

**SUBMITTAL TO THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**

215B



FROM: TLMA - Planning Department

SUBMITTAL DATE:
July 21, 2014

SUBJECT: COMMERCIAL WECS PERMIT NO. 12, SUBSTANTIAL CONFORMANCE NO. 1 – CEQA Exempt - Applicant: Westwind Association – Fifth/Fifth Supervisorial District – Pass & Desert Zoning District – REQUEST: Substantial Conformance proposes minor modifications to approved WECS Permit No. 12R1 by revising the location of the previously approved 10 Ogin 100 kilowatt replacement wind turbines that have a maximum height of 150 feet (not currently constructed) approximately 1,000 feet to the east within the WECS Permit No. 12R1 project area to accommodate a specialized wake measurement campaign. Additionally, the Substantial Conformance proposes to decommission and remove 31 existing wind turbines reducing the total number of turbines from 78 to 57 (includes 10 new Ogin turbines).

RECOMMENDED MOTION: That the Board of Supervisors:

RECEIVE AND FILE the Notice of Decision for the above referenced Substantial Conformance of a commercial WECS permit acted on by the Planning Director on July 21, 2014.

The Planning Department recommended Approval; and,
THE PLANNING DIRECTOR:



Juan C. Perez, TLMA Director/
Interim Planning Director

Initials (continued on next page)
JCP:jo

FINANCIAL DATA	Current Fiscal Year:	Next Fiscal Year:	Total Cost:	Ongoing Cost:	POLICY/CONSENT (per Exec. Office)
COST	\$ N/A	\$ N/A	\$ N/A	\$ N/A	Consent <input checked="" type="checkbox"/> Policy
NET COUNTY COST	\$ N/A	\$ N/A	\$ N/A	\$ N/A	

SOURCE OF FUNDS: N/A	Budget Adjustment: N/A
	For Fiscal Year: N/A

C.E.O. RECOMMENDATION:

APPROVE

BY: _____
Steven C. Horn

County Executive Office Signature

MINUTES OF THE BOARD OF SUPERVISORS

Departmental Concurrence

- A-30
- 4/5 Vote
- Positions Added
- Change Order

Prev. Agn. Ref.: _____ **District:** 5/5 **Agenda Number:** _____

1-3

**SUBMITTAL TO THE BOARD OF SUPERVISORS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA
FORM 11: COMMERCIAL WECS PERMIT NO. 12, SUBSTANTIAL CONFORMANCE NO. 1**

DATE: July 21, 2014

PAGE: 2 of 2

FOUND that the proposed project is exempt from the California Environmental Quality Act ("CEQA") pursuant to CEQA Guidelines Sections 15302 and 15061(b)(3), based on the findings and conclusions incorporated in the staff report; and,

APPROVED COMMERCIAL WECS PERMIT NO. 12, SUBSTANTIAL CONFORMANCE NO. 1, subject to all the attached conditions of approval which include the previous conditions for WECS Permit No. 12R1 and additional new and amended conditions for this project, and based upon the findings and conclusions incorporated in the staff report.

BACKGROUND:

This Substantial Conformance was applied for on April 2, 2014 with a proposal by the applicant to relocate the originally approved un-built 10 Ogin 100 kilowatt replacement wind turbines (Ogin 1 through Ogin 10) approximately 1,000 feet to the east within the WECS Permit No. 12 R1 project area in order to accommodate a specialized wake measurement campaign. The Substantial Conformance also proposes to decommission 31 existing wind turbines (A-1 through A-7, B-1 through B-7, C-1 through C-6, D-1 through D-5, and E-1 through E-6).

Commercial WECS Permit No. 12 was originally approved in 1983 for up to a maximum of 127 Micon and Polenko turbines, up to a maximum of 150 feet in height. WECS Permit No. 12 R1 was approved in 2013 in order to replace 12 out of 78 existing turbines and extend life of the permit by 10 years to July 1, 2023.

The Planning Director conditionally approved the project pursuant to his authority to approve, conditionally approve or disapprove an application for substantial conformance to an approved WECS permit under Section 18.42a of Ordinance No. 348. A notice of the Planning Director's decision, along with all additional and amended conditions of approval have been mailed to the applicant, any person who has made a written request for a copy of the decision, and all property owners within a half mile radius of the project property as required in Ordinance No. 348, Section 18.42a. The mailing of said notice and requisite documents have been completed by the Planning Department prior to the matter appearing on the Board's Agenda.

Impact on Citizens and Businesses

The impact on the local citizens and businesses has been slightly decreased with the reduction in overall wind turbines by decommissioning and replacing fewer wind turbines, and, with recommended conditions of approval (COA's) including, but not limited to, COA 10.Planning.6-Operational Noise, COA 10.Planning.9-Utility Coordination, COA 80.Planning.4-Conform to Elevations, and COA 80.Planning.7-Removal Plan.

SUPPLEMENTAL:

Additional Fiscal Information

N/A

Contract History and Price Reasonableness

N/A



RIVERSIDE COUNTY PLANNING DEPARTMENT

Juan C. Perez
Interim Planning Director

DATE: July 21, 2014

TO: Clerk of the Board of Supervisors

FROM: Planning Department - Desert Office

SUBJECT: Commercial WECS Permit No. 12, Substantial Conformance No. 1 (RECEIVE AND FILE)
(Charge your time to these case numbers)

The attached item(s) require the following action(s) by the Board of Supervisors:

- | | |
|---|---|
| <input checked="" type="checkbox"/> Place on Administrative Action (Receive & File; EOT) | <input type="checkbox"/> Set for Hearing (Legislative Action Required; CZ, GPA, SP, SPA) |
| <input type="checkbox"/> Labels provided If Set For Hearing | <input type="checkbox"/> Publish in Newspaper: |
| <input type="checkbox"/> 10 Day <input type="checkbox"/> 20 Day <input type="checkbox"/> 30 day | **SELECT Advertisement** |
| <input type="checkbox"/> Place on Consent Calendar | <input type="checkbox"/> **SELECT CEQA Determination** |
| <input type="checkbox"/> Place on Policy Calendar (Resolutions; Ordinances; PNC) | <input type="checkbox"/> 10 Day <input type="checkbox"/> 20 Day <input type="checkbox"/> 30 day |
| <input type="checkbox"/> Place on Section Initiation Proceeding (GPIP) | <input type="checkbox"/> Notify Property Owners (app/agencies/property owner labels provided) |
| | Controversial: <input type="checkbox"/> YES <input type="checkbox"/> NO |

Need Directors signature ASAP
Please schedule on the August 5, 2014 BOS Agenda.

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

Desert Office · 77-588 Duna Court, Suite H
Palm Desert, California 92211
(760) 863-8277 · Fax (760) 863-7040

"Planning Our Future... Preserving Our Past"

**SUBMITTAL TO THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**



FROM: TLMA - Planning Department

SUBMITTAL DATE:
July 21, 2014

SUBJECT: COMMERCIAL WECS PERMIT NO. 12, SUBSTANTIAL CONFORMANCE NO. 1 – CEQA Exempt - Applicant: Westwind Association – Fifth/Fifth Supervisorial District – Pass & Desert Zoning District – REQUEST: Substantial Conformance proposes minor modifications to approved WECS Permit No. 12R1 by revising the location of the previously approved 10 Ogin 100 kilowatt replacement wind turbines that have a maximum height of 150 feet (not currently constructed) approximately 1,000 feet to the east within the WECS Permit No. 12R1 project area to accommodate a specialized wake measurement campaign. Additionally, the Substantial Conformance proposes to decommission and remove 31 existing wind turbines reducing the total number of turbines from 78 to 57 (includes 10 new Ogin turbines).

RECOMMENDED MOTION: That the Board of Supervisors:

RECEIVE AND FILE the Notice of Decision for the above referenced Substantial Conformance of a commercial WECS permit acted on by the Planning Director on July 21, 2014.

The Planning Department recommended Approval; and,
THE PLANNING DIRECTOR:



Juan C. Perez, TLMA Director/
Interim Planning Director

Initials (continued on next page)
JCP:jo

FINANCIAL DATA	Current Fiscal Year:	Next Fiscal Year:	Total Cost:	Ongoing Cost:	POLICY/CONSENT (per Exec. Office)
COST	\$ N/A	\$ N/A	\$ N/A	\$ N/A	Consent <input type="checkbox"/> Policy <input type="checkbox"/>
NET COUNTY COST	\$ N/A	\$ N/A	\$ N/A	\$ N/A	
SOURCE OF FUNDS: N/A				Budget Adjustment: N/A	
				For Fiscal Year: N/A	

C.E.O. RECOMMENDATION:

County Executive Office Signature

MINUTES OF THE BOARD OF SUPERVISORS

- A-30
- Positions Added
- 4/5 Vote
- Change Order

Prev. Agn. Ref.: | **District: 5/5** | **Agenda Number:**

Departmental Concurrence

**SUBMITTAL TO THE BOARD OF SUPERVISORS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA
FORM 11: COMMERCIAL WECS PERMIT NO. 12, SUBSTANTIAL CONFORMANCE NO. 1**

DATE: July 21, 2014

PAGE: 2 of 2

FOUND that the proposed project is exempt from the California Environmental Quality Act ("CEQA") pursuant to CEQA Guidelines Sections 15302 and 15061(b)(3), based on the findings and conclusions incorporated in the staff report; and,

APPROVED COMMERCIAL WECS PERMIT NO. 12, SUBSTANTIAL CONFORMANCE NO. 1, subject to all the attached conditions of approval which include the previous conditions for WECS Permit No. 12R1 and additional new and amended conditions for this project, and based upon the findings and conclusions incorporated in the staff report.

BACKGROUND:

This Substantial Conformance was applied for on April 2, 2014 with a proposal by the applicant to relocate the originally approved un-built 10 Ogin 100 kilowatt replacement wind turbines (Ogin 1 through Ogin 10) approximately 1,000 feet to the east within the WECS Permit No. 12 R1 project area in order to accommodate a specialized wake measurement campaign. The Substantial Conformance also proposes to decommission 31 existing wind turbines (A-1 through A-7, B-1 through B-7, C-1 through C-6, D-1 through D-5, and E-1 through E-6).

Commercial WECS Permit No. 12 was originally approved in 1983 for up to a maximum of 127 Micon and Polenko turbines, up to a maximum of 150 feet in height. WECS Permit No. 12 R1 was approved in 2013 in order to replace 12 out of 78 existing turbines and extend life of the permit by 10 years to July 1, 2023.

The Planning Director conditionally approved the project pursuant to his authority to approve, conditionally approve or disapprove an application for substantial conformance to an approved WECS permit under Section 18.42a of Ordinance No. 348. A notice of the Planning Director's decision, along with all additional and amended conditions of approval have been mailed to the applicant, any person who has made a written request for a copy of the decision, and all property owners within a half mile radius of the project property as required in Ordinance No. 348, Section 18.42a. The mailing of said notice and requisite documents have been completed by the Planning Department prior to the matter appearing on the Board's Agenda.

Impact on Citizens and Businesses

The impact on the local citizens and businesses has been slightly decreased with the reduction in overall wind turbines by decommissioning and replacing fewer wind turbines, and, with recommended conditions of approval (COA's) including, but not limited to, COA 10.Planning.6-Operational Noise, COA 10.Planning.9-Utility Coordination, COA 80.Planning.4-Conform to Elevations, and COA 80.Planning.7-Removal Plan.

SUPPLEMENTAL:

Additional Fiscal Information

N/A

Contract History and Price Reasonableness

N/A

Area Plan: Western Coachella Valley
Zoning District: Pass & Desert
Supervisorial District: Fifth
Project Planner: Jay Olivas

COMMERCIAL WECS PERMIT NO. 12,
SUBSTANTIAL CONFORMANCE NO. 1
CEQA Exempt
Applicant: Westwind Association
Eng/Rep: Charlie Karustis

COUNTY OF RIVERSIDE PLANNING DEPARTMENT

STAFF REPORT

PROJECT DESCRIPTION AND LOCATION:

Substantial Conformance proposes minor modifications to approved WECS Permit No. 12R1 by revising the location of the previously approved 10 Ogin 100 kilowatt replacement wind turbines that have a maximum height of 150 feet (not currently constructed) approximately 1,000 feet to the east within the WECS Permit No. 12R1 project area to accommodate a specialized wake measurement campaign. Additionally, the Substantial Conformance proposes to decommission and remove 31 existing wind turbines reducing the total number of turbines from 78 to 57 (includes 10 new Ogin turbines).

The project is located in the Community of North Palm Springs within the Western Coachella Valley Area Plan in Eastern Riverside County; more specifically, southerly of Two Bunch Palms Trail, westerly of Indian Canyon Drive, and easterly of Diablo Road.

