8 minutes or less for the deployment of a full first-alarm assignment at a fire suppression incident.<sup>28</sup>

Imperial County Fire Department follows the fire-flow recommendations within the 2007 California Fire Code which is 1,000 gallons per minute (gpm) for residential units that do not exceed 3,600 square feet, and between 1,500 to 8,000 gpm for commercial/industrial buildings dependent on their size in square feet.<sup>29</sup> Imperial County's requirement for fire hydrants calls for a Jones Model 3765 hydrant to be used within developments; flow tests are conducted by the Coachella Valley Water District. The Imperial County Fire Department currently has a ratio of 1 fire fighter per 1,200 residents in the immediate County service area; there are currently 87 fire personnel employed including: 4 Chief Officers, 1 Lieutenant, 15 Captains, 37 Firefighters, and 30 Reserve Firefighters.<sup>30</sup>

Author: Jim Subject: Highlight Date: 12/9/2011 9:00:56 AM

Author: Jim Subject: Note Date: 12/9/2011 9:11:52 AM  
This is federally income.

The SCSD Imperial County contract provides that the SCSD will respond to alarms OUTSIDE of district boundaries but within their Sphere of Influence as defined in their 2006 Service Area Plan on file with the Imperial County LAFCO. NO COUNTY CONTRACT FUNDS ARE PROVIDED TO THE SCSD FOR THE PURPOSE OF FIRE FIGHTING WITHIN THE DISTRICT'S BOUNDARIES.

Additionally, the property tax revenue that the SCSD receives "flows through" the county from the state and is not earmarked for fire fighting, e.g., the funds are general revenue funds that the SCSD can spend on any of the powers granted to it under CSD Law, i.e. sewer service, fire service, solid waste disposal, street lighting, emergency medical services, and parks and recreation.

Author: Jim Subject: Highlight Date: 12/9/2011 8:59:49 AM

Author: Jim Subject: Note Date: 12/9/2011 9:00:16 AM  
The Imperial County Fire Department IS NOT responsible for fire protection services in the unincorporated portions of the county that are under the control of special districts that have the power of fire protection. The SCSD is just one of those special districts.

Further, the Imperial County Fire Department DOES NOT "share" space with the SCSD.

The two county engines that are part of the SCSD/Imperial County contract are housed in SCSD Fire Department Fire Stations but are completely under the control of the SCSD AT ALL TIMES. They are not for use by the Imperial County Fire Department.

Author: Jim Subject: Highlight Date: 12/9/2011 7:31:09 AM

Author: Jim Subject: Highlight Date: 12/9/2011 8:59:40 AM

<sup>26</sup> Ross Reagles, Salton Community Services District, personal communication with Chris Graham, May 26, 2010.  
<sup>27</sup> Ross Reagles, personal communication with Chris Graham, May 26, 2010.  
<sup>28</sup> National Fire Protection Agency, NFPA 1710 Standard for the Organization and Deployment of Fire Suppression Operations, Emergency Medical Operations and Special Operations to the Public by Career Fire Departments, Chapter 4, 1710-6, 2004 Edition.  
<sup>29</sup> Juan Rodolo, Imperial County Fire Department, personal communication with Chris Graham, June 16, 2010  
<sup>30</sup> Juan Rodolo, personal communication with Chris Graham, June 16, 2010

As development occurs, property taxes collected by Imperial County would be allocated and promulgated to the SCSD to support the firefighting service that SCSD provides within its boundaries. Payment of these development impact fees and an allocation of property taxes would assist SCSD in making necessary equipment upgrades or purchases.

As development of the proposed project builds out, ongoing costs for fire services would continue to increase and would be financed to maintain adequate level of fire protection service to the project site. Land Secured Financing Districts, as proposed (see Section 3.0, Project Description), would provide for implementation of fees to be paid to finance ongoing activities of the RCFD and SCSD. Furthermore, ongoing costs to provide adequate fire protection service to the proposed project site would also be partially offset by taxes that are acquired by the new construction that would occur within the project site.<sup>41</sup> These financing mechanisms would ensure that ongoing costs are adequately provided.

Riverside County

The primary responding fire station, Riverside County Fire Station 42, is approximately 6 miles north of the northern boundary of the proposed project site. On average, the response time from this fire station to the proposed project is approximately 12 to 15 minutes.<sup>42</sup> Based on the standard response time criteria discussed above, the closest Riverside County Fire Station would be approximately 3 miles farther than the standard, and would be 2 to 5 minutes longer in response time than can be considered adequate. Therefore, impacts would be considered significant.

Table 6.13-5 indicates that, based on current adopted service ratios, up to nine fire stations would be needed to provide adequate fire service to the proposed development that would occur in the Riverside County portion of the specific plan ~~and that up to nine fire stations would be needed to provide adequate fire service~~. However, as previously discussed, the RCFD has indicated that only two fire stations would be required in order to provide adequate service.<sup>43</sup>

The specific plan provides for the development of fire stations through the designation of Public Facilities Overlays for the Riverside County portion of the proposed project site. Further, the specific plan provides for two fire stations to be developed during Phases I and II. Although the proposed specific plan provides Public Facilities Overlays indicating where fire stations and other public facilities could be developed, it does not provide for timing other than Phase I and II. Since the specific plan does not provide timing for

Author: Jim Subject: Note Date: 12/9/2011 9:13:45 AM  
As the comment on page 6.13-13 clarifies, property taxes that flow through the county to the SCSD are not earmarked for any specific purpose.

Additionally, and historically, Development Impact Fees that have been collected by the County of Imperial from areas within district boundaries have NEVER been made available by the county to the SCSD. Several attempts by the SCSD to compel the County to abide by the Mitigation Fee Act have proved to be unsuccessful.

A case on point is that between 2005 -2007 the county collected over \$350,000.00 in fire mitigation fees from areas under the control of the SCSD Fire Department, yet the county has not used one cent of those impact fees to help mitigate the detrimental impact that the related new development has had on the SCSD Fire Department.

This means, short of an agreement between the County of Imperial and the SCSD, there is no guarantee that the county will expend ANY of the fire impact fees collected from the project to mitigate effects of the project on the SCSD Fire Department.

Author: Jim Subject: Highlight Date: 12/9/2011 7:38:38 AM

Author: Jim Subject: Highlight Date: 12/9/2011 7:39:12 AM

41 Captain Jason Neumann, written communication with Matt Strake, December 9, 2009.  
42 Captain Jason Neumann, personal communication with Chris Graham, May 26, 2010.  
43 Captain Jason Neumann, personal communication with Chris Graham, June 1, 2010.



the development of the additional fire stations (up to seven) that would be needed to serve the project, impacts would be significant.

A public community facilities financing program would be developed to ensure the timely financing and construction of fire stations in pace with the development. Additionally, applicants of implementing projects within the Riverside County portion of the specific plan area would be required to pay into the Riverside County Development Impact Fees for Fire Facilities.

**Imperial County**

The SCSD's Desert Shores Fire Station would also be considered the primary responding station in Imperial County. The Desert Shores Fire Station is located approximately 2 miles from the southern border of the proposed project; for an emergency vehicle travelling at 65 miles per hour, the average response time would be approximately 2 minutes<sup>44</sup> (not including time from receiving a call and dispatching out of the fire station) to the southern border of the proposed project area. Based on the above criteria of distance and response times, the SCSD would be in compliance; therefore, impacts would be considered less than significant.

Table 6.13-5 indicates that, based on acceptable service ratios, one fire station would be needed to provide adequate fire service to the residents within Imperial County.

The proposed specific plan provides for the development of fire stations through the designation of Public Facilities Overlays in planning areas within the Imperial County. However, the proposed specific plan does not provide implementation measures as to the timing of when future fire stations would be required, nor does the Phasing Plan identify a station in Imperial County. Therefore, impacts would be potentially significant.

A public community facilities financing program would be developed to ensure the timely financing and construction of fire stations in pace with the development. Finally, applicants of implementing projects within the Imperial County portion of the specific plan area would be required to pay the Imperial County Fire Development Impact Fees.

**Mitigation Measures**

The following mitigation measure shall be implemented for activities that would occur within the jurisdiction of Riverside County or Imperial County. Where the mitigations identify activities that would occur on tribal lands, the mitigations are recommended; the implementation of the mitigation measures

<sup>44</sup> Response time was calculated as follows: (2 miles from project site/(65 miles per hour) x 60 minutes.

Author: Jim Subject: Note Date: 12/9/2011 9:08:34 AM  
Again, as noted on page 6.13-24, the County of Imperial has traditionally NOT abided by the Mitigation Fee Act in that fire impact fee moneys collected from areas within SCSD district boundaries have not been used to mitigate the impacts that the related development has had on the SCSD Fire Department.

Author: Jim Subject: Highlight Date: 12/9/2011 8:34:19 AM

Author: Jim Subject: Note Date: 12/9/2011 8:55:28 AM  
This directly contradicts several statements made in the EIR about the SCSD Fire Department servicing the project. (See page 6.13-11)

Additionally, RCFD has indicated that there would be cumulative impacts regarding the RCFD's ability to provide an acceptable level of service.<sup>31</sup> These impacts include an increased number of emergency and public service calls due to the increased presence of structures, traffic, and population.

Many of the related projects are located within the response area of the RCFD. The RCFD currently maintains services to the unincorporated areas of Riverside County, State Responsibility Areas, and 18 incorporated Cities within the boundaries of Riverside County. As with any additional construction that would occur within the RCFD service area from the related projects a cumulative increase in requests for service would add to the RCFD's ability to provide adequate service. Increases in emergency calls, fire suppression calls, and increase in response times would all cumulatively contribute to the ability for the RCFD to provide adequate service within its response area. The related projects would cumulatively contribute to the increased need of adequate fire services within the RCFD response area. Therefore, cumulative impacts would be considered significant.

Similar to the future development within the specific plan, related projects, would be required to pay into the Riverside County Development Impact Fee for Fire Facilities. Payment of these impact fees would provide funds for the development of new fire facilities as needed and the purchase of new fire fighting equipment and hiring of fire fighters personnel as needed. Additionally, as buildout of related projects occurs, individual projects would be required to undergo environmental review to determine the need for services from the RCFD.

Imperial County

An increase in the development of residential and commercial uses within Imperial County would lead to the need for increased fire protection services. The related projects within Imperial County would be served by the Imperial County Fire Department. The Imperial County related projects (as shown in Section 5.0, Cumulative Scenario) would result in the addition of 2,206 residential units and 197,000 square feet of commercial use to Imperial County, as shown in Table 6.13-6.

The development of the related projects located within Imperial County would require 1 fire station in order to provide adequate fire suppression services. There would be a need to increase staffing and equipment levels in order to operate and maintain the new fire station, and to provide adequate service to the related projects within Imperial County. Implementation of the Imperial County related projects

31 Riverside County Fire Department, Letter from Captain Jason Neumann, Strategic Planning Division to Matt Strate, County of Riverside Transportation & Land Management Agency, Planning department, December 9, 2009.

would result in the increased number of emergency and public service calls due to the increased presence of structures, traffic, and population.

Increases in emergency calls, fire suppression calls, and increase in response times would cumulatively contribute to the burden on the Imperial County Fire Department's ability to provide adequate service within its response area. The related projects would cumulatively contribute to the increased need of adequate fire services within the Imperial County response area. Therefore, cumulative impacts would be considered significant.

Similar to the future development within the specific plan, the related project would be required to pay into the Fire Development Impact Fees for Imperial County. Payment of these impact fees would provide funding for the development of new fire facilities as needed and the purchase of new fire fighting equipment and hiring of fire fighter personnel as needed. Additionally, as a condition of the project, the project would be required to undergo environmental review to determine the need for additional services from the Imperial County Fire Department.

6.13.8.2 Mitigation Measures

No additional mitigation is required.

6.13.8.3 Residual Impacts

Cumulative impacts would be less than significant.

6.13.9 CONSISTENCY WITH GENERAL PLANS

6.13.9.1 Riverside County General Plan

The Riverside County General Plan Safety Element provides the following policies for public safety, including fire protections that apply to the proposed project.

**Policy 5.1:** Develop and enforce construction and design standards that ensure that proposed development incorporates features through the following:

- All proposed construction shall meet minimum standards for fire safety as defined in the County Building or Fire Codes, or by County zoning, or as dictated by the Building Official or the Transportation Land Management Agency based on building type, design, occupancy, and use.
- In addition to the standards and guidelines of the Uniform Building Code and Uniform Fire Code fire safety provisions, continue additional standards for high-risk, high occupancy, dependent, and essential facilities where appropriate under

Author: Jim Subject: Note Date: 12/9/2011 8:43:50 AM  
Again, this directly contradicts several statements made in the EIR about the SCSO Fire Department servicing the project. (See page 6.13-11)

Author: Jim Subject: Highlight Date: 12/9/2011 8:43:08 AM

Author: Jim Subject: Note Date: 12/9/2011 8:47:59 AM  
Again, as noted on page 6.13-24, the County of Imperial has traditionally NOT abided by the Mitigation Fee Act in that fire impact fees moneys collected from areas within SCSO district boundaries have not been used to mitigate the impacts that the related development has had on the SCSO Fire Department.

Author: Jim Subject: Highlight Date: 12/9/2011 8:47:28 AM

Author: Jim Subject: Note Date: 12/9/2011 8:49:43 AM  
Yet another reference to the Imperial County Fire Department providing service to the project rather than the SCSO Fire Department.

Author: Jim Subject: Highlight Date: 12/9/2011 8:48:32 AM



DEPARTMENT OF PARKS AND RECREATION

Ruth Coleman, Director

Colorado Desert District  
200 Palm Canyon Drive  
Borrego Springs, CA 92004

December 12, 2011

Board of Supervisors  
County of Riverside  
County Administration Center  
P.O. Box 1409  
Riverside, CA 92502-1409

Subject: Comments to the Board of Supervisors – Travertine Point Specific Plan – Recirculated Revised Draft EIR, EIR 514, Project No. SP 375, GPA 00910, and CZ 07623 - Travertine Point Specific Plan - **SCH#2007101145**

Dear Board of Supervisors:

California State Parks' Colorado Desert District (CDD) appreciates the ongoing dialog regarding the proposed Travertine Point project. We would like to offer the following comments regarding the final, revised recirculated EIR:

1. We do not concur with the recent change in determination that visitation to Anza-Borrego Desert State Park (the Park) caused by the project would not have a significant impact on the Park. That change in determination appears to be based on the fact that the Park charges a day use fee in one of its parking lots (the Borrego Palm Canyon trailhead) and one of its campgrounds. The trailhead parking lot has room for only a couple dozen vehicles, and the vast majority of visitors to the 600,000-acre Park do not use it. We would anticipate that residents of the Travertine Point project would predominately visit other areas of the Park, and would not use the developed campground much. Further, the use fees do not represent the entire cost of operating the Park, managing and protecting natural and cultural resources, responding to visitors in distress, enforcing laws, maintaining facilities, etc.

2. We appreciate that construction of fencing or a wall between the project and the Park may reduce some of our need to repair resource damage in the area and respond to public safety callouts. However, we still believe we will need to conduct patrols in that area that we previously did not need to do, and anticipate resource damage. We would request that the wall or fencing be made of iron or masonry. In our experience throughout the park system and locally, chain-link fencing provides an ineffective barrier that is easily cut, trampled, or climbed.

County of Riverside  
December 12, 2011  
Page 2

If you have any questions or concerns regarding these comments, please contact me by telephone at 760-767-4037 or via email at [gsevr@parks.ca.gov](mailto:gsevr@parks.ca.gov).

Sincerely,

Original signed by Jim Dice for

Gail Sevens  
District Superintendent, Acting  
Colorado Desert District  
California State Parks

Cc: Matthew Straite, planner, [mstraite@rctmla.org](mailto:mstraite@rctmla.org)  
Clerk of the Board of Supervisors, [cob@rcbos.org](mailto:cob@rcbos.org)  
State Clearinghouse, fax 916-323-3018



# CALIFORNIA RURAL LEGAL ASSISTANCE, INC.

COMMUNITY EQUITY INITIATIVE, Coachella Regional Office



## Coachella Office

1460 6<sup>th</sup> Street  
Coachella, CA 92236  
(760) 398-7261  
(760) 398-1050 (fax)  
[www.crla.org](http://www.crla.org)

Arturo Rodriguez  
Directing Attorney  
E-Mail: [Arrodriguez@crla.org](mailto:Arrodriguez@crla.org)

Megan Beaman  
Staff Attorney  
E-Mail: [Mbeaman@crla.org](mailto:Mbeaman@crla.org)

Laura Massie  
Staff Attorney - CEI  
E-Mail: [Lmassie@crla.org](mailto:Lmassie@crla.org)

Emanuel V. Benitez  
Community Worker  
E-Mail: [Ebenitez@crla.org](mailto:Ebenitez@crla.org)

Lorena Martinez  
Community Worker  
E-Mail: [Lmartinez@crla.org](mailto:Lmartinez@crla.org)

Cristina Mendez  
Community Worker - CEI  
E-Mail: [Cmendez@crla.org](mailto:Cmendez@crla.org)

Carmen Lopez-Rodriguez  
Administrative Legal Secretary  
E-Mail: [Crodriiguez@crla.org](mailto:Crodriiguez@crla.org)

Ruth Estrada  
Secretary/Receptionist  
E-Mail: [Restrada@crla.org](mailto:Restrada@crla.org)

## CENTRAL OFFICE

631 Howard Street., Suite 300  
San Francisco, CA 94105  
Telephone: (415) 777-2752  
Fax: (415) 543-2752  
E-Mail: [hn0097@handsnet.org](mailto:hn0097@handsnet.org)  
World Wide Web: [www.crla.org](http://www.crla.org)  
José R. Padilla  
Executive Director  
Luis C. Jaramillo  
Deputy Director  
Ralph Santiago Abascal  
General Counsel  
(1934-1997)

William G. Hoerger  
Ilene J. Jacobs  
Michael Meuter  
Cynthia Rice  
Directors of Litigation, Advocacy,  
and Training

## OTHER REGIONAL OFFICES

Arvin	Oxnard [Basic]
Delano	Paso Robles
El Centro	Salinas
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Gilroy	Santa Barbara
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Monterey	Stockton
Oceanside	Watsonville
Oxnard (Migrant)	

December 12, 2011

VIA ELECTRONIC MAIL AND U.S. MAIL

Board of Supervisors for the County of Riverside  
c/o Kecia Harper-Ihem, Clerk of the Board  
4080 Lemon Street, First Floor  
Riverside CA 92501  
[cob@rcbos.org](mailto:cob@rcbos.org)

## Re: Travertine Point Specific Plan No. 375 and Supporting EIR

To the Board of Supervisors:

I am writing on behalf of Riverside County resident Francisco Baeza to express concerns regarding the proposed Travertine Point Specific Plan No. 375 (Travertine Point or Specific Plan) and supporting EIR. The Board of Supervisors risks violating State and Federal law if it approves said plan because (1) the Specific Plan cannot be found to be consistent with the County's General Plan, (2) the Specific Plan does not address the housing needs of region, and (3) approval could have a disparate impact on low-income communities of color in Riverside County.

## Riverside County Cannot Make the Required Consistency Finding with Respect to Travertine Point.

California law holds that General Plans are the constitution for all future development (*Leshar Communications, Inc v City of Walnut Creek*, 52 Cal. 3d 531, 540). Any decision affecting land use and development must be consistent with the jurisdiction's General Plan (*Friends of Lagoon Valley v. City of Vacaville*, 154 Cal. App. 4th 807). For any land use decision to be found consistent with the General Plan, the General Plan itself must be valid and legally adequate. The legal adequacy of a General Plan depends on, *inter alia*, its internal consistency (Cal. Gov't Code §65300.5) and its inclusion of all mandatory elements, including a Housing Element (Cal. Gov't Code §§ 65301, 65302).

Riverside County currently does not have a valid Housing Element, one of the required elements of a General Plan (Gov't Code § 55302(c)). As such, the Riverside County's General Plan is legally inadequate due to its lack of internal consistency and its failure to include all legally mandated elements. It therefore is

not possible to make the legally required finding that the Travertine Point Specific Plan is consistent with the General Plan.

Riverside County Cannot Assess the Extent to Which Travertine Point Addresses the County's Housing Need.

The Housing Element, one of seven required elements of the General Plan, includes specifically required components set forth in Article 10.6 of the Planning and Zoning Law (Gov't Code §§ 65580 *et seq.*) to ensure provision of decent and affordable housing for all Californians (Gov't Code § 65580(a)).

Riverside County has no valid Housing Element and in fact is more than five years overdue in adopting a valid Housing Element. *See* Gov't Code § 65588(e)(1). The Board of Supervisors cannot assess the extent to which Travertine Point addresses the housing needs in Riverside County, and specifically the Coachella Valley, since there is no adopted Housing Element upon which the County can rely in making such an assessment. Furthermore, because there is no adopted Housing Element, the Board of Supervisors cannot assess the extent to which the Travertine Point Specific Plan will impact future housing development in the area by impacting resources such as water and wastewater capacity and availability of land.

Data from the Draft Housing Element and Proposed RHNA Allocations Demonstrate a Housing Need That Will Not be Satisfied by the Travertine Point Specific Plan.

The Travertine Point Specific Plan anticipates the creation of 16,666 housing units, of which only 1,666, or 10%, will be reserved for low-income, very low-income, and extremely low-income households earning 80% or less of the Area Median Income. *See* Travertine Point Specific Plan 375 at 3-444, 3-446 (August 2011). None of these units will be reserved for extremely low-income households with incomes of less than 30% of Area Median Income. *See id.* at 3-444.

While Riverside County does not have a valid, adopted Housing Element, it has recently circulated a Draft Housing Element that reveals to some extent the housing needs in Riverside County, including the Coachella Valley. *See* General Plan Amendment No. 960, Chapter 8 – Housing Element 2006-2014 (draft). This Draft Housing Element – which, incidentally, does not adequately assess the housing need in Riverside County – estimates that approximately 40% of households in unincorporated Riverside County, including approximately 40% of households in unincorporated areas of the Coachella Valley, are low income, very low income, or extremely low income households (earning 80% or less of the Area Median Income). *See id.* at H-159.

The Southern California Association of Governments (SCAG) is responsible for allocating to each county and city in its region figures representing each city's and county's share of the regional housing need for each economic segment of the population. *See* Gov't Code § 65584(b). SCAG is currently assessing a proposed allocation of units based on housing stock and housing need. *See* Southern California Association of Governments Draft RHNA Allocation Plan (Nov. 30, 2011). According to this draft allocation, unincorporated Riverside County's housing need includes approximately 33,000 total units, of which 13,000 units, or 40%, must be affordable to low income, very low income, or extremely low income households (earning 80% or less of the Area Median Income).

The Travertine Point development does not anticipate addressing, nor will it address, the severe and considerable housing needs in Riverside County.

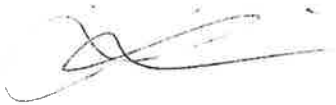
**Civil Rights and Fair Housing Concerns**

The Board of Supervisors' approval of the Travertine Point Specific Plan in the face of the concerns laid out above may result in a disparate impact on low-income people of color in Riverside County and risks violating State and Federal Fair Housing and Civil Rights Law, including Government Code § 65008, the California Fair Employment and Housing Act (Government Code § 12900 *et seq.*), Government Code § 11135, and the Federal Fair Housing Act (42 U.S.C. § 12131 *et seq.*).

Should the Board of Supervisors proceed despite the concerns noted above, I will advise my client of the remedies available to him.

Sincerely,

CALIFORNIA RURAL LEGAL ASSISTANCE



Laura Massie  
Attorney at Law

- cc: Pamela J. Walls, Riverside County Counsel  
Phoebe Seaton, Program Director, Community Equity Initiative, California Rural Legal Assistance, Inc.  
Ilene Jacobs, Director of Litigation, Advocacy, and Training, California Rural Legal Assistance, Inc.  
Arturo Rodriguez, Directing Attorney, Coachella Migrant Office, California Rural Legal Assistance, Inc.  
file



SHUTE, MIHALY  
& WEINBERGER LLP

396 HAYES STREET, SAN FRANCISCO, CA 94102  
T: 415 552-7272 F: 415 552-5816  
www.smwlaw.com

ERIN B. CHALMERS  
Attorney  
chalmers@smwlaw.com

December 9, 2011

Via E-Mail and FedEx

Riverside County Clerk of the Board  
4080 Lemon Street, 1st Floor  
Riverside, CA 92501  
E-Mail: [cob@rcbos.org](mailto:cob@rcbos.org)

Re: Travertine Point Specific Plan No. 375, and Related Approvals.

Dear Chairman Buster and Members of the Board:

We submit this letter on behalf of the Sierra Club and the Center for Biological Diversity. We strongly believe that the Travertine Point EIR remains legally deficient and that the Project is fatally inconsistent with relevant plans. As such, we urge you to deny the proposed Travertine Point Specific Plan ("Project").

**The FEIR Continues to Have a Faulty Cumulative Impact Analysis**

The FEIR still does not adequately analyze the Project's cumulative impacts in conjunction with past, present and reasonably foreseeable area projects that will also have impacts on air quality, aesthetics, transportation and traffic, greenhouse gases, land use, agricultural land, biological resources and many other impact areas. As the FEIR now acknowledges, it cannot rely on outdated General Plans for its cumulative analysis when those plans do not account for newer, planned impacts. Projects that will have cumulative impacts but which the EIR fails to describe or analyze include the following:

- Salton City Landfill Expansion. See Exhibit 2.
- West Shores/Salton City Urban Area Plan. See Exhibit 2.
- Truckhaven Geothermal Leasing Area, which is very close to the Project and would have impacts to biological resources, including sensitive and listed species, cultural and historical resources, wilderness areas, and other impact areas. See Exhibit 3.

- Black Rock 1, 2, and 3 Geothermal Power Project, on the south shore of the Salton Sea. See Exhibit 1.
- Chocolate Mountains Solar Farm, on the eastern side of the Salton Sea. See Exhibit 1.
- Naval Air Facility E1 Centro-Superstition Mountain Geothermal Project. See Exhibit 3.
- East Brawley Geothermal Development Project. See Exhibit 1.
- Imperial Solar Energy Center West and Imperial Solar Energy Center South. See Exhibit 1.
- Imperial Valley Solar Company 1 Photovoltaic Solar Facility. See Exhibit 1.
- West Chocolate Mountains Renewable Energy Evaluation Area. See Exhibit 1.
- Numerous other utility scale solar projects in the region. See Exhibit 4.
- Salton Sea Species Conservation Habitat Project. See Exhibit 5.
- Palen Solar Power Project. See Exhibit 6.

As shown in the exhibits, these projects have impacts that have a nexus to the Project's impacts, such as traffic in the region, air quality in the same air basin, or impacts on the same special status or other species. See also FEIR at 6.9-106-107 (showing projects for which the EIR analyzed cumulative impacts for traffic, and which does not include any energy projects, such as the Truckhaven Leasing Area); FEIR at 6.4-168 (using list of projects approach to cumulative biological impacts, but not including any energy projects in the list).

#### **The FEIR's Traffic Analysis is Faulty**

There is no substantial evidence to support the County's decision to limit its traffic analysis to 10 miles from the Project site. The EIR's rationale for so limiting the analysis is that "the project is not designed as a standalone trip attractor that will draw traffic 15 miles south from the I-10 corridor on a daily basis." FEIR at 2.0-155. In addition, it's based on the allegation that lots of commercial uses "are anticipated to occur" within the 10 mile radius; thus there will allegedly be "ample opportunities" for project residents to

live, work and play within a 10 mile radius of the Project, and little need to go further. *Id.* Allegedly, the Project's mixed-use character will also "minimize external travel." *Id.*

However, the evidence shows that the Project will require lots of long-distance trips, thus supporting CalTrans' repeated assertion that the EIR should analyze impacts to the intersection of SR-86S and I-10. For example, the FEIR admits that the Project contains dozens of acres zoned for "Commercial Tourist designation." P. 3 of RTC to SMW letter of August 10, 2011; FEIR Figure 3.0-3. This allows for tourist-related uses such as hotels, golf courses, and recreation and amusement facilities. *Id.* In addition, anticipated future uses of the Project include hotel, spa, casino, RV park, golf, and a marina. *Id.* All of these uses would draw tourists from far away, not just from within the Project. Moreover, "the Coachella Valley continues to grow and flourish as a tourist destination," FEIR at 3.0-5, and a large percentage of the homes will be seasonal residences. Thus, both tourists and residents will need to travel a long distance to get to the site. Indeed, the FEIR admits that the *average* external vehicle trip related to the Project will be more than 16 miles. RRDEIR Appendix 6.19B – Traffic Report Revised, p.27. Even accounting for short internal vehicle trips, the average trip length for all trips is 14.5 miles during Phase 1 and still nearly 10 miles in Phase 3. FEIR at 6.19-2.

As such, even at Project build-out, and even assuming the mixed-use Project captures lots of vehicle trips, nearly half of all car trips will be beyond the arbitrary 10 mile traffic study area. Moreover, the EIR appears not to analyze traffic related to construction of the Project at all. Given that the Project is expected to be constructed over 35 years, causing millions of tons of emissions from construction equipment, it is reasonable to assume that construction vehicles will cause serious traffic issues and will contribute significantly to local and regional traffic volumes, particularly in the early years of Project implementation. See FEIR at 6.3-86 (construction emissions). Delivery trucks clearly will not be driving only from adjacent areas and will not benefit from internal mixed uses, but will be bringing in supplies from farther away. The EIR is faulty for not analyzing construction-related vehicle trips.

Likewise, the DEIR admits that "Travertine Point is needed to supply housing, jobs, and services to the future and growing supply chain logistical center to the north – and the nearby facilities for future green technologies of renewable energy that currently exists and will be built all around the Salton Sea." p. 66 of FEIR RTC, response 5-2 to EHL; see also p. 7 of FEIR RTC to SMW Aug 10, 2011 letter ("it is likely that increasing numbers of jobs in this [clean energy] sector will also be available to residents of early project phases."). Thus, Project residents are expected to have jobs in the renewable energy centers to the south, yet these centers are all located farther than 10 miles away. For example, the nearby Truckhaven Geothermal Leasing Area is south of Salton City,

see Exhibit 3, yet the EIR only analyzes traffic impacts as far south as Salton City. FEIR Figure 6.19-3; see also FEIR, Appendix 6.3j, p. ES-2 (geothermal areas are at the south end of the Sea). All of the other energy projects listed above in the cumulative impact comment are also beyond the 10 mile radius.

Moreover, the EIR cannot rely on future construction of commercial areas within the 10 mile radius to justify its failure to analyze traffic impacts beyond 10 miles. The County cannot use future projected conditions as a baseline for analyzing the significance of project impacts to traffic. Rather, as the court in *Sunnyvale West Neighborhood Assn. v. City of Sunnyvale* (2010) 190 Cal.App.4th 1351, 1376 held, nothing in CEQA authorizes evaluating environmental impacts against predicted future conditions, and use of such a baseline “cannot be upheld . . . regardless whether the agency’s choice of methodology for projecting those future conditions is supported by substantial evidence.” *Id.* at 1380-81. Besides, future construction is speculative and might not occur, and the EIR must account for traffic impacts if it does not occur. Moreover, it is ironic that the EIR assumes for purposes of its traffic analysis that there will be massive growth between the Project site and the city of Coachella to the north, yet never analyzes these growth inducing impacts of the Project.

A simple glance at an area map shows that only a couple small to medium sized towns to the north of the Project can be reached without accessing I-10. Mecca, (with a population of 8000 or less: <http://www.city-data.com/city/Mecca-California.html>), Coachella (population 40,000: <http://www.city-data.com/city/Coachella-California.html>), and La Quinta (population 45,000: <http://www.city-data.com/city/La-Quinta-California.html>). Bizarrely, the FEIR assumes that people will use smaller surface streets (or future expressways) to reach the towns of Palm Desert and Rancho Mirage instead of using the I-10.

### **Growth-Inducing Impacts**

The EIR admits that the Project will induce growth, but fails to take the next step and analyze the probably location, extent, and impacts of that growth. It is therefore legally inadequate. See, e.g., *Stanislaus Audubon Soc’y, Inc. v. County of Stanislaus* (1995) 33 Cal.App.4th 144, 158; *City of Antioch v. City of Pittsburg* (1986) 187 Cal.App.3d 1325, 1338; *City of Davis v. Coleman* (9th Cir. 1975) 521 F.2d 661, 676. Though the County’s General Plan may have anticipated some of this growth, it did not anticipate this Project, or its growth-inducing potential. Thus, any reliance on the General Plan’s possible analysis of area growth does not cure the deficiency.

### **Other Issues Remain Unresolved**

The FEIR has not corrected many of the deficiencies previously identified by this firm. For example, although the FEIR now includes a little bit of analysis regarding the loss of agricultural land between the County's adoption of its General Plan in 2003 and the present, this information does not rectify our concern that the EIR understates the Project's cumulative impacts on agricultural land and open space. First, the FEIR only analyzes the loss of agricultural land that was designated under the Agricultural Foundation Element of the County's General Plan, and not all agricultural land. Second, the FEIR does not even attempt to quantify or describe the loss of non-agricultural open space land over the past 8 years.

Second, the County admits that Project impacts would be different if the Project was not completed or the Salton Sea was not restored, and asserts that the FEIR contains some analysis of impacts that would occur if the Project was not completed. However, that traffic impacts were analyzed for partial project completion just shows that other impact areas should similarly be analyzed. For example, could the Project still pay for the utilities it needs if only a portion of the Project was built? What would impacts to biological and cultural resources be if the Project is partially completed and the tribe never obtains sufficient funds to implement the fenceline monitoring mitigation, or the border fence is not built at all? Would impacts to water be different or more severe because some agricultural land would still be used for farming, thus using more water than the Project or for other reasons?

Also, the FEIR claims, with no supporting evidence, that the Project is still viable even if the Salton Sea is not restored. This claim flies in the face of the FEIR's statements that views of the Sea, and location alongside the Sea, are one of the main reasons for the Project. FEIR at 3.0-5 ("Because of the elevation and slope, the views to the sea are an asset to the site."); Why Here, Why Now ("this is one of the few Riverside County locations where the view potential of the Sea is magnificent."). Indeed, the whole purpose of the Project is to place a new city in what the County hopes will become the rejuvenated "Salton Riviera." The EIR never explains why tourists would flock to the hotel, golf course and casino, much less the marina, if the Sea is not restored and there are barren, toxic, dust-laden playas adjacent to the site. Though the EIR asserts that the Project is not contingent on Sea restoration, it provides no evidence to support this assertion.

Riverside County Clerk of the Board  
December 9, 2011  
Page 6

Very truly yours,

SHUTE, MIHALY & WEINBERGER LLP

*Sara L. Breckenridge*  
for  
Erin B. Chalmers

cc: Matt Straite

SHUTE, MIHALY  
& WEINBERGER LLP

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# EXHIBIT 1

# CUMULATIVE IMPACTS

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1 This section describes the cumulative impact assessment methodology, projects considered in the  
2 cumulative impact assessment, and potential cumulative impacts that would occur if these projects were  
3 implemented along with any one of the Species Conservation Habitat (SCH) Project alternatives.

## 4 4.1 CUMULATIVE IMPACT METHODOLOGY

5 The Council on Environmental Quality (40 Code of Federal Regulations [CFR] sections 1508.7 and  
6 1508.25[a][2]) and the California Environmental Quality Act (CEQA) Guidelines (14 California Code of  
7 Regulations [CCR] section 15130) require a reasonable analysis of the significant cumulative impacts of a  
8 proposed action. The Council on Environmental Quality's regulations implementing the National  
9 Environmental Policy Act (NEPA) define a "cumulative impact" as follows:

10 Cumulative impact is the impact on the environment which results from the incremental  
11 impact of the action when added to other past, present, and reasonably foreseeable future  
12 action regardless of what agency (Federal or non-Federal) or person undertakes such  
13 other actions. Cumulative impacts can result from individually minor but collectively  
14 significant actions taking place over a period of time (40 CFR section 1508.7).

15 The CEQA Guidelines define cumulative impacts similarly:

16 "Cumulative impacts" refers to two or more individual effects which, when considered  
17 together, are considerable or which compound or increase other environmental impacts.

18 (a) The individual effects may be changes resulting from a single project or a number of  
19 separate projects.

20 (b) The cumulative impact from several projects is the change in the environment which  
21 results from the incremental impact of the project when added to other closely related  
22 past, present, and reasonably foreseeable probably future projects. Cumulative impacts  
23 can result from individually minor but collectively significant projects taking place over a  
24 period of time (CCR section 15355).

25 In addition, CEQA Guidelines section 15130(a)(1) states:

26 As defined in section 15355, a cumulative impact consists of an impact which is created  
27 as a result of the combination of the project evaluated in the Environmental Impact  
28 Report (EIR) together with other projects causing related impacts. An EIR should not  
29 discuss impacts which do not result in part from the project evaluated in the EIR.

30 Furthermore, CEQA Guidelines section 15064(h)(4) states:



**SECTION 4.0**  
**CUMULATIVE IMPACTS**

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1           The mere existence of significant cumulative impacts caused by other projects alone shall  
2           not constitute substantial evidence that the proposed project's incremental effects are  
3           cumulatively considerable.

4           For the purposes of this Environmental Impact Statement/Environmental Impact Report (EIS/EIR),  
5           significant cumulative impacts would occur if the potential impacts related to SCH Project  
6           implementation, added to the impacts from other past, present, and reasonably foreseeable future projects  
7           in the region, would result in a significant effect. Federal, state, and local agencies and tribal governments  
8           with planning and regulatory authority in Imperial County were contacted to identify projects that may  
9           result in a cumulative impact. These projects then were examined for their potential to result in a  
10          cumulative impact when combined with the SCH Project. Projects included in the cumulative impact  
11          analysis were identified using a list approach and are those that could result in impacts on the same  
12          resources in the same geographic areas as the SCH Project alternatives. The general area that was  
13          considered in the cumulative impact analysis is limited to Imperial County. The geographic scope for  
14          each individual resource is described in Section 4.3.

15          **4.2           ANALYSIS OF CUMULATIVE IMPACTS BY PROJECT**

16          This section describes the projects included in the cumulative impact analysis, the status of their  
17          environmental documentation, and anticipated environmental impacts of those projects (identifying only  
18          those resources that also would be affected by the SCH Project alternatives). Cumulative projects are  
19          discussed in alphabetical order below.

20          **4.2.1        United States Army Corps of Engineers Section 404 Permit Projects**

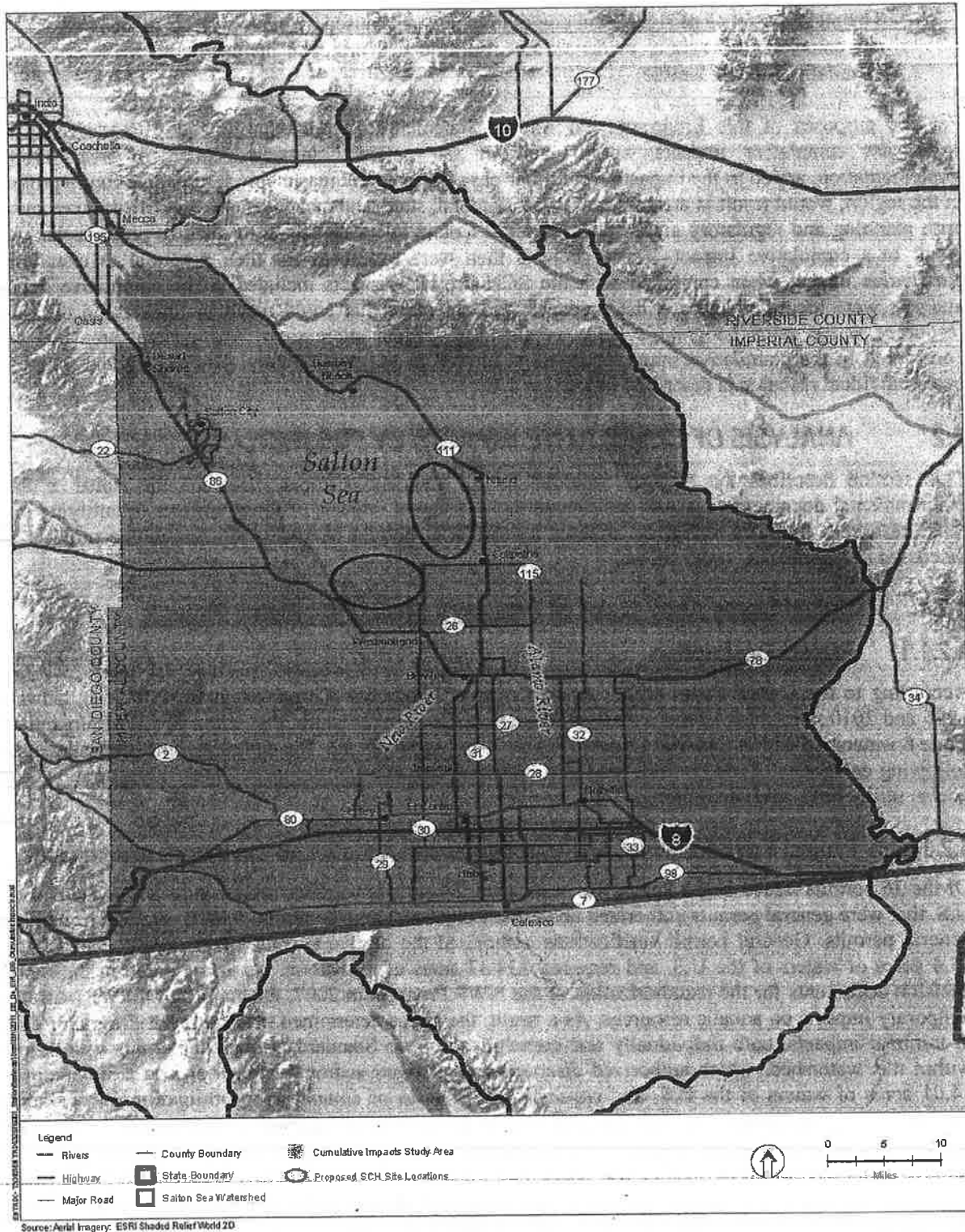
21          **4.2.1.1    Project Description**

22          According to the United States (U.S.) Army Corps of Engineers (Corps) database (ORM II), between  
23          1995 and 2010, the Corps issued a total of 36 section 404 permits within the Salton Sea Hydrologic Unit  
24          Code 8 watershed within Imperial County (Figure 4-1) (Appendix K). The authorizations issued are in the  
25          following categories: flood control, bank stabilization, recreation, restoration, linear transportation, boat  
26          docks, utility lines, and canal lining.

27          **4.2.1.2    Project Environmental Analysis Status and Anticipated Environmental Impacts**

28          Of the 36 permits issued in the Salton Sea watershed, 34 actions were for minor impacts to waters of the  
29          U.S. that were general permits authorized under the Corps' nationwide permit (NWP) program or regional  
30          general permits. General permit verifications authorized the discharge (placement) of fill material into  
31          57.4 acres of waters of the U.S. and required 134.37 acres of mitigation. As documented in the NEPA  
32          decision documents for the reauthorization of the NWP Program in 2007, the majority of NWPs result in  
33          temporary impacts on aquatic resources. As a result, the Corps determined that the NWP Program results  
34          in minimal impacts, both individually and cumulatively. Two Standard Individual Permits were issued  
35          within this watershed, which authorized discharges of dredged and/or fill material into a maximum of  
36          54.01 acres of waters of the U.S. and required 255.39 acres of compensatory mitigation (preservation,  
37          enhancement, restoration, and/or creation). Not including the proposed SCH Project, authorized impacts  
38          from all permits within the Salton Sea watershed issued since 1995 total 111.41 acres, with 389.7 acres of  
39          compensatory mitigation throughout the Salton Sea watershed. Within the HUC 8 watershed of the Salton  
40          Sea approximately a 3.5:1 compensatory mitigation to impact ratio was required.

SECTION 4.0  
CUMULATIVE IMPACTS



1

2

Figure 4-1 General Geographic Scope of Cumulative Impact Analysis

1 **4.2.2 Allied Imperial Landfill Expansion Project**

2 **4.2.2.1 Project Description**

3 Allied Imperial Landfill, a Class III nonhazardous solid waste landfill, is currently approaching capacity.  
4 Imperial Landfill, Inc. proposes to construct an 89-acre new cell to the west of the existing landfill and to  
5 increase the maximum height of the existing and new landfill to 130 feet. This proposed expansion would  
6 expand the life of the landfill to approximately 30 years. The Allied Imperial Landfill Expansion Project  
7 also includes "...redesign of the facility, addition of a public drop-off facility, relocation of the scale  
8 house, increased recycling operations, and use of offsite borrow sites to supply soil for landfill cover  
9 operations" (Imperial County Planning Commission 2010, pg. ES-1). The existing and proposed landfill  
10 is located on Imperial County Assessor's Parcel Number 044-030-006-000, which is in an unincorporated  
11 area of Imperial County, south of Neckel Road, east of Dogwood Road, north of Robinson Road, and  
12 northeast of the city of Imperial.

13 **4.2.2.2 Project Environmental Analysis Status and Anticipated Environmental Impacts**

14 Imperial County Planning Commission issued the Final EIR for the Allied Imperial Landfill Expansion  
15 Project in March 2010 and published a Notice of Determination approving the project on September 23,  
16 2010. The project would result in a variety of significant impacts, which would be mitigated to less-than-  
17 significant levels. These impacts would include: aesthetics (degradation of visual character in an area of  
18 20 homes within 0.5 mile of the project site; requirement of new aircraft safety lights); air quality  
19 (operations would contribute to increases in regional emissions of nitrogen oxides [NO<sub>x</sub>], particulate  
20 matter 10 microns or smaller in diameter [PM<sub>10</sub>], and particulate matter 2.5 microns or smaller in  
21 diameter [PM<sub>2.5</sub>]); biological resources (native birds impacts due to construction and permanent habitat  
22 loss); cultural resources (construction could affect previously unidentified cultural sites, human remains,  
23 and paleontological sites); hazards and hazardous materials (excavations could uncover  
24 impacted/contaminated soils); noise (noise by activity on the working face of the landfill; noise by green  
25 waste processing; noise by construction, demolition, and inert debris facility processing; and noise from  
26 heavy earthmoving equipment operation); public services and recreation (impacts on the available water  
27 supply for sustained response by the fire department); and traffic (increase in traffic on surrounding roads  
28 due to increased hauling; inadequate emergency access) (Imperial County Planning Commission 2010).

29 **4.2.3 Black Rock 1, 2, and 3 Geothermal Power Project (formerly Salton Sea Unit 6**  
30 **Power Project)**

31 **4.2.3.1 Project Description**

32 CE Obsidian Energy, LLC (Applicant) currently possesses a license with the California Energy  
33 Commission (CEC), issued in December 2003, to construct a 185-megawatt (MW) geothermal generating  
34 plant designated as Salton Sea Unit 6 on an 80-acre site adjacent to the Sea's southern shore in Imperial  
35 County, California. This original license was amended in May 2005 to allow the plant to increase its  
36 capacity to 215 MW. The Applicant petitioned, and the CEC subsequently granted, an extension to the  
37 Salton Sea Unit 6 license, making it effective until December 18, 2011 (CEC 2009).

38 On March 13, 2009, the Applicant filed a Petition for Major Amendment with the CEC to allow for the  
39 construction of three smaller geothermal plants totaling 159 MW net of generating capacity instead of the  
40 originally proposed 185 MW and 215 MW projects. This amended project is known as Black Rock 1, 2,  
41 and 3 Geothermal Power Project (Black Rock Project). Both the 185 MW and 215 MW projects  
42 previously proposed using multiple flash geothermal power-generating technology, while the Black Rock  
43 Project proposes using single flash technology, which requires less facility infrastructure and produces  
44 less waste compared to multiple flash technology (CEC 2009).

1 The Black Rock Project is within the Salton Sea Known Geothermal Resource Area, which extends from  
2 about Bombay Beach to Calipatria. The three units proposed for the Black Rock Project would be co-  
3 located on the same site as the original Salton Sea Unit 6 project and would share various common  
4 auxiliary facilities. The site is currently used for agriculture and surrounding land uses include existing  
5 geothermal power facilities, agriculture, and Sonny Bono Salton Sea National Wildlife Refuge. The  
6 Salton Sea Unit 6 project site was composed of an 80-acre site bounded on the north by McKendry Road,  
7 on the east by Boyle Road, on the west by Severe Road, and on the south by Peterson Road. The Black  
8 Rock Project would include an additional 80 acres adjacent to the south, plus the original 80-acre site.  
9 Part of the additional 80 acres was used for construction support in the original Salton Sea Unit 6 project.  
10 The three Black Rock Project power plants would be situated generally in the middle of the site with  
11 production well pads on the site's northern, western, and southern perimeters (CEC 2009).

12 The Black Rock Project is currently on hold because the CEC is still reviewing the Major Amendment  
13 proposed in March 2009. The Major Amendment is expected to be approved by the mid 2011 with  
14 construction of the Black Rock Project planned to begin in the end of 2011 (personal communication, D.  
15 Rundquist 2010).

#### 16 4.2.3.2 Project Environmental Analysis Status and Anticipated Environmental Impacts

17 Environmental documents for the proposed Major Amendment have not been completed to date. However  
18 in 2003, the Applicant prepared an Application for Certification for the Salton Sea Unit 6 project, which  
19 is assumed to have similar anticipated environmental impacts as the Black Rock Project. Construction of  
20 the Black Rock Project would result in a variety of short-term construction impacts related to air quality,  
21 soils/geologic hazards, water quality/erosion, biological resources, cultural resources, paleontological  
22 resources, land use, and traffic and transportation. All of these impacts would be mitigated to less-than-  
23 significant levels. However, this project would have a beneficial impact on socioeconomics in Imperial  
24 County (California Department of Water Resources [DWR] and California Department of Fish and Game  
25 [DFG] 2007).

#### 26 4.2.4 Chocolate Mountains Solar Farm

##### 27 4.2.4.1 Project Description

28 The Chocolate Mountains Solar Farm project is a 49.9 MW utility-scale photovoltaic (PV) solar power  
29 plant that would generate enough electricity to power over 20,000 households. This project's two optional  
30 PV solar panel setups include (1) between 260,000 and 320,000 nonreflective PV panels mounted  
31 together (nontracking), standing about 6 to 7 feet in height, and tilted 25 degrees from horizontal to the  
32 south; (2) between 160,000 and 210,000 nonreflective PV panels mounted together on a single axis  
33 tracking system, standing about 12 to 15 feet in height, and tilted between 20 and 25 degrees from  
34 horizontal to the south (CEQAnet 2010a). The Chocolate Mountains Solar Farm is located on 320 acres  
35 of land in the foothills of Imperial County's Chocolate Mountains, east of the Salton Sea, northwest of  
36 Niland, and southeast of Wister.

##### 37 4.2.4.2 Project Environmental Analysis Status and Anticipated Environmental Impacts

38 A Mitigated Negative Declaration (MND) was prepared for Imperial County Planning and Development  
39 Services Department in June 2010. Currently, the Chocolate Mountains Solar Farm project is in advanced  
40 permitting and engineering stages, and is targeted to be operational in 2012 (8minutenergy Renewables,  
41 LLC 2011).

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1 **4.2.5 Desert Springs Resort Specific Plan**

2 **4.2.5.1 Project Description**

3 The Desert Springs Resort Specific Plan would be a master planned outdoor desert recreational resort  
4 community on approximately 1,105 acres of undeveloped land in an unincorporated area of Imperial  
5 County, northwest of El Centro, California. Specifically, the Specific Plan area is located northwest of the  
6 intersection of Boley Road and Westmorland Road, and adjacent to the Westside Main Canal. This  
7 community would include up to 411 water sport lots, up to 792 recreational vehicle lots, up to 22 estate  
8 lots, up to 150 vacation villas, and up to 100 garage villas. A series of interconnecting lakes and navigable  
9 waterways would connect the residential units with other resort features: a clubhouse with a restaurant  
10 and pool, a boat dock, spa facilities, satellite recreational facilities, open space, and an executive golf  
11 course. The last major feature of this master planned community would be a racetrack/road course, which  
12 would include a garage pit area, commercial lots, retail/food court, and road course administration  
13 facilities. The Desert Springs Resort is scheduled to open in 2015 (County of Imperial 2010a).

14 **4.2.5.2 Project Environmental Analysis Status and Anticipated Environmental Impacts**

15 BRG Consulting, Inc. prepared a Draft EIR for the Desert Springs Resort Specific Plan for the County of  
16 Imperial in May 2010. No significant unavoidable environmental impacts associated with the construction  
17 and operations of the project were identified in the Draft EIR. The following resource areas were found to  
18 have significant impacts as a result of construction, occupancy, and operation of the proposed project, but  
19 by implementing the proposed mitigation measures, these impacts would be reduced to less-than-  
20 significant levels: air quality (fugitive dust and PM<sub>10</sub> emissions during grading/operational phases  
21 contribute to air quality impacts; aggregate operational exceedance emissions in carbon monoxide, NO<sub>x</sub>,  
22 and reactive organic gases); agricultural resources (conversion of existing farmlands to other uses and the  
23 permanent loss of 539 acres of Prime Farmland and Farmland of Statewide Importance); biological  
24 resources (direct permanent impacts on western burrowing owls from vegetation community disturbance);  
25 cultural resources (an archaeological site is on the project site that is eligible for inclusion in the  
26 California Register of Historic Resources); geology/soils (project site is potentially subject to surface  
27 rupture/faulting; potential for liquefaction on southeastern flank of site; site underlain by clays of  
28 moderate to high expansion potential; potential for differential settlement on the project site; and  
29 construction would result in wind- and water-driven erosion of soils); hazards and hazardous materials  
30 (asbestos in on-site underground irrigation pipes; contamination from pesticides and herbicides from  
31 legacy farming operations on-site; miscellaneous debris/burnt debris on project site indicates the  
32 potential presence of dioxin; and significant staining from oil around an on-site trailer was observed);  
33 hydrology and water quality (short-term impact on surface water quality); noise (interior noise levels of  
34 residential units would increase); public services and utilities (increased demand for fire safety-related  
35 services; and generation of additional students going to existing schools in area); and traffic and  
36 transportation (adding additional lanes) (County of Imperial 2010a).

37 **4.2.6 East Brawley Geothermal Development Project**

38 **4.2.6.1 Project Description**

39 The East Brawley Geothermal Development Project is proposed to be located north of the City of  
40 Brawley, east of State Route 111, north of State Route 78, directly west of Dietrich Road, directly south  
41 of Rutherford Road, and east of the New River. Although the geothermal plant is proposed to be located  
42 on 33.7 acres, the area containing the geothermal wells and pipelines that would connect to the plant  
43 covers approximately 3,033 acres (County of Imperial 2011). This project proposes to construct a new  
44 49.9 MW power plant containing up to six Ormat Energy Converters (16 MW gross each), approximately  
45 36 total geothermal wells (half for injection and half for production), and a substation with a 2-mile long  
46 double-circuit 13.8 and 92 kilovolt transmission line, which would interconnect at the North Brawley 1

1 Geothermal Power Plant's substation (County of Imperial 2011). In addition, this project would include a  
2 pipelines to carry geothermal brine to the power plant, pipelines to carry cooled brine to injection wells,  
3 pipelines to distribute noncondensable gas from production wells to the power plant area and injection  
4 wells, and a water pipeline to bring water from Imperial Irrigation District's (IID's) Rockwood Canal to  
5 the power plant for cooling water (County of Imperial 2011).

#### 6 **4.2.6.2 Project Environmental Analysis Status and Anticipated Environmental Impacts**

7 The County of Imperial published a Draft EIR in March 2011. No significant unavoidable environmental  
8 impacts associated with the construction and operations of the project were identified in the Draft EIR.  
9 The following resource areas were found to have significant or potentially significant impacts as a result  
10 of construction, occupancy, and operation of the proposed project, but by implementing the proposed  
11 mitigation measures, these impacts would be reduced to less-than-significant levels: aesthetics (introduce  
12 new sources of light and glare, resulting in an increase in ambient light and glare levels); air quality  
13 (construction would result in short-term emissions of criteria air pollutants from construction equipment  
14 operation and soil disturbances; and project operations would result in long-term emissions of criteria air  
15 pollutants from mobile and area sources, and in low levels of hazardous air pollutant emissions in the  
16 vicinity of the project site); biological resources (direct and indirect loss of habitat and individuals of  
17 plant and animal species of endangered, threatened, rare, proposed, and candidate status, as well as  
18 species of concern, listed as "fully protected" in the California Fish and Game Code [i.e., southwestern  
19 willow flycatcher, western burrowing owl, Sierra Nevada red fox, American badger, California  
20 wolverine, riparian habitat and Federally protected wetlands]); cultural resources (impacts on prehistoric  
21 resources or undiscovered paleontological resources within project boundaries); geology/soils (project site  
22 is located in a seismically active area; construction would result in soil erosion and loss of topsoil; and  
23 site underlain by clays of moderate to high expansion potential); hazards and hazardous materials  
24 (construction and operation of the project would result in use, storage, and disposal of hazardous  
25 materials); hydrology and water quality (construction and build-out of the project would result in  
26 accelerated erosion and sedimentation to local waterways; construction and build-out would result in an  
27 increase in impervious surfaces and structures, which would result in an increase in runoff and pollutants  
28 to local waterways, possibly exceeding existing stormwater capacity); land use (project would  
29 temporarily increase the intensity of land use and would place industrial development in an  
30 unincorporated area of Imperial County that is predominantly agriculture); and public services (increased  
31 demand for fire protection services over existing levels) (County of Imperial 2011).

