

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

135B



FROM: TLMA - Planning Department

SUBMITTAL DATE:
December 2, 2010

SUBJECT: COMMERCIAL WECS PERMIT NO. 71, SUBSTANTIAL CONFORMANCE NO. 4
- Applicant: Mark Technologies - Engineer/Representative: The Altum Group - Fifth Supervisorial District - Whitewater Zoning Area - 640 Acres - Western Coachella Valley Area Plan: Open Space - Rural (OS-RUR) (20 Ac. Min.) - Location: Northerly of Interstate 10, westerly of Whitewater Canyon Road - 640 Acres - Zoning: Wind Energy (W-E) - Request: A substantial conformance request to potentially remove 134 existing Danwin and Vestas wind turbines, install fifteen (15) previously approved but uninstalled Gamesa 850 kilowatt (kW) turbines up to 230 feet in height or similar turbines in the same locations with a maximum overall height of 275 feet, and install 27 new Nordex N80 2.5 megawatt (MW) turbines up to 329 feet in height, or similar turbines in the same locations with a maximum overall height of 339 feet, reducing the total number of overall wind turbines from 159 existing turbines to 67 turbines (69% reduction), plus construct new substation. The substantial conformance involves new grading on an existing slope of up to approximately 329,000 cubic yards of cut and 129,000 cubic yards of fill. The substantial conformance was required to go through Joint Project Review to review "take" issues within the Coachella Valley Multi-Species Plan and was determined to be within the allowed 8% "take", with no additional "take" required based on the applicant grading plans.

RECOMMENDED MOTION:

RECEIVE AND FILE the Notice of Decision for the above referenced substantial conformance of a Commercial WECS permit acted on the by the Planning Director on November 18, 2010.

Carolyn Syms Luna
Carolyn Syms Luna
Planning Director

Initials:
CSL:jo *o.m.*

(continued on attached page)

MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Ashley, seconded by Supervisor Stone and duly carried by unanimous vote, IT WAS ORDERED that the above matter of approval is received and filed as recommended.

Ayes: Buster, Tavaglione, Stone, Benoit and Ashley
Nays: None
Absent: None
Date: January 11, 2011
xc: Planning, Applicant

Kecia Harper-Ihem
Clerk of the Board
By: *Kecia Harper-Ihem*
Deputy

Prev. Agn. Ref.

District: Fifth

Agenda Number:

1.7

REVIEWED BY EXECUTIVE OFFICE

DATE

Departmental Concurrence

Jennifer Sargent

Dept't Recomm.: Policy Policy
 Consent Consent
Per Exec. Ofc.: Consent

The Honorable Board of Supervisors

Re: **COMMERCIAL WECS PERMIT NO. 71, SUBSTANTIAL CONFORMANCE NO. 4**

Page 2 of 3

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

APPROVED SUBSTANTIAL CONFORMANCE NO. 4 FOR COMMERCIAL WECS PERMIT NO. 71, subject to all previous conditions, and amended conditions, as applicable, will allow for the overall potential reduction of wind turbines from 159 existing turbines to 67 turbines. Conditions have been drafted for Substantial Conformance No. 4 to reflect the changes to Commercial WECS Permit No. 71 (attached).

The overall reduction of wind turbines consists of the following:

- A) Remove 134 existing Danwin and Vestas V47-160 kW wind turbines.
- B) Keep 19 existing Danwin 160 kW V47-160 kW wind turbines.
- C) Keep six (6) existing Vestas V27-225 kW wind turbines.
- D) Install 15 previously approved but unbuilt G52-850 kW Gamesa wind turbines up to 230 feet in height, or similar turbines in the same locations with a maximum overall height of 275 feet.
- E) Install 27 Nordex N80 2.5 MW wind turbines up to 329 feet in height, or similar turbines in the same locations with a maximum overall height of 339 feet.
- F) Construct new Substation.

The substantial conformance request is due to market conditions toward larger and more efficient wind turbines according to the applicant. The proposed changes under the Substantial Conformance will not increase density or intensity of the approved use. The number of WECS would be reduced and not result in greater environmental impacts than the approved use. Two relevant environmental issues with this wind energy project are noise and visibility. The noise study reviewed by the Office of Industrial Hygiene shows the proposed wind turbines are well below 45 dBA noise level threshold with respect to the nearest residential lot within the Bonnie Bell Subdivision. Also, with respect to any new towers being visible, the proposed plans have been designed so that all new turbines will limit visibility from the Bonnie Bell Subdivision. Additionally, slight difference in heights (29.5 feet) between the currently permitted Gamesa turbines and the new Nordex turbines would be indistinguishable from the Interstate 10 freeway due to a distance of approximately 3,900 feet from the closest turbine to the freeway. Furthermore the reduction in turbines amounts to an approximate 69% reduction in total WECS for WCS No. 71 resulting in reduced visual impacts and the number of turbine pads will be reduced and prior disturbed areas will improve towards natural habitat.

The decision of the Planning Director is considered final and no action by the Board of Supervisors is required unless, within 10 days after the Notice of Decision appears on the Boards Agenda, the applicant or an interested person files an appeal accompanied by the fee set forth in Ordinance No. 671, with the Clerk of the Board; or unless the Board assumes jurisdiction by ordering the matter set for public hearing.

BACKGROUND:

This substantial conformance was applied for in October 2007 with several changes to the proposed grading plans with the most recent plans received in July 2010. The project was required to go through Joint Project Review (J.P.R.) with the Coachella Valley Association of Governments (CVAG) since the site is located in the Stubbe and Cottonwood Canyons Conservation Area under the Coachella Valley Multi-Species Plan (BOS Policy A-61). CVAG determined the project could proceed subject to their Avoidance, Minimization, and Mitigation Measures Plan dated March 9, 2010 which allows 33 acres of new "take" based on the most recent grading plans. The grading plans have also been reviewed by the Building and Safety Department and were plan check approved on 4/13/10 under BGR080214.

Commercial WECS Permit No. 71 was originally approved in 1986. Subsequent revised permits to add and reconfigure turbines have occurred since the original approval. The most recent permit, Commercial WECS Permit No. 71, Revised Permit No. 9, was approved in January 2006 to add 60 additional turbines which have not been built. There are currently 159 existing turbines on the site.

Section 18.42a of Ordinance No. 348 provides for the modification of approved Commercial WECS permits. Substantial conformance applications for commercial WECS permit are processed by different procedures separate from other permits such as plot plans or conditional use permits, pursuant to Ordinance No. 348. In the case of substantial conformances to WECS permits, actions by the Planning Director are subject to review by the Board of Supervisors under a notice of decision format with notice of the Planning Director's decision, along with all altered conditions of approval required to be 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. With regards to this substantial conformance request, the notice to property owners has been completed by the Planning Department prior to the matter appearing on the Board's Agenda.

COUNTY OF RIVERSIDE
TRANSPORTATION AND LAND MANAGEMENT AGENCY
Planning Department

Carolyn Syms Luna · Director

135 B

DATE: November 24, 2010

TO: Clerk of the Board of Supervisors

FROM: Planning Department - Riverside Office

D.M.

SUBJECT: Commercial WECS Permit No. 71, Substantial Conformance No. 4

(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 |

Designate Newspaper used by Planning Department for Notice of Hearing:
(1st and 5th Dist) Press Enterprise

Need Director's signature by December 1, 2010
Please schedule on the December 14, 2010 BOS Agenda

1.11.11



73-255 El Paseo Drive, Suite 15
Palm Desert, California 92260
760.346.4750 Tel
760.340.0089 Fax

The Altum Group

May 17, 2010

Mr. Dave Mares
Principal Planner
Riverside County Planning Department
3886 El Cerrito Road
Palm Desert, California 92211

SUBJECT: Commercial WECS Permit No. 71, Revised Permit No. 9

Proposed Revisions to Substantial Conformance Application

**REFERENCE: Application for WECS Permit No. 71, Substantial Conformance No. 4,
submitted to Riverside County Planning Department on October 26, 2007**

Dear Mr. Mares:

As you may remember, we discussed proposed changes to the existing approved site plan of WECS 71, Revised Permit No. 9. At your request, we are submitting the following project description narrative in order to give you and the Planning Department a better understanding of the proposed changes. This revised project configuration, as described, is proposed as an optional WECS layout for inclusion in the referenced pending Substantial Conformance No. 4 Application.

Existing Entitlements

The current operating turbines on the site were constructed in three phases:

Alta Mesa Project -

Phase I - 60 Danwin 160kW wind turbines installed in 1988

Phase II - 57 Danwin 160kW wind turbines installed in 1989

Phase III - 42 Vestas V27-225kW wind turbines installed in 1995 and 1997

An additional 66 Vestas V47-660kW wind turbines were included in WECS Permit No. 71 as part of prior revisions and have not been constructed. Commercial WECS Permit No. 71, Revised Permit No. 9 was approved on December 13, 2005 by the Riverside County Board of Supervisors. The revised permit proposed to construct 60 turbines (replacing the proposed Vestas V47-660kW wind turbines), up to nearly 300 feet high within the existing WECS array consisting of 159 turbines on 640 acres. The 60 proposed turbines were to be Gamesa Eolica G52-850 kW, in two sizes:

- Short—41 turbines with a total height of 229.7 ft. (70 m) and rotor diameter of 170.6 ft. (52 m)

- Tall—19 turbines with a total height of 298.6 ft. (91 m) and rotor diameter of 170.6 ft. (52 m)

Thus, the current revised permit allows a total of 219 turbines to be constructed; however, the proposed 60 were not built and 159 turbines still remain on the site.

In addition, a variance (VAR #1771) was requested in conjunction with the Revised Permit No. 9 in order to reduce wind access and safety setbacks. Wind access setbacks were reduced from 855 feet to 0 feet and safety setbacks were reduced from 330 feet to 0 feet. These reductions were requested due to topography constraints and visibility concerns from Bonnie Bell to the East.

Environmental Assessment (EA) 40187 was also approved and evaluated environmental impacts resulting from the addition of 60 turbines to the site. The EA found there would be potentially significant impacts in the following areas: aesthetics, biological resources, geology/soils, land use planning, noise, and transportation/traffic. These impacts were determined to be fully mitigated by the measures indicated in the EA and conditions of approval and a mitigation monitoring/reporting program was incorporated.

In October 2007, the Applicant filed the referenced Substantial Conformance Application (Substantial Conformance No. 4) in order to change the turbine model for the remaining 60 entitled turbines from the Gamesa to EWT 52-900 kW turbines. The only difference between the Gamesa and EWT turbines was the nacelle. All other specifications were the same. The approval of this Substantial Conformance Application is currently pending with the County. During 2008, the Applicant submitted an application for a Grading Permit for the 60 entitled turbines and such Grading Permit has been approved by the Department of Building and Safety, the applicable requirements of the CVMSHCP have been fulfilled and the amount of allowable site disturbance has been established that can now be included in the Conditions of Approval for the Substantial Conformance No. 4 along with any other applicable language concerning conformance of the project with the requirements of the CVMSHCP.

Proposed Changes

During the time period between the Substantial Conformance No. 4 Application submittal in 2007 and the present time, the market for wind turbines has continued to rapidly trend toward larger and more efficient turbine models, with the customary resulting phase out of earlier wind turbine models. The Applicant has decided to modify the site plan of WECS 71 Revised Permit No. 9 because of these trends. Consequently, the proposed Nordex turbines are more efficient, have been selected based on their suitability for the high wind conditions at the project site, have higher generation rates per unit due to improved technology and greater generation capacity, and because of this, far fewer wind turbines are required to produce more power than the current entitlement.

The changes being proposed for the project are as follows:

- A total of 134 existing Danwin and Vestas turbines will be removed. A removal plan will be submitted in compliance with Section 18.42a(a)(6) of Ordinance 348 and will detail which

turbines will be removed and protocols for removal. Twenty-five (25) of the existing turbines (19 Danwin and 6 Vestas) will remain installed onsite. Fifteen (15) of the currently approved but uninstalled Gamesa turbines and 27 new Nordex N80 2.5 MW turbines will be added, bringing the total number of turbines at the site to 67.

- The new Nordex turbines will be incrementally but imperceptibly taller than the currently approved "Tall" Gamesa turbines. The 15 Gamesa turbines to remain will be the "Short" version measuring 229.7 feet in total height, measured from the ground to the tip of the blade at the 12 o'clock position. The 27 Nordex turbines will be 328.1 feet in total height. The rotor diameter of the Nordex turbines will be 262.5 feet and the rotor diameter of the Gamesa turbines will be 170.6 feet.
- The newly installed Nordex and Gamesa turbines will be located in essentially the same areas of the project site as presently depicted on the WECS 71 Revised Permit No. 9 site plan and associated Grading Permit. The amount of site disturbance associated with the newly installed Nordex and Gamesa turbines will be the same or less (due to the significant reduction in the number of turbines) than the amount of site disturbance allowed pursuant to the Grading Permit application which has been reviewed and accepted by the County as indicated above. Upon approval of the referenced Substantial Conformance Application, the Applicant will revise the Grading Permit application and associated grading plans to conform to the revised site plan.

Project Substantial Conformance

Ordinance 348 Section 18.42a(b) states "Substantial conformance means a modification of an approved WECS permit which does not increase the density or intensity of the approved use, which does not increase the number of WECS, which does not result in more environmental impacts than the approved use and which does not have a greater cumulative effect on surrounding property than the approved use." The proposed changes to the existing Substantial Conformance Application for Revised Permit No. 9 would not increase density or intensity of the approved use. The number of WECS would be reduced, would not result in more environmental impacts than the approved use and would not have a greater cumulative effect on the surrounding property than the already approved use. In fact, a significant reduction with respect to all of these parameters will be realized from the dramatic reduction in the total number of WECS installed on the site (219 WECS to 67 WECS).

The two frequently discussed environmental issues of this or any wind energy project are noise and visibility. Attached is a noise analysis by Bruce Walker, PhD of Channel Islands Acoustics, showing that the proposed project changes would not result in greater noise levels than the currently permitted site plan, and the projected noise levels are far below the 45 dB(A) noise level threshold with respect to the nearest residential lot at Bonnie Bell. Off-site noise levels at the nearest residences in the Bonnie Bell Community are predicted to be below 40 dB(A). Overall project noise levels will be substantially below the new Riverside County WECS noise standard of 55 dB(A). As for visibility, WECS 71 Condition of Approval 90. Planning 008 states that the no portion of any WECS towers shall be visible from the

Bonnie Bell community. The proposed site plan has been designed so that all new turbines will not be visible from Bonnie Bell. In addition, the slight difference in height (29.5 feet) between the currently permitted Gamesa turbines and the newly proposed Nordex turbines would be indistinguishable from the I-10 freeway, given the large distance (3,900+ feet) from the closest turbine to the freeway. In addition, the newly proposed Nordex turbines are under the 500 foot height limit in the W-E section of Ordinance 348 (Section 17.3 (a)(1)). Further, the very significant reduction in number of turbines (69% reduction in the total WECS currently authorized) resulting from the proposal will reduce associated visual impact. Site disturbance will also be reduced as the number of turbine pads will be reduced and much of the previously disturbed areas will be reclaimed as natural habitat.

In addition to the Ordinance requirements with respect to Substantial Conformance, several Conditions of Approval of the WECS 71, Rev. Permit 9 are applicable as follows:

“10. Planning 004. Prior to any replacement or modification of any WECS, towers or related facilities (except other than regular maintenance items), written notice shall be given to the Planning Director and the Director of the Department of Building and Safety.”

This letter serves as such notice.

“10. Planning 008. The WECS and tower specifications approved under this commercial WECS permit include the following: a. Total Height (WECS blade tip at 12:00 position): 300' c. Rotor Diameter: 171' d. Rotor Orientation: Horizontal-axis upwind e. Number of Blades: Three f. WECS Tower Design: Solid tubular towers; no guy wires 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.”

The proposed site plan will only change two of these specifications, the total height and rotor diameter. The proposed WECS will comply with all other specifications listed in this condition of approval. The proposed WECS are larger in height and rotor diameter, but will generate more energy and will require far less turbines to produce more power than currently being generated by the site. Furthermore, fewer turbines require less ground disturbance and result in less visual clutter.

For the reasons stated above, we believe that the proposed modifications to the WECS 71, Revised Permit No. 9 as reflected on the attached proposed revised site plan would clearly comply with the Ordinance 348 definition of Substantial Conformance, subject to the approval of the Planning Director. Accordingly, we hereby respectfully request that the above-described changes to the WECS 71 Revised Permit No. 9 be incorporated into the referenced existing Substantial Conformance Application and the Application approved as quickly as possible, as the Applicant would like to begin construction on the site during the summer of 2010.

May 13, 2010
Mr. Dave Mares
Page 5 of 5

Please feel free to contact me with any questions or comments.

Sincerely,

Michael A. Peroni, President
The Altum Group

Attachments:

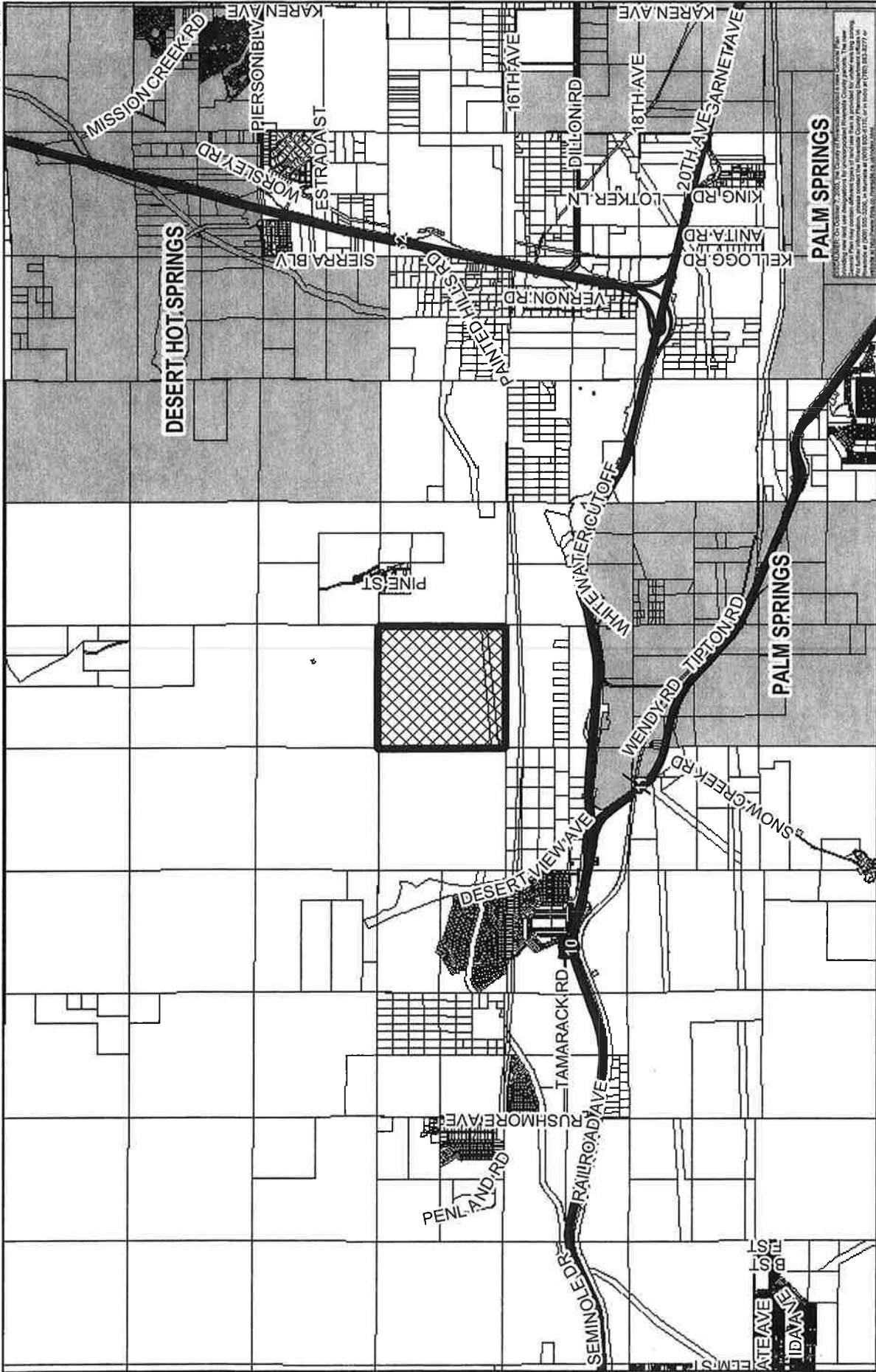
1. Nordex N80 turbine specs and brochure
2. Gamesa G52 turbine specs and brochure
3. *Wind Turbine Noise Analysis for WECS #71 Development Additions*, Channel Islands Acoustics, revised April 7, 2010
4. Approved WECS 71 Revised Permit No. 9 Site Plan
5. Proposed WECS 71 Site Plan dated November 3, 2009

cc: Mark Technologies Corporation, w/o attachments (via E-mail)
Bob Lyman, Regional Office Manager, Desert Permit Assistance Office

