

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



**ITEM: 1.2
(ID # 14805)**

MEETING DATE:

Tuesday, March 30, 2021

FROM: TLMA-PLANNING:

SUBJECT: TRANSPORTATION AND LAND MANAGEMENT AGENCY/PLANNING: RECEIVE AND FILE THE PLANNING COMMISSION'S APPROVAL OF COMMERCIAL WECS PERMIT NO. 71, REVISED PERMIT NO. 10 / VARIANCE CASE NO. 200001 and ADOPTION OF A MITIGATED NEGATIVE DECLARATION for CEQ200004 – Applicant: AM Wind Repower, LLC – Jonathan Kirby: Aspen Environmental Group, Vida Strong - Fifth Supervisorial District – Western Coachella Valley Area Plan – Open Space: Rural (OS:RUR) – Zoning: Wind Energy (W-E) – 640-Acres – Location: The site is located in the unincorporated community of Whitewater Canyon, more specifically north of Interstate 10/Tamarack Road, east of Haugen-Lehmann Way, and west of Whitewater Canyon Road – REQUEST: Commercial WECS Permit No. 71, Revised Permit No. 10 proposes to install up to seven (7) new commercial wind turbines up to 499 feet in height with a total project generating capacity of 27 MW. These 7 new turbines would replace the 159 turbines currently on the site which are scheduled for decommission in Q1 2021 under existing WECS permits, including demolition permits issued by the County. The project also includes associated equipment such as existing on-site substation, temporary construction yard, new meteorological tower, and existing 220 kV transmission line. No work is proposed on existing interconnection line, and the project would use an existing access road from Haugen-Lehmann Way. Variance Case No. 200001 proposes to eliminate the safety setbacks in accordance with Zoning Ordinance No. 348 along the western and northern lot lines from 1.1 times turbine height (549-feet) to 0-feet for wind turbines T-1, T-2A, and T-3A in a rural remote area. APN's 516-020-001; 516-020-002. District 5. [100% Applicant Funds]

RECOMMENDED MOTION: That the Board of Supervisors:

1. **RECEIVE AND FILE** the Notice of Decision for the above referenced case acted on by the Planning Commission on March 3, 2021, in Riverside.


ACTION: Consent


John Hildebrand, Planning Director 3/23/2021

MINUTES OF THE BOARD OF SUPERVISORS

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

Ayes: Jeffries, Spiegel, Washington, Perez, and Hewitt
Nays: None
Absent: None
Date: March 30, 2021
xc: Planning

Kecia R. Harper
Clerk of the Board
By: 
Deputy

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

FINANCIAL DATA	Current Fiscal Year:	Next Fiscal Year:	Total Cost:	Ongoing Cost
COST	\$ N/A	\$ N/A	\$ N/A	\$ N/A
NET COUNTY COST	\$ N/A	\$ N/A	\$ N/A	\$ N/A
SOURCE OF FUNDS: Applicant Fees 100%			Budget Adjustment: No	
			For Fiscal Year: 20/21	

C.E.O. RECOMMENDATION: Approve

BACKGROUND:

Summary

Commercial WECS Permit No. 71, Revised Permit No. 10 proposes to install up to seven (7) new commercial wind turbines up to 499 feet in height with a total project generating capacity of 27 MW. These 7 new turbines would replace the 159 turbines currently on the site which are scheduled for decommissioning Q1 2021 under existing WECS permits, including demolition permits issued by the County. The project also includes associated equipment such as existing on-site substation, temporary construction yard, new meteorological tower, and existing 220 kV transmission line. No work is proposed on existing interconnection line, and the project would use an existing access road from Haugen-Lehmann Way. Variance Case No. 200001 proposes to eliminate the safety setbacks in accordance with Zoning Ordinance No. 348 along the western and northern lot lines from 1.1 times turbine height (549-feet) to 0-feet for wind turbines T-1, T-2A, and T-3A in a rural remote area.

Commercial WECS Permit No. 71, Revised Permit No. 10 and Variance Case No. 200001 were unanimously approved at the March 3, 2021 Planning Commission hearing, in Riverside, by a vote of 5-0. Planning staff and the Applicant presented the project at the hearing. Three members of the public spoke, 1-spoke in favor, 2-spoke in opposition at the hearing. Public comments were acknowledged and addressed at the hearing including as outlined in the attached Planning Commission Memorandum.

Board Action

The Planning Commission's decision is final and no action by the Board of Supervisors is required unless the Board assumes jurisdiction by ordering the matter set for a future noticed public hearing, or the applicant or an interested person files a complete appeal application within 10 days of this notice appearing on the Board's agenda.

Impact on Residents and Businesses

The impacts of this Project have been evaluated through the discretionary review process through the Planning Department and the Project approval by the Planning Commission at the March 3, 2021, public hearing.

ATTACHMENTS:

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

- A. Planning Commission Report of Actions
- B. Planning Commission Memorandum
- C. Planning Commission Staff Report


Jason Farin, Principal Management Analyst 3/23/2021



**PLANNING COMMISSION HEARING
REPORT OF ACTIONS
MARCH 3, 2021**

1.0 CONSENT CALENDAR

1.1 ADOPTION OF THE REVISED 2021 PLANNING COMMISSION CALENDAR – Changing the meeting location and start time for the March 24, 2021 from the desert area to be heard at 9:30 a.m. to Riverside at 9:00 a.m. to be heard on the First Floor Board Chambers in the County Administration Center. **ADOPTED** the Revised 2021 Planning Commission Calendar.

1.2 GENERAL VACATION and TERMINATION of MAINTENANCE of portions of Leon Road in the French Valley Area – Applicant: County of Riverside Transportation Department – Third Supervisorial District – Southwest Area Plan – Location: Leon Road in French Valley – **REQUEST:** The Transportation Department is proposing to vacate and terminate the maintenance of portions of Leon Road, pursuant to County of Riverside policies and procedures. Project Planner: Chris Trinidad at (951) 955-8116 or email at ctrinida@rivco.org. **APPROVED** the Transportation Department to Vacate and Terminate the maintenance of portions of Leon Road in the French Valley Area.