#### 32 **4.2.7 Imperial Solar Energy Center South**

##### 33 **4.2.7.1 Project Description**

34 The Imperial Solar Energy Center South project would include the construction and operation of a 200  
35 MW ground-mounted PV solar power generating system, supporting structures, an operations and  
36 maintenance building, a substation, a water treatment facility, a plant control system, a meteorological  
37 station, roads, and fencing. This project would be developed on 946.6 acres of privately owned,  
38 undeveloped and agricultural land (United States [U.S.] Bureau of Land Management [BLM] and County  
39 of Imperial 2010a). This PV solar power generating system would transfer its electricity to the Imperial  
40 Valley Substation via 230-kilovolt transmission lines. An approximately 5-mile-long, 120-foot-wide  
41 right-of-way would be established from the project site, along BLM land, to the existing Imperial Valley  
42 Substation (CEQAnet 2010b). Imperial Solar Energy Center South would be located in an unincorporated  
43 area of Imperial County near the intersection of Pullman and Anza roads, approximately 10 miles west of  
44 Calexico, immediately north of the United States-Mexico international border, and directly adjacent to the  
45 All-American and Westside Main canals (BLM and County of Imperial 2010a).



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1 **4.2.7.2 Project Environmental Analysis Status and Anticipated Environmental Impacts**

2 Imperial County Planning and Development Services Department published an NOP to prepare an EIR in  
3 June 2010. The NOP states that a corresponding NEPA environmental assessment (EA) will be prepared  
4 to address the Applicant's proposed 120-foot right-of-way along BLM land (Imperial County Planning  
5 and Development Services Department 2010a). BRG Consulting, Inc. prepared a Draft EIR/EA for  
6 Imperial Solar Energy Center South for BLM and the County of Imperial by in December 2010. No  
7 significant unmitigable environmental impacts associated with the construction and operations of the  
8 proposed project were identified in the Draft EIR/EA. The following resource areas were found to have  
9 significant impacts as a result of construction, occupancy, and operation of the proposed project, but by  
10 implementing the proposed mitigation measures, these impacts would be reduced to less-than-significant  
11 levels: air quality (NO<sub>x</sub> emissions would present an air quality impact during the project  
12 grading/clearing/hauling phases); agricultural resources (conversion of existing farmlands to other  
13 nonagricultural uses would result in a permanent loss of 478.9 acres of Prime Farmland and 341.8 acres  
14 of Farmland of Statewide Importance); biological resources (permanent impact on 847.1 acres of  
15 vegetation communities and a temporary impact on 857 acres of vegetation communities; western  
16 burrowing owl impacts during construction and operation; flat-tailed horned lizard impacts during  
17 construction and operations; nesting raptor impacts if construction occurs during breeding season;  
18 migratory bird impacts if construction occurs during breeding season; and impacts during construction on  
19 streambeds under the jurisdiction of DFG, associated vegetation, Regional Water Quality Control Board  
20 waters of the state, and waters of the United States [U.S.]); cultural resources (two previously recorded  
21 archaeological sites are located on the project site, and seven adjacent archaeological sites that may be  
22 affected by runoff, etc., during construction); geology/soils and mineral resources (site is underlain by  
23 expansive soils; the four conditions for liquefaction all occur on the project site; there is the potential for  
24 corrosive soils on the project site; there is potential for differential settlement on the project site; and  
25 water-driven erosion of soils during construction would occur); health, safety and hazardous materials/fire  
26 and fuels management (miscellaneous debris/burnt debris located on the project site; and the use of  
27 herbicides for weed control during construction and operation would potentially impact health and  
28 safety); paleontological resources (project site potentially overlays undiscovered paleontological  
29 resources, which could be uncovered during construction); and transportation and circulation (there would  
30 be an increase in traffic in the area during construction) (BLM and County of Imperial 2010b).

31 **4.2.8 Imperial Solar Energy Center West**

32 **4.2.8.1 Project Description**

33 The Imperial Valley Solar Energy Center West project would include the construction and operation of a  
34 250 MW ground-mounted PV solar power generating system, supporting structures, an operations and  
35 maintenance building, a substation, a water treatment facility, a plant control system, a meteorological  
36 station, roads, and fencing. This project would be developed on 1,130 acres of privately owned,  
37 economically unviable agricultural land (BLM and County of Imperial 2010b). Similar to Imperial Solar  
38 Energy Center South, this project would transfer its electricity to the Imperial Valley Substation via 230-  
39 kilovolt transmission lines. An approximately 5-mile-long, 120-foot-wide right-of-way would be  
40 established from the project site, along BLM land, to the Imperial Valley Substation (CEQAnet 2010c).  
41 Imperial Solar Energy Center West would be located in an unincorporated area of Imperial County to the  
42 north and south of Interstate 8, east of Reynolds Road, and west of the Westside Main Canal (BLM and  
43 County of Imperial 2010b).

44 **4.2.8.2 Project Environmental Analysis Status and Anticipated Environmental Impacts**

45 Imperial County Planning and Development Services Department published a NOP to prepare an EIR in  
46 June 2010. The NOP states that a corresponding NEPA EA will be prepared to address the Applicant's

1 proposed 120-foot right-of-way along BLM land (Imperial County Planning and Development Services  
2 Department 2010b). BRG Consulting, Inc. prepared a Draft EIR/EA for Imperial Solar Energy Center  
3 West for BLM and the County of Imperial in November 2010. No significant unavoidable environmental  
4 impacts associated with the construction and operations of the proposed project were identified in the  
5 Draft EIR/EA. The following resource areas were found to have significant impacts as a result of  
6 construction, occupancy, and operation of the proposed project, but by implementing the proposed  
7 mitigation measures, these impacts would be reduced to less-than-significant levels: air quality (NO<sub>x</sub>  
8 emissions would present an air quality impact during the project grading/clearing/hauling phases);  
9 agricultural resources (conversion of existing farmlands to other nonagricultural uses would result in a  
10 permanent loss of 1,048.4 acres of Farmland of Local Importance); biological resources (permanent  
11 impact on 1,078.3 acres of vegetation communities and a temporary impact on 1,085.2 acres of vegetation  
12 communities; western burrowing owl impacts during construction and operation; flat-tailed horned lizard  
13 impacts during construction and operations; nesting raptor impacts if construction occurs during breeding  
14 season; migratory bird impacts if construction occurs during breeding season; and impacts during  
15 construction on U.S. Army Corps of Engineers jurisdictional waters, DFG streambeds and associated  
16 vegetation, Regional Water Quality Control Board waters of the state, and waters of the U.S.); cultural  
17 resources (three newly identified archaeological sites are located on the project site, and 11 adjacent  
18 archaeological sites may be affected by runoff during construction); geology/soils and mineral resources  
19 (site is underlain by expansive soils; there is potential for corrosive soils on the project site; and the  
20 potential for water-driven erosion of soils during construction); health, safety and hazardous materials  
21 (miscellaneous debris/burnt debris located on the project site; and the use of herbicides for weed control  
22 during construction and operation would potentially impact health and safety); hydrology and water  
23 quality (impacts from urban nonpoint source pollution during construction and post-construction  
24 activities; and 0.5 acre of U.S. Army Corps of Engineers jurisdictional resources and 7.2 acres of DFG  
25 jurisdictional resources would be affected during construction); paleontological resources (project site  
26 potentially overlays undiscovered paleontological resources, which could be uncovered during  
27 construction); and transportation and circulation (increase in traffic in the area during construction) (BLM  
28 and County of Imperial 2010b).

#### 29 **4.2.9 Imperial Valley Solar Company 1 Photovoltaic Solar Facility**

##### 30 **4.2.9.1 Project Description**

31 Imperial Valley Solar Company 1, LLC (Applicant) proposes to develop a 23 MW alternating current PV  
32 energy facility on a 123-acre site currently owned by IID. Annually, this project is expected to generate  
33 approximately 46,000 MW-hours of electricity, which would be delivered by a 2,400-foot-long, 13.2-  
34 kilovolt, overhead transmission line to the existing IID Niland Substation located approximately 20 feet  
35 from the southwestern boundary of the project site. Construction of this project is expected to last 6  
36 months. Per a long-term power purchase agreement, IID would purchase all of this project's output. This  
37 project would be located in an unincorporated area of Imperial County east of Niland, west of Cuff Road,  
38 and east of Wilkins Road (County of Imperial 2010b).

##### 39 **4.2.9.2 Project Environmental Analysis Status and Anticipated Environmental Impacts**

40 An MND was prepared for Imperial County Planning and Development Services Department in  
41 September 2010. Environmental impacts discussed in the MND include impacts on  
42 archaeological/historical resources and wildlife, but by implementing the proposed mitigation measures,  
43 these impacts would be reduced to less-than-significant levels. Specifically, impacts on biological  
44 resources would include impacts on burrowing owls and their associated habitat, and impacts on  
45 archaeological/historical resources would include the presence of one prehistoric archaeological resource  
46 within the project area that is potentially eligible for the California Register of Historic Resources  
47 (County of Imperial 2010b).



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1 **4.2.10 Imperial Valley Solar, LLC Project (formerly SES Solar Two) and Amendment to**  
2 **the California Desert Conservation Area Land Use Management Plan**

3 **4.2.10.1 Project Description**

4 In June 2008, Stirling Energy System submitted an Application for Certification to the CEC for the  
5 construction of a 750 MW solar energy facility on an approximately 6,500-acre project site in Imperial  
6 County. The site is 14 miles west of El Centro and 4 miles east of Ocotillo. Approximately 30,000 25-  
7 kilowatt solar dish Stirling systems and associated infrastructure comprise the primary equipment for the  
8 generating facility. In the approximate center of the site, a new 230-kilovolt substation would be  
9 constructed and connect to the San Diego Gas and Electric Imperial Valley Substation via a 10.3-mile-  
10 long, double-circuit, 230-kilovolt transmission line. In addition, a water supply pipeline would be  
11 constructed to transport water to the project site from an off-site water treatment plant near the  
12 unincorporated area of Imperial County known as Seeley. Construction of the approved 709 MW project  
13 would begin in 2011 and would take approximately 40 months to complete. However, as each 60-unit  
14 group of Stirling Energy Systems engine modules is completed, power would be available to the  
15 electricity grid.

16 **4.2.10.2 Project Environmental Analysis Status and Anticipated Environmental Impacts**

17 The BLM published a Notice of Intent for this project on October 17, 2008, the CEC found the  
18 Application for Certification data adequate on October 8, 2009, and BLM published a Notice of  
19 Availability of the Draft EIS on February 12, 2010, and a Notice of Availability of the Final EIS on July  
20 28, 2010. The CEC approved the Application for Certification on September 29, 2010, and BLM issued a  
21 Record of Decision on October 5, 2010. The Imperial Valley Solar (IVS) project would result in a variety  
22 of unavoidable adverse environmental impacts, even after mitigations are implemented. These impact  
23 areas would include biological resources (flat-tailed horned lizard), cultural resources, land use (loss of  
24 recreational land/open space), recreation, and visual resources (conversion of natural desert landscape to  
25 an industrial landscape). Impacts mitigated to less-than-significant levels would include impacts on  
26 biological resources, paleontological resources, noise, hydrology, water use (implementation of the  
27 Seeley Waste Water Treatment Plant [SWWTP] upgrades would reduce water use impacts), and water  
28 quality (BLM 2010a).

29 The IVS project plans to obtain its water supply for construction and operations from the SWWTP, which  
30 is currently undergoing the EIR process through Imperial County for an upgrade to the plant to ensure  
31 that it can meet the long-term needs of the IVS project. According to the IVS Final EIS, upgrades to the  
32 SWWTP would not be completed in time for the construction of the IVS project. Therefore, Dan Boyer  
33 Water Company in Ocotillo would provide water for the first six months of construction, but not to  
34 exceed 36 months. Upon completion of the SWWTP upgrades, an average of 33,550 gallons per day  
35 (gpd), and a maximum of 200,000 gpd would be transferred to the IVS project, which corresponds to  
36 approximately 0.05 and 0.31 cubic foot per second (cfs), respectively. This rerouted water would  
37 normally be discharged from the SWWTP to the New River, which eventually discharges to the Salton  
38 Sea. The IVS Final EIS states that, "A reduction of 0.05 to 0.31 cfs to the New River discharge is 0.03 to  
39 0.16 percent of the total [discharge] and would not have a material effect on water quantity of the river"  
40 (BLM 2010a, pg. 4.17-25).

1 **4.2.11 Metropolitan Water District of Southern California's New and Alamo Rivers Water**  
2 **Rights Applications**

3 **4.2.11.1 Project Description**

4 On November 7, 1997, Metropolitan Water District of Southern California (Metropolitan) filed  
5 Application 30661 with the State Water Resources Control Board (SWRCB), requesting a permit to divert  
6 water from the Alamo River and unnamed drains tributary to the Alamo River. The application requests a  
7 maximum direct diversion of 800 cfs and a maximum annual use of 475,000 acre-feet. The purposes of  
8 use specified in the application include municipal, industrial, irrigation, and fish and wildlife protection  
9 and/or enhancement. This application is still pending with the SWRCB (DWR and DFG 2007).

10 Metropolitan prepared an analysis of the availability of unappropriated water from the Alamo River and  
11 unnamed drains tributary to the Alamo River in 2004 (Metropolitan 2004, as cited in DWR and DFG  
12 2007). The report identified two alternative ways for Metropolitan to use the water. One alternative would  
13 include an exchange of Colorado River water for Alamo River water with Coachella Valley Water  
14 District (CVWD). The second alternative would provide delivery of the water to the Colorado River  
15 Aqueduct for use by Metropolitan. Under both alternatives, the water would need to be treated by  
16 desalination prior to use (DWR and DFG 2007).

17 On September 23, 2004, Metropolitan filed Application 31431 with the SWRCB, requesting a permit to  
18 divert water from the New River and irrigation drains tributary to the New River. The application requests  
19 a maximum direct diversion of 700 cfs and a maximum annual use of 433,400 acre-feet. This application  
20 is still pending with the SWRCB (DWR and DFG 2007).

21 This project would consist of construction of diversion works on the New River, desalination and  
22 treatment facilities, and a conveyance system to deliver the water. The first option for delivery of treated  
23 water would be through a conveyance system directly to the Colorado River Aqueduct or to IID and  
24 CVWD through the Coachella Canal and other local irrigation works. Under the second delivery option,  
25 IID and/or the CVWD would exchange an equivalent amount of their Colorado River water for the  
26 desalted New River water (DWR and DFG 2007).

27 **4.2.11.2 Project Environmental Analysis Status and Anticipated Environmental Impacts**

28 Environmental documents for this project have not been completed to date. Diversion of water from the  
29 New and Alamo rivers has the potential to result in both temporary construction-related impacts and long-  
30 term impacts. Temporary impacts could include impacts on biological resources, cultural resources, and  
31 water resources due to construction of treatment and desalination plants and related conveyance facilities.  
32 Long-term impacts would include reduction in flows in the New and Alamo rivers, water quality impacts  
33 in the New and Alamo rivers, reduced inflows to the Salton Sea, and impacts on water quality in the  
34 Salton Sea. Long-term impacts could also include impacts on biological resources in both the New and  
35 Alamo rivers and the Salton Sea due to reduced flow/inflows and changing water quality (DWR and DFG  
36 2007). Quantification Settlement Agreement mitigation water will terminate in 2017, thereby  
37 compounding the potential impact of reduced flows pursuant to Metropolitan's extraction of water from  
38 the New and Alamo rivers (refer to Section 1 for additional discussion of this agreement).

39 **4.2.12 Seeley County Wastewater Treatment Plant Upgrade Project**

40 **4.2.12.1 Project Description**

41 The Seeley County Wastewater Treatment Plant Upgrade Project would consist of an upgrade to an  
42 existing wastewater treatment facility immediately east of the New River along the western boundary of  
43 the unincorporated community of Seeley in Imperial County. The upgrade would ensure that the new

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1 wastewater treatment plant is in compliance with Title 22 standards; specifically, the effluent would be  
2 suitable for unrestricted recycled uses and for discharge into the New River. The treatment plant's current  
3 capacity is 250,000 gpd, and in 2008, discharged approximately 112,000 gpd into the New River. The  
4 plant currently has a 2-acre primary treatment pond, two 0.12-acre "reactor" ponds, and three 0.14-acre  
5 sedimentation ponds. The proposed plant upgrades include modifying two existing treatment ponds to  
6 allow an extended aeration activated sludge process, adding microfiltration and ultraviolet disinfection,  
7 converting two existing treatment ponds to in-ground earthen basins with the capacity to store up to  
8 300,000 gallons of Title 22 recycled water, installing a new backup generator, and installing and  
9 upgrading existing underground piping (Seeley County Water District 2010).

10 **4.2.12.2 Project Environmental Analysis Status and Anticipated Environmental Impacts**

11 Environmental documents for this project have not been completed to date. According to Seeley County  
12 Water District (2010), probable environmental impacts would most likely be in the areas of water quality,  
13 biology, air quality, noise, and growth inducement. Specifically, "The EIR...will address impacts of  
14 ceasing discharge through the unlined channel to the New River (pg. 3)." As mentioned above in the  
15 discussion of the IVS Project, the upgrades to this wastewater treatment plant would provide up to  
16 200,000 gpd to the IVS Project. This diverted water would otherwise be discharged into the New River  
17 and eventually flow to the Salton Sea.

18 **4.2.13 Travertine Point Specific Plan**

19 **4.2.13.1 Project Description**

20 Black Emerald, LLC (Applicant) proposed the Travertine Point Specific Plan (Travertine Point), which  
21 was prepared in consultation with the Torres Martinez Desert Cahuilla Indian Tribe. Travertine Point  
22 would master plan a mixed-use community on both tribal and nontribal lands within the specific plan area  
23 on the Salton Sea's northwestern shore, south of the community of Oasis, and northeast of Anza-Borrego  
24 Desert State Park. The proposed specific plan area is 4,918 acres, 3,508 acres of which is nontribal land.  
25 3,938 acres of land is located in Riverside County and 980 acres of land is located in Imperial County.  
26 Travertine Point would include four districts, with the following land uses: a town center, a marina, a  
27 resort/casino, a cultural preserve and living desert, residential neighborhoods, regional and local  
28 commercial retail, 1,525 acres of open space and recreational areas, schools, and public services and  
29 facilities. Project construction is expected to take place in a time span of 35 years, with initial  
30 development commencing in 2016 (Riverside County Planning Department 2010).

31 **4.2.13.2 Project Environmental Analysis Status and Anticipated Environmental Impacts**

32 The Riverside County Planning Department prepared a Revised Draft EIR in November 2010. The  
33 Travertine Point Specific Plan project would result in a variety of significant and unavoidable impacts,  
34 even after mitigations are implemented. These impacts would include aesthetics (impacts on views from  
35 the Salton Sea, Travertine Rock, and the Santa Rosa and San Jacinto Mountains National Monument;  
36 damage to the existing visual character of the site, if deemed to be of value; an increase in light and glare  
37 compared to current conditions; and existing residences would experience an increase in nighttime  
38 lighting and glare); agricultural resources (a loss of 1,559 acres of Prime Farmland, 1,553 acres of Unique  
39 Farmland, and 362 acres of Farmland of Local Importance would be incurred); air quality (construction  
40 and operations would exceed thresholds for volatile organic compounds, NO<sub>x</sub>, carbon monoxide, PM<sub>10</sub>,  
41 and PM<sub>2.5</sub>; project would conflict with implementation of South Coast Air Quality Management District's  
42 and Imperial County Air Pollution Control District's (ICAPCD's) air quality management plans; sensitive  
43 populations residing at project site could experience more serious adverse health impacts due to long-term  
44 high levels of ozone (O<sub>3</sub>), volatile organic compounds, PM<sub>10</sub>, and PM<sub>2.5</sub>; expose workers to fugitive dust  
45 [valley fever and Hantavirus]; operations would generate more diesel-fueled truck trips leading to

1 emissions of diesel particulate matter; and the Salton Sea would be a source of adverse odors during  
2 project operations); cultural resources (operations would lead to increased human intrusion into areas  
3 containing cultural resources); greenhouse gases (GHGs) (at buildout, the project would increase the  
4 amount of emissions from the existing baseline by over 237,000 metric tons of carbon dioxide equivalents  
5 per year; and the project would potentially impede California's ability to comply with Assembly Bill 32  
6 and with the region's ability to meet the regional land use planning GHG reduction targets under Senate  
7 Bill 375); land use and planning (project would induce an incremental loss of open space in Riverside and  
8 Imperial counties); noise (off-site roadways would experience noise level increases above five A-  
9 weighted decibels; and construction equipment operation near sensitive receptors could result in vibration  
10 levels above 0.01 inch/second [including at on-site receptors that were constructed during earlier project  
11 construction phases]); public services – parks and recreation (indirect impacts to off-site areas from the  
12 intrusion of humans, pets, and motorized vehicles in sensitive areas); and transportation/traffic (during  
13 phased construction, some intersections could operate at unacceptable levels of service). Impacts  
14 mitigated to less-than-significant levels would include impacts on biological resources, geology and soils,  
15 hazards and hazardous materials, population and housing, public services (fire protection, law  
16 enforcement, education, libraries, and medical services), and utilities (Riverside County Planning  
17 Department 2010).

#### 18 **4.2.14 Truckhaven Geothermal Leasing Area**

##### 19 **4.2.14.1 Project Description**

20 Truckhaven Geothermal Leasing Area encompasses a total of 14,731 acres in western Imperial County,  
21 north of State Route 78, west of State Route 86, south of County Highway S-22, east of Anza Borrego  
22 Desert State Park, and overlaps portions of Ocotillo Wells State Vehicular Recreation Area (BLM 2007).  
23 The action associated with this project is the decision of whether or not BLM-managed lands within  
24 Truckhaven Geothermal Leasing Area should be leased for geothermal development.

##### 25 **4.2.14.2 Project Environmental Analysis Status and Anticipated Environmental Impacts**

26 After review of a Final EIS, BLM issued a Record of Decision to lease all BLM-managed lands, totaling  
27 14,731 acres, within Truckhaven Geothermal Leasing Area (BLM 2008). The issuance of geothermal  
28 leases has no direct impacts because it does not grant the lessee the right to explore for or develop  
29 geothermal resources if such activities require surface disturbance or other extensive operations. However,  
30 indirect environmental impacts are assumed as leasing represents that exploration, development, and  
31 production of geothermal resources would occur at some point in the near future. As such, before any  
32 lessee conducts exploration or development of geothermal resources within the BLM-managed  
33 Truckhaven Geothermal leasing Area, a separate NEPA process would be required for this project in  
34 question (BLM 2008).

35 Indirect environmental impacts associated with Truckhaven Geothermal Leasing Area would include  
36 impacts on air quality (particulates from land disturbance, unpaved access roads, and construction diesel  
37 engine exhaust would increase); archaeology/cultural resources (33 currently recorded sites within the  
38 project area, including some of the largest Lake Cahuilla habitation sites in the area); fish and wildlife  
39 (adversely affecting wildlife populations and species/natural community/habitat recognized for  
40 importance; impeding wildlife/avian migration routes; and preventing natural community  
41 reestablishment); human health and safety/hazardous materials (hazardous materials use during  
42 exploration, construction, operations; increased traffic; and project parcels are located in a Navy fly  
43 zone); recreation (reduction of opportunities to off-highway vehicles); special-status species (10 special-  
44 status plants, flat-tailed horned lizard, and California desert fringe-toed lizard); topography, geology, and  
45 geological hazards (502 acres of initial disturbance and 405 acres of final land disturbance); vegetation  
46 (construction-related contaminants on soil or in runoff could inhibit plant growth; loss of plant habitats;

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1 plant community fragmentation; and introduction of invasive species would be possible); and visual  
2 resources (two geothermal plants, wells, steam from water cooling, and transmission lines could all have  
3 negative impacts on the aesthetic character of the area) (BLM 2008).

4 **4.2.15 West Chocolate Mountains Renewable Energy Evaluation Area**

5 **4.2.15.1 Project Description**

6 This action would assess whether West Chocolate Mountains Renewable Energy Evaluation Area, an area  
7 of land 21,300 acres in size and managed by the BLM, should be made available for renewable energy  
8 development, specifically, for geothermal leasing, solar energy rights-of-way, and wind energy rights-of-  
9 way. The project area is bordered by Imperial Sand Dunes Recreation Area on the south, the Imperial  
10 Valley agricultural belt on the west, the Imperial/Riverside County line on the north, and Chocolate  
11 Mountains Aerial Bombing and Gunnery Range on the east (BLM 2010b).

12 **4.2.15.2 Project Environmental Analysis Status and Anticipated Environmental Impacts**

13 The BLM prepared a Notice of Intent to prepare an EIS on February 10, 2010, and the Draft EIS and  
14 California Desert Conservation Area Plan (CDCAP) Amendment was released in June 2011 (BLM 2011).  
15 The CDCAP Amendment assesses whether renewable energy development should be allowed within the  
16 West Chocolate Mountains Area. Impacts from the various types of development could include moderate,  
17 and adverse air quality impacts during construction and operation from fugitive dust, PM<sub>10</sub>, carbon  
18 monoxide, and ozone precursors emissions. These emissions may contribute to ongoing exceedances of  
19 National Ambient Air Quality Standards, but could be offset by a reduction in air pollutants caused by  
20 fossil fuel-burning power plants. Impacts on cultural and paleontological resources could include the  
21 degradation of important resources/significant paleontological resources, disturbance of human remains,  
22 changes in the significance of a historical resource, and introduction of visual, atmospheric, or audible  
23 elements that diminish the integrity of the property's significant historic features. Impacts on visual  
24 resources could include the introduction of contrast to the environment. The project also could result in a  
25 disproportionate share of adverse impacts on certain racial, ethnic, or socioeconomic groups. The  
26 potential impacts associated with the West Chocolate Mountains Renewable Energy Evaluation Area  
27 project would be greatest under the full renewable energy development alternative. However, the majority  
28 of impacts would be reduced or avoided with the implementation of mitigation measures.

29 **4.2.16 Summary of Cumulative Project Impacts**

30 The potential impacts of the projects discussed above are summarized in Table 4-1. Although an  
31 environmental document has not yet been completed for some of these projects, the table assumes that  
32 potentially significant impacts could result, based on the list of potential environmental issues to be  
33 addressed for that project, even if feasible mitigation measures may be available to reduce impacts on less  
34 than significant. The Corps 404 permits are not included in the table because as discussed above, the  
35 Corps has found that issuance of such permits has resulted in minimal impacts because adequate  
36 compensatory mitigation was required.

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Table 4.1 Related Projects Impact Summary

Impact Areas	Related Projects													
	Allied Imperial Landfill Expansion	Black Rock 1, 2, and 3 Geothermal Power	Chocolate Mountains Solar Farm <sup>1</sup>	Desert Springs Resort Specific Plan	East Brawley Geothermal Development	Imperial Solar Energy Center South	Imperial Solar Energy Center West	Imperial Valley Solar Company PV Solar	Imperial Valley Solar, LLC Project	Metropolitan New & Alamo Rivers Water Rights Applications <sup>2</sup>	Seeley County WTP Upgrade	Travertine Point Specific Plan	Truckhaven Geothermal Leasing Area <sup>3</sup>	West Chocolate Mtns. Renewable Energy Area <sup>4</sup>
Aesthetics	S				PS			U				U	PS	S
Agricultural Resources				S		S						U		
Air Quality	S	S		S	PS	S					U	U	PS	S
Biological Resources	S			S	PS	S	S	U	PS	PS	S	PS	PS	S
Cultural Resources	S			S	PS	S	S	U			U	PS	PS	S
Energy Consumption														
Environmental Justice														
Geology and Soils		S		S	PS	S					S	PS	PS	S
Greenhouse Gas Emissions											U			
Hazards and Hazardous Materials	S			S	PS	S								S
Hydrology and Water Quality				S	PS	S		S	PS	PS				S
Indian Trust Assets														
Land Use					PS			S			U			PS
Noise	S			S				S		PS	U			S
Paleontological Resources					PS	S		S						S
Population and Housing														
Public Services	S				PS						S			

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**Table 4-1 Related Projects Impact Summary**

Impact Areas	Related Projects													
Recreation	Allied Imperial Landfill Expansion	Black Rock 1, 2, and 3 Geothermal Power	Chocolate Mountains Solar Farm <sup>1</sup>	Desert Springs Resort Specific Plan	East Brawley Geothermal Development	Imperial Solar Energy Center South	Imperial Solar Energy Center West	Imperial Valley Solar Company PV Solar	Imperial Valley Solar, LLC Project	Metropolitan New & Alamo Rivers Water Rights Applications <sup>2</sup>	Seeley County WTP Upgrade	Travertine Point Specific Plan	Truckhaven Geothermal Leasing Area <sup>3</sup>	West Chocolate Mtns. Renewable Energy Area <sup>4</sup>
Socioeconomics									U			U	PS	
Transportation	S			S		S	S					U		S
Utilities and Service Systems														

Symbols S: Impacts would be mitigated to a Less-than-Significant level  
 U: Impacts would be Significant and Unavoidable  
 PS: Impacts could be potentially significant, although feasible mitigation measures may be identified to reduce impacts

Notes:  
 1: A Mitigated Negative Declaration prepared for the project did not identify significant effects.  
 2, 3: Because no environmental document has been completed for the project, it is assumed that potentially significant impacts could result.  
 4: NEPA does not require the characterization of an impact's significance, but for purposes of this analysis, those impacts requiring mitigation are classified as significant ("S").



## 4.3 ANALYSIS OF CUMULATIVE IMPACTS BY RESOURCE

This section summarizes the potential cumulative impacts, organized by resource area, which would result from the implementation of the SCH Project alternatives and the related projects described above. Mitigation measures to reduce significant cumulative impacts are identified as appropriate.

### 4.3.1 Aesthetics

The geographic scope for the aesthetics cumulative impact analysis is limited to the area shown in Figure 4-1, with particular emphasis on the area around the Salton Sea. Cumulative impacts on the visual environment associated with construction of the projects discussed above along with any of the SCH Project alternatives would be less than significant, since these projects would be constructed at various locations around the Salton Sea and Imperial Valley, and aesthetic impacts would be short-term and localized. Operation and maintenance of the projects described above would result in changes to the visual environment through the introduction of buildings and infrastructure and the associated loss of open space. Implementation of one of the SCH Project alternatives would result in beneficial aesthetic impacts related to change in the visual character of the area occupied by the SCH ponds. Therefore, implementation of any of the SCH Project alternatives would not contribute to any adverse impacts, and no long-term adverse cumulative aesthetic impacts would occur.

### 4.3.2 Agricultural Resources

The geographic scope for the agricultural resources cumulative impact analysis is Imperial County. Construction and operation of the projects described above could result in the loss of several thousand acres of Important Farmland in Imperial County. The cumulative loss of Important Farmland would result in a significant cumulative impact on agricultural resources. Development of the sedimentation basin associated with SCH Project Alternatives 1 and 4 would result in the loss of 60 acres of Important Farmland in Imperial County. The contribution of either of these alternatives to the cumulative impact would not be cumulatively considerable and therefore would not be significant because the small increment that would be lost would be negligible in relation to the overall amount of Important Farmland present in the Imperial Valley (over 500,000 acres).

### 4.3.3 Air Quality

The geographic scope for the air quality cumulative impact analysis is the portion of the Salton Sea Air Basin under the jurisdiction of the Imperial County Air Pollution Control District. Construction and operation of the projects described above would result in emissions that may not be entirely accounted for in applicable air quality plans and, thus, could conflict with or obstruct the implementation of such plans. SCH Project construction, operation, and maintenance would result in the emission of criteria pollutants and construction would exceed the ICAPD's thresholds for NO<sub>x</sub> (all alternatives) and PM<sub>10</sub> (Alternatives 1, 2, and 3). The cumulative impact for NO<sub>x</sub> would be significant for all alternatives, and the Project's contribution would be cumulatively considerable and therefore significant. Feasible mitigation measures for the projects described above would reduce, but not entirely eliminate, the generation of emissions that exceed the cumulative emissions estimates contained in the *Imperial County Attainment Status and Applicable Plans*. As discussed in Section 3.3, implementation of MM AQ-1, implement fugitive PM<sub>10</sub> control measures, and MM AQ-2, implement diesel control measures, would not reduce the PM<sub>10</sub> emissions to below the thresholds for Alternatives 1, 2, and 3, and the NO<sub>x</sub> emissions would remain significant. Thus, the cumulative impact from NO<sub>x</sub> emissions from all alternatives and PM<sub>10</sub> emissions from Alternatives 1, 2, and 3 would be significant and unavoidable.

Operation of the projects discussed above could result in cumulative violations of Federal and state standards or ICAPCD's thresholds. Emissions from SCH Project operation would be limited to routine



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1 maintenance and associated vehicular traffic, and such emissions would not exceed applicable thresholds.  
2 Thus, the SCH Project's contribution to operational emissions would not be cumulatively considerable.

3 The SWWTP would reduce the discharge to the New River by 0.05 to 0.31 cfs, which is 0.03 to 0.16  
4 percent of the total discharge. This would result in a negligible decrease in the flows to the Salton Sea,  
5 and could incrementally expose more playa, increasing the potential for fugitive dust emission. The SCH  
6 ponds would cover more playa than would be exposed as a result of any of the alternatives, reducing the  
7 potential for fugitive dust emissions. The SCH Project would have a beneficial impact on fugitive dust  
8 emissions; therefore, it would not contribute to a cumulatively considerable and significant impact.

9 **4.3.4 Biological Resources**

10 The geographic scope for the biological resources cumulative impact analysis is the area shown on Figure  
11 4-1. As discussed above, the Corps has found that issuance of section 404 permits has resulted in minimal  
12 environmental impacts. Such a permit would be required for the SCH Project, but permit conditions  
13 (compensatory mitigation) would be required that would ensure that impacts of this project on waters of  
14 the U.S. were minimized, as well, and any cumulative impacts from the issuance of such permits would  
15 not be significant. Construction, operation, and maintenance of the other projects discussed above could  
16 result in significant cumulative impacts on biological resources associated with the loss of habitat and  
17 individuals of special-status species, disturbance or loss of riparian or other sensitive habitats, and adverse  
18 affects on Federal Waters of the U.S., including wetlands. Although the SCH Project alternatives would  
19 have overall beneficial impacts on biological resources, construction, maintenance, and operations would  
20 result in significant impacts, as well, and its contribution would be cumulatively considerable. Feasible  
21 mitigation measures would reduce potential impacts of other projects, and implementation of MM BIO-1,  
22 a desert pupfish relocation plan, MM BIO-2, preconstruction and maintenance surveys, MM BIO-3, noise  
23 measurements and as-needed noise attenuation features, and MM BIO-4, a habitat mitigation and  
24 restoration plan, would reduce the SCH Project's contribution to cumulative impacts on biological  
25 resources to less than significant.

26 **4.3.5 Cultural Resources**

27 The geographic scope for the biological resources cumulative impact analysis is Imperial County.  
28 Ground-disturbing activities associated with the projects discussed above could result in adverse impacts  
29 on cultural resources, including damage to known or currently unknown archaeological and historical  
30 resources, and could result in the inadvertent discovery of human remains. A large area of land surface  
31 could be subject to ground disturbance, and the cumulative impacts would be significant. Ground-  
32 disturbing activities associated with one of the SCH Project alternatives also could result in damage to  
33 currently unknown cultural resources or the inadvertent discovery of human remains. The contribution of  
34 the SCH Project to the impacts of other projects would be cumulatively considerable and therefore  
35 significant. Implementation of standard mitigation measures for cultural resources would reduce potential  
36 impacts of other projects, and implementation of MM CR-1, prepare and implement a survey plan and an  
37 inadvertent discovery plan would reduce the contribution of the SCH Project to less than significant.

38 **4.3.6 Energy Consumption**

39 The geographic scope for the energy consumption cumulative impact analysis is Imperial County.  
40 Construction, operation, and maintenance of the projects discussed above would result in the consumption  
41 of energy, including electricity, natural gas, diesel fuel, and gasoline, but would not necessarily result in  
42 the inefficient, wasteful, or unnecessary consumption of energy. Several of the projects discussed above  
43 would result in the generation of electrical energy and cumulative impacts would be less than significant.  
44 SCH Project operation would require the use of diesel-powered pumps to deliver saline water from the  
45 Salton Sea to the SCH ponds. Over time, the efficiency of the saline pump may decrease under long-term

1 pumping; however, a comparatively minor amount of energy would be required, and the SCH Project's  
2 contribution to the cumulative impact would not be considerable and is therefore, less than significant.

### 3 **4.3.7 Environmental Justice**

4 The geographic scope for the environmental justice cumulative impact analysis is Imperial County. Under  
5 CEQA, economic and social impacts are not considered significant effects on the environment.  
6 Construction emissions associated with the projects discussed above, along with those of the SCH Project  
7 could have a disproportionate impact on minority and low-income populations. The cumulative impact  
8 would be significant, and the SCH Project's contribution would be cumulative considerable. All projects  
9 would be required to comply with the Imperial County Air Pollution Control District's Regulation VIII,  
10 which would reduce fugitive dust and combustive emissions, and implement other feasible mitigation  
11 measures. Implementation of MM AQ-1 and MM AQ-2 would reduce the significant fugitive dust (PM<sub>10</sub>)  
12 impacts of the Alternatives 1, 2, and 3 to less than significant, and would reduce, but not eliminate short  
13 term NO<sub>x</sub> impacts. The cumulative impact, therefore, would be significant and unavoidable.

14 As discussed in Section 4.3.5 above, both the SCH Project and other projects in the area would have the  
15 potential to affect cultural resources, including human remains. This would result in a significant  
16 cumulative impact on cultural resources, and the SCH Project's contribution would be considerable and  
17 therefore significant. Implementation of standard mitigation measures for cultural resources would  
18 reduce potential impacts of other projects, and implementation of MM CR-1, prepare and implement a  
19 survey plan and an inadvertent discovery plan would reduce the contribution of the SCH Project to less  
20 than significant.

21 Construction and operation of the projects described above could result in the permanent conversion of  
22 several thousand acres of Important Farmland in Imperial County to nonagricultural use, which could  
23 reduce employment opportunities that would disproportionately affect minority and low-income  
24 communities in the area around the Salton Sea. The cumulative impacts of these projects would be  
25 significant. Development of the sedimentation basin for the SCH Project under Alternatives 1 and 4  
26 would result in the permanent conversion of 60 acres of Important Farmland in Imperial County to non-  
27 agricultural use. The Project's contribution to this impact would not be cumulatively considerable for  
28 these alternatives given the small amount of land that would be used in relation to land in production  
29 (over 500,000 acres).

### 30 **4.3.8 Geology and Soils**

31 The geographic scope for the geology and soils cumulative impact analysis is the area surrounding the  
32 SCH Project alternative sites and the local source for rock and gravel. Impacts related to geology and soils  
33 would be highly localized, and the SCH Project alternatives would not result in a cumulative impact in  
34 combination with other projects. The SCH Project would require the use of rock as a construction  
35 material, and although other projects may also require such use, rock is a readily available resource, and  
36 the cumulative impact would be less than significant.

### 37 **4.3.9 Greenhouse Gas Emissions/Climate Change**

38 The geographic scope for the greenhouse gas emissions/climate change cumulative impact analysis is the  
39 entire world, because changes occur on a global level. Impacts on climate change must take into account  
40 global emissions, because climate change does not result from localized emissions. Construction and  
41 operation of the SCH Project alternatives and the other projects described above would result in GHG  
42 emissions, but the incremental increase would be negligible in relationship to total emissions throughout  
43 the world, and the impact would be less than significant.

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**1 4.3.10 Hazards and Hazardous Materials**

2 The geographic scope for the hazards and hazardous materials cumulative impact analysis is Imperial  
3 County. Construction of the SCH Project alternatives and the projects discussed above could result in the  
4 release of hazardous materials, encounter contaminated soils, increase the risk of wildland fires, and  
5 temporarily increase traffic along adjacent roads. With adherence to state, Federal, and local  
6 requirements, cumulative impacts would be less than significant.

7 Construction of projects discussed above could result in the release of dust-borne disease causing viruses,  
8 as could the SCH Project. Adherence to local regulations for dust suppression would reduce potential  
9 impacts, but given the extent of ground disturbance that could occur, significant cumulative impacts could  
10 occur, and the SCH Project's contribution would be considerable. The primary persons who would be  
11 exposed to borne-borne diseases would be construction workers. Implementation of MM HAZ-1,  
12 requiring construction worker training related to soil exposure, would reduce the SCH Project's  
13 contribution to a significant cumulative impact to less than significant.

14 None of the other projects discussed above would have the potential to increase selenium levels in sport  
15 fish and waterfowl. Thus, no cumulative impacts would occur.

16 The Desert Springs Resort would create new year-round water bodies (e.g., water features at golf courses  
17 and lakes), which could attract waterfowl to roost and forage, which may increase the risk of birdstrikes  
18 with civilian and military aircraft in the area of these new permanent water bodies. However, given the  
19 implementation of applicant-proposed mitigation measures, such as bird control measures and the  
20 placement of water bodies in relation to the approach and departure paths for Naval Air Facility El  
21 Centro, the project was found to be consistent with the Airport Land Use Plan (County of Imperial  
22 2010a). Implementation of the SCH Project alternatives would result in the creation of ponds in the area  
23 immediately adjacent to, or within the area currently occupied by the Salton Sea. Thus, the SCH Project  
24 would preserve opportunities for waterfowl to roost and forage near the existing deltas of the New and  
25 Alamo rivers. Because waterfowl and other birds currently roost, breed, and forage in these areas, SCH  
26 Project implementation would not substantially change the location of these activities. SCH Project  
27 implementation would also not substantially increase the numbers of waterfowl that utilize the Salton Sea  
28 for roosting or foraging. Moreover, the number of birds in the surrounding area will decrease as the  
29 salinity level of the Salton Sea increases and as the water surface elevation declines. Given the  
30 implementation of the applicant-proposed mitigation measures included as part of the Desert Springs  
31 Resort Project and the lack of increased bird populations associated with the SCH Project, cumulative  
32 impacts associated with increased risk for birdstrikes with civilian and military aircraft would be less than  
33 significant.

**34 4.3.11 Hydrology and Water Quality**

35 The geographic scope for the hydrology and water quality cumulative impact analysis is shown on Figure  
36 4-1. Construction-related impacts on water quality would be temporary and localized and would not  
37 contribute to a cumulative impact in combination with other projects.

38 The hydrology analysis performed for the SCH Project (refer to Section 3.11, Hydrology and Water  
39 Quality) already takes into consideration impacts from a number of other projects that would affect the  
40 salinity and water surface elevation of the Salton Sea. However, SWWTP would provide up to 200,000  
41 gpd to the IVS Project. This diverted water would otherwise be discharged into the New River and  
42 eventually flow to the Salton Sea. Under Alternatives 1, 2, and 3, the SCH Project also would require  
43 diversion of the water from New River to fill the SCH ponds. The amount that would be diverted from the  
44 New River by the SWWTP Project is minor (0.03 to 0.16 percent of the total discharge). As discussed in  
45 Section 3.11, impacts on hydrology and water quality from the SCH Project would be less than

1 significant, and this minor increase in the amount of water diverted would not change this conclusion. The  
2 cumulative impact would be less than significant.

### 3 **4.3.12 Indian Trust Assets**

4 Indian Trust Assets (ITAs) are legal interests in property held in trust by the United States for Indian  
5 tribes or individuals. No ITAs exist in the SCH Project area or nearby vicinity and no impacts on ITAs  
6 would occur under any of the SCH Project alternatives. Therefore, no cumulative impacts on ITAs would  
7 occur.

### 8 **4.3.13 Land Use**

9 The geographic scope for the land use cumulative impact analysis is Imperial County. The projects  
10 described above would require approvals by Imperial County, who would be responsible for ensuring that  
11 the development was consistent with the General Plan. Assuming the implementation of mitigation  
12 measures included in this EIS/EIR, the SCH Project would be compatible with the Imperial County  
13 General Plan and other applicable land use plans and policies. The Project would be compatible with  
14 existing and future land uses planned for the area and would not contribute to a cumulative impact in  
15 combination with other projects.

### 16 **4.3.14 Noise**

17 The geographic scope for the noise cumulative impact analysis is limited to the area within 1 mile of the  
18 proposed SCH sites and adjacent to the haul routes. Noise from construction, operations, and maintenance  
19 activities at the SCH sites would be localized, and would not contribute to a cumulative impact in  
20 combination with other projects described above. Construction truck traffic associated with the projects  
21 discussed above and the SCH Project would travel local roads and would cause a temporary increase in  
22 noise, which at some locations would be in proximity to residents. Because the projects are located at  
23 dispersed locations around the Salton Sea and as it is unlikely that many of the projects would be  
24 constructed at same time, the routes used by construction trucks would vary, and even during periods of  
25 heaviest construction activities (e.g., during delivery of materials), trucks would not constantly pass  
26 residential receptors. Since it takes a doubling of vehicular traffic to increase noise levels by 3 dBA, the  
27 addition of truck trips from construction of the projects would not cause a perceptible increase in noise  
28 along local roads, and cumulative impacts would be less than significant.

### 29 **4.3.15 Paleontological Resources**

30 The geographic scope for the paleontological resources cumulative impact analysis is Imperial County.  
31 Ground-disturbing activities associated with construction, operation, and maintenance of other projects  
32 discussed above could expose and damage undiscovered paleontological resources, and given the extent  
33 of ground disturbance, significant cumulative impacts on paleontological resources could occur. The SCH  
34 Project also would result in ground disturbance, which could expose and damage paleontological  
35 resources, and its contribution would be cumulatively considerable and, therefore, significant.  
36 Implementation of feasible mitigation measures could reduce potential impacts of the other projects, and  
37 implementation of MM PALEO-1, prepare and implement a survey plan and monitoring plan, MM  
38 PALEO-2, construction worker training, and MM PALEO-3, prepare and implement a paleontological  
39 resource data recovery plan, would reduce potential impacts of the SCH Project to less than significant.

### 40 **4.3.16 Population and Housing**

41 The geographic scope for the population and housing cumulative impact analysis is Imperial County.  
42 Construction, operation, and maintenance of the projects discussed above would result in increased  
43 employment in the Salton Sea area, which could increase the local population and demand for housing or

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1 displace existing housing or population. However, the potential increase in employment and local housing  
2 or demand for new housing would not be substantial in relation to existing employment levels or housing  
3 supply. None of the SCH Project alternatives would displace substantial population or housing. The SCH  
4 Project would result in increased employment during construction; however, it is assumed that most  
5 construction workers would be local, and a short-term influx of a small number of workers and their  
6 families would not affect long-term population or housing demand. Operation of the SCH ponds would  
7 create several jobs, which would have a negligible effect on population levels or housing demand.  
8 Cumulative population and housing impacts would be less than significant.

9 **4.3.17 Public Services**

10 The geographic scope for the public services cumulative impact analysis is Imperial County. Most of the  
11 projects discussed would have a minor affect on the demand for emergency services (including police,  
12 fire, and trauma centers), although the Desert Springs Resort would result in an increased demand for fire  
13 protection. SCH Project implementation would also increase demand for emergency services (police, fire,  
14 and trauma centers) associated with increases in employment and recreational visitors. The increased  
15 demand associated with the SCH Project is not expected to affect the ability of providers to maintain their  
16 current level of service or require new or altered facilities, and the cumulative on public services would be  
17 less than significant.

18 **4.3.18 Recreation**

19 The geographic scope for the recreational resources cumulative impact analysis is Imperial County.  
20 Implementation of the projects discussed above could affect existing recreational opportunities (e.g., from  
21 the loss of open space) and increase demand for recreational facilities associated with increases in local  
22 population. Implementation of a SCH Project alternative would create recreational opportunities at the  
23 SCH ponds, which would be a beneficial impact. Thus, the SCH Project would not contribute to any  
24 adverse cumulative recreational impacts.

25 **4.3.19 Socioeconomics**

26 The geographic scope for the socioeconomics cumulative impact analysis is Imperial County.  
27 Construction and operation of the projects discussed above, along with the SCH Project, would cause an  
28 increase in local employment and an increase in tax revenue and local business revenue. These increases  
29 would result in beneficial cumulative impacts that result from worker spending and the purchases of  
30 materials and equipment.

31 Operation of some of the projects discussed above would reduce recreational opportunities, due to a loss  
32 of open space. Operation of the SCH ponds would increase opportunities for passive recreational activity  
33 and research, which would be a beneficial impact. Thus, the SCH Project would not contribute to any loss  
34 of recreational opportunities, and no cumulative impacts would occur.

35 SCH pond creation would preclude the reclamation of exposed playa for agricultural use. The hydrology  
36 analysis performed for the SCH Project (refer to Section 3.11, Hydrology and Water Quality) already  
37 takes into consideration impacts from other projects that would affect the water surface elevation of the  
38 Salton Sea. None of the other projects discussed above would affect the water surface elevation of the  
39 Sea; therefore, no impacts on exposed playa would occur beyond those identified in Section 3.19, and no  
40 cumulative impacts would occur.

41 Implementation of some of the projects discussed above could result in reductions in agricultural  
42 revenues, due to the permanent loss of agricultural lands or short-term losses due to construction or  
43 maintenance activities. The SCH Project would result in the loss of agricultural revenue due to removal of

1 agricultural land at the site of sedimentation basin under Alternatives 1 and 4, construction and  
2 maintenance activities in the water pipeline right-of-way, and temporary disruption of agricultural drains  
3 and canals during construction of pipelines and the berms around the ponds, but landowners would be  
4 appropriately compensated and cumulative impacts would not occur.

5 The SCH Project is not expected to increase the potential for increased crop depredation or crop  
6 contamination by bird feces, nor would any of the other projects discussed above. Thus, no cumulative  
7 impacts would occur.

#### 8 **4.3.20 Transportation**

9 The geographic scope for the paleontological resources cumulative impact analysis includes the haul  
10 routes that would be used by SCH vehicles within Imperial County. Implementation of the projects  
11 discussed above would increase traffic during construction and operations, which could reduce the Level  
12 of Service of any roadways below the Imperial County's standard (Level of Service C). Feasible  
13 mitigation measures may be available to reduce impacts; however, impacts could remain significant at  
14 some locations. SCH Project construction, operation, and maintenance would also result in increases in  
15 traffic along roadways adjacent to the SCH Project; however, these increases would be localized and the  
16 Level of Service along these roadways would not be reduced below Imperial County's standard.  
17 Therefore, the SCH Project's contribution to traffic conditions would not be cumulatively considerable,  
18 and its impact would be less than significant.

19 Construction equipment and trucks used during construction, operation, and maintenance of the projects  
20 discussed above, along with one of the SCH Project alternatives, would utilize roadways that are also  
21 used by farm equipment. With implementation of standard construction techniques (e.g., signage, flag  
22 carriers, and temporary road closures) the presence of construction equipment and trucks on roads used by  
23 farm equipment would not pose a substantial safety hazard. In addition, the presence of trucks and  
24 equipment would occur in the areas adjacent to each individual project location and the number of  
25 vehicles used during operations and maintenance activities would be relatively small. Cumulative impacts  
26 would be less than significant.

27 Construction equipment and trucks used during construction, operation, and maintenance of the projects  
28 discussed above, along with one of the SCH Project alternatives, would utilize roadways that are also  
29 used by emergency vehicles. During construction, implementation of standard construction techniques  
30 (e.g., signage, flag carriers, and temporary road closures) would assure that emergency vehicles would  
31 continue to have access to any roadways affected by construction. Increases in traffic associated with  
32 operations and maintenance would not preclude access by emergency vehicles, and impacts would be less  
33 than significant.

#### 34 **4.3.21 Utilities and Service Systems**

35 The geographic scope for the utilities and service systems cumulative impact analysis is Imperial County.  
36 Construction, operation, and maintenance of the projects discussed above, along with the SCH Project,  
37 would generate demand for water. It is anticipated that water required during construction (e.g., for dust  
38 control) would be provided by water trucked from existing service locations and demand for such water  
39 would cease at the end of construction. SCH Project operation would require water for the permanent  
40 employees, which would contribute a negligible increase in water demand. The SCH Project's  
41 contribution to cumulative impacts for water demand would not be cumulatively considerable.

42 Construction, operation, and maintenance of the projects discussed above, along with the SCH Project,  
43 would generate solid waste, which would be disposed of in local landfills. Sufficient capacity exists in

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1 currently permitted landfills to accommodate additional solid waste, and cumulative impacts would be  
2 less than significant.

3 **4.3.22**     References

4 8minutenergy Renewables, LLC. 2010. Chocolate mountains solar farm. Website  
5 (<http://www.8minutenergy.com/project-portfolio/>) accessed November 5, 2010.

6 Bureau of Land Management (BLM). 2007. Draft Environmental Impact Statement for the Truckhaven  
7 Geothermal Leasing Area Imperial County, California. U.S. Department of the Interior.  
8 February.

9 Bureau of Land Management (BLM). 2008. Record of Decision for the Truckhaven Geothermal Leasing  
10 Area Imperial County, California. U.S. Department of the Interior. July.

11 Bureau of Land Management (BLM). 2010a. Final Environmental Impact Statement, Imperial Valley  
12 Solar Project. U.S. Department of the Interior. July.

13 Bureau of Land Management (BLM). 2010b. Notice of Intent to prepare an Environmental Impact  
14 Statement for the proposed West Chocolate Mountains Renewable Energy Evaluation Area,  
15 Imperial County, CA, and possible Land Use Plan Amendment. U.S. Department of the  
16 Interior. February 10.

17 Bureau of Land Management (BLM). 2011. Draft Environmental Impact Statement and California Desert  
18 Conservation Area Plan Amendment for the West Chocolate Mountains Renewable Energy  
19 Evaluation Area. June.

20 Bureau of Land Management (BLM) and County of Imperial. 2010a. Draft Environmental Impact Report  
21 and Environmental Assessment for the Imperial Solar Energy Center South. Prepared by  
22 BRG Consulting, Inc. December.

23 Bureau of Land Management (BLM) and County of Imperial. 2010b. Draft Environmental Impact Report  
24 and Environmental Assessment for the Imperial Solar Energy Center West. Prepared by BRG  
25 Consulting, Inc. November.

26 California Department of Water Resources (DWR) and California Department of Fish and Game (DFG).  
27 2006. Salton Sea Ecosystem Restoration Program Draft Programmatic Environmental Impact  
28 Report.

29 California Energy Commission (CEC). 2009. Black Rock 1, 2, and 3 geothermal power project Major  
30 Amendment (formerly Salton Sea unit 6 geothermal power plant). Website  
31 ([http://www.energy.ca.gov/sitingcases/saltonsea\\_amendment/index.html](http://www.energy.ca.gov/sitingcases/saltonsea_amendment/index.html)) accessed October  
32 13, 2010.

33 CEQAnet. 2010a. Chocolate Mountains solar farm (8 Minute Renewable/27FG 8ME, LLC) CUP #10-  
34 0005 PV solar farm (49.9 MW's). Website  
35 (<http://www.ceqanet.ca.gov/DocDescription.asp?DocPK=643811>) accessed November 5,  
36 2010.

37 CEQAnet. 2010b. Imperial solar energy center south. Website  
38 (<http://www.ceqanet.ca.gov/DocDescription.asp?DocPK=643278>) accessed November 5,  
39 2010.

- 1 CEQAnet. 2010c. Imperial solar energy center west. Website  
2 (<http://www.ceqanet.ca.gov/DocDescription.asp?DocPK=643276>) accessed November 5,  
3 2010.
- 4 County of Imperial. 2010a. Draft Environmental Impact Report for the Desert Springs Resort specific  
5 plan. Prepared by BRG Consulting, Inc. May.
- 6 County of Imperial. 2010b. Conditional Use Permit #10-0014. October 27.
- 7 County of Imperial. 2011. East Brawley geothermal Draft Environmental Impact Report. Prepared by  
8 PMC. March.
- 9 Imperial County Planning and Development Services Department. 2010a. Notice of Preparation of Draft  
10 EIR for Imperial solar energy center south and notice of public EIR scoping meeting.
- 11 Imperial County Planning and Development Services Department. 2010b. Notice of Preparation of Draft  
12 EIR for Imperial solar energy center west and notice of public EIR scoping meeting.
- 13 Imperial County Planning Commission. 2010. Final Environmental Impact Report for the Imperial  
14 landfill plan. Prepared by ICF International. March.
- 15 Riverside County Planning Department. 2010. Revised Draft Environmental Impact Report for the  
16 Travertine Point specific plan. Prepared by Impact Sciences. November.
- 17 Seeley County Water District. 2010. Notice of Preparation of a Draft Environmental Impact Report:  
18 Seeley County wastewater treatment plant upgrade project.
- 19 **4.3.23 Personal Communications**
- 20 Rundquist, Dale. 2010. Compliance Project Manager, California Energy Commission Siting,  
21 Transmission, and Environmental Protection Division. Personal communication with Sarah  
22 Bumby, Cardno ENTRIX, October 13 and October 14, 2010.

