

FORM APPROVED COUNTY COUNSEL  
 BY: GREGORY P. PRIAMOS DATE: 3/24/15

Departmental Concurrence

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

516 A



**FROM:** TLMA – Planning Department

**SUBMITTAL DATE:**  
 March 20, 2015

**SUBJECT:** BLYTHE MESA SOLAR PROJECT - CHANGE OF ZONE NO. 7831, CONDITIONAL USE PERMIT NO. 3685, PUBLIC USE PERMIT NO. 913, ORDINANCE NO. 664.57, DEVELOPMENT AGREEMENT NO. 79 AND CERTIFICATION OF ENVIRONMENTAL IMPACT REPORT NO. 529 – Applicant: Renewal Resources Group - Engineer/Representative Rupal Patel – Fourth Supervisorial District – Palo Verde Valley Area Plan - Location: Northerly and southerly of Interstate 10, westerly of Neighbors Boulevard and Arrowhead Boulevard and southerly and easterly of the Blythe Airport. [\$0]

**RECOMMENDED MOTION:** That the Board of Supervisors open the public hearing and at the close of the public hearing:

- ADOPT RESOLUTION NO. 2015-057 Certifying ENVIRONMENTAL IMPACT REPORT NO. 529**, adopting environmental findings pursuant to the California Environmental Quality Act, and adopting a Mitigation Monitoring and Reporting Program; and,
- TENTATIVELY APPROVE CHANGE OF ZONE NO. 7813**, amending the zoning classification for the subject property from Natural Assets (N-A), Controlled Development Areas 10 acre minimum (W-2-10), and Controlled Development Areas 5 acre minimum (W-2-5) to Light Agriculture 10 acre minimum (continued next page)

Juan C. Perez  
 TLMA Director  
 SW:lr

*Steve Weiss*  
 Steve Weiss, AICP  
 Planning Director

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

**SOURCE OF FUNDS:** Deposit based funds  
 Budget Adjustment: N/A  
 For Fiscal Year: N/A

**C.E.O. RECOMMENDATION:**

APPROVE

County Executive Office Signature BY: *Denise C. Harden*  
 Denise C. Harden

**MINUTES OF THE BOARD OF SUPERVISORS**

On motion of Supervisor Benoit, seconded by Supervisor Washington and duly carried, IT WAS ORDERED that the above matter is approved as recommended and that Ordinance 664.57 is adopted with waiver of the reading.

Ayes: Jeffries, Washington, Benoit and Ashley  
 Nays: None  
 Absent: Tavaglione  
 Date: May 12, 2015  
 xc: Planning, MC, COB

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

Prev. Agn. Ref.: | District: 4 | Agenda Number:

3-53

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

**SUBMITTAL TO THE BOARD OF SUPERVISORS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA  
FORM 11: BLYTHE MESA SOLAR PROJECT - CHANGE OF ZONE NO. 7831, CONDITIONAL USE PERMIT NO.  
3685, PUBLIC USE PERMIT NO. 913, ORDINANCE NO. 664.57, DEVELOPMENT AGREEMENT NO. 79 AND  
ENVIRONMENTAL IMPACT REPORT NO. 529.**

**DATE:** March 20, 2015

**PAGE:** Page 2 of 3

**RECOMMENDED MOTION CONTINUED:**

(A-1-10) in accordance with the Zoning Exhibit; based upon the findings and conclusions incorporated in the staff report pending final adoption of the Zoning Ordinance by the Board of Supervisors; and,

4. **APPROVE PUBLIC USE PERMIT NO. 913**, subject to the attached conditions of approval, and based upon the findings and conclusions incorporated in the staff report and in Resolution No. 2015-057; and,
5. **APPROVE CONDITIONAL USE PERMIT NO. 3685**, subject to the attached conditions of approval, and based upon the findings and conclusions incorporated in the staff report and in Resolution No. 2015-057; and
6. **INTRODUCE and ADOPT** on successive weeks of **ORDINANCE NO. 664.57**, an Ordinance of the County of Riverside Approving Development Agreement No. 79, based upon the findings and conclusions incorporated in the staff report and in Resolution No. 2015-057.

**BACKGROUND:**

**Summary**

**Conditional Use Permit No. 3685** proposes a 485 megawatt solar photovoltaic (PV) electrical generating facility (solar power plant) consisting of a solar array field utilizing single-axis solar PV trackers and panels with a combined maximum height of eight feet. Supporting facilities on-site would include up to three electrical substations, up to two operation and maintenance buildings, inverters, transformers, and associated switchgear. An approximate 334-acre portion of the 3,660-acre Project site is located within the City of Blythe jurisdiction, the remaining 3,326 acres is within the unincorporated area under the jurisdiction of the County.

**Public Use Permit No. 913** proposes to permit a new 8.4 mile long, 230 kilovolt (kV) double-circuit generation-tie transmission line that would connect the proposed Project with the approved Colorado River Substation located west of the Project site subject to Public Use Permit (3.6 miles of the generation-tie line are located within the Project site subject to the jurisdiction of the County, and 4.8 miles are located off-site within a 125-foot-wide BLM ROW between the Project site and the Colorado River Substation).

**Change of zone No. 7831** proposes to rezone approximately 1,249 acres from Controlled Development Areas 5 acre minimum and 10 acre minimum (W-2-5 and W-2-10) and Natural Assets (N-A) to Light Agriculture 10 acre minimum (A-1-10).

The applicant and County Staff have negotiated a **Development Agreement (DA No. 79)** consistent with the County's solar power plant program. County staff has reached an agreement with the applicant on the provisions of the development agreement. DA No. 79 has a term of 30 years and will grant the applicant vesting rights to develop the Project in accordance with the terms of the agreement. DA No. 79 contains terms consistent with Board of Supervisors Policy No. B-29, including terms regarding annual public benefits payments and increases (Section 4.2 of DA No. 79) and terms requiring the applicant to take actions to ensure allocation directly to the County of the sales and use taxes payable in connection with the construction of the solar power plant, to the maximum extent possible under the law, which is a public benefit for the County (Section 4.3 of DA No. 79). Additionally, given the unique location of the Project, DA No. 79 recognizes the City of Blythe as a limited third party beneficiary of DA No. 79 and requires that the applicant pay 10% of the annual public benefits directly to the City of Blythe. The remainder of the annual public benefit payments will be used by the Board of Supervisors consistent with Resolution No. 2013-158 which establishes the requirements, limitations, and procedures concerning the use of payments collected under a development agreement

**SUBMITTAL TO THE BOARD OF SUPERVISORS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA  
FORM 11: BLYTHE MESA SOLAR PROJECT - CHANGE OF ZONE NO. 7831, CONDITIONAL USE PERMIT NO. 3685, PUBLIC USE PERMIT NO. 913, ORDINANCE NO. 664.57, DEVELOPMENT AGREEMENT NO. 79 AND ENVIRONMENTAL IMPACT REPORT NO. 529.**

**DATE:** March 20, 2015

**PAGE:** Page 3 of 3

involving a solar power plant (Section 4.2.5 of DA No. 79). Finally, DA No. 79 also contains an agreement between the parties with regard to the computation of development impact fees using the surface mining fee category on a Project Area basis as set forth in Section 13 of Ordinance No. 659 (Section 4.4 and Exhibit G of DA No. 79). Per State law, a development agreement is a legislative act which must be approved by ordinance. Proposed Ordinance No. 664.57, an Ordinance of the County of Riverside Approving Development Agreement No. 79, incorporates by reference and adopts DA No. 79.

Approval and use of Conditional Use Permit No. 3685 and Public Use Permit No. 913 is conditioned upon Development Agreement No. 79 being entered into and effective.

The project is located northerly and southerly of Interstate 10, westerly of Neighbors Boulevard and Arrowhead Boulevard and southerly and easterly of the Blythe Airport.

**Impact on Citizens and Businesses**

The County and BLM prepared a joint Environmental Impact Report/Environmental Assessment. Environmental Impact Report No. 529 studied the overall Blythe Mesa Solar Project and its impacts, as described in the attached staff report and Resolution No. 2015-057. The project will aid in the transmission of renewable energy to the power grid.

**SUPPLEMENTAL:**

**Additional Fiscal Information**

As stated above, the applicant and County staff have reached an agreement on the provisions of Development Agreement No. 79. Under DA No. 79, the applicant will submit annual public benefit payments of \$150 per acre, increased annually by 2% from and after 2013 (currently \$156 per acre in 2015), based on the solar power plant net acre amount of 3,397.62 acres at full build out. The total "solar power plant net acreage", agreed upon by the applicant, was calculated using the definition in Board of Supervisors' Policy No. B-29. The project is scheduled to be built in phases and the initial annual public benefit payments will be based on the solar power plant net acreage included in each phase until complete build out. DA No. 79 contemplates five phases (Section 3.4 and Exhibit F of DA No. 79). The first phase will include a solar power plant net acreage of 938.84 acres. The second phase will include a solar power plant net acreage of 232.92 acres. The third phase will include a solar power plant net acreage of 610.08 acres. The fourth phase will include a solar power plant net acreage of 257.96 acres. The fifth phase will include a solar power plant net acreage of 1357.82 acres. The applicant will also take agreed upon actions to ensure that local sales and use taxes are directly allocated to the County to the maximum extent possible under the law. Additionally, the applicant will submit an agreed upon Development Impact Fee (DIF) payment using the Palo Verde Valley surface mining fee category of \$6,750 per acre on approximately 2,985.62 acres as set forth in Section 4.4 and Exhibit G of DA No. 79. The timing of the DIF payment will be in accordance with Ordinance No. 659 and any temporary reduction of fees approved by the board of Supervisors in place at the time of payment of the DIF shall be applicable to the project.

Staff labor and expenses to process this project have been paid directly through Blythe Mesa's deposit based fees.

1 ORDINANCE NO. 664.57

2  
3 AN ORDINANCE OF THE COUNTY OF RIVERSIDE  
4 APPROVING DEVELOPMENT AGREEMENT NO. 79

5  
6 The Board of Supervisors of the County of Riverside ordains as follows:

7 Section 1. Pursuant to Government Code Section 65867.5, Development Agreement  
8 No. 79, a copy of which is on file with the Clerk of the Board of Supervisors and incorporated herein by  
9 reference, is hereby approved.

10 Section 2. The Chairman of the Board of Supervisors is hereby authorized to execute  
11 said Development Agreement on behalf of the County of Riverside within ten (10) days after the Effective  
12 Date of this ordinance, provided that all landowners listed in Development Agreement No. 79 have  
13 executed said Development Agreement within thirty (30) days after adoption of this ordinance.

14 Section 3. Effective Date. This ordinance shall take effect thirty (30) days after its  
15 adoption.

16 BOARD OF SUPERVISORS OF THE COUNTY  
17 OF RIVERSIDE, STATE OF CALIFORNIA

18 By: Marion Ashley  
19 Chairman  
20 **MARION ASHLEY**

19 ATTEST: **KECIA HARPER-JHEM**

20 CLERK OF THE BOARD:

21 By: Kecia Harper-Jhem  
22 Deputy

23 (SEAL)

24 APPROVED AS TO FORM  
25 March 18, 2015

26 By: Tiffany N. North  
27 **TIFFANY N. NORTH**  
28 Deputy County Counsel


1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

STATE OF CALIFORNIA        )  
  )  
COUNTY OF RIVERSIDE        )        ss

I HEREBY CERTIFY that at a regular meeting of the Board of Supervisors of said county held on May 12, 2015, the foregoing ordinance consisting of 3 Sections was adopted by the following vote:

AYES:                   Jeffries, Washington, Benoit and Ashley  
NAYS:                   None  
ABSENT:                 Tavaglione

DATE:            May 12, 2015

KECIA HARPER-IHEM  
Clerk of the Board  
BY:   
Deputy

SEAL

2  
3 RESOLUTION NO. 2015-057

4  
5 CERTIFYING FINAL ENVIRONMENTAL IMPACT REPORT NO. 529, FTA NO. 2013-10 (SCH NO.  
6 2011111056), ADOPTING ENVIRONMENTAL FINDINGS PURSUANT TO THE  
7 CALIFORNIA ENVIRONMENTAL QUALITY ACT,  
8 ADOPTING A MITIGATION MONITORING AND REPORTING PROGRAM,  
9 AND APPROVING THE BLYTHE MESA SOLAR PROJECT

10  
11 WHEREAS, Renewable Resources Group (the Applicant) filed an Application for Land Use  
12 and Development with the Riverside County Planning Department seeking a Conditional Use Permit  
13 (CUP No. 3685), Public Use Permit (PUP No. 913), Change of Zone application (CZ No. 7831), and  
14 has proposed to enter into a development agreement (DA No. 79) with the County of Riverside (the  
15 County) to construct, operate, maintain and decommission the Blythe Mesa Solar Project (Project); and

16 WHEREAS, the Project consists of a solar photovoltaic (PV) electrical generating facility (solar  
17 power plant) of up to 485 megawatts (MW) and related infrastructure in the Palo Verde Mesa region of  
18 Riverside County on a combination private lands under the jurisdiction of the County. A portion of the  
19 solar facility site would be within the area of the City of Blythe, within the area governed by the City's  
20 General Plan. A portion of the 230 kV gen-tie line would traverse Bureau of Land Management  
21 ("BLM")-managed lands: and

22 WHEREAS, pursuant to section 21067 of the Public Resources Code, and section 15367 of the  
23 California Environmental Quality Act (CEQA) Guidelines (14 Cal. Code Regs. §15000 et seq.),  
24 the County is the lead agency for the Project; and

WHEREAS, the County and BLM prepared a joint Environmental Impact Report (EIR) /  
Environmental Assessment (EA) for the Project under CEQA and the National Environmental  
Policy Act (NEPA) and;

FORM APPROVED COUNTY COUNSEL  
BY: *[Signature]* 5/21/15  
THERESA N. NORRIS

1 WHEREAS, the County solicited comments (including input about the scope and content  
2 of the environmental review, as well as potential feasible alternatives and mitigation measures)  
3 from responsible agencies, trustee agencies, and the public in a Notice of Preparation (NOP) of a  
4 joint EIR/EA for the Project, which was filed on November 16, 2011 and circulated for a period  
5 of 30 days pursuant to CEQA Guidelines sections 15082(a) and 15375; and

6 WHEREAS, 10 comment letters were received by the County in response to the October 2011  
7 NOP, which assisted the County in refining the issues and alternatives for analysis in the Draft EIR/EA  
8 (Draft EIR/EA); and

9 WHEREAS, pursuant to Public Resources Code section 21083.9 and CEQA Guidelines section  
10 15082(c) and 15083, the County held a public scoping meeting on December 12, 2011, to solicit public  
11 comments on the Draft EIR/EA for the Project; and

12 WHEREAS, in compliance with CEQA (Pub. Res. Code §21000 et seq.) and the CEQA  
13 Guidelines (14 Cal. Code Regs. §15000 et seq.), the County prepared a Draft EIR/EA to analyze the  
14 potential environmental effects of the Project; and

15 WHEREAS, the Draft EIR/EA was completed and released for public review on June 17, 2014 to  
16 August 1, 2014, and the County initiated a 45-day public comment period by filing a Notice of  
17 Completion and Availability with the State Clearinghouse and the Riverside County Assessor-Clerk-  
18 Recorder's Office; and

19 WHEREAS, the County issued a Clarification Notice extending the Draft EIR/EA review period  
20 to from June 20, 2014 to August 5, 2014 to all agencies, organizations and individuals who previously  
21 requested notice; and

22 WHEREAS, pursuant to Public Resources Code section 21092, the County also provided a Notice  
23 of Availability to all organizations and individuals who had previously requested such notice, and made  
24 copies available for public review in the Palo Verde library, the Lake Tamarisk library, and at the  
25 Riverside County Planning Department (both in the Riverside and Palm Desert offices); and published the  
26 Notice of Availability on June 20, 2014, in The Press-Enterprise and the Palo Verde Time, newspapers of  
27 general circulation in the Project area; and

1 WHEREAS, during the comment period, the County consulted with, and requested comments  
2 from, responsible and trustee agencies, other regulatory agencies and other interested parties pursuant to  
3 CEQA Guidelines section 15086; and

4 WHEREAS, during the official public review period for the DEIR, the County received 16  
5 written comment letters and the County received 6 comments from individual at the public information  
6 meeting held July 10, 2014; and

7 WHEREAS, pursuant to Public Resources Code section 21092.5 and CEQA Guidelines 15088(b)  
8 the County provided each public agency that submitted comments on the Draft EIR/EA with written  
9 responses to the agency's comments at least 10 days before considering the Final EIR/EA for certification,  
10 on or about March 27, 2015; and

11 WHEREAS, pursuant to CEQA Guidelines Section 15132, the County released the Final EIR/EA  
12 (hereinafter, the "EIR/EA"), which consists of the Draft EIR/EA, a list of all agencies and individual who  
13 commented on the Draft EIR/EA, comments received on the Draft EIR/EA written responses to all to  
14 significant environmental issues raised in the review, consultation, and comment processes for the Draft  
15 EIR/EA; and

16 WHEREAS, all potentially significant adverse environmental impacts of the Project, and its  
17 considerable contribution toward significant cumulative impacts, were analyzed in the EIR/EA; and

18 WHEREAS, as contained herein, the County has endeavored in good faith to set forth the basis for  
19 its decision on the Project; and

20 WHEREAS, all requirements of the California Environmental Quality Act (CEQA), the CEQA  
21 Guidelines, and Riverside County CEQA implementing procedures have been satisfied by the County,  
22 and the EIR/EA sufficiently details that all of the potentially significant environmental effects of the  
23 Project, as well as feasible alternatives and mitigation measures, have been adequately evaluated; and

24 WHEREAS, the EIR/EA prepared in connection with the Project sufficiently analyzes both the  
25 feasible mitigation measures necessary to avoid or substantially lessen the Project's potential  
26 environmental impacts and a range of feasible alternatives capable of eliminating or reducing these effects  
27 in accordance with the Public Resources Code and the CEQA Guidelines; and



1 WHEREAS, all of the findings and conclusions made by the Board of Supervisors pursuant to this  
2 Resolution are based upon the entire record as a whole, are not based solely on the information cited in  
3 this Resolution, and references in this Resolution to specific pieces of evidence in the record are not  
4 intended to exclude other evidence; and

5 WHEREAS, environmental impacts identified in the EIR/EA that the County finds will either  
6 have no impact or are less than significant and do not require mitigation are described in the EIR/EA and  
7 in Section II below; and

8 WHEREAS, the environmental impacts identified in the EIR/EA as potentially significant but  
9 which the County finds can be mitigated to a less-than-significant level through the implementation of  
10 Mitigation Measures identified in the Mitigation Monitoring and Reporting Program are described in the  
11 EIR/EA and in Section III below; and

12 WHEREAS, the less-than-significant cumulative environmental impacts identified in the EIR/EA  
13 are described in the EIR/EA and in Section IV below; and

14 WHEREAS, growth-inducing impacts identified in the EIR/EA are described in the EIR/EA and  
15 in Section V below; and

16 WHEREAS, alternatives to the Project and to the Approved Project that might eliminate or reduce  
17 significant environment impacts are described in the EIR/EA and in Section VI below; and

18 WHEREAS, under this Resolution, the County will adopt a Mitigation Monitoring and Reporting  
19 Program (MMRP) in accordance with Public Resources Code (PRC) Section 21081.6 and Section 15097  
20 CEQA Guidelines. The purpose of the MMRP is to ensure that the Approved Project complies with all  
21 applicable environmental mitigation requirements. The mitigation measures for the Approved Project will  
22 be adopted by the County, in conjunction with the adoption of the Final EIR/EA as set forth in this  
23 Resolution. The County is the designated CEQA lead agency for the MMRP. The County is responsible  
24 for review of all monitoring reports, enforcement actions, and document disposition as it relates to the  
25 Approved Project impacts. The MMRP sets forth the mitigation measures that the County shall require as  
26 binding obligations of the Applicant in connection with the Approved Project, is adopted in Section IX  
27 below, and is attached hereto as Exhibit "A" and incorporated herein by reference; and  
28

1 WHEREAS, prior to taking action, the Board of Supervisors has heard, been presented with  
2 reviewed, and considered all of information and data in the record, including the EIR/EA, all oral and  
3 written evidence presented to it during all meetings and hearings; and

4 WHEREAS, the EIR/EA reflects the independent judgment of the County as lead agency, and is  
5 deemed adequate for purposes of making decisions on the impacts and merits of the Project; and

6 WHEREAS, the County has not discovered or received any comments or information that  
7 produced substantial new information requiring recirculation Public Resources Code section 21092.1 and  
8 CEQA Guideline section 15088.5; and

9 WHEREAS, on April 14, 2015, the Board of Supervisors conducted a duly noticed published  
10 hearing on the Project, at which time all persons wishing to testify were heard, and the EIR/EA and  
11 Project were fully considered; and

12 WHEREAS, all other legal prerequisites to the adoption of this Resolution have occurred;

13 NOW, THEREFORE, BE IT RESOLVED, FOUND, DETERMINED, AND ORDERED by the  
14 Board of Supervisors of the County of Riverside, in regular session assembled on May 12, 2015, that:

15 **SECTION I**

16 **INTRODUCTION**

17 **A. Project Description**

18 The Project ("Project") studied in the EIR/EA is the Blythe Mesa Solar Project, a solar  
19 photovoltaic (PV) electrical generating facility (solar power plant) of up to 485 megawatt (MW) and 8.4-  
20 mile generation interconnection (gen-tie) line that would together occupy a total of 3,660 acres. The  
21 Project would be located in the Palo Verde Mesa region of Riverside County, and would require 3,587  
22 acres for the solar facility component and 73 acres for the 230 kilovolt (kV) gen-tie line.

23 The Project studied in the EIR/EA included some interim agricultural-related actions, as described  
24 on pages ES-4, 1-2, and 2-21 of the Final EIR/EA. These interim actions included a proposal to place  
25 1,485 acres in an agricultural preserve and in a Williamson Act contract, to encourage continued  
26 agricultural use pending construction of the solar power plant. However, market conditions have changed  
27 since the EIR was first published such that it now appears likely that construction of the solar plant will

1 occur in the near term, making a Williamson Act preserve and contract not necessary. Accordingly, the  
2 project approved by the County does not include establishment of a Williamson Act preserve or contract.  
3 It does include the rezoning of approximately 1,249 acres from W-2-5 and N-A to A-1-10 (light  
4 Agriculture).

5 Additionally, the County has determined to approve Alternative 3 (Northern Alternative 230 kV  
6 Gen-tie Line) rather than the Project (Alternative 1). The primary difference between Alternatives 1 and 3  
7 is the location of the 230 kV gen-tie line that extends outside of the solar facility site to the Colorado  
8 River Substation. The gen tie line contemplated under Alternative 3, like Alternative 1, is located within  
9 the Riverside East Solar Energy Zone (SEZ). However, the Alternative 3 gen-tie line is located  
10 approximately 700 feet to the north and within a 125-foot ROW on BLM-managed lands. The total length  
11 of the 230 kV gen-tie line for Alternative 3, both on-site and off-site of the solar facility, is 8.8 miles; 3.6  
12 miles would be located on private lands within the solar facility site boundary subject to the County's  
13 jurisdiction and 5.2 miles would be located on BLM-managed lands. The BLM portion of the ROW  
14 would total 78 acres.

15 The project approved by the County, including Alternative 3, is referred to in this Resolution as  
16 the "Approved Project." The impacts of the Approved Project are the same as the impacts of Alternative 1  
17 except when specific references are made to the Approved Project below. Accordingly, this Resolution  
18 sometimes refers to the "Project" and the "BMSP," and unless specifically noted otherwise, these  
19 references describe the Approved Project as well.

## 20 **B. Legal Requirements**

21 Pursuant to section 15091 of the CEQA Guidelines, the County may only approve or carry out a  
22 project for which an EIR has been completed that identifies any significant environmental effects if the  
23 County makes one or more of the following written finding(s) for each of those significant effects  
24 accompanied by a brief explanation of the rationale for each finding:

- 25 1. Changes or alterations have been required in, or incorporated into, the project which will  
26 avoid or substantially lessen the significant environmental impact as identified in the EIR;  
27 or

2. Such changes or alterations are within the responsibility and jurisdiction of a public agency other than the County, and such changes have been adopted by such other agency, or can or should be adopted by such other agency; or
3. Specific economic, social, legal or other considerations make infeasible the mitigation measure or project alternatives identified in the EIR.

Notably, Public Resources Code section 21002 requires an agency to substantially lessen or avoid significant adverse environmental impacts. Thus, mitigation measures that substantially lessen significant environmental impacts, even if the impact is not completely avoided, satisfy section 21002's mandate. (Laurel Hill Homeowners Association v. City Council (1978) 83 Cal.App.3d 515, 521 ("CEQA does not mandate the choice of the environmentally best feasible project if through the imposition of feasible mitigation measures alone the appropriate public agency has reduced environmental damage from a project to an acceptable level"); Las Virgenes Homeowners Federation, Inc. v. County of Los Angeles (1986) 177 Cal. App. 3d 300, 309 ("[t]here is no requirement that adverse impacts of a project be avoided completely or reduced to a level of insignificance ...if such would render the project unfeasible").)

The Public Resources Code requires that lead agencies adopt feasible mitigation measures or alternatives to substantially lessen or avoid significant environmental impacts. An agency need not however, adopt infeasible mitigation measures or alternatives. (CEQA Guidelines §15091(a), (b).) Public Resources Code section 21061.1 defines "feasible" to mean "capable of being accomplished in a successful technological factors." CEQA Guidelines section 15091 adds "legal" considerations as another indication of feasibility. (See also Citizens of Goleta Valley v. Board of Supervisors (1990) 52 Cal.3d 553, 565.) Project objectives also inform the determination of "feasibility." (City of Del Mar v. City of San Diego (1982) 133 Cal.App.3d 401, 417.) "[F]easibility' under CEQA encompasses 'desirability' to the extent that desirability is based on a reasonable balancing of the relevant economic, environmental, social, and technological factors." (Id.; see also Sequoiah Hills Homeowners Assn. v. City of Oakland (1993) 23 Cal.App.4th 704, 715.)

