

### 3.1.4 Land Use and Planning

This section of the Draft Environmental Impact Report (EIR) evaluates impacts to land use that could result from future development of the JVR Energy Park Project (Proposed Project). The analysis focuses on resultant effects of the Project regarding issues related to land use and planning.

Comments received in response to the Notice of Preparation (NOP) included concerns regarding consistency with the County of San Diego's General Plan, the Mountain Empire Subregional Plan and the Ketchum Ranch Specific Plan, changes in the community character and its associated land use and planning impacts. These concerns are addressed in this section. A copy of the NOP and comment letters received in response to the NOP is included in Appendix A of this EIR.

The Proposed Project area has been revised by increasing the Project's setbacks and realignment of an existing water main, a net reduction of 17 acres (see Section 1.2 Project Description in Chapter 1 of the Final EIR). As described in the Proposed Project Revisions Technical Memorandum (Appendix R to Final EIR), these changes will result in land use and planning impacts that are equal to or less than those presented in the Draft EIR and will not change any significance determinations in this Section 3.1.4 Land Use and Planning.

#### 3.1.4.1 Existing Conditions

##### 3.1.4.1.1 Existing Site

###### Project Site

The Project site is located on privately owned land consisting of 24 parcels located to the south of Interstate (I) 8, immediately east of the unincorporated community of Jacumba Hot Springs, and immediately north of the U.S./Mexico international border. Historically, the central and southern areas of the Project site were utilized for dairy and agricultural operations. Existing structures associated with these prior uses remain on a portion of the Project site.

An existing transmission corridor crosses the northern area of the Project site. The east-west corridor is located immediately north of the proposed ~~switchyard~~ Switchyard Facilities and adjacent substation sites. Existing transmission infrastructure installed within the corridor includes two 500 kV transmission lines (i.e., Southwest Powerlink and Sunrise Powerlink) on 155-foot tall transmission towers. An additional 138-kv transmission line parallels the 500 kV transmission lines.

Surrounding and existing land uses are described in more detail in Sections 3.1.4.1.2, Surrounding Land Uses, and 3.1.4.1.3, Land Use Regional Category and Land Use Designations, below.

### **3.1.4.1.2 Surrounding Land Uses**

Surrounding lands include the community of Jacumba Hot Springs, primarily rural and/or undeveloped private lands, and local, state, and federal public lands. The discussion below pertains to surrounding land uses in the general area.

#### **North**

The northern portion of the Project site is bordered by Carrizo Gorge Road and I-8. Private land to the north of the site across I-8 is zoned S80 and S92 and designated Rural Lands (RL-80). A private resort (De Anza Springs) is located to the northwest of the Project site, to the north of I-8. Access to the resort is provided by Carrizo Gorge road, which is unpaved in the segment paralleling and to the north of I-8. The northeastern corner of the Project site abuts two gas stations that include small convenience stores. The gas stations are on a 1.79-acre area designated Rural Commercial.

Land to the north of I-8 is primarily undeveloped public land, including federal lands that are managed by the Bureau of Land Management (BLM) and further to the northwest Anza-Borrego Desert State Park lands. BLM public lands comprise the prominent mountain terrain of Gray Mountain and Table Mountain. These mountains and the surroundings lands are located within the Table Mountain Resource Management Zone (RMZ), which provides opportunities for landscape viewing, off-highway vehicle use, wildlife and wildflower viewing, hunting and camping (BLM 2008).

#### **East**

To the east, the landscape is largely undeveloped and is traversed by several dirt roads. Limited rural residential development occurs to the east of the Project site and along Old Highway 80.

The Jacumba Airport is along the southeastern portion of the Project site, to the south of Old Highway 80. The County of San Diego owns the Airport's facilities including the 2,562-foot long asphalt runway (AirNav 2019), dirt helipad, two metal storage structures and surrounding airport property. According to the County of San Diego, approximately 1,162 "operations" occurred at the airport in 2018 (County of San Diego 2019). The unattended and unlighted airport is used mainly as an operation area for gliders on the weekends (County of San Diego 2018). Jacumba Airport is zoned S80 and County General Plan land use designation is Public/Semi-Public Facilities.

Further to the east of the Project site and Jacumba Airport, Airport Mesa rises from the Jacumba Valley. The majority of the steep sloped Airport Mesa landform is managed by the BLM as the Airport Mesa RMZ. Allowable primary recreation activities in the Airport Mesa RMZ are identified hiking and hunting in the Eastern San Diego Planning Area Recreational Master Plan

(BLM 2008); a prohibition of target shooting on Airport Mesa was enacted by the BLM in 2009 (BLM 2009, 2010). Official use is not recorded in this RMZ; however, BLM estimates that the area experiences low annual use (i.e., less than 200 visitors per year; A.S. Williams, personal communication, February 11, 2020).

The Sunrise Powerlink transmission lines extend to the east and beyond the Project site. The existing Jacumba Solar Facility and East County Substation are located approximately 1.75 and 1.9 miles to the east, respectively, of the Project site's eastern boundary. The Jacumba Solar development covers 300 acres, and includes over 80,000 PV modules and a collector substation, BLM also manages the Jacumba Wilderness located approximately 4 miles east of the Project site in Imperial County. The Jacumba Wilderness is comprised of rugged ridgelines and intervening valleys. The use of this wilderness area is defined in the Wilderness Act of 1964, which permits certain uses, including hiking and camping in the Jacumba Wilderness (BLM 2019).

### South

The U.S./Mexico international border fence parallels the southern boundary of the Project site. The local section of the border fence is a straight, 15-foot tall, steel structure that traverses the desert landscape from east to west. The U.S. Customs and Border Protection maintains an increased presence in the area to curtail smuggling and illegal immigration.

A wide valley bordered by the Sierra de Juarez Mountains to the east and hilly terrain to the southwest of Jacumba is located south of the U.S./Mexico international border fence. Scattered rural residential development occurs approximately 2.3 miles southwest of the Project site in Mexico. A small settlement known as Jacumé exists approximately 3.2 miles south of the Project site on the Mexican side of the international border. An unofficial border crossing was closed in Jacumé in 1998.

### West

To the south of Round Mountain and west of the Project site are lands recently acquired by the State of California Department of Parks and Recreation (State Parks) and added to Anza-Borrego Desert State Park (SP). One publicly-owned parcel, owned by State Parks, located at the northwestern corner of the site is zoned S80 and designated Public Agency Land. The eastern portion of Round Mountain is federal land managed by BLM. Existing transmission lines that traverse the Project site continue to the west.

The unincorporated community of Jacumba Hot Springs is located adjacent to the southwestern boundary of the Project site. The community is bisected by Old Highway 80, which functions as the community's main street and sole commercial corridor and access road in the community. Most of the residential development in Jacumba Hot Springs is located to the north Old Highway 80.

Residences line the highway corridor through the eastern extent of the community. Most properties support one single-family residential structure. In addition to local residences located north of Old Highway 80 (approximately 150 residences are located north of the highway), approximately 20 single-family residences are scattered on the hilly terrain to the south of the highway and west of Jacumba Community Park. The community of Jacumba Hot Springs also includes limited commercial development. The Jacumba Community Park and Jacumba branch of the San Diego County Library are located to the south of Old Highway 80. The Project site borders the Community Park. The Jacumba Elementary School, which is currently closed, is located further to the west.

#### **3.1.4.1.3 Land Use Regional Category and Designations**

The County's General Plan Land Use Element guides the intensity, location, and distribution of land uses in the unincorporated County through a two-tier land use framework. The first tier, Regional Categories, establishes a hierarchy for the overall structure and organization of development that differentiates areas by overall character and density, while the second tier, Land Use Designations, disaggregates these categories and provides more precise direction regarding the planned density and intensity of residential, commercial, industrial, open space, and public land uses. The regional categories do not specify allowable land uses, but rather the general regional structure, character, scale, and intensity of development allowed.

The existing Regional Category in the County's General Plan for the majority of the 1,356-acre Proposed Project site is currently Village. There is also an approximately 38-acre parcel in the easternmost portion of the site that is in the Rural Lands Regional Category.

The majority of the Project site, approximately 1,215 acres, is designated as Specific Plan Area (SPA) with 627 acres within the development footprint. The other land use designations within the Project's development footprint include: 0.34-acre of Open Space (Recreation), 0.85-acre of Public/Semi-Public Facilities, 2.7-acres of Rural Commercial, 11.49-acres of Rural Lands (RL-40), 0.27 acre of Village Residential (VR-15), and 0.31-acre of Village Residential (VR-2). These land use designations are shown in Figure 3.1.4-1, Existing Zoning and Land Use Designations. The Proposed Project development footprint would be located primarily on land designated as Specific Plan Area.

#### **3.1.4.1.4 Subregional Plan Area and Community Plan**

The Project site lies within the Mountain Empire Subregional Plan Area. The Mountain Empire Subregional Plan (a supplement to the County General Plan) establishes goals and policies to guide development within the subregional plan area. The goals and policies of the Subregional Plan are discussed in Section 3.1.4.2.

The Project site also lies within the Jacumba Subregional Group Area Plan, which is a portion of the Subregional Plan that focuses specifically on Jacumba. While the Jacumba Subregional Group Area Plan does not have specific goals and policies, it presents an overall vision statement and background information as discussed in Section 3.1.4.2.

#### **3.1.4.1.5 Specific Plan Area**

In 1986, the County Board of Supervisors approved a General Plan Amendment which designated an approximately 1,300-acre area adjacent to the community of Jacumba as a Specific Plan Area, requiring the preparation of a comprehensive Specific Plan. A multi-use land use concept was envisioned. The majority of the Project site is located within this Specific Plan Area.

In 1991, an applicant submitted a proposed Jacumba Valley Ranch Specific Plan to the County for this Specific Plan Area. This Specific Plan proposed 1,048 dwelling units, 90-bed congregate care facility, a 200 bed hotel 28.5 acres of commercial, a 285 acre golf course, a 31 acre equestrian center, a 10 acre school site, and 415 acres of open space. In 2002, the proposed Jacumba Valley Ranch Specific Plan was denied by the County due to: (1) unreasonable delay in meeting requests by the County necessary for the preparation of an adequate EIR under CEQA; (2) the Applicant's failure to provide the security required by the Board on November 7, 2001; (3) the Applicant's failure to keep the project's estimated deposit account current as required by the Development Plan; and (4) the Applicant's failure to satisfy the three requirements of the Board of Supervisors' motion approved on November 13, 2002 (County of San Diego 2019).

In 2006, another applicant submitted a proposed Specific Plan (Ketchum Ranch Specific Plan) to the County. This plan proposed various uses, including 1,048 dwelling units, a golf course, a hotel, commercial uses, and supporting infrastructure. The proposed Ketchum Ranch Specific Plan was withdrawn by the applicant in 2011 (County of San Diego 2019).

Based on the current General Plan, the allowable density with the Specific Plan area is 1,110 units. A current Specific Plan proposal could potentially allow for 1,110 units, a water reclamation facility, hotel, visitor-oriented commercial, a recreational vehicle park, a theme park, industrial park, and sand and gravel extraction.

#### **3.1.4.1.6 Zoning**

Approximately 629.74 acres of the Project site's development footprint are zoned as Specific Plan (S-88) and approximately 11.5-acres are zoned as General Rural (S92). In addition, approximately 0.10-acre is zoned Freeway Commercial (C44), 0.28 acre is zoned Mobile Home Residential (RMH12), 0.30-acre is zoned Rural Residential (RR), and 1.2-acres is zoned as Open Space (S80). The zone designations within the Project site are shown in Figure 3.1.4-1, Existing Zoning and Land Use Designations.

### 3.1.4.2 *Regulatory Setting*

The County has numerous policies, programs, codes, and ordinances that regulate land use development. In order to simplify the volume and complexity of these regulations, this inventory focuses on policies that affect land use designations and zoning.

#### Federal Regulations

There are no relevant federal policies concerning land use that would be applicable to the Proposed Project.

#### State Regulations

##### California Aeronautics Act

The California Aeronautics Act, established by the California Department of Transportation (Caltrans) – Division of Aeronautics, requires the preparation of airport land use compatibility plans (ALUCPs). ALUCPs promote compatibility between airports and the land uses that surround them to the extent that these uses are not already developed with incompatible land uses. They are intended to protect the safety of people, property, and aircraft on the ground and in the air in the vicinity of the airport. They also protect airports from encroachment by new incompatible land uses that could restrict their operations. In late 2006, the San Diego County Regional Airport Authority adopted new ALUCPs for six rural airports operated by the County (Agua Caliente, Borrego Valley, Fallbrook, Jacumba, Ocotillo, and Ramona). On December 1, 2011 the Jacumba ALUCP was amended to include corrections to revisions to applicable text in the 2006 ALUCP. In February 2020, the San Diego Airport Authority released a draft of an updated Jacumba ALUCP for public review. The updated ALUCP has not been adopted by the Airport Authority; therefore, the prior ALUCP is applicable.

##### California Planning and Zoning Law

The legal framework in which California cities and counties exercise local planning and land use functions is provided in the California Planning and Zoning Law, Sections 65000 through 66499.58. Under state planning law, each city and county must adopt a comprehensive, long-term general plan. State law gives cities and counties wide latitude in how a jurisdiction may create a general plan, but there are fundamental requirements that must be met. These requirements include the inclusion of seven mandatory elements described in the California Government Code. Each of the elements must contain text and descriptions setting forth objectives, principles, standards, policies, and plan proposals; diagrams and maps that incorporate data and analysis; and mitigation measures.

### California Government Code Section 65450

California Government Code Section 65450 authorizes cities and counties to adopt a specific plan. Specific Plans provide the land use regulations and guidelines governing the permitted land uses, densities, maximum residential units, required public facilities, infrastructure, open space, and amenities for a planned community in compliance with applicable policies and regulations.

### California-Baja California Border Master Plan

The California-Baja California Border Master Plan (County of San Diego 2014a) is a binational effort to coordinate planning and delivery of projects at land port of entries and the transportation infrastructure serving them. The California Department of Transportation (Caltrans), in partnership with the Secretariat of Infrastructure and Urban Development of Baja California and the U.S./Mexico Joint Working Committee (JWC), retained the SANDAG Service Bureau to assist in the development of this Plan. The primary objectives of the California-Baja California Border Master Plan are to increase the understanding of Port of Entry (POE) and transportation planning on both sides of the border and create a plan for prioritizing and advancing POE and related transportation projects. The California-Baja California Border Master Plan study area includes an “Area of Influence” and a “Focused Study Area.” The Proposed Project is within the Focused Study Area (10 miles north and south of the international border). The 2014 California-Baja California Border Master Plan Update is the most recent update of this plan. The update listed prioritized border crossing or point-of-entry projects, including a Jacumba-Jacumé POE project. The update explained that there was insufficient data to prioritize the Jacumba-Jacumé POE project as it is in early conceptual planning stages with no funding.

### Local

#### County of San Diego General Plan

San Diego County’s General Plan is a complex, highly integrated document that serves as the blueprint for growth and development in the unincorporated County. It is based on a set of guiding principles and consists of the following elements: Land Use, Mobility, Conservation & Open Space, Housing, Safety and Noise. Each of these elements contains a set of goals and policies that must be adhered to by all discretionary development projects. In addition to the policy document, the County’s General Plan also consists of a Land Use Distribution Map and Mobility Element Network Map. The land use map identifies the type and intensity of future uses on parcels of land throughout the County, whereas the mobility network delineates the road network that is required to accommodate these proposed uses. Finally, the County’s General Plan also consists of several Community or Subregional Plans that are intended to provide more precise guidance regarding the character, land uses, and densities within each community planning area. All of these components make up the County’s General Plan. The following goals and policies from several General Plan elements were determined to be applicable to the Proposed Project.

### Land Use Element

The Land Use Element provides a framework to accommodate future development in an efficient and sustainable manner that is compatible with the character of unincorporated communities and the protection of valuable and sensitive natural resources (County of San Diego 2011). Currently, the County is faced with both significant growth pressures and severe environmental constraints. While population continues to grow, the supply of land capable of supporting development continues to decrease. In accommodating this growth, the land use plan encourages the provision of diverse housing choices while protecting the established character of existing urban and rural neighborhoods. The Land Use Element provides a description of all land use designations applicable to land within the County and specifies the permitted uses on those land use designations. The General Plan Regional Categories and Land Use Designations are described above.

The following policies of the Land Use Element are applicable to the Proposed Project:

- **Policy LU-1.9: Achievement of Planned Densities.** Recognizing that the General Plan was created with the concept that subdivisions will be able to achieve densities shown on the Land Use Map, planned densities are intended to be achieved through the subdivision process except in cases where regulations or site specific characteristics render such densities infeasible.
- **Policy LU-2.6: Development near Neighboring Jurisdictions.** Require that development in the proximity of neighboring jurisdictions retain the character of the unincorporated community and use buffers or other techniques where development in the neighboring jurisdiction is incompatible.
- **Policy LU-2.8: Mitigation of Development Impacts.** Require measures that minimize significant impacts to surrounding areas from uses or operations that cause excessive noise, vibrations, dust, odor, aesthetic impairment and/or are detrimental to human health and safety.
- **Policy LU-4.6: Planning for Adequate Energy Facilities.** Participate in the planning of regional energy infrastructure with applicable utility providers to ensure plans are consistent with the County's General Plan and Community Plans and minimize adverse impacts to the unincorporated County.
- **Policy LU-4.7: Airport Land Use Compatibility Plans (ALUCP).** Coordinate with the Airport Land Use Commission (ALUC) and support review of Airport Land Use Compatibility Plans (ALUCP) for development within Airport Influence Areas.
- **Policy LU-5.3: Rural Land Preservation.** Ensure the preservation of existing open space and rural areas (e.g., forested areas, agricultural lands, wildlife habitat and



- corridors, wetlands, watersheds, and groundwater recharge areas) when permitting development under the Rural and Semi-Rural Land Use Designations.
- **Policy LU-5.5: Projects that Impede Non-Motorized Travel.** Ensure that development projects and road improvements do not impede bicycle and pedestrian access. Where impacts to existing planned routes would occur, ensure that impacts are mitigated and acceptable alternative routes are implemented.
  - **Policy LU-6.1: Environmental Sustainability.** Require the protection of intact or sensitive natural resources in support of the long-term sustainability of the natural environment.
  - **Policy LU-6.5: Sustainable Stormwater Management.** Ensure that development minimizes the use of impervious surfaces and incorporates other Low Impact Development techniques as well as a combination of site design, source control, and stormwater best management practices, where applicable and consistent with the County's LID Handbook.
  - **Policy LU-6.6: Integration of Natural Features into Project Design.** Require incorporation of natural features (including mature oaks, indigenous trees, and rock formations) into proposed development and require avoidance of sensitive environmental resources.
  - **Policy LU-6.9: Development Conformance with Topography.** Require development to conform to the natural topography to limit grading, incorporate and not significantly alter the dominant physical characteristics of a site, and to utilize natural drainage and topography in conveying stormwater to the maximum extent practicable.
  - **Policy LU-6.10: Protection from Hazards.** Require that development be located and designed to protect property and residents from the risks of natural and man-induced hazards.
  - **Policy LU-7.1: Agricultural Land Development.** Protect agricultural lands with lower- density land use designations that support continued agricultural operations.
  - **Policy LU-7.2: Parcel Size Reduction as Incentive for Agriculture.** Allow for reductions in lot size for compatible development when tracts of existing historically agricultural land are preserved in conservation easements for continued agricultural use.
  - **Policy LU-8.1: Density Relationship to Groundwater Sustainability.** Require land use densities in groundwater dependent areas to be consistent with the long-term sustainability of groundwater supplies, except in the Borrego Valley.

- **Policy LU-8.2: Groundwater Resources.** Require development to identify adequate groundwater resources in groundwater dependent areas, as follows.
  - In areas dependent on currently identified groundwater overdrafted basins, prohibit new development from exacerbating overdraft conditions. Encourage programs to alleviate overdraft conditions in Borrego Valley.
  - In areas without current overdraft groundwater conditions, evaluate new groundwater dependent development to assure a sustainable long-term supply of groundwater is available that will not adversely impact existing groundwater users.
- **Policy LU-8.3: Groundwater Dependent Habitat.** Discourage development that would significantly draw down the groundwater table to the detriment of groundwater-dependent habitat.
- **Policy LU-10.2: Development—Environmental Resource Relationship.** Require development in Semi-Rural and Rural areas to respect and conserve the unique natural features, and rural character, and avoid sensitive or intact environmental resources and hazard areas.
- **Policy LU-12.1: Concurrency of Infrastructure and Services with Development.** Require the provision of infrastructure, facilities, and services needed by new development prior to that development, either directly or through fees. Where appropriate, the construction of infrastructure and facilities may be phased to coincide with project phasing.
- **Policy LU-12.2: Maintenance of Adequate Services.** Require development to mitigate significant impacts to existing service levels of public facilities or services for existing residents and businesses. Provide improvements for Mobility Element roads in accordance with the Mobility Element Network Appendix matrices, which may result in ultimate build-out conditions that achieve an improved Level of Service (LOS) but do not achieve a LOS of D or better.
- **Policy LU-13.2: Commitment of Water Supply.** Require new development to identify adequate water resources, in accordance with State law, to support the development prior to approval.
- **Policy LU-18.1: Compatibility of Civic Uses with Community Character.** Locate and design Civic uses and services to assure compatibility with the character of the community and adjoining uses, which pose limited adverse effects. Such uses may include libraries, meeting centers, and small swap meets, farmers markets, or other community gatherings.

### Mobility Element

The Mobility Element provides a framework for a balanced, multimodal transportation system for the movement of people and goods within the unincorporated areas of the County. The Mobility

Element identifies the County road network so that rights-of-way can be preserved for future motorized and non-motorized roadway purposes (County of San Diego 2011).

The following policies from the Mobility Element are applicable to the Proposed Project:

- **Policy M-2.1: Level of Service Criteria.** Require development projects to provide associated road improvements necessary to achieve a level of service of “D” or higher on all Mobility Element roads except for those where a failing level of service has been accepted by the County pursuant to the criteria outlined in the General Plan (Criteria for accepting a road classification with Level of Service E/F). When development is proposed on roads where a failing level of service has been accepted, require feasible mitigation in the form of road improvements or a fair share contribution to a road improvement program, consistent with the Mobility Element road network.
- **Policy M-2.2: Access to Mobility Element Designated Roads.** Minimize direct access points to Mobility Element roads from driveways and other non-through roads to maintain the capacity and improve traffic operations.
- **Policy M-2.3: Environmentally Sensitive Road Design.** Locate and design public and private roads to minimize impacts to significant biological and other environmental and visual resources. Avoid road alignments through floodplains to minimize impacts on floodplain habitats and limit the need for constructing flood control measures. Design new roads to maintain wildlife movement and retrofit existing roads for that purpose. Utilize fencing to reduce road kill and to direct animals to under crossings.
- **Policy M-2.5: Minimize Excess Water Runoff.** Require road improvements to be designed and constructed to accommodate stormwater in a manner that minimizes demands upon engineered stormwater systems and to maximize the use of natural detention and infiltration techniques to mitigate environmental impacts.
- **Policy M-3.3: Multiple Ingress and Egress.** Require development to provide multiple ingress/egress routes in conformance with state law and local regulations.
- **Policy M-4.4: Accommodate Emergency Vehicles.** Design and construct public and private roads to allow for necessary access for appropriately-sized fire apparatus and emergency vehicles while accommodating outgoing vehicles from evacuating residents.
- **Policy M-4.5: Context Sensitive Road Design.** Design and construct roads that are compatible with the local terrain and the uses, scale and pattern of the surrounding development. Provide wildlife crossings in road design and construction where it would minimize impacts in wildlife corridors.

### Conservation and Open Space Element

The primary focus of the Conservation and Open Space Element is to provide direction to future growth and development in the County with respect to conservation, management, and utilization of natural and cultural resources, protection and preservation of open space, and provision of park and recreation resources (County of San Diego 2011).

The following policies of the Conservation and Open Space Element are applicable to the Proposed Project:

- **Policy COS-1.1: Coordinated Preserve System.** Identify and develop a coordinated biological preserve system that includes Pre-Approved Mitigation Areas, Biological Resource Core Areas, wildlife corridors, and linkages to allow wildlife to travel throughout their habitat ranges.
- **Policy COS-1.2: Minimize Impacts. Prohibit private development within established preserves.** Minimize impacts within established preserves when the construction of public infrastructure is unavoidable.
- **Policy COS-1.9: Invasive Species.** Require new development adjacent to biological preserves to use non-invasive plants in landscaping. Encourage the removal of invasive plants within preserves.
- **Policy COS-2.2: Habitat Protection through Site Design.** Require development to be sited in the least biologically sensitive areas and minimize the loss of natural habitat through site design.
- **Policy COS-3.1: Wetland Protection.** Require development to preserve existing natural wetland areas and associated transitional riparian and upland buffers and retain opportunities for enhancement.
- **Policy COS-3.2: Minimize Impacts of Development.** Require development projects to:
  - Mitigate any unavoidable losses of wetlands, including its habitat functions and values; and
  - Protect wetlands, including vernal pools, from a variety of discharges and activities, such as dredging or adding fill material, exposure to pollutants such as nutrients, hydromodification, land and vegetation clearing, and the introduction of invasive species.
- **Policy COS-4.1: Water Conservation.** Require development to reduce the waste of potable water through use of efficient technologies and conservation efforts that minimize the County's dependence on imported water and conserve groundwater resources.

- **Policy COS-4.2: Drought-Efficient Landscaping.** Require efficient irrigation systems and in new development encourage the use of native plant species and non-invasive drought tolerant/low water use plants in landscaping.
- **Policy COS-5.1: Impact to Floodways and Floodplains.** Restrict development in floodways and floodplains in accordance with policies in the Flood Hazards section of the Safety Element.
- **Policy COS-5.2: Impervious Surfaces.** Require development to minimize the use of directly connected impervious surfaces and to retain stormwater run-off caused from the development footprint at or near the site of generation.
- **Policy COS-5.3: Downslope Protection.** Require development to be appropriately sited and to incorporate measures to retain natural flow regimes, thereby protecting downslope areas from erosion, capturing runoff to adequately allow for filtration and/or infiltration, and protecting downstream biological resources.
- **Policy COS-5.5: Impacts of Development to Water Quality.** Require development projects to avoid impacts to the water quality in local reservoirs, groundwater resources, and recharge areas, watersheds, and other local water sources.
- **Policy COS-6.2: Protection of Agricultural Operations.** Protect existing agricultural operations from encroachment of incompatible land uses by doing the following:
  - Limiting the ability of new development to take actions to limit existing agricultural uses by informing and educating new projects as to the potential impacts from agricultural operations.
  - Allowing for agricultural uses in agricultural areas and designing development and lots in a manner that facilitates continued agricultural use within the development.
  - Requiring development to minimize potential conflicts with adjacent agricultural operations through the incorporation of adequate buffers, setbacks, and project design measures to protect surrounding agriculture
- **Policy COS-7.1: Archaeological Protection.** Preserve important archaeological resources from loss or destruction and require development to include appropriate mitigation to protect the quality and integrity of these resources.
- **Policy COS-7.3: Archeological Collections.** Require the appropriate treatment and preservation of archaeological collections in a culturally appropriate manner.
- **Policy COS-7.4: Consultation with Affected Communities.** Require consultation with affected communities, including local tribes to determine the appropriate treatment of cultural resources.

- **Policy COS-7.5: Treatment of Human Remains.** Require human remains be treated with the utmost dignity and respect and that the disposition and handling of human remains will be done in consultation with the Most Likely Descendant (MLD) and under the requirements of Federal, State and County Regulations.
- **Policy COS-9.1: Preservation.** Require the salvage and preservation of unique paleontological resources when exposed to the elements during excavation or grading activities or other development processes.
- **Policy COS-9.2: Impacts of Development.** Require development to minimize impacts to unique geological features from human related destruction, damage, or loss.
- **Policy COS-10.1: Siting of Development.** Encourage the conservation (i.e., protection from incompatible land uses) of areas designated as having substantial potential for mineral extraction. Discourage development that would substantially preclude the future development of mining facilities in these areas. Design development or uses to minimize the potential conflict with existing or potential future mining facilities. For purposes of this policy, incompatible land uses are defined by SMARA Section 3675.
- **Policy COS-10.2: Protection of State-Classified or Designated Lands.** Discourage development or the establishment of other incompatible land uses on or adjacent to areas classified or designated by the State of California as having important mineral resources (MRZ-2), as well as potential mineral lands identified by other government agencies. The potential for the extraction of substantial mineral resources from lands classified by the State of California as areas that contain mineral resources (MRZ-3) shall be considered by the County in making land use decisions.
- **Policy COS-10.3: Road Access.** Prohibit development from restricting road access to existing mining facilities, areas classified MRZ-2 or MRZ-3 by the State Geologist, or areas identified in the County Zoning Ordinance for potential extractive use in accordance with SMARA section 2764.a.
- **Policy COS-10.4: Compatible Land Uses.** Discourage the development of land uses that are not compatible with the retention of mining or recreational access to non-aggregate mineral deposits. See Policy COS-10.1 for a definition of incompatible land uses.
- **Policy COS-11.1: Protection of Scenic Resources.** Require the protection of scenic highways, corridors, regionally significant scenic vistas, and natural features, including prominent ridgelines, dominant landforms, reservoirs, and scenic landscapes.