WCS00071S4 VICINITY MAP

Supervisor Ashley
District 5
DATE DRAWN: 12/11/07

Planner: Jay Olivas
Date: 01/23/08
VICINITY MAP



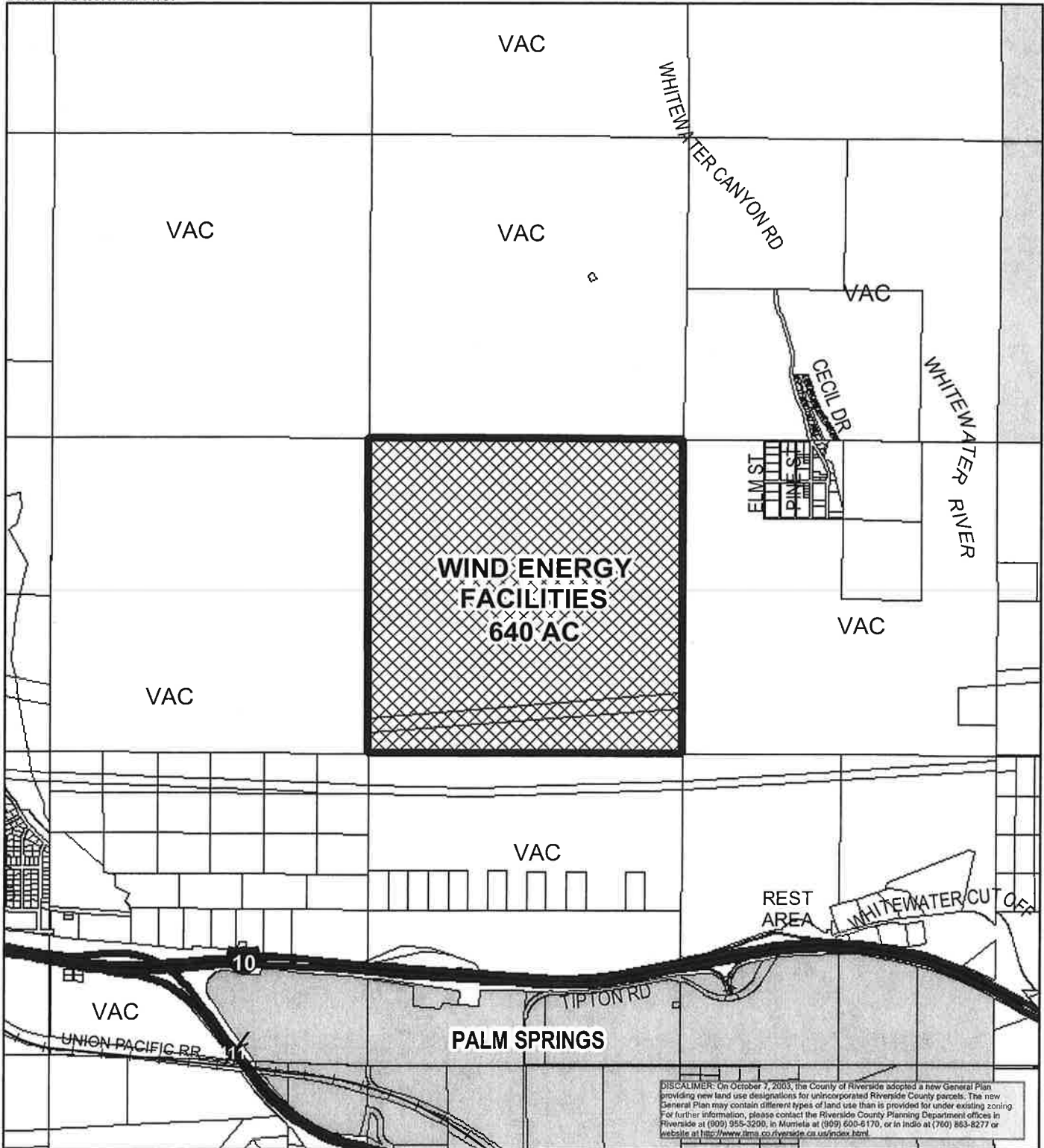
RIVERSIDE COUNTY PLANNING DEPARTMENT

Zone: **Whitewater**
Area:
Township/Range: T3SR3E
Section: 3

ASSESSORS
BK. PG. 516-02
THOMAS
BROS. PG. 724 H1



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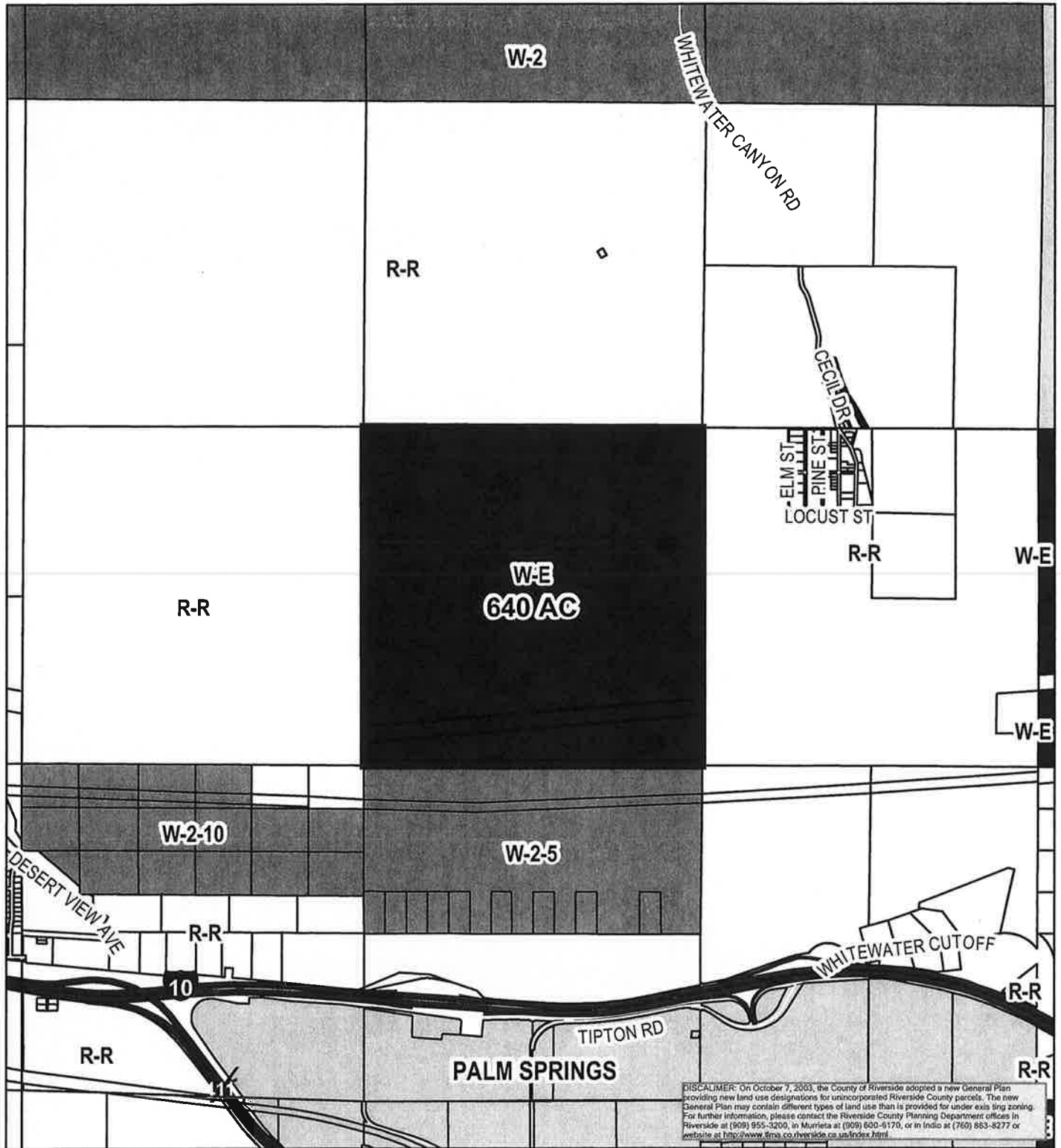


RIVERSIDE COUNTY PLANNING DEPARTMENT

Zone
Area: **Whitewater**
Township/Range: T3SR3E
Section : 3



ASSESSORS 516-02
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THOMAS 724 H1
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RIVERSIDE COUNTY PLANNING DEPARTMENT

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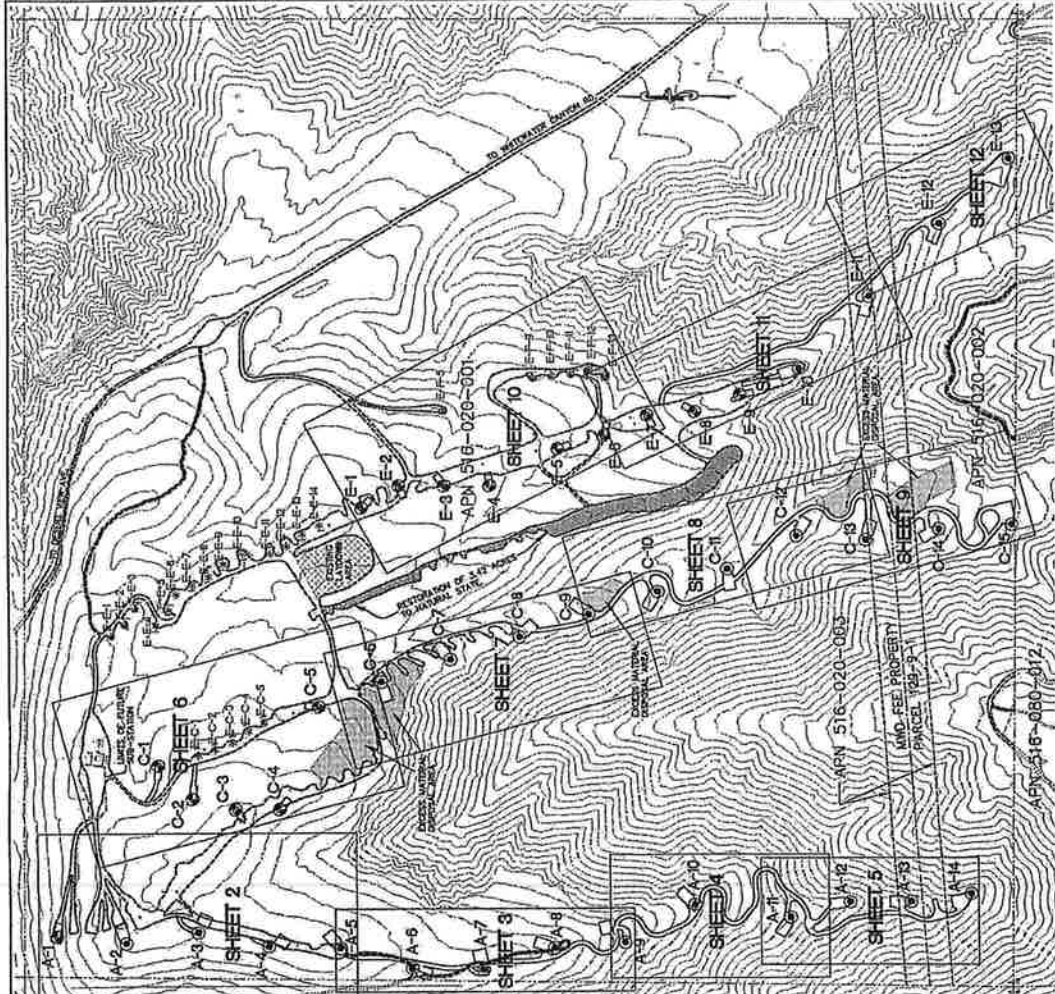


RIVERSIDE COUNTY PLANNING DEPARTMENT

Area
Plan: Whitewater
Township/Range: T3SR3E
Section: 3



Assessors
Bk. Pg. 516-02
Thomas
Bros. Pg. 724 H1



SECTION	ESTIMATED EARTHWORK QUANTITIES
SECTION 3 CUT = 28,699 CY FILL = 1,681,817 CY	
	SPRINGFACE FACTOR (SFB) = 1.100

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 1" = 100' CONCRETE ROAD
 1" = 200' ASPHALT ROAD



SECTION	ESTIMATED EARTHWORK QUANTITIES
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15.52 METER TURBINES
 27.80 METER TURBINES

APN 516-020-000
 LAND-FREE PROPERTY
 PARCEL 100-9-1

APN 516-080-012

PREPARED AND APPROVED FOR CONSTRUCTION BY
 ALAN P. HENDERSON
 P.E. 2224
 D.P. 12/21/11

WDID No. 733C52442

BGR080214

GRADING PLAN INDEX SHEET

REVISIONS

REVISION NO. 71
 GRADING PLAN FOR ALTA MESA IV
 12501 WHITE WATER CANYON ROAD
 WHITE WATER, CALIFORNIA
 SEC. 3, T. 35., R. 3E., SBB&M

MARK TECHNOLOGIES CORPORATION
 250 E. 5TH STREET, SUITE 1500
 CINCINNATI, OH 45202

1" = 100' HORIZONTAL
 1" = 20' VERTICAL

DATE: 12/21/11

PROJECT NO. BGR080214

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DATE: 12/21/11

PROJECT NO. BGR080214

DATE: 12/21/11

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DATE: 12/21/11

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DATE: 12/21/11

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PROJECT NO. BGR080214

DATE: 12/21/11

PROJECT NO. BGR080214

DATE: 12/21/11

PROJECT NO. BGR080214

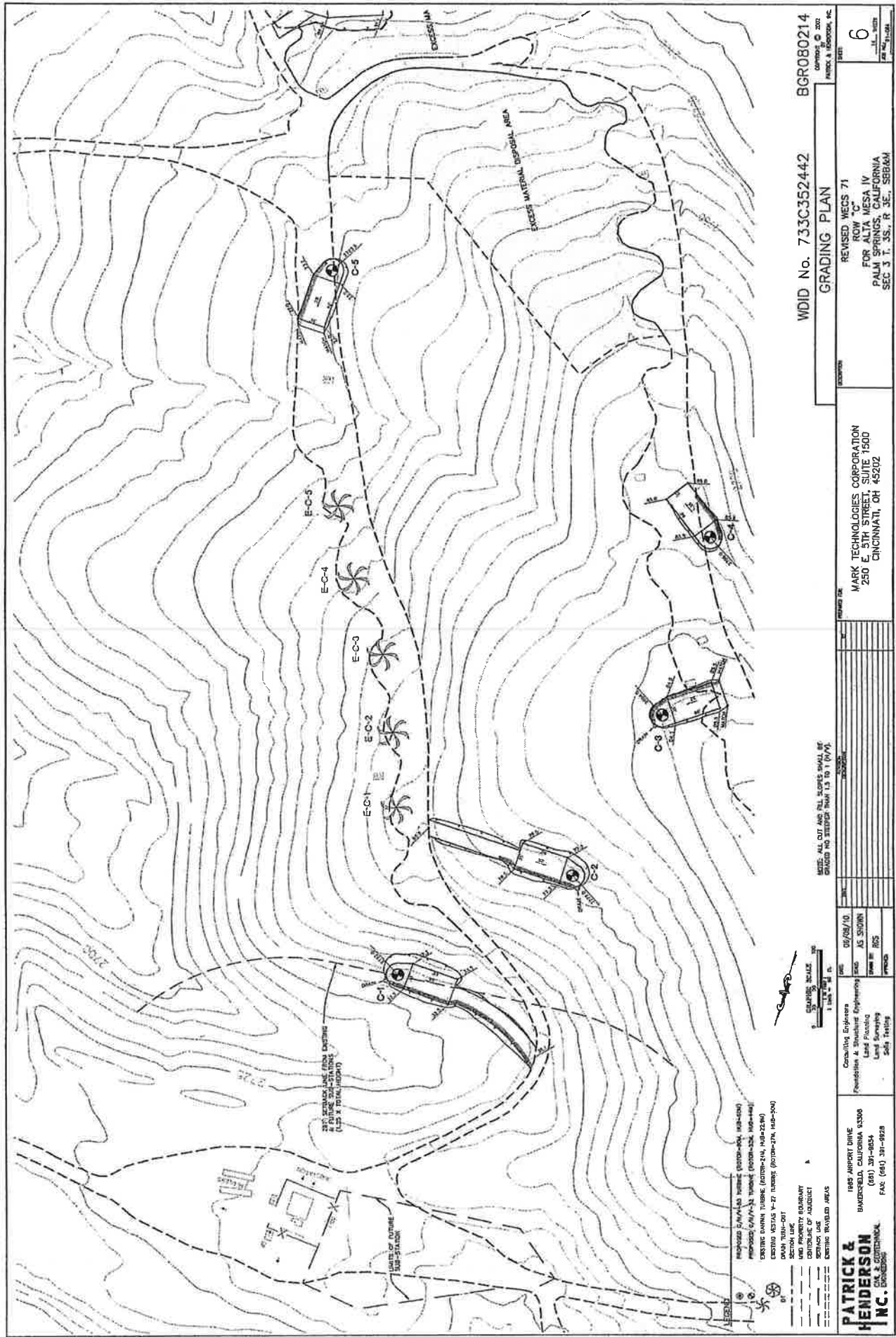
DATE: 12/21/11

PROJECT NO. BGR080214

DATE: 12/21/11

PROJECT NO. BGR080214

DATE: 12/21/11



WDID No. 733C352442
 BGR080214
 REVISIONS: 01 2021
 PREPARED BY: PATRICK & HENDERSON, INC.

GRADING PLAN
 REVISIONS: 01 2021
 REVISIONS: 01 2021
 ROW "C"
 FOR ALTA MESA IV
 PALM SPRINGS, CALIFORNIA
 SEC. 3 T. 35., R. 3E., SBB&M

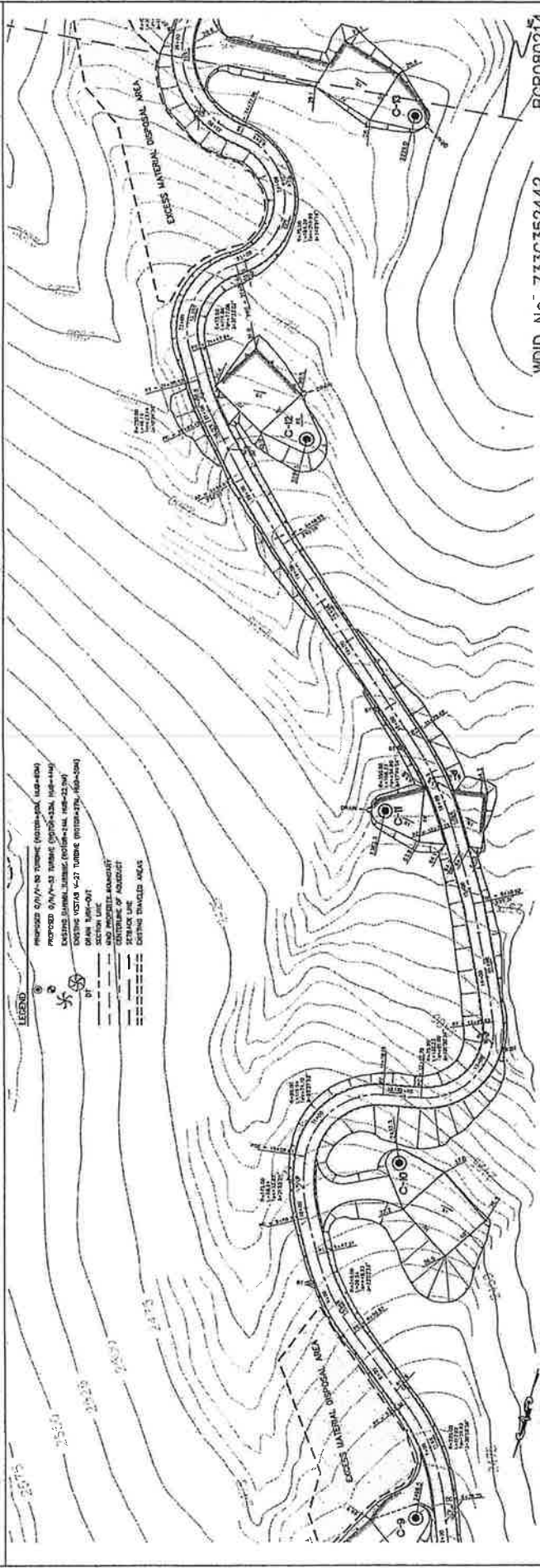
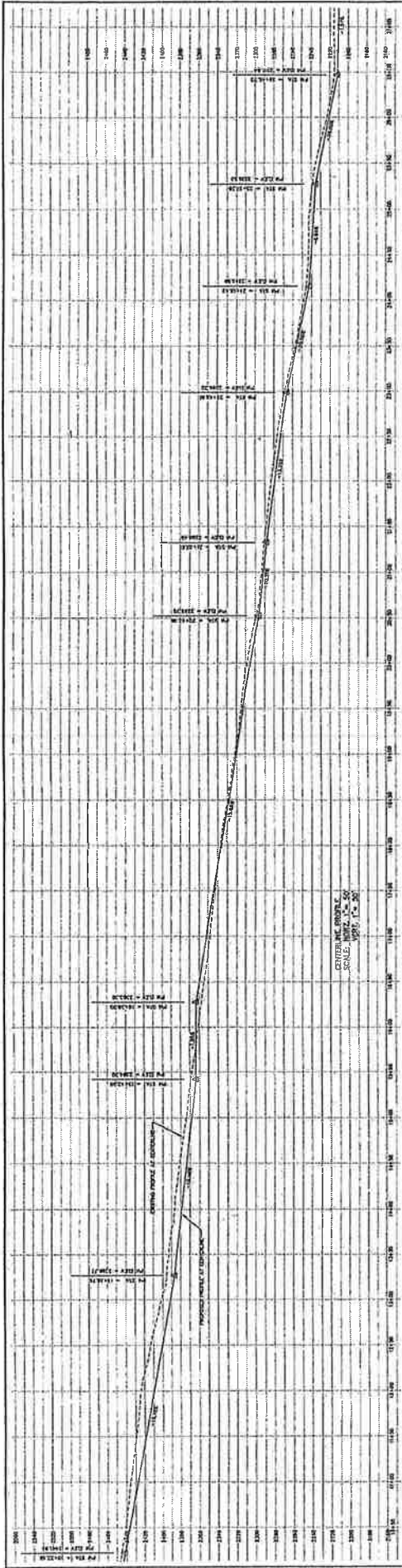
MARK TECHNOLOGIES CORPORATION
 250 E. 5TH STREET, SUITE 1500
 CINCINNATI, OH 45202

DATE: 06/08/19
 AS SHOWN
 SHEET NO. 005
 PROJECT

Consulting Engineers
 Foundation & Structural Engineering
 Land Planning
 Land Surveying
 Soil Testing

