

Chapter 10 – Undefined Solar / Electrical Component

Principle

CEQA requires a stable, accurate, and finite project description that discloses all significant environmental impacts in sufficient detail for informed public review and agency decision-making [A1]. Unsupported statements are not substantial evidence [A2], and deferral of essential technical analysis is impermissible [A3].

Argument

A. Inadequate Project Description

Draft Initial Study Mitigated Negative Declaration redlined UP 23-29.pdf (April 25 2025) – IS 23-20 (correct), approved by the planning commission on May 22, 2025, states that **“Electricity will be supplied by proposed solar power with a generator as back-up,”** but provides no technical information about capacity, configuration, or interconnection [A4]. The record fails to specify whether the system is grid-tied, hybrid, or off-grid — a critical omission since PG&E service is unavailable in the project area [A5]. No details are given for panel count, inverter size, storage, or trenching for electrical conduits. This incomplete disclosure violates CEQA Guidelines §15124(c) [A6].

B. Absence of Substantial Evidence

The ISMND provides no electrical-load analysis comparing project demand to solar capacity [A7]. Without basic data, statements asserting that a small solar system can sustain irrigation and security systems are conclusory and unsupported [A2]. A 3 hp irrigation pump alone requires continuous draw exceeding typical rural solar generation, guaranteeing generator reliance inconsistent with the ISMND’s environmental claims.

C. Omitted Environmental Impact Analysis

The April 25 2025 ISMND omits analysis of foreseeable impacts from generator operation, trenching for electrical conduits, or solar siting in a Very High Fire Hazard Severity Zone [A8]. No generator specifications — size, fuel, or expected runtime — are provided. Each omission constitutes unlawful deferral of environmental review under CEQA [A3].

D. Misleading Disclosure

By describing the project as “solar powered” while lacking grid access and under-reporting generator use, the County presented an inaccurate picture of project energy use [A9]. This misrepresentation conceals foreseeable operational emissions and fire-safety concerns, rendering the environmental document unstable and misleading [A6].

E. Agency Consultation Failures

No Cal Fire review of the solar or generator configuration occurred, despite the site’s Very High Fire Hazard Severity Zone classification [A10]. No Lake County Air Quality Management District review for generator emissions was documented, contrary to CEQA §15086 consultation requirements and the County’s own Conditions of Approval [A11].

F. Cumulative and Public-Safety Oversights

Other High Valley cannabis projects use similar undersized solar-generator systems, requiring cumulative analysis under CEQA §15130 [A12]. No evidence was provided that emergency power would be available for irrigation or fire suppression during PG&E Public Safety Power Shutoff (PSPS) events [A13]. This failure to analyze cumulative operational and safety risks is a direct CEQA violation.

G. Unanalyzed Solar Infrastructure Shown in Site Plans

The Preliminary Grading Plans and Site Plans depict multiple solar arrays, electrical panels, and conduit routes serving cultivation areas [A14]. Despite their clear inclusion in approved drawings, the IS 23-20 (April 25 2025) provides no discussion or impact analysis for these components [A15]. This omission conceals foreseeable grading, trenching, and vegetation disturbance, nullifying mitigation for fire safety, biological resources, and tribal cultural protection [A6] [A16].

Conclusion

The Poverty Flats IS 23-20 solar / electrical component, as described in the April 25 2025 ISMND approved by the Planning Commission, is technically and legally deficient. The County failed to provide a stable and accurate project description, omitted required environmental review, and bypassed agency consultation. Without defined electrical capacity or generator specifications, the ISMND misrepresents energy and safety impacts. Approval under these conditions violates CEQA Guidelines §§15124, 15126.2, and 15130. Accordingly, the Board should deny the project due to false and incomplete disclosure of its electrical systems.

Footnotes

- [A1] CEQA Guidelines §15124; *Laurel Heights Improvement Assn. v. Regents* (1988) 47 Cal.3d 376.
- [A2] *Vineyard Area Citizens v. City of Rancho Cordova* (2007) 40 Cal.4th 412.
- [A3] *Sundstrom v. County of Mendocino* (1988) 202 Cal.App.3d 296.
- [A4] See [00] Draft Initial Study Mitigated Negative Declaration redlined UP 23-29.pdf (April 25 2025) – Project Initial Study IS 23-20 (mis-labeled by County as IS 23-29).p.6 (“Electricity will be supplied by proposed solar power with a generator as back-up”).
- [A5] 10535 High Valley Rd, Clearlake Oaks, CA 95423 _ Loop Net for sale.pdf
- [A6] CEQA Guidelines §§15124, 15126.2(a).
- [A7] See [00] Draft Initial Study Mitigated Negative Declaration redlined UP 23-29.pdf (Apr 25 2025) – Project Initial Study IS 23-20 (mis-labeled by County as IS 23-29), p. 36. States the project “would be supplied by proposed solar power... 5.5 kW system designed to power the Project,” with no analysis of electrical load vs. capacity or grid interconnection.
- [A8] See [00] Draft Initial Study Mitigated Negative Declaration redlined UP 23-29.pdf (Apr 25 2025) – Project Initial Study IS 23-20 (mis-labeled by County as IS 23-29) — Air Quality discussion, p. 26 (states generators “only allowed during a power outage,” no runtime/specs/emissions analysis); Project setting, p. 13 (confirms site is within CAL FIRE SRA, Very High Fire Hazard Severity Zone), no analysis of solar siting/clearance or electrical ignition risk in VHFHSZ; no distinct analysis of trenching for electrical conduits in Air Quality or Hazards.
- [A9] See [00] Draft Initial Study Mitigated Negative Declaration redlined UP23-29.pdf (Apr 25, 2025) – Project Initial Study IS 23-20 (mis-labeled by County as IS 23-29) — Section II (Project Description), p. 6 (bullet: “Electricity supplied by proposed solar power system with a generator backup”); Section II (Operation), p. 9 (5.5-kW solar; backup generator during outages); Section VI (Energy), p. 36 (repeats solar/5.5-kW statement; no load/intertie analysis).
- [A10] Cal Fire VHFHSZ Map, 10535 High Valley Road, Clearlake Oaks
- [A11] See [00] Conditions of Approval.pdf
- [A12] CEQA Guidelines §15130 – Cumulative Impacts.
- [A13] See [00] Draft Initial Study Mitigated Negative Declaration redlined UP23-29.pdf (Apr 25, 2025) – Project Initial Study IS 23-20 (mis-labeled by County as IS 23-29) — Section II (Project Description), p. 6; Section II (Operation), p. 9–10; Section VI (Energy), p. 36; Project setting (VHFHSZ), p. 3 — no plan for irrigation/fire-suppression power during PSPS events appears anywhere in the document.
- [A14] See [00] Preliminary Grading Plans.pdf.
- [A15] See [00] Site Plans.pdf.
- [A16] CEQA Guidelines §§15124, 15126.2(a); Lake County Code §30-6.

Footnote citations [A4], [A7], [A8], [A9], [A13] correspond to Exhibits in the [00] Master Index.