- **Policy COS-11.3: Development Siting and Design.** Require development within visually sensitive areas to minimize visual impacts and to preserve unique or special visual features, particularly in rural areas, through the following:
  - Creative site planning
  - Integration of natural features into the project
  - Appropriate scale, materials, and design to complement the surrounding natural landscape
  - Minimal disturbance of topography
  - Clustering of development so as to preserve a balance of open space vistas, natural features and community character
  - Creation of contiguous open space networks.
- **Policy COS-11.4: Collaboration with Agencies and Jurisdictions.** Coordinate with adjacent federal and State agencies, local jurisdictions, and tribal governments to protect scenic resources and corridors that extend beyond the County’s land use authority, but are important to the welfare of County residents.
- **Policy COS-11.5: Collaboration with Private and Public Agencies.** Coordinate with the California Public Utilities Commission, power companies, and other public agencies to avoid siting energy generation, transmission facilities, and other public improvements in locations that impact visually sensitive areas, whenever feasible. Require the design of public improvements within visually sensitive areas to blend into the landscape.
- **Policy COS-11.7: Underground Utilities.** Require new development to place utilities underground and encourage “undergrounding” in existing development to maintain viewsheds, reduce hazards associated with hanging lines and utility poles, and to keep pace with current and future technologies.
- **Policy COS-12.1: Hillside and Ridgeline Development Density.** Protect undeveloped ridgelines and steep hillsides by maintaining semi-rural or rural designations on these areas.
- **Policy COS-12.2: Development Location on Ridges.** Require development to preserve the physical features by being located down and away from ridgelines so that structures are not silhouetted against the sky.
- **Policy COS-13.1: Restrict Light and Glare.** Restrict outdoor light and glare from development projects in Semi-Rural and Rural Lands and designated rural communities to retain the quality of night skies by minimizing light pollution.

- **Policy COS-14.7: Alternative Energy Sources for Development Projects.** Encourage development projects that use energy recovery, photovoltaic, and wind energy.
- **Policy COS-14.8: Minimize Air Pollution.** Minimize land use conflicts that expose people to significant amounts of air pollutants.
- **Policy COS-14.9: Significant Producers of Air Pollutants.** Require projects that generate potentially significant levels of air pollutants and/or GHGs such as quarries, landfill operations, or large land development projects to incorporate renewable energy, and the best available control technologies and practices into the project design.
- **Policy COS-14.10: Low-Emission Construction Vehicles and Equipment.** Require County contractors and encourage other developers to use low-emission construction vehicles and equipment to improve air quality and reduce GHG emissions.
- **Policy COS-14.11: Native Vegetation.** Require development to minimize the vegetation management of native vegetation while ensuring sufficient clearing is provided for fire control.
- **Policy COS-14.13: Incentives for Sustainable and Low GHG Development.** Provide incentives such as expedited project review and entitlement processing for developers that maximize use of sustainable and low GHG land development practices in exceedance of State and local standards.
- **Policy COS-15.6: Design and Construction Methods.** Require development design and construction methods to minimize impacts to air quality.
- **Policy COS-17.2: Construction and Demolition Waste.** Require recycling, reduction and reuse of construction and demolition debris.
- **Policy COS-18.1: Alternate Energy Systems Design.** Work with San Diego Gas and Electric and non-utility developers to facilitate the development of alternative energy systems that are located and designed to maintain the character of their setting.
- **Policy COS-18.3: Alternate Energy Systems Impacts.** Require alternative energy system operators to properly design and maintain these systems to minimize adverse impacts to the environment.
- **Policy COS-19.1: Sustainable Development Practices.** Require land development, building design, landscaping, and operational practices that minimize water consumption.
- **Policy COS-19.2: Recycled Water in New Development.** Require the use of recycled water in development wherever feasible. Restrict the use of recycled water when it increases salt loading in reservoirs.



### Safety Element

The purpose of the Safety Element is to provide safety considerations that will help minimize the risk of personal injury, loss of life, property damage, and environmental damage associated with natural and man-made hazards within the County (County of San Diego 2011).

The following policies of the Safety Element are applicable to the Proposed Project:

- **Policy S-3.1: Defensible Development.** Require development to be located, designed, and constructed to provide adequate defensibility and minimize the risk of structural loss and life safety resulting from wildland fires.
- **Policy S-3.3: Minimize Flammable Vegetation.** Site and design development to minimize the likelihood of a wildfire spreading to structures by minimizing pockets or peninsulas, or islands of flammable vegetation within a development.
- **Policy S-3.4: Service Availability.** Plan for development where fire and emergency services are available or planned.
- **Policy S-3.5: Access Roads.** Require development to provide additional access roads when necessary to provide for safe access of emergency equipment and civilian evacuation concurrently.
- **Policy S-3.6: Fire Protection Measures.** Ensure that development located within fire threat areas implement measures that reduce the risk of structural and human loss due to wildfire.
- **Policy S-3.7: Fire Resistant Construction.** Require all new, remodeled, or rebuilt structures to meet current ignition resistance construction codes and establish and enforce reasonable and prudent standards that support retrofitting of existing structures in high fire threat areas.
- **Policy S-6.1: Water Supply.** Ensure that water supply systems for development are adequate to combat structural and wildland fires.
- **Policy S-6.3: Funding Fire Protection Services.** Require development to contribute its fair share towards funding the provision of appropriate fire and emergency medical services as determined necessary to adequately serve the project.
- **Policy S-6.4: Fire Protection Services for Development.** Require that new development demonstrate that fire services can be provided that meets the minimum travel times identified in Table S-1 (Travel Time Standards from Closest Fire Station).
- **Policy S-7.1: Development Location.** Locate development in areas where the risk to people or resources is minimized. In accordance with the California Department of

- Conservation Special Publication 42, require development be located a minimum of 50 feet from active or potentially active faults, unless an alternative setback distance is approved based on geologic analysis and feasible engineering design measures adequate to demonstrate that the fault rupture hazard would be avoided.
- **Policy S-7.2: Engineering Measures to Reduce Risk.** Require all development to include engineering measures to reduce risk in accordance with the California Building Code, Uniform Building Code, and other seismic and geologic hazard safety standards, including design and construction standards that regulate land use in areas known to have or potentially have significant seismic and/or other geologic hazards.
  - **Policy S-8.1: Landslide Risks.** Direct development away from areas with high landslide, mudslide, or rock fall potential when engineering solutions have been determined by the County to be infeasible.
  - **Policy S-8.2: Risk of Slope Instability.** Prohibit development from causing or contributing to slope instability.
  - **Policy S-9.2: Development in Floodplains.** Limit development in designated floodplains to decrease the potential for property damage and loss of life from flooding and to avoid the need for engineered channels, channel improvements, and other flood control facilities. Require development to conform to federal flood proofing standards and siting criteria to prevent flow obstruction.
  - **Policy S-10.4: Stormwater Management.** Require development to incorporate low impact design, hydromodification management, and other measures to minimize stormwater impacts on drainage and flood control facilities.
  - **Policy S-10.5: Development Site Improvements.** Require development to provide necessary on- and off-site improvements to stormwater runoff and drainage facilities.
  - **Policy S-10.6: Stormwater Hydrology.** Ensure development avoids diverting drainages, increasing velocities, and altering flow rates to off-site areas to minimize adverse impacts to the area's existing hydrology.
  - **Policy S-11.5: Development Adjacent to Agricultural Operations.** Require development adjacent to existing agricultural operations in Semi-Rural and Rural Lands to adequately buffer agricultural areas and ensure compliance with relevant safety codes where pesticides or other hazardous materials are used.
  - **Policy S-15.1: Land Use Compatibility.** Require land uses surrounding airports to be compatible with the operation of each airport.
  - **Policy S-15.3: Hazardous Obstructions within Airport Approach and Departure.** Restrict development of potentially hazardous obstructions or other hazards to flight

located within airport approach and departure areas or known flight patterns and discourage uses that may impact airport operations or do not meet Federal or State aviation standards.

### Noise Element

The Noise Element provides for the control and abatement of environmental noise to protect citizens from excessive exposure through establishing noise / land use compatibility standards (County of San Diego 2011).

The following policies of the Noise Element are applicable to the Proposed Project:

- **Policy N-1.1: Noise Compatibility Guidelines.** Use the Noise Compatibility Guidelines (Table N-1) and the Noise Standards (Table N-2) as a guide in determining the acceptability of exterior and interior noise for proposed land uses.
- **Policy N-1.2: Noise Management Strategies.** Require the following strategies as higher priorities than construction of conventional noise barriers where noise abatement is necessary:
  - Avoid placement of noise sensitive uses within noisy areas
  - Increase setbacks between noise generators and noise sensitive uses
  - Orient buildings such that the noise sensitive portions of a project are shielded from noise sources
  - Use sound-attenuating architectural design and building features
  - Employ technologies when appropriate that reduce noise generation (i.e., alternative pavement materials on roadways).
- **Policy N-2.1: Development Impacts to Noise Sensitive Land Uses.** Require an acoustical study to identify inappropriate noise level where development may directly result in any existing or future noise sensitive land uses being subject to noise levels equal to or greater than 60 CNEL and require mitigation for sensitive uses in compliance with the noise standards listed in Table N-2.
- **Policy N-3.1: Groundborne Vibration.** Use the Federal Transit Administration and Federal Railroad Administration guidelines, where appropriate, to limit the extent of exposure that sensitive uses may have to groundborne vibration from trains, construction equipment, and other sources.
- **Policy N-4.9: Airport Compatibility.** Assure the noise compatibility of any development projects that may be affected by noise from public or private airports and

helipads during project review by coordinating, as appropriate, with appropriate agencies such as the San Diego County Regional Airport Authority (SDCRAA) and the Federal Aviation Administration (FAA)

- **Policy N-6.2: Recurring Intermittent Noise.** Minimize impacts from noise in areas where recurring intermittent noise may not exceed the noise standards listed in Table N-2, but can have other adverse effects.
- **Policy N-6.4: Hours of Construction.** Require development to limit the hours of operation as appropriate for non-emergency construction and maintenance, trash collection, and parking lot sweeper activity near noise sensitive land uses.

### Community Plans and Subregional Plans

Community and subregional plans, adopted as integral parts of the County General Plan, are policy plans specifically created to address the issues, characteristics, and visions of communities within the County. These communities each have a distinct physical setting with a unique history, culture, character, lifestyle, and identity. Community and subregional plans thus provide a framework for addressing the critical issues and concerns that are unique to a community and are not reflected in the broader policies of the General Plan. Subregional Plans are consistent with all other parts of the County's General Plan or the plan explains the inconsistency.

### Mountain Empire Subregional Plan

The Project site lies within the Mountain Empire Subregional Plan Area. The Mountain Empire Subregional Plan (a supplement to the County General Plan) establishes goals and policies to guide development within the areas of Tecate, Potrero, Boulevard, Campo/Lake Morena, Jacumba, and the Mountain Empire Balance (including the community of Tierra del Sol), which together comprise the Mountain Empire Subregion of southeastern San Diego County. The goals and policies of the Subregional Plan are intended to be more specific than those of the County General Plan as they consider the distinct history, character, and identity of Mountain Empire communities.

The Mountain Empire Subregional Plan contains nine elements: community character, land use, housing, mobility, public facilities and services, conservation, recreation, energy conservation, and scenic highways. Each element contains goals and policies intended to responsibly direct the development of the subregion.

The following policies and recommendations of the Mountain Empire Subregional Plan are applicable to the Proposed Project.

- **Agricultural Goal.** Encourage the expansion and continuance of agricultural uses in the subregion.
- **Community Character Goal.** Encourage the development of land in a manner that reinforces the unique identify of the Mountain Empire Subregion and its communities.
  - Findings. The Jacumba Subregional Group Area is unique in both its natural and manmade settings and has a long history of human occupation. These natural attributes – hot springs, desert environment, and clean air – attracted many residents and brought about the town’s development.
- **Land Use Goal.** Provide a land use pattern consistent with the subregional population forecast.
  - **Policy and Recommendation 1.** The landforms of the Subregion are an important environmental resource that should be respected in new development. Hillside grading shall be minimized and designed to blend in with the existing natural contours.
  - **Policy and Recommendation 2.** Create a buffer area of one hundred and fifty (150) feet in width along the international boundary line inclusive of the existing sixty-foot (60') Public Reserve owned by the Federal Government.
  - **Policy and Recommendation 3.** Apply a ninety (90) foot setback within which no new permanent building may be built northerly of the existing sixty (60) foot Public Reserve line. Where such ninety (90) foot setback can be shown to adversely impact a property, owner may apply for a waiver from complying with the setback as provided for Section 7060 of the Zoning Ordinance.
  - **Policy and Recommendation 4.** Ensure that all development be planned in a manner that provides adequate public facilities prior to or concurrent with need.
- **Land Use (Policy and Recommendation 4).** Ensure that all development be planned in a manner that provides adequate public facilities prior to or concurrent with need.
- **Public Facilities and Services Goal.** Provide the facilities and level of service necessary to satisfy the needs of the subregion.
  - **Policy and Recommendation 5.1.** Maintain unobstructed access to and along the path of existing power transmission facilities and lines.
  - **Policy and Recommendation 5.2.** Any proposed grading, improvements, or other encroachments to the substation or transmission right-of-ways must be reviewed by SDG&E.

- **Policy and Recommendation 5.3.** Any alteration of drainage patterns affecting the substation or transmission line right-of-ways should be reviewed and approved by SDG&E.
- **Policy and Recommendation 5.4.** Uses proposed for the property adjacent to substations or transmission line rights-of-ways should be reviewed for possible impacts to the power facilities and vice versa.
- **Conservation - Environmental Resources Goal.** Ensure that there is careful management of environmental resources in the area in order to prevent wasteful exploitation or degradation of those resources and to maintain them for future needs.
  - **Policy and Recommendation 1.** All development shall demonstrate a diligent effort to retain as many native oak trees as possible.
  - **Policy and Recommendation 3.** Floodways should be maintained in their natural state unless findings can be made that a threat to public safety exists.
  - **Policy and Recommendation 4.** The dark night sky is a significant resource for the Subregion and appropriate steps shall be taken to preserve it.
  - **Policy and Recommendation 5.** Development shall not adversely affect the habitat of sensitive plant and wildlife species or those areas of significant scenic value.
- **Energy Conservation Goal.** Ensure the conservation of non-renewable energy resources is pursued in a way that is not detrimental to the rural lifestyle.
  - **Policy and Recommendation 8.1.** New development should utilize alternative energy technologies, especially active and passive solar energy systems.
- **Scenic Highways Goal.** Establish a network of scenic highway corridors within which scenic, historical and recreational resources are protected and enhanced.

In addition, under Specific Plan Areas, the Subregional Plan includes text regarding the Ketchum Ranch Specific Plan area:

The Ketchum Ranch Specific Plan proposes a multi-use concept, a residential community with recreational and visitor oriented commercial uses on approximately 1,300 acres next to Jacumba.

The Ketchum Ranch Specific Plan proposal shall create a community in harmony with the existing town of Jacumba and provide services to the existing residents of Jacumba. It will also be sensitive in its design to the natural and historical resources of the Jacumba area. Adequate provisions shall be made to prevent periodic flooding originating at the Mexican border.

### Jacumba Subregional Group Area Plan

The 1 Project site lies within the Jacumba Subregional Group Area Plan. The Jacumba Subregional Group Area Plan is a portion of the Mountain Empire Subregional Plan that focuses specifically on Jacumba. While the Jacumba Subregional Group Area Plan does not have specific goals and policies, it presents an overall vision statement and background information. The vision statement for Jacumba is included below:

**Vision Statement for Jacumba.** Jacumba is a diverse community. The ratio of young to older citizens is about even, which makes the vision diverse as well. We want schools for the young, as well as much needed services, like fire protection, police, and medical care, and still not lose the wonderful feeling that is Jacumba. Clean air, beautiful scenery, superb climate, and no congestion or traffic.

- The community supports new development that is compatible with, and preserves the natural and historical environment, including water resources, and protects existing neighborhoods, manages growth to reinforce the rural small town character of the area, which includes agriculture, open space, and trails as important elements of the community.
- The community supports the provision of adequate public services by new development without compromising existing levels of service or burdening existing residents with the costs of growth. We hope someday to become the jewel of the backcountry.

Background Information in the in document also states that “County Planning documents have long incorporated plans for revitalization and growth of the Jacumba area. Adopted County plans envision future development of the Ketchum Ranch and call for Jacumba to once again become a thriving town.” The Project site is located within the Ketchum Ranch Specific Planning Area.

### County of San Diego Zoning Ordinance

The Zoning Ordinance regulates land uses in the unincorporated portions of the County of San Diego and specifies permitted uses on established land use zones. As discussed above, the majority of the Project site is zoned Specific Plan (S88). The proposed development footprint for the Proposed Project would be located on parcels properties zoned Specific Plan (S88), General Rural (S92), Open Space (S80) and Rural Residential (RR). The S92 zone is intended for residential and agricultural development and is typically applied to environmentally constrained lands (e.g., rugged terrain, watershed, groundwater dependent, susceptible to fire or erosion). Permitted development in the S92 zone includes low-intensity recreational uses, residences on large parcels, and animal grazing. The RR zone is intended to create and enhance residential areas where agricultural use compatible with a dominant, permanent residential use is desired. The S80 zone is intended to provide for appropriate controls for land generally unsuitable for intensive

development. Permitted development in the S80 zone include large residential parcels, agricultural areas, recreation areas or limited uses areas having identified hazards or resources. In the S88 zone, any use set forth in the Specific Plan is permitted by the S88 Specific Planning Area Use Regulations. However, until a Specific Plan applicable to this area is adopted, permitted uses include residential, agricultural and civic uses. Minor and major impact utilities may be allowed with approval of a use permit in all zones.

Major impact services and utilities (e.g., solar generation facilities) and minor impact utilities (e.g., electrical distribution substations) are defined under Sections 1350 and 1355 of the County Zoning Ordinance (County of San Diego 2014b). Upon issuance of either a minor use permit or MUP, minor impact utilities (utilities that are necessary to provide essential services, such as electrical distribution substations) and major impact services and utilities (utilities and public services that have a substantial impact, such as solar facilities) are permitted uses within each of the County-designated zones. Minor impact utilities require a minor use permit, while major impact services and utilities require a MUP. Major impact services and utilities, however, may be conditionally permitted in any zone if it is determined that public interest supersedes the usual limitations placed on land use and transcends the usual restraints of zoning for reasons of necessary location and community-wide interest (County of San Diego 2014b, Section 1350). Other than the Switchyard Facilities, the Proposed Project is considered a Major Impact Service and Utility type. The Switchyard Facilities are considered a Minor Impact Utility. The Proposed Project is located on a site that is zoned a Specific Planning Area (S88) that has not adopted a Specific Plan. Pursuant to Section 2888(a) of the County Zoning Ordinance, a MUP may be granted for any use pursuant to a bonded agreement in an amount sufficient to ensure the removal of all buildings, structures, and other improvements within a specified amount of time and/or under specified conditions when the decision-making body finds that such agreement will carry out the intent of this Ordinance and is enforceable by the County.

The Switchyard Facilities, including the Switchyard and the transmission lines connecting the switchyard to the existing SDG&E transmission infrastructure, are considered a Minor Impact Utility. (County Zoning Ordinance Section 1355.) Pursuant to County Zoning Ordinance Section 2884, until a Specific Plan applicable to the property is adopted, Minor Impact Utilities are a permitted use in the area zoned as Specific Planning Area upon issuance of a Minor Use Permit. While the Major Use Permit will govern both the interim uses subject to County Zoning Ordinance Section 2888 and the Switchyard Facilities, the Switchyard Facilities will not be required to be decommissioned because it is only subject to County Zoning Ordinance Section 2884. Additionally, after the Switchyard Facilities are constructed, the facilities will be transferred to SDG&E and therefore only subject to California Public Utilities Commission jurisdiction.



Section 6954(b)(2) of the County Zoning Ordinance provides direction for the development of PV solar energy systems. According to the Zoning Ordinance, “A photovoltaic solar energy system for off-site use with a project area of 10 acres or more, or a combination of parcels with a combined area of 10 acres or more is a Major Impact Service and Utility in all zones and shall require a Major Use Permit permitted in accordance with the use permit procedure commencing at section 7350. All other types of solar energy systems of solar power plants including concentrating solar power plants, parabolic troughs, concentrating linear Fresnel reflectors, Stirling solar dish, or a solar power tower are a Major Service and Utility in all zones and shall require approval of a Major Use Permit in accordance with Section 7350 and the following requirements on any parcel of land:

- a. **Setback.** A system or plant shall meet all of the setback requirements of the zone.
- b. **Height.** A system or plant of more than 200 feet in height is required to comply with Federal Aviation Administration safety height requirements.
- c. **Visual.** The following measures shall be followed in order to minimize the visual impact of the project:
  - i. Removal of existing vegetation shall be minimized.
  - ii. Internal roads shall be graded for minimal size and disruption.
  - iii. Any accessory buildings shall be painted or otherwise visually treated to blend with the surroundings.
  - iv. A structure shall be non-reflective in all areas possible to blend with the surroundings.
- d. **Security.** The operator shall provide a security in the form and amount determined by the Director to ensure removal of the Solar Energy System. The security shall be provided to the Department of Planning and Development Services (PDS) prior to building permit issuance. Once the Solar Energy System has been removed from the property pursuant to a demolition permit to the satisfaction of the Director, the security may be released to the operator of the Solar Energy System” (County of San Diego 2012 Section 6952 (b)).”

Solar Energy System, Off-site Use, is defined by Ordinance No. 10072 (New Series) as “a solar energy conversion system consistent with the requirements of section 6952 for off-site energy use. The energy generated is predominately used off site” (County of San Diego 2010).

Section 4835 of the Zoning Ordinance states that a Photovoltaic Solar Energy system is permitted to encroach in the front yard setback (as long as it is not more than 30 inches above grade), the interior side yard (may not exceed 12 feet in height), the exterior side yard (as long as it is not more than 30 inches above grade, and the rear yard (as long as it does not exceed 12 feet in height nor cover more than 50 percent of the required yard in combination with all detaches accessory structures).

However, Section 4813 of the Zoning Ordinance states that: “When a major use permit for a use or structure is granted, the use permit may authorize an exception to the Setback Regulations and establish other setback and spacing requirements as a condition thereof.”

At the closest location (i.e., near the driveway to be constructed off Carrizo Gorge Road to provide access to panels located west of the road), proposed solar panels would be setback approximately 60 feet from the Carrizo Gorge Road right-of-way (ROW). At this location, solar panels would be located beyond a perimeter fence and a 24-foot wide site perimeter access road. East of the road, the nearest solar panels within an isolated T-shaped tract of the Project would be similarly setback approximately 67 feet from the Carrizo Gorge Road ROW. The panels in this area would be screened from motorists by a 15 foot wide row of landscaping (located approximately 9 feet beyond the Carrizo Gorge Road ROW). The east edge of the landscaping would abut the site perimeter fence that would be setback approximately 24 feet from the Carrizo Gorge Road ROW. The 24-foot wide site perimeter access road would be between the fence and solar panels.

The Project site parallels Old Highway 80 to the south and north generally from Carrizo Gorge Road west to the community of Jacumba Hot Springs. Where the Project site parallels the highway, 15-foot wide rows of landscaping would be planted outside of the proposed perimeter fence to the north and south of the highway. The Proposed Project has been revised to include increased setbacks along Old Highway 80, as described in Section 1.2 Project Description of the Final EIR. As proposed, landscaping would be setback approximately three feet from the Old Highway 80 ROW and the site perimeter fence would be setback approximately 18 feet from the highway ROW. Solar panel setbacks from the highway ROW would vary, ranging from a low of approximately 45 feet from the southerly ROW on the south to a high of approximately 85 feet from the northerly ROW.

The western Project site boundary parallels residential property lines for approximately 0.25 mile, north of Old Highway 80. A 15-foot wide row of landscaping and slatted fencing would be installed along this entire segment of the site perimeter fence. At its closest location, the landscaping would be setback approximately 27 feet from the closest residential property line. At this location, the site perimeter fence would be setback approximately 42 feet from the closest residential property line and the nearest solar panels would be setback approximately 75 feet from the closest residential property line.

Lastly, the western Project boundary parallels Jacumba Community Park property for approximately 0.18 mile, south of Old Highway 80. In addition to the installation of slatted fencing, landscaping would be planted along this segment of the site perimeter. The Proposed Project has been revised to include an increased setback along Jacumba Community Park, as described in Section 1.2 Project Description in the Final EIR. Landscaping would be setback approximately three feet from the park property line and the proposed fence would be setback approximately 18 feet from the park property line. The setback of the solar panels from the park property line would vary, ranging from approximately 48 feet to 65 feet.

### County Board of Supervisors Policies

The following County Board of Supervisors policies would be applicable to the Proposed Project:

- **Policy I-18: Right-of-Way Dedication and Public Improvement Requirements in Connection with Major and Minor Use Permits**

Where application is made pursuant to The Zoning Ordinance for a Major or Minor Use Permit and it is found that road improvements, drainage, sewage, fire protection or other public facilities and improvements (including the land, easements and rights-of-way therefore) are necessary to insure that the establishment or maintenance of the requested use will not be materially detrimental to the public health, safety or welfare or to the property or improvements in the vicinity and zone in which the subject property is located such use permit shall be issued only upon conditions that provision be made for such improvements and facilities including the land, easements and rights-of-way therefore).

- **Policy I-60: Prohibition of Grading Until Annexation or Other Discretionary Actions are Completed**

1. A grading permit for any project requiring discretionary approvals shall not be issued until all discretionary permits or approvals that can be determined as necessary in light of the project detail shown on the plan or permit application or known or reasonably inferred by the County Official, including those by other governmental agencies, such as Special Districts, or the Coastal Commission have been obtained. Where the Board of Supervisors, the Planning Commission, Director of Planning and Development Services (PDS) or Zoning Administrator approval is conditional on discretionary actions by other governmental agencies, the resolution should note which actions, if any, are prerequisite to the issuance of a grading permit.
2. PDS will inform the applicant after an initial review of a project application, of all County discretionary permits or approvals which will be necessary for the project and will ensure that the requirement for obtaining such permits or approvals is incorporated in any associated conditional approval. The applicant should be encouraged to seek relating County discretionary approvals by concurrent processing of appropriate applications.

- **Policy I-84: Project Facility Availability and Commitment for Public Sewer, Water, School and Fire Services**

- C. No building permit, nor permit for the grading of a site in preparation for construction, will be issued until evidence of permanent water and sewer facility

commitment (where such facilities are required by the project) is submitted to the County.

The Project Facility Availability forms request standard information on the ability of special districts and other facility providers to potentially provide facilities to serve a project. They also allow facility providers to recommend specific requirements that may be made conditions of project approval.

D. For Sewer and Water Facility Only

1. Facility Availability (PFA Form)

A Project Facility Availability form will be required at project intake. In order to be considered affirmative, a completed Project Facility Availability form shall contain a statement from the facility provider that it is reasonably expected that the facility provider will be able to give a commitment for facilities to serve the project at the time of need.

E. For Fire Protection and Emergency Services Facilities Only

For approval for all discretionary applications, sufficient fire protection and emergency service facilities must be available concurrent with need, and response times must be adequate, as detailed in the Public Facility Element of the General Plan. This information will be requested from the fire protection agency.

○ **Policy I-111: Land Use Policy for Discretionary Permits Adjacent to the International Border**

It is the policy of the Board of Supervisors that for discretionary permits requested for properties located within 150 feet from the International Border, the following shall apply:

1. Upon the receipt of such above described application, the Department of Planning and Development Services (PDS) shall notify the Department of Homeland Security (DHS) of such pending application and of the provisions of this policy.
2. Such application shall not be deemed complete until one of the following occurs:
  - a. A letter submitted from the DHS indicating they do not plan on entering into negotiations toward purchasing rights to the open space corridor located on the property subject to the application.
  - b. Ninety days has elapsed from the date of original submittal, and the DHS has not indicated to the Department that they are interested in opening negotiations regarding an open space corridor.
  - c. A letter is submitted from DHS indicating that negotiations have been completed or attempts to purchase have been abandoned.

- d. One hundred eighty days have elapsed from the date upon which the letter from the DHS indicating intent to negotiate was received by the PDS.

### Jacumba Airport Land Use Compatibility Plan

The County's Zoning Ordinance includes Airport Land Use Compatibility Plan Area Regulations (Sections 5250 through 5260). The Project site is located within the Airport Influence Area (AIA) of the Jacumba Airport, for which the San Diego County Regional Airport Authority (Authority) has adopted the Jacumba ALUCP, and is therefore subject to Sections 5250 through 5260 of the County Zoning Ordinance. According to the Zoning Ordinance, "New development, redevelopment, expansions, conversions and other uses of land located within the AIA of an adopted ALUCP for which County approval or permit are required shall be reviewed against the established criteria and policies of the ALUCP. Unless the property is already devoted to the proposed incompatible use or the ALUCP is overridden by the County in a manner which renders the use compatible with the ALUCP, the proposal, must comply with the established policies and criteria of the applicable ALUCP. ALUCPs are available at the Department of Planning and Development Services and from the Authority." The Jacumba ALUCP provides for the orderly growth of the Jacumba airport and surrounding area, and safeguards the welfare of the inhabitants within the vicinity of the airport and the public in general (County ALUC 2011). The Jacumba Airport airstrip is located on Old Highway 80, about 100 yards north of the Mexican border and 1 mile east of the small town of Jacumba. The airport consists of a single asphalt runway 2,508 feet in length and 100 feet wide. The airport is a low-activity facility with an estimated 2,500 total annual aircraft operations as of 2003/2004 (County ALUC 2011). The airport is mainly used as a glider facility by single-engine aircraft and sailplanes. (County ALUC 2011). Although not outlined in the ALUCP adopted in 2011, a resolution has been adopted by the County Board of Supervisors to accept state grant funds for runway rehabilitation project at the airport. (County of San Diego 2015).

The ALUCP includes a compatibility plan that addresses four types of airport land use compatibility concerns: noise, safety, airspace protection, and overflight. Each of these four concerns has its own layer with applicable policies and maps. In accordance with state law, the combination of the four layers determines the boundary of the airport influence area.