ISSUE OF POTENTIAL CONCERN:

No issues of potential concern as this Substantial Conformance simply relocates previously un-built turbines approximately 1000 feet to the east along existing WECS service roads and decommissions 31 existing wind turbines. The Substantial Conformance has been conditioned accordingly by affected departments with some amended and new additional conditions.

Issues of potential concern such as visual impacts, noise, safety setbacks, and ground disturbance have been previously addressed under Commercial WECS Permit No. 12, Revised Permit No. 1 approved in 2013.

BACKGROUND:

Commercial WECS Permit No. 12 was originally approved in 1983 for up to a maximum of 127 Micon and Polenko turbines up to a maximum of 150 feet in height. WECS Permit No. 12R1 was approved in 2013 in order to replace 12 out of 78 existing turbines and extend life of permit by 10 years to July 1, 2023.

Pursuant to Section 18.42a of Ordinance No. 348, the Planning Director has the authority to approve, conditionally approve or disapprove any substantial conformance applications for modifications to approved commercial wind energy conversion system ("WECS") permits. A substantial conformance application can be approved or conditionally approved if certain standards are met and the proposed modification does not increase the density or intensity of the approved use, which does not: 1) increase the number of WECS, 2) result in more environmental impacts than the approved use, and 3) have a greater cumulative effect on the surrounding property than the approved use. The Planning Director's decision shall be mailed to the requisite parties and submitted to the Clerk of the Board for placement on the Board of Supervisor's Agenda as a receive and file the notice of decision in accordance with Ordinance No. 348.

COMMERCIAL WECS PERMIT NO. 12, SUBSTANTIAL CONFORMANCE NO. 1

Planning Director's Staff Report: July 21, 2014

Page 2 of 4

SUMMARY OF FINDINGS:

- | | |
|--|---|
| 1. Existing General Plan Land Use (Ex. #5): | Rural Desert (10 Acre Minimum) |
| 2. Surrounding General Plan Land Use (Ex. #5): | Rural Desert (10 Acre Minimum); Public Facilities; Estate Density Residential (2 Acre Minimum) |
| 3. Existing Zoning (Ex. #2): | Wind Energy (W-E) |
| 4. Surrounding Zoning (Ex. #2): | Wind Energy (W-E); Controlled Development Areas (W-2) |
| 5. Existing Land Use (Ex. #1): | Wind Turbines (WECS) |
| 6. Surrounding Land Use (Ex. #1): | Wind Turbines (WECS), Vacant Land, Power Stations, Scattered Dwellings |
| 7. Project Data: | Total Acreage: 151 Acres
Total Number of WCS: Up to 57 (with 10 Ogins)
Total Megawatts (MW): Approximately 5 MW |
| 8. Environmental Concerns: | See attached Notice of Exemption |

RECOMMENDATIONS: That the Planning Director:

FIND that the proposed project is exempt from the California Environmental Quality Act ("CEQA") pursuant to CEQA Guidelines Sections 15301 and 15302, based on the findings and conclusions incorporated in the staff report; and

APPROVE COMMERCIAL WECS PERMIT NO. 12, SUBSTANTIAL CONFORMANCE NO. 1, subject to all the attached conditions of approval which include the previous conditions for WECS Permit No 12R1 and additional new and amended conditions for this project, and based upon the findings and conclusions incorporated in the staff report.

FINDINGS: The following findings are in addition to those incorporated in the summary of findings, and in the attached environmental assessment, which is incorporated herein by reference.

1. The project site is designated Rural: Rural Desert (RUR: RD) (10 Acre Minimum) on the Western Coachella Valley Area Plan.
2. The project site is surrounded by properties which are designated Rural: Rural Desert (RUR: RD) (10 Acre Minimum), Community Development: Estate Density Residential (CD: EDR) (2 Acre Minimum), and Community Development: Public Facilities (CD: PF).
3. The zoning for the subject site is Wind Energy (W-E) which allows commercial wind turbines subject to commercial WECS permit.
4. The project site is surrounded by properties which are zoned Wind Energy (W-E) and Controlled Development Areas (W-2).

COMMERCIAL WECS PERMIT NO. 12, SUBSTANTIAL CONFORMANCE NO. 1

Planning Director's Staff Report: July 21, 2014

Page 3 of 4

5. Within the vicinity of the proposed project, surrounding land uses consist of vacant land, commercial WECS, the Dever's Substation, Sentinel Power Station, and scattered single family dwellings.
6. Wind potential at this site is considered excellent based on the data contained within the EIR/EIS No. 158 (San Geronio Wind Resource Study).
7. The project is consistent with the circulation land use standards of the Public Facilities and Services Element of the Riverside County General Plan in that access is provided from Power Line Road, 16th Avenue, and Two Bunch Palms Trail.
8. The project conforms with the noise and energy resources land use standards of the Environmental Hazards and Resources Element of the General Plan; for example, compliance is demonstrated by, (a) operational noise standard for the proposed WECS array being 55 db(A) or lower at the nearest sensitive receptor, and (b) WECS are not proposed on slopes in excess of 25 percent, and (c) security and safety measures are incorporated into the project requirements.
9. The project will use "light grey colored steel" finish for the new WECS components for the new replacement turbines to reduce visual impacts.
10. The project is located within Sphere of Influence of the City of Desert Hot Springs, no comments were received based on transmittal and email sent to City in May and June 2014.
11. The project is within the Coachella Valley Multiple Species Habitat Conservation Plan, but is not specifically located within a Conservation Area.
12. The project does not result in more intense environmental impacts in that the repositioning of the replacement 10 Ogin 100 kW turbines will not create any additional, new temporary disturbance as all decommissioning and turbine replacement activities will occur within previously disturbed project areas, except for small temporary disturbance previously approved under WCS 12R1.
13. The project does not increase the density or intensity of the approved use because the changes proposed to WECS Permit No. 12R1 will decrease the number of WECS not increase the total overall wind turbines from 78 existing turbines to 57 total turbines in that 31 existing turbines are being decommissioned and up to 10 new Ogin turbines are being constructed.
14. The project does not create a greater cumulative effect on the surrounding property than the approved use because the project reduces total wind turbines by 21 turbines which reduces visual impacts and noise impacts to surrounding land since there will be less physical equipment on the project site.
15. Pursuant to the California Environmental Quality Act ("CEQA") Guidelines Sections 15302 and 15061(b)(3) , the Riverside County Planning Department has determined that the project is exempt from the requirements of CEQA. The project involves the removal and replacement of existing structures and facilities where the new structure will be located on the same site as the approved WECS Permit No. 12R1 and will have substantially the same purpose and negligible or no expansion of capacity as the structures replaced. In this instance, thirty-one aging wind energy turbines will be removed and only up to ten new replacement wind energy turbines will be constructed within the same site as the approved WECS Permit No. 12R1. Also, there is no possibility that the activity in question may have a significant effect on the environment in that the

relocation of previously approved un-built wind turbines approximately 1000 feet to the east are in relatively same locations as existing turbines along turbine Rows C, D, and E along prior disturbed service roads and replacement turbines are of similar height at 150 feet maximum within the same approved project site. Additionally, the decommissioning of 31 turbines will be conducted by demolition permit in accordance with California Building Codes and a Removal Plan with set demolition methods, transport methods, and timelines which will further limit impacts to the environment.

CONCLUSIONS:

1. The proposed project is in conformance with the Rural: Rural Desert (RUR: RD) (10 Acre Minimum) land use designation, and with all other elements of the Riverside County General Plan.
2. The proposed project is conditionally consistent with the Wind Energy (W-E) zoning classification of Ordinance No. 348, and with all other applicable provisions of Ordinance No. 348.
3. The public's health, safety and general welfare are protected through project design.
4. The proposed project is conditionally compatible with the present and future logical development of the area.
5. The proposed project is exempt from CEQA in that in accordance with Sections 15302 (Replacement or Reconstruction) and 15061 (b)(3) (Review for Exemption), there is no possibility that the activity (project) in question may have a significant effect on the environment.

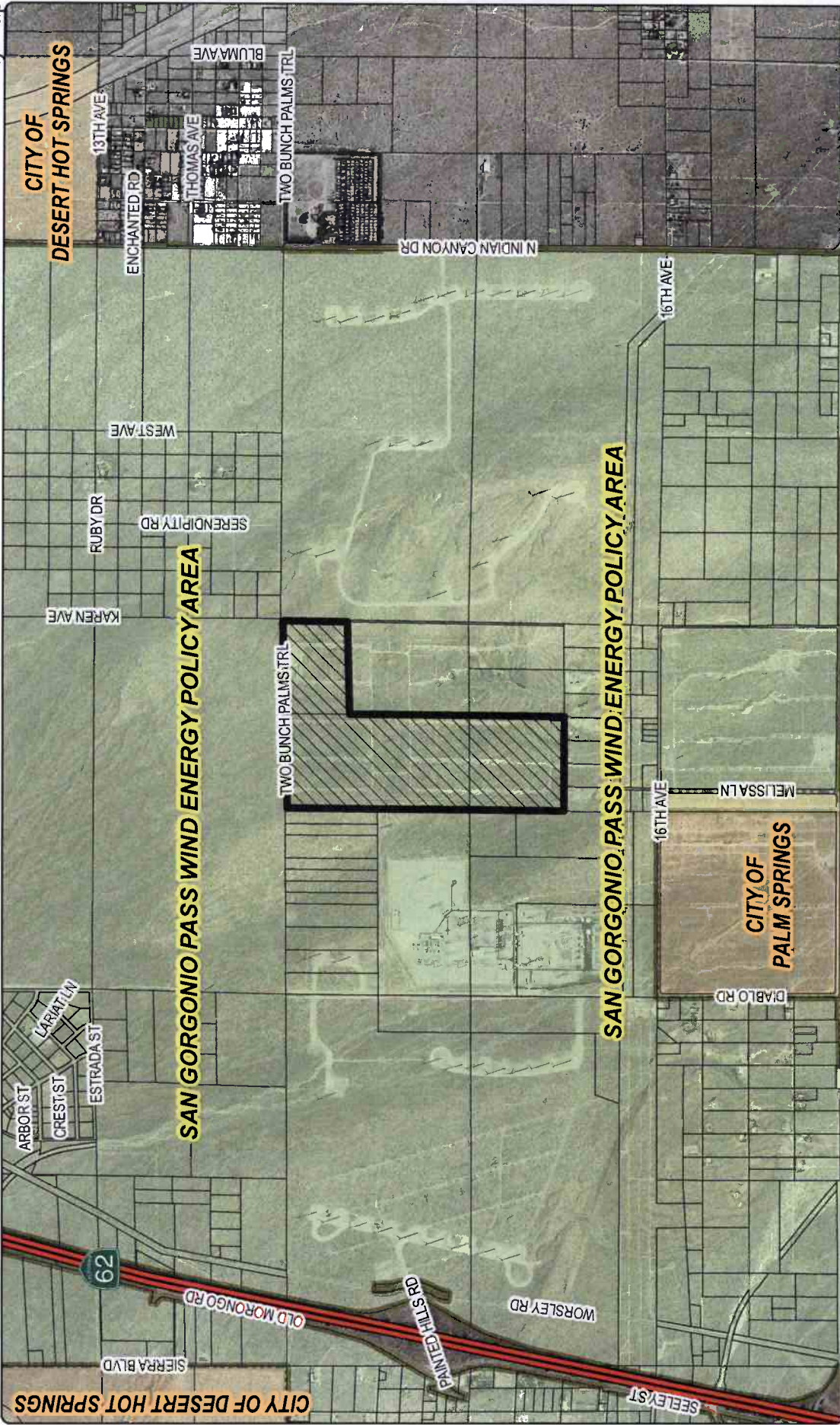
INFORMATIONAL ITEMS:

1. As of this writing (7/21/14), no public letters, in support or opposition have been received.
2. The project site is not located within:
 - a. An Historic Preservation District;
 - b. Agriculture Preserve;
 - c. A Redevelopment Area;
 - d. A High Fire area;
 - e. An Airport Influence Area;
3. The project site is located within:
 - a. Areas of Flooding Sensitivity;
 - b. San Andreas Fault Zone;
 - c. An Area of Liquefaction Potential (Moderate);
 - d. An Area Susceptible to Subsidence;
 - e. A Low Paleontological Sensitivity Area; and,
 - f. The boundaries of the Palm Springs Unified School District.
4. The subject site is currently designated as Assessor's Parcel Numbers 668-120-018, 668-120-020, and 668-130-023.

