

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



417B

FROM: TLMA - Planning Department

SUBMITTAL DATE:
October 22, 2012

SUBJECT: SURFACE MINING PERMIT NO. 162, REVISED PERMIT NO. 5 / VARIANCE CASE NO. 1883 – Fifth Supervisorial District – The Pass & Desert Zoning District – The Pass Area Plan: Rural: Rural Desert (R-RD), Rural Residential (R-RR), Rural Mountainous (R-RM), Community Development: Light Industrial (CD-LI) – Location: Southerly of Interstate 10 between Apache Trail and Fields Road at 13990 Apache Trail – 517 Gross Acres – Zoning: Controlled Development Areas - 10 Acre Minimum (W-2-10), Controlled Development Areas - 5 Acre Minimum (W-2-5), and Manufacturing - Service Commercial (M-SC) - REQUEST: Existing surface mine with production rate of up to 4.5 million tons of material per year proposes the addition of two (2) one megawatt (MW) wind turbines at 338.6 feet in height for on-site power generation and for participation in California's Net Energy Meter Program, with proposed variance to allow the height of the turbines to exceed 105 feet as specified by the Controlled Development Areas – 10 Acre Minimum (W-2-10) zone to a maximum total height of 338.6 feet.

Carolyn Sims Luna

Carolyn Sims Luna
Planning Director

Initials CSL:jo

(Continued on next page)

FINANCIAL DATA	Current F.Y. Total Cost:	\$ 0	In Current Year Budget:	Yes
	Current F.Y. Net County Cost:	\$ 0	Budget Adjustment:	No
	Annual Net County Cost:	\$ 0	For Fiscal Year:	2013
SOURCE OF FUNDS:				Positions To Be Deleted Per A-30 <input type="checkbox"/>
				Requires 4/5 Vote <input type="checkbox"/>

C.E.O. RECOMMENDATION:

County Executive Office Signature

MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Tavaglione, 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: November 6, 2012
xc: Planning, Applicant

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

Prev. Agn. Ref.

District: 5th/5th

Agenda Number:

1.3 a+b

REVIEWED BY EXECUTIVE OFFICE

DATE 10/30/12 TML

Tina Grande
Departmental Concurrence

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

The Honorable Board of Supervisors

RE: SURFACE MINING PERMIT 162, REVISED PERMIT NO. 5 / VARIANCE CASE NO. 1883

October 22, 2012

Page 2 of 2

RECOMMENDED MOTION:

RECEIVE AND FILE the Notice of Decision for the above referenced case acted on by the Planning Commission on October 17, 2012.

The Planning Department recommended Approval; and,
THE PLANNING COMMISSION BY A 5-0 VOTE:

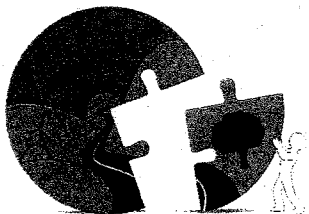
ADOPTED a **MITIGATED NEGATIVE DECLARATION** for **ENVIRONMENTAL ASSESSMENT NO. 42458**, based on the findings incorporated in the initial study and the conclusion that the project will not have a significant effect on the environment; and,

APPROVED **SURFACE MINING PERMIT NO. 162, REVISED PERMIT NO. 5**, subject to the attached conditions of approval, and based upon the findings and conclusions incorporated in the staff report; and,

APPROVED **VARIANCE CASE NO. 1883**, to allow the height of the proposed wind turbines to exceed 105 feet as specified by Controlled Development Areas – 10 Acre Minimum (W-2-10) zone to a maximum total height of 338.6 feet, based upon the findings and conclusions incorporated in the staff report.

BACKGROUND:

On October 17, 2012, the Riverside County Planning Commission voted to approve the project unanimously (Vote 5-0). Planning staff introduced a revised staff report that clarified the variance description and revised four (4) findings (see attached Staff Report). Planning staff also introduced a memo dated October 17, 2012 to the Commission with modification of seven (7) Conditions of Approval [10 Every 4 - SMP Variance No. 1883", 10 E Health 1 – SMP#162 R5", "10 Planning 33 – Operating Hours", "10 Planning 86 – Visual Impacts", "60 EPD 1 - Biological Monitoring", "80 EPD 2 – Biological Monitoring", and "90 Planning 6 – Underground Lines"]. The Commission accepted staff's recommendations as indicated in the revised staff report with modified conditions.



RIVERSIDE COUNTY PLANNING DEPARTMENT

Original Negative Declaration/Notice of Determination was routed to County Clerks for posting on.

11/19/12
Date

KL
Initial

Carolyn Syms Luna
Director

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

FROM: Riverside County Planning Department
 4080 Lemon Street, 12th Floor
P. O. Box 1409
Riverside, CA 92502-1409

38686 El Cerrito Road
Palm Desert, California 92211

SUBJECT: Filing of Notice of Determination in compliance with Section 21152 of the California Public Resources Code.

EA42458, Surface Mining Permit No. 162, Revised Permit No. 5; Variance Case No. 1883

Project Title/Case Numbers

Jay Olivas
County Contact Person

(951) 955-1195
Phone Number

N/A
State Clearinghouse Number (if submitted to the State Clearinghouse)

Matt Wilson / Robertson's Ready Mix
Project Applicant

200 Middlefield Road Ste. 203 Menlo Park, CA 94025
Address

Southerly of Interstate 10, westerly of Apache Trail in Cabazon, CA.

Project Location

Existing Surface Mine with production rate up to 4.5 million tons of material per year proposes addition of two 1 Megawatt wind turbines up to 338.6 feet in height with variance request to increase height limits of the W-2-10 zone from 105 feet to 338.6' feet for the wind turbines.

Project Description

This is to advise that the Riverside County Planning Commission, as the lead agency, has approved the above-referenced project on October 17, 2012, and has made the following determinations regarding that project:

1. The project WILL NOT have a significant effect on the environment.
2. A Mitigated Negative Declaration was prepared for the project pursuant to the provisions of the California Environmental Quality Act. (\$2101.50 + \$64)
3. Mitigation measures WERE made a condition of the approval of the project.
4. A Mitigation Monitoring and Reporting Plan/Program WAS adopted.
5. A statement of Overriding Considerations WAS NOT adopted for the project.

This is to certify that the Mitigated Negative Declaration, with comments, responses, and record of project approval is available to the general public at: Riverside County Planning Department, 4080 Lemon Street, 12th Floor, Riverside, CA 92501.

Jay Olivas
Signature

Project Planner
Title

10/17/12
Date

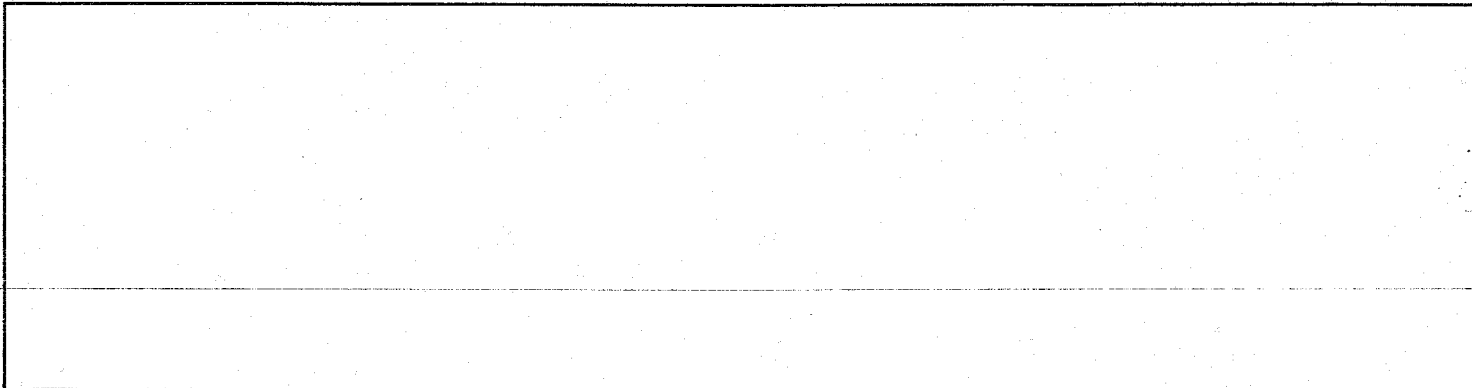
Date Received for Filing and Posting at OPR: _____

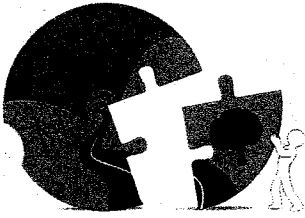
DM/rj
Revised 8/25/2009
Y:\Planning Case Files-Riverside office\SMP00162R5\NOD Form.docx

Please charge deposit fee case#: ZEA42458 ZCFG05830

FOR COUNTY CLERK'S USE ONLY

NOV 06 2012 1.3a#b





RIVERSIDE COUNTY
PLANNING DEPARTMENT

Carolyn Syms Luna
Director

MITIGATED NEGATIVE DECLARATION

Project/Case Number: Surface Mining Permit No. 162, Revised Permit No. 5; Variance Case No. 1883

Based on the Initial Study, it has been determined that the proposed project, subject to the proposed mitigation measures, will not have a significant effect upon the environment.

PROJECT DESCRIPTION, LOCATION, AND MITIGATION MEASURES REQUIRED TO AVOID POTENTIALLY SIGNIFICANT EFFECTS. (see Environmental Assessment and Conditions of Approval)

COMPLETED/REVIEWED BY:

By: Jay Olivas Title: Project Planner Date: August 16, 2012

Applicant/Project Sponsor: Matt Wilson/Robertson's Ready Mix Date Submitted: September 6, 2011

ADOPTED BY: Planning Commission

Person Verifying Adoption: Jay Olivas Date: October 17, 2012

The Mitigated Negative Declaration may be examined, along with documents referenced in the initial study, if any, at:

Riverside County Planning Department 4080 Lemon Street, 12th Floor, Riverside, CA 92501

For additional information, please contact Jay Olivas, Project Planner at (951) 955-1195.

Revised: 10/16/07
Y:\Planning Case Files-Riverside office\sm00162r5\Mitigated Negative Declaration.docx

Please charge deposit fee case#: ZEA42458 ZCFG05830

FOR COUNTY CLERK'S USE ONLY

NOV 06 2012 1.3a4b

Empty rectangular box for County Clerk's use.

* VOID * COUNTY OF RIVERSIDE
SPECIALIZED DEPARTMENT RECEIPT
Permit Assistance Center

* REPRINTED * R1106298

4080 Lemon Street
Second Floor

39493 Los Alamos Road
Suite A

38686 El Cerrito Road
Palm Desert, CA 92211

Riverside, CA 92502
(951) 955-3200

Murrieta, CA 92563
(951) 600-6100

(760) 863-8277

Received from: WILSON MATTHEW

\$64.00

paid by: CK 1030

paid towards: CFG05830

CALIF FISH & GAME: DOC FEE

CA FISH AND GAME FOR EA42458

at parcel #:

appl type: CFG3

By _____ Jun 23, 2011 13:32
GLKING posting date Jun 23, 2011

Account Code	Description	Amount
--------------	-------------	--------

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

Additional info at www.rctlma.org

* VOID *

COPY 1-CUSTOMER

* REPRINTED *

* VOID * COUNTY OF RIVERSIDE
SPECIALIZED DEPARTMENT RECEIPT
Permit Assistance Center

S* REPRINTED * R1203312

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

39493 Los Alamos Road
Suite A
Murrieta, CA 92563
(951) 694-5242

38686 El Cerrito Rd
Indio, CA 92211
(760) 863-8271

Received from: WILSON MATTHEW

\$2,101.50

paid by: CK 1138

CA FISH AND GAME FOR EA42458

paid towards: CFG05830

CALIF FISH & GAME: DOC FEE

at parcel:

appl type: CFG3

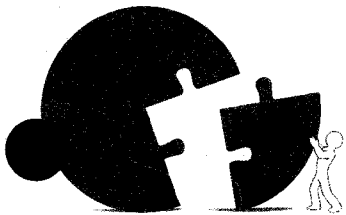
By MGARDNER Apr 19, 2012 11:25
posting date Apr 19, 2012

Account Code

Description

Amount

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



RIVERSIDE COUNTY PLANNING DEPARTMENT

Carolyn Syms Luna
Director

417B

DATE: October 22, 2012

TO: Clerk of the Board of Supervisors

FROM: Planning Department - Riverside Office

SUBJECT: Surface Mining Permit No. 162, Revised Permit No. 5 / Variance Case No. 1883
(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 checked="" type="checkbox"/> NO |

Designate Newspaper used by Planning Department for Notice of Hearing:
SELECT Advertisement

Documents to be sent to County Clerk's Office for Posting within five days:

Notice of Determination and Mit Neg Dec Forms
Fish & Game Receipt (CFG05830)

Do not send these documents to the County Clerk for posting until the Board has taken final action on the subject cases.

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

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

"Planning Our Future... Preserving Our Past"

Agenda Item No.:
Area Plan: The Pass
Zoning District: Pass & Desert
Supervisory District: Fifth
Project Planner: Jay Olivas
Planning Commission: October 17, 2012

SURFACE MINING PERMIT NO. 162,
REVISED PERMIT NO. 5
VARIANCE CASE NO. 1883
E.A. Number: 42458
Applicant: Foundation Wind Power for
Robertson's Ready Mix
Engineer/Representative: Craig Cook RCE

COUNTY OF RIVERSIDE PLANNING DEPARTMENT STAFF REPORT

PROJECT DESCRIPTION AND LOCATION:

Surface Mining Permit No. 162, Revised Permit No. 5 proposes to add two (2) one megawatt (MW) wind turbines at 338.6 feet in height for on-site power generation and for participation in California's Net Energy Meter Program as part of an existing surface mine with a production rate of up to 4.5 million tons of material per year. The two proposed wind turbines or wind energy conversion systems (WECS) will be connected directly to the Robertson's Ready Mix facility to power the on-site mining operations. The two WECS will be accessed from Apache Trail through the surface mine complex onto a 12 foot wide access road located along the south central portion of the surface mine.

Variance Case No. 1883 proposes to allow the height of the proposed wind turbines to exceed 105 feet as specified by Controlled Development Areas – 10 Acre Minimum (W-2-10) zone to a maximum total height of 338.6 feet.

The mining site is located on 517 acres, south of Interstate 10, between Apache Trail and Fields Road in the Cabazon area.

BACKGROUND:

The existing surface mining operation was originally approved in 1964 and has been revised on several occasions. As recently as 2006, Robertson's Ready Mix submitted Revised Permit No. 2 to expand mining operations. Revised Permit No. 2 achieved the following: (1) expanded the mining and reclamation plans to include additional property to the south of the current mining operation across the San Gorgonio River; (2) increased the maximum production rate from 1.5 million tons per year to 4.5 million tons per year; (3) transported the majority of the sand and aggregate from the site using adjacent rail facilities instead of trucks; (4) increased the life of the current permit from 2011 to 2041; and (5) brought the existing conditions into compliance with current standards. Subsequent application for Revised Permit No. 3 was withdrawn by the applicant. Revised Permit No. 4 was created in error and later voided in the County's Land Management System. The current proposed Revised Permit No. 5 is for the two wind turbines for on-site power useage and to keep existing surface mine operations as approved under Revised Permit No. 2, and would supersede any prior revised permits.

ISSUES OF POTENTIAL CONCERN:

The existing surface mine proposes the addition of two 1 MW wind turbines outside the San Gorgonio Pass Wind Energy Policy Area (WEPA). The Riverside County General Plan does not specifically prohibit wind turbines outside the WEPA. It was determined that the wind turbines could be considered as an accessory use as part of the existing Surface Mining Permit with a Revised Permit. While the proposed wind turbines would be outside the WEPA, similar existing wind turbines are located approximately four (4) miles to the east along the Interstate 10 corridor, and the subject property has high wind characteristics, which is likely to make the additional turbines conditionally compatible to the area.

The Honorable Board of Supervisors

RE: SURFACE MINING PERMIT 162, REVISED PERMIT NO. 5 / VARIANCE CASE NO. 1883

October 22, 2012

Page 2 of 2

RECOMMENDED MOTION:

RECEIVE AND FILE the Notice of Decision for the above referenced case acted on by the Planning Commission on October 17, 2012.

The Planning Department recommended Approval; and,
THE PLANNING COMMISSION BY A 5-0 VOTE:

ADOPTED a **MITIGATED NEGATIVE DECLARATION** for **ENVIRONMENTAL ASSESSMENT NO. 42458**, based on the findings incorporated in the initial study and the conclusion that the project will not have a significant effect on the environment; and,

APPROVED SURFACE MINING PERMIT NO. 162, REVISED PERMIT NO. 5, subject to the attached conditions of approval, and based upon the findings and conclusions incorporated in the staff report; and,

APPROVED VARIANCE CASE NO. 1883, to allow the height of the proposed wind turbines to exceed 105 feet as specified by Controlled Development Areas – 10 Acre Minimum (W-2-10) zone to a maximum total height of 338.6 feet, based upon the findings and conclusions incorporated in the staff report.

BACKGROUND:

On October 17, 2012, the Riverside County Planning Commission voted to approve the project unanimously (Vote 5-0). Planning staff introduced a revised staff report that clarified the variance description and revised four (4) findings (see attached Staff Report). Planning staff also introduced a memo dated October 17, 2012 to the Commission with modification of seven (7) Conditions of Approval [10 Every 4 - SMP Variance No. 1883", 10 E Health 1 – SMP#162 R5", "10 Planning 33 – Operating Hours", "10 Planning 86 – Visual Impacts", "60 EPD 1 - Biological Monitoring", "80 EPD 2 – Biological Monitoring", and "90 Planning 6 – Underground Lines"]. The Commission accepted staff's recommendations as indicated in the revised staff report with modified conditions.

SURFACE MINING PERMIT NO. 162, REVISED PERMIT NO. 5

VARIANCE CASE NO. 1883

Planning Commission Staff Report: October 17, 2012

Page 2 of 6

Visual impacts are a potential concern as the result of the two proposed wind turbines up to 338.6 feet in height which will affect this area of Cabazon. However, these impacts are less than significant since the proposed turbines are located approximately 2640 feet (1/2 mile) from the southerly portion of Interstate 10, and are located within an existing industrial area with existing mining equipment that is highly visible as part of Surface Mine No. 162. Additionally, there are nearby commercial sized turbines further to the east of Cabazon both on the southerly side of Interstate 10 approximately four (4) miles to the east. The proposed wind turbines would be uniform in color (off-white) and would be approximately 1200 feet from the nearest residence.

Noise impacts from the proposed turbines would be less than significant due to existing freeway noise along Interstate 10 and projected exterior noise levels of approximately 44 dB(A) to the nearest residential property approximately 1200 feet from the nearest turbine, below the 55 d(BA) noise standards typically used for commercial turbines.

The project applicant requested a variance to increase height limits within the W-2-10 zone from 105 feet to 338.6 feet for the proposed wind turbines. In reviewing variance criteria Section 18.27 within Zoning Ordinance No. 348, the subject surface mine has unique property configuration and surface conditions where there are no buildings or open space in which to build alternative energy facilities such as a commercial solar array. Because of unique geography and topography which is unlikely to support solar energy, the surface mine owner may not be able to enjoy property privileges enjoyed by other land owners in the immediate vicinity which has flatter land to building alternative energy such as solar arrays. Additionally, the location of the wind turbines on the mine site is approximately 100 feet lower in elevation (1880') than adjoining Interstate 10 (1980') lessening height impacts from the freeway. Therefore, the mine owner should have the ability to construct wind turbines greater than 105 feet up to 338.6 feet within the W-2-10 zone.

The proposed project was formally transmitted to the California Department of Conservation, Office of Mine Reclamation (OMR). OMR commented on the Reclamation Plan approved under SMP00162R2 in 2006. OMR indicated they had not received appropriate documentation or been afforded adequate time to review and comment on the R2 application and suggested that approval of the R2 was unwarranted. Staff provided written response to OMR providing them all documentation under the R2 application, an explanation of circumstance, and a request to accept that for their file for the R2 application. OMR provided no comments on the R2 application and indicated no further comments on proposed revision SMP0162R5 at this time. Hence, staff moved forward with preparing this project for the required public hearing before the Planning Commission and provided OMR notification of the public hearing pursuant to SMARA Section 2774 (d)(2). Further, staff contacted OMR by telephone to ensure they had no additional concerns or comments regarding the R2 or R5 applications. It was confirmed that OMR was satisfied with the County's submittals and had no further comments on these two cases.

Analysis of mine slopes adjacent to the wind turbines to determine if the slopes could support the turbines brought into question the stability of all of the reclamation-design mine slopes at this site. The issue is essentially due to the evolution of practice (increase in applied seismic coefficient for slope stability analysis may or may not be in order). It was concluded that no significant grading or mining should occur within 250 feet of the turbines unless they are relocated or decommissioned. Thus, the issue of slope stability adjacent to the turbines has been satisfied. Also, further analysis of the reclamation-design mine slopes, utilizing an appropriately higher applied seismic coefficient, confirmed the reclamation-design mine slopes are stable as designed.

SUMMARY OF FINDINGS:

- | | |
|-----------------------------------|--|
| 1. Existing Land Use (Ex. #1): | Surface Mine (SMP00162) & Batch Plant |
| 2. Surrounding Land Use (Ex. #1): | Vacant land to the west and south, scattered residential and equipment storage to the east, commercial retail center and hotel casino to the north |
| 3. Existing Zoning (Ex. #2): | W-2-5; W-2-10 (Controlled Development Areas - 5 acre and 10 acre minimum); M-SC (Manufacturing - Service Commercial) |
| 4. Surrounding Zoning (Ex. #2): | W-2; W-2-5; W-2-10 (Controlled Development Areas) to the west and south, W-2 (Controlled Development Areas), C-1/C-P (General Commercial), and M-SC (Manufacturing Service Commercial) to the east, C-P-S (Scenic Highway Commercial) to the north |
| 5. General Plan (Ex. #5): | Land Use: Rural Desert (RD), Rural Mountainous (RM), Rural Residential (RR), and Light Industrial (LI) |
| 6. Project Data: | Total Acreage: 517
Projected Reserve: 122 million tons
Maximum Production: 4.50 Million tons per year
Average Production: 2.50 Million tons per year
Two (2) Commercial Turbines 338.6' in height |
| 7. Environmental Concerns: | See attached environmental assessment |

RECOMMENDATIONS:

ADOPTION of a **MITIGATED NEGATIVE DECLARATION** for **ENVIRONMENTAL ASSESSMENT NO. 42458**, based on the findings incorporated in the initial study and the conclusion that the project will not have a significant effect on the environment; and,

APPROVAL of **SURFACE MINING PERMIT NO. 162, REVISED PERMIT NO. 5**, subject to the attached conditions of approval, and based upon the findings and conclusions incorporated in the staff report; and,

APPROVAL of **VARIANCE CASE NO. 1883**, to allow the height of the proposed wind turbines to exceed 105 feet as specified by the Controlled Development Areas – 10 Acre Minimum (W-2-10) zone to a maximum total height of 338.6 feet, based upon the findings and conclusions incorporated in the staff report.

CONCLUSIONS:

1. The proposed project is in conformance with the Pass Area Plan: Rural Desert, Rural Mountainous, Rural Residential, and Light Industrial Land Use Designations.
2. The proposed project site is located outside the San Gorgonio Pass Wind Energy Policy Area; however, the proposed project to add two 1 MW wind turbines to an existing surface mine is conditionally consistent with the area.
3. The proposed project is consistent with the W-2-10 zoning classification of Ordinance No. 348, and with all other applicable provisions of Ordinance No. 348.
4. The public's health, safety, and general welfare are protected through project design.
5. The proposed project is conditionally compatible with the present and future logical development of the area.
6. The proposed project will not have a significant effect on the environment.
7. The proposed project is exempt from the Coachella Valley Multiple Species Habitat Conservation Plan.
8. The subject land has a unique lot shape, is surrounded by unique topography, is in a location with high wind speeds, and the project to add two 1 MW wind turbines would be similar to wind turbine heights further to the east, therefore, the project would be in support of the variance to increase height limits in the W-2-10 zone from 105 feet to 338.6 feet.

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

1. The project site is designated Rural Desert, Rural Mountainous, Rural Residential, and Light Industrial on the Pass Area Plan.
2. The proposed use, an existing Surface Mine with a maximum production rate of up to 4.5 million tons per year with proposal to add two 1 MW wind turbines, is a permitted use in the Rural Desert designation.
3. The zoning for the subject site is W-2-5 (Controlled Development Areas - 5 acre minimum), W-2-10 (Controlled Development Areas - 10 acre minimum), and M-SC (Manufacturing Service Commercial).
4. The proposed use, an existing surface mine with proposal to add two 1 MW wind turbines, is a permitted use provided that the operator holds a permit to conduct surface mining operations issued pursuant to County Ordinance No. 555.
5. The current surface mine has been operational since 1964 and is subject to the requirements of County Ordinance No. 555 and the California Surface Mining and Reclamation Act.

**SURFACE MINING PERMIT NO. 162, REVISED PERMIT NO. 5
VARIANCE CASE NO. 1883
Planning Commission Staff Report: October 17, 2012
Page 5 of 6**

6. Biological impacts are addressed in that the project's Biological Memorandum indicated no special status species including bird or bat species being detected on site or in surrounding area during the survey.
7. The existing surface mine is in conformance with Surface Mining Permit No. 162 for which an Environmental Impact Report (EIR No. 238) has been prepared and was certified by the Board of Supervisors on January 22, 1991.
8. The project is consistent with the circulation and utilities land use standards of the Riverside County General Plan, in that, primary access to the project is from Apache Trail and electrical interconnection is with the existing surface mine and Southern California Edison.
9. The project is further consistent with utility land use standards in that the two (2) proposed wind turbines will be connected directly to the Robertson's Ready Mix facility to power the on-site mining operations, except during times when the plant is not operating, the plant will send electricity to the grid through California's Net Energy Meter Program, and accrue credit which will then be drawn down by the mining operations against future grid-electricity purchases.
10. Visual/aesthetic issues would be reduced to nearby land uses including nearby Morongo Hotel Casino, Cabazon Factory Outlet Stores, and residences located to the north of project site based on recommended conditions of approval including prohibition of reflective surfaces, no logos or prominent markings, uniform WECS colors, and contribution by the developer of Wind Implementation Monitoring Program fees offering a source of funds to monitor visual impacts.
11. The variance request to increase the two wind turbines height limit to 338.6 feet is due to the 517 acre property's unique triangular configuration which, coupled with the existing mining operation, severely restricts the area for alternative energy location.
12. The area is not large enough to accommodate a solar power plant needed to supply the mining operation with sufficient power.
13. By allowing the two wind turbines to reach 338.6 feet in height negates the need for multiple smaller turbines within the height limitations as permitted in the zone.
14. The project area can only support two (2) wind turbines.
15. Noise impacts are addressed in that no significant noise impacts were identified as a result of the two proposed wind turbines. The project noise study determined noise levels at the nearest residential property line to be projected at 45-50 dB(A) as a worst case scenario, which is below the 55 dB(A) threshold used for commercial sized wind turbines.
16. Aviation impacts are addressed in that the Airport Land Use Commission has required the proposed wind turbines to be painted white for daytime conspicuity, has required compliance with FAA lighting standards, and has required the wind turbine blades to utilize a flat or matte (non glossy) finish to minimize reflection towards aircraft.

17. The project is not located within a sphere of influence of any City; but the project was transmitted to the nearby City of Banning and to the Morongo Band of Mission Indians. No objections were received from the City of Banning or Morongo Band of Mission Indians.
18. The proposed project to add two (2) wind turbines is located on land disturbed prior to 1996 and therefore is exempt from the Coachella Valley Multiple Species Habitat Conservation Plan.
19. Environmental Assessment No. 42458 identified the following potentially significant impacts:
 - a. Aesthetics
 - b. Air Quality
 - c. Biological Resources
 - d. Geology/Soils
 - e. Hazards & Hazardous Materials
 - f. Noise

These listed impacts will be fully mitigated by the measures indicated in the environmental assessment, conditions of approval, and attached letters. No other significant impacts were identified.

INFORMATIONAL ITEMS:

1. As of this writing (9/24/12), no letters in support or opposition have been received from the general public.
2. The project site is not located within:
 - a. The City of Banning sphere of influence, but is immediately adjacent to the sphere of influence to the east;
 - b. Mapped fault zone;
 - c. The Stephens Kangaroo Rat Fee Area or Core Reserve Area;
 - d. California Gnatcatcher, Quino Checkerspot Butterfly habitat; and,
 - e. A Recreation and Parks District.
3. The project site is located within:
 - a. A high fire area;
 - b. A 100-year flood plain, an area drainage plan, or dam inundation area;
 - c. A moderate liquefaction area; and,
 - d. The Cabazon Redevelopment Area.
4. The subject site is currently designated as Assessor's Parcel Number 519110009, 519110011, 519110015, 519170001, 519170004, 519170005, 519170006, 519170007, 519200005, 519200007, 519200009, 519200011, 519210001, 519210002, 519220001, 519220002, 519220003, 519220004, 519220005, 519220006, 519220007, 519220008, 519220009, 519220011, and 519220012.



**PLANNING COMMISSION
MINUTE ORDER OCTOBER 17, 2012**

I. AGENDA ITEM 3.2

SURFACE MINING PERMIT NO. 162, REVISED PERMIT NO. 5 / VARIANCE CASE NO. 1883 – Intent to Adopt Mitigated Negative Declaration – Applicant: Foundation Wind Power (Matt Wilson) for Robertson’s Ready Mix – Engineer/Representative: Craig Cook, RCE - Fifth Supervisorial District – The Pass & Desert Zoning District – The Pass Area Plan: Rural: Rural Desert (R-RD), Rural Residential (R-RR), Rural Mountainous (R-RM), Community Development: Light Industrial (CD-LI) – Location: Southerly of Interstate 10 between Apache Trail and Fields Road at 13990 Apache Trail – 517 Gross Acres – Zoning: Controlled Development Areas - 10 Acre Minimum (W-2-10), Controlled Development Areas - 5 Acre Minimum (W-2-5), and Manufacturing – Service Commercial (M-SC).