**2.0 GENERAL PLAN AMENDMENT INITIATION PROCEEDINGS
NONE**

**3.0 PUBLIC HEARINGS – CONTINUED ITEMS:
NONE**

4.0 PUBLIC HEARINGS – NEW ITEMS:

4.1 CONDITIONAL USE PERMIT NO. 190058 and DEVELOPMENT AGREEMENT NO. 1900049 – Exempt from the California Environmental Quality Act (CEQA), pursuant to State CEQA Guidelines Section 15061 (b)(3) (Common Sense), Section 15301 (Existing Facilities), and Section 15303 (New Construction or Conversion of Small Structures) – CEQ190153 – Applicant: Kappkush, Inc. – Fourth Supervisorial District – Thousand Palms District – Western Coachella Valley Area Plan: Light Industrial (LI) (0.25 - 0.60 FAR) – Location: Northerly of Watt Court, easterly of Rio Del Sol Road, southerly of 30th Avenue, and westerly of Roberts Road – 1.28 Acres – Zoning: Manufacturing – Service Commercial (M-SC) – **REQUEST:** Conditional Use Permit No. 190058 proposes to occupy an existing facility to be utilized for a microbusiness use. Development Agreement No. 1900049, is a proposal whereby the applicant enters into a development agreement with the County of Riverside, consistent with the County's Cannabis Ordinance, and it includes terms for providing a community benefit to the Western Coachella Valley Area. APN: 650-380-008. Project Planner: Mina Morgan at (951) 955-6035 or email at mimorgan@rivco.org. **Planning Commission Action:** Public Comments: Closed By a vote of 5-0 The Planning Commission Recommends that the Board of Supervisors take the following actions: **FIND** the project exempt from the California Environmental Quality Act (CEQA); and, **TENTATIVELY** Approve Development Agreement No. 1900049; and, **APPROVE** Conditional Use Permit No. 190058, subject to the conditions of approval.

4.2 COMMERCIAL WECS PERMIT NO. 71, REVISED PERMIT NO. 10, and VARIANCE CASE NO. 200001 – Intent to Adopt a Mitigated Negative Declaration – CEQ200004 – Applicant: Alta Mesa Wind Repower, LLC/Jonathan Kirby - Representative: Aspen Environmental Group/Vida Strong – Fifth Supervisorial District – Western Coachella Valley Area Plan – Open Space: Rural (OS-RUR) – Zoning: Wind Energy (W-E) – 640 Acres – Location: The site is located in the unincorporated community of Whitewater Canyon, more specifically northerly of Interstate 10/Tamarack Road, easterly of Haugen-Lehmann Way, and westerly of Whitewater Canyon Road – **REQUEST:** Commercial WECS Permit No. 71, Revised Permit No. 10 proposes to install up to seven (7) new commercial wind turbines up to 499 feet in height with a total project generating capacity of 27 MW. These seven (7) new turbines would replace the 159 turbines currently on the site which **Planning Commission Action:** Public Comments: Closed By a vote of 5-0 **ADOPTED** a Mitigated Negative Declaration for CEQ No. 200004; and, **APPROVED** Variance Case No. 200001; and, **APPROVED** Commercial WECS Permit No. 71, Revised Permit No. 10, subject to the conditions of approval.



**PLANNING COMMISSION HEARING
REPORT OF ACTIONS
MARCH 3, 2021**

are scheduled for decommissioning early 2021 under existing WECS permits, including demolition permits issued by the County. The project also includes associated equipment such as existing on-site substation, temporary construction yard, new meteorological tower, and existing 220 kV transmission line. No work is proposed on existing interconnection line, and the project would use an existing access road from Haugen-Lehmann Way. Variance Case No. 200001 proposes to eliminate the safety setbacks in accordance with Zoning Ordinance No. 348 along the western and northern lot lines from 1.1 times turbine height (549-foot) to 0-feet for wind turbines T-1, T-2A, and T-3A in a rural remote area. APN's 516-020-001 and 516-020-002. Project Planner: Jay Olivas at (760) 863-7050 or email at jolivas@rivco.org.

5.0 WORKSHOP:

NONE

6.0 ORAL COMMUNICATION ON ANY MATTER NOT ON THE AGENDA

7.0 DIRECTOR'S REPORT

8.0 COMMISSIONER'S COMMENTS

DRAFT



RIVERSIDE COUNTY
PLANNING DEPARTMENT

Memorandum

DATE: March 3, 2021
TO: Planning Commission
FROM: Jay Olivas, Project Planner
RE: Item 4.2 -- WCS00071R10 / VAR200001

Planning Commission:

Please see the attached response to comments from Aspen Environmental addressing the Pacific Crest Trail Association letters dated March 1, and March 2, 2021.

Y:\Planning Case Files-Riverside office\WCS00071R10\DH-PC BOS\PC Memo 3-3-2021.docx

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

Desert Office • 77588 El Duna Court
Palm Desert, California 92211
(760) 863-8277 • Fax (760) 863-7555

"Planning Our Future... Preserving Our Past"

Baez, Ken

From: Vida Strong <Vstrong@aspeneq.com>
Sent: Tuesday, March 2, 2021 7:32 PM
To: Baez, Ken
Cc: Olivas, Jay; Gursoy, Berk
Subject: RE: PCT Letters
Attachments: WCS00071R10 Alta Mesa EA-IS_Final - 03-02-21_To RivCo.pdf; Alta Mesa EA-IS Response Matrix_expanded-030221.docx

Hi Ken and Jay,

Please consider the following. Correct EA-IS and RTC attached as well.