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# EXHIBIT 2

# Executive Summary

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## ES-1 Project Synopsis

### ES 1.1 Project Description

The Salton City Solid Waste Site (SCSWS), owned by the County of Imperial Department of Public Works (ICDPW) and operated by Burrtec Waste Industries Inc., (BWI, Applicant) is a Class III non-hazardous solid waste landfill located in an unincorporated portion of Imperial County. The landfill currently utilizes 7.8 acres located within a 55-acre disturbed land footprint of its 320-acre property (Assessor's Parcel Number 007-120-015). The remaining 265 acres of the site are vacant desert land. The proposed project would involve removing the existing 7.8-acre disposal area of the landfill, and new composite-lined cells would be used for the remaining life of the project site. The proposed new disposal area would extend west from the existing disposal area and would total 287.3 acres. The height of the landfill would be increased to about 250 feet above natural ground surface (218 feet above mean sea level (MSL)) from 45.5 feet above natural ground surface (15.5 feet above MSL). This new landfill configuration would accommodate approximately 65 million cubic yards of waste. Expansion of the landfill's disposal area would extend the facility's life approximately 30 years in order to help meet the current and future waste disposal needs of counties throughout southern California and in particular, Imperial County.

The proposed project also includes redesign of the landfill facility; installation of a new liner system (no liners were installed at existing site), leachate management system, landfill gas management system, and groundwater monitoring system; addition of truck scales and several ancillary facilities to support its daily operations; implementation of waste handling and hazardous waste segregation and transfer areas; implementation of a load checking program; improvements to access roads; and increased recycling operations, including the recycling of e-waste. Other features of the proposed project include a conservation area to avoid the 100-year flood zone, new electricity and phone lines, and onsite water tanks for storage of potable and firefighting water. Operational procedure changes are proposed and include an increase in days and hours of landfill operations and an increase in onsite personnel and equipment to accommodate the increase in landfill operations. Additionally, the Applicant proposes several environmental best management practices such as control of windblown debris, response to illegal dumping, installation of wildlife water guzzlers, vector control, and landscaping with implementation of the project. Details on the proposed features of project are included in Chapter 2 "Project Description."

Presently, SCSWS is permitted to allow 50 tons per day (tpd) of municipal solid waste (MSW) and proposes revisions to the site's Solid Waste Facility Permit (SWFP) to allow up to 6,000 tpd. The increase in permitted daily capacity would be implemented over time in a phased manner. This is a major revision to the SWFP and would require a Conditional Use Permit (CUP) from the County as well as other regulatory permits as listed in Section 2.6 "Required Approvals" of this document. Public agencies whose approval is required include: California Department of Resources Recycling and Recovery (CalRecycle) for the operation of the landfill; Imperial County Division of Environmental Health Services, acting local enforcement agency (LEA), for a solid waste facilities permit; the Regional Water Quality Control Board (RWQCB) for all groundwater monitoring programs, a liner configuration, and closure and post-closure activities; the Federal Aviation

Administration (FAA) for evaluation of the proposed project's impact, if any, on aviation safety; the Imperial County Air Pollution Control District (ICAPCD) for air quality permits; California Department of Parks and Recreation (CDPR) for areas of the project site within the Ocotillo Wells State Vehicular Recreation Area (OWSVRA); California Department of Fish and Game (CDFG) for diverting drainages within the site; and U.S. Army Corps of Engineers (USACE) for filling jurisdictional drainages within the site. Other discretionary approvals that may be necessary to complete the Landfill Plan include, but are not necessarily limited to: ICDPW, State Water Resources Control Board (SWRCB), California Air Resources Board (CARB), U.S. Environmental Protection Agency (EPA), and U.S. Fish and Wildlife Service (USFWS). In addition, prior to project implementation, the Imperial County Integrated Waste Management Plan (ICIWMP) is required to be updated to include the proposed project.

## ES 1.2 Project Setting

The project site is located at 935 West Highway 86S approximately 6 miles west of the Salton Sea and 2 miles southwest of the community of Salton City within the northwest portion of unincorporated Imperial County (County), California. The property includes a 320-acre rectangular parcel (Assessor's Parcel Number 007-120-015) located in the northern half of Section 12, T11S, R9E of the San Bernardino Baseline and Meridian (Kane Spring NW 7.5' Quadrangle). The property is characterized by relatively flat, open desert land, with an unpaved road on all sides. Current natural elevations range between 35 feet below MSL at its northeast corner and 20 feet above MSL at its southwest corner. The existing landfill has a permitted maximum height of 45.4 feet above local ground.

The project site is completely surrounded by vacant, open desert land that includes large portions that have undergone human-related disturbance such as off-highway vehicle activities, off-road vehicle usage, and RV camping. These surrounding areas (both public and private) are designated by the County's General Plan as Recreation/Open Space. The surrounding terrain gently slopes from southwest to northeast at gradients between 0.5 and 2%, with an average slope of less than 1% across the site. Nearby land uses include the Salton Sea Airport, approximately 1.5 miles to the northeast, and State Route (SR) 86, approximately 2.5 miles to the east. The OWSVRA, an 85,000-acre recreation area, includes the project site within its boundary and extends out southeast to SR-78.

The Imperial County General Plan designation for the SCSWS expansion project site is Special Purpose Facility and the zoning designation is Government/Special Public Zone. The site is also located within the OWSVRA, where land within a 1-mile radius of the landfill is designated open space/recreation. Surrounding lands are also designated for Recreation/Open Space. The Anza-Borrego Desert State Park is located adjacent to the project site and the Salton Sea Airport is located approximately 1.5 miles northeast. In accordance with the Imperial County General Plan, landfill operations are only conditionally allowed within Special Purpose Facility land use designations.

## ES.2 Summary of Significant Effects with Mitigation Measures

Significant direct (i.e., not cumulative) environmental impacts are discussed and analyzed in detail in Chapter 3, "Environmental Analysis," of this Environmental Impact Report (EIR). Cumulative

impacts are discussed in Chapter 4 (significant cumulative traffic impacts were identified). Technical reports were prepared to determine potential impacts on aesthetic resources, air quality, biological resources, cultural resources, geology and soils, groundwater, hazardous materials, hydrology and water quality, paleontological resources, and traffic/circulation. Their findings have been incorporated into this document, and copies of these reports are provided as Appendices C-J of this EIR.

Project implementation would result in significant direct impacts on aesthetics, air quality, biological resources, cultural and paleontological resources, hazards and hazardous materials, and transportation and traffic. All of the impacts caused by the proposed project can be mitigated to reduce the impacts to less-than-significant levels except for a direct aesthetic impact. A significant and unavoidable impact has been identified for aesthetics related to alteration of scenic vistas for residential and recreation viewer groups located within 1.5 miles of the project site. Cumulative impacts on aesthetics associated with residential/recreational views and light and glare would also result. In addition, the project would contribute slightly to forecast cumulative impacts on traffic. In addition, greenhouse gas emissions would be significant and unavoidable. Table ES-1 presents a matrix of potentially significant impacts associated with the proposed project along with mitigation measures that will reduce or avoid the significant impacts.

### ES.3 Environmentally Superior Project Alternative

After review of project alternatives that reduce the project's size, height, or amount of daily capacity, and alternatives that provide only local disposal service or locate the project elsewhere, the proposed project has been identified as the environmentally superior alternative. Pursuant to California Environmental Quality Act (CEQA) Section 15126.6(e)(2), the proposed project must be considered the "environmentally superior alternative," as neither the No Project, Local Service Only, Reduced Height, Reduced Daily Tonnage, nor the Alternative Location (Calexico SWS) Alternative can conclusively be labeled as such. Although all alternatives would likely reduce environmental impacts near the SCSWS, they could also result in an increase on environmental impacts elsewhere. Additionally, the proposed project must be considered the "environmentally superior alternative," because it meets all of the project's objectives without limitations (see Chapter 2, "Project Description," and Chapter 7, "Alternatives").

The No Project Alternative would not satisfy any of the following objectives:

- **Primary Objective: Provide solid waste disposal capacity to serve the southern California region and Imperial County.** The No Project Alternative would not satisfy this primary objective. When the existing landfills in the region reach their capacity, each county would have to develop alternative plans for their own solid waste disposal needs.
- **Provide a 7 day-per-week disposal site for West Shores community residents.** The No Project Alternative would not satisfy this objective. After the existing SCSWS facility closed, local residents would have no local facility to which to take their refuse.
- **Provide a "green way" to utilize an existing solid waste site that is geographically separated from the local community.** The No Project Alternative would not satisfy this objective. After the existing SCSWS closed, there is no certainty that required new facilities would be constructed at existing solid waste sites.

## 4.1 Cumulative Impact Analysis

Section 15130 of the State CEQA Guidelines provides guidance for analyzing significant cumulative impacts in an EIR. According to Section 15130(b) of the State CEQA Guidelines, a cumulative impact analysis may be conducted and presented by either of two methods: (1) “a list of past, present and probable activities producing related or cumulative impacts”; or (2) “a summary of projects contained in an adopted general plan or related planning document, or in a prior environmental document which has been adopted or certified, which described or evaluated regional or area wide conditions contributing to the cumulative impact.” This chapter uses a combination of those two methods for analyzing cumulative impacts. A list of all related present and reasonably foreseeable future projects (Table 4-1) known to the County was compiled, and past projects that already have been built were included in the baseline presented herein. Regional growth was evaluated using the following sources:

- The Southern California Area Governments (SCAG) regional traffic model was used to forecast regional traffic volumes, based on land use forecasts periodically submitted to SCAG by the various counties.
- West Shores/Salton City Urban Area Plan (Imperial County Planning and Development Services 2000)
- Salton Sea Authority Plan (Salton Sea Authority 2006)

According to Section 15130, an EIR’s discussion of cumulative effects does not need to be as detailed as the discussion of effects attributable to the project alone. It should be guided by the standards of practicality and reasonableness. Reasonable mitigation measures must be discussed; however, CEQA acknowledges that for some projects the only feasible mitigation measures for cumulative impacts may involve the adoption of ordinances or regulations rather than the imposition of conditions on a project-by-project basis.

**Table 4-1. Past, Present, and Probable Activities That May Result in Cumulative Impacts**

Project Name	Use Type	Size	Location
Truckhaven Geothermal	Geothermal	40,320 acres	Western Imperial County, north of State Route (SR) 78, generally west of SR 86 and south of County Highway S22
Travertine Point Specific Plan	Mixed Use	4,918 acres	Northwestern shore of the Salton Sea
West Shores/Salton City Urban Area Plan	Community Plan	31,840 acres	Includes the community of Salton City; the beach resorts of Vista Del Mar, Salton Sea Beach, and Desert Shores; and the Habitat 2000 Specific Plan area
Salton Sea Authority Plan	Development Plan	300,000 acres	Salton Sea and surrounding area

Source: Kunzman Associates, Inc. 2010; BLM 2007; Riverside County Planning Department 2010; Imperial County Planning and Development Services 2000; Salton Sea Authority 2006.

**Truckhaven Geothermal** proposes the leasing of geothermal resources in the Truckhaven Geothermal Leasing Area in Imperial County, California. The project area encompasses 40,320 acres, of which 14,731 acres are federal minerals managed by BLM, EI Centro Field Office.

**Travertine Point Specific Plan** proposes the development of a mixed-use community on the northwestern shore of the Salton Sea. The majority of the approximately 4,918-acre proposed Specific Plan area is located in Riverside County, and the remainder is located in Imperial County.

**West Shores/Salton City Urban Area Plan** proposes to implement the Land Use Element of the revised General Plan and to identify the goals, standards, and policies for the area that will guide future physical growth of West Shores/Salton City, including the necessary public facilities to support such growth.

**Salton Sea Authority Plan** proposes a combined, multi-purpose revitalization/restoration project aimed at concurrently: (1) restoring the sea as a nationally important wildlife refuge; (2) maintaining the sea as a vital link along the international Pacific Flyway; (3) preserving local tribal heritage and cultural values associated with the sea; (4) reducing odor and other water and air quality problems; (5) reestablishing the sea as a tourist destination and recreational playground; and (6) revitalizing the sea as a local economic development engine.

### 4.1.1 Aesthetics

The landscape pattern of northwestern Imperial County is influenced by roadways and electrical transmission lines, an airport, and low-density residential development. This desert landscape offers moderate scenic quality. The cumulative projects identified in Table 4-1 potentially would create a change in the aesthetic environment throughout western and northwestern Imperial County, changing the visual character from desert toward more urban/suburban. However, this change does not necessarily introduce a negative visual impact, but instead represents the evolving aesthetic environment of northwestern Imperial County by the nature of the residential, industrial, and mixed-used development proposed. In addition, northwestern Imperial County offers only moderate scenic quality, and future projects would be designed per the Imperial County Land Use Ordinance to limit impacts related to any identified scenic vista or resource.

Cumulative impacts on light and glare could also occur as a result of new sources of light and glare introduced by cumulative projects, and the potential increased density of development. The cumulative projects likely would produce significant amounts of spill light or glare, and, although the cumulative projects would be distributed throughout the project area rather than as a single large center, they likely would create a significant increase in light and glare.

The proposed project's aesthetics impacts are expected to be greatest during active landfill operations. As described in Section 3.1, "Aesthetics," the proposed project would have an adverse effect on scenic vistas for recreational and residential viewer groups by substantially increasing the height and width of the landfill. The proposed changes into the viewshed would affect primarily recreational viewers and residential viewers within a 1.5-mile radius of the site. Proposed mitigation would consist of vegetative screening and best management practices to minimize landfill-related nighttime light impacts. However, even after implementation of mitigation measures, the proposed project would degrade the existing visual character and quality of the site and its surroundings for recreational and residential viewer groups by blocking views of visual resources in

the area, introducing an artificial landscape feature into the viewshed, and interrupting the unity and intactness of the desert landscape. Proposed mitigation, consisting of vegetative screening, could improve aesthetics and buffer recreationists and residences but would not reduce impacts on the visual character and scenic quality to less than significant. Therefore, this project combined with the past, present, and reasonably foreseeable future projects potentially would result in a cumulative aesthetic impact in northwestern Imperial County.

### **4.1.2 Air Quality**

As shown in Section 3.2, "Air Quality," forecast daily incremental emissions of ozone precursors are greater than the applicable ICAPCD daily CEQA significance thresholds, which are designed to assist the region in attaining the applicable state and national ambient air quality standards. These standards apply to both primary (criteria and precursor) and secondary (ozone) pollutants. The project site is located in a region that is in nonattainment for ozone, and ozone precursor emissions associated with the project would be cumulatively considerable because they would exceed ICAPCD daily significance thresholds. Implementation of appropriate mitigation measures would reduce project impacts. As described in Section 3.2, "Air Quality," specified mitigation measures require BWI to offset the portion of the project's full buildout direct and indirect NO<sub>x</sub> and CO emissions that exceed the CEQA impact threshold for stationary sources. In addition, specific mitigation measures require BWI to pay an in-lieu fee for NO<sub>x</sub> emissions from onroad waste transfer trucks servicing the proposed facility. After implementation of the required mitigation measures, the project would not significantly contribute to cumulative impacts.

### **4.1.3 Biological Resources**

The project vicinity consists predominantly of vacant, open desert land intermixed with portions of human-related disturbance such as ORV usage and RV camping. Vegetation communities in the project vicinity have the potential to support a variety of sensitive biological habitat areas. Several native birds and the flat-tailed horned lizard (FTHL) are known to occur in the project vicinity. In addition, mesquite bosques, a sensitive natural community, and wetlands occur on the project site and have the potential to occur elsewhere in the project vicinity. The plans and projects listed in Table 4-1 may have potentially significant impacts on these resources. However, the plans and project would be required to undergo project-specific environmental review to ensure impacts on biological resources are mitigated to less-than-significant levels.

As documented in Section 3.3, "Biological Resources," the proposed project would not result in any adverse impacts on biological resources. Proposed mitigation, consisting of preconstruction surveys, transplanting, and obtaining appropriate permits, would ensure that the project would have a less-than-significant impact on native birds, FTHL, mesquite trees, and wetlands. Therefore, this project combined with past, present, and reasonably foreseeable future projects would not result in a cumulative impact on biological resources in northwestern Imperial County.

### **4.1.4 Cultural and Paleontological Resources**

Vacant, disturbed desert lands generally cover the project vicinity. Because of the lack of development in the project vicinity, pedestrian surveys find plentiful evidence of historic use. Thus, archaeological and paleontological resources may be encountered during construction, excavation, or grading activities; as a precautionary measure, mitigation, such as monitoring by a QA and



qualified paleontologist during the construction phase, commonly is incorporated into projects in Imperial County. This mitigation is sufficient to reduce impacts on cultural resources in Imperial County.

As discussed in Section 3.4, "Cultural and Paleontological Resources," the proposed project would not affect any known cultural resources. The thirty-three resources discovered during the current study are ineligible for the NRHP or CRHR. As such, the project would have no impact on an archaeological or historical resource. However, similar to other projects throughout Imperial County, the proposed project includes mitigation as a precautionary measure if archaeological resources are found during construction or grading phases of the project. Moreover, the project would not disturb any undiscovered human remains or paleontological resources because proposed mitigation, consisting of a stop work order, consultation with the County Coroner, and implementation of a paleontological resource impact mitigation program, would reduce all potential impacts to a less-than-significant level. Therefore, because the proposed project has no impact on cultural resources and includes precautionary mitigation similar to that included or required for the other cumulative projects identified in Table 4-1, activities associated with this project in combination with past, present, and reasonably foreseeable future projects would not result in a significant cumulative impact.

#### 4.1.5 Geology and Soils

The Imperial Valley is subject to known seismic hazards, including surface rupture along active faults, strong seismic groundshaking, and corollary risks such as seismically induced liquefaction and ground failure. Throughout California, seismic risks are mitigated through a combination of hazard avoidance (for example, the Alquist-Priolo Act prohibits construction of structures for human occupancy in areas subject to surface fault rupture) and building code standards. However, it is not possible to achieve complete avoidance of regionally pervasive hazards such as seismic groundshaking. In addition, while current building code standards are intended to ensure that buildings survive the design earthquake event without life-threatening structural damage, they cannot offer complete risk protection. Moreover, older structures built to less stringent standards are likely at greater risk. As a result, in Imperial County, as in many parts of California, a cumulative impact exists related to exposure of structures and persons to seismic hazards. In some areas, this may rise to the level of a significant impact.

As discussed in Section 3.5, "Geology and Soils," the proposed project involves the construction of structures for human occupancy, so it would directly increase seismic risk exposure and the number of persons exposed to seismic risks. Strong ground shaking is expected to occur at the project site during an earthquake on the Anza Segment of the San Jacinto Fault System and could result in damage to new structures; however, compliance with standard CBC requirements would ensure that groundshaking impacts would remain less than significant. The project also focuses on expansion of an existing landfill; as discussed in Section 3.5, seismic risk to landfills relates primarily to instability of fill slopes and to possible ground-shaking damage to subsurface liners, leachate control piping, and LFG control piping. This risk would be controlled by adherence to California codes regulating siting, design, and construction of landfills, as augmented by information and recommendations from site-specific geotechnical investigations prepared for the project. With adherence to California codes and the recommendations of site-specific geotechnical investigations, the proposed project would not incrementally contribute to the existing cumulative impact related to seismic hazard exposure in northwestern Imperial County.

### 4.1.6 Greenhouse Gas Emissions

Climate change is inherently a cumulative impact because the impacts occur on a global level. Lifetime GHG emissions associated with project operations would exceed the amount of carbon that would be stored within the landfill. As such, the proposed project would be a net-emitter of GHG emissions. Implementation of appropriate mitigation measures would reduce project impacts. As described in Section 3.6, "Greenhouse Gases," specified mitigation measures require BWI to implement BMPs for the collection of fugitive landfill gas. In addition, BWI will be required to conduct a feasibility study to assess the potential for energy recovery at the facility, which would help to displace GHG emissions from fossil fuel power plants. However, after implementation of the required mitigation measures, the project would significantly contribute to cumulative impacts because GHG emissions would exceed carbon storage.

### 4.1.7 Hazards and Hazardous Materials

The regional growth plans and project listed in Table 4-1 may generate, individually or cumulatively, large amounts of hazardous materials. Although the listed plans propose residential and commercial development that would not require the use of hazardous materials during operation, the project and Salton Sea Authority Plan may require the use of hazardous materials during operation. However, the construction and operation of all projects are required to comply with applicable hazardous materials laws, statutes, and regulations, which reduce the potential for substantial cumulative impacts in northwestern Imperial County.

Construction and operation of the proposed project would not require the use of hazardous materials other than fuel and lubricants for vehicles and construction equipment. Fuel would not be stored or disposed of at the project site. State and federal law govern the movement of these hazardous materials. BWI's proposed load-checking program would minimize the amount of unacceptable hazardous materials that inadvertently might be delivered to the landfill as part of the allowed MSW stream.

In addition, the Phase I ESA indicated that the project site is located on a hazardous material site associated with a Formerly Used Defense Sites database listing, and the project has the potential to expose construction and maintenance workers to unexploded ordnance or chemical residues from unexploded ordnance. However, proposed mitigation, consisting of a cleanup agreement, would eliminate the exposure of construction and maintenance workers to hazardous conditions. Consequently, the effects of the proposed project combined with the effects of other past, present, and reasonably foreseeable future projects would not result in a significant cumulative hazardous materials impact.

### 4.1.8 Hydrology and Water Quality

Several washes and drainages discharge to the Salton Sea from around the project area. The Salton Sea is listed under the CWA Section 303(d), as being an impaired water body because of high levels of nutrients, salinity, and selenium. Although surface drainage from the Salton City Landfill is contained entirely within the project area, future projects, as listed on Table 4-1, may incrementally contribute pollutants, such as sediments, and nutrients to these waters from upland areas as a result of increased impervious surface areas (e.g., pavement, roads, buildings). As implied by inclusion of the 303(d) list, the beneficial uses of water of the Salton Sea are impaired such that no assimilative

capacity or ability remains to accommodate additional quantities of these contaminants, irrespective of concentration.

The proposed project would not violate water quality standards; alter flows into receiving waters; result in substantial erosion, siltation, or flooding on site or off site; or otherwise substantially degrade water quality. As discussed in Section 3.8, "Hydrology and Water Quality," the proposed project would be consistent with SWFP permit requirements and WDRs requiring the proposed project to have no increase in surface water runoff up to a 100-year, 24-hour storm event relative to pre-project (undeveloped) conditions, and would have to receive county- and state-level review and approval prior to use. The proposed project would have a drainage system designed to collect, convey, and detain stormwater discharges designed to yield no net increase in flows relative to pre-project conditions for storms up to a 100-year, 24-hour storm event. In the absence of project-related impacts on flow in receiving water bodies, there also would be no potential for the proposed project to contribute to cumulative impacts. Thus, the proposed project would not result in a considerable contribution to cumulative impacts related to violating water quality standards or WDRs.

As described in Section 3.8, the proposed project also would not deplete or interfere with groundwater supplies. The water needs of the facility would be met by increased pumping from the on-site production well that draws from a confined artesian aquifer that is not connected to the local groundwater table or to deeper aquifers used by potential future geothermal energy projects. Furthermore, the project would not place structures in a flood hazard area that would redirect flood flows. Overall, the project involves expansion of an existing landfill's capacity beyond its currently permitted area and construction of four new buildings, and combined with the listed cumulative projects above, would not make a considerable contribution to cumulative impacts related to hydrology and water quality.

#### **4.1.9 Public Services**

Cumulative impacts on public services, including fire protection, police, schools, parks, and solid waste facilities, would result when projects combine to increase demand on services such that additional services must be provided and the construction of these additional services would result in environmental impacts. The specific plans mentioned in Table 4-1 include public facilities financing plans that outline the need for capital improvement projects, including additional fire and law enforcement facilities. Development of the project listed under Table 4-1 also would contribute incrementally to the need for additional public facilities; however, development of this facility has been reviewed under NEPA to ensure that its implementation would not considerably contribute to significant environmental impacts.

As discussed in Section 3.9, "Public Services," the project would not create increased demand on SCSD fire protection services. Fire hazards for the project would continue through the operating life of the landfill, and flammable sources include the landfill surface, landfill material stockpiles, and the four new buildings. However, safety practices found in the SCSWS Emergency Response Plan and Fire Prevention and Control Plan would be implemented to mitigate potential fire hazards. These safety practices include using trained onsite personnel to assess potential fire hazards, and to use onsite equipment to extinguish fires. Also, two options for fire suppressing water sources, use of the existing groundwater supply well (equipped with fire hose fittings specified by the SCSD) or implementation of a new 10,000-gallon fire water storage tank on site, would provide adequate water supply to contain structure fires. This water tank could also benefit the surrounding OWSVRA

by providing an additional source of water in the event of a vehicle or park fire. With fire protection provided to the project site by trained onsite personnel using onsite equipment and having an adequate water source dedicated for fire suppression, the proposed project would not increase demand on fire protection services provided by the SCSD. Because the proposed project would not result in additional strain on SCSD fire protection services that would result in a need for additional services, the project in combination with past, present, and reasonably foreseeable projects would not result in a significant cumulative impact.

In addition, the project would not create increased demand on law enforcement services, schools, parks and recreational areas, or solid waste facilities. The project involves expansion of an existing landfill's capacity beyond its currently permitted area and construction of four new buildings, and combined with the projects listed above, would not make a considerable contribution to cumulative impacts related to these services in the SCSD service area.

#### **4.1.10 Transportation/Traffic**

As described in Section 3.10, "Transportation/Traffic," regional traffic volumes are forecast to increase dramatically as a result of regional growth in the West Shores area and construction of the proposed project. Modeling of future cumulative traffic volumes caused by the proposed project and all other identified regional development projects indicated potentially significant direct traffic congestion and direct traffic safety impacts at several public roadway intersections caused by the proposed project. Traffic modeling also indicated the proposed project would contribute slightly to cumulative traffic impacts caused mainly by regional growth. Proposed mitigation measures, consisting of intersection improvements, are required. The applicant will be required to pay its fair share of the mitigation for cumulative traffic impacts. Implementation of those traffic mitigation measures would reduce cumulative traffic impacts contributed by the proposed project to less than significant.

#### **4.1.11 Utilities and Service Systems**

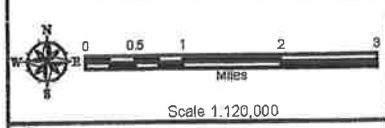
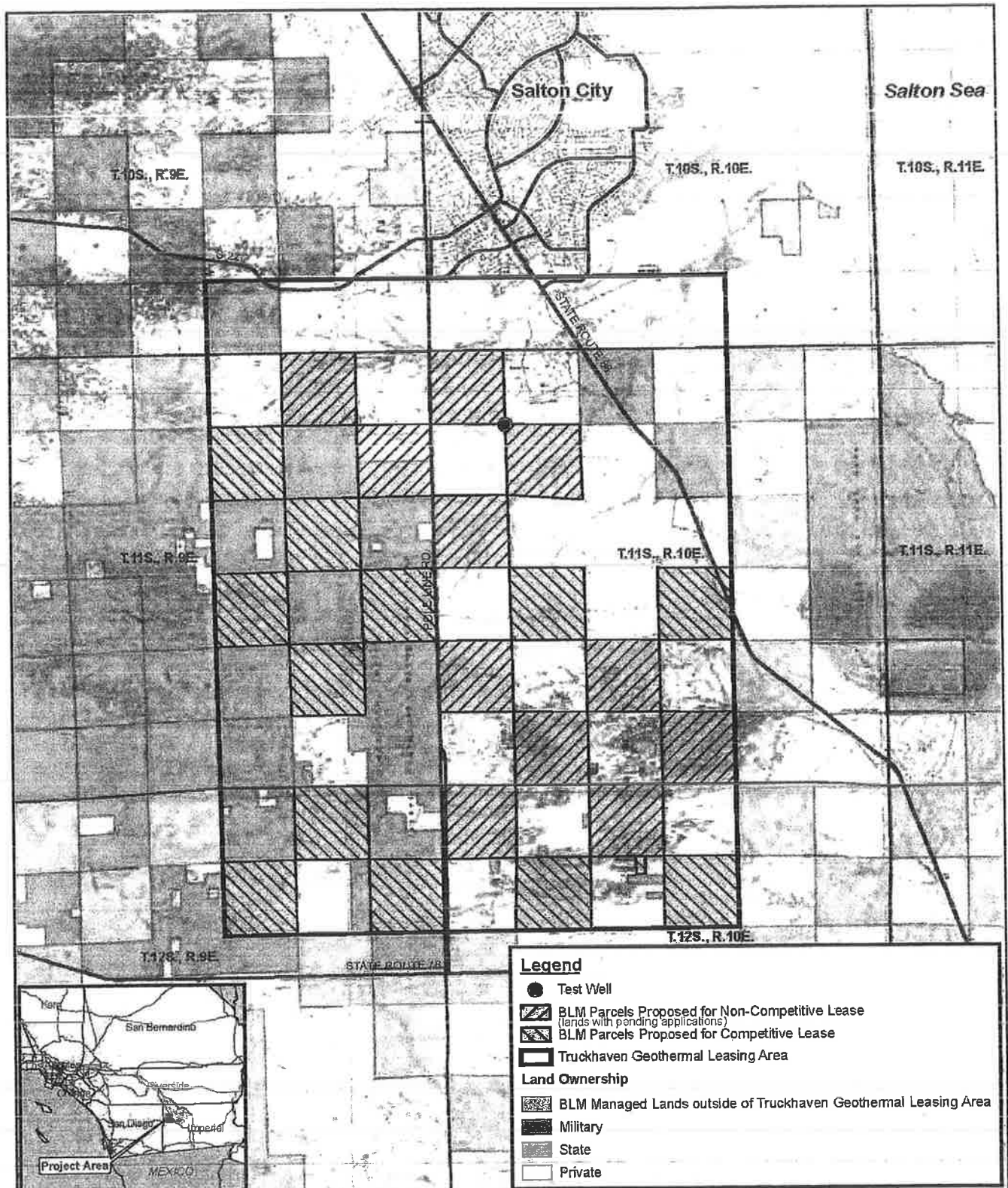
Cumulative impacts on utilities and service systems—water supplies, wastewater facilities, stormwater drainage facilities, landfill capacity, and energy systems—would result when projects combine to increase demand on utilities and service systems such that additional utilities and services must be provided, and the construction of these additional facilities would result in environmental impacts. The specific plans mentioned in Table 4-1 include public facilities financing plans that outline the need for capital improvement projects, including additional water and wastewater treatment facilities. Development of the project listed under Table 4-1 also would incrementally contribute to the need for additional public facilities; however, development of this facility has been reviewed under NEPA to ensure that its implementation would not considerably contribute to significant environmental impacts.

As discussed in Section 3.11, "Utilities," the project would not create a significant increased demand on water supplies, wastewater facilities, or energy systems. The project proposes a new stormwater drainage system that would be subject to approval by CalRecycle, the LEA, and the State Water Board prior to construction, ensuring environmental impacts would be less than significant. Because the proposed project would not result in additional strain on existing water, wastewater, or energy that would result in a need for additional services, the project in combination with past, present, and reasonably foreseeable projects would not result in a significant cumulative impact.

In addition, the project would comply with all federal, state, and local statutes and regulations related to solid waste. The project's added landfill area would also result in a beneficial cumulative impact because the additional landfill capacity would serve the solid waste disposal needs of the local area as well as the region. Therefore, the proposed project combined with the listed cumulative projects above, would not make a considerable contribution to cumulative impacts related to these utilities and services in northwestern Imperial County.

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# EXHIBIT 3



**geology and environment, inc.**  
 International Specialists in the Environment  
 Seattle, Washington

**TRUCKHAVEN GEOTHERMAL LEASING AREA**

**DRAFT EIS**

**Truckhaven, California**

**Figure 1-1  
 SITE LOCATION MAP**

Job Id:	
Date: 12/28/2006	GIS Analyst avh
Map Source Information: USGS Topographic Quadrangle 1:24,000 Terraserver.	

## **4.19 Cumulative Impacts**

### **4.19.1 Introduction**

This section describes the types and potential degree of cumulative impacts that could occur as a result of leasing and development of geothermal resources at the Truckhaven Geothermal Leasing Area.

CEQ regulations state the cumulative impact analysis should include anticipated environmental impacts resulting from “the incremental impacts of the action when added to other past, present, and reasonably foreseeable future actions regardless of what agency (Federal or nonfederal) or person undertakes such other actions. Cumulative impacts can result from individually minor but collectively significant actions taking place over time” (40 CFR 1508.7).

Impacts of the proposed action and alternatives presented in this DEIS are assessed for cumulative impacts with other past, present, and reasonably foreseeable future actions in the region. Unless otherwise specified, the region of influence for each resource in the cumulative analysis is the same as the area defined in Chapter 3.

This analysis considers the action alternatives’ effects (including the proposed action), as evaluated in detail in Chapter 4, when combined with the effects of other past, present, and future actions in the affected region. Since the proposed action is to only issue leases and involves no ground-disturbing activities, no direct impacts would occur that would contribute to cumulative conditions in the affected area. Cumulative actions evaluated in this section include subsequent geothermal development actions described in the RFD scenario, other proposed land actions and use of those lands, and other reasonably foreseeable future actions.

As previously noted, a cumulative impact assessment must identify the past, present, and reasonably foreseeable future actions and impacts on the affected landscape. In Imperial County and the Truckhaven area in particular, these activities include agricultural development, recreation use, roads, military bases, utility corridors, residential developments, and energy development. All of these activities affect similar elements of the environment in that they remove surface vegetation, reduce native species and habitat, may introduce invasive species, cause sedimentation to surface water bodies, introduce hazardous materials, impact traffic patterns, and so forth.

### **4.19.2 Other Relevant Projects and Activities that May Contribute to Cumulative Impacts**

Potential geothermal leasing and development in the Truckhaven area may have an adverse cumulative effect on one or more elements of the environment when combined with other activities in the region. Two significant proposals currently being considered in the area are the Sunrise Powerlink transmission line and geothermal leasing at the Department of the Navy’s (DON) Superstition Mountain training ground southeast of Truckhaven.



## Sunrise Powerlink Project Description

This project, proposed by San Diego Gas and Electric (SDG&E), would construct a 150-mile electric transmission line between the Imperial Valley and San Diego County. The Sunrise Powerlink project's stated purpose is to transmit clean and renewable energy such as wind, solar and geothermal from the Valley to the approximately 2.5 million customers in the San Diego metropolitan area. None of the proposed corridors traverse the Truckhaven Geothermal Leasing Area. One part of the project known as the Desert Link section would construct a 500-kV line south of Truckhaven along SR-78 to provide a means to carry electricity generated there to market. Desert Link would also skirt the OWSVRA, which would also minimize its cumulative effect on recreational activities there.

### Desert Link

The Desert Link section encompasses the 500-kV line from the existing Imperial Valley Substation to the western ABDSP boundary. The Desert Link is the portion of the project that includes the area within Imperial County and the ABDSP. The BLM and ABDSP have jurisdiction over the majority of land in this link.

#### *BLM portion of Sunrise Powerlink Desert Link Section*

A new 500-kV transmission line would begin at the existing Imperial Valley Substation and end at the eastern boundary of the ABDSP, a distance of about 61 miles. The proposed route would traverse open desert in portions and follow existing transmission lines along an existing BLM ROW and Dedicated Utility Corridor. Lattice structures are proposed where the new 500-kV line would require new routing. Additionally, the Imperial Valley Substation would be modified to accommodate the new 500-kV line.

#### *ABDSP portion of Sunrise Powerlink Desert Link Section*

SDG&E has an existing 100-foot ROW through ABDSP, but it would need an additional 50 feet to accommodate the new line. While the majority of the existing easement through ABDSP is 100 feet, there are three ROW segments that total less than 1 mile in length and 24 feet in width. Although this existing ROW is within the ABDSP, the jurisdiction for the existing 100-foot ROW is with the BLM. SDG&E proposes to remove existing wood power poles and place the new 500-kV line on new structures.

The ABDSP segment would be about 22.6 miles in length. An estimated 26.5 miles of existing transmission lines would be removed along the length of the ABDSP segment. Access roads would be placed within the ROW to minimize further impacts to the area. Total time of construction for the Desert Link segment of the project is estimated to be about 24 months in length.

The Sunrise Powerlink project is currently before the California Public Utilities Commission (CPUC) for its review and approval. BLM and the CPUC are preparing a joint EIS/Environmental Impact Report (EIR) for this project that will carry renewable energy generated in Imperial County to market in San Diego and other communities in

Southern California. The EIS/EIR will also amend the CDCA plan because some of the proposed routes for transmission lines will deviate from existing designated utility corridors.

The cumulative effects analysis in SDG&E's proponent's environmental assessment identifies 23 pending or approved projects that may cause related impacts along the proposed route of the line (SDGE 2006, Table 11.1-1). Truckhaven was not included in that list or analysis.

### **Green Path Project**

The IID Energy's Green Path project would carry energy generated from renewable sources produced in Imperial County and elsewhere to customers in Imperial and Riverside Counties. The Green Path Southwest portion of the project would be constructed by IID up to the San Diego County line where SDG&E would it would connect with the Sunrise Powerlink project. (Rose, Craig D., 2006: *SDG&E, Imperial agree to team up. Sunrise line would bring power into S.D. County.* San Diego Union-Tribune, June 22). Much of the Green Path line would be built on BLM land, but would not traverse lands at Truckhaven.

### **Naval Air Facility El Centro-Superstition Mountain**

Another utility grade geothermal prospect is located 12 miles southeast of Truckhaven at Superstition Mountain. The area, officially known as the NAFEC Parachute Bombing Range at Superstition Mountain, is withdrawn public land managed by the DON. As the leasing agent for the Federal government, BLM has received three noncompetitive lease applications for geothermal resources at NAFEC. The DON, with BLM as a cooperating agency, will consider these applications in a separate NEPA document.

Based on well tests and other data, Superstition Mountain is considered a better prospect than Truckhaven (DOD 2003) in terms of power production potential and temperature of the resource. Given the direct correlation between amount of energy produced and the number of wells, this could result in more wells and hence more surface disturbance to develop Superstition Mountain to its potential. Another source states that the play would be smaller than Truckhaven, amounting to only 20-40 MW, which would mean fewer acres disturbed (Layman Energy Associates 2003).

Quantifying impacts for the Superstition Mountain prospect is speculative at this point since the DON has yet to begin its environmental review process. It is possible, however, to discuss how Superstition Mountain and Truckhaven would affect similar elements of the environment. For example, exploration, development, and utilization activities would remove vegetation, expose soils to possible erosion and sedimentation of nearby waterways, increase habitat fragmentation, and potentially displace recreational activities.

Cumulatively, these resources could suffer adverse effects from not only these two geothermal prospects but from other proposed projects, such as the Sunrise Powerlink, homesite and residential developments near Borrego Springs (25 miles west of the Truckhaven area), large-scale water-intensive agriculture, power plants, and many other

small but potentially significant developments in the Valley. The vast majority of these activities occur far from the Truckhaven area. From a cumulative impacts standpoint, the most significant issues are habitat fragmentation, water quality, and recreation.

According to the CEQ regulations, the significance of an impact is measured by its context and intensity (40 CFR 1508.27). From a contextual perspective, the overall estimated impact for the proposed development at Truckhaven is limited geographically and in the context of the surrounding landscape. Around 50 percent of the county is considered undeveloped, with the majority of the developed land under agricultural use. The potential removal of initially up to 505 acres of vegetation, with 405 acres remaining cleared during the utilization phase at Truckhaven would be around 0.00017 percent of the total land in the county. Even in the context of land in the Truckhaven Geothermal Leasing area itself, this represents only 0.126 percent of land disturbed.

Intensity of the activities would be minor, although there could be site-specific impacts that would be mitigated. These mitigation measures could include timing and surface use stipulations on the leases and conditions of approval at the time of permitting wells and other infrastructure.

Impact to the regional power grid could also be an issue. The IID, in cooperation with the Imperial Valley Study Group, have been analyzing capacity and voltage stability issues on the existing grid. This effort has been driven by the assumption that future energy developments will outstrip the capacity of the existing infrastructure. One possible solution is the Sunrise Powerlink, which would upgrade existing and build new power transmission lines through the county. It is expected Truckhaven, at 50 MW (net), would be a minor incremental impact on the current transmission capacity. It is not expected that power generated at Truckhaven would be unable to find its way to market because of transmission line issues. Over time, however, other future power generation projects from within and outside of Imperial County could overburden the existing infrastructure.

### **4.19.3 Cumulative Impacts by Resource**

#### **Air Quality**

While geothermal energy generates minimal emissions compared to fossil fuels, exploration, development, and operation of this renewable resource would be responsible for minor amounts of air pollutants. As noted in Section 4.1, diesel exhaust from construction and drilling equipment and dust from road and well pad construction and use would contribute air pollutants to the region. The analysis in Section 4.1, however, states that any incremental increase in criteria and other pollutants would be below *de minimis* levels under the CAA and would not affect the airshed's attainment status under the Act. Given that analysis, the proposed development at Truckhaven would not have a significant cumulative impact on air quality.

There would be a minor increase in visible water vapor from cooling tower plumes in certain cold weather conditions. Visual quality would be adversely affected on the few days on which atmospheric conditions would be favorable for condensation development.

Combining the potential activities described with those expected at the Truckhaven area would result in negligible increases in NAAQS criteria pollutants and would not cumulatively result in the region moving from attainment to non-attainment status under the CAA. There could be minor localized increases in exhaust from construction equipment and well field workers' vehicles creating haze.

### **Noise**

Site-specific and sporadic increases in noise pollution would occur during exploration and development activities. Combined with other noise generators, such as OHV use, these could extend the time that noise is noticeable to residents or visitors to the area. Noise generated during operations would be from the power plants and vehicles of wellfield workers. Given the attenuation of noise over distances, the effect on ambient noise levels would be low and not become a cumulative impact.

Other proposed projects noted above would also generate unspecified amounts of noise for unspecified lengths of time. It is impossible to quantify these impacts at this time, given the speculative nature of the future activities.

### **Topology/Geology/Geologic Hazards**

Local changes in topography could be caused by construction of roads, well pads, pipelines and the power plants. Up to 502 acres of land could be initially disturbed by geothermal leasing and development in the Truckhaven area. It is unknown precisely where development would occur, so it is unknown how much cut and fill would be necessary.

It is not expected that geothermal leasing and development would have an impact cumulatively or otherwise on the area's geology, nor is it expected the activities would spur seismic events, landslides, or other geologic hazards. The facilities would be built in accordance with the Uniform Building Code and under other BMPs to mitigate possible effects of geologic hazards.

### **Soils**

Soil erosion by wind and water has the potential for minor adverse impacts from geothermal energy exploration, development, and utilization over the life of the operations. The indirect impacts described in Section 4.4 would be combined with impacts from other activities to create additive impacts attributed to impacts to soils. A combination of impacts could generate other indirect impacts, such as increased sedimentation of waterways, impacts to aquatic species, deterioration of visual quality from fugitive dust during high wind events, liberation and suspension of particulate matter, and loss of viable soil to allow vegetation growth.

The level of soil erosion would be affected in several ways. First, some OHV routes may be temporarily closed during construction of geothermal infrastructure. Some trails would be reopened after construction, but others may be closed for the duration of operations. Some trails would be rerouted, thereby removing vegetation from additional

areas. The loss of vegetative cover may increase soil loss through high wind and flash flooding events. Construction of geothermal infrastructure would also remove vegetation initially from up to 502 acres and 405 acres long-term.

With the increase in miles of roads in Truckhaven from geothermal development, unauthorized OHV use could increase off-road usage in these areas and therefore lead to minor increased vegetation disturbance and soil erosion, especially during intense rainfall events. Overall, soil erosion or sedimentation should be minor because of Truckhaven's relative flat topography, lack of significant rainfall throughout the year (although flash flooding does occur) and absence of surface drainage channels in the proposed action area. Several recently completed land-use plans (as described under "Recreation") around the desert reduce OHV opportunities. These plans have reduced the areas available for OHV use in the region and have reduced the potential for soil erosion in those areas by maintaining existing vegetation coverage. But these cumulative actions have partially contributed to concentrating OHV activity onto fewer routes and thus have increased the potential for soil erosion in these remaining routes, especially during flash flooding events.

Under the RFD scenario, up to 502 acres of surface disturbance would occur initially, with a long-term disturbance of 405 acres. Mitigation measures would be required to minimize avoidable impacts from construction and other development activities. Soil loss from the Truckhaven area is expected to be minor given these mitigation measures and the area's topography and low rainfall. Flash flood events do cause significant erosion, but, given the sparse vegetation cover, impacts from these natural events would not be exacerbated by proposed activities in the Truckhaven area. With other reasonably foreseeable activities, there would be potentially increased sedimentation to Tarantula Wash, San Felipe Creek, and eventually the Salton Sea. It is unlikely the activities in the Truckhaven area would have a cumulative impact when combined with other actions, given their locations and potential for impact. Generally, erosion in the desert can be reduced by minimizing soil disturbances and diverting seasonal runoff from areas of high potential erosion. However, potential erosion impacts would be mitigated to a level of insignificance. Mitigation would limit soil erosion on- and off-site, thereby having a negligible impact to offsite resources, such as San Sebastian Marsh.

### **Water Resources**

As noted in Section 4.5, impacts to water can take the form of either quality or quantity. Soil sedimentation and hazardous materials from human activities can adversely affect water quality. Other actions can be combined to cumulatively affect water quality if sufficient quantities of soil or other pollutants find their way into surface waters or groundwater reserves. Pathways could include surface erosion or faulty casing of wells.

### **Vegetation**

Indirect and cumulative impacts such as the introduction of invasive species, could occur on lands adjacent to the Truckhaven Geothermal Leasing Area. The facilitation of seed dispersal could result from construction equipment transporting invasive species from the

construction areas to adjacent lands along access roads and main roads. In addition, exploratory drilling or uncontrolled releases, spills, seepages, or well blowouts could result in addition of toxic, mineralized, or saline geothermal waters to the soil, streams, ponds, or wetlands. This contamination could adversely impact vegetation growth and distribution, particularly for sensitive riparian and wetland vegetation. Although no riparian areas or wetlands exist within or immediately adjacent to the project area, the San Sebastian Marsh is located to the south of the Truckhaven Geothermal Leasing Area. It is unlikely such contamination would adversely impact the San Sebastian Marsh because of the distance between the project boundary and marsh and the location of SR-78.

### **Fish and Wildlife**

Fish are often more sensitive than other wildlife or humans to contaminants of their environment; thus, they can be an indicator of the concentrations of these pollutants in aquatic bodies. Because of the depth of the geothermal wells (approximately 6,000 feet bgs) and setbacks are already in place around pools to protect possible pupfish populations in the region, there would be negligible indirect impacts to surface pools, groundwater feeding these pools, or fish associated with them. Furthermore, based on the well depth and distance of the Salton Sea from the Truckhaven area (approximately 2 miles), there would be negligible indirect impacts to the fishes in the Salton Sea as the geothermal activities would unlikely influence the groundwater associated with the Sea.

Public lands sustain an abundance and diversity of wildlife and wildlife habitat. Wildlife is found in areas where their basic needs—food, shelter, water, reproduction, and movement—are met (Anderson 2001). At the landscape level (1,000 to 100,000s of acres) and stand level (1 to 1,000s of acres), vegetation and habitats are in constant flux, changing and adapting to natural perturbations in the environment (Paige and Ritter 1999). As a result, habitat types have varied over time and distance and have resulted in different species groups being dominant at different times, depending upon the characteristics of the habitat. Loss of habitat is also an important factor contributing to the increase in the number of species listed as threatened or endangered in recent years.

Industrial activities, such as geothermal development, can substantially modify or eliminate habitat within and near the development footprint, although not all species are harmed by conversion of land to more intensive uses. Numerous species are adaptable to changes in their environments. For example, with the inundation of water into the Salton Sea from the Colorado River and the introduction of fish species, birds that utilize the Sea during their migration have benefited from the increased food source.

Roads contribute to the cumulative impacts within a region. Even though existing roads would be used where possible, major improvements to existing roads and construction of new roads would be needed for full field development. This would disrupt soil development and increase the difficulties of rehabilitation during decommissioning. Furthermore, activities such as the construction of roads and ROW have facilitated the spread of weeds. Noxious weeds and other exotic plants harm wildlife by reducing the amount of high quality forage and habitat complexity in an area from levels needed to

support an abundance and diversity of wildlife (Payne and Bryant 1998). Increased traffic on roads would have an adverse cumulative impact on lizards from crushing by vehicles.

Thousands of avian species are killed each year from flying into powerlines and other elevated structures associated with ROWs or transmission towers. With the increase in geothermal development in the area, this may contribute to avian mortality within the region. Powerlines and poles serve as perches for predator avian species and would have an adverse cumulative impact on prey species, such as lizards and small game.

There is currently greater awareness than there has been historically on BLM's part, other land management agencies, and the public on the effects of land-disturbing activities, such as fluid minerals development, on wildlife habitat. Better management of human-related disturbance factors through application of site-specific mitigation, standard operating procedures, reclamation and rehabilitation, and monitoring will continue to benefit wildlife habitat.

### **Special Status Species**

Loss of habitat is also an important factor contributing to the increase in the number of species listed as threatened or endangered in recent years. No sensitive plant species occur within the proposed project area, but these species do occur in the surrounding area. Although future development is likely, development would be limited to narrow ROWs with temporary disturbance from the installation of transmission lines. As a result, threats to these plant species and their habitat would be limited.

Roads contribute to the cumulative impacts within a region. Even though existing roads would be used where possible, major improvements to existing roads and construction of new roads would be needed for full field development. The temporary increased usage of surrounding roads for installation of the Sunrise Powerlink project could impact populations of flat-tailed horned lizards. This lizard freezes in response to danger, which makes them susceptible to mortality on roads and other areas of activity. Additional road construction would reduce available sandy habitat and may crush lizards and their burrows. However, because of the flat-tailed horned lizards relatively low clutch sizes and their large home ranges, the temporary usage of roads during transmission line construction, and limited surface-disturbing activities such as road construction, impacts would unlikely affect local lizard populations.

The development of NAFEC–Superstition Mountain would likely have similar impacts to sensitive species and affect similar habitats in the region as Truckhaven. As a result, the two geothermal prospects may affect sensitive species, such as the desert pupfish, if both prospects influence groundwater sources important to this fish species. However, because of the vast geographic distance between Truckhaven and NAFEC–Superstition Mountain, the overall impacts to special status species would be limited to site-specific areas.

Activities such as the construction of roads and ROW have facilitated the spread of weeds. Noxious weeds and other exotic plants harm wildlife by reducing the amount of high quality forage and habitat complexity in an area from levels needed to support an abundance and diversity of wildlife (Payne and Bryant 1998).

As noted, the development of more transmission lines in the region may have a two-fold effect on avian species. Thousands of avian species are killed each year from flying into powerlines and other elevated structures associated with ROWs or transmission towers. With the increase in transmission lines in the area, this may contribute to avian mortality within the region. However, avian predator densities often increase near human development, such as transmission lines (BLM 2003). The potential increase in predation could have adverse impacts to local lizard populations within the region as well.

Adaptive management techniques would be utilized to minimize impacts to special status species present in the surrounding projects. Whenever possible, vehicle traffic would be relegated to existing roads. Permits would be required to delineate the presence of special status species in the area prior to any infrastructure development. The sparse existing vegetation and low species diversity would make identification of special status populations less difficult.

### **Cultural Resources**

#### *Sunrise Powerlink*

The Sunrise Project is being sited to avoid, where possible, sensitive cultural sites. The impacts to most identified significant cultural resources would be minimized by the Sunrise Project's prudent siting of the structure and other disturbance locations to avoid the locations of known resources.

#### *Northern and Eastern Mojave Planning Effort*

In areas already meeting the four identified indicators under National Fallback Standards, no direct impacts to cultural resources or Native American values would be expected. However, the maintenance of stream channels and healthy vegetation cover to minimize erosion, compaction, reduction of protective ground cover, and other conditions as well as development of springs and seeps can cause indirect adverse affects to cultural resources.

Locating grazing facilities away from riparian-wetland areas whenever they conflict with achieving or maintaining riparian-wetland function has the potential to affect associated cultural resources. Streams and other natural water sources tended to be foci of prehistoric habitation and therefore may contain higher densities of sites that are scientifically important and of concern to Native Americans. Specific actions that may be used to implement the National Fallback Standards, such as ripping, erosion control, removal of nonnative plant species, etc., may impact cultural resources and/or Native American values.



Ground-disturbing activities would require site-specific cultural analysis, which may include survey, recording of sites, and determinations of eligibility of sites that would be impacted. Native American values impacts would be analyzed. Mitigation measures would be identified and implemented, if necessary. Avoidance of all sites is preferred.

All potentially impacting activities used to implement public land health standards would be subject to review under Section 106 of the National Historic Preservation Act and requirements to consult with Native Americans under the Executive Order for government-to-government relationships, existing protocol agreements with tribes, and other relevant legislation. Decisions to mitigate impacts by data recovery instead of avoidance and consequent removal of cultural resources from their context constitutes a residual impact in that rarely is 100 percent of data collected. Mitigation by data recovery results in a steady loss of a finite resource from its original location, with consequent reduction in interpretive opportunities and the public's ability to view such resources in their natural context.

Data recovery may negatively impact traditional Native American values that cannot be mitigated.

#### *Western Colorado Route of Travel*

The U.S. Border Patrol has placed numerous tools in the project area to assist in apprehending undocumented immigrants and smugglers. These tools include barriers, drag areas, and cameras. These activities can have a cumulative effect on cultural resources as the tool and associated activities are ground disturbing. Several utility corridors exist in the project area; they too, can have a negative effect on the cultural resources due to their ground disturbing nature.

Ultimately, for the proposed leasing of parcels in the Truckhaven area, the development of up to 80 miles of access roads would increase access to the Truckhaven area, increasing the potential for unauthorized OHV activity where currently OHV access is limited to existing roads. Currently, the areas for leasing consideration allow OHV access only on designated trails. All other areas within the OWSVRA are otherwise closed to OHV use. Increased vehicular access to the area can result in both unintentional direct impacts from disturbance of surface sites and deliberate site vandalism or pot-hunting as well as unintentional indirect impacts from increased soil erosion that is a byproduct of increased OHV use. As with all the projects occurring in the vicinity of the Truckhaven area, any ground-disturbing activity would be sited to avoid, where possible, sensitive cultural sites. Ground-disturbing activities such as drilling and power plant development would require site-specific cultural analysis, which may include surveys, recording of sites, and determinations of eligibility of sites that would be impacted. Indirect or cumulative impacts have a greater potential to occur during the operational phase. Expansion or modifications to the plant and the addition of more wells sites can increase the potential of new impacts to cultural resources. Increased density of development and existing facilities can also limit the options for avoidance over time. Indirect impacts can occur from accidental or intentional off-road activity by under-regulated or under-supervised equipment operators. Accidental water

pipe ruptures can potentially impact sites from erosion and siltation, or require off-road vehicular travel for emergency repairs.

### **Paleontology**

#### *Sunrise Powerlink*

The Sunrise Project and other regional projects could result in disturbance of geologic formations with paleontological resource potential throughout the region. Monitoring by a qualified paleontological monitor would also be a site-specific requirement in all those areas where any excavation would occur in formations of moderate to high resource potential and would reduce any cumulative impacts to regional paleontological resources to a less-than-significant level.

As with the cumulative impacts to cultural resources, the proposed leasing of parcels in the Truckhaven area, including the development of up to 80 miles of access roads, would increase access to the Truckhaven area, increasing the potential for unauthorized OHV activity where currently OHV access is limited to existing roads. Currently, the areas for leasing consideration allow OHV access only on designated trails. All other areas within the OWSVRA are otherwise closed to OHV use. Increased vehicular access to the area can result in both unintentional direct impacts from increased soil erosion as well as disturbance of surface resources and deliberate site vandalism or fossil-hunting. As with all the projects occurring in the vicinity of the Truckhaven area, any ground-disturbing activity would be sited to avoid, where possible, sensitive paleontological sites. Ground-disturbing activities such as drilling and power plant development would require site-specific paleontological analysis, which may include surveys, recording of sites, and determinations of eligibility of paleontological sites that would be impacted. The primary cumulative impact to paleontological resources would be through the increased access, which could lead to unintentional direct impacts from increased soil erosion as well as disturbance of surface resources and deliberate site vandalism or fossil-hunting. Cumulatively, these impacts would not be expected to be severe.

### **Visual Resources**

There would be no indirect impacts to visual resources under any of the alternatives. Instead, impacts to visual resources are directly related to the scenario outlined in the RFD.

For this DEIS, potential cumulative effects include those assessed for all land ownerships, including lands administered by other Federal agencies (i.e., the NAFEC land at Superstition Mountain, adjacent to the proposed action area) and non-Federal lands, especially regarding other energy projects.

The Sunrise Powerlink project noted above would parallel SR-78 directly south of the leasing area and could in combination affect scenic quality. If either the activities foreseen under Alternative 2 or 3 were to occur in combination with the Sunrise Powerlink project, the overall scenic quality of the desert environment in and around Truckhaven would begin to resemble a more industrial appearance. However, since the

assumed location of the power plants and transmission lines proposed for geothermal leasing would not be visible from SR-78, the association of the Sunrise Powerlink project with either action alternative would not be considered a cumulative visual impact.

### **Lands/Realty**

Given that this is a program and not a resource, leasing of geothermal resources at Truckhaven would not have a cumulative effect on the lands and realty program.

### **Human Health and Safety/Hazardous Materials**

The combination of hazardous materials to develop and operate geothermal energy facilities at Truckhaven with other reasonably foreseeable activities in the area is expected to be negligible. There is a potential for hazardous waste spills (fuel, drilling muds, etc.), but the spills would be contained through use of BMPs described in Chapter 2.