II. PROJECT DESCRIPTION:

Existing Surface Mine with production rate of up to 4.5 million tons of material per year proposes addition of two (2) one megawatt (MW) wind turbines at 338.6 feet in height for on-site power generation and for participation in California’s Net Energy Meter Program, with proposed Variance to modify Section 15.2 (Development Standards) of Ordinance No. 348 (Land Use and Zoning) to increase height limits of the Controlled Development Areas -10 Acre Minimum (W-2-10) zone from 105 feet to 338.6 feet to accommodate the proposed wind turbines. (Quasi-judicial)

III. MEETING SUMMARY

The following staff presented the subject proposal:

Project Planner: Jay Olivas at (951) 955-1195 or email jolivas@rctlma.org.

There were two speakers in favor of the subject proposal:

- Matt Wilson
- Ray Zenk, 6251 Paramount Blvd., Long Beach CA (562) 984-2435 rayzenk@braggcrane.com

There were no speakers in a neutral position or in opposition of the subject proposal.

IV. CONTROVERSIAL ISSUES:

No

V. PLANNING COMMISSION ACTION:

Motion by Commissioner Zuppardo, 2nd by Commissioner Roth

By a vote of 5-0

ADOPTED MITIGATED NEGATIVE DECLARATION for ENVIRONMENTAL ASSESSMENT NO. 42458, based on the findings incorporated in the initial study and the conclusion that the project will not have a significant effect on the environment; and,

APPROVED of **SURFACE MINING PERMIT NO. 162, REVISED PERMIT NO. 5**, subject to the attached conditions of approval; and,



**PLANNING COMMISSION
MINUTE ORDER OCTOBER 17, 2012**

APPROVED VARIANCE CASE NO. 1883, subject to the attached conditions of approval, and based upon the findings and conclusions incorporated in the staff report.

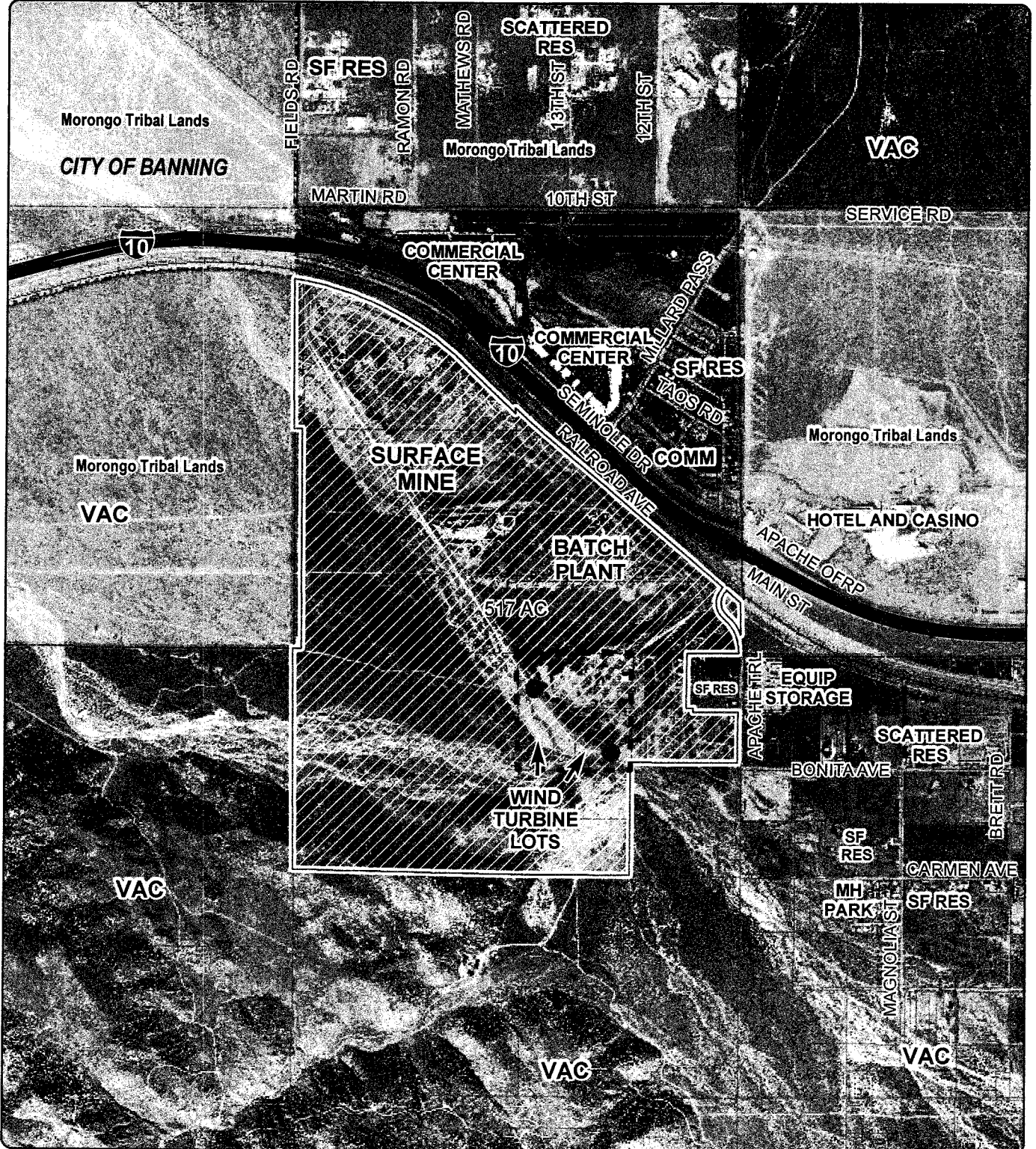
VI. CD

The entire discussion of this agenda item can be found on CD. For a copy of the CD, please contact Mary Stark, TLMA Commission Secretary, at (951) 955-7436 or email at mcstark@rctlma.org.

RIVERSIDE COUNTY PLANNING DEPARTMENT
SMP00162R5
LAND USE

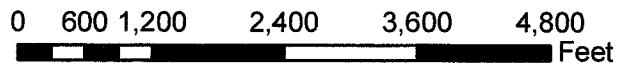
Supervisor Stone
 District 3

Date Drawn: 11/03/11
 Exhibit 1



Zoning District: Pass & Desert
 Township/Range: T3SR2E
 Section: 7 & 18

Assessors Bk. Pg. 519-20
 Thomas Bros. Pg. 722 J3
 Edition 2009



DISCLAIMER: On October 7, 2003, the County of Riverside adopted a new General Plan providing new land use designations for unincorporated Riverside County parcels. The new General Plan may contain different types of land use than is provided for under existing zoning. For further information, please contact the Riverside County Planning Department offices in Riverside at (951) 955-3200 (Western County), or in Indio at (760) 863-8277 (Eastern County) or website at <http://www.tlma.co.riverside.ca.us/index.html>

RIVERSIDE COUNTY PLANNING DEPARTMENT

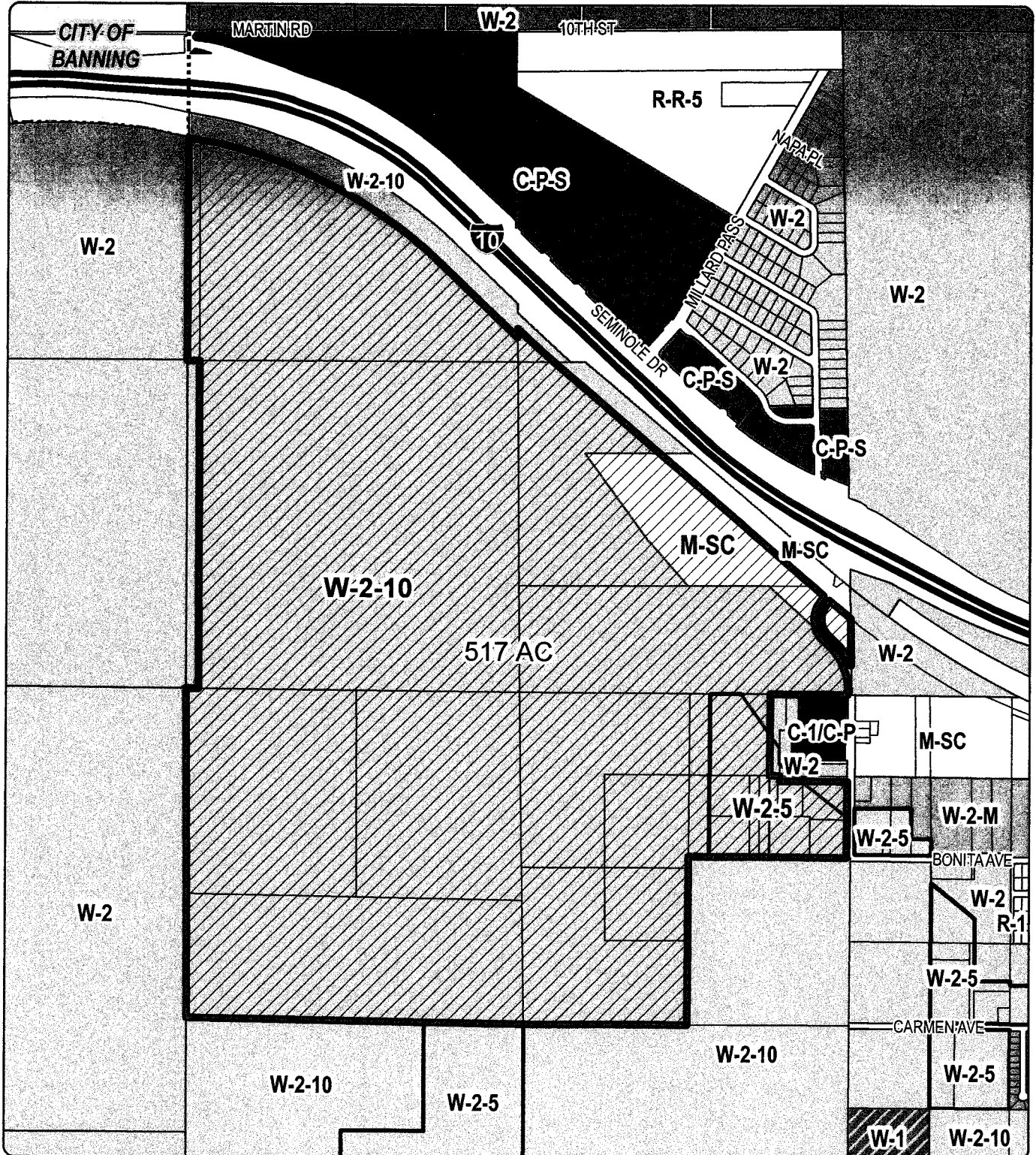
SMP00162R5

EXISTING ZONING

Supervisor Ashley
District 5

Date Drawn: 11/03/11

Exhibit 2



Zoning District: Pass & Desert
Township/Range: T3SR2E
Section: 7 & 18

Assessors Bk. Pg. 519-20
Thomas Bros. Pg. 722 J3
Edition 2009



DISCLAIMER: On October 7, 2003, the County of Riverside adopted a new General Plan providing new land use designations for unincorporated Riverside County parcels. The new General Plan may contain different types of land use than is provided for under existing zoning. For further information, please contact the Riverside County Planning Department offices in Riverside at (951) 955-3200 (Western County), or in Indio at (760) 863-8277 (Eastern County) or website at <http://www.tlma.co.riverside.ca.us/index.html>

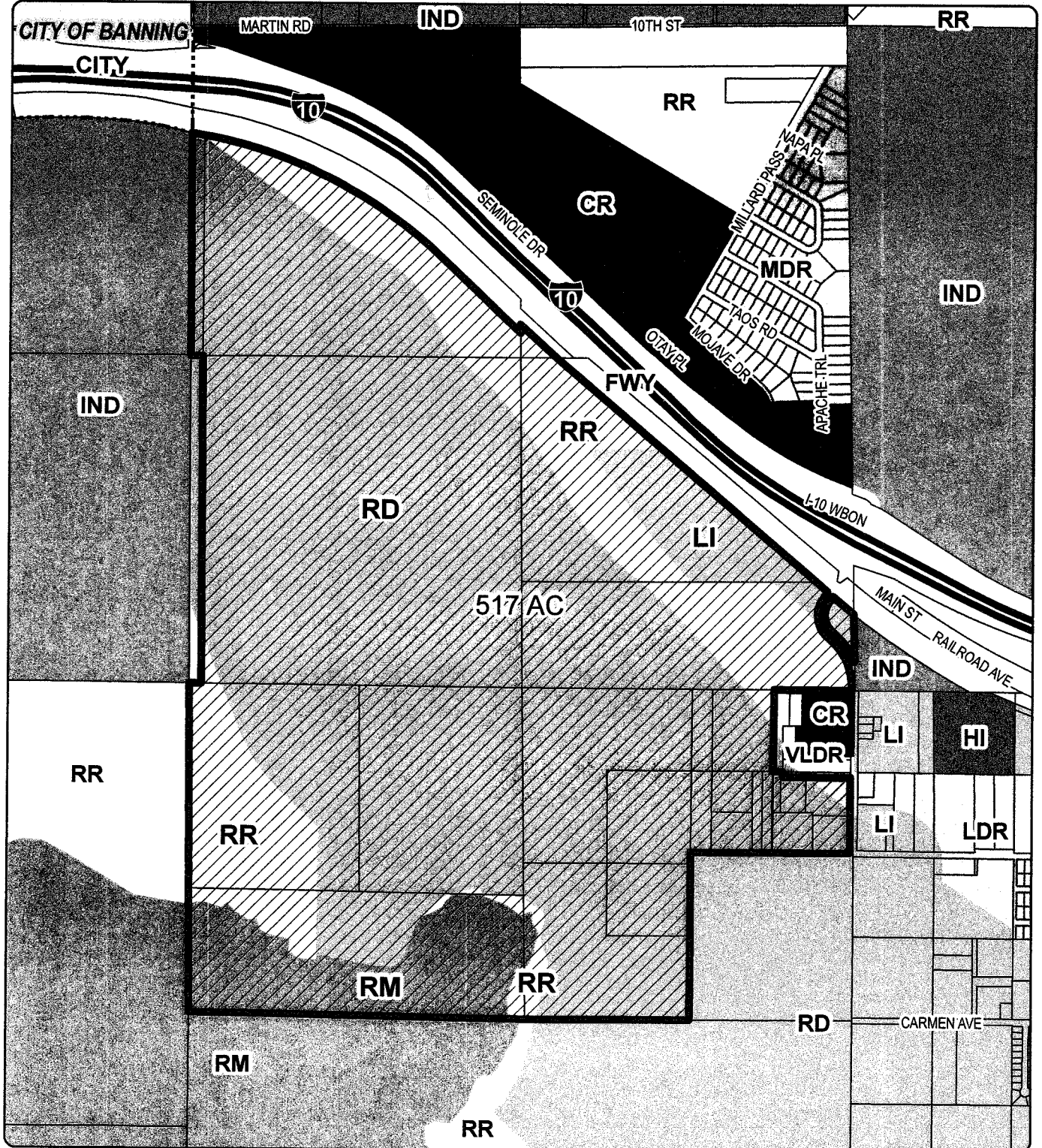
RIVERSIDE COUNTY PLANNING DEPARTMENT

SMP00162R5

EXISTING GENERAL PLAN

Supervisor Ashley
District 5

Date Drawn: 11/03/11
Exhibit 5



Zoning District: Pass & Desert
Township/Range: T3SR2E
Section: 7 & 18

Assessors Bk. Pg. 519-20
Thomas Bros. Pg. 722 J3
Edition 2009



DISCLAIMER: On October 7, 2003, the County of Riverside adopted a new General Plan providing new land use designations for unincorporated Riverside County parcels. The new General Plan may contain different types of land use than is provided for under existing zoning. For further information, please contact the Riverside County Planning Department offices in Riverside at (951) 955-3200 (Western County), or in Indio at (760) 863-8277 (Eastern County) or website at <http://www.tlma.co.riverside.ca.us/index.html>

SOURCE		AREA	MAXIMUM PRODUCTION RATE	4.50	2.50		
FORM PROPERTIES LTD.		877.32	ADVERAGE PRODUCTION RATE	4.50	2.50		
OTHER		877.32	ADVERAGE PRODUCTION RATE	4.50	2.50		
TOTAL		877.32	ADVERAGE PRODUCTION RATE	4.50	2.50		
USE	AREA	MAX	VOLUME	RESERVES	COMPLETED	AT MAX	AT AVERAGE
	ACRES	DEPTH	1000 CY	1000 TONS	1000 TONS	1000 TONS	1000 TONS
MINING PHASE	YIELD	LIFE	TONNAGE	LIFE			
	1000 TONS	YR	1000 TONS	YR			
PHASE I	THREAT	01.86	12	1,420	2,277	1.2	1.2
	"CURRENT"	46.22	90	1,080	3,900	1.2	1.2
	"MIDDLE"	87.25	200	21,000	25,800	6.10	6.1
PHASE II	SOUTHWEST	65.40	220	10,824	20,270	6.7	15.1
	WEST	10.23	12	1,084	1,234	8.4	8.7
PHASE III	MIDDLE	84.24	200	18,120	21,000	6.1	6.1
PHASE IV	DEPTH EAST	400	100	10,000	10,000	10.0	10.0
	PLANT AREA	11.16	400	15,217	22,200	7.0	8.9
CONCRETE BATCH PLANT	1.07						
RAIL CHANNELS	1.07						
TOTAL	877.32		845.00	120,181	132,272	20.2	48.9

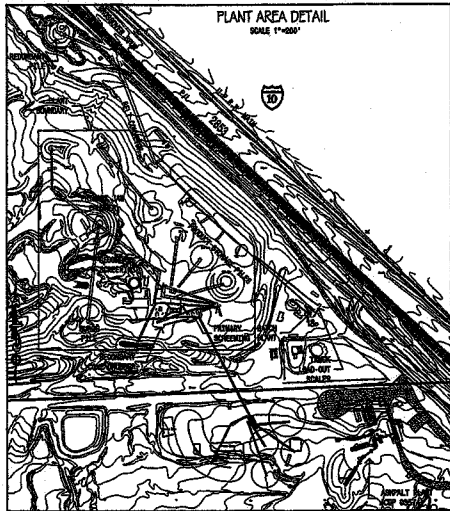


EXHIBIT "A" CABAZON QUARRY

REVISED MINING PLAN REVISED PERMIT NO. 5 SMP NO. 162R5

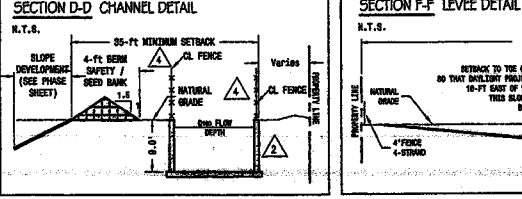
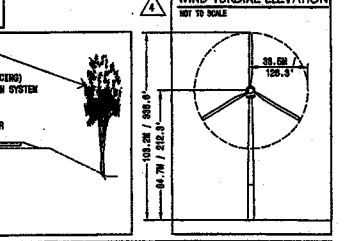
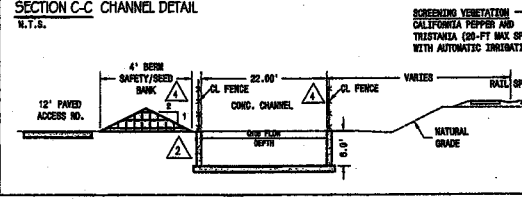
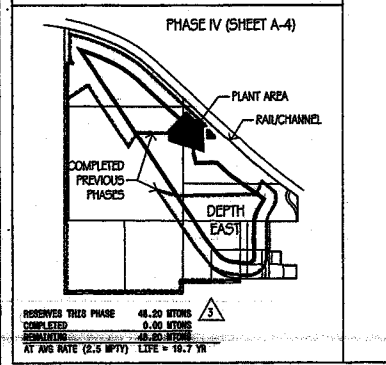
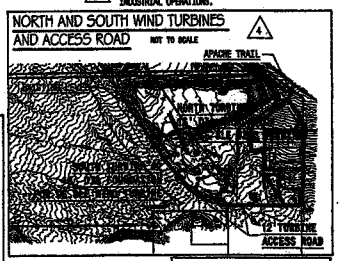
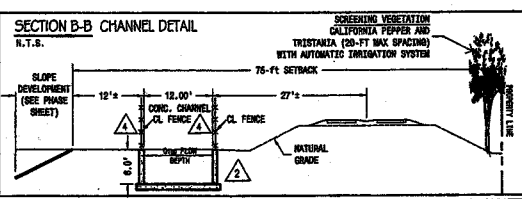
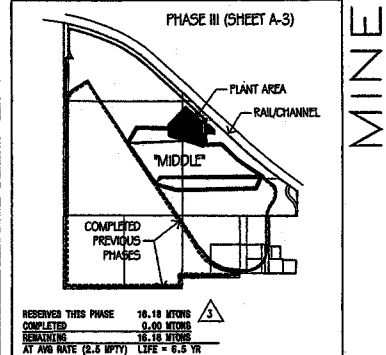
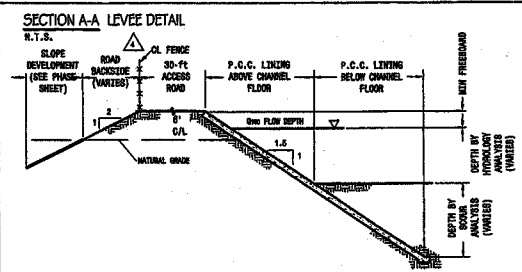
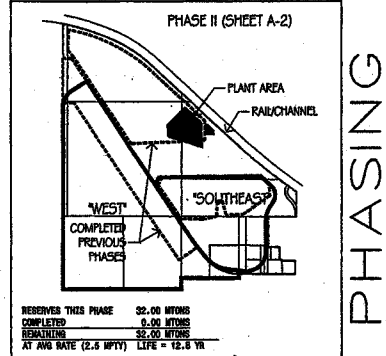
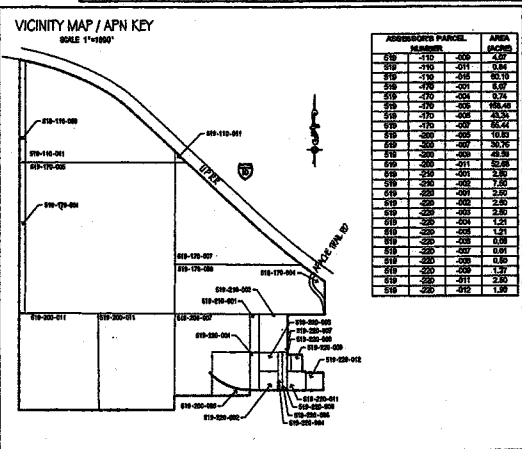
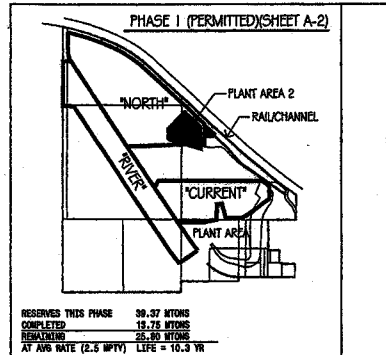
JANUARY, 1990
AUGUST, 1999(R1)
DECEMBER, 2000 (S2)
MARCH, 2001 (R2) WITHDRAWN
SEPTEMBER, 2004 (R1)
AUGUST, 2006 (R2)
AUGUST, 2009 (S3)
SEPTEMBER, 2011 (R5)

PROJECT DESCRIPTION
EXISTING SURFACE MINE WITH PRODUCTION RATE OF 4.5 MILLION TONS OF MATERIAL PER YEAR PROPOSES ADDITION OF TWO 1 MW WIND TURBINES AT 358.0 FEET IN HEIGHT. A VARIANCE IS REQUESTED TO INCREASE THE TURBINE HEIGHT FROM 105 FEET TO 358.0 FEET IN THE W-2-10 ZONE.

LEGAL DESCRIPTION
SHOWING A PORTION OF SECTION 7 AND A PORTION OF THE NORTH 1/2 OF SECTION 16, T3S, R2E S.8.N. IN THE COUNTY OF REVERSHIDE STATE OF CALIFORNIA

GENERAL NOTES

- PRODUCT: SAND, GRAVEL, ROCK AND HEAVY SET CONCRETE ASPHALT (SEPARATE CDP 4574)
- MINING AREA: CURRENT AND PROPOSED INCLUDING 496.09 ACRES PROCESSING PLANT MAIL 40.81 ACRES OPEN SPACE 26.83 ACRES TOTAL SITE 573.73 ACRES
- UTILITY PROVIDERS: ELECTRICITY: SOUTHERN CALIFORNIA Edison Co. 1700 TARRANT ROADLIN HWY. PALM SPRINGS, CA. 92262 (951) 488-4887 GAS: SOUTHERN CALIFORNIA GAS CO. 2700 GARDEN AVENUE REVERSHIDE, CA. 92000 (951) 791-8100 WATER: CREDIT EQUIPMENT SYSTEM CALIFORNIA WATER DISTRICT P.O. BOX 287 CALIFORNIA, CA. 92006 (951) 848-4442 TELEPHONE: GERRARD TELEPHONE CO. 16 HIGHLAND PLAZA HELANDS, CA. 92579 (951) 294-3111
- ASSESSOR PARCEL NUMBERS SEE "VICINITY MAP" HERE
- EXISTING AND PROPOSED ZONING: W-2
- OPEN SPACE AND CONSERVATION NOT DESIGNATED AS OPEN SPACE ON COMPREHENSIVE GENERAL PLAN.
- THIS SITE IS LOCATED IN THE COUNTY'S MODERATE LIQUEFACTION POTENTIAL ZONE AND SUSCEPTIBLE POTENTIAL ZONE. AP ZONE IS OFF THE SITE AND ADJACENT TO THE NORTHWEST CORNER OF THE SITE.