To facilitate implementation and reduce unnecessary referrals of projects to the San Diego County Airport Land Use Commission (ALUC), the airport influence area is divided into Review Area 1 and Review Area 2. The composition of each area is determined as follows:

- e. Review Area 1 consists of locations where noise and/or safety concerns may necessitate limitations on the types of land uses. Specifically, Review Area 1 contains the 50 decibel community equivalent noise level (dB CNEL) noise contours and all of the safety zones

depicted on the associated maps in this chapter. Within Review Area 1, all types of land use actions are to be submitted to the ALUC for review to the extent review is required by law.

- Review Area 2 consists of locations beyond Review Area 1 but within the airspace protection and/or overflight areas depicted on the associated maps in this chapter. Limits on the heights of structures, particularly in areas of high terrain, are the only restrictions on land uses within Review Area 2. The additional function of this area is to define where various mechanisms to alert prospective property owners about the nearby airport are appropriate. Within Review Area 2, only land use actions for which the height of objects is an issue are subject to ALUC review (County ALUC 2011, Chapter 2, Policy 1.6.2(a)(2)).

A portion of the Project site is located within Review Area 1, which consists of locations subject to noise and safety concerns. More specifically, the southern portion of the Project site, located to the west of the Jacumba Airport, is located within noise CNEL zones 50 dBA to 55 dBA and 55 to 60 dBA and mostly within safety zones 2 and 4, although a small portion of the site is within safety zone 5. A portion of the Project site is also located within Review Area 2 and this portion is therefore not located within the noise and safety concerns zones. The remainder of the Project site, which includes the northeastern portion of the site, adjacent to I-8, is outside the review areas.

The following identifies several Jacumba ALUCP policies that are applicable to the Proposed Project:

- **Policy JAC 1.1 Evaluating Acceptable Noise Levels for New Development:** The noise compatibility of proposed land uses within the influence area of Jacumba Airport shall be evaluated in accordance with the policies set forth in this section, including the criteria listed in Table JAC-1 and the noise contours depicted on Map JAC-1.
- **Policy JAC 1.3 Acceptable Noise Levels for Specific Types of Land Use Development:**
  - (c) The compatibility of new nonresidential development with noise levels generated by the airport is indicated in Table JAC-1.
    1. Buildings associated with land uses listed as “conditional” must have added sound attenuation as necessary to meet the interior noise levels standards indicated in the table and in Policy JAC.JAC.1.5.
    2. Land uses not specifically listed shall be evaluated using the criteria for similar listed uses.
  - (d) Dedication of an aviation easement in accordance with Policy 3.1.5 of Chapter 2 is a requirement for acceptability of any type of development within the 55 dB Community Noise Equivalent Level (CNEL) contour.
- **Policy JAC 1.4 Application of Noise Contours to Individual Project Sites:** Projected noise contours are inherently imprecise because, especially at general aviation airports,

flight paths and other factors that influence noise emissions are variable and activity projections are always uncertain. Given this imprecision, noise contours shall be utilized as follows in assessing the proposed use of a specific development site.

- (a) In general, the highest CNEL to which a project site is projected to be exposed shall be used in evaluating the compatibility of development over the entire site and determining sound attenuation requirements, if any.
- (b) Exceptions to this policy are as follows:
  - 1. On project sites large enough to have a CNEL variation of 3 dB or more, compatibility criteria applicable within each 5 dB range (55 to 60, 60 to 65, etc.) shall be applied to each portion of the site exposed to that range of noise.
  - 2. Where no part of the buildings proposed on the site fall within the higher CNEL range, the criteria for the CNEL range where the buildings are located shall apply.
- **Policy JAC 2.2 Measures of Safety Compatibility:** To minimize risks to people and property on the ground and to people on board aircraft, the safety compatibility criteria set limits on:
  - (b) The intensity of nonresidential development measured in terms of the number of people concentrated in areas most susceptible to aircraft accidents.
  - (c) Development or expansion of certain uses that represent special safety concerns regardless of the number of people present.
  - (d) The extent to which development covers the ground and thus limits the options of where an aircraft in distress can attempt an emergency landing.
- **Policy JAC 2.5: Nonresidential Development Criteria:** The following criteria apply to most proposed nonresidential development. Additional or different criteria for uses of special concern are described in Policy JAC 2.6.
  - (a) For the purposes of this Compatibility Plan, the fundamental measure of risk exposure for people on the ground in the event of an aircraft accident is the number of people concentrate in areas most susceptible to aircraft accidents. This measure is the chief determinant of whether particular types of nonresidential development are designated as incompatible, conditional, or compatible in Table JAC-2.
    - 1. The maximum acceptable intensity of proposed development within the environs of Jacumba Airport is:
      - Within Safety Zone 1: 10 people per acre.
      - Within Safety Zone 2: 60 people per acre.

- Within Safety Zone 3: 120 people per acre.
  - Within Safety Zone 4: 150 people per acre.
  - Within Safety Zone 5: 150 people per acre.
  - Within Safety Zone 6: no limit.
2. Usage intensity calculations shall include all people (e.g., employees, customers/visitors) who may be on the property at any single point in time, whether indoors or outdoors.
  3. Local jurisdictions may make exceptions for rare special events (e.g., as an air show at an airport) for which a facility is not designed and normally not used and for which extra safety precautions can be taken as appropriate.
- (b) Evaluation of the compatibility of a proposed nonresidential land use development shall be made using the land use types listed in Table JAC-2.
1. The nonresidential uses are categorized primarily with respect to the typical occupancy load factor of the use measured in terms of square footage per occupant. Occupancy load factor takes into account all occupants of the facility including employees, customers, and others. Also indicated in the table is the California Building Code (CBC) classification under which each facility is presumed to be constructed.
  2. Proposed development for which no land use type is listed in Table JAC-2 shall be evaluated with respect to a similar use included on the list. The occupancy load factor of the unlisted use and that of the similar listed use shall be the primary basis for comparison except where the unlisted use is most similar to a land use of special concern. Unlisted uses also may be compared to listed uses having the same construction type as noted in the CBC column in the table.
- **Policy JAC 2.6 Land Uses of Special Concern:** Certain types of land uses represent special safety concerns irrespective of the number of people associated with those uses. Land uses of particular concern, the nature of the concern, and the conditions which the development must meet to be acceptable within a particular safety zone are as listed below.
- (c) **Critical Community Infrastructure:** This category pertains to facilities the damage or destruction of which would cause significant adverse effects to public health and welfare well beyond the immediate vicinity of the facility.
2. **Emergency Communications Facilities; Power Plants, and Other Utilities:** Facilities such as these are conditionally compatible in the zones indicated for that use in Table JAC-2 only if the local jurisdiction documents that an



alternative site outside these zones would not adequately meet the needs the facility is intended to serve and that this consideration outweighs the airport-related safety concerns associated with a site in the impacted area. Susceptibility of the facility to damage by an aircraft accident, the availability of redundant or replacement facilities, the rapidity with which the facility could be repaired, and other such factors should all be considered in the determination of whether a facility of this type should be placed in a risky location.

- **Policy JAC 2.8 Maximum Lot Coverage:** All proposed development in Safety Zones 2, 3, 4, and 5 regardless of whether the land use is listed as “compatible” or “conditional” shall adhere to the maximum lot coverage limitations indicated in Table JAC-2. No structures are permitted in Safety Zone 1 and no limits on lot coverage are set in Safety Zone 6. All structures, including parking structures and support buildings, shall be counted when determining maximum lot coverage.
  - (a) On project sites of 10.0 acres or more, structures and other large objects shall be arranged so as to meet the open land criterion in Policy JAC 2.9 below at the rate of one open land area per each 10 acres of the site.
- **Policy JAC 2.9 Open Land:** In the event that a light aircraft is forced to land away from an airport, the risks to the people on board can best be minimized by providing as much open land area as possible within the airport vicinity. This concept is based on the fact that the majority of light aircraft accidents and incidents occurring away from an airport runway are controlled emergency landings in which the pilot has reasonable opportunity to select the landing site. For business jets and other large or fast aircraft, including most military aircraft, provision of open land for emergency landing purposed has minimal benefit unless the areas are very large and flat.
  - (a) Open land criteria are applicable to all general aviation airport runways in that even the runways frequently used by business jets are mostly used by light aircraft.
  - (b) To qualify as open land, an area should:
    - a. Be free of most structures and other major obstacles such as walls, large trees or poles (greater than 4 inches in diameter, measured 4 feet above the ground), and overhead wires.
    - b. Have minimum dimensions of approximately 75 feet by 300 feet (0.5 acres).
  - (c) Open land should be oriented with the typical direction of aircraft flight over the location involved.
- **Policy JAC 2.11 Parcels Lying within Two or More Safety Zones:** For the purposes of evaluating consistency with the compatibility criteria set forth in Table JAC-2, any

- parcel that is split by compatibility zone boundaries shall be considered as if it were multiple parcels divided at the compatibility zone boundary line. However, the density or intensity of development allowed within the more restricted portion of the parcel can (and is encouraged to) be reallocated to the less restricted portion. This reallocation of density or intensity is permitted even if the resulting density or intensity in the less restricted area would then exceed the limits which would otherwise apply within that safety zone.
- **Policy JAC 2.12 Special Provisions for Safety Zone 1:** In accordance with the Federal Aviation Administration (FAA) guidance, the basic compatibility criteria for Safety Zone 1 (the runway protection zones and within the runway primary surface), as listed in Table JAC-2, preclude most uses, including any new structures and uses having an assemblage of people.
    - (a) The presumption is that the airport owner owns or intends to acquire property interests – fee title or easements – sufficient to effect this policy. The ALUC policy is to encourage airport owner acquisition of these property interests in all of Safety Zone 1 with funding assistance from the FAA.
    - (b) In instances where the affected property is privately owned and the airport owner does not intend to acquire property interests, the following uses shall be considered acceptable:
      1. Within the runway object free area (OFA): No uses except FAA-approved uses related to aeronautical functions.
      2. Within the extended runway object free area:
        - Roads
        - Farm crops that do not attract wildlife
      3. Outside the runway object free area and extended runway object free area.
        - Uses listed in Paragraph (2)
        - Surface automobile parking
        - Other uses not in structures and not exceeding a usage intensity of 10 people per any single acre
      4. The acceptability of uses not listed shall be consistent with FAA guidance and the ALUC determination shall be made in consultation with the FAA and the airport owner.

**JAC.3.4 ALUC Airspace Obstruction Criteria:** The ALUC criteria for determining the acceptability of a project with respect to height shall be based upon: the standards set forth in FAR

Part 77, Subpart C; the United States Standard for Terminal Instrument Procedures (TERPS); and applicable airport design standards published by the Federal Aviation Administration. Additionally, the ALUC shall, where an FAA aeronautical study of a proposed object has been required, take into account the results of that study.

- (a) Except as provided in Paragraphs (b) and (c) of this policy, no object, including mobile object such as a vehicle or temporary object such as construction crane, shall have a height that would result in penetration of the airspace protection surface depicted for Jacumba Airport in Map JAC-3, Compatibility Policy Map: Airspace Protection. Any object that penetrates one of these surfaces is, by FAA definition, deemed an obstruction.
- (b) Other than within the Primary Surface and beneath the Approach or Transitional Surface, no object shall be limited to a height of less than 35 feet above the ground even if the object would constitute an obstruction.
- (c) A proposed object having a height that exceeds the airport's airspace protection surface shall be allowed only if all of the following apply:
  1. As the result of an aeronautical study, the FAA determines that the object would not be a hazard to air navigation.
  2. FAA or other expert analysis conducted under the auspices of the ALUC or the airport operator concludes that, despite being an airspace obstruction (not necessarily a hazard), the object that would not cause any of the following:
    - An increase in the ceiling or visibility minimums of the airport for an existing or planned instrument procedure (a planned procedure is one that is formally on file with the FAA or that is consistent with the FAA-approved airport layout plan);
    - A diminution of the established operational efficiency and capacity of the airport, such as by causing the usable length of the runway to be reduced; or
    - Conflict with the visual flight rules (VFR) airspace used for the airport traffic pattern or en route navigation to and from the airport.
  3. Marking and lighting of the object will be installed as directed by the FAA aeronautical study or the California Division of Aeronautics and in a manner consistent with FAA standards in effect at the time the construction is proposed (Advisory Circular 70/7460-1J, Obstruction Marking and Lighting, or any later guidance).
  4. An aviation easement as described in Policy 3.1.5 of Chapter 2 is dedicated to the agency owning the airport.
  5. The use complies with all policies of this Compatibility Plan related to noise and safety compatibility.

**JAC.3.5 Other Flight Hazards:** Land uses that may cause visual, electronic, or wildlife hazards, particularly bird strike hazards, to aircraft in flight or taking off or landing at the airport shall be allowed within the airport influence area only if the uses are consistent with FAA rules and regulations.

(a) Specific characteristics to be avoided include:

1. Sources of glare (such as from mirrored or other highly reflective buildings or building features) or bright lights (including search lights and laser light displays);
2. Distracting lights that could be mistaken for airport light
3. Sources of dust, steam, or smoke that may impair pilot visibility;
4. Sources of electrical interference with aircraft communications or navigation; and
5. Any proposed use that creates an increased attraction for wildlife and that is inconsistent with FAA rules and regulations including, but not limited to, FAA Order 5200.5A, Waste Disposal Sites on or Near Airports, and Advisory Circular 150/5200-33, Hazardous Wildlife Attractants On or Near Airports. Of particular concern are landfills and certain recreational or agricultural uses that attract large flocks of birds which pose bird strike hazards to aircraft in flight.

(b) To resolve any uncertainties with regard to the significance of the above types of flight hazards, local jurisdictions should consult with FAA officials.

### **3.1.4.3 Analysis of Project Effects and Determination as to Significance**

Land use and planning impacts are evaluated based on specified thresholds identified in the California Environmental Quality Act (CEQA) Guidelines, Appendix G (14 CCR 15000 et seq.).

This section assesses the land use impacts of the Proposed Project relative to potential conflicts with land use plans, policies, or regulations, such as the County General Plan. The County General Plan serves as the blueprint for growth and development in the unincorporated County. It is based on a set of guiding principles and consists of the following elements: Land Use, Mobility, Conservation and Open Space, Housing, Safety, and Noise. Each of these elements contains a set of goals and policies to which all discretionary development projects must adhere. In addition to the policy document, the County General Plan also consists of a land use map and mobility element network map. The land use map identifies the type and intensity of future uses on parcels of land throughout the County, whereas the mobility network delineates the road network that is required to accommodate these proposed uses. Finally, the County General Plan also consists of several community or subregional plans that are intended to provide more precise guidance regarding the character, land uses, and densities within each community planning area. All of these components make up the County General Plan.

The Proposed Project is a solar energy generation and storage facility, which includes a ~~switchyard~~ Switchyard Facilities that would be transferred to San Diego Gas & Electric (SDG&E) after construction. For the purposes of this analysis, the ~~switchyard~~ Switchyard Facilities (as described in Chapter 1.2.2 of this EIR) ~~is~~ are a component of the Proposed Project and ~~has~~ have been analyzed as part of the whole of the action. However, the EIR highlights the specific analysis of the ~~switchyard~~ Switchyard Facilities under each threshold of significance in the event that responsible agencies have CEQA obligations related to the ~~switchyard~~ Switchyard Facilities.

### **3.1.4.3.1 Physically Divide an Established Community**

#### Guidelines for the Determination of Significance

The County's Guidelines for Determining Significance do not include significance thresholds or guidance for determining significance for impacts to land use and planning. Therefore, for the purpose of this EIR, Appendix G of the CEQA Guidelines applies to the direct and indirect impact analysis, as well as the cumulative impact analysis. A significant impact would result if the project would:

- Physically divide an established community.

#### Analysis

The Project site is located directly to the east of the community of Jacumba Hot Springs. The Project proposes to develop a ~~643~~ 623-acre solar facility which would be located adjacent to the community of Jacumba Hot Springs. Access to Jacumba Hot Springs community and along Old Highway 80 would not be disturbed or divided by the Proposed Project. The facility is located adjacent to the community and would not transect or divide the main village residential and commercial areas of Jacumba Hot Springs. Since the Proposed Project would not divide the adjacent established community of Jacumba Hot Springs, the Proposed Project would have a **less than significant impact** with regard to physically dividing an established community.

#### Switchyard Facilities

The ~~switchyard~~ Switchyard Facilities site would be located on vacant land immediately surrounded by undeveloped land within the Project site. The ~~switchyard~~ Switchyard Facilities site is not located adjacent to the community of Jacumba Hot Springs. Therefore, the ~~switchyard~~ Switchyard Facilities would not physically divide Jacumba Hot Springs. As such, impacts relative to the ~~switchyard~~ Switchyard Facilities would be **less than significant**.

### 3.1.4.3.2 Conflict with an Applicable Land Use Plan, Policy, or Regulation

#### Guidelines for the Determination of Significance

The County's Guidelines for Determining Significance do not include significance thresholds or guidance for determining significance for impacts to land use and planning. Therefore, for the purpose of this EIR, Appendix G of the CEQA Guidelines applies to the direct and indirect impact analysis, as well as the cumulative impact analysis. A significant impact would result if the project would:

- Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect.

#### Analysis

##### Land Use Regulations

##### **Zoning**

The Proposed Project development footprint would be located on parcels currently zoned Specific Plan (S88), General Rural (S92), Open Space (S80), and Rural Residential (RR). In order to develop a solar facility on the Project site, discretionary actions from the County would be required, including a Major Use Permit (MUP). Pursuant to County Zoning Ordinance Section 2884, until a Specific Plan applicable to the property is adopted, Minor Impact Utilities are a permitted use in the area zoned as Specific Planning Area upon issuance with of a Minor Use Permit, and a Major Impact Service and Utility Type requires approval of a MUP. The Proposed Project is considered a Major Impact Service and Utility type of use that requires approval of a MUP on the Project site. The application for a MUP would be processed according to Section 7350 of the Zoning Ordinance, including making required findings pursuant to Sections 6954(b)(2) and 7358. Major impact services and utilities (e.g., solar generation facilities) and minor impact utilities (e.g., electrical distribution substations) are defined under Sections 1350 and 1355 of the County Zoning Ordinance (County of San Diego 2014). Minor impact utilities require a minor use permit, while major impact services and utilities require a MUP. Major impact services and utilities, however, may be conditionally permitted in any zone if it is determined that public interest supersedes the usual limitations placed on land use and transcends the usual restraints of zoning for reasons of necessary location and community-wide interest (Section 1350 in County of San Diego 2014). Sections 1350 and 1355 read as follows:

- **1350. Major Impact Services and Utilities.** The Major Impact Services and Utilities use type refers to public or private services and utilities which have substantial impact. Such uses may be conditionally permitted in any zone when the public interest supersedes the

usual limitations placed on land use and transcends the usual restraints of zoning for reasons of necessary location and community wide interest. Typical places or uses are schools, sanitary landfills, public and private airports, public park/playground/ recreational areas (other than public passive park/recreational areas), hospitals, psychiatric facilities, cemeteries, nursing homes, detention and correction institutions, trade schools (with outdoor training facilities), security or paramilitary type training facilities, or field medical training uses.

- **1355. Minor Impact Utilities.** The Minor Impact Utilities use type refers to public utilities which have a local impact on surrounding properties and are necessary to provide essential services. Typical uses are electrical and gas distribution substations.

Furthermore, Section 2888(a) of the Zoning Ordinance states that a “Major Use Permit may be granted for any use pursuant to a bonded agreement in an amount sufficient to ensure the removal of all buildings, structures, and other improvements within a specified time and/or under specified conditions when the decision-making body finds that such agreement will carry out the intent of this Ordinance and is enforceable by the County.” While the Major Use Permit will govern both the interim uses subject to County Zoning Ordinance Section 2888 and the Switchyard Facilities, the Switchyard Facilities, as a Minor Impact Utilities use, will not be required to be decommissioned because it is only subject to County Zoning Ordinance Section 2884. Additionally, after the Switchyard Facilities are constructed, it will be transferred to SDG&E and therefore only subject to California Public Utilities Commission jurisdiction.

### Land Use Plans and Policies

As demonstrated in Table 3.1.4-2, County Board of Supervisors Consistency Analysis, and Table 3.1.4-3, Land Development Ordinances Consistency Analysis, below, the Proposed Project would be consistent with applicable County Board of Supervisors policies and County ordinances. Table 3.1.4-4, County General Plan Consistency Analysis, below analyzes the Project’s consistency and/or inconsistency with applicable policies of the San Diego County General Plan, and Table 3.1.4-5, Mountain Empire Subregional Plan Consistency Analysis, below analyzes the Proposed Project’s consistency and/or inconsistency with the Mountain Empire Subregional Plan. Table 3.1.4-6 shows how the Proposed Project is consistent with the Jacumba ALUCP.

It should also be noted that the following County ordinances are not applicable to the Project for reasons as stated below:

- Centerline Ordinance Section 51.312 states the following: “(a) A property owner subject to section 51.303 shall make arrangements with the serving utility companies for all existing utility distribution facilities, including cable television lines, to place the facilities underground along the frontage of the property. This section shall not apply to the

installation and maintenance of overhead electric transmission lines in excess of 34,500 volts and long distance and trunk communications facilities.”

- This section of the Centerline Ordinance Section would not apply to the Proposed Project because the gen-tie line would be in excess of 34.5 kV.

Furthermore, as discussed in Section 3.1.4.2 Regulatory Setting, the California-Baja California Border Master Plan is in early conceptual planning stages for a new border crossing at the proposed Jacumba- Jacumé POE. Because a border crossing at this location is still in early planning stages, lacks funding for further development, there is no conflict with the Proposed Project.

Therefore, the Proposed Project would not conflict with an applicable land use plan or policy, and impacts associated with an applicable land use plan or policy would be **less than significant**.

#### **3.1.4.4 Cumulative Impact Analysis**

While land use and planning impacts tend to be localized, and specific impacts are tied either directly or indirectly to the specific action, the Proposed Project may have the potential to work in concert with other past, present, or future projects to either cause unintended land use impacts such as reducing available open space or accommodate increased growth that may result in more intensive land uses. Therefore, the geographic extent for cumulative analysis tends toward larger policy areas, such as the San Diego County General Plan and Mountain Empire Subregional Plan policy areas, as opposed to the more focused Project-specific impacts. For the threshold regarding physical division of an established community, the geographic areas for the cumulative analysis is limited to the Mountain Empire Subregional Plan Area, whereas the cumulative analysis of conflicts with an applicable land use plan is considered from a County-wide perspective.

Additionally, for each individual cumulative project that is introduced to the area, the Project would be required to analyze impacts related to land use and community character in accordance with CEQA.

##### **3.1.4.4.1 Physically Divide an Established Community**

The Project, in combination with cumulative projects (including decommissioning), would not disrupt or divide the established community of Jacumba Hot Springs, or any other established communities within the Mountain Empire Subregional Plan Area. The Proposed Project components would be located on a vacant site, with the exception of the structures associated with prior dairy and agricultural operations. The Jacumba Solar development is located approximately

1.75 miles east from the Project site’s eastern boundary. As such, the proposed placement of the Project components would not physically divide existing residential or other community development. Additionally, there are no occupied residential uses on site, nor are there residential uses immediately north or east of the Project site as the majority of existing residential



development is located immediately southwest of the Project site in Jacumba Hot Springs. Although the Project site is located directly to the east of the community of Jacumba Hot Springs and on both sides of Old Highway 80, which functions as the community's main street, access to Jacumba Hot Springs community and along Old Highway 80 would not be disturbed or divided by the Proposed Project. Adequate access to roadways and other rights-of-way would be maintained during all phases of each project. Therefore, the Proposed Project would not contribute to a cumulative impact to physical division of an established community; **cumulative impacts would be less than significant.**

#### **3.1.4.4.2 Conflict with an Applicable Land Use Plan, Policy, or Regulation**

The Proposed Project would be consistent with the policies in the Mountain Empire Subregional Plan, applicable County Board of Supervisors policies and County ordinances, consistent with policies of the adopted San Diego County General Plan, and consistent with the current Jacumba ALUCP. The Project would also implement the pertinent goals, policies, guidelines, and recommendations of all these applicable planning documents. Because the Project is consistent with the applicable land use plans, policies, and regulations, it would not conflict with such plans, policies, and regulations when combined with other projects. Therefore, the Proposed Project **would not contribute to a cumulatively considerable impact** related to environmental impacts due to conflicts with land use plans, designations, and policies.

#### **3.1.4.5 Significance of Impacts Prior to Mitigation**

##### Physically Divide a Community

The Proposed Project is a solar energy generation and storage project. The Project site is located directly to the east of the community of Jacumba Hot Springs. Access to Jacumba Hot Springs community and along Old Highway 80 would not be disturbed or divided by the Proposed Project. Since the proposed project would not divide the adjacent established community of Jacumba Hot Springs, the Proposed Project would have **less than significant impacts** with regard to physically dividing an established community.

##### Conflict with Land Use Plans, Designations and Policies

The Proposed Project would be consistent with the policies in the Mountain Empire Subregional Plan, applicable County Board of Supervisors policies and County ordinances, consistent with policies of the adopted San Diego County General Plan and consistent with the Jacumba ALUCP. The Project would also implement the pertinent goals, policies, guidelines, and recommendations of all these applicable planning documents. Because the Proposed Project is consistent with the applicable land use plans, policies, and regulations, it would not conflict with such plans, policies, and regulations and would have **less than significant impacts** due to conflicts with land use plans, designations, and policies.

**3.1.4.6 Mitigation Measures**

No mitigation is necessary.

**3.1.4.7 Conclusion**

The Proposed Project would not result in the division of an established community. The Proposed Project would also be consistent with applicable County Board of Supervisors policies and County ordinances, the County General Plan policies and the Mountain Empire Subregional Plan as amended and Jacumba ALUCP; therefore, the Project would not result in impacts due to conflicts with land use plans, designations, and policies.

Therefore, the Proposed Project's impacts related to land use and planning would be **less than significant**.