Environmental impacts that are less than significant do not require the imposition of mitigation measures. (Leonoff v. Monterey County Board of Supervisors (1990) 222 Cal.App.3d 1337, 1347.)

1 The California Supreme Court has stated, "[t]he wisdom of approving any development project is  
2 a delicate task which requires a balancing of interests, is necessarily left to the sound discretion of the  
3 local officials and their constituents who are responsible for such decisions. The law as we interpret and  
4 apply it simply requires that those decisions be informed, and therefore balanced." (Citizens of Goleta  
5 Valle v. Board of Supervisors (1990) 52 Cal.3d 553, 576.) In addition, perfection in a project or a  
6 project's environmental alternatives is not required; rather, the requirement is that sufficient information  
7 be produced "to permit a reasonable choice of alternatives so far as environmental aspects are concerned."  
8 Outside agencies (including courts) are not to "impose unreasonable extremes or to interject [themselves]  
9 within the area of discretion as to the choice of the action to be taken." (Residents Ad Hoc Stadium Com.  
10 v. Board of Trustees (1979) 89 Cal.App.3d 274, 287.)

### 11 **C. Summary of Environmental Findings**

12 This document contains the findings required under CEQA and the CEQA Guidelines. Public  
13 Resources Code section 21081.6 requires the County to prepare and adopt a Mitigation Monitoring and  
14 Reporting Program for any Project for which mitigation measures have been imposed to assure  
15 compliance with the adopted mitigation measures. The County adopts a Mitigation Monitoring and  
16 Reporting Program for the Project in Section IX of this Resolution.

17 The Board of Supervisors has considered the opinions of other agencies and members of the  
18 public, including opinions that disagree with some of the analysis and conclusions in the EIR/EA. The  
19 EIR/EA is incorporated into these findings by reference. The Board ratifies, adopts, and incorporates the  
20 analysis and explanation in the EIR/EA, and ratifies, adopts, and incorporates in these findings the  
21 determinations and conclusions of the EIR/EA relating to environmental impacts and mitigation  
22 measures. As more fully explained below, the Board of Supervisors has determined that based on the  
23 entire record, including, but not limited to: the EIR/EA; written and oral testimony given at meetings and  
24 hearings; and submission of comments from the public, organizations, and regulatory agencies; and the  
25 responses prepared to the public comments, the following environmental impacts associated with the  
26 Project are:

- 27 1. No Impact or Less-Than-Significant Impacts that Do Not Require Mitigation

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

- Aesthetics, Visual Resources, and Reflection
- Air Quality
- Greenhouse Gases
- Land Use and Planning
- Recreation
- Population, Housing, Public Services, Utilities, and Socioeconomics

2. Potentially Significant Impacts That Can be Avoided or Reduced to a Less Than Significant Level Through Implementation of Mitigation Measures:

- Agriculture
- Biological Resources
- Cultural Resources
- Geology and Soils
- Hazards and Hazardous Materials
- Hydrology and Water Quality
- Noise
- Paleontological Resources
- Traffic and Transportation

**SECTION II**  
**FINDINGS REGARDING ENVIRONMENTAL IMPACTS**  
**NOT REQUIRING MITIGATION**

Section 15091 of the CEQA Guidelines does not require specific findings to address environmental effects that an EIR identifies as have "no impact" or a "less than significant" impact. Nevertheless, these findings fully account for all resource areas, including resource areas that were identified in the EIR/EA to have either no impact or a less than significant impact on the environment. For the reasons stated in the EIR/EA and in materials presented by staff, the Board of

1 Supervisors finds that the Approved Project would either have no impact or a less-than-significant impact  
2 in the following resource areas:

3 **A. Aesthetics, Visual Resources, and Reflection**

4 1. Adverse Effect on a Scenic Vista (Impact VIS-1): The Approved Project does not  
5 result in an impact on a scenic vista. The Approved Project would not be located in a designated scenic  
6 vista and neither the Riverside County General Plan (RCGP) nor the Palo Verde Valley Area Plan  
7 (PVVAP) has designated the Approved Project area as an important visual resource. No scenic vistas were  
8 identified in the visual resources study area. In regard to construction, operation, maintenance, and  
9 decommissioning of the solar facility and Approved Project gen-tie and distribution lines, no impacts  
10 would occur [Final EIR/EA 4-34].

11 2. Damage Scenic Resources within a State Scenic Highway (Impact VIS-2): I-10 has  
12 been identified by the County of Riverside as eligible for designation as a scenic corridor; however, it is  
13 not a State- or County-designated scenic highway. The proposed 34.5 kV distribution lines would be  
14 placed above-ground along Hobson Way, which would be within view from a scenic highway. Riverside  
15 County General Plan Policies LU 13.5 and C 25.2 address the undergrounding of utility lines. Here, the  
16 distribution lines would be parallel to existing distribution lines and therefore consistent with these  
17 policies. The solar facility would not block views of the mountains for motorists, which would remain  
18 visible in the distance beyond the solar facility. Because of its location on the eastern edge of the Palo  
19 Verde Mesa, the context of the adjacent land uses, and motorists' present views of development, the  
20 Approved Project would be compatible with policies to protect scenic views from I-10. There are no  
21 scenic resources such as significant trees, rocks, historic buildings, or prominent topographic features that  
22 would be degraded due to the Approved Project. Therefore, no substantial adverse effects to scenic  
23 resources would occur and impacts would be less than significant [Final EIR/EA 4-34].

24 3. Degrade the Existing Visual Character or Quality of the Site and its Surroundings (Impact  
25 VIS-3): The Approved Project would not substantially degrade the existing visual character or quality of  
26 the site and its surroundings. No designated areas of natural beauty or scenic recreational areas are within  
27 the study area. The Approved Project would not alter the site in a manner that would substantially degrade  
28

1 its scenic value, which is considered low. The proposed solar facility is in a sparsely populated area with  
2 no unique or outstanding visual features. Therefore, less than significant impacts would occur with regard  
3 to degrading the existing visual character or quality of the site as a result of the construction, operation,  
4 maintenance, and decommissioning of the Approved Project [Final EIR/EA 4-34, 4-35].

5 4. New Sources of Light and Glare (Impact VIS-4): The solar array would not create  
6 substantial glint or glare during normal operations that would be visible from the sensitive viewpoints,  
7 which include residences with views of the Approved Project, I-10, recreational facilities, and pilots  
8 entering and exiting the Blythe Airport. The Approved Project would not result in substantial impacts  
9 related to light and glare in the area. Glare would not be experienced by residents or motorists near the  
10 Approved Project. The Approved Project facility and security lighting would be limited. Therefore,  
11 impacts related to light and glare would be less than significant. [Final EIR/EA 4-35].

12 5. Result in the creation of an aesthetically offensive site open to public view (VIS-5): The  
13 Approved Project would not alter the site in a manner that would create a substantially aesthetically  
14 offensive site open to public view. The public would primarily view the Approved Project area from I-10  
15 and would also have views from local public roads in the visual resources study area. As described in  
16 VIS-3 above, the Approved Project would change the existing visual character of the site from vacant land  
17 and agriculture to a solar energy facility area. However, the Approved Project area is already influenced  
18 by nearby existing electrical facilities, transmission and distribution lines, and an existing solar facility.  
19 Therefore impacts to public views would be less than significant [Final EIR/EA 4-35 and 4-36].

20 6. Interfere with nighttime use of the Mt. Palomar Observatory, as protected through  
21 Riverside County Ordinance No. 655 (VIS-6): The Approved Project area is over 100 miles east of the  
22 Mt. Palomar Observatory, which far exceeds the distance to the Observatory's areas of sensitivity (Zone  
23 A at a 15-mile radius and Zone B at a 45-mile radius from the Observatory). As described in VIS-4, the  
24 Approved Project is expected to use minimal nighttime lighting during construction and operation;  
25 however, such uses would be limited and, based on the Approved Project area's distance to the  
26 Observatory, would result in no impacts to astronomical observation and research at the Mt. Palomar  
27 Observatory [Final EIR/EA 4-36].



1 7. Expose residential property to unacceptable light levels (VIS-7): Residential property  
2 would not be exposed to unacceptable light levels. As described in the response to VIS-4, construction  
3 and operation of the Approved Project would utilize minimal lighting. Additionally, the Approved Project  
4 facilities would be close to existing sources of light. Impacts would be less than significant [Final EIR/EA  
5 4-37].

6 The evidence supporting these conclusions includes the discussion of these impacts in sections  
7 3.2.1 and 4.2.1 of the Final EIR/EA, and Responses to Comments 10-9, 12-66, 12-67, 15-1 and 15-2.

8 **B. Agriculture and Forestry Resources**

9 1. Conflict with existing zoning for, or cause rezoning of, forest land, timberland, or  
10 timberland zoned Timberland Production (Impact AG-3): The Approved Project would not be on land  
11 zoned specifically as either forest land or timberland. Although timber production is an allowable activity  
12 within an agricultural zone, the Approved Project would not be used for timber production, nor is the site  
13 forested. Therefore, the Approved Project does not meet the definition of “forest land.” The same land is  
14 not considered timberland because the land is not zoned Timberland Production Zone. No impact to forest  
15 land would occur [Final EIR/EA 4-56].

16 2. Result in the loss of forest land or conversion of forest land to non-forest use (Impact AG-  
17 4): As described in AG-3, the land within the Approved Project area does not meet the definition of forest  
18 land. Therefore, the Approved Project would not convert any forest land to non-forest use, and no impact  
19 would occur [Final EIR/EA 4-56].

20 3. Involve other changes in the existing environment which, due to their location or nature,  
21 could result in conversion of Farmland to nonagricultural use or forestland to non-forest use (Impact AG-  
22 5): The Approved Project would not involve other changes in the existing environment that, due to their  
23 location or nature, could result in conversion of Farmland to non-agricultural use or forest land to non-  
24 forest use. The fact that the Approved Project has secured a CAISO interconnection queue position  
25 sufficient for the size of the Approved Project indicates that less capacity would be available to other  
26 proposed solar power plants, making conversion of other agricultural lands less likely. No impacts would  
27 occur [Final EIR/EA 4-56].

1           4.     Conflict with land within a Riverside County Agricultural Preserve (Impact AG-6):  
2 Implementation of the Approved Project would not conflict with an agricultural preserve. The  
3 development would not occur on lands subject to a preserve or contract. There would be no impact [Final  
4 EIR/EA 4-56].

5           5.     Cause development of non-agricultural uses within 300 feet of agriculturally zoned  
6 property (Impact AG-7): The Approved Project is allowed as a conditional use. The Approved Project  
7 would not create use conflicts with agricultural use or otherwise interfere with use of agricultural-zoned  
8 property adjacent to the Approved Project area. The proposed 230 kV gen-tie line would be on federal  
9 land within or adjacent to a designated utility corridor, and within a SEZ. No impacts related to the  
10 County Right-to-Farm ordinance would occur. Impact would be less than significant.

11           The evidence supporting these conclusions includes the discussion of these impacts in sections  
12 3.2.2 and 4.2.2 of the Final EIR/EA, and Responses to Comments 10-5, 10-6, 10-7, 14-13, and 14-23.

13 **C.     Air Quality**

14           1.     Conflict with or obstruct implementation of the applicable air quality attainment or  
15 maintenance plan (Impact AIR-1): The emissions from the Approved Project would not conflict with or  
16 obstruct implementation of the applicable air quality plan since the Approved Project would comply with  
17 the Mojave Desert Air Quality Management District (MDAQMD) Rules and Regulations, including those  
18 adopted from the SIP and those required under MDAQMD Rule 403 relative to fugitive dust. As such, the  
19 Approved Project would implement MDAQMD Rule 403 (Fugitive Dust Control Measures) to minimize  
20 impacts from dust as a result of Approved Project construction and operation. Measures would include:  
21 applying dust suppression in sufficient quantity and frequency to maintain a stabilized surface; applying  
22 chemical stabilizers within five working days of grading completion; and during construction, applying  
23 water to at least 70 percent of all inactive disturbed areas on a daily basis when there is evidence of wind-  
24 driven fugitive dust. The Approved Project also would employ the following measures to reduce fugitive  
25 dust-generating activities:

26  
27  
28

- 1 a) Require the application of non-toxic soil stabilizers according to manufacturers'  
2 specifications to all inactive construction areas (previously graded areas inactive for ten days  
3 or more);
- 4 b) On-site roadways used for fire access, site security, regular site maintenance, public  
5 parking, and employee parking will be graveled or otherwise stabilized;
- 6 c) Install wheel washers where vehicles enter and exit the construction site onto paved  
7 roads or wash off trucks and any equipment leaving the site;
- 8 d) Require all trucks hauling dirt, sand, soil, or other loose materials to be covered;
- 9 e) Suspend all excavating and grading operations when wind gusts (as instantaneous  
10 gusts) exceed 25 miles per hour [mph];
- 11 f) Appoint a construction relations officer to act as a community liaison concerning  
12 on-site construction activity including resolution of issues related to PM10 generation; and
- 13 g) When sweeping streets to remove visible soil materials, use street sweepers or  
14 roadway washing trucks.

15 The Approved Project would be operated in compliance with all applicable MDAQMD Rules and  
16 Regulations as well as the air quality plan and would incorporate air quality Best Management Practices  
17 (BMPs) listed in section 4.2.3, *Air Quality* of the Final EIR/EA. While Approved Project operations have  
18 limited potential for dust generation, dust control will be an operational priority for the Approved Project  
19 as well, because dust reduces the efficiency of solar panels. Decommissioning emissions would be similar  
20 to construction emissions. Thus, impacts would not conflict with or obstruct implementation of applicable  
21 air quality plans during construction, operation, maintenance, and decommissioning and therefore would  
22 be less than significant [Final EIR/EA 4-76].

23 2. Violate any air quality standard or contribute substantially to an existing or projected air  
24 quality violation when added to the local background (Impact AIR-2): The Approved Project would not  
25 violate any air quality standard or contribute substantially to an existing or projected air quality violation.  
26 Emissions from construction of Approved Project components would be below the impact significance  
27 thresholds for the maximum daily construction for all the criteria pollutants. In addition, the annual  
28

1 emissions would also be below the impact thresholds for all the criteria pollutants. The Approved Project  
2 would not result in significant toxic air contaminants (TACs) from diesel exhaust or other TACs that may  
3 be produced during construction due to the short-term nature of the construction period and the BMPs that  
4 would be implemented with the Approved Project.

5 Operations and maintenance activities, consisting of routine maintenance, panel washing, and  
6 security provided by 12 full-time staff, would generate minor levels of criteria pollutants that would be  
7 well below significance thresholds on a daily and annual basis. After the construction phase, the O&M  
8 building would serve the Approved Project's approximately 12 permanent full-time employees. The  
9 panels may be cleaned up to two times per year, if necessary to optimize output. O&M vehicles would  
10 include trucks (pickup and flatbed), forklifts, and loaders for routine and unscheduled maintenance and  
11 water trucks for solar panel washing. Large heavy-haul transport equipment may be brought to the  
12 Approved Project area infrequently for equipment repair or replacement. Fugitive dust would be  
13 generated from vehicles and equipment on unpaved surfaces.

14 Decommissioning emissions would be similar to construction emissions. The emissions associated  
15 with decommissioning of the solar array would be generated from disassembly and removal of solar  
16 panels, foundations, and other structures such as the substations, support buildings, piles, inverters and  
17 pads, and perimeter fencing. After removal of all equipment and buildings, the site would be returned to a  
18 condition similar to fallow agriculture. The equipment used for decommissioning would be similar to that  
19 used for construction. Land alteration would be minimal and no grading and clearing would be required.  
20 Since decommissioning would not involve grading or clearing activities and equipment used in the future  
21 is likely to be much more efficient than that currently used, the level of decommissioning emissions  
22 would be substantially less than emissions created during construction. Decommissioning activities would  
23 be conducted pursuant to adopted MDAQMD emission control measures in effect at the time of the  
24 activity.

25 Thus, impacts would not violate air quality standards or contribute substantially to an existing or  
26 projected air quality violation during construction, operation, maintenance, and decommissioning and  
27 therefore would be less than significant [Final EIR/EA 4-76].

1           3.     Result in a cumulatively considerable net increase of any criteria pollutant for which the  
2 project region is non-attainment under an applicable federal or state ambient air quality standard (Impact  
3 AIR-3): The Approved Project would not result in a cumulatively considerable net increase of any  
4 criteria pollutant in the MDAQMD, which is non-attainment for California Ambient Air Quality  
5 Standards (CAAQS) for ozone (O3) and PM10. During construction, the Approved Project's emissions of  
6 non-attainment pollutants would fall below the thresholds the MDAQMD has established to ensure its  
7 ability to bring the air basin into compliance, based upon the MDAQMD's projections of combined  
8 emissions from all sources. Less than significant emissions would occur during operations, and the  
9 Approved Project would also provide renewable energy, which would reduce statewide emissions  
10 associated with power generation compared to fossil fuel power generation. The Approved Project would  
11 not result in a cumulatively considerable net increase of any criteria pollutant for which the Approved  
12 Project region is non-attainment. Emissions of non-attainment pollutants would fall below the thresholds  
13 the MDAQMD has established to ensure its ability to bring the air basin into compliance, based upon the  
14 MDAQMD's projections of combined emissions from all sources. Decommissioning emissions would be  
15 less than construction emissions. Thus, impacts would not result in a cumulative net increase of any  
16 criteria pollutant in the MDAQMD during construction, operation, maintenance, and decommissioning  
17 and therefore would be less than significant [Final EIR/EA 4-76 and 4-77].

18           4.     Expose sensitive receptors to substantial pollutant concentrations including those resulting  
19 in a cancer risk (Impact AIR-4): The Approved Project would not expose sensitive receptors to substantial  
20 pollutant concentrations, including TACs. Health effects are generally evaluated based on a lifetime (70  
21 years) of exposure. The Approved Project would not result in significant TACs from diesel exhaust or  
22 other TACs that may be produced during construction due to the short-term nature (three years) of the  
23 construction period, which is only 4.3 percent of the exposure period for which lifetime exposure is  
24 calculated. Diesel particulate emissions from off-road equipment, which would be operating at the site  
25 rather than on roads, would result in emissions that are less than 10 percent of the significance threshold  
26 on an annual basis. During operations, the emissions of both criteria and toxic pollutants would be  
27 relatively small. The decommissioning of the Approved Project would not expose sensitive receptors to  
28

1 substantial pollutant concentrations given the distance of sensitive receptors from the site, the intermittent  
2 nature of construction activities, and the implementation of BMP-16 related to diesel engines. Thus,  
3 impacts during construction, operation, maintenance, and decommissioning would not expose sensitive  
4 receptors to substantial pollutant concentrations and therefore would be less than significant [Final  
5 EIR/EA 4-77].

6 5. Create objectionable odors affecting a substantial number of people (Impact AIR-5): The  
7 Approved Project would not create objectionable odors affecting a substantial number of people. The  
8 exhaust from construction equipment and use of building materials such as asphalt paving, adhesives and  
9 binders, and protective coatings may create mild odors in areas on and adjacent to the Approved Project  
10 area (within 1,000 feet). Construction odors would be temporary and not overly offensive. Due to the  
11 sparse population adjacent to the site, these mild odors would not affect a substantial number of people. In  
12 regard to the Approved Project operation, equipment and other Approved Project activities would not  
13 include significant odor-producing sources. Few odor sources would be activated during  
14 decommissioning. Thus, impacts would not create objectionable odors affecting a substantial number of  
15 people during construction, operation, maintenance, and decommissioning and therefore would be less  
16 than significant [Final EIR/EA 4-77].

17 6. Expose sensitive receptors that are located within one mile of the Project site to substantial  
18 point source emissions (Impact AIR-6): The Approved Project would not expose sensitive receptors that  
19 are within one mile of the Approved Project area to substantial point source emissions. The impact would  
20 be less than significant [Final EIR/EA 4-77].

21 7. Involve the construction of a sensitive receptor located within one mile of an existing  
22 substantial point source emitter (Impact AIR-7): The Approved Project does not involve the establishment  
23 of a use that would be classified as a sensitive receptor. There would be no impact [Final EIR/EA 4-78].

24 The evidence supporting these conclusions includes the discussion of these impacts in sections  
25 3.2.3 and 4.2.3 of the Final EIR/EA, and Responses to Comments 2-6, 6-1, 10-6, 10-7, 12-40, 12-49, 12-  
26 50, 12-51, 12-52, 12-5, 3, 12b-3, 12b-10, and 14-8.

1 **D. Biological Resources**

2 1. Conflict with any local policies or ordinances protecting biological resources, such as a  
3 tree preservation policy or ordinance (Impact BIO-5): The Approved Project would not conflict with any  
4 local policies or ordinances protecting biological resources, such as a tree preservation policy or  
5 ordinance. Regional resource planning documents prepared by federal, State, and local agencies were  
6 reviewed, including the California Desert Conservation Area (CDCA) Plan, the RCGP, and United States  
7 Fish and Wildlife Service (USFWS) Recovery Plans. The Project would not conflict with and would have  
8 no impact on any local policies or ordinances protecting biological resources [Final EIR/EA 4-108].

9 2. Conflict with the provisions of an adopted habitat conservation plan; natural community  
10 conservation plan; or other approved local, regional, or State habitat conservation plan (BIO-6): The  
11 Approved Project would not conflict with the provisions of an adopted habitat conservation plan, natural  
12 community conservation plan, or other approved local, regional, or State habitat conservation plan. This is  
13 because no conservation plans (local, regional, or State) encompass the study area [Final EIR/EA 4-109].

14 The evidence supporting these conclusions includes the discussion of these impacts in sections  
15 3.2.3 and 4.2.3 of the Final EIR/EA, and Responses to Comments 3-1 through 3-11, 10-11, 11-1 through  
16 11-5, 12-4, 12-14, 12-25, 12-26, 12-27, 12-28, 12-31, 12-32, 12-33, 12-34, 12-35, 12-44, 12-54, 12-55, 12-  
17 56, 12-57, 12-58, 12-59, 12-60, 12-61, 12-62, 12-63, 12-64, 12-65, 12a-1 through 12a-44, and 13-1  
18 through 13-13.

19 **E. Cultural Resources**

20 1. Restrict existing religious or sacred uses within the potential impact area (Impact CUL-6):  
21 There are no known religious or sacred uses of the Approved Project area. No impacts are anticipated  
22 [Final EIR/EA 4-109].

23 The evidence supporting these conclusions includes the discussion of this impact in sections 3.2.4  
24 and 4.2.4 of the Final EIR/EA, and Responses to Comments 8-1, 9-1, through 9-4, 10-1, 10-2, 10-3, 10-4,  
25 10-13, 10-14, 10-15, 10-16, 10-17, 12-3, 14-1 through 14-26, and 16-1.

26 **F. Geology and Soils**

1           1.     Result in substantial soil erosion or the loss of topsoil (Impact GEO-2): Implementation of  
2 the Approved Project would result in both short-term, construction-related wind and water erosion related  
3 to Project operation and maintenance activities if not managed appropriately. Cleaning operations would  
4 not alter the drainage patterns on-site, and would not lead to a substantial increase in erosion or loss of  
5 topsoil. Any surface water runoff resulting from permanent Approved Project features is not anticipated to  
6 influence surface runoff in a manner that would result in erosion or loss of topsoil. As part of the  
7 Approved Project, a Drainage, Erosion, and Sedimentation Control Plan (BMP-1) would be implemented,  
8 which would identify site surface water runoff patterns; develop mitigation measures that prevent  
9 excessive, unnatural soil deposition and erosion throughout and downslope of the Approved Project area  
10 and Approved Project-related construction areas; minimize impacts related to soil erosion during  
11 construction; and protect soil resources consistent with City, County, and State regulations. Also as part  
12 of the Approved Project, a SWPPP (BMP-2) would be implemented, which would prevent excessive and  
13 unnatural soil deposition and erosion throughout and downslope of the Approved Project area and  
14 Approved Project-related construction areas, and would also include measures for non-stormwater  
15 discharge and waste management. Impacts would be less than significant for construction, operation,  
16 maintenance, and decommissioning [Final EIR/EA 4-109].

17           2.     Located on a geologic unit or soil that is unstable, or that would become unstable as a  
18 result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence,  
19 liquefaction, or collapse (Impact GEO-3): See the discussion of Impact GEO-6 relative to unstable soils  
20 under Section III, Geology and Soils. Seismic ground-shaking impacts resulting in on- or off-site  
21 landslides and lateral spreading are considered less than significant during construction, operation,  
22 maintenance, and decommissioning [Final EIR/EA 4-180].

23           3.     Be subject to geologic hazards, such as seiche, mudflow, or volcanic hazard (Impact GEO-  
24 6): There are no bodies of constant water in proximity to the Approved Project area, and the site is not  
25 near the shoreline or within 50 feet of sea level; therefore, hazards from a seiche or tsunami are  
26 considered to be negligible. There are no hillside areas within the Approved Project vicinity that would  
27  
28



1 generate mudflow. In addition, no known active volcanic features occur in the Approved Project area. No  
2 impacts would occur [Final EIR/EA 4-180].

3 4. Change topography or ground surface relief features (Impact GEO-7): The Approved  
4 Project boundary would be adjacent to the descending bluff along the eastern site boundary. The  
5 Approved Project improvements are not anticipated to be constructed on or near the bluff slope. Since  
6 most of the site has nearly level to gently sloping topography, no mass grading would be required.  
7 Because the solar facility would be on relatively flat terrain and Approved Project components would not  
8 be on or near the bluff slope, implementation of the Approved Project would not significantly change site  
9 topography or ground surface relief features. Construction would not substantially grade, excavate, or cut  
10 and fill slopes greater than 2:1 or higher than 10 feet. No impact would occur [Final EIR/EA 4-180].

11 5. Create cut or fill slopes greater than 2:1 or higher than 10 feet (Impact GEO-8): As  
12 discussed above in GEO-7, the Approved Project would be located on relatively flat terrain and would not  
13 be located on or near the bluff slope; therefore no significant change in site topography or ground surface  
14 relief features. No impact would occur [Final EIR/EA 4-181].

15 6. Result in grading that affects or negates subsurface sewage disposal systems (Impact GEO-  
16 9): Implementation of the Approved Project would require the removal of three residences within the  
17 Approved Project area that may have septic systems to treat domestic wastewater. These septic systems  
18 would be removed prior to Approved Project construction under permit with the County of Riverside,  
19 Department of Environmental Health. In addition, the Approved Project would not require extensive  
20 grading. Impacts would be less than significant [Final EIR/EA 4-181].