“Under CEQA, the basic premise for analyzing the impact of a new project is how that new project compares against the existing environmental setting. In this case, the proposed Alta Mesa Wind Project repower would replace 159 existing turbines with 7 new turbines. Also, from a cumulative impact perspective, the proposed Mesa Wind Project Repower would replace an additional 460 existing turbines with 8 new turbines. Further, the existing environmental setting must consider the other development with Coachella Valley that is viewed from the Pacific Crest Trail which includes urbanized residential and commercial areas, as well as other wind developments and Interstate 10, and the night lighting that these land uses contribute. Based on the existing environmental setting, it was concluded that the proposed Project would not result in a significant impact. Additional KOPs from the Pacific Crest Trail would not change the relative comparison of the proposed and cumulative projects against the existing setting.

The commenter also raises the concern that the construction activities would impact the users of the PCT. As noted in the previous response “the proposed Project construction would not utilize Gold Canyon Road, but rather the access road to the south. As shown on revised Figure 2a, the use of this southern access road would not interfere with the PCT.” Further, for this reason, the commenter also requested that the BLM visual resource management (VRM) standards be applied to the proposed Project and as the previous response provided, this is not a requirement under CEQA. However, a VRM analysis was conducted by the BLM for the adjacent Mesa Wind Project Repower Environmental Assessment. This VRM assessment concluded the following for the PCT:

“The resulting overall visual change would be low-to-moderate. As a result of the existing developed context of the site, the existing character of the landscape would be retained and the WTGs would not substantially degrade the existing visual character and quality of the landscape as viewed from KOP 4 and similar locations along the PCT. Rather, the resulting visual effect would be somewhat beneficial in its reduction of the existing industrial character and built structural complexity. In this context, the low-to-moderate level of change would be appropriate for VRM Class IV management objectives that apply to the footprint of the Proposed Action.”

We apologize for the misuse of “coast” instead of “crest” in a two instances and corrections have been made to the Final EA-IS and Response to Comment document.

Thank you for your feedback on the proposed Project.”



Vida Strong

Env. Compliance Manager
Senior Env. Engineer
www.aspeneg.com

5020 Chesebro Rd., Suite 200
Agoura Hills, CA 91301
Office/Cell: 805-682-2615



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From: Baez, Ken <KBAEZ@RIVCO.ORG>
Sent: Tuesday, March 2, 2021 6:38 PM
To: Vida Strong <Vstrong@aspeneg.com>
Cc: Olivias, Jay <JOLIVAS@RIVCO.ORG>
Subject: PCT Letters

Can you prepare a response to the PCT comments, so that we can incorporate to the Planning Commission hearing via memo?

Ken Baez
Principal Planner
5th Supervisorial District, and MSHCP Consistency
Planning Department, County Of Riverside
4080 Lemon Street, 12th Floor
Riverside, California 92501
(951) 955-2009
kbaez@rivco.org



PLANNING DEPARTMENT

TOGETHER. Everybody Counts!



How are we doing? [Click the link to tell us](#)



RIVERSIDE COUNTY PLANNING DEPARTMENT

9:00 A.M.

MARCH 3, 2021

**Planning
Commissioners
2021**

1st District
Carl Bruce
Shaffer
Chairman

2nd District
David Leonard
Vice-Chairman

3rd District
Gary Thornhill

4th District
Bill Sanchez

5th District
Eric Kroencke

**Assistant TLMA
Director**
Charissa Leach,
P.E.

Legal Counsel
Michelle Clack
Chief Deputy
County Counsel

AGENDA
REGULAR MEETING
RIVERSIDE COUNTY PLANNING COMMISSION
COUNTY ADMINISTRATIVE CENTER
First Floor Board Chambers
4080 Lemon Street, Riverside, CA 92501
<https://planning.rctlma.org/>

Pursuant to Government Code Section 54953(b) and Executive Order N-25-20, this meeting will be conducted by teleconference and at the place of hearing, as listed above. Public access to the meeting location will be limited to comply with the Executive Order. Public Comments will be accepted remotely via teleconference.

Any person wishing to speak must complete a "Speaker Identification Form" at least 24 hours in advance. To submit your request to speak remotely please visit: planning.rctlma.org/Speak and complete the electronic form. You will receive an email confirming your request that will provide further instructions. Additional information is available on the Planning Department website.

Any person wishing to make a presentation that includes printed material, video or another form of electronic media must provide the material to the Project Planner at least 48 hours prior to the meeting.

In compliance with the Americans with Disabilities Act, if you require reasonable accommodations please contact Elizabeth Sarabia, TLMA Commission Secretary, at (951) 955-7436 or email at esarabia@rivco.org. Requests should be made at least 72 hours prior to the scheduled meeting.

CALL TO ORDER:

SALUTE TO THE FLAG
ROLL CALL

- 1.0 **CONSENT CALENDAR: 9:00 a.m. or as soon as possible thereafter (Presentation available upon Commissioners' request)**
- 1.1 **ADOPTION OF THE REVISED 2021 PLANNING COMMISSION CALENDAR** – Changing the meeting location and start time for the March 24, 2021 from the desert area to be heard at 9:30 a.m. to Riverside at 9:00 a.m. to be heard on the First Floor Board Chambers in the County Administration Center.
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- 2.0 **GENERAL PLAN AMENDMENT INITIATION PROCEEDINGS: 9:00 a.m. or as soon as possible thereafter (Presentation available upon Commissioners' request)**
- NONE**
- 3.0 **PUBLIC HEARING – CONTINUED ITEMS: 9:00 a.m. or as soon as possible thereafter**
- NONE**