**Table 3.1.4-1  
Existing Zoning and Permitted Uses**

<b>Zone</b>	<b>Permitted Uses</b>
S88	family residential; civic uses, limited to fire protection services; and agricultural uses
S92	family residential; civic uses limited to essential services, fire protection services, and law enforcement services; and agricultural uses
S80	family residential; civic uses, limited to fire protection services; and agricultural uses
RR	family residential, civic uses, limited to fire protection services; and agricultural uses

Source: County of San Diego 2014b

**Table 3.1.4-2  
County Board of Supervisors Consistency Analysis**

<b>County Board of Supervisors Land Development Section I</b>	
<i>Policy</i>	<i>Project Consistency with Policy</i>
<p><b>Policy I-18: Right-of-Way Dedication and Public Improvement Requirements in Connection with Major and Minor Use Permits</b></p> <p>Where application is made pursuant to The Zoning Ordinance for a Major or Minor Use Permit and it is found that road improvements, drainage, sewage, fire protection or other public facilities and improvements (including the land, easements and rights-of-way therefore) are necessary to insure that the establishment or maintenance of the requested use will not be materially detrimental to the public health, safety or welfare or to the property or improvements in the vicinity and zone in which the subject property is located such use permit shall be issued only upon conditions that provision be made for such improvements and facilities including the land, easements and rights-of-way therefore).</p>	<p><b>Consistent:</b> Public drainage and sewage improvements would not be required for the Proposed Project as the Proposed Project would be an unmanned facility that would be controlled remotely and only have periodic workers for routine repair, maintenance and inspection.</p> <p>Improvements to roadways required to facilitate construction and operation of the Project would be constructed pursuant to County standards for the intended use of the roadways. Additionally, a Fire Protection Plan (FPP) has been prepared for the Proposed Project (Appendix N), and with the implementation of <b>M-WF-1</b>, the design and protection measures of the FPP would be implemented to address any fire suppression design measures and emergency access requirements for the Project.</p>
<p><b>Policy I-60: Prohibition of Grading Until Annexation or Other Discretionary Actions are Completed</b></p> <p>1. A grading permit for any project requiring discretionary approvals shall not be issued until all discretionary permits or approvals that can be determined as necessary in light of the project detail shown on the plan or permit application or known or reasonably inferred by the County Official, including those by other governmental agencies, such as Special Districts, or the Coastal Commission have been obtained.</p> <p>Where the Board of Supervisors, the Planning Commission, Director of Planning and Development Services or Zoning Administrator approval is conditional on discretionary actions by other governmental agencies, the resolution</p>	<p><b>Consistent:</b> Grading would be performed; therefore, grading permits from the County would be required. The Applicant would also obtain all necessary and required discretionary permits and approvals before a grading permit is issued.</p>

**Table 3.1.4-2  
County Board of Supervisors Consistency Analysis**

<b>County Board of Supervisors Land Development Section I</b>	
<i>Policy</i>	<i>Project Consistency with Policy</i>
<p>should note which actions, if any, are prerequisite to the issuance of a grading permit.</p> <p>2. PDS will inform the applicant after an initial review of a project application, of all County discretionary permits or approvals which will be necessary for the project and will ensure that the requirement for obtaining such permits or approvals is incorporated in any associated conditional approval. The applicant should be encouraged to seek relating County discretionary approvals by concurrent processing of appropriate applications.</p>	
<p><b>Policy I-84: Project Facility Availability and Commitment for Public Sewer, Water, School and Fire Services</b></p> <p>C. No building permit, nor permit for the grading of a site in preparation for construction, will be issued until evidence of permanent water and sewer facility commitment (where such facilities are required by the project) is submitted to the County.</p> <p>The Project Facility Availability forms request standard information on the ability of special districts and other facility providers to potentially provide facilities to serve a project. They also allow facility providers to recommend specific requirements that may be made conditions of project approval.</p> <p>D. For Sewer and Water Facility Only</p> <p>1. Facility Availability (PFA Form)</p> <p>a. A Project Facility Availability form will be required at project intake. In order to be considered affirmative, a completed Project Facility Availability form shall contain a statement from the facility provider that it is reasonably expected that the facility provider will be able to give a commitment for facilities to serve the project at the time of need.</p> <p>E. For Fire Protection and Emergency Services Facilities Only</p> <p>For approval for all discretionary applications, sufficient fire protection and emergency service facilities must be available concurrent with need, and response times must be adequate, as</p>	<p><b>Consistent:</b> During construction of the Proposed project, water would be required for clearing, grading, dust control, dust abatement, and other construction needs, such as washing stations for vehicles/equipment. During operation, water would be required for washing solar panels and landscaping. The project would use onsite groundwater wells. The Proposed Project would have not full-time workers, only periodic maintenance. No public sewer service is required.</p> <p>With the implementation of <b>M-WF-3</b>, the Proposed Project would participate in a Fire Protection and Mitigation Agreement with San Diego County Fire Authority (SDCFA) to improve SDCFA's capacity to provide fire and emergency protection services. Additionally, an FPP (and its associated Construction Fire Protection Plan (CFPP)) (Appendix N) has been prepared for the Proposed Project and approved by the County Fire Authority.</p> <p>With the implementation of <b>M-WF-1</b> (FPP) and <b>M-WF-2</b> (CFPP), the fire protection measures of the FPP would be implemented. The San Diego County Fire Authority, in collaboration with CAL FIRE would provide fire protection services to the Proposed Project site as well as to the fire protection district. No additional demand on police would result from the Proposed Project.</p>

**Table 3.1.4-2  
County Board of Supervisors Consistency Analysis**

<b>County Board of Supervisors Land Development Section I</b>	
<i>Policy</i>	<i>Project Consistency with Policy</i>
<p>detailed in the Public Facility Element of the General Plan. This information will be requested from the fire protection agency.</p>	
<p><b>Policy I-111: Land Use Policy for Discretionary Permits Adjacent to the International Border.</b> It is the policy of the Board of Supervisors that for discretionary permits requested for properties located within 150 feet from the International Border, the following shall apply:</p> <ol style="list-style-type: none"> <li>1. Upon the receipt of such above described application, the Department of Planning and Development Services (PDS) shall notify the Department of Homeland Security (DHS) of such pending application and of the provisions of this policy.</li> <li>2. Such application shall not be deemed complete until one of the following occurs:               <ol style="list-style-type: none"> <li>a. A letter submitted from the DHS indicating they do not plan on entering into negotiations toward purchasing rights to the open space corridor located on the property subject to the application.</li> <li>b. Ninety days has elapsed from the date of original submittal and the DHS has not indicated to the Department that they are interested in opening negotiations regarding an open space corridor.</li> <li>c. A letter is submitted from DHS indicating that negotiations have been completed, or attempts to purchase have been abandoned.</li> <li>d. One hundred eighty days have elapsed from the date upon which the letter from the DHS indicating intent to negotiate was received by the Department of Planning and Development Services.</li> </ol> </li> </ol>	<p><b>Consistent.</b> The Project's parcels that are adjacent to the International Border all have a D-Designator (Special Area Regulation) that prescribe specific actions to be taken relative to development along the International Border. On December 18, 2018, DHS was notified that a portion of the Project would be within the 90-foot of the Public Reserve Area. On January 21, 2019, DHS stated that the Proposed Project would not be a significant impact to Border Patrol operations or access to the area. The 90-feet of open corridor was deemed unnecessary to DHS. Therefore, the Proposed Project complies with Board Policy I-111.</p>

**Table 3.1.4-3  
Land Development Ordinances Consistency Analysis**

Ordinance	Project Consistency with Ordinance
<p><b>Resource Protection Ordinance</b> The purpose of this ordinance is to protect sensitive lands (wetlands, floodplains, steep slopes, sensitive biological habitats, and prehistoric and historic sites) and prevent their degradation and loss by requiring a Resource Protection Study for certain discretionary projects. It is the intent of this ordinance to increase the preservation and protection of the County's unique topography, natural beauty, diversity, and natural resources and a high quality of life for current and future residents of the County of San Diego.</p>	<p><b>Consistent.</b> As discussed in Section 2.3 Biological Resources, the Proposed Project, with mitigation, would provide for protection and conservation of special-status species and natural communities. The Proposed Project avoid impacts to known cultural resources.</p>
<p><b>Noise Ordinance</b> The purpose of this ordinance is to regulate noise in the unincorporated area of the County to promote the public health, comfort and convenience of the County's inhabitants and its visitors.</p>	<p><b>Consistent.</b> As discussed in Section 2.9, Noise, with implementation of <b>M-NOI-1</b> and <b>M-NOI-2</b>, predicted noise impacts associated with operation of on-site equipment received at adjacent properties would be less than significant with respect to County hourly daytime and nighttime noise thresholds. Also, as presented in Section 2.9, with implementation of <b>M-NOI-3</b>, predicted noise impacts associated with Proposed Project construction activities, including conventional construction equipment vehicles operating across the site and post-driving processes taking place near the proposed Project boundary, received at adjacent residences would be less than significant.</p>
<p><b>Zoning Ordinance</b> The purpose of the Zoning Ordinance is to specify the range and combinations of uses necessary to meet requirements for residential and non-residential development within San Diego County as set forth in the policies and principles of the San Diego County General Plan.</p>	<p><b>Consistent.</b> Per the County Zoning Ordinance, solar projects are allowed on lands zoned General Rural (S92), Specific Plan (S88), Open Space (S80), Rural Residential (RR); however, solar projects and other major impact services and utilities are subject to the issuance of a MUP. Upon approval of the MUP, the Proposed Project would be consistent with the Zoning Ordinance.</p> <p>Additionally, the Proposed Project is located within the AIA of the Jacumba Airport, for which the County Regional Airport Authority has adopted the Jacumba ALUCP, and is therefore subject to Sections 5250 through 5260 of the County Zoning Ordinance. The Project would be required to file a Notice of Proposed Construction or Alteration (Form 7460-1) with the Federal Aviation Administration (FAA). Based on the information provided in Form 7460-1, the FAA has determined that the Proposed Project would not present a hazard to airspace or navigation.</p>

**Table 3.1.4-4  
County General Plan Consistency Analysis**

Policy	Project Consistency with Policy
<p><b>LU-1.9: Achievement of Planned Densities.</b>  <u>Recognizing that the General Plan was created with the concept that subdivisions will be able to achieve densities shown on the Land Use Map, planned densities are intended to be achieved through the subdivision process except in cases where regulations or site specific characteristics render such densities infeasible.</u></p>	<p><b>Consistent:</b> Other than the Switchyard Facilities, the Proposed Project would be an interim use that would be decommissioned at the end of the permitted use. Accordingly, the Proposed Project is consistent with this policy because residential densities planned for the Project site can be achieved at that future time, assuming market conditions and County decisionmakers allow.</p>
<p><b>Policy LU-2.8: Mitigation of Development Impacts</b>            Require measures that minimize significant impacts to surrounding areas from uses or operations that cause excessive noise, vibrations, dust, odor, aesthetic impairment, and/or are detrimental to human health and safety.</p>	<p><b>Consistent:</b> The Proposed Project would be consistent with this policy. Implementation of the Proposed Project mitigation measures would reduce Project-generated impacts to the extent feasible. As described in Section 2.2, Air Quality, of this EIR strategies the Proposed Project would comply with SDAPCD Rule 55 and control dust include watering three times per day, using magnesium chloride for dust suppression on unpaved roads, and limiting speed on unpaved roads to 15 miles per hour. Construction of Proposed Project components would result in the emission of diesel fumes and other odors typically associated with construction activities; however, odors are highest near the source and would quickly dissipate. Any odors associated with construction activities would be temporary and would cease upon Proposed Project completion.</p> <p>Section 2.1 Aesthetics, of this EIR, identifies mitigation measures (<b>M-AE-1 through M-AE-6</b>) to reduce the impacts of the Project facilities related to views from public roads, scenic vistas and visual character. Even with the implementation of mitigation measures, the Proposed Project's impacts to visual resources remains significant and unavoidable.</p> <p>As discussed in Section 2.6, Hazards and Hazardous Materials of this EIR, the Proposed Project would be in compliance with applicable hazardous substance regulations and would not generate hazardous waste regulated under H&amp;SC Chapter 6.5, and/or store hazardous substances in underground storage tanks regulated under H&amp;SC Chapter 6.7. The Proposed Project would not be located within 0.25 miles of a school or daycare facility.</p> <p>As further discussed in Section 2.9, Noise, of this EIR with implementation of <b>M-NOI-1, M-NOI-2</b> and <b>M-NOI-3</b>, the construction and operational noise impacts from the Proposed Project n would be less than significant.</p>
<p><b>Policy LU-4.6: Planning for Adequate Energy Facilities.</b> Participate in the planning of regional energy infrastructure with applicable utility providers to ensure plans are consistent with the County's General Plan and Community Plans and minimize adverse impacts to the unincorporated County.</p>	<p><b>Consistent.</b> The Proposed Project would be consistent with this policy. A main objective of the Proposed Project would be to develop a utility-scale solar energy project that improves local electrical reliability for the San Diego County and other counties by providing a source of local generation as near as possible to existing SDG&amp;E transmission infrastructure. As discussed in Section 3.1.2, Energy, the Proposed Project is expected to produce an estimated 211,159 283,000 megawatt</p>

**Table 3.1.4-4  
County General Plan Consistency Analysis**

Policy	Project Consistency with Policy
	hours of renewable electricity per year with a maximum storage capacity of up to 90 MW (180 MWh) per year. The Proposed Project's consistency with the County's General Plan, the Mountain Empire Subregional Plan and the Jacumba Subregional Group Area Plan are discussed in this EIR section.
<p><b>Policy LU-4.7: Airport Land Use Compatibility Plans (ALUCP).</b> Coordinate with the Airport Land Use Commission (ALUC) and support review of Airport Land Use Compatibility Plans (ALUCP) for development within Airport Influence Areas.</p>	<p><b>Consistent.</b> The Proposed Project would be consistent with this policy. The Project site is located within the AIA of the Jacumba Airport, for which the County Regional Airport Authority has adopted the Jacumba ALUCP, and is therefore subject to Sections 5250 through 5260 of the County Zoning Ordinance. The Project has been designed in accordance with the Jacumba ALUCP and would be required to file a Notice of Proposed Construction or Alteration (Form 7460-1) with the Federal Aviation Administration (FAA). Based on the information provided in Form 7460-1, the FAA has determined that the Project would not present a hazard to airspace or navigation.</p>
<p><b>Policy LU-5.3: Rural Land Preservation</b> Ensure the preservation of existing open space and rural areas (e.g., forested areas, agricultural lands, wildlife habitat and corridors, wetlands, watersheds, and groundwater recharge areas) when permitting development under the Rural and Semi-Rural Land Use Designations.</p>	<p><b>Consistent.</b> The Proposed Project would be consistent with this policy. The Project site does not include any existing open space easements. The Project site includes a small area (37.88 acres) designated Rural Lands as well as jurisdictional aquatic resources as defined by Section 404 of the Clean Water Act.</p> <p>However, as discussed in Section 3.1.1 Agricultural Resources, the Project site does not have important agricultural resources, as defined by the LARA Model. And the Project only proposes an interim use of the site; the solar facility (except for <del>switchyard</del> <u>Switchyard</u> Facilities) would be decommissioned after 35 years. As a result, the Project would not substantially impair the ongoing viability of the site for agricultural use, and impacts would be less than significant. Mitigation would ensure impacts to wetlands and jurisdictional resources are reduced to less than significant levels.</p> <p>During operation of the Project, water demand would not exceed the threshold of 50% reduction in groundwater storage, nor would the Project result in adverse impacts to groundwater dependent habitat or well interference habitat near groundwater wells.</p> <p>Implementation of <b>PDF-HYD-2 (GMMP)</b> would ensure the groundwater wells used will be monitored throughout the implementation of the Project. Therefore, impacts to groundwater as a result of the proposed Project would be less than significant, and no mitigation measures would be required. In addition, as discussed in Section 2.7, Hydrology and Water Quality, the Project site would consist of primarily permeable surfaces to allow for groundwater recharge similar to that under current conditions.</p>



**Table 3.1.4-4  
County General Plan Consistency Analysis**

Policy	Project Consistency with Policy
	<p>The Project would take into consideration the existing natural features throughout the site to avoid sensitive environmental resources to the extent practicable.</p> <p>In addition, the agricultural operations in the surrounding area are composed primarily of irrigated row crops and dairy farms, but no such operations occur within 0.25 miles of the Project site. Additionally, since no areas under a Williamson Act Contract are within 0.25 miles of the Project site, the Proposed Project would not involve changes to the existing environment that, due to their location or nature, could indirectly result in the conversion of off-site agricultural resources to non-agricultural use, or could adversely impact the viability of agriculture on land under a Williamson Act Contract.</p> <p>The Proposed Project would not introduce sensitive receptors that could object to ongoing agricultural operations. Additionally, the Proposed Project would not obstruct, interrupt, or detract from potential agricultural operations within the ZOI, or be detrimental to surrounding properties. Accordingly, the Proposed Project would not result in any additional pressure to convert surrounding agricultural lands. Lastly, there are no agricultural preserves and no active agricultural production exists within 0.25 miles of the Project site.</p>
<p><b>Policy LU-5.5: Projects that Impede Non-Motorized Travel</b> Ensure that development projects and road improvements do not impede bicycle and pedestrian access. Where impacts to existing planned routes would occur, ensure that impacts are mitigated and acceptable alternative routes are implemented.</p>	<p><b>Consistent.</b> The Proposed Project would be consistent with this policy. The Proposed Project does not propose any features or improvements that would impede bicycle and pedestrian access. There are currently no existing bicycle or pedestrian access points to the Project site or on surrounding access roads and Old Highway 80. Primary access to the proposed solar facility and substation/<del>switchyard</del> <u>Switchyard Facilities</u> would be provided via access driveways off of Old Highway 80 and Carrizo Gorge Road.</p>
<p><b>Policy LU-6.1: Environmental Sustainability</b> Require the protection of intact or sensitive natural resources in support of the long-term sustainability of the natural environment.</p>	<p><b>Consistent.</b> The Proposed Project would be consistent with this policy. A portion of the site was historically disturbed by prior agricultural operations. As discussed in Section 2.3 Biological Resources, of this EIR, the Proposed Project would potentially result in significant direct and indirect impacts to biological resources, including vegetation communities and land covers. All project impacts to sensitive natural resources will be mitigated to below a level of significance. Mitigation for habitat impacts will be located in areas that contribute significant resources to an integrated preserve system. Impacts to biological resources would be mitigated to less than significant.</p>
<p><b>Policy LU-6.5: Sustainable Stormwater Management</b> Ensure that development minimizes the use of impervious surfaces and incorporates other Low Impact</p>	<p><b>Consistent.</b> The Proposed Project would be consistent with this policy. As discussed in Section 2.7, Hydrology and Water Quality, the Proposed Project would incorporate LID features</p>

**Table 3.1.4-4  
County General Plan Consistency Analysis**

Policy	Project Consistency with Policy
<p>Development techniques as well as a combination of site design, source control, and stormwater best management practices, where applicable and consistent with the County's LID Handbook.</p>	<p>that conserve natural features, set back development from natural water bodies, minimize imperviousness, maximize infiltration, and retain and slow runoff. Additional Best Management Practices (BMPs) will be incorporated into the Project to address potential and anticipated water quality impacts. Solar development has been determined to be a non-priority development project (PDP) by the County of San Diego and the local Regional Water Quality Control Board and therefore, the project is not subject to hydromodification requirements. The Project will implement a Standard Stormwater Quality Management Plan (SWQMP) requirements as shown in Appendix K. The use of impermeable surfaces would be minimized to the extent practicable, however, concrete foundations for the substation components would include impervious surfaces, The Proposed Project would add only 4.96.65 acre of impervious surfaces to the site.</p>
<p><b>LU-6.6: Integration of Natural Features into Project Design</b> Require incorporation of natural features (including mature oaks, indigenous trees, and rock formations) into proposed development and require avoidance of sensitive environmental resources.</p>	<p><b>Consistent.</b> The Proposed Project would be consistent with this policy. The Project site does not include any mature oaks or indigenous trees that require avoidance or integration into the project design. Existing rock formations on the site would be avoided by project design.. The San Diego County Department of Planning &amp; Development Services landscape architect shall require that all final landscape plans comply with the following: no invasive plant species, as included on the most recent version of the California Invasive Plant Council's California Invasive Plant Inventory for the project region shall be included, and the plant palette shall be composed of native species that do not require high irrigation rates. The Project Biologist shall periodically check landscape products for compliance with these requirements.</p>
<p><b>Policy LU-6.9: Development Conformance with Topography</b> Require development to conform to the natural topography to limit grading; incorporate and not significantly alter the dominant physical characteristics of a site; and to utilize natural drainage and topography in conveying stormwater to the maximum extent practicable.</p>	<p><b>Consistent.</b> The Proposed Project would be consistent with this policy. Grading required for the installation of the solar facility would be consistent with the requirements of the County Grading Ordinance. The Project will require a Major L-Grade Grading permit; however, during construction, the implementation of required erosion control measures, stormwater management plans, and BMPs would minimize potential erosion and sedimentation impacts to a less than significant level. Approximately 643 acres within the Project area that comprises the proposed solar facility and related improvements would be graded. As discussed in Section 2.7, Hydrology and Water Quality, <b>PDF-HYD-1</b> and <b>M-HYD-1</b> would ensure that flood flows would not be redirected or impeded. The required Standard SWQMP, SWPPP, and requirements to obtain permits from the ACOE and RWQCB pursuant to the Clean Water Act, would be implemented. Impacts would be less than significant with implementation of mitigation.</p>

**Table 3.1.4-4  
County General Plan Consistency Analysis**

Policy	Project Consistency with Policy
<p><b>Policy LU-6.10: Protection from Hazards</b> Require that development be located and designed to protect property and residents from the risks of natural and man-induced hazards.</p>	<p><b>Consistent.</b> The Proposed Project would be consistent with this policy. As discussed in Section 2.6, Hazards and Hazardous Materials, of this EIR, the Proposed Project would be in compliance with applicable hazardous substance regulations and would not generate hazardous waste regulated under H&amp;SC Chapter 6.5, and/or store hazardous substances in underground storage tanks regulated under H&amp;SC Chapter 6.7. The Proposed Project would not be located within 0.25 miles of a school or daycare facility. A Phase I Environmental Site Assessment were prepared for the Proposed Project and sampling results indicated that the on-site soils do not have concentrations of heavy metals (including arsenic and lead), dioxins, or furans that would pose a hazard and require remediation. The records search conducted as part of the Phase I did not indicate that off-site sources of hazardous materials exist that would impact the site.</p> <p>Proposed development of the site does not interfere with implementation of emergency responses in the area. The Project site is located adjacent to the Jacumba Airport and is designed to prevent hazards for air traffic in the area. With implementation of <b>M-WF-1</b> (FPP), the Proposed Project would be in compliance with applicable fire codes and would reduce potential impacts associated with wildfire hazards. With the implementation of <b>M-WF-3</b>, the Proposed Project would participate in a Fire Protection and Mitigation Agreement with SDCFA to improve SDCFA's capacity to provide fire and emergency protection services.</p> <p>As discussed in Section 2.5, Geology, Soils and Seismicity, of this EIR, the Proposed Project would be designed in accordance with the seismic design requirements of the California Building Code (CBC), which contains universal standards for seismically sound site preparation and grading practices, foundations design, and guidelines for the appropriate selection and use of construction materials. Also as required in <b>M-GEO-1</b>, a more comprehensive Geology and Soils Report evaluation would be conducted and the design requirements recommended for potential liquefaction and expansive soils impacts would be followed.</p> <p>Therefore, impacts would be less than significant with the implementation of mitigation.</p>
<p><b>Policy LU-7.1: Agricultural Land Development.</b> Protect agricultural lands with lower-density land use designations that support continued agricultural operations.</p>	<p><b>Consistent.</b> The Proposed Project would be consistent with this policy. The Project does not propose to change any zoning or land use designations on the site, and as such, will not impact any nearby agricultural operations. As discussed in Section 3.1.1, Agricultural Resources, the Project site does not have important agricultural resources, as defined by the LARA Model. As a result, the Proposed Project would not</p>

**Table 3.1.4-4  
County General Plan Consistency Analysis**

Policy	Project Consistency with Policy
	<p>substantially impair the ongoing viability of the site for agricultural use, and impacts would be less than significant. The Project site is largely an undeveloped ranch land and does not contain any current major agricultural uses or irrigated croplands. Based on current site visits and environmental field surveys conducted for the Proposed Project, there is no evidence of current agricultural activity occurring on the Project site. As seen in Figure 3.1.1-2, Zone of Influence Important Farmlands, portions of the Project site are designated under the state Farmland Mapping and Monitoring Program as Prime Farmland, Farmland of Local/State Importance, or Unique Farmland.</p>
<p><b>Policy LU-7.2: Parcel Size Reduction as Incentive for Agriculture.</b> Allow for reductions in lot size for compatible development when tracts of existing historically agricultural land are preserved in conservation easements for continued agricultural use.</p>	<p><b>Consistent.</b> The Proposed Project would be consistent with this policy. As discussed in Section 3.1.1, Agricultural Resources, of this EIR, the site also has portions that have been used as historical field or pasture agricultural lands. However, the Project would not conflict with a Williamson Act Contract or agricultural preserve. The Proposed Project would not change the rural characteristics of the area, as there are no active agricultural operations in the Proposed Project's Zone of Influence (ZOI). Consequently, the Proposed Project would not obstruct, interrupt, or detract from existing agricultural operations within the ZOI, or be detrimental to surrounding properties. Since there are no active agricultural lands within 0.25 miles of the Project site, this would not result in any additional pressure to convert surrounding agricultural lands.</p> <p>The Proposed Project does not propose residential uses; therefore, the Proposed Project would not conflict with surrounding agricultural uses as it pertains to introduction of residential uses to the area.</p>
<p><b>Policy LU-8.1: Density Relationship to Groundwater Sustainability.</b> Require land use densities in groundwater dependent areas to be consistent with the long-term sustainability of groundwater supplies, except in the Borrego Valley.</p>	<p><b>Consistent.</b> The Proposed Project would be consistent with this policy. As discussed in Section 2.7, Hydrology and Water Quality, impacts to groundwater would be less than significant. With the implementation on <b>PDF-HYD-2 (GMMP)</b> the Proposed Project groundwater pumping will be monitored to ensure nearby groundwater-dependent vegetation is not adversely impacted and the Project would not cause well interference.</p> <p>Recharge will offset groundwater-level decline related to groundwater extraction during periods of above-average annual rainfall (non-drought conditions). Therefore, impacts to groundwater as a result of the Proposed Project would be less than significant.</p>
<p><b>Policy LU-8.2: Groundwater Resources</b> Require development to identify adequate groundwater resources in groundwater dependent areas, as follows:</p>	<p><b>Consistent.</b> The Proposed Project would be consistent with this policy. The Proposed Project would use groundwater from on-site wells. A Groundwater Investigation Report (Appendix J of this EIR) has been prepared for each of the groundwater</p>

**Table 3.1.4-4  
County General Plan Consistency Analysis**

Policy	Project Consistency with Policy
<ul style="list-style-type: none"> <li>□ In areas dependent on currently identified groundwater overdrafted basins, prohibit new development from exacerbating overdraft conditions. Encourage programs to alleviate overdraft conditions in Borrego Valley.</li> <li>□ In areas without current overdraft groundwater conditions, evaluate new groundwater dependent development to assure a sustainable long-term supply of groundwater is available that will not adversely impact existing groundwater users.</li> </ul>	<p>wells identified for use by the Proposed Project. As discussed in Section 2.7, Hydrology and Water Quality, of this EIR, potential impacts to groundwater resources in the project area as well as off-site sources have been analyzed and the Jacumba Valley Groundwater Basin has not been demonstrated to be in overdraft condition; therefore, significance thresholds related to groundwater overdraft conditions are not applicable to the Proposed Project. The Proposed Project development would not impact the long term supply of groundwater, and the Project's water use is minimal compared to the amount of water stored in the Basin. However, to ensure that County significance thresholds related to groundwater-dependent habitat are not exceeded, the applicant has prepared and will implement <b>PDF-HYD-2</b> (GMMP), which will ensure that the use of groundwater from on-site wells will be monitored and will not result in a significant impact to groundwater dependent habitat or well interference.</p>
<p><b>Policy LU-8-3: Groundwater Dependent Habitat.</b> Discourage development that would significantly draw down the groundwater table to the detriment of groundwater-dependent habitat.</p>	<p><b>Consistent.</b> The Proposed Project is consistent with this policy. Please refer to Policy LU-8.2 consistency analysis, above. The Hydrology and Water Quality (Section 2.7 of this EIR) found that the Proposed Project development would not impact long the long-term supply of groundwater, and the Proposed Project's water use is minimal compared to the amount of water stored in the Basin. However, the Proposed Project will incorporate <b>PDF-HYD-2</b> (GMMP) to ensure that the use of groundwater from an on-site well will not result in a significant impact to groundwater-dependent habitat or well interference.</p>
<p><b>Policy LU-10.2: Development–Environmental Resource Relationship</b> Require development in semi-rural and rural areas to respect and conserve the unique natural features and rural character and avoid sensitive or intact environmental resources and hazard areas.</p>	<p><b>Consistent.</b> The Proposed Project is consistent with this policy. The Proposed Project has been designed in accordance with the Resource Protection Ordinance and would conserve unique natural features and rural character to the extent feasible. Please refer to Policy LU-5.3 consistency analysis above. The Project site does not contain any unique natural features or hazard areas that require avoidance. As discussed in Section 3.1.1, Agricultural Resources, the Project would not substantially impair the ongoing viability of the site for agricultural use, and impacts would be less than significant. As discussed in Section 2.3, Biological Resources, of this EIR, prior to mitigation, development of the Proposed Project would result in potentially significant short-term and long-term direct and/or indirect impacts to special-status plants, special-status wildlife species, and wildlife habitat, as well as short-term direct impacts to wildlife movement. Biological mitigation measures includes biological monitoring, temporary construction fencing, habitat preservation through open space</p>

**Table 3.1.4-4  
County General Plan Consistency Analysis**

Policy	Project Consistency with Policy
	<p>easements and replanting in suitable mitigation lands, a resources management plan, nesting bird surveys, bat surveys and roost avoidance or exclusion, biological monitoring of a SWPPP, prevention of chemical pollutants, prevention of invasive plant species, O&amp;M signage, and noise reduction measures. In addition, dust control measures and implementation of the FPP would reduce potential impacts. All significant impacts would be reduced to less than significant with implementation of mitigation measures.</p>
<p><b>Policy LU-12.1: Concurrency of Infrastructure and Services with Development</b> Require the provision of infrastructure, facilities, and services needed by new development prior to that development, either directly or through fees. Where appropriate, the construction of infrastructure and facilities may be phased to coincide with project phasing.</p>	<p><b>Consistent.</b> The Proposed Project is consistent with this policy. As discussed in Section 3.1.6, Public Services, of this EIR, Police protection in the project area is served by the San Diego County Sheriff's Department, California Highway Patrol, and U.S. Customs and Border Protection. Although the number of workers on the Project site would temporarily increase by up to a maximum of approximately 500 workers on any given day at peak construction, and up to a maximum of approximately 250 workers on any given day during decommissioning activities, this increase is not expected to substantially increase the number of police protection service calls that would require new or expanded police facilities. The Proposed Project does not anticipate any full-time personnel on site but may include up to five people on site during operations, inspections, maintenance, and repair activities. Therefore, impacts to police protection services would be less than significant.</p> <p>Implementation of <b>M-WF-1</b> (FPP) and <b>M-WF-2</b> (CFPP) provide fire protection measure which would reduce fire hazards.</p> <p>Further, the Proposed Project would participate in a Fire Services Agreement with SDCFA (<b>M-WF-3</b>) to contribute funding for SDCFA equipment and personnel to mitigate risks of fires and to enhance fire suppression services in the Project area. Any increase in equipment or personnel required to service the Proposed Project will fit within the current capacity of fire service facilities in the Project area. The Proposed Project would not result in demand that would require new or expanded fire facilities during either the Proposed Project construction, operation or decommissioning. Accordingly, the Proposed Project's construction, operation, and decommissioning would have no impact related to the provision of new or physically altered governmental facilities. The Proposed Project would not significantly alter the demand for schools, parks, or police facilities.</p>
<p><b>Policy LU-12.2: Maintenance of Adequate Services</b> Require development to mitigate significant impacts to existing service levels of public facilities or services for existing residents and businesses. Provide</p>	<p><b>Consistent.</b> The Proposed Project would be consistent with this policy. The Proposed Project would include a total of six access driveways. Four of the driveways would be 24-foot wide, would be all-weather and would support a 50,000 pound</p>