1849 AIRPORT DRIVE
 BAKERSFIELD, CALIFORNIA 93308
 (805) 331-8824
 FAX: (805) 331-8928

PATRICK & HENDERSON
 INC. ENGINEERS

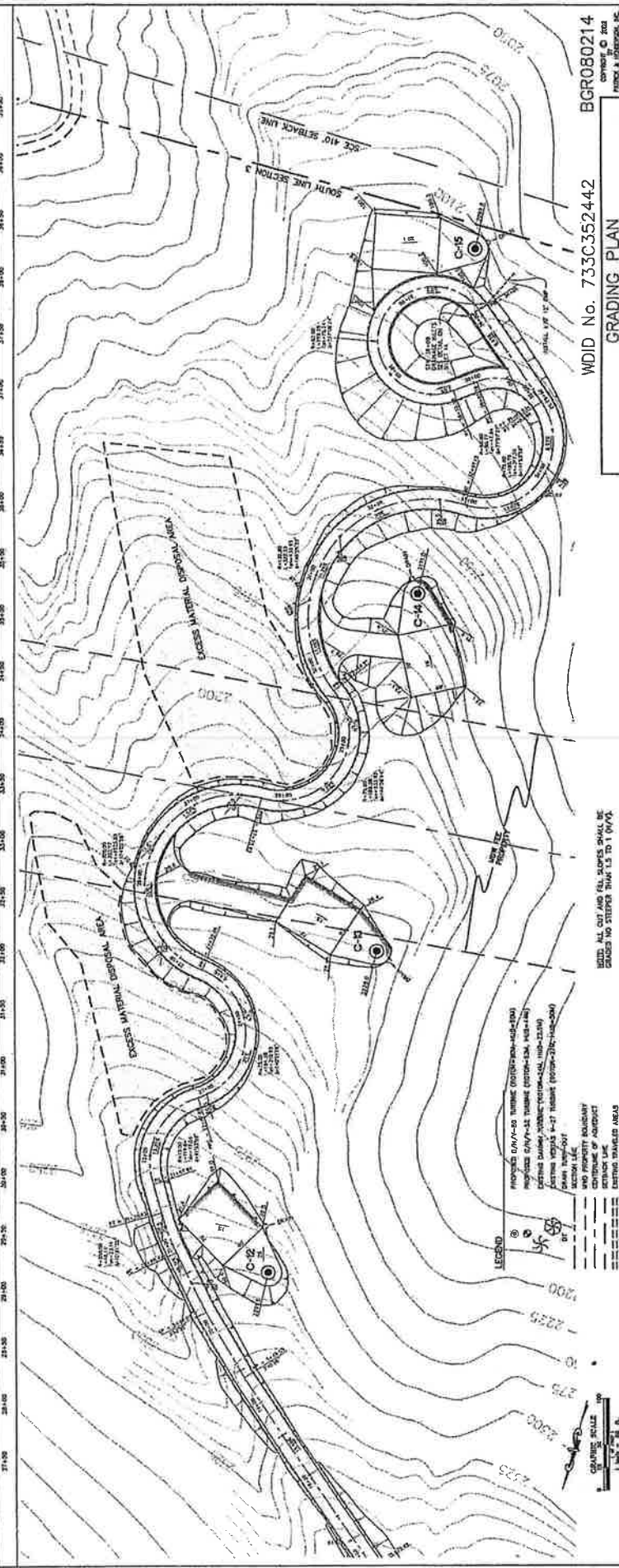
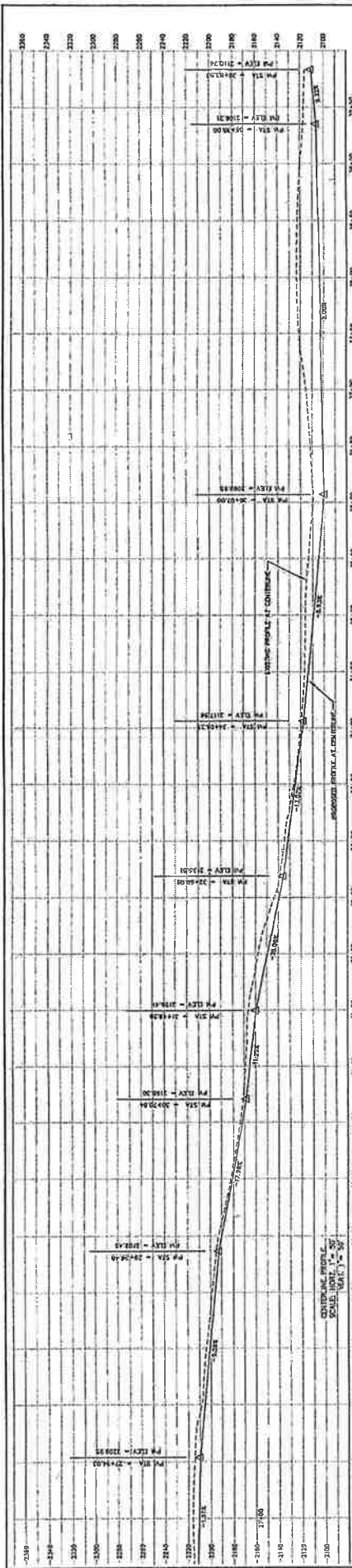


LEGEND

- PROPOSED GRADE (DASHED LINE)
- EXISTING GROUND SURFACE (SOLID LINE)
- EXISTING ROAD CENTERLINE (DASHED LINE)
- EXISTING ROAD RIGHT-OF-WAY (DASHED LINE)
- SECTION LINE (DASHED LINE)
- VERTICAL CURVE (DASHED LINE)
- EXISTING DRAINAGE CANALS (DASHED LINE)

WDID No. 733C352442
 GRADING PLAN
 BGR080214
 REVISED MECS 71
 ROW "C"
 FOR ALTA MESA IV
 PALM SPRINGS, CALIFORNIA
 SEC 3 T. 35., R. 3E., SBB&M

PATRICK & HENDERSON INC. 1845 AIRPORT DRIVE OAKLAND, CALIFORNIA 94612 (916) 331-4004 FAX: (916) 331-9218 CEN. & ESTABLISH. INC. ENGINEERING	Consulting Engineers Foundation & Structural Engineering Land Planning Soil Testing	DATE: 05/05/10 DRAWN BY: AS SHIMON CHECKED BY: RJS APPROVED BY: [Signature]	PREPARED FOR: MARK TECHNOLOGIES CORPORATION 250 E. 5TH STREET, SUITE 1500 CINCINNATI, OH 45202	SHEET NO.: 8 TOTAL SHEETS: 8 DATE: 05/05/10
	NOTES: ALL CUT AND FILL SHOULD BE GRADED TO STEEPEN FROM 1.5 TO 1 (H:V).			PROJECT NO.: BGR080214



WDID No. 733C352442
GRADING PLAN
 BGR080214
 PROJECT & LOCATION, INC.

REVISED WECS 71
 MARK ROW "C"
 FOR ALTA MESA IV
 PALM SPRINGS, CALIFORNIA
 SEC 3 T. 35. R 3E. S8B&M

9
 11. 2023
 08 00 00 00

MARK TECHNOLOGIES CORPORATION
 250 E. 5TH STREET, SUITE 1500
 CINCINNATI, OH 45202

05/02/10
 AS SHOWN
 DATE OF 905
 PREPARED

Consulting Engineers
 Foundation & Structural Engineering
 Land Surveying
 Soil Testing

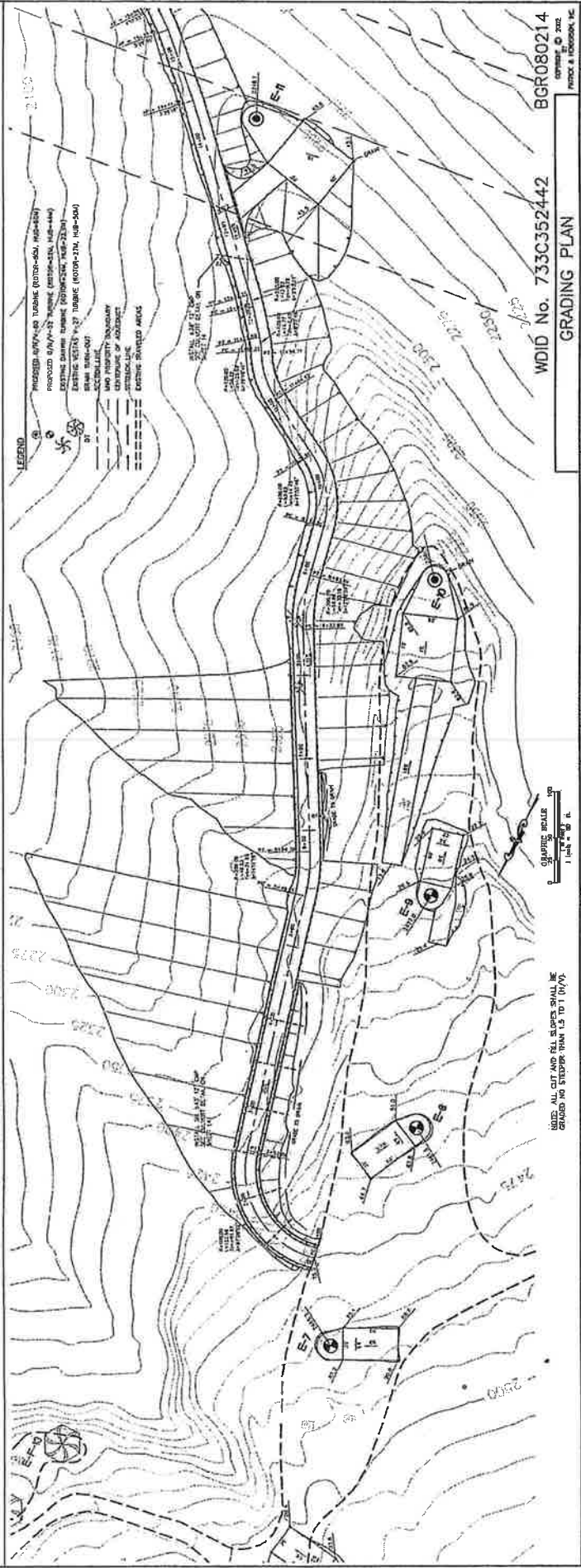
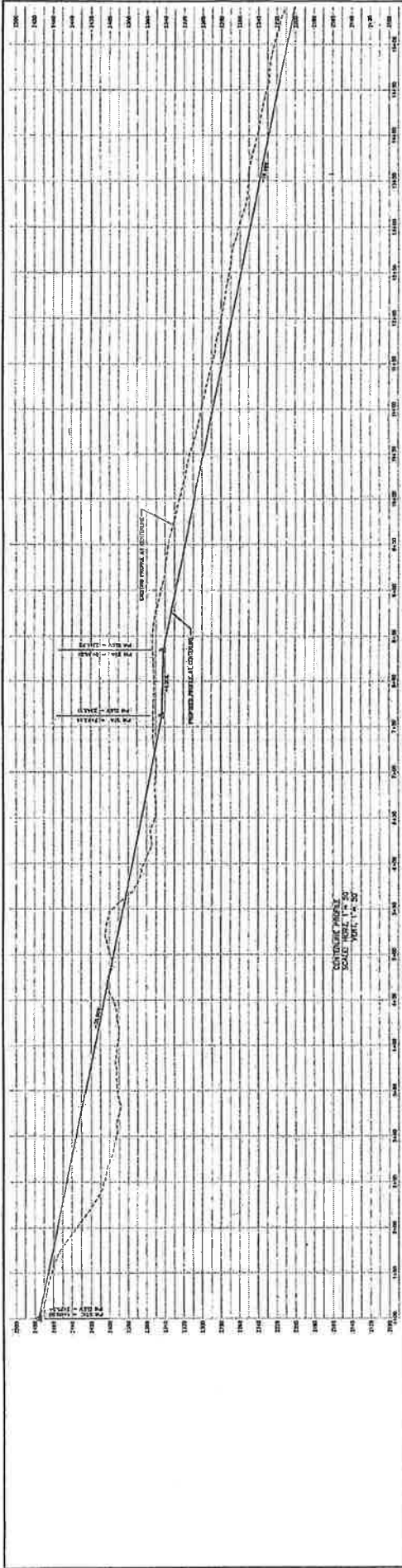
1945 AIRPORT DRIVE
 BAKERSFIELD, CALIFORNIA 93308
 (805) 381-8854
 FAX: (805) 381-3928

PATRICK & HENDERSON INC.
 ENGINEERS

1" = 40' HORIZ. SCALE
 1" = 4' VERT. SCALE

LEGEND
 PROPOSED GRADE
 EXISTING GRADE
 EXISTING TRAILER AREA

10' SETBACK FROM EXISTING TRAILER AREA
 10' SETBACK FROM EXISTING TRAILER AREA



BGR080214
 WDD No. 733C352442
 GRADING PLAN

REVISED WECS 71
 ROW "E"
 FOR ALTA MESA IV
 PALM SPRINGS, CALIFORNIA
 SEC 3 T. 35. N. 3 E., SBB&M

MARK TECHNOLOGIES CORPORATION
 250 E. 5TH STREET, SUITE 1500
 CINCINNATI, OH 45202

DATE: 08/08/10
 DRAWN BY: JAC SHWIN
 CHECKED BY: JAC SHWIN
 PROJECT: ALTA MESA IV

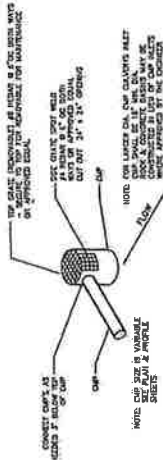
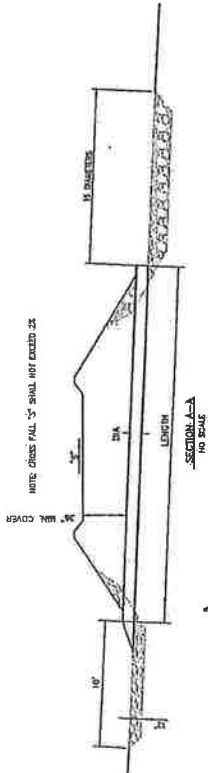
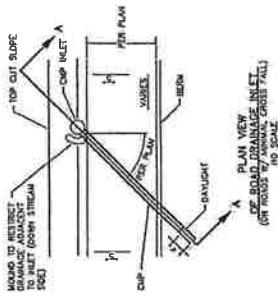
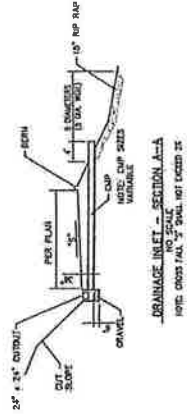
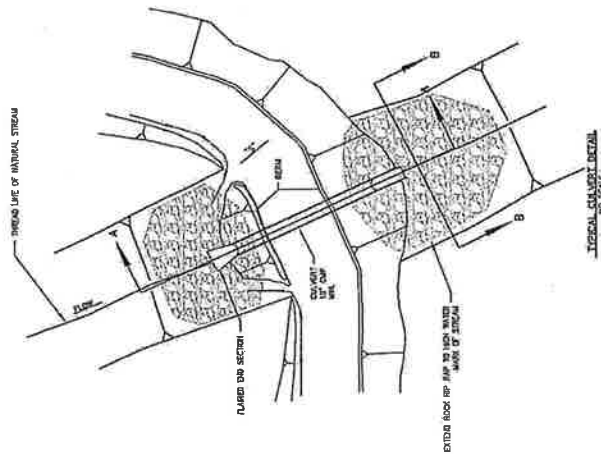
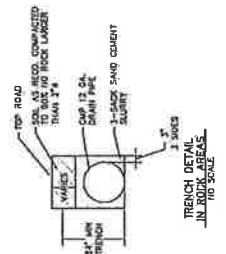
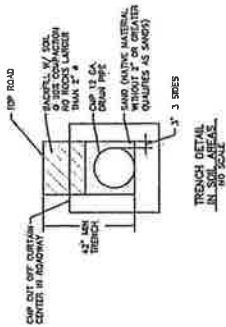
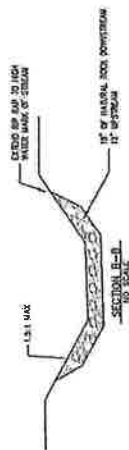
CONSULTING ENGINEERS
 FOUNDATION & STRUCTURAL ENGINEERING
 LAND PLANNING
 LAND SURVEYING
 SOIL TESTING

1950 AIRPORT DRIVE
 BANGOR, CALIFORNIA 92308
 (951) 381-8554
 (951) 381-8555
 FAX (951) 381-8556

**PATRICK &
 HENDERSON
 INC.**
 CIVIL ENGINEERS

NOTES: ALL CUT AND FILL AREAS SHALL BE
 GRADED TO EXISTING GRADE L.S. TO 1 (N.V.)

GRADING SCALE
 1" = 4' H. R.



PATRICK & HENDERSON INC., ENGINEERS 1905 ASPEN DRIVE BAKERSFIELD, CALIFORNIA 93311 (818) 331-4824 FAX: (818) 331-9223	Date: 06/05/10 Drawn: AS SHOWN Check: BCS Project: 550 TRENCH	Scale: 1/4" = 1'-0" Date: 06/05/10 Drawn: AS SHOWN Check: BCS Project: 550 TRENCH	Project: 550 TRENCH Location: ALTA MESA, WYOMING Section: 3 T. 35S. R. 3E. S8884
	Project: 550 TRENCH Location: ALTA MESA, WYOMING Section: 3 T. 35S. R. 3E. S8884	Project: 550 TRENCH Location: ALTA MESA, WYOMING Section: 3 T. 35S. R. 3E. S8884	Project: 550 TRENCH Location: ALTA MESA, WYOMING Section: 3 T. 35S. R. 3E. S8884

WDID No. 733C352442 BGR080214
 NOTES AND DETAILS
 REVISIONS: 71
 DATE: 06/05/10
 DRAWN: AS SHOWN
 CHECK: BCS
 PROJECT: 550 TRENCH

14
 SHEET NO. 14 OF 14

CASE #: WCS00071S4

EXHIBIT S-1

DATE: 7-6-2010

PLANNER: J. OLIVAS



WECS 7.1 Substantial Conformance Exhibit

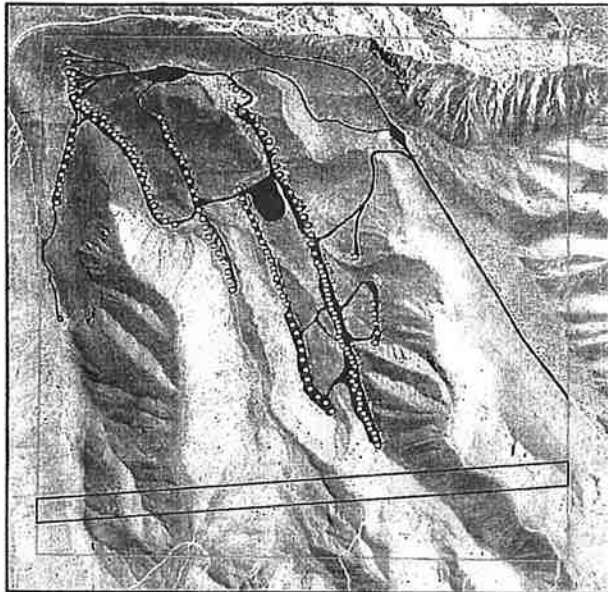
Legend

Prepared: June 2010

- Proposed WECS; 2010 (Substantial Conformance)
- Proposed WECS; 2008 (WECS71, Rev. Permit 9)
- Existing Site WECS (WECS71, Rev. Permit 9)
- ▨ Proposed Grading Plan; 2010 (Substantial Conformance)
- Approved Grading Plan; 2008
- Existing Site Disturbance
- Section 3 Site Parcel Boundary
- MWD Parcel Boundary



1 inch equals 700 feet



Existing Turbine Layout (159 units)

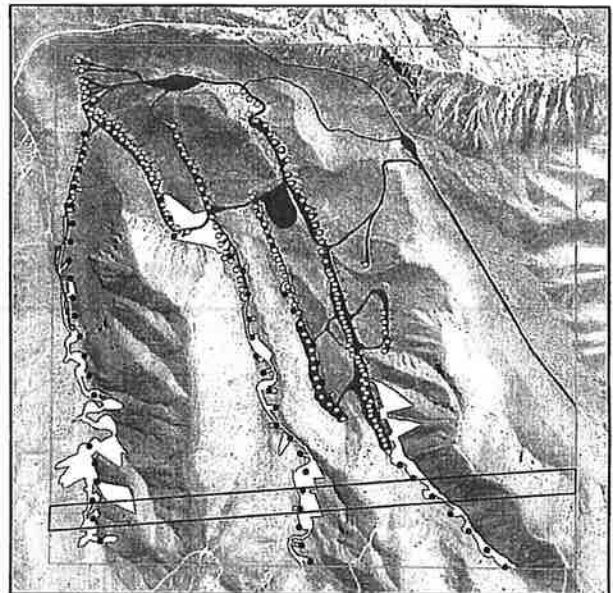
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- Existing Site WECS (WECS71, Rev. Permit 9)
- Existing Site Disturbance
- MWD Parcel Boundary
- Section 3 Site Parcel Boundary

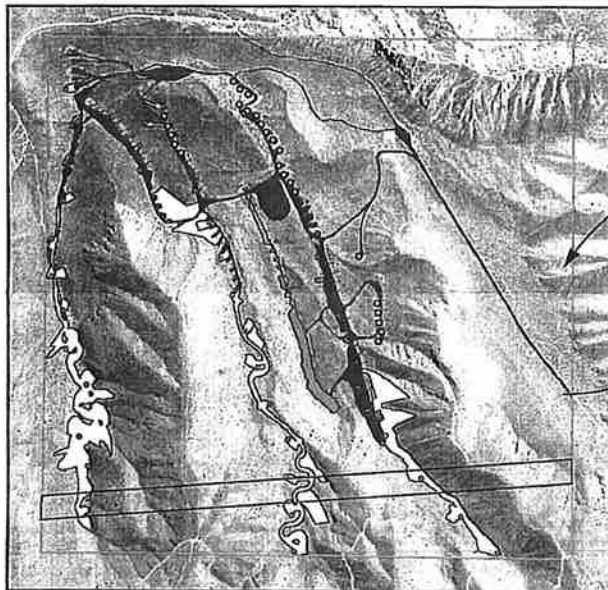
CASE #: WCS00071S4
EXHIBIT S-2
DATE: 7-6-2010
PLANNER: J. OLIVAS

Legend

- Proposed WECS; 2008 (WECS71, Rev. Permit 9)
- Existing Site WECS (WECS71, Rev. Permit 9)
- Approved Grading Plan; 2008
- Existing Site Disturbance
- MWD Parcel Boundary
- Section 3 Site Parcel Boundary



Approved Turbine Layout - WECS71, Rev9 2008 (219 units)



Proposed Substantial Conformance - SC4 2010 (67 units)

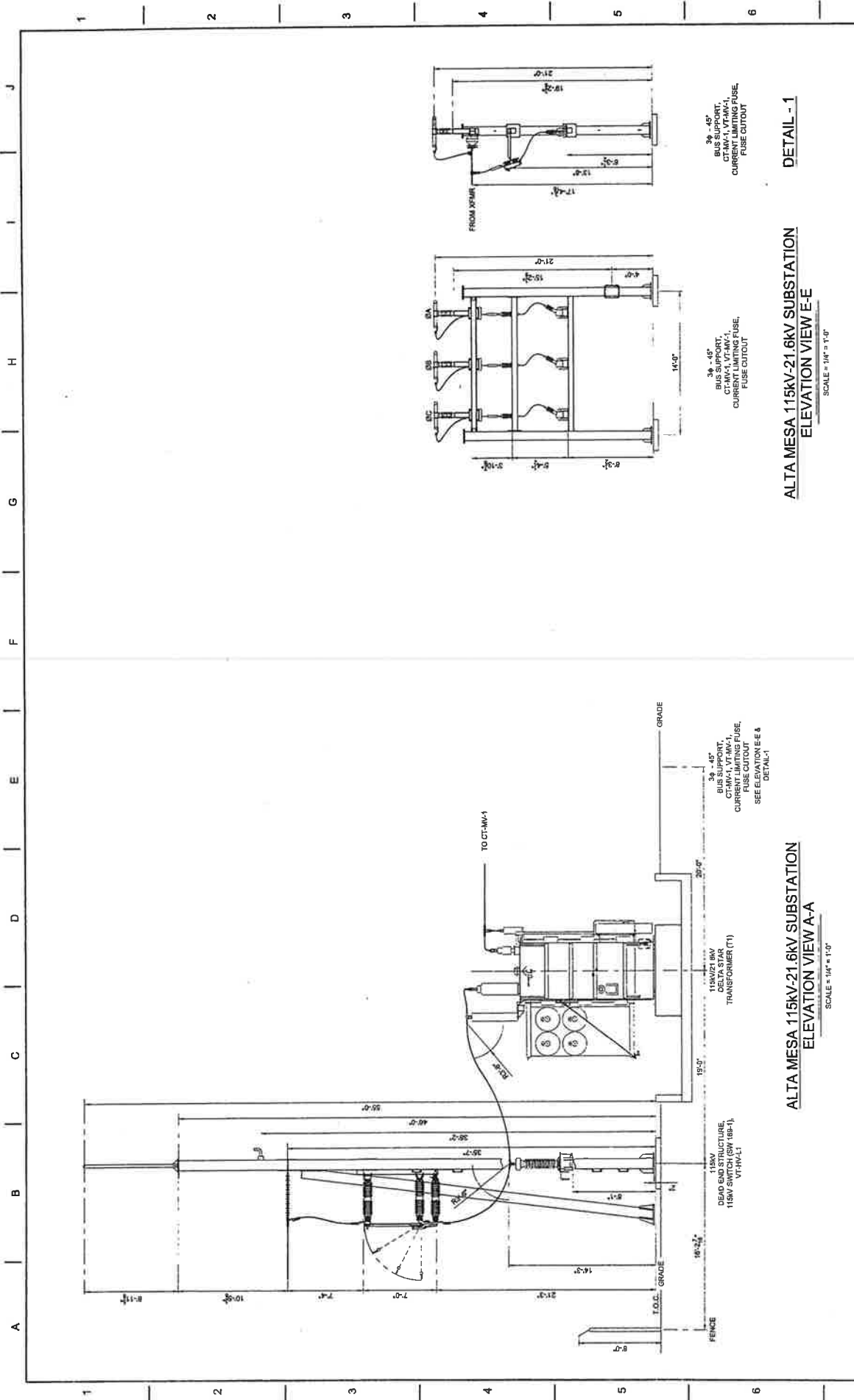
Legend

- Proposed WECS; 2010 (Substantial Conformance)
- Existing Site WECS (WECS71, Rev. Permit 9)
- Proposed Grading Plan; 2010 (Substantial Conformance)
- Proposed Restoration Area
- Existing Site Disturbance
- MWD Parcel Boundary
- Section 3 Site Parcel Boundary