4.0 PUBLIC HEARING – NEW ITEMS: 9:00 a.m. or as soon as possible thereafter

4.1 CONDITIONAL USE PERMIT NO. 190058 and DEVELOPMENT AGREEMENT NO. 1900049 – Exempt from the California Environmental Quality Act (CEQA), pursuant to State CEQA Guidelines Section 15061 (b)(3) (Common Sense), Section 15301 (Existing Facilities), and Section 15303 (New Construction or Conversion of Small Structures) – CEQ190153 – Applicant: Kappkush, Inc. – Fourth Supervisorial District – Thousand Palms District – Western Coachella Valley Area Plan: Light Industrial (LI) (0.25 - 0.60 FAR) – Location: Northerly of Watt Court, easterly of Rio Del Sol Road, southerly of 30th Avenue, and westerly of Roberts Road – 1.28 Acres – Zoning: Manufacturing – Service Commercial (M-SC) – REQUEST: Conditional Use Permit No. 190058 proposes to occupy an existing facility to be utalized for a microbusiness use. Development Agreement No. 1900049, is a proposal whereby the applicant enters into a development agreement with the County of Riverside, consistent with the County's Cannabis Ordinance, and it includeds terms for providing a community benefit to the Western Coachella Valley Area. APN: 650-380-008. Project Planner: Mina Morgan at (951) 955-6035 or email at mimorgan@rivco.org.

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5.0 WORKSHOPS:

NONE

6.0 RIVERSIDE COUNTY ADVISORY REDISTRICTING COMMISSION

NONE

7.0 ORAL COMMUNICATION ON ANY MATTER NOT ON THE AGENDA

8.0 PLANNING DIRECTOR'S REPORT

9.0 PLANNING COMMISSIONERS' COMMENTS

2021 PLANNING COMMISSION CALENDAR

Wednesdays at 9:00 a.m. on the dates and location noted below (unless noted)

Riverside: County Administration Center, Board Chambers 1st floor, 4080 Lemon Street

Desert/Other: Location TBD (9:30 a.m.)

No Meeting: Dark

Holidays: Closed

1.1

January						
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Review the agenda prior to meeting date to confirm the time and location. The meeting dates, times, and locations are subject to change.



**COUNTY OF RIVERSIDE
PLANNING DEPARTMENT
STAFF REPORT**

Agenda Item No.

1.2

Planning Commission Meeting: March 03, 2021

PROPOSED PROJECT

Subject: General Vacation and Termination of Maintenance of portions of Leon Road in the French Valley area.

Applicant: County of Riverside
Transportation Department

Area Plan: Southwest

Zoning Area/District: Rancho California Area

Supervisory District: Third District

Project Planner: Chris Trinidad

Project APN(s): 480-170-014, -100-061, & -220-036


John Hildebrand
TLMA Deputy Director-Planning

PROJECT DESCRIPTION AND LOCATION

General Vacation and Termination of Maintenance of portions of Leon Road in the French Valley area.

PROJECT RECOMMENDATION

STAFF RECOMMENDATIONS:

THAT THE PLANNING COMMISSION RECOMMEND THE FOLLOWING:

That the Transportation Department moves forward with the process to vacate and terminate maintenance of portions of Leon Road pursuant to County of Riverside policies and procedures.

PROJECT DATA

Land Use and Zoning:

Specific Plan:	Dutch Village #106, Area 18a
Specific Plan Land Use:	CR/LI/MDR/OS-C
Existing General Plan Foundation Component:	Community Development
Proposed General Plan Foundation Component:	N/A
Existing General Plan Land Use Designation:	Commercial Retail
Proposed General Plan Land Use Designation:	N/A
Policy / Overlay Area:	N/A
Surrounding General Plan Land Uses	

Subject: Vacation and Termination of Maintenance of portions of Leon Road in the French Valley area.

Planning Commission Staff Report: March 03, 2021

Page 2 of 4

North:	Medium Density Residential
East:	Light Industrial
South:	Commercial Retail and City of Murrieta
West:	Medium Density Residential
Existing Zoning Classification:	A-1-10/C-P-S/I-P
Proposed Zoning Classification:	N/A
Surrounding Zoning Classifications	
North:	MDR
East:	I-P/C-P-S
South:	SP/C-P-S/City of Murrieta
West:	French Valley SP (P.A1 P.A7)
Existing Use:	Vacant
Surrounding Uses	
North:	Single-family residences
South:	Vacant
East:	Vacant
West:	Single-family residences and vacant

Located Within:

City's Sphere of Influence:	Murrieta
Community Service Area (CSA):	N/A
Special Flood Hazard Zone:	7
Agricultural Preserve:	Winchester No. 7 Map No. 670
Liquefaction Area:	Low
Subsidence Area:	Yes – Susceptible
Fault Zone:	No
Fire Zone:	Moderate
Mount Palomar Observatory Lighting Zone:	Yes – B
WRCMSHCP Criteria Cell:	Western Riverside County
CVMSHCP Conservation Boundary:	N/A
Stephens Kangaroo Rat (SKR) Fee Area:	Yes
Airport Influence Area (AIA):	French Valley

PROJECT LOCATION MAP

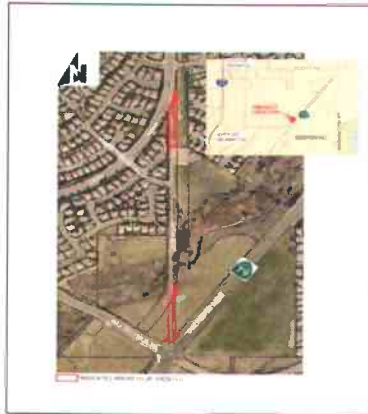


Figure 1: Project Location Map

PROJECT BACKGROUND AND ANALYSIS

Background:

Leon Road has been realigned southerly of Lantana Road in the Winchester area. The County of Riverside Transportation Department proposes to vacate and terminate maintenance of the portions of the superseded alignment that is no longer needed for circulation. Some portions of superseded Leon Road are still needed for access and circulation in the area and will not be vacated. Eastern Municipal Water District (EMWD) owns and operates a booster station along Leon Road and operates and maintains pipelines within Leon Road. The vacation preserves access to EMWD's facility and the resolution to vacate and terminate maintenance will reserve an easement for any existing public utilities and public service facilities. EMWD has reviewed the vacation and has no objections. Once County maintenance is terminated, weed abatement maintenance will be the responsibility of the abutting property owners. There are four (4) property owners abutting these portions of Leon Road. One of abutting property owners is Valley-Wide Recreation and Park District (Valley-Wide). Valley-Wide has expressed concerns over initial the cost to improve this property to Valley-Wide standards and the ongoing cost of maintenance. The Transportation Department recognizes Valley-Wide's concerns and has agreed to pay the initial cost to improve the property to Valley-Wide standards in exchange for Valley-Wide maintaining the final product in perpetuity. Upon approval of the vacation and termination of maintenance by the Board of Supervisors the Transportation Department and Valley-Wide will enter into an agreement to memorialize the terms. The other three (3) property owners abutting the portions of Leon Road proposed to be vacated were notified of the County's anticipation of their expected and ongoing maintenance responsibility. Staff received no objections to this expectation. The Transportation Department has removed the asphalt road surface over the portions proposed to be vacated at the request of the property owners.

No access will be eliminated to any parcel. Cal Fire and Riverside County Flood Control have reviewed the proposed vacation and have no objections.

Subject: Vacation and Termination of Maintenance of portions of Leon Road in the French Valley area.

Planning Commission Staff Report: March 03, 2021

Page 4 of 4

Riverside County Resolution No. 85-330 (Procedures to Vacate and Accept County Highways and Property Offered for Dedication) requires the Planning Commission to make a recommendation to the Board of Supervisors on proposed vacations. This staff report and recommendation will be provided to the Road Commissioner for further processing in accordance with County policies and procedures.

ENVIRONMENTAL REVIEW / ENVIRONMENTAL FINDINGS

The vacation of portions of Leon Road are not subject to CEQA pursuant to State CEQA Guidelines Section 15060 (c) (2) as it will not result in a direct or reasonably foreseeable indirect physical change in the environment.

The action to vacate and terminate maintenance of portions of a road will have no physical impact on the environment.

PUBLIC HEARING NOTIFICATION AND COMMUNITY OUTREACH

Adjacent property owners will be notified of this public hearing by mail.

Resolution No. 85-330 provides that the Planning Commission shall hold an informal hearing (without notice or publication) on the proposed vacation but may receive comments from any interested party.

EXHIBIT "A"
GENERAL VACATION AND TERMINATION OF MAINTENANCE
OF PORTIONS OF LEON ROAD
LEGAL DESCRIPTION

THOSE PORTIONS OF LEON ROAD ADOPTED AS A COUNTY MAINTAINED PUBLIC ROAD BY BOARD RESOLUTION DATED FEBRUARY 24, 1948, ON FILE IN SUPERVISOR'S MINUTES BOOK 40, PAGES 238 THROUGH 240, INCLUSIVE, AS SHOWN THEREIN (NO WIDTH GIVEN); AS DESCRIBED BY CERTIFICATES OF DEDICATION RECORDED JUNE 27, 1972, AS INSTRUMENT NUMBERS 84465 AND 84466 (50.00 FOOT EASTERLY HALF-WIDTH) OFFICIAL RECORDS OF THE RECORDER OF RIVERSIDE COUNTY, CALIFORNIA; DEDICATED AS LOT "A" (50.00 FOOT EASTERLY HALF-WIDTH) BY TRACT NO. 29675-1 ON FILE IN BOOK 336, PAGES 94 THROUGH 99, INCLUSIVE, OF MAPS, RECORDS OF SAID RECORDER; DEDICATED AS LOT "L" (20.00 FOOT WESTERLY HALF-WIDTH) BY TRACT NO. 30694 ON FILE IN BOOK 408, PAGES 99 THROUGH 112, INCLUSIVE, OF MAPS, RECORDS OF SAID RECORDER, LYING WITHIN SECTIONS 31 AND 32, TOWNSHIP 6 SOUTH, RANGE 2 WEST, SAN BERNARDINO MERIDIAN, DESCRIBED AS FOLLOWS:

PARCEL "A"

ALL OF SAID LEON ROAD LYING NORTHERLY OF THE SOUTHERLY LINE OF SAID LOT "A" AND THE WESTERLY PROLONGATION THEREOF, AND LYING SOUTHERLY OF THE EASTERLY/SOUTHEASTERLY RIGHT-OF-WAY LINE OF LEON ROAD (59.00 FOOT EASTERLY/SOUTHEASTERLY HALF-WIDTH) AS DESCRIBED BY DOCUMENT NUMBER 2005-1029103, RECORDED DECEMBER 14, 2005, SAID OFFICIAL RECORDS, AND THE NORTHEASTERLY/NORTHERLY PROLONGATION THEREOF.

PARCEL "B"

ALL OF SAID LEON ROAD LYING NORTHERLY OF THE NORTHWESTERLY LINE OF PARCEL 21114-1 AS DESCRIBED BY DOCUMENT NUMBER 2010-0089364, RECORDED FEBRUARY 26, 2010, SAID OFFICIAL RECORDS, AND THE SOUTHWESTERLY PROLONGATION THEREOF, AND LYING SOUTHERLY OF THE EASTERLY/SOUTHEASTERLY RIGHT-OF-WAY LINE OF LEON ROAD (50.00 FOOT EASTERLY/SOUTHEASTERLY HALF-WIDTH) SHOWN AS LOT "G" BY PARCEL MAP NO. 16557, ON FILE IN BOOK 95, PAGES 58 THROUGH 61, INCLUSIVE, OF PARCEL MAPS, RECORDS OF SAID RECORDER, AND THE NORTHEASTERLY/NORTHERLY PROLONGATION THEREOF.