▲ NORTH AND SOUTH WIND TURBINES	CAC	06/20/11
▲ REVISED VOLUME QUANTITY	NO	06/01/10
▲ REVISION CHANGES CROSS SECTION	NO	06/17/10
▲ MODIFY WEST PHASE TO MEET FLOOD CONTROL DEPR. CRITERIA	JCF	05/10/09
REV. REVISION	BY:	DATE:

CABAZON QUARRY
CABAZON, REVERSHIDE COUNTY, CA
PERMIT SUPERVISOR
DA WINE RD 891-33-008

REVISED SURFACE MINING EXHIBIT

ROBERTSON'S
200 South Main Street
CORONA, California 92882
(951) 488-6500

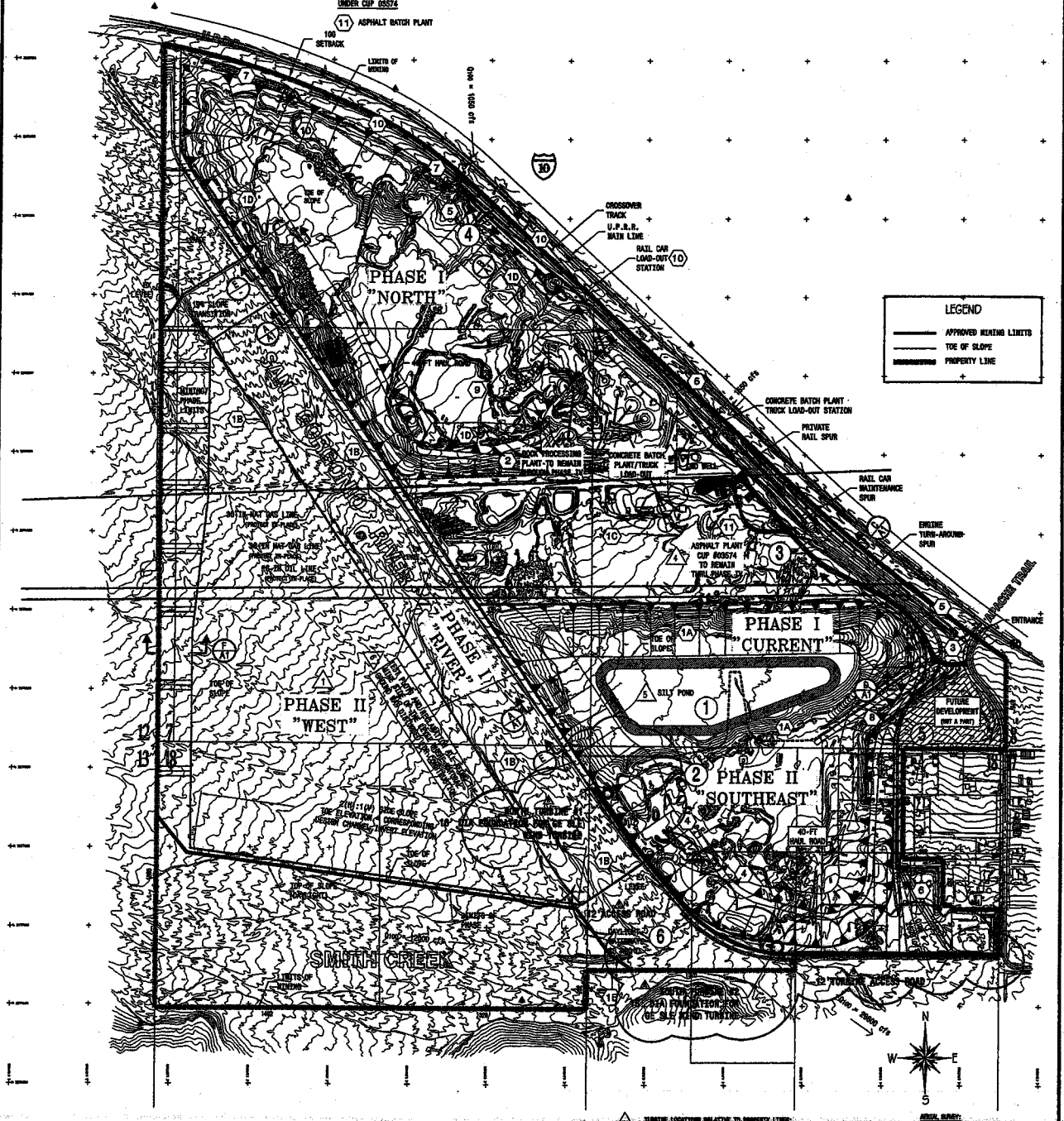
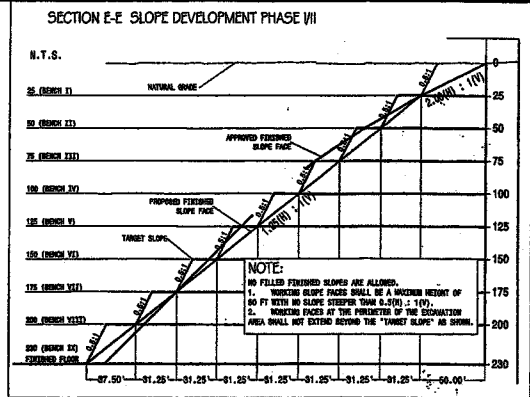
APR 11 2011

APR 11 2011

APR 11 2011

PHASE VII SCHEDULE		
MINEING	BASED ON AVERAGE PRODUCTION RATE	
	FROM YEAR	TO YEAR
NORTH	1.0	11.3
SOUTHEAST	11.3	23.4
WEST	23.4	24.1
SMITH CREEK	24.1	24.1
CONSTRUCTION		
	YEAR	COMPLETE
1	2	COMPLETE
2	2	COMPLETE
3	2	COMPLETE
4	2	COMPLETE
5	2	COMPLETE
6	9	

CURRENTLY PERMITTED OPERATIONS			
UNDER SMP 192			
MINEING PHASE	TOTAL AREA	MINEING AREA	MAX DEPTH
1A	62 AC	22 AC	160 FT
1B	88 AC	62 AC	10 FT
1C	48 AC	0 AC	0 FT
1D	86 AC	86 AC	230 FT
1E	40 AC	0 AC	0 FT
UNDER SMP 192(81)			
2	PROCESSING PLANT/STORAGE/SHOPS/SCALE HOUSE		
3	CONCRETE ACCESS ROAD		
4	PROCESS WATER LAKE		
5	DRAINAGE CHANNEL		
6	8-FT BERM WITH TIPPING WALL		
7	8 TO 10-FT VEGETATED BERM		
8	FUTURE CORPORATE OFFICES / OPERATIONS CENTER		
UNDER SMP 192(81)			
WETLANDS			
UNDER SMP 192(81)			
9	EMERGENCY EXCAVATION		
UNDER SMP 192(82)			
10	RAIL TRANSPORTATION WITH LOAD-OUT STATION		
PERMITTED OPERATIONS (BY OTHERS)			
UNDER CIP 6557.6			
11	ASPHALT BATCH PLANT		

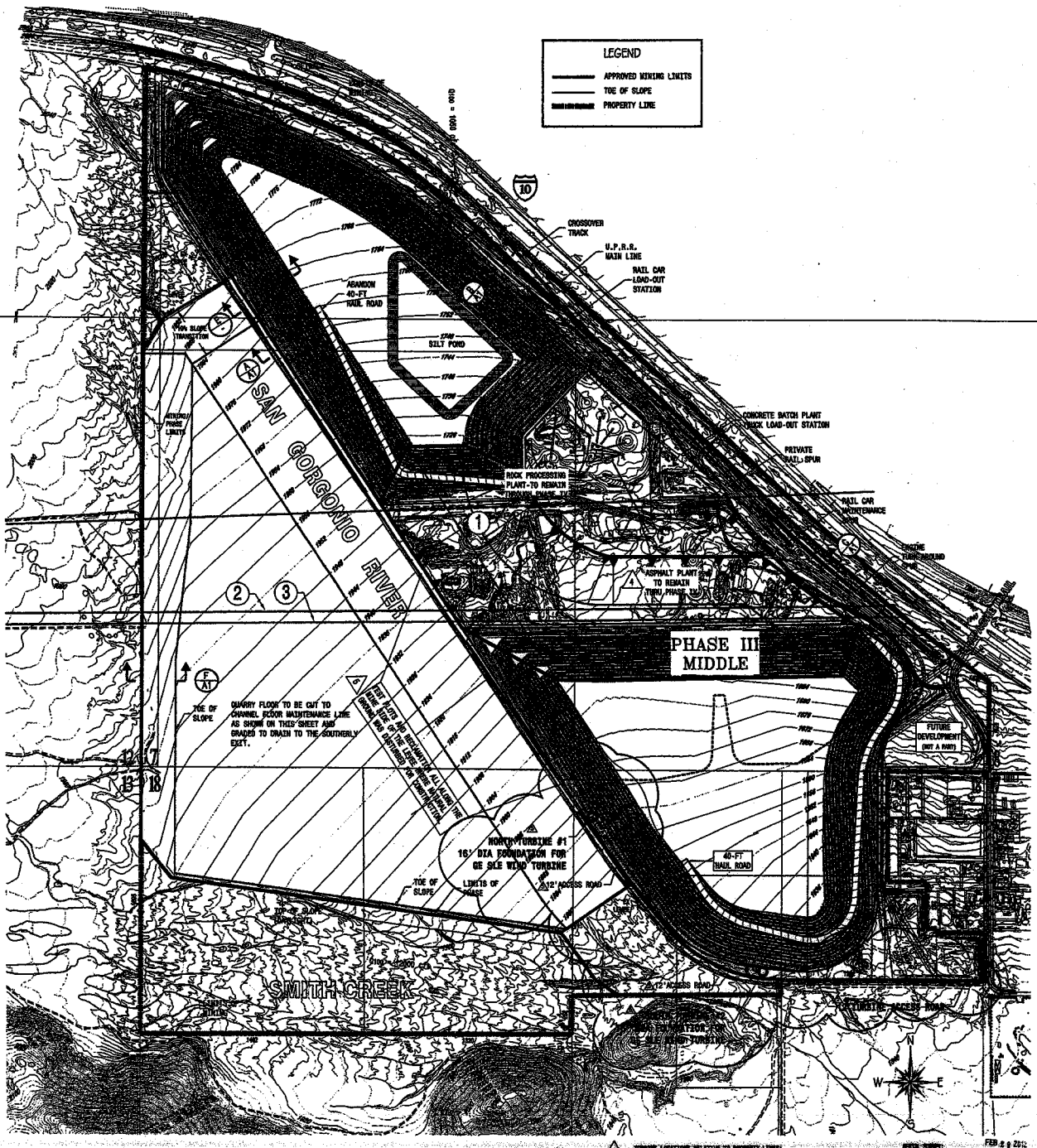
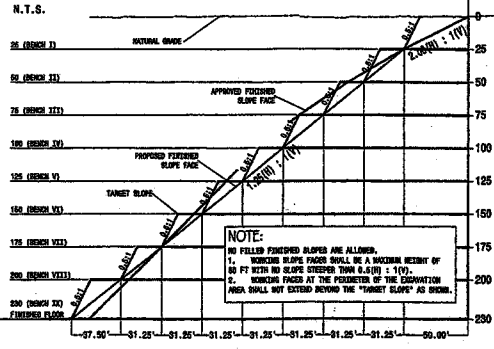


BOUNDARY LOCATIONS RELATIVE TO PROPERTY LINES:
 NORTH TOWNSHIP NO. 111S.8 FEET TO EASTERLY PL. 2043.1 FEET TO WESTERLY PL.
 SOUTH TOWNSHIP NO. 210S.7 FEET TO EASTERLY PL. 1427.4 FEET TO WESTERLY PL.

CABAZON QUARRY CABAZON, REVERSDIE COUNTY, CA PERMIT SFP0016288 CA STATE ID #01-83-008		SHEET NO. 57 PROJECT NO. 1266 DATE: 12/24/12 BY: A-2	ROBERTSON'S 200 South Main Street CORONA, CALIFORNIA 92602 (951) 482-8500	DRAWN BY: MD DATE: 04/01/09 SCALE: 1" = 300' A-2 6
---	--	---	---	--

PHASE III SCHEDULE		
MINING BASED ON AVERAGE PRODUCTION RATE		
	FROM YEAR	TO YEAR
MIDDLE	24.1	30.6
CONSTRUCTION		
	YEAR	COMPLETE
1	MOVE/REMOVE EXISTING 26 - IN GAS LINE	22
2	MOVE/REMOVE EXISTING 39 - IN GAS LINE	23
3	MOVE/REMOVE EXISTING 12 - IN OIL LINE	24

SECTION E-E SLOPE DEVELOPMENT PHASE III



5. PROPERTY LOCATION RELATIVE TO PROPERTY LINES
 NORTH TURNPIKE NO. 1 1115.9 FEET TO SOUTHERLY PL. 2040.1 FEET TO WENTHERLY PL.
 SOUTH TURNPIKE NO. 2 1207.7 FEET TO SOUTHERLY PL. 1427.4 FEET TO EASTERLY PL.

APPROVED BY	DATE
DESIGNED BY	DATE
CHECKED BY	DATE
DATE	

CABAZON QUARRY
 CABAZON, RIVERSIDE COUNTY, CA
 PERMIT SUPERVISORS
 CA KING ID. 891-53-000

EXHIBIT A - MINE PLAN PHASE III EXPANSION

DATE 07/12/12
 PROJECT NO. 1206
 SHEET NO. A-3

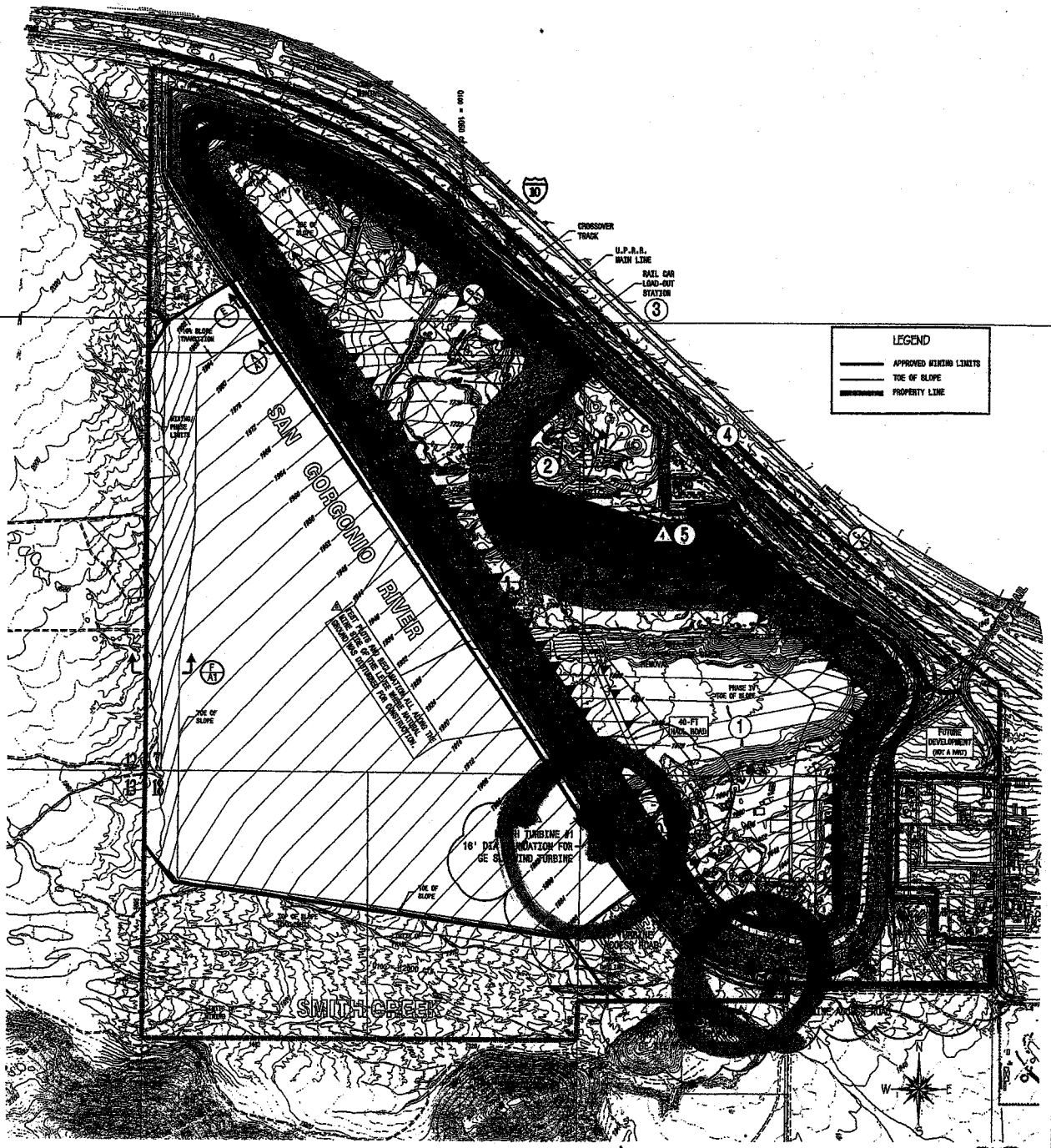
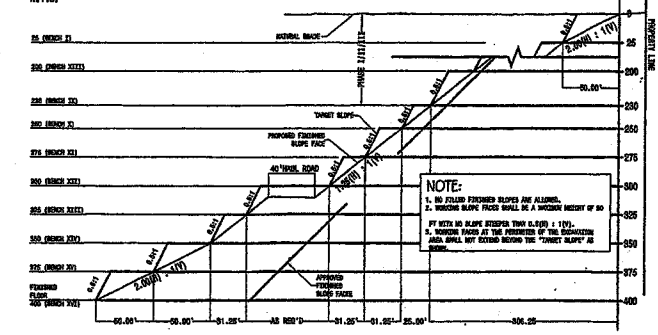
ROBERTSON'S
 200 South Main Street
 CORONA, California 92682
 (951) 493-6500

DATE 08/01/08
 DRAWN BY AS SHOWN

A-3
 6

PHASE IV SCHEDULE		
MINING BASED ON AVERAGE PRODUCTION RATE		
	FROM YEAR	TO YEAR
DEPTH BAST	50.5	41
PLANT AREA	41	49.9
CONSTRUCTION		
	YEAR COMPLETE	
1 RELOCATE PLANT EQUIPMENT ON SITE	44	
2 DEMANTLEREMOVE PLANT EQUIPMENT	51	
3 DEMANTLEREMOVE RAIL LOADING EQUIPMENT	51	
4 MOVE BATCH PLANT TO ENTRANCE	51	
5 DISMANTLEREMOVE ASPHALT PLANT		

SECTION E-E SLOPE DEVELOPMENT PHASE IV
N.T.S.



MINING LIMITS RELATIVE TO PROPERTY LINES:
 NORTH TIERLINE NO. 1 1115.0 FEET TO NORTHERLY PL. 2042.1 FEET TO WESTERLY PL.
 SOUTH TIERLINE NO. 2 125.7 FEET TO NORTHERLY PL. 1487.4 FEET TO EASTERLY PL.
 ASPL. SURVEY: FEB 4-7-88
 TOPOGRAPHY BY L&W INSTRUMENTATION CO., CALIFORNIA, INC. WITH JULY 20, 2002.

NO. 1 NORTH AND SOUTH TIERLINE AND ACCESS ROAD	C/D	05/20/11
NO. 2 APPROXIMATE PLANT BY EXISTING SUPPLY CHAIN	NO.	06/01/09
REV. 1 DESCRIPTION	BY:	DATE:

CABAZON QUARRY
 CABAZON, RIVERSIDE COUNTY, CA
 PERMITS 849010285
 CA MINE TO 901-60-008

EXHIBIT A - MINE PLAN PHASE IV EXPANSION

PLANT NO.	57
PROJECT NO.	1286
DATE	05/19/10
REV.	A-4

ROBERTSON'S
 200 South Main Street
 CORONA, California 92626
 (951) 468-8500

DATE	NO.	NO.
DATE	06/01/09	A-4
DATE	AS SHOWN	6

COMMON NAME	Botanical Name	Pound / Acres	RIVER	SLOPE	FLOOR
Bladderpod	Isomeris arborea	5.0	C	C	C
California Broomrape	Artisania californica	5.0	C	C	C
Chaparral Broom	Isomeris sarothroides	5.0	C	C	C
Croton	Croton californicus	5.0	C	C	C
Desweed	Lotus scoparius	4.0	C	C	C
Desert Willow	Chilopsis linearis	5.0	C	C	C
Flattop Bushcreeper	Erythronium fasciculatum ssp. foliosum	5.0	C	C	C
Solecandria	Isocoma nuttallii	5.0	C	C	C
Plantain	Plantago linearis	5.0	C	C	C
Scirillabroom	Lepidoglossis apiculatum	5.0	C	C	C
Whipple's "Tussock"	Isomeris whipplei	5.0	C	C	C
Whiteweed	Salvia spines	5.0	C	C	C
Zorro Fescue	Vilfa spines	5.0	C	C	C

- SEEDING WITH APPROPRIATE METHODOLOGY SHALL TAKE PLACE WITHIN ONE YEAR AFTER A BENCH SLOPE HAS BEEN CUT TO THE FINAL SLOPE FACE. SEEDING SHALL CONTINUE WITH THE WET SEASON (OCTOBER-APRIL).
- SEED GERMINATION, PLANT GROWTH, COVER DEVELOPMENT AND SPECIES DIVERSITY WILL BE MONITORED QUARTERLY FOR TWO YEARS AFTER SEEDING AND SEMI-ANNUALLY FOR AN ADDITIONAL TWO YEARS.
- MONITORING WILL BE CONDUCTED TO DETERMINE THE SUCCESS OF RESTORATION EFFORTS AND TO IDENTIFY NECESSARY REMEDIAL WORK (e.g., WEED CONTROL, ADDITIONAL SEEDING).
- EXTENSION LANDSCAPING TO BE IRRIGATED AND INTERIOR LANDSCAPING NOT IRRIGATED. SEEDING SHALL OCCUR WITHIN THE WET SEASON (OCT. TO APRIL).

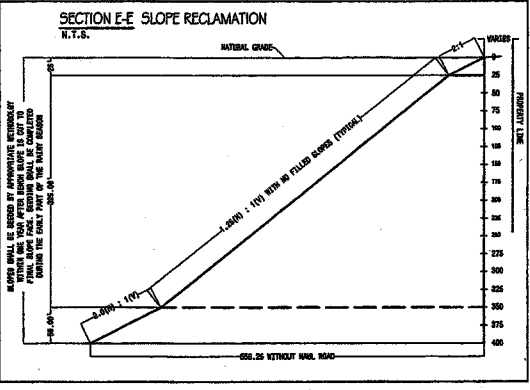


EXHIBIT "B"
CABAZON QUARRY
REVISED RECLAMATION PLAN
SMP NO. 162R5

JANUARY, 1990
 AUGUST, 1999(51)
 DECEMBER, 2000 (52)
 MARCH, 2001(R2) WITHDRAWN
 SEPTEMBER, 2004 (R1)
 SEPTEMBER, 2011 (R5)
LEGAL DESCRIPTION

SHOWING A PORTION OF SECTION 7 AND A PORTION OF THE NORTH 1/2 OF SECTION 18, T8S, R2E S.S.N. IN THE COUNTY OF RIVERSIDE STATE OF CALIFORNIA.

RECLAMATION	AREA
RIVER	51.80
SLOPE	184.91
FLOOR	184.85
RAIL/CHANNEL	15.50
DISTURBED	80.00
TOTAL	517.32

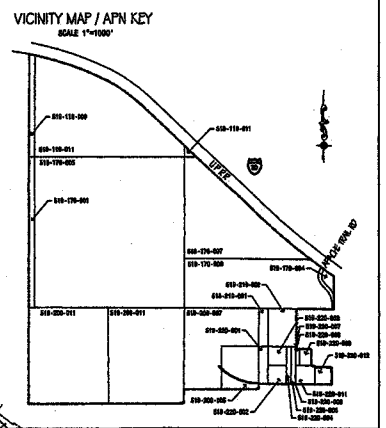
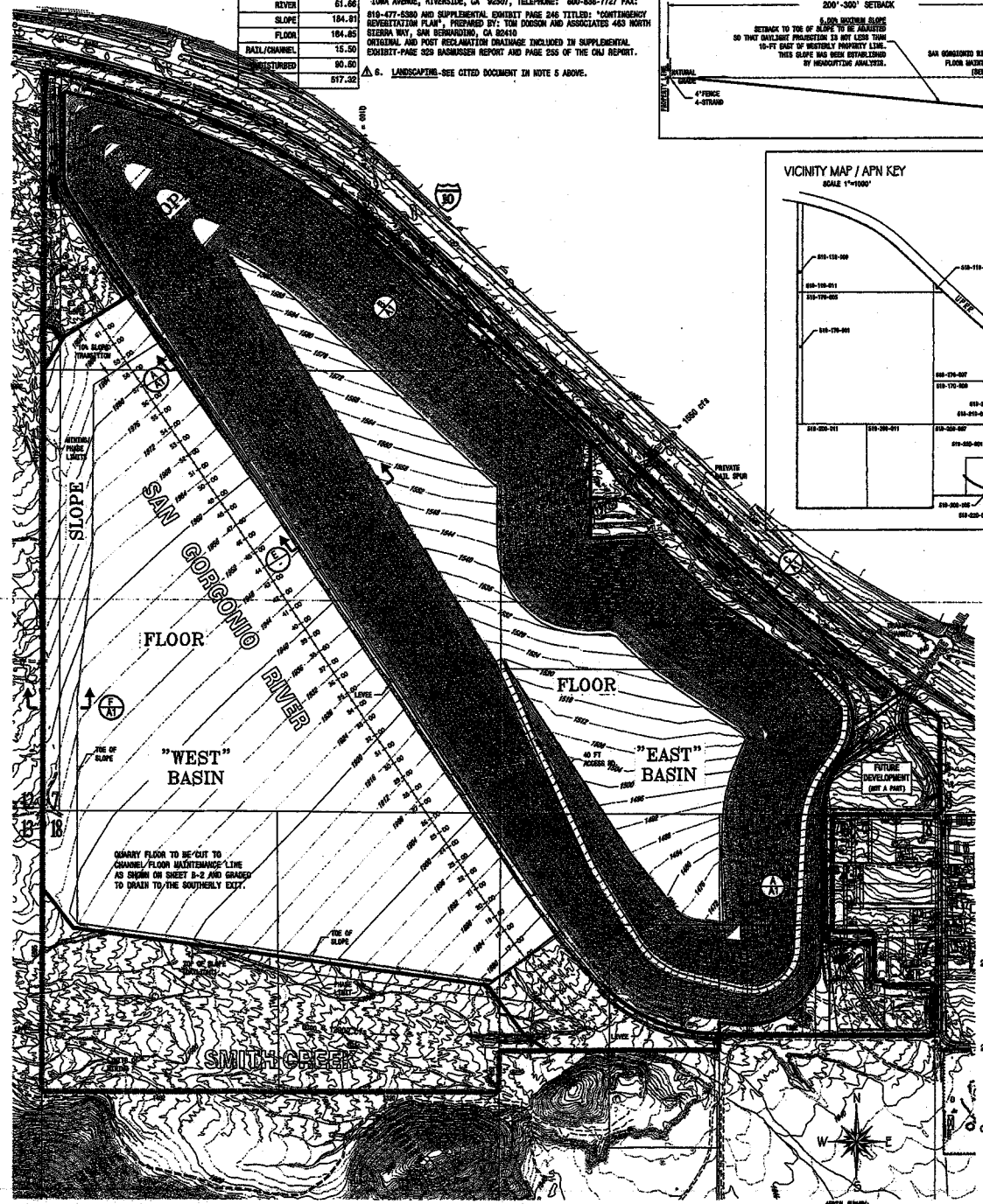
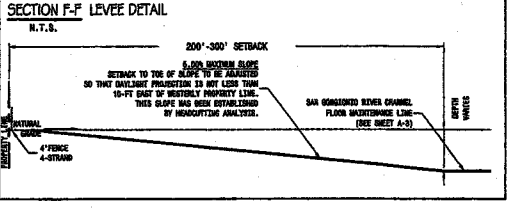
SECTION F-F LEVEE DETAIL
 N.T.S.

200'-300' SETBACK
 4' FENCE
 4'-STRONG

300' SETBACK TO THE OF SLOPE TO BE RECLAIMED SO THAT OULDRIDGE PROTECTION IS NOT LESS THAN 10-FT DIST OF RESTORED PROPERTY LINE. THIS SLOPE HAS BEEN ESTABLISHED BY HEADCUTTING ANALYSIS.

SAN GORGONIO RIVER CHANNEL FLOOR MAINTENANCE LINE (SEE SHEET B-3)

GRAVEL
 GRAVEL
 GRAVEL



MINE OPERATOR AND APPLICANT

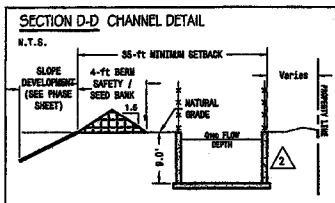
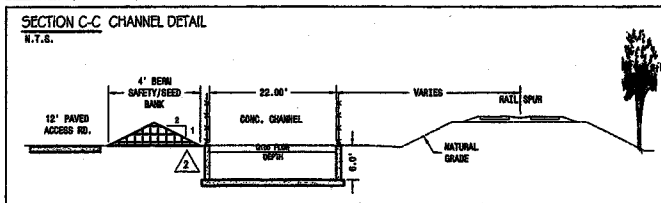
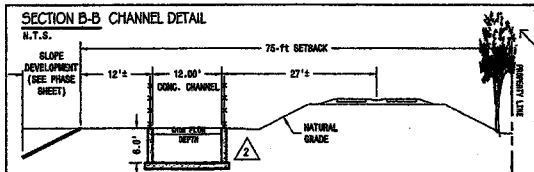
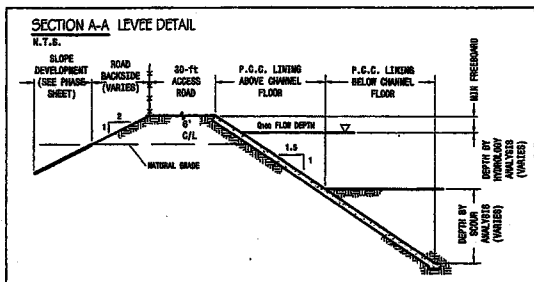
ROBERTSON'S READY MIX
 200 SOUTH MAIN STREET, SUITE 200
 CORONA, CALIFORNIA 92882
 (951) 955-2200

OWNER OF LAND AND MINERAL RIGHTS

RHM PROPERTIES, LTD
 200 SOUTH MAIN STREET, SUITE 200
 CORONA, CALIFORNIA 92882
 (951) 955-2200

CIVIL ENGINEER

MICHAEL H. GROSZD, RCE 61055
 PO BOX 3900
 CORONA, CALIFORNIA 92878-3900
 (951) 493-8500



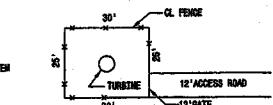
SUBSEQUENT USES

ALTHOUGH THE RECLAMATION PLAN IS DESIGNED TO ACCOMMODATE RETENTION AND PERCOLATION BASINS AS A FINAL USE, THE OWNER REQUESTS THAT THERE ARE SEVERAL USES OF THE SITE WHICH ARE CONSISTENT WITH THIS RECLAMATION, ESPECIALLY CONSIDERING THE EXTENDED LIFE OF THE PROJECT.

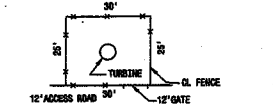
AREAS NOT DEVELOPED FOR MINING CAN BE DEVELOPED FOR ANY ACCEPTABLE USE WITHIN A 1/2-MI. RADIUS OR OTHER INDUSTRIAL/MANUFACTURING ZONES, IF COMPATIBLE WITH THE PHYSICAL CONSTRAINTS OF THE SITE. MOST PROBABLY THESE WOULD INCLUDE A RAILROAD MAINTENANCE FACILITY, A RAILROAD TRUCK INTERNAL TERMINAL, MASONRY MANUFACTURING OR SUPPLY FACILITY, FOOD PACKAGING PLANT OR A STORAGE YARD FOR TRAILERS OR BOATS, TO NAME A FEW.

USES FOR EXCAVATED AREAS ARE SOMEWHAT LIMITED DUE TO SOILS SUITABILITY AND THE TOPOGRAPHY OF THE SITE AFTER MINING. THE EAST AND WEST BASINS, WITH PROPER INLET STRUCTURES, COULD SERVE AS RETENTION BASINS FOR EXCESS RUNOFF GENERATED BY THE DAM CONTROLLED RIVER AND GREAT CREEK DURING PERIODS OF PEAK FLOWS. THE PITS, WITH PROPER CONTROLS, COULD ALSO SERVE AS REACTION AREAS, INCLUDING FISHING PONDS, GOLF DRIVING RANGES, SKEET SHOOTING, WATER SLIDES, "SAND BOARDING", "PACIFY BALLING" AND THE LIKE.