**Table 3.1.4-4  
County General Plan Consistency Analysis**

Policy	Project Consistency with Policy
<p>improvements for Mobility Element roads in accordance with the Mobility Element Network Appendix matrices, which may result in ultimate build-out conditions that achieve an improved Level of Service (LOS) but do not achieve a LOS of D or better.</p>	<p>load bearing capacity as required by County Fire. The <del>switchyard</del> <u>Switchyard Facilities</u> would have an improved access from an existing access road on Carrizo Gorge Road that would be improved to 30-foot-wide. Each site entrance would feature a manual swing gate, and a sign with a lighted directory map and contact information. All entrance gates would feature a 'Knox Box' for emergency access. Interior access roads would be provided to serve as fire access and service roads. As discussed in Section 3.1.7, Traffic and Transportation, according to the Mountain Empire Mobility Element Network Map, Old Highway 80 and Carrizo Gorge Road are classified as a Mobility Element Road. Safe and adequate sight distance would be required at all new driveways to the satisfaction of the County Director of the Department of Public Works, and all improvements would be constructed according to County private road standards. All intersections would operate at acceptable levels during both the AM and PM peak periods with the addition of the proposed construction traffic from the larger Proposed Project that could include up to 500 construction workers; therefore, the impacts would be less than significant. Additionally, with the implementation of <b>PDF-TR-1</b>, a Traffic Control Plan would be implemented and followed. The Traffic Control Plan would include construction notification procedures in accordance with County and Caltrans' requirements. With implementation of <b>M-WF-2</b> (CFPP) Project construction would be subject to the design measures prepared for the Project, which would ensure access for emergency responders during the construction phase.</p> <p>Additionally, through the implementation of <b>M-WF-3</b>, the Proposed Project would contribute funds to fire and emergency medical services to improve response capabilities in the area through a Fire Protection and Mitigation Agreement (see Section 2.12, Wildfire).</p>
<p><b>Policy LU-13.2: Commitment of Water Supply</b> Require new development to identify adequate water resources, in accordance with state law, to support the development prior to approval.</p>	<p><b>Consistent.</b> The Proposed Project would be consistent with this policy. The Proposed Project would use water from two onsite groundwater wells. As discussed in Section 3.1.8 Utilities and Service Systems, the Project site is located in a groundwater-dependent area of San Diego County. The Proposed Project would not be served by the Jacumba Community Services District (JCSD), which provides groundwater to the village area adjacent to the Project site. Therefore, the Project proposes to use groundwater from two existing onsite wells to supply water demand. The Proposed Project is estimated to extract a very low amount of groundwater as compared to the most recently calculated groundwater in storage. The Jacumba Valley alluvial aquifer would have sufficient water supply to serve the Proposed Project and on-site groundwater wells have sufficient capacity</p>

**Table 3.1.4-4  
County General Plan Consistency Analysis**

Policy	Project Consistency with Policy
	to meet Project water demand. Thus, because the applicant has identified viable sources of water to supply both construction and operation needs, the Proposed Project’s impact on water supplies and systems would be less than significant.
<p><b>Policy Mobility (M)-2.1:</b> Level of Service Criteria. Require development projects to provide associated road improvements necessary to achieve a level of service of “D” or higher on all Mobility Element roads except for those where a failing level of service has been accepted by the County pursuant to the criteria outlined in the General Plan (Criteria for accepting a road classification with Level of Service E/F). When development is proposed on roads where a failing level of service has been accepted, require feasible mitigation in the form of road improvements or a fair share contribution to a road improvement program, consistent with the Mobility Element road network.</p>	<p><b>Consistent.</b> It should be noted that Level of Service (LOS) can no longer be used within CEQA to determine a physical impact on the environment (Section 15064.3 of the CEQA Guidelines). The consistency analysis that follows is provided to demonstrate compliance with the County’s General Plan policies, which include LOS criteria. The Proposed Project is consistent with this policy. The Proposed Project’s Local Mobility Analysis (LMA) prepared by Kimley Horn &amp; Associates, provides level of service analysis of four study area intersections and five project access driveways noted below. The LMA is included as Appendix Q in the EIR.</p> <p>Study Area Intersections:</p> <p>I-8 Access Road &amp; I-8 Westbound On/Off Ramp I-8 Access Road &amp; I-8 Eastbound On/Off Ramp I-8 Access Road &amp; Carrizo Gorge Road</p> <p>Old Highway 80 &amp; Carrizo Gorge Road</p> <p>Project Access Driveways:</p> <p>Carrizo Gorge Road &amp; Access 1 Carrizo Gorge Road &amp; Access 2 Carrizo Gorge Road &amp; Access 3 Carrizo Gorge Road &amp; Access 4</p> <p>Old Highway 80 &amp; Access 5 (north and south driveways)</p> <p>As shown in the LMA, all the above-mentioned study area intersections would operate at LOS D or better during both the AM and PM peak periods with the addition of the proposed construction traffic and with the addition permanent operations traffic. The project access driveways would operate at LOS A during both the AM and PM peak periods with the addition of the proposed construction traffic and with the addition permanent operations traffic. Although, the decommissioning phase was not analyzed in the LMA, it would generate a similar number of workers and trucks as Project construction. As discussed in the LMA, the traffic in the study area shows a nominal increase between the years 2020 and 2035. Since the traffic in the study area would not increase significantly, the study area intersections and Proposed Project access driveways would continue to operate at acceptable conditions. Therefore, the construction, operation and decommissioning of the Proposed Project would not cause any intersection to operate below LOS D; therefore, per the County’s level of service criteria, the Proposed Project would be consistent with the County’s General Plan LOS standard.</p>



**Table 3.1.4-4  
County General Plan Consistency Analysis**

Policy	Project Consistency with Policy
<p><b>Policy M-2.2: Access to Mobility Element Designated Roads.</b> Minimize direct access points to Mobility Element roads from driveways and other non-through roads to maintain the capacity and improve traffic operations.</p>	<p><b>Consistent.</b> The Proposed Project is consistent with this policy. Direct access points from Carrizo Gorge Road and Old Highway 80 have been proposed by the Project. All the access points (5 access points) would be unsignalized and due to low traffic volumes in the vicinity of the Project, the impact to capacity and traffic operations would be less than significant.</p> <p>Therefore, the Proposed Project would be consistent with policy related to access to Mobility Element Designated Roads.</p>
<p><b>Policy M-2.3: Environmentally Sensitive Road Design.</b> Locate and design public and private roads to minimize impacts to significant biological and other environmental and visual resources. Avoid road alignments through floodplains to minimize impacts on floodplain habitats and limit the need for constructing flood control measures.</p> <p>Design new roads to maintain wildlife movement and retrofit existing roads for that purpose. Utilize fencing to reduce road kill and to direct animals to under crossings.</p>	<p><b>Consistent.</b> The Proposed Project would be consistent with this policy. The Proposed Project, with mitigation, will provide for protection and conservation of special-status species and natural communities. In addition, the project design is consistent with the recommendations for by the Las California Binational Conservation Initiative 2015, which recommends design road networks that minimize fragmentation, designate off-site conservation of land as mitigation for direct and indirect impacts of development, and establish conservation easements on the lands where facilities are sited. As discussed in Section 2.3, Biological Resources, the Proposed Project would maintain movement along well-vegetated areas (i.e., the mesquite- dominated floodplain) as well as creeks and drainages that serve as natural movement areas for wildlife. Although the Proposed Project fencing would limit the ability of particularly large wildlife to access and traverse the solar facility, the undeveloped SDG&amp;E easement between the fence lines, which is approximately 700 to 1,100 feet wide and more than 4,000 feet long, would allow uninterrupted wildlife movement from Boundary Creek to currently undeveloped land to the east. The location of the Proposed Project has the potential to create a “dead-end” for wildlife traveling west to east along the northern portion of the Project site. This could funnel wildlife toward I-8 and result in increased mortality of wildlife forced to cross at grade. However, to ensure that wildlife traversing that area are directed toward the SDG&amp;E easement, the Proposed Project has been designed to provide a 50- to 100-foot opening in the fence north of the easement. This opening will allow for wildlife that may be moving along the northern portion of the Project site to enter into the easement corridor and move through the site to habitat located on either side of the Project site.</p> <p>Therefore, the Proposed Project does not create unnatural movement corridors and impacts would less than significant. As discussed in Section 2.7, Hydrology and Water Quality, with the implementation of the project SWPPP, SWQMP, <b>PDF-HYD- 1</b>, and <b>M-HYD-1</b>, the Proposed Project would not result in changes to the rate, volume, and location of</p>

**Table 3.1.4-4  
County General Plan Consistency Analysis**

Policy	Project Consistency with Policy
	<p>stormwater runoff and flood flows. The Proposed Project would also avoid the Carrizo Wash and Boundary Creek watercourses that run through the site, avoiding construction in their channels. With implementation of the required Standard SWQMP, SWPPP, and requirements to obtain permits from the ACOE and RWQCB pursuant to the Clean Water Act, impacts would be less than significant.</p>
<p><b>Policy M-2.5: Minimize Excess Water Runoff.</b> Require road improvements to be designed and constructed to accommodate stormwater in a manner that minimizes demands upon engineered stormwater systems and to maximize the use of natural detention and infiltration techniques to mitigate environmental impacts.</p>	<p><b>Consistent.</b> The Proposed Project would be consistent with this policy. As discussed in Section 2.7 Hydrology and Water Quality, the Drainage Report (Appendix I) determined that the Proposed Project would produce approximately <del>4.9</del> <u>6.65</u> acres of impervious area. The impervious area would include the proposed photovoltaic tracker pile areas, inverter skid platforms, the battery energy storage areas and the additional substation and switchyard pads. The proposed all weather access and internal driveways would remain pervious. The Drainage Report determined that the additional impervious area represents <del>0.0027</del> <u>0.009</u>% of the watershed that is contributing to the stream passing through the Project site. This increase in impervious area constitutes a small enough area that would not change the overall drainage pattern. The water run off would flow overland across the Project site in a similar manner as it does in the pre-developed state. Thus, the additional impervious area would have minimal to no impact on existing watershed hydrologically (Appendix I) In addition, with the SWQMP, infiltration trenches may be installed within certain sub-basins within the Project site to accommodate small, localized increases in peak flow under a 100-year storm event.</p>
<p><b>Policy M-3.3: Multiple Ingress and Egress</b> Require development to provide multiple ingress/egress routes in conformance with State law, and local regulations.</p>	<p><b>Consistent.</b> The Proposed Project would be consistent with this policy. The Proposed Project would include six access driveways at five locations. Five of the driveways would be 24-foot wide, would be all-weather and would support a 50,000 pound load bearing capacity as required by County Fire. In addition, the <del>switchyard</del> <u>Switchyard Facilities</u> would have an improved access from an existing access road on Carrizo Gorge Road that would be improved to 30-foot-wide. Access driveways would be designed in compliance with applicable County standards and designed to allow safe passage of construction vehicles, including oversized trucks. Each site entrance would feature a manual swing gate, and a sign with a lighted directory map and contact information. All entrance gates would feature a 'Knox Box' for emergency access. Additionally the onsite interior access roads would be provided to serve as fire access and service roads. The proposed access driveway off of Old Highway 80 that would allow for two-way fire and rescue apparatus access as well as enable operations and maintenance access to the internal project road network. In addition, fire access and</p>

**Table 3.1.4-4  
County General Plan Consistency Analysis**

Policy	Project Consistency with Policy
	<p>service driveways would be included within the site and would permit access between rows of single-axis trackers. Driveways would be designed to support the imposed loads of fire apparatus. <b>PDF-TR-1</b> requires the applicant will be required to prepare a Traffic Control Plan (TCP) and follow construction notification procedures in accordance with County and Caltrans' requirements. The County-required TCP would address the increased traffic anticipated on local area roadways during Proposed Project construction. Access driveways would be designed in compliance with applicable County standards and designed to allow safe passage of construction vehicles, including oversized trucks. Furthermore, the Proposed Project would comply with fire protection measures defined in the Consolidated Fire Code.</p>
<p><b>Policy M-4.4: Accommodate Emergency Vehicles</b> Design and construct public and private roads to allow for necessary access for appropriately sized fire apparatus and emergency vehicles while accommodating outgoing vehicles from evacuating residents.</p>	<p><b>Consistent.</b> The Proposed Project would be consistent with this policy. Please refer to Policy M-3.3 consistency analysis.</p>
<p><b>Policy M-4.5: Context Sensitive Road Design.</b> Design and construct roads that are compatible with the local terrain and the uses, scale and pattern of the surrounding development. Provide wildlife crossings in road design and construction where it would minimize impacts in wildlife corridors.</p>	<p><b>Consistent.</b> The Proposed Project would be consistent with this policy. The Project does not propose new Mobility Element roadways. Further, the design of proposed access driveways and on-site roadways would be compatible with the local terrain and per applicable County standards and access requirements, and designed to allow safe passage of construction vehicles, including oversized trucks.</p>
<p><b>Policy COS-1.1 Coordinated Preserve System.</b> Identify and develop a coordinated biological preserve system that includes Pre-Approved Mitigation Areas, Biological Resource Core Areas, wildlife corridors, and linkages to allow wildlife to travel throughout their habitat ranges.</p>	<p><b>Consistent.</b> The Proposed Project would be consistent with this policy. As further discussed in Section 2.3, Biological Resources, of this EIR, the Project site is located within the East County Multiple Species Conservation Program (MSCP) planning area. With regard to wildlife corridors, the current design and proposed mitigation areas, wildlife can move through the existing natural movement areas which provide natural movement areas. Although the fencing would limit the ability of particularly large wildlife to access and traverse the solar facility, there is an opening in the fence north of the transmission easement to allow for wildlife movement. Additionally, an undeveloped SDG&amp;E easement between the fence line is approximately 700 to 1,100 feet wide and more than 4,000 feet long and would allow uninterrupted movement from Boundary Creek to currently undeveloped land to the east. Therefore, the Proposed Project does not result in a significant impact to corridor widths and linkages.</p>
<p><b>Policy COS-2.2: Habitat Protection through Site Design</b></p>	<p><b>Consistent.</b> The Proposed Project would be consistent with this policy. Historical agricultural activities and disturbances associated with energy infrastructure development have</p>

**Table 3.1.4-4  
County General Plan Consistency Analysis**

Policy	Project Consistency with Policy
<p>Require development to be sited in the least biologically sensitive areas and minimize the loss of natural habitat through site design.</p>	<p>previously occurred on the Project site. As further discussed in Section 2.3, Biological Resources, detailed biological surveys have been conducted on the Project site, and with implementation of Project mitigation measures, impacts to habitat as identified on the site and biological resources, would be reduced to less than significant.</p>
<p><b>Policy COS-3.1: Wetland Protection</b> Require development to preserve existing natural wetland areas and associated transitional riparian and upland buffers and retain opportunities for enhancement.</p>	<p><b>Consistent.</b> The Project would be consistent with this policy. While the Project site does contain wetland habitats, the Project has been designed so as to minimize impacts to biological resources. The existing wetlands are primarily situated within the existing transmission easements which traverse the site from east to west, and would be avoided by the Proposed Project. As discussed in Section 2.3, Biological Resources, of this EIR, potentially significant impacts to jurisdictional wetlands and riparian habitat caused by the Proposed Project would be reduced to less than significant levels through mitigation.</p>
<p><b>Policy COS-3.2: Minimize Impacts of Development</b> Require development projects to:</p> <ul style="list-style-type: none"> <li>▫ Mitigate any unavoidable losses of wetlands, including its habitat functions and values; and</li> <li>▫ Protect wetlands, including vernal pools, from a variety of discharges and activities, such as dredging or adding fill material, exposure to pollutants such as nutrients, hydromodification, land and vegetation clearing, and the introduction of invasive species.</li> </ul>	<p><b>Consistent.</b> The Proposed Project would be consistent with this policy. As further discussed in Section 2.3, Biological Resources, of this EIR, the Proposed Project would have impacts to jurisdictional wetlands and riparian habitat. However, through mitigation, potentially significant impacts to wetlands would be reduced to less than significant levels. All Project impacts to existing biological resources would be mitigated to a less than significant level.</p>
<p><b>Policy COS-4.1: Water Conservation</b> Require development to reduce the waste of potable water through use of efficient technologies and conservation efforts that minimize the County's dependence on imported water and conserve groundwater resources.</p>	<p><b>Consistent.</b> The Proposed Project would be consistent with this policy. As discussed in Section 3.1.9, Utilities and Service Systems, construction and operation of the Project would require the use of water; however, water usage will be limited to the extent practicable. The Proposed Project would use approximately 140.3 141.4 acre-feet of water during construction, approximately 11 acre-feet of water per year for ongoing operation, and approximately 50 acre-feet for decommissioning from groundwater resources. The Project would use water from two onsite groundwater wells. Ongoing water use for the Project would be minimized to use the least amount necessary to wash the solar panels, reapply soil stabilizers, landscaping irrigation, and nominal amounts for other maintenance activities. The Proposed Project is estimated to extract a very low amount of groundwater as compared to the most recently calculated groundwater in storage. The Jacumba Valley alluvial aquifer would have sufficient water supply to serve the Proposed Project and on-site groundwater wells have sufficient capacity to meet Project water demand. Thus, because the applicant has identified viable sources of water to supply both construction and</p>

**Table 3.1.4-4  
County General Plan Consistency Analysis**

Policy	Project Consistency with Policy
	operation needs, the Proposed Project's impact on water supplies and systems would be less than significant.
<p><b>Policy COS-4.2: Drought-Efficient Landscaping</b> Require efficient irrigation systems and in new development encourage the use of native plant species and non-invasive drought tolerant/low water use plants in landscaping.</p>	<p><b>Consistent.</b> The Proposed Project would be consistent with this policy. The landscaping screening, required as mitigation for impact to visual resources, buffers would include native and/or drought tolerant trees, shrubs, and ground covers. All planting required for screening would be established with vegetation typical of the particular habitat(s) in each area based on coordination with the Project biologist. All landscaping would be regularly irrigated with an automatic drip irrigation system supplied by an existing domestic water meter. All landscape would be maintained during the life of the permit, and is estimated to extract a very low amount of groundwater for irrigation of the landscape buffers (approximately 8.4 acre-feet per year) compared to the most recently calculated groundwater in storage. The San Diego County Department of Planning &amp; Development Services landscape architect shall review all final landscape plans.</p>
<p><b>Policy COS-5.1: Impact to Floodways and Floodplains.</b> Restrict development in floodways and floodplains in accordance with policies in the Flood Hazards section of the Safety Element.</p>	<p><b>Consistent.</b> The Proposed Project would be consistent with this policy. As discussed in Section 2.7, Hydrology and Water Quality, implementation of <b>PDF HYD-1</b> and <b>M-HYD-1</b> would ensure that all project components located within the 100-year floodplain would not impede or redirect flood flows. Impacts would be less than significant with mitigation.</p>
<p><b>Policy COS-5.2: Impervious Surfaces</b> Require development to minimize the use of directly connected impervious surfaces and to retain stormwater run-off caused from the development footprint at or near the site of generation.</p>	<p><b>Consistent.</b> The Proposed Project would be consistent with this policy. As discussed in Section 2.7, Hydrology and Water Quality, of this EIR, the Project would add only 4.96.65 acres of impervious surface, an amount not large enough to significantly affect runoff. Per the Construction General Permit, a SWPPP must be implemented during the construction phase, implementing physically and planning BMPs, set back development from natural water bodies, minimize imperviousness, maximize infiltration, and retain and slow runoff.</p>
<p><b>Policy COS-5.3: Downslope Protection</b> Require development to be appropriately sited and to incorporate measures to retain natural flow regimes, thereby protecting downslope areas from erosion, capturing runoff to adequately allow for filtration and/or infiltration, and protecting downstream biological resources.</p>	<p><b>Consistent.</b> The Project would be consistent with this policy. As discussed in Section 2.7, Hydrology and Water Quality, of this EIR, per the Construction General Permit, a SWPPP must be implemented during the construction phase, implementing physically and planning BMPs to minimize erosion. The exact location and type of temporary BMPs to be installed during construction would depend on site-specific conditions, construction schedule, and proposed activities, all of which would be outlined in the SWPPP. With the implementation of <b>PDF-HYD-1</b> and <b>M-HYD-1</b>, the Proposed Project would not impede or redirect flood flows.  Grading required for development of the Project would be consistent with the County Grading Ordinance, which would be enforced via the required grading permit. Also, prior to</p>

**Table 3.1.4-4  
County General Plan Consistency Analysis**

Policy	Project Consistency with Policy
	construction, the applicant would be required to implement a SWPPP that will include BMPs to minimize potential impacts regarding stormwater runoff. See Sections 2.7, Hydrology and Water Quality, and 3.1.8, Utilities and Service Systems, of this EIR.
<p><b>Policy COS-5.5: Impacts of Development to Water Quality</b> Require development projects to avoid impacts to the water quality in local reservoirs, groundwater resources, and recharge areas, watersheds, and other local water sources.</p>	<p><b>Consistent.</b> The Proposed Project would be consistent with this policy. Please refer to Policy COS 5.3 consistency analysis above. Potential impacts to groundwater resources and local water resources would be minimized through implementation of BMPs in compliance with the Project's SWQMP and SWPPP. Also, please refer to Section 2.7 of this EIR.</p>
<p><b>GOAL COS-6 Sustainable Agricultural Industry.</b> A viable and long-term agricultural industry and sustainable agricultural land uses in the County of San Diego that serve as a beneficial resource and contributor to the County's rural character and open space network.</p>	<p><b>Consistent.</b> The Proposed Project would be consistent with this policy. As further discussed in Section 3.1.1, Agricultural Resources, the Project site is largely undeveloped and does not contain any existing major agricultural uses or irrigated croplands. Agricultural operations were historically located on site, but based on current site visits and environmental field surveys conducted for the Proposed Project, there is no evidence of current agriculture occurring on the Project site. As seen in Figure 3.1.1-2, Zone of Influence Important Farmlands, portions of the Project site are designated under the state Farmland Mapping and Monitoring Program as Prime Farmland, Farmland of State/Local Importance, and Unique Farmland, but these areas make up approximately 29% of the Project site and 6% of the Zone of Influence (ZOI).</p>
<p><b>Policy COS-6.2: Protection of Agricultural Operations.</b> Protect existing agricultural operations from encroachment of incompatible land uses by doing the following:</p> <ul style="list-style-type: none"> <li>• Limiting the ability of new development to take actions to limit existing agricultural uses by informing and educating new projects as to the potential impacts from agricultural operations.</li> <li>• Allowing for agricultural uses in agricultural areas and designing development and lots in a manner that facilitates continued agricultural use within the development.</li> <li>• Requiring development to minimize potential conflicts with adjacent agricultural operations through the incorporation of adequate buffers, setbacks, and project design measures to protect surrounding agriculture</li> <li>• Supporting local and state right-to-farm regulations</li> <li>• Retain or facilitate large and contiguous agricultural operations by consolidations of development during the subdivision process.</li> </ul> <p>Discourage development that is potentially incompatible with intensive agricultural uses includes schools and civic</p>	<p><b>Consistent.</b> The Proposed Project would be consistent with this policy. As further discussed in Section 3.1.1, Agricultural Resources, the closest active agricultural operations are located approximately 25 miles east of the Project site in Dixieland, California. The agricultural operations in the surrounding area are composed primarily of irrigated row crops and dairy farms. However, land use conflicts between these agricultural operations and the Proposed Project would not be likely. The Proposed Project would not impact these operations because the Project site is 25 miles west of active agricultural operations.</p> <p>The Proposed Project does not propose a school, church, daycare, or other use that would involve a heavy concentration of people at certain times of the day, nor does the Proposed Project propose residential uses.</p>

**Table 3.1.4-4  
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Policy	Project Consistency with Policy
buildings where the public gather, daycare facilities under private institutional use, private institutional uses (e.g., private hospitals or rest homes), residential densities higher than two dwelling units per acre, and office and retail commercial	
<b>COS-6.3 Compatibility with Recreation and Open Space.</b> Encourage siting recreational and open space uses and multi-use trails that are compatible with agriculture adjacent to the agricultural lands when planning for development adjacent to agricultural land uses. Recreational and open space uses can serve as an effective buffer between agriculture and development that is potential incompatible with agriculture uses.	<b>Consistent.</b> The Proposed Project would be consistent with this policy. As further discussed in Section 3.1.1, Agricultural Resources, the Proposed Project would not propose development adjacent to agricultural land uses
<b>Policy COS-7.1: Archaeological Protection</b> Preserve important archaeological resources from loss or destruction and require development to include appropriate mitigation to protect the quality and integrity of these resources.	<b>Consistent.</b> The Proposed Project is consistent with this policy. As discussed in Section 2.4, Cultural Resources, of this EIR, there were 20 isolates identified within the Area of Disturbed Impact (ADI) which required no evaluation or avoidance measures as isolates are by definition not significant. The seven additional isolates located within the Project Area but outside of the ADI would be avoided through established work boundaries. In addition to the archaeological isolates, Project implementation would directly impact 28 archaeological site; however all 28 sites (or portions of sites) identified within the Project ADI during the current investigation are either no longer extant or have been evaluated and are recommended as not significant under CEQA, not eligible for listing in the California Register of Historic Resources (CRHR) or the local register, and as not significant under the County Resources Protection Ordinance. However, under County guidelines, all archaeological sites are considered important. Although it has been determined that the Project would not impact archaeological deposits that convey the significance of the Jacumba Valley Archeological District, Project construction activities have the potential to affect undiscovered cultural resources on-site, known cultural resources within 50 feet of the Project ADI, or known cultural resources within resource-specific predetermined buffers, that may qualify as significant under the County Guidelines. Additionally, the Proposed Project has the potential to affect cultural resources that, although not recommended as eligible for listing in the CRHR or the local register, are important under the County CEQA Guidelines. Therefore, impacts to archaeological resources as a result of Project construction are determined to be potentially significant and require mitigation. With the implementation of mitigation measures, these impacts would be less than significant. Once in operation, the Project would not involve additional ground-disturbing activities that could impact potential archaeological resources within the Project Area of Potential

**Table 3.1.4-4  
County General Plan Consistency Analysis**

Policy	Project Consistency with Policy
	Effect. Therefore, impacts during operation would be less than significant.
<b>Policy COS-7.3: Archaeological Collections</b> Require the appropriate treatment and preservation of archaeological collections in a culturally appropriate manner.	<b>Consistent.</b> The Proposed Project is consistent with this policy. The Proposed Project facilities would be consistent with this policy. See Section 2.4.6, Cultural Resources, of this EIR. Mitigation measures for the facilities include provisions that would ensure that archaeological resources encountered during construction are treated and preserved in a culturally appropriate manner.
<b>Policy COS-7.4: Consultation with Affected Communities</b> Require consultation with affected communities, including local tribes to determine the appropriate treatment of cultural resources.	<b>Consistent.</b> The Proposed Project is consistent with this policy. The Proposed Project facilities would be compliant with Assembly Bill 52. The County, as Lead Agency, is responsible for conducting Assembly Bill 52 outreach.
<b>Policy COS-7.5: Treatment of Human Remains</b> Require human remains be treated with the utmost dignity and respect and that the disposition and handling of human remains will be done in consultation with the Most Likely Descendant (MLD) and under the requirements of Federal, State and County Regulations.	<b>Consistent.</b> The Proposed Project is consistent with this policy. As discussed in Section 2.4, Cultural Resources, of this EIR, implementation of mitigation measures for the Proposed Project would reduce potential impacts to unknown human remains to less than significant.
<b>Policy COS-9.1: Preservation</b> Require the salvage and preservation of unique paleontological resources when exposed to the elements during excavation or grading activities or other development processes.	<b>Consistent.</b> The Proposed Project would be consistent with this policy. As discussed in Section 2.10, Paleontological Resources, of this EIR, a review of the County's Paleontological Resources Map indicates that the Proposed Project development footprint is located within an area of high or moderate paleontological resources. Potential impacts to paleontological resources are reduced to less than significant with mitigation.
<b>Policy COS-9.2: Impacts of Development</b> Require development to minimize impacts to unique geological features from human related destruction, damage, or loss.	<b>Consistent.</b> The Proposed Project would be consistent with this policy. The proposed development is primarily within relatively level fallow agricultural lands. Hillside grading would be minimized and designed to conform to the existing contours to the extent feasible. All large rock outcroppings that are located within the Project site have been avoided.
<b>Policy COS-10.1: Siting of Development.</b> Encourage the conservation (i.e., protection from incompatible land uses) of areas designated as having substantial potential for mineral extraction. Discourage development that would substantially preclude the future development of mining facilities in these areas. Design development or uses to minimize the potential conflict with existing or potential future mining facilities. For purposes of this policy, incompatible land uses are defined by SMARA Section 3675.	<b>Consistent:</b> The Proposed Project is consistent with this policy. As described in Section 2.8, Mineral Resources, the Proposed Project, except for the <del>switchyard</del> <u>Switchyard Facilities</u> , is an interim use and would not result in the permanent loss of mineral resources. Development of the <del>switchyard</del> <u>Switchyard Facilities</u> portion (3-2 8.1. acres) of the Proposed Project would not result in a significant impact to mineral resources by itself. However, a portion of the biological open space easements (188 acres) required as mitigation for impacts to biological resources, would result in a permanent loss of the availability of mineral resources within the Project site. These biological opens space easements would result in a potentially significant