21 7. Result in any increase in water erosion either on- or off-site (Impact GEO-11): The soils on  
22 the Approved Project area would be subject to wind and water erosion during construction activities. The  
23 Approved Project would implement fugitive dust control measures as required under MDAQMD Rule  
24 403 as a matter of regulation. Further, as part of the Approved Project, a Drainage, Erosion, and  
25 Sedimentation Control Plan (BMP-1) would be implemented, which would minimize impacts related to  
26 water erosion during construction. The Drainage, Erosion, and Sedimentation Control Plan would protect  
27 soil resources consistent with City, County, and State regulations. The Drainage, Erosion, and  
28

1 Sedimentation Control Plan will identify site surface water runoff patterns and develop mitigation  
2 measures that prevent excessive and unnatural soil deposition and erosion throughout and downslope of  
3 the Approved Project area and Approved Project-related construction areas. Also as part of the Approved  
4 Project, a Storm Water Pollution Prevention Plant (SWPPP) (BMP-2) would be implemented, which  
5 would prevent excessive and unnatural soil deposition and erosion throughout and downslope of the  
6 Approved Project area and Approved Project-related construction areas, and would also include measures  
7 for non-stormwater discharge and waste management. The SWPPP would also prevent off-site migration  
8 of contaminated stormwater, changes in pre-project storm hydrographs, or increased soil erosion. Impacts  
9 would be less than significant [Final EIR/EA 4-181].

10 8. Impacted by or result in an increase in wind erosion and blowsand, either on- or off-site  
11 (Impact GEO-12): See analysis for GEO-11 above. Impacts would be less than significant [Final EIR/EA  
12 4-181].

13 9. Result in the loss of availability of a known mineral resource that would be of value to the  
14 region and the residents of the state (Impact MR-1): Based on the RCGP Figure OS-5, Mineral Resource  
15 Area, the Approved Project would be within the State of California-designated Mineral Resources Zone  
16 (MRZ) Classification of MRZ-4, which is defined as an area where there is not enough information  
17 available to determine the presence or absence of mineral deposits. The solar facility site and gen-tie line  
18 corridor are underlain by sand and gravel, which potentially could represent a source of saleable minerals  
19 or mineral materials if there is a sufficient local demand for construction aggregate. However, the  
20 Approved Project represents only a minor potential for an adverse impact on mineral resources for several  
21 reasons: deposits of similar age and lithology that are likewise potential sources of sand and gravel are  
22 estimated to underlie a large portion of eastern Riverside County; there is no information to indicate that  
23 the sand and gravel underlying the site is unique, of higher quality, or any more marketable than other  
24 similar deposits that are widespread throughout eastern Riverside County; there is an existing producer of  
25 sand and gravel close to the Blythe Landfill, which likely would be able to serve local future demand for  
26 sand and gravel; following the decommissioning of the Project, the land previously occupied by the  
27 Approved Project would again be as available for exploration or production of aggregate construction  
28

1 materials as it is currently; the Approved Project would not block or otherwise impair access to a major  
2 public roadway, which means permitted prospectors or owners of mineral leases in the surrounding region  
3 would not be prevented from accessing areas outside the footprint of the Approved Project. Therefore, the  
4 Approved Project would not result in the substantial loss of availability of a known mineral resource  
5 classified by the State [Final EIR/EA 4-183 and 4-184].

6 10. Result in the loss of availability of a locally important mineral resource recovery site  
7 delineated on a local general plan, specific plan or other land use plan (Impact MR-2): The Approved  
8 Project area is not delineated in the PVVAP or RCGP as a locally important mineral resource recovery  
9 site; therefore, the loss of availability of a delineated locally important mineral resource recovery site  
10 would not occur. There would be no impact [Final EIR/EA 4-182].

11 11. Incompatible land use located adjacent to a State classified or designated area or existing  
12 surface mine (Impact MR-3): Because there are other major roadways within the Approved Project area,  
13 the Approved Project would not prevent permitted prospectors or owners of mineral leases in the  
14 surrounding region from accessing areas outside the footprint of the Project, such as the McCoy  
15 Mountains. Therefore, the Approved Project would not be an incompatible land use with a State-classified  
16 or designated area for mining operations. No impact would occur [Final EIR/EA 4-182].

17 12. Expose people or property to hazards from proposed, existing or abandoned quarries or  
18 mines (Impact MR-4): The Approved Project area is not used for mineral production, nor is it under claim,  
19 lease, or permit for the production of locatable, leasable, or salable minerals or mineral materials. The  
20 Approved Project would not expose people or property to hazards from proposed, existing, or abandoned  
21 quarries or mines. No impact would occur [Final EIR/EA 4-182].

22 The evidence supporting these conclusions includes the discussion of these impacts in sections  
23 3.2.6 and 4.2.6 of the Final EIR/EA, and Responses to Comments 12-3 and 12-10.

## 24 **G. Greenhouse Gases**

25 1. Generate greenhouse gas (GHG) emissions, either directly or indirectly, that may have a  
26 significant impact on the environment (Impact GHG-1): The Approved Project would not generate GHG  
27 emissions, either directly or indirectly, such that they would have a significant impact on the environment.

1 Overall, the total GHG emissions for all phases amortized over the life of the Approved Project would not  
2 exceed California Air Pollution Control Officers Association (CAPCOA) thresholds and would be less  
3 than significant. In addition, the Approved Project would result in a substantial benefit by offsetting GHG  
4 emission from fossil-fuel-generated electricity, and would assist in meeting the State's adopted RPS [Final  
5 EIR/EA 4-201].

6 2. Conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing  
7 the emissions of greenhouse gases (Impact GHG-2): Since the Approved Project would result in a  
8 significant offset of regional air emissions associated with energy production from fossil fuels, a net  
9 reduction in GHG emissions could result. The Approved Project would serve to meet the State's goals for  
10 the RPS, which has been identified by the State as a means of meeting the goals of AB 32 to reduce  
11 emissions to 1990 levels by the year 2020 [Final EIR/EA 4-202].

12 The evidence supporting these conclusions includes the discussion of these impacts in sections  
13 3.2.7 and 4.2.7 of the Final EIR/EA, and Responses to Comments 12-3, and 12-51.

#### 14 **H. Hazards and Hazardous Materials**

15 1. Create a significant hazard to the public or the environment through reasonably foreseeable  
16 upset and accident conditions involving the release of hazardous materials into the environment (Impact  
17 HAZ-2): The Approved Project would not create a significant hazard to the public or the environment  
18 through reasonably foreseeable upset and accident conditions involving the release of hazardous materials  
19 into the environment. Impacts would be less than significant [Final EIR/EA 4-222].

20 2. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances,  
21 or waste within one-quarter mile of an existing or proposed school (Impact HAZ-3): The Approved  
22 Project would not emit hazardous emissions or handle hazardous or acutely hazardous materials,  
23 substances, or waste within one-quarter mile of an existing or proposed school. No impacts would occur  
24 [Final EIR/EA 4-222].

25 3. Be located on a site which is included on a list of hazardous materials sites compiled  
26 pursuant to Government Code Section 65962.5 and, as a result, would create a significant hazard to the  
27 public or the environment (Impact HAZ-4): One aboveground storage tank was located within the  
28

1 Approved Project solar facility site. It will be removed in compliance with all rules, laws, and regulations.  
2 Therefore, the Approved Project would result in a less than significant hazard to the public or the  
3 environment [Final EIR/EA 4-221].

4 4. Result in a safety hazard for people residing or working in the project area (Impact HAZ-  
5 6): The Approved Project would not be within the vicinity of a private airstrip; therefore, no impact would  
6 occur [Final EIR/EA 4-222].

7 5. Impair implementation of or physically interfere with an adopted emergency response plan  
8 or emergency evacuation plan (Impact HAZ-7): The Approved Project would not impair implementation  
9 of or physically interfere with an adopted emergency response plan or emergency evacuation plan;  
10 therefore, no impact would occur [Final EIR/EA 4-222].

11 6. Expose people or structures to a significant risk of loss, injury, or death involving wildland  
12 fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with  
13 wildlands (Impact HAZ-8): The Approved Project would not expose people or structures to a significant  
14 risk of loss, injury, or death involving wildland fires; therefore, no impact would occur [Final EIR/EA 4-  
15 222].

16 7. Result in an inconsistency with an Airport Master Plan (Impact HAZ-9): The Approved  
17 Project would not conflict with the Riverside County Airport Land Use Compatibility Plan (RCALUCP).  
18 The Approved Project would not exceed the RCALUCP Zone maximum densities/intensities per acre for  
19 the average and peak criteria, as well as minimum open space requirements during construction,  
20 operation, maintenance, and decommissioning. The gen-tie line poles and 34.5 kV distribution line poles  
21 would not exceed the RCALUCP development height for Zones B1, C, D, or E. The gen-tie lines would  
22 also be parallel to existing and planned transmission lines that would be similar in height. In April 2012,  
23 the ALUC found the Project to be consistent with the RCALUCP, and the Approved Project is similar to  
24 the Project the ALUC considered in all relevant respects. In addition, the FAA issued "No Hazard to Air  
25 Navigation" Determinations for the 230 kV gen-tie line structures. Less than significant impact would  
26 occur Final EIR/EA 4-222].

1           8.     Require review by the Airport Land Use Commission (Impact HAZ- 10): See HAZ-9  
2 above [Final EIR/EA 4-222].

3           The evidence supporting these conclusions includes the discussion of these impacts in sections  
4 3.2.8 and 4.2.8 of the Final EIR/EA, and Responses to Comments 1-2, 1-7, 2-6, 10-12, 12-15, 12-16, 12-  
5 17, 12-18, 12-19, 12-20, 12-21, 12-39, 12-40, 12-41, 12-42, 12-43, 12-53, 12b1 through 12b-12, and 15-1.

6 **I.     Hydrology and Water Quality**

7           1.     Substantially deplete groundwater supplies or interfere substantially with groundwater  
8 recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater  
9 table (Impact HYD-2): Construction and operation of the O&M buildings, substations, and equipment  
10 pads would create new areas of impermeable surfaces that could potentially interfere with groundwater  
11 recharge; however, the new impermeable surfaces would be minimal in comparison to the total solar  
12 facility area which would be left in a pervious condition and would not significantly interfere with  
13 groundwater recharge. Water supplies required for construction, operation, and maintenance of the  
14 Approved Project would be provided by Palo Verde Irrigation District (PVID) water entitlements that  
15 currently support the agricultural operations on-site; these operations are not currently supported by  
16 groundwater wells. The Watershed Supply Assessment conducted for the Project determined that  
17 adequate water supplies exist to serve the Project over the life of the Project (construction, operation and  
18 maintenance, and decommissioning), and the Approved Project is similar to the Project is all relevant  
19 respects. The great majority of water for the Approved Project (i.e., all of the non-potable water) would  
20 not be delivered by a public water system or using public water system connections. The Approved  
21 Project would use existing water infrastructure that currently delivers irrigation water from the PVID.  
22 Riverside County Community Service Area #122 (CSA #122) has substantiated its intention to provide  
23 this potable supply by issuing a will-serve letter (October 26, 2012 c/o Steve H. Jones – Manager) for the  
24 Project’s limited potable water needs, which also applies to the Approved Project. CSA #122 has  
25 provided a will-serve letter for the small amount (up to 150 gallons per day) of potable water for the two  
26 O&M buildings. The Approved Project would result in a beneficial increase in available PVID water  
27  
28

1 supply due to the reduction in water demand for the Approved Project compared to existing agricultural  
2 use. No impact would occur. [Final EIR/EA 4-242].

3 2. Substantially alter the existing drainage pattern of the site or area, including through the  
4 alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff  
5 in a manner which would result in flooding on- or off-site (Impact HYD-4): As described in HYD-2, the  
6 creation of impermeable surfaces relative to the Approved Project area would be nominal. The Approved  
7 Project would result in slight alterations in the existing drainage pattern of the site or area (refer to  
8 discussion in HYD-3). The Approved Project would be in an area characterized by well-drained soils and  
9 low precipitation, and any necessary grading would follow existing contours to minimize alteration to the  
10 existing drainage patterns as described in HYD-3. Designed setbacks, as described in BMP-11, would  
11 also minimize alterations to drainage patterns of the ephemeral wash and its associated floodplain, further  
12 reducing the potential for flooding on- or off-site. Therefore, there is low potential for flooding on- or off-  
13 site during construction, operation, maintenance, and decommissioning of the Approved Project. Impacts  
14 would be less than significant [Final EIR/EA 4-242].

15 3. Substantially degrade water quality (Impact HYD-6): Ground disturbance related to  
16 construction of the Approved Project would potentially degrade water quality through the inadvertent  
17 release of hazardous materials, pesticides, and herbicides. While Approved Project construction and  
18 operation could include use or application of hazardous materials or wastewater with potential to degrade  
19 water quality, compliance with all applicable regulations and permit requirements would reduce the  
20 potential impacts to a less than significant level [Final EIR/EA 4-244].

21 4. Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard  
22 Boundary or Flood Insurance Rate Map or other flood hazard delineation map (Impact HYD-7): The  
23 Approved Project would not include the construction of any residential units, and would not introduce  
24 new housing to the area. No impact would occur [Final EIR/EA 4-244].

25 5. Project be at risk of inundation by seiche, tsunami, or mudflow (Impact HYD-10): The  
26 Approved Project would not be sited in a location that could be affected by a tsunami or seiche. The  
27 Approved Project would be sited in an area characterized by well-drained soils and low precipitation,  
28

1 which is not within a State of California Earthquake Fault Zone for known active faults, and no known or  
2 potentially active faults are mapped within the vicinity of the Project area. The Approved Project would  
3 not be affected by or result in a mudflow; no impact would occur [Final EIR/EA 4-244].

4 6. Include new or retrofitted Stormwater Treatment Control BMPs (e.g., water quality  
5 treatment basins, constructed treatment wetlands), the operation of which could result in significant  
6 environmental effects (Impact HYD-11): No storm water drainage system exists on the Project area.  
7 Construction of the Approved Project would include implementation of a SWPPP (BMP-2). The plan  
8 would specify measures that would minimize or avoid potential effects associated with storm water  
9 runoff. Operation and maintenance would not introduce new infrastructure or alter existing surface water  
10 and drainage patterns beyond what occurred during the construction period. Therefore, impacts would be  
11 less than significant [Final EIR/EA 4-244].

12 7. Cause changes in the amount of surface water in any water body (HYD-13): See HYD-2  
13 above. The Approved Project would reduce the amount of water used on-site compared to existing  
14 agricultural use, which would not have an adverse effect on Colorado River water supplies or diversions  
15 [Final EIR/EA 4-245].

16 The evidence supporting these conclusions includes the discussion of these impacts in sections  
17 3.2.9 and 4.2.9 of the Final EIR/EA, and Responses to Comments 2-1, 2-2, 2-4, 7-1 through 7-4, 10-7, 10-  
18 8, 12-3, 12-9,12-10, 12-11, 12-12,12-13, 12-14, 12-20, 12-21, 12-22, 12-23, 12-24, 12-29, 12-30, 12-37,  
19 12-38, 12-44, 12-68, 12b-9, 14-13, 14-20, and 15-1.

## 20 **J. Land Use and Planning**

21 1. Physically divide an established community (Impact LU-1): The Approved Project would  
22 not physically divide an established community. The Approved Project area would be east and south of an  
23 existing community (Nicholls Warm Springs/Mesa Verde). The gen-tie line, access roads, and 34.5 kV  
24 distribution line would not be located through an established community. No impacts would occur [Final  
25 EIR/EA 4-270].

26 2. Conflict with any applicable land use plan, policy, or regulation of an agency with  
27 jurisdiction over the Project (including but not limited to the general plan, specific plan, or zoning



1 ordinance) adopted for the purpose of avoiding or mitigating an environmental effect (Impact LU-2): The  
2 Approved Project would be subject to the RCGP, PVVAP, City of Blythe General Plan 2025, CDCA  
3 Plan, and NECO Plan. As summarized in Table 4.2.10-1, Conflicts with Regional/Local Land Use Plans,  
4 Policies, and Regulations, the Approved Project would not conflict with applicable local land use plans,  
5 policies, or regulations. The Approved Project would be consistent with goals and policies related to  
6 agriculture (Riverside County Land Use Element Policy LU 16.4; PVVAP Agricultural Preservation  
7 Policy 4.1; and City of Blythe's Open Space Guiding Policies 1 and 9). With approval of a Conditional  
8 Use Permit (CUP) and Public Use Permit (PUP), the Approved Project would be a permitted use on  
9 private land. The gen-tie line structures proposed on BLM land would be within Utility Corridor K, and  
10 fully within the Riverside East Solar Energy Zone (SEZ) and therefore consistent with the CDCA Plan  
11 and NECO Plan. Impacts to existing plans, policies, and regulations. No impacts would occur [Final  
12 EIR/EA 4-270].

13 3. Conflict with any applicable habitat conservation plan or natural community conservation  
14 plan (Impact LU-3): As discussed in Section 4.2.4 of the Final EIR/EA, Biological Resources, the  
15 Approved Project would not be within the jurisdiction of any adopted habitat conservation plan or natural  
16 community conservation plan; therefore, no impacts would occur [Final EIR/EA 4-271].

17 4. Increase the use of existing neighborhood and regional parks or other recreational facilities  
18 such that substantial physical deterioration of the facility would occur or be accelerated (Impact LU-4):  
19 Increases in demand for recreational facilities are typically associated with substantial increases in  
20 population or employment. As described in Section 4.2.13 of the Final EIR/EA, the Approved Project  
21 would not contain a residential component that would result in long-term increased use of existing  
22 recreational facilities. During the three-year construction period, construction workers and their families  
23 may temporarily increase the use of recreational facilities; however, the Approved Project is not expected  
24 to draw a substantial number of new employees to the area over the long term. Therefore, implementation  
25 of the Approved Project is not expected to result in any substantial physical deterioration of existing  
26 facilities. Impacts would be less than significant [Final EIR/EA 4-271].

1           5.     Include recreational facilities or require the construction or expansion of recreational  
2 facilities, which might have an adverse physical effect on the environment (Impact LU-5): The Approved  
3 Project would not include any plans for the addition of any recreational facilities, nor would it require the  
4 construction or expansion of recreational facilities. Therefore, the Approved Project would not result in  
5 any adverse physical effects on the environment from construction or expansion of additional recreational  
6 facilities; a less than significant impact would occur [Final EIR/EA 4-271].

7           6.     Result in a substantial alteration of the present or planned land use of an area (Impact LU-  
8 6): The Approved Project would be on private lands that would be conditionally consistent (with approval  
9 of the CUP) with the RCGP and the PVVAP, as well as the City of Blythe General Plan 2025. The gen-tie  
10 line within BLM-managed lands would be consistent with the CDCA Plan and NECO Plan, because it  
11 would be within the Riverside East SEZ. Therefore, the Approved Project would be consistent with  
12 present or planned land use of the area; impacts would be less than significant [Final EIR/EA 4-271].

13           7.     Affect land use within a city sphere of influence and/or within adjacent city or county  
14 boundaries (Impact LU-7): A portion of the Approved Project's solar facility site would be within the  
15 City of Blythe Sphere of Influence; the gen-tie line that would extend outside of the solar facility would  
16 not. As discussed above, the Approved Project would be conditionally consistent with the City of Blythe  
17 General Plan, RCGP, and PVVAP. Therefore, no impacts would occur to the City's sphere of influence  
18 [Final EIR/EA 4-271].

19           8.     Be inconsistent with the site's existing or proposed zoning (Impact LU-8): As described in  
20 LU-6 above, the solar facility for the Approved Project would be conditionally consistent with existing  
21 zoning for the RCGP pursuant to the approval of a CUP and PUP, and compliance with Board of  
22 Supervisors Policy B-29, PVVAP, and City of Blythe General Plan. The gen-tie line would be consistent  
23 with the CDCA Plan and NECO Plan. No impacts would occur [Final EIR/EA 4-271].

24           9.     Be incompatible with existing surrounding zoning (Impact LU-9): The zoning surrounding  
25 the Approved Project is similar to that of the Approved Project area; therefore, the Approved Project  
26 would be compatible with existing surrounding zoning; less than significant impact [Final EIR/EA 4-  
27 271].

1           10.    Disrupt or divide the physical arrangement of an established community (including a low-  
2 income or minority community) (Impact LU-10): The Approved Project would not be located through an  
3 established community (see LU-1). No impacts would occur [Final EIR/EA 4-271].

4           The evidence supporting these conclusions includes the discussion of these impacts in sections  
5 3.2.10 and 4.2.10 of the Final EIR/EA, and Responses to Comments 12-3 and 12-66.

6 **K.    Noise**

7           1.    Result in substantial temporary or periodic increase in ambient noise levels in the project  
8 vicinity above levels existing without the project (Impact NOI-2): Approved Project construction would  
9 temporarily increase ambient noise levels in the Approved Project vicinity above existing levels.  
10 However, construction would move along at a rapid pace throughout the Approved Project area and  
11 would only intermittently affect any one location. Therefore, impacts would be considered less than  
12 significant [Final EIR/EA 4-289].

13           2.    Result in exposure of persons to or generation of excessive groundborne vibration or  
14 groundborne noise levels (Impact NOI-3): Approved Project construction activities would require the use  
15 of heavy construction equipment that would result in ground-borne vibration. The vibratory post driver  
16 used for installation of the solar array piles would result in the highest vibration levels; however, it would  
17 be below PPV thresholds and would not result in adverse impacts to humans or physical damage to  
18 buildings in the vicinity of the Approved Project area. Therefore, construction-related vibration impacts  
19 would be less than significant. Impacts related to decommissioning would be similar to construction, but  
20 the construction equipment utilized for decommissioning would result in lower levels of ground vibration.  
21 Approved Project operation would not introduce any new sources of perceivable ground-borne vibration  
22 to sensitive receptors surrounding the Project area. Therefore, there would be no operation-related  
23 vibration levels [Final EIR/EA 4-289].

24           3.    Result in a substantial permanent increase in ambient noise levels in the project vicinity  
25 above levels existing without the project (Impact NOI-5): The Approved Project would generate noise  
26 associated with the operation and maintenance of the tracker unit motors, substation transformers,  
27 modular power block inverters and medium voltage transformers, gen-tie line corona discharge, and  
28

1 maintenance activities. However, noise attenuates with distance and the Approved Project would not  
2 result in a substantial permanent increase in ambient noise levels in the Approved Project vicinity above  
3 levels existing without the Approved Project. Impacts would be less than significant [Final EIR/EA 4-  
4 289].

5 4. Result in impacts from railroad or highway noise (Impact NOI-6): The Approved Project  
6 would not utilize railroad service for delivery of materials or workers; therefore, no impacts related to  
7 railroad noise would occur. During construction, workers commuting to the Approved Project area and  
8 delivery of materials would result in a slight increase in traffic along I-10. However, the Approved  
9 Project's construction traffic would result in a nominal increase in highway noise. Therefore, impacts  
10 related to highway noise would be less than significant. No impacts related to highway noise during  
11 operation of the Approved Project would occur [Final EIR/EA 4-289].

12 The evidence supporting these conclusions includes the discussion of these impacts in sections  
13 3.2.11 and 4.2.11 of the Final EIR/EA, and Responses to Comments 12-3, 12-65, 12a-8 and 14-20.

14 **L. Population, Housing, Public Services, Utilities, and Socioeconomics**

15 1. Induce substantial population growth in an area, either directly or indirectly (Impact SOC-  
16 1): Approved Project construction would temporarily increase population growth in the area; however, it  
17 would not be substantial. As discussed above, the required construction and operational workforce is not  
18 projected to trigger the need for new housing. As illustrated in Table 3.2.13-3, vacancy rates in the  
19 population and housing study area are high (12 to 60 percent), which include seasonal, recreational, and  
20 occasional use units. Additionally, within an hour commute, there are a high number of seasonal,  
21 recreational, or occasional use housing units (vacancy rates one to 43 percent) and transient lodging  
22 opportunities to serve construction employees. Furthermore, vacancy rates within the study area offer  
23 ample available housing to operational employees wishing to relocate within the local study area.  
24 Therefore, no significant construction- or operation-related impacts are expected for the study area  
25 housing supply, availability, or demand. The Approved Project would not displace populations or existing  
26 housing, and it would not necessitate construction of replacement housing elsewhere; impacts would be  
27 less than significant [Final EIR/EA 4-319 and 4-320].

1           2.     Displace substantial numbers of existing housing, necessitating the construction of  
2 replacement housing elsewhere (Impact SOC-2): While the Approved Project would displace three  
3 existing residences (two residences on APN 863060015 and one residence on APN 863100016) within  
4 the Approved Project area, there is available housing within the Approved Project area to relocate these  
5 residents elsewhere in the vicinity of the Approved Project. Implementation of the Approved Project  
6 would not require the construction of replacement housing elsewhere. Impacts to existing housing as a  
7 result of Approved Project implementation would be less than significant [Final EIR/EA 4-319 and 4-  
8 320].

9           3.     Displace substantial numbers of people, necessitating the construction of replacement  
10 housing elsewhere (Impact SOC-3): The Approved Project would not displace substantial numbers of  
11 people, necessitating the construction of replacement housing elsewhere. No impacts would occur [Final  
12 EIR/EA 4-319 and 4-320].

13           4.     Create a demand for additional housing, particularly housing affordable to households  
14 earning 80% or less of the County's median income (Impact SOC-4): The Approved Project would not  
15 contain a residential component that would result in a permanent increase in the population. The  
16 Approved Project would temporarily increase demand for housing; however, vacancy rates are high for  
17 local communities in close proximity to the Approved Project area. Due to the temporary nature of  
18 Approved Project construction activities, it is unlikely that construction workers would permanently  
19 relocate closer to the Approved Project area with their families. Operation of the Approved Project would  
20 require a nominal workforce and is not anticipated to increase the local population. Therefore, the  
21 Approved Project would not create a demand for additional housing. Less than significant impacts would  
22 occur [Final EIR/EA 4-319 and 4-320].