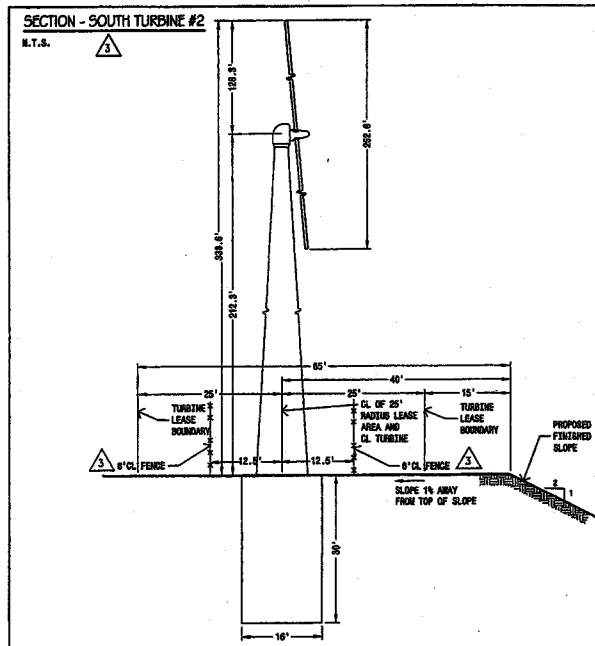
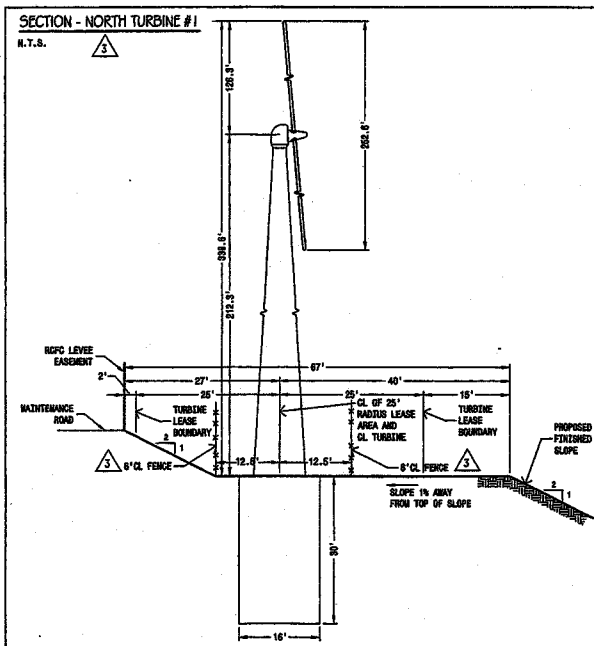
ULTIMATELY, ANY FUTURE LAND USE DECISIONS WOULD HAVE TO BE BASED ON THE COMMERCIAL, ECONOMIC AND POLITICAL CLIMATE PREVAILING AT THE TIME OF CESSATION OF MINING OPERATIONS.



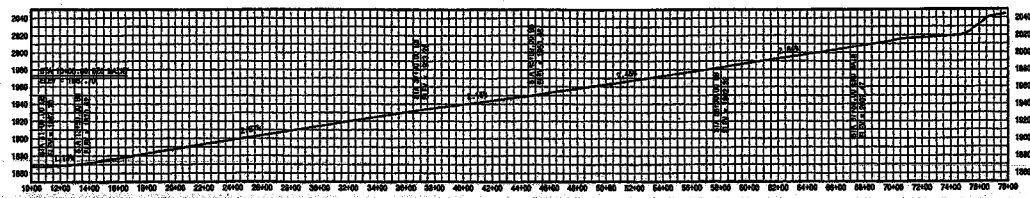
PLAN VIEW OF NORTH TURBINE



PLAN VIEW OF SOUTH TURBINE



SAN GORGONIO CHANNEL FLOOR MAINTENANCE LINE



CABAZON QUARRY CABAZON, RIVERSIDE COUNTY, CA PERMIT S99001825 CA REG. NO. 891-55-008		PLAN NO. 57 PROJECT NO. 1266 DATE: 02/24/12 REC 2		ROBERTSON'S 200 South Main Street CORONA, California 92882 (951) 498-8500	Approved by: [Signature] Drawn by: [Signature] Date: 08/01/09 Scale: AS SHOWN
EXHIBIT B - REVISED RECLAMATION PLAN		SHEET NO. B-2 OF 6		FEB 27 2012	

TURBINE ACCESS EXHIBIT



SCALE: 1"=500'

TURBINE ACCESS EXHIBIT



GABEL, COOK & ASSOCIATES

CIVIL ENGINEERS LAND SURVEYORS
LAND PLANNERS

125 West La Cadena Drive, Suite A, Riverside, CA 92501
Telephone (909) 788-8092 Facsimile (909) 788-5184

DATE: APRIL 2012

SCALE: 1"=500'

W.O. 2426

SHT 1 OF 1 SHT

COUNTY OF RIVERSIDE

ENVIRONMENTAL ASSESSMENT FORM: INITIAL STUDY

Environmental Assessment (E.A.) Number: 42458

Project Case Type (s) and Number(s): SMP00162R5, VAR01883

Lead Agency Name: County of Riverside Planning Department

Address: P.O. Box 1409, Riverside, CA 92502-1409

Contact Person: Jay Olivas, Project Planner

Telephone Number: 951-955-1195

Applicant's Name: Matt Wilson, Foundation Wind Power for Robertson's Ready Mix

Applicant's Address: 505 Sansome Street, Suite 450, San Francisco, CA 94111

I. PROJECT INFORMATION

A. Project Description:

Foundation Windpower is proposing to install two (2) 1-megawatt (MW) wind turbines at the existing Robertson's Ready Mix (RRM) surface mining facility located at 13990 Apache Trail, Cabazon, in unincorporated Riverside County, California. The two wind turbines would be a maximum of 338.6 feet in height and located more than one-half mile south of Interstate 10 (I-10), within Assessor Parcel Numbers (APN) 519-200-005, 519-200-007, etc. A variance is required to increase the height limits of the Controlled Development Areas (W-2-10) zone from 105 feet to a maximum of 338.6 feet. The two turbines are being proposed to provide a source of renewable energy to supplement energy use for surface mining operations at the site. The two proposed turbines will be connected directly to the Robertson's Ready Mix facility to power the operations of the aggregate processing plant. The two one megawatt turbines will connect to two separate interconnection points eight feet apart that provide power to screens, conveyors, crushers, log washers, coarse material washers, and dewatering screws. When the plant is running the electricity generated by the wind turbine will be used instantaneously to supply part of the electricity load required by the plant. During the times when the plant is not running but the wind is blowing, the plant will send electricity to the Southern California electrical grid through California's Net Energy Meter program, and accrue a credit which will then be drawn down by the plant against future grid electricity purchases. The California Public Utilities Commission allows customers who install solar, wind, biogas and fuel cell generation facilities (1 MW of less) to participate in the state's net metering program (Public Utility Code 2827). Net Energy Metering is an important element of the policy framework supporting direct customer investment in grid-tied distributed renewable energy generation. The associated energy equipment includes a generator, transformer, switchgear and metering panel, along with underground electrical and fiber-optic communication lines. The foundation and structural systems are designed to meet California Building Code (CBC) requirements for seismic zone compliance.

Foundation Windpower is experienced in developing wind energy facilities and has a business model of developing, constructing, owning and operating small-scale wind energy facilities on commercial and municipal sites and selling the electrical energy generated to the Host Customer, in this case RRM, for use in their on-site surface mining operations. RRM will lease a portion of its property to Foundation Windpower and grant Foundation Windpower an easement to install, interconnect, own, operate and maintain two, freestanding wind turbines on the site. Foundation Windpower is responsible for all of the costs associated with site assessment, engineering, permitting, construction, operation and maintenance of the wind turbines and transmission infrastructure.

In addition to granting Foundation Windpower a site lease and easement to operate and maintain the wind turbine and associated equipment, RRM will use all of the electric energy produced by the wind turbines. The wind turbines are capable of delivering electricity to the

RRM surface mining facility concurrently with energy supplied by Southern California Edison (SCE). When the wind conditions at the site produce electricity, the wind turbines will supplement or replace the power being provided by SCE to the facility. When the wind conditions at the site do not produce energy, RRM will pull power from SCE exactly as it does under existing conditions. RRM will be consuming all of the energy produced by the turbines and none of the power generated will be for sale off-site.

The existing surface mining operation was originally approved in 1964 and subsequently renewed in July 1974. In 1987, application for a new surface mine was submitted and was subsequently approved on January 22, 1991. In 1998 the original permittee (Beaumont Concrete Company) was sold to RRM. In August 2000, RRM submitted a revised application to expand their mining and reclamation plans. In 2006, RRM increased the maximum production, transport the majority of the sand and aggregate from the site using adjacent rail facilities instead of trucks, increase the life of the current permit from 2011 to 2041; and bring the existing conditions into compliance with current standards under SMP00162R2. RRM is now submitting an application for a revised permit to allow construction and operation of two industrial wind turbines within the site to provide a supplemental renewable energy source for ongoing operations.

For the purposes of air quality modeling and other estimates used in the following analysis, it was assumed that the following construction phases would take place: access road construction (1 week), transmission line construction (1 week), foundation construction (10 days), and turbine assembly (2 days). Over the course of the access road construction phase, approximately 555 cubic yards of aggregate would be used from the existing aggregate production on-site and be transported for use in the road construction, requiring approximately 14 total truck trips. Additionally, 400 tons of concrete would be delivered from the existing concrete batch plant on-site to the project construction site over the course of the foundation construction phase, requiring approximately 26 total truck trips. Approximately 10 workers would be utilized during all construction phases, and total construction is expected to take approximately 1 month.

B. Type of Project: Site Specific ; Countywide ; Community ; Policy .

C. Total Project Area: 517.0 acre

Residential Acres:	Lots:	Units:	Projected No. of Residents:
Commercial Acres:	Lots:	Sq. Ft. of Bldg. Area:	Est. No. of Employees:
Industrial Acres: 517.0	Lots:	Sq. Ft. of Bldg. Area:	Est. No. of Employees: 10 (construction only)

Other: Not Applicable

D. Assessor's Parcel No(s): 519-110-009, 519-110-011, 519-110-015, 519-170-001, 519-170-004, 519-170-005, 519-170-006, 519-170-007, 519-200-005, 519-200-007, 519-200-009, 519-200-011, 519-210-001, 519-210-002, 519-220-001, 519-220-002, 519-220-003, 519-220-004, 519-220-005, 519-220-006, 519-220-007, 519-220-008, 519-220-009, 519-220-011, 519-220-012.

E. Street References: 13990 Apache Trail, Cabazon, CA 92230. The project site is located south of Interstate 10, between Apache Trail and Fields Road in the Cabazon area of Riverside County (Figures 1 & 2).

F. Section, Township & Range Description or reference/attach a Legal Description: Sections 7 & 18, Township 3 South, Range 2 East.

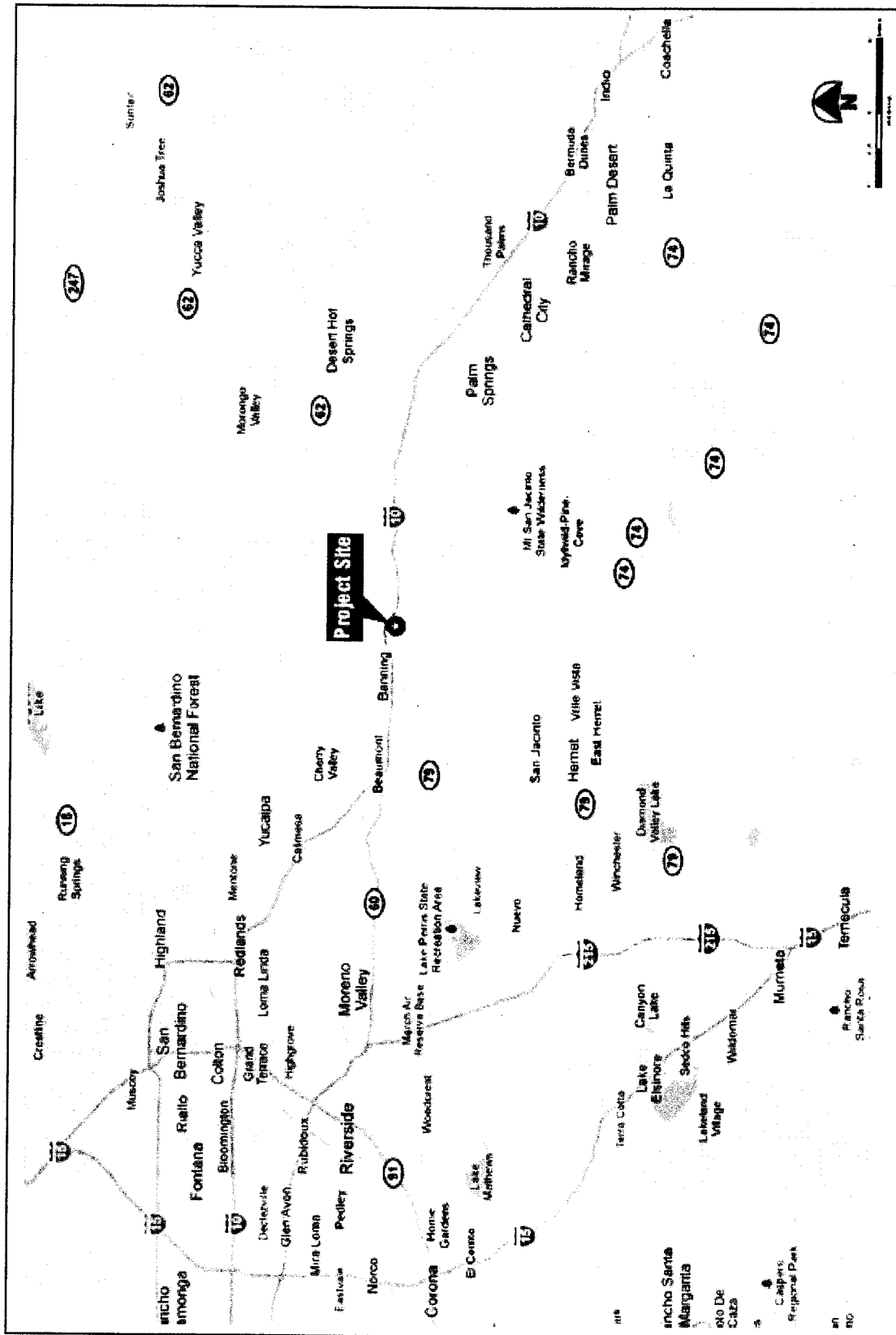


FIGURE 1
Regional Map

DUDEK
66158 401
FEBRUARY 2012

Robertson's Ready Max Wind Turbines - MND

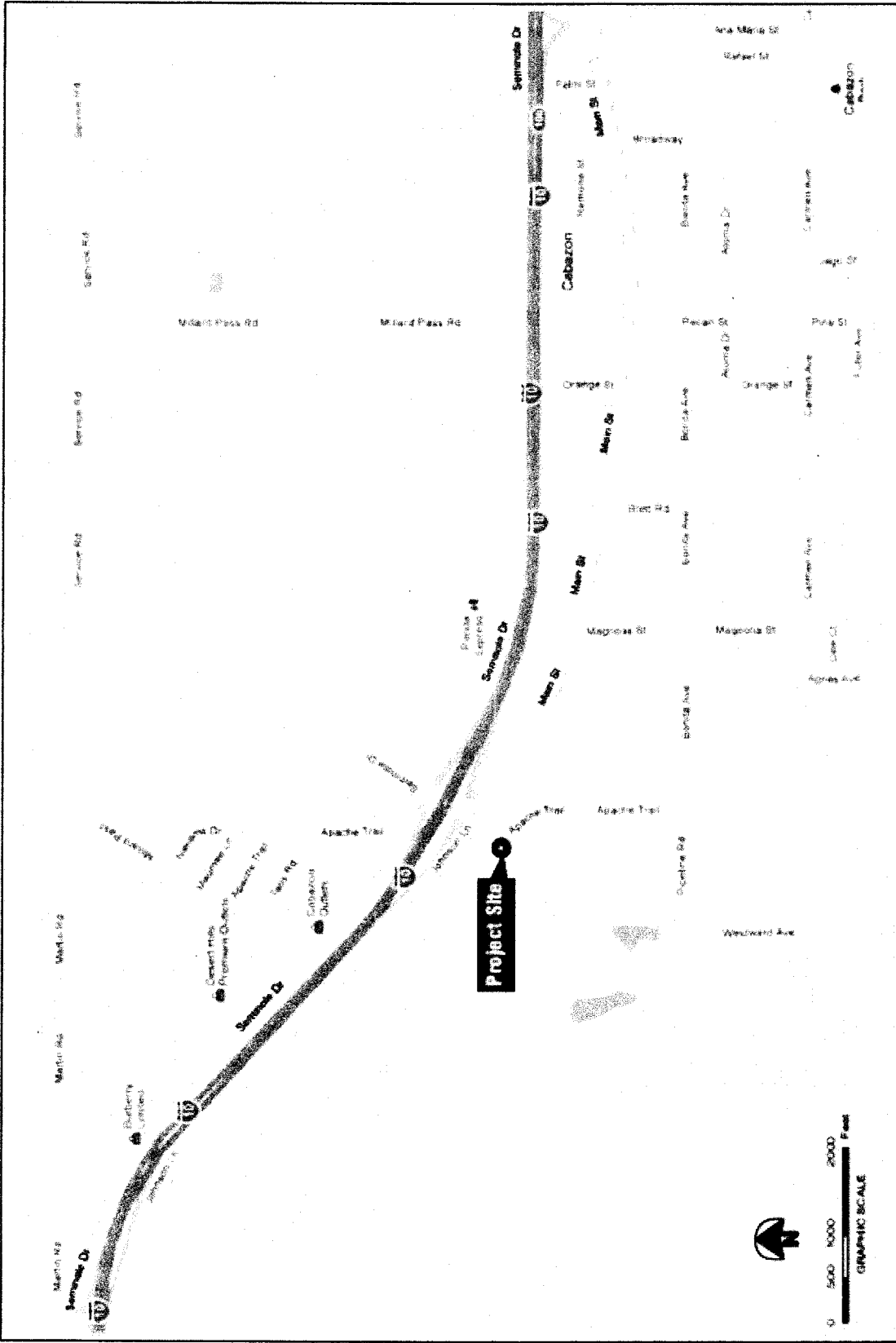


FIGURE 2
Vicinity Map

DUDEK

06 36 01
FEBRUARY 2012

Robertson's Ready Mix Wind Turbines - MND

- G. Brief description of the existing environmental setting of the project site and its surroundings:** The project is within an existing gravel mine site just east of the San Gorgonio River in the San Gorgonio Pass area, between the San Bernardino and San Jacinto mountains. Surrounding land uses include Morongo Casino Resort & Spa and the Cabazon Outlet Mall north of Interstate-10, and scattered residential uses immediately east of the mine site adjacent to Apache Trail. The area proposed for both wind turbines consists of disturbed land that includes abandoned building structures, equipment, and scattered debris. The San Gorgonio and Smith Creek confluence is located south of both turbine locations and vegetation includes a mix of tamarisk, desert willow and mule fat.

The project is within the area addressed by the Coachella Valley Multiple Species Habitat Conservation Plan (CVMSHCP), which seeks to conserve fluvial sand transport through the area and to maintain function of the San Gorgonio River for wildlife movement. The CVMSHCP indicates that the only restriction on the site are those designated by Riverside County Flood Control.

II. APPLICABLE GENERAL PLAN AND ZONING REGULATIONS

A. General Plan Elements/Policies:

1. **Land Use:** Surface mining operations are an allowed use within Rural and Community Development Foundation Components. LU 15.6 Prohibit wind turbines located on top of earthquake faults or lineaments. LU 15.10 Require wind turbines to operate at less than 65 dBA and not more than 60 dBA when installed adjacent to noise-sensitive land uses. LU 15.11 Ensure that site designs and operation provide for adequate security and safety to lessen the possibilities and impacts of accidents, vandalism, and environmental hazards. LU 15.12 Require the design and location of commercial wind energy developments to mitigate visual impacts. Issues which may be included in the review may be, but are not necessarily limited to, the following list, depending on turbine types, densities, and siting.
2. **Circulation:** A regional trail is recommended along the San Gorgonio River Wash. C 19.1 Preserve scenic routes that have exceptional or unique visual features in accordance with Caltrans' Scenic Highways Plan. C 19.2 Wind turbine generators have proven to be a unique tourist attraction.
3. **Multipurpose Open Space:** Maintain open space and wildlife movements along the San Gorgonio River and Smith Creek. OS 10.1 Provide for orderly and efficient wind energy development in a manner that maximizes beneficial uses of the wind resource and minimizes detrimental effects to the residents and the environment of the County. OS 10.2 Continue the County's Wind Implementation Monitoring Program (WIMP) in order to study the evolution of wind energy technology, identify means to solve environmental and community impacts, and provide for an ability to respond with changes in the County's regulatory structure.
4. **Safety:** Surface Mine operations are allowed within the 100 year flood plain.
5. **Noise:** N 5.1 Enforce the Wind Implementation Monitoring Program (WIMP). N 5.2 Encourage the replacement of outdated technology with more efficient technology with less noise impacts.
6. **Housing:** Not Applicable

7. **Air Quality:** Adherence to AQMD standards for all mining operations.

B. **General Plan Area Plan(s):** The Pass Area Plan

C. **Foundation Component(s):** Rural; Community Development

D. **Land Use Designation(s):** Rural Desert (RD), Rural Residential (RR), Light Industrial (LI); Rural Mountainous (RM)

E. **Overlay(s), if any:** None

F. **Policy Area(s), if any:** Cabazon Policy Area

G. **Adjacent and Surrounding:**

1. **Area Plan(s):** The Pass Area Plan

2. **Foundation Component(s):** Rural; Community Development

3. **Land Use Designation(s):** Rural Desert (RD); Rural Residential (RR); Light Industrial (LI); Rural Mountainous (RM)

4. **Overlay(s), if any:** None

5. **Policy Area(s), if any:** Cabazon Policy Area

H. **Adopted Specific Plan Information**

1. **Name and Number of Specific Plan, if any:** None

2. **Specific Plan Planning Area, and Policies, if any:** None

I. **Existing Zoning:** W-2-10 (Controlled Development Areas - 10 acre minimum); W-2-5 (Controlled Development Areas - 5 Acre minimum); M-SC (Manufacturing Service Commercial)

J. **Proposed Zoning, if any:** None

K. **Adjacent and Surrounding Zoning:** W-2, W-2-5, W-2-10 (Controlled Development Areas); C-1/C-P (General Commercial); M-SC (Manufacturing Service Commercial); C-P-S (Scenic Highway Commercial)

III. ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

The environmental factors checked below (x) would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" or "Less than Significant with Mitigation Incorporated" as indicated by the checklist on the following pages.

- | | | |
|---|---|--|
| <input checked="" type="checkbox"/> Aesthetics | <input checked="" type="checkbox"/> Hazards & Hazardous Materials | <input type="checkbox"/> Recreation |
| <input type="checkbox"/> Agriculture & Forest Resources | <input type="checkbox"/> Hydrology / Water Quality | <input type="checkbox"/> Transportation / Traffic |
| <input checked="" type="checkbox"/> Air Quality | <input type="checkbox"/> Land Use / Planning | <input type="checkbox"/> Utilities / Service Systems |

- | | | |
|--|---|---|
| <input checked="" type="checkbox"/> Biological Resources | <input type="checkbox"/> Mineral Resources | <input type="checkbox"/> Other: |
| <input type="checkbox"/> Cultural Resources | <input checked="" type="checkbox"/> Noise | <input type="checkbox"/> Other: |
| <input checked="" type="checkbox"/> Geology / Soils | <input type="checkbox"/> Population / Housing | <input type="checkbox"/> Mandatory Findings of Significance |
| <input type="checkbox"/> Greenhouse Gas Emissions | <input type="checkbox"/> Public Services | |

IV. DETERMINATION

On the basis of this initial evaluation:

A PREVIOUS ENVIRONMENTAL IMPACT REPORT/NEGATIVE DECLARATION WAS NOT PREPARED

I find that the proposed project **COULD NOT** have a significant effect on the environment, and a **NEGATIVE DECLARATION** will be prepared.

I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project, described in this document, have been made or agreed to by the project proponent. **A MITIGATED NEGATIVE DECLARATION** will be prepared.

I find that the proposed project **MAY** have a significant effect on the environment, and an **ENVIRONMENTAL IMPACT REPORT** is required.

A PREVIOUS ENVIRONMENTAL IMPACT REPORT/NEGATIVE DECLARATION WAS PREPARED

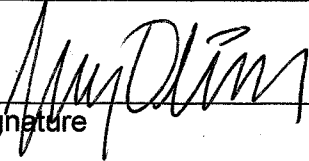
I find that although the proposed project could have a significant effect on the environment, **NO NEW ENVIRONMENTAL DOCUMENTATION IS REQUIRED** because (a) all potentially significant effects of the proposed project have been adequately analyzed in an earlier EIR or Negative Declaration pursuant to applicable legal standards, (b) all potentially significant effects of the proposed project have been avoided or mitigated pursuant to that earlier EIR or Negative Declaration, (c) the proposed project will not result in any new significant environmental effects not identified in the earlier EIR or Negative Declaration, (d) the proposed project will not substantially increase the severity of the environmental effects identified in the earlier EIR or Negative Declaration, (e) no considerably different mitigation measures have been identified and (f) no mitigation measures found infeasible have become feasible.

I find that although all potentially significant effects have been adequately analyzed in an earlier EIR or Negative Declaration pursuant to applicable legal standards, some changes or additions are necessary but none of the conditions described in California Code of Regulations, Section 15162 exist. An **ADDENDUM** to a previously-certified EIR or Negative Declaration has been prepared and will be considered by the approving body or bodies.

I find that at least one of the conditions described in California Code of Regulations, Section 15162 exist, but I further find that only minor additions or changes are necessary to make the previous EIR adequately apply to the project in the changed situation; therefore a **SUPPLEMENT TO THE ENVIRONMENTAL IMPACT REPORT** is required that need only contain the information necessary to make the previous EIR adequate for the project as revised.

I find that at least one of the following conditions described in California Code of Regulations, Section 15162, exist and a **SUBSEQUENT ENVIRONMENTAL IMPACT REPORT** is required: (1) Substantial changes are proposed in the project which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; (2) Substantial changes have occurred with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or (3) New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete or the negative declaration was adopted, shows any the following:(A) The project will have one or more significant effects not discussed in the previous EIR or negative declaration;(B) Significant effects previously examined will be substantially more severe than shown in the previous

EIR or negative declaration;(C) Mitigation measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measures or alternatives; or,(D) Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR or negative declaration would substantially reduce one or more significant effects of the project on the environment, but the project proponents decline to adopt the mitigation measures or alternatives.


Signature

August 16, 2012
Date

Jay Olivas, Project Planner
Printed Name

For Carolyn Syms Luna, Director

ENVIRONMENTAL ISSUES ASSESSMENT

In accordance with the California Environmental Quality Act (CEQA) (Public Resources Code Section 21000-21178.1), this Initial Study has been prepared to analyze the proposed project to determine any potential significant impacts upon the environment that would result from construction and implementation of the project. In accordance with California Code of Regulations, Section 15063, this Initial Study is a preliminary analysis prepared by the Lead Agency, the County of Riverside, in consultation with other jurisdictional agencies, to determine whether a Negative Declaration, Mitigated Negative Declaration, or an Environmental Impact Report is required for the proposed project. The purpose of this Initial Study is to inform the decision-makers, affected agencies, and the public of potential environmental impacts associated with the implementation of the proposed project.

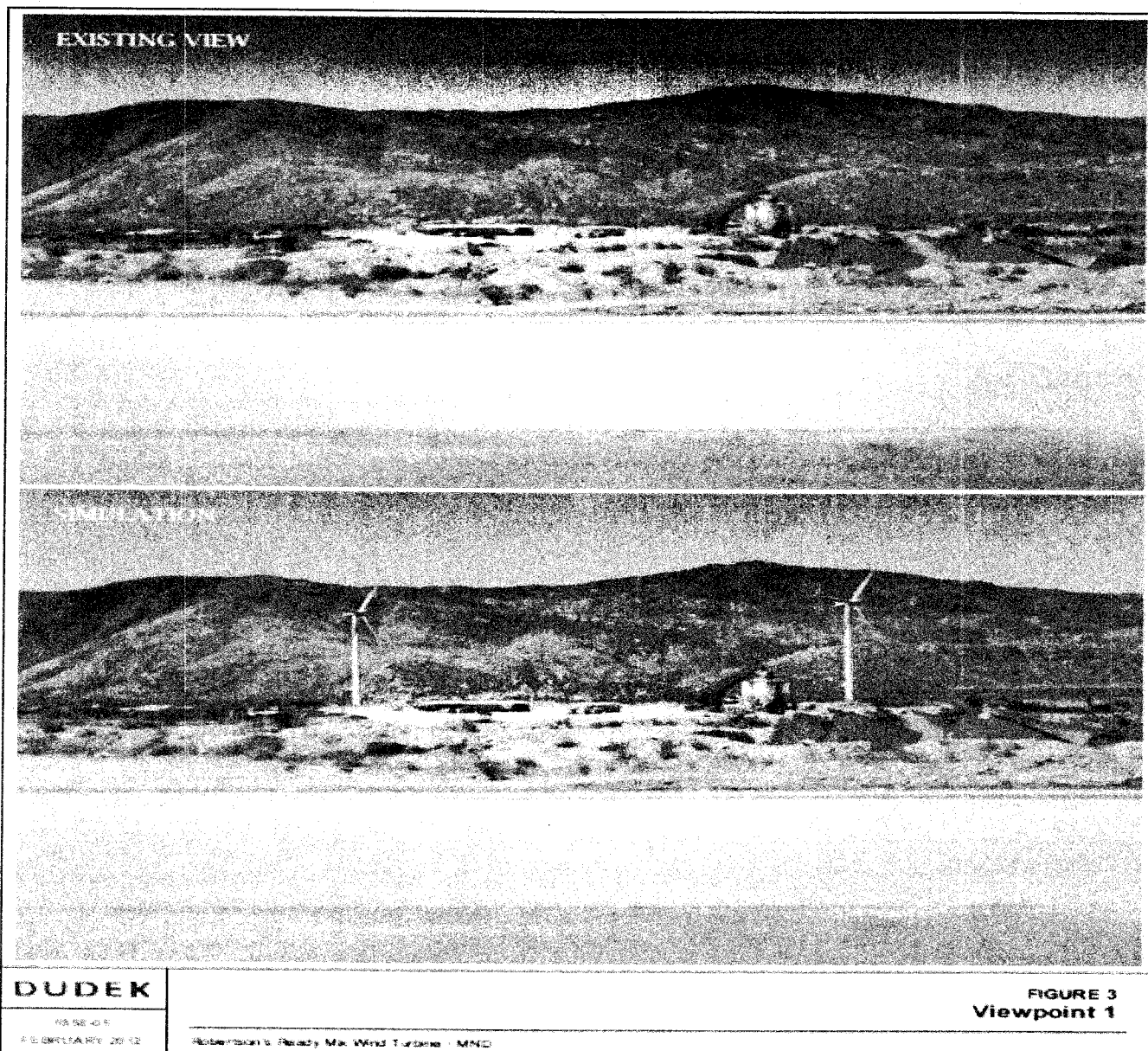
	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
AESTHETICS Would the project				
1. Scenic Resources				
a) Have a substantial effect upon a scenic highway corridor within which it is located?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings and unique or landmark features; obstruct any prominent scenic vista or view open to the public; or result in the creation of an aesthetically offensive site open to public view?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Source: Riverside County General Plan Figure C-9 "Scenic Highways", Visual simulations.