**Table 3.1.4-4  
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Policy	Project Consistency with Policy
	<p>impact with respect to the permanent loss of availability of a known mineral resource that is minable, processable, and marketable under the technologic and economic conditions that exist at present or which can be estimated to exist in the next 50 years and is valued at more than \$12,500,000. The open space easements are intended to preserve the biological integrity of the area in perpetuity as mitigation for the Project's biological impacts within the MUP area, as discussed further in Chapter 2.3, Biological Resources of this EIR. The 188-acre portion of the easement contains high biological value with sensitive vegetation types and provides for wildlife habitat and movement. Extracting the resources underlying the open space easements prior to Project approval would negate the primary purpose of the biological open space easements. The impact to mineral resources would remain significant and unavoidable.</p>
<p><b>Policy COS-10.2:</b> Protection of State-Classified or Designated Lands. Discourage development or the establishment of other incompatible land uses on or adjacent to areas classified or designated by the State of California as having important mineral resources (MRZ-2), as well as potential mineral lands identified by other government agencies. The potential for the extraction of substantial mineral resources from lands classified by the State of California as areas that contain mineral resources (MRZ-3) shall be considered by the County in making land use decisions.</p>	<p><b>Consistent:</b> The Proposed Project is consistent with this policy. Based on the analysis in the Mineral Resources Report (Appendix L), the Project site, including surrounding areas, does not have any mapped Mineral Resource Zones, and thus is not zoned as MRZ-2 or MRZ-3.</p>
<p><b>Policy COS-10.3: Road Access.</b> Prohibit development from restricting road access to existing mining facilities, areas classified MRZ-2 or MRZ-3 by the State Geologist, or areas identified in the County Zoning Ordinance for potential extractive use in accordance with SMARA section 2764.a.</p>	<p><b>Consistent.</b> The Proposed Project would be consistent with this policy. The Proposed Project would not restrict road access to existing mining facilities classified MRZ-2 or MRZ-3. Based on the analysis in the Mineral Resources Report (Appendix L), the Project site, including surrounding areas, does not have any mapped Mineral Resource Zones, and thus is not zoned as MRZ-2 or MRZ-3. In addition, the Proposed Project is located east and outside of the County mapped P-C Boundary which is an uncategorized zone.</p>
<p><b>Policy COS-11.1: Protection of Scenic Resources</b> Require the protection of scenic highways, corridors, regionally significant scenic vistas, and natural features, including prominent ridgelines, dominant landforms, reservoirs, and scenic landscapes.</p>	<p><b>Consistent.</b> The Proposed Project would be consistent with this policy. As discussed in Section 2.1, Aesthetics, of this EIR, I-8 from State Route 79 east to the Imperial County Line and Old Highway 80, from the Central Mountain Subregion to Interstate 8 are designated scenic corridors. The solar facility would be visible from portions of I-8 and Old Highway 80. The Proposed Project would substantially alter the existing quality of views available to highway motorists and passengers because racks of solar panels would be visible from I-8 for brief periods and would be aligned along Old Highway 80. The solar panel's wide distribution across relatively flat and open desert terrain would reduce existing visual quality. However, neither the Project site nor the surrounding area</p>

**Table 3.1.4-4  
County General Plan Consistency Analysis**

Policy	Project Consistency with Policy
	<p>has been designated by local, state or federal agencies or organizations as containing or being of “significant” scenic value. Since the Project area has not been designated or described by agencies as containing “significant” scenic value, the Project would not conflict with this policy.</p> <p>Further, the Project has been designed to minimize impacts to the scenic value of the area to the extent practicable. The solar panels would be setback at least 75 feet from the paved extents of the highway, and with implementation of <b>M-AE-5</b> (landscaping) and <b>M-AE-6</b> (slatted or screened fencing), solar panels and other equipment would be screened from public view of motorists on Old Highway 80, users of Jacumba Community Park, and residents in Jacumba Hot Springs to the extent practicable. Even with the implementation of mitigation measures, impacts to the scenic value of the area are still significant and unavoidable.</p> <p>Despite their inclusion in the County’s scenic highway system, there are no current local regulations governing development of lands along I-8 or Old Highway 80. For example, the existing energy infrastructure including the East County Substation, Jacumba Solar Project, transmission lines, and the East County Substation 138 kV line is currently visible from I-8 and Old Highway 80.</p> <p>Implementation and operation of the Proposed Project would not prevent the County from continuing to establish and designate scenic highways and would not inhibit the County from establishing regulations and/or development standards geared towards the protection and enhancement of scenic highways.</p> <p>Due to the inclusion of existing energy infrastructure in the I-8 and Old Highway 80 viewsheds, the brief duration of views to the Project site from I-8, screening of solar panels from view of Old Highway 80 motorists and because the Project does not inhibit the County from establishing regulations and/or development standards geared towards the protection and enhancement of scenic highways, the Proposed Project would not be inconsistent with this policy.</p>
<p><b>Policy COS-11.3: Development Siting and Design</b> Require development within visually sensitive areas to minimize visual impacts and to preserve unique or special visual features, particularly in rural areas, through the following:</p> <ul style="list-style-type: none"> <li>• Creative site planning</li> <li>• Integration of natural features into the project</li> <li>• Appropriate scale, materials, and design to complement the surrounding natural landscape</li> <li>• Minimal disturbance of topography</li> <li>• Clustering of development so as to preserve a balance</li> </ul>	<p><b>Consistent.</b> The Proposed Project would be consistent with this policy. The Proposed Project would introduce new visual features into the existing visual environment. However, neither the Project site nor the surrounding area has been designated by local, state or federal agencies or organizations as containing or being of “significant” scenic value. Since the Project area has not been designated or described by agencies as containing “significant” scenic value, the Project would not conflict with this policy</p> <p>Further, while the Proposed Project would introduce new visual features into the existing visual environment, the</p>

**Table 3.1.4-4  
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Policy	Project Consistency with Policy
<p>of open space vistas, natural features, and community character.</p> <ul style="list-style-type: none"> <li>• Creation of contiguous open space networks</li> </ul>	<p>Project has been designed to minimize impacts to the scenic value of the area to the extent practicable. The solar panels would be setback at least 75 feet from the paved extents of the highway, and with implementation of <b>M-AE-5</b> (landscaping) and <b>M-AE-6</b> (slatted or screened fencing), solar panels and other equipment would be screened from public view. Measures also include: visual screening of staging material and equipment storage areas, including storage sites for excavated materials visible from nearby roads, residences, and recreational areas using temporary screening fencing; materials, coatings, or paints having little or no reflectivity shall be used whenever possible.</p> <p>The Proposed Project would not require significant alteration of land forms. The Proposed Project's MUP boundary has been designed to only disturb a portion of the Project site (643 acres), and portions of the remaining site would contain biological open space easements for habitat preservation; therefore, the Project would not conflict with this policy.</p>
<p><b>Policy COS-11.7: Underground Utilities</b> Require new development to place utilities underground and encourage "undergrounding" in existing development to maintain viewsheds, reduce hazards associated with hanging lines and utility poles, and to keep pace with current and future technologies.</p>	<p><b>Consistent.</b> The Proposed Project would be consistent with this policy. The Project's <del>switchyard</del> <u>Switchyard Facilities</u> would be connected into the existing 138 kV SDG&amp;E Boulevard – East County transmission line via an overhead transmission line tie-in would require approximately 1,860 feet of wire, and up to five steel transmission poles ranging from 70 to 115 feet above ground. All other utility lines, such as internal collector lines, would be underground. Therefore, the Project is consistent with this policy. Further, facilities exceeding 34.5kV are exempt from the intended undergrounding requirements. It should be noted that multiple existing overhead high-voltage transmission lines are located in the viewshed of the aboveground gen-tie associated with the Proposed Project.</p>
<p><b>Policy COS-13.1: Restrict Light and Glare</b> Restrict outdoor light and glare from development projects in Semi-Rural and Rural Lands and designated rural communities to retain the quality of night skies by minimizing light pollution.</p>	<p><b>Consistent.</b> The Proposed Project would be consistent with this policy. Lighting installed at the Project site would be fully compliant with the County's Light Pollution Code, zoning ordinance performance standards, and Mountain Empire Subregional Plan policies regarding the shielding of most outdoor lighting fixtures and minimization of unwanted light trespass onto adjacent properties. Nighttime lighting during operations would include <del>motion-censored</del> <u>low impact</u> lights would be installed at all site access driveway entrances, <del>and would only be used if motion is detected.</del> All lighting for the solar facility would have bulbs that do not exceed 100 watts, and all lights would be shielded, directed downward, and would comply with the County of San Diego Light Pollution Code, also known as the Dark Sky Ordinance, Section 51.201 et seq. Lighting would be designed in accordance with the San Diego County Zoning Ordinance, Performance Standards</p>

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County General Plan Consistency Analysis**

Policy	Project Consistency with Policy
	<p>Section 6320, 6322, and 6324, which guide performance standards for glare, and controls excessive or unnecessary outdoor light emissions. No other lighting is proposed within the solar facility.</p> <p>As discussed in Sections 2.1, Aesthetics and Section 2.6, Hazards and Hazardous Materials, a glare study was prepared for the project and found the Proposed Project would not impact airport operations at the Jacumba Airport or cause distraction to nearby residences or motorists.</p>
<p><b>Policy COS-13.3: Collaboration to Retain Night Skies.</b> Coordinate with adjacent federal and State agencies, local jurisdictions, and tribal governments to retain the quality of night skies by minimizing light pollution.</p>	<p><b>Consistent.</b> The Proposed Project would comply with the County's Light Pollution Code during construction and operations. More specifically, during construction, portable night lighting used during construction would be fully compliant with the lamp type and shielding requirements for Class II lighting as established by Section 51.204 of the County Light Pollution Code and would be fully shielded and directed downward to minimize opportunities for unnecessary sky glow and light trespass. Nighttime lighting during operations would include <del>motion-ensored</del> low impact lights would be installed at all site access driveway entrances <del>and would only be used if motion is detected.</del> No other lighting is proposed. All operational lighting for the solar facility would be shielded, directed downward, and would comply with the County of San Diego Light Pollution Code, also known as the Dark Sky Ordinance, Section 59.101 et seq. Lastly, the project would comply with the San Diego County Zoning Ordinance, Performance Standards Section 6320, 6322, and 6324, which guide performance standards for glare, and control excessive, or unnecessary outdoor light emissions.</p>
<p><b>Policy COS-14.7: Alternative Energy Sources for Development Projects</b> Encourage development projects that use energy recovery, photovoltaic, and wind energy.</p>	<p><b>Consistent.</b> The Proposed Project would be consistent with this policy in that it would produce solar power eligible for the state's Renewable Portfolio Standard that would be used by existing or future development. The Proposed Project consists of a concentrated photovoltaic energy collection system.</p>
<p><b>Policy COS-14.8: Minimize Air Pollution</b> Minimize land use conflicts that expose people to significant amounts of air pollutants.</p>	<p><b>Consistent.</b> The Proposed Project would be consistent with this policy. As discussed in Section 2.2, Air Quality, of this EIR, potential air quality impacts associated with ground-disturbing activities during construction would be short term. Impacts related to exposure to Toxic Air Contaminants would be above the County's thresholds for cancer risk during construction activities; therefore, impacts would be potentially significant and would require mitigation. With implementation of <b>M-AQ-1</b>, impacts related to cancer risk would be below the County's thresholds during construction activities; therefore, impacts would be less than significant. Also, construction and decommissioning of the proposed Project would result in a temporary addition of pollutants to the local airshed caused by</p>

**Table 3.1.4-4  
County General Plan Consistency Analysis**

Policy	Project Consistency with Policy
	<p>soil disturbance, fugitive dust emissions, and combustion pollutants from on-site construction equipment, as well as from off-site trucks hauling construction materials. The analysis concludes that the daily construction emissions would exceed the County's daily significance thresholds for NO<sub>x</sub>, PM<sub>10</sub>, and PM<sub>2.5</sub>. Air quality impacts resulting from construction, therefore, would be potentially significant. Decommissioning of the project would exceed the County's daily significance thresholds for PM<sub>10</sub> emissions. Following implementation of <b>M-AQ-1</b> and <b>M- AQ-2</b>, cumulative construction and decommissioning emissions would be less than significant.</p> <p>The Proposed Project would result in negligible operational emissions and the Project includes constructing a renewable energy resource that would result in an overall net reduction in air emissions when compared to energy generated from a non- renewable energy source.</p>
<p><b>Policy COS-14.9: Significant Producers of Air Pollutants</b> Require projects that generate potentially significant levels of air pollutants and/or GHGs such as quarries, landfill operations, or large land development projects to incorporate renewable energy, and the best available control technologies and practices into the project design.</p>	<p><b>Consistent.</b> The Proposed Project would be consistent with this policy. Potential air quality impacts associated with ground- disturbing activities during construction would be short term and would be mitigated to less than significant with the implementation of mitigation measures (see analysis in Policy COS-14.8 above). The Proposed Project is a renewable energy project and therefore by its nature would comply with this policy.</p>
<p><b>Policy COS-14.10: Low-Emission Construction Vehicles and Equipment</b> Require County contractors and encourage other developers to use low-emission construction vehicles and equipment to improve air quality and reduce GHG emissions.</p>	<p><b>Consistent.</b> The Proposed Project would be consistent with this policy. The Project would be constructed by private developers who would be encouraged by the County to use low-emission construction vehicles and equipment to improve air quality and reduce GHG emissions.</p>
<p><b>Policy COS-14.11: Native Vegetation</b> Require development to minimize the vegetation management of native vegetation while ensuring sufficient clearing is provided for fire control.</p>	<p><b>Consistent.</b> The Proposed Project would be consistent with this policy. To comply with the fire code, clearing and grubbing of the Project site would occur prior to construction. Weeds and annual grasses will be maintained at a height not to exceed 6 inches. In addition, the Project's perimeter Fuel Modification Zone (FMZ) buffer will include at least 30 feet of modified fuels. Ongoing maintenance activities would include weed whipping and general maintenance of areas under solar facilities. The Proposed Project would also be subject to state, county and federal laws, ordinances, rules and regulations pertaining to the prevention and suppression of fires, including County of San Diego Consolidated Fire Code, State Fire Regulations, International Fire Code and the California Fire Code. Fuel modification zones will be maintained on at least an annual basis of more often, as needed.</p>

**Table 3.1.4-4  
County General Plan Consistency Analysis**

Policy	Project Consistency with Policy
<p><b>Policy COS-15.6: Design and Construction Methods</b> Require development design and construction methods to minimize impacts to air quality.</p>	<p><b>Consistent.</b> The Proposed Project would be consistent with this policy. Construction of the Proposed Project would result in a temporary addition of pollutants to the local air basin caused by soil disturbance, dust emissions, and combustion pollutants from on-site construction equipment and off-site trucks hauling construction materials, including water, to the site. However, the Proposed Project would not result in any significant impacts related to air quality with the implementation of mitigation measures <b>M-AQ-1</b> and <b>M-AQ-2</b>. In addition, the Proposed Project would minimize air quality impacts during construction and ensure that impacts remain at a level less than significant, including the application of water three times per day or as necessary depending on weather conditions to suppress fugitive dust during grubbing, clearing, grading, trenching, and soil compaction and/or apply a nontoxic soil binding agent to help with soil stabilization during construction, sweepers and water trucks will be used to control dust and debris at public street access points, internal construction roadways will be stabilized by paving, chip sealing or nontoxic soil binders after rough grading, exposed stockpiles will be covered and/or watered or stabilized with nontoxic soil binders, tarps, fencing or other suppression methods as needed to control emissions, traffic speeds on unpaved roads will be limited to 15 miles per hour (mph), all haul and dump trucks entering or leaving the site with soil or fill material will maintain at least 2 feet of freeboard, or cover loads of all haul and dump trucks securely, and disturbed areas will be reseeded with either a native plant hydroseed mix as soon as possible after disturbance, or covered with a nontoxic soil binding agent. The Proposed Project would adhere to County Code Section 87.428, Dust Control Measures and SDAPCD Rule 55 for fugitive dust emissions during construction and operation of the Proposed Project. See Section 1.2 of this EIR under the heading Site Preparation and Grading. <u>Further, during operations, the Proposed Project would comply with PDF-HYD-3 to maintain vegetative cover under the solar panels.</u></p>
<p><b>Policy COS-17.2: Construction and Demolition Waste</b> Require recycling, reduction and reuse of construction and demolition debris.</p>	<p><b>Consistent.</b> The Proposed Project would be consistent with this policy. Recycling, reduction, and reuse of construction and demolition debris will be required during construction. In compliance with County Construction Demolition and Debris Management Plan requirements and in accordance with County Ordinance 68.508-68.518, recycling would be conducted during construction activities.</p>
<p><b>Policy COS-18.1: Alternate Energy Systems Design</b> Work with San Diego Gas and Electric and non-utility developers to facilitate the development of alternative</p>	<p><b>Consistent.</b> The Proposed Project would be consistent with this policy. As discussed in Section 3.1.2, Energy, the Proposed Project is expected to produce an estimated 244,159 283,000 megawatt hours of electricity per year. The Proposed Project would introduce new visual features into the</p>

**Table 3.1.4-4  
County General Plan Consistency Analysis**

Policy	Project Consistency with Policy
energy systems that are located and designed to maintain the character of their setting.	existing visual environment which would result in significant and unavoidable impacts to visual quality and scenic vistas; however, the solar panels would be setback at least 75 feet from the paved extents of Old Highway 80, and with implementation of <b>M-AE-1 – M-AE-4</b> impacts to visual quality would be reduced to the extent feasible. Also, with the implementation of <b>M-AE-5</b> (landscaping) and <b>M-AE-6</b> (slatted or screened fencing), solar panels and other equipment would be partially screened from public view. Measures also include: visual screening of staging material and equipment storage areas, including storage sites for excavated materials visible from nearby roads, residences, and recreational areas using temporary screening fencing; materials, coatings, or paints having little or no reflectivity shall be used whenever possible.
<p><b>Policy COS-18.3: Alternate Energy Systems Impacts</b> Require alternative energy system operators to properly design and maintain these systems to minimize adverse impacts to the environment.</p>	<p><b>Consistent.</b> The Proposed Project would be consistent with this policy. All impacts to the environment, with the exception to impacts to visual quality/scenic vistas and mineral resources, would be less than significant with implementation of mitigation measures. Mitigation would be implemented to minimize potential significant impacts to visual quality and scenic vistas to the extent possible; however, the impacts would remain significant and unavoidable. In addition, impacts to mineral resources on the Project site are caused by a portion of the Proposed Project's open space easements, which are mitigation for biological resources, would remain significant and unavoidable. The open space easements are intended to preserve the biological integrity of the area in perpetuity as mitigation for the Project's biological impacts within the MUP area, as discussed further in Chapter 2.3, Biological Resources of this EIR. The 188-acre portion of the easement contains high biological value with sensitive vegetation types and provides for wildlife habitat and movement. Extracting the resources underlying the open space easements would negate the primary purpose of the biological open space easements.</p>
<p><b>Policy COS-19.1: Sustainable Development Practices.</b> Require land development, building design, landscaping, and operational practices that minimize water consumption.</p>	<p><b>Consistent.</b> The Proposed Project would be consistent with this policy. Construction and operation of the Project would require the use of water; however, water usage would be limited to the extent practicable. During construction, the Proposed Project would use approximately 440 141.4 acre-feet of water, approximately 11 acre-feet of water per year for ongoing operation, and approximately 50 acre-feet for decommissioning from groundwater sources. The Proposed Project would use water from two onsite groundwater wells. Ongoing water use for the Project would be minimized to use the least amount necessary to wash the solar panels, reapply soil stabilizers, landscaping irrigation, and nominal amounts for other maintenance activities.</p>

**Table 3.1.4-4  
County General Plan Consistency Analysis**

Policy	Project Consistency with Policy
<p><b>Policy COS-19.2: Recycled Water in New Development.</b> Require the use of recycled water in development wherever feasible. Restrict the use of recycled water when it increases salt loading in reservoirs.</p>	<p><b>Consistent.</b> The Proposed Project is consistent with this policy. Use of recycled water is not feasible. The solar facility would use water from onsite groundwater wells.</p>
<p><b>Policy S-3.1: Defensible Development</b> Require development to be located, designed, and constructed to provide adequate defensibility and minimize the risk of structural loss and life safety resulting from wildland fires.</p>	<p><b>Consistent.</b> The Proposed Project would be consistent with this policy. Clearing and grubbing of the Project site would occur prior to construction. Fuel Modification Zones would be incorporated into the layout of the Proposed Project in accordance with the Fire Protection plan. Ongoing maintenance activities would include weed whipping and general maintenance of areas under single-axis trackers so as to minimize fire probability and risk.</p> <p>Fuel modification zones will be maintained on at least an annual basis of more often, as needed, by JVR Energy Park LLC. As discussed in Section 2.12, Wildfire, of this EIR, with implementation of <b>M-WF-1</b> and <b>M-WF-2</b>, the fire protection measures of the FPP (Appendix N) (and its appended CFPP) will be implemented.</p>
<p><b>Policy S-3.3: Minimize Flammable Vegetation</b> Site and design development to minimize the likelihood of a wildfire spreading to structures by minimizing pockets or peninsulas, or islands of flammable vegetation within a development.</p>	<p><b>Consistent.</b> The Proposed Project would be consistent with this policy. See Section 2.12, Wildfire, of this EIR and Policy S-3.1 Defensible Development above. The likelihood of wildfire would be minimized by clearing and grubbing the Project site and by incorporating Fuel Modification Zones into the layout of the Proposed Project in accordance with the FPP. The Project's FPP and CFPP fire protection measures would be implemented during operations and construction (<b>M-WF-1</b> and <b>M-WF-2</b>).</p>
<p><b>Policy S-3.4: Service Availability</b> Plan for development where fire and emergency services are available or planned.</p>	<p><b>Consistent.</b> The Proposed Project would be consistent with this policy. Emergency response for the Proposed Project would be provided, initially, by the San Diego County Fire Authority from its Station 43 in Jacumba. The Jacumba Fire Station is located at 255 Jacumba Street and is staffed with reserve firefighters. The Jacumba Station is approximately 0.03 miles from the Project site. The Proposed Project is compliant with the General Plan response time and distance requirements for rural land use zoning (10 minutes). See Section 3.1.6, Public Services, of this EIR.</p>
<p><b>Policy S-3.5: Access Roads</b> Require development to provide additional access roads when necessary to provide for safe access of emergency equipment and civilian evacuation concurrently.</p>	<p><b>Consistent.</b> The Proposed Project would be consistent with this policy. The Proposed Project would include six access driveways. Five of the driveways would be 24-foot wide, would be all-weather and would support a 50,000 pound load bearing capacity as required by County Fire. In addition, the <del>switchyard</del> <u>Switchyard Facilities</u> would have an improved access from an existing access road on Carrizo Gorge Road that would be improved to 30-foot-wide. Each site entrance would feature a manual swing gate, and a sign with a lighted directory map and contact information. All entrance gates</p>



**Table 3.1.4-4  
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Policy	Project Consistency with Policy
	would feature a 'Knox Box' for emergency access. Interior site roads would be constructed as suitable for fire access roads and would be constructed to a minimum width of approximately 20 feet improved width.
<p><b>Policy S-3.6: Fire Protection Measures</b> Ensure that development located within fire threat areas implement measures that reduce the risk of structural and human loss due to wildfire.</p>	<p><b>Consistent.</b> The Proposed Project would be consistent with this policy. With the implementation of <b>M-WF-1</b>, the design and fire protection measures of the Project's FPP would be implemented. The FPP has been prepared for the Proposed Project and includes fire prevention measures to reduce the risk of structural and human loss due to wildfire. These measures include, but are not limited to incorporation of fuel modification; preparation of a technical report indicating special precautions for firefighting response; inclusion of <del>motion sensor</del> illuminated (and/or reflective) signage at main entrance with inverter and electrical grid disconnect and isolation information and identification; de-energizing notification; and a training program for local fire agencies customized for this facility; constructing all onsite facilities of non-combustible or ignition-resistant materials in accordance with County Building Code; six water storage tanks with fire department connections available within the site; identifying roads and structures to comply with County Consolidated Fire Code, Section 505; 24-hour surveillance at the facility and having a minimum 50-foot fuel treatment perimeter area and perimeter fire apparatus access road. Native vegetation may remain in the area between 50 to 100 feet from a structure provided that combustible vegetation is modified so as not to occupy more than 50% of the square footage of this area. Weeds and annual grasses shall be maintained at a height not to exceed 6 inches.</p>
<p><b>Policy S-3.7: Fire Resistant Construction</b> Require all new, remodeled, or rebuilt structures to meet current ignition resistance construction codes and establish and enforce reasonable and prudent standards that support retrofitting of existing structures in high fire threat areas.</p>	<p><b>Consistent.</b> The Proposed Project would be consistent with this policy. Fire protection measures in the FPP would be implemented (<b>M-WF-1</b>) as described in S-3.6 above. The Proposed Project would also be required to construct all on-site facilities of non-combustible or ignition-resistant materials in accordance with County Building Code.</p>
<p><b>Policy S-6.1: Water Supply</b> Ensure that water supply systems for development are adequate to combat structural and wildland fires.</p>	<p><b>Consistent.</b> The Proposed Project would be consistent with this policy. As detailed in the FPP prepared for the Project, the Project site would use water from two on-site groundwater wells and six 10,000 gallon water storage tanks. This water supply system will provide enough water for estimated operational water demand as well as firefighting needs.</p>
<p><b>Policy S-7.1 Development Location.</b> Locate development in areas where the risk to people or resources is minimized. In accordance with the California Department of Conservation Special Publication 42, require development be located a minimum of 50 feet from active or potentially active faults, unless an</p>	<p><b>Consistent.</b> The Proposed Project would be consistent with the policy. Following construction, the Proposed Project would be monitored via a SCADA system to provide critical operating information. The SCADA system would be monitored remotely and no on-site operations and maintenance facilities or personnel would be necessary.</p>

**Table 3.1.4-4  
County General Plan Consistency Analysis**

Policy	Project Consistency with Policy
<p>alternative setback distance is approved based on geologic analysis and feasible engineering design measures adequate to demonstrate that the fault rupture hazard would be avoided.</p>	<p>Further, the Project site is located more than 9 miles from the nearest active fault (the Davies Valley Fault and the Ocotillo fault zone).</p>
<p><b>Policy S-6.3: Funding Fire Protection Services</b> Require development to contribute its fair share towards funding the provision of appropriate fire and emergency medical services as determined necessary to adequately serve the project.</p>	<p><b>Consistent.</b> The Proposed Project would be consistent with this policy. As discussed in Section 2.12, Wildfire, with the implementation of <b>M-WF-3</b> (Fire Protection and Mitigation Agreement), potential impacts to operational wildfire risk would be less than significant. As such, the Proposed Project will participate in a Fire Protection and Mitigation Agreement with the SDCFA for this portion of San Diego County. This agreement ensures funding for firefighting and emergency resources to comply with General Plan Safety Element Policy S-6.3 for new development, which requires development projects to contribute fair-share funding toward fire services. Funding provided by projects result in capital that can be used toward firefighting and emergency response improvements so that the County's firefighting agencies are able to perform their mission into the future at levels consistent with the General Plan.</p>
<p><b>Policy S-6.4: Fire Protection Services for Development.</b> Require that new development demonstrate that fire services can be provided that meets the minimum travel times identified in Table S-1 (Travel Time Standards from Closest Fire Station).</p>	<p><b>Consistent.</b> The Proposed Project would be consistent with this policy. As discussed in Section, 3.1.6, Public Services, emergency response for the Project would be provided, initially, by the San Diego County Fire Authority from its Station 43 in Jacumba. The Jacumba Fire Station is located at 1255 Jacumba Street and is staffed with two CAL FIRE firefighters. The Jacumba Station is approximately 0.3 miles from the Project site and travel time to the Project site from this station is calculated at 6.8 minutes (see Appendix N, FPP). This is compliant with the required General Plan response time and distance requirements for rural land use zoning (10 minutes). In addition, with the implementation of <b>M-WF-3</b>, The Proposed Project would participate in a Fire Protection and Mitigation Services Agreement with San Diego County Fire Authority (SDCFA) to improve SDCFA's capacity to provide fire and emergency protection services.</p>
<p><b>Policy S-7.1: Development Location</b> Locate development in areas where the risk to people or resources is minimized. In accordance with the California Department of Conservation Special Publication 42, require development be located a minimum of 50 feet from active or potentially active faults, unless an alternative setback distance is approved based on geologic analysis and feasible engineering design measures adequate to demonstrate that the fault rupture hazard would be avoided.</p>	<p><b>Consistent.</b> The Proposed Project would be consistent with the policy. The Project site is not located in a fault rupture hazard zone as identified by the Alquist-Priolo Earthquake Fault Zoning Act. Following construction, the Project would be monitored via a SCADA system to provide critical operating information. The SCADA system would be monitored remotely and no on-site operations and maintenance facilities or personnel would be necessary.</p>

**Table 3.1.4-4  
County General Plan Consistency Analysis**

Policy	Project Consistency with Policy
<p><b>Policy S-7.2: Engineering Measures to Reduce Risk.</b> Require all development to include engineering measures to reduce risk in accordance with the California Building Code, Uniform Building Code, and other seismic and geologic hazard safety standards, including design and construction standards that regulate land use in areas known to have or potentially have significant seismic and/or other geologic hazards.</p>	<p><b>Consistent.</b> The Proposed Project would be consistent with this policy. To ensure the structural integrity of all enclosures structures, the Project would conform to the seismic design requirements as outlined within the California Building Code (CBC), which contains universal standards for proper site preparation and grading practices, adequate design of foundation, and guidelines for the appropriate selection and use of construction materials. The local agency that enforces the CBC is the County Department of Planning and Development Services, which reviews applications for building permits for compliance with the CBC, local amendments to the CBC, and County zoning ordinances. Also as required in <b>M-GEO-1</b>, a more comprehensive Geology and Soils Report evaluation would be conducted and the design requirements recommended followed. Therefore, potential impacts from liquefaction and expansive soils would be less than significant with the implementation of mitigation.</p>
<p><b>Policy S-9.2: Development in Floodplains</b> Limit development in designated floodplains to decrease the potential for property damage and loss of life from flooding and to avoid the need for engineered channels, channel improvements, and other flood control facilities. Require development to conform to federal flood proofing standards and siting criteria to prevent flow obstruction.</p>	<p><b>Consistent.</b> The Proposed Project would be consistent with this policy. As discussed in Section 2.7, Hydrology and Water Quality, with implementation of <b>M-HYD-1</b> and <b>PDF-HYD-1</b>, potential flood impacts would be less than significant.</p>
<p><b>Policy S-10.4: Stormwater Management</b> Require development to incorporate low impact design, hydromodification management, and other measures to minimize stormwater impacts on drainage and flood control facilities.</p>	<p><b>Consistent.</b> The Proposed Project would be consistent with this policy. Grading required at the Project site would proceed in accordance with the County Grading Ordinance, which would be enforced through the grading permit. The Proposed Project would comply with the County Watershed Protection Ordinance. Prior to construction, the Project applicant would be required to develop and implement a SWPPP that would include BMPs to protect stormwater runoff during ground-disturbing activities. The Project's roadway design is also pervious. Also, see the response for Policy LU-6.5.</p>
<p><b>Policy S-10.5: Development Site Improvements</b> Require development to provide necessary on- and off-site improvements to stormwater runoff and drainage facilities.</p>	<p><b>Consistent.</b> The Proposed Project would be consistent with this policy. Improvements would conform with site improvement standards including stormwater flows are evaluated in Section 2.7.3 of this EIR.</p>
<p><b>Policy S-10.6: Stormwater Hydrology.</b> Ensure development avoids diverting drainages, increasing velocities, and altering flow rates to off-site areas to minimize adverse impacts to the area's existing hydrology.</p>	<p><b>Consistent.</b> The Proposed Project would be consistent with this policy. BMPs to be implemented in accordance with the SWPPP and the Standard SWQMP would address alteration of drainage patterns, velocity and peak flow rates, and erosion control. Also see Section 2.7.3 of this EIR.</p>