23           5.     Affect a County Redevelopment Project Area (Impact SOC-5): The Approved Project area  
24 and immediate vicinity would not be within a former County Redevelopment Project Area. No impact  
25 would occur [Final EIR/EA 4-319 and 4-320].

26           6.     Cumulatively exceed official regional or local population projections (Impact SOC-6): See  
27 SOC-4 above. The Approved Project would temporarily increase the population during construction;  
28

1 however, it would not include housing and would require a nominal operational workforce. The Approved  
2 Project would not permanently increase the local population, nor would it cumulatively exceed regional or  
3 local population projections. Impacts would be less than significant [Final EIR/EA 4-319 and 4-320].

4 7. Result in substantial adverse physical impacts associated with the provision of public  
5 services (Impact PS-1): The Approved Project's construction workforce would increase the local  
6 population temporarily, but would not result in significant demands on public services, such as education,  
7 law enforcement, fire protection, parks and recreation, and hospital facilities and emergency response.  
8 The Approved Project would not result in substantial adverse physical impacts associated with the  
9 provision of public services.

10 As previously described, the majority of the projected construction workforce would likely seek  
11 housing closer to the Approved Project area (within an hour driving distance) or seek temporary housing  
12 (such as seasonal, recreational, or occasional use housing; long-term visitor areas; and hotel and motels)  
13 during the week and commute home over the weekend. It would be unlikely that construction workers  
14 would relocate close to the Approved Project area with their families due to the temporary nature of the  
15 construction period. Therefore, the temporary addition of construction workers to the Approved Project  
16 area's population is not anticipated to increase school enrollment that could result in adverse physical  
17 impacts associated with the provision of school facilities. No impact would occur.

18 Construction of the Approved Project could increase demands on police services. However, during  
19 construction, on-site security would be present, which would minimize the potential need for the City of  
20 Blythe Police Department's and the Riverside County Sheriff's Department's assistance. Because  
21 Approved Project construction is not anticipated to permanently increase the local population, no new or  
22 expanded law enforcement facilities or increased staff levels within the Approved Project regional or local  
23 study area would be required, nor would Approved Project development result in substantial adverse  
24 physical impacts on law enforcement facilities.

25 During construction, there is the potential for both small fires and major structural fires. The  
26 Approved Project would result in an increase in demand for fire protection services over existing levels  
27 during construction. However, it is anticipated that personnel and equipment from the City of Blythe  
28

1 Volunteer Fire Department, the Riverside County Fire Department (RCFD), and the California  
2 Department of Forestry and Fire Protection (CAL FIRE) would be sufficient to respond to a fire at the  
3 Approved Project area because the O&M buildings would include their own emergency power, fire  
4 suppression, and potable water systems. After the construction phase, the Approved Project would include  
5 emergency access and other safety features and plans for fire protection. The access roads within the solar  
6 facility site would be constructed in accordance with current adopted codes and standards by the RCFD.  
7 The fire suppression system will be installed in the O&M buildings and shall be in accordance with  
8 current adopted codes and standards established by the RCFD. Therefore, adverse physical impacts to fire  
9 protection services during construction and operation are considered to be less than significant.

10         There would be temporary in-migration that would increase the local population; however, it  
11 would not warrant the need for new or expanded parks and recreational facilities or staff levels within the  
12 Approved Project regional or local study area. No physical adverse impacts would result to parks and  
13 recreational facilities.

14         While a high number of construction employees would be located on-site, local area emergency  
15 medical facilities are expected to adequately handle any worksite accidents requiring their attention.  
16 Minor injuries could be treated at Palo Verde Hospital in Blythe, California or La Paz Medical Services in  
17 Quartzsite, Arizona. Injuries resulting in significant trauma would be treated at the Desert Regional  
18 Medical Center in Palm Springs, California. Approved Project construction would not result in adverse  
19 physical impacts to hospital facilities within the Approved Project regional or local study area. No impact  
20 would occur.

21         The Approved Project would not make significant physical demands on education, law  
22 enforcement, fire protection, parks and recreation, and hospital facilities. The Approved Project would not  
23 eliminate any lands designated for recreational use. No physical impacts associated with the provision of  
24 parks and recreational facilities would occur. Operation of the Approved Project would not result in  
25 physical adverse impacts on medical facilities in the area because minor injuries could be treated at Palo  
26 Verde Hospital in Blythe, California or La Paz Medical Services in Quartzsite, Arizona. Injuries resulting  
27 in significant trauma would be treated at the Desert Regional Medical Center in Palm Springs, California,  
28

1 which is approximately one hour and twenty minutes by Medevac. No impact would occur [Final EIR/EA  
2 4-330 and 4-321].

3 8. Result in substantial adverse environmental impacts associated with the provision of utility  
4 services (Impact USS-1): The Approved Project would not result in substantial adverse environmental  
5 impacts associated with the provision of utility services. The majority of the projected construction  
6 workforce would likely seek housing closer to the Approved Project area (within an hour-hour driving  
7 distance) or seek temporary housing (such as seasonal, recreational, or occasional use housing; long-term  
8 visitor areas; and hotel and motels) during the week and commute home over the weekend. The Approved  
9 Project would not induce substantial growth to the regional population levels. As such, there would be  
10 nominal demands on the existing facilities related to: electrical and natural gas systems; water and  
11 wastewater systems: solid waste; and drainage facilities. There would be no need to alter these existing  
12 facilities.

13 *Electricity and Natural Gas*

14 The Approved Project would use generators during the initial construction phase to supply  
15 electrical needs. The Approved Project would not involve use of natural gas service. The Approved  
16 Project would not involve communication systems, nor would it require new or expanded communication  
17 facilities. As such, current electrical and natural gas facilities could handle the demands of Approved  
18 Project development and operation; thus, no new or altered facilities would be needed, which could result  
19 in associated adverse environmental impacts. No impacts regarding these respective issues would occur.

20 *Water and Wastewater*

21 The Approved Project would not require construction or expansion of public water treatment  
22 and/or service systems or additional entitlements or resources response, which could cause significant  
23 environmental effects. The Approved Project would have limited water needs during construction (i.e., for  
24 dust suppression and other construction needs) and operation (for maintenance needs). While water would  
25 be utilized during Approved Project construction activities, the construction of new or expansion of  
26 existing, public water facilities would not be required. Restroom facilities during Approved Project  
27 construction would be provided by portable units to be serviced by licensed providers. The Approved  
28



1 Project would not exceed wastewater treatment requirements during construction because the Approved  
2 Project would not be connected to a public sewer system. In addition, the Approved Project would not  
3 exceed wastewater treatment requirements of the applicable RWQCB.

#### 4 *Solid Waste*

5 Restroom facilities during Approved Project construction would be provided by portable units to  
6 be serviced by licensed providers. Solid waste would include recyclable materials such as metals and  
7 plastics, as well as various construction materials and worker-generated waste that would include a  
8 combination of recyclable and non-recyclable materials. Waste generated during construction and  
9 operation would be recycled. The non-recyclable, non-hazardous solid waste materials would be land  
10 filled in accordance with State and local regulations.

11 The Blythe landfill, which is closest to the Approved Project area, has sufficient capacity to  
12 continue to provide solid waste disposal through 2047. Therefore, sufficient capacity is anticipated to be  
13 available for waste disposal. The Approved Project would comply with applicable federal, State, and local  
14 regulations related to solid waste. No impact would occur.

#### 15 *Drainage Facilities*

16 Approved Project facilities would be sited to provide adequate setbacks between solar facility  
17 components (solar panels, gen-tie lines, substations, access roads, and O&M buildings) and natural  
18 washes (BMP-11). These setbacks would preserve and maintain the natural washes' hydrological  
19 functions. Construction of the Approved Project would require ground-disturbing activities, including  
20 solar array installation, substation and O&M building construction, and construction of access roads.  
21 Grading could potentially alter naturally occurring drainage patterns and result in soil erosion,  
22 sedimentation, long-term siltation, and increased stormwater runoff, which increases the potential for  
23 flooding off-site or downstream of the construction areas. However, the Approved Project area is  
24 relatively flat and would not require mass grading for construction purposes. The majority of the original  
25 grades and natural drainage features at the Approved Project area would be maintained and, therefore, no  
26 added storm drainage control would be required. Blading and other methods of vegetation removal for  
27 clearance of roads and construction areas decrease the ability of the soil to absorb water, which also

1 increases stormwater runoff from such disturbed areas. As part of the Approved Project, BMP-1  
2 (Drainage, Erosion, and Sedimentation Control Plan) and BMP-2 (Stormwater Pollution Prevention Plan)  
3 would be implemented to ensure minimization of impacts from storm water runoff and existing drainage  
4 patterns. In addition, the minimization of ground and surface disturbance (BMP-13), limitation of vehicle  
5 travel and traffic (BMP-14), and construction of new access roads and parking lots (BMP-15) would  
6 minimize impacts to the existing drainage patterns. Therefore, the Approved Project would not require or  
7 result in the construction of new storm water drainage facilities or expansion of existing facilities, the  
8 construction of which could cause significant environmental effects [Final EIR/EA 4-321 and 4-322].

9           9.     Impact the following facilities requiring or resulting in the construction of new facilities or  
10 the expansion of existing facilities, the construction of which could cause significant environmental  
11 effects (Impact USS-2):

- 12           a)     Electricity
- 13           b)     Natural gas
- 14           c)     Communications systems
- 15           d)     Storm water drainage
- 16           e)     Street lighting
- 17           f)     Maintenance of public facilities, including roads
- 18           g)     Other government services

19           Approved Project construction, operation and maintenance, and decommissioning activities would  
20 not require construction of new utility facilities or the expansion of existing facilities. Please refer to the  
21 discussions under Impacts PS-1, USS-1, and Section 4.2.9 of the Final EIR/EA with regards to electricity,  
22 natural gas, and storm water drainage. As previously explained, electricity within the vicinity of the  
23 Approved Project area is provided by SCE. The power produced by the Approved Project would be  
24 conveyed to the local power grid via interconnection to the SCE Colorado River Substation, an approved  
25 new substation south of I-10 and west of the Project area. The Approved Project has secured a CAISO  
26 interconnection queue position sufficient for the size of the Approved Project. The Approved Project  
27 would produce enough energy to power approximately 180,000 households and progress the goals of the

1 California RPS and other similar renewable programs in the state, which are designed to serve existing  
2 and already-projected population growth. Implementation of the Approved Project would support the  
3 goals of the RPS and other renewable energy programs and would not conflict with any adopted energy  
4 conservation plans.

5 With regards to the maintenance of public facilities, including public roads, portions of Seeley  
6 Avenue and Riverside Drive would be improved to ensure safe emergency access to the site and  
7 surrounding residential areas. However, Approved Project development would not require or result in the  
8 construction of new street lighting or additional maintenance to public facilities or roads, as construction  
9 traffic would occur during daytime hours and only last short-term. The minimal amount of permanent  
10 employee vehicle trips on local roadways during Approved Project operations would not necessitate the  
11 expansions or construction of street lighting or cause additional burdens on local roadways resulting in  
12 increased maintenance [Final EIR/EA 4-322 and 4-323].

13 10. Conflict with any adopted energy conservation plans (Impact USS-3): As discussed in  
14 USS-2, the power produced by the Approved Project would produce renewable energy and support the  
15 goals of the RPS and would not conflict with adopted energy conservation plans. No impact would occur  
16 [Final EIR/EA 4-323].

17 The evidence supporting these conclusions includes the discussion of these impacts in sections  
18 3.2.13 and 4.2.13 of the Final EIR/EA, and Responses to Comments 2-1, 2-2, 2-4, 7-1 through 7-4, 10-5,  
19 10-7, 10-8, 12-3, 12-11, 12-12, 12-13, 12-22, 12-24, 12-43, 12-44, 14-8, 14-9, and 15-2.

20 **M. Recreation**

21 1. Increase the use of existing neighborhood and regional parks or other recreational facilities  
22 such that substantial physical deterioration of the facility would occur or be accelerated (Impact REC-1):

23 The Approved Project would not involve the use of existing neighborhood or regional parks, or other  
24 recreational facilities. During construction, and for a shorter period of time during decommissioning, there  
25 would be a temporary increase in population that may utilize existing neighborhood or regional parks or  
26 other recreational facilities in the Project vicinity. The temporary (duration of construction) use of long  
27 term visitor areas (LTVAs) may result in physical deterioration of the facilities. However, the LTVAs are

1 designed with minimal facilities given that campers must use self-contained RVs and there are no  
2 assigned or designated sites. In addition, as described in Section 4.2.13 of the Final EIR/EA, Population,  
3 Housing, Public Services, Utilities, Growth-Inducing Impacts, and Socioeconomics, it is assumed that  
4 most construction workers would utilize seasonal and vacation home rentals, which have high vacancy  
5 rates within the local study. Therefore, impacts to recreational facilities would be less than significant.  
6 During operation, the number of employees would be minimal and any potential impact on recreational  
7 facilities would be negligible; no impact would occur [Final EIR/EA 4-339].

8       2.     Include recreational facilities or require the construction or expansion of recreational  
9 facilities, which might have an adverse physical effect on the environment (Impact REC-2): The  
10 Approved Project would result in negligible long-term increases in population. As a result, the Approved  
11 Project would not require the construction or expansion of recreational facilities; no impact would occur  
12 [Final EIR/EA 4-339].

13       3.     Be located within a Community Service Area or recreation and park district with a  
14 Community Parks and Recreation Plan (Quimby fees) (Impact REC-3): The Approved Project would not  
15 be within a Community Service Area and would not include recreational facilities. The Approved Project  
16 would not add significantly to the local population necessitating the construction or expansion of  
17 recreational facilities, nor would it cause or accelerate physical deterioration of recreational facilities. No  
18 impact would occur [Final EIR/EA 4-339].

19       The evidence supporting these conclusions includes the discussion of these impacts in sections  
20 3.2.14 and 4.2.14 of the Final EIR/EA, and Responses to Comments 12-3.

#### 21 **N.     Traffic and Transportation**

22       1.     Exceed, either individually or cumulatively, a level of service standard established by the  
23 county congestion management agency for designated roads or highways; conflict with an applicable  
24 congestion management program, including, but not limited to, level of service standards and travel  
25 demand measures, or other standards established by the county congestion management agency for  
26 designated roads or highways (Impact TRA-2): The RCTC requires a deficiency plan to be prepared when  
27 a CMP street or highway segment falls to LOS F. Construction of the Approved Project would reduce the  
28

1 existing LOS A to LOS B or LOS C for the four study intersections. Therefore, the Approved Project  
2 would not conflict with an applicable congestion management program including, but not limited to, LOS  
3 standards and travel demand measures or other standards established by the county congestion  
4 management agency for designated roads or highways. Operational Approved Project impacts to traffic  
5 would be nominal. Impacts would be less than significant [Final EIR/EA 4-354].

6 2. Result in a change in air traffic patterns, including either an increase in traffic levels or a  
7 change in location that results in substantial safety risks; result in a change in air traffic levels or a change  
8 in location and result in substantial safety risks (Impact TRA-3): The Approved Project would not result  
9 in a change in air traffic patterns, including either an increase in traffic levels or a change in location that  
10 results in substantial safety risks. Construction equipment that would be utilized for the Approved Project  
11 would not obstruct the navigable air space. No impacts would occur [Final EIR/EA 4-355].

12 3. Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous  
13 intersections) or incompatible uses (e.g., farm equipment) (Impact TRA-4): The Approved Project would  
14 not result in substantially increased hazards due to a design feature (e.g., sharp curves or dangerous  
15 intersections) or incompatible uses (e.g., farm equipment). Refer to Section 4.2.1 of the Final EIR/EA,  
16 Aesthetics, Visual Resources, and Reflection, for a discussion regarding potential glare impacts related to  
17 the solar panels. For impacts related to potential hazards and obstructions to Blythe Airport operations  
18 that would result from the operation of the 230 kV gen-tie line, refer to Section 4.2.8 of the Final EIR/EA,  
19 Hazards and Hazardous Materials. The Approved Project would not result in incompatible uses with  
20 adjacent or nearby agricultural operations (refer to Section 4.2.2 of the Final EIR/EA, Agriculture).  
21 Impacts would be less than significant [Final EIR/EA 4-355].

22 4. Result in inadequate emergency access (Impact TRA-5): The Approved Project would not  
23 result in inadequate emergency access. No road closures are anticipated for the Approved Project;  
24 however, Seeley Avenue and Riverside Drive would be improved for emergency vehicle access.  
25 Construction traffic would be confined to designated travel routes (BMP-14). Interior access roads within  
26 the solar facility site would be constructed to allow sufficient access for fire trucks and emergency  
27 responders (BMP-15). A Fire Management and Protection Plan (BMP-4) and Emergency Action Plan  
28

1 (BMP-5) would be prepared in cooperation with the Riverside County Fire Department and emergency  
2 responders. Access gates and internal access roads within the solar facility site would be identified.  
3 Implementation of BMPs would minimize impacts to emergency access. Accordingly, impacts to  
4 emergency access would be less than significant [Final EIR/EA 4-355].

5 5. Conflict with adopted policies, plans, or programs regarding public transit, bicycle or  
6 pedestrian facilities, or otherwise decrease the performance or safety of such facilities (Impact TRA-6):

7 The Approved Project would not conflict with adopted policies, plans, or programs regarding public  
8 transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities.

9 The Approved Project area does not contain bicycle or pedestrian facilities. Because it is in an area  
10 surrounding by agricultural uses, proposed and approved solar power plants, and the airport, which lie  
11 miles apart, bicycles and walking are not a major means of transportation and substantial bicycle or  
12 pedestrian use is not projected in the future in the area. Accordingly, the Approved Project would not  
13 interfere with bicycle or pedestrian safety. As shown in Table 4.2.14-2, construction traffic would  
14 increase delays at the four intersections (approximately 16.4 seconds at Intersection 1; 11.1 seconds at  
15 Intersection 2; and 11.2 seconds at Intersection 3). The Palo Verde Valley Transit Agency (PVVTA)  
16 operates Routes 3, 4, and 5 along Neighbours Boulevard north and south of I-10 and it is anticipated that  
17 buses would experience the delays mentioned above. Therefore, impacts to public transit would be less  
18 than significant [Final EIR/EA 4-355].

19 6. Alter waterborne, rail or air traffic (TRA-7): The Approved Project would not alter  
20 waterborne, rail, or air traffic. The Approved Project would not utilize waterborne, rail, or air services to  
21 transport materials or the workforce; therefore, no impacts to waterborne, rail or air traffic would occur  
22 [Final EIR/EA 4-355].

23 7. Cause an effect, or a need for new or altered maintenance of roads (TRA-8): The Approved  
24 Project would improve Seeley Avenue and Riverside Drive; however, these roads are currently  
25 maintained by the County of Riverside and the Approved Project would not cause a need for new or  
26 altered maintenance of roads. The construction and operation of the gen-tie line would utilize the existing  
27

1 transmission line access roads and maintenance of roads would be similar to existing conditions. No  
2 impacts would occur [Final EIR/EA 4-355 and 4-356].

3 8. Cause an effect upon circulation during the project's construction (TRA-9): The Approved  
4 Project would adversely affect circulation during the Approved Project's construction; however, such  
5 effects would be less than significant [Final EIR/EA 4-356].

6 9. Affect bike trails (Impact TRA-9): The Approved Project would not adversely affect bike  
7 trails [Final EIR/EA 4-356].

8 The evidence supporting these conclusions includes the discussion of these impacts in sections  
9 3.2.15 and 4.2.15 of the Final EIR/EA, and Responses to Comments 12-3.

### 10 SECTION III

#### 11 FINDINGS REGARDING ENVIRONMENTAL IMPACTS

#### 12 MITIGATED TO A LEVEL OF LESS THAN SIGNIFICANT

13 The Board of Supervisors finds that the following environmental impacts identified in the EIR/EA  
14 are potentially significant but can be mitigated to a less-than-significant level. The potentially significant  
15 impacts and the mitigation measures which would reduce them to a less-than-significant level are set out  
16 in the EIR and are summarized as set forth below. For these impacts, the Board of Supervisors finds that  
17 specified Mitigation Measures reflect changes or alterations that the County has required, or incorporated  
18 into the Approved Project that would avoid or substantially lessen the potentially significant impact as  
19 identified in the EIR/EA. Some of these Mitigation Measures are to be implemented or overseen by the  
20 BLM and the City of Blythe. The Mitigation and Monitoring Program requires that the County determine  
21 that the Approved Project has complied with these BLM- and Blythe- related measures prior to allowing  
22 various aspects of the Approved Project to proceed. The County has determined to adopt the Mitigation  
23 Measures reflected in the MMRP, rather than substitute mitigation measures recommended by  
24 commenters, for the reasons stated in its responses to comments on the Draft EIR/EA (as set forth in  
25 Appendix O of the Final EIR/EA).

#### 26 A. Agriculture and Forestry Resources

27 1. Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (AG-1):  
28

1 Implementation of the Approved Project would result in a temporary loss of agricultural uses on the  
2 Project area. The Project is considered to have a significant impact on agricultural resources. The site of  
3 the solar facility is being rezoned to agricultural uses, and the Applicant will continue agricultural  
4 operations in areas of the Project site that will not be developed immediately. This would slow the  
5 conversion of agricultural lands to some degree. However, the Applicant now proposes to develop in the  
6 near term, making creation of a Williamson Act preserve and entering into a Williamson Act contract  
7 inappropriate. Also, regardless of the timing of development, the Approved Project would ultimately  
8 construct solar arrays and ancillary facilities over the entire development footprint, which would result in  
9 a significant impact. The solar panels would be built atop the relatively flat soil lots, leaving the farming  
10 soil relatively undisturbed and available for crop cultivation at the end of the Approved Project's life,  
11 should the parcels revert to agricultural land [Final EIR/EA 4-55].

12 Finding: The Mitigation Measure outlined below would reduce impacts to a less than significant  
13 level. The Mitigation Measure reflects changes or alterations that the County has required, or incorporated  
14 into the Approved Project that would avoid or substantially lessen the potentially significant impact as  
15 identified in the EIR/EA. (CEQA Guidelines §15091(a)(1)).

16 Mitigation Measure: Implementation of Mitigation Measure Agriculture-1 in the MMRP would  
17 reduce the significant impacts on the agricultural resources on the Project site to less than significant  
18 levels.

19 Mitigation Measure Agriculture-1 states:

20 Prior to issuance of a grading permit, the Applicant shall provide written evidence of completion  
21 of at least one of the following measures to mitigate the impact to agricultural resources caused by  
22 conversion of land subject to the grading permit to non-agricultural uses. Important farmlands  
23 include Prime Farmlands, Farmlands of Statewide Importance, and Unique Farmlands as shown  
24 on maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California  
25 Resources Agency that is in effect as of the date of approval of the Approved Project.

26 1. Acquire and record agricultural conservation easement(s) meeting the following criteria:  
27  
28



- 1 a. Two acres placed under conservation easement for each net acre of Important  
2 Farmland converted to non-agricultural uses during the life of the Approved  
3 Project. A plot plan shall be submitted substantiating the net acreage calculation,  
4 which shall be consistent with the definition of “Net Acreage” in County Policy B-  
5 29<sup>1</sup>.
- 6 b. Land subject to the conservation easement shall be located in Riverside County and  
7 must be of the same or higher State of California Department of Conservation  
8 farmland classification (Prime Farmland or Farmland of Statewide Importance) as  
9 the land that has been converted to non-agricultural uses.
- 10 c. The conservation easement must be held by a third party having the capacity to  
11 hold such an easement and in an easement form acceptable to Riverside County.
- 12 d. The Applicant must provide to the easement holder an endowment sufficient to  
13 generate funds for ongoing monitoring and enforcement of the easement.

14 2. Purchase of credits from an established agricultural land mitigation bank in an amount sufficient  
15 to achieve a level of protection at least equivalent to Mitigation Measure Agriculture-1 above;

16 3. Contribution of agricultural land or equivalent funding to an organization that provides for the  
17 preservation of farmland in California in an amount sufficient to achieve a level of protection  
18 at least equivalent to Mitigation Measure Agriculture-1 above; or

19 4. Participation in any agricultural land mitigation program adopted by Riverside County that  
20 provides equal or more effective mitigation than the measures listed above.

21 *Timing/Implementation: Prior to issuance of a grading permit*

22 *Enforcement/Monitoring: Riverside County Planning Department*

23 Rationale: Implementation of Mitigation Measure Agriculture-1 would provide various options for  
24 the Applicant to reduce the severity of the impact of the temporary loss of Important Farmland, resulting  
25

26 <sup>1</sup> The County of Riverside’s Board of Supervisor’s Policy B-29 defines “Net Acreage” as all areas involved in the production of power including, but not  
27 limited to, the power block, solar collection equipment, areas contiguous to solar collection equipment, transformers, transmission lines and/or piping,  
28 transmission facilities (on and off-site), service roads regardless of surface type – including service roads between panels or collectors, structures, and fencing  
surrounding all such areas. Net acreage shall not include off-site access roads or areas specifically set aside either as environmentally sensitive or designated as  
open space, and shall not include the fencing of such set aside areas.

1 in a less than significant impact [Final EIR/EA 4-65].

2           2.       Conflict with existing zoning for agricultural use, or a Williamson Act contract (Impact  
3 AG-2): The Approved Project and a portion of the gen-tie line would be on private land zoned by  
4 Riverside County as Light Agriculture (A-1-10) and land zoned by the City of Blythe as Agriculture (A);  
5 the gen-tie line that would traverse BLM-managed land is not zoned for agricultural uses. With  
6 implementation of the Approved Project, land zoned for agricultural uses would be converted to non-  
7 agricultural uses. However, the uses under the Approved Project are allowed as a conditional use in  
8 Agricultural zones and, with the issuance of a conditional use permit, the proposed uses would be  
9 consistent with zoning. Implementation of the Approved Project would not conflict with an agricultural  
10 preserve or Williamson Act contracts.

11           Finding: Mitigation Measure Agriculture-1 outlined above would reduce impacts to a less than  
12 significant level. The Mitigation Measure reflects changes or alterations that the County has required, or  
13 incorporated into the Approved Project that would avoid or substantially lessen the potentially significant  
14 impact as identified in the EIR/EA. (CEQA Guidelines §15091(a)(1)).