RIVERSIDE COUNTY PLANNING DEPARTMENT
WCS00012S1
VICINITY/POLICY AREAS

Supervisor Ashley
 District 5

Date Drawn: 06/25/2014
 Vicinity Map



Zoning District: Pass & Desert
 Township/Range: T3SR4E
 Section: 4

Assessors Bk. Pg. 668-120,130
 Thomas Bros. Pg. 696 B6



DISCLAIMER: On October 7, 2003, the County of Riverside adopted a new General Plan providing new land use designations for unincorporated Riverside County parcels. The new General Plan may contain different types of land use than is provided for under existing zoning. For further information, please contact the Riverside County Planning Department offices in Riverside at (951) 956-3200 (Western County), or in Indio at (760) 863-8277 (Eastern County) or website at <http://www.ltrm.ca/riverside.ca.us/rdmapc.html>

RIVERSIDE COUNTY PLANNING DEPARTMENT

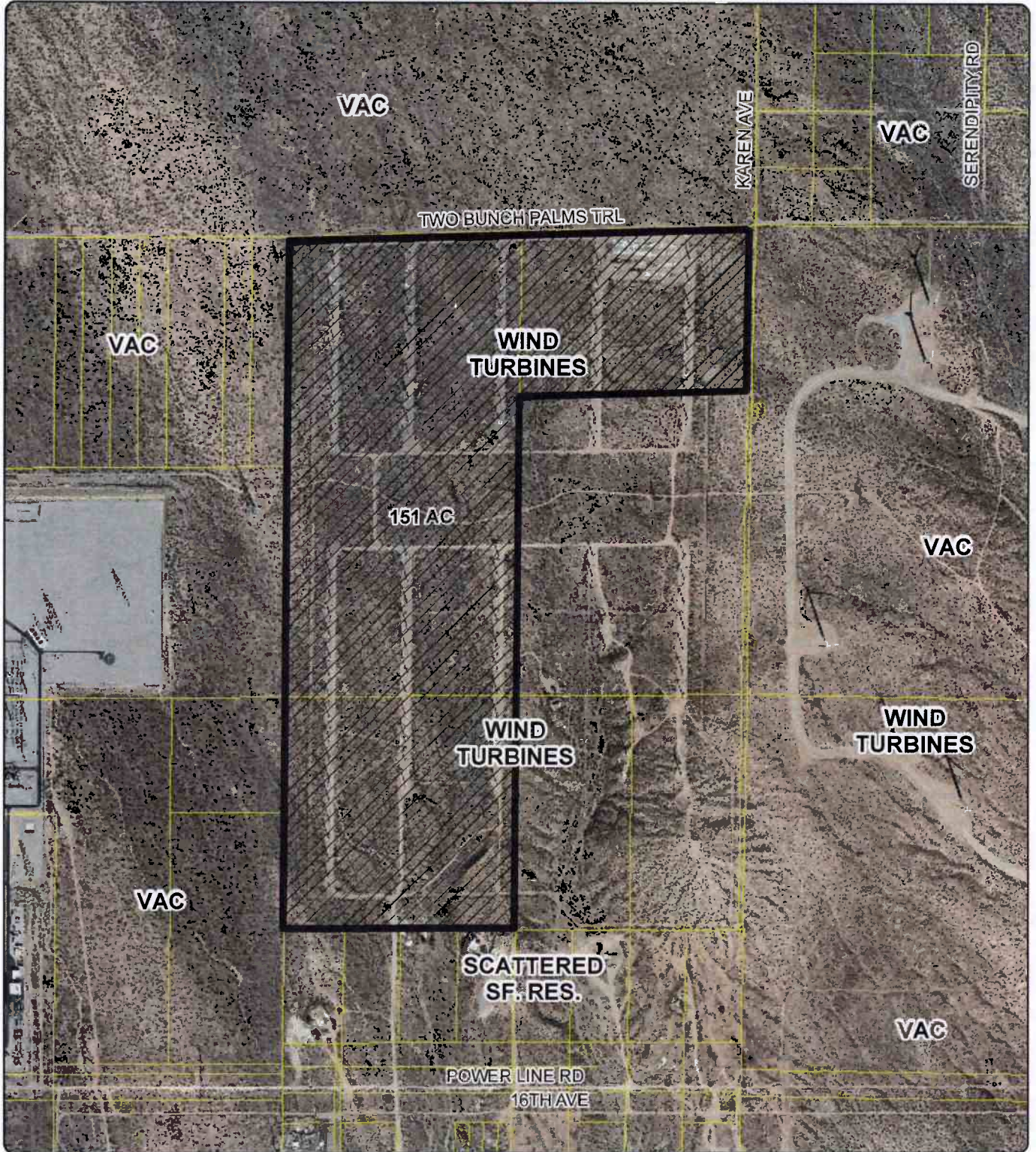
WCS00012S1

LAND USE

Supervisor Ashley
District 5

Date Drawn: 06/25/2014

Exhibit 1



Zoning District: Pass & Desert
Township/Range: T3SR4E
Section: 4

Assessors Bk. Pg. 668-120,130
Thomas Bros. Pg. 696 B6
Edition



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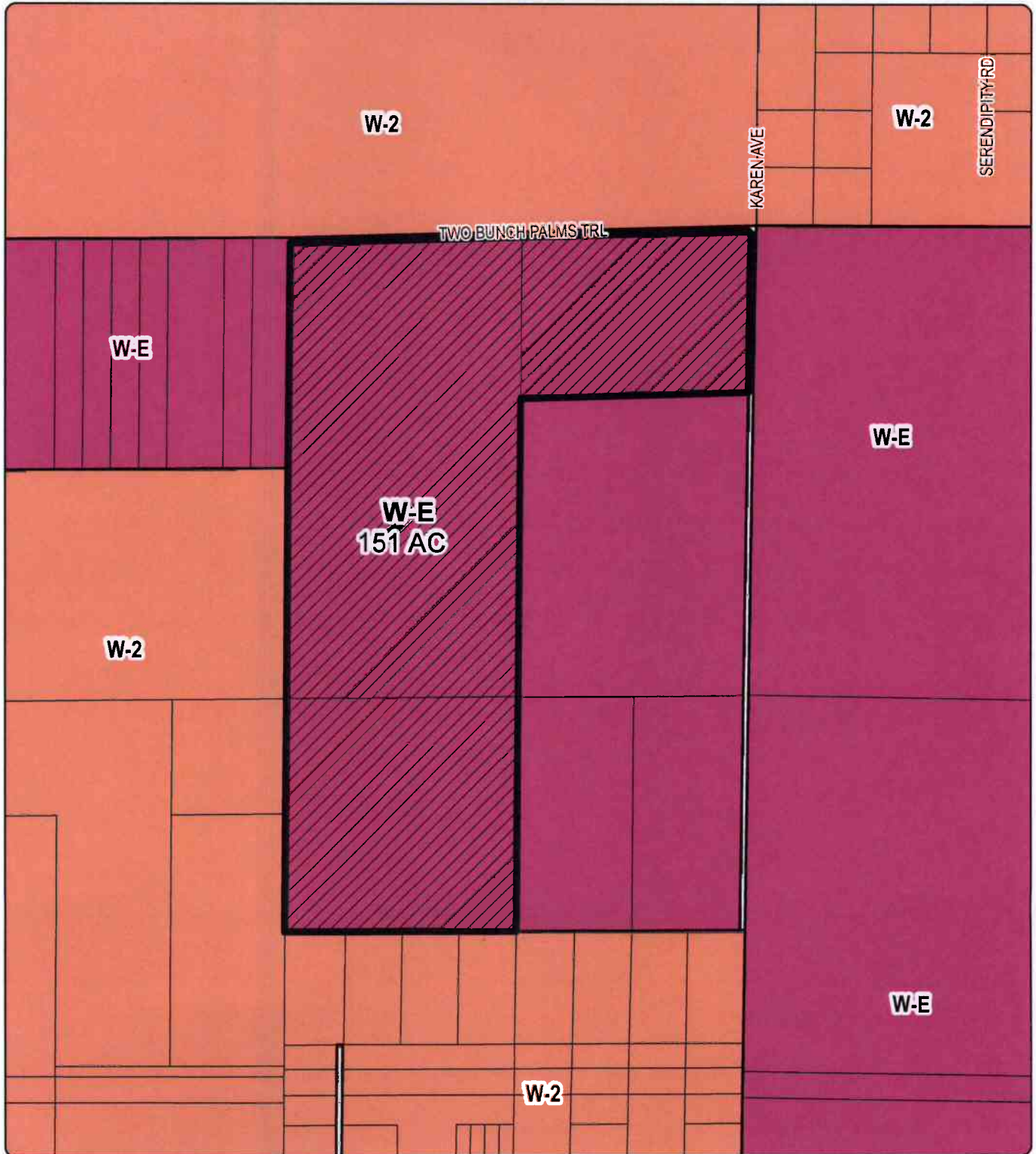
RIVERSIDE COUNTY PLANNING DEPARTMENT

WCS00012S1

EXISTING ZONING

Supervisor Ashley
District 5

Date Drawn: 06/25/2014
Exhibit 2



Zoning District: Pass & Desert
Township/Range: T3SR4E
Section: 4

Assessors Bk. Pg. 668-120,130
Thomas Bros. Pg. 696 B6
Edition



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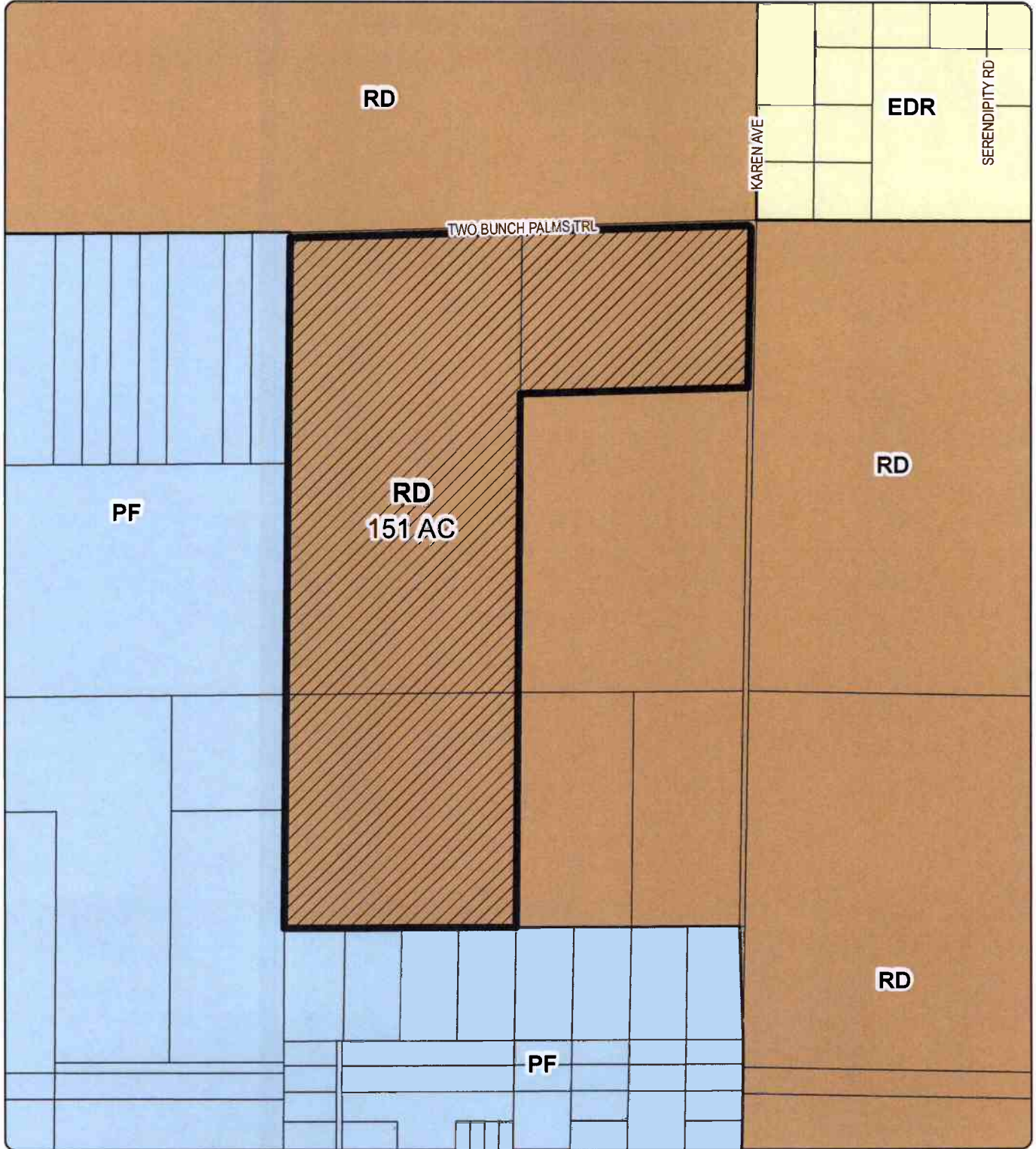
RIVERSIDE COUNTY PLANNING DEPARTMENT