Findings of Fact: Interstate 10 (I-10) in the Cabazon area is listed as a State Eligible scenic highway on Figure C-9 of the Riverside County General Plan (RCGP). The existing surface mining operation has been in the area since 1964. The revised project would place two (2) wind turbines approximately one-half mile (or 2,640 feet) from I-10 which is more than twice the required setback (1,000 feet) for commercial wind turbines being located adjacent to scenic or scenic eligible highways. Therefore, the project would have a less than significant impact on a scenic highway.

Visual simulations, showing the before and after conditions, were prepared to demonstrate what the proposed wind turbines would look like from key public viewpoints surrounding the project site. The following discussion provides a qualitative analysis of the potential impacts to the visual landscape as seen from these key public viewpoints:

Viewpoint 1: As shown in Figure 3, this view looks southward across the site, and was taken from the dirt access road to the existing mining facility, located just west of Apache Trail. Predominant existing views are of the mountains to the south of the site and mechanical/industrial equipment associated with the existing quarry operations on site. The proposed wind turbines appear as tall-slender man-made elements in the visual landscape, but do not appear to significantly contrast with existing mining equipment and machinery on site, or impede views of the distant mountain range and associated ridgelines. Due to the existing industrial nature of the project site and the fact that current views of the distant mountains would not be blocked or significantly obscured by the proposed turbines, the visual effect of the project from this location would be *less than significant with mitigation incorporated*.



Viewpoint 2: As shown in Figure 4, this viewpoint faces southeast across the site, and is taken from a frontage road which parallels the south side of I-10. This view is representative of how the turbines might appear to motorists traveling east along I-10. Existing views at this location are dominated by the prominent mountain range in the background along with some low lying bushes and shrubs lining the site and paralleling railroad tracks. Again, a fair amount of industrial equipment and machinery is visible associated with quarry operations at the site, and Union Pacific railroad tracks in the middle and foreground views. Similar to the views associated with Viewpoint 1, the site already appears industrial in nature and mountain views would not be blocked or significantly obscured by the project turbines. Therefore, the visual effect of the project from this location would be *less than significant with mitigation incorporated*.

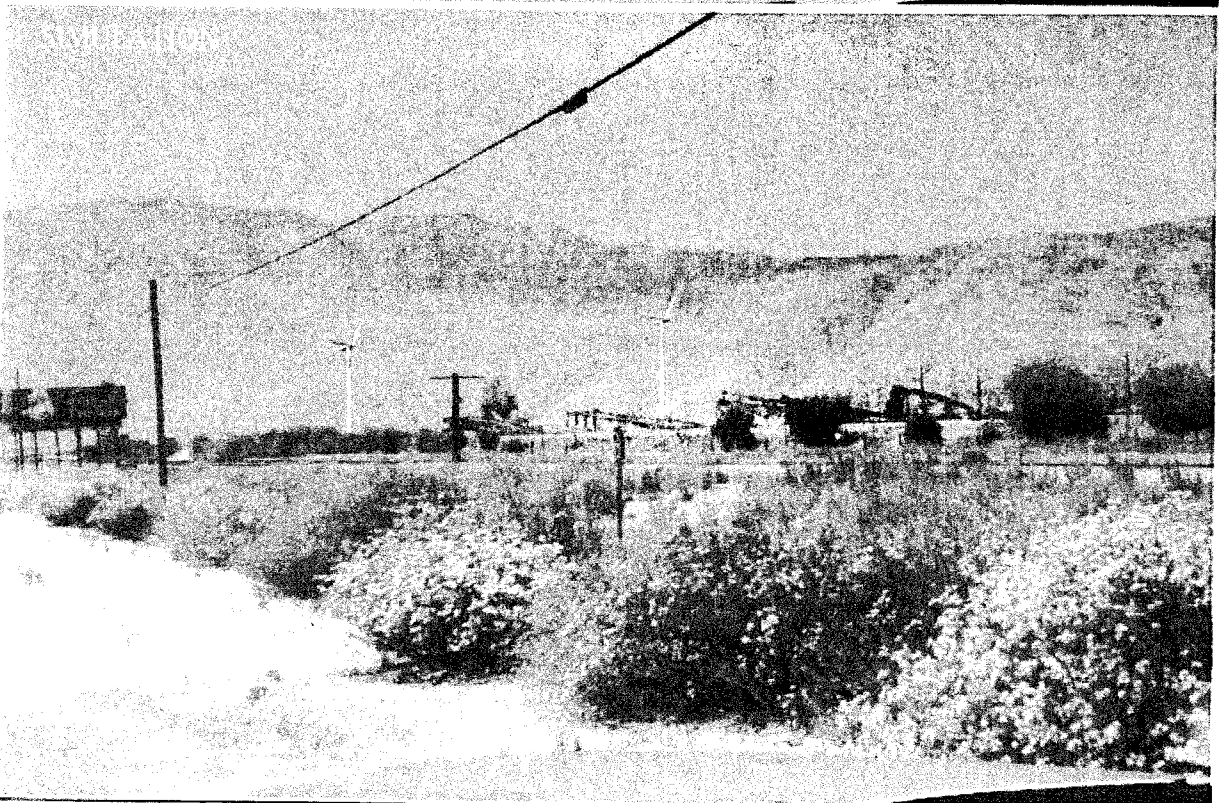
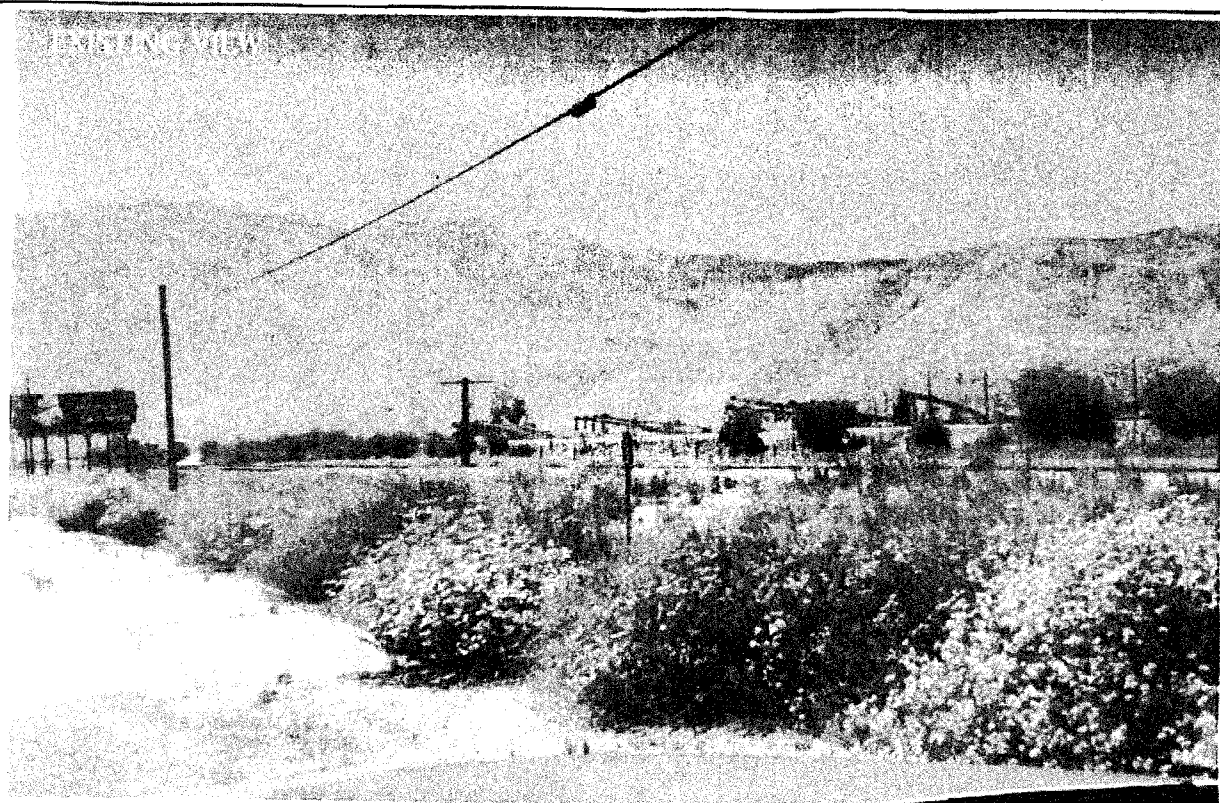
Viewpoint 3: As shown in Figure 5, this view faces to the southeast near the eastbound on-ramp to I-10 at Johnson Lane (Exit 103). This is also representative of the view motorists may have of the wind turbines and other industrial equipment in the project vicinity while traveling eastbound along I-10. It encompasses the Cabazon outlet mall as well as the hotel tower associated with the Morongo Casino Resort. The predominant existing view is of the mountains in the background, the hotel and outlet buildings, various roadside signs, railroad tracks, and the industrial equipment at the project site. The simulated view of the proposed turbines indicates that views of the site would not be substantially changed from the existing industrial nature or block mountain views. Furthermore, although similar in total height, due to the mass and elevation differences, it appears that the hotel tower is the most visually apparent structure as scene from this viewpoint. The wind turbine structures would simply appear as additional industrial equipment similar in nature to the existing machinery on-site, and would not create a substantial visual effect or impede a scenic vista from this location. Therefore, the visual effect of the project from this location would be *less than significant with mitigation incorporated*.

Viewpoint 4: As shown in Figure 6, this view looks westward toward the site and is taken near the intersection of Main Street and Broadway in the Town of Cabazon, located approximately 2.5 miles east of the site and a short distance south of I-10. Views along Main Street are dominated by mountains to the south and west and various commercial uses including the Morongo Casino hotel to the west. The proposed turbines are barely visible from this location and appear to blend and be subordinate to other man-made and natural elements, such as street lights, telephone poles, buildings and trees, which are more prominent in foreground views. Consequently, the proposed turbines have little to no effect on the existing visual landscape or views of the distant mountain range in the background. Therefore, the visual effect of the project from this location would be *less than significant with mitigation incorporated*.

Viewpoint 5: As shown in Figure 7, this view looks southwest at the site as taken from the northeastern portion of the Morongo Casino Resort parking area. Existing views are dominated by the hotel tower and the mountains in the background. Although the existing industrial equipment at the site is not visible from this vantage point, the proposed turbines would not be considered aesthetically incompatible with the commercial/industrial nature of land uses occurring in the vicinity. In addition, the proposed turbines would be located at a lower elevation than much of the existing development north of the I-10, and would appear as visually subordinate structures in comparison with the Casino hotel tower, and would not represent a substantial change to a scenic vista or impede views of the background mountains or extend above ridgelines. Therefore, the visual effect of the project from this location would be *less than significant with mitigation incorporated*.

Mitigation: Compliance with conditions of approval including prohibition of reflective surfaces, no logos or prominent markings, uniform wind turbine colors such as light grey or off-white (Condition of Approval (COA) 90.PLANING.5), and contribution by the developer of WIMP fees offering a source of funds to monitor visual impacts (COA 80.PLANING.3).

Monitoring: Monitoring to be provided by Building and Safety Department and Planning Department.

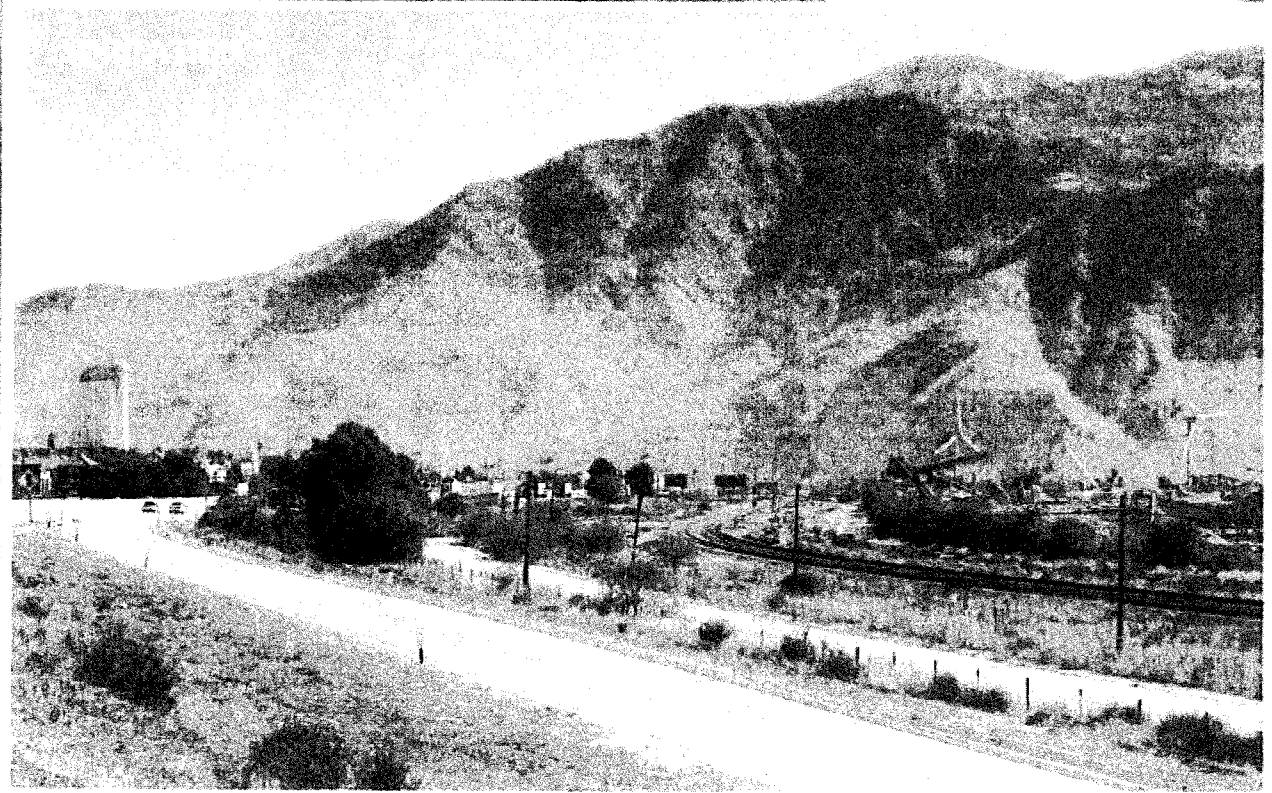
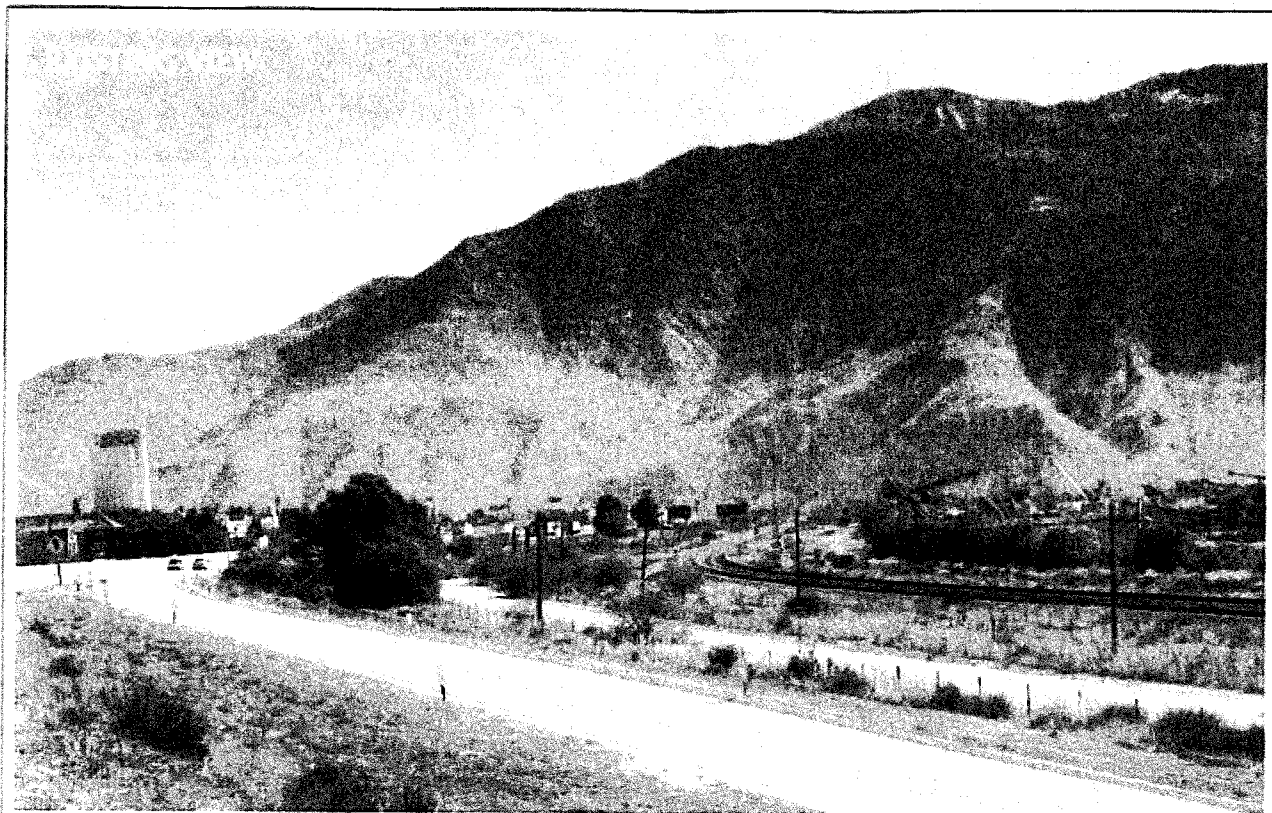


DUDEK

11000 95
FEBRUARY 2012

Robertson's Ready Mix Wind Turbine - MND

FIGURE 4
Viewpoint 2



DUDEK

03/04/05

FEBRUARY 2010

Robertson's Ready Mix Wind Turbine - MNO

FIGURE 5
Viewpoint 3

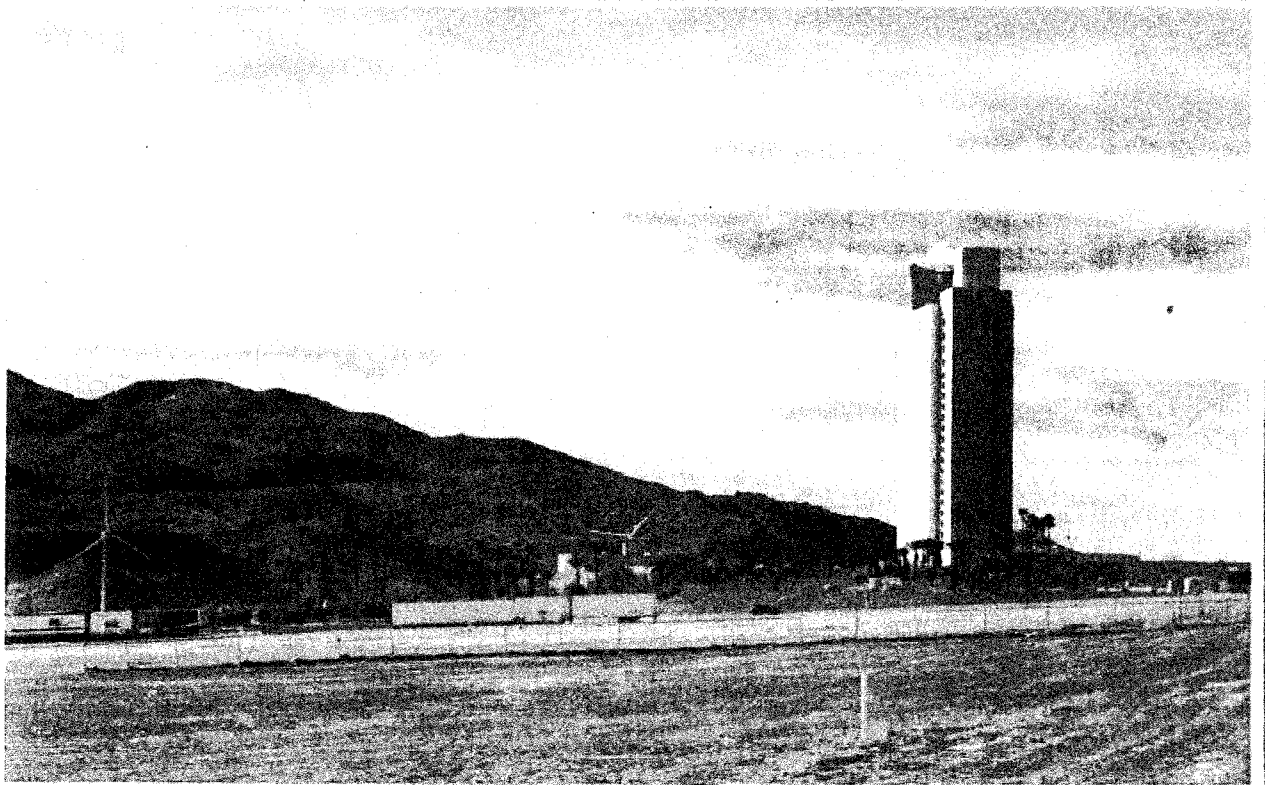
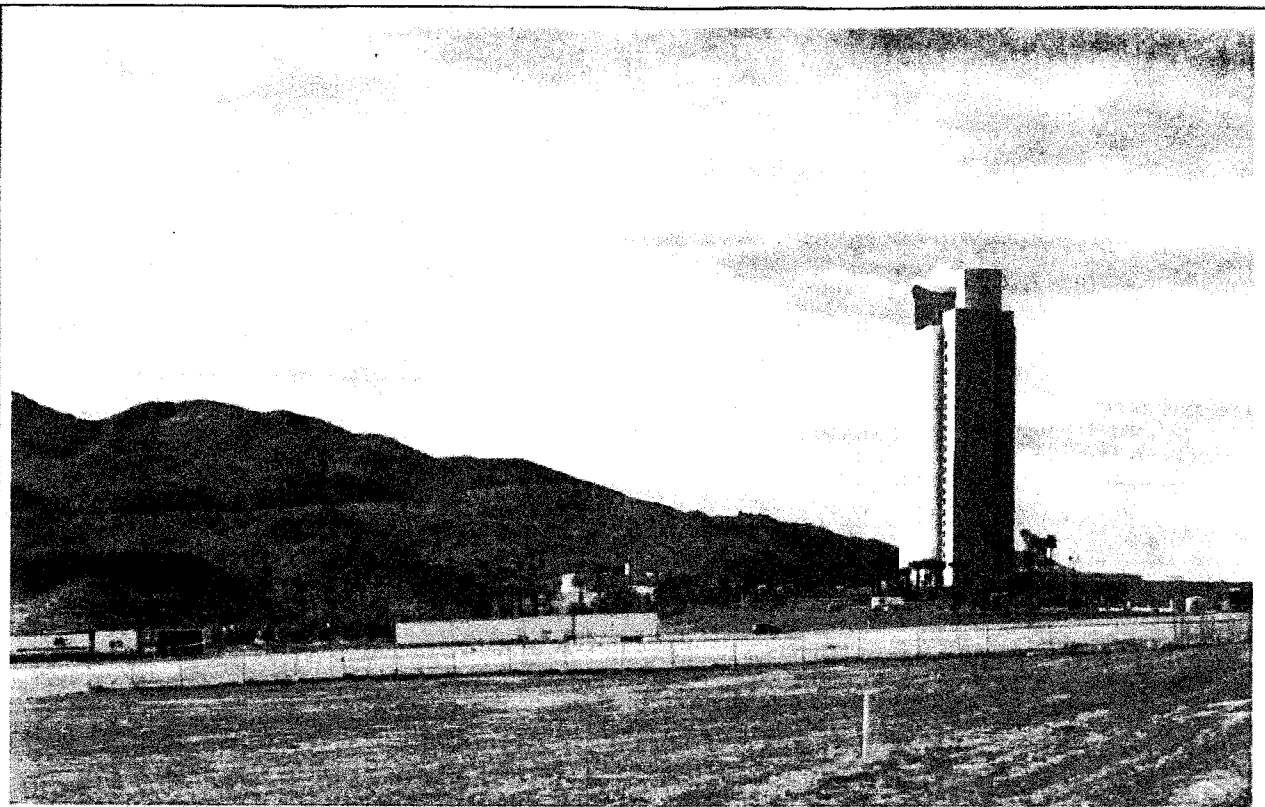


DUDEK

01.16.05
E1010117-0011

Robertson's Ready Mix Wind Turbine - MND

FIGURE 6
Viewpoint 4



DUDEK

EST. 1951
FEBRUARY 2012

Robertson's Ready Mix Wind Turbine - MND

FIGURE 7
Viewpoint 5

2. Mt. Palomar Observatory

a) Interfere with the nighttime use of the Mt. Palomar Observatory, as protected through Riverside County Ordinance No. 655?

Source: GIS database, Ord. No. 655 (Regulating Light Pollution)

Findings of Fact: The revised surface mining project is located within Zone B of Ordinance 655. The proposed project is located approximately 39 miles from Mt. Palomar Observatory. Existing ambient night lighting is high due to Interstate 10, Morongo Casino and existing 24 hour mining and asphalt operations. Aside from aircraft warning lights located on one or both wind turbines, which will be required by the Federal Aviation Administration (FAA), the project will not employ any additional outdoor lighting at the site and will maintain existing lighting as part of the surface mine and shall comply with Ordinance No. 655 (COA 10.PLANNING.39). Less than significant impacts relative to the Mt. Palomar Observatory will occur.

Mitigation: None Required

Monitoring: Not Applicable

3. Other Lighting Issues

a) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?

b) Expose residential property to unacceptable light levels?

Source: On-site Inspection, Project Application Description

Findings of Fact: As indicated in Response 2 (Mt. Palomar Observatory), the only proposed lighting will be FAA required safety lighting for the proposed addition of the wind turbines which will not create a new source of substantial light or glare. Newer FAA standards recommend low intensity red synchronized blinking lights during nighttime use only in contrast to previous standards that required bright white daytime strobes and medium intensity white night time strobe lights that were not synchronized. This newer type of lighting does not produce substantial glare or light spillage, and is visible at night as a synchronized slowly blinking low intensity red light, designed to radiate it's primary beam horizontally and upward. Therefore, the project would not expose residential property to unacceptable light levels. Any lighting related to the existing surface mine operations shall be hooded and directed downwards (COA 10.PLANNING.80). Less than significant impacts relative to outdoor lighting will occur.

Mitigation: None Required

Monitoring: Not Applicable

AGRICULTURE & FOREST RESOURCES Would the project

4. Agriculture

a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland) as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
b) Conflict with existing agricultural zoning, agricultural use or with land subject to a Williamson Act contract or land within a Riverside County Agricultural Preserve?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Cause development of non-agricultural uses within 300 feet of agriculturally zoned property (Ordinance No. 625 "Right-to-Farm")?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Source: Riverside County General Plan Figure OS-2 "Agricultural Resources," GIS database, and Project Application Materials.

Findings of Fact: As indicated by the Farmland overlay in the GIS database, the two wind turbine parcels have some area designated as grazing land and a small portion of the parcel for Turbine #1 is designated Farmland of Local Importance which less than significant impacts would occur. However, both wind turbine parcels are within an active gravel mining operation and no agriculture activities exist within or immediately adjacent to the project site. The overall existing surface mine site and surrounding area are not designated for agriculture (see item II-I and II-K, above) and would not involve any other changes which would result in conversion of farmland, therefore, there would be no impact.

Mitigation: None Required

Monitoring: Not Applicable

5. Forest	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
a) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Govt. Code section 51104(g))?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in the loss of forest land or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Source: Riverside County General Plan Figure OS-3 "Parks, Forests and Recreation Areas," and Project Application Materials.

Findings of Fact: The project site is not within or adjacent to any designated forest land, timberland or Timberland Production zone. The project would not result in removal of forest land or conversion to non-forest use as there is no forest land on the site. Therefore the project would not result in the loss of or conversion of forest land to non-forest use. Therefore, there would be no impact.

Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
--------------------------------	--	------------------------------	-----------

Mitigation: None Required

Monitoring: Not Applicable

AIR QUALITY Would the project

6. Air Quality Impacts

a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Expose sensitive receptors which are located within 1 mile of the project site to project substantial point source emissions?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) Involve the construction of a sensitive receptor located within one mile of an existing substantial point source emitter?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Create objectionable odors affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Source: SCAQMD CEQA Air Quality Handbook;

Findings of Fact: In 2007, the SCAQMD adopted a final Air Quality Management Plan (AQMP) for the South Coast Air Basin (SCAB), which includes the project site. The 2007 AQMP reduction and control measures, which are outlined to mitigate emissions, are based on existing and project land use and development. A project is deemed inconsistent with air quality plans if it would result in population and/or employment growth that exceeds growth estimates included in the applicable air quality plan. The proposed project would not result in population or employment growth, as it consists of the construction and operation of two ancillary wind turbines and associated infrastructure within the existing Robertson's Ready Mix Concrete facility. The project would not conflict with or propose to change existing land uses or applicable policies as designated in the RCGP, and thus it would not conflict with the applicable air quality plan. Further, no long-term operational emissions are anticipated to occur with implementation of the proposed project. Consequently, the project would not conflict with or obstruct implementation of the applicable air quality plans, and no mitigation is required.

Project-related air emissions would have a significant effect if they result in concentrations that either create a violation of an adopted ambient air quality standards (i.e., the NAAQS and CAAQS) or contribute to an existing air quality violation. The SCAQMD has adopted significance thresholds to assess the impact on regional air quality which, if exceeded, would indicate the potential to contribute to violations of the NAAQS or CAAQS. The SCAQMD construction air quality significance thresholds are shown in Table AQ-3.

Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
--------------------------------	--	------------------------------	-----------

**Table AQ-4
SCAQMD Air Quality Significance Thresholds**

Pollutant	Construction
Criteria Pollutants Mass Daily Thresholds	
VOC	75 pounds/day
NO _x	100 pounds/day
CO	550 pounds/day
SO _x	150 pounds/day
PM ₁₀	150 pounds/day
PM _{2.5}	55 pounds/day

Source: SCAQMD 1993

Construction of the proposed project would result in a temporary addition of pollutants to the local airshed caused by soil disturbance, dust emissions, and combustion pollutants from on-site construction equipment, as well as from off-site haul trucks and vendor trucks transporting construction materials. Construction emissions can vary substantially from day to day, depending on the level of activity, the specific type of operation, and, for dust, the prevailing weather conditions. Therefore, such emission levels can only be approximately estimated with a corresponding uncertainty in precise ambient air quality impacts.

During construction, the project would be subject to SCAQMD Rule 403 (Fugitive Dust), which sets forth general and specific requirements for all construction sites (as well as other fugitive dust sources) in the SCAQMD. The general requirement prohibits a person from causing or allowing emissions of fugitive dust from construction (or other fugitive dust source) such that the presence of such dust remains visible in the atmosphere beyond the property line of the emissions source.

Emissions from the construction phase of the project were estimated through the use of emission factors from the SCAQMD's California Emission Estimator Model (CalEEMod) Version 2011.1.1. Details of the construction emission assumptions and calculations are included in Appendix A. Table AQ-4 shows the estimated maximum unmitigated daily construction emissions associated with the construction of the proposed project.

**Table AQ-5
Estimated Daily Maximum Construction Emissions
(pounds/day unmitigated)**

	VOC	NO _x	CO	SO _x	PM ₁₀	PM _{2.5}
Daily Emissions (pounds/day)						
Access Road	3.81	30.01	18.36	0.03	5.47	3.52
Transmission Line	2.26	17.62	9.51	0.02	1.24	0.99
Foundation	4.47	33.62	19.41	0.03	2.40	2.06
Turbine Assembly	2.74	22.27	12.30	0.02	1.41	1.13
Maximum Daily Emissions	4.47	33.62	19.41	0.03	5.47	3.52
<i>Pollutant Threshold</i>	75	100	550	150	150	55

Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
--------------------------------	--	------------------------------	-----------

Threshold Exceeded?	No	No	No	No	No	No
---------------------	----	----	----	----	----	----

See Appendix A for complete results.

These estimates reflect control of fugitive dust required by SCAQMD Rule 403 (Fugitive Dust).

As shown, daily construction emissions would not exceed the thresholds for VOC, NO_x, CO, SO_x, PM₁₀, or PM_{2.5} during construction of the proposed project. As such, the construction of the proposed project would result in a *less than significant impact and would not violate any air quality standard or contribute substantially to an existing or projected air quality violation.*

In order to further reduce fugitive dust emissions and ensure that construction impacts would be less than significant, mitigation measures are recommended, as provided below. Without mitigation, however, air quality impacts related to anticipated PM₁₀ emission levels during construction would be considered less than significant.

Mitigation: Consistent with SCAQMD Rule 403, it is required that fugitive dust generated by grading and construction activities be kept to a minimum with a goal of retaining dust on the site, by following the dust control measures listed below:

- a) During clearing, grading, earthmoving, excavation, or transportation of cut or fill materials, water trucks or sprinkler systems shall be used to prevent dust from leaving the site and to create a crust after each day's activities cease.
- b) During construction, water truck or sprinkler systems shall be used to keep all areas of vehicle movement damp enough to prevent dust from leaving the site. At a minimum, this would include wetting down such areas later in the morning and after work is completed for the day and whenever winds exceed 15 miles per hour.
- c) Soil stockpiled for more than 2 days shall be covered, kept moist, or treated with soil binders to prevent dust generation.
- d) Reduce speeds on unpaved roads to less than 15 miles per hour.
- e) Halt all grading and excavation operations when wind speeds exceed 25 miles per hour (COA 10.PLANNING.43).
- f) Dirt and debris spilled onto paved surfaces at the project site and on the adjacent roadways shall be swept, vacuumed, and/or washed at the end of each workday.
- g) Should minor import/export of soil materials be required, all trucks hauling dirt, sand, soil, or other loose material to and from the construction site shall be tarped and maintain a minimum 2 feet of freeboard.
- h) At a minimum, at each vehicle egress from the project site to a paved public road, install a pad consisting of washed gravel (minimum-size: 1 inch) maintained in a clean condition to a depth of at least 6 inches and extending at least 30 feet wide and at least 50 feet long (or as otherwise directed by SCAQMD).
- i) Review and comply with any additional requirements of SCAQMD Rule 403.

Monitoring: The County of Riverside Planning Department shall ensure measures are on plans. The County's Grading and Building Inspectors shall spot check; Grading and Building Inspectors shall ensure compliance on-site.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
BIOLOGICAL RESOURCES Would the project				
7. Wildlife & Vegetation				
a) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Conservation Community Plan, or other approved local, regional, or state conservation plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Have a substantial adverse effect, either directly or through habitat modifications, on any endangered, or threatened species, as listed in Title 14 of the California Code of Regulations (Sections 670.2 or 670.5) or in Title 50, Code of Federal Regulations (Sections 17.11 or 17.12)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U. S. Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U. S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Source: *Biological Memorandum, Ready Mix Wind Turbine Project*, prepared by Dudek, December 2011; GIS database, CVMSHCP; *Robertson's Proposed Cabazon West Basin Quarry Biological Technical Report*, White and Leatherman, dated July 14, 2005. *Avian Monitoring and Risk Assessment at the San Geronio Pass Wind Resource Area*, (U.S. Dept. of Energy, August 2005)

Findings of Fact: The existing surface mine site is within the area covered under the Coachella Valley Multiple Species Habitat Conservation Plan (CVMSHCP), within the Cabazon Conservation Area, and is designated for preservation of sand transport functions. No listed threatened or endangered plants or animals were found on the site. Based upon habitat and geographic ranges, no listed species or special status species meeting CEQA guidelines for a mandatory finding of significance is likely to occur. Impacts would be less than significant with mitigation incorporated.

The *Biological Memorandum* prepared for the proposed revised project to add two wind turbines included a search of available literature to determine whether special status bird or bat species occur

Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
--------------------------------	--	------------------------------	-----------

in the project area and a general biological wildlife assessment survey within a ¼ mile buffer of each proposed turbine location. No special status bird or bat species were detected on site or in the surrounding areas during the survey, but California Department of Fish & Game data indicates several bird and bat species have been recorded in the project vicinity and include a number of raptor species. As such, there is moderate potential for bird or bat collisions with the proposed wind turbines. However, past studies have indicated that even in areas of much higher concentrations of commercial wind turbines to the east, bird mortalities are not significant. According to the Department of Energy study referenced above, 830 carcass searches were conducted by the California Energy Commission on 180 sites in the San Gorgonio Pass over a large geographic area during all four seasons of the year. Over the four seasons, 31 bird mortalities were found within 400 meters (0.25 miles) of wind turbines. Of these mortalities, only four were found to be migratory. The report concluded that given the very large number of migratory birds that use the San Gorgonio Pass annually (approximately 37 million), bird mortality is very low. Therefore, the potential impact to bird or bat species due to the two proposed wind turbines is considered less than significant.

The project site is within the *Coachella Valley Multiple Species Habitat Conservation Plan (CVMSHCP)*, which was prepared to protect 27 special status species and their habitat within the 1.1 million acre project area. Specifically, the two subject parcels are within the Cabazon Conservation Area which is subject to special provisions for Fluvial Sand Transport which requires that sand transport processes not be impeded. The proposed turbine locations do not support loose sand which would constitute fluvial sands. The San Gorgonio River wash is located immediately adjacent to the Project Area; however, there are existing levees in place which separate the River wash from the Project Area and due to the limited disturbance area needed to complete the Project, no direct impacts to fluvial sands are expected. Although not expected to impact fluvial sand transport in the Conservation Area, the project site is subject to Land Use Adjacency Guidelines contained in the CVMSHCP. The following adjacency guidelines are specified in Section 4.5 of the CVMSHCP:

- Drainages – Quantity and quality of runoff discharge shall not alter existing conditions.
- Toxics – Land uses generating toxic substances shall ensure discharge does not occur within the Conservation Area.
- Lighting – lighting shall be shielded and directed toward the developed area.
- Noise – Noise in excess of 75 dBA Leq hourly shall incorporate measures to minimize effect on the Conservation Area.
- Invasive – invasive species (i.e. non-native plant species) shall not be incorporated into the landscape plan.
- Barriers – Barriers shall be incorporated into project design to minimize unauthorized access into Conservation Areas.
- Grading/Land Development – slopes (i.e. manufactured) shall not be included or extended into the Project Area.

The project will not require use of hazardous materials; lighting will be limited to one or two aircraft warning lights; excessive noise levels will not occur at adjacent properties; fencing separates the mining facility from adjacent properties; and no manufactured slopes are part of the project design. Therefore, the only applicable Adjacency Guideline is the measure pertaining to limiting the quantity and quality of runoff. The project will be required to implement a Stormwater Pollution Prevention Plan (SWPPP) during construction as discussed under Responses 19 and 25, below.

Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
--------------------------------	--	------------------------------	-----------

Mitigation: See discussion under Responses 19 (Erosion) and 25 (Water Quality). A Revegetation Plan approved as part of the SMP shall be required. A 1-Year Post Construction Biological Monitoring Plan to monitor operation effects of the wind turbines including procedures in the event bird or bat carcasses are found by working staff (COA 20.EPD.1). Additionally, while the desert tortoise is extremely rare in the area, the staff at the mine should be trained to recognize the tortoise and search under equipment prior to moving machinery that has been stationary over night.

Monitoring: County Grading and Building Inspectors shall ensure SWPPP is being implemented during construction and monitoring shall be provided by the Riverside County Flood Control District and the Environmental Programs Division (EPD).

CULTURAL RESOURCES Would the project

8. Historic Resources

a) Alter or destroy an historic site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Cause a substantial adverse change in the significance of a historical resource as defined in California Code of Regulations, Section 15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Source: On-site Inspection, Project Application Materials, *A Cultural Resource Investigation of the 140 acre Robertson's Ready Mix Expansion area near Cabazon, Riverside County, California*, McKenna et al, dated March 10, 2005.

Findings of Fact: The Cultural Resource Investigation referenced above found no surface evidence of any cultural resources, including historical resources, within the overall surface mine project area adjacent to the Morongo Band of Mission Indians Reservation. The likelihood of encountering cultural or historic resources at the project site is low due to its location within and existing surface mining facility, which is heavily disturbed from ongoing mining operations, heavy equipment use/storage, and a network of temporary and permanent dirt access roads. No impacts to historic resources are anticipated.

Mitigation: None Required

Monitoring: Not Applicable

9. Archaeological Resources

a) Alter or destroy an archaeological site.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to California Code of Regulations, Section 15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Restrict existing religious or sacred uses within the potential impact area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
--------------------------------	--	------------------------------	-----------

Source: Project Application Materials, *A Cultural Resource Investigation of the 140 acre Robertson's Ready Mix Expansion area near Cabazon, Riverside County, California*, McKenna et al, dated March 10, 2005.

Findings of Fact: The Cultural Resource Investigation referenced above found no surface evidence of any cultural resources including archaeological resources within the overall surface mine project area. However, given the historic use of the general area by Native Americans and being adjacent to the Morongo Band of Mission Indians Reservation, project conditions have been added in the event of uncovering cultural materials during excavation and grading activities associated with construction of the wind turbines and all mining operations at the project site.

If cultural materials (Native American or archaeological resources) are encountered during construction, work shall stop in the immediate vicinity of the find until the material can be assessed, and the appropriate mitigation determined by a qualified archaeologist (COA 10.PLANNING.1; COA 10.PLANNING.2). No impacts to archaeological resources are anticipated.

Mitigation: None Required

Monitoring: Not Applicable

10. Paleontological Resources

a) Directly or indirectly destroy a unique paleontological resource, or site, or unique geologic feature?

Source: Riverside County General Plan Figure OS-8 "Paleontological Sensitivity"; *A Cultural Resource Investigation of the 140 acre Robertson's Ready Mix Expansion area near Cabazon, Riverside County, California*, McKenna et al, dated March 10, 2005.

Findings of Fact: According to Figure OS-8 in the RCGP, the overall surface mine project site and surrounding area is identified as having a "low" potential for paleontological sensitivity. In addition, the Cultural Resource Investigation referenced above found no surface evidence of any cultural resources including paleontological resources within the project area. Due to the limited disturbance footprint and current use of the area for surface mining, the potential for impacting important paleontological resources is considered low. No impacts to paleontological resources are anticipated.

Mitigation: None Required

Monitoring: Not Applicable

GEOLOGY AND SOILS Would the project

11. Alquist-Priolo Earthquake Fault Zone or County Fault Hazard Zones

a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death?

b) Be subject to rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area

Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
--------------------------------	--	------------------------------	-----------

or based on other substantial evidence of a known fault?

Source: Riverside County General Plan Figure S-2 "Earthquake Fault Study Zones," GIS database, Geologist Comments, *Geotechnical Engineering Report, Proposed Wind Turbines, Ready Mix Facility, Cabazon, California*, Earth Systems Global Inc., August 19, 2011 and County Geologic Report No. 1614

Findings of Fact: There is no evidence of active faulting on the overall surface mine site. (belongs in section 13)The project site does not lie within a delineated State of California Alquist-Priolo (A-P) Earthquake Fault Zone. Additionally, since the proposed wind turbines for the revised project are not habitable structures and comply with required setbacks from property lines, any structural failure or collapse due to sever earthquake activity would not pose a substantial adverse effect on people or structures. In the unlikely event of fault rupture across the wind turbine foundations, the most probable effect would be damage to the wind turbine, resulting in economic loss to the facility operator only.

Mitigation: None Required

Monitoring: Not Applicable

12. Liquefaction Potential Zone

a) Be subject to seismic-related ground failure, including liquefaction?

Source: Riverside County General Plan Figure S-3 "Generalized Liquefaction", *Geotechnical Engineering Report*, Earth Systems Global Inc., August 19, 2011 and County Geologic Report No. 1614 .

Findings of Fact: Seismic related liquefaction generally shows surface effects when groundwater levels are less than 50 feet below the surface with soils susceptible to such an effect. The potential for liquefaction is considered low to negligible because the depth of groundwater exceeds 50 feet and the relatively high density of the on-site materials. Therefore, any potential hazard associated with liquefaction at this mine site is considered less than significant.

Mitigation: None Required

Monitoring: Not Applicable

13. Ground-shaking Zone

a) Be subject to strong seismic ground shaking?

Source: Riverside County General Plan Figure S-4 "Earthquake-Induced Slope Instability Map," and Figures S-13 through S-21 (showing General Ground Shaking Risk), *Geotechnical Engineering Report, Proposed Wind Turbines, Ready Mix Facility, Cabazon, California*, Earth Systems Global Inc., August 19, 2011, County Geologic Report No. 1614 and CHJ reports dated 8/10/12 & 9/04/12 .

Findings of Fact: The overall surface mine site is likely to be subjected to moderate to high ground shaking during the expected life span of the project. The nearest active faults are the San Gorgonio

Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
--------------------------------	--	------------------------------	-----------

Pass Fault, and San Andreas Fault located approximately 1.7 and 2.4 miles north of the site respectively. However, as indicated in Response 11, the project site is not in a Alquist-Priolo Earthquake Fault Zone. Further, the proposed wind turbines are non-human occupancy utility structures and the mining operations would not be significantly adversely impacted by groundshaking. They will be designed and constructed using the most current building codes which consider seismic effects at the site. In the unlikely event of fault rupture across the wind turbine foundations, the most probable effect would be damage to the wind turbine, resulting in economic loss only. Therefore, impacts are considered less than significant.

Mitigation: None Required

Monitoring: Not Applicable

14. Landslide Risk

a) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, collapse, or rockfall hazards?

Source: On-site Inspection, Riverside County General Plan Figure S-5 "Regions Underlain by Steep Slope," *Slope Stability Investigation, Proposed Cabazon Quarry Reclamation*, C.H.J., Incorporated, November 11, 2005, *Geotechnical Engineering Report, Proposed Wind Turbines, Ready Mix Facility, Cabazon, California*, Earth Systems Global Inc., August 19, 2011 and Addendum, November 11, 2011 (County Geological Report No. 2282), County Geologic Report No. 1614 , and CHJ reports dated 8/10/12 & 9/04/12.

Findings of Fact: The installation of the wind turbines on site would not require major grading or the creation of significant manufactured slopes. However, the turbines will be located near existing and proposed slopes associated with ongoing surface mining and reclamation activities at the existing mining facility. A slope stability analysis was originally prepared for the existing mining facility, which determined that the proposed temporary and reclaimed slopes were feasible and stable from a geotechnical perspective. A subsequent slope stability analysis has also been prepared for the proposed wind turbines to determine the stability of the existing and proposed slopes and potential effects on the wind turbine foundations and structures at the proposed locations. The proposed turbines would be set back at least 250-feet from the top of any existing or proposed mining or reclamation slopes to ensure their stability. According to the project's slope stability analyses, the remainder of the mine slopes would continue to maintain an acceptable level of safety. The wind turbines are to be removed prior to mining within 250 feet of the towers. Therefore, potential hazards from slope instability, landslides, lateral spreading, collapse and rockfall events at this site are considered less than significant.

Mitigation: None Required

Monitoring: Not Applicable

Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
--------------------------------	--	------------------------------	-----------

15. Ground Subsidence

a) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in ground subsidence?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
--------------------------	--------------------------	-------------------------------------	--------------------------

Source: Riverside County General Plan Figure S-7 "Documented Subsidence Areas Map" *Geotechnical Engineering Report, Proposed Wind Turbines, Ready Mix Facility, Cabazon, California*, Earth Systems Global Inc., August 19, 2011 and County Geologic Report No. 1614.

Findings of Fact: As shown in Figure S-7 of the RCGP, the project site is not within a documented subsidence area. Also, according to the project's geotechnical report, the potential for seismically induced ground subsidence was determined to be low at the site. The upper soils were found to be suitable with regard to bearing and lateral support for the proposed wind turbine foundations and structures. Therefore, any potential hazard associated with ground subsidence is considered less than significant.

Mitigation: None Required

Monitoring: Not Applicable

16. Other Geologic Hazards

a) Be subject to geologic hazards, such as seiche, mudflow, or volcanic hazard?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
--------------------------	--------------------------	--------------------------	-------------------------------------

Source: On-site Inspection, Project Application Materials, *Geotechnical Engineering Report, Proposed Wind Turbines, Ready Mix Facility, Cabazon, California*, Earth Systems Global Inc., August 19, 2011 and County Geologic Report No. 1614.

Findings of Fact: The project would not be affected by geological hazards such as seiche, mud flow or volcanic hazard, since the subject property is not located near any source which could create these hazards. Therefore, there would be no impact.

Mitigation: None Required

Monitoring: Not Applicable

17. Slopes

a) Change topography or ground surface relief features?

<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
--------------------------	-------------------------------------	--------------------------	--------------------------

b) Create cut or fill slopes greater than 2:1 or higher than 10 feet?

<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
--------------------------	-------------------------------------	--------------------------	--------------------------

c) Result in grading that affects or negates subsurface sewage disposal systems?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
--------------------------	--------------------------	--------------------------	-------------------------------------

Source: Riv. Co. 800-Scale Slope Maps, Project Application Materials, *Geotechnical Engineering Report, Proposed Wind Turbines, Ready Mix Facility, Cabazon, California*, Earth Systems Global Inc.,

Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
--------------------------------	--	------------------------------	-----------

August 19, 2011. County Geologic Report No. 1614, County Geologic Report No. 1614 and CHJ reports dated 8/10/12 & 9/04/12.

Findings of Fact: With regards to topography for overall mine site, the reclamation slopes are considered to be stable as designed and should remain so even if groundwater rises to historic high levels. Seepage from the adjacent San Gorgonio River into reclaimed pit is considered unlikely. The reclamation slopes will be susceptible to wind and water erosion. Impacts are less than significant with mitigation incorporated.

The installation of the wind turbines on site would not require major grading or the creation of significant manufactured slopes on site. The wind turbines shall be removed prior to any substantial grading or mining within 250-feet of the wind turbine towers.

No subsurface sewage systems are located in the project construction area.

Mitigation: The reclamation slopes for the overall mine slopes should be cut as shown on the Reclamation Plan. Analysis indicates these slopes will be stable under the anticipated seismic shaking or possible future groundwater levels at the site. All slopes should be constructed as cut slopes. Temporary cut slopes should not be steeper than 1:1 with maximum height of 236 feet. All graded slopes should be protected with berms and /or levees. All finished slopes should be planted with drought resistant native vegetation.

Monitoring: Monitoring will be through the Department of Building and Safety.

18. Soils

a) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Be located on expansive soil, as defined in Section 1802.3.2 of the California Building Code (2007), creating substantial risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Have soils incapable of adequately supporting use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Source: U.S.D.A. Soil Conservation Service Soil Surveys; Project Application Materials; On-site Inspection; *Geotechnical Engineering Report, Proposed Wind Turbines, Ready Mix Facility, Cabazon, California*, Earth Systems Global Inc., August 19, 2011

Findings of Fact: According to boring logs taken as part of the project's geotechnical field explorations, the project soils are visually classified with "very low" to "low" expansion potential. The physical location and surrounding terrain are relatively flat and void of any major topographic features that will require major grading or creation of artificial slopes to support the proposed turbines foundations and structures. Therefore, construction and operation of the proposed wind turbines will not result in substantial soil erosion or loss of topsoil at the site and therefore impacts are less than significant. The project will not include development of any habitable structures or uses which require septic tanks or alternative waste water disposal at the site.

Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
--------------------------------	--	------------------------------	-----------

Mitigation: None Required

Monitoring: Not Applicable

19. Erosion

a) Change deposition, siltation, or erosion that may modify the channel of a river or stream or the bed of a lake?

b) Result in any increase in water erosion either on or off site?

Source: U.S.D.A. Soil Conservation Service Soil Surveys, *Geotechnical Engineering Report, Proposed Wind Turbines, Ready Mix Facility, Cabazon, California*, Earth Systems Global Inc., August 19, 2011 (Attached as Appendix B)

Findings of Fact: The proposed revised project will result in placement of two wind turbines within an existing gravel mining facility. The construction and operation of the proposed wind turbines would not modify a river channel or lake bed. A levee was constructed in 2004 which prevents flooding of the site from the adjacent San Gorgonio River. Short-term erosion effects during the construction phase of the project would be prevented through implementation of a Storm Water Pollution Prevention Plan (SWPPP), which is required in accordance with the Countywide National Pollutant Discharge Elimination System (NPDES) General Construction Activities Permit. The General Construction Permit requires all dischargers, where construction activity disturbs one or more acres to prepare a SWPPP. The SWPPP incorporates Best Management Practices (BMPs) and will include measures such as sandbags, silt fencing, and temporary detention basins to control on-site and off-site erosion. Therefore, potential impacts associated with soil erosion are considered *less than significant*.

Mitigation: None Required

Monitoring: Not Applicable

20. Wind Erosion and Blowsand from project either on or off site.

a) Be impacted by or result in an increase in wind erosion and blowsand, either on or off site?

Source: Riverside County General Plan Figure S-8 "Wind Erosion Susceptibility Map," Ord. No. 460, Article XV & Ord. No. 484

Findings of Fact: According to Figure S-8 of the RCGP, the revised project proposes wind turbines to be located within an area of "Moderate" wind erosion potential. However, the two wind turbines will be built and operated within an existing surface mining facility with large mineral excavation pits and heavy machinery on site, which reduces the blowsand activity within the site. In addition, the wind turbine towers would not result in an increase in erosion or blowsand as they are relatively narrow in width and would not noticeably alter or deter the transport of sand through the site or require

Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
--------------------------------	--	------------------------------	-----------

significant manufactured slopes or earthwork. Therefore, the proposed wind turbine structures would not be impacted by or result in any increases in wind erosion or blowsand on or off site.

Mitigation: None Required

Monitoring: Not Applicable

GREENHOUSE GAS EMISSIONS Would the project

21. Greenhouse Gas Emissions

a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?

b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?

Source: Climate Change Proposed Scoping Plan: A Framework for Change, The California Air Resources Board (CARB), December 2008.

Findings of Fact: While global climate change is, by definition, a cumulative environmental impact and the impacts of climate change on California human and natural systems would also be substantial, neither the state of California nor the SCAQMD adopted a methodology to adequately assess under CEQA when project-level greenhouse gas (GHG) emissions contribute considerably to this cumulative impact.

Construction of the proposed project would result in GHG emissions, which are primarily associated with use of off-road construction equipment and vehicles and on-road construction and worker vehicles. CalEEMod was used to calculate the annual carbon dioxide equivalent (CO₂E) emissions based on the construction scenario described in Appendix A. Table GHG-1 presents construction emissions for in 2011. Estimates includes emissions from on-site (off-road equipment) and off-site (on-road trucks and worker vehicles) sources during all construction phases.

Table GHG-1
Estimated Annual Construction Greenhouse Gas Emissions

Construction Year	MT CO ₂	MT CH ₄	MT N ₂ O	MT CO ₂ E
2011	29.63	0.00	0.00	29.70

Source: See Appendix A for complete results.

MT CO₂ – metric tons carbon dioxide

MT CH₄ – metric tons methane

MT N₂O – metric tons nitrogen dioxide

MT CO₂E – metric tons carbon dioxide equivalent

As indicated above, the proposed project construction would result in 30 metric tons of CO₂E in 2011. The relatively small amount of GHG emissions related to construction of the proposed project *is not expected to directly or indirectly result in a cumulatively considerable contribution of GHG emissions.*

Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
--------------------------------	--	------------------------------	-----------

The long-term operational GHG impacts of the proposed project would be positive because the only operational GHG emissions would be from the occasional maintenance visits. The wind turbines would produce "clean energy" for Robertson's Ready Mix Concrete facility, and the project's construction emissions would be more than offset by the decrease in GHG emissions associated with purchased electricity from Southern California Edison. As a result, the proposed project would have a less than significant impact on GHG emissions.

The Climate Change Scoping Plan, approved by CARB on December 12, 2008, provides an outline for actions to reduce California's GHG emissions. The Scoping Plan requires CARB and other state agencies to adopt regulations and other initiatives to reduce GHGs. There are several federal and state regulatory measures aimed at the identification and reduction of GHG emissions; most of these measures focus on indirect source emissions (e.g., energy conservation, renewable sources of electrical generation) and changes to the vehicle fleet (e.g., hybrid, electric, and more fuel-efficient vehicles). While the proposed project would contribute to the state's goals to reduce GHG emissions under Assembly Bill 32, the California Global Warming Solutions Act of 2006, and the state's goals to expand the use of renewable energy sources (e.g., wind, solar, biomass), no specific plan, policy, or regulation to reduce GHG emissions would be directly applicable to the project in terms of mandated GHG reductions. The RCGP currently does not specifically address GHG emissions or climate change impacts. Furthermore, neither the County of Riverside nor the SCAQMD has adopted any GHG reduction measures that would apply directly to the GHG emissions associated with the proposed project. At this time, therefore, no mandatory GHG regulations or adopted agency plans would apply to implementation of this project, and no conflict would occur. Therefore, the project would not conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of GHGs.

Mitigation: None Required

Monitoring: Not Applicable

HAZARDS AND HAZARDOUS MATERIALS Would the project

22. Hazards and Hazardous Materials

a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Impair implementation of or physically interfere with an adopted emergency response plan or an emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
--------------------------------	--	------------------------------	-----------

Source: Project Application Materials

Findings of Fact: No additional hazardous materials are anticipated that were not covered under EIR No. 238. The nature of the revised project is such that no substances classified as hazardous will be stored or used on the site. Wind turbines require relatively small amounts of lubricants and hydraulic fluids which are not classified as hazardous materials and would not create any significant hazard to the public or environment. There are no schools within one-quarter mile and the project would not interfere with established emergency response plans. Therefore, there would be no impacts.