### **Energy and Minerals**

By committing 7,051 acres to 14,731 acres of BLM land to geothermal leases and up to 505 acres for facilities, BLM may limit future mineral development in the Truckhaven area. In addition, other activities proposed in the area may also limit certain mineral development opportunities. Sand and gravel are the only economically viable mineral resources in the area, and, since they are found throughout the region, the cumulative impact to the resource is considered negligible.

### **Recreation**

OHV popularity in California continues to rise, and legal opportunities for OHV recreation continue to decrease. Several recently completed land-use plans (listed below) around the desert have reduced OHV opportunities. These cumulative actions have partially contributed to the increase of activity in the existing legal OHV open areas.

The CDPR has documented an increase of 52 percent in the usage of State Vehicle Recreation Areas between Fiscal Year (FY) 1986 and FY 2000. Street-licensed four-wheel drive vehicle registrations in California have also increased 74 percent (290,651 to 506,585) between 1994 and 2001 (BLM 2003a). Many of these street-legal vehicles are used in the OWSVRA and other OHV sites located nearby, such as the ISDRA.

Land-use plans that affect the cumulative impacts:

- Northern and Eastern Mojave Planning Effort
- Northern and Eastern Colorado Desert Coordinated Management Plan
- West Mojave Habitat Conservation Plan
- Western Colorado Route of Travel

Other projects that could affect cumulative impacts include:

- Sunrise Powerlink;
- Imperial Irrigation District's Greenpath Project; and
- Superstition Mountain EIS.

As land pressures increase, the amount of available space for OHV activity will decrease. Consequently, the possibility of recreational user satisfaction within the California Desert will decrease as the density of OHV use increases in the remaining legal areas. Cumulatively, these actions and trends could cause some displacement of OHV activity into the OWSVRA/Truckhaven area from other areas. It is unknown and difficult to predict where the visitation shift would occur. It is possible the shift could occur into areas that currently require little recreational management or have a more sensitive habitat. With the implementation of appropriate mitigation measures to the project, cumulative impacts to recreational resources would be reduced. These measures could include timing construction to minimize impacts to recreational users in high-use areas and development/enhancement of recreational facilities and programs.

Due to the small amount of land (less than 1/10<sup>th</sup> of one percent) in the Truckhaven Geothermal Leasing Area being permanently removed from recreational use for geothermal well drilling, the cumulative impact of the RFD scenario within the Truckhaven area would be less than significant on recreational resources and would comply with the goals of the CDCA.

### Special Areas

Under the action alternatives (Alternatives 2 and 3), indirect impacts to the Fish Creek Mountains Wilderness Area could result in visual impacts from energy infrastructure. The possible observations of the energy infrastructure or the steam plumes discharged from the facilities from high elevations could cause a moderate long-term impact that might diminish some users' solitude and perception of naturalness of the wilderness area. Because of the distance the Proposed Action area is from this wilderness area, noise and olfactory pollution would not influence a user's wilderness experience.

There would be no indirect impacts to the San Sebastian Marsh/San Felipe Creek under any of the alternatives.

For this DEIS, potential cumulative effects include those assessed for all land ownerships, including lands administered by other Federal agencies (i.e., the NAFEC land adjacent to the proposed action area) and non-Federal lands, especially regarding air quality and terrestrial and aquatic species.

Overall effects on the Fish Creek Mountains Wilderness Area under Alternative 1 would not increase or change in any way. Alternatives 2 and 3 would not substantially contribute to direct or indirect impacts to this wilderness area. Depending on the location of the geothermal wells in relation to a user's presence along the ridges and peaks in the Fish Creek Mountains Wilderness Area, impacts may vary from minor to moderate.

Since the overall character and functioning of the wilderness would remain intact, even when considering cumulative effects, Alternatives 2 and 3 would not impair this area.

### **Socioeconomics/Environmental Justice**

Another geothermal power plant has been permitted and is under construction in Imperial County. The permitting process for that project revealed no significant adverse socioeconomic impacts. Although the timing of any future development of the Truckhaven geothermal site cannot be specified, a geothermal project at that site is unlikely to generate socioeconomic impacts that would be significant when added cumulatively to the impacts of other projects that might occur in the future. The small scale of a Truckhaven geothermal lease development project and the limited scale of the socioeconomic impacts generated assure it would not contribute to a significant cumulative impact.

In the context of the broader U.S. energy economy, development of the Truckhaven geothermal lease tracts would make a small contribution to a number of cumulative benefits. Because geothermal power production cost is low in the long run, it works toward generally lower electricity costs, and, because it has very low emissions, it avoids many of the social costs associated with mitigating air pollution, including healthcare costs.

### **Transportation and Traffic**

Development and operations envisioned under the proposed action would result in an additional 400 daily vehicle trips during the power plant construction phase onto local roadways. During operations, this number would be reduced to 85 vehicle trips per day. Neither construction nor operations-related traffic would adversely affect the LOS and would not contribute to cumulative impacts.

## **4.20 Irretrievable and Irreversible Impacts**

NEPA requires an analysis of significant irreversible effects. Resources irreversibly or irretrievably committed to a proposed action are those utilized on a long-term or permanent basis. This includes the use of nonrenewable resources such as metal, wood, fuel, paper, and other natural or cultural resources. These resources are considered non-retrievable in that they would be used for a proposed action when they could have been conserved or used for other purposes. Another impact that falls under the category of irreversible and irretrievable commitment of resources is the unavoidable destruction of natural resources that could limit the range of potential uses of that particular environment.

### **4.20.1 Vegetation**

There are no anticipated irreversible impacts to vegetation. In the short-term, up to 502 acres would be affected, with a long-term loss of vegetation of 405 acres. In areas where plant habitat is lost or adversely impacted due to surface-disturbing activities or construction, remediation and revegetation techniques can be used to restore vegetation.

#### **4.20.2 Fish and Wildlife**

There would be no irretrievable or irreversible impacts to fish populations in the proposed action area. Wildlife habitat could be reduced under Alternatives 2 and 3, but habitat loss would not be permanent.

#### **4.20.3 Special Status Species**

It is anticipated 405 acres of the entire 40,320 acres of the Truckhaven Geothermal Leasing Area will be disturbed during the project lifetime, impacting special plant species habitat. Portions of this habitat have the potential to be occupied by noxious weeds such as tamarisk or Sahara mustard. This impact should be negligible due to the area's precipitation being below that needed to support these weeds. It is expected that approved mitigation measures and adaptive management techniques would be utilized throughout the project to minimize this impact.

Wildlife habitat would be reduced under Alternatives 2 and 3, but habitat loss would not be permanent.

#### **4.20.4 Visual Resources**

Minor but permanent loss of Class C scenic quality on VRM Class IV Management Area lands would result from either action alternative.

#### **4.20.5 Special Areas**

Minor but permanent loss of the perception of solitude in the Fish Creek Wilderness Region could result if geothermal infrastructure is observed from within the wilderness area.

There would be no impacts to the San Sebastian Marsh/San Felipe Creek because of this proposal.

### **4.21 Short-Term Use Versus Long-Term Productivity of the Environment**

The short-term uses of the environment associated with the action alternatives include those typically found with geothermal energy development. Short-term impacts associated with construction activities described in Chapter 2 (under a typical operations and RFD scenario) include effects to the natural environment, cultural resources, recreation, and socio-economic resources. These can be compared to the long-term benefits of the proposal, such as clean, renewable energy production for a growing regional population and economy.

### **4.22 Residual Impacts**

Implementation of the proposed action would necessarily involve temporary and long-term impacts to the natural and cultural environments. Temporary impacts have been described in this chapter. Unavoidable and adverse impacts are summarized below.

Mitigation (as feasible) for these impacts are included in Chapter 2 and would be applied as necessary in subsequent authorizations. The unavoidable and adverse impacts include:

- Long-term loss of 405 acres of vegetation, habitat, and soil. Habitat loss would not be permanent given the requirement to reclaim and restore disturbed areas during the decommissioning phase;
- Minor adverse air quality impacts from construction activities and well field workers' vehicles;
- Short-term and intermittent noise impacts;
- Possible displacement of wildlife;
- Low probability of impacts to special status species due to increased mitigation;
- Possible loss of some OHV trails from access roads, pipelines, and other energy infrastructure; and
- Long-term visual impacts.

**EXHIBIT 4**



# Utility-Scale Solar Projects in the United States

## Operating, Under Construction, or Under Development

Updated December 6, 2011



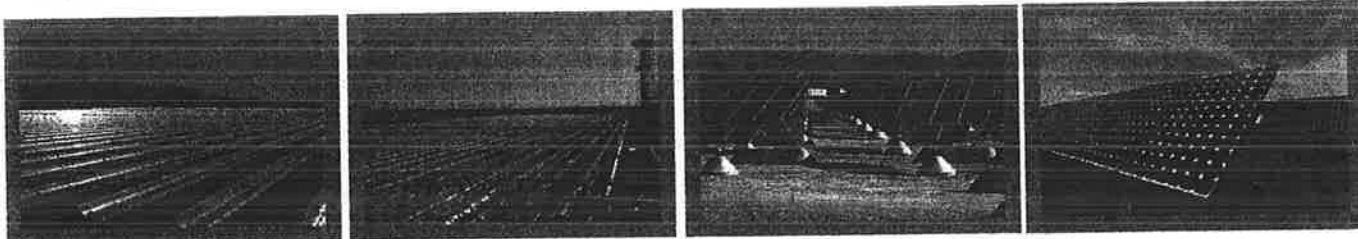
### Overview

This list is for informational purposes only, reflecting projects and completed milestones in the public domain. The information in this list was gathered from public announcements of solar projects in the form of company press releases, news releases, and, in some cases, conversations with individual developers. It is not a comprehensive list of all utility-scale solar projects under development. This list may be missing smaller projects that are not publicly announced. Particularly, many smaller projects located outside of California that are built on a short time-scale may be underrepresented on this list. Also, SEIA does not guarantee that every identified project will be built. Like any other industry, market conditions may impact project economics and timelines. SEIA will remove a project if it is publicly announced that it has been cancelled. SEIA actively promotes public policy that minimizes regulatory uncertainty and encourages the accelerated deployment of utility-scale solar power.

This list includes ground-mounted utility-scale solar power plants larger than 1 MW that directly feed into the transmission grid. This list does not include large "behind the meter" projects that only serve on-site load. One exception to this is large projects on military bases that only serve the base (see, for example, Nellis Air Force Base).

While utility-scale solar is a large and growing segment of the U.S. solar industry, cumulative installations for residential and non-residential (commercial, non-profit and government) solar total 765 MW and 1,458 MW, respectively. For more information on the U.S. solar market, visit [www.seia.org/cs/research/solarinsight](http://www.seia.org/cs/research/solarinsight).

### Example Projects



**Nevada Solar One**

**Developer:** Acciona  
**Electricity Purchaser:** NV Energy  
**Location:** Boulder City, NV  
**Technology:** Trough  
**Capacity:** 64 MW  
**Source:** Acciona North America

**Sierra SunTower**

**Developer:** eSolar  
**Electricity Purchaser:** Southern California Edison  
**Location:** Antelope Valley, CA  
**Technology:** Tower  
**Capacity:** 5 MW  
**Source:** eSolar

**Nellis Air Force Base**

**Developer:** MMA Renewable Ventures  
**Electricity Purchaser:** Nellis AFB  
**Location:** Clark County, NV  
**Technology:** PV  
**Capacity:** 14 MW  
**Source:** MMA Renewable Ventures

**DeSoto Next Generation Solar Energy Center**

**Developer:** Florida Power & Light Co.  
**Electricity Purchaser:** Florida Power & Light Co.  
**Location:** Arcadia, FL  
**Technology:** PV  
**Capacity:** 25 MW  
**Source:** Florida Power & Light

### Major Steps to Bring a Utility-Scale Solar Plant Online



### Private versus Public Land

Solar projects proposed on public lands overseen by the federal government must complete a full Environmental Impact Statement before being issued a construction permit by the U.S. Department of the Interior. This review process, which takes as long as four years to complete, involves coordinated analyses by federal, state and local stakeholders to identify the potential impacts of a proposed project.

On June 29th, 2009, Secretary of the Interior Ken Salazar announced "Fast-Track" initiatives for solar projects on lands in the West. Currently, 14 solar projects have received the "Fast-Track" distinction and are undergoing environmental review. The "Fast-Track" initiative goal is to focus BLM efforts on promising projects in order to complete review prior to the December 2010 deadline required to qualify for some funding programs under the American Recovery and Reinvestment Act. For more information on the "Fast-Track" solar projects, please visit: [http://www.blm.gov/wo/st/en/prog/energy/renewable\\_energy/fast-track\\_renewable.html](http://www.blm.gov/wo/st/en/prog/energy/renewable_energy/fast-track_renewable.html)

### For more information:

Press inquiries should be directed to Monique Hanis at [mhanis@seia.org](mailto:mhanis@seia.org).  
 If you have comments on this list, please contact [research@seia.org](mailto:research@seia.org).

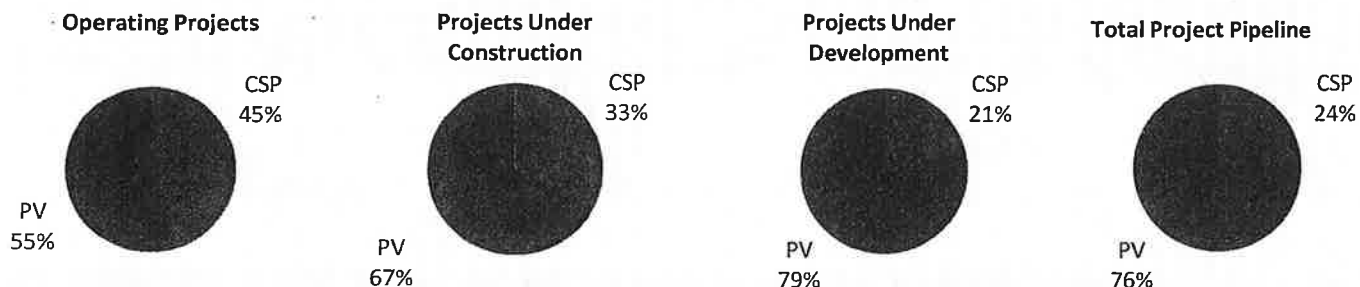
# Utility-Scale Solar Projects in the United States

## Operating, Under Construction, or Under Development

Updated December 6, 2011



Utility-Scale Project Capacity by Technology and Completion Status (MW)				
Technology	Operating	Under Construction	Under Development	Total
CSP	515	1,489	4,889	6,893
PV	629	3,018	18,009	21,655
<b>Total</b>	<b>1,144</b>	<b>4,507</b>	<b>22,898</b>	<b>28,549</b>



Utility-Scale Project Capacity by State and Project Completion Status (MW)				
State	Operating	Under Construction	Under Development	Total
Arizona	70	755	2,295	3,121
California	517	3,280	14,179	17,976
Colorado	52	60	442	555
Delaware	11			11
Florida	127	50	982	1,159
Georgia	1		1	2
Hawaii	2	5	31	38
Idaho			30	30
Illinois	10	20	62	92
Kentucky	2			2
Massachusetts	2	10	36	48
Maryland		16	45	61
Minnesota			2	2
North Carolina	18		2	21
New Jersey	16	62	139	217
New Mexico	95	22	398	515
Nevada	143	120	3,237	3,500
New York	37		20	57
Ohio	12	10	65	87
Oregon	3			3
Pennsylvania	6	1	72	79
Puerto Rico			30	30
Tennessee	1	6		7
Texas	16	90	390	496
Utah			155	155
Vermont	2		2	4
Washington			75	75
unknown			206	206
<b>Total</b>	<b>1,144</b>	<b>4,507</b>	<b>22,898</b>	<b>28,549</b>

Utility-Scale Solar Projects in the United States  
Operating, Under Construction, or Under Development  
Updated December 6, 2011

State	Developer	Project Name	Capacity (MW)	County	Status	Technology	Year	Capacity (MW)
AL	Alabama Electric	Alabama Electric	100	Alabama	Operating	Thin-film	2009	100
AR	Arkansas Electric	Arkansas Electric	100	Arkansas	Operating	Thin-film	2009	100
CA	California Solar	California Solar	100	California	Operating	Thin-film	2009	100
CO	Colorado Solar	Colorado Solar	100	Colorado	Operating	Thin-film	2009	100
CT	Connecticut Solar	Connecticut Solar	100	Connecticut	Operating	Thin-film	2009	100
DC	District of Columbia	District of Columbia	100	District of Columbia	Operating	Thin-film	2009	100
DE	Delaware Solar	Delaware Solar	100	Delaware	Operating	Thin-film	2009	100
FL	Florida Solar	Florida Solar	100	Florida	Operating	Thin-film	2009	100
GA	Georgia Solar	Georgia Solar	100	Georgia	Operating	Thin-film	2009	100
HI	Hawaii Solar	Hawaii Solar	100	Hawaii	Operating	Thin-film	2009	100
IA	Iowa Solar	Iowa Solar	100	Iowa	Operating	Thin-film	2009	100
IL	Illinois Solar	Illinois Solar	100	Illinois	Operating	Thin-film	2009	100
IN	Indiana Solar	Indiana Solar	100	Indiana	Operating	Thin-film	2009	100
KS	Kansas Solar	Kansas Solar	100	Kansas	Operating	Thin-film	2009	100
KY	Kentucky Solar	Kentucky Solar	100	Kentucky	Operating	Thin-film	2009	100
LA	Louisiana Solar	Louisiana Solar	100	Louisiana	Operating	Thin-film	2009	100
MA	Massachusetts Solar	Massachusetts Solar	100	Massachusetts	Operating	Thin-film	2009	100
MD	Maryland Solar	Maryland Solar	100	Maryland	Operating	Thin-film	2009	100
ME	Maine Solar	Maine Solar	100	Maine	Operating	Thin-film	2009	100
MI	Michigan Solar	Michigan Solar	100	Michigan	Operating	Thin-film	2009	100
MN	Minnesota Solar	Minnesota Solar	100	Minnesota	Operating	Thin-film	2009	100
MO	Missouri Solar	Missouri Solar	100	Missouri	Operating	Thin-film	2009	100
MS	Mississippi Solar	Mississippi Solar	100	Mississippi	Operating	Thin-film	2009	100
MT	Montana Solar	Montana Solar	100	Montana	Operating	Thin-film	2009	100
NC	North Carolina Solar	North Carolina Solar	100	North Carolina	Operating	Thin-film	2009	100
ND	North Dakota Solar	North Dakota Solar	100	North Dakota	Operating	Thin-film	2009	100
NH	New Hampshire Solar	New Hampshire Solar	100	New Hampshire	Operating	Thin-film	2009	100
NJ	New Jersey Solar	New Jersey Solar	100	New Jersey	Operating	Thin-film	2009	100
NM	New Mexico Solar	New Mexico Solar	100	New Mexico	Operating	Thin-film	2009	100
NV	Nevada Solar	Nevada Solar	100	Nevada	Operating	Thin-film	2009	100
NY	New York Solar	New York Solar	100	New York	Operating	Thin-film	2009	100
OH	Ohio Solar	Ohio Solar	100	Ohio	Operating	Thin-film	2009	100
OK	Oklahoma Solar	Oklahoma Solar	100	Oklahoma	Operating	Thin-film	2009	100
OR	Oregon Solar	Oregon Solar	100	Oregon	Operating	Thin-film	2009	100
PA	Pennsylvania Solar	Pennsylvania Solar	100	Pennsylvania	Operating	Thin-film	2009	100
RI	Rhode Island Solar	Rhode Island Solar	100	Rhode Island	Operating	Thin-film	2009	100
SC	South Carolina Solar	South Carolina Solar	100	South Carolina	Operating	Thin-film	2009	100
SD	South Dakota Solar	South Dakota Solar	100	South Dakota	Operating	Thin-film	2009	100
TN	Tennessee Solar	Tennessee Solar	100	Tennessee	Operating	Thin-film	2009	100
TX	Texas Solar	Texas Solar	100	Texas	Operating	Thin-film	2009	100
UT	Utah Solar	Utah Solar	100	Utah	Operating	Thin-film	2009	100
VA	Virginia Solar	Virginia Solar	100	Virginia	Operating	Thin-film	2009	100
VT	Vermont Solar	Vermont Solar	100	Vermont	Operating	Thin-film	2009	100
WA	Washington Solar	Washington Solar	100	Washington	Operating	Thin-film	2009	100
WI	Wisconsin Solar	Wisconsin Solar	100	Wisconsin	Operating	Thin-film	2009	100
WV	West Virginia Solar	West Virginia Solar	100	West Virginia	Operating	Thin-film	2009	100
WY	Wyoming Solar	Wyoming Solar	100	Wyoming	Operating	Thin-film	2009	100











Utility-Scale Solar Projects in the United States  
Operating, Under Construction, or Under Development

Updated December 6, 2011

Company	Project Name	Technology	City/County	State	PI/SP	Technology	Status	Financing	Online Date	Capacity
Imperial Valley Solar Company	Imperial Irrigation District	PV	Imperial	CA	PV	Under Development	Private			23
WSP	WSP	PV	West Sacramento	CA	PV	Under Development	Private			60
Recurrent Energy	Southern California Edison	PV	Kern County	CA	PV	Under Development	Private			6
Recurrent Energy	Southern California Edison	PV	Kern County	CA	PV	Under Development	Private			22
Recurrent Energy	Southern California Edison	PV	Kern County	CA	PV	Under Development	Private			2
SEPV 1, LLC	Southern California Edison	PV	Palmdale	CA	PV	Under Development	Private			5
SEPV 2, LLC	Southern California Edison	PV	Palmdale	CA	PV	Under Development	Private			5
Shear Energy	Southern California Edison	Tower PV	Ilwaco	OR	CSP	Under Development	Private			250
Shear Energy	Southern California Edison	Thin-film PV	Ilwaco	OR	PV	Under Development	Private			200
Shear Energy	Southern California Edison	Thin-film PV	Ilwaco	OR	PV	Under Development	Private			10
Shear Energy	Southern California Edison	Thin-film PV	Ilwaco	OR	PV	Under Development	Private			10
Shear Energy	Southern California Edison	Thin-film PV	Ilwaco	OR	PV	Under Development	Private			5
Shear Energy	Southern California Edison	Thin-film PV	Ilwaco	OR	PV	Under Development	Private			470
Shear Energy	Southern California Edison	Thin-film PV	Ilwaco	OR	PV	Under Development	Private			30
Shear Energy	Southern California Edison	Thin-film PV	Ilwaco	OR	PV	Under Development	Private			10
Shear Energy	Southern California Edison	Thin-film PV	Ilwaco	OR	PV	Under Development	Private			10
Shear Energy	Southern California Edison	Thin-film PV	Ilwaco	OR	PV	Under Development	Private			8
Shear Energy	Southern California Edison	Thin-film PV	Ilwaco	OR	PV	Under Development	Private			520
Shear Energy	Southern California Edison	Thin-film PV	Ilwaco	OR	PV	Under Development	Private			5
Shear Energy	Southern California Edison	Thin-film PV	Ilwaco	OR	PV	Under Development	Private			1
Shear Energy	Southern California Edison	Thin-film PV	Ilwaco	OR	PV	Under Development	Private			275
Shear Energy	Southern California Edison	Thin-film PV	Ilwaco	OR	PV	Under Development	Private			3
Shear Energy	Southern California Edison	Thin-film PV	Ilwaco	OR	PV	Under Development	Private			4
Shear Energy	Southern California Edison	Thin-film PV	Ilwaco	OR	PV	Under Development	Public			20
Shear Energy	Southern California Edison	Thin-film PV	Ilwaco	OR	PV	Under Development	Public			2
Shear Energy	Southern California Edison	Thin-film PV	Ilwaco	OR	PV	Under Development	Private			20

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# EXHIBIT 5

# Executive Summary

## ES1.1 INTRODUCTION

This Draft Environmental Impact Statement/Environmental Impact Report (EIS/EIR) evaluates the impacts of alternative methods of implementing the Salton Sea Species Conservation Habitat Project (SCH Project or Project). The SCH Project is intended to serve as a proof of concept for the restoration of shallow water habitat that currently supports fish and wildlife dependent upon the Salton Sea (the Sea); this habitat is being lost due to salinity increases and the declining Sea elevation. This section of the EIS/EIR presents background and introductory information, and describes the authorities of the lead agencies (United States [U.S.] Army Corps of Engineers [Corps] and the California Natural Resources Agency) in preparing this EIS/EIR, the public outreach program, and the scope and contents of the EIS/EIR. This EIS/EIR has been prepared in accordance with the requirements of the National Environmental Policy Act (NEPA) (42 United States Code section 4341 et seq.), and in conformance with the Council on Environmental Quality NEPA guidelines and the Corps' NEPA Implementing Regulations. The document also fulfills the requirements of the California Environmental Quality Act (CEQA) (Public Resources Code section 21000 et seq.) and the State CEQA Guidelines (Title 14, California Code of Regulations section 15000 et seq.). The Corps is the NEPA lead agency, and the California Natural Resources Agency is the CEQA lead agency. The EIS/EIR was prepared under the direction of the California Department of Fish and Game (DFG) and California Department of Water Resources on behalf of the Natural Resources Agency and the Secretary for Natural Resources.

## ES1.2 PROJECT LOCATION

The Project would be located at the southern end of the Salton Sea in Imperial County, California. Alternative sites for implementing the SCH Project are located near the mouths of the New and Alamo rivers.

## ES1.3 CEQA PROJECT GOALS AND OBJECTIVES / NEPA PURPOSE AND NEED

The Salton Sea currently supports a wide variety of bird species and a limited aquatic community. Over many decades, the components of the aquatic-dependent community have shifted in response to receding water levels and increasing salinity. The Salton Sea is currently a hypersaline ecosystem (about 51 ppt) (C. Holdren, Reclamation, unpublished data). Without restoration, declining inflows in future years will result in the Sea's ecosystem collapse due to increasing salinity (expected to exceed 60 ppt by 2018, which is too saline to support fish) and other water quality stresses, such as temperature extremes, eutrophication, and related anoxia due to algal productivity.

The most serious and immediate threat to the Salton Sea ecosystem is the loss of fishery resources that support piscivorous birds. The birds that feed on invertebrates have more options and resources, because the invertebrate fauna has a wider range of salinity tolerances. Piscivorous birds, on the other hand, are at risk of decline. To address this immediate need, the California Legislature appropriated funds for the purpose of implementing "conservation measures necessary to protect the fish and wildlife species dependent on the Salton Sea, including adaptive management measurements" (California Fish and Game Code section 2932(b)). Therefore, under CEQA the SCH Project's goals are two-fold: (1) develop a range of aquatic habitats that will support fish and wildlife species dependent on the Salton Sea; and (2) develop



## EXECUTIVE SUMMARY

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1 and refine information needed to successfully manage the SCH Project habitat through an adaptive  
2 management process. Specific objectives under each goal are described in detail in Section 1 of this  
3 EIS/EIR.

### 4 ***Goal 1: Develop a range of aquatic habitats that will support fish and wildlife species dependent on*** 5 ***the Salton Sea.***

6 The SCH Project's purpose is to provide in-kind replacement for near-term habitat losses. The Project's  
7 target species are those piscivorous bird species that use the Salton Sea and are dependent on shallow  
8 saline habitat for essential habitat requirements within their western geographic range. The Salton Sea  
9 plays an important role in supporting significant portions of the populations of some of these birds.

#### 10 **OBJECTIVES FOR GOAL 1:**

- 11 1) Provide appropriate foraging habitat for piscivorous bird species.
- 12 2) Develop physical structure and microhabitat elements required to support piscivorous bird  
13 species.
- 14 3) Support a sustainable, productive aquatic community.
- 15 4) Provide suitable water quality for fish.
- 16 5) Minimize adverse effects on desert pupfish.
- 17 6) Minimize risk of selenium.
- 18 7) Minimize risk of disease/toxicity impacts.

### 19 ***Goal 2: Develop and refine information needed to successfully manage the SCH Project habitat*** 20 ***through an adaptive management process.***

21 The SCH Project's second goal would be to serve as a proof of concept for the restoration of shallow-  
22 water habitat that supports fish and wildlife currently dependent upon the Salton Sea. The Project would  
23 incorporate an adaptive management framework to guide evaluation and improved management of the  
24 newly created habitat as well as to inform future restoration. An adaptive management framework  
25 provides a flexible decision-making process for ongoing knowledge acquisition, monitoring, and  
26 evaluation, leading to continuous improvement in management planning and Project implementation to  
27 achieve specified objectives. The information obtained would be used to measure Project effectiveness, to  
28 refine operations and management of the ponds, to reduce uncertainties about key issues, and to inform  
29 subsequent stages of habitat restoration at the Salton Sea.

#### 30 **OBJECTIVES FOR GOAL 2:**

- 31 1) Identify uncertainties in achieving the objectives of providing habitat and prey for piscivorous  
32 birds (e.g., maintaining suitable water temperature and dissolved oxygen) and minimizing  
33 impacts on species (e.g., selenium ecorisk).
- 34 2) Develop and implement a monitoring plan.
- 35 3) Develop a decision-making framework.
- 36 4) Provide proof of concept for future restoration.

37 The purpose of the Project under NEPA is to develop a range of aquatic habitats that will support wildlife  
38 species dependent on the Salton Sea in Imperial County, California.

## ES1.4 DRAFT SECTION 404(B)(1) ALTERNATIVES ANALYSIS BASIS AND OVERALL PROJECT PURPOSE

The Clean Water Act (CWA) section 404(b)(1) Guidelines (Guidelines) promulgated by the U.S. Environmental Protection Agency explain that, when an action is subject to NEPA and the Corps is the permitting agency, the analysis of alternatives prepared for NEPA will, in most cases, provide the information needed for analysis under the Guidelines. The Guidelines also state that, in some cases, the NEPA document may have addressed "a broader range of alternatives than required to be considered under [the Guidelines] or may not have considered alternatives in sufficient detail to respond to the details of these Guidelines. In the latter case, it may be necessary to supplement these NEPA documents with this additional information" (40 Code of Federal Regulations [CFR] section 230.10(a)(4)). In light of this statement in the Guidelines, and because the Project purpose statement under NEPA and the Guidelines are not necessarily identical, the Corps has reviewed and refined the Project purpose to ensure it meets the standards of the Guidelines.

For CWA section 404 purposes, the Draft Section 404(b)(1) Alternatives Analysis, to be included as an appendix in the Final EIS/EIR, provides the following statement of basis and overall project purpose:

The basic project purpose comprises the fundamental, essential, or irreducible purpose of the proposed action, and is used by the Corps to determine whether an applicant's project is water dependent (i.e., whether it requires access or proximity to or siting within a special aquatic site). The basic project purpose for the SCH Project is aquatic habitat restoration. The SCH Project is water dependent. Therefore, the rebuttable presumptions that there is a less damaging practicable alternative for the proposed activity that would not affect jurisdictional waters do not apply (40 CFR section 230.10(a)(3)).

The overall Project purpose is to develop a range of aquatic habitats that will support fish and wildlife species dependent on the Salton Sea in Imperial County, California.

## ES1.5 SPECIES SUPPORTED BY THE SPECIES CONSERVATION HABITAT PROJECT

### ES1.5.1 Aquatic Species

Aquatic organisms that currently or in the recent past comprise the food web supporting fish in the Salton Sea include phytoplankton, zooplankton, and benthic and water column macroinvertebrates. Macroinvertebrate species include diptera (flies), corixids (water boatmen), benthic polychaetes such as pileworms (*Neanthes succinea*) and a spionid worm (*Streblospio benedicti*), amphipods (*Gammarus mucronatus* and *Corophium louisianum*), ostracods (seed shrimp), and a barnacle (*Balanus amphitrite*) (Detwiler et al. 2002; Miles et al. 2009), while zooplankton is dominated by copepods (Miles et al. 2009). These or other species with similar habitat functions and food-web functions would become established or would be introduced into the SCH ponds.

Although a number of fish species were present in the Salton Sea while salinity was in the range of marine waters, those fish were introduced for recreational fishing and not as forage for birds. Tilapia that inhabit the Sea are hybrids between the Mozambique tilapia (*Oreochromis mossambicus*) and Wami River tilapia (*O. urolepis hornorum*) (Costa-Pierce 2001). These fish, called California Mozambique hybrids ("Mozambique hybrid tilapia"), are currently the most abundant fish in the Sea and have been extensively used as forage by birds because their size range and location within the water column makes them easily accessible.

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1 To support piscivorous birds, the SCH Project would need to provide fish of a size and quantity that the  
2 birds can use. Many of the plankton and macroinvertebrate components of the aquatic food web that  
3 support the fish will be present in the water used to fill the SCH ponds and would multiply there. For  
4 species of macroinvertebrates that are no longer present or present in very low numbers (e.g., pileworms  
5 and barnacles), inoculation with those species (or species with similar ecological functions) would be  
6 considered. Fish species that are currently present, or have been present in the past, and that would be  
7 suitable for the SCH ponds include several species and hybrids of tilapia, sailfin molly (*Poecilia*  
8 *latipinna*), and threadfin shad (*Dorosoma petenense*). These species have been selected as the most  
9 likely to survive and have the least potential for adverse effects on the desert pupfish (*Cyprinodon*  
10 *macularius*), which is a protected species. Other species could also be used, particularly if some of these  
11 do not become abundant enough to support bird foraging.

### 12 **ES1.5.2 Piscivorous Birds**

13 The SCH ponds are designed to accommodate those piscivorous bird species that will experience  
14 significant declines when the quality of Salton Sea habitat deteriorates substantially in the near future  
15 (i.e., American white pelican (*Pelecanus erythrorhynchos*), Black skimmer (*Rynchops niger*), Caspian  
16 tern (*Hydroprogne caspia*), Double-crested cormorant (*Phalacrocorax auritus*), and Gull-billed tern  
17 (*Gelochelidon nilotica*). For many of these species, a significant proportion of their population uses the  
18 Sea. If the amount of habitat used by these species at the Sea were substantially reduced, some individuals  
19 could use other habitats in the region up to their capacity, but it is unlikely that all of the piscivorous birds  
20 using the Sea could find suitable habitat elsewhere because it is sparsely available in this geographic  
21 region.

22 The SCH ponds would also benefit other bird species, such as the eared grebe, western snowy plover  
23 (*Charadrius alexandrinus nivosus*), ruddy duck (*Oxyura jamaicensis*), black tern (*Chlidonias niger*), and  
24 California brown pelican (*Pelecanus occidentalis*). These species are either not piscivorous (invertebrate  
25 prey is easier to support than fish) and/or only a small proportion of their population depends on the  
26 Salton Sea. Also, some subspecies or population segments would likely use the restored habitats as well,  
27 such as the least tern (interior subspecies of the California least tern or Mexican least tern, whichever is  
28 present at the Salton Sea) and the Baja population of the California brown pelican, which uses the Sea as  
29 a post-breeding site. While the SCH ponds would provide ancillary benefits for these species, they are not  
30 the principal species served by the SCH Project and, therefore, their habitat needs would not be  
31 considered criteria for design.

### 32 **ES1.6 ENVIRONMENTAL REVIEW PROCESS**

33 Public scoping was conducted to help identify areas of concern and specific issues that should be  
34 addressed in the EIS/EIR. In compliance with NEPA, the Corps issued a Notice of Intent for the  
35 preparation of the EIS/EIR on June 23, 2010. In compliance with CEQA, the Natural Resources Agency  
36 issued a Notice of Preparation for the EIS/EIR on June 21, 2010. These notices are included in Appendix  
37 A, Scoping Process. The notices were sent to over 1,300 responsible and involved agencies and interested  
38 organizations and individuals. To solicit additional comments on the scope and content of the EIS/EIR,  
39 the lead agencies held four public scoping meetings at Palm Desert, Thermal, Calipatria, and Brawley on  
40 July 7 and 8, 2010. The four scoping meetings attracted over 50 people, some of whom provided oral  
41 comments on the scope and content of the EIS/EIR, including project design and impacts. Twelve written  
42 responses to the notices were received during the comment period which ended on July 24, 2010. The  
43 most common topics mentioned included the project description, water supplies, adaptive management,  
44 siting criteria, baseline conditions, resource-specific impacts and mitigation measures, as well as impacts  
45 of expanding the range of species that would be benefited by the SCH Project, addressing issues  
46 associated with selenium exposure, and the need to address the potential creation of breeding habitat for

1 mosquitoes, which are disease vectors. Additionally, a number of commenters, including the U.S.  
2 Environmental Protection Agency, Reclamation, San Diego County Water Authority, and a group of non-  
3 governmental organizations, expressed overall support for the SCH Project. The information from  
4 scoping was used to shape the scope, content, and level of detail in the EIS/EIR and in all phases of  
5 document preparation. A complete description of the scoping process and comments received is included  
6 in the scoping report provided in Appendix A.

## 7 **ES1.7 PURPOSE OF THE EIS/EIR**

8 This joint EIS/EIR is intended to identify to agency decision makers and the public the potential range of  
9 impacts associated with the implementation of the Project alternatives, including significant and  
10 beneficial environmental impacts. As described below, each of the lead agencies has independent  
11 regulatory compliance needs that are served by this EIS/EIR.

### 12 **ES1.7.1 NEPA and the Purpose of an EIS**

13 NEPA requires decision makers from Federal agencies to document and consider the impacts on the  
14 environment from their actions before making decisions and take actions that protect, restore, and  
15 enhance the environment. An EIS is prepared when an agency determines that an action could result in  
16 one or more significant impacts on the environment in order to provide a full disclosure of anticipated  
17 impacts. The EIS informs decision-makers and the public of reasonable alternatives that would avoid or  
18 minimize significant impacts or enhance the quality of the human environment.

### 19 **ES1.7.2 CEQA and the Purpose of an EIR**

20 CEQA requires state and local agency decision makers to consider the environmental consequences of  
21 their actions. An EIR is prepared when such agencies determine that a project has the potential to result in  
22 one or more significant environmental impacts. The purpose of an EIR is to identify the environmental  
23 impacts resulting from a project, identify alternative ways of implementing a project that could reduce or  
24 avoid significant impacts, and identify ways in which significant impacts can be reduced or avoided.  
25 When feasible mitigation measures do not exist, a project may still be carried out if the approving agency  
26 finds that economic, legal, social, technological, or other benefits outweigh the unavoidable significant  
27 impacts.

## 28 **ES1.8 INTENDED USES OF THE DRAFT EIS/EIR**

29 The Draft EIS/EIR has been prepared in accordance with applicable Federal and state environmental  
30 statutes, regulations, and policies and is intended to inform Federal and state decision makers regarding  
31 the potential impacts of the Project alternatives and help them identify the preferred alternative. The Draft  
32 EIS/EIR is an informational document and does not recommend approval or denial of the Project. The  
33 Draft EIS/EIR is being provided to the public in order to obtain comments on the scope and impacts of  
34 the Project alternatives. A Final EIS/EIR will be prepared that takes into consideration comments  
35 received from agencies, organizations, and individuals; and responses to each comment will be provided.  
36 The Final EIS/EIR will be the basis for decision making by the Corps, the Natural Resources Agency, and  
37 other concerned agencies.

### 38 **ES1.8.1 Corps' Use of the EIS/EIR**

39 The Corps will use this EIS/EIR in determining whether to issue a Department of the Army permit for the  
40 SCH Project under section 404 of the CWA. The EIS/EIR will also support the Corps' consultations with  
41 the California State Historic Preservation Office regarding potential impacts on cultural resources and  
42 with the U.S. Fish and Wildlife Service (USFWS) regarding potential impacts on endangered species. The

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1 Corps will issue a Record of Decision that documents its decision on the preferred alternative pursuant to  
2 its regulatory authority under section 404 of the CWA.

### 3 **ES1.8.2 Natural Resources Agency's Use of the EIS/EIR**

4 The Natural Resources Agency will use the EIS/EIR in deciding whether to approve and implement the  
5 preferred alternative and also will use the EIS/EIR as the basis for its applications for approval under  
6 section 401 and 404 of the Clean Water Act and other required permits. The Natural Resources Agency  
7 will certify the EIR, as appropriate, and issue a Notice of Completion, Findings of Fact, and Statement of  
8 Overriding Considerations (if necessary) that will document its decision regarding the adequacy of the  
9 EIR.

### 10 **ES1.8.3 Cooperating, Responsible, and Trustee Agency Actions**

11 Under NEPA, cooperating agencies are agencies other than the lead agency that have discretionary  
12 authority over a proposed action, jurisdiction by law, or special expertise with respect to the  
13 environmental impacts expected to result from an action. The U.S. Bureau of Reclamation is a  
14 cooperating agency for the preparation of this EIS/EIR and has special expertise related to restoration  
15 planning, as well as jurisdiction by law over lands located near the Project area. The USFWS also is a  
16 cooperating agency because portions of the ponds at the New River sites would be located on land that is  
17 part of Sonny Bono Salton Sea National Wildlife Refuge and managed by the USFWS.

18 Under CEQA, responsible agencies are all agencies other than the lead agency that have discretionary  
19 approval power over a project. DFG will use the EIS/EIR in deciding whether to issue a Streambed  
20 Alteration Agreement under section 1602 or 1605 of the California Fish and Game Code and Incidental  
21 Take Permit under section 2081 of the California Endangered Species Act. Imperial Irrigation District  
22 (IID) also is a responsible agency because the SCH Project primarily would be located on land that is  
23 owned by IID. The Colorado River Basin Regional Water Quality Control Board is a responsible agency  
24 because it would be required to issue a Clean Water Act section 401 water quality certification.

25 The California State Lands Commission (SLC) is a trustee agency, defined in section 15386 of the CEQA  
26 Guidelines as "...a state agency having jurisdiction by law over natural resources affected by a project  
27 which are held in trust for the people of the State of California." The SLC will use the EIS/EIR in  
28 determining whether to issue a lease agreement for impacts on the Salton Sea, for any portion of the SCH  
29 Project within its jurisdiction. The SLC has determined that one parcel included in the potential SCH  
30 Project sites is within its jurisdiction. Parcel 020-010-030 is located within the Alternatives 4 and 6 sites,  
31 and its use would require a lease agreement with the SLC.

### 32 **ES1.9 REQUIRED PERMITS AND CONSULTATIONS**

33 The following permits and consultations are expected to be required:

- 34 • Federal Clean Water Act section 404 Standard Individual Permit from the Corps;
- 35 • Federal Clean Water Act section 401 water quality certification from the Colorado River Basin  
36 Regional Water Quality Control Board;
- 37 • National Historic Preservation Act section 106 consultation with State Historic Preservation Office;
- 38 • Federal Endangered Species Act section 7 consultation with the USFWS;
- 39 • California Fish and Game Code section 1602 or 1605 Streambed Alteration Agreement from DFG;
- 40 • California Endangered Species Act section 2081 Incidental Take Permit from DFG;

- 1 • California SLC lease agreement for impacts on the Salton Sea for the use of parcel 020-010-030; and
- 2 • IID Board approval of the SCH Project lease agreement.

3 Additionally, the Imperial County Air Pollution Control District would require preparation of a Fugitive  
4 Dust Control Plan under Regulation VIII, Fugitive Dust Rules (800–806). Easements would be required  
5 from landowners for Project facilities during construction and operations. Haul permits and encroachment  
6 permits may be required for the use of area roadways during construction.

## 7 **ES1.10 SCOPE AND CONTENTS OF THE DRAFT EIS/EIR**

8 This Draft EIS/EIR includes all of the sections required by NEPA and CEQA. The scope of the Federal  
9 review is normally defined by 33 CFR part 325, Appendix B, which states: "...the district engineer  
10 should establish the scope of the NEPA document to address the impacts of the specific activity regarding  
11 the Department of the Army permit and those portions of the entire project over which the district  
12 engineer has sufficient control and responsibility to warrant Federal review."

13 Corps regulations require the Corps to determine if their "scope of review" or "scope of analysis" should  
14 be expanded to account for indirect and/or cumulative effects of the issuance of a permit (33 CFR part  
15 325, Appendix B). Typical factors considered in determining "sufficient control and responsibility"  
16 include:

- 17 • Whether or not the activity constitutes merely a link in a corridor-type project;
- 18 • Whether aspects of the upland facility in the immediate vicinity of the regulated activity affect the  
19 location and configuration of the regulated activity;
- 20 • Extent to which the entire project will fall within Corps jurisdiction; and
- 21 • Extent of Federal cumulative control and responsibility.

22 Based on 33 CFR part 325, Appendix B, the appropriate scope of analysis for the Federal review of the  
23 selected action consists of the entire Project footprint.

24 Additionally, U.S. Environmental Protection Agency section 404(b)(1) Guidelines require the Corps to  
25 issue a permit only for the "least environmentally damaging practicable alternative," which is the most  
26 practicable alternative that would result in the least damage to aquatic resources and is not contrary to  
27 public interest. The factors that influence whether an alternative is practicable include cost, logistics,  
28 technology, and the ability of the alternative to achieve the overall project purpose. The section 404(b)(1)  
29 Guidelines focus on the impacts on the aquatic environment of discharges of dredged or fill material in  
30 waters of the U.S. As such, the scope of the section 404(b)(1) analysis is typically narrower than that of  
31 the NEPA analysis and could reach different conclusions regarding the practicability of an alternative.

32 The section 404(b)(1) Guidelines (40 CFR section 230) state that no discharge of dredged or fill material  
33 shall be permitted if there is a practicable alternative to the proposed discharge that would have a less  
34 significant impact on the aquatic ecosystem, so long as the alternative does not have other significant  
35 environmental consequences (40 CFR section 230.10[a]). A section 404(b)(1) evaluation typically  
36 includes the following type of analysis:

- 37 • Factual determinations (e.g., on the physical substrate, water circulation, fluctuation, and salinity,  
38 suspended particulates/turbidity, contaminants, aquatic ecosystem and organisms, proposed disposal  
39 sites, and cumulative effects on the aquatic ecosystem);

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- 1 • Findings of compliance or noncompliance with restrictions on discharge, including evaluation of the  
2 availability of practicable alternatives that would have a less significant impact on the aquatic  
3 ecosystem, and compliance with a variety of regulations (e.g., applicable state water quality  
4 standards, toxic effluent standards or prohibitions under section 307 of the CWA, the Federal  
5 Endangered Species Act, and the Marine Protection, Research and Sanctuaries Act);
- 6 • Identification of practical steps taken to minimize potential significant impacts of the discharge on the  
7 aquatic ecosystem; and
- 8 • Conclusion about the compliance of the proposed Project with the section 404(b)(1) Guidelines.

9 The information presented in this Draft EIS/EIR specific to impacts on the aquatic environment would be  
10 used by the Corps as part of any proposed permit action subject to section 404 of the CWA.

### 11 ES1.11 ALTERNATIVES CONSIDERED IN THE DRAFT EIS/EIR

12 The alternatives being considered in the EIS/EIR are as follows; the ponds would be supplied with a  
13 combination of river water and seawater in order to achieve the desired salinity range:

- 14 • **Alternative 1 – New River, Gravity Diversion + Cascading Ponds<sup>1</sup>:** 3,130 acres of ponds  
15 constructed on either side of the New River (East New and West New), upstream gravity diversion of  
16 river water, and independent and cascading pond units.
- 17 • **Alternative 2 – New River, Pumped Diversion:** 2,670 acres of ponds constructed on either side of  
18 the New River (East New, West New, and Far West New), pumped river diversion at the SCH ponds,  
19 and independent ponds.
- 20 • **Alternative 3 – New River, Pumped Diversion + Cascading Ponds:** 3,770 acres of ponds  
21 constructed on either side of the New River (East New, West New, and Far West New), pumped  
22 diversion of river water, and independent ponds extended to include Far West New and cascading  
23 pond units. Alternative 3 is the Natural Resources Agency's preferred alternative. The Corps has not  
24 yet identified a preferred alternative among the alternatives evaluated by the Draft EIS/EIR.
- 25 • **Alternative 4 – Alamo River, Gravity Diversion + Cascading Pond:** 2,290 acres of ponds  
26 constructed on the north side of the Alamo River (Morton Bay), gravity river diversion upstream of  
27 the SCH ponds, with independent ponds and a cascading pond unit.
- 28 • **Alternative 5 – Alamo River, Pumped Diversion:** 2,080 acres of ponds constructed on the north  
29 side of the Alamo River (Morton Bay and Wister Beach), pumped river diversion at the SCH ponds,  
30 and independent pond units.
- 31 • **Alternative 6 – Alamo River, Pumped Diversion + Cascading Ponds:** 2,940 acres of ponds  
32 constructed on the north side of the Alamo River (Morton Bay, Wister Beach), pumped river  
33 diversion at the SCH ponds with independent and cascading pond units.

34 The No Action Alternative also is considered in this analysis, as required by NEPA and CEQA. Under the  
35 No Action Alternative, the Corps would not issue a section 404 permit for the SCH Project, and no  
36 components of the SCH Project would be constructed. The No Action Alternative is intended to reflect  
37 existing conditions (those present at the time the Notice of Preparation was issued) plus changes that are  
38 reasonably expected to occur in the foreseeable future if none of the SCH Project alternatives is  
39 implemented.

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<sup>1</sup> All of the alternatives include independent ponds; thus, the name of the alternative reflects those ponds that also include cascading ponds.

## ES1.12 SUMMARY OF IMPACTS

The impacts of the SCH Project alternatives on each resource evaluated in this Draft EIS/EIR were compared to both the existing environmental conditions, as well as those that would occur under the No Action Alternative (Table ES-1). For many resources no substantive differences existed between those two scenarios, either because impacts would cease upon the completion of construction, in which case the future conditions would not be relevant, or because future changes at the Salton Sea would not be relevant to the impact analysis (e.g., the amount of noise generated by pumps used to divert river water to the SCH ponds would not be affected by changes in the salinity or surface water elevation of the Salton Sea). For resources such as biological resources and recreation, the benefits of the Project alternatives would be greater when compared to the No Action Alternative because the increasing salinity and decreasing water surface elevation of the Salton Sea will result in the collapse of the Sea's ecosystem, and the SCH Project would help offset some of the impacts from this occurrence. The beneficial impacts of the Project on aesthetic resources also would be greater in comparison to the No Action Alternative. In no case, however, did the comparison of impacts between the existing conditions and the No Action Alternative result in a change in the significance of the impact.