**Table 3.1.4-4  
County General Plan Consistency Analysis**

Policy	Project Consistency with Policy
<p><b>Policy S-11.5: Development Adjacent to Agricultural Operations.</b> Require development adjacent to existing agricultural operations in Semi-Rural and Rural Lands to adequately buffer agricultural areas and ensure compliance with relevant safety codes where pesticides or other hazardous materials are used.</p>	<p><b>Consistent.</b> The Proposed Project would be consistent with this policy. As discussed in Section 3.1.1, Agricultural Resources, of this EIR, the Project site has a buffer of approximately 25 miles from the closest agricultural operation. Further, the location, size, design, and operating characteristics of the Proposed Project would be compatible with adjacent agricultural uses, and impacts would be less than significant.</p> <p>While agricultural operations are located in the Jacumba area, most operations consist of miscellaneous grazing. The transport, use, and storage of hazardous materials on the Project site during construction and operations would be subject to local, state and federal laws regulations and compliance with relevant laws and regulations would minimize the potential for upset conditions/impacts.</p>
<p><b>Policy S-15.3: Hazardous Obstructions within Airport Approach and Departure.</b> Restrict development of potentially hazardous obstructions or other hazards to flight located within airport approach and departure areas or known flight patterns and discourage uses that may impact airport operations or do not meet Federal or State aviation standards.</p>	<p><b>Consistent.</b> The Proposed Project would be consistent with this policy. The Project site is located within the AIA of the Jacumba Airport, for which the County Regional Airport Authority has adopted the Jacumba ALUCP, and is therefore subject to Sections 5250 through 5260 of the County Zoning Ordinance. The Project filed a Notice of Proposed Construction or Alteration (Form 7460-1) with the FAA. Based on the information provided in Form 7460-1, the FAA determined that the Project would not be an airspace obstruction or hazard.</p>
<p><b>Policy N-1.1: Noise Compatibility Guidelines</b> Use the Noise Compatibility Guidelines (Table N-1) and the Noise Standards (Table N-2) as a guide in determining the acceptability of exterior and interior noise for proposed land uses.</p>	<p><b>Consistent.</b> The Proposed Project would be consistent with this policy. With the implementation of <b>M-NOI-1</b>, <b>M-NOI-2</b> and <b>M-NOI-3</b>, the Proposed Project would not generate construction, operational, traffic noise or other noise that would exceed the Noise Compatibility Guidelines or Noise Standards at Noise Sensitive Land Uses. See Section 2.9, Noise, of this EIR.</p>
<p><b>Policy N-1.2: Noise Management Strategies</b> Require the following strategies as higher priorities than construction of conventional noise barriers where noise abatement is necessary:</p> <ul style="list-style-type: none"> <li>• Avoid placement of noise sensitive uses within noisy areas</li> <li>• Increase setbacks between noise generators and noise sensitive uses</li> <li>• Orient buildings such that the noise sensitive portions of a project are shielded from noise sources</li> <li>• Use sound-attenuating architectural design and building features</li> <li>• Employ technologies when appropriate that reduce noise generation (i.e., alternative pavement materials on roadways)</li> </ul>	<p><b>Consistent.</b> The Proposed Project would be consistent with this policy. With the implementation of <b>M-NOI-1</b>, <b>M-NOI-2</b> and <b>M-NOI-3</b>, the Proposed Project would not generate construction, operational, traffic noise or other noise that would exceed the Noise Compatibility Guidelines or Noise Standards at Noise Sensitive Land Uses. See Section 2.9, Noise, of this EIR.</p>

**Table 3.1.4-4  
County General Plan Consistency Analysis**

Policy	Project Consistency with Policy
<p><b>Policy N-2.1: Development Impacts to Noise Sensitive Land Uses</b> Require an acoustical study to identify inappropriate noise level where development may directly result in any existing or future noise sensitive land uses being subject to noise levels equal to or greater than 60 CNEL and require mitigation for sensitive uses in compliance with the noise standards listed in Table N-2.</p>	<p><b>Consistent.</b> The Proposed Project would be consistent with this policy. With the implementation of <b>M-NOI-1</b>, <b>M-NOI-2</b> and <b>M-NOI-3</b>, the Proposed Project would not generate construction, operational, traffic noise or other noise that would exceed the Noise Compatibility Guidelines or Noise Standards at Noise Sensitive Land Uses. See Section 2.9, Noise, of this EIR.</p>
<p><b>Policy N-3.1: Groundborne Vibration</b> Use the Federal Transit Administration and Federal Railroad Administration guidelines, where appropriate, to limit the extent of exposure that sensitive uses may have to groundborne vibration from trains, construction equipment, and other sources.</p>	<p><b>Consistent.</b> The Proposed Project would be consistent with this policy. The Proposed Project would limit the extent of exposure that sensitive uses may have to groundborne vibration from construction equipment, and other sources. See Section 2.9, Noise, of this EIR.</p>
<p><b>Policy N-6.2: Recurring Intermittent Noise</b> Minimize impacts from noise in areas where recurring intermittent noise may not exceed the noise standards listed in Table N-2.</p>	<p><b>Consistent.</b> The Proposed Project would be consistent with this policy. To ensure that recurring intermittent noise (such as noise generated during maintenance activities including panel washing) complies with the County Noise Ordinance, <b>M-NOI-2</b> would be implemented. See Section 2.9, Noise, of this EIR.</p>
<p><b>Policy N-6.4: Hours of Construction</b> Require development to limit the hours of operation as appropriate for non-emergency construction and maintenance.</p>	<p><b>Consistent.</b> The Proposed Project would be consistent with this policy. Construction and maintenance of the Proposed Project would conform to the hours of operation for such activities as specified by the County Noise Ordinance. If work is required outside of regularly permitted hours, then the Project applicant would go through the appropriate County process to ensure County approval of activities.</p>

**Table 3.1.4-5  
Mountain Empire Subregional Plan Consistency Analysis**

Policy and Recommendation	Project Consistency with Policy
<p><b>Agricultural Goal.</b> Encourage the expansion and continuance of agricultural uses in the subregion.</p>	<p><b>Consistent.</b> The Proposed Project would be consistent with this policy. As discussed in Section 3.1.1, Agricultural Resources, of this EIR, the site also has portions that have been used as historical field or pasture agricultural lands. However, the Proposed Project would not conflict with a Williamson Act Contract or agricultural preserve. The Proposed Project would not change the rural characteristic of the area, as there are no active agricultural operations in the Proposed Project's Zone of Influence (ZOI). Consequently, the Proposed Project would not obstruct, interrupt, or detract from existing agricultural operations within the ZOI, or be detrimental to surrounding properties. Since there are no active agricultural lands within 0.25 miles</p>

**Table 3.1.4-5  
Mountain Empire Subregional Plan Consistency Analysis**

Policy and Recommendation	Project Consistency with Policy
	<p>of the Project site, this would not result in any additional pressure to convert surrounding agricultural lands.</p> <p>In addition, the solar facility (except for <del>switchyard</del> Switchyard Facilities) would be decommissioned after 35 years. As a result, the Proposed Project would not substantially impair the ongoing viability of the site for agricultural use, and impacts would be less than significant.</p> <p>Further, no residential or dense urban development is proposed that may conflict with existing agricultural uses. The surrounding area is composed predominantly of rural land with a small portion of commercial land to the northeast and residential land associated with the community of Jacumba Hot Springs to the west. The Proposed Project would not involve changes to the existing environment that, due to their location or nature, could indirectly result in the conversion of off-site agricultural resources to non-agricultural use, or could adversely impact the viability of agriculture on surrounding land.</p>
<p><b>Community Character Goal.</b> Encourage the development of land in a manner that reinforces the unique identity of the Mountain Empire Subregion and its communities.</p> <p><u>Findings.</u> The Jacumba Subregional Group Area is unique in both its natural and manmade settings and has a long history of human occupation. These natural attributes – hot springs, desert environment, and clean air – attracted many residents and brought about the town’s development.</p>	<p><b>Consistent:</b> The Proposed Project is consistent with this Goal as development would primarily be centered in the flatter terrain on the Project site, while the particularly vivid terrain including ridgelines and slopes would not be disturbed by the Proposed Project. Landscaping and slatted or screened fencing would provide visual screening for motorists driving along Old Highway 80, users of Jacumba Community Park, and residents in Jacumba Hot Springs to the extent practicable. From elevated vantage points, taller Proposed Project components associated with the collector substation, Switchyard Facilities, and gen-tie line would be visible but would be added to a viewshed that currently includes tall steel lattice towers and tubular steel poles of the Southwest Powerlink and Sunrise Powerlink. Lastly, the Proposed Project is proposed in the Jacumba area landscape that has been previously altered by the existing transmission lines.</p>
<p><b>Land Use Element General Goal.</b> Provide a land use pattern consistent with the Subregional population forecast.</p>	<p><b>Consistent.</b> The Proposed Project would be consistent with this policy. The Mountain Empire Subregional Plan estimated population growth in the area from approximately 5,815 at the time of writing to approximately 8,844 persons by the year 2030. The Proposed Project would not affect population density in the Mountain Empire Subregion and sufficient land area would remain to accommodate the projected growth. The proposed project is an interim use and will be decommissioned at the expiration of the Use Permit. During construction and decommissioning, the</p>

**Table 3.1.4-5  
Mountain Empire Subregional Plan Consistency Analysis**

Policy and Recommendation	Project Consistency with Policy
	<p>Proposed Project would employ a total of approximately 500 workers, with a daily maximum of 500 workers at the peak of construction and approximately 250 workers during decommissioning. It is anticipated that workers from the San Diego region to the west or Imperial Valley to the east would construct and decommission the Proposed Project. Because of the presence of locally available workers in San Diego County, and because of the relatively short duration of construction (approximately 13 months) and decommissioning (approximately 10 months), workers are not expected to relocate to the area with their families.</p> <p>During the operational phase, the Proposed Project would be an unmanned facility that would be monitored remotely and would not have any full-time personnel on site. Up to five people may periodically be on site during operations for inspections, maintenance, and repair activities. The operational workers are likely to come from the San Diego region to the west, and are also not anticipated to relocate to Jacumba Hot Springs or the Mountain Empire Subregion given their limited time at the site annually. Accordingly, the limited scale of the solar facility construction, operation and decommissioning would not affect the population base within the area.</p> <p>The Proposed Project would not induce substantial unplanned population growth in the community of Jacumba Hot Springs or the Mountain Empire Subregion. The Proposed Project does not include a residential component that would cause permanent or temporary population increases, nor would it extend roads or infrastructure (e.g., water, sewer, etc.) into previously unserved areas. Additionally, the Proposed Project would not include any physical or regulatory changes that would remove a restriction to, or encourage population growth in the area, including, but not limited to, the following: large-scale residential development; accelerated conversion of homes to commercial or multifamily use; regulatory changes including General Plan Amendments encouraging population growth, specific plan amendments, zone reclassifications, or sewer or water annexations; or Local Agency Formation Commission annexation actions. Therefore, the Proposed Project would not result in a direct or indirect impacts to population.</p> <p>The electricity generated by the Proposed Project would be fed directly into the regional electricity grid and would not</p>

**Table 3.1.4-5  
Mountain Empire Subregional Plan Consistency Analysis**

Policy and Recommendation	Project Consistency with Policy
	serve or facilitate any growth of the local population directly. The Project is intended to support the state's transition to 100% renewable energy generation and to improve electrical reliability in San Diego County and other counties. Accordingly, the Project would supplement the region's energy supply and would not encourage housing growth or result in growth-inducing impacts in the Mountain Empire Subregion.
<p><b>Land Use (Policy and Recommendation 1)</b> The landforms of the Subregion are an important environmental resource that should be respected in new development. Hillside grading shall be minimized and designed to blend in with the existing natural contours.</p>	<p><b>Consistent.</b> The Proposed Project would be consistent with this policy. The solar facility (i.e., all components of the JVR Energy Park Project) would be consistent with this policy. The general topography within the development footprint consists of flat land and gently rolling hills. Grading will be necessary for the construction of access and service roads and the installation of solar arrays; trenching for the underground electrical DC and AC collection system, including the telecommunication lines; and construction of the Proposed Project substation. Major Grading Permits would be required and would be obtained once grading quantities are finalized. Grading is expected to be balanced on site, with approximately <del>28075</del> 28075,000 cubic yards of cut redistributed across the site. Hillside grading would be minimized and designed to conform to the existing contours to the extent feasible.</p>
<p><b>Land Use (Policy and Recommendation 2)</b> Create a buffer area of one hundred and fifty (150) feet in width along the international boundary line inclusive of the existing sixty-foot (60') Public Reserve owned by the Federal Government.</p>	<p><b>Consistent.</b> The Proposed Project would be consistent with this policy. The Project's parcels that are adjacent to the International Border all have a D-Designator (Special Area Regulation) that prescribe specific actions to be taken relative to development along the International Border. On December 18, 2018, Department of Homeland Security (DHS) was notified that a portion of the Project will be within the 90-foot of the Public Reserve Area. On January 21, 2019, DHS stated that the project would not be a significant impact to Border Patrol operations or access to the area. The 90-foot of open corridor was deemed unnecessary to DHS.</p>
<p><b>Land Use (Policy and Recommendation 3)</b> Apply a ninety (90') foot setback within which no new permanent building may be built northerly of the existing sixty (60') foot Public Reserve line. Where such ninety (90') foot setback can be shown to adversely impact a property, owner may apply for a waiver from complying with the setback as provided for Section 7060 of The Zoning Ordinance.</p>	<p><b>Consistent.</b> The Proposed Project is consistent with this policy. In accordance with Section 7060 of the Zoning Ordinance the Proposed Project would comply with both the county 90-foot setback requirement and the 60-foot Public Reserve line. See the Project Plot Plan for additional detail.</p>
<p><b>Land Use (Policy and Recommendation 4)</b> Ensure that all development be planned in a manner that provides adequate public facilities prior to or concurrent with need.</p>	<p><b>Consistent.</b> The Proposed Project would be consistent with this policy. The Proposed Project has been designed to provide a source of generation as near as possible to existing SDG&amp;E transmission infrastructure. The Proposed</p>



**Table 3.1.4-5  
Mountain Empire Subregional Plan Consistency Analysis**

Policy and Recommendation	Project Consistency with Policy
	<p>Project would provide an additional, renewable energy source, helping meet regional and statewide energy demand while assisting the state in directly achieving or exceeding the state’s mandate to obtain 100 percent of total retail sales of electricity from eligible renewable energy resources and zero-carbon resources by December 31, 2045 (SB 100).</p> <p>Public drainage and sewage improvements would not be required for the Proposed Project as the Proposed Project would be an unmanned facility that would be controlled remotely and only have periodic workers for routine repair, maintenance and inspection. During the operational phase, the Proposed Project would be monitored remotely and would not have any full-time personnel on site. Up to five people may periodically be on site during operations for inspections, maintenance, and repair activities. The operational workers are likely to come from the San Diego region to the west, and are also not anticipated to relocate to Jacumba Hot Springs or the Mountain Empire Subregion given their limited time at the site annually. The Proposed Project does not include a residential component that would cause permanent or temporary population increases, nor would it extend roads or infrastructure (e.g., water, sewer, etc.) into previously unserved areas. Additionally, the Proposed Project would not include any physical or regulatory changes that would remove a restriction to, or encourage population growth in the area, including, but not limited to, the following: large-scale residential development; accelerated conversion of homes to commercial or multifamily use; regulatory changes including General Plan Amendments encouraging population growth, specific plan amendments, zone reclassifications, or sewer or water annexations; or Local Agency Formation Commission annexation actions. Therefore, the Proposed Project would not result in the need for additional public facilities.</p>
<p><b>Energy Conservation Goal.</b> Ensure that the conservation of non-renewal energy resources is pursued in a way that is not detrimental to the rural lifestyle.</p>	<p><b>Consistent.</b> The Proposed Project would be consistent with this goal. The Proposed Project is a solar facility and by its nature contributes to the conservation of non-renewable energy resources. Solar energy is a renewable, free source of energy that is sustainable and inexhaustible, unlike fossil fuels, which are finite. It is also a non-polluting source of energy and does not emit any greenhouse gases when producing electricity.</p> <p>Therefore, the Project will conserve energy resources and will not be detrimental to the rural lifestyle.</p>

**Table 3.1.4-5  
Mountain Empire Subregional Plan Consistency Analysis**

Policy and Recommendation	Project Consistency with Policy
<b>Energy Conservation (Policy and Recommendation 1)</b> New development should utilize alternative energy technologies, especially active and passive solar energy systems.	<b>Consistent.</b> The Proposed Project would be consistent with this policy in that it is a solar facility that would produce solar power eligible for the state's Renewable Portfolio Standard that would be used by existing or future development.
<b>Public Facilities and Services Goal.</b> Provide the facilities and level of service necessary to satisfy the needs of the subregion.	<b>Consistent.</b> The Proposed Project would be consistent with this goal. The Proposed Project has been designed to provide a source of generation as near as possible to existing SDG&E transmission infrastructure. The Proposed Project would provide an additional, renewable energy source, helping meet regional and statewide energy demand while assisting the state in directly achieving or exceeding the state's mandate to obtain 100 percent of total retail sales of electricity from eligible renewable energy resources and zero-carbon resources by December 31, 2045 (SB 100).
<b>Public Facilities and Services (Policy and Recommendation 4)</b> Uses proposed for the property adjacent to substations or transmission line rights-of-ways should be reviewed for possible impacts to the power facilities and vice versa.	<b>Consistent.</b> The Proposed Project would be consistent with this policy. The Proposed Project has been sited to provide a source of local generation as near as possible to the SDG&E transmission infrastructure and other recent regional renewable energy facilities and electrical transmission lines, including the Jacumba Solar Project, Eco Substation, Sunrise Powerlink, and Southwest Powerlink. The Proposed Project would be compatible with existing substation or transmission lines nearby.
<b>Conservation – Environmental Resources Goal.</b> Ensure that there is careful management of environmental resources in the area in order to prevent wasteful exploitation or degradation of those resources and to maintain them for future needs.	<b>Consistent.</b> The Proposed Project would be consistent with this goal. As discussed in this EIR, all Proposed Project impacts to environmental resources have been analyzed and mitigated as necessary. The Proposed Project has been designed to avoid degradation to natural resources to the maximum extent practicable. The Proposed Project will include mitigation measures to bring anticipated impacts to a less than significant level.
<b>Environmental Resources (Policy and Recommendation 1)</b> All development shall demonstrate a diligent effort to retain as many native oak trees as possible.	<b>Consistent.</b> The Proposed Project would be consistent with this policy. No oak woodlands exist on the Project site. Therefore, development of the Proposed Project would not require the removal of existing oak trees.
<b>Environmental Resources (Policy and Recommendation 3)</b> Floodways should be maintained in their natural state unless findings can be made that a threat to public safety exists.	<b>Consistent.</b> The Proposed Project would be consistent with this policy. The Proposed Project avoids development within Boundary Creek and minimizes developed within Carrizo Wash. As discussed in Section 2.7 Hydrology and Water Quality, implementation of <b>M-HYD-1</b> and <b>PDF-HYD-1</b> would ensure flood flows would not be impeded or redirected.

**Table 3.1.4-5  
Mountain Empire Subregional Plan Consistency Analysis**

Policy and Recommendation	Project Consistency with Policy
<p><b>Environmental Resources (Policy and Recommendation 4)</b> The dark night sky is a significant resource for the Subregion and appropriate steps shall be taken to preserve it.</p>	<p><b>Consistent.</b> The Proposed Project would be consistent with this policy. The solar facility would be consistent with this policy and would comply with the County’s Light Pollution Code during construction and operations. More specifically, during construction, portable night lighting used during construction would be fully compliant with the lamp type and shielding requirements for Class II lighting as established by Section 51.204 of the County Light Pollution Code and would be fully shielded and directed downward to minimize opportunities for unnecessary sky glow and light trespass. During operations, all lighting for the solar facility would be shielded, directed downward, and would comply with the County of San Diego Light Pollution Code, also known as the Dark Sky Ordinance, Section 59.101 et seq. Lastly, the Proposed Project would comply with the San Diego County Zoning Ordinance, Performance Standards Sections 6320, 6322, and 6324, which guide performance standards for glare, and control excessive, or unnecessary outdoor light emissions.</p>
<p><b>Environmental Resources (Policy and Recommendation 5)</b> Development shall not adversely affect the habitat of sensitive plant and wildlife species or those areas of significant scenic value.</p>	<p><b>Consistent.</b> The Proposed Project would be consistent with this policy. As discussed in Section 2.3, Biological Resources, of the EIR, the Proposed Project would result in impacts to sensitive plant and wildlife species. However, through mitigation, potentially significant impacts would be reduced to less than significant.</p> <p>Although implementation of the Proposed Project was determined to result in significant and unmitigable impacts to focal or panoramic vistas from several locations including Interstate (I) 8 and Old Highway 80, the Proposed Project would not conflict with this policy. Neither the Project site nor the surrounding area has been designated by local, state or federal agencies or organizations as containing or being of “significant” scenic value. Still, the areas identified for solar development encompass flatter terrain and unique or particularly vivid terrain including ridgelines and slopes would not be disturbed by Proposed Project development.</p> <p>Within implementation of landscaping and slatted or <u>screened</u> fencing, solar panels, and other equipment would be screened from public view of motorists on Old Highway 80, users of Jacumba Community Park, and residents in Jacumba Hot Springs to the extent practicable. From elevated vantage points, taller Proposed Project components associated with the collector substation, <u>switchyard</u> <u>Switchyard Facilities</u>, and gen-tie line would be visible but would be added to a viewshed that currently includes tall steel lattice towers and tubular steel poles of the Southwest Powerlink and Sunrise Powerlink. Lastly, the Proposed</p>

**Table 3.1.4-5  
Mountain Empire Subregional Plan Consistency Analysis**

Policy and Recommendation	Project Consistency with Policy
	<p>Project is proposed in the Jacumba area landscape that has been previously altered by the existing transmission lines</p> <p>Since the Project site has not been designated or described by agencies as containing “significant” scenic value, and in consideration of the factors described above, the Proposed Project would not conflict with this policy.</p>
<p><b>Scenic Highways Goal.</b> Establish a network of scenic highway corridors within which scenic, historical and recreational resources are protected and enhanced.</p>	<p><b>Consistent.</b> The Proposed Project would be consistent with this policy. Within the Mountain Empire Subregional Plan Area, Interstate 8 from State Route 79 east to the Imperial County Line and Old Highway 80, from the Central Mountain Subregion to Interstate 8 are designated scenic corridors. The solar facility would be visible from portions of I-8 and Old Highway 80.</p>
	<p>Despite their inclusion in the County’s scenic highway system, there are no current local regulations governing development of lands along I-8 or Old Highway 80. For example, existing energy infrastructure including the East County Substation, Jacumba Solar Project, transmission lines, and the East County Substation 138 kV line is currently visible from I-8 and Old Highway 80.</p> <p>Near the project site, both I-8 and Old Highway 80 were identified as providing opportunities for long and/or broad scenic views. Further, even with implementation of PDFs including PDF_AE-4 and PDF-AE-5, impacts to focal or panoramic vistas from I-8 and Old Highway were determined to be significant and unavoidable. However, the duration of available views from I-8 to the Project site is brief (30 seconds or less) and the viewshed currently encompasses gas station development and electrical infrastructure in addition to natural terrain and native desert vegetation.</p> <p>Further, from Old Highway 80, the installation of landscaping and slatted or screened fencing (i.e., <b>M-AES-5</b> and <b>M-AES-6</b>) would partially screen solar panels and interior Project components from view of passing motorists. These mitigation measures would substantially reduce the visibility of solar panels and ancillary facilities from Old Highway 80.</p> <p>Lastly, implementation and operation of the Proposed Project would not prevent the County from continuing to establish and designate scenic highways and would not inhibit the County from establishing regulations and/or development standards geared towards the protection and enhancement of scenic highways.</p> <p>Due to the inclusion of existing energy infrastructure in the I-8 and Old Highway 80 viewsheds, the brief duration of views to the Project site from I-8, screening of solar panels from view of Old Highway 80 motorists and because the Project does not inhibit the County from establishing regulations</p>

**Table 3.1.4-5  
Mountain Empire Subregional Plan Consistency Analysis**

Policy and Recommendation	Project Consistency with Policy
	and/or development standards geared towards the protection and enhancement of scenic highways, the Proposed Project would not be inconsistent with the Scenic Highways Goal of the Mountain Empire Subregional Plan.
<p>Vision Statement for Jacumba. Jacumba is a diverse community. The ratio of young to older citizens is about even, which makes the vision diverse as well. We want schools for the young, as well as much needed services, like fire protection, police, and medical care, and still not lose the wonderful feeling that is Jacumba. Clean air, beautiful scenery, superb climate, and no congestion or traffic.</p>	<p><b>Consistent.</b> The Proposed Project would be consistent with this vision statement. The Proposed Project would not increase population in the area, and therefore would not increase demand for public services such as schools and police protection. As discussed in Section 2.12, Wildfire, of this EIR, the fire protection measures in the FPP (<b>M-WF-1</b>), that has been prepared and submitted to the County Fire Marshal for approval, would be implemented. Please refer to response to Policy S-6.3 above.</p> <p>With implementation of <b>M-WF-3</b>, the Proposed Project would participate in a Fire Protection and Mitigation Agreement with San Diego County Fire Authority (SDCFA) to improve SDCFA's</p>
	<p>capacity to provide fire and emergency protection services. The project has been designed to be compatible with and preserve the natural and historic environment. By its very nature, the Proposed Project would increase the accessibility of renewable energy throughout California. Please refer to response to Policy LU 8.2 above. The Proposed Project would use groundwater from on-site wells. As discussed in Section 2.7, Hydrology and Water Quality of this EIR, a Groundwater Investigation has been prepared and a Groundwater Monitoring and Mitigation Plan (<b>PDF-HYD-2</b>) would be implemented for the Proposed Project. While there would be a short-term increase in vehicle trips due to construction, long term traffic impacts would be negligible as it is an unstaffed facility.</p>

**Table 3.1.4-6  
Jacumba Airport Land Use Compatibility Plan Consistency Analysis**

Jacumba ALUCP Section	
<i>Policy</i>	<i>Project Consistency with Policy</i>
<p><b>Policy JAC 1.1 Evaluating Acceptable Noise Levels for New Development:</b> The noise compatibility of proposed land uses within the influence area of Jacumba Airport shall be evaluated in accordance with the policies set forth in this section, including the criteria listed in Table JAC-1 and the noise contours depicted on Map JAC-1.</p>	<p><b>Consistent.</b> The Proposed Project would be consistent with this policy. The Proposed Project is an unstaffed facility. Therefore, it will not exceed the maximum nonresidential intensity (people/acre) shown in Table JAC-1. The southern portion of the project site will be located within the 50-55 decibel (dB) noise contour as shown on Map JAC-1. The project use will be consistent with the criteria listed in Table JAC-1 and the noise contours depicted on Map JAC-1.</p>