(25) EXISTING WECS TO REMAIN
 (15) GAMESA WECS PROPOSED
 (27) NORDEX WECS PROPOSED

(3.42 AC) RESTORATION
 (134) EXISTING WECS REMOVED





ALTA MESA 115KV-21.6KV SUBSTATION
ELEVATION VIEW A-A
SCALE = 1/4" = 1'-0"

ALTA MESA 115KV-21.6KV SUBSTATION
ELEVATION VIEW E-E
SCALE = 1/4" = 1'-0"

3/8" - 45°
BUS SUPPORT,
CURRENT LIMITING FUSE,
FUSE CUTOFF
SEE ELEVATION E-E &
DETAIL-1

3/8" - 45°
BUS SUPPORT,
CURRENT LIMITING FUSE,
FUSE CUTOFF
SEE ELEVATION E-E &
DETAIL-1

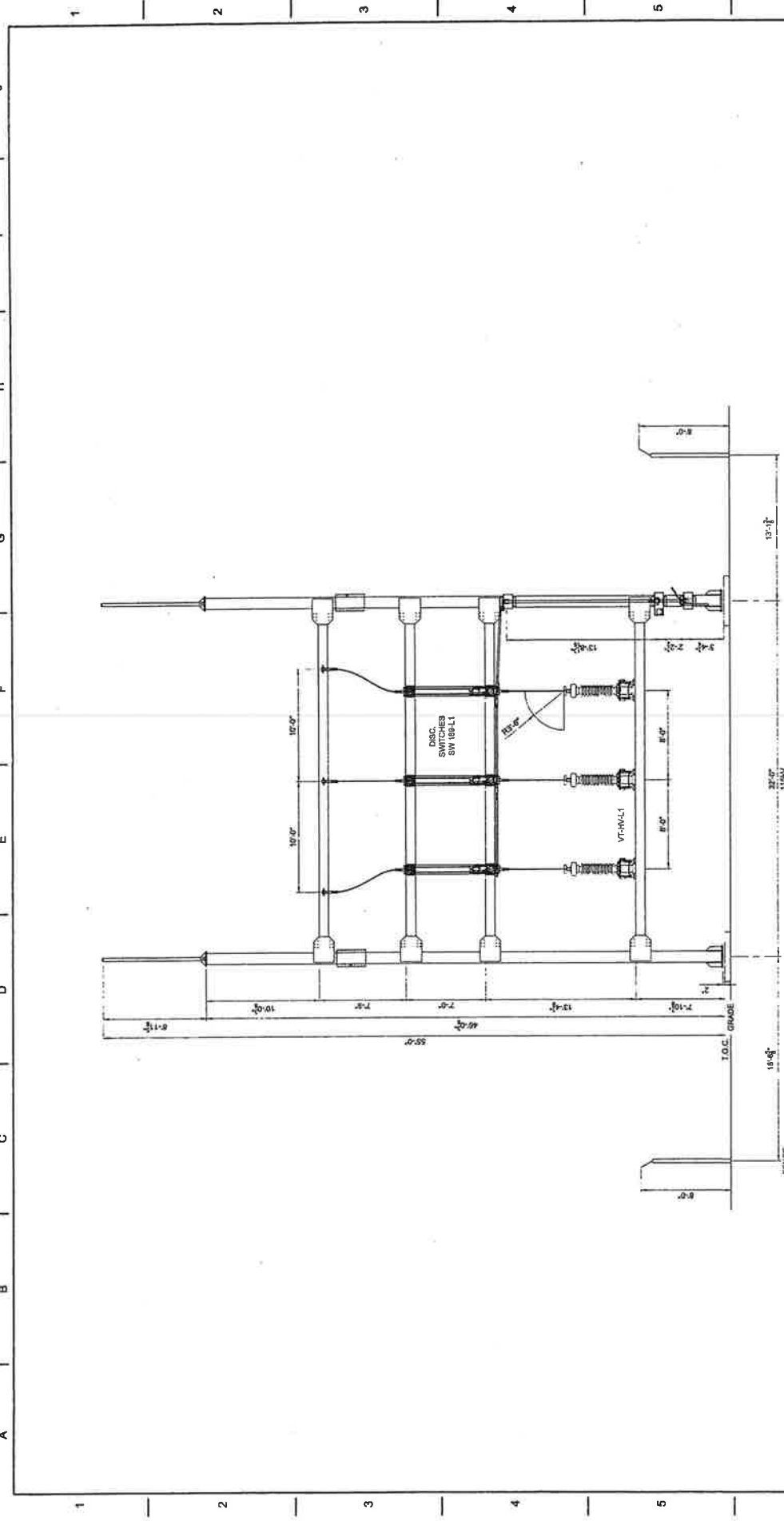
115KV DEAD END STRUCTURE, 115KV SWITCH (SW 189-1), V115V-L1		115KV/21.6KV DELTA STAR TRANSFORMER (T1)		3/8" - 45° BUS SUPPORT, CURRENT LIMITING FUSE, FUSE CUTOFF SEE ELEVATION E-E & DETAIL-1		3/8" - 45° BUS SUPPORT, CURRENT LIMITING FUSE, FUSE CUTOFF	
DATE	BY	CHKD	APPD	DATE	BY	CHKD	APPD
REVISIONS 1. REVISED PER TYP COMMENTS 2. PRELIMINARY ISSUE FOR REVIEW				REVISIONS 1. REVISED PER TYP COMMENTS 2. PRELIMINARY ISSUE FOR REVIEW			
TYP: FILE: 01-102.dwg 11/15/2016 10:08:10 AM				TYP: FILE: 01-102.dwg 11/15/2016 10:08:10 AM			
115KV DEAD END STRUCTURE, 115KV SWITCH (SW 189-1), V115V-L1				115KV/21.6KV DELTA STAR TRANSFORMER (T1)			
3/8" - 45° BUS SUPPORT, CURRENT LIMITING FUSE, FUSE CUTOFF SEE ELEVATION E-E & DETAIL-1				3/8" - 45° BUS SUPPORT, CURRENT LIMITING FUSE, FUSE CUTOFF			
REVISIONS 1. REVISED PER TYP COMMENTS 2. PRELIMINARY ISSUE FOR REVIEW				REVISIONS 1. REVISED PER TYP COMMENTS 2. PRELIMINARY ISSUE FOR REVIEW			
TYP: FILE: 01-102.dwg 11/15/2016 10:08:10 AM				TYP: FILE: 01-102.dwg 11/15/2016 10:08:10 AM			
115KV DEAD END STRUCTURE, 115KV SWITCH (SW 189-1), V115V-L1				115KV/21.6KV DELTA STAR TRANSFORMER (T1)			
3/8" - 45° BUS SUPPORT, CURRENT LIMITING FUSE, FUSE CUTOFF SEE ELEVATION E-E & DETAIL-1				3/8" - 45° BUS SUPPORT, CURRENT LIMITING FUSE, FUSE CUTOFF			
REVISIONS 1. REVISED PER TYP COMMENTS 2. PRELIMINARY ISSUE FOR REVIEW				REVISIONS 1. REVISED PER TYP COMMENTS 2. PRELIMINARY ISSUE FOR REVIEW			
TYP: FILE: 01-102.dwg 11/15/2016 10:08:10 AM				TYP: FILE: 01-102.dwg 11/15/2016 10:08:10 AM			



ALTA MESA PROJECT - PHASE IV
MARK TECHNOLOGIES CORPORATION
ALTA MESA - PHASE IV 115/21.6KV SUBSTATION
GENERAL ARRANGEMENT
ELEVATION VIEW

DATE	BY	CHKD	APPD
10/11/16	JAC	JAC	JAC

DATE	BY	CHKD	APPD
10/11/16	JAC	JAC	JAC

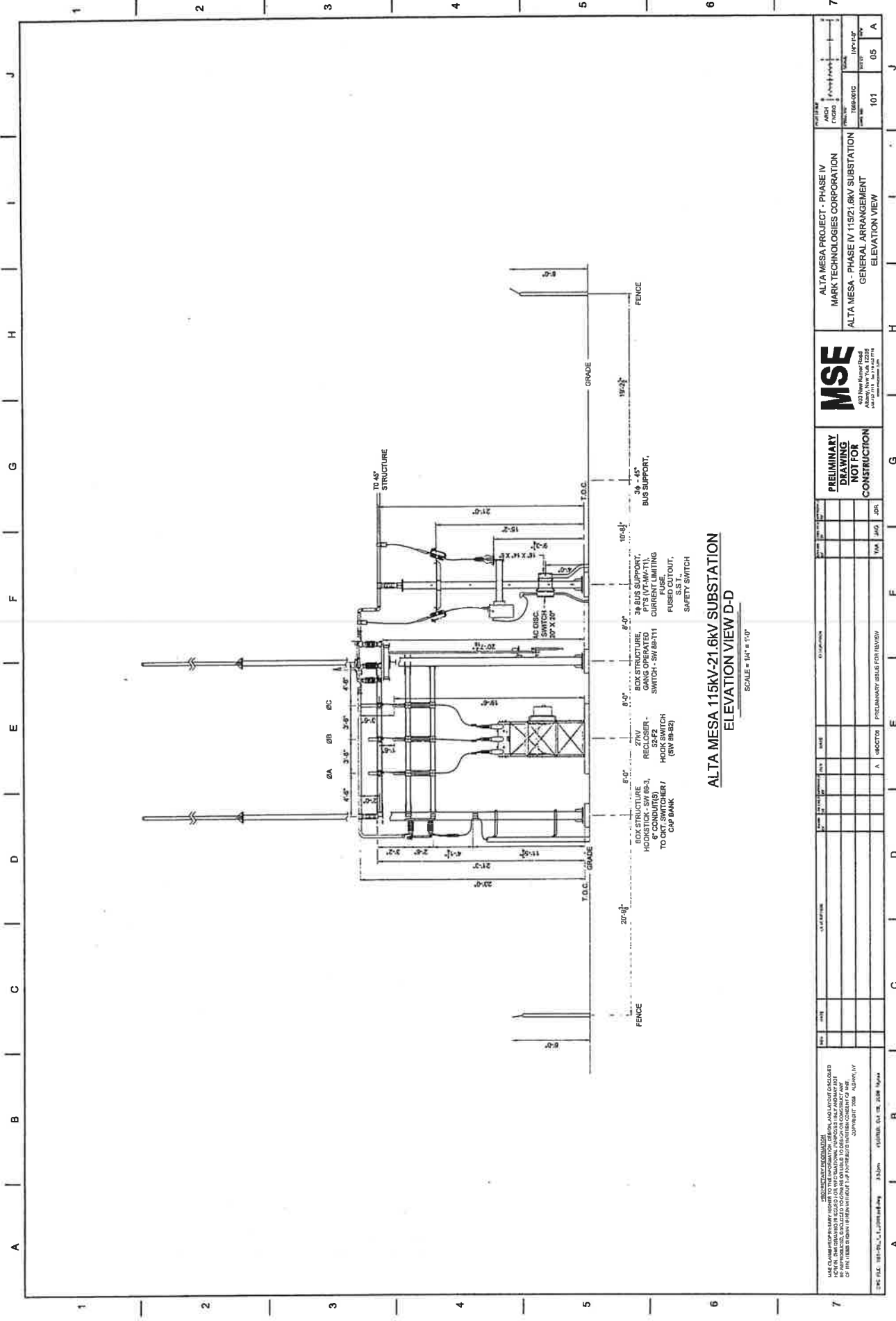


ALTA MESA 115KV-21.6KV SUBSTATION
ELEVATION VIEW C-C

SCALE: 1/4" = 1'-0"

<p>ALTA MESA PROJECT - PHASE IV MARK TECHNOLOGIES CORPORATION ALTA MESA - PHASE IV 115/21.6KV SUBSTATION GENERAL ARRANGEMENT ELEVATION VIEW</p>		<p>MSE 405 New Karner Road Waukegan, IL 60087 www.mse.com</p>		<p>PRELIMINARY DRAWING NOT FOR CONSTRUCTION</p>		<p>DATE: 08/08/2008 TIME: 11:42 AM USER: JAK</p>		<p>101 04 B</p>	
NO.	DATE	BY	CHKD	APPD	REV	DESCRIPTION	DATE	TIME	USER
1		JAK	JAK	JAK		ISSUED FOR PERMITS			JAK
2		JAK	JAK	JAK		REVISED PER PERMITS			JAK
3		JAK	JAK	JAK		PRELIMINARY ISSUE FOR REVIEW			JAK

THIS DRAWING IS THE PROPERTY OF MSE AND IS NOT TO BE REPRODUCED, COPIED, OR LENT TO ANY OTHER PARTY WITHOUT THE WRITTEN PERMISSION OF MSE. ANY UNAUTHORIZED USE OF THIS DRAWING IS STRICTLY PROHIBITED. THE USER OF THIS DRAWING SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES. THE USER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES. THE USER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES.



ALTA MESA 115KV-21.6KV SUBSTATION
ELEVATION VIEW D-D
SCALE = 1/4" = 1'-0"

PRELIMINARY DRAWING NOT FOR CONSTRUCTION		PRELIMINARY ISSUE FOR REVIEW		1/04 JMS JDR	
DATE: 05/11/2009 TIME: 10:00 AM PROJECT: ALTA MESA PROJECT - PHASE IV DRAWING: MARK TECHNOLOGIES CORPORATION TITLE: ALTA MESA - PHASE IV 115/21.6KV SUBSTATION GENERAL ARRANGEMENT ELEVATION VIEW		SHEET NO.: 101 TOTAL SHEETS: 05 SCALE: AS SHOWN		PROJECT NO.: 05 DRAWING NO.: A	

THE CLIENT'S RESPONSIBILITY IS TO VERIFY THE ACCURACY OF ALL INFORMATION AND NOT TO BE HELD RESPONSIBLE FOR ANY ERRORS OR OMISSIONS. THE CLIENT'S RESPONSIBILITY IS TO VERIFY THE ACCURACY OF ALL INFORMATION AND NOT TO BE HELD RESPONSIBLE FOR ANY ERRORS OR OMISSIONS. THE CLIENT'S RESPONSIBILITY IS TO VERIFY THE ACCURACY OF ALL INFORMATION AND NOT TO BE HELD RESPONSIBLE FOR ANY ERRORS OR OMISSIONS.

SUBSTANTIAL CONFORMANCE Case #: WCS00071S4

Parcel: 516-020-003

10. GENERAL CONDITIONS

EVERY DEPARTMENT

10. EVERY. 1

USE - PROJECT DESCRIPTION

RECOMMND

The use hereby permitted is for a commercial WECS array and this substantial conformance is to potentially reduce the overall number of turbines from 159 turbines to 67 turbines, on property located within Assessors Parcel Numbers 516-020-001, 516-020-002, and 516-020-003, by completing the following:

A) Remove 134 existing Danwin and Vestas V27 160-225 kW turbines.

B) Keep nineteen (19) existing Danwin 160kW turbines and keep six (6) Vestas V27-225kW turbines.

C) Install 15 previously approved but unbuilt Gamesa G52-850 kW turbines up to 230 feet in height, or similiar turbines in the same locations within a maximum overall height of 240 feet, provided that Applicant/permittee may subsitute six such previoulsy approved but unbuilt turbines with five similaire but larger turbines up to a maximum overall height of 275 feet subject to written submittal by Applicant/permittee specifying such subsitution to, and receipt of the approval of the Planning Director as set forth in 10 PLANNING 7 below.

D) Install 27 Nordex N80 2.5 MW turbines up to 329 feet in height, or similiar turbines in the same locations within a maximum overall height of 339 feet.

E) Construct new Substation.

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 (COUNTY) its agents, officers, or employees from any claim, action, or proceeding against the COUNTY, its agents, officers, or employees to attack, set aside, void, or annul an approval of the COUNTY, its advisory agencies, appeal boards, or legislative body concerning WCS00071S4. The COUNTY will promptly notify the applicant/permittee of any such claim, action, or proceeding against the COUNTY and will 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

SUBSTANTIAL CONFORMANCE Case #: WCS00071S4

Parcel: 516-020-003

10. GENERAL CONDITIONS

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

fully in the defense, the applicant/permittee shall not, thereafter, be responsible to defend, indemnify, or hold harmless the COUNTY.

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. 71, Substantial Conformance No. 4 shall be henceforth defined as follows:

APPROVED EXHIBIT A = Exhibit Nos. D-1, Amended No. 1 thru Exhibit Nos. D-14 (site plans and grading plans) and Exhibit Nos. C-1 thru C-5 (115/21.6kV substation), which are subject to minor revisions as a result of final engineering design. The maximum height of any substation structure may not exceed an additional 25 feet from that shown on Exhibit Nos. C-1 thru C-5.

10. EVERY. 4 WCS - VARIANCE NO. 1771 RECOMMND

Variance No. 1771 reduces wind access and safety setbacks, wind access setbacks are reduced from 855 feet to 0 feet and safety setbacks are reduced from 330 feet to 0 feet due to topography and visibility concerns to the Bonnie Bell residential subdivision.

BS GRADE DEPARTMENT

10.BS GRADE. 4 WSC-GEN INTRODUCTION RECOMMND

Improvements such as grading, excavating, filling, over-excavating and recompacting, and base or paving which require a grading permit are subject to the included Building and Safety Department Grading Division conditions of approval.

10.BS GRADE. 5 WSC-OBEY ALL GRDG. REGS. RECOMMND

All grading shall conform to the California Building Code, Ordinance 457, and all other relevant laws, rules, and regulations governing grading in Riverside County and prior to commencing any grading which includes 50 or more cubic yards, the applicant shall obtain a grading permit from the Building and Safety Department.

SUBSTANTIAL CONFORMANCE Case #: WCS00071S4

Parcel: 516-020-003

10. GENERAL CONDITIONS

10.BS GRADE. 6 WCS-G1.3 DISTURBS NEED G/PMT RECOMMND

Ordinance 457 requires a grading permit prior to clearing, grubbing, or any top soil disturbances related to construction grading.

10.BS GRADE. 7 WCS-G1.4 NPDES/SWPPP RECOMMND

Prior to issuance of any grading or construction permits - whichever comes first - the applicant shall provide the Building and Safety Department evidence of compliance with the following: "Effective March 10, 2003 owner operators of grading or construction projects are required to comply with the N.P.D.E.S. (National Pollutant Discharge Elimination System) requirement to obtain a construction permit from the State Water Resource Control Board (SWRCB). The permit requirement applies to grading and construction sites of "ONE" acre or larger. The owner operator can comply by submitting a "Notice of Intent" (NOI), develop and implement a STORM WATER POLLUTION PREVENTION PLAN (SWPPP) and a monitoring program and reporting plan for the construction site.

For additional information and to obtain a copy of the NPDES State Construction Permit contact the SWRCB at (916) 657-1146.

Additionally, at the time the county adopts, as part of any ordinance, regulations specific to the N.P.D.E.S., this project (or subdivision) shall comply with them.

10.BS GRADE. 8 WCS-G1.5 EROS CNTRL PROTECT RECOMMND

Graded but undeveloped land shall provide, in addition to erosion control planting, any drainage facility deemed necessary to control or prevent erosion. Additional erosion protection may be required during the rainy season from October 1, to May 31.

10.BS GRADE. 9 WCS-G1.6 DUST CONTROL RECOMMND

All necessary measures to control dust shall be implemented by the developer during grading. PM10 plan may be required at the time a grading permit is issued.

SUBSTANTIAL CONFORMANCE Case #: WCS00071S4

Parcel: 516-020-003

10. GENERAL CONDITIONS

10.BS GRADE. 10 WCS-G2.1 GRADING BONDS RECOMMND

Grading in excess of 199 cubic yards will require performance security to be posted with the Building and Safety Department. Single family dwelling units graded one lot per permit and proposing to grade less than 5,000 cubic yards are exempt.

10.BS GRADE. 11 WCS-G2.2 IMPORT / EXPORT RECOMMND

n instances where a grading plan involves import or export, prior to obtaining a grading permit, the applicant shall have obtained approval for the import/export location from the Building and Safety Department. Additionally, if either location was not previously approved by an Environmental Assessment, prior to issuing a grading permit a Grading Environmental Assessment shall be submitted to the Planning Director for review and comment and to the Building and Safety Department Director for approval.

10.BS GRADE. 12 WCS-G2.5 2:1 MAX SLOPE RATIO RECOMMND

Graded slopes shall be limited to a maximum steepness ratio of 2:1 (horizontal to vertical) unless otherwise approved.

10.BS GRADE. 13 WCS-G2.6SLOPE STABL'TY ANLYS RECOMMND

A slope stability report shall be submitted and approved by the County Geologist for all proposed cut or fill slopes steeper than 2:1 (horiz. to vert.) or over 30' in vertical height - unless addressed in a previous report.

10.BS GRADE. 14 WCS-G2.7DRNAGE DESIGN Q100 RECOMMND

All grading and drainage shall be designed in accordance with Riverside County Flood Control & Water Conservation District's conditions of approval regarding this application. If not specifically addressed in their conditions, drainage shall be designed to accommodate 100 year storm flows.

Additionally, the Building and Safety Department's conditional approval of this application includes an expectation that the conceptual grading plan reviewed and approved for it complies or can comply with any WQMP (water Quality Management Plan) required by Riverside County Flood Control & Water Conservation District.

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10. GENERAL CONDITIONS

10.BS GRADE. 15 WCS-G2.9DRNAGE & TERRACING RECOMMND

Provide drainage facilities and terracing in conformance with the California Building Code's chapter on "GRADING".

10.BS GRADE. 16 WSC-CVMSHCP PERMIT REVOCATION RECOMMND

The issued grading permit for this project is to be revoked under CBC 105.6, if the grading exceeds the approved limits. Upon revocation of the permit, Code Enforcement will be contacted for grading without permit.

EPD DEPARTMENT

10.EPD. 1 - SURVEY REQUIREMENTS RECOMMND

The following are conditions of approval provided by the Environmental Programs Department.