15           Mitigation Measure: Implementation of Mitigation Measure Agriculture-1 in the MMRP would  
16 reduce the significant impacts on the agricultural resources on the Approved Project site to less than  
17 significant levels.

18                   *Timing/Implementation: Prior to issuance of a grading permit*

19                   *Enforcement/Monitoring: Riverside County Planning Department*

20           Rationale: Implementation of Mitigation Measure Agriculture-1 would reduce significant impacts  
21 to less than significant [Final EIR/EA 4-65].

22           The evidence supporting these conclusions includes the discussion of these impacts in sections  
23 3.2.2 and 4.2.2 of the Final EIR/EA, and Responses to Comments 10-5, 10-6, 10-7, 14-13, and 14-23.

24 **B. Biological Resources**

25           1.       Have a substantial adverse effect, either directly or through habitat modifications, on any  
26 species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or  
27 regulations, or by the California Department of Fish and Wildlife (CDFW) or the U.S. Fish and Wildlife

1 Service (USFWS) (Impact BIO-1): Potential construction- and operation-related direct and indirect  
2 impacts to non-listed special-status species occurring within the study area could occur as a result of  
3 construction activities.

4 Special-status plants: Harwood's eriastrum (CNPS List 1B.2) is present within the gen-tie line  
5 portion of the Approved Project. Potential construction- and operation-related direct and indirect impacts  
6 to special-status plants would be less than significant. The same BMPs would be applied during  
7 decommissioning activities.

8 Special-status wildlife: Direct impacts to non-listed wildlife species could occur from mortality of  
9 individuals by crushing or vehicle collisions during operation and maintenance activities of the Approved  
10 Project, nighttime lighting, wildfires, and human presence and activity. Potential construction- and  
11 operation-related direct and indirect impacts to special-status wildlife would be potentially significant.

12 Migratory Birds: The PV solar arrays for the Approved Project will be developed within an  
13 existing disturbed area with little avian habitat due to previous long-term land disturbance. The  
14 implications of this are that the Blythe Mesa site provides little habitat for bird species, and the general  
15 site selection on previously disturbed ground, proximate to freeways, airport and natural gas power plant,  
16 reduces potential impacts or risk due to collision based on the habituation of avian species to this  
17 disturbed area.

18 The setting of the Approved Project is such that birds, especially waterfowl will not be attracted to  
19 it. The site does not include evaporation ponds or other water features. In addition, relatively few areas of  
20 the existing Approved Project site provide habitat for avian species; as a result, fewer birds would be  
21 expected to use the Approved Project site in the future than would occur if the site were natural,  
22 undisturbed land prior to development as a solar facility. Based upon the bird surveys conducted on the  
23 site, the scientific literature regarding PLP, and the factors that distinguish the Approved Project from  
24 other sites of solar facilities, the Approved Project will not have a substantial adverse effect, either  
25 directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-  
26 status species in local or regional plans, policies, or regulations, or by the CDFW or the USFWS [Final  
27 EIR/EA 4-106].

1            Finding: The Mitigation Measures outlined below would reduce impacts to a less than significant  
2 level. The Mitigation Measures reflects changes or alterations that the County has required, or  
3 incorporated into the Approved Project that would avoid or substantially lessen the potentially significant  
4 impact as identified in the EIR/EA. (CEQA Guidelines §15091(a)(1)).

5            Mitigation Measure: Implementation of Mitigation Measures Biology-1 through Biology-8 in the  
6 Mitigation Monitoring and Reporting Program would reduce the significant impacts on biological  
7 resources on the Approved Project site to less than significant levels.

8                    Mitigation Measure Biology-1 states:

9            The Approved Project inspector shall monitor the work area bi-weekly during ground disturbing  
10 construction activities. The Approved Project inspector shall conduct monitoring for any area  
11 subject to disturbance from construction activities that may impact biological resources. The  
12 Approved Project inspector's duties include minimizing impacts to special-status species, native  
13 vegetation, wildlife habitat, and unique resources. Where appropriate, the inspector will flag the  
14 boundaries of biologically sensitive areas and monitor any construction activities in these areas to  
15 ensure that ground disturbance activities and impacts occur within designated limits. The  
16 Approved Project inspector will also be responsible for ensuring the BMPs shall be employed to  
17 prevent loss of habitat caused by Approved Project-related impacts (e.g., grading or clearing for  
18 new roads) within the gen-tie line corridor. The resume of the Approved Project inspector will be  
19 provided to the BLM (as appropriate) for concurrence prior to onset of ground-disturbing  
20 activities. The Approved Project inspector will have demonstrated expertise with the biological  
21 resources within the Project area.

22                    *Timing/Implementation: Prior to grading and during construction*

23                    *Enforcement/Monitoring: Riverside County Planning Department and BLM*

24                    Mitigation Measure Biology-2 states:

25            Desert Tortoise Protection

26            (1) Qualified Biologist: In the following measures, a "qualified biologist" is defined as a person  
27 with appropriate education, training, and experience to conduct tortoise surveys, monitor project  
28

1 activities, provide worker education programs, and supervise or perform other implementing  
2 actions. The person must demonstrate an acceptable knowledge of tortoise biology, desert tortoise  
3 impact minimization techniques, habitat requirements, sign identification techniques, and survey  
4 procedures. Evidence of such knowledge may include work as a compliance monitor on a project  
5 in desert tortoise habitat, work on desert tortoise trend plot or transect surveys, conducting surveys  
6 for desert tortoise, or other research or field work on desert tortoise. Attendance at a training  
7 course endorsed by the agencies (e.g., Desert Tortoise Council tortoise training workshop) is a  
8 supporting qualification.

9 A qualified biologist will be on-site during all construction. The qualified biologist shall conduct a  
10 pre-construction clearance survey of the Approved Project area, watch for tortoises wandering into  
11 the construction areas, check under vehicles, and examine excavations and other potential pitfalls  
12 for entrapped animals. The qualified biologist will be responsible for overseeing compliance with  
13 desert tortoise protective measures and for coordination with the Field Contact Representative  
14 (FCR) (described below). The qualified biologist shall have the authority to halt all Approved  
15 Project activities that are in violation of these measures or that may result in the take of a tortoise.  
16 The qualified biologist shall have a copy of this letter when work is being conducted on the site.  
17 The qualified biologist is not authorized to handle or relocate desert tortoises as part of this  
18 project.

19 (2) Preconstruction Clearance Survey: The qualified biologist shall conduct a preconstruction  
20 clearance survey of the Approved Project area. Transects for clearance surveys will be spaced 15  
21 feet apart. Clearance will be considered complete after two successive surveys have been  
22 conducted without finding any desert tortoises. Clearance surveys must be conducted during the  
23 active season for desert tortoises (April through May or September through October). The  
24 qualified biologist is not authorized to handle or relocate desert tortoises as part of this project. If a  
25 tortoise or tortoise burrow is located during clearance surveys, the USFWS will be contacted for  
26 direction on how to proceed.

1 (3) Field Contact Representative (FCR): The Approved Project Applicant will designate a FCR  
2 who will be responsible for overseeing compliance with desert tortoise protective measures and  
3 for coordination with the USFWS. The FCR will have the authority to halt all Approved Project  
4 activities that are not in compliance with the measures in this letter. The FCR will have a copy of  
5 this letter when work is being conducted on the site. The FCR may be an agent for the company,  
6 the site manager, any other Approved Project employee, a biological monitor, or other contracted  
7 biologist. Any incident occurring during the Approved Project activities that is considered by the  
8 qualified biologist to be in non-compliance with these measures will be documented immediately  
9 by the qualified biologist. The FCR will ensure that appropriate corrective action is taken.  
10 Corrective actions will be documented by the qualified biologist. The following incidents will  
11 require immediate cessation of the Approved Project activities causing the incident: (1) location of  
12 a desert tortoise within the exclusion fencing; (2) imminent threat of injury or death to a desert  
13 tortoise; (3) unauthorized handling of a desert tortoise, regardless of intent; (4) operation of  
14 construction equipment or vehicles outside a project area cleared of desert tortoise, except on  
15 designated roads; and (5) conducting any construction activity without a biological monitor where  
16 one is required.

17 (4) Worker Training: Prior to the onset of construction activities, a desert tortoise education  
18 program will be presented by the FCR or qualified biologist to all personnel who will be present  
19 on work areas within the Approved Project area. Following the onset of construction, any new  
20 employee will be required to formally complete the tortoise education program prior to working  
21 on-site. At a minimum, the tortoise education program will cover the following topics:

- 22 • A detailed description of the desert tortoise, including color photographs;
- 23 • The distribution and general behavior of the desert tortoise;
- 24 • Sensitivity of the species to human activities;
- 25 • The protection the desert tortoise receives under the Act, including prohibitions and  
26 penalties incurred for violation of the Act;

- 1 • The protective measures being implemented to conserve the desert tortoise during
- 2 construction activities; and
- 3 • Procedures and a point of contact if a desert tortoise is observed on-site.

4 (5) Site Fencing: Desert tortoise exclusion fencing will be installed around the Project area. The  
5 fence will adhere to USFWS design guidelines, attached hereto as Exhibit "B" and incorporated  
6 herein by reference. The qualified biologist will conduct a clearance survey before the tortoise  
7 fence is enclosed to ensure no tortoises are on the Approved Project area. If a tortoise is found, all  
8 construction activity will halt and the USFWS contacted for direction on how to proceed. Once  
9 installed, exclusion fencing will be inspected at least monthly and following all rain events, and  
10 corrective action taken if needed to maintain the integrity of the tortoise barrier.

11 Fencing around the Approved Project area will include a desert tortoise exclusion gate. This gate  
12 will remain closed at all times, except when vehicles are entering or leaving the Approved Project  
13 area. If it is deemed necessary to leave the gate open for extended periods of time (e.g., during  
14 high traffic periods), the gate may be left open as long as a qualified biologist is present to monitor  
15 for tortoise activity in the vicinity. Sites with potential hazards to desert tortoise (e.g., auger holes,  
16 steep-sided depressions) that are outside of the desert tortoise exclusion fencing will be fenced by  
17 installing exclusionary fencing, or not left unfilled overnight.

18 (6) Refuse Disposal: All trash and food items shall be promptly contained within closed, raven-  
19 proof containers. These will be regularly removed from the Approved Project area to reduce the  
20 attractiveness of the area to common ravens and other desert predators. The FCR will be  
21 responsible for ensuring that trash is removed regularly from the site such that containers do not  
22 overflow, and that the trash containers are kept securely closed when not in use.

23 (7) Tortoises under vehicles: The underneath of vehicles parked outside of desert tortoise  
24 exclusion fencing will be inspected immediately prior to the vehicle being moved. If a tortoise is  
25 found beneath a vehicle, the vehicle will not be moved until the desert tortoise leaves of its own  
26 accord.

1 (8) Tortoises on roads: If a tortoise is observed on or near the road accessing the Approved Project  
2 area, vehicular traffic will stop and the tortoise will be allowed to move off the road on its own.

3 (9) Tortoise Observations: No handling of desert tortoise or burrow excavation is allowed as part  
4 of the proposed action. If a tortoise is observed outside of exclusion fencing, construction will stop  
5 and the tortoise allowed to move out of the area on its own. If a tortoise or tortoise burrow is  
6 observed within the exclusion fencing, all construction will stop, and the USFWS contacted for  
7 direction on how to proceed.

8 The following activities are not authorized and will require immediate cessation of the  
9 construction activities causing the incident: (1) location of a desert tortoise within the exclusion  
10 fencing; (2) imminent threat of injury or death to a desert tortoise; (3) unauthorized handling of a  
11 desert tortoise, regardless of intent; (4) operation of construction equipment or vehicles outside a  
12 project area cleared of desert tortoise, except on designated roads; and (5) conducting any  
13 construction activity without a biological monitor where one is required.

14 (10) Dead or Injured Specimens: Upon locating a dead or injured tortoise, the Applicant or agent  
15 is to immediately notify the Palm Springs Fish and Wildlife Office by telephone within three days  
16 of the finding. Written notification must be made within five days of the finding, both to the  
17 appropriate USFWS field office and to the USFWS' Division of Law Enforcement. The  
18 information provided must include the date and time of the finding or incident (if known), location  
19 of the carcass or injured animal, a photograph, cause of death, if known, and other pertinent  
20 information.

21 *Timing/Implementation: Prior to grading and during construction*

22 *Enforcement/Monitoring: Riverside County Planning Department*

23 Mitigation Measure Biology-3 states:

24 Pre-construction surveys shall be conducted for State and federally listed Threatened and  
25 Endangered, Proposed, Petitioned, and Candidate plants in a 250-foot radius around all areas  
26 subject to ground-disturbing activity including, but not limited to, tower pad preparation and  
27 construction areas, solar facilities, pulling and tensioning sites, assembly yards, and areas subject  
28



1 to grading for new access roads. The surveys shall be conducted during the appropriate blooming  
2 period(s) by an authorized plant ecologist/biologist according to protocols established by the  
3 USFWS, CDFW, BLM, and California Native Plant Society (CNPS). Measures shall be taken to  
4 avoid and minimize impacts to special-status plant species that are found to be present during the  
5 preconstruction surveys. This includes avoiding unnecessary or unauthorized trespass by workers  
6 and equipment, staging and storage of equipment and materials, refueling activities, and littering  
7 or dumping debris in areas known to contain special-status plant species that are not within the  
8 designated construction footprint.

9 *Timing/Implementation: Prior to grading*

10 *Enforcement/Monitoring: Riverside County Planning Department*

11 Mitigation Measure Biology-4 states:

12 **Burrowing Owl Protection:**

13 A Burrowing Owl Monitoring and Mitigation Plan (Plan) has been developed to describe  
14 monitoring, reporting, and management of the burrowing owl during the construction, O&M, and  
15 decommissioning of the Approved Project, as required by the BLM, CDFW, and County of  
16 Riverside. It has been prepared following the 2012 CDFW Staff Report on Burrowing Owl  
17 Mitigation (CDFW 2012b), and describes a multi-tiered approach to prevent or reduce impacts  
18 during construction and operation of the Approved Project. Below is a general summary of the  
19 Plan requirements:

- 20 1. Pre-construction Surveys will be conducted throughout the Approved Project area and  
21 laydown areas for burrowing owls, possible burrows, and sign of owls (e.g., pellets, feathers,  
22 white wash) 30 days prior to construction;
- 23 2. Should any of the pre-construction surveys yield positive results for the presence of burrowing  
24 owl or active burrows within the Approved Project area, the approved Biologist will  
25 coordinate with the Construction Contractor to implement avoidance and set-back distances;

3. If suitable burrows are observed and documented during the pre-construction surveys within the Approved Project footprint and determined to be inactive, these burrows will be excavated and filled in under the supervision of the approved Biologist(s) prior to clearing and grading;
4. To compensate for impacts to the burrowing owls in activity areas on the northern part of the Approved Project, 146 acres of habitat have been identified adjacent to the Approved Project area. A letter agreeing to dedicate the existing compensation lands must be approved by CDFW and the County prior to ground disturbance. Land used for compensation must be of equal value or better than the land impacted. Ownership of compensation lands will be transferred prior to any surface disturbance to one of the following: the BLM; or an entity acceptable to the BLM or CDFW that can effectively manage listed species and their habitats.
5. The Plan provides detailed methods and guidance for passive relocation of burrowing owls occurring within the Approved Project disturbance area; and
6. The Plan describes monitoring and management of the passive relocation effort, including the created or enhanced burrow location and the Approved Project area where burrowing owls were relocated from and provide a reporting plan. The Plan will include maintenance of artificial burrows, three to four times during the year for a total of three years, as necessary.

*Timing/Implementation: Prior to and during construction*

*Enforcement/Monitoring: Riverside County Planning Department*

Mitigation Measure Biology-5 states:

American Badger

In areas identified as suitable habitat during the 2011 and 2012 surveys, biological monitors shall conduct pre-construction surveys for American badger no more than 30 days prior to initiation of construction activities. Surveys shall also consider the potential presence of dens within 100 feet of the Approved Project boundary (including utility corridors and access roads) and shall be performed for each phase of construction. If dens are detected each den shall then be further classified as inactive, potentially active, or definitely active. Inactive dens that would be directly impacted by construction activities shall be excavated by hand and backfilled to prevent reuse by

1 badgers. Potential dens that would be directly impacted by construction activities shall be  
2 monitored by the Biological Monitor for three consecutive nights using a tracking medium such as  
3 diatomaceous medium or fire clay and/or infrared camera stations at the entrance. If no tracks are  
4 observed in the tracking medium or no photos of the target species are captured after three nights,  
5 the den shall be excavated and backfilled by hand. If tracks are observed, the badger dens shall be  
6 fitted with the one-way trap doors to encourage badgers to move off-site. After 48 hours post-  
7 installation, the den shall be excavated and collapsed, following the same protocol as with western  
8 burrowing owl burrows. These dens shall be collapsed prior to construction of the desert tortoise  
9 fence, to allow badgers the opportunity to move off-site without impediment. If an active natal den  
10 is detected on the site, the CDFW shall be contacted within 24 hours. The course of action would  
11 depend on the age of the pups, location of the den site, status of the perimeter site fence, and the  
12 pending construction activities proposed near the den. A 500-foot no disturbance buffer shall be  
13 maintained around all active dens. Alternatively, a designated biologist, authorized by CDFW,  
14 shall trap and remove badgers from occupied dens and move them off-site into appropriate habitat.

15 *Timing/Implementation: Prior to and during construction*

16 *Enforcement/Monitoring: Riverside County Planning Department*

17 Mitigation Measure Biology-6 states:

18 Kit Fox

19 In areas identified as suitable habitat during the 2011 and 2012 surveys, biological monitors shall  
20 conduct pre-construction surveys for kit fox no more than 30 days prior to initiation of  
21 construction activities. Surveys shall also consider the potential presence of dens within 100 feet  
22 of the Approved Project boundary (including utility corridors and access roads) and shall be  
23 performed for each phase of construction. If dens are detected each den shall then be further  
24 classified as inactive, potentially active, or definitely active. Inactive dens that would be directly  
25 impacted by construction activities shall be excavated by hand and backfilled to prevent reuse by  
26 kit fox. Potential dens that would be directly impacted by construction activities shall be  
27 monitored by the Biological Monitor for three consecutive nights using a tracking medium such as  
28

1 diatomaceous medium or fire clay and/or infrared camera stations at the entrance. If no tracks are  
2 observed in the tracking medium or no photos of the target species are captured after three nights,  
3 the den shall be excavated and backfilled by hand. If tracks are observed, the kit fox dens shall be  
4 fitted with the one-way trap doors to encourage kit fox to move off-site. After 48 hours post-  
5 installation, the den shall be excavated and collapsed, following the same protocol as with western  
6 burrowing owl burrows. These dens shall be collapsed prior to construction of the desert tortoise  
7 fence, to allow kit fox the opportunity to move off-site without impediment. If an active natal den  
8 is detected on the site, the CDFW shall be contacted within 24 hours. The course of action would  
9 depend on the age of the pups, location of the den site, status of the perimeter site fence, and the  
10 pending construction activities proposed near the den. A 500-foot no disturbance buffer shall be  
11 maintained around all active dens. Habitat-based mitigation or other appropriate mitigation as  
12 discussed previously for desert tortoise and western burrowing owl shall provide mitigation for  
13 impacts to non-listed special-status species that inhabit overlapping suitable habitat. The following  
14 measures are required to reduce the likelihood of distemper transmission:

- 15 • No pets shall be allowed on the site prior to or during construction;
- 16 • Any kit fox hazing activities that include the use of animal repellents such as coyote urine  
17 must be cleared through the CDFW prior to use; and
- 18 • Any documented kit fox mortality shall be reported to the CDFW and the BLM within 24  
19 hours of identification. If a dead kit fox is observed, it shall be retained and protected from  
20 scavengers until the CDFW determines if the collection of necropsy samples is justified.

21 *Timing/Implementation: Prior to and during construction*

22 *Enforcement/Monitoring: Riverside County Planning Department*

23 Mitigation Measure Biology-7 states:

24 Birds and Bats

25 If Approved Project construction activities cannot occur completely outside the bird breeding  
26 season, then pre-construction surveys for active nests shall be conducted by a qualified biologist  
27 within 1,200 feet of the construction zone no more than seven days before the initiation of  
28

1 construction that would occur between February 1 and August 15. The qualified biologist will  
2 hold a current Memorandum of Understanding with the County of Riverside to conduct nesting  
3 bird surveys. If breeding birds with active nests are found, a biological monitor shall establish a  
4 species-specific buffer around the nests for ground-based construction activities, 250 feet or 1,200  
5 feet for raptor nests. Extent of protection will be based on proposed management activities, human  
6 activities existing at the onset of nesting initiation, species, topography, vegetative cover, and  
7 other factors. When appropriate, a no-disturbance buffer around active nest sites will be required  
8 from nest-site selection to fledging. If for any reason a bird nest must be removed during the  
9 nesting season, written documentation providing concurrence from the USFWS and CDFW  
10 authorizing the nest relocation shall be obtained. All nest removals shall occur after the nest is  
11 demonstrated to be inactive by a qualified biologist and have been shown to not result in take as  
12 defined by the Migratory Bird Treaty Act (MBTA). A Bird and Bat Conservation Strategy  
13 (BBCS) will be developed for this Project and include additional protections for avian species.  
14 The BBCS would be based on specific recommendations from the USFWS and would provide:

- 15 • a statement of the Applicant's understanding of the importance of bird and bat safety and  
16 management's commitment to remain in compliance with relevant laws;
- 17 • documentation of conservation measures BMSP would implement through design and  
18 operations to avoid and reduce bird and bat fatalities at both solar generation facilities as well  
19 as the associated gen-tie line, including consideration of bird height and wingspan  
20 requirements and use of flight diverters, perch and nest discouraging material, etc.;
- 21 • consistent, practical and up-to-date direction to BMSP staff on how to avoid, reduce, and  
22 monitor bird and bat fatalities;
- 23 • establishment of accepted processes to monitor and mitigate bird and bat fatalities;
- 24 • establishment of accepted fatality thresholds that, if surpassed, would trigger adaptive changes  
25 to management and mitigation management;
- 26 • an adaptive management framework to be applied, if thresholds are surpassed; and
- 27 • A three-year post-construction monitoring study.

1 The BBCS would be considered a “living document” that articulates the Applicant’s commitment  
2 to develop and implement a program to increase avian and bat safety and reduce risk. As progress  
3 is made through the program or challenges are encountered, the BBCS may be reviewed,  
4 modified, and updated. The initial goals of this BBCS are to:

- 5 • provide a framework to facilitate compliance with federal law protecting avian species and a  
6 means to document compliance for regulators and the interested public;
- 7 • allow the Agent to manage risk to protected bird and bat species in an organized and cost-  
8 effective manner;
- 9 • establish a mechanism for communication between BMSP managers and natural resource  
10 regulators (primarily USFWS);
- 11 • foster a sense of stewardship with BMSP owners, managers, and field engineers; and
- 12 • articulate and cultivate a culture of wildlife awareness (specifically birds and bats) and the  
13 importance of their protection.

14 *Timing/Implementation: Prior to and during construction*

15 *Enforcement/Monitoring: Riverside County Planning Department*

16 Mitigation Measure Biology-8 states:

17 To mitigate for permanent habitat loss and direct impacts to Mojave fringe-toed lizards the  
18 Applicant shall provide compensatory mitigation at a 3:1 ratio, which may include compensation  
19 lands purchased in fee or in easement in whole or in part, for impacts to stabilized or partially  
20 stabilized desert dune habitat (i.e., dune, sand ramp, or fine-sandy wash habitat). The Mojave  
21 fringe-toed lizard occurs within Alternatives 1, 3 and 5 gen-tie corridors and has a high potential  
22 to occur within Alternative 4 gen-tie corridor. If compensation lands are acquired, the Applicant  
23 shall provide funding for the acquisition in fee title or in easement, initial habitat improvements  
24 and long-term maintenance and management of the compensation lands.

25 *Timing/Implementation: Prior to and during construction*

26 *Enforcement/Monitoring: Riverside County Planning Department*

1        Rationale: Implementation of Mitigation Measures Biology-1 through Biology-8 would be  
2 implemented to reduce impacts to special status plant and wildlife species and migratory birds. With these  
3 mitigation measures, impacts would be less than significant [Final EIR/EA 4-138 through 4-144].

4        2.        Have a substantial adverse effect on any riparian habitat or other sensitive natural  
5 community identified in local or regional plans, policies, or regulations or by CDFW or USFWS (Impact  
6 BIO-2): The desert riparian woodland wash and unvegetated ephemeral dry wash are considered sensitive  
7 vegetation communities. Potential temporary and permanent, indirect impacts to the sensitive vegetation  
8 communities surrounding the disturbance area would occur as a result of Approved Project construction.  
9 However, the desert riparian woodland wash is along an existing transmission line corridor and would be  
10 spanned to avoid direct impacts to this community. The potential spread of exotic species into the  
11 surrounding vegetation communities would be considered a permanent, indirect impact. Operation of the  
12 Approved Project may result in indirect impacts, such as erosion, and stormwater contaminant runoff may  
13 degrade adjacent sensitive vegetation communities [Final EIR/EA 4-107].

14        Finding: The Mitigation Measure Biology-1 outlined above and Mitigation Measure Biology  
15 Biology-9 outlined below would reduce impacts to a less than significant level. The Mitigation Measures  
16 reflects changes or alterations that the County has required, or incorporated into the Approved Project that  
17 would avoid or substantially lessen the potentially significant impact as identified in the EIR/EA. (CEQA  
18 Guidelines §15091(a)(1)).

19        Mitigation Measure: Implementation of Mitigation Measures Biology-1 and Biology-9 in the  
20 Mitigation Monitoring and Reporting Program would reduce the significant impacts on the biological  
21 resources on the Approved Project site to less than significant levels.