WCS00012S1

EXISTING GENERAL PLAN

Supervisor Ashley
District 5

Date Drawn: 06/25/2014
Exhibit 5

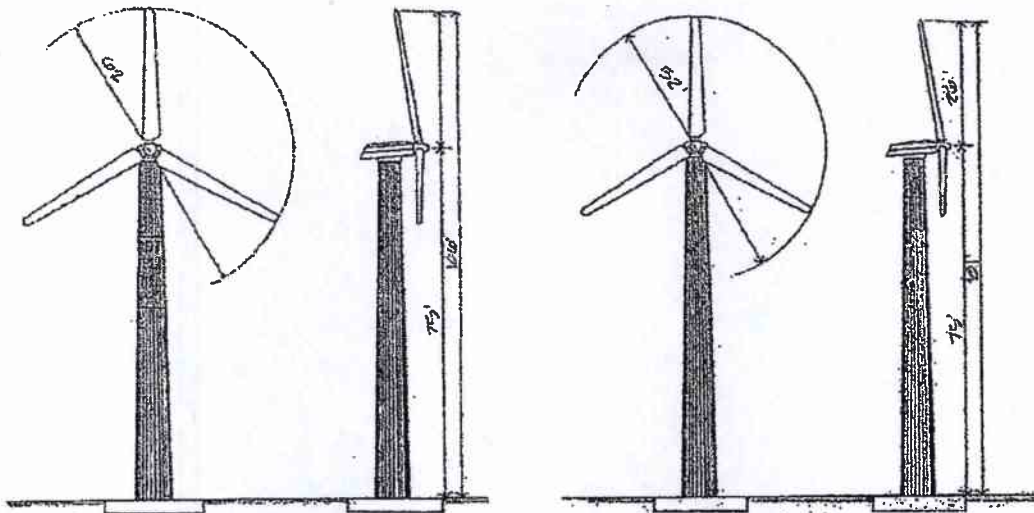


Zoning District: Pass & Desert
Township/Range: T3SR4E
Section: 4

Assessors Bk. Pg. 668-120,130
Thomas Bros. Pg. 696 B6
Edition



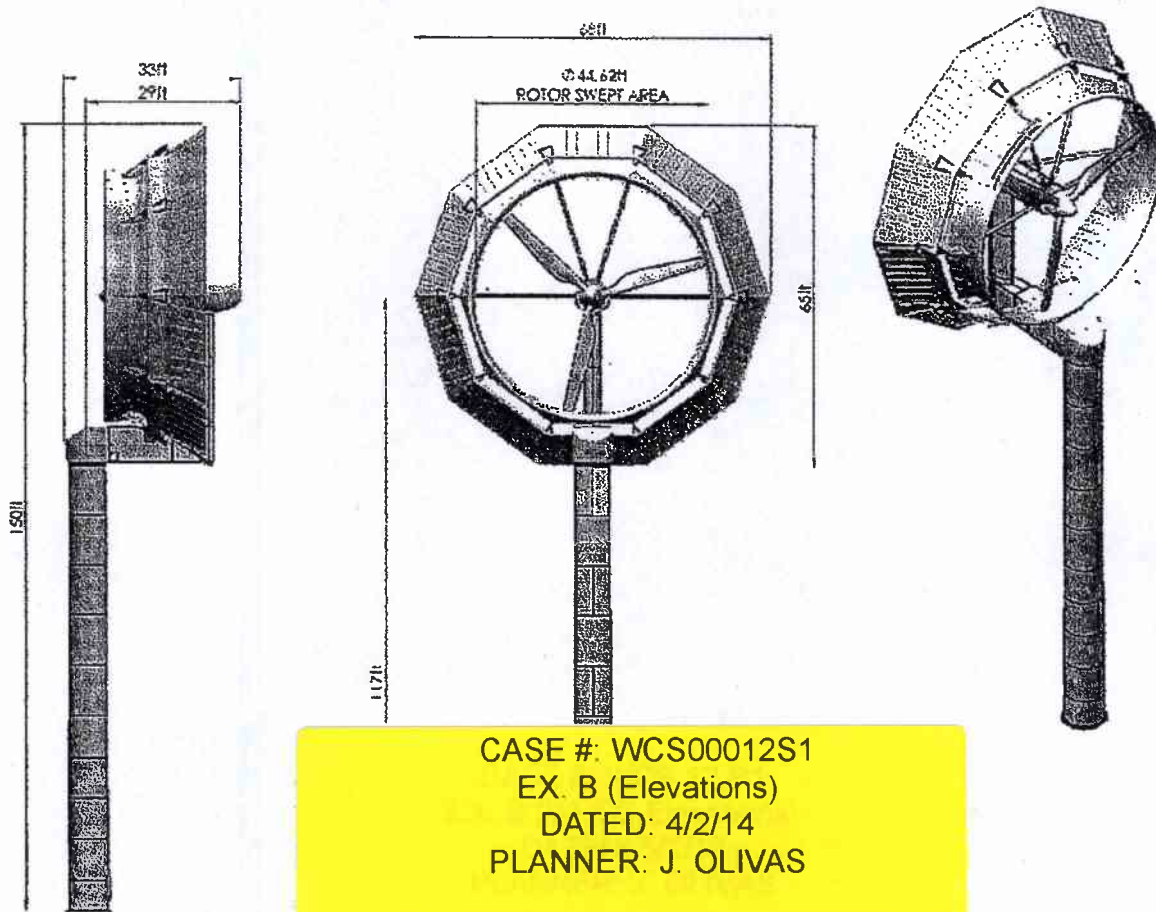
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MICON 100 (108 kW) & WINCON (110 kW)
72' Tower

MICON 65 (65 kW)
72' Tower

EXISTING TURBINE



CASE #: WCS00012S1
EX. B (Elevations)
DATED: 4/2/14
PLANNER: J. OLIVAS

PROPOSED TURBINE

SUBSTANTIAL CONFORMANCE Case #: WCS00012S1

Parcel: 668-130-023

10. GENERAL CONDITIONS

EVERY DEPARTMENT

10. EVERY. 1

USE - PROJECT DESCRIPTION

RECOMMND

The use hereby permitted is for a commercial WECS array with existing construction laydown and equipment storage area. This Substantial Conformance is for minor modifications to approved WECS Permit No. 12R1 by revising the location of the previously approved 10 Ogin FD 100 kilowatt turbines that have a maximum height of 150 feet (not currently constructed) approximately 1000 feet to the east within the WECS Permit No. 12R1 project area to accommodate a specialized wake measurement campaign. Additionally, the Substantial Conformance decommissions 31 existing wind turbines reducing the total number of turbines from 78 to 57 (includes 10 new Ogin turbines).

10. EVERY. 2

USE - HOLD HARMLESS

RECOMMND

The applicant/permittee or any successor-in-interest shall defend, indemnify, and hold harmless the County of Riverside or its agents, officers, and employees (COUNTY) from the following:

(a) any claim, action, or proceeding against the COUNTY to attack, set aside, void, or annul an approval of the COUNTY, its advisory agencies, appeal boards, or legislative body concerning the SUBSTANTIAL CONFORMANCE; and,

(b) any claim, action or proceeding against the COUNTY to attack, set aside, void or annul any other decision made by the COUNTY concerning the SUBSTANTIAL CONFORMANCE, including, but not limited to, decisions made in response to California Public Records Act requests.

The COUNTY shall promptly notify the applicant/permittee of any such claim, action, or proceeding and shall cooperate fully in the defense. If the COUNTY fails to promptly notify the applicant/permittee of any such claim, action, or proceeding or fails to cooperate fully in the defense, the applicant/permittee shall not, thereafter, be responsible to defend, indemnify or hold harmless the COUNTY.

The obligations imposed by this condition include, but are not limited to, the following: the applicant/permittee shall pay all legal services expenses the COUNTY incurs in

SUBSTANTIAL CONFORMANCE Case #: WCS00012S1

Parcel: 668-130-023

10. GENERAL CONDITIONS

10. EVERY. 2 USE - HOLD HARMLESS (cont.) RECOMMND

connection with any such claim, action or proceeding, whether it incurs such expenses directly, whether it is ordered by a court to pay such expenses, or whether it incurs such expenses by providing legal services through its Office of County Counsel.

10. EVERY. 3 USE - DEFINITIONS RECOMMND

The words identified in the following list that appear in all capitals in the attached conditions of Commercial WECS Permit No. 12, Substantial Conformance No. 1 shall be henceforth defined as follows:

APPROVED EXHIBIT A = Exhibit A (Site Plan) and Exhibit B (WECS Elevation) dated April 2, 2014.

EPD DEPARTMENT

10.EPD. 1 - RESTORATION RECOMMND

To avoid permanent impacts to special-status plant species (defined for the purpose of this measure as any plants of California Rare Plant Ranks 1A, 1B, or 2), areas of temporary disturbance will be restored through topsoil salvage and replacement and re-grading to pre-existing soil contours. Topsoil salvage will be conducted prior to other ground disturbing activities to remove the top 2-inches of soil, where seed would be present, and placed in a protected stockpile. Salvaged topsoil will be spread over all new disturbance areas after construction. At a minimum, all restoration areas will be maintained weed-free for a minimum of 3-years after completion of construction.

A reference site with existing conditions that are commensurate with the proposed temporary impact areas in terms of soil type(s), topography, vegetation, and proximity to the Project site will be identified. The reference site will be at least 3 times the acreage of the temporary impact area to be inclusive of all potentially occurring special-status plant species. A spring survey of the reference site will be conducted by a qualified biologist to determine presence/absence of each special-status plant species.

If no California Rare Plant Ranks 1A, 1B, or 2 plant species are detected on the reference site after three

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10. GENERAL CONDITIONS

10.EPD. 1 - RESTORATION (cont.)

RECOMMND

years of spring surveys, no mitigation will be required for the restoration site.

If California Rare Plant Ranks 1A, 1B, or 2 plant species are detected on the reference site, for each such species deemed present, the survey will quantify (i) plant density, (ii) distribution, and (iii) population size. These three metrics will be translated into performance criteria for the restoration site where plant density and distribution will match the identified population metrics for each detected special-status plant species detected on the reference site.

Annual spring monitoring of the reference and restoration sites will be conducted by a qualified biologist to assess restoration success by comparing the density, distribution and population size metrics of each special-status plant species on the restoration and reference sites. Monitoring will occur for 3 years even in the absence of positive results to ensure absence of special-status plant species. Mitigation will be deemed successful when (i) the restoration site reflects California Rare Plant Ranks 1A, 1B, or 2 plant species density, distribution and population size metrics similar to those of the reference site; or (ii) after 3 years of negative survey results at the reference site for special-status plant species.

If California Rare Plant Ranks 1A, 1B, or 2 plant species are detected on the reference site and the restoration areas fail to meet the above performance criteria, remedial actions will be implemented to meet the criteria. Remedial actions will include seed collection from known populations of the same special-status plant species detected on the reference site that are not adequately represented on the restoration site. Seed will be collected no more than 10 miles from the restoration site. Seed application onto the restoration site will occur annually in the winter of each monitoring year for 3 years or until reference site population metrics are documented. If reseeded attempts fail after three applications, a conservation easement or purchase of conservation land with documented suitable habitat for the special-status plant species will be required at a 1:1 ratio.

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10. GENERAL CONDITIONS

FIRE DEPARTMENT

10.FIRE. 1 PC-#01B-DESERT RESPONSIBILITY

RECOMMND

It is the responsibility of the recipient of these Fire Department conditions to forward them to all interested parties. The building permit number is required on all correspondence from general contractor, superintendent, owner, subcontractors, etc.

Any questions contact the Riverside County Fire Department, Planning 77933 Las Montanas Rd. Ste. 201, Palm Desert, CA 92211. Phone (760) 863-8886 Fax (760) 863-7072.

PLANNING DEPARTMENT

10.PLANNING. 1 USE - SUB CONF W/ ORIGINAL

RECOMMND

The Planning Department has determined this application to be substantially in conformance with the approved commercial WECS Permit No. 12, Revised Permit No. 1. All conditions approved with WECS Permit No. 12, Revised Permit No. 1 shall be considered to be valid and in effect, unless superseded by these conditions of approval.

10.PLANNING. 2 USE - SC SITE CHANGES

RECOMMND

Pursuant to approval of the SUBSTANTIAL CONFORMANCE, the following changes are being made to the APPROVED EXHIBIT A of commercial WECS Permit No. 12, Revised Permit No. 1:

1) Amend the location of the previously approved 10 Ogin FD 100 kW turbines (unbuilt) to the east of their original locations as depicted on the attached WECS Exhibit.

2) Decommission 31 existing Micon turbines.

10.PLANNING. 3 USE - CAUSES FOR REVOCATION

RECOMMND

In the event the use hereby permitted under this permit,
a) is found to be in violation of the terms and conditions of this permit,
b) is found to have been obtained by fraud or perjured testimony, or
c) is found to be detrimental to the public health, safety or general welfare, or is a public nuisance, this permit

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10. GENERAL CONDITIONS

10.PLANNING. 3 USE - CAUSES FOR REVOCATION (cont.) RECOMMND

shall be subject to the revocation procedures.