Table ES-1 Summary of Impacts of the Salton Sea SCH Project Alternatives								
Impact	Basis of Comparison	Project Alternative						Mitigation Measures
		1	2	3	4	5	6	
<b>Aesthetics</b>								
Impact AES-1: Project construction could temporarily degrade the scenic quality, character, or scenic vistas of the site and surrounding areas.	Existing Condition	L	L	L	L	L	L	None required
	No Action	L	L	L	L	L	L	None required
Impact AES-2: The SCH ponds would enhance the scenic quality and character of the site and surrounding areas.	Existing Condition	B	B	B	B	B	B	None required
	No Action	B	B	B	B	B	B	None required
Impact AES-3: Other SCH facilities would be compatible with the existing character of the surrounding area.	Existing Condition	L	L	L	L	L	L	None required
	No Action	L	L	L	L	L	L	None required
Impact AES-4: Some construction activities may occur at night, requiring lighting.	Existing Condition	L	L	L	S	S	S	MM AES-1: Shield and direct construction lights away from Red Hill Park.
	No Action	L	L	S	S	S	S	Same as Existing Condition
<b>Agricultural Resources</b>								
Impact AG-1: Construction of the diversion and conveyance facilities and brackish water pipeline maintenance would temporarily disrupt agricultural production but would not permanently convert Farmland to nonagricultural use.	Existing Condition	L	O	O	L	O	O	None required
	No Action	L	O	O	L	O	O	None required



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Table ES-1 Summary of Impacts of the Salton Sea SCH Project Alternatives								
Impact	Basis of Comparison	Project Alternative						Mitigation Measures
		1	2	3	4	5	6	
Impact AG-2: Construction of the sedimentation basin would result in the permanent conversion of a small amount of Farmland to nonagricultural use.	Existing Condition	L	O	O	L	O	O	None required
	No Action	L	O	O	L	O	O	None required
Impact AG-3: Construction of the sedimentation basin potentially would result in the permanent conversion of Williamson Act contract land to nonagricultural use.	Existing Condition	S	O	O	S	O	O	MM AG-1: Avoidance of Williamson Act land or payment of Williamson Act cancellation fees.
	No Action	S	O	O	S	O	O	Same as Existing Condition
<b>Air Quality</b>								
Impact AQ-1: Emissions from Project construction and maintenance are accounted for in applicable air quality plans and would not conflict with or obstruct their implementation.	Existing Condition	L	L	L	L	L	L	None required
	No Action	L	L	L	L	L	L	None required
Impact AQ-2: The SCH ponds would cover more playa than would be exposed as a result of the Project, reducing the potential for wind-blown fugitive dust.	Existing Condition	B	B	B	B	B	B	None required
	No Action	B	B	B	B	B	B	None required
Impact AQ-3a: The Project would contribute incrementally to violations of Federal and state O <sub>3</sub> , PM <sub>10</sub> , and PM <sub>2.5</sub> standards and exceed ICAPCD's NO <sub>x</sub> and PM <sub>10</sub> thresholds during construction (applies to Alternatives 1, 2, and 3).	Existing Condition	U	U	U	--	--	--	MM AQ-1: Implement fugitive PM <sub>10</sub> control measures. MM AQ-2: Implement diesel control measures.
	No Action	U	U	U	--	--	--	Same as Existing Condition
Impact AQ-3b: The Project would contribute incrementally to violations of Federal and state O <sub>3</sub> , PM <sub>10</sub> , and PM <sub>2.5</sub> standards and exceed ICAPCD's NO <sub>x</sub> thresholds during construction (applies to Alternatives 4, 5, and 6).	Existing Condition	--	--	--	U	U	U	MM AQ-1: Implement fugitive PM <sub>10</sub> control measures. MM AQ-2: Implement diesel control measures.
	No Action	--	--	--	U	U	U	Same as Existing Condition
Impact AQ-4: The Project would contribute incrementally to violations of Federal and state O <sub>3</sub> , PM <sub>10</sub> , and PM <sub>2.5</sub> standards during operations but would not exceed any regulatory thresholds.	Existing Condition	L	L	L	L	L	L	None required
	No Action	L	L	L	L	L	L	None required
Impact AQ-5: Project construction would result in a cumulatively considerable/significant net increase in	Existing Condition	U	U	U	U	U	U	MM AQ-1: Implement fugitive PM <sub>10</sub> control measures. MM AQ-2: Implement diesel

Table ES-1 Summary of Impacts of the Salton Sea SCH Project Alternatives								
Impact	Basis of Comparison	Project Alternative						Mitigation Measures
		1	2	3	4	5	6	
emissions.								control measures.
	No Action	U	U	U	U	U	U	Same as Existing Condition
Impact AQ-6: Project emissions from construction and maintenance would not expose sensitive receptors to substantial pollutant concentrations.	Existing Condition	L	L	L	L	L	L	None required
	No Action	L	L	L	L	L	L	None required
Impact AQ-7: The Project could result in localized odors during construction, operations, and maintenance.	Existing Condition	L	L	L	L	L	L	None required
	No Action	L	L	L	L	L	L	None required
Impact AQ-8: The Project would have a minor effect on the microclimate near the Salton Sea.	Existing Condition	L	L	L	L	L	L	None required
	No Action	L	L	L	L	L	L	None required
<b>Biological Resources</b>								
Impact BIO-1a: Project construction and operation would affect habitat and individuals of desert pupfish and several special-status bird species.	Existing Condition	S	S	S	S	S	S	MM BIO-1: Prepare and implement a desert pupfish protection and relocation plan. MM BIO-2: Prepare and implement a preconstruction/maintenance survey plan for bird species. MM BIO-3: Conduct noise measurements and implement noise attenuation measures, if needed. MM BIO-4: Design interception ditches to avoid alteration of water levels in adjacent marshes.
	No Action	S	S	S	S	S	S	Same as Existing Condition
Impact BIO-1b: Project construction and operation would have minor effects on habitat and individuals of several special-status bird and mammal species.	Existing Condition	L	L	L	L	L	L	None required
	No Action	L	L	L	L	L	L	None required

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Table ES-1 Summary of Impacts of the Salton Sea SCH Project Alternatives								
Impact	Basis of Comparison	Project Alternative						Mitigation Measures
		1	2	3	4	5	6	
Impact BIO-1c: Project operation would provide habitat for desert pupfish and several special-status bird species.	Existing Condition	B	B	B	B	B	B	None required
	No Action	B	B	B	B	B	B	None required
Impact BIO-2: Project construction and operation would cause a temporary disturbance or loss of riparian habitat and/or sensitive habitat.	Existing Condition	S	S	S	S	S	S	MM BIO-5: Prepare and implement a Habitat Protection, Mitigation, and Restoration Program.
	No Action	S	S	S	S	S	S	Same as Existing Condition
Impact BIO-3a: Project construction would result in temporary disturbance of Federal Waters of the U.S. and minimal effects on wetlands.	Existing Condition	L	L	L	L	L	L	MM BIO-4 MM BIO-5
	No Action	L	L	L	L	L	L	Same as Existing Condition
Impact BIO-3b: Project operation would increase the amount of Federal Waters of the U.S.	Existing Condition	B	B	B	B	B	B	None required
	No Action	B	B	B	B	B	B	None required
Impact BIO-4: Project construction and operation would not interfere with movement of fish and wildlife species, but construction could remove snags for colonial nesting birds.	Existing Condition	L	L	L	L	L	L	MM BIO-5
	No Action	L	L	L	L	L	L	Same as Existing Condition
Impact BIO-5a: Project construction and operation could affect nesting by some common bird species and introduction of invasive species.	Existing Condition	S	S	S	S	S	S	MM BIO-2 MM BIO-3 MM BIO-6: Clean equipment prior to site delivery.
	No Action	S	S	S	S	S	S	Same as Existing Condition
Impact BIO-5b: Project construction and operation would have minor effects on common fish (native and nonnative), wildlife species, and native plant communities.	Existing Condition	L	L	L	L	L	L	None required
	No Action	L	L	L	L	L	L	None required
Impact BIO-5c: Project construction and operation would benefit common fish (native and nonnative) and wildlife species.	Existing Condition	B	B	B	B	B	B	None required
	No Action	B	B	B	B	B	B	None required

Table ES-1 Summary of Impacts of the Salton Sea SCH Project Alternatives								
Impact	Basis of Comparison	Project Alternative						Mitigation Measures
		1	2	3	4	5	6	
<b>Cultural Resources</b>								
Impact CR-1: Ground-disturbing activities could change the significance of historical resources, damage unique archaeological resources, disturb human remains, eliminate important examples of the major periods of California history or prehistory, and adversely affect historic properties.	Existing Condition	S	S	S	S	S	S	MM CR-1: Prepare and implement a survey plan and an inadvertent discovery plan
	No Action	S	S	S	S	S	S	Same as Existing Condition
<b>Energy Consumption</b>								
Impact EN-1: Pumping would require power for the duration of the Project.	Existing Condition	L	L	L	L	L	L	None required
	No Action	L	L	L	L	L	L	None required
<b>Environmental Justice</b>								
Impact EJ-1: Construction air emissions would have a disproportionate impact on minority and low-income populations.	Existing Condition	U	U	U	U	U	U	MM AQ-1: Implement fugitive PM <sub>10</sub> control measures. MM AQ-2: Implement diesel control measures.
	No Action	U	U	U	U	U	U	Same as Existing Condition
Impact EJ-2: Ground-disturbing activities could expose and damage undiscovered prehistoric and historic resources and result in the inadvertent discovery of human remains.	Existing Condition	S	S	S	S	S	S	MM CR-1: Prepare and implement a survey plan and an inadvertent discovery plan.
	No Action	S	S	S	S	S	S	Same as Existing Condition
<b>Geology, Soils, and Minerals</b>								
Impact GEO-1: A seismic event could cause the berms to fail and damage the water diversion/conveyance structures.	Existing Condition	L	L	L	L	L	L	None required
	No Action	L	L	L	L	L	L	None required
Impact GEO-2: Best management practices would be used to prevent soil erosion and the loss of topsoil during construction.	Existing Condition	L	L	L	L	L	L	None required
	No Action	L	L	L	L	L	L	None required
Impact GEO-3: The Project would be located on unstable soils, potentially affecting the stability of the berms.	Existing Condition	L	L	L	L	L	L	None required
	No Action	L	L	L	L	L	L	None required

**EXECUTIVE SUMMARY**

Table ES-1 Summary of Impacts of the Salton Sea SCH Project Alternatives								
Impact	Basis of Comparison	Project Alternative						Mitigation Measures
		1	2	3	4	5	6	
Impact GEO-4: Construction would require the use of rock as riprap or pond substrate.	Existing Condition	L	L	L	L	L	L	None required
	No Action	L	L	L	L	L	L	None required
<b>Greenhouse Gas Emissions/Climate Change</b>								
Impact GHG-1: The Project would generate minor amounts of GHG emissions during construction and operations, both directly and indirectly, that would not have a significant impact on the environment.	Existing Condition	L	L	L	L	L	L	None required
	No Action	L	L	L	L	L	L	None required
Impact GHG 2: The Project would generate GHG emissions during construction and operations, but would not conflict with any applicable plan, policy, or regulation of an agency adopted for the purpose of reducing GHG emissions.	Existing Condition	L	L	L	L	L	L	None required
	No Action	L	L	L	L	L	L	None required
<b>Hazards and Hazardous Materials</b>								
Impact HAZ-1: Hazardous materials used during construction could be released into the environment.	Existing Condition	L	L	L	L	L	L	None required
	No Action	L	L	L	L	L	L	None required
Impact HAZ-2: Project construction could encounter contaminated soils during soil excavation.	Existing Condition	L	L	L	L	L	L	None required
	No Action	L	L	L	L	L	L	None required
Impact HAZ-3: The ponds would attract birds in proximity to low-level military training routes.	Existing Condition	L	L	L	L	L	L	None required
	No Action	L	L	L	L	L	L	None required
Impact HAZ-4: Increased traffic and construction near roadways would not impair the implementation of an adopted emergency response or evacuation plan.	Existing Condition	L	L	L	L	L	L	None required
	No Action	L	L	L	L	L	L	None required
Impact HAZ-5: Project construction could increase the risk of wildland fire.	Existing Condition	L	L	L	L	L	L	None required
	No Action	L	L	L	L	L	L	None required

Table ES-1: Summary of Impacts of the Salton Sea SCH Project Alternatives								
Impact	Basis of Comparison	Project Alternative						Mitigation Measures
		1	2	3	4	5	6	
Impact HAZ-6: Project construction could release air and dust-borne disease causing viruses.	Existing Condition	S	S	S	S	S	S	MM HAZ-1: Worker training will be provided to workers who may be exposed to air-borne diseases during excavation activities. Training will include recognizing symptoms and use of personal protective equipment.
	No Action	S	S	S	S	S	S	Same as Existing Condition
Impact HAZ-7: Project operation could increase breeding habitat for mosquito vectors but implementation of the Mosquito Control Plan would present threats to public health.	Existing Condition	L	L	L	L	L	L	None required
	No Action	L	L	L	L	L	L	None required
Impact HAZ-8: Selenium and dichlorodiphenyldichloroethylene (DDE) levels in the SCH ponds could cause increased selenium and DDE levels in sport fish and waterfowl using the ponds.	Existing Condition	L	L	L	L	L	L	None required
	No Action	L	L	L	L	L	L	None required
<b>Hydrology and Water Quality</b>								
Impact HYD-1: Project implementation would cause a reduction in the Salton Sea's water surface elevation.	Existing Condition	L	L	L	L	L	L	None required
	No Action	L	L	L	L	L	L	None required
Impact HYD-2: Project implementation would increase the Salton Sea's salinity.	Existing Condition	L	L	L	L	L	L	None required
	No Action	L	L	L	L	L	L	None required
Impact HYD-3: Project operations would cause changes in Salton Sea water quality but would not violate established standards.	Existing Condition	L	L	L	L	L	L	None required
	No Action	L	L	L	L	L	L	None required
Impact HYD-4: Construction of the SCH ponds would temporarily degrade water quality at the Salton Sea.	Existing Condition	L	L	L	L	L	L	None required
	No Action	L	L	L	L	L	L	None required
Impact HYD-5: Berm failure could increase erosion and sedimentation of	Existing Condition	L	L	L	L	L	L	None required

**EXECUTIVE SUMMARY**

**Table ES-1 Summary of Impacts of the Salton Sea SCH Project Alternatives**

Impact	Basis of Comparison	Project Alternative						Mitigation Measures
		1	2	3	4	5	6	
the adjacent river and the Salton Sea.	No Action	L	L	L	L	L	L	None required
	<b>Land Use</b>							
Impact LU-1: Given the implementation of mitigation measures identified in other sections of this Environmental Impact Statement/Environmental Impact Report, the SCH Project would be compatible with the Imperial County General Plan and other applicable land use plans or policies.	Existing Condition	L	L	L	L	L	L	None required
	No Action	L	L	L	L	L	L	None required
Impact LU-2: Restoration of habitat for birds that are dependent on the Salton Sea would not result in substantive conflicts with existing adjacent land uses.	Existing Condition	L	L	L	L	L	L	None required
	No Action	L	L	L	L	L	L	None required
Impact LU-3: The Project would be designed to minimize conflicts with future planned land uses.	Existing Condition	L	L	L	L	L	L	None required
	No Action	L	L	L	L	L	L	None required
<b>Noise</b>								
Impact NOI-1: Daytime construction and maintenance activities would cause a temporary increase in noise levels near the Project sites.	Existing Condition	L	L	L	L	L	L	None required
	No Action	L	L	L	L	L	L	None required
Impact NOI-2: Dredging could extend beyond the hours typically allowed by Imperial County.	Existing Condition	L	L	L	S	S	S	MM NOI-1: Avoid nighttime construction near Red Hill Park.
	No Action	L	L	L	S	S	S	Same as Existing Condition
Impact NOI-3: Construction truck traffic at some locations on local roads would cause a temporary increase in noise near residents.	Existing Condition	L	L	L	L	L	L	None required
	No Action	L	L	L	L	L	L	None required
Impact NOI-4: Noise from installation of the seawater pipeline and associated pump could exceed Imperial County's construction thresholds.	Existing Condition	O	O	O	S	S	O	MM NOI-2. Control noise from installation of the seawater pump and pipeline.
	No Action	O	O	O	S	S	O	Same as Existing Condition
Impact NOI-5: Noise from operation of the seawater pump could exceed	Existing Condition	O	O	O	S	O	O	MM NOI-3: Control operational noise from the

Table ES-1 Summary of Impacts of the Salton Sea SCH Project Alternatives								
Impact	Basis of Comparison	Project Alternative						Mitigation Measures
		1	2	3	4	5	6	
Imperial County's thresholds at Red Hill Park.								seawater pump.
	No Action	0	0	0	S	0	0	Same as Existing Condition
<b>Paleontological Resources</b>								
Impact PALEO-1: Ground-disturbing activities could expose and damage undiscovered paleontological resources.	Existing Condition	S	S	S	S	S	S	MM PALEO-1: Prepare and implement a survey plan and a paleontological monitoring plan. MM PALEO-2: Conduct worker training. MM PALEO-3: Prepare and implement a paleontological resource data recovery plan.
	No Action	S	S	S	S	S	S	Same as Existing Condition
<b>Population and Housing</b>								
Impact POP-1: Out-of-town construction workers would cause a temporary, slight increase in Imperial County population.	Existing Condition	L	L	L	L	L	L	None required
	No Action	L	L	L	L	L	L	None required
Impact POP-2: Project operation would increase opportunities for passive recreational activity and research due at the SCH ponds; which could result in increased visitor days.	Existing Condition	L	L	L	L	L	L	None required
	No Action	L	L	L	L	L	L	None required
<b>Public Services</b>								
Impact PS-1: Construction and maintenance activities could result in increased demand for emergency services (police, fire, and trauma centers), as could increased use of the Project site by recreational visitors.	Existing Condition	L	L	L	L	L	L	None required
	No Action	L	L	L	L	L	L	None required
<b>Recreation</b>								
Impact REC-1: The SCH Project would create recreational opportunities at the pond sites.	Existing Condition	B	B	B	B	B	B	None required
	No Action	B	B	B	B	B	B	None required
<b>Socioeconomics</b>								
Impact SOC-1: Project construction and operations would cause an increase in local employment.	Existing Condition	B	B	B	B	B	B	None required
	No Action	B	B	B	B	B	B	None required



**EXECUTIVE SUMMARY**

Table ES-1 Summary of Impacts of the Salton Sea SCH Project Alternatives								
Impact	Basis of Comparison	Project Alternative						Mitigation Measures
		1	2	3	4	5	6	
Impact SOC-2: Project construction and operations would result in an increase in tax revenue and local business revenue due to worker income and spending and materials purchases.	Existing Condition	B	B	B	B	B	B	None required
	No Action	B	B	B	B	B	B	None required
Impact SOC-3: Project operation would increase opportunities for passive recreational activity and research at the SCH ponds.	Existing Condition	B	B	B	B	B	B	None required
	No Action	B	B	B	B	B	B	None required
Impact SOC-4: Pond creation would preclude the reclamation of exposed playa for agricultural use.	Existing Condition	L	O	L	O	L	L	None required
	No Action	L	O	L	O	L	L	None required
Impact SOC-5: The SCH Project would result in the temporary loss of agricultural revenue due to construction and maintenance activities in the water pipeline right-of-way.	Existing Condition	L	O	O	L	O	O	None required
	No Action	L	O	O	L	O	O	None required
Impact SOC-6: Pipeline construction would require the temporary disruption of agricultural drains and canals.	Existing Condition	L	O	O	L	O	O	None required
	No Action	L	O	O	L	O	O	None required
Impact SOC-7: The SCH Project would restore a portion of lost habitat for some birds that are attracted to agricultural fields.	Existing Condition	L	L	L	L	L	L	None required
	No Action	L	L	L	L	L	L	None required
<b>Transportation and Traffic</b>								
Impact TRAN-1: The SCH Project would increase traffic during construction and operations, but would not reduce the level of service of any roadways below the County of Imperial's standard (LOS C).	Existing Condition	L	L	L	L	L	L	None required
	No Action	L	L	L	L	L	L	None required
Impact TRAN-2: Construction/maintenance equipment and tractor trailers could be present in areas used by farm equipment, but would not pose a substantial safety hazard.	Existing Condition	L	L	L	L	L	L	None required
	No Action	L	L	L	L	L	L	None required
Impact TRAN-3: Emergency vehicles would retain their ability to access the Project area during construction and operations despite increased traffic and construction near roadways.	Existing Condition	L	L	L	L	L	L	None required
	No Action	L	L	L	L	L	L	None required

**Table ES-1 Summary of Impacts of the Salton Sea SCH Project Alternatives**

Impact	Basis of Comparison	Project Alternative						Mitigation Measures
		1	2	3	4	5	6	
<b>Utilities and Service Systems</b>								
UT-1: Dust suppression water would be required, but would not exceed supplies.	Existing Condition	L	L	L	L	L	L	None required
	No Action	L	L	L	L	L	L	None required
UT-2: Construction and operations would generate solid waste requiring disposal in landfills.	Existing Condition	L	L	L	L	L	L	None required
	No Action	L	L	L	L	L	L	None required
Note: O = No Impact L = Less-than-Significant Impact S = Significant Impact, but Mitigable to Less than Significant U = Significant Unavoidable Impact B = Beneficial Impact								

1

## 2 ES1.13 COMPARATIVE IMPACTS OF THE PROJECT ALTERNATIVES

3 Table ES-2 compares impacts, by resource, for each of the six Project alternatives. In a number of cases,  
 4 multiple categories of impacts would occur; that is, one resource could experience significant, less-than-  
 5 significant, and beneficial impacts. Table ES-2 only shows the most adverse impact for purposes of  
 6 comparison. As shown, impacts are generally comparable between alternatives. The primary differences  
 7 are that those alternatives requiring a brackish water pipeline leading from the rivers (Alternatives 1 and  
 8 4) would result in the permanent conversion of Important Farmland and significant impacts from the  
 9 potential conversion of land under Williamson Act contracts for use as a sedimentation basin. More subtle  
 10 differences result from the acreage that would be restored under each alternative. In general, those  
 11 alternatives with greater acreage would have greater benefits to resources such as biological resources,  
 12 aesthetics, recreation, and socioeconomics, but also would result in greater impacts on air emissions,  
 13 energy demand, transportation impacts, and demand for public services.

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**Table ES-2 Summary of Impacts, by Resource, of Each Project Alternative**

Resource	Alternative 1	Alternative 2	Alternative 3	Alternative 4	Alternative 5	Alternative 6
Aesthetics	L	L	L	L	L	L
Agricultural Resources	S	O	O	S	O	O
Air Quality	U	U	U	U <sup>a</sup>	U <sup>a</sup>	U <sup>a</sup>
Biological Resources	S	S	S	S	S	S
Cultural Resources	S	S	S	S	S	S
Energy Consumption	L	L	L	L	L	L
Environmental Justice	U	U	U	U	U	U

**EXECUTIVE SUMMARY**

**Table ES-2 Summary of Impacts, by Resource, of Each Project Alternative**

Resource	Alternative 1	Alternative 2	Alternative 3	Alternative 4	Alternative 5	Alternative 6
Geology and Soils	L	L	L	L	L	L
Greenhouse Gas Emissions	L	L	L	L	L	L
Hazards and Hazardous Materials	L	L	L	L	L	L
Hydrology and Water Quality	L	L	L	L	L	L
Indian Trust Assets	O	O	O	O	O	O
Land Use	L	L	L	L	L	L
Noise	L	L	L	S	S	S
Paleontological Resources	S	S	S	S	S	S
Population and Housing	L	L	L	L	L	L
Public Services	L	L	L	L	L	L
Recreation	B	B	B	B	B	B
Socioeconomics	L	L	L	L	L	L
Transportation	L	L	L	L	L	L
Utilities and Service Systems	L	L	L	L	L	L

Notes:  
a.\* Alternatives 4, 5, 6 would result in a significant unavoidable impact from nitrogen oxides emissions during construction, as would Alternatives 1, 2, and 3; but unlike the latter alternatives, they would not result in a significant impact from fugitive dust emissions.  
O = No Impact  
L = Less-than-Significant Impact  
S = Significant Impact, but Mitigable to Less than Significant  
U = Significant Unavoidable Impact  
B = Beneficial Impact

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**ES1.14 ENVIRONMENTALLY PREFERABLE / ENVIRONMENTALLY SUPERIOR ALTERNATIVE**

The Council on Environmental Quality's NEPA Guidelines, section 1505.2(b) requires that, in cases where an EIS has been prepared, the Record of Decision must identify all alternatives that were considered, "... specifying the alternative or alternatives which were considered to be environmentally preferable." The environmentally preferable alternative is the alternative that will promote the national environmental policy as expressed in NEPA section 101. Ordinarily, this designation means the alternative that causes the least damage to the biological and physical environment; the designation also means the alternative that best protects, preserves, and enhances historic, cultural, and natural resources. In addition, U.S. Environmental Protection Agency section 404(b)(1) Guidelines require the Corps to

1 issue a permit only for the least environmentally damaging practicable alternative, which is the most  
2 practicable alternative that would result in the least damage to aquatic resources.

3 CEQA Guidelines section 15126.6 also requires the identification of the environmentally superior  
4 alternative; if the No Action Alternative is considered environmentally superior, then an environmentally  
5 superior alternative must be chosen from one of the Project alternatives. Significant, less than significant  
6 impacts, and beneficial impacts all are considered when determining which alternative is environmentally  
7 preferable/environmentally superior.

8 The No Action Alternative for the SCH Project is not considered environmentally superior. As discussed  
9 in Section 1, Introduction, declining inflows in future years from various factors will result in collapse of  
10 the Salton Sea ecosystem due to increasing salinity and other water quality issues, such as temperature,  
11 eutrophication, and related anoxia and algal productivity. The SCH Project alternatives would restore a  
12 portion of the habitat that will be lost under the No Action Alternative and are considered preferable.

13 Of the Project alternatives, those that would require gravity diversion of water from the New or Alamo  
14 rivers (Alternatives 1 and 4, respectively) are not considered environmentally superior because  
15 construction of the sedimentation basin would result in the permanent loss of Important Farmland and the  
16 potential conversion of land under Williamson Act contracts to nonagricultural use, which is a significant  
17 impact. These impacts would not occur under the alternatives requiring pumped diversion (Alternatives 2,  
18 3, 5, and 6) because the sedimentation basins would be located within the footprint of the SCH ponds,  
19 which would not be constructed on farmland. Of Alternatives 2, 3, 5, and 6, those located at the Alamo  
20 River (Alternatives 5 and 6) are not considered environmentally superior for a variety of reasons. Alamo  
21 River water includes higher levels of selenium than that of the New River. Although impacts from  
22 selenium would be less than significant, selenium would have adverse effects on wildlife, and lower  
23 levels would be preferable within the SCH ponds. Similarly, the Alamo River area is more geologically  
24 active than the New River area (mud pots are present adjacent to and within the Project area east of the  
25 Alamo River in Morton Bay), which could lead to an increased risk of berm failure. Although this impact  
26 is not considered significant, it would not be desirable and would result in temporary, but adverse impacts  
27 on SCH pond operation. The Alamo River area also is in a Known Geothermal Resource Area and known  
28 geothermal resources diminish west of the New River. Although the SCH Project would not preclude  
29 geothermal development, the New River area is considered preferable because the potential for conflicts  
30 with geothermal development companies would be minimized. Thus, Alternatives 5 and 6 were  
31 eliminated from consideration as the environmentally superior alternative.

32 Alternatives 2 and 3 would be located at the New River and would restore 2,670 and 3,770 acres of  
33 habitat, respectively. Alternative 3 would cause somewhat greater impacts during construction (and  
34 indirect air emissions during operations), but it would have greater long-term benefits because more  
35 habitat would be restored. The long-term benefits would offset the short-term, incremental increase in  
36 construction impacts (and incremental increases in power demand), and thus, Alternative 3 is considered  
37 the environmentally preferable/environmentally superior alternative.

### 38 ES1.15 PREFERRED ALTERNATIVE

39 The Natural Resources Agency has identified Alternative 3 as the preferred alternative because it would  
40 provide greater long-term benefits by restoring the greatest amount of habitat, while minimizing  
41 environmental impacts to the extent feasible. The Corps has not yet identified a preferred alternative.

### 42 ES1.16 AREAS OF KNOWN CONTROVERSY

43 The following are potential areas of controversy.

## EXECUTIVE SUMMARY

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- 1 • **Water Supply.** Environmental groups have suggested that river water alone is a more appropriate  
2 water supply for the ponds instead than the combination of river water and seawater that is proposed.  
3 This is intended to minimize the need for pumping seawater, which would reduce operations and  
4 maintenance costs. Use of this water supply as a viable source is based on the premise that ecorisks  
5 from selenium exposure would not be significantly greater than those that exist under present  
6 conditions.
- 7 • **Method of Water Diversion.** Environmental groups have suggested that gravity diversion is  
8 preferable to pumped diversion of river water in order to minimize operations and maintenance costs  
9 and the demand for electrical power.
- 10 • **Potential Crop Loss.** Local farmers have expressed concern over the potential for crop loss at  
11 neighboring farms due to the presence of birds at the SCH ponds. This issue is addressed in Section  
12 3.19, Socioeconomics.
- 13 • **Potential for Bird Airstrikes.** The U.S. Navy has expressed concern that the SCH Project, by itself  
14 and in combination with other projects, would attract and increase local bird populations and thus  
15 cause an increase in the potential for bird strikes by aircraft from the Naval Air Facility El Centro  
16 training ranges. This issue is addressed in Section 3.10, Hazards and Hazardous Materials.

### 17 ES1.17 ISSUES TO BE RESOLVED

18 The Corps has yet to identify its preferred alternative. The draft section 404(b)(1) alternatives analysis  
19 will be completed and included in the Final EIS/EIR. Based on this analysis, the Corps will choose the  
20 least environmentally damaging practicable alternative as the Corps' preferred alternative, which will be  
21 subject to public comment.

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# EXHIBIT 6

## VIII. OVERRIDE FINDINGS

Our analysis of the Palen Solar Power Project (PSPP) finds that it will have some significant unmitigated environmental impacts. If we are to approve the project, the California Environmental Quality Act (CEQA) requires that we make certain findings.

The applicable CEQA requirement is contained in Public Resources Code Section 21081:

“21081. Pursuant to the policy stated in Sections 21002 and 21002.1, no public agency shall approve or carry out a project for which an environmental impact report has been certified which identifies one or more significant effects on the environment that would occur if the project is approved or carried out unless both of the following occur:

(a) The public agency makes one or more of the following findings with respect to each significant effect:

(1) Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment.

(2) Those changes or alterations are within the responsibility and jurisdiction of another public agency and have been, or can and should be, adopted by that other agency.

(3) Specific economic, legal, social, technological, or other considerations, including considerations for the provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or alternatives identified in the environmental impact report.

(b) With respect to significant effects which were subject to a finding under paragraph (3) of subdivision (a), the public agency finds that specific overriding economic, legal, social, technological, or other benefits of the project outweigh the significant effects on the environment.”

### 1. Significant Project Impacts

As identified and discussed in the specific topic sections of this Decision we find that PSPP will have the following significant environmental impacts:

- **Cultural Resources.** The project may permanently change and/or result in the destruction of cultural resources, both known and as yet unknown,

contributing to a cumulatively considerable impact which will be mitigated to the extent possible, but may not be fully mitigated. (PMPD, Cultural Resources section, pp. 33, paragraph 4; 34, findings of fact 5 and 7.)

- **Land Use.** The contribution of PSPP, in combination with the other renewable energy projects proposed in the region, to the loss of desert lands, is cumulatively significant. Lands formerly available for multiple uses—habitat, open space, grazing, and recreation—would no longer be available for those uses once a power plant is constructed. (PMPD, Land Use section, pp. 14, paragraph 5; 16, findings of fact 11 and 13 and conclusions of law 2 and 3.)
- **Visual Resources.** PSPP would result in the installation of a large, industrial facility in the I-10 corridor. We find significant visual impacts from several Key Observation Points in the Chuckwalla Valley, the Palen McCoy Wilderness, and along I-10. A significant cumulative impact to visual resources in eastern Riverside County is identified from the combination of PSPP and other existing and proposed energy projects. The PSPP transmission line will result in a substantial contribution to cumulative visual impacts in the context of existing cumulative conditions. PSPP's contribution to visible industrialization of the desert landscape also constitutes a substantial contribution to a significant visual impact when considering existing and foreseeable projects, both within the immediate project viewshed and in a broader context encompassing the whole of the I-10 corridor. (PMPD, Visual Resources section, pp. 1, paragraph 2; 28, paragraph 5; 30, finding of fact 13; 31, findings of fact 14, 15 and 16 and conclusions of law 1, 3 and 4.)

## 2. Project Benefits

The PSPP, if constructed and operated as proposed, will provide the following benefits to California and its residents:

- PSPP will provide 500 MW of renewable energy power, which will assist in meeting California's Renewable Portfolio Standard, which specifies that retail sellers of electricity serve 20 percent of their load with renewable energy by 2010. (Pub. Util. Code, § 399.11 et seq.) Gubernatorial Executive Orders increase the requirement to 33 percent by 2020. (Governor's Executive Order S-14-08.)
- Producing electricity from renewable resources provides a number of significant benefits to California's environment and economy, including improving local air quality and public health, reducing global warming emissions, developing local energy sources and diversifying our energy supply, improving energy security, enhancing economic development and creating green jobs. (2009 CEC *Integrated Energy Policy Report*, p. 231.)



- Scientific studies quantify the negative impacts of global climate change to California's and the world's population, environment, food supplies, flora and fauna, coastal regions, and public health. In order to reduce the impact, the State has adopted goals to reduce greenhouse gas emissions through renewable energy development. (PMPD, Greenhouse Gases Emissions section, p. 3, paragraph 2.)
- PSPP will assist the state in meeting its ambitious greenhouse gas reduction targets by generating 500 MW of electricity with vastly lower greenhouse gas emissions than existing fossil fuel burning generating facilities. (PMPD, Greenhouse Gases Emissions section, pp. 12; 14, findings of fact 14 and 16.)
- By generating electricity with the use of only a small amount of fossil fuels, PSPP will reduce California's dependence on fossil fuels, a diminishing energy source. (PMPD, Greenhouse Gases Emissions section, p. 6, final paragraph.)
- PSPP will provide construction jobs for an average and peak workforce of 566 and 1,145, respectively, and approximately 134 jobs during operations. The construction work force is expected to be drawn from the Riverside/San Bernardino County region. Most of those jobs will require highly trained workers. (PMPD, Socioeconomics section, p. 3, paragraphs 2 and 4.)
- Construction and operation of PSPP will provide a boost to the economy from the purchase of major equipment, payroll, and supplies, increased sales tax revenue, and property taxes. Additional indirect economic benefits, such as employment in local service industry jobs and induced employment, will result from these expenditures as well. (PMPD, Socioeconomics section, p. 5.)

### 3. Comparison of Project Alternatives

As is discussed in the Alternatives section, none of the project alternatives will significantly reduce the above-referenced project impacts while still meeting the defined project objectives, even though Reconfigured Alternatives #2 and #3, which we have adopted and recommend, reduce other significant impacts of the proposed project below the level of significance. The no-project alternative, which would eliminate the project's impacts, would also eliminate its benefits. The distributed solar energy (photovoltaic or thermal) generation and other renewable technologies are required *in addition to* large scale projects such as this in order to meet our renewable energy and GHG policy goals; the two complement, rather than compete with each other. (PMPD, Alternatives section, pp. 39 – 40, findings of fact 2, 4, 5, 6, 7, 8, 9, 10, 11 and 12.)

#### 4. Site Characteristics

The Palen Project site is adjacent to, and in the vicinity of, extensive existing and planned development, including Interstate 10 (I-10), and existing electricity infrastructure, including major transmission lines and other proposed solar power projects. (PMPD, Land Use section, pp. 2, final paragraph; 3, paragraph 1.)

#### 5. Testimony of Terrence O'Brien

Terrence O'Brien, Deputy Director of the California Energy Commission Siting, Transmission and Environmental Protection Division, representing the Energy Commission staff, submitted written testimony entitled Comments Regarding a Possible Energy Commission Finding of Overriding Considerations. Mr. O'Brien testified that in Staff's opinion it would be appropriate for the Commission to approve the project and find that the project is required for public convenience and necessity, and that there are no more prudent and feasible means of achieving such public convenience and necessity. (Ex. 301; 10/13/10 RT, 10:1-23.)

#### 6. In arriving at the following findings, we have taken official notice of the following documents:

- Climate Action Team Report to Governor Schwarzenegger and the Legislature. CalEPA, March 2006.
- AB 32 Scoping Plan. CARB, December 2008.
- Integration of Renewable Resources. CAISO, Nov. 2007.
- 2007 Integrated Energy Policy Report. CEC, Nov. 2007.
- 2009 Integrated Energy Policy Report. CEC. Nov. 2009.
- Draft Final Opinion on Greenhouse Gas Regulatory Strategies: Joint Agency Proposed Final Opinion. CPUC/CEC 2008.
- Framework for Evaluating Greenhouse Gas Implications of Natural Gas-Fired Power Plants in California. CEC (MRW and Associates). May 2009.

Based upon the above evidence and Staff recommendations, we find that overriding considerations warrant the approval of the project as mitigated through the Conditions of Certification we adopt herein. We further find that the project is required for public convenience and necessity and that there are no more prudent and feasible means of achieving such public convenience and necessity.

## FINDINGS OF FACT

Based on the evidence and the conclusions drawn in other sections of this Decision, we make the following findings and conclusions:

1. Climate change poses a serious threat to the economic well-being, public health, natural resources, and the environment of California.
2. The proposed project will have the following significant impacts which cannot be mitigated to insignificant levels:
  - a. The cumulative loss of federally administered multiple use lands in the Chuckwalla Valley and Colorado Desert due to the project's cumulatively considerable contribution of impacts when considered in combination with other energy projects proposed in the Southern California desert.
  - b. Permanent change and/or destruction of cultural resources, both known and as yet unknown, contributing to a cumulatively considerable impact which will be mitigated to the extent possible, but may not be fully mitigated.
  - c. Degradation of scenic vistas for motorists, recreationists, hikers, and others from various points in the Chuckwalla Valley, McCoy Mountains, and I-10 corridor.
3. This Decision imposes all feasible mitigation measures to reduce the significant impacts of the project to the lowest possible, though still significant, levels.
4. The project will provide the following benefits:
  - a. Contribution of 500 MW of renewable energy power toward meeting California's Renewable Portfolio Standard and our renewable energy and GHG policy goals.
  - b. A significant reduction in greenhouse gas emissions when compared with existing fossil fuel-burning generating facilities.
  - c. Other important benefits to California's environment and economy include improving local air quality and public health, developing local energy sources, and diversifying our energy supply.
  - d. Reduction of California's dependence on fossil fuels.
  - e. Creation of construction jobs for an average and peak workforce of 566 and 1,145, respectively, and approximately 134 jobs during operations, most requiring highly trained workers.

- f. Provide a boost to the economy from the purchase of major equipment, payroll, and supplies, increased sales tax revenue, and property taxes. Additional indirect economic benefits, such as indirect employment, and induced employment, will result from these expenditures as well.
  - g. The PSPP is adjacent to, and in the vicinity of, extensive existing development, Interstate 10, and existing electricity infrastructure, including major transmission lines and other proposed solar power projects.
5. The project is required for public convenience and necessity and that there are no more prudent and feasible means of achieving such public convenience and necessity.

#### **CONCLUSIONS OF LAW**

1. The above described project benefits outweigh the significant impacts identified above.
2. It is appropriate to approve the PSPP despite its remaining significant environmental impacts.
3. It is the intent of this Commission to take all reasonable measures to preserve the continued existence of the desert special-status species. This Commission believes that this project, and other renewable energy projects, will result in the reduction of greenhouse gases which will help curb or reduce the impact of climate change to California, thereby allowing for the continued existence of the desert special-status species.
4. Therefore, we exercise our authority to override the remaining significant unavoidable impacts that may result from this project, even with the implementation of the required mitigation measures described in this Decision.

STATE OF CALIFORNIA

Energy Resources Conservation  
And Development Commission

In the Matter of:

Application for Certification  
For the Palen Solar Power Project  
Palen Solar I, LLC

Docket No. 09-AFC-7

**ENERGY COMMISSION STAFF'S RESPONSE TO INTERVENOR CENTER  
FOR BIOLOGICAL DIVERSITY'S PETITION FOR RECONSIDERATION**

On December 15, 2010, the California Energy Commission (Commission) adopted a Commission Decision certifying the Palen Solar Power Project (PSPP). On January 14, 2011, Center for Biological Diversity (CBD) filed a petition for reconsideration of this decision (Petition). CBD argues that Public Resources Code section 25527 prohibited the Commission from certifying PSPP before the Bureau of Land Management (BLM) issued its Record of Decision on the project proposal. As discussed below, section 25527 did not act as a bar to the Commission's adoption of PSPP on December 15, 2010 and CBD's petition should, therefore, be rejected.

**I. CBD Fails To Set Forth An Error Of Fact Or Law**

Pursuant to California Code of Regulations, title 20, section 1720, a petition for reconsideration must either set forth "new evidence that could not have been provided during the evidentiary hearings" or "an error in fact or change or error of law". The petition must also fully explain "why the matters set forth could not have been considered during evidentiary hearings, and their effects upon a substantive element of the decision." (Cal. Code Regs., tit. 20, §1720(a).)

CBD first raised their argument regarding section 25527 in comments on the PMPD on November 29, 2010, and provided oral argument on the matter at the PSPP Presiding Member's Proposed Decision (PMPD) conference on December 2, 2010. The Committee was not persuaded by CBD's arguments and proposed that the PSPP be adopted by the full Commission. CBD reiterated their arguments in writing on December 14, 2010, and again in person at the December 15, 2010, adoption hearing, where their arguments again proved unpersuasive. CBD raises these same arguments one final time in their petition for reconsideration.

The purpose of the Petition for Reconsideration process is not to allow parties another chance to re-argue matters raised and dismissed in the original proceeding – it is intended to address new issues that had not already been considered and rejected by the Committee or the full Commission. Thus, CBD is required to explain why these matters were not, and could not have been, considered previously. CBD's entire petition, however, is just a reiteration of arguments they made at the adoption hearing. CBD cites to no new or changed facts, no new evidence, and no new error of law. The only new comment in the petition is a brief statement of CBD's disagreement with how the issue was framed in the Commission Decision; the comment, however, provides nothing new in support of CBD's argument that section 25527 prohibited the certification of PSPP on December 15, 2010. Thus, the petition should be rejected.

However, even if one looks past this obvious failure, staff believes that CBD's arguments lack merit, and that section 25527 does not apply to the certification of PSPP because none of the lands on which PSPP will be located fall under that section's prohibition. Specifically, it appears that the Legislature intended section 25527(a) to apply to state, regional, county, and city lands in existence on January 7, 1975. In other words, it does not appear that section 25527(a) is intended to apply to the lands that CBD claims that it is applicable to.

## **II. Public Resources Code Section 25527 Did Not Prohibit The Certification Of PSPP On December 15, 2010.**

PSPP will be sited on 5,200 acres of land approximately 0.5 mile north of U.S. Interstate-10 and approximately 10 miles east of Desert Center, in an unincorporated area of eastern Riverside County, California. (Ex. 301, Revised Staff Assessment, Part II, p. A-4). Most of the land is public land administered by the Bureau of Land Management (BLM). Approximately 3,873 acres of the 5,200 acre site would ultimately be disturbed by project construction (an additional 137 acres would be disturbed by construction of the transmission line). (Ex. 301, p. C-2.14).

The Federal Land Policy and Management of 1976 established the California Desert Conservation Area (CDCA), a 25 million-acre expanse covering most of southeastern California, almost a quarter of the state. (43 U.S.C. §1781(c).) BLM manages 12.1 million acres of land within the CDCA, including most of the land on which PSPP will be located, which is within an area designated under the CDCA Plan of 1980. Specifically, the project site is located within the Northern and Eastern Colorado Desert Coordinated Management Plan (NECO) area, a region that includes most of the California portion of the Sonoran Desert ecosystem. (Ex. 301, pp. C.2-15; A-4) This land is designated as Multiple-Use Class L (Limited Use) and the plan states that solar power facilities may be allowed after NEPA requirements are met. (Ex. 301, p. A-4.)

The project is located within two areas designated in the NCEC as wildlife habitat Management areas (WHMA); Palen-Ford WHMA and Desert Wildlife Management Area (DWMA) Connectivity WHMA. Management emphasis for the Palen-Ford WHMA is on the management of the dunes and playas within the Palen-Ford dune system. Management emphasis for the DWMA Connectivity WHMA is on the geographic connectivity for desert tortoise for the conservation areas east of Desert Center (i.e., connectivity between the Chuckwalla DWMA and the wilderness area north of I-10). The Palen McCoy Wilderness is approximately 3 miles to the northeast of the project, the Chuckwalla DWMA is located approximately 2 miles to the south, and the Palen Dry Lake Area of Critical Environmental Concern (ACEC) borders the project site to the east. (Ex. 301, p. C.2-16.) Approximately 1 mile of the transmission line will traverse into the Chuckwalla DWMA en route to the Red Bluff substation. (Ex. 53, Palen Solar I, LLC's Data Responses to Reconfigured Alternatives 2 & 3 – Biological Resources, Palen Solar Power Project Biological Resources Data Package Addendum, p. 1.)

According to the 1994 Desert Tortoise Recovery Plan, the project is located within the Eastern Colorado Recovery Unit. On February 8, 1994, the U.S. Fish and Wildlife Service published a final rule in the *Federal Register* (59 Fed. Reg. 5820 (1994).) designating 6.4 million acres of critical habitat for the Mojave population of the desert tortoise. In California, this designation totals 4,754,000 acres in Imperial, Kern, Los Angeles, Riverside, and San Bernardino counties. (Fish and Wildlife Service, Desert Tortoise (Mojave population) Recovery Plan (1994), p. H1). Approximately 201 acres of the southwestern corner of the project overlaps the northern boundary of the Chuckwalla Desert Tortoise Critical Habitat Area. (Ex. 301, p. C.2-71.)

The Warren-Alquist Act prohibits the Commission from approving "as a site for a facility" designated "areas for wildlife protection" unless the Commission makes certain findings and obtains "the approval of any public agency having ownership or control of such lands". (Pub. Resources Code, §25527.) CBD posits that PSPP is so sited and, thus, the Commission must have obtained, prior to certification, approval from the public agency having ownership of such lands, the Bureau of Land Management (BLM). (Petition, p. 1.)

As discussed further below, staff does not believe it is necessary to parse whether WHMAs, DWMAs, or Critical Habitat constitute "areas for wildlife protection" under section 25527. Instead, staff posits that there are two qualifiers in subsection 25527(a) that make it inapplicable to PSPP; additionally, the last paragraph of section 25527 is intended to guide the Commission's consideration of lands identified therein and not prohibit their use outright.

**A. Subsection 25527(a) Applies Only To Areas Of Wildlife Protection In Existence As Of January 7, 1975.**

The provision upon which CBD relies reads as follows:

The following areas of the state shall not be approved as a site for a facility, unless the commission finds that such use is not inconsistent with the primary uses of such lands and that there will be no substantial adverse environmental effects and the approval of any public agency having ownership or control of such lands is obtained:

- (a) State, regional, county and city parks; wilderness, scenic or natural reserves; areas for wildlife protection, recreation, historic preservation; or natural preservation areas in existence on the effective date of this division.
- (b) Estuaries in an essentially natural and undeveloped state.

In considering applications for certification, the commission shall give the greatest consideration to the need for protecting areas of critical environmental concern, including, but not limited to, unique and irreplaceable scientific, scenic, and educational wildlife habitats; unique historical, archaeological, and cultural sites; lands of hazardous concern; and areas under consideration by the state or the United States for wilderness, or wildlife and game reserves.

(Pub. Resources Code, §25527 [emphasis added].) Subsection (a) contains a list of land designations subject to prohibition if the requirements in the preceding paragraph are not or cannot be met. The entire division became operative, or effective, on January 7, 1975. Upon a plain reading, the qualifying phrase at the end of subsection (a), "in existence on the effective date of this division", appears to apply to the entire list of land designations preceding it. Standard rules of grammar recommend the use of semicolons to separate a series of parallel dependent clauses if they contain internal commas. (The Gregg Reference Manual, Ninth edition, 2001, p. 39.) Thus, the authors likely used semicolons in this subsection to aid the reading of the paragraph and not to prevent the qualifier from applying to all items preceding it.

Indeed, where the authors did wish to prevent other terms from applying and treat a land designation separately, they placed it in another subsection, (b), that does not include the timing limitation. In fact, this appears to be the only explanation for the presence subsection (b) altogether. If all the clauses in subsection (a) were intended to be read independently, then the land described in (b) could have just as easily been thrown into (a). The authors must have had a reason for separating this provision, and the reason must be that the qualifying phrases included in this paragraph were not intended to apply to (b). Reading it otherwise would make the existence of subsection (b) superfluous and unnecessary, which according to the rules of proper statutory construction should be avoided.



This interpretation is also supported by the organization of other Warren-Alquist Act provisions. Where the authors have elsewhere wished to create a list of items with the intention that each item be self-contained, they have created a list with each item as its own subsection, clearly distinct from the others, so that there is no confusion. (Pub. Resources Code, §§ 25005.5, 25534, 25602.) The only purpose for not doing so with subsection 25527(a) must be that the authors did not intend each item to be self-contained, but intended each item to be qualified by the language at the beginning of the subsection and at the end.

The three designations currently attached to the project site and the transmission line (critical habitat, wildlife habitat management area, and designated wildlife management area) all were made after January 7, 1975. The WHMA and DWMA designations appear to have been formally made on December 19, 2002 with adoption and implementation of the NECO plan. Even if the designations precede the NECO plan, they could not have been made any earlier than 1980, when BLM's CDCA Plan was adopted. The critical habitat designation was made on February 8, 1994 with adoption of a final rule by the U.S. Fish and Wildlife Service, which designated 6.4 million acres of critical habitat for the Mojave population of the desert tortoise. (59 Fed. Reg. 5820 (1994).) Since all of these land designations occurred after January 7, 1975, the prohibition of section 25527 does not apply.

**B. The Legislative History Of Section Subsection 25527 Indicates That It Was Intended To Protect State And Local Lands Subject To The Energy Commission's Preemptive Licensing Authority.**

In addition to the qualifier at the end of subsection (a) discussed above, subsection 25527(a) contains another qualifier at the beginning:

- (a) State, regional, county and city parks; wilderness, scenic or natural reserves; areas for wildlife protection, recreation, historic preservation; or natural preservation areas in existence on the effective date of this division.

(Pub. Resources Code., §25527 [emphasis added].) As discussed above, subsection (a) contains a list of land designations subject to prohibition if the requirements in the preceding paragraph are not or cannot be met. Before the land designations are listed, however, the subsection begins with a listing of jurisdictions, conspicuously leaving out "Federal". Again upon a plain reading of the language, this provision should be interpreted as intending the beginning clause "state, regional, county and city" to qualify all following land designations; thereby excluding any Federal land from the prohibition. As discussed above, the semicolons appear to serve the purpose of keeping the list orderly due to the presence of multiple commas. They do not appear to be intended to prevent application of the beginning qualifier to the rest of the list.

This interpretation also appears to be supported by legislative history. The first iteration of this provision was a complete prohibition of the use of these types of land:

The following areas of the State of California shall be excluded from consideration whenever a site is considered for a thermal powerplant:

(a ) State, regional, county and city parks; wilderness, scenic or natural reserves; areas for wildlife protection, recreation, historic preservation; or natural preservation areas in existence on the effective date of this division.

(Bill No. AB 1575 (1973-1974 Reg. Sess.) as amended in Assembly, August 6, 1973.) In a memo from his staff on March 26, 1974, to Charles Warren, coauthor of the legislation, section 25527 is discussed in the context of the utilities' wish to allow some development on these lands if such use would not disturb the character of the areas. (Staff Memorandum to Charles Warren (1973-1974 Reg. Sess.) March 26, 1974, p. 12, Assemblyman Charles Warren's Files, AB 1575.) The memo discusses this request and states, "because the commission does have ultimate pre-emptive power, it may be wise to require the involvement and acquiescence of relevant agencies protecting these areas prior to authorizing the intrusion." (Id.) This statement implies that the provisions surrounding implementation of section 25527 revolve around concern over the pre-emptive power of the Commission, power the Commission can exert only over non-federal lands. Thus, logically, the prohibition contained in section 25527 should not apply to federal land because there is no risk of the Commission certifying a project impacting federal land without the federal agency in charge of those lands being able to stop the project. Therefore, the qualifier "state, regional, county and city" could and should most logically be read to apply to all of the lands listed in subsection (a):

The order in which the provisions of section 25527 were drafted also explains why the qualifier "state, regional, county and city" is not contained earlier in the provision (i.e. to qualify the clause "the approval of any public agency having ownership or control of such lands is obtained."). Subsection (a) was written before the bulk of the first paragraph; when first written the obvious place for the qualifier was at the beginning of subsection (a). (Bill No. AB 1575 (1973-1974 Reg. Sess.) as amended in Assembly, August 6, 1973.) When the first paragraph was expanded on, it is easy to understand that the authors would not want to disturb already acceptable language and move the qualifier from subsection (a) to the first paragraph. Therefore, the requirement to obtain the "approval of any public agency having ownership or control of such lands" can be presumed as intended to be interpreted in light of subsection (a); those agencies in control of non-federal lands had to be consulted.

One could argue that the "state, regional, county and city" was only intended to qualify "parks"; but there is no apparent reason why National Parks should be excluded from the prohibition if all other federal lands were intended to be

included. Thus, the most logical reading is that the entire subsection was only intended to apply to state, regional, county and city lands because of the concern that otherwise the Commission's preemptive authority would allow it to approve projects on state and local lands without the approval of the agency in charge of those lands.

**C. The Commission Is Directed To Give The Greatest Consideration To Protecting Areas Of Critical Environmental Concern, But Is Not Prohibited From Approving Such Lands As Sites For A Facility.**

In several areas of their petition CBD refers to DWMA's as Areas of Critical Environmental Concern (ACECs) and cites to the last paragraph of section 25527, which states:

In considering applications for certification, the commission shall give the greatest consideration to the need for protecting areas of critical environmental concern, including, but not limited to, unique and irreplaceable scientific, scenic, and educational wildlife habitats; unique historical, archaeological, and cultural sites; lands of hazardous concern; and areas under consideration by the state or the United States for wilderness, or wildlife and game reserves.

(Pub. Resources Code, §25527.) Though not explicitly stated, CBD appears to imply that this provision also prohibits the Commission from approving facilities on such sites unless the steps required in the first paragraph of section 25527 are taken (i.e. finding that the use is not inconsistent with the primary uses of such lands, finding that there will be no substantial adverse environmental effects, and obtaining the approval of any public agency having ownership or control of such lands). Based on a plain reading of the provision and legislative history, however, it is clear that this provision means what it says: the Commission should give "greatest consideration" to these lands, but no prohibition attaches. Therefore, staff does not believe the Commission needs to determine whether any of the land designations on which PSPP will be sited constitute "areas of critical environmental concern."

Section 25527 begins with a paragraph stating that the Commission may not approve a facility located on the following listed areas of the state unless three requirements are met. After this opening paragraph, subsections (a) and (b) are presented with a list of the aforementioned areas. It is apparent that this listing is intended to conclude the list of areas to which the initial prohibition applies. After this list, a new paragraph is presented containing an additional list of areas to which the Commission should give "greatest consideration." Hence, the last paragraph is intended to be separate from the first, with no carryover of the prohibition, or the requisite actions, from the first to the second. This interpretation is supported by legislative history. Analysis of this provision by the electric utilities in a memo Edwin Meese, III, Executive Assistant to the Governor at the time, stated that "[t]he second paragraph provides that "greatest consideration", rather than prohibition, is required for certain other classes of lands." (Memorandum to

Mr. Edwin Meese, III, (1973-1974 Reg. Sess.) March 22, 1974, Assemblyman Charles Warren's Files, AB 1575.) A memo authored by the staff of Charles Warren summarizing the Utilities' March 22, 1974 memo expresses acceptance with the utilities' proposed approach and suggests a few additional changes but does not remark on the utilities' statement that the latter paragraph does not serve as a prohibition. (Staff Memorandum to Charles Warren (1973-1974 Reg. Sess.) March 26, 1974, Assemblyman Charles Warren's Files, AB 1575.) If the utilities' statement was not correct, the staff would have surely remarked upon it and perhaps suggested a change to ensure the statutory language was clear. The fact that they did not do so evinces that they agreed with the interpretation. Therefore, even if any of the lands on which PSPP will be sited constitute "areas of critical environmental concern," it would not alter the Commission's ability to have certified PSPP on December 15, 2010.

### III. Conclusion

CBD's petition raises no new issues, as required by the Commission's regulations. However, CBD's arguments also fail on substantive merits for three reasons. First, the land subject to the license had no designation for wildlife protection in 1975, when the statute was enacted, and the prohibition is, thus, inapplicable. Second, upon a plain reading of the statutory language, and when considered in the context of relevant legislative history, staff does not believe that section 25527 was ever intended to apply to federal lands; there is a qualifier at the beginning of the list stating as much and, logically there is no need for federal lands to have been included as such lands have never been subject to the preemptive effect of the Commission's licensing jurisdiction, as federal approvals are required. And third, the second paragraph of section 25527 does not act as a prohibition of certifying facilities on lands listed therein. For all of these reasons, staff recommends that the petition be rejected.

DATED: February 3, 2011

Respectfully submitted,

/s/ Lisa DeCarlo

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LISA M. DECARLO  
Senior Staff Counsel  
California Energy Commission  
1516 9<sup>th</sup> Street  
Sacramento, CA 95817  
Ph: (916) 654-5195  
e-mail: ldecarlo@energy.state.ca.us



BEFORE THE ENERGY RESOURCES CONSERVATION AND DEVELOPMENT  
COMMISSION OF THE STATE OF CALIFORNIA  
1516 NINTH STREET, SACRAMENTO, CA 95814  
1-800-822-6228 – [WWW.ENERGY.CA.GOV](http://WWW.ENERGY.CA.GOV)

APPLICATION FOR CERTIFICATION  
FOR THE *PALEN SOLAR POWER  
PLANT PROJECT*

Docket No. 09-AFC-7

**PROOF OF SERVICE**  
(Revised 8/27/10)

**APPLICANT**

Alice Harron  
Senior Director of Project Development  
\*1111 Broadway, 5<sup>th</sup> Floor  
Oakland, CA 94607  
[harron@solarmillennium.com](mailto:harron@solarmillennium.com)

\*Michael Cressner, Project  
Development & Permitting  
Solar Millennium, LLC  
1111 Broadway, 5<sup>th</sup> Floor  
Oakland, CA 94709  
[cressner@solarmillennium.com](mailto:cressner@solarmillennium.com)

Arrie Bachrach  
AECOM Project Manager  
1220 Avenida Acaso  
Camarillo, CA 93012  
[arrie.bachrach@aecom.com](mailto:arrie.bachrach@aecom.com)

Ram Ambatipudi  
Chevron Energy Solutions  
150 E. Colorado Blvd., Ste. 360  
Pasadena, CA 91105  
[rambatipudi@chevron.com](mailto:rambatipudi@chevron.com)

**Co-COUNSEL**

Scott Galati, Esq.  
Marie Mills  
Galati/Blek, LLP  
455 Capitol Mall, Suite 350  
Sacramento, CA 95814  
[sgalati@gb-llp.com](mailto:sgalati@gb-llp.com)  
[mmills@gb-llp.com](mailto:mmills@gb-llp.com)

**Co-COUNSEL**

Peter Weiner, Matthew Sanders  
Paul, Hastings, Janofsky &  
Walker LLP  
55 2nd Street, Suite 2400-3441  
San Francisco, CA 94105  
[peterweiner@paulhastings.com](mailto:peterweiner@paulhastings.com)  
[matthewsanders@paulhastings.com](mailto:matthewsanders@paulhastings.com)

**INTERVENORS**

California Unions for Reliable Energy  
(CURE)  
c/o Tanya A. Gulesserian,  
Marc D. Joseph  
Jason W. Holder  
Adams Broadwell Joseph & Cardozo  
601 Gateway Boulevard,  
Suite 1000  
South San Francisco, CA 94080  
[tgulesserian@adamsbroadwell.com](mailto:tgulesserian@adamsbroadwell.com)  
[jholder@adamsbroadwell.com](mailto:jholder@adamsbroadwell.com)

Michael E. Boyd, President  
Californians for Renewable Energy  
(CARE)  
5439 Soquel Drive  
Soquel, CA 95073-2659  
[michaelboyd@sbcglobal.net](mailto:michaelboyd@sbcglobal.net)

Alfredo Figueroa  
Californians for Renewable Energy  
(CARE)  
424 North Carlton  
Blythe, CA 92225  
[lacunadeaztlan@aol.com](mailto:lacunadeaztlan@aol.com)

Basin and Range Watch  
Kevin Emmerich  
Laura Cunningham  
P.O. Box 153  
Baker, CA 92309  
[atomictoadranch@netzero.net](mailto:atomictoadranch@netzero.net)

Lisa T. Belenky, Senior Attorney  
Center for Biological Diversity  
351 California St., Suite 600  
San Francisco, CA 94104  
[lbelenky@biologicaldiversity.org](mailto:lbelenky@biologicaldiversity.org)  
Ileene Anderson  
Public Lands Desert Director  
Center for Biological Diversity  
PMB 447, 8033 Sunset Boulevard  
Los Angeles, CA 90046

[ianderson@biologicaldiversity.org](mailto:ianderson@biologicaldiversity.org)

**INTERESTED AGENCIES**

California ISO  
[e-recipient@caiso.com](mailto:e-recipient@caiso.com)

Holly L. Roberts, Project Manager  
Bureau of Land Management  
Palm Springs-South Coast  
Field Office  
1201 Bird Center Drive  
Palm Springs, CA 92262  
[CAPSSolarBlythe@blm.gov](mailto:CAPSSolarBlythe@blm.gov)

**ENERGY COMMISSION**

ROBERT WEISENMILLER  
Commissioner and Presiding Member  
[rweisenm@energy.state.ca.us](mailto:rweisenm@energy.state.ca.us)

KAREN DOUGLAS  
Chairman and Associate Member  
[kldougl@energy.state.ca.us](mailto:kldougl@energy.state.ca.us)

Raoul Renaud  
Hearing Officer  
[rrenaud@energy.state.ca.us](mailto:rrenaud@energy.state.ca.us)

Alan Solomon  
Siting Project Manager  
[asolomon@energy.state.ca.us](mailto:asolomon@energy.state.ca.us)

Lisa DeCarlo  
Staff Counsel  
[ldecarlo@energy.state.ca.us](mailto:ldecarlo@energy.state.ca.us)

Jennifer Jennings  
Public Adviser's Office  
*e-mail service preferred*  
[publicadviser@energy.state.ca.us](mailto:publicadviser@energy.state.ca.us)

DECLARATION OF SERVICE

I, **Rhea Moyer**, declare that on, **February 3, 2011**, I served and filed copies of the attached **Energy Commission Staff's Response to Intervenor Center for Biological Diversity Petition for Reconsideration**, dated **February 3, 2011**. The original document filed with the Docket Unit is accompanied by a copy of the most recent Proof of Service list, located on the web page for this project at: [<http://www.energy.ca.gov/sitingcases/palmdale/index.html>]. The document has been sent to both the other parties in this proceeding (as shown on the Proof of Service list) and to the Commission's Docket Unit, in the following manner:

**(Check all that Apply)**

FOR SERVICE TO ALL OTHER PARTIES:

- sent electronically to all email addresses on the Proof of Service list;  
 by personal delivery;  
 by delivering on this date, for mailing with the United States Postal Service with first-class postage thereon fully prepaid, to the name and address of the person served, for mailing that same day in the ordinary course of business; that the envelope was sealed and placed for collection and mailing on that date to those addresses **NOT** marked "email preferred."

**AND**

FOR FILING WITH THE ENERGY COMMISSION:

- sending an original paper copy and one electronic copy, mailed and emailed respectively, to the address below (**preferred method**);

**OR**

- depositing in the mail an original and 12 paper copies, as follows:

**CALIFORNIA ENERGY COMMISSION**

Attn: Docket No. 08-AFC-9  
1516 Ninth Street, MS-4  
Sacramento, CA 95814-5512  
[docket@energy.state.ca.us](mailto:docket@energy.state.ca.us)

I declare under penalty of perjury that the foregoing is true and correct, that I am employed in the county where this mailing occurred, and that I am over the age of 18 years and not a party to the proceeding.