22        See Mitigation Measure Biology-1 above.

23                    *Timing/Implementation: Prior to and during construction*

24                    *Enforcement/Monitoring: Riverside County Planning Department*

25        Mitigation Measure Biology-9 states:

26        Impacts to areas under jurisdiction of the USACE, Regional Water Quality Control Board  
27        (RWQCB), and CDFW shall be avoided as necessary to reduce impacts to less than significant

1 levels. Where avoidance of jurisdictional areas is not feasible, including emergency repairs, and  
2 access/spur roads within the ephemeral channel, the applicant shall provide the necessary  
3 mitigation required as part of wetland permitting. This will include creation, restoration, and/or  
4 preservation of suitable jurisdictional habitat along with adequate buffers to protect the function  
5 and values of jurisdictional area mitigation. The location(s) of the mitigation will be determined in  
6 consultation with the Applicant and the responsible agency(s) as part of the permitting process.

7 As mentioned above, a BRMIMP will be developed to summarize all of the various biological  
8 mitigation, monitoring, and compliance measures and include measures from the various  
9 biological plans and permits developed for BMSP. The BRMIMP shall include the following:

- 10 • All biological resources mitigation, monitoring, and compliance measures outlined in the  
11 BMSP Draft EIR/EA;
- 12 • All biological resource mitigation, monitoring and compliance measures required in federal  
13 agency terms and conditions, such as those provided in the USFWS concurrence letter that the  
14 Approved Project is “not likely to incidentally take or otherwise adversely affect” federally  
15 listed species (FWS-ERIV-12B0299-12I0497);
- 16 • All biological resource mitigation, monitoring and compliance measures required by the  
17 Riverside County, such as those provided in the December 18, 2013 comment letter (DRT-  
18 EPD Corrections) on the BMSP Draft EIR/EA No. 529 (CUP 3685);
- 19 • All biological resource mitigation, monitoring and compliance measures outlined in the  
20 Burrowing Owl Mitigation and Monitoring Plan and the Bird and Bat Conservation Strategy  
21 (the full biological plans will be included in the attachments to the BRMIMP);
- 22 • All locations on a map, at an approved scale, of sensitive biological resource areas subject to  
23 disturbance and areas requiring temporary protection and avoidance during construction and  
24 operation;
- 25 • Duration for each type of monitoring and a description of monitoring methodologies and  
26 frequency;



1 • Performance standards to be used to help decide if/when proposed mitigation is or is not  
2 successful; and

3 • A process for proposing plan modifications to appropriate agencies for review and approval.

4 BMSP shall provide the BRMIMP document at least 60 days prior to start of any Approved  
5 Project-related ground disturbing activities to the BLM and the County for review and approval.

6 Implementation of BRMIMP measures will be reported in the monthly compliance reports by the  
7 Designated Biologist (i.e., survey results, construction activities that were monitored, species  
8 observed).

9 *Timing/Implementation: Prior to and during construction*

10 *Enforcement/Monitoring: Riverside County Planning Department*

11 Rational: Implementation of Mitigation Measures Biology-1 and Biology-9 would be  
12 implemented to further reduce impacts. Post-mitigation potential construction- and operation-related  
13 direct and indirect impacts to desert riparian woodland wash and unvegetated ephemeral dry wash would  
14 be less than significant [Final EIR/EA 4-138 through 4-144].

15 3. Have a substantial adverse effect on federal protected wetlands as defined by Section 404  
16 of the Clean Water Act (CWA) (including, but not limited to, marshes, vernal pools, and coastal areas) or  
17 any State-protected jurisdictional areas not subject to regulation under Section 404 of the CWA through  
18 direct removal, filling, hydrological interruption, or other means (Impact BIO-3): There are two  
19 discontinuous ephemeral channels on the Approved Project site. The ephemeral channel crosses first the  
20 gen-tie line corridor and again southeast across the solar facility site. The ephemeral channel in the  
21 Approved Project area consist of swales and erosional features including gullies and potential small  
22 washes characterized by low-volume, infrequent, or short-duration flow. There is an agricultural irrigation  
23 ditch running close to the eastern edge of the proposed solar array, but it does not cross the Approved  
24 Project area and is approximately 75 to 90 feet below the edge of the Approved Project area. There are  
25 several palustrine open-water wetlands (POWs), likely stock ponds, in a block in an area that is  
26 surrounded by the Approved Project east of the Blythe Airport and north of I-10, but there are no POWs  
27 within the Approved Project's boundary.

1 The U.S. Army Corps of Engineers (USACE) will be consulted with in the preparation of the 404  
2 permit. In addition, any potential impacts to hydrology would be minimized through implementation of  
3 the BMPs, as part of the Approved Project. Any necessary grading would follow existing contours to  
4 minimize alteration of existing drainage patterns (BMP-11). Erosion and sedimentation would be  
5 minimized through implementation of the Approved Project Drainage, Erosion, and Sedimentation  
6 Control Plan (BMP-1), as well as the required Approved Project SWPPP (BMP-2) [Final EIR/EA 4-107].

7 Finding: The Mitigation Measure Biology-9 outlined above would reduce impacts to a less than  
8 significant level. The Mitigation Measure reflects changes or alterations that the County has required, or  
9 incorporated into the Approved Project that would avoid or substantially lessen the potentially significant  
10 impact as identified in the EIR/EA. (CEQA Guidelines §15091(a)(1)).

11 Mitigation Measure: Implementation and Mitigation Measure Biology-9 in the Mitigation  
12 Monitoring and Reporting Program would reduce the significant impacts on the agricultural resources on  
13 the Approved Project site to less than significant levels.

14 See Mitigation Measures Biology-9 above.

15 *Timing/Implementation: Prior to and during construction*

16 *Enforcement/Monitoring: Riverside County Planning Department*

17 Rational: Implementation of Approved Project BMPs and Mitigation Measure Biology-9 (Provide  
18 restoration/compensation for affected jurisdictional areas) would reduce post-mitigation potential  
19 construction- and operation-related direct and indirect impacts to the discontinuous ephemeral dry wash to  
20 less than significant [Final EIR/EA 4-138 through 4-144].

21 4. Interfere substantially with the movement of any native resident or migratory fish or  
22 wildlife species or with established native resident or migratory wildlife corridors, or impede the use of  
23 native wildlife nursery sites(Impact BIO-4): Wildlife: Although impacts on wildlife movement are  
24 anticipated, these impacts would generally be less than significant for most species. The solar facility  
25 would not be within documented important migration routes for any terrestrial wildlife species, and most  
26 of the animals expected to move across the Approved Project are considered common in California.  
27 Regional habitat connectivity would be reduced by implementation of the Approved Project. However,

1 much of the land surrounding the site is expected to remain as natural desert plant communities for the  
2 foreseeable future, which would allow regional movement by common terrestrial wildlife species to  
3 continue outside and through the perimeter of the site without significant impediment once construction is  
4 completed. Operation of the Approved Project would not result in any direct impacts to wildlife  
5 movement in addition to those already described for construction. Approved Project BMPs would  
6 minimize potential direct impacts to wildlife movement but impacts would remain potentially significant.

7 *Migratory Birds:* To the east of the Approved Project area, approximately 8.5 miles, is the Lower  
8 Colorado River Valley. The Lower Colorado River Valley is in the Pacific Flyway, one of the four major  
9 migration flyways in North America, and is a globally important bird area (IBA) (Audubon 2011). Prior  
10 to construction and based on migratory bird data collected from adjacent projects and data collected  
11 during the habitat assessment (POWER 2011), it was determined that the agricultural land within the  
12 Approved Project site may be used as foraging habitat by birds that are using the Colorado River.  
13 However, approximately 90,000 acres of irrigated agricultural land is within the Palo Verde Valley which  
14 is adjacent to the Colorado River and east of the Approved Project site. Due to the existing suitable forage  
15 land east of the Approved Project site and the distance from the Colorado River, it is assumed that  
16 migratory birds would only incidentally use the Approved Project site for forage land and that these lands  
17 are of lesser value and importance for migratory bird foraging compared to lands closer to the River.

18 Wetlands, lakes, and streams are all documented potential “hot spots” for avian risk due to  
19 collision with facilities because water is often used by birds to forage or congregate (APLIC 2006). Based  
20 on the M.D. McCrary et al. 1986 findings it would suggest that the evaporation ponds act as “hot spots”  
21 for avian risk due to collision with the solar panels and associated features because the evaporation ponds  
22 attract birds. Therefore, aquatic areas are a determining factor in the risk to avian species. The Approved  
23 Project area is located in agricultural lands without any nearby aquatic features and no evaporation ponds  
24 are proposed. In addition, the Approved Project’s solar generation facility and gen-tie line would not be  
25 located between waterfowl use areas [Final EIR/EA 4-108].

26 Finding: Mitigation Measures Biology-4, Biology-5, Biology-6, and Biology-7 outlined above  
27 would reduce impacts to a less than significant level. The Mitigation Measures reflects changes or  
28

1 alterations that the County has required, or incorporated into the Approved Project that would avoid or  
2 substantially lessen the potentially significant impact as identified in the EIR/EA. (CEQA Guidelines  
3 §15091(a)(1)).

4 Mitigation Measure: Implementation of Mitigation Measures Biology -1, Biology-4, Biology-5,  
5 Biology-6, and Biology-7 in the Mitigation Monitoring and Reporting Program would reduce the  
6 significant impacts on the agricultural resources on the Approved Project site to less than significant  
7 levels.

8 See Mitigation Measures Biology -1, Biology-4, Biology-5, Biology-6, and Biology-7 above.

9 *Timing/Implementation: Prior to and during construction*

10 *Enforcement/Monitoring: Riverside County Planning Department*

11 Rational: With implementation of Project BMPs and Mitigation Measures Biology-4, Biology-5,  
12 Biology-6, and Biology-7, construction and operation of the Approved Project would not result in any  
13 direct impacts to wildlife movement; impacts would be less than significant level. With implementation of  
14 Biology-1 and Biology-7, a BBCS would be implemented to reduce potential impacts to migratory birds  
15 during construction and operation and maintenance of the gen-tie line and solar array facility to less than  
16 significant [Final EIR/EA 4-138 through 4-144].

17 5. Substantially reduce the habitat of a fish or wildlife species; cause a fish or wildlife  
18 population to drop below self-sustaining levels; threaten to eliminate a plant or animal community; or  
19 substantially reduce the number or restrict the range of an endangered, rare, or threatened species (BIO-  
20 7): The Approved Project would not substantially reduce the habitat of a fish or wildlife species; cause a  
21 fish or wildlife population to drop below self-sustaining levels; threaten to eliminate a plant or animal  
22 community; or substantially reduce the number or restrict the range of an endangered, rare, or threatened  
23 species. No endangered, rare, or threatened species would be impacted or threatened by the Approved  
24 Project. The Approved Project area is currently used for agriculture and the proposed gen-tie line would  
25 parallel transmission line corridors and access roads. The existing disturbance already limits biological  
26 resources in the area and the Approved Project is not expected to restrict or harm wildlife species.

1 The majority of the existing land use on the solar facility site is non-sensitive and includes  
2 approximately 3,045 acres of agricultural lands and approximately 250 acres of disturbed fallow fields. Of  
3 the 3,294 acres of land designated for agricultural use, approximately 2,123 acres of agricultural lands  
4 would be directly impacted by the installation of the solar facility site. However, all the agricultural land  
5 within the solar array Approved Project boundary would cease operation.

6 No federally-listed or state listed bird species were detected at the Approved Project site or are  
7 expected to find habitat at the Approved Project site. Three non-listed special-status avian species or their  
8 sign were detected on site. These were the western burrowing owl, Le Conte's thrasher, and loggerhead  
9 shrike; however suitable habitat for these species occurred within the gen-tie line corridor or outside the  
10 2,123 acres of agricultural lands proposed for the solar array site.

11 Habitat destruction is thought to cause greater reductions in bird and other wildlife populations  
12 than any other factor, and is still the most serious long-term threat (APLIC 2006). The current agricultural  
13 lands do not provide nesting habitat and activities associated with the agricultural land limit birds from  
14 actively using the land for purposes other than foraging. The species using the BMSP are self-sustaining  
15 and will not be exposed to significant risk. Therefore the construction of the solar array site would not  
16 substantially reduce the habitat for birds or migratory birds that would cause the population to drop below  
17 self-sustaining levels, threaten to eliminate the avian community or substantially reduce the number or  
18 restrict the range of endangered, rare, or threatened species. [Final EIR/EA 4-109].

19 Finding: Mitigation Measures Biology-1 and Biology-7 outlined above would reduce impacts to a  
20 less than significant level. The Mitigation Measures reflects changes or alterations that the County has  
21 required, or incorporated into the Approved Project that would avoid or substantially lessen the potentially  
22 significant impact as identified in the EIR/EA. (CEQA Guidelines §15091(a)(l)).

23 Mitigation Measure: Implementation of Mitigation Measures Biology-1 and Biology-7 in the  
24 Mitigation Monitoring and Reporting Program would reduce the significant impacts on the biological  
25 resources on the Approved Project site to less than significant levels.

26 See Mitigation Measures Biology-1 and Biology-7 above.

27 *Timing/Implementation: Prior to and during construction*

1 *Enforcement/Monitoring: Riverside County Planning Department*

2 Rational: Implementation of Mitigation Measures Biology-1 and Biology-7 would be  
3 implemented to reduce potential impacts to migratory birds during construction and operation and  
4 maintenance of the gen-tie line and solar array facility to less than significant [Final EIR/EA 4-138  
5 through 4-144].

6 The evidence supporting these conclusions includes the discussion of these impacts in sections  
7 3.2.4 and 4.2.4 of the Final EIR/EA, and Responses to Comments 3-1 through 3-11, 10-11, 11-1 through  
8 11-5, 12-4, 12-14, 12-25, 12-26, 12-27, 12-28, 12-31, 12-32, 12-33, 12-34, 12-35, 12-44, 12-54, 12-55, 12-  
9 56, 12-57, 12-58, 12-59, 12-60, 12-61, 12-62, 12-63, 12-64, 12-65, 12a-1 through 12a-44, and 13-1  
10 through 13-13.

11 **C. Cultural Resources**

12 1. Cause a substantial adverse change in the significance of a historical resource as defined in  
13 Code of Regulations Section 15064.5 (CUL-1): None of the cultural resources within the Area of  
14 Potential Effect (APE) of the Approved Project have been determined by the County to be eligible to the  
15 CRHR and, therefore, none qualify as historical resources under CEQA. Because of the existence of  
16 cultural resources in the APE, the potential for inadvertent discovery of historical resources is  
17 considerable and a potentially significant impact of the Approved Project. The disturbance could not  
18 feasibly be avoided because the likelihood of undiscovered resources exists throughout the Approved  
19 Project area; reconfiguring the Approved Project area would not reduce the impact [Final EIR/EA 4-153].

20 Finding: The Mitigation Measures Cultural-2, Cultural-3, Cultural-4, and Cultural-5 outlined  
21 below would reduce impacts to a less than significant level. The Mitigation Measures reflects changes or  
22 alterations that the County has required, or incorporated into the Approved Project that would avoid or  
23 substantially lessen the potentially significant impact as identified in the EIR/EA. (CEQA Guidelines  
24 §15091(a)(1)).

25 Mitigation Measure: Implementation of Mitigation Measures Cultural-2, Cultural-3, and Cultural-  
26 5 in the Mitigation Monitoring and Reporting Program would reduce the significant impacts of the  
27 Approved Project on historical resources to less than significant levels.

1 Mitigation Measure Cultural-2 states:

2 The County advocates avoidance as the preferred choice, and the BLM requires that the  
3 development of a discovery plan (see Cultural-3) must occur prior to project construction. If,  
4 during ground disturbance activities associated with construction, operation and maintenance, or  
5 decommissioning, archaeological sites are discovered that were not identified and evaluated in the  
6 archaeological survey reports or the EIR/EA conducted prior to project approval, and the  
7 following procedures shall be followed.

- 8 1. All ground disturbance activities within 100 feet of the discovered archaeological resource  
9 shall be halted until a meeting is convened between the developer, the Approved Project  
10 archaeologist, the Native American tribal representative, the BLM, and (on non-federal  
11 land) the County archaeologist to discuss the significance of the find.
- 12 2. At the meeting, the significance of the discoveries shall be discussed in consultation with  
13 the Native American tribal representative and the Approved Project archaeologist. The  
14 BLM alone shall determine the appropriate treatment for cultural resources on BLM-  
15 managed lands. The County Archaeologist and the BLM together shall determine the  
16 appropriate mitigation (documentation, evaluation, recovery, avoidance, etc.) for cultural  
17 resources on private lands. In determining the appropriate treatment on private land, the  
18 BLM shall follow requirements of 36 CFR Part 800.13 for post-review discoveries and  
19 the County Archaeologist shall implement CEQA Guidelines Section 15126.4(b)  
20 regarding mitigation related to impacts on historical resources and CEQA Guidelines  
21 Section 15064.5(c) and 21083.2(g) regarding archaeological resources.
- 22 3. Further ground disturbance shall not resume within the area of the discovery until a  
23 meeting is convened with the aforementioned parties and a decision is made with the  
24 concurrence of the BLM and (on private land) the County Archaeologist as to the  
25 appropriate preservation or mitigation measures. The Applicant shall comply with the  
26 determinations of the County Archaeologist and BLM.

27 *Timing/Implementation: During and Post Construction*

1 *Enforcement/Monitoring: Riverside County Planning Department*

2 Mitigation Measure Cultural-3 states:

3 Prior to obtaining the project-related grading permit from the County of Riverside, the Applicant  
4 shall have the Secretary of the Interior Qualified/County-approved Approved Project  
5 Archaeologist prepare and submit for approval to the BLM and the County of Riverside a Cultural  
6 Resources Management Plan (CRMP). The CRMP shall map all cultural resources within the  
7 APE, as described in the EIR/EA. The CRMP must conform with BLM Measure #5, #6, #7 and #8  
8 as found in the determination and findings document provided to State Historic Preservation  
9 Officer (SHPO) dated August 7, 2013 (BLM 2013). The CRMP shall also detail how resources, if  
10 any, are determined eligible or resources that are unevaluated but avoided by Approved Project  
11 design, would be marked and protected as Environmentally Sensitive Areas during construction.  
12 The CRMP shall also map additional areas that are considered to be of high sensitivity for  
13 discovery of buried significant cultural resources, including burials, cremations, or sacred features.  
14 The CRMP shall detail provisions for monitoring construction in these high-sensitivity areas. It  
15 shall also detail procedures for halting construction, making appropriate notifications to agencies,  
16 officials, and Native American tribes, and assessing National Register of Historic Places (NRHP)  
17 and California Register of Historic Places (CRHR) eligibility in the event that unknown  
18 archaeological resources are discovered during construction. For all post-review discoveries, the  
19 CRMP shall detail the methods, consultation procedures, and timelines for implementing  
20 Mitigation Measures Cultural-1 and Cultural-2. The CRMP shall be presented to all construction  
21 personnel, with Native American monitors in attendance, in the form of a worker education  
22 program by the Approved Project Archaeologist prior to commencement of groundbreaking.  
23 During subsequent Safety Meetings on the job site, the Approved Project Archaeologist and/or his  
24 qualified representative shall inform all new construction personnel of the cultural resources issues  
25 associated with the Approved Project.

26 *Timing/Implementation: Prior to Construction*

27 *Enforcement/Monitoring: Riverside County Planning Department*



1 Mitigation Measure Cultural-4 states:

2 Prior to any ground disturbances within the Approved Project area, the Applicant shall, for a  
3 period of at least 60 days, make a good faith effort to enter into a contract with and retain monitors  
4 designated by Tribal representatives. This measure must result in and conform with BLM Measure  
5 #6 as found in the determination and findings document provided to SHPO dated August 7, 2013  
6 (BLM 2013). These monitors shall be known as the Tribal Participants for the Approved Project.  
7 The developer shall notify the appropriate Tribe of all new phases of development. The Tribal  
8 Monitor shall be required on-site during all construction-related ground-disturbing activities. The  
9 developer shall submit the signed contract between the appropriate Tribe and the developer. The  
10 Project Archaeologist shall include in the report any concerns or comments the Tribal Monitor has  
11 regarding the Approved Project and shall include as an appendix any written correspondence or  
12 reports prepared by the Tribal Monitor.

13 *Timing/Implementation: Prior issuance of the first grading permit*

14 *Enforcement/Monitoring: Riverside County Planning Department*

15 Mitigation Measure Cultural-5 states:

16 Prior to the final inspection of the first building permit, the Applicant shall prompt the Approved  
17 Project Archaeologist to submit one (1) wet-signed hard copy and one (1) CD of a Cultural  
18 Resources Monitoring Report that meets BLM Manual requirements and also complies with the  
19 current Riverside County Planning Department's requirements for Phase IV Cultural Resource  
20 Monitoring Reports. The report shall include documentation of the required cultural/historical  
21 sensitivity training for the construction staff held during the pre-grade meeting, which shall  
22 include the BLM and County Archaeologist's attendance. The BLM and County Archaeologist  
23 shall review the report to determine adequate mitigation compliance. The accepted report shall be  
24 submitted to the BLM, County, Eastern Information Center, the Patton Memorial Museum, and  
25 interested tribes.

26 Rational: Implementation of Mitigation Measures Cultural-2, Cultural-3, Cultural-4, and Cultural-  
27 5 would ensure a monitoring program would be incorporated into the Approved Project and therefore  
28

1 reduce the impact to less than significant [Draft EIR/EA 4-170 and 4-171].

2 2. Cause a substantial adverse change in the significance of an archaeological resource as  
3 defined in California Code of Regulations Section 15064.5(CUL-2): Thirty-one cultural resources were  
4 identified within the solar generation site APE - one proposed historic district, six archaeological sites, 22  
5 isolated finds, and two built resources. None have been determined eligible for listing in the CRHR by the  
6 County or eligible for listing in the NRHP by the BLM. Only five cultural resources were identified in the  
7 Approved Project's gen-tie line APE -- two historic archaeological sites and three isolated finds (two  
8 historic and one prehistoric). Isolated finds are not eligible for listing on the NRHP. Because none of  
9 these resources have been determined eligible to the CRHR and none qualify as unique archaeological  
10 resources, the Approved Project would not cause a substantial adverse change in the significance of an  
11 archaeological resource. However, the possibility exists that archaeological resources could be located  
12 subsurface and could be unearthed during construction. The potential for inadvertent discovery of  
13 archaeological resources is considerable and a potentially significant impact of the Approved Project. The  
14 disturbance could not feasibly be avoided because the likelihood of undiscovered resources exists  
15 throughout the Approved Project area; reconfiguring the Approved Project area would not reduce the  
16 impact.

17 Finding: The Mitigation Measures Cultural-2, Cultural-3, Cultural-4, and Cultural-5 outlined  
18 above would reduce impacts to a less than significant level. The Mitigation Measures reflects changes or  
19 alterations that the County has required, or incorporated into the Approved Project that would avoid or  
20 substantially lessen the potentially significant impact as identified in the EIR/EA. (CEQA Guidelines  
21 §15091(a)(1)).

22 Mitigation Measure: Implementation of Mitigation Measures Cultural-2, Cultural-3, and Cultural-  
23 5 in the Mitigation Monitoring and Reporting Program would reduce the significant impacts on cultural  
24 resources on the Approved Project site to less than significant levels.

25 See Mitigation Measures Cultural-2, Cultural-3, Cultural-4, and Cultural-5 above.

26 *Timing/Implementation: Prior issuance of first grading permit and building permit*

27 *Enforcement/Monitoring: Riverside County Planning Department*



1 tribes, group(s) and individuals, or other ethnic group(s) and individuals, related to the burial, and  
2 consult with them concerning the treatment of the remains. Native American human remains,  
3 associated grave goods, or objects of cultural patrimony discovered on federal lands will be treated  
4 in accordance with the requirements of the Native American Graves Protection and Repatriation  
5 Act (NAGPRA). The BLM will direct its consultation regarding Native American human remains  
6 to specified federally recognized tribes with cultural affiliation to the project area. The BLM may  
7 invite consultation with non-federally recognized tribes, groups and individuals at its discretion.  
8 Regarding the disposition of human remains, Native American Concurring Parties will be  
9 consulted regarding the removal (if necessary) and reburial of the remains. Tribal elders, Most  
10 Likely Descendants and other persons identified by tribes will be consulted to determine what  
11 options are acceptable to Native Americans. It is understood that such options will be generally  
12 consistent with applicable state and federal laws, depending on jurisdiction.

13 If human remains are discovered on non-federal lands, the County of Riverside shall ensure that  
14 the human remains will be treated in accordance California Health and Safety Code Section  
15 7050.5 and any other applicable state law. No construction activities will be allowed within 100  
16 feet of the discovery until a Notice to Proceed is provided by County environmental department  
17 lead(s). The County will consult with the California Native American Heritage Commission to  
18 seek the advice of the Commission in such matters as determining which tribes, groups and  
19 individuals have standing as cultural monitors or as Most Likely Descendants. Should any dispute  
20 arise the County will request that the NAHC act to mediate the dispute.

21 *Timing/Implementation: During Operation*

22 *Enforcement/Monitoring: Riverside County Planning Department*

23 Rational: In accordance of Mitigation Measure Culture-1, should human remains be discovered at  
24 any time during implementation of the Approved Project, construction in the vicinity would halt and the  
25 Coroner would be contacted immediately. Implementation of Mitigation Measure Culture-1 would reduce  
26 impacts to a less than significant level [Final EIR/EA 4-170 and 4-171].

27 4. Alter or destroy an historic site (CUL-4): The Approved Project would alter remains  
28

1 associated with BAAB, of which the portion within the APE has been determined not eligible to the  
2 CRHR [Final EIR/EA 4-153].

3 Finding: The Mitigation Measure Cultural-1, outlined above would reduce impacts to a less than  
4 significant level. The Mitigation Measures reflects changes or alterations that the County has required, or  
5 incorporated into the Approved Project that would avoid or substantially lessen the potentially significant  
6 impact as identified in the EIR/EA. (CEQA Guidelines §15091(a)(1)).

7 Mitigation Measure: Implementation of Mitigation Measures Cultural-1, in the Mitigation  
8 Monitoring and Reporting Program would reduce the significant impacts of the Approved Project on  
9 cultural resources to less than significant levels.

10 See Mitigation Measure Cultural-1 above.

11 *Timing/Implementation: During Operation*

12 *Enforcement/Monitoring: Riverside County Planning Department*

13 Rational: Implementation of Mitigation Measure Culture-1 would reduce impacts on the district to  
14 a less than significant level [Final EIR/EA 4-170 and 4-171].