Mitigation: None Required

Monitoring: Not Applicable

23. Airports

a) Result in an inconsistency with an Airport Master Plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Require review by the Airport Land Use Commission?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) For a project within the vicinity of a private airstrip, or heliport, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Source: Riverside County General Plan Figure S-19 "Airport Locations," GIS database. 2004 Riverside County Airport Land Use Compatibility Plan. Aeronautical Study No. 2011-WTW-11710-OE

Findings of Fact: The nearest airport is the the Banning Municipal Airport approximately two miles west of the project site. The project is not within an airport land use plan for this facility. However, due to the height of the proposed structures, the revised project for wind turbines was reviewed by the Airport Land Use Commission (ALUC). ALUC found the proposed wind turbines consistent with the countywide policies of the 2004 Riverside County Airport Land Use Compatibility Plan.

Additionally, an Aeronautical Study was completed. The findings of that study (Aeronautical Study No. 2011-WTW-11710-OE) indicate that the proposed structures would not be a hazard to air navigation provided that the structures are lighted in accordance with FAA Advisory Circular 70/7460-1 K Change 2, Obstruction Marking and Lighting, white paint/synchronized red lights. Such lighting will be incorporated into project design to ensure compliance with FAA obstruction standards. The applicant will also need to completed and return FAA Form 7460-2, Notice of Actual Construction or Alteration, within 5 days after construction reaches its greatest height. No private airstrip or heliport exists within the vicinity.

Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
--------------------------------	--	------------------------------	-----------

Mitigation: Compliance with the ALUC letter dated November 7, 2011 (COA 80.PLANNING.15) which includes conditions for the turbines to be painted white for daytime conspicuity, required FAA lighting, and for the wind turbine blades to utilize a flat or matte (non glossy) finish to minimize reflection towards aircraft.

Monitoring: Monitoring to be provided by Building and Safety Department and ALUC staff.

24. Hazardous Fire Area

a) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?

Source: Riverside County General Plan Figure S-11 "Wildfire Susceptibility," GIS database

Findings of Fact: As shown in Figure S-11 of the RCGP, the site is within a "high" wildfire susceptibility zone. However, the proposed wind turbine portion of the project would contain non-human occupancy utility structures and are not highly combustible; therefore, construction and operation of the ancillary wind turbine at the site would not expose people or structures to a significant risk of loss, injury or death involving wildland fires. Impacts would be less than significant.

Mitigation: None Required

Monitoring: Not Applicable

HYDROLOGY AND WATER QUALITY Would the project

25. Water Quality Impacts

a) Substantially alter the existing drainage pattern of the site or area, including the alteration of the course of a stream or river, in a manner that would result in substantial erosion or siltation on- or off-site?

b) Violate any water quality standards or waste discharge requirements?

c) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?

d) Create or contribute runoff water that would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?

e) Place housing within a 100-year flood hazard area, as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
f) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h) Include new or retrofitted stormwater Treatment Control Best Management Practices (BMPs) (e.g. water quality treatment basins, constructed treatment wetlands), the operation of which could result in significant environmental effects (e.g. increased vectors or odors)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Source: Riverside County Flood Control District Flood Hazard Report/Condition.

Findings of Fact: The proposed project will result in placement of two wind turbines within an existing gravel mining operation. It will not significantly alter drainage patterns, deplete groundwater recharge or supplies, place housing within a 100-year floodplain or include BMPs which would result in significant environmental effects. A levee was constructed in 2004 which prevents flooding of the site due to the adjacent San Gorgonio River and Smith Creek. Short-term erosion effects during the construction phase of the project would be prevented through implementation of a Storm Water Pollution Prevention Plan (SWPPP), which is required in accordance with the Countywide National Pollutant Discharge Elimination System (NPDES) General Construction Activities Permit. The SWPPP includes standard construction methods such as sandbags, silt fencing, and temporary detention basins to control on-site and off-site erosion.

Mitigation: None Required

Monitoring: Not Applicable

26. Floodplains

Degree of Suitability in 100-Year Floodplains. As indicated below, the appropriate Degree of Suitability has been checked.

NA - Not Applicable U - Generally Unsuitable R - Restricted

a) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner that would result in flooding on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Changes in absorption rates or the rate and amount of surface runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam (Dam Inundation Area)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Changes in the amount of surface water in any water body?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Source: Riverside County General Plan Figure S-9 "100- and 500-Year Flood Hazard Zones;" Figure S-10 "Dam Failure Inundation Zone," Riverside County Flood Control District Flood Hazard Report/Condition, GIS database

Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
--------------------------------	--	------------------------------	-----------

Findings of Fact: As indicated in the previous response, a levee was constructed in 2004 which prevents flooding of the site due to the adjacent San Gorgonio River. There is a risk of loss of the proposed structures should that levee fail during a major storm event (COA 10.FLOOD.1). However, this would only be an economic loss to the project owners and does not pose a substantial risk to human safety, as there are no habitable structures located in close proximity. Also, according to Figure S-10 in the Riverside County General Plan, the project site is not within a dam inundation area; therefore, the construction and operation of the two ancillary wind turbines at the site will not result in a change to the amount of surface water in any water body.

Mitigation: None Required

Monitoring: Not Applicable

LAND USE/PLANNING Would the project

27. Land Use

a) Result in a substantial alteration of the present or planned land use of an area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Affect land use within a city sphere of influence and/or within adjacent city or county boundaries?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Source: Riverside County General Plan, GIS database, Project Application Materials

Findings of Fact: The project will result in the construction and operation of two commercial wind turbines within an existing gravel mining operation. The proposed wind turbines will be an accessory use to the industrial nature of the site and will not substantially alter the present or planned use of the site. The nearest incorporated cities are Banning, approximately 2.5 miles west of the project site and Palm Springs, over 7 miles east of the site. According to General Plan maps for those cities, the project site is not within a Sphere of Influence area.

Mitigation: None Required

Monitoring: Not Applicable

28. Planning

a) Be consistent with the site's existing or proposed zoning?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Be compatible with existing surrounding zoning?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Be compatible with existing and planned surrounding land uses?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Be consistent with the land use designations and policies of the General Plan (including those of any applicable Specific Plan)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Disrupt or divide the physical arrangement of an established community (including a low-income or minority community)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
--------------------------------	--	------------------------------	-----------

Source: Riverside County General Plan Land Use Element, Staff review, GIS database

Findings of Fact: The project site is within the W-2-10 (Controlled Development 10 acre minimum) zone and a land use designation of RD (Rural Desert) for the proposed wind turbine portion. Per development standards outlined in the W-2 section of the County Zoning Ordinance, no structures shall exceed one-hundred-five (105) feet in height unless a variance is approved pursuant to Section 18.27. The wind turbines as currently proposed would be 338.6 feet in total height with blade in the 12 o'clock position, and consequently, would exceed this height limit and therefore, would not be allowed without approval of a Variance.

The request for Variance provides a number of reasons for granting the request to exceed the height limit for the proposed turbines in the W-2-10 zone due to unique lot shape and topography which limits potential alternative energy projects such as with solar panels; lack of opportunity for other renewable energy at the site such as solar; loss of incentive monies provided by the State to support on-site renewable energy generation equipment; and due to the fact that there are other large/similar structures in the vicinity, in particular the hotel tower associated with the Morongo Casino Resort and other wind turbines a short distance east of the site. As indicated in Response 1, above, and as shown on Figures 5 and 7, although similar in height (the hotel is approximately 330 feet in height and proposed turbines would be 338.6 feet in height with blade in the 12 o'clock position), due to elevation and massing differences the proposed turbines appear as relatively small structures in comparison with the existing Casino hotel tower. The applicant further argues that failure to grant a Variance would preclude an opportunity for affordable clean energy in an extremely windy portion of the County conducive to such activities. Finally, the applicant has stated that the generating capacity of smaller wind turbines (in compliance with zoning height restrictions) would require much more land to accommodate enough small turbines to generate the same energy output as the proposed turbines, and would therefore not be feasible at the project site given both physical site constraints and financing difficulties.

Mitigation: None Required

Monitoring: Not Applicable

MINERAL RESOURCES Would the project

29. Mineral Resources

a) Result in the loss of availability of a known mineral resource that would be of value to the region or the residents of the State?

b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?

c) Be an incompatible land use located adjacent to a State classified or designated area or existing surface mine?

d) Expose people or property to hazards from proposed, existing or abandoned quarries or mines?

Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
--------------------------------	--	------------------------------	-----------

Source: Riverside County General Plan Figure OS-5 "Mineral Resources Area"

Findings of Fact: The operation of the two wind turbines at the site would serve as an accessory use to the existing gravel mining facility and would not result in a loss of any mineral resources or be an incompatible use with the existing and planned operations at that facility. The proposed wind turbine structures are not habitable and will be located a safe distance from any on site slopes or gravel mining operations (see response 14a. above); therefore, construction and operation of the turbines on site would not result in an increased exposure to hazards from ongoing mining operations.

Mitigation: None Required

Monitoring: Not Applicable

NOISE Would the project result in

Definitions for Noise Acceptability Ratings

Where indicated below, the appropriate Noise Acceptability Rating(s) has been checked.

NA - Not Applicable A - Generally Acceptable B - Conditionally Acceptable
 C - Generally Unacceptable D - Land Use Discouraged

30. Airport Noise

a) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport would the project expose people residing or working in the project area to excessive noise levels?

NA A B C D

b) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?

NA A B C D

Source: Riverside County General Plan Figure S-19 "Airport Locations," County of Riverside Airport Facilities Map

Findings of Fact: The nearest airport is the the Banning Municipal Airport approximately two miles west of the project site. The project is not within an airport land use plan for this facility.

Mitigation: None Required

Monitoring: Not Applicable

31. Railroad Noise

NA A B C D

Source: Riverside County General Plan Figure C-1 "Circulation Plan", GIS database, On-site Inspection

Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
--------------------------------	--	------------------------------	-----------

Findings of Fact: The project is located just south of the Union Pacific Railroad tracks which run parallel to Interstate-10. However, the proposed wind turbines are non-habitable structures and thus would not be affected by railroad noise.

Mitigation: None Required

Monitoring: Not Applicable

32. Highway Noise

NA A B C D

Source: On-site Inspection, Project Application Materials

Findings of Fact: The proposed project is located just south of Interstate-10. However, the proposed wind turbines are non-habitable structures and thus would not be affected by highway noise.

Mitigation: None Required

Monitoring: Not Applicable

33. Other Noise

NA A B C D

Source: Project Application Materials, GIS database

Findings of Fact: The proposed project is not influenced by other noise sources in the project area.

Mitigation: None Required

Monitoring: Not Applicable

34. Noise Effects on or by the Project

a) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?

b) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?

c) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?

d) Exposure of persons to or generation of excessive ground-borne vibration or ground-borne noise levels?

Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
--------------------------------	--	------------------------------	-----------

Source: Riverside County General Plan, Table N-1 ("Land Use Compatibility for Community Noise Exposure"); *Noise Impact Analysis for Proposed Two Turbine Wind Energy Installation, Robertson Ready Mix Site, Riverside County, CA*, Channel Island Acoustics, November 4, 2011 (attached as Appendix D).

Findings of Fact: The proposed project will create temporary noise associated with project construction and long-term noise associated with operation of the proposed wind turbines. There are noise sensitive uses to the east of the subject property at distances ranging between approximately 1,200 to 1,800 feet from the proposed turbines. Noise impacts would be less than significant with mitigation incorporated.

Noise levels at 50 feet from heavy construction equipment vary, but typically range between 73 to 96 dBA. Construction equipment noise typically has a drop-off rate of 6 dBA per doubling of distance (U.S. Environmental Protection Agency, 1971). Based on this standard, noise levels associated with the heavy equipment would be approximately 67 to 90 dB(A) at 100 feet from the source. Therefore, the nearest existing residential property line to the construction activity (approximately 1,200 feet from the nearest proposed turbine) would perceive a peak construction noise of approximately 0 to 18 dB(A) which would be in the barely perceptible range of noise levels. Furthermore, project construction would not exceed the County's acceptable daytime noise limit of 65 dB(A) for sensitive uses and therefore, construction noise impacts would be less than significant.

Regarding long term operational noise, County Zoning Ordinance states that wind turbines shall not create noise beyond the lot containing the turbines which exceeds 55 dB(A) to any habitable dwelling, hospital, school, library or nursing home.

Noise modeling conducted for the above referenced study indicated that noise levels at the adjacent residences would range between approximately 43 and 44 Leq dB(A). Therefore noise levels attributed to the proposed turbines are well below the County criterion and would therefore result in a less than significant impact. Furthermore, turbine noise levels are within 3 dB of measured ambient noise levels associated with ongoing quarry operations, traffic along I-10 and Apache Trail, and the Union Pacific Railroad tracks and, therefore, would not be perceptible above those existing noise levels to the nearest sensitive land uses.

Ground vibration has never been considered as a serious issue for wind turbine developments, except in cases where ultra-sensitive laboratory equipment is to be located nearby.

The project was reviewed by the Department of Public Health, Office of Industrial Hygiene letter dated December 21, 2011. No significant noise impacts were identified in that noise at the nearest residence exterior property line was projected to be 45-50 dB(A) as a worst case scenario, which is below the 55 dB(A) threshold used for commercial sized wind turbines; additionally, the project will be required to adhere to the specified hours of construction which is 6:00 PM to 7:30 AM during weekdays.

Mitigation: Compliance with the Department of Public Health, Office of Industrial Hygiene letter dated December 21, 2011 (COA 80.PLANNING.12). No significant noise impacts have been identified; the project will be required to adhere to the specified hours of construction which is 6:00 PM to 7:30 AM during weekdays.

Mitigation: Monitoring to be provided by Department of Public Health, Office of Industrial Hygiene.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
POPULATION AND HOUSING Would the project				
35. Housing				
a) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Create a demand for additional housing, particularly housing affordable to households earning 80% or less of the County's median income?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Affect a County Redevelopment Project Area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Cumulatively exceed official regional or local population projections?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Source: Project Application Materials, GIS database, Riverside County General Plan Housing Element

Findings of Fact: The two wind turbines proposed for the site will be an accessory use to generate supplemental power for ongoing operations at the existing gravel mining facility, and therefore, would not generate additional population or housing needs within the area. In addition, there are no people or housing which would be displaced by the construction and operation of the proposed wind turbines at the existing gravel mining facility, and there will be no effect to a County Redevelopment Project Area.

Mitigation: None Required

Monitoring: Not Applicable

PUBLIC SERVICES Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered government facilities or the need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:

36. Fire Services	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
--------------------------	--------------------------	--------------------------	-------------------------------------	--------------------------

Source: Riverside County General Plan Safety Element

Findings of Fact: The construction and operation of the two wind turbines within the existing gravel mining facility will have a less than significant impact on County Fire Services. Impacts were also analyzed in Environmental Impact Report No. 238.

Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
--------------------------------	--	------------------------------	-----------

Mitigation: None Required

Monitoring: Not Applicable

37. Sheriff Services

Source: Riverside County General Plan

Findings of Fact: The construction and operation of the two wind turbines within the existing gravel mining facility will have a less than significant impact on County Sheriff Services. Impacts were also analyzed in Environmental Impact Report No. 238.

Mitigation: None Required

Monitoring: Not Applicable

38. Schools

Source: GIS database

Findings of Fact: School impacts shall be mitigated in accordance with state law.

Mitigation: None Required

Monitoring: Not Applicable

39. Libraries

Source: Riverside County General Plan

Findings of Fact: The construction and operation of the two wind turbines within the existing gravel mining facility will have no impact on County library services.

Mitigation: None Required

Monitoring: Not Applicable

40. Health Services

Source: Riverside County General Plan

Findings of Fact: The construction and operation of the two wind turbines within the existing gravel mining facility will have no impact on the provision of County Health Services.

Mitigation: None Required

Monitoring: Not Applicable

Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
--------------------------------	--	------------------------------	-----------

RECREATION

41. Parks and Recreation

a) Would the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Would the project include the use of existing neighborhood or regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Is the project located within a Community Service Area (CSA) or recreation and park district with a Community Parks and Recreation Plan (Quimby fees)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Source: GIS database, Ord. No. 460, Section 10.35 (Regulating the Division of Land – Park and Recreation Fees and Dedications), Ord. No. 659 (Establishing Development Impact Fees), Parks & Open Space Department Review

Findings of Fact: Impacts were analyzed in Environmental Impact Report No. 238. The project site is not within the boundaries of any public agency designated to receive land dedication or fees pursuant to Section 10.35 of Ordinance No. 460. The proposed project would not result in an increase in district population generating a need for additional parkland in neighborhood parks (Section 10.35 of Riverside County Ordinance No. 460). Therefore, the construction and operation of the two wind turbines within the existing gravel mining facility will have no impact on County parks and recreational opportunities.

Mitigation: None Required

Monitoring: Not Applicable

42. Recreational Trails

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
--------------------------	--------------------------	-------------------------------------	--------------------------

Source: Riv. Co. 800-Scale Equestrian Trail Maps, Open Space and Conservation Map for Western County trail alignments

Findings of Fact: The Riverside County General Plan map above identifies a 20 foot regional trail that generally follows the San Gorgonio Wash, just south of the project area (10.PARKS.1). However, the two wind turbines would be constructed and operated within an existing industrial gravel mining facility. The majority of the site is fenced or walled to prevent trespass. The construction and operation of the wind turbines would not obstruct or relocate the adjacent recreational trail; therefore, potential impacts are considered less than significant.

Mitigation: None Required

Monitoring: Not Applicable

Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
--------------------------------	--	------------------------------	-----------

TRANSPORTATION/TRAFFIC Would the project

43. Circulation

a) Conflict with an applicable plan, ordinance or policy establishing a measure of effectiveness for the performance of the circulation system, taking into account all modes of transportation, including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?

b) Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?

c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?

d) Alter waterborne, rail or air traffic?

e) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g. farm equipment)?

f) Cause an effect upon, or a need for new or altered maintenance of roads?

g) Cause an effect upon circulation during the project's construction?

h) Result in inadequate emergency access or access to nearby uses?

i) Conflict with adopted policies, plans or programs regarding public transit, bikeways or pedestrian facilities, or otherwise substantially decrease the performance or safety of such facilities?

Source: Riverside County General Plan

Findings of Fact: Traffic impacts from the overall mining project have been analyzed in Environmental Impact Report No. 238. Vehicle trips to the existing mining facility to facilitate construction of the proposed wind turbines would require approximately 10 trips per day, resulting in minimal increase in associated traffic to area roadways (mainly Apache Trail). Apache Trail is recommended to be dedicated 59 foot half width from centerline (COA 90.TRANS.2) Further, these trips would only occur during the 3-month construction period, and would be removed once the turbines are in operation. Long term operational and maintenance trips would be minimal, requiring possibly one or two trips per month to service and perform repairs on the turbines as needed. Therefore, the project is not expected to result in any notable short or long-term change to existing levels of service or other operational or safety characteristics of the local circulation system. In addition, as discussed in response 23 above, the project's FAA study indicates that the proposed

Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
--------------------------------	--	------------------------------	-----------

structures would not be a hazard to air navigation provided that the structures are lighted in accordance with FAA Advisory Circular obstruction marking and lighting requirements.

Mitigation: None Required

Monitoring: Not Applicable

44. Bike Trails

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
--------------------------	--------------------------	--------------------------	-------------------------------------

Source: Riverside County General Plan

Findings of Fact: The two wind turbines would be constructed and operated within an existing industrial gravel mining facility. The majority of the site is fenced or walled to prevent trespass. There are no bike trails located within the site; therefore, the project would have no impact on bike trails.

Mitigation: None Required

Monitoring: Not Applicable

UTILITY AND SERVICE SYSTEMS Would the project

45. Water

a) Require or result in the construction of new water treatment facilities or expansion of existing facilities, the construction of which would cause significant environmental effects?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
--------------------------	--------------------------	--------------------------	-------------------------------------

b) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
--------------------------	--------------------------	-------------------------------------	--------------------------

Source: Department of Environmental Health Review

Findings of Fact: The wind turbine portion of the project will not include development of any habitable structures or landscaping and will not include any uses which require the extension of water lines to the site. Consequently, due to the type of project, no water demand beyond that associated with construction and maintenance work would occur as part of the project. Construction and operation of the proposed wind turbine at the site would not increase local population or generate new employees because it does not involve constructing habitable structures or commercial uses. It would not require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities. Therefore, the project will have a less than significant impact on the provision or availability of water. Water impacts for the overall surface mine were also analyzed in Environmental Impact Report No. 238.

Mitigation: None Required

Monitoring: Not Applicable

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
46. Sewer				
a) Require or result in the construction of new wastewater treatment facilities, including septic systems, or expansion of existing facilities, the construction of which would cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in a determination by the wastewater treatment provider that serves or may service the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Source: Department of Environmental Health Review

Findings of Fact: The wind turbine portion of the project will not include development of any habitable structures or any other uses which require the extension of sewer lines to the site. Therefore, the project will have no impact on wastewater treatment services or capacity. Sewer impacts for the overall surface mine were also analyzed in Environmental Impact Report No. 238.

Mitigation: None Required

Monitoring: Not Applicable

47. Solid Waste				
a) Is the project served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Does the project comply with federal, state, and local statutes and regulations related to solid wastes including the CIWMP (County Integrated Waste Management Plan)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Source: Riverside County General Plan, Riverside County Waste Management District correspondence

Findings of Fact: The project will result in generation of some construction waste which will be disposed of at an approved Riverside County landfill site in compliance with all applicable regulations. Impacts were also analyzed in Environmental Impact Report No. 238.

Mitigation: None Required

Monitoring: Not Applicable

Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
--------------------------------	--	------------------------------	-----------

48. Utilities

Would the project impact the following facilities requiring or resulting in the construction of new facilities or the expansion of existing facilities; the construction of which could cause significant environmental effects?

a) Electricity?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Natural gas?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Communications systems?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Storm water drainage?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Street lighting?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Maintenance of public facilities, including roads?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) Other governmental services?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Source: Riverside County General Plan

Findings of Fact: The proposed wind turbines would provide supplemental energy to support ongoing operations at the existing gravel mining facility. The required electrical and communication line extensions would occur entirely on-site, and will follow existing gravel access roads and pre-disturbed areas within the mining property to further minimize disturbance. No improvements or off-site extension of electrical or communication infrastructure would be required. Therefore, impacts associated with the construction of new electrical and communication lines within the site are considered less than significant.

The proposed project has the potential to create short-term temporary impacts on stormwater facilities during construction. However, as stated in Response 25 above, with the County's requirement for a NPDES Permit and implementation of the associated SWPPP measures, which address construction stormwater management, potential impacts to stormwater drainage facilities during construction would be less than significant. The project would slightly increase the amount of impervious area associated with the turbine foundation which has the potential to minimally impact stormwater facilities during operation. However, the proposed footprint of the turbine is so small such that any potential stormwater impacts associated with implementing the proposed project would be less than significant. The project would not result in a substantial increase in the quantity of stormwater leaving the site nor would it necessitate a change in the current management of stormwater at the existing mining facility.

The construction and operation of the proposed wind turbines at the site would not include any uses that require the use of natural gas or other governmental services. As stated in Response 27 above, trip generation associated with construction and operational/maintenance services will be minimal, and therefore, will not adversely affect the maintenance of any public facilities, including roads or street lighting in the area.

Mitigation: None Required

Monitoring: Not Applicable

49. Energy Conservation

a) Would the project conflict with any adopted energy conservation plans?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
---	--------------------------	--------------------------	--------------------------	-------------------------------------

Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
--------------------------------	--	------------------------------	-----------

Source: Project Applicant

Findings of Fact: The project will result in the operation of two wind turbines which will generate electricity via a renewable energy source (wind power) to supplement the power needs for ongoing operations at the existing RRM mining facility. The wind turbines are capable of delivering electricity to the RRM facility concurrently with SCE. When the wind conditions at the site are favorable for producing wind energy, the wind turbines will be operated to supplement or replace the power being provided by SCE to meet the electrical energy demands at the facility. Energy consumption at the existing facility is not anticipated to increase due to the project; however, the use of renewable energy to supplement or replace the current demand at the site would further County, State, and Federal goals and policies aimed at energy conservation and the use of renewable energy. Therefore, the operation of the proposed wind turbines at the project site would not conflict with any adopted energy conservation plans.

Mitigation: None Required

Monitoring: Not Applicable

OTHER

50. Other:

Source: Staff review

Findings of Fact: Environmental effects and mitigation measures were analyzed for the existing mining facility in the County's Certified EIR No. 238.

Mitigation: No additional mitigations are required.

Monitoring: No additional monitoring is required.

MANDATORY FINDINGS OF SIGNIFICANCE

51. Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory?

Source: Staff review, Project Application Materials

Findings of Fact: Implementation of the proposed project would not substantially degrade the quality of the environment, substantially reduce the habitat of fish or wildlife species, cause a fish or wildlife populations to drop below self-sustaining levels, threaten to eliminate a plant or animal community, or reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
52. Does the project have impacts which are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, other current projects and probable future projects)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Source: Staff review, Project Application Materials

Findings of Fact: The project does not have impacts which are individually limited, but cumulatively considerable.

53. Does the project have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
---	--------------------------	--------------------------	-------------------------------------	--------------------------

Source: Staff review, project application

Findings of Fact: The proposed project would not result in environmental effects which would cause substantial adverse effects on human beings, either directly or indirectly.

V. EARLIER ANALYSES

Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration as per California Code of Regulations, Section 15063 (c) (3) (D). In this case, a brief discussion should identify the following:

Earlier Analyses Used, if any: EIR 238; EA 39969 for Expansion of Existing Mining Operation by Robertson's Ready Mix 6/29/06 (SMP00162R2).

Location Where Earlier Analyses, if used, are available for review:

Location: County of Riverside Planning Department
4080 Lemon Street, 12th Floor
Riverside, CA 92505

VI. AUTHORITIES CITED

Authorities cited: Public Resources Code Sections 21083 and 21083.05; References: California Government Code Section 65088.4; Public Resources Code Sections 21080(c), 21080.1, 21080.3, 21082.1, 21083, 21083.05, 21083.3, 21093, 21094, 21095 and 21151; *Sundstrom v. County of Mendocino* (1988) 202 Cal.App.3d 296; *Leonoff v. Monterey Board of Supervisors* (1990) 222 Cal.App.3d 1337; *Eureka Citizens for Responsible Govt. v. City of Eureka* (2007) 147 Cal.App.4th 357; *Protect the Historic Amador Waterways v. Amador Water Agency* (2004) 116 Cal.App.4th at 1109; *San Franciscans Upholding the Downtown Plan v. City and County of San Francisco* (2002) 102 Cal.App.4th 656.

SURFACE MINING PERMIT Case #: SMP00162R5

Parcel: 519-200-005

10. GENERAL CONDITIONS

EVERY DEPARTMENT

10. EVERY. 1

SMP - HOLD HARMLESS

RECOMMND

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

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

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

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

The obligations imposed by this condition include, but are not limited to, the following: the applicant/permittee shall pay all legal services expenses the COUNTY incurs in connection with any such claim, action or proceeding, whether it incurs such expenses directly, whether it is ordered by a court to pay such expenses, or whether it incurs such expenses by providing legal services through its Office of County Counsel.

10. EVERY. 2

SMP - DEFINITIONS

RECOMMND

The words identified in the following list that appear in all capitals in the attached conditions of Surface Mining Permit No. 162, Revised Permit No. 5 shall be henceforth defined as follows:

APPROVED EXHIBIT NO. "A" = Exhibit No. A, Amended No. 1, Surface Mining Permit No. 162R5 (Sheets 1-4) dated March 5, 2012.

10/23/12
11:36

Riverside County LMS
CONDITIONS OF APPROVAL

Page: 2

SURFACE MINING PERMIT Case #: SMP00162R5

Parcel: 519-200-005

10. GENERAL CONDITIONS

10. EVERY. 2 SMP - DEFINITIONS (cont.)

RECOMMND

APPROVED EXHIBIT NO. "B" = Exhibit No. B, Amended No. 1, Surface Mining Permit No. 162R5 (Sheets 1-2) dated March 5, 2012.

APPROVED EXHIBIT NO. "C" = Exhibit No. C, Amended No. 1, Surface Mining Permit No. 162R5 (Sheets 1 - 39) dated March 5, 2012.

10. EVERY. 3 SMP - PROJECT DESCRIPTION

RECOMMND

The use hereby permitted is for an existing surface mine with a production rate of up to 4.5 million tons of aggregate per year with the addition of two (2) one megawatt commercial-sized wind energy conversion systems (WECS) for accessory use to provide power to the existing mining operation. The towers are to be 338.6 feet in height and located within Assessor's Parcel Numbers 519-200-005 and 519-200-007.

10. EVERY. 4 SMP - VARIANCE NO. 1883

RECOMMND

Variance No. 1883 is related to this surface mining permit and will allow the height of the two (2) proposed wind turbines to exceed 105 feet as specified by the Controlled Development Areas - 10 Acre minimum (W-2-10) zone to a maximum total height of 338.6 feet. The time within which to use Variance No. 1883 shall be governed by Section 18.27e of Ordinance No. 348.

BS GRADE DEPARTMENT

10.BS GRADE. 2 SMP- ANNUAL REPORT INFO

RECOMMND

The operator shall submit to the Building & Safety Department with the annual report the following information (This report shall be prepared by a qualified, licensed professional).

1) New topography maps detailing disturbed land and proximity to permit boundaries and property lines.

2) Certify maximum depth of excavated areas.

3) Provide quantity in cubic yards and tons of minerals mined during the reporting period.

SURFACE MINING PERMIT Case #: SMP00162R5

Parcel: 519-200-005

10. GENERAL CONDITIONS

10.BS GRADE. 2

SMP- ANNUAL REPORT INFO (cont.)

RECOMMND

4) Certify all excavated areas are within the limits of the Surface Mining Permit/Reclamation Plan.

5) Provide data indicating any reclaimed land during the reporting period.