/s/ Rhea Moyer

\_\_\_\_\_  
Rhea Moyer

**(Solar Millennium) Palen Solar Power Project**

Docket Number:

**09-AFC-7**  
(Application For Certification)

**Committee Overseeing This Case:**

Robert B. Weisenmiller, Commissioner  
Presiding Member

Karen Douglas, Commissioner  
Associate Member

Hearing Officer: Raoul Renaud

**Key Dates**

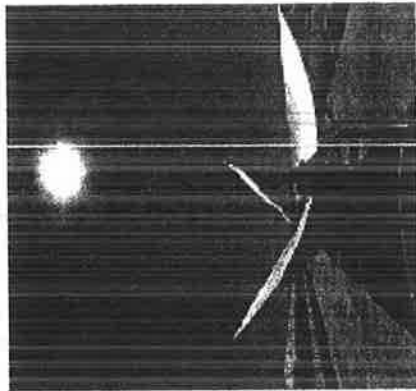
- 8/24/2009 - Application for Certification (AFC) filed
- 11/18/2009 - Commission accepts AFC as "data adequate."
- 3/18/2010 - Commission and BLM staff release Staff Analysis and Draft Environmental Impact Statement.
- 11/12/2010 - Committee releases Presiding Member's Proposed Decision.
- 12/15/2010 - Commission approves Application For Certification.

**GENERAL DESCRIPTION OF PROJECT**

Solar Millennium LLC and Chevron Energy Solutions, the joint developers of this project, propose to construct, own, and operate the Palen Solar Power Project. The Project is a concentrated solar thermal electric generating facility with two adjacent, independent, and identical solar plants of 250 megawatt (MW) nominal capacity each for a total capacity of 500 MW nominal.

The Project will utilize solar parabolic trough technology to generate electricity. With this technology, arrays of parabolic mirrors collect heat energy from the sun and refocus the radiation on a receiver tube located at the focal point of the parabola. A heat transfer fluid (HTF) is heated to high temperature (750 degrees Fahrenheit) as it circulates through the receiver tubes. The heated HTF is then piped through a series of heat exchangers where it releases its stored heat to generate high-pressure steam. The steam is then fed to a traditional steam turbine generator where electricity is produced.

The project site would be located approximately 10 miles east of Desert Center, along Interstate 10 approximately halfway between the cities of Indio and Blythe, in Riverside County, California. An application has been filed with BLM for a right-of-way (ROW) grant of approximately 5,200 acres.





### Energy Commission Facility Certification Process

The California Energy Commission is the lead agency (for licensing thermal power plants 50 megawatts and larger) under the California Environmental Quality Act (CEQA) and has a certified regulatory program under CEQA. Under its certified program, the Energy Commission is exempt from having to prepare an environmental impact report. Its certified program, however, does require environmental analysis of the project, including an analysis of alternatives and mitigation measures to minimize any significant adverse effect the project may have on the environment.

#### For Questions About This Siting Case Contact:

Dale Rundquist  
Compliance Project Manager  
Siting, Transmission and Environmental Protection (STEP) Division  
California Energy Commission  
1516 Ninth Street, MS-2000  
Sacramento, CA 95814  
Phone: 916-651-2072  
Fax: 916-654-3882  
E-mail: [DRundquist@energy.state.ca.us](mailto:DRundquist@energy.state.ca.us)

#### For Questions About Participation In Siting Cases Contact:

Public Adviser  
California Energy Commission  
1516 Ninth Street, MS-12 Sacramento, CA 95814  
Phone: 916-654-4489  
Toll-Free in California: 1-800-822-6228  
E-mail: [PublicAdviser@energy.state.ca.us](mailto:PublicAdviser@energy.state.ca.us)

#### News Media Please Contact:

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Phone: 916-654-4989  
E-mail: [mediaoffice@energy.state.ca.us](mailto:mediaoffice@energy.state.ca.us)

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State of California, Edmund G. Brown Jr., Governor

Last Modified: 03/11/11





OFFICE OF  
CLERK OF THE BOARD OF SUPERVISORS  
1st FLOOR, COUNTY ADMINISTRATIVE CENTER  
P.O. BOX 1147, 4080 LEMON STREET  
RIVERSIDE, CA 92502-1147  
PHONE: (951) 955-1060  
FAX: (951) 955-1071

KECIA HARPER-IHEM  
Clerk of the Board of Supervisors

KIMBERLY A. RECTOR  
Assistant Clerk of the Board

August 4, 2011

THE PRESS ENTERPRISE  
ATTN: LEGALS  
P.O. BOX 792  
RIVERSIDE, CA 92501

E-MAIL: [legals@pe.com](mailto:legals@pe.com)  
VIA FAX: (951) 368-9018

RE: NOTICE OF PUBLIC HEARING: SP 375; GPA 910; ZC 7623; EIR 514

To Whom It May Concern:

Attached is a copy for publication in your newspaper for **One (1) Time on Saturday, August 6, 2011.**

We require your affidavit of publication immediately upon completion of the last publication.

Your invoice must be submitted to this office in duplicate, WITH TWO CLIPPINGS OF THE PUBLICATION.

NOTE: PLEASE COMPOSE THIS PUBLICATION INTO A SINGLE COLUMN FORMAT.

Thank you in advance for your assistance and expertise.

Sincerely,

*Mcgil*

Cecilia Gil, Board Assistant to  
KECIA HARPER-IHEM, CLERK OF THE BOARD

**Gil, Cecilia**

---

**From:** PE Legals <legals@pe.com>  
**Sent:** Wednesday, August 03, 2011 4:54 PM  
**To:** Gil, Cecilia  
**Subject:** RE: FOR PUBLICATION: GPA 910 SP 375 ZC 7623

Received for publication on Aug. 6

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**From:** Gil, Cecilia [<mailto:CCGIL@rcbos.org>]  
**Sent:** Wednesday, August 03, 2011 4:50 PM  
**To:** PE Legals  
**Subject:** FOR PUBLICATION: GPA 910 SP 375 ZC 7623

Hello! Attached is a Notice of Public Hearing, for publication on Saturday, Aug. 6, 2011. Please confirm. THANK YOU!

*Cecilia Gil*  
Board Assistant to the  
Clerk of the Board of Supervisors  
951-955-8464

**THE COUNTY ADMINISTRATIVE CENTER IS CLOSED EVERY FRIDAY UNTIL FURTHER NOTICE.  
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OFFICE OF  
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RIVERSIDE, CA 92502-1147  
PHONE: (951) 955-1060  
FAX: (951) 955-1071

KECIA HARPER-IHEM  
Clerk of the Board of Supervisors

KIMBERLY A. RECTOR  
Assistant Clerk of the Board

August 4, 2011

THE DESERT SUN  
ATTN: LEGALS  
P.O. BOX 2734  
PALM SPRINGS, CA 92263

E-MAIL: [legals@thedesertsun.com](mailto:legals@thedesertsun.com)  
FAX: (760) 778-4731

RE: NOTICE OF PUBLIC HEARING: SP 375; GPA 910; ZC 7623; EIR 514

To Whom It May Concern:

Attached is a copy for publication in your newspaper for **One (1) Time on Saturday, August 6, 2011.**

We require your affidavit of publication immediately upon completion of the last publication.

Your invoice must be submitted to this office in duplicate, WITH TWO CLIPPINGS OF THE PUBLICATION.

NOTE: PLEASE COMPOSE THIS PUBLICATION INTO A SINGLE COLUMN FORMAT.

Thank you in advance for your assistance and expertise.

Sincerely,

*Mcgil*

Cecilia Gil, Board Assistant to  
KECIA HARPER-IHEM, CLERK OF THE BOARD

## Gil, Cecilia

---

**From:** Moeller, Charlene <CMOELLER@palmspri.gannett.com>  
**Sent:** Wednesday, August 03, 2011 5:11 PM  
**To:** Gil, Cecilia  
**Subject:** RE: FOR PUBLICATION: GPA 910 SP 375 ZC 7623

Ad received and will publish on date(s) requested.

**Charlene Moeller** | Media Sales Legal Notice Coordinator  
The Desert Sun Media Group  
750 N. Gene Autry Trail, Palm Springs, CA 92262  
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**From:** Gil, Cecilia [<mailto:CCGIL@rcbos.org>]  
**Sent:** Wednesday, August 03, 2011 4:51 PM  
**To:** tds-legals  
**Subject:** FOR PUBLICATION: GPA 910 SP 375 ZC 7623

Hello! Attached is a Notice of Public Hearing, for publication on Saturday, Aug. 6, 2011. Please confirm. THANK YOU!

*Cecilia Gil*

Board Assistant to the  
Clerk of the Board of Supervisors  
951-955-8464

**THE COUNTY ADMINISTRATIVE CENTER IS CLOSED EVERY FRIDAY UNTIL FURTHER NOTICE.  
PLEASE CONSIDER THE ENVIRONMENT BEFORE PRINTING.**

**NOTICE OF PUBLIC HEARING BEFORE THE BOARD OF SUPERVISORS OF RIVERSIDE COUNTY ON A SPECIFIC PLAN, GENERAL PLAN AMENDMENT AND CHANGE OF ZONE IN THE LOWER COACHELLA VALLEY ZONING DISTRICT – EASTERN COACHELLA VALLEY AREA PLAN, FOURTH SUPERVISORIAL DISTRICT AND NOTICE OF INTENT TO CERTIFY AN ENVIRONMENTAL IMPACT REPORT**

NOTICE IS HEREBY GIVEN that a public hearing at which all interested persons will be heard, will be held before the Board of Supervisors of Riverside County, California, on the 1<sup>st</sup> Floor Board Chambers, County Administrative Center, 4080 Lemon Street, Riverside, on **Tuesday, August 16, 2011 at 1:30 P.M.** to consider the application submitted by Black Emerald LLC – Innovative Land Concepts, Inc., on **Specific Plan No. 375**, which proposes to arrange 4,918 acres into 5 planning districts, wherein uses will include residential, business park, mixed use commercial, regional commercial, resort/tourism, and open space uses, and is currently proposing 16,655 residential units; **General Plan Amendment No. 910**, which proposes to amend the Land Use to eliminate the Land Use designations of Agriculture: Agriculture (AG), Community Development: Commercial Tourist (CT), Public Facilities (PF), Indian Land, and Open Space – Water (OS-W) and would establish Business Park (BP), Commercial Retail (CR), Commercial Tourist (CT), Mixed Use (MU), Medium Density Residential (MDR), Medium High Density Residential (MHDR), High Density Residential (HDR), Very High Density Residential (VHDR), Highest Density Residential (HHDR), Public Facility (PF), Open Space – Recreation (OS-R), Open Space – Conservation (OS-C), and Open Space – Water (OS-W) designations as reflected on the Specific Plan Land Use Plan; and, **Change of Zone No. 7623**, which proposes to redesignate the site from Light Agriculture with a 5, 10 and 20 Acre Minimum (A-1-5, A-1-10, A-1-20), Heavy Agriculture with a 10, and 20 Acre Minimum (A-2-10 and A-2-20), Controlled Development (W-2) to Specific Plan (SP), or such other zones as the Board may find appropriate (“the project”). The project is located easterly and westerly of Highway 86 South, northerly of the Imperial County line and southerly of 81<sup>st</sup> Avenue in the Lower Coachella Valley Zoning District – Eastern Coachella Valley Area Plan, Fourth Supervisorial District.

The Planning Commission approved the project, found that the environmental effects have been addressed and recommended the certification of **Environmental Impact Report No. 514**.

The project case file may be viewed from the date of this notice until the public hearing, Monday through Thursday, from 7:30 a.m. to 5:30 p.m. at the Clerk of the Board of Supervisors, 1<sup>st</sup> Floor, and at the Riverside County Planning Department, 12<sup>th</sup> Floor, at 4080 Lemon Street, Riverside, California 92501.

FOR FURTHER INFORMATION REGARDING THIS PROJECT, PLEASE CONTACT MATT STRAITE, PROJECT PLANNER, AT (951) 955-8631 OR EMAIL [mstrait@rctlma.org](mailto:mstrait@rctlma.org).

Any person wishing to testify in support of or in opposition to the project may do so in writing between the date of this notice and the public hearing, or may appear and be heard at the time and place noted above. All written comments received prior to the public hearing will be submitted to the Board of Supervisors and the Board of Supervisors will consider such comments, in addition to any oral testimony, before making a decision on the project.

If you challenge the above item in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence to the Planning Commission or Board of Supervisors at, or prior to, the public hearing. Be advised that as a result of the public hearing and the consideration of all public comment, written and oral, the Board of Supervisors may amend, in whole or in part, the project and/or the related environmental document. Accordingly, the designations, development standards, design or improvements, or any properties or lands within the boundaries of the project, may be changed in a way other than specifically proposed.

Please send all written correspondence to Riverside County Clerk of the Board at 4080 Lemon Street, 1st Floor, P.O. Box 1147, Riverside, CA 92502-1147.

Dated: August 4, 2011

Kecia Harper-Ihem, Clerk of the Board  
By: Cecilia Gil, Board Assistant



## Gil, Cecilia

---

**From:** Meyer, Mary Ann <MaMeyer@asrclkrec.com>  
**Sent:** Wednesday, August 03, 2011 4:57 PM  
**To:** Gil, Cecilia  
**Subject:** RE: FOR POSTING: SP 375 GPA 910 ZC 7623

will post 8-4-11 Thursday

---

**From:** Gil, Cecilia  
**Sent:** Wednesday, August 03, 2011 4:52 PM  
**To:** Meyer, Mary Ann  
**Subject:** FOR POSTING: SP 375 GPA 910 ZC 7623

Hello Mary Ann,

Here's a Notice of Public Hearing, for POSTING. Please confirm. THANK YOU!

*Cecilia Gil*

Board Assistant to the  
Clerk of the Board of Supervisors  
951-955-8464

***THE COUNTY ADMINISTRATIVE CENTER IS CLOSED EVERY FRIDAY UNTIL FURTHER NOTICE.  
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## CERTIFICATE OF MAILING

(Original copy, duly executed, must be attached to  
the original document at the time of filing)

I, Cecilia Gil, Board Assistant, for the  
(NAME and TITLE)

County of Riverside, do hereby certify that I am not a party to the within action or proceeding; that on August 4, 2011, I mailed a copy of the following document:

## NOTICE OF PUBLIC HEARING

SP 375; GPA 910; ZC 7623; EIR 514

to the parties listed in the attached labels, by depositing said copy with postage thereon fully prepaid, in the United States Post Office, 3890 Orange St., Riverside, California, 92501.

**Board Agenda Date:** August 16, 2011 @ 1:30 PM

SIGNATURE: Mcgil DATE: August 4, 2011  
Cecilia Gil



**PROPERTY OWNERS CERTIFICATION FORM**

I, VINNIE NGUYEN, certify that on 7/18/2011,

The attached property owners list was prepared by Riverside County GIS,

APN (s) or case numbers SP00375 For

Company or Individual's Name Planning Department,

Distance buffered 1600'.

Pursuant to application requirements furnished by the Riverside County Planning Department, Said list is a complete and true compilation of the owners of the subject property and all other property owners within 600 feet of the property involved, or if that area yields less than 25 different owners, all property owners within a notification area expanded to yield a minimum of 25 different owners, to a maximum notification area of 2,400 feet from the project boundaries, based upon the latest equalized assessment rolls. If the project is a subdivision with identified off-site access/improvements, said list includes a complete and true compilation of the names and mailing addresses of the owners of all property that is adjacent to the proposed off-site improvement/alignment.

I further certify that the information filed is true and correct to the best of my knowledge. I understand that incorrect or incomplete information may be grounds for rejection or denial of the application.

NAME: Vinnie Nguyen

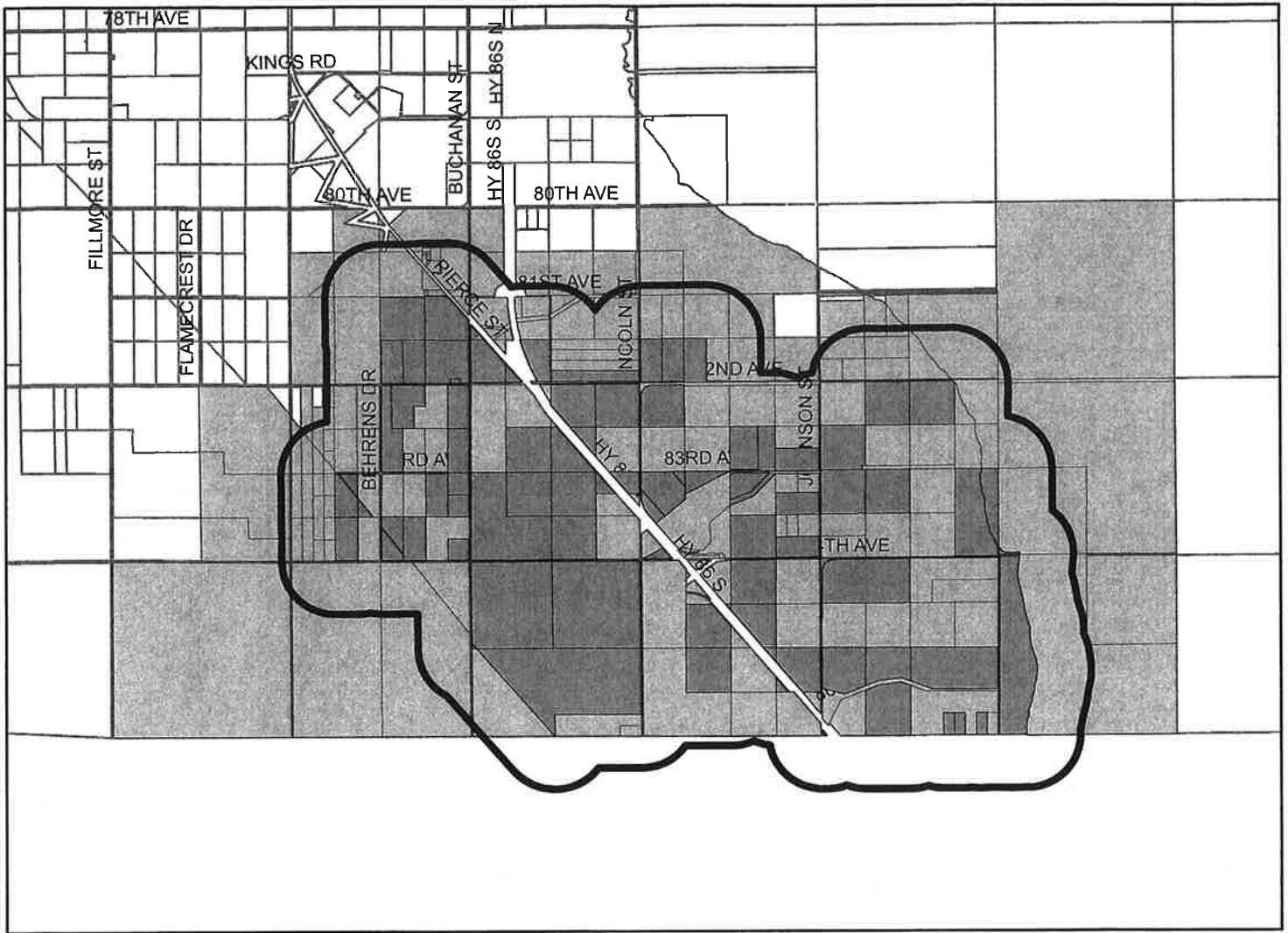
TITLE GIS Analyst

ADDRESS: 4080 Lemon Street 2<sup>nd</sup> Floor

Riverside, Ca. 92502

TELEPHONE NUMBER (8 a.m. – 5 p.m.): (951) 955-8158

## 1600 feet buffer



### Selected Parcels

755-251-004	737-090-004	755-310-003	737-140-013	737-240-002	737-240-004	755-261-003	755-270-016	737-130-001	737-210-010
737-200-030	737-280-002	737-090-003	737-120-006	737-120-007	737-120-008	737-120-009	737-160-015	737-200-008	737-200-009
737-140-014	737-140-015	755-310-020	755-310-023	737-200-032	737-240-003	737-080-011	737-090-017	737-090-018	737-100-004
737-110-006	737-120-005	737-140-010	737-140-011	737-160-012	737-160-013	737-160-025	737-160-026	737-190-010	737-190-011
737-200-023	737-200-024	737-210-009	737-210-011	737-230-005	737-230-006	737-250-004	737-280-008	737-290-016	755-290-020
755-290-022	755-310-026	755-290-021	737-200-010	737-220-004	755-252-002	755-262-001	737-080-018	755-262-012	755-262-016
737-090-002	737-110-002	755-300-002	737-100-003	737-080-015	737-090-013	737-090-014	737-090-015	737-090-016	737-090-019
755-310-022	755-310-024	737-160-021	737-160-022	737-210-014	737-210-015	737-210-016	737-210-017	737-230-002	737-230-012
737-230-013	755-262-009	755-251-012	755-251-013	755-310-021	755-310-013	737-160-006	737-160-007	737-160-017	737-160-019

rst 90 parcels shown



5,800 2,900 0 5,800 Feet

Maps and data are to be used for reference purposes only. Map features are approximate, and are not necessarily accurate to surveying or engineering standards. The County of Riverside makes no warranty or guarantee as to the content (the source is often third party), accuracy, timeliness, or completeness of any of the data provided, and assumes no legal responsibility for the information contained on this map. Any use of this product with respect to accuracy and precision shall be the sole responsibility of the user.

ASMT: 737080010, APN: 737080010  
OSAMU HASHIZU  
C/O KONO BROTHERS TRUST  
87481 AVENUE 74  
THERMAL CA 92274

ASMT: 737110001, APN: 737110001  
TEONA LEONTE  
C/O TEONA RENNIE  
90100 82ND AVE  
THERMAL, CA. 92274

ASMT: 737080017, APN: 737080017  
KEN VONG, ETAL  
90610 AVENUE 81  
THERMAL CA 92274

ASMT: 737110002, APN: 737110002  
FRANCISCO VALENZUELA, ETAL  
49190 JAZMIN ST  
COACHELLA CA 92236

ASMT: 737090002, APN: 737090002  
FRANCISCO BAUTISTA, ETAL  
P O BOX 1365  
THERMAL CA 92274

ASMT: 737120009, APN: 737120009  
CARDINAL PRODUCE SALES INC  
P O BOX 96  
COACHELLA CA 92236

ASMT: 737090003, APN: 737090003  
CARDIEL VILLELA, ETAL  
P O BOX 1795  
MECCA CA 92254

ASMT: 737130001, APN: 737130001  
ARSALAN DARMAL  
38 WINFIELD DR  
LADERA RANCH CA 92694

ASMT: 737090004, APN: 737090004  
ALFONSO BAUTISTA, ETAL  
81400 STATE HIGHWAY 86  
THERMAL CA 92274


ASMT: 737140001, APN: 737140001  
WESTERN AQUATIC ENTERPRISES INC  
2053 LILAC LN  
GLENDALE CA 91206

ASMT: 737090019, APN: 737090019  
HAROLD JENKINS  
3484 SAGE RD  
FALLBROOK CA 92028

ASMT: 737140004, APN: 737140004  
SHU CHING CHANG  
91600 AVENUE 82ND  
THERMAL CA 92274

ASMT: 737100006, APN: 737100006  
WILLIAM JESSUP  
90571 AVENUE 81  
THERMAL CA 92274

ASMT: 737140005, APN: 737140005  
NICHINGHSIANG FISH FARM  
C/O MEI HWA TSAI NI  
91600 82ND AVE  
THERMAL, CA. 92274

8P375- GPA 910 ZC 7623 



ASMT: 737140006, APN: 737140006  
NICHINGHSIANG FISH FARM  
C/O MEI HWA TSAI NI  
91800 AVENUE 82  
THERMAL, CA. 92274

ASMT: 737200029, APN: 737200029  
STATE OF CALIF  
UNKNOWN 03-02-88

ASMT: 737140013, APN: 737140013  
ANTHONY VINEYARDS INC  
C/O ANTHONY VINEYARDS  
PO BOX 9578  
BAKERSFIELD CA 93389

ASMT: 737200030, APN: 737200030  
BLAS RIVERA, ETAL  
78365 HIGHWAY 111 STE 360  
LA QUINTA CA 92253

ASMT: 737140015, APN: 737140015  
COCOPAH NURSERIES INC  
81880 ARUS AVE  
INDIO CA 92201

ASMT: 737200031, APN: 737200031  
TRI COLOR FARMS  
86705 AVENUE 54 STE A  
COACHELLA CA 92236

ASMT: 737160015, APN: 737160015  
CARLOS CAMACHO  
81940 JOHNSON ST  
THERMAL, CA. 92274

ASMT: 737210008, APN: 737210008  
LSABTO RANCH  
C/O LEO OVERGAAG  
P O BOX 5519  
LA QUINTA CA 92248

ASMT: 737160016, APN: 737160016  
OCEAN RICH FISHERIES INC  
74081 W PETUNIA PL  
PALM DESERT CA 92211

ASMT: 737210010, APN: 737210010  
BIRNS HENRY ESTATE OF, ETAL  
C/O MARSHA KELLY  
28019 QUAIL CT  
CARMEL CA 93923

ASMT: 737160020, APN: 737160020  
KEITH KNIPSCHILD, ETAL  
C/O NELSON BARAQUIA  
81600 JOHNSON ST  
THERMAL CA 92274

ASMT: 737220001, APN: 737220001  
MADEX  
P O BOX 661957  
ARCADIA CA 91006

ASMT: 737190012, APN: 737190012  
RED GLOBES PROP  
121 E PACK SQ  
OWATONNA MN 55060

ASMT: 737220002, APN: 737220002  
YONEMITSU PROPERTIES  
C/O FUSAKO YONEMITSU  
26500 ENCINAL RD  
SALINAS CA 93908





ASMT: 737220006, APN: 737220006  
USA 737  
DEPT OF INTERIOR BUREAU OF INDIAN AFFAIR  
5750 DIVISION ST STE 201  
RIVERSIDE CA 92506

ASMT: 737260008, APN: 737260008  
PAUMA RANCHES INC  
P O BOX 21845  
LOS ANGELES CA 90021

ASMT: 737220007, APN: 737220007  
USA 737, ETAL  
C/O GUIDE DOGS OF THE DESERT  
P O BOX 1692  
PALM SPRINGS CA 92263

ASMT: 737280002, APN: 737280002  
C H BUCKLEY INC  
2277 JERROLD AVE  
SAN FRANCISCO CA 94124

ASMT: 737230013, APN: 737230013  
IMPERIAL IRRIGATION DIST  
P O BOX 937  
IMPERIAL CA 92251

ASMT: 737290014, APN: 737290014  
MAUD CARTER, ETAL  
C/O WALTER E HERMANN  
807 LINDEN LN  
DAVIS CA 95616

ASMT: 737240003, APN: 737240003  
COUNTY OF RIVERSIDE  
C/O REAL ESTATE DIVISION  
P O BOX 1180  
RIVERSIDE CA 92502

ASMT: 737290015, APN: 737290015  
SEVERIANO MORA, ETAL  
75 MONTEREY AVE  
THERMAL CA 92274

ASMT: 737240004, APN: 737240004  
ANTHONY VINEYARDS INC  
P O BOX 9578  
BAKERSFIELD CA 93389

ASMT: 737290017, APN: 737290017  
ROLAND JENSEN, ETAL  
1252 BENNINGTON DR  
SANTA ANA CA 92705

ASMT: 737250002, APN: 737250002  
NOSTRATOLLAH MOROVATI, ETAL  
201 OCEAN AVE APT 1009B  
SANTA MONICA CA 90402

ASMT: 755251004, APN: 755251004  
ALEX MA, ETAL  
6544 TIMBERVIEW DR  
SAN JOSE CA 95120

ASMT: 737250003, APN: 737250003  
SALTON COMMUNITY SERVICES DIST  
P O BOX 5268  
SALTON CITY CA 92275

ASMT: 755251010, APN: 755251010  
MARTHA BARRAGAN  
80200 HIGHWAY 86  
THERMAL CA 92274





ASMT: 755251013, APN: 755251013  
ISAAC GONZALEZ, ETAL  
89200 AVENUE 81  
THERMAL CA 92274

ASMT: 755262009, APN: 755262009  
IN KIM, ETAL  
C/O CHUL SOO LEE  
2601 CAMINO DEL SOL  
FULLERTON CA 92033

ASMT: 755261002, APN: 755261002  
S&amp;, ETAL  
C/O DAVID M SANCHEZ  
65959 HARRISON ST  
THERMAL CA 92274

ASMT: 755262014, APN: 755262014  
PAUL RHEE, ETAL  
965 S MAGNILIA NO 15  
LOS ANGELES CA 90006

ASMT: 755261003, APN: 755261003  
ANTONIO VALDEZ, ETAL  
P O BOX 1267  
COACHELLA CA 92236

ASMT: 755262016, APN: 755262016  
FERNANDO TORRES, ETAL  
90785 AVENUE 81  
THERMAL CA 92274

ASMT: 755261004, APN: 755261004  
STANLEY TAM, ETAL  
P O BOX 1010  
THERMAL CA 92274

ASMT: 755262017, APN: 755262017  
MANUEL BARRAGAN, ETAL  
80640 US HIGHWAY 86  
THERMAL CA 92274

ASMT: 755262001, APN: 755262001  
FELIX CHUO, ETAL  
P O BOX 1329  
THERMAL CA 92274

ASMT: 755270008, APN: 755270008  
KRISHNAKANT PATEL, ETAL  
44475 PALM ST  
INDIO CA 92201

ASMT: 755262002, APN: 755262002  
PAUL RHEE, ETAL  
965 S MAGNOLIA NO 15  
LOS ANGELES CA 90006

ASMT: 755270015, APN: 755270015  
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C/O MICHAEL N KELLER  
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OWATONNA MN 55060

ASMT: 755262005, APN: 755262005  
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965 S MAGNOLIA AVE NO 15  
LOS ANGELES CA 90006

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INDIO CA 92202





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C/O SHERRI STEINHAUER TRUST 5010  
18 VIA HACIENDA  
RANCHO MIRAGE CA 92270

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TEONA LEONTE  
90100 AVENUE 82  
THERMAL, CA. 92274

ASMT: 755310017, APN: 755310017  
SHERRI STEINHAUER  
C/O SHERYL J STEINHAUER  
5010 HAMMERSLEY RD  
MADISON WI 53711

ASMT: 755290010, APN: 755290010  
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13431 BEACH ST  
CERRITOS CA 90703

ASMT: 755310020, APN: 755310020  
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P O BOX 943  
WINCHESTER CA 92596

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DESERT RANCH  
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1000 2ND AVE 30TH FL  
SEATTLE WA 98104

ASMT: 755310021, APN: 755310021  
JOHN ROTH  
P O BOX 7018  
BURBANK CA 91510

ASMT: 755300002, APN: 755300002  
FRIENDS OF THE DESERT MOUNTAINS  
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PALM DESERT CA 92261

ASMT: 755310023, APN: 755310023  
CONNIE SCHIVARELLI  
P O BOX 764  
RANCHO MIRAGE CA 92270

ASMT: 755310003, APN: 755310003  
ALFRED STONE, ETAL  
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834 6TH ST NO 103  
SANTA MONICA CA 90403

ASMT: 755310024, APN: 755310024  
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4631 W 149TH ST  
LAWNDALE CA 90260

ASMT: 755310013, APN: 755310013  
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C/O MARGARITA L MARTINEZ  
68255 POLK ST  
THERMAL CA 92274

ASMT: 755310025, APN: 755310025  
PHILIP VILLANUEVA, ETAL  
10032 PINWOOD VIEW  
SANTEE CA 92071



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ASMT: 755310027, APN: 755310027  
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MECCA CA 92254

ASMT: 755310045, APN: 755310045  
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Coachella, CA 92236

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Assemblyman V. Manuel Pérez  
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45-677 Oasis Street  
Indio, CA 92201

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California State Senate, 37<sup>th</sup> District  
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Coachella, CA 92236

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Linda Carson, Executive Director  
587 Palm Canyon Drive, Stes 219 & 220  
Borrego Springs, CA 92004

Coachella Valley  
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73-710 Fred Waring Dr., Suite 200  
Palm Desert, CA 92260-2553

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P.O. Box 937  
Imperial, CA 92251-1773

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P.O. Box 1080  
La Quinta, CA 92253-1080

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82503 Hwy. 111  
Indio, CA 92201-5633

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San Bernardino County  
385 N. Arrowhead Ave., 3rd floor  
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Palm Desert, CA 92260-2870

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Economic Development Agency  
P.O. Box 1180  
Riverside, CA 92502

Imperial County Public Health Dept.  
797 W. Main Street, Suite B  
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73-255 El Paseo Drive, Suite 15  
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200 Palm Canyon Drive  
Borrego Springs, CA 92004

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Attn.: Mark C. Jorgensen, Superintendent  
200 Palm Canyon Drive  
Borrego Springs, CA 92004-5005

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Commissioners Office  
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El Centro, CA 92243

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5401 Dinah Shore Dr.  
Palm Springs, CA 92262-6706

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P.O. Box 2245  
Palm Springs, CA 92263

Cabazon Band of Mission Indians  
84-245 Indio Springs Pkwy.  
Indio, CA 92203-3405

Cahuilla Band of Indians  
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P.O. Box 391760  
Anza, CA 92539-1760

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P.O. Box 3150  
San Dimas, CA 91773

Desert Tortoise  
Preserve Committee, Inc.  
4067 Mission Inn Ave.  
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8424 Santa Monica Blvd., Suite A592  
Los Angeles, CA 90069-4267

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Washington DC 20240

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Palmdale, Ca 93550

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Inland Deserts Region  
3602 Inland Empire Boulevard  
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Ontario, Ca 91764

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200 Palm Canyon Drive  
Borrego Springs, CA 92004-5005

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587 Palm Canyon Drive,  
Suites 219 & 220  
Borrego Springs, CA 92004

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51245 Avenida Rubio  
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Thermal CA 92274

*eng*

*(CAPP)*

*Black Emerald LLC  
91711 82nd Ave.  
Thermal, CA 92274*

*Paul D. Quill  
51245 Avenida Rubio  
La Quinta, CA 92253  
(eng.)*

Commenters on EIR:

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Indio Station  
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464 W. 4th St., 6th Floor  
Mail Stop 728  
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2098 Thomas R. Cannell Road  
PO Box 5268  
Salton City, CA 92275-5268

Friends of the Desert Mountains  
45480 Portola Avenue  
PO Box 1281  
Palm Desert, CA 92261

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85-995 Avenue 52  
Coachella, CA 92236

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SunLine Transit Agency  
32-505 Harry Oliver Trl.  
Thousand Palms, CA 92276

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21865 Copley Drive  
Diamond Bar, Ca 91765

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San Diego, CA 92110

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National Monument  
1201 Bird Center Drive  
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Division of Land Resource Protection  
801 K Street MS 18-01  
Sacramento, CA 95814

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Tahquitz Group, Sierra Club  
1850 Smoke Tree Ln  
Palm Springs, CA 92264

Coachella Valley  
Archaeological Society  
P.O. Box 2344  
Palm Springs, CA 92263

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Dept. of Parks & Recreation  
1416 9th St., Rm 1435  
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Sacramento, CA 95814

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Imperial County Planning and Development  
Services Department  
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County of Imperial  
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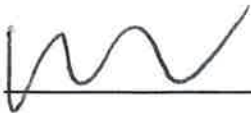
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NOTICE OF PUBLIC HEARING BEFORE THE BOARD OF SUPERVISORS OF RIVERSIDE COUNTY ON A SPECIFIC PLAN, GENERAL PLAN AMENDMENT AND CHANGE OF ZONE IN THE LOWER COACHELLA VALLEY ZONING DISTRICT - EASTERN COACHELLA VALLEY AREA PLAN, F O U R T H SUPERVISORIAL DISTRICT AND NOTICE OF INTENT TO CERTIFY AN ENVIRONMENTAL IMPACT REPORT

NOTICE IS HEREBY GIVEN that a public hearing at which all interested persons will be heard, will be held before the Board of Supervisors of Riverside County, California, on the 1st Floor Board Chambers, County Administrative Center, 4080 Lemon Street, Riverside, on Tuesday, August 16, 2011 at 1:30 P.M. to consider the application submitted by Black Emerald LLC - Innovative Land Concepts, Inc. on Specific Plan No. 375, which proposes to arrange 4,918 acres into 5 planning districts, wherein uses will include residential, business park, mixed use commercial, regional commercial, resort/tourism, and open space uses, and is currently proposing 14,655 residential units; General Plan Amendment No. 910, which proposes to amend the Land Use to eliminate the Land Use designations of Agriculture: Agriculture (AG), Community Development; Commercial Tourist (CT), Public Facilities (PF), Indian Land, and Open Space - Water (OS-W) and would establish Business Park (BP), Commercial Retail (CR), Commercial Tourist (CT), Mixed Use (MU), Medium Density Residential (MDR), Medium High Density Residential (MHDR), High Density Residential (HDR), Very High Density Residential (VHDR), Highest Density Residential (HHDR), Public Facility (PF), Open Space - Recreation (OS-R), Open Space - Conservation (OS-C), and Open Space - Water (OS-W) designations as reflected on the Specific Plan Land Use Plan; and, Change of Zone No. 7623, which proposes to redesignate the site from Light Agriculture with a 5, 10 and 20 Acre Minimum (A-1-5, A-1-10, A-1-20), Heavy Agriculture with a 10, and 20 Acre Minimum (A-2-10 and A-2-20), Controlled Development (W-2) to Specific Plan (SP), or such other zones as the Board may find appropriate ("the project"). The project is located easterly and westerly of Highway 86 South, northerly of the Imperial County line and southerly of 81st Avenue in the Lower

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Coachella Valley Zoning  
District - Eastern  
Coachella Valley Area  
Plan, Fourth Supervisorial  
District.

The Planning Commission  
approved the project,  
found that the environ-  
mental effects have been  
addressed and recom-  
mended the certification of  
**Environmental Impact Re-  
port No. 514.**

The project case file may  
be viewed from the date of  
this notice until the public  
hearing, Monday through  
Thursday, from 7:30 a.m.  
to 5:30 p.m. at the Clerk of  
the Board of Supervisors,  
1ST Floor, and at the Riv-  
erside County Planning  
Department, 12th Floor, at  
4080 Lemon Street, River-  
side, California 92501.

FOR FURTHER INFOR-  
MATION REGARDING  
THIS PROJECT, PLEASE  
CONTACT MATT  
STRAITE, PROJECT  
PLANNER, AT (951) 955-  
8631 OR EMAIL msraite  
@rcilma.org.

Any person wishing to tes-  
tify in support of or in op-  
position to the project may  
do so in writing between  
the date of this notice and  
the public hearing, or may  
appear and be heard at  
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the consideration of all  
public comment, written  
and oral, the Board of Su-  
pervisors may amend, in  
whole or in part, the proj-  
ect and/or the related envi-  
ronmental document. Ac-  
cordingly, the designa-  
tions, development stand-  
ards, design or improve-  
ments, or any properties or  
lands within the bounda-  
ries of the project, may be  
changed in a way other  
than specifically proposed.  
Please send all written  
correspondence to River-  
side County Clerk of the  
Board at 4080 Lemon  
Street, 1st Floor, P.O. Box  
1147, Riverside, CA 92502-  
1147.

Dated: August 4, 2011  
Kecia Harper-Ihem, Clerk  
of the Board  
By: Cecilia Gil, Board As-  
sistant 8/6

# The Desert Sun

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Customer No.	Invoice No.
RIV069	0004123991
For the Period	Thru
08/01/11	08/28/11
<b>Due Date</b>	<b>Amount Due</b>
09/15/11	10,407.56
<b>AMOUNT PAID</b>	

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Date	EDT	Class	Description	Times Run	Col	Depth	Total Size	Rate	Amount																											
0801			BALANCE FORWARD						6,339.88																											
0728	CLS	0001	CECILIA NO 2558 NOTICE I	4	2	79.00	632.00		278.28																											
0805	CLS	0001	CECILIA NO 2648 NOTICE O	2	2	127.00	508.00		226.82																											
0805	CLS	0001	CECILIA NO 2649 BOARD OF	2	2	173.00	692.00		303.18																											
0805	CLS	0001	CECILIA NO 2650 BOARD OF	2	2	52.00	208.00		102.32																											
0805	CLS	0001	CECILIA NO 2667 /DBF FY	1	5	8.00	40.00		474.80																											
0806	CLS	0001	CECILIA NO 2668 NOTICE O	2	2	109.00	436.00		196.94																											
0811	CLS	0001	CECILIA NO 2710 NOTICE O	2	2	105.00	420.00		190.30																											
0824	CLS	0001	CECILIA NO 2846 BOARD OF	2	2	944.00	3776.00		1,583.04																											
0824	CLS	0001	CECILIA NO 2847 BOARD OF	2	2	90.00	360.00		165.40																											
0824	CLS	0001	CECILIA NO 2848 NOTICE I	10	2	47.00	940.00		406.10																											
0828	CLS	0001	CECILIA NO 2892 NOTICE O	2	2	75.00	300.00		140.50																											
<table border="1"> <tr> <td>Current</td> <td>Over 30 Days</td> <td>Over 60 Days</td> <td>Over 90 Days</td> <td>Over 120 Days</td> <td colspan="2"><b>Total Due</b></td> </tr> <tr> <td>4,067.68</td> <td>3,240.40</td> <td>3,099.48</td> <td>.00</td> <td>.00</td> <td colspan="2"><b>10,407.56</b></td> </tr> <tr> <td>Contract Type</td> <td>Contract Qnty.</td> <td>Expiration Date</td> <td>Current Usage</td> <td>Total Used</td> <td>Quantity Remaining</td> <td>Salesperson</td> </tr> <tr> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td>MOELLER</td> </tr> </table>									Current	Over 30 Days	Over 60 Days	Over 90 Days	Over 120 Days	<b>Total Due</b>		4,067.68	3,240.40	3,099.48	.00	.00	<b>10,407.56</b>		Contract Type	Contract Qnty.	Expiration Date	Current Usage	Total Used	Quantity Remaining	Salesperson							MOELLER
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						MOELLER																														

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The Advertiser shall make payment within 15 days of the billing date indicated on Company's statement, and, in the event that it fails to make payment within such time, Company may reject advertising copy and / or immediately cancel this contract and Advertiser agrees to indemnify Company for all expenses incurred in connection with the collection of amounts payable under this contract, including but not limited to collection fees, attorney's fees and court costs. If this agreement is cancelled due to Advertiser's failure to make timely payment, Company may rebill the Advertiser for the outstanding balance due at the open or earned contract rate, whichever is applicable.

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THE DESERT SUN PUBLISHING CO.  
ADVERTISING INVOICE/STATEMENT

16.3 of 08/16/11

The Desert Sun  
750 N Gene Autry Trail  
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## Certificate of Publication

State Of California ss:  
County of Riverside

**Advertiser:**

RIVERSIDE COUNTY-BOARD OF SUP.  
4080 LEMON ST  
RIVERSIDE CA 925013

2000273588

I am over the age of 18 years old, a citizen of the United States and not a party to, or have interest in this matter. I hereby certify that the attached advertisement appeared in said newspaper (set in type not smaller than non pariel) in each and entire issue of said newspaper and not in any supplement thereof on the following dates, to wit:

Newspaper: The Desert Sun

8 / 6 / 2011

I acknowledge that I am a principal clerk of the printer of The Desert Sun, printed and published weekly in the City of Palm Springs, County of Riverside, State of California. The Desert Sun was adjudicated a newspaper of general circulation on March 24, 1988 by the Superior Court of the County of Riverside, State of California Case No. 191236.

I declare under penalty of perjury that the foregoing is true and correct. Executed on this 6th day of August, 2011 in Palm Springs, California.

Declarant's Signature

3011 AUG 10 6:15:55  
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No 2668  
NOTICE OF PUBLIC HEARING BEFORE THE BOARD OF SUPERVISORS OF RIVERSIDE COUNTY ON A SPECIFIC PLAN, GENERAL PLAN AMENDMENT AND CHANGE OF ZONE IN THE LOWER COACHELLA VALLEY ZONING DISTRICT - EASTERN COACHELLA VALLEY AREA PLAN, FOURTH SUPERVISORIAL DISTRICT AND NOTICE OF INTENT TO CERTIFY AN ENVIRONMENTAL IMPACT REPORT

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The Planning Commission approved the project, found that the environmental effects have been addressed and recommended the certification of Environmental Impact Report No. 514.

The project case file may be viewed from the date of this notice until the public hearing, Monday through Thursday, from 7:30 a.m. to 5:30 p.m. at the Clerk of the Board of Supervisors, 1ST Floor, and at the Riverside County Planning Department, 12th Floor, at 4080 Lemon Street, Riverside, California 92501.

FOR FURTHER INFORMATION REGARDING THIS PROJECT, PLEASE CONTACT MATT STRAITE, PROJECT PLANNER, AT (951) 955-8631 OR EMAIL [mstrait@rctima.org](mailto:mstrait@rctima.org).

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Please send all written correspondence to Riverside County Clerk of the Board at 4080 Lemon Street, 1st Floor, P.O. Box 1147, Riverside, CA 92502-1147.

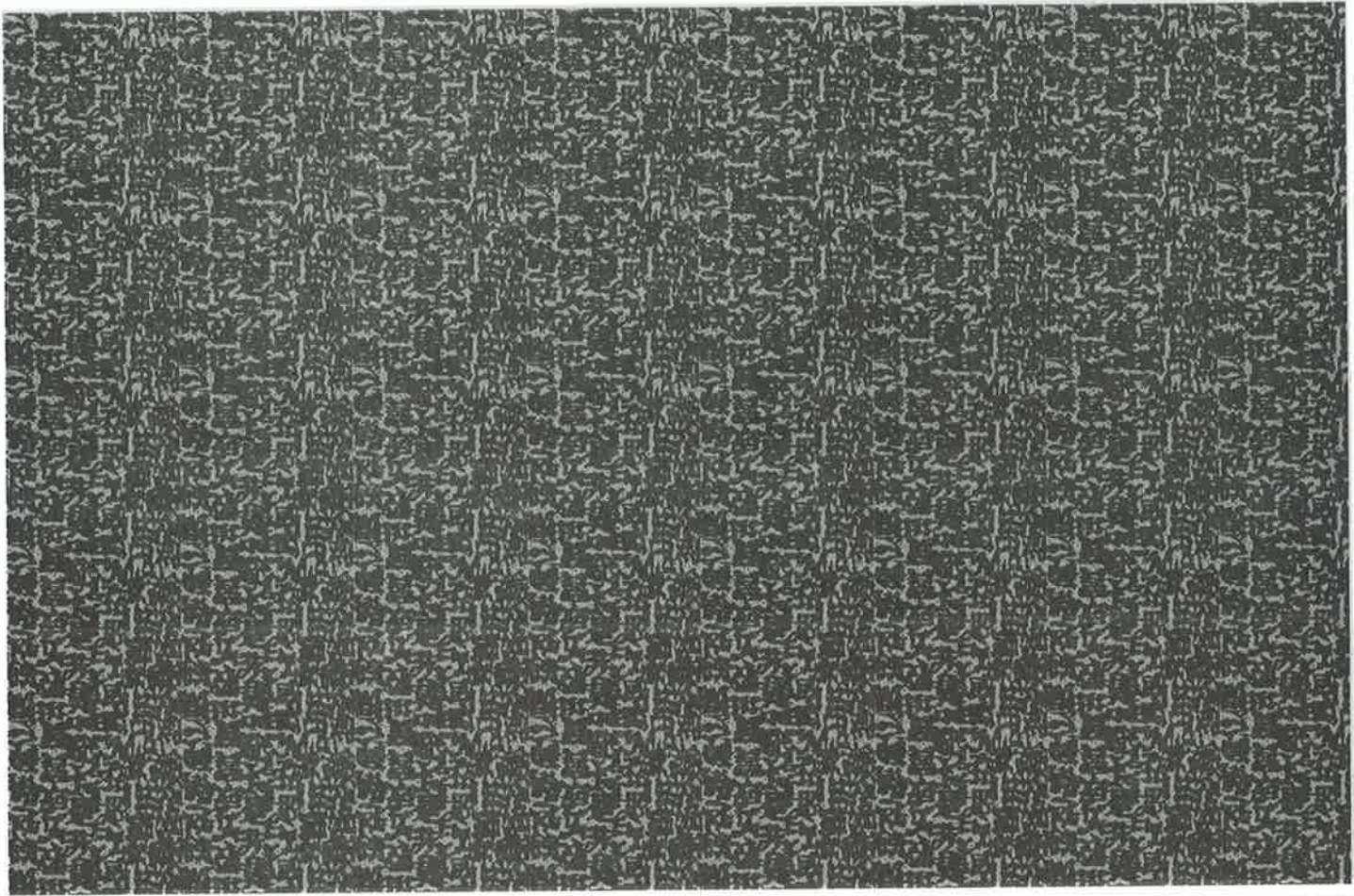
Dated: August 4, 2011  
Kecia Harper-Ihem, Clerk of the Board  
By: Cecilia Gil, Board Assistant

Published: 8/6/11





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Riverside County Clerk of the Board  
County Administrative Center  
4080 Lemon Street, 1<sup>st</sup> Floor Annex  
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**NOTICE OF PUBLIC HEARING BEFORE THE BOARD OF SUPERVISORS OF RIVERSIDE COUNTY ON A SPECIFIC PLAN, GENERAL PLAN AMENDMENT AND CHANGE OF ZONE IN THE LOWER COACHELLA VALLEY ZONING DISTRICT – EASTERN COACHELLA VALLEY AREA PLAN, FOURTH SUPERVISORIAL DISTRICT AND NOTICE OF INTENT TO CERTIFY AN ENVIRONMENTAL IMPACT REPORT**

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Please send all written correspondence to Riverside County Clerk of the Board at 4080 Lemon Street, 1st Floor, P.O. Box 1147, Riverside, CA 92502-1147.