15 5. Alter or destroy an archaeological site (CUL-5): No significant archaeological resources  
16 were identified during the field survey, although it is possible that undiscovered subsurface resources  
17 could be unearthed during construction.

18 Finding: The Mitigation Measure Cultural-2, outlined above would reduce impacts to a less than  
19 significant level. The Mitigation Measures reflects changes or alterations that the County has required, or  
20 incorporated into the Approved Project that would avoid or substantially lessen the potentially significant  
21 impact as identified in the EIR/EA. (CEQA Guidelines §15091(a)(1)).

22 Mitigation Measure: Implementation of Mitigation Measure Cultural-2, in the Mitigation  
23 Monitoring and Reporting Program would reduce the significant impacts of the Approved Project on  
24 cultural resources to less than significant levels.

25 See Mitigation Measure Cultural-2 above.

26 *Timing/Implementation: During and Post Construction*

27 *Enforcement/Monitoring: Riverside County Planning Department*

1           Rational: Implementation of Mitigation Measure Culture-2 would reduce impacts should  
2 undiscovered archaeological be discovered during Approved Project construction to a less than significant  
3 level [Final EIR/EA 4-170 and 4-171].

4           The evidence supporting these conclusions includes the discussion of these impacts in sections  
5 3.2.5 and 4.2.5 of the Final EIR/EA, and Responses to Comments 8-1, 9-1, through 9-4, 10-1 ,10-2, 10-3,  
6 10-4, 10-13, 10-14, 10-15, 10-16, 10-17, 12-3, 14-1 through 14-26, and 16-1.

7 **D.     Geology and Soils**

8           1.     Expose people or structures to potential substantial adverse effects, including the risk of  
9 loss, injury, or death, involving (GEO-1):

- 10           • Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake  
11           Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence  
12           of a known fault.
- 13           • Strong Seismic ground shaking.
- 14           • Seismic-related ground failure, including liquefaction.
- 15           • Landslides.

16           The solar facility would be in a seismically active region, and people and structures could be exposed to  
17 seismic ground shaking. Implementation of Mitigation Measure Geology-1 requires subsequent  
18 geotechnical work to determine site specific parameters for foundation design and engineering.  
19 Implementation of Mitigation Measure Geology-3 would require the removal of loose soil layers and  
20 replacement with compacted fill or specialized foundation design, including the use of deep foundation  
21 systems, if appropriate, to help support structures [Final EIR/EA 4-179].

22           Finding: The Mitigation Measures Geology-1 and Geology-3 outlined below would reduce  
23 impacts to a less than significant level. The Mitigation Measures reflects changes or alterations that the  
24 County has required, or incorporated into the Approved Project that would avoid or substantially lessen  
25 the potentially significant impact as identified in the EIR/EA. (CEQA Guidelines §15091(a)(l)).

26           Mitigation Measure: Implementation of Mitigation Measures Geology-1 and Geology-3 in the  
27 Mitigation Monitoring and Reporting Program would reduce the significant impacts of the Approved  
28

1 Project on geological resources to less than significant levels.

2 Mitigation Measure Geology-1 states:

3 Prior to final design and construction, a site-specific subsurface geotechnical evaluation/report  
4 shall be prepared to evaluate the potential ground-shaking hazard, which would meet the  
5 requirements of the most recent version of the California Building Code. A state certified  
6 Approved Project geologist shall ensure appropriate structural design and mitigation techniques  
7 achieve adequate protection according to industry standards and building code requirements.

8 *Timing/Implementation: Prior to issuance of a grading permit or excavation permit*

9 *Enforcement/Monitoring: Riverside County Planning Department*

10 Mitigation Measure Geology-3 states:

11 Removal of loose soil layers shall be replaced with compacted fill or specialized foundation  
12 design, including the use of deep foundation systems, to support structures. The septic system  
13 shall be placed in soils capable of adequately supporting the septic system as determined by the  
14 Approved Project Geologist and in accordance with County requirements specified in the  
15 Department of Environmental Health Technical Guidance Manual.

16 *Timing/Implementation: Prior to installation of the septic system on-site*

17 *Enforcement/Monitoring: Riverside County Planning Department*

18 Rational: Implementation of Mitigation Measures Geology-1 and Geology-3 would reduce impacts  
19 during a seismic event to less than significant levels [Final EIR/EA 4-170 and 4-171].

20 2. Located on a geologic unit or soil that is unstable, or that would become unstable as a  
21 result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence,  
22 liquefaction, or collapse (GEO-3): The underlying alluvium is expected to consist of loose to dense layers  
23 of silty sands and gravel, and some settlement of the loose soils underlying the surface is possible. This  
24 potentially significant impact would be reduced to a level considered less than significant with  
25 implementation of Mitigation Measure Geology-1 through Geology-4. [Final EIR/EA 4-180].

26 Finding: The Mitigation Measures Geology-1 and Geology-3 outlined above and Geology-2 and  
27 Geology-4 outlined below would reduce impacts to a less than significant level. The Mitigation Measures

1 reflects changes or alterations that the County has required, or incorporated into the Approved Project that  
2 would avoid or substantially lessen the potentially significant impact as identified in the EIR/EA. (CEQA  
3 Guidelines §15091(a)(1)).

4 Mitigation Measure: Implementation of Mitigation Measures Geology-1 through Geology-4 in the  
5 Mitigation Monitoring and Reporting Program would reduce the significant impacts of the Approved  
6 Project on geological resources to less than significant levels.

7 See Mitigation Measures Geology-1 and Geology-3 above.

8 Mitigation Measure Geology-2 states:

9 Should future data suggest the presence of active faulting at the Approved Project area, a fault  
10 evaluation may be performed. Mitigation of potential fault rupture hazard would typically include  
11 locating improvements away from the trace of an active fault, designing structures for an  
12 acceptable amount of movement, or implementing systems to maintain safety and that allow for  
13 displacement that could be repaired.

14 *Timing/Implementation: Prior to issuance of a grading permit or excavation permit*

15 *Enforcement/Monitoring: Riverside County Planning Department*

16 Mitigation Measure Geology-4 states:

17 Additional hydro-consolidation tests should be performed to verify soil stability during the design  
18 stages of the Approved Project. Mitigation recommendations for hydro-consolidation may include  
19 removal of the collapsible soil layers and replacement with compacted fill or specialized  
20 foundation design including the use of deep foundations systems to support structures.

21 *Timing/Implementation: Prior to issuance of a grading permit or excavation permit*

22 *Enforcement/Monitoring: Riverside County Planning Department*

23 Rational: Implementation of Mitigation Measures Geology-1 through Geology-4 would reduce  
24 impacts associated with an unstable geologic unit or soils to less than significant levels [Final EIR/EA 4-  
25 170 and 4-171].

26 3. Located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code  
27 (1994), creating substantial risks to life and property (GEO-4): The potential for expansive soils to be  
28



1 encountered on the solar facility site and in the vicinity of the gen-tie line is considered low. No impacts  
2 are anticipated during operation and decommissioning, as Approved Project design and construction  
3 would minimize any potential effects to geological/soil resources.

4 Finding: The Mitigation Measures Geology-4 outlined above would reduce impacts to a less than  
5 significant level. The Mitigation Measures reflects changes or alterations that the County has required, or  
6 incorporated into the Approved Project that would avoid or substantially lessen the potentially significant  
7 impact as identified in the EIR/EA. (CEQA Guidelines §15091(a)(1)).

8 Mitigation Measure: Implementation of Mitigation Measure Geology-4 in the Mitigation  
9 Monitoring and Reporting Program would reduce the significant impacts of the Approved Project on  
10 geological resources to less than significant levels.

11 See Mitigation Measure Geology-4 above.

12 *Timing/Implementation: Prior to issuance of a grading permit or excavation permit*

13 *Enforcement/Monitoring: Riverside County Planning Department*

14 Rational: Implementation of Mitigation Measure Geology-4 would reduce potential impacts  
15 associated with expansive soils to less than significant levels [Final EIR/EA 4-170 and 4-171].

16 4. Have soils incapable of adequately supporting the use of septic tanks or alternative waste  
17 water disposal systems where sewers are not available for the disposal of waste water (GEO-5): The  
18 Approved Project would require the use of a septic tank system on the solar facility site to treat domestic  
19 wastewater from the two O&M buildings. Preliminary soils percolation showed soils ranging from poorly  
20 graded, fine to medium grained, loose to medium dense sand with a trace of silt indicating that the  
21 proposal for an on-site wastewater treatment system or advanced treatment unit is feasible. No operation  
22 or decommissioning impacts are anticipated [Final EIR/EA 4-186].

23 Finding: The Mitigation Measure Geology-3 outlined above would reduce impacts to a less than  
24 significant level. The Mitigation Measures reflects changes or alterations that the County has required, or  
25 incorporated into the Approved Project that would avoid or substantially lessen the potentially significant  
26 impact as identified in the EIR/EA. (CEQA Guidelines §15091(a)(1)).

1           Mitigation Measure: Implementation of Mitigation Measure Geology-3 in the Mitigation  
2 Monitoring and Reporting Program would reduce the significant impacts on geological resources on the  
3 Approved Project site to less than significant levels.

4           See Mitigation Measure Geology-3 above.

5                     *Timing/Implementation: Prior to installation of the septic system on-site*

6                     *Enforcement/Monitoring: Riverside County Planning Department*

7           Rational: Implementation of Mitigation Measure Geology-3 would reduce construction-related  
8 impacts from the septic system to less than significant levels [Final EIR/EA 4-170 and 4-171].

9           5.       Change deposition, siltation, or erosion that may modify the channel of a river or stream or  
10 the bed of a lake (GEO-10): Although on-site grading would be minimized, construction of the proposed  
11 facilities, including roads, fencing, and solar arrays, could result in deposition, siltation, or erosion to on-  
12 site drainages; such changes could result in altered runoff and erosional processes on-site, which could  
13 lead to increased erosion and sedimentation on-site or downstream. Approved Project construction,  
14 operation, maintenance, and decommissioning may result in potentially significant impacts to surface and  
15 stormwater quality [Final EIR/EA 4-181].

16           Finding: The Mitigation Measures Hydrology-1 through Hydrology-4 outlined below would  
17 reduce impacts to a less than significant level. The Mitigation Measures reflect changes or alterations that  
18 the County has required, or incorporated into the Approved Project that would avoid or substantially  
19 lessen the potentially significant impact as identified in the EIR/EA. (CEQA Guidelines §15091(a)(1)).

20           Mitigation Measure: Implementation of Mitigation Measures Hydrology-1 through Hydrology-4 in  
21 the Mitigation Monitoring and Reporting Program would reduce the significant impacts of the Approved  
22 Project on hydrological resources to less than significant levels.

23           Mitigation Measure Hydrology-1 states:

24           Existing drainage crossings shall be utilized at streams, washes, and irrigation channels to the full  
25 extent necessary to reduce impacts to less than significant levels. New access roads not required  
26 for ongoing operation and maintenance shall be permanently closed after construction using the  
27 most effective and least environmentally damaging methods appropriate to that specific area, with  
28

1 concurrence of the land manager (e.g., stockpiling and replacing topsoil, rock replacement) in a  
2 manner that most closely matches undisturbed conditions of the area.

3 *Timing/Implementation: During construction, decommissioning, and ground disturbing*  
4 *activities*

5 *Enforcement/Monitoring: Riverside County Flood Control*

6 Mitigation Measure Hydrology-2 states:

7 Roads would be built as near as possible to right angles to streams and washes, if feasible.  
8 Culverts would be installed where necessary and sized in accordance with local county  
9 regulations. All construction and maintenance activities shall be conducted in a manner that would  
10 minimize disturbance to vegetation and drainage channels, including ephemeral stream banks. In  
11 addition, road construction would include dust-control measures during construction especially in  
12 sensitive areas. All existing roads would be left in a condition equal to or better than their  
13 condition prior to the construction of the gen-tie line and other Project components.

14 *Timing/Implementation: During construction and post construction*

15 *Enforcement/Monitoring: Riverside County Flood Control*

16 Mitigation Measure Hydrology-3 states:

17 New impervious areas associated with temporary construction would be restored to existing  
18 conditions, including but not limited to revegetation and decompaction, to the full extent necessary  
19 to reduce impacts to less than significant levels, after completion of Approved Project  
20 construction.

21 *Timing/Implementation: During post construction*

22 *Enforcement/Monitoring: Riverside County Flood Control District*

23 Mitigation Measure Hydrology-4 states:

24 Stormwater drainage inside substations would be designed to minimize erosion and increase  
25 sediment control. Internal runoff would be released from the switching station by means of surface  
26 drainage structures designed to filter contaminants from water flow. Drainage from Approved  
27 Project area would be collected and controlled by surface improvements, as detailed in the Storm  
28

1 Water Pollution Prevention Plan (SWPPP).

2 *Timing/Implementation: Prior to and during construction*

3 *Enforcement/Monitoring: Riverside County Flood Control District*

4 Rational: Implementation of Mitigation Measures Hydrology-1 through Hydrology-4 would  
5 reduce construction, operation, maintenance, and decommissioning impacts related to Hydrology and  
6 water quality to less than significant levels [Final EIR/EA 4-170 and 4-171].

7 The evidence supporting these conclusions includes the discussion of these impacts in sections  
8 3.2.6 and 4.2.6 of the Final EIR/EA, and Responses to Comments 12-3 and 12-10.

9 **E. Hazards and Hazardous Materials**

10 1. Create a significant hazard to the public or the environment through the routine transport,  
11 use, or disposal of hazardous materials (Impact HAZ-1): The Project would not create a significant hazard  
12 to the public or the environment through the routine transport, use, or disposal of hazardous materials. The  
13 hazardous materials used during the construction phase would be typical of most construction projects of  
14 this type. Hazardous materials would be stored, managed, and disposed of per requirements of the  
15 Riverside County Fire Department, Riverside County Office of Emergency Services, Department of Toxic  
16 Substances Control (DTSC), and Certified Unified Program Agency (CUPA). In addition, BMPs listed  
17 above would be implemented to minimize or avoid impacts related to the routine transport, use, or  
18 disposal of hazardous materials. Three structures on APNs 821-120-026 (shop), 821-120-039 (shop), and  
19 863-100-016 (residence) would be removed as part of the proposed Project. These properties were  
20 constructed prior to or during the 1970s; therefore, it is very likely that the building materials used for the  
21 on-site structures have asbestos-containing materials (ACM) or lead-based paint (LBP). It is anticipated  
22 that impacts from decommissioning would be similar to construction; however, decommissioning would  
23 not impact ACM or LBP [Final EIR/EA 4-221].

24 Finding: The Mitigation Measures Hazards-1 through Hazards-3 outlined below would reduce  
25 impacts to a less than significant level. The Mitigation Measures reflects changes or alterations that the  
26 County has required, or incorporated into the Project that would avoid or substantially lessen the  
27 potentially significant impact as identified in the EIR/EA. (CEQA Guidelines §15091(a)(l)).



1 operation and maintenance manuals. Construction Plan documents shall relate at least to the  
2 following:

- 3 1. Environmental health and safety training (including, but not limited, to training on  
4 the hazards of Valley Fever, including the symptoms, proper work procedures, how  
5 to use PPE, and informing supervisor of suspected symptoms of work-related  
6 Valley Fever)
- 7 2. Site security measures
- 8 3. Site first aid training
- 9 4. Construction testing (non-destructive examination, hydro, etc.) requirements
- 10 5. Site fire protection and extinguisher maintenance, guidance, and documentation
- 11 6. Furnishing and servicing of sanitary facilities records
- 12 7. Trash collection and disposal schedule/records
- 13 8. Disposal of hazardous materials and waste guidance in accordance with local, state,  
14 and federal regulations

15 *Timing/Implementation: During construction, decommissioning, and ground disturbing*  
16 *activities*

17 *Enforcement/Monitoring: Riverside County Planning Department*

18 Rational: With implementation of Mitigation Measures Hazards-1 and Hazards-2, impacts  
19 regarding the transport, use, and handling of hazardous materials during construction and operation of the  
20 proposed Project would be reduced to less than significant levels. [Final EIR/EA 4-233].

21 2. Located within an airport land use plan or, where such a plan has not been adopted, within  
22 two miles of a public airport or public use airport, would Alternative 3 result in a safety hazard for people  
23 residing or working in the Alternative 3 area (Impact HAZ-5): The Approved Project would be within an  
24 existing airport land use plan. However, the Approved Project was designed to minimize and avoid  
25 obstructions that would compromise safe operations at the Blythe Airport. Accordingly, impacts would be  
26 less than significant [Final EIR/EA 4-221].

1            Finding: The Mitigation Measures Noise-1 and Noise-2 outlined below would reduce impacts to a  
2 less than significant level. The Mitigation Measures reflects changes or alterations that the County has  
3 required, or incorporated into the Approved Project that would avoid or substantially lessen the potentially  
4 significant impact as identified in the EIR/EA. (CEQA Guidelines §15091(a)(1)).

5            Mitigation Measure: Implementation of Mitigation Measures Noise-1 and Noise-2 in the  
6 Mitigation Monitoring and Reporting Program would reduce the significant impacts to less than  
7 significant levels.

8            Mitigation Measure Noise-1 states:

9            Construction shall be prohibited in areas within 0.25 mile (1,320 feet) of residents, between the  
10 hours of 6:00 p.m. and 6:00 a.m. during the months of June through September, and the hours of  
11 6:00 p.m. and 7:00 a.m. during the months of October through May. During construction, best  
12 efforts should be made to locate stockpiling and/or vehicle staging areas as far as practicable from  
13 existing noise sensitive receptors (residential dwellings) nearest the Project area.

14            *Timing/Implementation: During construction, decommissioning, and ground disturbing*  
15 *activities*

16            *Enforcement/Monitoring: Riverside County Planning Department*

17            Mitigation Measure Noise-2 states:

18            Prior to and during construction, decommissioning, and ground disturbing activities, the Applicant  
19 shall provide at least two weeks advance notice of construction and decommissioning. Notices  
20 shall be mailed directly to land owners and residents within 2,400 feet of all portions of the Project  
21 boundary, and signs shall be posted at the solar facility in areas accessible to the public. Notices  
22 shall announce when and where construction would occur; provide tips on reducing noise intrusion  
23 (e.g., closing windows facing the planned construction); and provide contact information for the  
24 local public liaison for any noise complaints.

25            *Timing/Implementation: Prior to and during construction, decommissioning, and ground*  
26 *disturbing activities*

27            *Enforcement/Monitoring: Riverside County Planning Department*





1 concurrence of the land manager (e.g., stockpiling and replacing topsoil, rock replacement) in a  
2 manner that most closely matches undisturbed conditions of the area.

3 *Timing/Implementation: During construction, decommissioning, and ground disturbing*  
4 *activities*

5 *Enforcement/Monitoring: Riverside County Flood Control District*

6 Rational: Implementation of Project BMPs and Mitigation Measure Hydrology-1 would reduce  
7 impacts to water quality from sedimentation, turbidity, and oil/chemical contamination to less than  
8 significant levels [Final EIR/EA 4-261].

9 2. Substantially alter the existing drainage pattern of the site or area, including through the  
10 alteration of the course of a stream or river, in a manner which would result in substantial erosion or  
11 siltation on- or off-site (HYD-3): There are two discontinuous ephemeral channels on the Approved  
12 Project site that bisect the gen-tie line and the southern portion of the proposed solar facility site; however,  
13 Approved Project design includes buffers between Approved Project facilities and natural washes, as  
14 described in BMP-11. Although on-site grading would be minimized, the installation of proposed  
15 facilities, including roads, fencing, solar arrays, and towers along the transmission corridor, could  
16 interfere with existing drainage patterns on-site. Any necessary grading would follow existing contours to  
17 minimize alteration of existing drainage patterns (BMP-11). Erosion and sedimentation would be  
18 minimized through implementation of the Approved Project Drainage, Erosion, and Sedimentation  
19 Control Plan (BMP-1), as well as the required Approved Project SWPPP (BMP-2), and other measures as  
20 described in Mitigation Measures Hydrology-1 through Hydrology-4. Implementation of the BMPs, as  
21 part of the Approved Project, and mitigation measures would reduce these impacts to less than significant  
22 [Final EIR/EA 4-243].

23 Finding: The Mitigation Measures Hydrology-1 through Hydrology-4 outlined below would  
24 reduce impacts to a less than significant level. The Mitigation Measures reflects changes or alterations that  
25 the County has required, or incorporated into the Approved Project that would avoid or substantially  
26 lessen the potentially significant impact as identified in the EIR/EA. (CEQA Guidelines §15091(a)(1)).

1            Mitigation Measure: Implementation of Mitigation Measures Hydrology-1 through Hydrology-4 in  
2 the Mitigation Monitoring and Reporting Program would reduce the significant impacts on hydrological  
3 resources on the Approved Project site to less than significant levels.

4            See Mitigation Measure Hydrology-1 above.

5            *Timing/Implementation: During construction, decommissioning, and ground disturbing*  
6            *activities*

7            *Enforcement/Monitoring: Riverside County Flood Control District*

8            Mitigation Measure Hydrology-2 states:

9            Roads would be built as near as possible to right angles to streams and washes. Culverts would be  
10 installed where necessary and sized in accordance with local county regulations. All construction  
11 and maintenance activities shall be conducted in a manner that would minimize disturbance to  
12 vegetation and drainage channels, including ephemeral stream banks. In addition, road  
13 construction would include dust-control measures during construction especially in sensitive areas.  
14 All existing roads would be left in a condition equal to or better than their condition prior to the  
15 construction of the gen-tie line and other Approved Project components.

16            *Timing/Implementation: During construction, decommissioning, and ground disturbing*  
17            *activities*

18            *Enforcement/Monitoring: Riverside County Flood Control District*

19            Mitigation Measure Hydrology-3 states:

20            New impervious areas associated with temporary construction would be restored to existing  
21 conditions, including but not limited to revegetation and decompaction to the full extent necessary  
22 to reduce impacts to less than significant levels, after completion of Approved Project  
23 construction.

24            *Timing/Implementation: During post construction*

25            *Enforcement/Monitoring: Riverside County Flood Control District*

26            Mitigation Measure Hydrology-4 states:

1 Stormwater drainage inside substations would be designed to minimize erosion and increase  
2 sediment control. Internal runoff would be released from the switching station by means of surface  
3 drainage structures designed to filter contaminants from water flow. Drainage from Approved  
4 Project area would be collected and controlled by surface improvements, as detailed in the  
5 SWPPP.

6 *Timing/Implementation: Prior to and during construction*

7 *Enforcement/Monitoring: Riverside County Flood Control District*

8 Rational: Erosion and sedimentation would be minimized through implementation of the  
9 Approved Project Drainage, Erosion, and Sedimentation Control Plan (BMP-1), as well as the required  
10 Approved Project SWPPP (BMP-2), and other measures as described in Mitigation Measures Hydrology-  
11 1 through Hydrology-4. Implementation of the BMPs, as part of the Approved Project, and mitigation  
12 measures would be reduced to less than significant [Final EIR/EA 4-261 and 4-262].

13 3. Create or contribute runoff water which would exceed the capacity of existing or planned  
14 stormwater drainage systems or provide substantial additional sources of polluted runoff (HYD-5):  
15 Creation of new permanent access roads (both paved and unpaved) and construction of the substations,  
16 O&M buildings, and equipment pads, along with grading for installation of the solar array, would create  
17 additional sources of runoff. Likewise, grading for construction of the solar facility would potentially  
18 contribute additional sources of runoff. As part of the Approved Project BMPs discussed above, impacts  
19 related to the introduction of additional sources of polluted runoff would be minimized. The majority of  
20 the original grades and natural drainage features within the solar facility site and gen-tie line corridor  
21 would be maintained; within the substations and switching station, stormwater drainage would be  
22 designed to minimize erosion and sediment-laden runoff as well as control the flow of water leaving the  
23 property to minimize potential for erosion and flooding off-site, as described in mitigation measure  
24 Hydrology-4. Impacts would be less than significant [Final EIR/EA 4-243].

25 Finding: The Mitigation Measures Hydrology-4 outlined above would reduce impacts to a less  
26 than significant level. The Mitigation Measure reflects changes or alterations that the County has required,  
27  
28

1 or incorporated into the Approved Project that would avoid or substantially lessen the potentially  
2 significant impact as identified in the EIR/EA. (CEQA Guidelines §15091(a)(1)).

3 Mitigation Measure: Implementation of Mitigation Measure Hydrology-4 in the Mitigation  
4 Monitoring and Reporting Program would reduce the significant impacts on hydrological resources on the  
5 Approved Project site to less than significant levels.

6 See Mitigation Measure Hydrology-4 above.

7 *Timing/Implementation: Prior to and during construction*

8 *Enforcement/Monitoring: Riverside County Flood Control District*

9 Rational: Implementation of Mitigation Measure Hydrology-4 would control the flow of water  
10 leaving the property to minimize potential for erosion and flooding off-site; impacts would be reduced to  
11 less than significant levels [Final EIR/EA 4-261].

12 4. Place within a 100-year flood hazard area structures which would impede or redirect flood  
13 flows (HYD-8): The Approved Project would be on the Palo Verde Mesa, at an elevation approximately  
14 50 feet above the historic floodplain of the Colorado River (i.e., Palo Verde Valley approximately eight  
15 miles west of the current channel of the Colorado River) and would be unlikely to impede or redirect  
16 flood flows associated with the Colorado River. The Approved Project would relocate or elevate  
17 Approved Project components to avoid placing structures within the 100-year flood hazard area  
18 associated with the ephemeral drainage; gen-tie line structures that could not be relocated would be  
19 designed to withstand flood flows to minimize potential of these structures to impede or redirect flood  
20 flows. [Final EIR/EA 4-243].

21 Finding: The Mitigation Measures Hydrology-5 and Hydrology-6 outlined below would reduce  
22 impacts to a less than significant level. The Mitigation Measures reflects changes or alterations that the  
23 County has required, or incorporated into the Approved Project that would avoid or substantially lessen  
24 the potentially significant impact as identified in the EIR/EA. (CEQA Guidelines §15091(a)(1)).