10.PLANNING. 4 WCS - MAXIMUM WECS RECOMMND

A maximum total of up to 57 WECS, consisting of 47 existing Micon 65 kW, Micon 108 kW, and Wincon 110 kW turbines, and up to 10 new replacement Ogin turbines shall be allowed under this commercial WECS permit.

10.PLANNING. 5 WCS - WECS & TOWER SPECS RECOMMND

The WECS and tower specifications approved under this commercial WECS permit include the following:

a. WECS Manufacturer and Model Number: Micon 65 kW, Micon 108 kW, Wincon XT 110 kW, and Ogin 100 kW turbines.

b. Total Height (WECS blade tip at 12:00 position): Up to maximum height of 150 feet.

c. Rotor Diameter: 45' / 52' / 67'

d. Rotor Orientation: Upwind

e. Number of Blades: Three

f. WECS Tower Design: Solid tubular

g. Blade Design: No furling; tapered and twisted blades; airfoils designed to stall softly.

Any change or alteration in the above WECS and tower specifications will require approval of the Planning Department, pursuant to the appropriate procedures of Ordinance No. 348, prior to issuance of any building permits.

10.PLANNING. 6 WCS - OPERATIONAL NOISE RECOMMND

The permittee shall comply with the following WECS permit operational noise standards:

a. WECS shall not create sound pressure levels in excess of the development criteria contained in Section 18.41d of Ordinance No. 348. All questions regarding the true meaning of these noise and sound pressure level standards shall be

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10. GENERAL CONDITIONS

10.PLANNING. 6 WCS - OPERATIONAL NOISE (cont.) RECOMMND

referred to the Environmental Health Department's, Office of Industrial Hygiene (hereafter Health Department). In the event noise or sound pressure levels exceed the above standards, the WECS operator shall take the necessary steps to remedy the situation, which may include discontinued operation.

b. The Health Department shall investigate WECS noise and sound pressure level complaints while this permit remains within the unincorporated jurisdiction of Riverside County. The Health Department representative may enter the property to investigate any noise complaints upon reasonable notice. At the time of investigation, the operator of the WECS array may be required to temporarily discontinue the operation of as many WECS as needed within the array at no cost to any government agency in order to allow the Health Department representative to make reasonable field evaluations.

10.PLANNING. 7 WCS - FAA RULES COMPLIANCE RECOMMND

This permit shall at all times comply with Federal Aviation Administration rules and regulations. Should lighting be required, the permit holder shall obtain comments from the Planning Director prior to the installation thereof.

10.PLANNING. 8 WCS - NO CONNECT W/O FINAL RECOMMND

Excluding operating WECS currently interconnected to the electrical facilities of the Southern California Edison Company, no individual replacement WECS shall be interconnected in any manner to the electrical facilities of the Southern California Edison Company, including, but not limited to, by means of an on-site substation, on-site electrical collection line or through the electrical equipment of any other commercial WECS permit, PRIOR TO FINAL INSPECTION APPROVAL by the Land Use Division of the Planning Department for the entire WECS array approved under this commercial WECS permit, or any phase thereof, as shown on an approved phasing plan. The permit holder may apply for a Temporary Power Permit from the Land Use Division prior to final inspection approval of the entire WECS array, or phase thereof, and the Land Use Division may issue such a permit in order to allow testing of WECS during limited periods of time for noise standard monitoring, uniform building code compliance and for other

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10. GENERAL CONDITIONS

10.PLANNING. 8 WCS - NO CONNECT W/O FINAL (cont.) RECOMMND

reasons, as approved by the Land Use Division. The Director of the Department of Building and Safety, or his designee, may allow the interconnection of individual WECS, notwithstanding the above, if the Director determines that adequate safe guards exist to ensure compliance with all conditions of approval of this permit.

10.PLANNING. 9 WCS - UTILITY COORDINATION RECOMMND

All distribution lines, electrical substations and other interconnection facilities shall be constructed to the specifications of the affected utility and state and federal standards. The permittee shall comply with the requirements of any other affected utility regarding acceptable encroachments within easements of record, and protection of gas transmission lines and other existing utility improvements.

10.PLANNING. 11 WCS - COMPLY W/ORD /EXHIBITS RECOMMND

The development of the premises shall comply with Ordinance No. 348 standards and with all other applicable codes of the State of California and ordinances of Riverside County. The development of the premises shall be in conformance with the plans included within the APPROVED EXHIBIT A, on file in the office of the Riverside County Planning Department, unless otherwise amended by these conditions of approval.

10.PLANNING. 12 WCS - 90 DAYS TO PROTEST RECOMMND

The project applicant has 90 days from the date of approval of these conditions to protest, in accordance with the procedures set forth in Government Code Section 66020, the imposition of any and all fees, dedications, reservations and/or other exactions imposed on this project as a result of this approval or conditional approval of this project.

TRANS DEPARTMENT

10.TRANS. 1 WCS - SETBACK REQUIREMENT RECOMMND

In no case shall a building, structures or electrical substation be closer than 50-feet from any road right-of-way or lot line.

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10. GENERAL CONDITIONS

10.TRANS. 2 WCS - ENCROACHMENT PERMIT

RECOMMND

An encroachment permit must be obtained from the Transportation Department prior to the commencement of any work within the County road right-of-way.

20. PRIOR TO A CERTAIN DATE

PLANNING DEPARTMENT

20.PLANNING. 1 USE - UNDEVELOPED VOID DATE

RECOMMND

Notwithstanding any other condition of approval herein, this permit shall become null and void on July 1, 2018, as it applies to any undeveloped portion or any undeveloped phase(s) of this property; "undeveloped" shall mean where no lawful occupancy or structure exists. A notice to the Building and Safety Department concerning this condition shall be placed on this application to take effect on the date specified in this condition.

20.PLANNING. 3 WCS - LIFE OF PERMIT

RECOMMND

The life of Commercial WECS Permit No. 12 shall terminate on July 1, 2023, and the permit shall thereafter be null and void and of no effect whatsoever.

This commercial WECS permit is subject to Section 18.31 of Ordinance No. 348 (Permit Revocation).

20.PLANNING. 4 USE - SUBSTANTIAL CONF USED

RECOMMND

This permit shall be considered used as of the day of the effective date. Should related commercial WECS Permit No. 12 become null and void, this substantial conformance shall become null and void.

60. PRIOR TO GRADING PRMT ISSUANCE

EPD DEPARTMENT

60.EPD. 1 - NESTING BIRD

RECOMMND

If construction begins during bird breeding season (i.e., February 15 through September 15), the Applicant shall retain a qualified biologist to conduct a nesting bird survey to determine the presence of nests or nesting birds during the breeding season within 100 feet of the

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60. PRIOR TO GRADING PRMT ISSUANCE

60.EPD. 1 - NESTING BIRD (cont.)

RECOMMND

construction activities. The nesting bird surveys will be completed no more than 72 hours prior to any construction activities. The survey will focus on special-status species known to use the area as well as other nesting birds that are protected under the Migratory Bird Treaty Act. If an active nest (defined by the presence of eggs or young) is identified, grading or site disturbance within a 100-foot buffer of the nest will be monitored by a qualified biologist daily until Project activities are no longer occurring within 100 feet of the nest or until fledglings become independent of the nest. The monitoring biologist can increase the buffer radius if determined necessary. The monitoring biologist will halt construction activities determined to be disturbing nesting activities. The monitor will make practicable recommendations to reduce the noise or disturbance in the vicinity of the nest. This can include recommendations such as (1) turning off vehicle engines and other equipment whenever possible to reduce noise, (2) working in other areas until the young have fledged, or (3) placing noise barriers to maintain the noise at the nest to 60 dBA Leq hourly or less or to the preconstruction ambient noise level if that exceeds 60 dBA Leq hourly. The on-site biologist will review and verify compliance with these nesting boundaries and will verify that the nesting effort has finished. Construction activities restricted by this measure can resume when no other active nests are found within the restricted area.

60.EPD. 2 - REPTILE MONITORING

RECOMMND

During construction activities within undisturbed areas that are identified in the grading plans as new disturbance, the applicant shall have a County approved biologist monitor for reptile activity prior to moving any vehicles, or similar sized equipment. The biologist will check the base of vehicles and equipment for the presence of reptile species. If reptiles are encountered the animal will be let to move away on its own or a biologist will carefully move the individual to a safe location. There will be no collecting of reptiles at any time during project activities. All reptiles will be left on site and a monitoring biologist will be present to ensure compliance with any measures.

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60. PRIOR TO GRADING PRMT ISSUANCE

60.EPD. 3

- MAMMAL MONITORING

RECOMMND

Prior to construction activities within undisturbed areas that are identified in the grading plans as new disturbance, a biologist will flag all active mammal burrows on the Project site and monitor construction activities. Construction activities will avoid flagged burrows to the extent feasible to ensure minimal impacts to sensitive species. If within 200 feet of construction activities, a previously observed woodrat midden will be flagged, monitored, and avoided during construction activities.

60.EPD. 4

- BIOLOGICAL MONITORING

RECOMMND

Prior to issuance of a grading permit, the applicant shall contract with a biologist to provide biological monitoring for compliance with 60.EPD.1 through 60.EPD.4.A biologist, who holds an MOU with the County of Riverside, shall submit a monitoring plan for areas identified on the grading plans as new disturbance or previously undisturbed areas as indicated on exhibits for this substantial conformance to the Riverside County Planning Department, Environmental Programs Division (EPD) for review and approval.

PLANNING DEPARTMENT

60.PLANNING. 2

WCS - PALEO PRIMP & MONITOR

RECOMMND

This site is mapped in the County's General Plan as having a High potential for paleontological resources (fossils). Proposed project site grading/earthmoving activities could potentially impact this resource. HENCE:

PRIOR TO ISSUANCE OF GRADING PERMITS:

1.The applicant shall retain a qualified paleontologist approved by the County of Riverside to create and implement a project-specific plan for monitoring site grading/earthmoving activities (project paleontologist) within undisturbed areas that are identified in the grading plans as new disturbance.

2.The project paleontologist retained shall review the approved development plan and grading plan and shall conduct any pre-construction work necessary to render appropriate monitoring and mitigation requirements as appropriate. These requirements shall be documented by the

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60. PRIOR TO GRADING PRMT ISSUANCE

60.PLANNING. 2

WCS - PALEO PRIMP & MONITOR (cont.)

RECOMMND

project paleontologist in a Paleontological Resource Impact Mitigation Program (PRIMP). This PRIMP shall be submitted to the County Geologist for review and approval prior to issuance of a Grading Permit.

Information to be contained in the PRIMP, at a minimum and in addition to other industry standards and Society of Vertebrate Paleontology standards, are as follows:

1. Description of the proposed site and planned grading operations.
2. Description of the level of monitoring required for all earth-moving activities in the project area.
3. Identification and qualifications of the qualified paleontological monitor to be employed for grading operations monitoring.
4. Identification of personnel with authority and responsibility to temporarily halt or divert grading equipment to allow for recovery of large specimens.
5. Direction for any fossil discoveries to be immediately reported to the property owner who in turn will immediately notify the County Geologist of the discovery.
6. Means and methods to be employed by the paleontological monitor to quickly salvage fossils as they are unearthed to avoid construction delays.
7. Sampling of sediments that are likely to contain the remains of small fossil invertebrates and vertebrates.
8. Procedures and protocol for collecting and processing of samples and specimens.
9. Fossil identification and curation procedures to be employed.
10. Identification of the permanent repository to receive any recovered fossil material. *Pursuant the County of Riverside "SABER Policy", paleontological fossils found in the County of Riverside should, by preference, be directed to the Western Science Center in the City of Hemet. A written agreement between the property owner/developer and

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60. PRIOR TO GRADING PRMT ISSUANCE

60.PLANNING. 2 WCS - PALEO PRIMP & MONITOR (cont.) (cont.) RECOMMND

the repository must be in place prior to site grading.

11.All pertinent exhibits, maps and references.

12.Procedures for reporting of findings.

13.Identification and acknowledgement of the developer for the content of the PRIMP as well as acceptance of financial responsibility for monitoring, reporting and curation fees.

The property owner and/or applicant on whose land the paleontological fossils are discovered shall provide appropriate funding for monitoring, reporting, delivery and curating the fossils at the institution where the fossils will be placed, and will provide confirmation to the County that such funding has been paid to the institution.

All reports shall be signed by the project paleontologist and all other professionals responsible for the report's content (eg. Professional Geologist), as appropriate. Two wet-signed original copies of the report(s) shall be submitted to the office of the County Geologist along with a copy of this condition and the grading plan for appropriate case processing and tracking. These documents should not be submitted to the project Planner, the Plan Check staff, the Land Use Counter or any other County office. In addition, the applicant shall submit proof of hiring (i.e. copy of executed contract, retainer agreement, etc.) a project paleontologist for the in-grading implementation of the PRIMP.