Prior to grading or any associated site preparation or development a 30 day burrowing owl pre construction survey must be conducted. This survey must be performed by a qualified biologist currently holding a MOU with the County and must be conducted in accordance with the Burrowing Owls Survey Instructions for the Western Riverside Multiple Species Habitat Conservation Plan Area. The survey instructions can be viewed online at (http://www.tlma.co.riverside.ca.us/epd/documents/survey_protocols/burrowing_owl_survey_instructions.pdf).

Burrowing owls located as a result of survey efforts shall be avoided and or relocated in accordance with Section 4.4 of the CVMSHCP. ALL REPORTS MUST BE SUBMITTED TO EPD FOR REVIEW AND APPROVAL.

If you have any questions regarding this condition please contact biologist Jared Bond with the Environmental Programs Department at 951-955-0314 or via email at jbond@rctlma.org

prior to issuance of a grading permit the development area must be fenced with tortoise proof fencing and a clearance survey must be as set forth below. Installation of fencing and clearance surveys must be conducted by a qualified biologist currently holding a MOU with the County. Desert tortoise clearance surveys shall be conducted between February 15 to June 15 and September 1 to October 31 or in

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10. GENERAL CONDITIONS

10.EPD. 1 - SURVEY REQUIREMENTS (cont.)

RECOMMND

accordance with the most recent Wildlife Agency protocol. A clearance survey must be conducted during different tortoise activity periods (morning and afternoon). All survey results shall be submitted to the Environmental Programs Department for reveiw and approval. Tortoises located as a result of survey efforts shall be handled and moved according to USFWS accepted protocol and in accordance with Section 4.4 of the CVMSHCP. Tortoises may only be handeled and moved by qualified and certified desert tortoise biologist.

PRIOR TO ISSUANCE OF ANY GRADING PERMIT A BIOLOGICAL RESTORATION PLAN MUST BE PREPARED BY A QUALIFIED BIOLOGIST FOR THE RESTORATION AREAS ASSOCIATED WITH WCS0071S4. THIS PLAN MUST BE SUBMITTED TO THE ENVIRONMENTAL PROGRAMS DIVISION OF THE PLANNING DEPARTMENT. THE REPORT MUST ADDRESS ALL ASPECTS OF THE RESTORATION PROCESS AND MUST FOLLOW THE BIOLOGICAL RESTORATION PLAN GUIDELINES. THESE GUIDELINES CAN BE FOUND AT http://www.rctlma.org/epd/documents/BHR_biological_restorat_on_plan_guidelines.pdf IF YOU HAVE ANY QUESTIONS PLEASE CALL EPD DIRECTLY AT 951-955-6892

Any proposed landscaping or revegetation associated with the proposed project shall not use invasive or non-native species. The plants listed in Table 4-113 of the CVMSHCP shall not be used.

If you have any questions about EPD's conditions of approval please contact biologist Jared Bond at 951-955-0314 or via email at jbond@rctlma.org

PLANNING DEPARTMENT

10.PLANNING. 4 USE - CVMSHCP TAKE ALLOCATION

RECOMMND

This permit is within the Stubbe and Cottonwood Canyons Conservation Area established by the Coachella Valley Multiple Species Habitat Conservation Plan (CVMSHCP) and has been allocated a total of 40.5 acres of "take". This allocation includes 40.5 acres of Core Habitat for the Desert Tortoise and 40.5 acres of Sand Source Areas. This allocation is authorized only during the period of time to use this permit. Should the permit holder apply for an extension of time, or any other discretionary action to this permit (such as substantial conformance or revised

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10. GENERAL CONDITIONS

10.PLANNING. 4

USE - CVMSHCP TAKE ALLOCATION (cont.)

RECOMMND

permit), the allocation, stated above, shall be subject to review and adjustment based on the "take" area available within the conservation area at the time of the requested discretionary action.

In order to obtain this allocation of "take", the permit holder has agreed to restrict any and all disturbed area associated with the development of the forty-two (42) newly installed WECS associated with this substantial conformance permit to the area designated as part of the APPROVED EXHIBIT A, and to previously disturbed areas governed by this existing commercial WECS permit. "Disturbed area" is defined as any portion of the earth's surface or natural vegetation that has been physically moved, uncovered, destabilized, or otherwise modified from its undisturbed natural condition pursuant to a legally issued land use, grading or building permit. This definition does not include land that has been restored to a native condition, such that the vegetative ground cover and soil characteristics are equal to surrounding conditions.

NOTE: This condition applies only to land located within a Conservation Area of the CVMSHCP.

10.PLANNING. 6

WCS - MAXIMUM WECS

RECOMMND

A maximum total of 67 WECS and towers are approved with this existing commercial WECS permit with 25 pre-existing WECS and towers to remain and 42 new WECS and towers to be built pursuant to this Substantial Conformance No. 4, including two accessory substations and shelter trailers.

10.PLANNING. 7

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: DANWIN 23, or VESTAS V27, or GAMESA G52 and G80, or EWT 52/54 and NORDEX N80, or similiar WECS installed in the same locations on the site.

b. Total Height (WECS blade tip at 12:00 position): 230' and 329' (for new WECS only)

c. Rotor Diameter: 171' and 263' (for new WECS only)

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10. GENERAL CONDITIONS

10.PLANNING. 7

WCS - WECS & TOWER SPECS (cont.)

RECOMMND

- d. Rotor Orientation: Horizontal-axis upwind
- e. Number of Blades: Three
- f. WECS Tower Design: Solid tubular towers; no guy wires
- g. Blade Design: No furling; tapered and twisted blades; airfoils designed to stall softly.
- h. Substitution of similiar WECS shall not exceed a rotor diameter of 181' and 273', and a total height of 240' and 339', respectively.

If, during final engineering or construction, the need for minor alterations to maximum turbine heights or rotor diameter, or minor shifting of specified WECS locations within the same general vicinity as shown on the APPROVED EXHIBIT A become necessary or desirable, these minor alterations shall be allowed subject to the written submittal by Applicant/permittee specifying such minor alterations to, and receipt of approval of the Planning Director. Any substantial changes or alterations 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. 8

WCS - OPERATIONAL NOISE

RECOMMND

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

- a. The WECS shall not be operated so that noise is created exceeding an exterior level of 55 db(A), as measured pursuant to the Health Services Agency, Office of Industrial Hygiene's transmittal dated September 1, 2010. 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 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

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10. GENERAL CONDITIONS

10.PLANNING. 8 WCS - OPERATIONAL NOISE (cont.)

RECOMMND

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. 9 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. 71, Revised Permit No. 9. All conditions approved with Commercial WECS Permit No. 71, Revised Permit No. 9 are considered to be valid and in effect, unless superseded by these conditions of approval.

10.PLANNING. 10 USE - SC SITE CHANGES

RECOMMND

Pursuant to approval of the SUBSTANTIAL CONFORMANCE, the following changes are being made to the APPROVED EXHIBIT A of WCS00071R9:

Potentially remove 134 existing Danwin and Vestas turbines, install 15 of the approved Gamesa turbines (short version, 230' in height) and 27 Nordex turbines up to 329 feet in height, or similiar turbines in the same locations with a maximum height of 240' and 339', respectively.

10.PLANNING. 11 WCS - RE-CALCULATE MSHCP TAKE

RECOMMND

Upon final inspection approval of project grading, the permit holder may submit an application for a substantial conformance application pursuant to Section 18.42a of Ordinance No. 348 for the re-evaluation of allocated CVMSHCP take, should such take be less than 33 acres. Areas subject to disturbance, but included in a reclamation plan (as approved by the Environmental Programs Department and Planning Department) may also be included in this re-evaluation. The area found to represent the actual take

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10. GENERAL CONDITIONS

10.PLANNING. 11 WCS - RE-CALCULATE MSHCP TAKE (cont.) RECOMMND

shall be included in the conditions of approval of any such substantial conformance, including any areas determined to be temporary disturbance. The disposition of fees paid associated with previously determined take, but found to be less in area under this future substantial conformance, shall be addressed as provided under the respective fee ordinances. This condition of approval shall not be applicable to any disturbance in excess of 33 acres; additional take beyond 33 acres shall be addressed as provided by county enforcement ordinances and Board policies.

10.PLANNING. 12 GEN - IF HUMAN REMAINS FOUND RECOMMND

The developer/permit holder or any successor in interest shall comply with the following codes for the life of this project:

If human remains are encountered, State Health and Safety Code Section 7050.5 states that no further disturbance shall occur until the County Coroner has made the necessary findings as to origin. Further, pursuant to Public Resources Code Section 5097.98 (b), remains shall be left in place and free from disturbance until a final decision as to the treatment and their disposition has been made. If the Riverside County Coroner determines the remains to be Native American, the Native American Heritage Commission shall be contacted within the period specified by law. Subsequently, the Native American Heritage Commission shall identify the "Most Likely Descendant." The Most Likely Descendant shall then make recommendations and engage in consultation with the County and the property owner concerning the treatment of the remains as provided in Public Resources Code Section 5097.98. Human remains from other ethnic/cultural groups with recognized historical associations to the project area shall also be subject to consultation between appropriate representatives from that group and the County Planning /Director.

10.PLANNING. 13 GEN - INADVERTANT ARCHAEO FIND RECOMMND

The developer/permit holder or any successor in interest shall comply with the following for the life of this project:

If during ground disturbance activities, cultural resources

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10. GENERAL CONDITIONS

10.PLANNING. 13

GEN - INADVERTANT ARCHAEO FIND (cont.)

RECOMMND

are discovered that were not assessed by the archaeological reports and/or environmental assessment conducted prior to project approval, the following procedures shall be followed. A cultural resources site is defined, for this condition, as being three or more artifacts in close association with each other, but may include fewer artifacts if the area of the find is determined to be of significance due to its sacred or cultural importance.

1.All ground disturbance activities within 100 feet of the discovered cultural resource shall be halted until a meeting is convened between the developer, the project archaeologist, the Native American tribal representative (or other appropriate ethnic/cultural group representative), and the Planning Director to discuss the significance of the find.

2.At the meeting, the significance of the discoveries shall be discussed and after consultation with the Native American tribal (or other appropriate ethnic/cultural group representative) and the archaeologist, a decision is made, with the concurrence of the Planning Director, as to the appropriate mitigation (documentation, recovery, avoidance, etc) for the cultural resource.

3.Further ground disturbance shall not resume within the area of the discovery until an agreement has been reached by all parties as to the appropriate preservation or mitigation measures.

10.PLANNING. 14

WCS - GEOLOGIST'S COMMENTS

RECOMMND

THE WECS SITE LOCATIONS HAVE BEEN PREVIOUSLY REVIEWED AND APPROVED UNDER THE FOLLOWING GEO'S:

GEO00980

GEO00978

GEO01025

GEO01514

SITING AND CONSTRUCTION OF THE PROPOSED TOWERS SHALL CONFORM TO THE RECOMMENDATIONS OF THE APPROVED GEO'S, AS APPROPRIATE AND AS MODIFIED BY CURRENT BUILDING CODE. TOWERS ARE NOT TO BE CONSTRUCTED ACROSS THE TRACE OF AN ACTIVE FAULT.

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10. GENERAL CONDITIONS

10.PLANNING. 14 WCS - GEOLOGIST'S COMMENTS (cont.) RECOMMND

ADDITIONAL REVIEW FOR GRADING AND/OR BUILDING PERMITS MAY BE REQUIRED.

10.PLANNING. 15 WCS - PALEO RESOURCES RECOMMND

This site has been mapped as having a low potential for significant fossil material except within buried paleosols. Hence, should fossil remains be encountered during site development:

1.All site earthmoving shall be ceased in the area of where the fossil remains are encountered. Earthmoving activities may be diverted to other areas of the site.

2.The owner of the property shall be immediately notified of the fossil discovery who will in turn immediately notify the County Geologist of the discovery.

3.The applicant shall retain a qualified paleontologist approved by the County of Riverside.

4.The paleontologist shall determine the significance of the encountered fossil remains.

5.Paleontological monitoring of earthmoving activities will continue thereafter on an as-needed basis by the paleontologist during all earthmoving activities that may expose sensitive strata. Earthmoving activities in areas of the project area where previously undisturbed strata will be buried but not otherwise disturbed will not be monitored. The supervising paleontologist will have the authority to reduce monitoring once he/she determines the probability of encountering any additional fossils has dropped below an acceptable level.

6.If fossil remains are encountered by earthmoving activities when the paleontologist is not onsite, these activities will be diverted around the fossil site and the paleontologist called to the site immediately to recover the remains.

7.Any recovered fossil remains will be prepared to the point of identification and identified to the lowest taxonomic level possible by knowledgeable paleontologists. The remains then will be curated (assigned and labeled with museum* repository fossil specimen numbers and

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10. GENERAL CONDITIONS

10.PLANNING. 15 WCS - PALEO RESOURCES (cont.) RECOMMND

corresponding fossil site numbers, as appropriate; places in specimen trays and, if necessary, vials with completed specimen data cards) and catalogued, an associated specimen data and corresponding geologic and geographic site data will be archived (specimen and site numbers and corresponding data entered into appropriate museum repository catalogs and computerized data bases) at the museum repository by a laboratory technician. The remains will then be accessioned into the museum* repository fossil collection, where they will be permanently stored, maintained, and, along with associated specimen and site data, made available for future study by qualified scientific investigators. * The County of Riverside must be consulted on the repository/museum to receive the fossil material prior to being curated.

10.PLANNING. 16 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. 19 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 USE - STD INTRO (ORD 460/461) RECOMMND

With respect to the conditions of approval for the referenced exhibit, it is understood that the exhibit correctly shows all existing easements, traveled ways, and drainage courses with appropriate Q's, and that their omission or unacceptability may require the map to be resubmitted for further consideration. These Ordinances

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10. GENERAL CONDITIONS

10.TRANS. 1 USE - STD INTRO (ORD 460/461) (cont.) RECOMMND

and all conditions are essential parts and a requirement occurring in ONE is as binding as though occurring in all. All questions regarding the true meaning of the conditions shall be referred to the Transportation Department.

10.TRANS. 2 USE - PREVIOUS CONDITIONS RECOMMND

The Transportation Department letters dated April 29, 1986 and February 2, 1994 continue to apply.

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, 2015, 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. 2 WCS - LIFE OF PERMIT RECOMMND

The life of Commercial WECS Permit No. 71 shall terminate on July 1, 2040, 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. 3 WCS - SUBSTANTIAL CONF USED RECOMMND

This permit shall be considered used as of the day of the effective date. Should related Commercial WECS permit No. 71 become null and void, this substantial conformance shall become null and void.

20.PLANNING. 4 SC - CONDITION ADDED TO CASE RECOMMND

Within thirty (30) days after the approval of the SUBSTANTIAL CONFORMANCE, the Planning Department shall add the following conditions to WCS00071R9:"

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20. PRIOR TO A CERTAIN DATE

20.PLANNING. 4 SC - CONDITION ADDED TO CASE (cont.)

RECOMMND

"Coordinate with WCS00071S4"

60. PRIOR TO GRADING PRMT ISSUANCE

BS GRADE DEPARTMENT

60.BS GRADE. 1 WCS* -PM10 PLAN REQUIRED

RECOMMND

A PM10 Fugitive Dust Mitigation Plan, prepared in accordance with AQMD Rule 403.1, shall be submitted to the Building and Safety Department for review and approval prior to the issuance of a grading permit.

1.NOTE: The PM 10 plan shall require the posting of signs in accordance with Building and Safety form "Signage Recommendations".

2.NOTE: All PM 10 measures must be in place prior to commencing any grading activity on site.

60.BS GRADE. 3 WCS- PM 10 CLASS REQUIRED

RECOMMND

Prior to the issuance of a grading permit, as a requirement of the CIP, the owner, developer, contractor, and their assignees must attend the PM10 class conducted by SCAQMD. Currently, classes are scheduled monthly by SCAQMD.

60.BS GRADE. 4 CVMSHCP TOTAL AREA OF DISTURB.

RECOMMND

TOTAL AREA OF DISTURBANCE MUST BE IN ACCORDANCE WITH DEFINITION OF DISTURBED AREA-

a)THE DISTURBED AREA IS ANY PORTION OF THE EARTH'S SURFACE OR NATURAL VEGETATION THAT HAS BEEN PHYSICALLY MOVED, UNCOVERED, DESTABILIZED, OR OTHERWISE MODIFIED FROM ITS UNDISTURBED NATURAL CONDITION PURSUANT TO A LEGALLY ISSUED LAND USE, GRADING, OR BUILDING PERMIT. THIS DEFINITION DOES NOT INCLUDE LAND THAT HAS BEEN RESTORED TO A NATIVE CONDITION, SUCH THAT THE VEGETATIVE GROUND COVER AND SOIL CHARACTERISTICS ARE EQUAL TO SURROUNDING CONDITIONS.

b)USING THE ABOVE DEFINITION, A PROJECT APPLICANT MAY ELECT, AT HIS OR HER OWN EXPENSE, TO HAVE THE PROJECT DIMENSIONED, CALCULATED, AND CERTIFIED BY A CALIFORNIA REGISTERED CIVIL ENGINEER OR LICENSED LAND SURVEYOR.

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60. PRIOR TO GRADING PRMT ISSUANCE

60.BS GRADE. 7 CVMSHCP BOS POLICY A-61

RECOMMND

PRIOR TO THE ISSUANCE OF ANY NEW GRADING PERMIT THE PROJECT MUST BE IN CONFORMANCE WITH BOS POLICY A-61.

60.BS GRADE. 10 WCS-G1.4 NPDES/SWPPP

RECOMMND

Prior to issuance of any grading or construction permits - whichever comes first - the applicant shall provide the Building and Safety Department evidence of compliance with the following: "Effective March 10, 2003 owner operators of grading or construction projects are required to comply with the N.P.D.E.S. (National Pollutant Discharge Elimination System) requirement to obtain a construction permit from the State Water Resource Control Board (SWRCB). The permit requirement applies to grading and construction sites of "ONE" acre or larger. The owner operator can comply by submitting a "Notice of Intent" (NOI), develop and implement a STORM WATER POLLUTION PREVENTION PLAN (SWPPP) and a monitoring program and reporting plan for the construction site. For additional information and to obtain a copy of the NPDES State Construction Permit contact the SWRCB at (916) 657-1146.

Additionally, at the time the county adopts, as part of any ordinance, regulations specific to the N.P.D.E.S., this project (or subdivision) shall comply with them.

60.BS GRADE. 11 WCS-G2.1 GRADING BONDS

RECOMMND

Grading in excess of 199 cubic yards will require performance security to be posted with the Building and Safety Department. Single Family Dwelling units graded one lot per permit and proposing to grade less than 5,000 cubic yards are exempt.

60.BS GRADE. 12 WCS-G2.4GEOTECH/SOILS RPTS

RECOMMND

Geotechnical soils reports, required in order to obtain a grading permit, shall be submitted to the Building and Safety Department's Grading Division for review and approval prior to issuance of a grading permit.

All grading shall be in conformance with the recommendations of the geotechnical/soils reports as approved by Riverside County.*

*The geotechnical/soils, compaction and inspection reports

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60. PRIOR TO GRADING PRMT ISSUANCE

60.BS GRADE. 12 WCS-G2.4GEOTECH/SOILS RPTS (cont.) RECOMMND

will be reviewed in accordance with the RIVERSIDE COUNTY GEOTECHNICAL GUIDELINES FOR REVIEW OF GEOTECHNICAL AND GEOLOGIC REPORTS.

60.BS GRADE. 13 WCS-G2.6SLOPE STABL'TY ANLY RECOMMND

A slope stability report shall be submitted and approved by the County Geologist for all proposed cut or fill slopes steeper than 2:1 (horizontal:vertical) or over 30 feet in vertical height - unless addressed in a previous report.

60.BS GRADE. 14 WCS-G2.7DRNAGE DESIGN Q100 RECOMMND

All grading and drainage shall be designed in accordance with Riverside County Flood Control & Water Conservation District's conditions of approval regarding this application. If not specifically addressed in their conditions, drainage shall be designed to accommodate 100 year storm flows.

Additionally, the Building and Safety Department's conditional approval of this application includes an expectation that the conceptual grading plan reviewed and approved for it complies or can comply with any WQMP (water Quality Management Plan) required by Riverside County Flood Control & Water Conservation District.

EPD DEPARTMENT

60.EPD. 1 - BUOW SURVEY RECOMMND

Prior to grading or any associated site preparation or development a 30-day burrowing owl clearance survey must be conducted. This survey must be performed by a qualified biologist currently holding a MOU with the County and must be conducted in accordance with the Burrowing Owls Survey Instructions for the Western Riverside Multiple Species Habitat Conservation Plan Area. The survey instructions can be viewed online at (http://www.tlma.co.riverside.ca.us/epd/documents/survey_protocols/burrowing_owl_survey_instructions.pdf). IF owls are located during the survey all burrowing owls will be avoided or relocated in accordance with Section 4.4 of the CVMSHCP.

If you have any questions regarding this condition please

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60. PRIOR TO GRADING PRMT ISSUANCE

60.EPD. 1 - BUOW SURVEY (cont.)

RECOMMND

contact biologist Jared Bond with the Environmental Programs Department at 951-955-0314 or via email at jbond@rctlma.org

60.EPD. 2 - DESERT TORTOISE SURVEY

RECOMMND

prior to issuance of a grading permit the development area must be fenced with tortoise proof fencing and a clearance survey must be conducted as set forth below. Installation of fencing and clearance surveys must be conducted by a qualified biologist currently holding a MOU with the County. Desert tortoise clearance surveys shall be conducted between February 15 to June 15 and September 1 to October 31 or in accordance with the most recent Wildlife Agency protocol. A clearance survey must be conducted during different tortoise activity periods (morning and afternoon). Tortoises located as a result of survey efforts shall be handled and moved according to USFWS accepted protocol and in accordance with Section 4.4 of the CVMSHCP. a report detailing the results of the clearnace survey shall be submitted to the Evironmental Programs Department for review and approval.

60.EPD. 3 - RESTORATION PLAN

RECOMMND

Prior to issuance of any grading permit a biological restoration plan, prepared by a qualified biologist, must be submitted to the Environmental Programs Department for review and approval. WCS00071S4 exhibit dated 7/6/2010 indicates that 3.42 acres will be restored to a natural state. A restoration plan detailing the restoration process, timelines, seed mix/plant palette, success criteria, and other relevant information to perform a successful restoration must be prepared. The restoration plan should follow the Biological Restoration Plan Guidelines prepared by EPD. To obtain a copy of the Guidelines please contact EPD directly at 951-955-0314.

PLANNING DEPARTMENT

60.PLANNING. 1 USE - CVMSHCP ROUGH STEP

RECOMMND

Grading plans have been submitted to the Coachella Valley Conservation Commission and have had "rough step" analysis pursuant to the requirements of the Coachella Valley

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60. PRIOR TO GRADING PRMT ISSUANCE

60.PLANNING. 1 USE - CVMSHCP ROUGH STEP (cont.) RECOMMND

Multiple Species Habitat Conservation Plan (CVMSHCP) and have been determined to disturb 29.0 acres within the "rough step" allowance of 33 acres.