25 Mitigation Measure: Implementation of Mitigation Measures Hydrology-5 and Hydrology-6 in the  
26 Mitigation Monitoring and Reporting Program would reduce the significant impacts of the Approved  
27 Project on hydrological resources to less than significant levels.

1 Mitigation Measure Hydrology-5 states:

2 All new buildings (e.g., substation) shall be flood-proofed by constructing the finished floor a  
3 minimum of 24 inches above the highest adjacent ground or 100 year water surface elevation,  
4 whichever is greater. Slope protection may be required for buildings on fill. Additionally, the solar  
5 panels shall have a minimum clearance of 24 inches above the highest adjacent ground when  
6 upright to ensure flows are not obstructed.

7 *Timing/Implementation: Prior to construction*

8 *Enforcement/Monitoring: Riverside County Flood Control District*

9 Mitigation Measure Hydrology-6 states:

10 No flow obstructing fences (chain link, block wall, etc.) shall be constructed along the north and  
11 west property lines, since these types of fences obstruct flows causing damage to adjacent  
12 properties. Fencing used in these areas shall contain openings of three inches high by six inches  
13 wide for first the 18 inches from the bottom, and openings of four inches high by six inches wide  
14 for the next eight inches and so forth. This fencing or equivalent shall be provided to allow the free  
15 flow of storm or flood runoff. No setback is required with the use of this fencing. A detail of this  
16 fencing shall be provided to the County of Riverside.

17 *Timing/Implementation: Prior to construction*

18 *Enforcement/Monitoring: Riverside County Flood Control District*

19 Rational: Implementation of Mitigation Measures Hydrology-5 and Hydrology-6 would reduce  
20 impacts associated with flood hazards and the ephemeral drainage during construction, operation,  
21 maintenance, and decommissioning to less than significant levels [Final EIR/EA 4-261 and 4-262].

22 5. Expose people or structures to a significant risk of loss, injury or death involving flooding,  
23 including flooding as a result of the failure of a levee or dam (HYD-9): The Approved Project would not  
24 be located in the vicinity of a levee or dam. Portions of the Approved Project would be located in a  
25 floodplain, such that it would expose people or structures to significant risk of loss, injury, or death  
26 involving flooding. However, with implementation of Mitigation Measures Hydrology-5 and Hydrology-6  
27 would reduce impacts during construction, operation, maintenance, and decommissioning to less than  
28

1 significant levels [Final EIR/EA 4-243].

2 Finding: The Mitigation Measures Hydrology-5 and Hydrology-6 outlined above would reduce  
3 impacts to a less than significant level. The Mitigation Measures reflects changes or alterations that the  
4 County has required, or incorporated into the Approved Project that would avoid or substantially lessen  
5 the potentially significant impact as identified in the EIR/EA. (CEQA Guidelines §15091(a)(1)).

6 Mitigation Measure: Implementation of Mitigation Measures Hydrology-5 and Hydrology-6 in the  
7 Mitigation Monitoring and Reporting Program would reduce the significant impacts of the Approved  
8 Project on hydrological resources to less than significant levels.

9 See Mitigation Measure Hydrology-5 and Hydrology-6 above.

10 *Timing/Implementation: Prior to construction*

11 *Enforcement/Monitoring: Riverside County Flood Control District*

12 Rational: Implementation of Mitigation Measures Hydrology-5 and Hydrology-6 would reduce  
13 impacts associated with flood hazards during construction, operation, maintenance, and decommissioning  
14 to less than significant levels Final EIR/EA 4-261 and 4-262].

15 6. Cause changes in absorption rates or the rate and amount of surface runoff (HYD-12): See  
16 HYD-3 and HYD-4 above. The Approved Project would cause slight changes in the absorption rates and  
17 amount of surface water to on-site or off-site drainages. [Final EIR/EA 4-245].

18 Finding: The Mitigation Measures Hydrology-3 and Hydrology-4 outlined above would reduce  
19 impacts to a less than significant level. The Mitigation Measures reflects changes or alterations that the  
20 County has required, or incorporated into the Approved Project that would avoid or substantially lessen  
21 the potentially significant impact as identified in the EIR/EA. (CEQA Guidelines §15091(a)(1)).

22 Mitigation Measure: Implementation of Mitigation Measures Hydrology-3 and Hydrology-4 in the  
23 Mitigation Monitoring and Reporting Program would reduce the significant impacts of the Approved  
24 Project on hydrological resources to less than significant levels.

25 See Mitigation Measure Hydrology-3 and Hydrology-4 above.

26 *Timing/Implementation: Prior to, during construction, and post construction*

27 *Enforcement/Monitoring: Riverside County Flood Control District*

1 Rational: Implementation of Mitigation Measures Hydrology-3 and Hydrology-4 would reduce  
2 potential impacts resulting from runoff and absorption rates to less than significant levels [Final EIR/EA  
3 4-261 and 4-262].

4 The evidence supporting these conclusions includes the discussion of these impacts in sections  
5 3.2.9 and 4.2.9 of the Final EIR/EA, and Responses to Comments 2-1, 2-2, 2-4, 7-1 through 7-4, 10-7, 10-  
6 8, 12-3, 12-9,12-10, 12-11, 12-12,12-13, 12-14, 12-20, 12-21, 12-22, 12-23, 12-24, 12-29, 12-30, 12-37,  
7 12-38, 12-44, 12-68, 12b-9, 14-13, 14-20, and 15-1.

8 **G. Noise**

9 1. Result in exposure of persons to or generation of noise levels in excess of standards  
10 established in the local general plan or noise ordinance, or applicable standards of other agencies (Impact  
11 NOI-1): Construction of the Approved Project would occur over a three-year period, and the solar facility  
12 would be developed in six-month phases with six blocks (100 acres each) constructed at a time  
13 (approximately 600 acres at a time). Construction noises associated with each phase would accordingly  
14 move when construction activities move to the next phase. Construction activities would be temporary  
15 and only intermittently affect any one location. Typical construction hours would occur between 7:00 a.m.  
16 and 6:00 p.m., which would meet the criteria for exemption under provisions of Ordinance No. 847.  
17 Anticipated construction noise levels for the closest sensitive receptor, a residence approximately 260 feet  
18 away from the Approved Project boundary, would not exceed the County's and City of Blythe's noise  
19 policy thresholds (60 dB Ldn). However, noise levels for residents within 0.25 mile would increase  
20 greater than 10 dBA Leq from the existing ambient noise level, which would result in an adverse impact.  
21 There are no sensitive receptors close to the proposed gen-tie line; therefore, no impacts would occur  
22 [Draft EIR/EA 4-289].

23 Finding: The Mitigation Measures Noise-1 through Noise-3 outlined below would reduce impacts  
24 to a less than significant level. The Mitigation Measures reflects changes or alterations that the County has  
25 required, or incorporated into the Approved Project that would avoid or substantially lessen the potentially  
26 significant impact as identified in the EIR/EA. (CEQA Guidelines §15091(a)(1)).  
27  
28

1 Mitigation Measure: Implementation of Mitigation Measures Noise-1 through Noise-3 in the  
2 Mitigation Monitoring and Reporting Program would reduce the significant impacts of the Approved  
3 Project on noise resources to less than significant levels.

4 Mitigation Measure Noise-1 states:

5 Construction shall be prohibited in areas within 0.25 mile (1,320 feet) of residents, between the  
6 hours of 6:00 p.m. and 6:00 a.m. during the months of June through September, and the hours of  
7 6:00 p.m. and 7:00 a.m. during the months of October through May. During construction, best  
8 efforts should be made to locate stockpiling and/or vehicle staging areas as far as practicable from  
9 existing noise sensitive receptors (residential dwellings) nearest the Approved Project area.

10 *Timing/Implementation: During construction, decommissioning, and ground disturbing*  
11 *activities*

12 *Enforcement/Monitoring: Riverside County Planning Department*

13 Mitigation Measure Noise-2 states:

14 Prior to and during construction, decommissioning, and ground disturbing activities, the Applicant  
15 shall provide at least two weeks advance notice of construction and decommissioning. Notices  
16 shall be mailed directly to land owners and residents within 2,400 feet of all portions of the  
17 Approved Project boundary, and signs shall be posted at the solar facility in areas accessible to the  
18 public. Notices shall announce when and where construction would occur; provide tips on  
19 reducing noise intrusion (e.g., closing windows facing the planned construction); and provide  
20 contact information for the local public liaison for any noise complaints.

21 Mitigation Measure Noise-3 states:

22 The Applicant would implement a Hearing Conservation Program and Personal Protective  
23 Equipment Program that would provide personal protective devices for specific jobs that would  
24 produce excessive noise levels. The Applicant shall comply with the OSHA regulations on  
25 occupational noise exposure.

26 *Timing/Implementation: During construction, decommissioning, and ground disturbing*  
27 *activities*



*Enforcement/Monitoring: Riverside County Planning Department*

Rational: Implementation of Mitigation Measure Noise-1 would minimize impacts to sensitive receptors and restrict construction hours to comply with Ordinance No. 847. In addition, implementation of BMP-18 and Mitigation Measure Noise-2 to notify residents within 2,400 feet of the Approved Project area would further minimize noise impacts. With implementation of Mitigation Measure Noise-3, impacts to workers that may be exposed to excessive noise levels would be reduced to less than significant levels. Impacts during operation and decommissioning would be less than significant. [Final EIR/EA 4-299].

2. Result in 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, the exposure of people residing or working in the project area to excessive noise levels (Impact NOI-4): The Approved Project would be approximately 0.5 mile from the Blythe Airport, and the Approved Project area also experiences considerable ambient noise from I-10. Construction activities from the Approved Project would potentially exceed ambient levels for residents to the north of I-10 and east of the solar facility. Also, construction personnel working close to the Blythe Airport may be exposed to elevated noise levels from aircraft. [Final EIR/EA 4-289 and 4-290].

Finding: The Mitigation Measures Noise-1 and Noise-2 outlined below would reduce impacts to a less than significant level. The Mitigation Measures reflects changes or alterations that the County has required, or incorporated into the Approved Project that would avoid or substantially lessen the potentially significant impact as identified in the EIR/EA. (CEQA Guidelines §15091(a)(1)).

Mitigation Measure: Implementation of Mitigation Measures Noise-1 and Noise-2 in the Mitigation Monitoring and Reporting Program would reduce the significant impacts of the Approved Project on noise resources to less than significant levels.

See Mitigation Measures Noise-1 and Noise-2 above.

*Timing/Implementation: During construction, decommissioning, and ground disturbing activities*

*Enforcement/Monitoring: Riverside County Planning Department*

1 Rational: With the implementation of Mitigation Measures Noise-1 and Noise-2, impacts related  
2 to excessive noise levels would be reduced to a less than significant level. [Final EIR/EA 4-299].

3 The evidence supporting these conclusions includes the discussion of these impacts in sections  
4 3.2.11 and 4.2.11 of the Final EIR/EA, and Responses to Comments 12-3, 12-65, 12a-8 and 14-20.

5 **H. Paleontological Resources**

6 1. Directly or indirectly destroy a unique paleontological resource or site or unique geologic  
7 feature (PALEO-1): Grading and excavation during site preparation would have the potential to adversely  
8 impact significant nonrenewable paleontological resources that may be present within the boundaries of  
9 the solar facility. Known and unknown sensitivity of some of the formations and paleontological  
10 resources on the solar facility necessitates a conclusion that the impact is potentially significant. The  
11 potential for discovery of unknown significant paleontological resources exists throughout the Approved  
12 Project area and therefore could not be avoided by reconfiguring the Approved Project. The  
13 implementation of a Paleontological Mitigation Program/Plan (PMP) would minimize the impact of  
14 construction-related activities. With implementation of paleontological mitigation measures for known  
15 fossil sites and unknown subsurface fossil sites, potential adverse impacts of the Approved Project on  
16 paleontological resources during construction would be reduced to less than significant (refer to  
17 Mitigation Measure Paleontology-1).

18 Excavation activities associated with construction of the 230 kV gen-tie line on previously  
19 undisturbed lands managed by the BLM could result in direct impacts to paleontological resources, which  
20 would be considered potentially significant. These resources cannot feasibly be avoided because the  
21 potential is essentially the same throughout all proposed transmission corridors. Mitigation Measures  
22 Paleontology-1 through Paleontology-3 provides recommendations to reduce impacts to paleontological  
23 resources associated with the gen-tie line to a less than significant level.

24 Unauthorized collection of fossil materials, dislodging of fossils from their preserved environment,  
25 and/or physical damage of fossil specimens could also adversely affect paleontological resources.  
26 Mitigation Measures Paleontology-2 and Paleontology-3 reduce this impact to a less than significant level.

1 No impacts to paleontological resources are anticipated during operation and maintenance  
2 activities; however, should discoveries of paleontological resources be made during the operation of the  
3 Approved Project, Mitigation Measures Paleontology-2 and Paleontology-3 would ensure that  
4 paleontological resources would be handled appropriately. Accordingly, the impact would be less than  
5 significant.

6 Decommissioning and restoration activities at the end of the Approved Project life would be less  
7 likely to impact paleontological resources or unique geologic features since it is anticipated that any such  
8 resources or features would be identified during construction. Nevertheless, in order to avoid impacts to  
9 any resources that may not have been identified during construction and operation, decommissioning  
10 activities would be subject to a selected monitoring program (as specified in Mitigation Measure  
11 Paleontology-1), consistent with local, State, and federal laws and regulations applicable at the time of  
12 decommissioning [Final EIR/EA 4-302 and 4-303].

13 Finding: The Mitigation Measures Paleontology-1 through Paleontology-3 outlined below would  
14 reduce impacts to a less than significant level. The Mitigation Measures reflects changes or alterations that  
15 the County has required, or incorporated into the Approved Project that would avoid or substantially  
16 lessen the potentially significant impact as identified in the EIR/EA. (CEQA Guidelines §15091(a)(1)).

17 Mitigation Measure: Implementation of Mitigation Measures Paleontology-1 through  
18 Paleontology-3 in the Mitigation Monitoring and Reporting Program would reduce the significant impacts  
19 on paleontological resources on the Approved Project site to less than significant levels.

20 Mitigation Measures Paleontology-1 states:

21 Prior to issuing any grading or excavation permits for activities within any area of the Approved  
22 Project area, and prior to any Approved Project-related ground-disturbing activities of that area,  
23 the Applicant shall implement procedures to monitor, avoid, and/or recover unique paleontological  
24 resources discovered during ground-disturbing activities. These procedures, the Paleontological  
25 Resources Monitoring and Mitigation Plan (PRMMP), shall be developed by a qualified vertebrate  
26 paleontologist and submitted for approval by the County of Riverside for private lands, and the  
27 BLM for BLM-managed lands. The PRMMP shall specify how mitigation measures

1 Paleontology-1, Paleontology-2, and Paleontology-3 shall be implemented. This PRMMP shall be  
2 consistent with the provisions of CEQA, as well as with regulations currently implemented by the  
3 County of Riverside, the BLM and the proposed guidelines of the Society of Vertebrate  
4 Paleontology. The PMP shall include, but not be limited to:

- 5 1) A requirement that, during excavations in areas underlain by geologic units identified as  
6 having a high paleontologic sensitivity under Society of Vertebrate Paleontology guidelines  
7 (or a Potential Fossil Yield Classification System (PFYC) rating of 3b or higher) and likely to  
8 contain paleontologic resources, a qualified vertebrate paleontologist, who is a Registered  
9 Professional Geologist, shall direct the paleontologic monitoring by a qualified paleontologic  
10 monitor. Areas of concern include all previously undisturbed paleontologic sensitive  
11 sediments of the fossiliferous Pleistocene Palo Verde Mesa Alluvium.
- 12 2) A requirement that paleontologic monitors be equipped to salvage fossils as unearthed to  
13 avoid construction delays and to remove samples of sediments likely to contain the remains of  
14 small fossil invertebrates and vertebrates. Monitors shall be empowered to temporarily halt or  
15 divert equipment to allow removal of abundant or large specimens.
- 16 3) Identification of the processes for preparation of recovered specimens to a point of  
17 identification. If the paleontologic monitor determines that the resource is unique, it shall be  
18 prepared for permanent preservation, including washing of sediments to recover small  
19 invertebrates and vertebrates.
- 20 4) A requirement that a report be prepared documenting all finds with permanent retrievable  
21 paleontologic storage for curation of specimens. The paleontologist should have a written  
22 repository agreement in hand prior to the initiation of mitigation activities. Mitigation of  
23 adverse impacts to unique paleontologic resources is not complete until such curation into an  
24 established museum repository has been fully completed and documented.
- 25 5) A requirement that a report be prepared documenting all finds with an appended itemized  
26 inventory of specimens. The report and inventory, when submitted to the County with respect  
27 to private lands, and to the BLM with respect to BLM-managed lands, along with  
28

1 confirmation of the curation of recovered unique paleontological specimens into an  
2 established, accredited museum repository, would signify completion of the PMP to mitigate  
3 impacts to paleontologic resources.

4 *Timing/Implementation: Prior to issuing any grading or excavation permits*

5 *Enforcement/Monitoring: Riverside County Planning Department*

6 Mitigation Measures Paleontology-2 states:

7 Prior to issuance of the first grading permit, a worker training program shall be prepared and  
8 include information on the recognition of the types of paleontological resources that could be  
9 encountered within the Approved Project area and referral of finds to the paleontologic monitor if  
10 they are found. This information shall be presented to Approved Project construction personnel  
11 and Approved Project operation and maintenance personnel by a qualified professional  
12 paleontologist.

13 *Timing/Implementation: Prior to issuance of the first grading permit*

14 *Enforcement/Monitoring: Riverside County Planning Department*

15 Mitigation Measures Paleontology-3 states:

16 If construction or other Approved Project personnel discover any potential fossils during  
17 construction, operation and maintenance, or decommissioning, the fossils shall be left undisturbed  
18 and the paleontological monitor shall be notified immediately and shall then take appropriate  
19 actions to evaluate the find in accordance with the PMP.

20 *Timing/Implementation: During construction, decommissioning, and ground disturbing*  
21 *activities*

22 *Enforcement/Monitoring: Riverside County Planning Department*

23 Rational: With the implementation of Mitigation Measures Paleontology-1 through Paleontology-  
24 3, impacts related paleontological resources would be reduced to a less than significant level. [Final  
25 EIR/EA 4-307 and 4-308].

26 The evidence supporting these conclusions includes the discussion of these impacts in sections  
27 3.2.12 and 4.2.12 of the Final EIR/EA, and Responses to Comments 12-3 and 14-4.

1 **I. Traffic and Transportation**

2 1. Conflict with an applicable plan, ordinance or policy establishing measures of  
3 effectiveness for the performance of the circulation system, taking into account all modes of  
4 transportation including mass transit and non-motorized travel and relevant components of the circulation  
5 system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle  
6 paths, and mass transit (Impact TRA-1): The Approved Project would not conflict with the Riverside  
7 County Congestion Management Plan (CMP), Regional Comprehensive Plan and Regional  
8 Transportation Plan (RTP), County of Riverside General Plan, and City of Blythe General Plan in regards  
9 to applicable plans, ordinances, or policies establishing measures of effectiveness for the performance of  
10 the circulation system. With construction of the Approved Project, I-10 would operate at Level of Service  
11 (LOS) C and all study intersections would operate at LOS B or C, which does not exceed the thresholds  
12 established in the aforementioned plans. Implementation of BMPs -4, -5, -14, and -15 would minimize  
13 impacts to transportation and traffic. Implementation of Mitigation Measures Traffic-1 through Traffic-3  
14 would reduce impacts to less than significant. The operational Approved Project impacts are expected to  
15 be nominal. Approved Project construction and decommissioning would not have long-term significant  
16 traffic impacts on the transportation network, since construction- and decommissioning-related impacts  
17 are considered temporary [Final EIR/EA 3-354].

18 Finding: The Mitigation Measures Traffic-1 through Traffic-3 outlined below would reduce  
19 impacts to a less than significant level. The Mitigation Measures reflects changes or alterations that the  
20 County has required, or incorporated into the Approved Project that would avoid or substantially lessen  
21 the potentially significant impact as identified in the EIR/EA. (CEQA Guidelines §15091(a)(1)).

22 Mitigation Measure: Implementation of Mitigation Measures Traffic-1 through Traffic-3 in the  
23 Mitigation Monitoring and Reporting Program would reduce the significant impacts of the Approved  
24 Project on transportation resources to less than significant levels.

25 Mitigation Measure Traffic-1 states:

26 A construction phase Traffic Management Plan would be prepared in consultation with Caltrans  
27 and Riverside County for the roadway network potentially affected by construction activities at the

1 Approved Project (including the gen-tie line facilities). In order to achieve acceptable LOS, the  
2 Traffic Management Plan would include a plan to split the workforce and stagger arrival times  
3 during peak construction periods along with a traffic LOS and queue monitoring program, as  
4 determined necessary by the County's Transportation Department staff. The plan would be based  
5 upon the analysis set forth in the Final EIR/EA. Carpooling shall also be required of contractor  
6 employees during the construction phase to help achieve acceptable LOS levels. In addition to the  
7 above-mentioned measures, other approaches could be considered to reduce peak hour traffic,  
8 such as requiring contractors to arrange employee busing and/or employee participation in park  
9 and ride.

10 *Timing/Implementation: Prior to construction*

11 *Enforcement/Monitoring: Riverside County Transportation Department and Caltrans*

12 Mitigation Measure Traffic-2 states:

13 The contractor would conduct construction activities in accordance with Caltrans' applicable  
14 limitations on vehicle sizes and weights, Construction Excavation Permits obtained from  
15 Riverside County, Encroachment Permits from Caltrans, and permits and licenses from the  
16 California Highway Patrol and Caltrans for the transport of hazardous substances.

17 *Timing/Implementation: During construction, decommissioning, and ground disturbing*  
18 *activities*

19 *Enforcement/Monitoring: Riverside County Transportation Department*

20 Mitigation Measures Traffic-3 states:

21 Construction traffic coordination shall be required to address potential cumulative traffic issues  
22 associated with concurrent construction of several large projects with large workforces,  
23 approximately from 2013 through 2015. The Applicant shall coordinate construction traffic with  
24 applicable traffic management (e.g., Caltrans, Riverside County, and City of Blythe) as well as  
25 BLM representatives, as determined appropriate and necessary by the listed agencies. The  
26 Applicant shall also coordinate construction traffic with other proponents of renewable energy  
27 projects in the I-10 corridor. Cumulatively considerable projects shall be identified and the

1 appropriate staggered arrival times or other approaches (such as busing, park and ride, or  
2 carpooling) will be prescribed to achieve an acceptable LOS.

3 *Timing/Implementation: During construction, decommissioning, and ground disturbing*  
4 *activities*

5 *Enforcement/Monitoring: Riverside County Transportation Department*

6 Rational: With the implementation of Mitigation Measures Traffic-1 through Traffic-3, impacts  
7 related paleontological resources would be reduced to a less than significant level. [Final EIR/EA 4-382  
8 and 4-383].

9 The evidence supporting these conclusions includes the discussion of these impacts in sections  
10 3.2.15 and 4.2.15 of the Final EIR/EA, and Responses to Comments 12-3.

#### 11 SECTION IV

#### 12 FINDINGS REGARDING CUMULATIVE ENVIRONMENTAL IMPACTS

13 Pursuant to section 15130(a) of the CEQA Guidelines, cumulative impacts of a project shall be  
14 discussed when they are “cumulatively considerable,” as defined in section 15065(a)(3) of the CEQA  
15 Guidelines. Cumulatively considerable “means that the incremental effects of an individual project are  
16 significant when viewed in connection with the effects of past projects, the effects of other current  
17 projects and the effects of probable future projects.” (CEQA Guidelines§15065(a)(3)).

18 Each topical environmental analysis section of the EIR/EA, and each discussion of impacts set  
19 forth above, assesses cumulative impacts applicable to each environmental issue, and does so to a degree  
20 that reflects each impact’s severity and likelihood of occurrence. With implementation of the existing  
21 regulations, Standard Conditions that the County imposes on development/construction projects within  
22 the County, the specific Best Management Practices and other project design features discussed in the  
23 EIR/EA, and the Mitigation Measures set forth in the MMRP for the Approved Project, the Approved  
24 Project’s contribution to cumulative impacts relative to each applicable environmental issue area, is less  
25 than considerable.

#### 26 SECTION V

#### 27 FINDINGS REGARDING GROWTH-INDUCING IMPACTS



1 Pursuant to Sections 15126(d) and 15126.2(d) of the CEQA Guidelines, the County has examined  
2 the ways in which the Approved Project could foster economic or population growth or the construction  
3 of additional development, either directly or indirectly, in the surrounding environment.

4 Growth-inducing effects are not necessarily beneficial, detrimental, or of little significance to the  
5 environment. This issue is presented to provide additional information on ways in which the Approved  
6 Project could contribute to significant changes in the environment beyond the direct consequences of  
7 implementing the Approved Project.

8 After completion of construction, operation of the solar facility would require 12 full-time  
9 personnel. As noted in the discussion of population and housing impacts in Chapter 4, of the EIR/EA,  
10 construction of the solar facility and 230 kilovolt (kV) gen-tie line is anticipated to occur over a three-year  
11 period, of which peak construction would occur over two years and require approximately 500 daily  
12 workers present on the site. After completion of construction, operation of the solar facility would require  
13 12 full-time personnel. This population increase during construction would be temporary and is not  
14 projected to create a need for additional housing. The Approved Project is located mostly within an  
15 unincorporated area of Riverside County, with a small part in the City of Blythe, and does not involve the  
16 development of a residential component that would result in direct population growth in the area.  
17 Additionally, the Approved Project would not involve the development of any new roadways, water  
18 systems, or sewer systems other than those designed specifically to serve the Approved Project.  
19 Infrastructure improvements to serve the Approved Project would be limited and would not be available  
20 to serve surrounding areas. As such, the Approved Project would not induce substantial population  
21 growth in the area [Final EIR/EA 5-2].

22 The County finds that the Approved Project would not induce growth for the following reasons:

- 23 1. The additional energy would be used to ease the burdens of meeting existing energy  
24 demands within and beyond the area of the Approved Project;
- 25 2. The energy would be used to support already-projected growth;
- 26 3. The energy produced would be used to offset the use of fossil fuels to meet California's  
27 Renewable Portfolio Standard and Executive Order S-14-08; and