Dated: August 4, 2011

Kecia Harper-Ithem, Clerk of the Board  
By: Cecilia Gil, Board Assistant

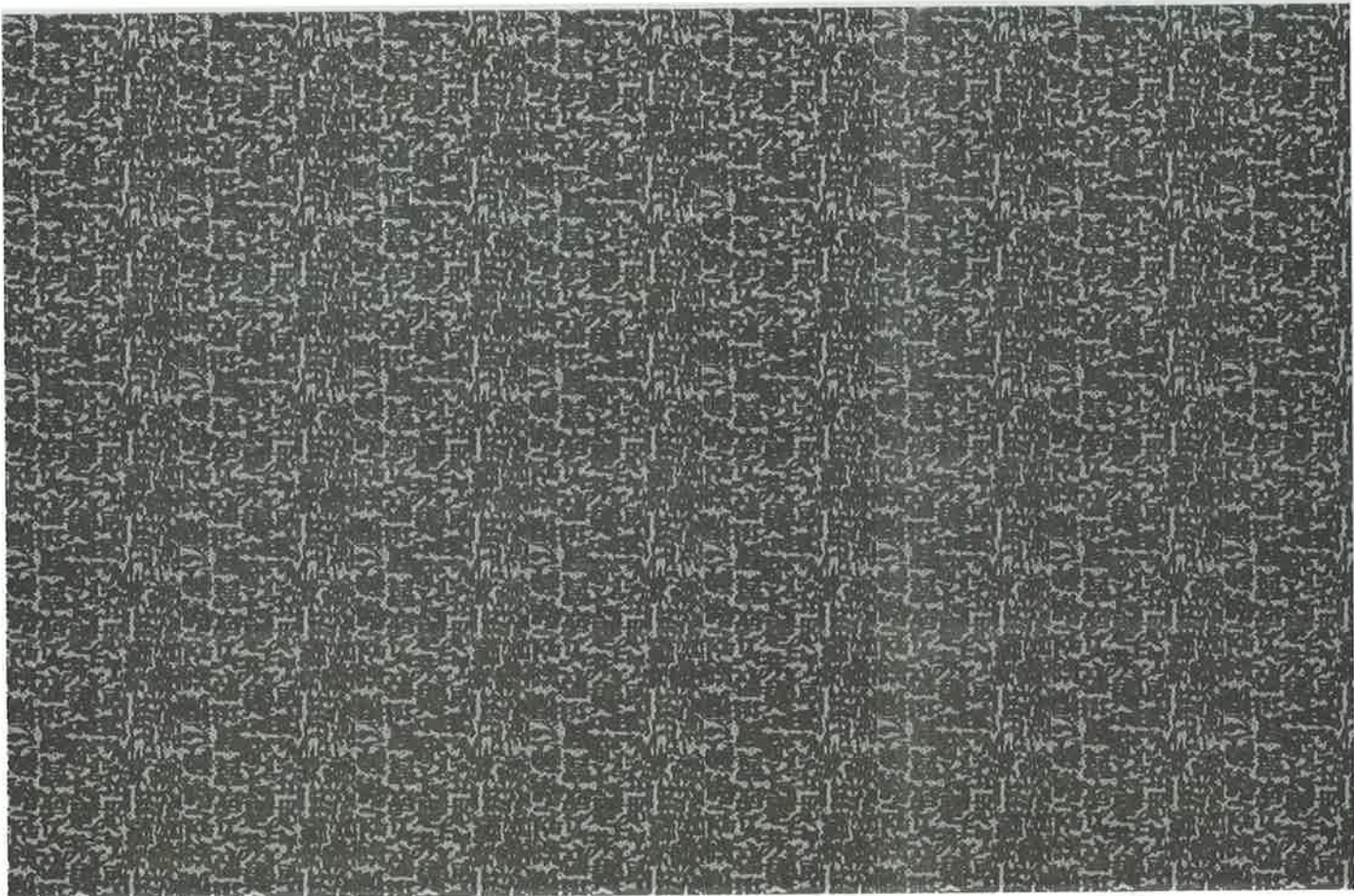
16.3 of 08-16-11

8/13/2011 16.1





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Riverside County Clerk of the Board  
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4080 Lemon Street, 1<sup>st</sup> Floor Annex  
P. O. Box 1147  
Riverside, CA 92502-1147

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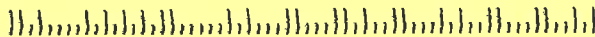
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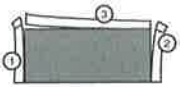
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Dated: August 4, 2011

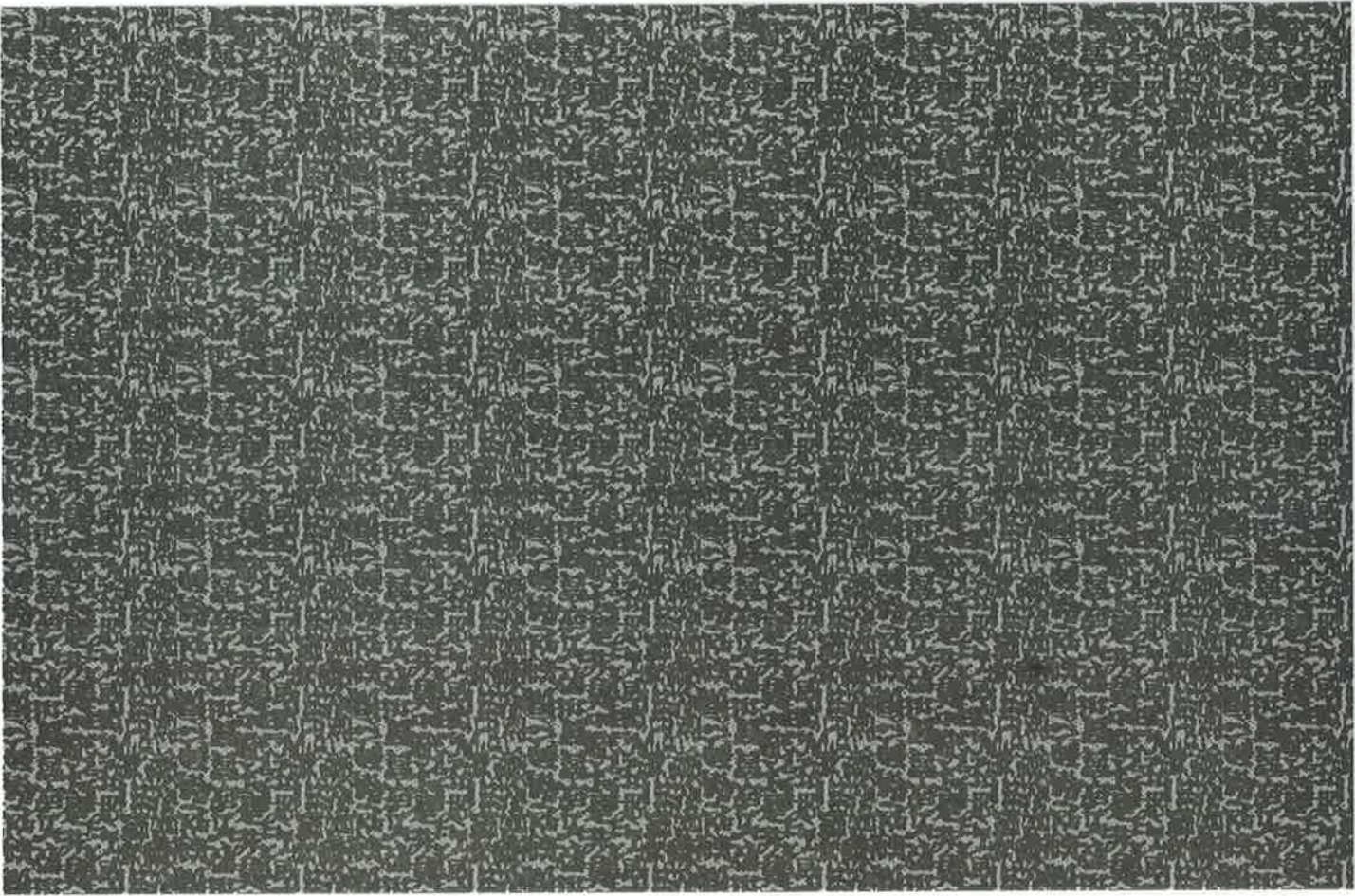
Kecia Harper-Ithem, Clerk of the Board  
By: Cecilia Gil, Board Assistant

16.3 of 08-16-11





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Riverside County Clerk of the Board  
County Administrative Center  
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Riverside, CA 92502-1147

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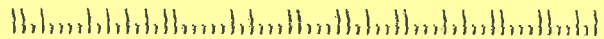
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BC: 92502114747 \*1977-08558-08-38

FL \*ML 925021147





**NOTICE OF PUBLIC HEARING BEFORE THE BOARD OF SUPERVISORS OF RIVERSIDE COUNTY ON A SPECIFIC PLAN, GENERAL PLAN AMENDMENT AND CHANGE OF ZONE IN THE LOWER COACHELLA VALLEY ZONING DISTRICT – EASTERN COACHELLA VALLEY AREA PLAN, FOURTH SUPERVISORIAL DISTRICT AND NOTICE OF INTENT TO CERTIFY AN ENVIRONMENTAL IMPACT REPORT**

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Dated: August 4, 2011

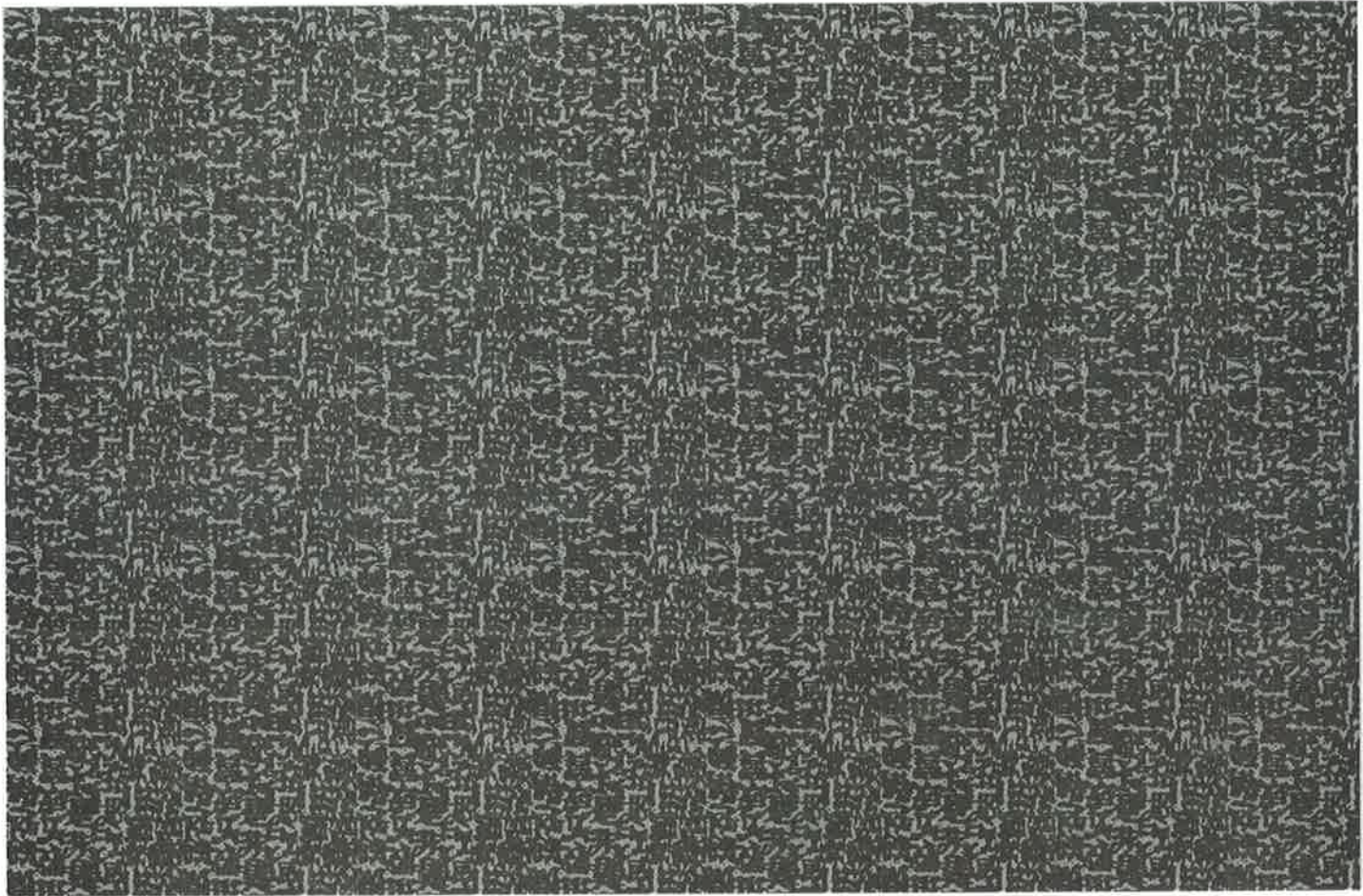
Kecia Harper-Ihem, Clerk of the Board  
By: Cecilia Gil, Board Assistant

16.3 of 08-16-11





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Riverside County Clerk of the Board  
County Administrative Center  
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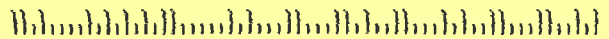
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Dated: August 4, 2011

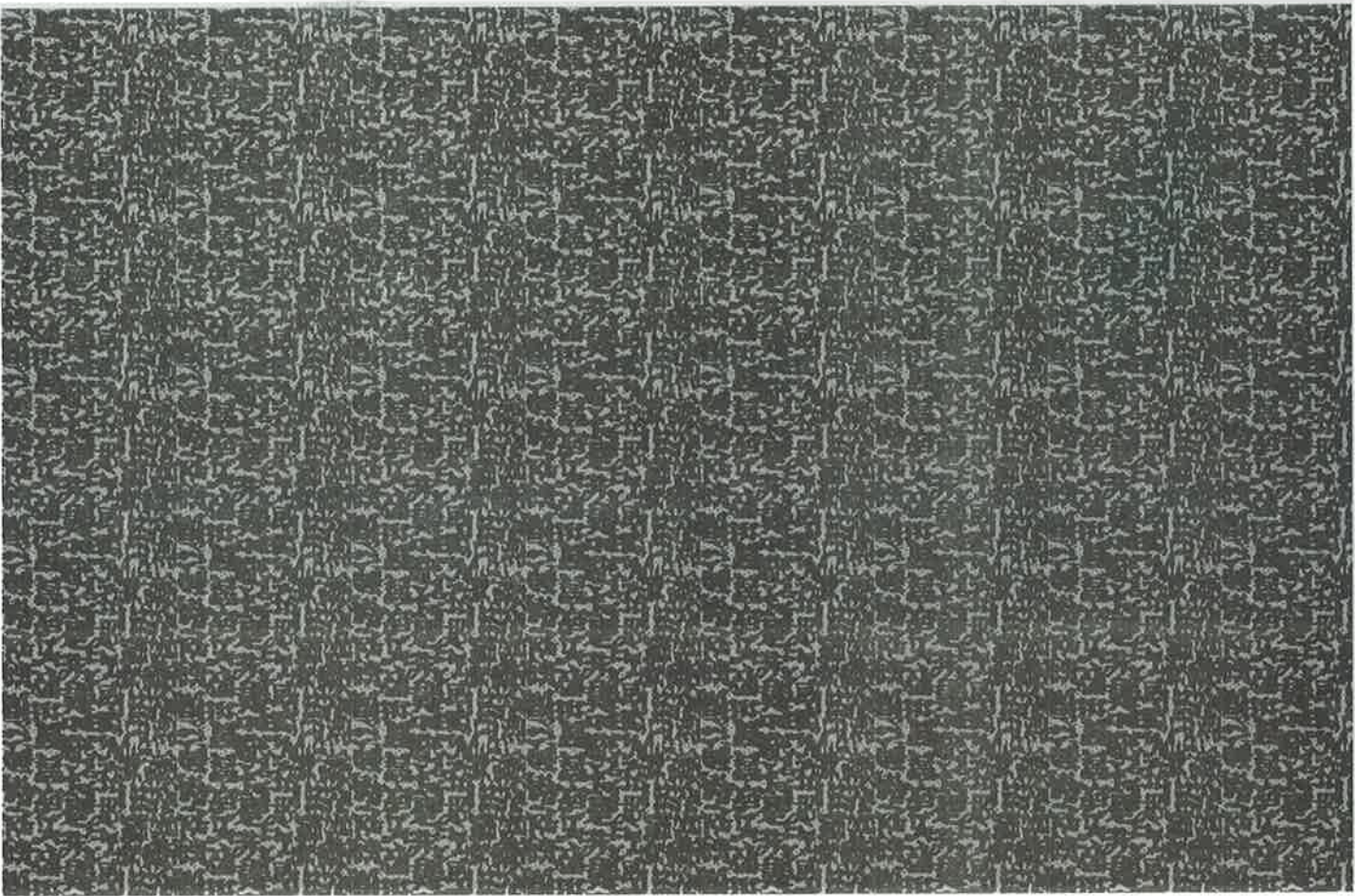
Kecia Harper-Ithem, Clerk of the Board  
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16.3 of 08.16.11





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4080 Lemon Street, 1<sup>st</sup> Floor Annex  
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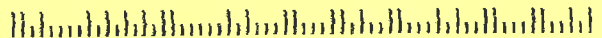
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By: Cecilia Gil, Board Assistant

16-3 of 08-16-11

**TRAVERTINE POINT**  
S P E C I F I C P L A N 3 7 5  
RIVERSIDE COUNTY • IMPERIAL COUNTY



Ownership of:  
Torres Martinez Desert Caballero  
& Black Emerald, LLC  
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12/13/2011 16.1

*Riverside and Imperial Counties*

**Final Environmental Impact Report**  
**Revised Draft Environmental Impact Report**  
**Travertine Point Specific Plan**

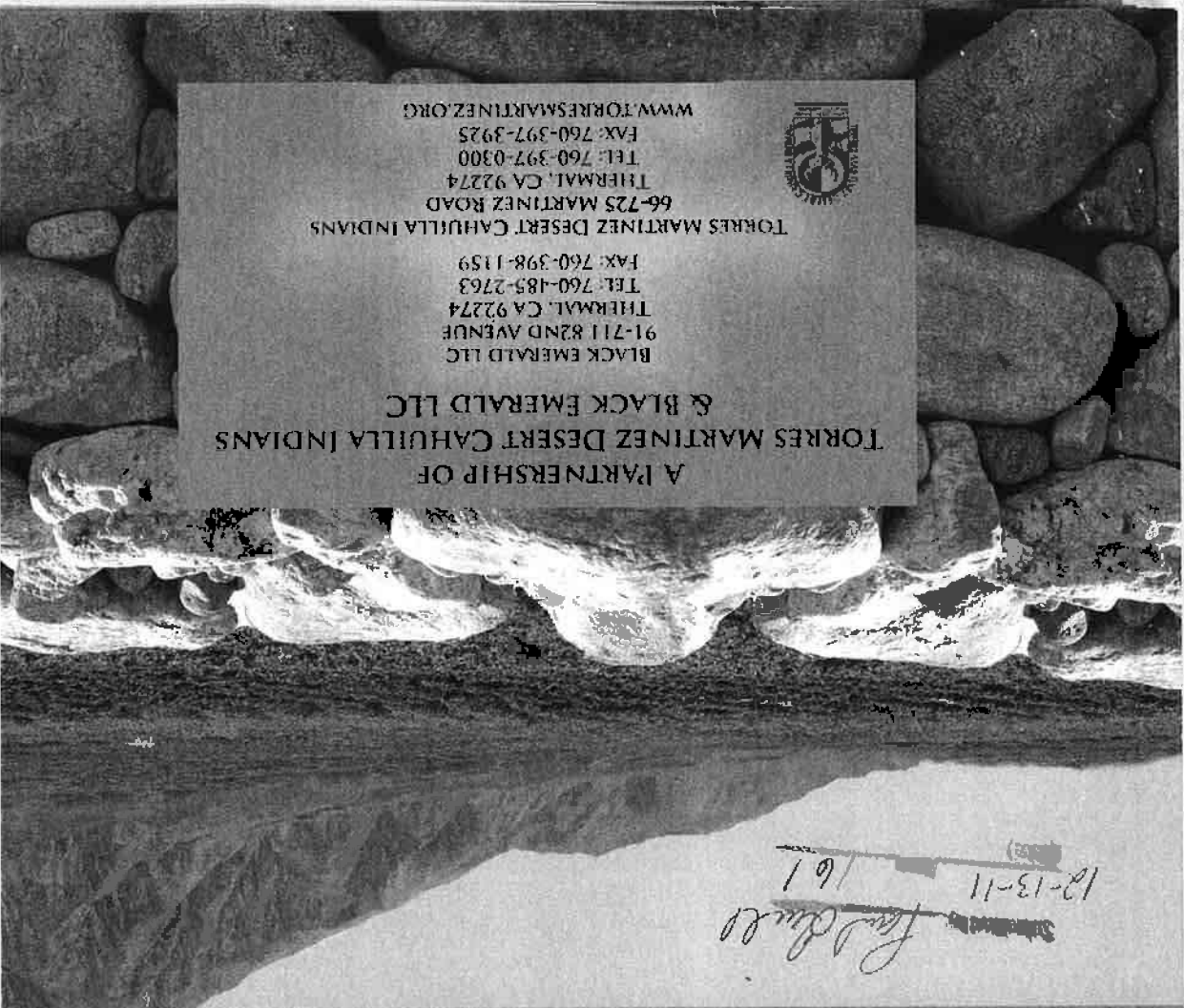
SCH No. 20071011.  
Case No. SP0037  
EIR 00514  
GPA 00910  
CZ 07623  
EA 41608

Prepared for:  
Riverside County Planning Department  
4000 Lemon Street, 9th Floor  
Riverside, California 92502-1100

Prepared by:  
  
**IMPACT SCIENCES**  
10000 Alameda Street, Suite 100  
Riverside, California 92504  
951-511-1965 FAX 951-511-1966

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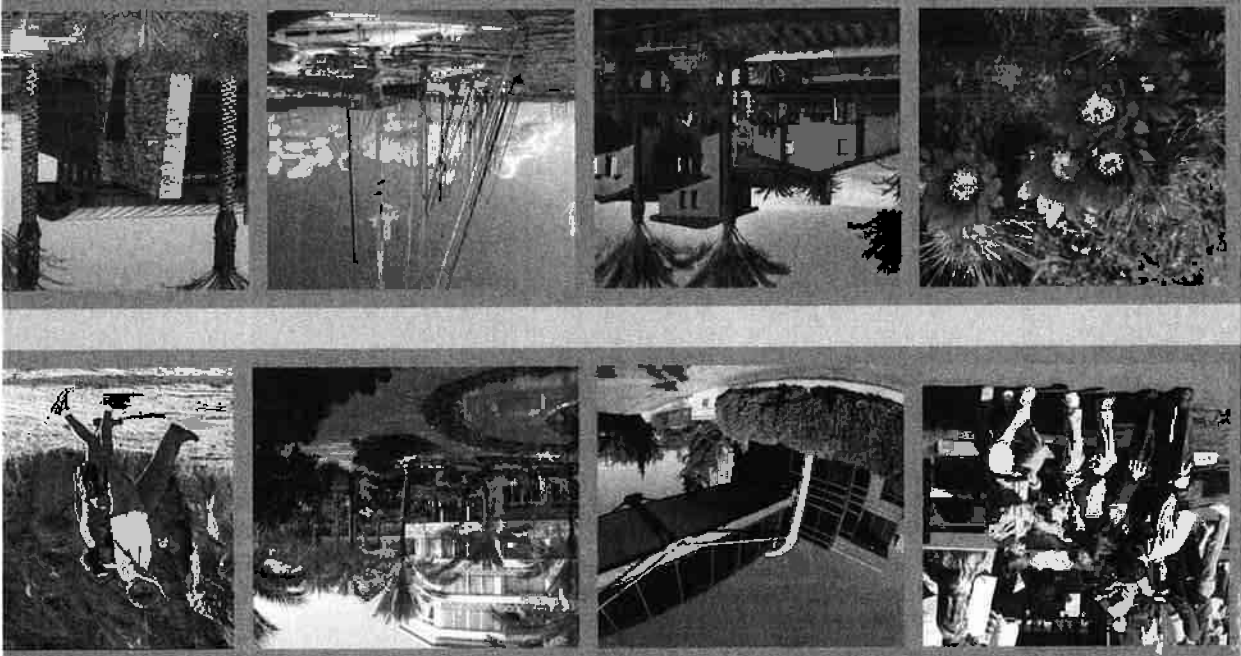
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TORRES MARTINEZ DESERT CAHUILA INDIANS  
& BLACK EMERALD LLC

BLACK EMERALD LLC  
91-711 82ND AVENUE  
THERMAL, CA 92274  
TEL: 760-485-2763  
FAX: 760-398-1159

TORRES MARTINEZ DESERT CAHUILA INDIANS  
66-725 MARTINEZ ROAD  
THERMAL, CA 92274  
TEL: 760-397-0300  
FAX: 760-397-3925  
WWW.TORRESMARTINEZ.ORG



*San Diego*  
12-13-11  
161





“TREAT THE EARTH WELL:  
IT WAS NOT GIVEN TO  
YOU BY YOUR PARENTS, IT  
WAS LOANED TO YOU BY  
YOUR CHILDREN.”

-ANCIENT NATIVE AMERICAN  
PROVERB

# TRAVERTINE POINT OASIS, CA

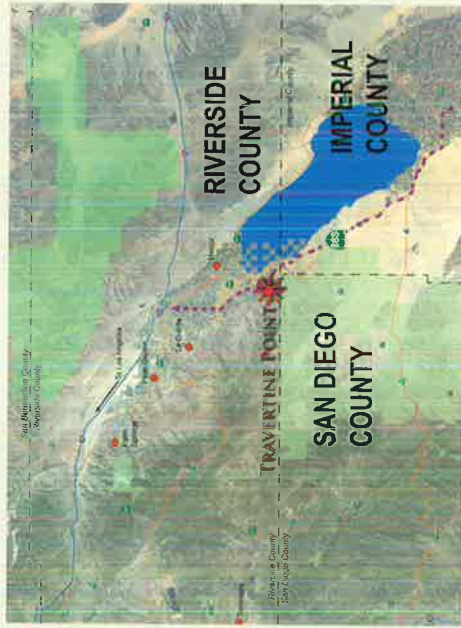


IMAGINE A NEW TOWN GROWING, AS AMERICAN TOWNS HAVE ALWAYS GROWN: FROM HUMBLE BEGINNINGS, ONE STEP AT A TIME, SLOWLY BUILDING INTO A SOUND, HEALTHY PLACE TO LIVE. A PLACE WITH ROOTS IN ANCIENT NATIVE AMERICAN STEWARDSHIP AND SUSTAINED NATURAL RESOURCE SYSTEMS. PICTURE AN ENRICHED LIFE STYLE WITH ALTERNATIVE ENERGY, ENVIRONMENTALLY FRIENDLY TRANSPORTATION AND PEDESTRIAN MOBILITY, PRODUCTIVE WORK PLACES, AND HEALTHY RECREATIONAL ENHANCEMENTS.

IMAGINE A PLACE THAT IS DESTINED TO BE A CATALYST FOR THE RESTORATION OF A NEGLECTED REGION AND INLAND SEA. A PLACE WITH STRONG PRINCIPLES OF SUSTAINABLE DEVELOPMENT THAT WILL GROW WITH BALANCE IN HOUSING, JOBS, AND PUBLIC FACILITIES. NOT A PROJECT, BUT A VILLAGE, A COMMUNITY –ONE THAT WILL IN FACT GROW INTO A NEW TOWN. THIS TOWN IS TRAVERTINE POINT. GROUNDED WITH THE TRADITIONS OF RESPONSIBLE DESERT LIVING, AGRARIAN LANDSCAPE, AND BOLD NEW SUSTAINABLE



# WHY HERE... WHY NOW?



- A CENTRAL REGIONAL LOCATION.
- DIRECT ACCESS TO A COMMITTED AND EXPANDING STATE HIGHWAY.
- PHYSICALLY ENDOWED WITH FAVORABLE DRAINAGE, GEOLOGY, VIEWS, AND CLIMATE FOR DEVELOPMENT.

- A "GREEN" COMMUNITY AS A WORTHY MODEL FOR FUTURE GROWTH.
- LAND ASSEMBLED INTO A CRITICAL MASS.
- THE SALTON SEA IS A NATURAL WONDER OF STATEWIDE SIGNIFICANCE.
- POTABLE WATER SUPPLY.

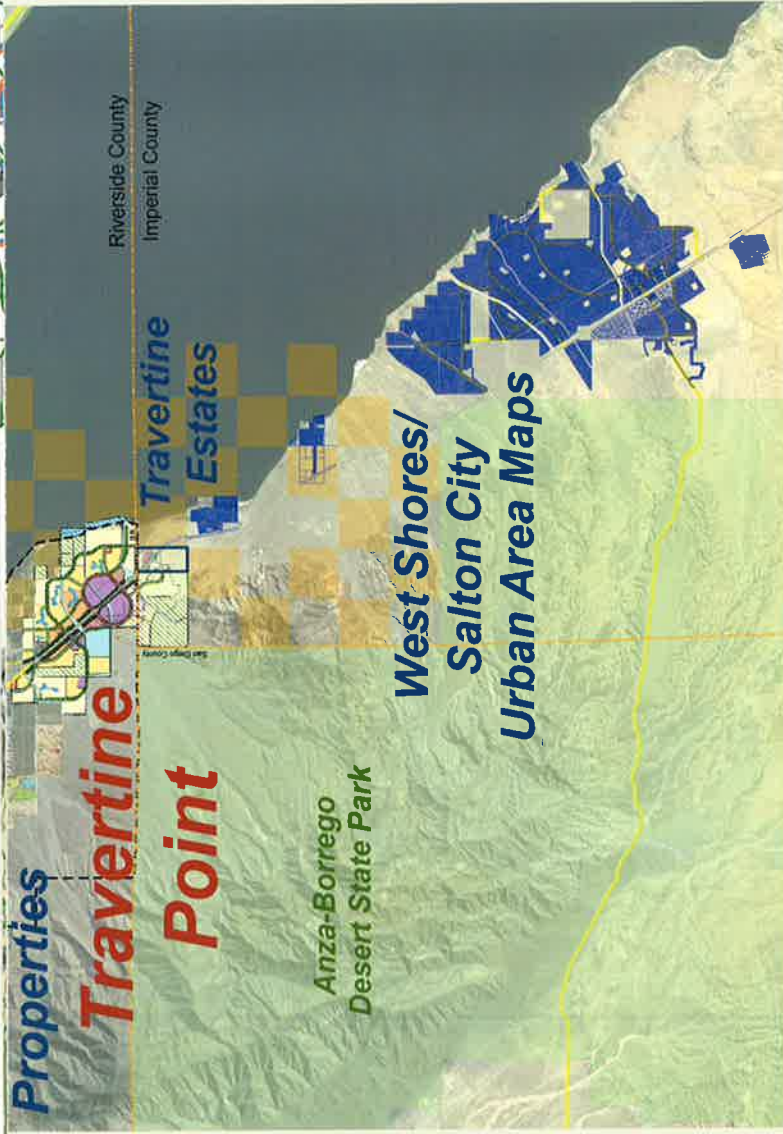


- PROTECTION OF THE MULTIPLE SPECIES HABITAT CONSERVATION PROGRAM.
- THE TORRES MARTINEZ TRIBE IS A WILLING AND EMPOWERED PARTNER.
- A SELF-SUFFICIENT NEW TOWN INCORPORATING VIBRANT MIXED-USE FOR A BURGEONING REGION.



**Blixseth**





## GOALS FOR THE COMMUNITY:

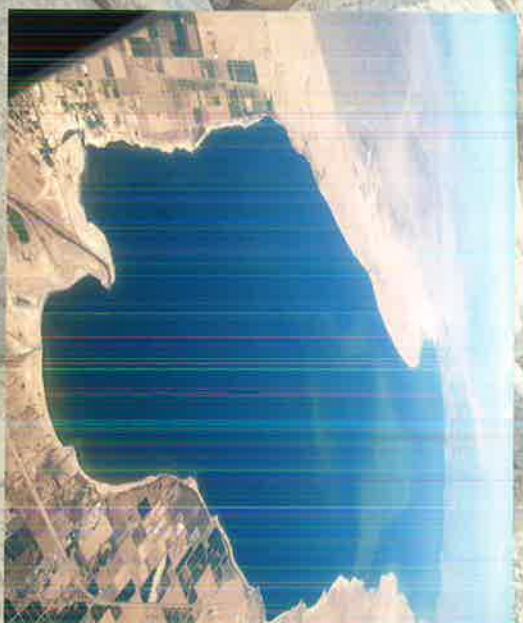
1. CREATE ECONOMIC DEVELOPMENT OPPORTUNITIES.
2. ENHANCE CULTURAL HERITAGE AND EDUCATIONAL EXCELLENCE.
3. BALANCE LAND USES.
4. WISE USE OF WATER.
5. INCLUDE "SUSTAINABILITY PRINCIPLES" AND "GREEN BUILDING" PRACTICES.
6. FOLLOW SOUND "NEW TOWN PRINCIPLES".
7. CREATE GREAT WALKABLE NEIGHBORHOODS.
8. BUILD SPECIAL PLACES.
9. PUBLIC BENEFITS & AMENITIES:
  - EDUCATION, SERVICES & HEALTH CARE
  - SHOPPING & ENTERTAINMENT
  - PARKS & RECREATION
  - ARTS & CULTURE







Chem Te'ma Pi'chem max'win 'Iv'al  
*Empowering Our Nation*



A PARTNERSHIP OF:  
TORRES MARTINEZ DESERT CAHUILLA INDIANS  
& BLACK EMERALD LLC

# TRAWERTINE POINT™

BLACK EMERALD LLC  
91-711 82ND AVENUE  
THERMAL, CA 92274  
TEL: 760-485-2763  
FAX: 760-398-1159

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# Travertine Point

A landscape photograph showing a stone wall in the foreground, a green field in the middle ground, and a large rocky mountain in the background under a clear blue sky.

**EXECUTIVE SUMMARY**









- The land dictates the form of the town.

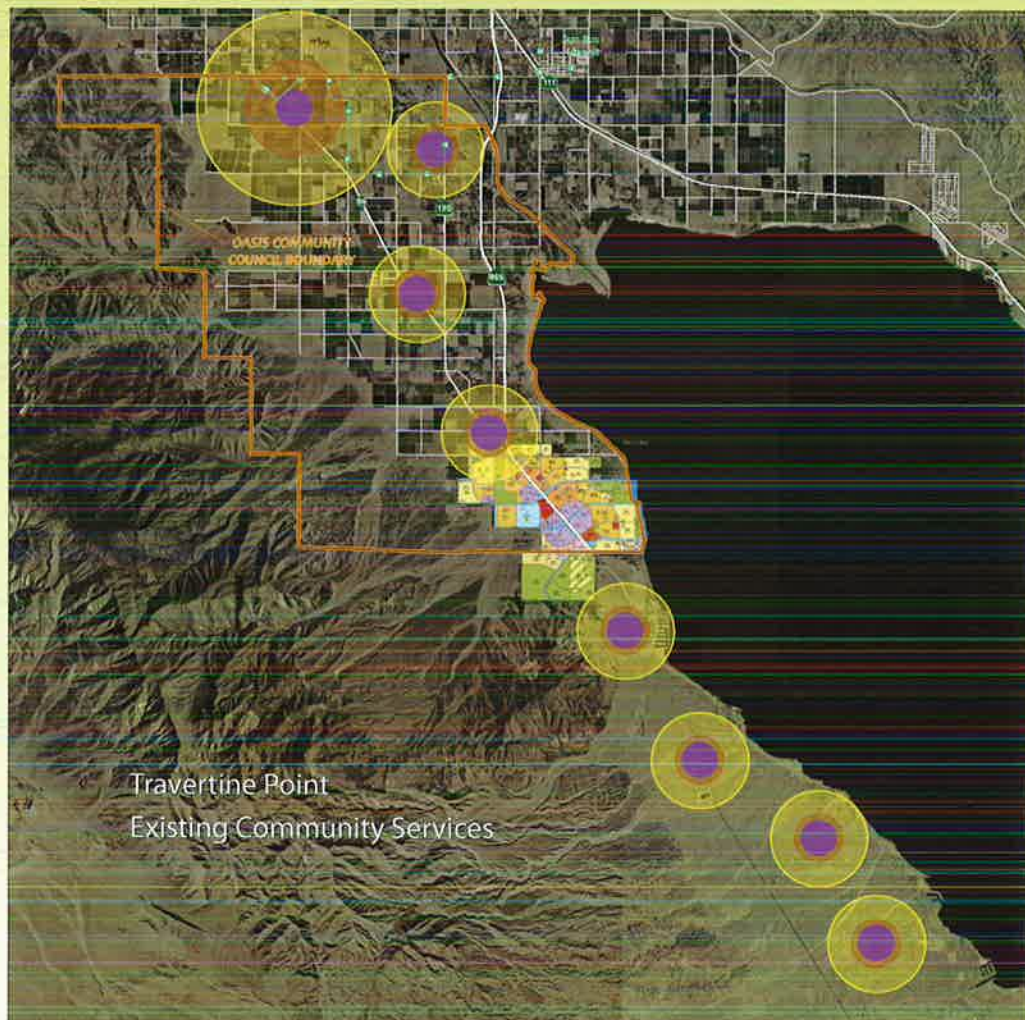




# 2

## Travertine Point is strategically located for the development of a New Town.

- **Direct access** to a committed and expanding state highway.
- **Potable water** supply. The historical access to water for the region is supportive of long-term sustainable growth as indicated in our approved WSA.
- **Physically endowed** with favorable drainage, geology, views, and climate for development.
- The **Salton Sea is a natural wonder** of statewide significance.
- Land assembled into a critical mass to support a New Town.
- The **Torres Martinez Tribe** is a willing and empowered partner.
- A self-sufficient New Town.
- **Regional Centers.** There is a trend of logical development formulating whereby the regional centers of Mecca, airport logistical area, Travertine Point, and the Imperial County cities south, are setting up appropriately spaced service areas for expanding populations and industries.
- Travertine Point is located in a **burgeoning region** and is needed to supply housing, jobs, and services to the future and growing supply chain logistical center - just to the north - and the nearby facilities for future green technologies of renewable energy that will be built all around the Salton Sea.
- The land proposed to become the Travertine Point New Town is not suitable for most forms of agriculture.
- Travertine Point is committed to be a proud sustainable town with an aggressive **Resource Management Plan** and contemporary **Climate Action Plan**.
- **Protection of the MSHCP.** The land for Travertine Point is recognized by the regional MSCHP as suitable for development and urbanization.



# REGION

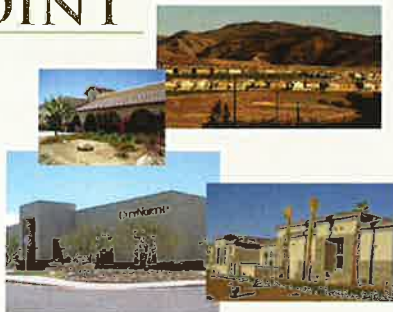


# TRAVERTINE POINT

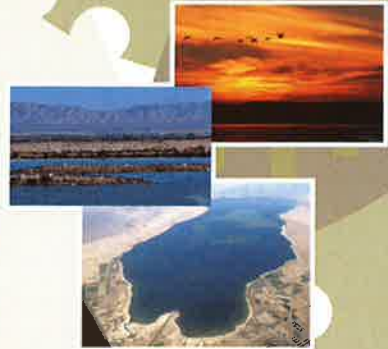
WHY HERE, WHY NOW



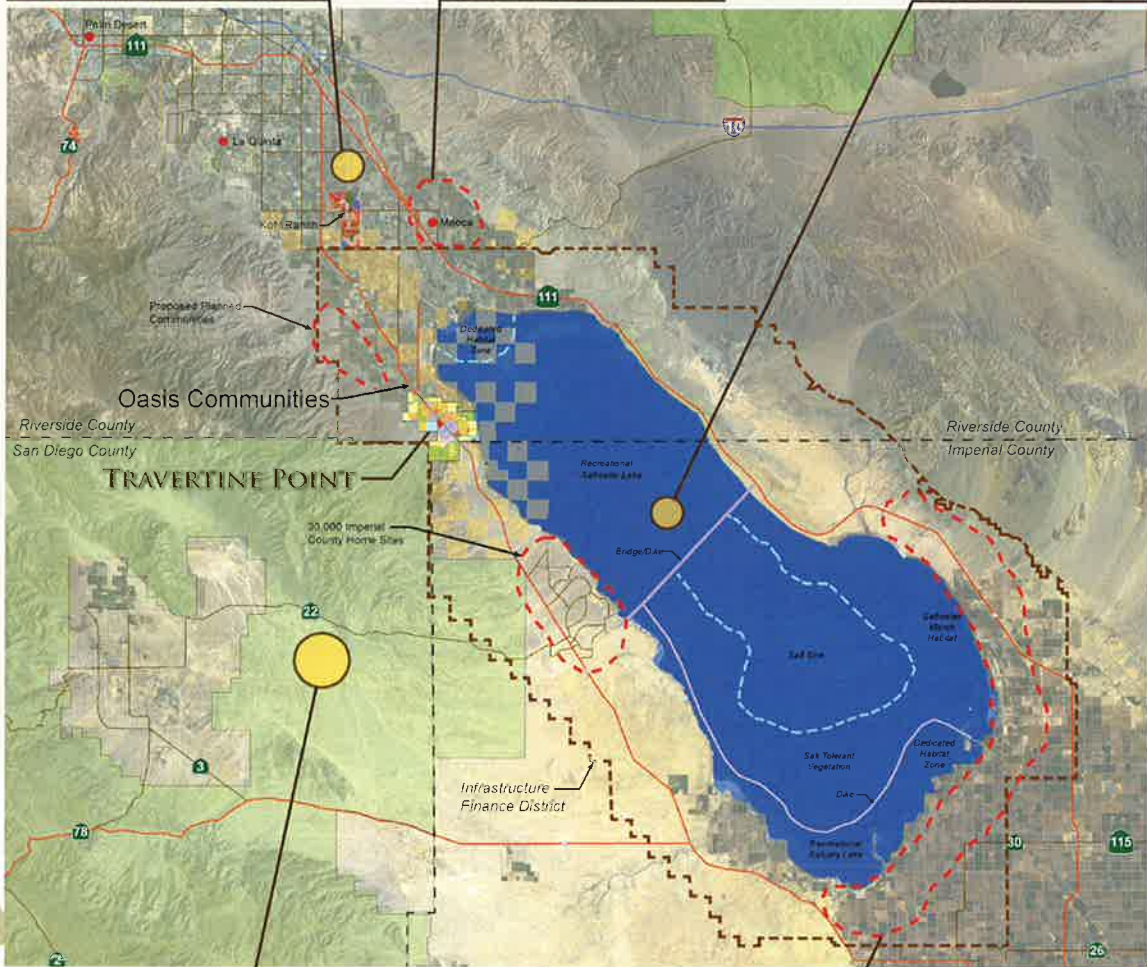
JACQUELINE COCHRAN REGIONAL AIRPORT AND LOGISTICS CENTER



MECCA REDEVELOPMENT PLAN



SALTON SEA



ANZA-BORREGO DESERT STATE PARK

GEOHERMAL EXPLORATION AND EXPANSION AREA





# 3

## The Salton Sea is a natural resource of statewide significance and needs to be restored.

- The **long-term management** challenges that are associated with this resource are extensive.
- This resource needs to be **restored through a balanced attack**, provided by local and statewide initiatives, application of new technologies, and most significantly, financial energy funneled to the task by developing the surrounding lands.
- Travertine Point is the opportunity for a **significant demonstration project** that would lead to the resultant fix for the Sea.
- Travertine Point's location creates the **symbiotic relationship** between Salton Sea Restoration and Travertine Point success.
- The Salton Sea region is blessed with a wide variety of resources such as **renewable energy opportunities** in the form of wind, solar and geothermal.
- **Biological resources** of all types abound and are being expanded.
- **Recreation and tourism** potential is limitless with the restoration.
- Travertine Point can be a location for many of these industries as well as the location for those who **live, work, and play** around the Sea.
- Without the initiation of real estate projects like Travertine Point, the restoration of the Salton Sea, will for certain, languish for many years.
- All the **key stakeholders** involved with the Salton Sea restoration are also stakeholders in Travertine Point. The five agency board of directors for the Salton Sea Authority (IID, CVWD, both counties and the tribe) as well as our other partners; the community of Oasis, the Oasis Community Council, the Coachella Valley Unified School District, Salton Community Services District and others, are all represented and engaged with the Travertine Point development that provides meaningful and important synergy between a private development and joint-powers district.
- **The timing is right** to launch a commitment to a quality physical environment along the sea.

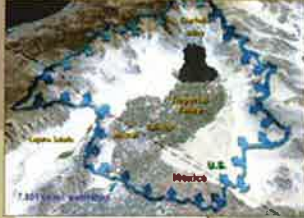
# SALTON SEA





# SALTON SEA RESTORATION

TRAVERTINE POINT  
A Division of the Metropolitan Water Reclamation District of Southern California



## RECREATION



## RESTORATION PLAN



TRAVERTINE POINT  
TRIBAL STEWARDSHIP

## ECONOMIC DEVELOPMENT



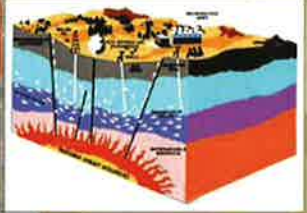
INFRASTRUCTURE FINANCING DISTRICT (IFD) COMPRISED OF 192,000 ACRES WITH POTENTIAL REVENUE OF \$50-\$95,000,000 PER YEAR.



## BIODIESEL FROM ALGAE



## GEOTHERMAL ENERGY



30



# 4

## Travertine Point will be a New Town that will be sustainable and self sufficient.

- There is an established planning theory that **new towns** and villages that can be built as freestanding systems are much healthier and sustainable.
- A key theorem is that the new place must be built with a surrounding open space buffer so that future residents actually have incentives to stay in this location and not commute more than necessary.
- In other words, **working, shopping, playing** and generally living is cost effective if the residents and businesses do not commute and is both financially important and obviously environmentally smart.
- **Self-containment** provides jobs and housing to be carefully balanced to limit traffic impacts on regional circulation patterns.
- **Recycled building materials and alternative energy sources** incorporated into the evolution of the New Town serving as a living example of how to preserve valuable resources.
- **Providing local services and products** with the critical mass necessary for self-sufficiency, further resource conservation is achieved.
- **Governance** requirements and incentives ingrained into the fabric of the New Town ensure the sustainable solutions will be achieved as a living example for towns of the future.



# NEW TOWN



## SUSTAINABLE SOLUTIONS

IN AN UNPRECEDENTED COMMITMENT TO INCORPORATING "GREEN" PRINCIPLES INTO A NEW TOWN OF THE FUTURE, TRAVERTINE POINT STRIVES:

- ENHANCED HABITAT CONSISTENT WITH THE PROTECT AND PRESERVATION OF THE NATURAL TRASMOUNTAIN OF THE SITE
- GREEN DESIGN OBJECTIVES INCORPORATED INTO THE SPECIFIC PLAN, A SUSTAINABLE ROAD MAP FOR THE IMPLEMENTATION OF THE NEW TOWN
- RECYCLED BUILDING MATERIALS AND ALTERNATIVE ENERGY SOURCES INCORPORATED INTO THE EVOLUTION OF THE NEW TOWN SERVING AS A LIVING EXAMPLE OF HOW TO PRESERVE VALUABLE RESOURCES



■ "NET-POSITIVE" ON SOLAR PROBLEMS

■ SELF-CONTAINMENT (JOB/ HOUSING CAPABILITY) BALANCED TO LIMIT TRAFFIC IMPACTS ON REGIONAL CIRCULATION PATTERNS

■ LOCAL SERVICES AND PRODUCTS WITH THE CRITICAL MASS NECESSARY FOR SELF-SUFFICIENCY, FURTHER RESOURCE CONSERVATION IS ACHIEVED

■ GOVERNANCE REGULATIONS AND INCENTIVES INGRAINED INTO THE FABRIC OF THE NEW TOWN INSURE THE SUSTAINABLE SOLUTIONS WILL BE ACHIEVED AS A LIVING EXAMPLE FOR TOWNS OF THE FUTURE



"THE TRAVERTINE POINT SPECIFIC PLAN STRIVES FOR AN APPROACH TO TOWN PLANNING WHICH ENHANCES THE ENVIRONMENTAL RESOURCES OF THE LAND." - TRAVERTINE POINT SPECIFIC PLAN DESIGN MANAGER



**STEP 1:**  
PROTECT NATURAL FEATURES



## TOWN FEATURES

RESORT



GREENWAYS

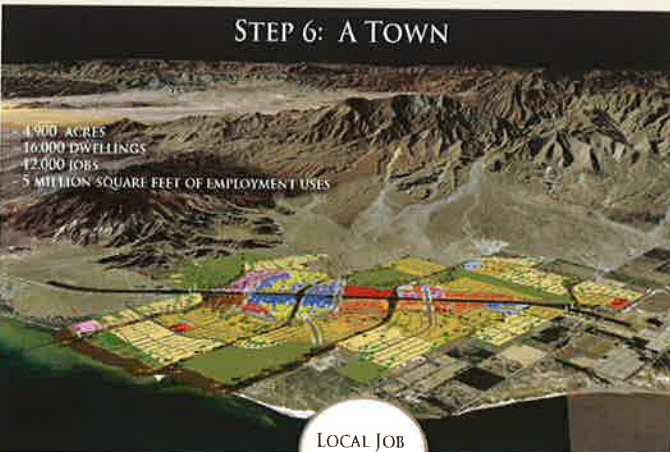


MARINA



## EVOLUTION OF A NEW TOWN

### STEP 6: A TOWN



4,900 ACRES  
16,000 DWELLINGS  
12,000 JOBS  
5 MILLION SQUARE FEET OF EMPLOYMENT USES

LOCAL JOB CREATION

## ECONOMIC VITALITY

### TOWN CENTER

- A VIBRANT MIXED-USE CENTER FOR THE NEW TOWN:
- RETAIL
  - RESIDENTIAL
  - ENTERTAINMENT
  - OFFICES
  - PARKS
  - WALKABLE



### EMPLOYMENT



- COMPREHENSIVE HEALTH AND WELFARE SERVICES, HOSPITAL AND MEDICAL COMPLEX
- OVER 12,000 NEW JOBS OF ALL TYPES ARE GENERATED

### EDUCATION

- NEW SCHOOLS
- CONTINUING EDUCATION
- SCHOLARSHIP



### ALTERNATIVE TRANSPORTATION MODES



"NEVER IN THE HISTORY OF THE COMCHULA VALLEY OR PERHAPS THE STATE HAVE WE SEEN A PROJECT SERVE AS SUCH A PERFECT CATALYST FOR DELIVERING A SUSTAINED PROSPERITY." - JIM TREAS, BLACKHAWK, INC.



**STEP 2:**  
A NEIGHBORHOOD PLACE

**STEP 3:**  
A VILLAGE CENTER



**STEP 4:**  
A COMMUNITY CENTER



**STEP 5:**  
A TOWN CENTER



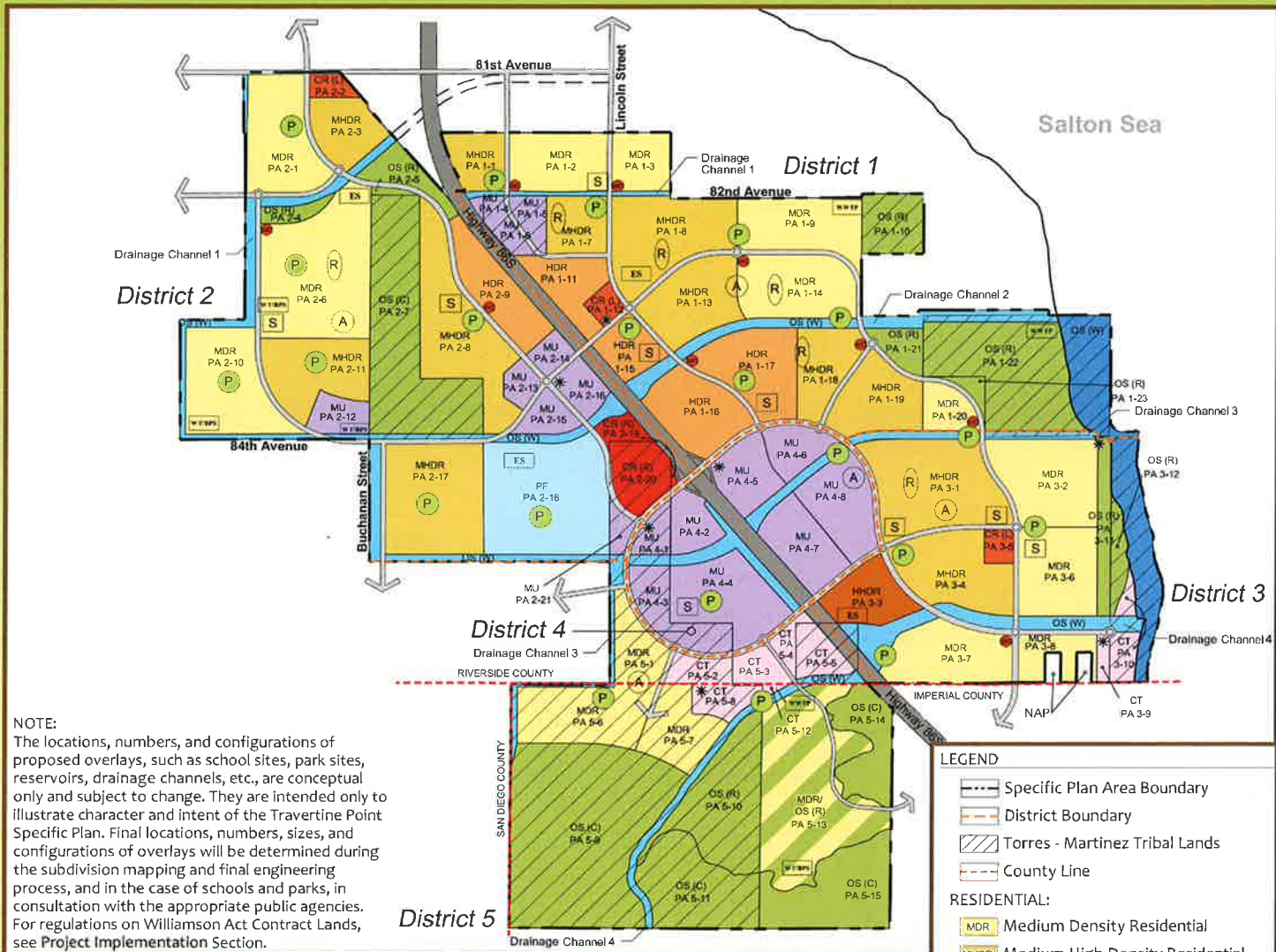
# 5

The Land Use Plan for Travertine Point is balance and provides for a full range of residential, commercial, employment, community facilities and open space.

- The location of the Travertine Point Specific Plan is appropriate for development in a regional context and complements existing and long-term planned transportation patterns.
- Utilizing **sustainable development principles**, Travertine Point provides linkage of proposed urban land uses to existing and planned regional transportation infrastructure.
- Bringing together **jobs and housing** in an attractive, harmonious manner results in reduced commuting time, distance, and trips.
- Not only will this tend to lessen the burden on the roadway system, but it will also lessen the stress of metropolitan living and provide more time for family, recreation, and leisure interests.
- **The sustainable development principle of efficient land use and circulation patterns** for the Travertine Point Specific Plan is demonstrated both at the regional level, and at the project level, and is summarized in the statistical summary and shown on the Land Use Plan.

Land Use	Torres-Martinez Desert Cahuilla Indians		Black Emerald and Others		Acreage Total	Total Units
	Acres	Residential Units	Acres	Residential Units		
<b>Commercial</b>						
Commercial Retail (Regional)	38	100	13		51	100
Commercial Retail (Local)			32		32	
Commercial Tourist	82		36		118	
Mixed Use	97	526	370	2,252	467	2,778
<b>Residential</b>						
Medium Density (2-5 du/ac)	166	681	1,031	4,119	1,197	4,800
Medium High Density (5-8 du/ac)			878	5,646	878	5,646
High Density (8-14 du/ac)			266	2,206	266	2,206
Highest Density (20+ du/ac)			45	1,125	45	1,125
<b>Open Space</b>						
Public Facility			148		148	
Open Space (Recreation)	290		90		380	
Open Space (Conservation)	523		146		669	
Drainage	77		251		328	
Roads	28		202		230	
Salton Sea Area	109				109	
<b>Totals</b>	<b>1,410</b>	<b>1,307</b>	<b>3,508</b>	<b>15,348</b>	<b>4,918</b>	<b>16,655</b>

# BALANCED USES



**NOTE:**  
 The locations, numbers, and configurations of proposed overlays, such as school sites, park sites, reservoirs, drainage channels, etc., are conceptual only and subject to change. They are intended only to illustrate character and intent of the Travertine Point Specific Plan. Final locations, numbers, sizes, and configurations of overlays will be determined during the subdivision mapping and final engineering process, and in the case of schools and parks, in consultation with the appropriate public agencies. For regulations on Williamson Act Contract Lands, see **Project Implementation Section**.

**LEGEND**

- Specific Plan Area Boundary
- District Boundary
- Torres - Martinez Tribal Lands
- County Line

**RESIDENTIAL:**

- MDR Medium Density Residential
- MHDR Medium High Density Residential
- HDR High Density Residential
- HHDR Highest Density Residential

**NON-RESIDENTIAL:**

- Commercial Retail (Regional)
- Commercial Retail (Local)
- MU Mixed Use
- CT Commercial Tourist
- PF Public Facilities

**OPEN SPACE:**

- Open Space (Recreation)
- Open Space (Conservation)
- Open Space (Drainage)
- Open Space (Salton Sea)

**CONCEPTUAL LOCATIONS:**

- Schools
- Parks
- Retention Basins
- Active Adult Candidate Community
- Public Facilities
- Walkable Commercial
- Wastewater Treatment Plant
- Water Tank/Booster Pump Station
- Electrical Substation



# 6

## Travertine Points provides business & employment that generates over 12,850 jobs.

- 1,427,000 square feet of **commercial** uses
- 1,145,000 square feet of **business park** uses
- 850,000 square feet of **industrial and research and design** uses
- 12,856 estimated number of **jobs** (total)
- 5,029,500 square feet total, of **non-residential** uses (total)
- Travertine Point projects a **jobs to housing ratio of 0.77**, the Coachella Valley jobs to housing ratio is currently 0.66.
- Travertine Point anticipates **creating jobs** in a variety of sectors including healthcare and life sciences, energy, logistics, government/community/education, light industrial and manufacturing, retail services, and entertainment.
- Travertine Point's anticipated job sectors are similar with the **targeted growth sectors** discussed in "Target Business Analysis – Economic Blueprint, Coachella Valley, California" (March 2009) prepared by Market St. Services, Inc.

TRAVERTINE POINT - MIXED USE				
NON-RESIDENTIAL USES				
Uses	.25 - .30 FAR	.30 - .35 FAR	.35 - .40 FAR	.40+ FAR
Local/ Neighborhood Commercial			NA	NA
Community Commercial			NA	NA
Regional Center	NA			
Main Street	NA			
Offices	NA			
Business Park				
Light Industrial			NA	NA
Visitor Serving	NA			
Work-Live	NA			NA
Retail/ Residential	NA	NA		
Retail/ Offices	NA	NA		
Medical				

# JOBS



# TRAVERTINE POINT JOBS

Travertine Point Jobs Ratio = 0.77  
(Jobs per Total Household Units)

## Healthcare & Life Sciences

- Ambulatory Healthcare Services
- General and Medical Hospitals
- Nursing and Residential Care Facilities
- Pharmaceutical and Medicine Research & Development
- Manufacturing of Medical Products and Devices
- Biotechnology
- Individual Family Services
- Vocational Rehabilitation Services
- Scientific Research, Testing and Development
- Salton Sea Restoration

## Jobs Ratios:

Coachella Valley = 0.66  
Riverside County = 0.77

## Logistics

- Truck Stop
- Distribution, Warehousing and Storage
- Merchant Wholesalers
- Transit and Ground Passenger Transportation
- Truck Transportation
- Scenic and Sightseeing Transportation

## Retail/Services/Commercial

- Shopping Malls
- Power Centers
- Mixed Use Centers
- Specialty Retail
- Service Commercial
- Offices

## Energy

- Power Generation and Supply
- Utility System Construction
- Electrical Equipment Manufacturing
- Scientific Research and Development Services
- Software and Hardware Development
- Algae Harvesting for Biofuels
- Solar Farms

## Governmental/Community/Education

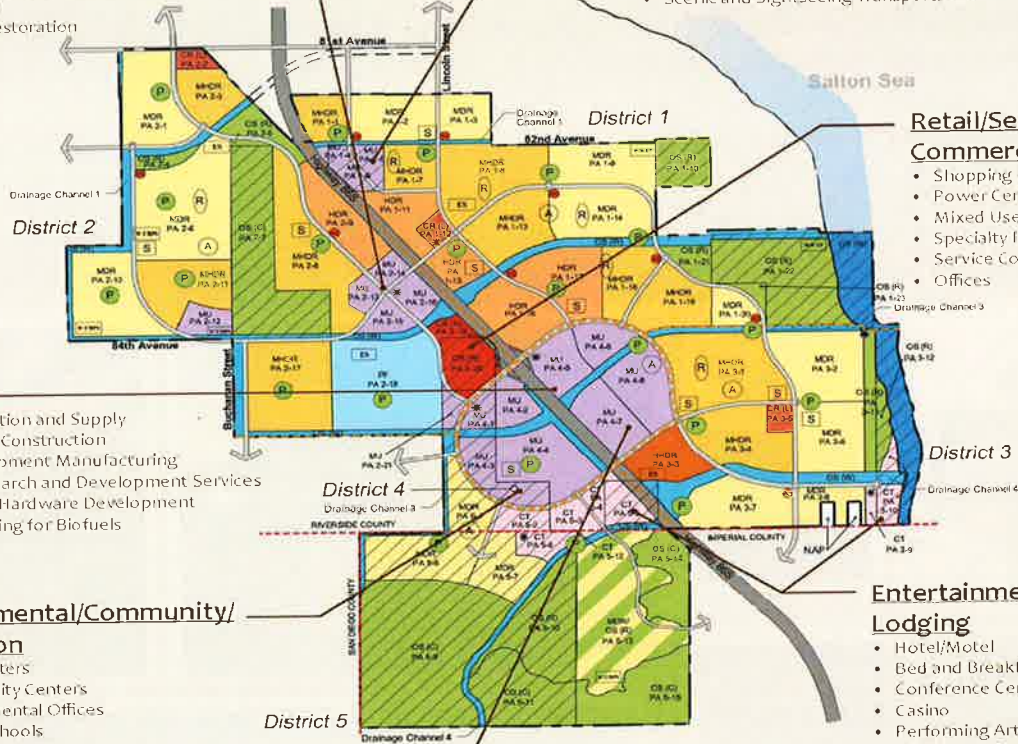
- Civic Centers
- Community Centers
- Governmental Offices
- Public Schools
- Community Colleges
- Vocational Schools

## Agriculture (Existing/Interim)

- Vineyards
- Tree Farms
- Row Crops
- Nurseries
- Food Production and Distribution
- Farmer's Markets

## Light Industrial/Manufacturing

- Heavy Equipment
- Manufacturing
- Assembly Plants
- Batch Plants
- Vehicle, Truck and Marine Related Industries



Total Units: 16,655

- Primary Move Up
- Active Adult
- Secondary Seasonal
- Primary Entry Level
- Primary Affordable



Total Jobs: 12,856

- Healthcare and Life Sciences
- Logistics
- Research and Development/Energy
- Light Industrial and Manufacturing
- Governmental/Community/Education
- Commercial Retail
- Entertainment/Recreation/Lodging

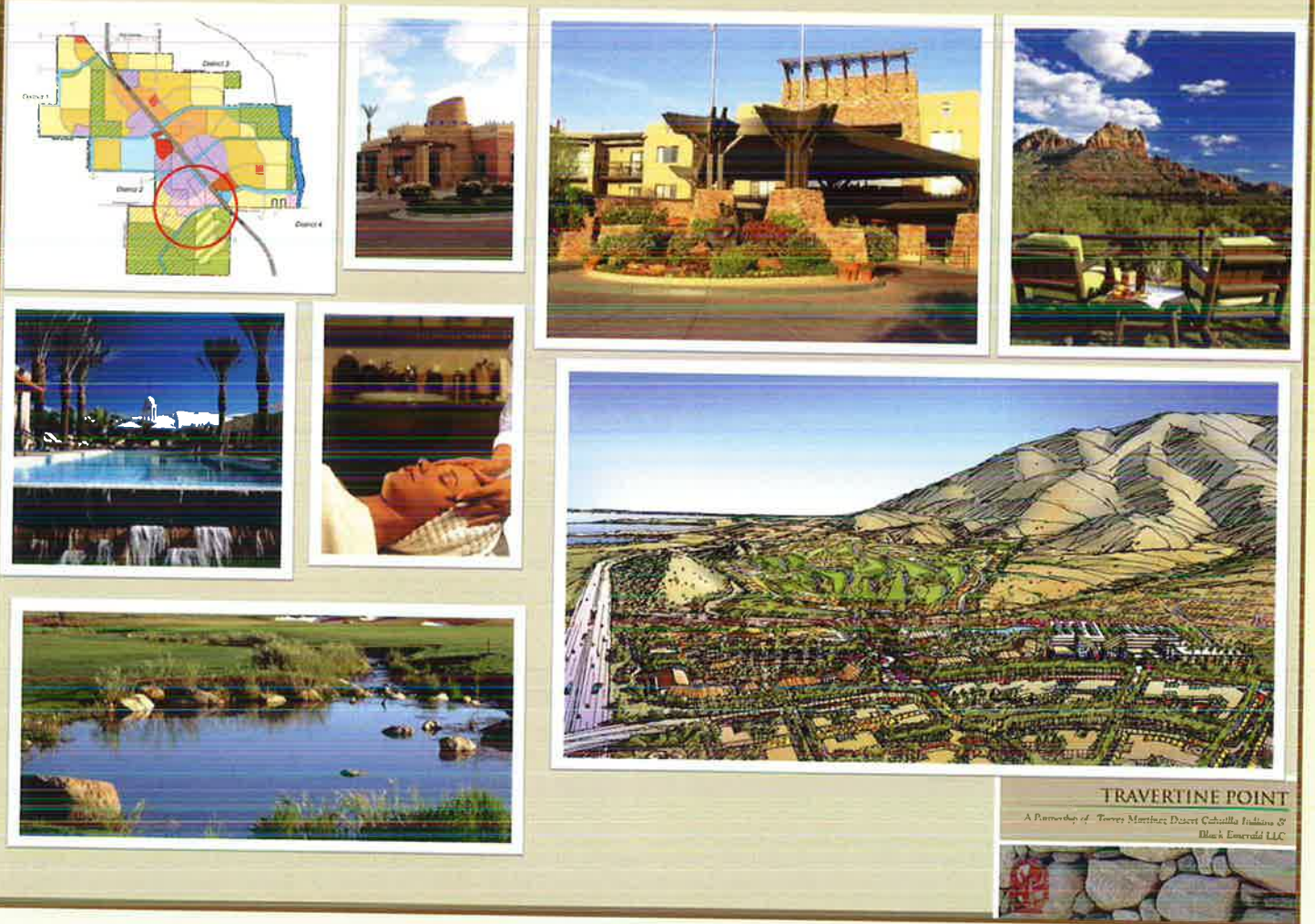


# 7

A major Casino and resort is planned as the major attraction for visitors/residents.