60.PLANNING. 3 USE - REMOVAL PLAN RECOMMND

Prior to grading permit issuance, the permit holder shall provide a letter from a licensed professional to the Planning Department describing demolition methods, transport methods, and timelines for the removal of the 31 existing Micon turbines in accordance with county ordinances.

60.PLANNING. 4 WCS - DUST CONTROL RECOMMND

Fugitive dust and blowsand control measures, shall be incorporated into the construction and operation activities of this permit in addition to any dust control measures as issued by the Director of the Department of Building and Safety.

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70. PRIOR TO GRADING FINAL INSPECT

PLANNING DEPARTMENT

70.PLANNING. 1 WCS - FAULT LOCATION CLEARANCE RECOMMND

PRIOR TO THE GRADING PERMIT FINAL, THE LOCATION OF EVERY PROPOSED TURBINE SHALL BE INVESTIGATED AND VERIFIED TO BE VOID OF ACTIVE FAULTS. A REPORT OF FINDINGS SHALL BE SUBMITTED TO THE COUNTY GEOLOGIST FOR REVIEW AND APPROVAL.

70.PLANNING. 3 WCS - PALEO MONITORING REPORT RECOMMND

PRIOR TO GRADING FINAL:

The applicant shall submit to the County Geologist one wet-signed copy of the Paleontological Monitoring Report prepared for site grading operations at this site. The report shall be certified by the professionally-qualified Paleontologist responsible for the content of the report. This Paleontologist must be on the County's Paleontology Consultant List. The report shall contain a report of findings made during all site grading activities and an appended itemized list of fossil specimens recovered during grading (if any) and proof of accession of fossil materials into the pre-approved museum repository. In addition, all appropriate fossil location information shall be submitted to the Western Center, the San Bernardino County Museum and Los Angeles County Museum of Natural History, at a minimum, for incorporation into their Regional Locality Inventories.

80. PRIOR TO BLDG PRMT ISSUANCE

BS PLNCK DEPARTMENT

80.BS PLNCK. 1 USE - DEMO PERMITS REQUIRED INEFFECT

The project scope includes the removal of thirty one (31) existing turbines. The applicant shall obtain the demolition permits for all thirty one (31) turbines to be removed. All foundations identified for removal in the approved building permit site plans are to removed at a depth of at least three feet below the surface.

FIRE DEPARTMENT

80.FIRE. 1 WCS-WIND TURBINE TOWERS INEFFECT

The following areas shall be cleared of vegetation and maintained as a fire/fuel break as long as the generators

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80. PRIOR TO BLDG PRMT ISSUANCE

80.FIRE. 1 WCS-WIND TURBINE TOWERS (cont.) INEFFECT

are in operation:

a) Thirty (30) feet around the periphery of the project. Access roads that completely surround the project may satisfy this requirement, if approved by the Fire Department.

b) Ten (10) radius feet around all transformers and wind turbine towers. c) Thirty (30) feet around all buildings.

) All buildings or equipment enclosures of substantial size containing control panels, switching equipment, or transmission equipment, and no regular human occupancy, shall be equipped with an automatic fire extinguishing system of a Halon or dry chemical type. This requirement shall not apply to the Nacells. Plans for such systems must be submitted to the Fire Department for review or approval.

PLANNING DEPARTMENT

80.PLANNING. 1 WCS - FAULT LOCATION CLEARANCE RECOMMND

PRIOR TO ISSUANCE OF BUILDING PERMITS, THE LOCATION OF EVERY PROPOSED TURBINE SHALL BE INVESTIGATED AND VERIFIED TO BE VOID OF ACTIVE FAULTS. A REPORT OF FINDINGS SHALL BE SUBMITTED TO THE COUNTY GEOLOGIST FOR REVIEW AND APPROVAL.

80.PLANNING. 4 USE - CONFORM TO ELEVATIONS RECOMMND

Elevations of all WECS submitted for building plan check approval shall be in substantial conformance with the elevations shown on APPROVED EXHIBIT A.

80.PLANNING. 7 WCS - REMOVAL PLAN RECOMMND

Prior to building permit issuance, the applicant shall submit a letter from a licensed professional to the Planning Department describing demolition methods, transport methods and timelines for the removal of 31 existing Micon turbines.

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80. PRIOR TO BLDG PRMT ISSUANCE

TRANS DEPARTMENT

80.TRANS. 1 WCS - SETBACK REQUIREMENT RECOMMND

In no case shall a building, structures or electrical substation be closer than 50-feet from any road right-of-way or lot line.

90. PRIOR TO BLDG FINAL INSPECTION

FIRE DEPARTMENT

90.FIRE. 1 FINAL INSPECTION INEFFECT

Prior to occupancy a Fire Department inspection is required to verify all conditions stated at plan check are met.

Riverside office (951)955-4777
Indio Office (760)863-8886

PLANNING DEPARTMENT

90.PLANNING. 2 USE - VERIFY REMOVAL OF WECS RECOMMND

Prior to final building inspection of last new turbine under this substantial conformance permit, the permit holder shall submit a letter from a licensed professional that the 31 existing Micon turbines have been removed entirely from the site in accordance with county ordinances.

90.PLANNING. 3 WCS - COMPLY W/ALL REQUIREMNTS RECOMMND

The permit holder shall provide written certification from a state licensed professional verifying that all WECS and towers comply with required setbacks, such as but not limited to, WECS safety setbacks, WECS wind access setbacks and WECS scenic setbacks, and verifying that all WECS and towers comply with the height restrictions indicated in this permit.

The Planning Department may require further verification by inspection by county staff.

The permit holder shall submit a written certification from

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90. PRIOR TO BLDG FINAL INSPECTION

TRANS DEPARTMENT

90.TRANS. 1

WCS - SETBACK REQUIREMENT

RECOMMND

In no case shall a building, structures or electrical substation be closer than 50-feet from any road right-of-way or lot line.

Olivas, Jay

From: Olivas, Jay
Sent: Wednesday, June 18, 2014 3:42 PM
To: Martin Magana (mmagana@cityofdhs.org)
Subject: WECS 12
Attachments: 2014-04-11 Westwind Plot Plan-MET Towers Signed.pdf; Initial Transmittal Form.docx; Description of Change WCS 12R1 2014 0609 (3).docx; Initial Transmittal Form.docx; Site Plan.pdf

Martin,

Please note this property is shifting some of the new unbuilt turbines and adding some met towers.

We sent transmittal back on May 8th and want to be sure you received.

Don't believe you have any comments or please let us know.

Regards,

Jay Olivas, Project Planner
Riverside County Planning Dept.
760-863-7050



RIVERSIDE COUNTY PLANNING DEPARTMENT

Carolyn Syms Luna
Director

SUBSTANTIAL CONFORMANCE APPLICATION FOR LAND USE AND DEVELOPMENT

INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED.

CASE NUMBER: WCS 00012R1/51 DATE SUBMITTED: April 2, 2014

APPLICATION INFORMATION

Applicant's Name: Westwind Association E-Mail: _____

Mailing Address: C/O: New Dimension Energy Company (NDEC), 221 Crescent St. Suite 103A

Waltham Street 02453
City State ZIP

Daytime Phone No: (781) 609-4758 Fax No: (____) _____

Engineer/Representative's Name: Charlie Karustis E-Mail: ckarustis@oginenergy.com

Mailing Address: 221 Crescent St. Suite 103A

Waltham Street 02453
City State ZIP

Daytime Phone No: (781) 609-4758 Fax No: (____) _____

Property Owner's Name: J. Laurent Comeau Bypass Trust E-Mail: _____

Mailing Address: Anita Comeau Trustee, P.O. Box 1334

Palm Springs Street 92263
City State ZIP

Daytime Phone No: (760) 322-1200 Fax No: (____) _____

If the property is owned by more than one person, attach a separate page that reference the application case number and lists the names, mailing addresses, and phone numbers of all persons having an interest in the real property or properties involved in this application.

The Planning Department will primarily direct communications regarding this application to the person identified above as the Applicant. The Applicant may be the property owner, representative, or other assigned agent.

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

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

"Planning Our Future... Preserving Our Past"

APPLICATION FOR SUBSTANTIAL CONFORMANCE

PROPERTY INFORMATION:

Assessor's Parcel Number(s): 668120018; 668120020; 668130023

Section: 4 Township: 3 South Range: 4 East

Approximate Gross Acreage: 151

General location (nearby or cross streets): North of Power Line Road, South of Pierson Boulevard, East of Diablo Road, West of Karen Ave

Thomas Brothers map, edition year, page number, and coordinates: Year 2003, P.696, B6, A6, and A7; P.726 A1

Have there been any prior requests for substantial conformance? Yes No

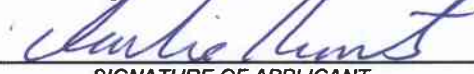
If yes, of what nature? There have been no prior requests.

Describe the existing uses, structures, buildings, and/or entitlements. What is the nature and extent of current substantial conformance request and the reason(s) necessitating the changes(s): (use additional pages if necessary.)

The Westwind Association proposes to amend the location of the previously permitted 10 Ogin FD100 kW turbines. Up to 10 Ogin turbines will be installed east of the original locations, as shown on the attached Plot Plan. In addition, the Westwind Association proposes to decommission 31 of the existing turbines. These changes are needed to conduct a wake measurement campaign for Ogin's 100 kW turbine.

The signature below acknowledges that fees collected in excess of the actual cost of providing specific services will be refunded. If additional funds are needed to complete the processing of your application, you will be billed, and processing of the application will cease until the outstanding balance is paid and sufficient funds are available to continue the processing of the application. The applicant understands the deposit fee process as described above, and that there will be NO refund of fees which have been expended as part of the application review or other related activities or services, even if the application is withdrawn or the application is ultimately denied.

All signatures must be originals ("wet-signed"). Photocopies of signatures are not acceptable

Charlie Karustis 
PRINTED NAME OF APPLICANT SIGNATURE OF APPLICANT

AUTHORITY FOR THIS APPLICATION IS HEREBY GIVEN:

I certify that I am/we are the record owner(s) or authorized agent and that the information filed is true and correct to the best of my knowledge. An authorized agent must submit a letter from the owner(s) indicating authority to sign the application on the owner's behalf.

All signatures must be originals ("wet-signed"). Photocopies of signatures are not acceptable.

APPLICATION FOR SUBSTANTIAL CONFORMANCE

PRINTED NAME OF PROPERTY OWNER(S)

Anita Comeau, Trustee

PRINTED NAME OF PROPERTY OWNER(S)

SIGNATURE OF PROPERTY OWNER(S)



SIGNATURE OF PROPERTY OWNER(S)

If the subject property is owned by persons who have not signed as owners above, attach a separate sheet that references the application case number and lists the printed names and signatures of all persons having an interest in the property.

INFORMATION REQUIRED FOR APPLICATION SUBMITTAL

The following instructions are intended to provide the necessary information and procedures to facilitate the processing of a Substantial Conformance application. Your cooperation with these instructions will insure that your application can be processed in the most expeditious manner possible.

THE SUBSTANTIAL CONFORMANCE FILING PACKAGE MUST CONSIST OF THE FOLLOWING:

1. One completed and signed application form.
2. One copy of the current legal description for each property involved. A copy of a grant deed of each property involved.
3. Fifteen (15) copies of a site plan of the entire parcel (e.g. all of a shopping center even if the substantial conformance is only for one store within a shopping center).
4. One copy (two, if submitted in the Desert office) of a floor plan delineating the types of usage (e.g. office, storage, sales area, etc).
5. Applicable deposit-based fees.

CRITERIA FOR REVIEW FOR SUBSTANTIAL CONFORMANCE

A Substantial Conformance application can be used to modify an approved, valid, permit, such as a plot plan, conditional use permit, public use permit, second unit permit, variance, surface mining permit, reclamation plan, or wind energy conversion systems permit (WECS), provided the current and/or proposed use is in conformance with the subject site's zoning classification and General Plan designation. A Substantial Conformance application cannot be used to modify an approved, valid parcel map or tract map.

A Substantial Conformance is a request for a non-substantial modification of an approved permit that does not change the original approval or the effect of the approval on surrounding property. A Substantial Conformance may include, but is not limited to, modifications for upgrading facilities, modifications for compliance with the requirements of other public agencies, modifications necessary to comply with final conditions of approval, or modifications to on-site circulation and parking, lighting, fencing or walls, landscaping and/or signage requirements, provided that said modifications, as determined by the Planning Director, will have no adverse effect upon public health, safety, welfare, and/or the environment.