6) A certified engineering geologist or geotechnical engineer shall inspect all excavated slopes within the permitted boundaries (active and inactive) for slope stability. The operator shall provide to B&S a copy of the inspection report.

NOTE: At least every three years of operation, the operator shall provide to B&S, aerial topography showing incremental and total changes to excavations. This will include cross-sectional maps showing berms, slope angles and benches of all excavations.

10.BS GRADE. 3

SMP- ANNUAL F.A.C.E.

RECOMMND

Each year after the 1st year of land disturbed under this Surface Mining Permit, Reclamation Plan or Substantial Conformance, the operator shall REVIEW & UPDATE the financial assurance on file with the County of Riverside. The operator shall submit a new cost estimate to the Building & Safety Department for review. The updated cost estimate shall include at least any new disturbed land, reclaimed land and allow for a yearly inflation factor.

All cost estimate shall utilize the guidelines outlined by the California Department of Conservation and the requirements of SMARA as outlined in the California Resources Code section 2773.1(a)(3), 2774(c), 3804, 3805 and 3805.5 and County of Riverside Ordinance 555 or as amended in the future.

10.BS GRADE. 4

SMP-PROPERTY LINE SETBACKS

RECOMMND

There shall be a graded setback from all property lines of not less than 50 feet from all cut/fill slopes.

Within the setback area, the four foot verticle height safety berm can be installed.

In all other areas within the boundaries of the Reclamation

SURFACE MINING PERMIT Case #: SMP00162R5

Parcel: 519-200-005

10. GENERAL CONDITIONS

10.BS GRADE. 4 SMP-PROPERTY LINE SETBACKS (cont.) RECOMMND

Plan/Surface Mining Permit where mining will not take place, the provisions of Riverside County Grading Ordinance 457 shall be followed.

10.BS GRADE. 5 SMP- 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.

10.BS GRADE. 6 SMP- PM-10 REDUCTION RECOMMND

SURFACE MINING OPERATIONS LOCATED WITHIN THE SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT SHALL COMPLY WITH RULE 1157 "PM-10 EMISSION REDUCTION FROM AGGREGATE AND RELATED OPERATIONS". THE OPERATOR SHALL HAVE A COPY OF ALL INSPECTIONS CONDUCTED BY THE DISTRICT AVAILABLE FOR THE CURRENT ANNUAL SURFACE MINE INSPECTION.

10.BS GRADE. 7 SMP-HAZMAT GENERATOR PERMIT RECOMMND

Surface mining operations shall obtain from County Of Riverside, Department of Environmental Health, Hazardous Materials Management Division, a "HAZARDOUS MATERIALS GENERATOR'S PERMIT" for this specific location. The operator shall have a copy of all inspections conducted by HAZMAT, available for the current Annual Surface Mine inspection.

10.BS GRADE. 8 SMP-BUILDING/GRADING PERMIT RECOMMND

THE PROVISIONS OF ALL RIVERSIDE COUNTY ORDINANCES SHALL APPLY DURING THE LIFE OF THIS SURFACE MINING PERMIT/

SURFACE MINING PERMIT Case #: SMP00162R5

Parcel: 519-200-005

10. GENERAL CONDITIONS

10.BS GRADE. 8 SMP-BUILDING/GRADING PERMIT (cont.) RECOMMND

RECLAMATION PLAN, SPECIFICALLY, ORDINANCE 457 SHALL APPLY FOR ALL BUILDING PERMITS AND OTHER CONSTRUCTION WITHIN THE SURFACE MINING BOUNDARIES AND PROPERTY LINES OF SAID PARCELS. GRADING PERMITS SHALL BE OBTAINED PRIOR TO THE ISSUANCE OF ANY BUILDING PERMITS, THE OPERATOR SHALL OBTAIN APPROVAL TO CONSTRUCT FROM THE BUILDING AND SAFETY DEPARTMENT.

10.BS GRADE. 9 SMP- GEOTECH/SOILS RPTS RECOMMND

Prior to the issuance of a building permit, a Geotechnical soils report shall be submitted to the Building & Safety Department for review and approval. All grading for structures 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.

10.BS GRADE. 11 SMP- SLOPE STABL'TY Report 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.

10.BS GRADE. 12 SMP- DRAINAGE DESIGN Q-100 RECOMMND

All drainage acilities shall be designed in accordance with Riverside County Flood Control & Water Conservation District's requirements to accommodate 100 year storm flows.

10.BS GRADE. 13 SMP- OFFSITE EXCAVATION RECOMMND

ANY OFF SITE (outside of the Surface Mine Permit/Reclamation Plan/Substantial Conformance) EXCAVATIONS OR GRADING requires a grading permit. It shall be the responsibility of the operator to obtain proposed or required easements and/or permissions necessary to perform the excavations/grading proposed.

10/23/12
11:36

Riverside County LMS
CONDITIONS OF APPROVAL

Page: 6

SURFACE MINING PERMIT Case #: SMP00162R5

Parcel: 519-200-005

10. GENERAL CONDITIONS

10.BS GRADE. 15 SMP- MISCELLANOUS INSPECT RECOMMND

In addition to the Special Inspection for the Annual Report, at any time during normal business hours, persons from the Building & Safety Department may conduct a site inspection for compliance with the conditions of approval, complaints by individuals or other reasons as identified at that time.

10.BS GRADE. 16 SMP- CONTRACTOR EQUIPMENT RECOMMND

All non-mining equipment must be stored in a designated area permitted for "Contractor Storage".

A "Contractor Storage" permit must be obtained from the Planning Department prior to storage of any non-mining equipment.

10.BS GRADE. 17 SMP- TRASH & DEBRIS RECOMMND

The parcel(s) where the mine is located shall be kept free of trash (including old tires) and other debris. There shall be no importing of recyclable materials or construction debris without specific permit for that activity.

10.BS GRADE. 18 SMP- QUARRY SIGNS RECOMMND

Signs shall be installed at the top of all manufactured slopes (cut or fill), at intervals not greater than 100 lineal feet.

Each sign shall read "DANGER" "OPEN PIT MINE" "STEEP SLOPE". Signs shall be at least 18" X 18" square with contrasting background to lettering. (ie: white background and black lettering).

Perimeter signs around the approved Reclamation Plan or Surface Mine boundaries shall be installed not greater than 250 lineal feet. Each sign shall read "DANGER" "KEEP OUT" and "MINERAL RESOURCE ZONE" or "SURFACE MINING OPERATION". All signs shall be with constrasting lettering/background.

10.BS GRADE. 19 SMP- BENCHES & SLOPES RECOMMND

During the mining operation, on the working faces of the quarry wall, benches shall be installed at no more than 30

FACE MINING PERMIT Case #: SMP00162R5

Parcel: 519-200-005

10. GENERAL CONDITIONS

10.BS GRADE. 19 SMP- BENCHES & SLOPES (cont.) RECOMMND

feet in vertical height intervals or not higher than the equipment being used can reach to extract material. Each bench shall be a minimum of 15' in width.

Working slopes below benches shall not be steeper than 1:1 (horizontal to vertical). Finished slopes may not exceed 2:1 unless it has been demonstrated to be stable by the engineering geologist and geotechnical engineer and is approved by the Building and Safety Department and County Geologist.

10.BS GRADE. 20 SMP- SAFETY BERMS RECOMMND

A four (4) foot, minimum vertical height, SAFETY BERM shall be installed at the top of all cut/fill slopes (including roads) at least three (3) feet in width.

10.BS GRADE. 21 SMP- VEHICLE STORAGE RECOMMND

There shall be no storage of passenger vehicles, campers, travel trailers or other personal property that is not related directly to the mining of minerals at this site.

10.BS GRADE. 22 SMP- TEMPORARY OFFICE RECOMMND

Temporary/portable office trailers are permitted providing they are installed after a building permit is obtained.

Other structures for night watchman security must be installed or constructed by building permit.

10.BS GRADE. 23 SMP- INERT MATERIALS RECOMMND

There shall be no importing and/or storage of used concrete, asphalt or other inert construction materials for recycling without the specific approval of the Planning Department.

10.BS GRADE. 24 SMP- IMPORTING VEGETATION RECOMMND

There shall be no importing and/or storage of any cut vegetation without specific approval of the Planning Department and the Environmental Health Department.

10/23/12
11:36

Riverside County LMS
CONDITIONS OF APPROVAL

Page: 8

SURFACE MINING PERMIT Case #: SMP00162R5

Parcel: 519-200-005

10. GENERAL CONDITIONS

10.BS GRADE. 25 SMP- FENCING OF PERIMETER

RECOMMND

The perimeter of the surface mine shall be fenced with at least 6 foot chain link fencing or other fencing that has been approved by another specific condition of this case and have a secure entrance gate system.

Fencing, gates and perimeter signs are required for safety and to prevent/limit unauthorized access to the site.

10.BS GRADE. 27 SMP- BUSINESS REGISTRATION

RECOMMND

Any person or entity that owns or operates a business within the unincorporated area of Riverside County, as defined in Riverside County Ordinance No. 857, shall obtain a business license. For more information regarding business registration, contact the Business Registration and License Program office of the Department of Building Safety at www.rctlma.org/buslic.

10.BS GRADE. 28 SMP- SECONDARY CONTAINMENT

RECOMMND

Hazardous materials stored on site such as diesel fuel, oils and solvents which are consumed by operating equipment shall be covered and provided with secondary containment.

Spill prevention Best Management Practices (BMPs) shall be available on site.

BS PLNCK DEPARTMENT

10.BS PLNCK. 1 USE - BUILD & SAFETY PLNCK

RECOMMND

The applicant shall be required to submit building plans for review and obtain building permits for any proposed buildings, structures, towers or equipment placement prior to construction or placement on the property. All building plans shall comply with all current adopted California Building Codes and Riverside County Ordinances.

SURFACE MINING PERMIT Case #: SMP00162R5

Parcel: 519-200-005

10. GENERAL CONDITIONS

E HEALTH DEPARTMENT

10.E HEALTH. 1 SMP#162 R5 - COMMENTS

RECOMMND

Surface Mining Permit#162 R5 is proposing to install two (2) one megawatt (MW) commercial wind turbines only. No additional buildings with plumbing are proposed for this project. Therefore, any proposal to connect to a dedicated onsite wastewater treatment system and/or advance treatment unit is not required at this time. However, the Department of Environmental Health (DEH) reserves the right to regulate in accordance with County Ordinances should further information indicate the requirements.

10.E HEALTH. 2 RETENTION BASINS - NO VECTORS

RECOMMND

Any proposed retention basin must be constructed and maintained in a manner that prevents vector breeding and/or vector nuisances.

10.E HEALTH. 3 UNUSED WELLS - ABANDON/REMOVE

RECOMMND

Any unused wells must be properly removed/abandoned under permit with the Department of Environmental Health (DEH). For further information, please contact DEH at (760) 863-7013.

10.E HEALTH. 4 USE - PORTABLE TOILETS

RECOMMND

Per Ordinance 712, portable toilets shall be commercially manufactured units built and maintained to standards established by Resolution 91-474 of the Board of Supervisors. The employer and/or promoter of a business, construction and demolition sites and public events where permanent toilet facilities of sufficient number are not available shall provide these sites/events with portable toilets in the numbers specified by Resolution 91-474 of the Board of Supervisors.

Portable toilets are to be cleaned and sanitized by the permittee at least once a week. A permanent maintenance record for each unit, listing the dates the unit has been serviced and the deodorizer used, is to be maintained on the inside wall of the portable toilet.

Deodorizing/sanitizing additives, used in the waste container shall be in accordance with applicable federal, state and local provisions. Portable toilets shall be thoroughly cleaned and sanitized before being moved to a different location. If repairs are needed, the potable

SURFACE MINING PERMIT Case #: SMP00162R5

Parcel: 519-200-005

10. GENERAL CONDITIONS

10.E HEALTH. 4 USE - PORTABLE TOILETS (cont.)

RECOMMND

toilets shall be taken to the company's maintenance facility and repaired to meet the standards set by resolution of the Board of Supervisors.

FIRE DEPARTMENT

10.FIRE. 1 WCS-STRUC FIRE PROT

RECOMMND

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-SERVICE VEHICLES

RECOMMND

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 driven equipment shall be equipped with approved spark arrestor.

FLOOD RI DEPARTMENT

10.FLOOD RI. 1 SMP FLOOD HAZARD REPORT

RECOMMND

Surface Mining Permit 00162, Revision No. 5, is a proposal to add two wind turbines to provide electrical power for site operations. The turbines would be located in the southerly portion of the mining operation. The SMP is located in the Cabazon area south of Interstate 10, west of Apache Trail. Access to the turbines is from Pipeline Road.

Turbine #1 (North Turbine) is located approximately 1,000 feet northwesterly of the intersection of Pipeline Road and Westward Avenue. It is located east of the levee and is considered free from major flood hazard. Turbine #2 (South Turbine) is located approximately 200-feet northwesterly of the intersection of Pipeline Road and Westward Avenue. It is located southeast of the end and the levee and may be subject to storm runoff. The footings are 26-feet deep and this should provide enough protection from flooding and any resulting scour. However, a storm of unusual magnitude could cause damage to either turbine.

FACE MINING PERMIT Case #: SMP00162R5

Parcel: 519-200-005

10. GENERAL CONDITIONS

10.FLOOD RI. 1 SMP FLOOD HAZARD REPORT (cont.)

RECOMMND

The amount of impervious surface resulting from this project is minimal. Since the proposed project is a minor modification affecting 5000 sq. ft of area in 517 acres of an existing site; no Water Quality Management Plan is required.

The District does not object to this proposal.

PARKS DEPARTMENT

10.PARKS. 1 GEN - TRIAL EASEMENT

NOTAPPLY

The Pass Area Plan identifies a regional trail following along the San Gorgonio River. Prior to final approval of future Phase II the applicant will be required to offer for dedication a 20' trail easement. Trail easement is to be located west of and parallel to the San Gorgonio River. Final trail alignment must meet District approval.

PLANNING DEPARTMENT

10.PLANNING. 1 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

SURFACE MINING PERMIT Case #: SMP00162R5

Parcel: 519-200-005

10. GENERAL CONDITIONS

10.PLANNING. 1 GEN - IF HUMAN REMAINS FOUND (cont.) RECOMMND

consultation between appropriate representatives from that group and the County Planning /Director.

10.PLANNING. 2 SMP - 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 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. 3 SMP - LOW PALEO RECOMMND

According to the County's General Plan, this site has been mapped as having a "Low Potential" for paleontological resources. This category encompasses lands for which previous field surveys and documentation demonstrates a low

FACE MINING PERMIT Case #: SMP00162R5

Parcel: 519-200-005

10. GENERAL CONDITIONS

10.PLANNING. 3

SMP - LOW PALEO (cont.)

RECOMMND

potential for containing significant paleontological resources subject to adverse impacts. As such, this project is not anticipated to require any direct mitigation for paleontological resources. However, 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 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

10/23/12
11:36

Riverside County LMS
CONDITIONS OF APPROVAL

Page: 14

SURFACE MINING PERMIT Case #: SMP00162R5

Parcel: 519-200-005

10. GENERAL CONDITIONS

10.PLANNING. 3

SMP - LOW PALEO (cont.) (cont.)

RECOMMND

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. 25

SMP - COMPLY W/ ORD./EXHIBITS

RECOMMND

The development of these premises shall comply with the standards of Ordinance Nos. 348 and 555 and all other applicable Riverside County ordinances and state and federal codes. The development of the premises shall conform substantially with that as shown on the Mining and Reclamation Plans and Project Description, unless otherwise amended by these conditions.

10.PLANNING. 26

SMP - CAUSES FOR REVOCATION

RECOMMND

In the event the use hereby permitted under this surface mining permit, a) ceases operation for a period of one (1) year or more (unless an Interim Management Plan is approved in accordance with Ordinance No. 555), b) is found to be in violation of the terms and conditions of this permit, c) is found to have been obtained by fraud or perjured testimony, or d) is found to be detrimental to the public health, safety and welfare, or is a public nuisance, this permit shall be subject to the revocation procedures in Section 18.31 of Ordinance No. 348 and/or the applicable section of Ordinance No. 555.

10.PLANNING. 27

SMP - CONDITION REVIEW FEE

RECOMMND

All subsequent submittals required by these conditions of approval, including but not limited to a revegetation plan or mitigation monitoring shall be reviewed, with payment therefore made on an hourly basis as a "research fee," or other such fee as may be in effect at the time of submittal, as required by Ordinance No. 671.

FACE MINING PERMIT Case #: SMP00162R5

Parcel: 519-200-005

10. GENERAL CONDITIONS

10.PLANNING. 28 SMP - SLOPE STABILITY RECOMMND

During the life of the permit the permittee shall comply with the recommendations concerning slope stability made in the report entitled, "Slope Stability Investigation, Proposed Cabazon Quarry Reclamation, Banning Area, Riverside County, California", dated November 11, 2005.

10.PLANNING. 29 SMP - SPARK ARRESTOR REQUIRED RECOMMND

During the life of the permit, the permittee shall comply with spark arrestor requirements of the Public Resources Code, Section 4422, for all equipment used on the premises other than turbocharger vehicles designed and licensed for highway use.

10.PLANNING. 30 SMP - DUST PREVENTION MEASURE RECOMMND

During the life of the permit, all roads, driveways and mining areas shall be kept continuously wetted while being used, and shall be treated with EPA approved dust suppressants to prevent emission of dust. Nonhazardous soil stabilizers shall be applied to all inactive surface mining areas and/pr stockpiles (previously mined areas which remain inactive for 96 hours or more).

10.PLANNING. 31 SMP - COMPLY W/ SAFETY REQ. RECOMMND

During the life of the permit, mining operations and practices shall comply with the Safety requirements of MSHA, OSHA, the State Division of Industrial Safety, and California Mine Safety Orders.

10.PLANNING. 32 SMP - RUNOFF OUTLETS RECOMMND

The permitted shall during the proposed mining operations, ensure that off-site storm runoff through the property outlets are in substantially the same location as exists under the natural conditions and that the existing watercourses do not pond or stagnate at any time during the mining except as shown on the Mining and Reclamation Plan Exhibit "A".

10.PLANNING. 33 SMP - OPERATING HOURS RECOMMND

On-site operating hours, other than maintenance or emergencies, shall be limited to the hours between 6 A.M. and 10 P.M., Monday through Saturday. Operations shall be

10/23/12
11:36

Riverside County LMS
CONDITIONS OF APPROVAL

Page: 16

SURFACE MINING PERMIT Case #: SMP00162R5

Parcel: 519-200-005

10. GENERAL CONDITIONS

10.PLANNING. 33 SMP - OPERATING HOURS (cont.)

RECOMMND

prohibited on Sundays and Federally recognized holidays; however, loading and transportation may occur outside these hours. The hours of operation for the wind turbines shall be 24 hours/7 days per week.

10.PLANNING. 34 SMP - LOADED TRUCK CARE

RECOMMND

All loaded trucks ingressing from the subject property shall be properly trimmed with a two (2) foot freeboard height and/or covered and sprayed with water so as to minimize dust and prevent spillage onto the public roadway. In the event that spillage onto the road does occur, said spillage shall be removed immediately (within one hour of the spillage) from the road right-of-way.

10.PLANNING. 35 SMP - FIRE PREVENTION

RECOMMND

All work areas and parking areas shall be maintained free of flammable vegetation and debris at all times. No open fires shall be allowed.

10.PLANNING. 36 SMP - CEASED OPERATION EFFECT

RECOMMND

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, unless an Interim Management Plan is submitted to the Planning Director within 90 days of becoming idle, as specified in Riverside County Ordinance No. 555. The applicant shall be responsible for the submission of the Interim Management Plan and remains responsible for the implementation of the Reclamation Plan should the permit become null and void.

10.PLANNING. 37 SMP - STOCKPILE PROTECTION

RECOMMND

Stockpiles shall be protected against water and wind erosion by covering with burlap or other Riverside County approved material, wetting, and/or temporary hydroseeding with native plant species.

10.PLANNING. 38 SMP - COMPLY W/ 348 STANDARDS

RECOMMND

The development of the property shall comply with all provisions of Riverside County Ordinance No. 348, Article XIIb, Section 12.62 (Specific Development and Performance Standards), except as modified by the conditions of this

FACE MINING PERMIT Case #: SMP00162R5

Parcel: 519-200-005

10. GENERAL CONDITIONS

10.PLANNING. 38 SMP - COMPLY W/ 348 STANDARDS (cont.) RECOMMND

permit.

10.PLANNING. 39 SMP - COMPLY W/ ORD. 655 RECOMMND

Surface mining operations approved by this permit shall conform to all of the applicable requirements of Riverside County Ordinance No. 655, regulating light pollution.

10.PLANNING. 40 SMP - COMPLY W/ SCAQMD RULES RECOMMND

The permittee shall comply with all applicable South Coast Air Quality Management District (SCAQMD) rules and regulations, including but not limited to, New Source Review Regulations, Standards of Performance for Asphaltic Concrete Plants, Rule 403 for fugitive dust, and PM10 requirements.

10.PLANNING. 41 SMP - NO EXPLOSIVES RECOMMND

No blasting, dynamiting or use of explosives of any kind whatsoever on the premises is authorized.

10.PLANNING. 42 SMP - NPDES COMPLIANCE (I) RECOMMND

The permittee shall comply with all of the applicable requirements of the National Pollution Discharge Elimination System (NPDES) and shall conform to NPDES Best Management Practices for Stormwater Pollution Prevention Plans during the life of this permit.

10.PLANNING. 43 SMP - SUSPEND OPER. FOR WIND RECOMMND

All stockpiling operations, including excavating, crushing, screening and related material loading and hauling, shall be suspended when wind speeds (as instantaneous gusts) exceed 25 miles per hour. All stockpiling operations shall be suspended during first and second stage smog alerts.

10.PLANNING. 44 SMP - SIGNS NEED PERMIT RECOMMND

No signs are approved pursuant to this use. Prior to the installation of any on-site advertising or directional signs, a signing plan shall be submitted to and approved by the Riverside County Planning Department, pursuant to the requirements of Section 18.30.a.(1) of Riverside County Ordinance No. 348 (Plot Plans not subject to the California

10/23/12
11:36

Riverside County LMS
CONDITIONS OF APPROVAL

Page: 18

SURFACE MINING PERMIT Case #: SMP00162R5

Parcel: 519-200-005

10. GENERAL CONDITIONS

10.PLANNING. 44 SMP - SIGNS NEED PERMIT (cont.) RECOMMND

Environmental Quality Act and not subject to review by any governmental agency other than the Planning Department), and all necessary building permits shall be obtained from the Riverside County Department of Building and Safety.

10.PLANNING. 45 SMP - RESPONSIBLE TO RECLAIM RECOMMND

The permittee (mine operator and/or land owner) shall accept responsibility for reclaiming the mine lands in accordance with the reclamation plan and within the time limits of said plan and in conformance with reclamation requirements and standards according to State of California Surface Mining and Reclamation Act and Riverside County Ordinance No. 555 guidelines.

10.PLANNING. 46 SMP - ANNUAL REPORT RECOMMND

During the life of this permit, the permittee shall annually prepare and submit a written report to the Planning Director of the County of Riverside, demonstrating compliance with all the conditions of approval and mitigation for this SMP No. 162, Revision No. 5. The Planning Director and/or Building Director may require inspection or other monitoring to insure such compliance.

10.PLANNING. 51 SMP - 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.

10.PLANNING. 53 SMP - BUSINESS LICENSING RECOMMND

Every person conducting a business within the unincorporated area of Riverside County, as defined in Riverside County Ordinance No. 857, shall obtain a business license. For more information regarding business registration, contact the Business Registration and License Program Office of the Building and Safety Department at www.rctlma.org.buslic.

FACE MINING PERMIT Case #: SMP00162R5

Parcel: 519-200-005

10. GENERAL CONDITIONS

10.PLANNING. 55

WCS - NO CONNECT W/O FINAL

RECOMMND

No individual WECS shall be interconnected in any manner to the electrical facilities of the Southern California Edison Company, including, but not limited to, by means of an on-site substation, on-site electrical collection line or through the electrical equipment of any other commercial WECS permit. PRIOR TO FINAL INSPECTION APPROVAL by the Land Use Division of the Planning Department for the entire WECS array approved under this commercial WECS permit, or any phase thereof, as shown on an approved phasing plan. The permit holder may apply for a Temporary Power Permit from the Land Use Division prior to final inspection approval of the entire WECS array, or phase thereof, and the Land Use Division may issue such a permit in order to allow testing of WECS during limited periods of time for noise standard monitoring, uniform building code compliance and for other reasons, as approved by the Land Use Division. The Director of the Department of Building and Safety, or his designee, may allow the interconnection of individual WECS, notwithstanding the above, if the Director determines that adequate safe guards exist to ensure compliance with all conditions of approval of this permit.

10.PLANNING. 56

WCS - UTILITY COORDINATION

RECOMMND

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

10.PLANNING. 57

WCS - REPLACE OR MODIFY WECS

RECOMMND

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. 58

WCS - NOTICE SERVING

RECOMMND

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

10/23/12
11:36

Riverside County LMS
CONDITIONS OF APPROVAL

Page: 20

SURFACE MINING PERMIT Case #: SMP00162R5

Parcel: 519-200-005

10. GENERAL CONDITIONS

10.PLANNING. 58 WCS - NOTICE SERVING (cont.)

RECOMMND

Christine Goeyvaerts
P.O. Box 3600
Corona, CA 92878-3600

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

10.PLANNING. 59 WCS - MAXIMUM WECS

RECOMMND

A maximum total of two (2) WECS and towers shall be allowed under this surface mining permit.

10.PLANNING. 60 WCS - WECS & TOWER SPECS

RECOMMND

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

- a. Total Height (WECS blade tip at 12:00 position): 338.6'
- b. Rotor Diameter: 126.3'
- c. Rotor Orientation: Upwind
- d. Number of Blades: Three
- e. WECS Tower Design: Solid tubular
- f. 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. 71 WCS - ADVERTISING LIMITS

RECOMMND

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

FACE MINING PERMIT Case #: SMP00162R5

Parcel: 519-200-005

10. GENERAL CONDITIONS

10.PLANNING. 71 WCS - ADVERTISING LIMITS (cont.) RECOMMND

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. 72 WCS - TV INTERFERENCE RECOMMND

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. 73 WCS - FAILURE REPORTS RECOMMND

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 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. 74 WCS - WCS METERING RECOMMND

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.

10/23/12
11:36

Riverside County LMS
CONDITIONS OF APPROVAL

Page: 22

SURFACE MINING PERMIT Case #: SMP00162R5

Parcel: 519-200-005

10. GENERAL CONDITIONS

10.PLANNING. 75 WCS - SCENIC SETBACK RECOMMND

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

10.PLANNING. 76 WCS - FAA RULES COMPLIANCE RECOMMND

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. 77 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 December 21, 2011. 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 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.

SURFACE MINING PERMIT Case #: SMP00162R5

Parcel: 519-200-005

10. GENERAL CONDITIONS

10.PLANNING. 79 SMP - CAUSES FOR REVOCATION RECOMMND

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

10.PLANNING. 80 SMP - LIGHTING HOODED/DIRECTED RECOMMND

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

10.PLANNING. 82 WCS - ACCESS & OPERATIONS RECOMMND

Construction traffic, and later on-going operation and maintenance traffic, associated with this commercial WECS 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. 85 WCS - VAR01883 VALID W/SMP RECOMMND

Variance Case No. 1883 shall be valid and ineffect during the life of Surface Mining Permit No. 162, Revised Permit No. 5. Should Surface Mining Permit No. 162, Revised Permit No. 5 become null and void for any reason, then Variance Case No. 1883 shall also expire and become null and void.

10.PLANNING. 86 WCS - VISUAL IMPACTS RECOMMND

The following measures shall be observed throughout the construction and operational life of the WECS portion of the project:

a. No reflective surfaces shall be allowed on finishes and colors for equipment and on-site structures.

b. No logos or visually prominent markings shall be allowed

10/23/12
11:36

Riverside County LMS
CONDITIONS OF APPROVAL

Page: 24

SURFACE MINING PERMIT Case #: SMP00162R5

Parcel: 519-200-005

10. GENERAL CONDITIONS

10.PLANNING. 86 WCS - VISUAL IMPACTS (cont.)

RECOMMND

on the exterior of the towers, nacelles and blades.

c. All major external components of the turbine and tower shall be of a uniform color and finish to promote visual continuity.

d. No outdoor lighting will be used at the project site, except during construction, and as required by the Federal Aviation Administration (FAA).

e. The project proponent shall contribute to the County's WIMP fee which provides on-going monitoring and offers a source of funds which can be applied to mitigating visual impacts related to WECS.

10.PLANNING. 87 SMP - GEO02282

RECOMMND

County Geologic Report (GEO) No. 2282 submitted for this project (SMP00162R5) was prepared by Earth Systems Global, Inc. (ESG) and is entitled: "Geotechnical Engineering Report, Proposed Wind Turbines, Ready Mix Facility, Cabazon, Riverside County, California", dated August 19, 2011. In addition, ESG prepared the following:

"Engineering Design and Analysis of the P&H Tensionless Pier Foundation, Robertson's Ready Mix Facility, Cabazon, Riverside, CA, 2 - GE Wind 1.5sle on 64.7-m HH Towers", dated September 20, 2011.

"Proposed Wind Turbines, Roberson's Ready Mix Facility, Cabazon, Riverside County, California, Addendum to Geotechnical Report", dated November 11, 2011.

"Response to County Comments (GEO02282) to Geotechnical Report", dated December 13, 2011.

"Response #2 to County Comments (GEO02282) to Geotechnical Report", dated May 1, 2011.

"Response #2 to County Comments (GEO02282) to Geotechnical Report", dated June 13, 2011.

CHJ prepared the following:

"Response to Riverside County Planning Department Review, Review Comments No. 3, Dated July 16, 2012, to Geologic