EXHIBIT "A"
GENERAL VACATION AND TERMINATION OF MAINTENANCE
OF PORTIONS OF LEON ROAD
LEGAL DESCRIPTION

EXHIBIT "B" PLAT, ATTACHED AND BY THIS REFERENCE MADE A PART HEREOF.

PREPARED UNDER MY SUPERVISION:



PAUL E. HILLMER P.L.S. 9017

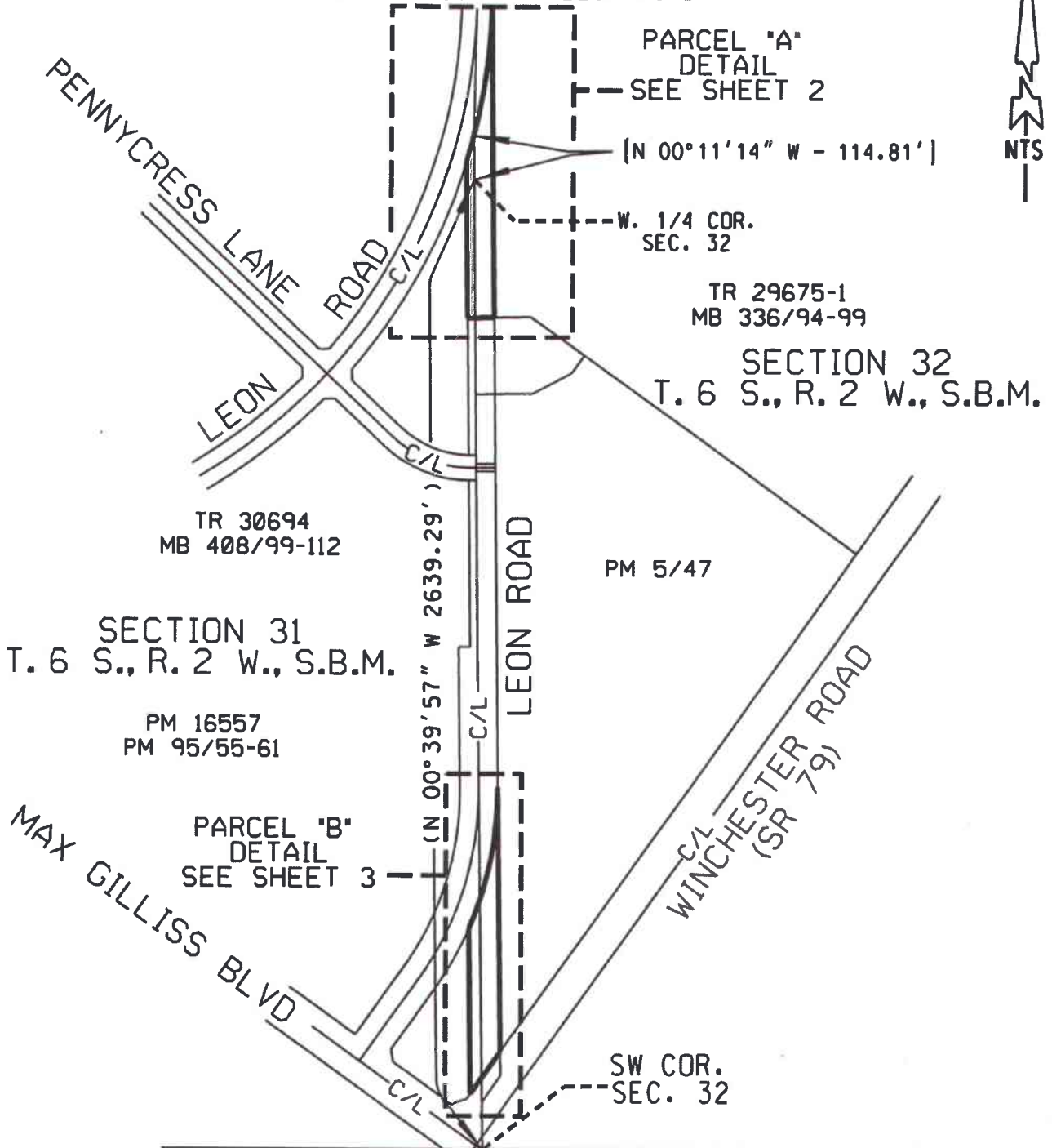
4-22-2019

DATED:



EXHIBIT "B"

GENERAL VACATION AND TERMINATION OF MAINTENANCE OF PORTIONS OF LEON ROAD



TR 30694
MB 408/99-112

SECTION 31
T. 6 S., R. 2 W., S.B.M.

PM 16557
PM 95/55-61

PARCEL "A"
DETAIL
SEE SHEET 2

(N 00°11'14" W - 114.81')

W. 1/4 COR.
SEC. 32

TR 29675-1
MB 336/94-99

SECTION 32
T. 6 S., R. 2 W., S.B.M.

PARCEL "B"
DETAIL
SEE SHEET 3

MAX GILLISS BLVD

WINCHESTER ROAD
(SR 79)

SW COR.
SEC. 32

() - INDICATES REC. DATA PER MB 336/94-99
[] - INDICATES REC. DATA PER MB 408/99-112

PCL No.: N/A	COUNTY OF RIVERSIDE TRANSPORTATION DEPARTMENT, SURVEY DIVISION	
WD No.: S5220B6	PROJECT: LEON ROAD VACATION & TERMINATION OF MAINTENANCE	
SCALE: NTS	THIS PLAT IS AN AID IN LOCATING THE PARCEL(S) DESCRIBED IN THE PRECEDING DOCUMENT. ALL PRIMARY CALLS ARE LOCATED IN THE WRITTEN DESCRIPTION.	
PREPARED BY: PH	APPROVED BY:	DATE: 4-22-2019
DATE: APRIL, 2019		
SHEET 1 OF 3		



EXHIBIT "B"

GENERAL VACATION AND TERMINATION OF MAINTENANCE OF PORTIONS OF LEON ROAD



SECTION 31
T. 6 S., R. 2 W., S.B.M.