221 Crescent St. Suite 103A
Waltham, MA 02453
(781) 609-4700
(781) 609-4701 Fax

Substantial Conformance for Land Use and Development

Case Number: WCS 00012R1

Project Name: Westwind Energy Project

SUMMARY OF THE CHANGE

New Dimension Energy Company (NDEC), which owns the Westwind Energy Project, is submitting an application of Substantial Conformance for Land Use and Development to the Riverside County Planning Department. The application is related specifically to commercial WCS 00012R1 and seeks approval to proceed with the decommissioning of 31 turbines and replacement with 10 Ogin (Formerly FloDesign) 100kW wind turbines.

DETAILS

In May 2013, NDEC submitted two permit applications to extend existing commercial wind energy conversion systems (WECS) Permits WCS 00011R1 and WCS 00012R1 each for a ten year period. Additionally, the application for WCS 00012R1 requested the option to decommission 12 existing wind turbines and replace them with 10 Ogin 100kW turbines. As shown on the corresponding Plot Plan, the 12 turbines proposed to be replaced (A-1 through A-4, B-1 through B-4, and C-1 through C-4) are in the northwest corner of WCS 00012R1, on assessor's parcel number (APN) 668-120-018. The proposed 10 Ogin 100kW turbines were to be constructed in the same general locations as the turbines to be decommissioned.

However, in January 2014, after the approved WECS Permits had been received, NDEC determined that the location of the originally proposed 10 Ogin 100 kW replacement turbines (Ogin 1 through Ogin 10) needed to be relocated approximately 300 meters (1,000 feet) further east within the WCS 00012R1 project area to accommodate a specialized wake measurement campaign specific to the Ogin mixer-ejector wind turbine (MEWT). While many wake campaigns have been conducted on "conventional" horizontal axis wind turbines (HAWT), this campaign represents the first for a MEWT. The measurement campaign is comprehensive and will utilize strategically sited, state-of-the-art scanning lidars (mobile units) and temporary meteorological towers upwind, within, and downwind of the Ogin test array. As specified in the original WECS Permits, the Ogin turbines are arranged similar to the existing turbines as three (3) successive north-south oriented rows and located adjacent to the existing array's access roads. This configuration is designed to address the key objectives of the measurement campaign, which includes characterizing the single and multi-turbine wake structures at increasing downwind distances, as well as monitoring turbine performance under these conditions.

A key wake campaign test site requirement is that the wind flow entering the test area is subject to minimal or no upwind flow disturbances. In this case, there are two (2) Mitsubishi 1.0 MW, 62-meter (203 foot) rotor diameter (RD) wind turbines approximately 700 meters (2,300 feet) upwind (west) of the originally permitted turbine locations. This distance equates to an approximate 11 RD separation distance between Iberdrola's Dillon turbines and Ogin's proposed test turbines. As specified in International Electrotechnical Commission (IEC) standard 61400-12-1, the International Standard document for wind turbine power curve testing, a 20 RD separation distance is required from an "obstacle" (here, "turbine") for the flow disturbance to be acceptable. Applying the Standard here as a guide, at nearly half the IEC specified setback, the wake-induced flow disturbance from the upwind Dillon turbines significantly impacts the ability to isolate the Ogin wind turbine wake structure, and as

such, the original array configuration is not suitable. Further, the upwind scanning lidar, a key reference to defining the test area's inflow conditions, will be located 300 meters upwind from the Ogin array. This places the unit approximately 6 RD from the Dillon wind turbines, an area subjected to a significantly higher wake-induced flow disturbance, and on land that Westwind does not own or lease. At the revised easterly Ogin turbine locations, the Dillon turbine setback is increased to 16 rotor diameters. At this distance the flow disturbance will be reduced to an acceptable level, can be accurately quantified, and importantly, all measurement campaign monitoring stations are within the confines of the Westwind property boundary. In summary, the newly proposed locations represent the only locations on WCS 00012R1 that are suitable for this campaign.

As illustrated on the accompanying Plot Plan, NDEC now proposes to decommission 31 existing turbines (A-1 through A-7, B-1 through B-7, C-1 through C-6, D-1 through D-5, and E-1 through E-6). The 12 turbines originally proposed to be decommissioned represent a subset of the newly proposed 31 turbines to be decommissioned. In addition to existing turbines in rows 3, 4, and 5 that are to be decommissioned, existing turbines in rows 1 and 2 also need to be decommissioned to create a free flow of wind, upwind from the proposed 10 Ogin 100 kW wind turbines. All of the existing wind turbines in rows 3, 4, and 5 will be removed, and all foundations in these rows will be removed. However, while 13 turbines will be removed in rows 1 and 2, Ogin plans to leave these foundations in place for potential future use.

Three of the 10 proposed Ogin 100 kW wind turbines (Ogin 1 through Ogin 3) will be located in relatively the same locations as the previously permitted turbines in this row, and the remaining 7 turbines (Ogin 4 through Ogin 10) are now proposed to be located in the 4th and 5th rows, on APN 668-120-020.

NO NEW IMPACTS

The repositioning of the proposed 10 Ogin 100 kW wind turbines will not create any additional new, temporary disturbance as all decommissioning and turbine replacement activities will occur within previously disturbed project areas, except for those small, temporary disturbance areas that were previously permitted as part of the 2013 WCS 00012R1 permit extension. Existing underground electrical collection conductors and conduit between the proposed 10 Ogin 100 kW wind turbines will be removed and replaced with new, underground electrical collection conductors as part of routine maintenance practices and all maintenance activities will occur within the limits of the previously disturbed rights-of-way.

PROPERTY OWNERS CERTIFICATION FORM

I, VINNIE NGUYEN, certify that on 7/18/2014,

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

APN (s) or case numbers WCS0001291 For

Company or Individual's Name Planning Department

Distance buffered 1/2 mile.

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

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

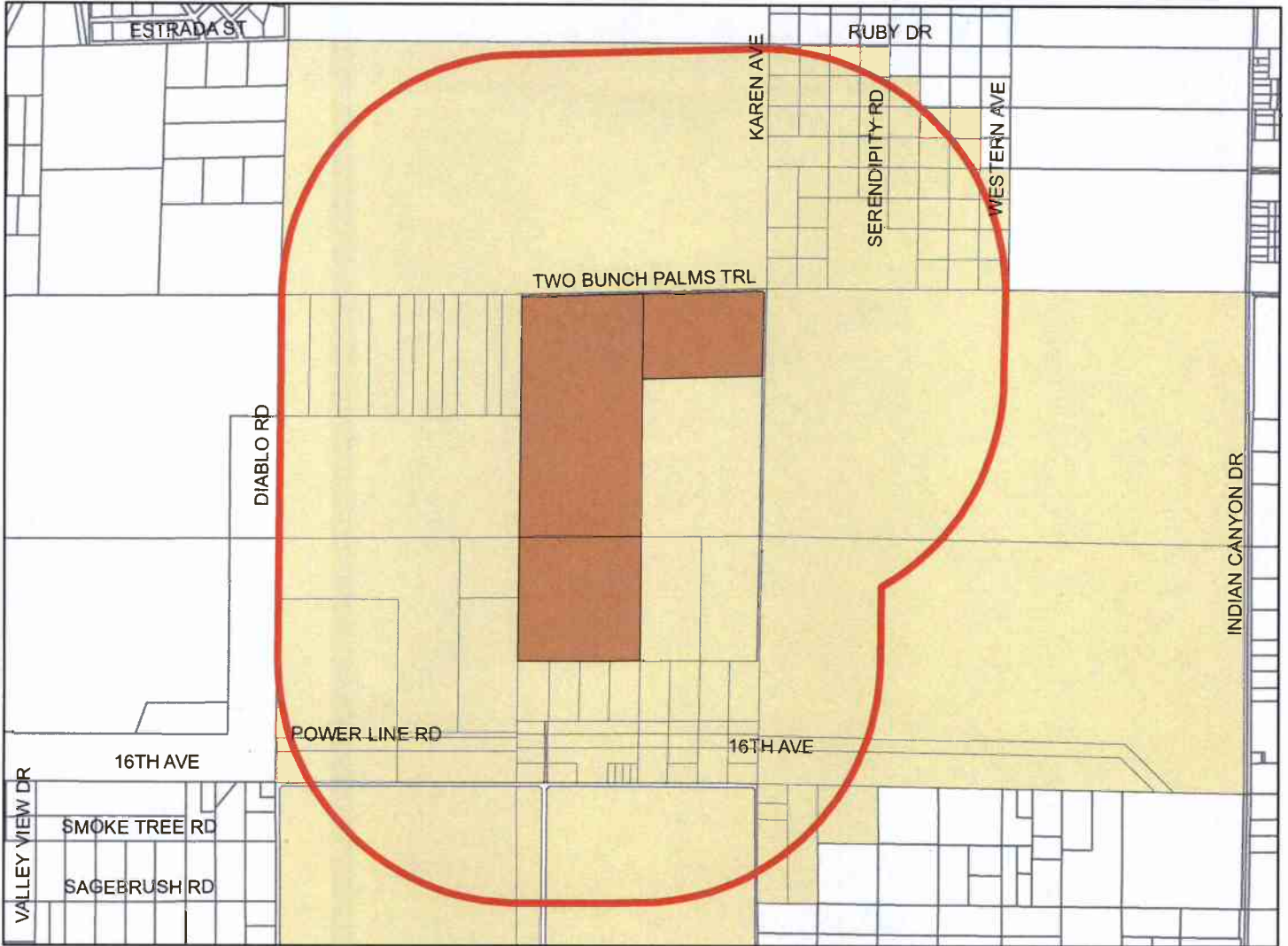
NAME: Vinnie Nguyen

TITLE GIS Analyst

ADDRESS: 4080 Lemon Street 2nd Floor
Riverside, Ca. 92502

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

WCS00012S1 (1/2 mile buffer)



Selected Parcels

668-110-004	664-220-034	668-110-007	664-220-024	664-230-002	668-120-018	668-120-020	668-130-023	664-230-013	664-230-014
664-230-015	668-110-005	664-230-029	664-220-009	664-220-010	668-140-012	664-230-022	668-140-017	668-140-018	668-140-019
664-220-011	664-220-012	666-080-005	668-140-002	668-140-003	668-140-020	668-130-025	668-120-021	668-110-008	668-110-010
668-270-010	668-270-011	668-130-005	668-140-001	668-140-009	664-230-025	668-110-012	664-220-025	664-230-012	666-080-001
666-080-002	668-110-006	664-230-023	668-140-007	664-220-017	664-220-001	664-220-002	668-140-011	664-230-030	664-220-032
668-270-012	668-140-013	664-220-020	664-230-001	664-230-016	664-230-017	664-230-021	664-230-031	666-080-003	668-140-005
664-230-024	664-220-013	668-140-004	664-230-007	668-140-006	666-080-004	668-130-024	664-220-019	664-220-030	664-220-031
668-140-010	664-220-027	668-110-009	664-220-021	664-230-009	664-230-006	664-230-008	664-220-003	664-220-004	664-230-003
664-220-018	668-140-033	667-230-005	668-140-030	668-110-003	664-230-032	666-020-001	666-030-002	666-030-003	666-030-004
668-110-002	668-110-013	668-120-013	668-130-016	668-130-017	668-130-018	668-130-019	668-130-020	668-130-021	668-130-022
668-140-024	668-140-025	668-140-026	668-140-031	668-140-032	668-140-034	668-140-035	668-140-036	668-140-037	668-140-038
668-140-039	664-220-028	664-220-029	664-230-005	668-140-015	668-140-027	668-140-028	668-140-029	664-230-004	668-140-016