60.PLANNING. 3 USE - CVMSHCP DISTURB LIMIT RECOMMND

This permit is within the Stubbe and Cottonwood Canyons Conservation Area of the Coachella Valley Multiple Species Habitat Conservation Plan (CVMSHCP). In order to obtain an allocation of "take" within this conservation area, the permit holder has agreed to restrict any and all disturbed area associated with the development of the forty two (42) newly-installed WECS to not more than 40.5 acres.

Prior to the issuance of GRADING PERMITS, the permit holder shall submit a Site Disturbance Exhibit (8 folded copies and an electronic version on CD) for the approval of the Riverside County Planning Department showing no more than 40.5 acres of disturbed area.

No grading permits, construction permits or other grants of approval shall be issued allowing disturbed areas in excess of the area(s) shown on the Planning Department approved Site Disturbance Exhibit without prior written approval of the Riverside County Planning Director.

"Disturbed area" is defined as any portion of the earth's surface or natural vegetation that has been physically moved, uncovered, destabilized, or otherwise modified from its undisturbed natural condition pursuant to a legally issued land use, grading or building permit. This definition does not include land that has been restored to a native condition, such that the vegetative ground cover and soil characteristics are equal to surrounding conditions.

NOTE: This condition applies only to land located within a Conservation Area of the CVMSHCP.

60.PLANNING. 5 WCS - REMOVAL PLAN (1) 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 134 existing Danwin and Vestas turbines in accordance with

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80. PRIOR TO BLDG PRMT ISSUANCE

80.PLANNING. 1 WCS - SO CA EDISON CLEARANCE (cont.) RECOMMND

Commission, unless otherwise approved by the Planning Director.

80.PLANNING. 2 WCS - OIH CLEARANCE RECOMMND

A clearance letter from the Health Services Agency's Office of Industrial Hygiene shall be provided to the Riverside County Planning Department verifying compliance with the conditions contained in their letter dated September 1, 2010, summarized as follows: Noise standards and monitoring measures.

80.PLANNING. 3 WCS - REMOVAL PLAN (2) 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 134 existing Danwin and Vestas turbines in accordance with county ordinances.

80.PLANNING. 4 WCS - WIMP FEES RECOMMND

PRIOR TO THE ISSUANCE OF BUILDING PERMITS, the permit holder shall pay to the Planning Director all Wind Implementation Monitoring Program (WIMP) fees established by the Board of Supervisors and in effect at the time of the request for a building permit.

TRANS DEPARTMENT

80.TRANS. 1 USE - TUMF RECOMMND

Prior to the issuance of a building permit, the project proponent shall pay the Transportation Uniform Mitigation Fee (TUMF) in accordance with the fee schedule in effect at the time of issuance, pursuant to Ordinance No. 673.

90. PRIOR TO BLDG FINAL INSPECTION

B&S DEPARTMENT

90.B&S. 1 BP*FEMA FORM APPRVL REQUIRED NOTAPPLY

Prior to building permit final, a development in FEMA

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90. PRIOR TO BLDG FINAL INSPECTION

90.B&S. 1 BP*FEMA FORM APPRVL REQUIRED (cont.) NOTAPPLY

mapped flood zones "A" or "AO" shall provide a FEMA form, filled out, wet stamped and signed by a registered civil engineer or licensed land surveyor, to the Building and Safety Department Grading Division.

The Grading division will transmit the form to the proper flood control district for their review and approval.

Upon receipt of their approval, this condition will be classified as "MET" and the building permit will be eligible for final approval.

90.B&S. 2 BP - MSHCP FEE/ORDS 810 & 875 INEFFECT

Prior to the final inspection, applicants are required to pay the Riverside County Multiple Species Habitat Conservation Plan fees required by either Ordinance 810, Western MSHCP or Ordinance 875, Coachella Valley MSHCP.

BS GRADE DEPARTMENT

90.BS GRADE. 1 WCS- FINAL GRADING INSPECTION RECOMMND

Prior to final building inspection, the applicant shall obtain precise grade approval and/or clearance from the Building and Safety Department. The Building and Safety Department must approve the precise grading of your project before a building final can be obtained. Precise Grade approval can be accomplished by complying with the following:

1. Submitting a "Wet Signed" copy of the Precise Grade Certification from a Registered Civil Engineer certifying that the precise grading was completed in conformance with the approved grading plan.
2. Installation of permanent erosion control protection for all manufactured slopes steeper than 4:1 (horizontal to vertical) ratio and 3 feet or greater in vertical height and other areas of disturbance as required and approved by the Grading Division Inspector.
3. Requesting a Precise Grade Inspection and obtaining precise grade approval from a Riverside County Grading Division Inspector.

Prior to release for building final the applicant shall have met all precise grade requirements to obtain Building

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90. PRIOR TO BLDG FINAL INSPECTION

90.BS GRADE. 1 WCS- FINAL GRADING INSPECTION (cont.) RECOMMND
and Safety Department clearance.

E HEALTH DEPARTMENT

90.E HEALTH. 1 USE - HAZMAT BUS PLAN RECOMMND
The facility will require a business emergency plan for the storage of hazardous materials greater than 55 gallons, 200 cubic feet or 500 pounds, or any acutely hazardous materials or extremely hazardous substances.

90.E HEALTH. 2 USE - HAZMAT REVIEW RECOMMND
If further review of the site indicates additional environmental health issues, the Hazardous Materials Management Division reserves the right to regulate the business in accordance with applicable County Ordinances.

90.E HEALTH. 3 USE - HAZMAT CONTACT RECOMMND
Contact a Hazardous Materials Specialist, Hazardous Materials Management Division, at (951) 358-5055 for any additional requirements.

FIRE DEPARTMENT

90.FIRE. 1 WCS-WIND TURBINE TOWERS NOTAPPLY
The following areas shall be cleared of vegetation and maintained as a fire/fuel break as long as the generators 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. d) 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. Plans for such systems must be submitted to the Fire Department for review or approval.

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90. PRIOR TO BLDG FINAL INSPECTION

PLANNING DEPARTMENT

90.PLANNING. 1 USE - ORD 875 CVMSHCP FEE

RECOMMND

Prior to a certificate of occupancy or upon building permit final inspection, whichever comes first, the permit holder shall comply with the provisions of Riverside County Ordinance No. 875, which requires the payment of the appropriate fee set forth in the ordinance. The amount of the fee will be based on the "Project Area" as defined in the ordinance and the aforementioned condition of approval. The Project Area for Commercial WECS Permit No. 71, Substantial Conformance No. 4, shall be pursuant to the Precise Grade Certification set forth in 90 BS GRADE 1, and is estimated to be 33 acres. In the event Riverside County Ordinance No. 875 is rescinded, this condition will no longer be applicable, However, in the event Riverside County Ordinance No. 875 is rescinded and superseded by a subsequent mitigation fee ordinance, payment of the appropriate fee set forth in that ordinance shall be required.

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 (except for affected WECS and towers approved under Variance No. 1771), 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.

90.PLANNING. 4 USE - VERIFY REMOVAL OF WECS

RECOMMND

Prior to building final inspection of last new turbine under this substantial conformance permit, the permit holder shall submit a letter from a licensed professional that the 134 existing Danwin and Vestas turbines have been removed entirely from the site in accordance with county ordinances.

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90. PRIOR TO BLDG FINAL INSPECTION

90.PLANNING. 5 USE - ORD NO. 659 (DIF)

RECOMMND

Prior to the issuance of either a certificate of occupancy or prior to building permit final inspection, the applicant shall comply with the provisions of Riverside County Ordinance No. 659, which requires the payment of the appropriate fee set forth in the Ordinance. Riverside County Ordinance No. 659 has been established to set forth policies, regulations and fees related to the funding and installation of facilities and the acquisition of open space and habitat necessary to address the direct and cumulative environmental effects generated by new development project described and defined in this Ordinance, and it establishes the authorized uses of the fees collected.

The amount of the fee for commercial or industrial development shall be calculated on the basis of the "Project Area," as defined in the Ordinance, which shall mean the net area, measured in acres, from the adjacent road right-of-way to the limits of the project development. The Project Area for Commercial WECS Permit No. 71, Substantial Conformance No. 4 has been calculated to be 4.06 net acres (new permanent disturbed acreage).

In the event Riverside County Ordinance No. 659 is rescinded, this condition will no longer be applicable. However, should Riverside County Ordinance No. 659 be rescinded and superseded by a subsequent mitigation fee ordinance, payment of the appropriate fee set forth in that ordinance shall be required.

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10. GENERAL CONDITIONS

EVERY DEPARTMENT

10. EVERY. 1 WCS - PROJECT DESCRIPTION INEFFECT

The use hereby permitted is for a commercial Wind Energy Conversion System array consisting of 159 pre-existing WECS and towers, and this revised commercial WECS permit (R9) approves 60 Gamesa 660 kW WECS with a rotor diameter up to 171 feet and WECS height up to 300 feet. The approved WECS array includes accessory substation and shelter trailers, for a maximum total of not more than 219 WECS and towers, and the project is located within Assessors Parcel Numbers 516-020-001, 516-020-002, and 516-020-003.

10. EVERY. 2 WCS - HOLD HARMLESS INEFFECT

The permittee shall defend, indemnify, and hold harmless the County of Riverside, its agents, officers, and employees from any claim, action or proceeding against the County of Riverside or its agents, officers, or employees to attack, set aside, void, or annul, an approval of the County of Riverside, its advisory agencies, appeal boards, or legislative body concerning Commercial WECS Permit No. 71, Revised Permit No. 9, including all modifications. The County of Riverside will promptly notify the permittee of any such claim, action, proceeding against the County of Riverside and will cooperate fully in the defense. If the County fails to promptly notify the permittee of any such claim, action or proceeding or fails to cooperate fully in the defense, the permittee shall not, thereafter, be responsible to defend, indemnify, or hold harmless the County of Riverside.

10. EVERY. 3 WCS - DEFINITIONS INEFFECT

The words identified in the following list that appear in all capitals in the attached conditions of Commercial WECS Permit No. 71, Revised Permit No. 9 shall be henceforth defined as follows:

APPROVED EXHIBIT A = Exhibit Nos. A-1 through A-10 (site and grading plans), Amended No. 1, Exhibit No. B (Site Disturbance Plan), Amended No. 1, Exhibit No. C (substation and trailer), Exhibit No. D (trailer floor plan), Exhibit No. E, Amended No. 1 (fencing and security plan), and grading plans on file with EIR No. 405.

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10. GENERAL CONDITIONS

10. EVERY. 4 WCS - 90 DAYS TO PROTEST INEFFECT

The project developer 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.

10. EVERY. 5 WCS - VARIANCE NO. 1771 INEFFECT

Variance No. 1771 affects the following WECS and towers: A-1a, A-2a, A-3a, A-4a, A-5a, A-10, A-11, A-12, A-13, A-14, A-15, A-16, A-20, A-21, A-22, A-23, A-24, A-25, C-28, C-29, C-30, C-31, C-32, C-33, C-34, C-35, E-25, E-26, E-27, E-28, E-29, E-30, and E-31. Variance No. 1771 addresses reductions to "no setback" with regards to safety and wind access setbacks affecting all the above WECS and towers.

~~BS GRADE DEPARTMENT~~

10.BS GRADE. 1 WSC-OBEY ALL GRDG. REGS. INEFFECT

All grading shall conform to the Uniform Building Code, Ordinance 457, and all other relevant laws, rules, and regulations governing grading in Riverside County and prior to commencing any grading which includes 50 or more cubic yards, the applicant shall obtain a grading permit from the Building and Safety Department.

10.BS GRADE. 2 WSC-GEN INTRODUCTION INEFFECT

Improvements such as grading, excavating, filling, over-excavating and recompacting, and base or paving which require a grading permit are subject to the included Building and Safety Department Grading Division conditions of approval.

10.BS GRADE. 3 USE* -PM 10 PLAN REQUIRED INEFFECT

A PM10 Fugitive Dust Mitigation Plan, prepared in accordance with AQMD Rule 403.1, shall be submitted to the Building and Safety Department for review and approval prior to the issuance of a grading permit.

1.NOTE: The PM 10 plan shall require the posting of signs in accordance with Building and Safety form "Signage Recommendations".

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10. GENERAL CONDITIONS

10.BS GRADE. 3 USE* -PM 10 PLAN REQUIRED (cont.) INEFFECT

2.NOTE: All PM 10 measures must be in place prior to commencing any grading activity on site.

10.BS GRADE. 4 USE-G1.4 NPDES/SWPPP INEFFECT

Prior to issuance of any grading or construction permits - whichever comes first - the applicant shall provide the Building and Safety Department evidence of compliance with the following: "Effective March 10, 2003 owner operators of grading or construction projects are required to comply with the N.P.D.E.S. (National Pollutant Discharge Elimination System) requirement to obtain a construction permit from the State Water Resource Control Board (SWRCB). The permit requirement applies to grading and construction sites of "ONE" acre or larger. The owner operator can comply by submitting a "Notice of Intent" (NOI), develop and implement a STORM WATER POLLUTION PREVENTION PLAN (SWPPP) and a monitoring program and reporting plan for the construction site. For additional information and to obtain a copy of the NPDES State Construction Permit contact the SWRCB at (916) 657-1146.

Additionally, at the time the county adopts, as part of any ordinance, regulations specific to the N.P.D.E.S., this project (or subdivision) shall comply with them.

10.BS GRADE. 5 USE-G1.3 DISTURBS NEED G/PMT INEFFECT

Ordinance 457 requires a grading permit prior to clearing, grubbing, or any top soil disturbances related to construction grading.

10.BS GRADE. 6 USE-G1.5 EROS CNTRL PROTECT INEFFECT

Graded but undeveloped land shall provide, in addition to erosion control planting, any drainage facility deemed necessary to control or prevent erosion. Additional erosion protection may be required during the rainy season from October 1, to May 31.

10.BS GRADE. 7 USE-G1.6 DUST CONTROL INEFFECT

All necessary measures to control dust shall be implemented by the developer during grading. PM10 plan may be required at the time a grading permit is issued.

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10. GENERAL CONDITIONS

10.BS GRADE. 8 USE-G2.1 GRADING BONDS INEFFECT

Grading in excess of 199 cubic yards will require performance security to be posted with the Building and Safety Department. Single family dwelling units graded one lot per permit and proposing to grade less than 5,000 cubic yards are exempt.

10.BS GRADE. 9 USE-G2.2 IMPORT / EXPORT INEFFECT

n instances where a grading plan involves import or export, prior to obtaining a grading permit, the applicant shall have obtained approval for the import/export location from the Building and Safety Department. Additionally, if either location was not previously approved by an Environmental Assessment, prior to issuing a grading permit a Grading Environmental Assessment shall be submitted to the Planning Director for review and comment and to the Building and Safety Department Director for approval.

10.BS GRADE. 10 USE-G2.3SLOPE EROS CL PLAN INEFFECT

Erosion control - landscape plans, required for manufactured slopes greater than 3 feet in vertical height, are to be signed by a registered landscape architect and bonded per the requirements of Ordinance 457 (refer to dept. form 284-47).

10.BS GRADE. 11 USE-G2.4GEOTECH/SOILS RPTS INEFFECT

Geotechnical soils reports, required in order to obtain a grading permit, shall be submitted to the Building and Safety Department's Grading Division for review and approval prior to issuance of a grading permit.

All grading shall be in conformance with the recommendations of the geotechnical/soils reports as approved by Riverside County.*

*The geotechnical/soils, compaction and inspection reports will be reviewed in accordance with the RIVERSIDE COUNTY GEOTECHNICAL GUIDELINES FOR REVIEW OF GEOTECHNICAL AND GEOLOGIC REPORTS.

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10. GENERAL CONDITIONS

10.BS GRADE. 12 USE-G2.5 2:1 MAX SLOPE RATIO INEFFECT

Graded slopes shall be limited to a maximum steepness ratio of 2:1 (horizontal to vertical) unless otherwise approved.

10.BS GRADE. 13 USE-G2.8MINIMUM DRNAGE GRADE INEFFECT

Minimum drainage grade shall be 1% except on portland cement concrete where .35% shall be the minimum.

10.BS GRADE. 14 USE-G.3.1NO B/PMT W/O G/PMT INEFFECT

Prior to the issuance of any building permit, the property owner shall obtain a grading permit and/or approval to construct from the Grading Division of the Building and Safety Department.

10.BS GRADE. 15 SMP G-10 Fault Locations INEFFECT

Prior to issuance of any building permit, the operator shall have a licensed professional, clearly delineate on maps and in the field any portions of the property, which are located within the "Fault Hazard Zone". No structures or any part thereof shall be located in thoes areas.

E HEALTH DEPARTMENT

10.E HEALTH. 1 WCS* - WATER INEFFECT

Any potable water or sewage disposal at this site will require approval from Environmental Health.

FIRE DEPARTMENT

10.FIRE. 1 WCS-INDIO-STRUC FIRE PROT INEFFECT

No permit shall be issued for the construction or placing of any structure on site for the purpose of habitation or human occupancy without first establishing fire protection requirements as a condition of such permit. This requirement includes the establishment of a minimum fire flow per the CFC and Riverside County Ordinance 787.

10.FIRE. 2 WCS-INDIO SERVICE VEHICLES INEFFECT

Service vehicles assigned to regular maintenance or construction at the project site shall be equipped with a portable fire extinguisher of a 4A40BC rating. All motor

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10. GENERAL CONDITIONS

10.PLANNING. 3 WCS - NO CONNECT W/O FINAL (cont.) INEFFECT

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. 4 WCS - REPLACE OR MODIFY WECS INEFFECT

Prior to any replacement or modification of any WECS, towers or related facilities (except other than regular maintenance items), written notice shall be given to the Planning Director and the Director of the Department of Building and Safety.

10.PLANNING. 5 WCS - NOTICE SERVING INEFFECT

All notices concerning this permit may be served by mail or in person on the following individual at the follow address:

Mark Jones
Mark Technologies
1411 Fourth Avenue Suite 820
Seattle, WA 98101

The above-designated individual and served address may be changed from time to time. No such change shall be effective unless served by registered or certified mail on the Riverside County Planning Director.

AMENDED BY THE PLANNING COMMISSION ON SEPTEMBER 14, 2005

10.PLANNING. 6 WCS - MAXIMUM WECS INEFFECT

A maximum total of up to 219 WECS and towers are approved pursuant to this revised permit consisting of of 159 pre-existing WECS and towers and 60 new WECS and towers.

10.PLANNING. 7 WCS - PHASING PLAN INEFFECT

Phasing of development requirements, such as bonding or WIMP fees, not otherwise provided for, may be approved in conjunction with a phasing plan, as approved by the Planning Director and other affected agencies. Should phasing or development requirements be proposed, the permittee shall submit twelve (12) marked lot plans showing the phasing plan to the Planning Department. PRIOR TO

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10. GENERAL CONDITIONS

10.PLANNING. 7 WCS - PHASING PLAN (cont.) INEFFECT

BUILDING INSPECTION APPROVAL and interconnection to the utility grid of each phase, all facilities, improvements and other requirements intended for that phase shall be installed in usable condition.

10.PLANNING. 8 WCS - WECS & TOWER SPECS INEFFECT

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

- a. Total Height (WECS blade tip at 12:00 position): 300'
- c. Rotor Diameter: 171'
- d. Rotor Orientation: Horizontal-axis upwind
- e. Number of Blades: Three
- f. WECS Tower Design: Solid tubular towers; no guy wires
- 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. 9 WCS - CEASED OPERATIONS INEFFECT

In the event the use hereby permitted ceases operation for a period of one (1) year or more, this approval shall become null and void.

10.PLANNING. 10 WCS - LIGHTING HOODED & DIRECT INEFFECT

Any outside lighting shall be hooded and directed so as not to shine directly upon adjoining property and public right-of-way.

10.PLANNING. 11 WCS - GEN. SETBACK/HEIGHT REQ. INEFFECT

In no case, shall a building, structure or electrical substation be closer than fifty (50) feet from any road right-of-way or lot line and no building, structure, or

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10. GENERAL CONDITIONS

10.PLANNING. 11 WCS - GEN. SETBACK/HEIGHT REQ. (cont.) INEFFECT

electrical substation shall exceed twenty (20) feet in total height unless otherwise approved by the Planning Director, pursuant to an action separate from this permit, pursuant to Section 13.34 of Ordinance No. 348. This height limit shall not apply to meteorological towers or WECS, provided that no meteorological tower in the W-E zone shall exceed 400 feet in height.

10.PLANNING. 12 WCS - METEOR. TOWER PLAN INEFFECT

Should the meteorological tower, shown on the APPROVED EXHIBIT A, be fifty (50) feet or higher, a plot plan, separate from this permit, shall first be granted pursuant to the provisions of Section 18.30.a(1) of Ordinance No. 348, prior to installation or obtaining construction permits. The maximum height of any meteorological tower in the W-E zone shall be 400 feet.

10.PLANNING. 13 WCS - VACANT AREAS INEFFECT

Areas shown on the APPROVED EXHIBIT A as not utilized for WECS and accessory structures shall be maintained in a natural condition and shall not be graded and used for vehicle parking, material storage or display or similar uses.

10.PLANNING. 14 WCS - USE LIMITED TO PLANS INEFFECT

No grading, component stockpiling, WECS or any other activity or structures shall be allowed during construction and life of this WECS permit, outside of temporary and permanent disturbance areas as shown on the APPROVED EXHIBIT A, unless approved by the Planning Director through a plot plan process, separate from this permit, as provided in the W-E zone.

10.PLANNING. 15 WCS - STORAGE AREAS INEFFECT

Permanent storage areas shall be limited to that shown on the APPROVED EXHIBIT A, or as otherwise approved by the Planning Department through the plot plan process, as provided in the W-E zone.

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10. GENERAL CONDITIONS

10.PLANNING. 16 WCS - ACCESS & OPERATIONS INEFFECT

Construction traffic, and later on-going operation and maintenance traffic, associated with this commercial WECS permit, shall utilize off-site legal access, as approved by the Director of the Transportation Department. Construction, operation and maintenance traffic shall be restricted to the hours between 6:00 a.m. to 10:00 p.m., except as required for emergency maintenance to the WECS array, and shall not present public nuisance in regards to fugitive dust, noise and outdoor lighting.

10.PLANNING. 17 WCS - NO OUTDOOR ADVERTISING INEFFECT

No outdoor advertising display, sign or billboard shall be constructed or maintained within the property subject to this permit.

10.PLANNING. 18 WCS - ADVERTISING LIMITS INEFFECT

No advertising sign or logo shall be placed or painted on any WECS, tower or foundation. No more than two (2) unlighted advertising signs, relating to the development shall be located on the project site; signs shall be rectangular in shape, shall not exceed fifteen (15) square feet in surface area and eight (8) feet in height. Prior to installation of any advertising signs, a building permit shall be obtained from the Department of Building and Safety.

10.PLANNING. 19 WCS - TV INTERFERENCE INEFFECT

No WECS shall be operated so as to cause significant television interference. In the event that significant television interference is caused by WECS or its operation, the WECS permittee shall take the measures necessary to remedy the situation. Remedial measures which may be required include, but are not limited to, installation of cable television in the affected area and discontinued operation. No WECS shall be operated so as to cause unlawful interference with microwave communications.