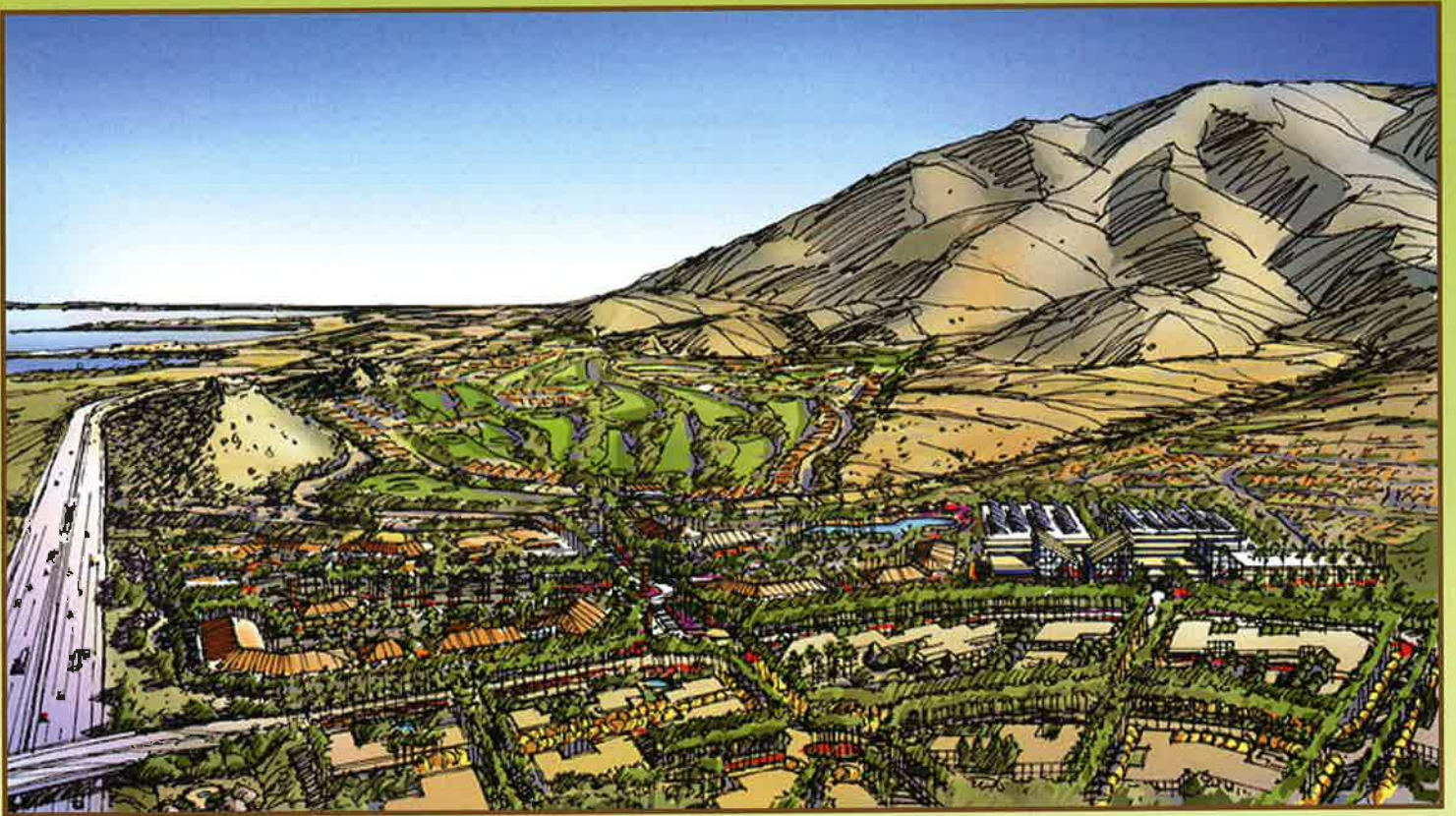
- 1,050 hotel rooms total
- 600 Rooms, 225,000 s.f. hotel (Resort)
- 450 Rooms, 157,000 s.f. hotel (MU Town District)
- **Possible Casino**, 248,500 s.f. with 2,000 gaming machines (Resort)
- 280,000 s.f. of entertainment and recreation uses (Mixed Use Town District)
- **Marina** with ancillary uses (250 slips and 25,000 s.f. ancillary uses)
- An **upper scale golf community** is planned for the southern portion of the community.
- **Restoration of the Salton Sea** will increase recreational opportunities such as boating and fishing, and other watersports activities.

## Resort

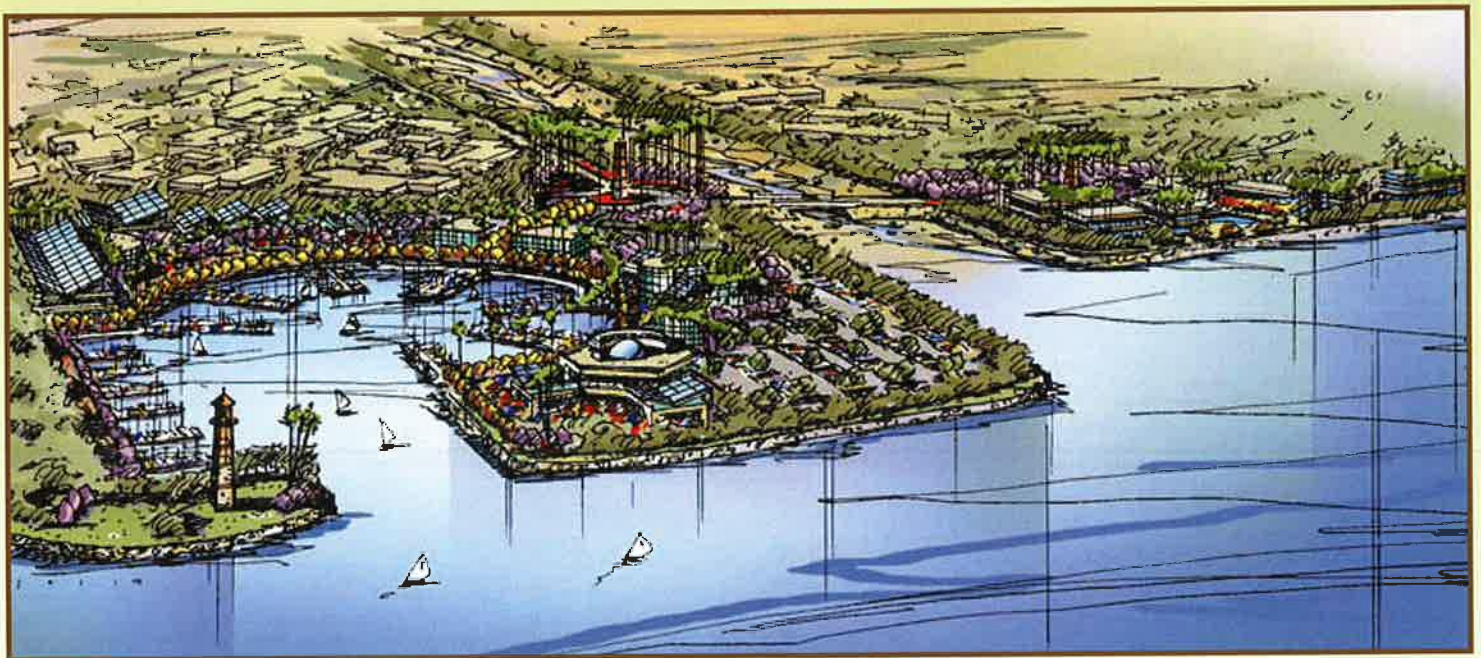


# ENTERTAINMENT





◦ **Resort**



◦ **Marina**

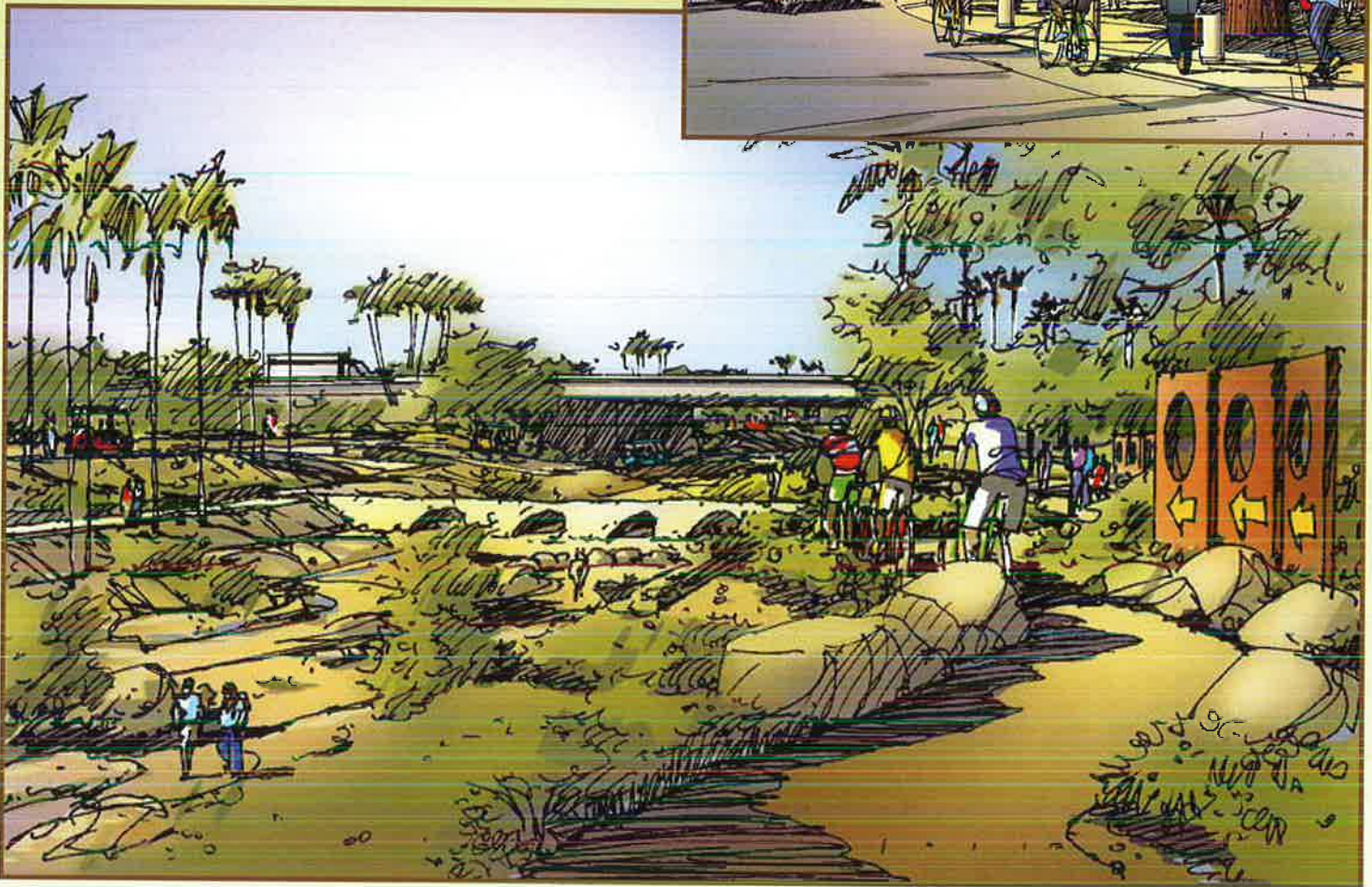




# 8

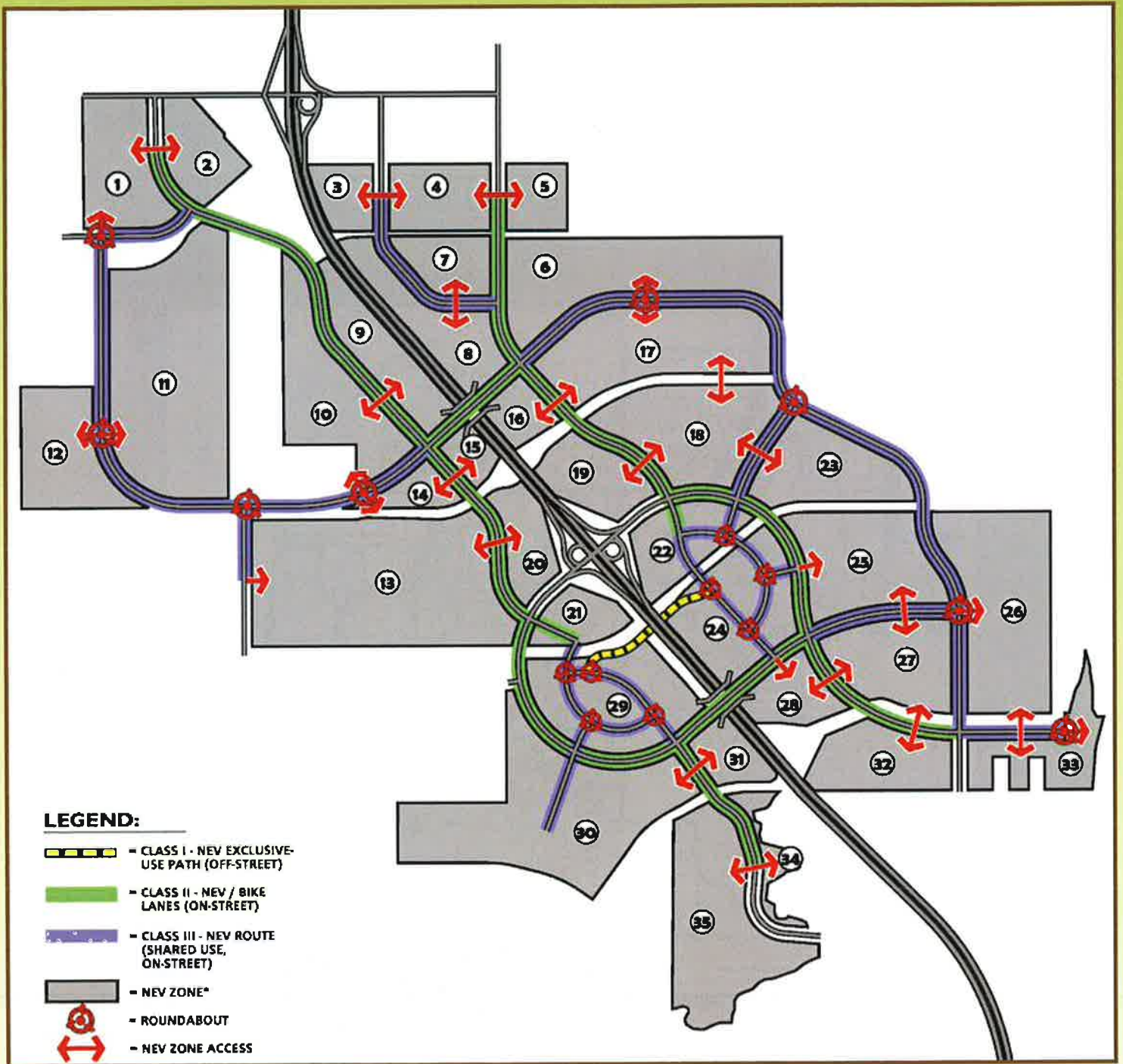
## Travertine Point will be fully accessible to Neighborhood Electric Vehicles (NEV) via special lanes, short cuts and local streets.

- 17.8 miles of **Neighborhood Electric Vehicle** designated lanes
- The mix of employment/commercial services maximizes short NEV trips.
- All neighborhoods in the community are connected by **NEV routes**.
- **Special NEV shortcuts** are provided to incentivize NEV's.
- Streets with 35 mph and above will have special designated **NEV lanes**.
- **Charging stations** and preferred parking will be provided to encourage NEV use.



# N.E.V.





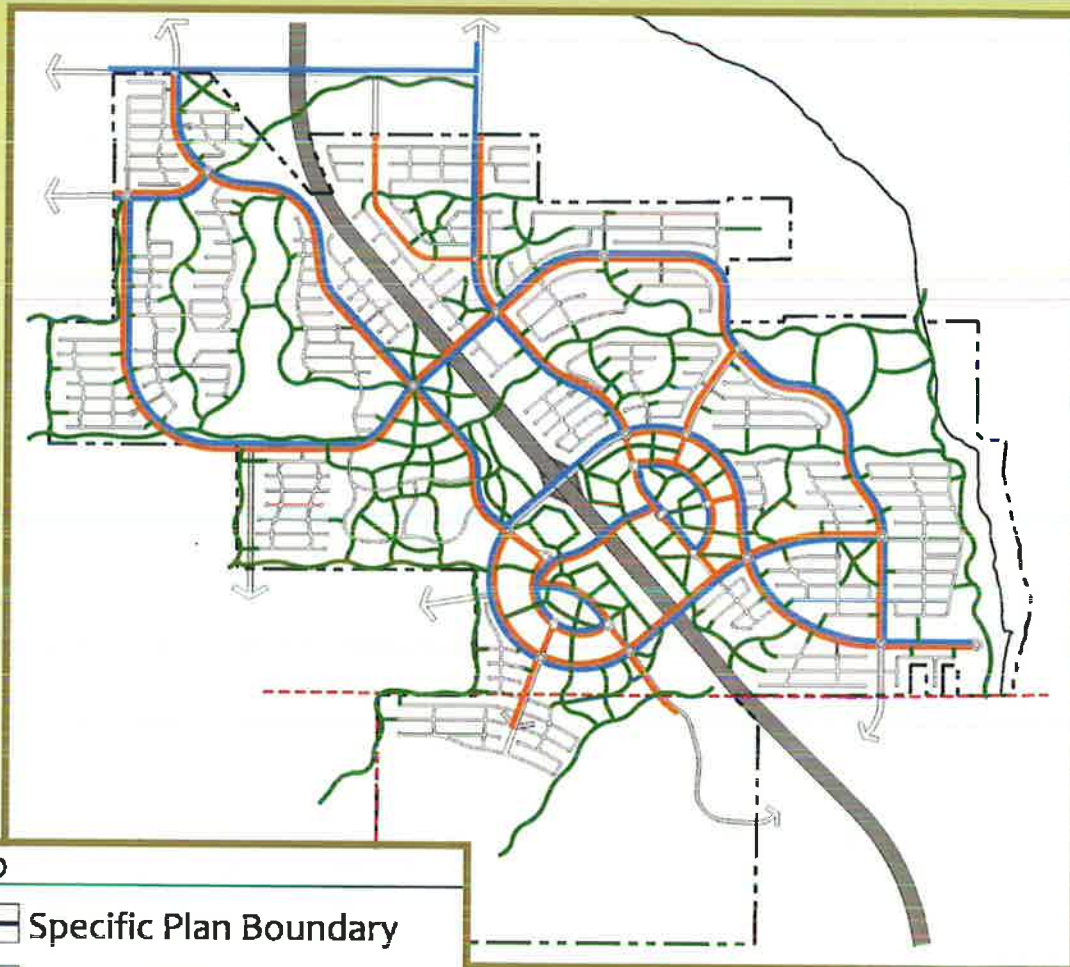
- Special NEV Provisions



# 9

Alternative transportation modes such as pedestrian and bikes are promoted and encouraged within the Travertine Points' circulation plan.

- 58.2 miles of **Class 1 bike and pedestrian trails**
- 17.2 miles of **Class 2 bike trails**
- **Quarter mile walkable access** to neighborhood services for residents
- Neighborhood Electric Vehicle
- Bike and pedestrian trails

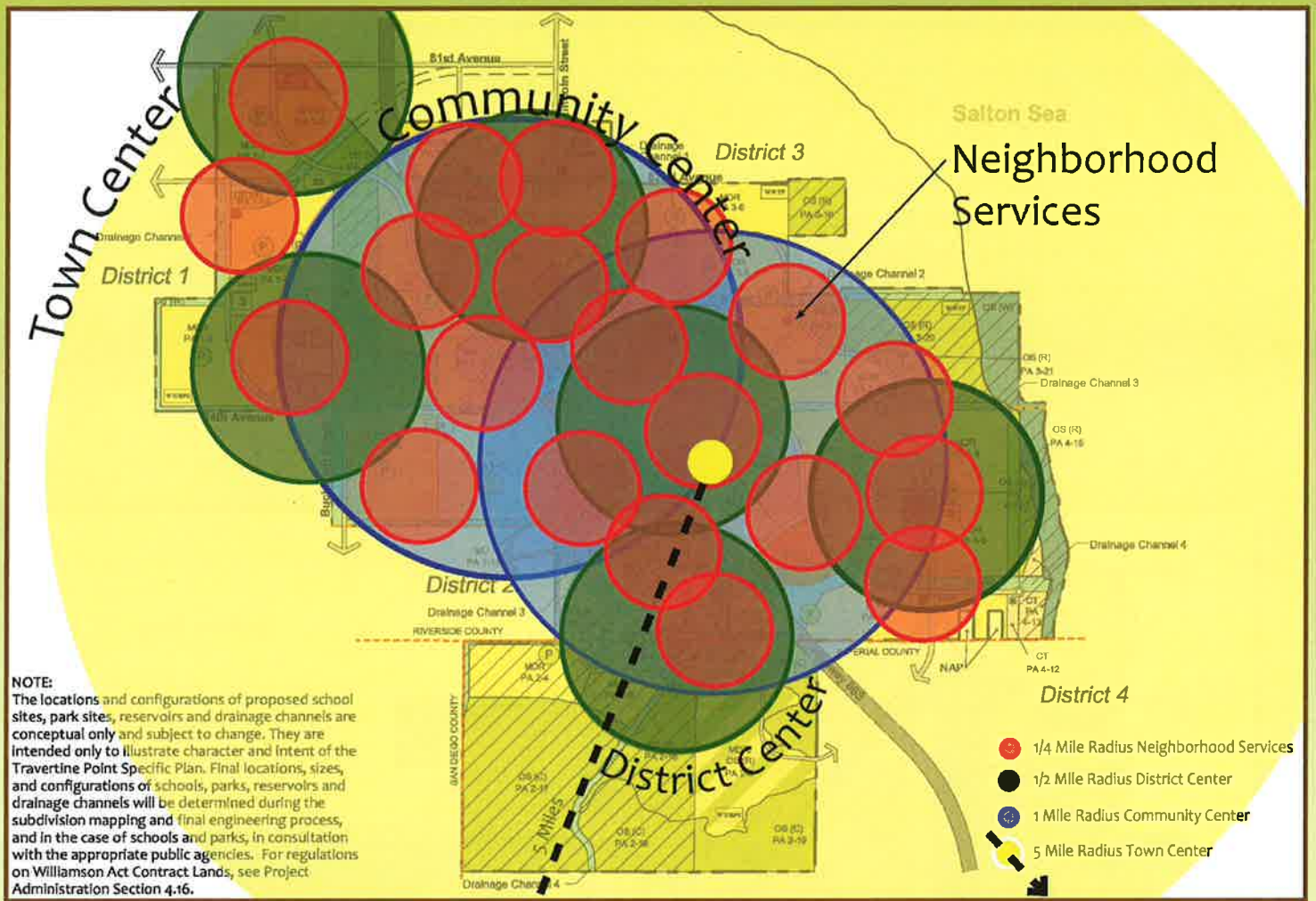


**LEGEND**

- Specific Plan Boundary
- - - County Line
- NEV/Multi-Purpose Trails
- Bus/Shuttle/Tram
- Pedestrian Pathways

# ACCESSIBILITY





- **Neighborhood Services** -the majority of residents are within walking distance (1/4 mile) of local services.



# 10

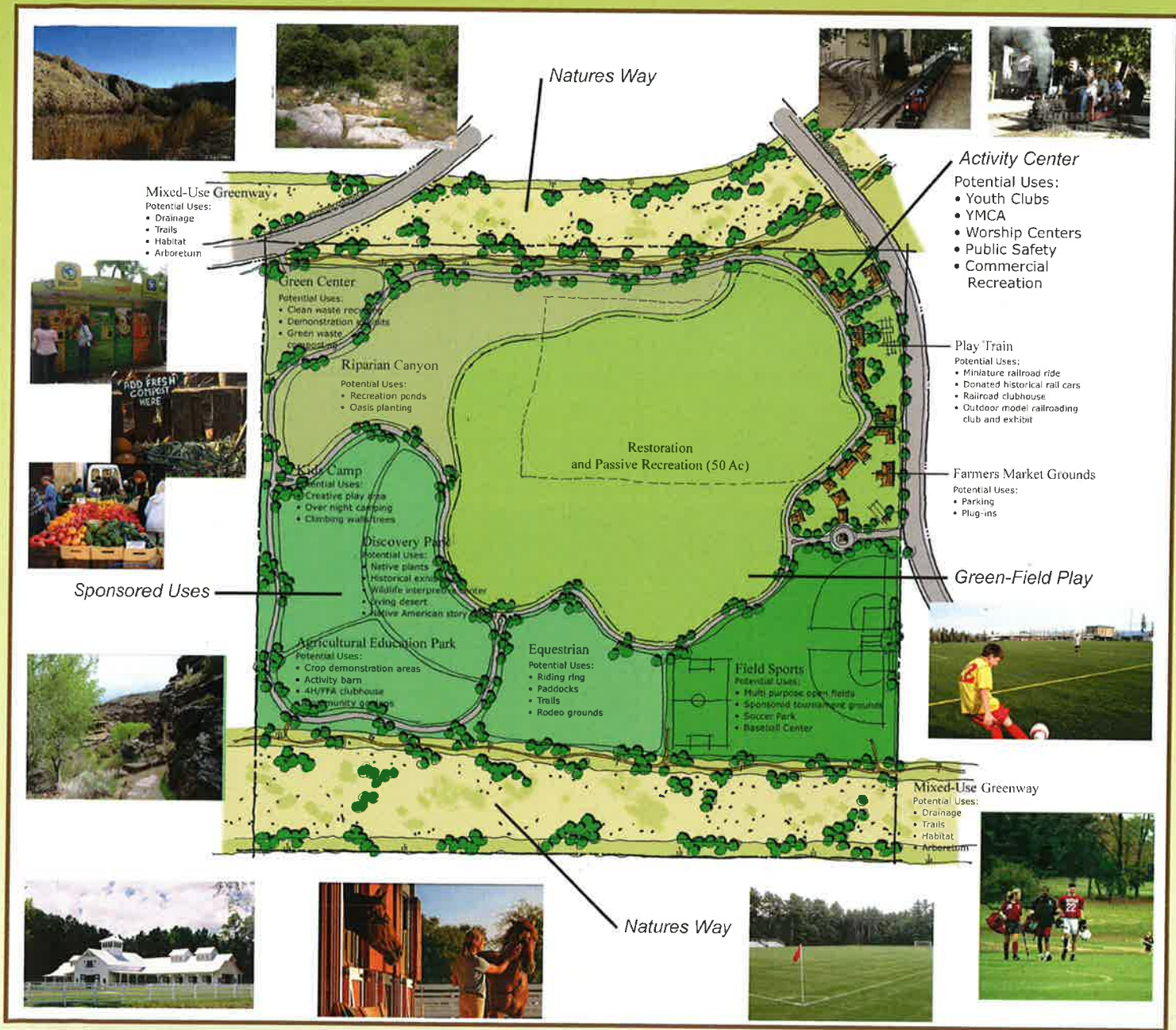
An abundance of open space is provided with in Travertine Point network systems for conservation, habitat, buffer and recreation.

- 1,634 acres of open space, 30% of project area
- 379 acres OS Recreation
- 670 acres OS Conservation
- 328 acres OS Drainage channels multi-use passive recreation
- 109 acres OS Water Salton Sea
- 148 acres Public Facility
- 192 acres of local, community park
- 111 acres of regional park
- 160 acres of Native American Cultural Preserve
- 100% view shed of Salton Sea



# OPEN SPACE





• **Proposed Regional Park**

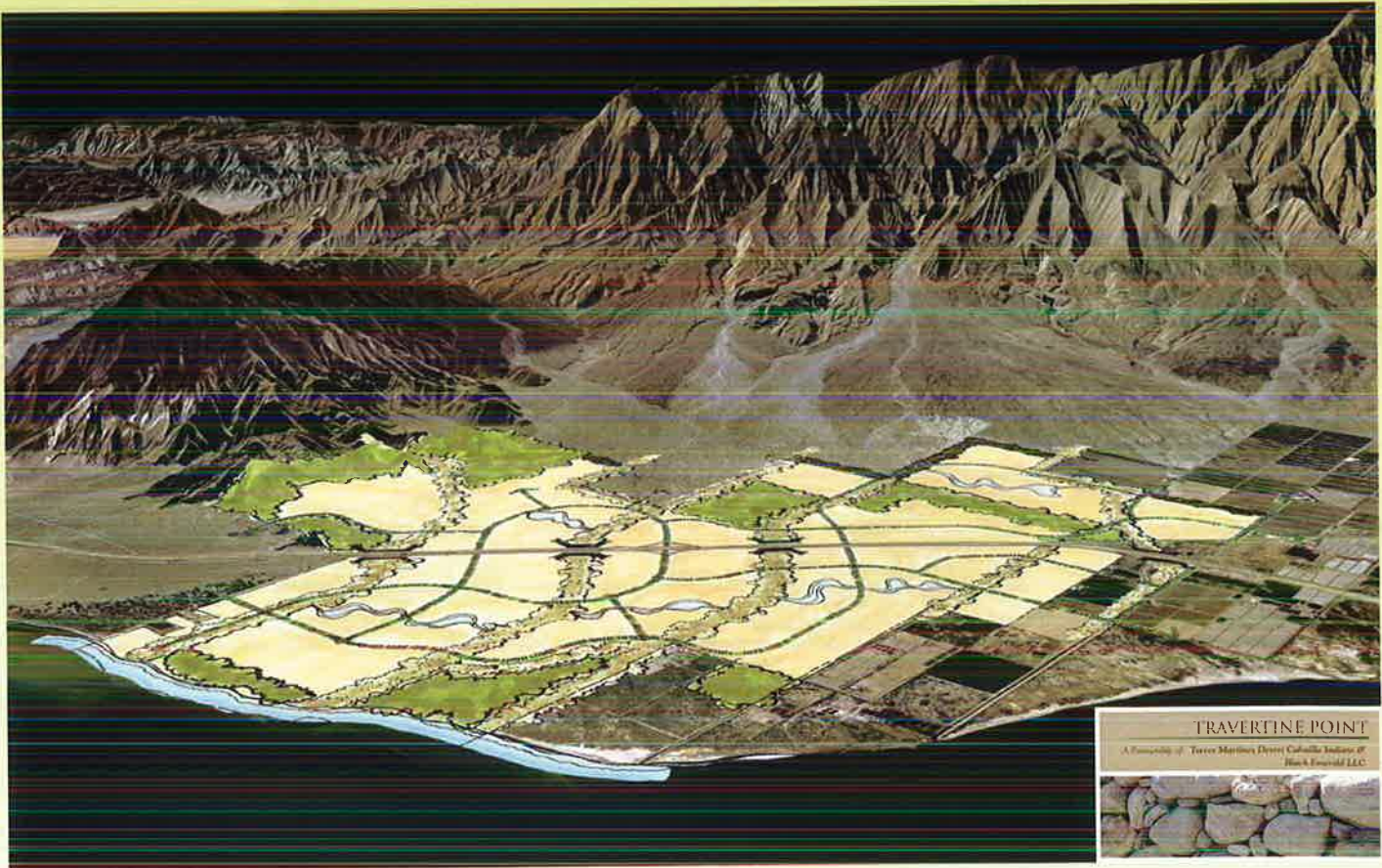




# 11

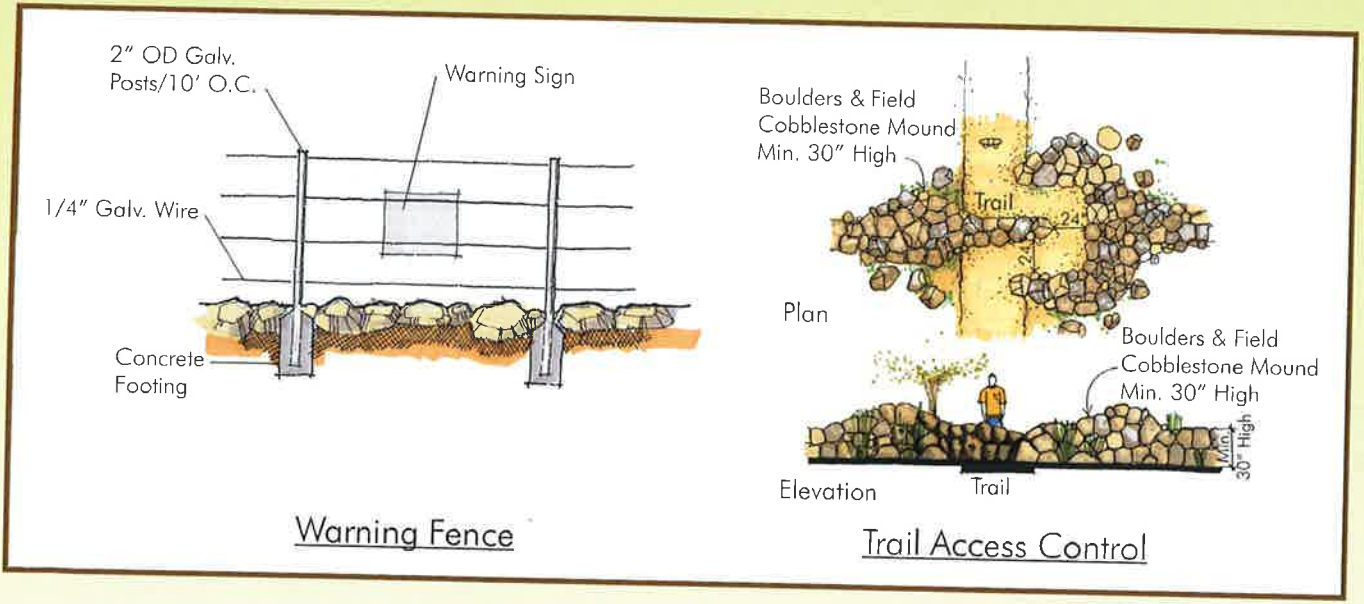
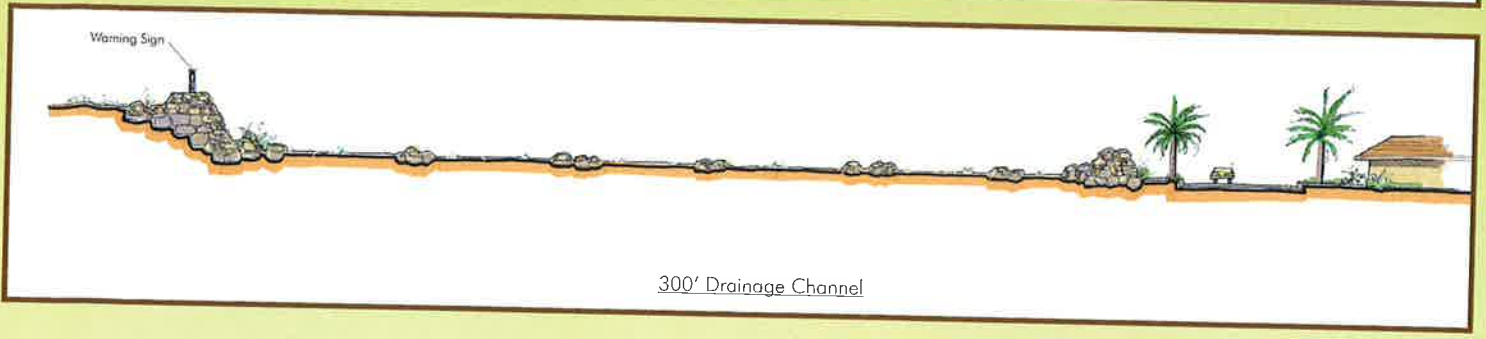
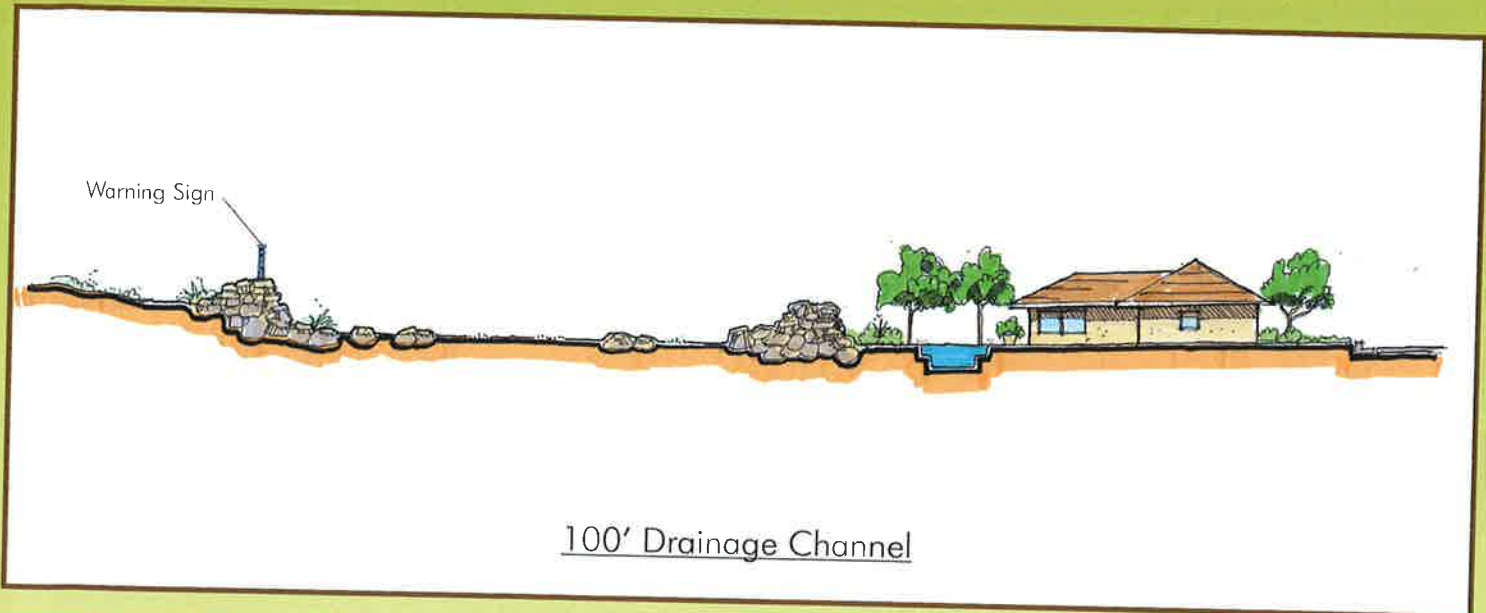
Special designated areas are provided for wildlife corridor, transition to adjacent open space & habitat areas.

- Travertine Point's **greenways will serve as multi-purpose, naturalized drainage channels**, providing wildlife and recreational trails access.
- Open Space conservation land use designations have been implemented to help preserve important natural features such as the Travertine Point rock formation and Torres Martinez Desert Cahuilla Indian cultural preserve.
- **Buffers to adjacent natural areas** will be implemented including special informational signs and trails access controls where required.



# NATURAL SYSTEMS





• **Buffers for Conservation**



# 12

**Regional and community public transportation, local shuttles and electric trams will provide transportation options for Travertine Point.**















- Project wide **local shuttle** service routes
- Town District **electric tram** service routes
- Planned future Fixed Route bus service
- Planned future Regional Express bus service
- Travertine Point plans for **16 Roundabouts** that will reduce automobile idling time and improve traffic flow.
- Potential **Transit Node** for ride sharing
- Majority of residents are within walking distance (1/4 mile) of transit stops and local services.

**TRANSIT**





**LEGEND**

-  Specific Plan Boundary
-  County Line
-  Potential Future Fixed Route Bus Service
-  Potential Local Shuttle/Route Deviation Service - Inner Loop
-  Potential Local Shuttle/Route Deviation Service - Outer Loop
-  Regional Express Bus Service
-  Potential Core Area Electric Tram
-  Potential East Central Electric Tram
-  Potential Travertine Project Bus Turnout Locations
-  Transit Node
-  1/4 Mile Radius to Transit Stop
-  1/2 Mile Radius to Transit Stop
-  Roundabout
-  Neighborhood Park

# 13

Travertine Point will implement a Climate Action Plan that will reduce operational greenhouse gas emissions from a benchmark condition by 38%.

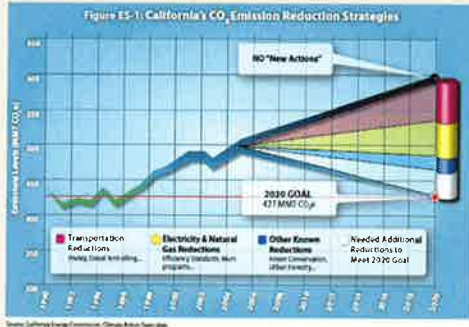
- Community design through the land use plan
- **38% below benchmark/business as usual carbon footprint overall**
- 68% Building and energy efficiency
- 23% Transportation emission reduction
- 55% Water efficiency
- Exceeds 2008 Title 24 requirements by 30% for residential development
- Exceeds 2008 Title 24 requirements by 15% for commercial development
- Roundabouts will be implemented at major/collector intersections

**CLIMATE ACTION PLAN**





# TRAVERTINE POINT CLIMATE ACTION PLAN\*



\*California Resources Board estimate that a **29% reduction** is necessary to meet 1990 level from a projected "Business as Usual" in 2020.

"Business as Usual" (BAU)

- No renewable energy sources
- Auto dependent and non walkable neighborhoods
- No transit or alternative transportation options
- Inefficient building practices
- One water source option: potable water

## ACTION CATEGORIES

- BUILDING AND ENERGY EFFICIENCY**  
Projected reduction below BAU baseline: 63,000 mtCO<sub>2</sub>e/yr
- TRANSPORTATION EMISSIONS**  
Projected reduction below BAU baseline: 45,900 mtCO<sub>2</sub>e/yr
- WATER EFFICIENCY**  
Projected reduction below BAU baseline: 5,900 mtCO<sub>2</sub>e/yr
- WASTE REDUCTION AND RECYCLING**  
A quantitative analysis is not available for this Action

## PERFORMANCE GOAL (GHG Reduction Below BAU Baseline)

68%

23%

55%

—

## TOTAL PROJECT GHG EMISSION

114,800 mtCO<sub>2</sub>e/yr

38%



## Alternative Transportation Network



## Transportation Efficiencies

- Provide route for public transit system
- Provide safe bikeways to encourage bicycle ridership
- Create a Neighborhood Electric Vehicle (NEV) friendly community
- Incorporate roundabouts at all major arterial intersections
- Provide accessible walkways and pedestrian paths that encourage walkable streets and trails.

## Town Design and Energy Efficiencies

- Balance of housing and employment
- Concentration of full array of land uses
- Mixed use configuration is allowed and encouraged
- Provide full range of housing including affordable
- Provide measures to mitigate "heat island" effects
- Require energy efficient construction
- Require the use of energy efficient materials
- Utilize energy saving HVAC & lighting systems & appliances
- Provide on site renewable energy sources and solutions



## Water Efficiencies

- Provide dual piping system for domestic and reclaimed water
- Require the use of smart irrigation systems or equivalent
- Provide a water conservation landscape palette
- Require water efficient fixtures
- Limit the use of turf

## Reclaimed Water Network



# 14

**Multi-purpose greenways that provides for drainage and water quality solutions, habitat connectivity, recreation and pedestrian, bike and NEV connections.**

- Coachella Valley Water District **conceptual flood control approval**.
- Hydraulics and hydrology approved.
- Only approved flood control plan for Santa Rosa Slopes to La Quinta.
- As part of the **trails system, the greenways will promote walk-ability** to all areas of the community.
- Parks and trails located along the greenways will provide recreational and healthful exercise benefits.
- The accessibility of parks, recreation facilities, open space, and trails is a key component of implementing **sustainability** in the design of the community.

# GREENWAYS







TRAVERTINE DRAINAGE CHANNEL STABILIZATION

- Multi-Purpose Greenways



# 15

**A comprehensive Water Management Plan is programmed to conserve, recycle and manage water from the mountain to the seas.**

- Coachella Valley Water District approved Water Supply Assessment
- **Dual water system** with potable domestic and non-potable irrigation water
- Requirement of limited turf use (20% maximum per Planning Area)
- Requirement of use of drought tolerant, native/non-invasive plants
- Requirement for use of Smart irrigation controllers for 80% of public and common area landscapes
- **Planned wastewater treatment plant** will recycle wastewater for the irrigation water system
- **Bioswales** will collect storm water along streets
- **Multi-purpose greenways** will be naturally revegetated and serve as flood control, desilting, and include recreational trails and parks
- Detention basins will provide storm water settlement and serve as a distribution source for irrigation
- **The Salton Sea benefits** from improved storm water quality and cleaner water source for replenishing the Sea

# WATER MANAGEMENT



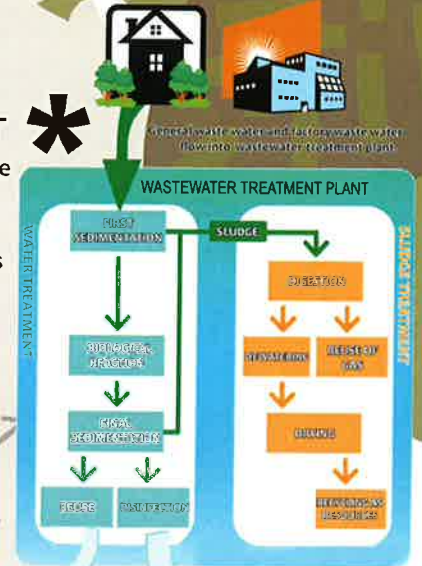


# TRAVERTINE POINT

"FROM THE MOUNTAINS TO THE SEAS"



**WASTEWATER TREATMENT PLANT**  
 Will recycle water for the irrigation water system and additional source of clean water via wetlands to the Salton Sea.



**BIOSWALE**  
 Will collect storm water along streets utilizing landscape materials and gravel to trap pollutants.



**DETENTION BASIN**  
 Will provide storm water settlement and serve as a distribution source for irrigation.

**GREENWAY**



**GREENWAY**  
 Naturally revegetated, multi-purpose greenways will serve as flood control, desilting, and include recreational trails and park uses.



**SALTON SEA**  
 Benefits from improved storm water quality runoff & a cleaner water source for replenishing the sea.

- Water Management



# 16

## Travertine Point will utilize the vast variety of renewable resources present in the immediate area.

- Land use planning for passive solar capture
- All single family residential units pre-plumbed for rooftop solar panels
- Optional solar packages offered on residential units.
- Renewable energy guarantees
- **80% of commercial buildings** to receive 40% of energy requirements from renewable sources at buildout
- **80% of residential buildings** to receive 60% of energy requirements from renewable sources at buildout
- Multiple electric vehicle recharge facilities
- Minimum of 5 MW on-site solar energy production
- Potential for geothermal energy production
- Potential bio-algae/bio-fuel production.
- Future renewable energy production

Reference	Type	Status	Company	Description	Megawatts	Cost in Millions
1	Solar	Under Construction - Completion September 2011	SunPeak Solar		20	100
2	Biofuel	In Operation/Under Expansion	SunEco			90
3	GeoThermal	Fully Permitted by CEC - Begin Construction 2012, 2013 & 2014	CalEnergy	Blackrock 1 (2012), 2 (2013), & 3 (2014)	165	800
4	GeoThermal	Under Permit by CEC - Begin Construction 2015	CalEnergy	Blackrock 4, 5 & 6	165	800
5	GeoThermal	Under Construction - Completion April 2012	Energy Source	Hudson Ranch 1	50	350
6	GeoThermal	Under Permit by Imperial County - Begin Construction November 2011	Energy Source	Hudson Ranch 2	50	350
7	Solar	Fully Permitted - Begin Construction 2012	Energy Source	Solar Project	80	400
8	Solar	Fully Permitted - Begin Construction September 2011	8 Minute Energy	Chocolate Mountain	50	300
9	GeoThermal	In Operation Since 2009	Ormat Brawley North	40 P	50	250
10	GeoThermal	Under Permit by Imperial County - Begin Construction September 2011	Ormat Brawley East	200C/40P	50	250
11	Solar	Under Application Permit by Imperial County - Begin Construction Late 2011	8 Minute Energy	300C/20P	300	1200
12	Solar	Under Application by BLM - Status Pending	SunPeak Solar	Superstition 200C/25P	500	1500
13	GeoThermal	Under Application Permit by Imperial County - Begin Construction 2012	Ormat Wister	200C/40P	50	250
14	GeoThermal	In Operation	CalEnergy	220P	340	1700
15	Solar	Planned	Torres Martinez	Phase 1	5	25
16	Solar	Planned	Torres Martinez	Phase 2	20	100
17	Biofuel	Fully Constructed	Kent BioEnergy	160 acres facility in Mecca		
18	Biofuel	Planned	Solar Capture			
19	Solar	Planned	Col Green	480 acres	75	
				<b>Total</b>	<b>1895</b>	<b>8465</b>

# ENERGY RESOURCES





• **Renewable Energy Projects**





## **APPLICANT**

### **BLACK EMERALD, LLC (FEDERATED INSURANCE)**

121 East Park Square  
Owatonna, MN 55060  
Mike Keller, Principal  
Phone: 507/455-5614  
Fax: 507/455-5997

Juan Delara, Manager  
83-392 San Asis Drive  
Coachella, CA 92236  
Phone: 760/485-2763  
Fax: 760/398-1159

## **PARTNERS**

### **TORRES-MARTINEZ DESERT CAHUILLA INDIANS**

66725 Martinez Road  
Thermal, CA 92274  
Phone: 760/397-0300  
Fax: 760/397-0607  
Al Loya  
Roland Ferrer, Planner

## **AGENT**

### **INNOVATIVE LAND CONCEPTS - ENTITLEMENT**

51245 Avenida Rubio  
La Quinta, CA 92253  
Phone: 760/771-8050  
Fax: 760/771-8050  
Paul Quill, Principal  
Ed Schiller  
Sean Runnels

## **CONSULTANTS**

### **FORMA - PLANNING, DESIGN, AND LANDSCAPE ARCHITECTURE**

3050 Pullman Street  
Costa Mesa, CA 92626  
Phone: 714/673-6200  
Fax: 714/673-6299  
Van Stephens, Principal  
Gene Hsieh, Principal  
Carol MacFarlane, Principal

### **MSA CONSULTING - CIVIL ENGINEER**

34200 Bob Hope Drive  
Rancho Mirage, CA 92270  
Phone: 760/320-9811  
Fax: 760/323-7893  
Paul Sepulveda, Project Manager  
Marco Celedon, PM Sewer/Water

### **IMPACT SCIENCES - EIR**

803 Camarillo Springs Rd, Suite A  
Camarillo, CA 93012  
Phone: 805/437-1900  
Fax: 805/437-1901  
Tony Locacciato, Principal  
Joe Gibson, Associate Principal

### **URBAN CROSSROADS - TRAFFIC ENGINEER**

41 Corporate Park, Suite 210  
Irvine CA 92606  
Phone: 949/660-1994  
Fax: 949/660-1911  
John Kain, Principal  
Carleton Waters

### **STOWELL, ZEILINGA, RUTH, VAUGHN & TRIGER - ATTORNEYS**

2815 Townsgate Road, Suite 330  
West Lake, CA 91361  
Phone: 805/446-1496  
Fax: 805/446-1490  
Rick Zeilinga, Land Use Law  
Jim Vaughn, Land Use Law

### **EXPONENT, INC. - HYDROLOGY**

320 Goddard Way, Suite 200  
Irvine, CA 92618  
Phone: 949/341-6037  
Fax: 949/341-6051  
Philip Shaller, Managing Scientist  
Pravi Shrestha, Ph.D., P.E.  
Massoud Rezakhani  
(Scottsdale Office)  
29830 N.78th Way,  
Scottsdale, AZ 85266

### **APPLIED EARTH WORKS - CULTURAL RESOURCES**

3292 E. Florida Avenue, Suite A  
Hemet, CA 92544  
Ph: 951/766-2000  
Fax: 951/766-0020  
Melinda Horne, Senior Archeologist  
Mike Mirro, GIS Specialist

### **DEVELOPMENT PLANNING & FINANCING GROUP - DPF**

27127 Calle Arroyo, #1910  
San Juan Capistrano, CA 92675  
Ph: 949/388-9269  
Fax: 949/388-9272  
R. Chris Lightburne  
Stuart Lam

### **THE CONCORD GROUP - MARKETING**

130 Newport Center Drive, Ste. 230  
Newport Beach, CA 92660  
Ph: 949/717-6450  
Fax: 949/717-6444  
John Shumway, Principal

### **CB RICHARD ELLIS - BROKER**

81 South 9th Street, Suite 400  
Minneapolis, MN 55402  
Ph: 612/336-4320  
Fax: 612/336-4313  
Mike Marinovich

## **JURISDICTIONAL AGENCIES**

### **RIVERSIDE COUNTY**

Planning Department  
4080 Lemon Street, 9th Floor  
Riverside, CA 92509  
Phone: 951/955-3200  
Fax: 951/955-1817  
Carolyn Sims Luna, Planning Director  
Matt Straite, Project Planner

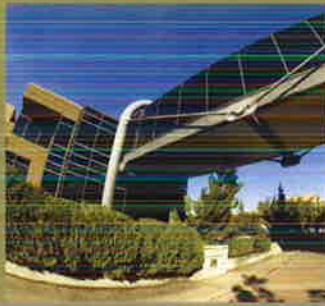
### **IMPERIAL COUNTY PLANNING & DEVELOPMENT SERVICES DEPARTMENT**

Planning Division  
801 Main Street  
El Centro, CA 92243-2811  
Phone: 760/482-4947  
Armando G. Villa, Planning and Building  
Director  
David Black

# PROJECT TEAM







A PARTNERSHIP OF  
**TORRES MARTINEZ DESERT CAHUILLA INDIANS  
 & BLACK EMERALD LLC**

BLACK EMERALD LLC  
 91-711 82ND AVENUE  
 THERMAL, CA 92274  
 TEL: 760-485-2763  
 FAX: 760-398-1159

TORRES MARTINEZ DESERT CAHUILLA INDIANS  
 66-725 MARTINEZ ROAD  
 THERMAL, CA 92274  
 TEL: 760-397-0300  
 FAX: 760-397-3925



[WWW.TORRESMARTINEZ.ORG](http://WWW.TORRESMARTINEZ.ORG)