ROAD EASEMENT
DOC. # 2005-1029103.
REC. 12/14/2005, O.R.

TRACT NO. 29675-1
MB 336/94-99

WEST LINE
SECTION 32

[S75°11'35"E(R)]

[S72°29'39"E(R)]

(A) $\Delta=02^{\circ}41'56''$
R=1509.00'
L=71.08'

(B) $\Delta=12^{\circ}32'43''$
R=1509.00'
L=330.40'

PARCEL "A"

W. 1/4 COR.
SEC. 32

SECTION 32
T. 6 S., R. 2 W., S.B.M.

- ① (S89°20'03"W 50.00')
- ② S89°20'03"W 20.00'
- ③ [N00°11'14"W 46.62']
- ④ [N00°11'14"W 114.81']

ELY/SELY R/W LINE PER
DOC. NO. 2005-1029103.
REC. 12/14/2005, O.R.

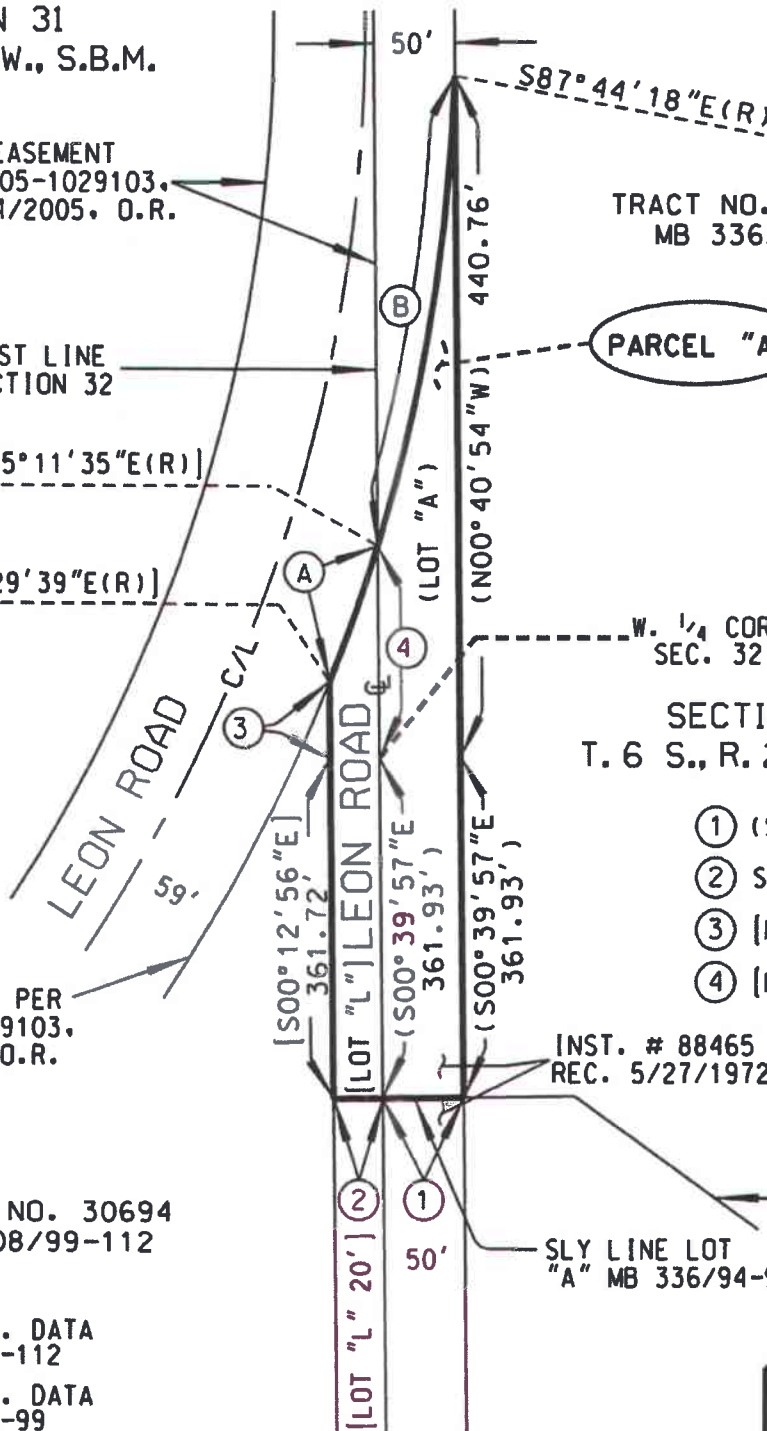
TRACT NO. 30694
MB 408/99-112

INST. # 88465 & 88466
REC. 5/27/1972, O.R.

SLY LINE
MB 336/94-99

SLY LINE LOT
"A" MB 336/94-99

- [] INDICATES REC. DATA PER MB 408/99-112
- () INDICATES REC. DATA PER MB 336/94-99



PCL No.: PARCEL "A"	COUNTY OF RIVERSIDE TRANSPORTATION DEPARTMENT, SURVEY DIVISION
WO No.: S5220B	PROJECT: LEON ROAD VACATION & TERMINATION OF MAINTENANCE
SCALE: NTS	THIS PLAT IS AN AID IN LOCATING THE PARCEL(S) DESCRIBED IN THE PRECEDING DOCUMENT. ALL PRIMARY CALLS ARE LOCATED IN THE WRITTEN DESCRIPTION.
PREPARED BY: PH	APPROVED BY:
DATE: APRIL, 2019	DATE: 4-22-2019
SHEET 2 OF 3	



EXHIBIT "B"

GENERAL VACATION AND TERMINATION OF MAINTENANCE
OF PORTIONS OF LEON ROAD

SECTION 31
T.6S., R.2W., S.B.M.