10.PLANNING. 20 WCS - FAILURE REPORTS INEFFECT

The permittee shall provide written reports of all failures of WECS which result in: Loss of blades, loss of hub assemblies, separation of the generator from the tower through failure, tower failure, and failure of electrical

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10. GENERAL CONDITIONS

10.PLANNING. 20 WCS - FAILURE REPORTS (cont.) INEFFECT

power cables connecting the generator to the electrical termination at the bottom of the tower. Reports shall be submitted, by mail, to the Planning Director and Director of the Department of Building and Safety within 48 hours of occurrence of the incident and shall include the type of incident, the identification number of the WECS, and the name and address of the operator. In addition to notifying the Planning Director and the Director of Building and Safety of such failures, the windfarm operator shall keep a log of all such failures which will be available for inspection by County personnel or their consultants upon reasonable notice.

10.PLANNING. 21 WCS - WCS METERING INEFFECT

All WECS shall be individually metered or monitored individually upon connection to the utility interconnection and throughout the life of this permit to facilitate the monitoring of power production of individual WECS.

10.PLANNING. 22 WCS - SCENIC SETBACK INEFFECT

A minimum scenic setback of 1000 feet shall be maintained by all WECS and towers from Interstate 10.

10.PLANNING. 23 WCS - FAA RULES COMPLIANCE INEFFECT

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

10.PLANNING. 24 WCS - OPERATIONAL NOISE INEFFECT

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

a. The WECS shall not be operated so that noise is created exceeding an exterior level of 55 db(A), as measured pursuant to the Health Services Agency, Office of Industrial Hygiene's transmittal letter dated August 23, 2005. WECS shall not create sound pressure levels in excess of the development criteria contained in Section 18.41d of

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10. GENERAL CONDITIONS

10.PLANNING. 24 WCS - OPERATIONAL NOISE (cont.) INEFFECT

Ordinance No. 348. All questions regarding the true meaning of these noise and sound pressure level standards shall be 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. 25 WCS - NO EA FOR SHOWN GRADE INEFFECT

No environmental assessment for grading within the project boundaries shall be required provided such grading substantially conforms to the grading plan submitted as the APPROVED EXHIBIT A (generally site disturbance plan) and does not significantly exceed 45,000 cubic yards of cut and 45,000 cubic yards of fill. The permittee shall comply with all conditions of approval requiring performance prior to the issuance of grading permits.

10.PLANNING. 26 WCS - GRADED LAND MAINTENANCE INEFFECT

Graded, but undeveloped land shall be maintained in a condition so as to prevent a dust and blowsand nuisance and shall be either planted with interim landscaping or provided with other wind and water erosion control measures, as approved by the Director of Building and Safety and State air quality management authorities.

10.PLANNING. 27 WCS - VOID RELATED PROJECT INEFFECT

Any approval for use of or development of the area or tract of land which is the subject of this application that was made pursuant to Commercial WECS Permit No. 71, including

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10. GENERAL CONDITIONS

10.PLANNING. 27 WCS - VOID RELATED PROJECT (cont.) INEFFECT

all previous modifications thereto, shall become null and void upon final approval of Commercial WECS Permit No. 71, Revised Permit No. 9, by the County of Riverside.

10.PLANNING. 28 WCS - CAUSES FOR REVOCATION INEFFECT

In the event the use hereby permitted under this commercial WECS 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 commercial WECS permit, and any all all related permits, shall be subject to the revocation procedures in Section 18.31 of Ordinance No. 348.

10.PLANNING. 29 WCS - PERMIT "USED" INEFFECT

The effective date of the issuance of this permit is the Planning Department's approval date. This permit shall be considered "used" as of the day of the effective date. The permit holder shall apply to the Building and Safety Department for all necessary permits, including the submission of all required documents and fees, for any plan check as determined by the Building and Safety Department, in order to ensure compliance with all applicable requirements of Ordinance Nos. 348 (Land Use & Zoning) and 457 (Building Code) and the conditions of approval of this permit. The permit holder shall pursue diligently to completion all necessary permits and obtain final inspection approval thereof.

10.PLANNING. 31 WCS - WCS MONITORING REPORTS INEFFECT

The permittee may be required to submit periodic monitoring reports containing data on the operations and environmental impacts of this commercial WECS permit, including, but not limited to, noise, WECS failures, power production and sightings of threatened or endangered species. Upon written notice from the County of Riverside, requiring such a report, the permittee shall prepare and submit the required report within forty-five (45) calendar days.

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10. GENERAL CONDITIONS

10.PLANNING. 32 WCS - BLADE LOCKING MECHANISM INEFFECT

All WECS shall have a locking mechanism installed and maintained in a proper manner which provides for the WECS blades to be locked in place so as to prevent rotation of the blades in the wind when the WECS have been turned off for repair or are otherwise inoperable, in order to limit airport radar interference or "clutter".

10.PLANNING. 33 WCS - COMPLY WITH ORD. 655 INEFFECT

All lighting shall comply with any applicable provisions of Riverside County Ordinance No. 655.

10.PLANNING. 34 WCS - SITE MAINTENANCE INEFFECT

The project site shall be kept in good repair. Graffiti shall be removed from any structures within one week of observation and/or notification.

10.PLANNING. 35 WCS - BIOLOGICAL MITIGATION INEFFECT

The following measures shall be included in the project design and implemented during construction:

a) All project workers shall be provided with information developed by a qualified biologist that focuses on the natural history and legal status of the desert tortoise.

b) The speed limit for all construction vehicles associated with this project shall be limited to 15 miles per hour except in emergency situations.

c) Workers shall be required to check for tortoises under all work vehicles that are used during construction of the project.

d) If a trench is left open overnight, escape ramps shall be left in the trench at intervals of 100 feet so that any desert tortoises that fall into the trench may escape.

e) If a desert tortoise is in the construction area or under a vehicle the desert tortoise must be allowed to move to safety on its own.

f) No workers are authorized to legally pick-up or move a desert tortoise.

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10. GENERAL CONDITIONS

10.PLANNING. 35 WCS - BIOLOGICAL MITIGATION (cont.) INEFFECT

g) If a desert tortoise is found dead on the project site the permit holder must immediately contact, or provide authorized representatives to contact, the USFWS in either Ventura or Carlsbad and the California Department of Fish and Game in either Indio or Long Beach.

h) All areas to be cleared for construction of the proposed WECS and towers and accessory structures, with associated grading and land disturbance, shall be clearly delineated and staked prior to construction to avoid unnecessary disturbance to adjacent vegetation.

i) Such additional mitigation measures as described in EIR No. 405 may be required by law from state and federal wildlife agencies.

j) The developer shall be in compliance with the United States Fish and Wildlife Service letters dated July 1, 1999 and February 8, 2001.

10.PLANNING. 36 WCS - MWD FEE PROPERTY WECS INEFFECT

Commercial WECS Permit No. 71, Revised Permit No. 9 (which approval is incorporated herein), is issued with the understanding that the four (4) WECS and towers located within the Metropolitan Water District of Southern California (MWD) fee property are part of this commercial WECS permit and under the control of the permit holder and landowner of the lands adjoining the MWD fee property to the north and south.

10.PLANNING. 37 WCS - GEO NO. 1514 INEFFECT

County Geologic Report (GEO) No. 1514, submitted for this project (WCS0071R9), was prepared by Earth Systems Southwest and is entitled: "Update and Substantial Conformance to Engineering Geology and Geotechnical Engineering Report and Supplemental with revised Site Plan Review", dated July 28, 2005. In addition, Earth Systems Southwest submitted "Revised Update and Substantial Conformance to Engineering Geology and Geotechnical Engineering Report and Supplement with Revised Site Plan Review", dated August 24, 2005. This document is herein incorporated as a part of GEO No. 1514.

GEO No. 1514 concluded:

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10. GENERAL CONDITIONS

10.PLANNING. 37

WCS - GEO NO. 1514 (cont.)

INEFFECT

1.The proposed turbines will be located on a series of ridges that are underlain by the Pleistocene-aged Cabazon Fanglomerate.

2.The San Andreas fault zone is the most significant potential seismic source in the site vicinity.

3.An active fault associated with the Alquist-Priolo Earthquake Fault Zone, related to the Banning and Garnet Hill faults, traverses the southwest portion of the project area. This active fault crosses the ridgeline where Phase IV turbines along Row A are proposed.

4.Additional suspected faults based upon aerial photo interpretation affect proposed turbines on Rows A and C as delineated on Figure 2, Geologic Map, in the April 19, 1999 report prepared by Earth Systems Southwest (previously submitted and reviewed by the County for this project site).

5.The above mentioned fault features are considered to be either the result of ground rupture due to movement along a fault or down-slope movements in response to strong seismic shaking ridgetop spreading or seismically induced landsliding.

6.The possible ruptures are not currently located with sufficient precision to establish final construction setbacks.

7.Slope stability analysis of the proposed highest fill slope (125 feet at 1.5:1) indicates static and pseudostatic safety factors of 1.4 and <1 respectively. An estimated 100 centimeters of mean displacement (seismic induced) illustrates the possible seismic instability of either natural or fill slopes at 1.5:1 inclination.

1.The grading recommendations made for this project are not intended to provide seismic safety in this potential area of intense ground shaking and faulting. Significant sections of the roadway may be damaged or lost altogether, requiring repair before access to the wind turbines could commence. In that personnel are unlikely to be affected at the time such an earthquake strikes, the consequential damages are expected to be economical only.

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10. GENERAL CONDITIONS

10.PLANNING. 37

WCS - GEO NO. 1514 (cont.) (cont.)

INEFFECT

GEO No. 1514 recommended:

2.Wind turbines should not be located within 20 feet of the surface traces of faults or other ground ruptures associated with landsliding or ridgetop spreading. In addition, turbine foundations should not be located within 10 feet of fault planes in the subsurface.

3.Trenching of the suspect fault rupture and related features should occur during construction of the proposed foundation excavation or access roads. This trenching should be observed and reported by a Registered Geologist.

4.Turbines should be set back at least 15 feet beyond a 1.5:1 projection from the base of the oversteepened portion of the adjacent slopes.

GEO No. 1514 satisfies the requirement for a Geologic study for Planning/CEQA purposes. GEO No. 1514 is hereby accepted for Planning purposes. Engineering and other Uniform Building Code parameters where not included, as a part of this review or approval and this approval is not intended, and should not be misconstrued as approval for grading permit. Engineering and other building code parameters will be reviewed and additional comments and/or conditions may be imposed by the Building and Safety Department upon application for grading and/or building permits.

Note: Trenching and reporting of the locations of faults and related features will be required as part of construction of the proposed wind turbines, as described elsewhere in this conditions set (prior to grading permit and/or building permit).

10.PLANNING. 38

WCS* - NOISE MONITORING

INEFFECT

The applicant agrees to contract with the County of Riverside, Department of Public Health's Office of Industrial Hygiene to conduct noise monitoring to ensure compliance with the County's Ordinance governing noise emissions from wind turbines. The applicant will be invoiced immediately after each monitoring activity at the most current hourly rate for the Office of Industrial Hygiene's consulting services. It is estimated that each

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10. GENERAL CONDITIONS

10.PLANNING. 38

WCS* - NOISE MONITORING (cont.)

INEFFECT

monitoring activity will take ten hours. This time includes equipment preparation, travel time, data collection, and report writing. Milage will be billed at the most current County reimbursement rate.

Each monitoring event will consist of collecting noise measurements at up to four monitoring locations surrounding the project. The choice of monitoring dates and locations will be selected at the discretion of the monitoring technician. The project applicant will be given twenty-four hour advanced notice of non-complaint based inspections and shall cooperate fully with the monitoring technician.

Monitoring shall be done on the following schedule:

- a) Once prior to project construction.
- b) Twice annually for the first five years post-construction.
- c) On a complaint basis thereafter, and as requested by the Code Enforcement Division of the Department of Building and Safety or the Planning Director.
- d) Immediately after any repair that is needed to bring the project into compliance with the noise standard.

Complaint-based inspections will be done as soon as possible after the receipt of a complaint, or by request from the Code Enforcement Division or the Planning Director. Complaint inspections will be limited to two per year if two consecutive complaint investigations find the project in full compliance with the ordinance.

Both the project applicant, the Planning Department and the Code Enforcement Division, will receive a summary report of the noise monitoring within three working days. This report will contain all monitoring data and a summation of the monitoring technician's findings and conclusions. In the event a violation is found, the project applicant will have thirty calendar days to submit a corrective plan to the Office of Industrial Hygiene for approval and ninety calendar days to bring the project into compliance. Time extensions may be granted for justifiable cause. The Office of Industrial Hygiene reserves the right to refer any violation to the Code Enforcement Division at any time

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10. GENERAL CONDITIONS

10.PLANNING. 38 WCS* - NOISE MONITORING (cont.) (cont.) INEFFECT

for further corrective action.

ADDED BY THE PLANNING COMMISSION ON SEPTEMBER 14, 2005

TRANS DEPARTMENT

10.TRANS. 1 USE - STD INTRO (ORD 460/461) INEFFECT

With respect to the conditions of approval for the referenced exhibit, the Transportation Department recommends that the applicant provide the following street improvements, street improvement plans and/or road dedications in accordance with Ordinance 460 and Riverside County Road Improvement Standards (Ordinance 461). It is understood that the exhibit correctly shows all existing easements, traveled ways, and drainage courses with appropriate Q's, and that their omission or unacceptability may require the map to be resubmitted for further consideration. These Ordinances and all conditions are essential parts and a requirement occurring in ONE is as binding as though occurring in all. All questions regarding the true meaning of the conditions shall be referred to the Transportation Department.

10.TRANS. 2 USE - PREVIOUS LETTERS/COND. INEFFECT

All previous Transportation Department conditions and letters dated April 29, 1986 and February 2, 1994 continue to apply.

20. PRIOR TO A CERTAIN DATE

PLANNING DEPARTMENT

20.PLANNING. 1 WCS - UNDEVELOPED VOID DATE INEFFECT

Notwithstanding any other condition of approval herein, this permit shall become null and void on July 1, 2009, 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.

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20. PRIOR TO A CERTAIN DATE

20.PLANNING. 3 WCS - LIFE OF PERMIT INEFFECT

The life of Commercial WECS Permit No. 71 shall terminate on September 9, 2035, 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).

AMENDED BY THE PLANNING COMMISSION ON SEPTEMBER 14, 2005

60. PRIOR TO GRADING PRMT ISSUANCE

BS GRADE DEPARTMENT

60.BS GRADE. 1 USE-G1.4 NPDES/SWPPP INEFFECT

Prior to issuance of any grading or construction permits - whichever comes first - the applicant shall provide the Building and Safety Department evidence of compliance with the following: "Effective March 10, 2003 owner operators of grading or construction projects are required to comply with the N.P.D.E.S. (National Pollutant Discharge Elimination System) requirement to obtain a construction permit from the State Water Resource Control Board (SWRCB). The permit requirement applies to grading and construction sites of "ONE" acre or larger. The owner operator can comply by submitting a "Notice of Intent" (NOI), develop and implement a STORM WATER POLLUTION PREVENTION PLAN (SWPPP) and a monitoring program and reporting plan for the construction site. For additional information and to obtain a copy of the NPDES State Construction Permit contact the SWRCB at (916) 657-1146.

Additionally, at the time the county adopts, as part of any ordinance, regulations specific to the N.P.D.E.S., this project (or subdivision) shall comply with them.

60.BS GRADE. 2 USE-G2.1 GRADING BONDS INEFFECT

Grading in excess of 199 cubic yards will require performance security to be posted with the Building and Safety Department. Single Family Dwelling units graded one lot per permit and proposing to grade less than 5,000 cubic yards are exempt.

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60. PRIOR TO GRADING PRMT ISSUANCE

60.BS GRADE. 3 USE-G2.3SLOPE EROS CL PLAN INEFFECT

Erosion control - landscape plans, required for manufactured slopes greater than 3 feet in vertical height, are to be signed by a registered landscape architect and bonded per the requirements of Ordinance 457, see form 284-47.

60.BS GRADE. 4 USE-G2.4GEOTECH/SOILS RPTS INEFFECT

Geotechnical soils reports, required in order to obtain a grading permit, shall be submitted to the Building and Safety Department's Grading Division for review and approval prior to issuance of a grading permit.

All grading shall be in conformance with the recommendations of the geotechnical/soils reports as approved by Riverside County.*

*The geotechnical/soils, compaction and inspection reports will be reviewed in accordance with the RIVERSIDE COUNTY GEOTECHNICAL GUIDELINES FOR REVIEW OF GEOTECHNICAL AND GEOLOGIC REPORTS.

60.BS GRADE. 5 USE* -PM10 PLAN REQUIRED INEFFECT

A PM10 Fugitive Dust Mitigation Plan, prepared in accordance with AQMD Rule 403.1, shall be submitted to the Building and Safety Department for review and approval prior to the issuance of a grading permit.

1.NOTE: The PM 10 plan shall require the posting of signs in accordance with Building and Safety form "Signage Recommendations".

2.NOTE: All PM 10 measures must be in place prior to commencing any grading activity on site.

60.BS GRADE. 6 USE* PM 10 CLASS REQUIRED INEFFECT

Prior to the issuance of a grading permit, as a requirement of the CIP, the owner, developer, contractor, and their assignees must attend the PM10 class conducted by SCAQMD. Currently, classes are scheduled monthly by SCAQMD.

60.BS GRADE. 7 USE IMPORT/EXPORT INEFFECT

In instances where a grading plan involves import or export, prior to obtaining a grading permit, the applicant

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60. PRIOR TO GRADING PRMT ISSUANCE

60.BS GRADE. 7 USE IMPORT/EXPORT (cont.) INEFFECT

shall have obtained approval for the import/export location from the Building and Safety department. If an Environmental Assessment, prior to issuing a grading permit, did not previously approve either location, a Grading Environmental Assessment shall be submitted to the Planning Director and the Environmental Programs Director for review and comment and to the Building and Safety Department Director for approval. Additionally, if the movement of import/export occurs using county roads, review and approval of the haul routes by the Transportation Department will be required.

PLANNING DEPARTMENT

60.PLANNING. 1 WCS - BIOLOGICAL CERTIFICATION INEFFECT

Prior to the issuance of grading permits for any WECS, towers or accessory structures, the permit holder shall submit a report from a qualified biologist, subject to the approval of the Planning Department, addressing the mitigation measures contained in the biological assessment and EIR have been incorporated into the design, improvement and construction procedures of this project.

60.PLANNING. 2 WCS - MITIGATION MONITORING INEFFECT

PRIOR TO THE ISSUANCE OF A GRADING PERMIT, the permittee shall prepare and submit a written report to the Planning Director of the County of Riverside demonstrating compliance with those conditions of approval and mitigation measures of this permit and EIR No. 405 and E.A. No. 40187, which must be satisfied prior to the issuance of a grading permit. The Planning Director may require inspection or other monitoring to assure such compliance.

60.PLANNING. 3 WCS - DUST CONTROL INEFFECT

Fugitive dust and blowsand control measures, as described in the permit holder's dust control plan dated May 2, 2005 (copies of which are attached), shall be incorporated into the construction and operation activities of this permit in addition to control measures required by the project grading permit as issued by the Director of the Department of Building and Safety.

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60. PRIOR TO GRADING PRMT ISSUANCE

60.PLANNING. 4

USE - ARCHAEOLOGIST RETAINED

INEFFECT

Prior to the issuance of grading permits, a qualified archaeologist shall be retained by the land divider for consultation and comment on the proposed grading with respect to potential impacts to unique archaeological resources. Should the archaeologist, after consultation with the appropriate Native American tribe, find the potential is high for impact to unique archaeological resources (cultural resources and sacred sites), a pre-grading meeting between the archaeologist, a Native American observer, and the excavation and grading contractor shall take place. During grading operations, when deemed necessary in the professional opinion of the retained archaeologist (and/or as determined by the Planning Director), the archaeologist, the archaeologist's on-site representative(s) and the Native American Observer shall actively monitor all project-related grading and construction and shall have the authority to temporarily divert, redirect, or halt grading activity to allow recovery of unique archaeological resources. Prior to the issuance of grading permits, the NAME, ADDRESS and TELEPHONE NUMBER of the retained archaeologist shall be submitted to the Planning Department and the B&S Grading Division. If the retained archaeologist, after consultation with the appropriate Native American tribe, finds no potential for impacts to unique archaeological resources, a letter shall be submitted to the Planning Department certifying this finding by the retained qualified archaeologist.

60.PLANNING. 5

USE - IF HUMAN REMAINS FOUND

INEFFECT

If human remains are encountered, State Health and Safety Code Section 7050.5 states that no further disturbance shall occur until the County Coroner has made a determination of origin and disposition pursuant to Public Resource Code section 5097.98. The County Coroner shall be notified of the find immediately. If the remains are determined to be prehistoric, the coroner shall notify the Native American Heritage Commission, which will determine and notify the appropriate NATIVE AMERICAN TRIBE who is the most likely descendent. The descendent shall inspect the site of the discovery and make a recommendation as to the appropriate mitigation. After the recommendations have been made, the property owner, a Native American Tribe representative, and a County representative shall meet to determine the appropriate mitigation measures and

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60. PRIOR TO GRADING PRMT ISSUANCE

60.PLANNING. 5 USE - IF HUMAN REMAINS FOUND (cont.) INEFFECT
corrective actions to be implemented.

60.PLANNING. 6 USE - SECTION 1601/1603 PERMIT INEFFECT

Should any grading or construction be proposed within or along the banks of any natural watercourse or wetland located either on-site or on any required off-site improvement area, the permit holder shall provide written notification to the County Planning Department that the appropriate California Department of Fish and Game notification pursuant to Sections 1601/1603 of the California Fish and Game Code has taken place. Or, the permit holder shall obtain an "Agreement Regarding Proposed Stream or Lake Alteration" (Section 1601/1603 Permit). Copies of any agreement shall be submitted with the notification

60.PLANNING. 8 USE - MWD CLEARANCE INEFFECT

A clearance letter from the Metropolitan Water District of Southern California shall be provided to the Planning Department verifying compliance with the conditions stated in their letter dated August 1, 2000, summarized as follows: prior to issuance of any related grading and/or building permits on MWD property, shall be reviewed and written approval obtained.

60.PLANNING. 9 USE - FEE STATUS INEFFECT

Prior to the issuance of grading permits for Commercial WECS Permit No. 71, Revised Permit No. 9, the Planning Department shall determine the status of the deposit based fees. If the fees are in a negative status, the permit holder shall pay the outstanding balance.

60.PLANNING. 10 WCS - FAULT STUDY INEFFECT

As concluded and recommended in County Geologic Report (GEO) No. 1514, trenching of faults and related features are required as a part of construction for this project. Hence, the following is required PRIOR TO ISSUANCE OF GRADING PERMITS:

A geologic report pursuant to Riverside County Ordinance No. 547 (Geologic Fault Hazard Zones) or pursuant to a Fault Hazard Zone as determined by the County Engineering

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60. PRIOR TO GRADING PRMT ISSUANCE

60.PLANNING. 10

WCS - FAULT STUDY (cont.)

INEFFECT

Geologist. The reports shall include at a minimum; a literature review of published and unpublished reports (including a search of all pertinent County geologic reports), a comprehensive photo-lineament analysis of the site and vicinity, surface mapping, and subsurface exploration as required to address potential for surface fault rupture at the site. The report shall be reviewed and approved by the County Engineering Geologist, prior to scheduling the case for a public hearing.