**Table 3.1.4-6  
Jacumba Airport Land Use Compatibility Plan Consistency Analysis**

<b>Jacumba ALUCP Section</b>	
<i>Policy</i>	<i>Project Consistency with Policy</i>
<p><b>Policy JAC 1.3 Acceptable Noise Levels for Specific Types of Land Use Development:</b></p> <p>(c) The compatibility of new nonresidential development with noise levels generated by the airport is indicated in Table JAC-1.</p> <ol style="list-style-type: none"> <li>1. Buildings associated with land uses listed as “conditional” must have added sound attenuation as necessary to meet the interior noise levels standards indicated in the table and in Policy JAC.JAC.1.5.</li> <li>2. Land uses not specifically listed shall be evaluated using the criteria for similar listed uses.</li> </ol> <p>(d) Dedication of an aviation easement in accordance with Policy 3.1.5 of Chapter 2 is a requirement for acceptability of any type of development within the 55 dB Community Noise Equivalent Level (CNEL) contour.</p>	<p><b>Consistent.</b> The Proposed Project would be consistent with this policy. The Proposed Project is not associated with a “conditional” land use and therefore will not require added sound attenuation as necessary to meet the interior noise levels standards. Prior to development, the project will obtain an aviation easement in accordance with Policy 3.1.5 of Chapter 2.</p>
<p><b>Policy JAC 1.4 Application of Noise Contours to Individual Project Sites:</b> Projected noise contours are inherently imprecise because, especially at general aviation airports, flight paths and other factors that influence noise emissions are variable and activity projections are always uncertain. Given this imprecision, noise contours shall be utilized as follows in assessing the proposed use of a specific development site.</p> <p>(a) In general, the highest CNEL to which a project site is projected to be exposed shall be used in evaluating the compatibility of development over the entire site and determining sound attenuation requirements, if any.</p> <p>(b) Exceptions to this policy are as follows:</p> <ol style="list-style-type: none"> <li>1. On project sites large enough to have a CNEL variation of 3 dB or more, compatibility criteria applicable within each 5 dB range (55 to 60, 60 to 65, etc.) shall be applied to each portion of the site exposed to that range of noise.</li> <li>2. Where no part of the buildings proposed on the site fall within the higher CNEL range, the criteria for the CNEL range where the buildings are located shall apply.</li> </ol>	<p><b>Consistent.</b> The Proposed Project would be consistent with this policy. The Project site is large enough to have a CNEL variation of more than 3 dB. The southern portion of the site would be within the 50 to 55 dB noise contour, while the rest of the site will be lower. The SDG&amp;E <u>switchyard Switchyard Facilities</u> and substation proposed on site will be located outside of the airport noise contours.</p>
<p><b>Policy JAC 2.2 Measures of Safety Compatibility:</b> To minimize risks to people and property on the ground and to people on board aircraft, the safety compatibility criteria set limits on:</p>	<p><b>Consistent.</b> The Proposed Project would be consistent with this policy. The project proposes a solar energy facility and associated transmission facilities and does not represent a sensitive land use with regard to public safety. The Project will be unmanned, and therefore will not increase the number of people concentrated in areas susceptible to aircraft accidents.</p>

**Table 3.1.4-6  
Jacumba Airport Land Use Compatibility Plan Consistency Analysis**

<b>Jacumba ALUCP Section</b>	
<i>Policy</i>	<i>Project Consistency with Policy</i>
<p>(b) The intensity of nonresidential development measured in terms of the number of people concentrated in areas most susceptible to aircraft accidents.</p> <p>(c) Development or expansion of certain uses that represent special safety concerns regardless of the number of people present.</p> <p>(d) The extent to which development covers the ground and thus limits the options of where an aircraft in distress can attempt an emergency landing.</p>	<p>The Project will not result in special safety concerns, as it will be designed in accordance with the Jacumba ALUCP Safety Compatibility Policies.</p>
<p><b>Policy JAC 2.5: Nonresidential Development Criteria:</b> The following criteria apply to most proposed nonresidential development. Additional or different criteria for uses of special concern are described in Policy JAC 2.6.</p> <p>(a) For the purposes of this Compatibility Plan, the fundamental measure of risk exposure for people on the ground in the event of an aircraft accident is the number of people concentrate in areas most susceptible to aircraft accidents. This measure is the chief determinant of whether particular types of nonresidential development are designated as incompatible, conditional, or compatible in Table JAC-2.</p> <p>1. The maximum acceptable intensity of proposed development within the environs of Jacumba Airport is:</p> <ul style="list-style-type: none"> <li>• Within Safety Zone 1: 10 people per acre.</li> <li>• Within Safety Zone 2: 60 people per acre.</li> <li>• Within Safety Zone 3: 120 people per acre.</li> <li>• Within Safety Zone 4: 150 people per acre.</li> <li>• Within Safety Zone 5: 150 people per acre.</li> <li>• Within Safety Zone 6: no limit.</li> </ul> <p>2. Usage intensity calculations shall include all people (e.g., employees, customers/visitors) who may be on the property at any single point in time, whether indoors or outdoors.</p> <p>3. Local jurisdictions may make exceptions for rare special events (e.g., as an air show at an airport) for which a facility is not designed and normally not used and for which extra safety precautions can be taken as appropriate.</p> <p>(b) Evaluation of the compatibility of a proposed nonresidential land use development shall be made using the land use types listed in Table JAC-2.</p> <p>1. The nonresidential uses are categorized primarily with respect to the typical occupancy load factor of the use measured in terms of square footage per</p>	<p><b>Consistent.</b> The Proposed Project would be consistent with this policy. The Proposed Project is an unstaffed facility and would have a very low measure of risk exposure for people on the ground. Following construction, the site will be monitored and operated off site through a supervisory control and data acquisition (SCADA) system. Additionally, only the Southern portion of the project site is located within an Airport Safety Zone. The maximum acceptable intensity will not be exceeded during construction nor operation. The applicant has coordinated with the San Diego County Department of Public Works (Airports) to discuss the design of the project and its potential effects on existing operations at the Jacumba Airport. The project has received an approved FAA Form 7460-1 (Notice of Proposed Construction or Alteration) with a determination of “No Hazard to Air Navigation” and has received a determination of consistency with the Jacumba ALUCP.</p>

**Table 3.1.4-6  
Jacumba Airport Land Use Compatibility Plan Consistency Analysis**

<b>Jacumba ALUCP Section</b>	
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<p>occupant. Occupancy load factor takes into account all occupants of the facility including employees, customers, and others. Also indicated in the table is the California Building Code (CBC) classification under which each facility is presumed to be constructed.</p> <p>Proposed development for which no land use type is listed in Table JAC-2 shall be evaluated with respect to a similar use included on the list. The occupancy load factor of the unlisted use and that of the similar listed use shall be the primary basis for comparison except where the unlisted use is most similar to a land use of special concern. Unlisted uses also may be compared to listed uses having the same construction type as noted in the CBC column in the table.</p>	
<p><b>Policy JAC 2.6 Land Uses of Special Concern:</b> Certain types of land uses represent special safety concerns irrespective of the number of people associated with those uses. Land uses of particular concern, the nature of the concern, and the conditions which the development must meet to be acceptable within a particular safety zone are as listed below.</p> <p>(a) Critical Community Infrastructure: This category pertains to facilities the damage or destruction of which would cause significant adverse effects to public health and welfare well beyond the immediate vicinity of the facility.</p> <p>2. Emergency Communications Facilities; Power Plants, and Other Utilities: Facilities such as these are conditionally compatible in the zones indicated for that use in Table JAC-2 only if the local jurisdiction documents that an alternative site outside these zones would not adequately meet the needs the facility is intended to serve and that this consideration outweighs the airport-related safety concerns associated with a site in the impacted area. Susceptibility of the facility to damage by an aircraft accident, the availability of redundant or replacement facilities, the rapidity with which the facility could be repaired, and other such factors should all be considered in the determination of whether a facility of this type should be placed in a risky location.</p>	<p><b>Consistent.</b> The Proposed Project would be consistent with this policy. The Project proposes a solar energy facility and associated transmission facilities and does not represent a sensitive land use with regard to public safety. In addition, as the facilities would be self operating, the daily onsite presence of substantial numbers of employees is not required, and therefore, project-associated employees would not be subject to long-term exposure to potential airport operational hazards. Facilities where hazardous materials are stored primarily for use at an otherwise compatible land use are conditionally compatible in Safety Zones 2, 3, 4, &amp;5. Assessment of whether storage and use of a particular substance is acceptable near the airport is delegated to the permitting agencies that are responsible for ensuring safe storage and use of the substances irrespective of the facility's location near the airport. These agencies are requested to evaluate whether extra precautions would be warranted to protect against release of the hazardous substances in the event that the facility where the substances are stored and used should be involved in an aircraft accident. The battery energy storage system containers would be made of steel, which would have a low risk of catching fire. Each enclosure would include the following monitoring and safety components: modular battery racks designed for ease of maintenance; Integrated heat and fire detection and suppression system; Explosive gas monitoring; Exhaust/ventilation systems; Integrated air conditioning system; and an Integrated battery management system. The heat and fire detection system would be linked to an automatic inert gas suppression system within each container. The containers would also have a basic interior containers sprinkler system with several sprinkler heads for coverage and an external dry standpipe for fire fighters to connect and pump water. an air conditioning unit for cooling</p>



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<b>Jacumba ALUCP Section</b>	
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	<p>purposes and a self-extinguishing fire system. Loss of the energy production provided by the Project will not significantly impact SDG&amp;E’s ability to provide power to the region.</p> <p>Additionally, given the rural nature of the surrounding area, risk will not be expected to extend beyond the project site.</p>
<p><b>Policy JAC 2.8 Maximum Lot Coverage:</b> All proposed development in Safety Zones 2, 3, 4, and 5 regardless of whether the land use is listed as “compatible” or “conditional” shall adhere to the maximum lot coverage limitations indicated in Table JAC-2. No structures are permitted in Safety Zone 1 and no limits on lot coverage are set in Safety Zone 6. All structures, including parking structures and support buildings, shall be counted when determining maximum lot coverage.</p>	<p><b>Consistency.</b> The Proposed Project would be consistent with this policy. All development in Safety Zones 2 and 4 must adhere to maximum lot coverage requirements in Table JAC-2, with all structures counted toward coverage. JAC.2.8. Table JAC-2 compares the land use to the Safety Zone to determine if the use is incompatible, conditional, or compatible with the airport use. If a use is conditional or compatible, it is allowed with a maximum 50% lot coverage in Zone 2 and 70% lot coverage in Zones 4 and 5. Solar panel energy production is not specifically addressed on Table JAC-2, but it is most similar to the utility use “cell phone tower,</p>
<p>(a) On project sites of 10.0 acres or more, structures and other large objects shall be arranged so as to meet the open land criterion in Policy JAC 2.9 below at the rate of one open land area per each 10 acres of the site.</p>	<p>wind turbines,” which is marked compatible in Table JAC-2 and allowed with 50% and 70% lot coverage in Zones 2, 4 and 5 and 4, respectively. Lot coverage is not defined in the ALUCP or in the California Airport Land Use Planning Handbook. The County’s Zoning Ordinance defines lot coverage as “the percentage of net site area covered by the vertical projection of any structure excluding any structure not extending above grade.” Under this definition, the area between each solar panel is not included as lot coverage because the ground is openly exposed to the sky and there is no vertical projection above grade. The Project site is 1240 <del>1,356</del> acres, with <del>33.84</del> <u>33.57</u> acres in Zone 2, and <del>87.95</del> <u>75.06</u> acres in Zone 4, and <u>0.88</u> acres in Zone 5. Of the <del>33.84</del> <u>33.57</u> acres in Zone 2, <del>the County believes 8.45 to 15.21</del> <u>11.12</u> acres are covered, which is <del>33%</del> <u>25% to 45%</u>. <del>The County determined lot coverage by measuring the actual coverage from each individual solar panel at its widest part and excluding the uncovered area between them from the coverage total. The lot coverage is between 8.45 to 15.21 acres, or 25% to 45%. Of the 87.95-75.06 acres in Zone 4, approximately 22 acres to 39.58</del> <u>24.13</u> acres are covered, which is <del>32%</del> <u>25% to 45%</u>. <del>And of the 0.88 acres in Zone 5, 0.30</del> <u>0.30</u> acres are covered, which is <u>34%</u>. <del>The County determined lot coverage by measuring the actual coverage from each individual solar panel and excluding the uncovered area between them from the coverage total. The lot coverage is approximately 22 to 39.58 acres, or 25% to 45%.</del> Because the lot coverage in Zone 2 is between 25% to 45%, and because the lot coverage in Zone 4 is 25% to 45%, Therefore, the lot coverage in Zone 2 is less than 50%, the lot</p>

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<b>Jacumba ALUCP Section</b>	
<i>Policy</i>	<i>Project Consistency with Policy</i>
	<u>coverage in Zone 4 is less than 70%, and the lot coverage in Zone 5 is less than 70%. The Project's lot coverage is consistent with the ALUCP. (Appendix T)</u>
<p><b>Policy JAC 2.9 Open Land:</b> In the event that a light aircraft is forced to land away from an airport, the risks to the people on board can best be minimized by providing as much open land area as possible within the airport vicinity. This concept is based on the fact that the majority of light aircraft accidents and incidents occurring away from an airport runway are controlled emergency landings in which the pilot has reasonable opportunity to select the landing site. For business jets and other large or fast aircraft, including most military aircraft, provision of open land for emergency landing purposed has minimal benefit unless the areas are very large and flat.</p> <p>(a) Open land criteria are applicable to all general aviation airport runways in that even the runways frequently used by business jets are mostly used by light aircraft.</p> <p>(b) To qualify as open land, an area should:</p> <ol style="list-style-type: none"> <li>a. Be free of most structures and other major obstacles such as walls, large trees or poles (greater than 4 inches in diameter, measured 4 feet above the ground), and overhead wires.</li> <li>b. Have minimum dimensions of approximately 75 feet by 300 feet (0.5 acres).</li> </ol> <p>(c) Open land should be oriented with the typical direction of aircraft flight over the location involved.</p>	<p><b>Consistent.</b> The Proposed Project would be consistent with this policy. The Project sites 10 acres or greater must provide at least one area of open land (0.5 acres) per 10 acres. JAC.2.8. Open land is intended to allow light aircraft to have controlled emergency landings, and an area qualifies as “open land” if it meets the following requirements: free of most structures and obstacles such as walls, large trees or poles, and overhead wires; minimum dimensions of 75 x 300 feet; oriented in the typical direction of flights. JAC.2.9(b)-(c). Roads are acceptable as open land if they meet the above criteria. JAC.2.9(d). <u>As noted above, the Proposed Project impacts 109.51 acres within Safety Zones 2, 4 and 5. A total of 5.48 acres is required to satisfy the open land criteria.</u> <u>Subsequent to public review of the Draft EIR, the Proposed Project was revised to increase the Project's internal access road in the vicinity of the west end of the airport runway to 80 feet in width. Increased setbacks have also been provided along Old Highway 80. With these revisions to the Proposed Project, a total of 11.83 acres of open land is provided in Safety Zones 2, 4 and 5. Additionally, 12.11 acres of open land are provided outside of the MUP boundary for a total of 23.94 acres of open land in the Proposed Project vicinity within Safety Zones 2, 3 and 4. The Proposed Project would exceed the required open land requirements. Please refer to Appendix T of the Final EIR for further discussion of open land. With these modifications to the Project, a total of 11.07 acres of open land is provided in Safety Zones 2, 4 and 5. This total does not include the area provided as a result of the setbacks from Old Highway 80 or Old Highway 80 itself, which would combine to add an additional 9.1 acres of open land within Safety Zones 2, 4 and 5. As noted above, the Project site impacts 121.95 acres within Safety Zone 2 and 4, and it requires 6.1 acres to satisfy the open land criteria. That total provided is 8.8 acres, which satisfies the requirement for 0.5 acre of open land per 10 acres of project site.</u></p>
<p><b>Policy JAC 2.11 Parcels Lying within Two or More Safety Zones:</b> For the purposes of evaluating consistency with the compatibility criteria set forth in Table JAC-2, any parcel that is split by compatibility zone boundaries shall be considered as if it were multiple parcels divided at the compatibility zone boundary line. However, the density or intensity of development allowed within the more restricted portion of the parcel can (and is encouraged to) be reallocated to the less restricted portion. This reallocation of density or intensity is permitted even if the resulting density or intensity in the less</p>	<p><b>Consistent.</b> The Proposed Project would be consistent with this policy. The Project would be located within Zone 1 – Zone 6 of the Jacumba ALUCP. A small portion of the site would be located in Zone 1, however no structures will be placed within Zone 1. Larger areas of development will be located within Zones 2 through 6. Development intensity will be consistent across the various safety zones, with an approximate maximum lot coverage in Zone 2 of 33%, <u>between 25% to 45%, and because the lot coverage in Zone 4 of 32% is 25% to 45%, and in Zone 5 of 34%. The</u></p>

**Table 3.1.4-6  
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<b>Jacumba ALUCP Section</b>	
<i>Policy</i>	<i>Project Consistency with Policy</i>
restricted area would then exceed the limits which would otherwise apply within that safety zone.	Project's lot coverage is consistent with the ALUCP, and the Proposed Project would not exceed the maximum lot coverage ratio of any safety zone.
<p><b>Policy JAC 2.12 Special Provisions for Safety Zone 1:</b> In accordance with the Federal Aviation Administration (FAA) guidance, the basic compatibility criteria for Safety Zone 1 (the runway protection zones and within the runway primary surface), as listed in Table JAC-2, preclude most uses, including any new structures and uses having an assemblage of people.</p> <p>(a) The presumption is that the airport owner owns or intends to acquire property interests – fee title or easements – sufficient to effect this policy. The ALUC policy is to encourage airport owner acquisition of these property interests in all of Safety Zone 1 with funding assistance from the FAA.</p> <p>(b) In instances where the affected property is privately owned and the airport owner does not intend to acquire property interests, the following uses shall be considered acceptable:</p> <ol style="list-style-type: none"> <li>1. Within the runway object free area (OFA): No uses except FAA-approved uses related to aeronautical functions.</li> <li>2. Within the extended runway object free area: <ul style="list-style-type: none"> <li>• Roads</li> <li>• Farm crops that do not attract wildlife</li> </ul> </li> <li>3. Outside the runway object free area and extended runway object free area. <ul style="list-style-type: none"> <li>• Uses listed in Paragraph (2)</li> <li>• Surface automobile parking</li> <li>• Other uses not in structures and not exceeding a usage intensity of 10 people per any single acre</li> </ul> </li> <li>4. The acceptability of uses not listed shall be consistent with FAA guidance and the ALUC determination shall be made in consultation with the FAA and the airport owner.</li> </ol>	<p><b>Consistent.</b> The Proposed Project would be consistent with this policy. The Proposed Project will not place any objects within Safety Zone 1 nor within the OFA. Development outside of the OFA will not exceed a usage intensity of 10 people per any single area. The Proposed Project has been reviewed by the SDCRAA, and a FAA Form 7460- Aeronautical Study Determination of No Hazard has been obtained.</p>
<p><b>Policy JAC 3.4 ALUC Airspace Obstruction Criteria:</b> The ALUC criteria for determining the acceptability of a project with respect to height shall be based upon: the standards set forth in FAR Part 77, Subpart C; the United States Standard for Terminal Instrument Procedures (TERPS); and applicable airport design standards published by the FAA. Additionally, the ALUC shall, where an FAA aeronautical study of a</p>	<p><b>Consistent.</b> The Proposed Project would be consistent with this policy. The Project has been designed in accordance with FAR Part 77, Subpart C. The Proposed Project's <del>switchyard</del> <u>Switchyard Facilities</u> would be the tallest project component at approximately 66 feet. The <del>switchyard</del> <u>Switchyard Facilities</u> would be connected into the existing 138 kV SDG&amp;E Boulevard – East County transmission line via an overhead transmission line tie-in would require approximately 1,860 feet</p>

**Table 3.1.4-6  
Jacumba Airport Land Use Compatibility Plan Consistency Analysis**

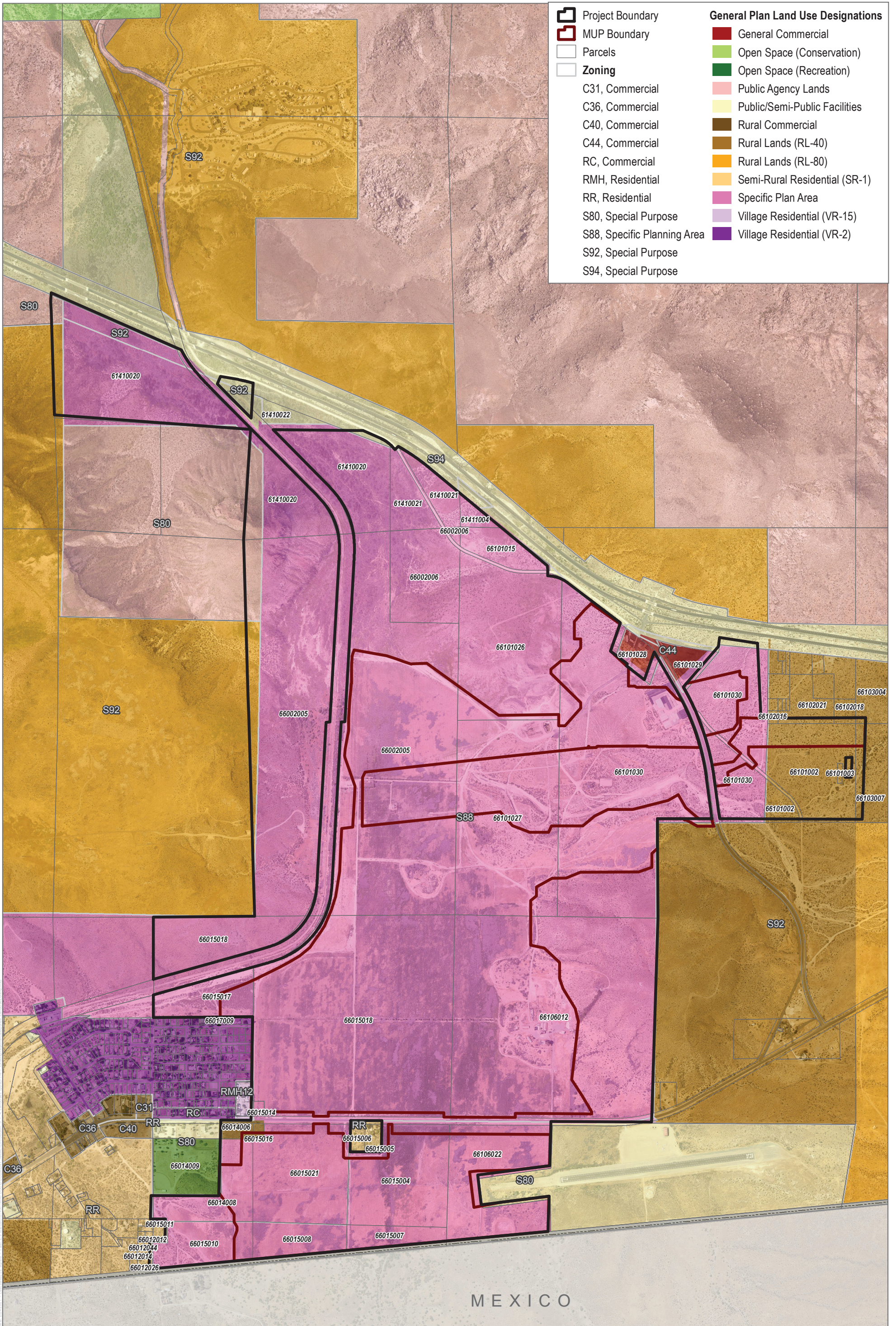
<b>Jacumba ALUCP Section</b>	
<i>Policy</i>	<i>Project Consistency with Policy</i>
<p>proposed object has been required, take into account the results of that study.</p> <p>(a) Except as provided in Paragraphs (b) and (c) of this policy, no object, including mobile object such as a vehicle or temporary object such as construction crane, shall have a height that would result in penetration of the airspace protection surface depicted for Jacumba Airport in Map JAC-3, Compatibility Policy Map: Airspace Protection. Any object that penetrates one of these surfaces is, by FAA definition, deemed an <i>obstruction</i>.</p> <p>(b) Other than within the Primary Surface and beneath the Approach or Transitional Surface, no object shall be limited to a height of less than 35 feet above the ground even if the object would constitute an obstruction.</p> <p>(c) A proposed object having a height that exceeds the airport's airspace protection surface shall be allowed only if <i>all</i> of the following apply:</p> <p>(1) As the result of an aeronautical study, the FAA determines that the object would not be a <i>hazard</i> to air navigation.</p> <p>(2) FAA or other expert analysis conducted under the auspices of the ALUC or the airport operator concludes that, despite being an airspace <i>obstruction</i> (not necessarily a <i>hazard</i>), the object that would not cause any of the following:</p> <ul style="list-style-type: none"> <li>• An increase in the ceiling or visibility minimums of the airport for an existing or planned instrument procedure (a planned procedure is one that is formally on file with the FAA or that is consistent with the FAA-approved airport layout plan);</li> <li>• A diminution of the established operational efficiency and capacity of the airport, such as by causing the usable length of the runway to be reduced; or</li> <li>• Conflict with the visual flight rules (VFR) airspace used for the airport traffic pattern or en route navigation to and from the airport.</li> </ul> <p>(3) Marking and lighting of the object will be installed as directed by the FAA aeronautical study of the California Division of Aeronautics and in a manner consistent with FAA standards in effect at the time the construction is proposed (Advisory Circular 70/7460-1J, Obstruction Marking and Lighting, or any later guidance).</p>	<p>of wire, and up to five steel transmission poles ranging from 70 to 115 feet above ground. The <del>switchyard</del> <u>Switchyard Facilities</u> and the transmission poles would be located partially within Safety Zone 6 and entirely within Part 77 horizontal surface. The <del>switchyard</del> <u>Switchyard Facilities</u> would be located immediately adjacent to existing transmission lines which are approximately 150 feet high, so no project component would exceed the height of existing infrastructure adjacent to Safety Zone 6. In accordance with paragraph (c), above, the following would apply: based on the aeronautical study, the FAA determined that the project would not be a hazard to air navigation and would not cause an increase in the ceiling or visibility minimums of the airport, a diminution of the established operational efficiency and capacity of the airport, nor conflict with the VFR airspace used for the airport traffic pattern or en route navigation to and from the airport. Marking and lighting of the project will be installed as directed by the FAA aeronautical study of the California Division of Aeronautics and in a manner consistent with FAA standards in effect at the time the construction is proposed. The Proposed Project would dedicate an aviation easement over the Project site. Due to the use of cranes during construction, the Proposed Project would be required to file a Notice of Proposed Construction or Alteration (Form 7460-1) with the FAA prior to construction. Therefore, the use will comply with all policies of this Compatibility Plan related to noise and safety compatibility.</p>

**Table 3.1.4-6  
Jacumba Airport Land Use Compatibility Plan Consistency Analysis**

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<p>(4) An aviation easement as described in Policy 3.1.5 of Chapter 2 is dedicated to the agency owning the airport.</p> <p>(5) The use complies with all policies of this Compatibility Plan related to noise and safety compatibility.</p>	
<p><b>ALUC Policy JAC 3.5: Other Flight Hazards:</b> Land uses that may cause visual, electronic, or wildlife hazards, particularly bird strike hazards, to aircraft in flight or taking off or landing at the airport shall be allowed within the airport influence area only if the uses are consistent with FAA rules and regulations.</p> <p>(a) Specific characteristics to be avoided include:</p> <ol style="list-style-type: none"> <li>(1) Sources of glare (such as from mirrored or other highly reflective buildings or building features) or bright lights (including search lights and laser light displays);</li> <li>(2) Distracting lights that could be mistaken for airport lights;</li> <li>(3) Sources of dust, steam, or smoke that may impair pilot visibility;</li> <li>(4) Sources of electrical interference with aircraft communications or navigation; and</li> <li>(5) Any proposed use that creates an increased attraction for wildlife and that is inconsistent with FAA rules and regulations including, but not limited to, FAA Order 5200.5A, Waste Disposal Sites on or Near Airports and Advisory Circular 150/5200-33, Hazardous Wildlife Attractants On or Near Airports. Of particular concern are landfills and certain recreational or agricultural uses that attract large flocks of birds which pose bird strike hazards to aircraft in flight.</li> </ol> <p>(b) To resolve any uncertainties with regard to the significance of the above types of flight hazards, local jurisdictions should consult with FAA officials.</p>	<p><b>Consistent.</b> The Proposed Project would be consistent with this policy. A glare study was prepared for the Proposed Project (Appendix A of the Visual Resources Report (Appendix B to the Final EIR)) and found that the Proposed Project would not impact airport operations at the Jacumba Airport or cause distraction to nearby residences or motorists (POWER Engineers, Inc. [POWER] 2018 2021). The study utilized the Solar Glare Hazard Analysis Tool licensed by Glare Gauge and in accordance with the FAA requirements for analyzing glare for airport operations. Proposed solar operations were analyzed from engine-powered aircraft and glider pilots, residential, and motorist viewpoints. The Proposed Project includes Project Design Feature PDF-HAZ-1 which requires (i) a minimum 20 degree east facing wake angle for all PV panels south of Old Highway 80 and (ii) no backtracking in the afternoon hours for all PV panels north of Old Highway 80 and south of the SDG&amp;E transmission corridor. After review of the analysis, POWER determined potential glare to engine-powered aircraft is limited to the Jacumba Airport Runway 7 approach during the afternoon hours of the winter months February and October lasting for less than one hour 5 minutes per day. Potential glare reported has a hazard level of “green” (low potential for temporary after-image) and is acceptable by the FAA. <del>No other occurrences of glare were reported due to the rotational limits and wake/stow procedures of solar operations (POWER 2018).</del></p> <p>For glider pilots, Power Engineers determined potential glare visible to glider pilots is limited to gliders turning base (facing south) before final approach on Runway 7. “Green” potential glare is anticipated throughout the day and year with possible low occurrences of “Yellow” glare lasting less than 18 minutes per year. The glare experienced by the glider pilots would be less in duration and intensity to those experienced from water, which creates a similar reflectivity to solar panels, during glider operations at Torrey Pines Gliderport. Review of the Aviation Safety Reporting System, the Aviation Accident Database, and the National Transportation Safety Board CAROL Query has shown no recorded instances of glare related accidents or near misses at the Torrey Pines Gliderport. Further, this analysis does not take into account the ability of common</p>

**Table 3.1.4-6**  
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<b>Jacumba ALUCP Section</b>	
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	<u>compensatory strategies employed by pilots to minimize the effects of glare in the environment, including, but not limited to, sun shades, sunglasses, and averting ones' eyes (see Appendix A to Visual Resources Report in the Final EIR).</u>



SOURCE: Kimley-Horn 2021; SANGIS 2017, 2021



MEXICO

FIGURE 3.1.4-1

Existing Regional Categories, Land Use Designations and Zoning

JVR Energy Park Project

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