First 120 parcels shown



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

ASMT: 664220002, APN: 664220002
FRED ZOMORODI
P O BOX 6185
BEVERLY HILLS CA 90212

ASMT: 664220019, APN: 664220019
SHABNAM NABAUI, ETAL
16016 BABCOCK ST APT 159
SAN DIEGO CA 92127

ASMT: 664220004, APN: 664220004
IRMGARD LIEGMANN, ETAL
1569 HIDDEN CANYON RD
LA HABRA HEIGHTS CA 90631

ASMT: 664220020, APN: 664220020
CINDY HERRERA, ETAL
PO BOX 346
RANCHO MIRAGE CA 92270

ASMT: 664220009, APN: 664220009
BANK OF AMERICA
C/O BANK OF AMERICA TRES
P O BOX 83155
DALLAS TX 75283

ASMT: 664220021, APN: 664220021
MULATUA DEMISSIE
C/O BELETE DEMISSIE
467 SAN GORGONIO AVE
BANNING CA 92220

ASMT: 664220010, APN: 664220010
BANK OF AMERICA
C/O BANK OF AMERICA TRES
P O BOX 830155
DALLAS TX 75283

ASMT: 664220024, APN: 664220024
ALAN BERNSTEIN
623 W 36TH ST
LONG BEACH CA 90806

ASMT: 664220012, APN: 664220012
CHARLES MATTISON
9 CROWN CT
RANCHO MIRAGE CA 92270

ASMT: 664220025, APN: 664220025
MARTHA ROBERTS, ETAL
9335 N 181ST LN
WADDELL AZ 85355

ASMT: 664220013, APN: 664220013
JEAN KAMPSCHROER
3865 HAYVENHURST AVE
ENCINO CA 91436

ASMT: 664220027, APN: 664220027
JOSEPH HUNT, ETAL
10964 HIGHLAND RD
BLOOMINGTON MN 55438

ASMT: 664220018, APN: 664220018
RUBEN LUPERCIO
C/O ENRIQUE LUPERCIO
33801 WHISPERING PLMS NO1
CATHEDRAL CITY CA 92234

ASMT: 664220030, APN: 664220030
LLOYD KASMAN
420 24TH ST
MANHATTAN BEACH CA 90266

ASMT: 664220031, APN: 664220031
NILA ZHILCHINSKY, ETAL
64625 PIERSON BLV SPC 23
DESERT HOT SPRINGS CA 92240

ASMT: 664230007, APN: 664230007
JESUS FUENTES
C/O MARIBEL FUENTES
1842 LAWRENCE
PALM SPRINGS CA 92264

ASMT: 664220032, APN: 664220032
IRMA SHERMAN, ETAL
C/O IRMA SHERMAN
5418 NESTLE AVE
TARZANA CA 91356

ASMT: 664230008, APN: 664230008
ALICE INGA, ETAL
1240 PINECREST AVE
ESCONDIDO CA 92025

ASMT: 664220034, APN: 664220034
GABRIELA SILVERSTONE, ETAL
P O BOX 580768
NORTH PALM SPRINGS CA 92258

ASMT: 664230009, APN: 664230009
BARRY HAPKE, ETAL
13440 SUNNYVIEW LN
VAN NUYS CA 91401

ASMT: 664230002, APN: 664230002
ALLEN SCHMIDT
C/O PAUL S BERGER
10521 LE CONTE AVE
LOS ANGELES CA 90024

ASMT: 664230012, APN: 664230012
DEBRA LEE
P O BOX 676
PALM SPRINGS CA 92263

ASMT: 664230003, APN: 664230003
ELENA SANDOVAL, ETAL
81447 PALMYRA AVE
INDIO CA 92201

ASMT: 664230015, APN: 664230015
ANNE CLARK
P O BOX 580092
N PALM SPRINGS CA 92258

ASMT: 664230005, APN: 664230005
STEVEN C WELTY INC
74100 OLD PROSPECTOR TR
PALM DESERT CA 92260

ASMT: 664230022, APN: 664230022
BETHLEHEM PRESBYTERIAN CHURCH
C/O JOHN J SUH
1128 S CRENSHAW BLV
LOS ANGELES CA 90019

ASMT: 664230006, APN: 664230006
REFUGIO CERVANTES
P O BOX 492
CATHEDRAL CITY CA 92235

ASMT: 664230023, APN: 664230023
EDEN MISSION
11870 IDAHO AVE UNT 104
LOS ANGELES CA 90025

ASMT: 664230024, APN: 664230024
JANE MORLEY
P O BOX 328
BORREGO SPRINGS CA 92004

ASMT: 666080004, APN: 666080004
ANGELINA BUONASSISSI, ETAL
11906 E MAPLE AVE
AURORA CO 80012

ASMT: 664230025, APN: 664230025
DANIEL FOYE
7353 ELLENA WEST NO 174
RANCHO CUCAMONGA CA 91730

ASMT: 666080005, APN: 666080005
YI CHIN WANG, ETAL
C/O VELUR PROP
P O BOX 56867
SHERMAN OAKS CA 91413

ASMT: 664230029, APN: 664230029
JOSEPHINE IMMORMINO, ETAL
404 DOUGLAS BLV
CLEVELAND OH 44143

ASMT: 667230005, APN: 667230005
SEVEN FORTUNE PARTNERS III
8808 MISSION DR NO 208
ROSEMEAD CA 91770

ASMT: 664230030, APN: 664230030
PIONEER WOMEN, ETAL
3550 WILSHIRE BLV NO 1500
LOS ANGELES CA 90010

ASMT: 668110004, APN: 668110004
531 HAZEL STREET ASSOC
P O BOX 2157
MANHATTAN BEACH CA 90267

ASMT: 664230031, APN: 664230031
ILA LAUTER, ETAL
3473 BAHIA BLANCA W NO B
LAGUNA HILLS CA 92653

ASMT: 668110005, APN: 668110005
ANNE LANG
UNKNOWN
UNKNOWN

ASMT: 666080002, APN: 666080002
DILLON WIND
1125 NW COUCH ST STE 700
PORTLAND OR 97209

ASMT: 668110006, APN: 668110006
DONNA LE
7401 N 85TH LN
GLENDALE AZ 85305

ASMT: 666080003, APN: 666080003
JUSTIN RAMMELL, ETAL
2107 N ROSS ST
SANTA ANA CA 92706

ASMT: 668110007, APN: 668110007
ADOBE OIL DEV CORP
C/O RUSSELL J SINGER
P O BOX 485
LAGUNA BEACH CA 92652

ASMT: 668110009, APN: 668110009
MICHAEL ALLEN
565 E THIRD STREET
SAN JACINTO CA 92583

ASMT: 668140003, APN: 668140003
CPV SENTINEL
8403 COLESVILLE RD NO 915
SILVER SPRING MD 20919

ASMT: 668110012, APN: 668110012
GINA VINCENT, ETAL
7182 CHELAN WAY
HOLLYWOOD CA 90068

ASMT: 668140004, APN: 668140004
JEROME BRASTAD
P O BOX 903
THOUSAND PALMS CA 92276

ASMT: 668120021, APN: 668120021
STEPHEN BROWN, ETAL
74900 HIGHWAY 111 STE 120
INDIAN WELLS CA 92210

ASMT: 668140005, APN: 668140005
JAMES DUMAS
P O BOX 580124 CARL BRASTAD
124 N PALM SPRINGS
N PALM SPRINGS CA 92258

ASMT: 668130007, APN: 668130007
WINTEC PROP
2045 E TAHQUITZ CYN WAY
PALM SPRINGS CA 92262

ASMT: 668140006, APN: 668140006
ESTHER HOLGUIN, ETAL
47795 DUNE PALMS RD NO 82
LA QUINTA CA 92253

ASMT: 668130023, APN: 668130023
MARY COMEAU, ETAL
P O BOX 1334
PALM SPRINGS CA 92263

ASMT: 668140007, APN: 668140007
EDGAR GRANADOS
44551 PORTOLA AVE
PALM DESERT CA 92260

ASMT: 668130024, APN: 668130024
ELIZABETH FREDENBURG, ETAL
C/O STEPHEN G BROWN
10000 TILTON MINE RD
REDDING CA 96001

ASMT: 668140010, APN: 668140010
MAE SKOUBYE
3055 MILLERAMA AVE
W VALLEY CITY UT 84119

ASMT: 668130025, APN: 668130025
CYNTHIA FINERTY
74900 HIGHWAY 111 NO 120
INDIAN WELLS CA 92210

ASMT: 668140011, APN: 668140011
GEORGE LEATHAM
CABIN 31 SANDY BEACH
VALLEJO CA 94590

ASMT: 668140012, APN: 668140012
BARBARA BRAITHWAITE
7 YOSEMITE RD
SAN RAFAEL CA 94903

ASMT: 668140039, APN: 668140039
SOUTHERN CALIFORNIA EDISON CO
C S REENDERS ASST COMPTROLLER
P O BOX 800
ROSEMEAD CA 91770

ASMT: 668140013, APN: 668140013
ION ENE
7314 SAINT JOHNS CT
MANASSAS VA 20109

ASMT: 668270011, APN: 668270011
D LAND CO, ETAL
1090 N PALM CANYON NO A
PALM SPRINGS CA 92262

ASMT: 668140015, APN: 668140015
SUZY YU
1623 KAINS AVE
BERKELEY CA 94702

ASMT: 668270012, APN: 668270012
HOROWITZ FAMILY
5922 MELVIN AVE
TARZANA CA 91356

ASMT: 668140016, APN: 668140016
WESTON MOLITOR
C/O PHILIP H MOLITOR
30665 SPRING DEEP TER
MENIFEE CA 92584

ASMT: 668140019, APN: 668140019
TERESA LOPEZ, ETAL
65919 5TH ST
DESERT HOT SPRINGS CA 92240

ASMT: 668140029, APN: 668140029
USA 668
US DEPT OF INTERIOR
WASHINGTON DC 21401

ASMT: 668140033, APN: 668140033
AARON WOLF, ETAL
C/O AARON WOLF
P O BOX 580959
N PALM SPRINGS CA 92258

COUNTY OF RIVERSIDE
SPECIALIZED DEPARTMENT RECEIPT
Permit Assistance Center

* REPRINTED * R1407629

4080 Lemon Street
Second Floor
Riverside, CA 92502
(951) 955-3200

39493 Los Alamos Road
Suite A
Murrieta, CA 92563
(951) 600-6100

38686 El Cerrito Road
Palm Desert, CA 92211
(760) 863-8277

Received from: WESTWIND ASSOCIATION \$50.00
paid by: MC 05158J
paid towards: CFG06096 CALIF FISH & GAME: DOC FEE
CFG FOR WCS00012S1
at parcel #: 62555 TWO BUNCH PALMS TR DHSP
appl type: CFG3

By _____ Jul 21, 2014 09:41
MGARDNER posting date Jul 21, 2014

Account Code	Description	Amount
658353120100208100	CF&G TRUST: RECORD FEES	\$50.00

Overpayments of less than \$5.00 will not be refunded!

Additional info at www.rctlma.org



RIVERSIDE COUNTY PLANNING DEPARTMENT

Juan C. Perez
Interim Planning Director

NOTICE OF EXEMPTION

TO: Office of Planning and Research (OPR) P.O. Box 3044 Sacramento, CA 95812-3044
 County of Riverside County Clerk

FROM: Riverside County Planning Department
 4080 Lemon Street, 12th Floor P. O. Box 1409 Riverside, CA 92502-1409
 77588 El Duna Ct Ste. H Palm Desert, CA 92201

Project Title/Case No.: Commercial WECS Permit No. 12, Substantial Conformance No. 1

Project Location: In the unincorporated area of Riverside County, North Palm Springs, Two Bunch Palms Trail, Diablo Road

Project Description: Substantial Conformance proposes minor modifications to approved WECS Permit No. 12R1 by revising the location of the previously approved 10 Ogin 100 kilowatt replacement wind turbines that have a maximum height of 150 feet (not currently constructed) approximately 1,000 feet to the east within the WECS Permit No. 12R1 project area to accommodate a specialized wake measurement campaign. Additionally, the Substantial Conformance proposes to decommission and remove 31 existing wind turbines reducing the total number of turbines from 78 to 57 (includes 10 new Ogin turbines). APN's: 668-120-018, 668-120-020, and 668-130-023.

Name of Public Agency Approving Project: Riverside County Planning Department

Project Applicant & Address: Westwind Association 221 Crescent St. Ste. 10 Waltham, MA 02453

Exempt Status: (Check one)

- Ministerial (Sec. 21080(b)(1); 15268)
 Declared Emergency (Sec. 21080(b)(3); 15269(a))
 Emergency Project (Sec. 21080(b)(4); 15269 (b)(c))
- Categorical Exemption (15302)
 Statutory Exemption (_____)
 Other: 15061 (b)(3)

Reasons why project is exempt: Pursuant to the California Environmental Quality Act ("CEQA") Guidelines Sections 15302 and 15061(b)(3), the Riverside County Planning Department has determined that the project is exempt from the requirements of CEQA. The project involves the removal and replacement of existing structures and facilities where the new structure will be located on the same site as the approved WECS Permit No. 12R1 and will have substantially the same purpose and negligible or no expansion of capacity as the structures replaced. In this instance, thirty-one aging wind energy turbines will be removed and only 10 new wind energy turbines will be constructed within the same site as the approved WECS Permit No. 12R1. Also, there is no possibility that the activity in question may have a significant effect on the environment in that the relocation of previously approved un-built wind turbines approximately 1000 feet to the east are in relatively same locations as existing turbines along turbine Rows C, D, and E along prior disturbed service roads and replacement turbines are of similar height at 150 feet maximum and within the same approved project site. Additionally, the decommissioning of 31 turbines will be conducted by demolition permit in accordance with California Building Codes and a Removal Plan with set demolition methods, transport methods, and timelines which will further limit impacts to the environment.

Jay Olivas 760-863-7050
County Contact Person Phone Number

[Signature] Project Planner July 14, 2014
Signature Title Date

Date Received for Filing and Posting at OPR: _____

Revised: 07/21/2014: Y:\Planning Case Files-Riverside office\WCS00012S1\NOE Form.docx

Please charge deposit fee case#: ZEA ZCFG No. 6096 - County Clerk Posting Fee
FOR COUNTY CLERK'S USE ONLY