Please submit two (2) wet-signed copies of the fault study report (GEO1) along with the requisite report review fee (DBF estimate is \$2063.46 for this site) to obtain a County Geologic Report (GEO) number to provide funding for the County Geologist to observe the fault trenches and to initiate review of the required reports. All reports and payment should be submitted, in person by the applicant or his/her representative, at one of the County's three main offices (Riverside, Indio, Murrieta). The reports should be submitted at the Land Use counter. Reports and payment should not be given to the Planner or County Geologist directly.

In support of the County developing a database of all GEO reports, submittal of an electronic copy (.pdf preferred) of report and figures along with paper copies is encouraged.

70. PRIOR TO GRADING FINAL INSPECT

BS GRADE DEPARTMENT

70.BS GRADE. 1

USE-G4.2 1/2"/FT/3FT MIN

INEFFECT

Finish grade shall be slopes to provide proper drainage away from all exterior foundation walls. The slope shall be not less than one-half inch per foot for a distance of not less than three feet from any point of exterior foundation. Drainage swales shall not be less than 1-1/2 inches deeper than the adjacent finish grade at the foundation.

70.BS GRADE. 2

USE*-GP2.0.a COMPACTION REPORT

INEFFECT

Prior to requesting paving inspections and subsequent final grading inspection, the applicant shall submit to the

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70. PRIOR TO GRADING FINAL INSPECT

70.BS GRADE. 2 USE*-GP2.0.a COMPACTION REPORT (cont.) INEFFECT

Department of Building and Safety, Grading Division, two (2) copies of the compaction report for subgrade in pavement areas and all other areas not addressed in the compaction report submitted for the building pad(s).

70.BS GRADE. 3 USE*-GP2.1a ENG. CERTIFICATION INEFFECT

Prior to paving inspection(s) and subsequent final grading inspection, the civil engineer of record shall submit to the Department of Building and Safety, Grading Division, written certification of completion of final grading in accordance with the approved grading plan.

70.BS GRADE. 4 USE*-GP2.0.b CERT. & COMP. RPT INEFFECT

Prior to requesting final grading inspection, the developer or applicant shall submit to the Grading Division of the Building and Safety Department the following for review and approval:

1. From the registered civil engineer of record, written certification of completion of final grading is in accordance with the approved grading plans.
2. Final compaction report from the soils engineer of record including parking area subgrades and other areas not covered in the report submitted for the building pad(s).

PLANNING DEPARTMENT

70.PLANNING. 1 USE - ARCHAEOLOGIST CERTIFIED INEFFECT

qualified archaeologist shall be retained by the developer for consultation and comment on the proposed grading with respect to potential impacts to sub-surface cultural resources. When necessary, in the professional opinion of the retained archaeologist (and/or as determined by the Planning Director), the archaeologist, the archaeologist's on-site representative and a Native American Observer shall have the authority to monitor all project grading and construction and shall have the authority to temporarily divert, redirect, or halt grading activity to allow recovery of cultural remains. The archaeologist shall submit a written report to the Planning Department of the results of the initial consultation, and the final results of the sub-surface cultural resource recovery plan, if

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70. PRIOR TO GRADING FINAL INSPECT

70.PLANNING. 1 USE - ARCHAEOLOGIST CERTIFIED (cont.) INEFFECT

recovery was deemed necessary. The written report shall be submitted PRIOR TO FINAL INSPECTION AND CERTIFICATION OF PROJECT GRADING.

80. PRIOR TO BLDG PRMT ISSUANCE

B&S DEPARTMENT

80.B&S. 1 BP - GRADING CLEARANCE REQMNT INEFFECT

Prior to the issuance of this permit, the applicant must obtain clearance from the Grading Division of the Department of Building & Safety. It may be necessary for the applicant to speak directly with a representative of the Grading Division to determine the specific requirements for their clearance.

BS GRADE DEPARTMENT

80.BS GRADE. 1 USE* -G3.1NO B/PMT W/O G/PMT INEFFECT

Prior to issuance of any building permit, the property owner shall obtain a grading permit and/or approval to construct from the Grading Division of the Building and Safety Department.

80.BS GRADE. 2 USE*BP3.0.A CERT. & COMP. RPT INEFFECT

Prior to issuance of a building permit, the developer or applicant shall submit to the Grading Division of the Building and Safety Department the following for review and approval:

1. Certification from the registered civil engineer of record that the building pad(s) were constructed in the locations and to the elevations shown on the approved grading plan.

2. Compaction report from the soils engineer of record certifying that all grading was performed in accordance with the preliminary soils report and that all fill was compacted to a minimum of 90% of maximum density. The report shall include an exhibit and chart showing the locations, depths, and results of compaction tests.

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80. PRIOR TO BLDG PRMT ISSUANCE

PLANNING DEPARTMENT

80.PLANNING. 1 WCS - ELECTRIC CONNECTION INEFFECT

PRIOR TO THE ISSUANCE OF A BUILDING PERMIT, the permit holder shall submit to the Department of Building and Safety a written statement from the Southern California Edison Company, confirming that the proposed transmission/distribution utility interconnection is acceptable and in accordance with the procedures established by the California Public Utilities Commission, unless otherwise approved by the Planning Director.

80.PLANNING. 2 WCS - MITIGATION MONITORING INEFFECT

PRIOR TO THE ISSUANCE OF A BUILDING PERMIT, the permittee shall prepare and submit a written report to the Planning Director of the County of Riverside demonstrating compliance with those conditions of approval and mitigation measures of this permit and EIR No. 405 and E.A. No. 40187, which must be satisfied prior to the issuance of a building permit. The Planning Director may require inspection or other monitoring to assure such compliance.

80.PLANNING. 3 WCS - DUST CONTROL INEFFECT

Fugitive dust and blowsand control measures, as described in the permit holder's dust control plan dated May 2, 2005 (a copy of which is attached), shall be incorporated into the construction and operation activities of this permit. Prior to issuance of building permits, the permit holder shall submit a written certification from a state licensed professional that the project conforms to required fugitive dust and blowsand control requirements.

80.PLANNING. 4 WCS - WIMP FEES INEFFECT

PRIOR TO THE ISSUANCE OF BUILDING PERMITS, the permit holder shall pay to the Planning Director all Wind Implementation Monitoring Program (WIMP) fees established by the Board of Supervisors and in effect at the time of the request for a building permit.

80.PLANNING. 5 WCS - BOND OR SECURITY INEFFECT

PRIOR TO THE ISSUANCE OF BUILDING PERMITS for the WECS or towers allowed by this permit, a bond or other appropriate and sufficient security in the amount of \$800 per WECS

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80. PRIOR TO BLDG PRMT ISSUANCE

80.PLANNING. 5

WCS - BOND OR SECURITY (cont.)

INEFFECT

shall be filed with the County by the WECS permit holder. The bond or other security shall cover the costs of WECS removal and site restoration (including but not limited to removal of the foundation, tower, transformer and cables) should any WECS become unsafe, inoperable or abandoned within five (5) years after the issuance of the building permits. The bond shall be held for five (5) years after the issuance of building permits, but may be released sooner by the Board of Supervisors upon approval of a final demolition and site restoration inspection by the Department of Building and Safety. Thereafter, and with no interruption in the bonding security of the project, bonds shall be renewed in five (5) year increments to include the expiration date of the permit(s) granted, as referenced herein. If the Planning Director determines, at any time during the term of the bond or other security, that the amount of the bond or other security has become insufficient, the permit holder shall increase the amount of the bond or other security within thirty (30) days after being notified that the amount is insufficient, but the required increase shall not exceed the increase in the U.S. Department of Labor Consumer Price Index for the Los Angeles-Long Beach Metropolitan Area.

80.PLANNING. 6

WCS - BIO PROTECTION PLAN

INEFFECT

The permit holder shall submit to the Planning Department for approval a statement from a qualified biologist that the design of all new above ground transmission line support structures conform with raptor protection guidelines and that biological mitigation measures established by EIR No. 405 and EA No. 40187 and federal and state wildlife agencies have been completed as requested prior to the issuance of building permits.

80.PLANNING. 7

WCS - PAY ALL PROPERTY TAX

INEFFECT

The permit holder shall pay all property taxes due prior to the issuance of building permits, as assessed by the Riverside County Tax Collector. The Planning Department may require written certification from the Office of the County Treasurer & Tax Collector or other forms of verification to be presented by the permit holder in order to assure compliance with this condition of approval.

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80. PRIOR TO BLDG PRMT ISSUANCE

80.PLANNING. 8

WCS - STAKE PROPERTY

INEFFECT

PRIOR TO ISSUANCE OF BUILDING PERMITS, the permit holder shall place identified stakes at each corner of the property containing this commercial WECS permit and at the corners of the actual construction site, as shown in the APPROVED EXHIBIT "A". Additional stakes may be required, as determined by the Planning Director or Building Director. The stakes shall extend at least three (3) feet above the ground and shall be maintained during the construction, repowering and restoration period(s) of this WECS permit.

The Planning Department shall require the permit holder to submit written certification from a state licensed professional and/or inspection by county staff in order to verify compliance with this condition of approval.

80.PLANNING. 9

WCS - CERTIFY STRUCTURE

INEFFECT

PRIOR TO THE ISSUANCE OF BUILDING PERMITS for any WECS, a California registered structural and electrical engineer shall certify, in writing, to the satisfaction of the Director of the Department of Building and Safety, that the WECS foundations, tower and compatibility of the tower with the rotor and the rotor related equipment, and the electrical system, conform with good engineering practice and comply with the applicable provisions of the Uniform Building and Electrical Code that have been adopted by the County.

80.PLANNING. 10

WCS - CERTIFY MECHANICAL

INEFFECT

PRIOR TO THE ISSUANCE OF BUILDING PERMITS for any WECS, a registered mechanical engineer shall certify, in writing, to the satisfaction of the Director of the Department of Building and Safety, that the WECS mechanical system, including rotor overspeed control system, conforms to good engineering practice and complies with the appropriate provisions of the mechanical codes adopted by the County.

80.PLANNING. 11

WCS - COLOR & FINISH

INEFFECT

PRIOR TO THE ISSUANCE OF BUILDING PERMITS FOR ANY WECS or tower, the permit holder shall submit, for the approval of the Planning Department, four (4) 5" x 5" color and finish samples of the exterior WECS components and towers.

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80. PRIOR TO BLDG PRMT ISSUANCE

80.PLANNING. 14 WCS - MWD CLEARANCE INEFFECT

A clearance letter from the Metropolitan Water District of Southern California (MWD) shall be provided to the Planning Department for construction of wind turbines within the MWD fee property area which consists of turbines A-24, C-31, C-32, and E-27.

AMENDED BY THE PLANNING COMMISSION ON SEPTEMBER 14, 2005

80.PLANNING. 15 WCS - GEOLOGIST CLEARANCE INEFFECT

A clearance letter from the Riverside County Engineering Geologist shall be provided to the Planning Department verifying compliance with the conditions in the LMS for earthquake faulting, site grading and slope stability, as summarized in EIR No. 405, County Geological Report No. 978, County Geological Report No. 1025, and County Geological Report No. 1514.

80.PLANNING. 16 WCS - AGENCY CLEARANCE INEFFECT

A clearance letter from the Health Services Agency's Office of Industrial Hygiene shall be provided to the Riverside County Planning Department verifying compliance with the conditions contained in their transmittal letter, summarized as follows: WECS noise standards and monitoring measures.

80.PLANNING. 17 USE - FEE BALANCE INEFFECT

Prior to issuance of building permits, the Planning Department shall determine if the deposit based fees for project are in a negative balance. If so, any outstanding fees shall be paid by the applicant/developer.

80.PLANNING. 18 WCS - FAULT STUDY INEFFECT

As concluded and recommended in County Geologic Report (GEO) No. 1514, trenching of faults and related features are required as a part of construction for this project. Hence, the following is required PRIOR TO ISSUANCE OF GRADING PERMITS:

A geologic report pursuant to Riverside County Ordinance No. 547 (Geologic Fault Hazard Zones) or pursuant to a Fault Hazard Zone as determined by the County Engineering Geologist. The reports shall include at a minimum; a

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80. PRIOR TO BLDG PRMT ISSUANCE

80.PLANNING. 18 WCS - FAULT STUDY (cont.) INEFFECT

literature review of published and unpublished reports (including a search of all pertinent County geologic reports), a comprehensive photo-lineament analysis of the site and vicinity, surface mapping, and subsurface exploration as required to address potential for surface fault rupture at the site. The report shall be reviewed and approved by the County Engineering Geologist, prior to scheduling the case for a public hearing.

Please submit two (2) wet-signed copies of the fault study report (GEO1) along with the requisite report review fee (DBF estimate is \$2063.46 for this site) to obtain a County Geologic Report (GEO) number to provide funding for the County Geologist to observe the fault trenches and to initiate review of the required reports. All reports and payment should be submitted, in person by the applicant or his/her representative, at one of the County's three main offices (Riverside, Indio, Murrieta). The reports should be submitted at the Land Use counter. Reports and payment should not be given to the Planner or County Geologist directly.

In support of the County developing a database of all GEO reports, submittal of an electronic copy (.pdf preferred) of report and figures along with paper copies is encouraged.

TRAN DEPARTMENT

80.TRAN. 1 USE - EVIDENCE/LEGAL ACCESS NOTAPPLY

Provide evidence of legal access.

80.TRAN. 2 USE - TUMF NOTAPPLY

Prior to the issuance of a building permit, the project proponent shall pay the Transportation Uniform Mitigation Fee (TUMF) in accordance with the fee schedule in effect at the time of issuance, pursuant to Ordinance No. 673.

TRANS DEPARTMENT

80.TRANS. 1 WCS - EVIDENCE/LEGAL ACCESS INEFFECT

Provide evidence of legal access.

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80. PRIOR TO BLDG PRMT ISSUANCE

80.TRANS. 3 WCS - TUMF INEFFECT

Prior to the issuance of a building permit, the applicant shall pay the Transportation Uniform Mitigation Fee (TUMF) in accordance with the fee schedule in effect at the time of issuance, pursuant to Ordinance No. 673.

90. PRIOR TO BLDG FINAL INSPECTION

B&S DEPARTMENT

90.B&S. 1 BP - GRADING CLEARANCE REQMNT INEFFECT

Prior to the final inspection, the applicant must obtain clearance from the Grading Division of the Department of Building & Safety. It may be necessary to speak directly to a representative of the Grading Division to determine specific requirements for their clearance.

BS GRADE DEPARTMENT

90.BS GRADE. 1 USE-G4.2 1/2"/FT/3FT MIN INEFFECT

Finish grade shall be sloped to provide proper drainage away from all exterior foundation walls. The slope shall be not less than one-half inch per foot for a distance of not less than three feet from any point of exterior foundation. Drainage swales shall not be less than 1-1/2 inches deeper than the adjacent finish grade at the foundation.

FIRE DEPARTMENT

90.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 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. d) 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. Plans for such systems must be submitted to

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90. PRIOR TO BLDG FINAL INSPECTION

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

the Fire Department for review or approval.

PLANNING DEPARTMENT

90.PLANNING. 1 WCS - WECS IDENTIFICATION INEFFECT

A number or other identification, for each WECS approved by this commercial WECS permit, shall be assigned by the Department of Building and Safety and permanently affixed to the base of each WECS tower or foundation. This number or other identification shall not be change by the permittee or removed from the WECS tower or foundation without the approval of the Department of Building and Safety. The number or other identification shall be cited in connection will all reports involving individual WECS connected with this commercial WECS permit.

90.PLANNING. 2 WCS - COLOR OF WECS INEFFECT

PRIOR TO FINAL BUILDING INSPECTION APPROVAL of ach WECS and tower, the coloration of all exterior components and towers allowed by this permit shall be galvanized gray, light gray or off-white, including blades; notwithstanding the previous statement, the final selection of WECS and tower coloration shall be as approved by the Planning Department based on the intent and purpose of this condition. The finish of all WECS exterior components allowed by this permit shall be flat, matte or galvanized. The finish of all WECS shall weather within a six (6) month period, beginning from the point in time the WECS produces electrical powere, to a lusterless condition. The approved coloration and finish shall be maintained, as required herein, throughout the life of this commercial WECS permit.

90.PLANNING. 3 WCS - UNDERGROUND LINES INEFFECT

PRIOR TO FINAL BUILDING INSPECTION APPROVAL of each WECS and tower, as applicable, and, for the entire WECS array, at the last WECS and tower, electrical collection lines or cables on the site shall be underground up to the low voltage side of the utility interface point of an on-site substation or step-up transformer. The electrical lines or cable shall be constructed underground from the WECS to the substation within Commercial WECS Permit No. 71 (or connected via underground lines or cable to any other substation constructed in accordance with a plot plan, as

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90. PRIOR TO BLDG FINAL INSPECTION

90.PLANNING. 3 WCS - UNDERGROUND LINES (cont.) INEFFECT
approved by the Planning Department).

On-site electrical transformers shall be pad-mounted.

90.PLANNING. 4 WCS - WARNING SIGNS INEFFECT

PRIOR TO THE FINAL BUILDING INSPECTION APPROVAL of the accessory WECS and tower, legible signs, warning of WECS electrical and other hazards, shall be posted on stationary positions of the WECS or its tower and at gated entry points to the project site, at a height of three to five feet above the ground. Warning signs shall be in English and Spanish.

90.PLANNING. 5 WCS - REQ. DRIVEWAY SURFACE INEFFECT

PRIOR TO FINAL BUILDING INSPECTION APPROVAL for each WECS and tower, all permanent private roads, internal circulation routes, parking areas, fire breaks, permanent storage areas, and substations serving that WECS and tower shall be treated with minimum one (1) inch thick gravel rock base, composed of 60 percent gravel, 40 percent crushed rock mixture and/or be treated with a South Coast Air Quality Management District (SCAQMD) best available control measure, as outlined in SCAQMD documents and maintained thereafter in accordance with the appropriate SCAQMD PM10 (dust and blowsand) abatement procedures, and, with the applicable sections of Ordinance No. 742 (Fugitive Dust/PM10 Control in Urban Areas) to the satisfaction of the Director of the Department of Building and Safety.

90.PLANNING. 6 WCS - REMOVE TEMPORARY USES INEFFECT

PRIOR TO FINAL BUILDING INSPECTION APPROVAL of the ast WECS and tower, all temporary storage uses and construction trash shall be removed from the project property and the temporary storage areas treated to prevent dust and blowsand, in accordance with the removal and restoration plan approved by the Planning Department.

90.PLANNING. 7 WCS - PERIMETER FENCE INEFFECT

PRIOR TO FINAL BUILDING INSPECTION APPROVAL of the first WECS and tower, a six (6) foot high chain-link fence or three (3) strand barbed-wire fence and locking portals shall be erected as shown and described in Exhibit

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90. PRIOR TO BLDG FINAL INSPECTION

90.PLANNING. 7 WCS - PERIMETER FENCE (cont.) INEFFECT

E, Amended No. 1, attached (except Gate No. 2 near the westerly boundary shall not be necessary), and the fencing shall be maintained in good condition so as to prevent and discourage unauthorized entry at all times during the life of this WECS permit. The fence shall be subject to the approval of the Department of Building and Safety.

90.PLANNING. 8 WCS - BONNIE BELL VISIBILITY INEFFECT

Prior to final building inspection and utility interconnection of each additional WECS and towers approved pursuant to this permit, the permit holder shall satisfy the Planning Department that no part of the WECS and tower, including blades, are visible six feet from the ground within any portion of the boundaries of the following subdivisions: Whitewater Lodge (MB 14/52) and Bonnie Bell Lodge Subdivision No. 1 (MB 12/83). The Planning Department in order to verify this condition may require the permit holder to submit written certification from a state licensed professional and/or require visual inspection by county staff (inspection by county staff may require the payment of inspection fees and related fees to cover the costs of such special investigations). If any WECS or tower is visible, all WECS within Commercial WECS Permit No. 71, including all previous modifications thereto, shall not operate until the WECS and tower(s) at issue are modified so that the WECS and tower(s) are no longer visible and/or until the WECS or tower(s) at issue are removed.

90.PLANNING. 9 USE - BIOLOGICAL PROTECTION INEFFECT

PRIOR TO FINAL INSPECTION APPROVAL of the first WECS and tower, the permit holder shall submit to the Planning Department a written certification from a qualified biologist stating that all required biological mitigation measures required by EIR No. 405 and EA No. 40092 and state and federal wildlife agencies, as required by law, have been completed in a professional and satisfactory manner.

90.PLANNING. 10 USE - USFWS CLEARANCE DRAFT

A clearance letter from the US Fish and Wildlife Service, or alternatively, the US Bureau of Land Management, shall be provided to the Riverside County Planning Department

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90. PRIOR TO BLDG FINAL INSPECTION

90.PLANNING. 10

USE - USFWS CLEARANCE (cont.)

DRAFT

verifying compliance with the conditions stated in their letters contained in EIR No. 405, Plot Plan No. 15494, and the USFWS letters dated July 1, 1999 and February 8, 2001; the project proponent will obtain appropriate permits, or a letter of permission to proceed without permits, from the service prior to project construction and all construction associated with the project conforms and/or conformed to such mitigation measures. The permit holder shall submit a written request for such clearance letter by certified mail, return receipt, and shall submit a copy of the written request and signed return receipt to the Planning Department. Should the USFWS not respond within 30 days of receipt of the written request, the Planning Director may deem the project in compliance with the requirements of the USFWS, provided all other biological requirements of this permit have been completed to satisfaction of the Planning Director.

90.PLANNING. 11

WCS - ORD NO. 659 (DIF)

INEFFECT

Prior to building permit final inspection, the applicant shall comply with the provisions of Riverside County Ordinance No. 659, which requires the payment of the appropriate fee set forth in the Ordinance. Riverside County Ordinance No. 659 has been established to set forth policies, regulations and fees related to the funding and installation of facilities and the acquisition of open space and habitat necessary to address the direct and cumulative environmental effects generated by new development project described and defined in this Ordinance, and it establishes the authorized uses of the fees collected.

The amount of the fee for commercial or industrial development shall be calculated on the basis of the "Project Area," as defined in the Ordinance, which shall mean the net area, measured in acres, from the adjacent road right-of-way to the limits of the project development. The Project Area for commercial WECS Permit No. 71, Revised Permit No. 9 has been calculated to be 4.62 net acres.

In the event Riverside County Ordinance No. 659 is rescinded, this condition will no longer be applicable. However, should Riverside County Ordinance No. 659 be rescinded and superseded by a subsequent mitigation fee

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90. PRIOR TO BLDG FINAL INSPECTION

90.PLANNING. 11 WCS - ORD NO. 659 (DIF) (cont.) INEFFECT

ordinance, payment of the appropriate fee set forth in that ordinance shall be required.

90.PLANNING. 12 WCS - MITIGATION MONITORING INEFFECT

PRIOR TO FINAL INSPECTION AND UTILITY INTERCONNECTION, the permit holder shall prepare and submit a written report to the Planning Director of the County of Riverside demonstrating compliance with all remaining conditions of approval and mitigation measures of this permit and EIR No. 405 and E.A. No. 40187. The Planning Director may require inspection or other monitoring to assure such compliance.