SECTION 32
T.6S., R.2W., S.B.M.

PM 5/47

(A) $\Delta=17^{\circ}04'59''$
R=900.00'
L=268.34'

(B) $\Delta=19^{\circ}11'17''$
R=900.00'
L=301.40'

ELY/SELY LINE
(LOT "G")

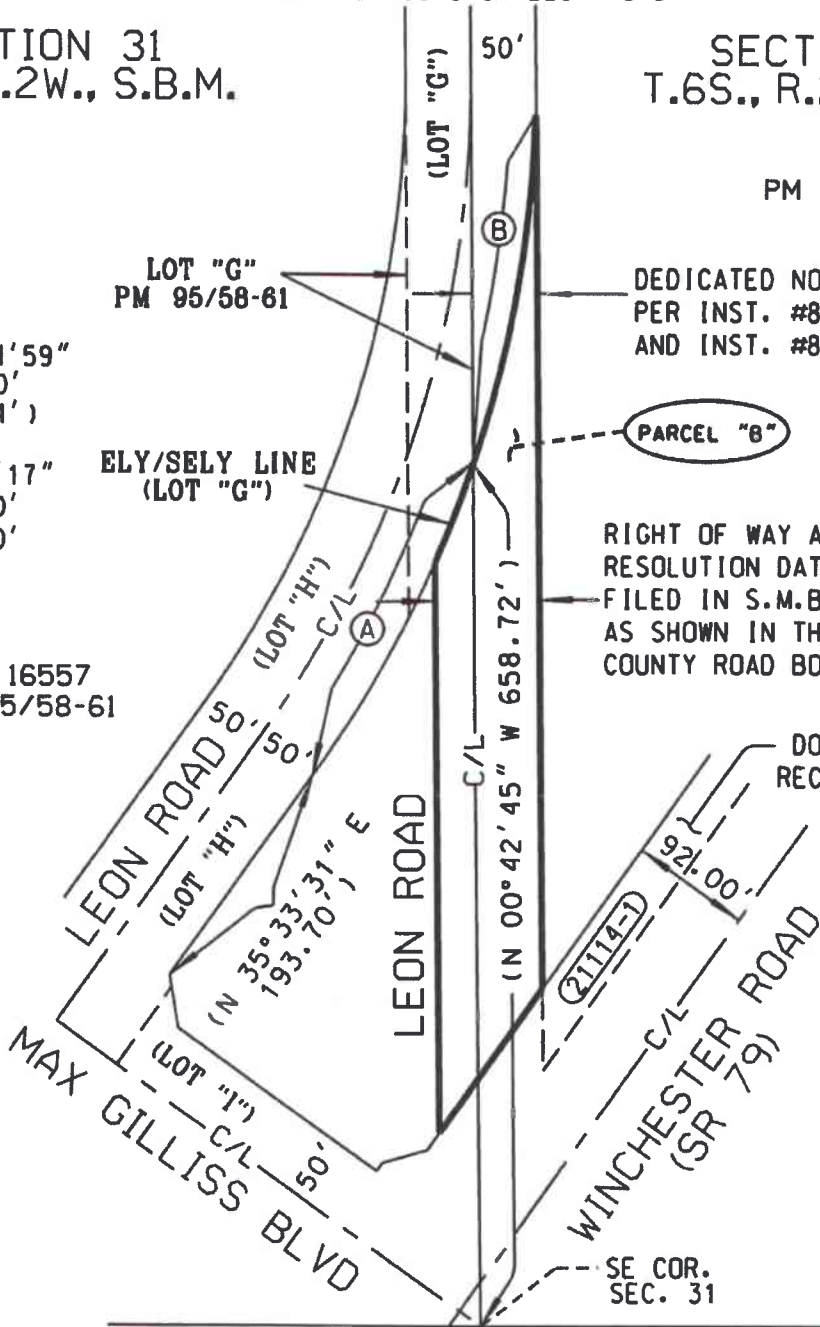
DEDICATED NOT ACCEPTED
PER INST. #88465, REC. 6/27/1972
AND INST. #88466, REC. 6/27/1972.

PARCEL "B"

RIGHT OF WAY ADOPTED BY BOARD
RESOLUTION DATED 2/24/1948,
FILED IN S.M.B. 40 PAGES 238-240,
AS SHOWN IN THE 1948 RIVERSIDE
COUNTY ROAD BOOK, NO WIDTH GIVEN

PM 16557
PM 95/58-61

PARCEL 21114-1
DOC. #2010-0089364
REC. 2/26/2010, O.R.



() - INDICATES REC. DATA PER PM 95/58-61

PCL No.: PARCEL "B"	COUNTY OF RIVERSIDE TRANSPORTATION DEPARTMENT, SURVEY DIVISION
WO No.: S5220B	PROJECT: VACATING A PORTION OF LEON ROAD
SCALE: NTS	THIS PLAT IS AN AID IN LOCATING THE PARCEL(S) DESCRIBED IN THE PRECEDING DOCUMENT. ALL PRIMARY CALLS ARE LOCATED IN THE WRITTEN DESCRIPTION.
PREPARED BY: PH	APPROVED BY:
DATE: APRIL, 2019	DATE: 4-22-2019
SHEET 3 OF 3	





**COUNTY OF RIVERSIDE
PLANNING DEPARTMENT
STAFF REPORT**

Agenda Item No.

4 . 1

Planning Commission Hearing: March 3, 2021

PROPOSED PROJECT

Case Number(s):	CUP190058 and DA1900049	Applicant(s):	
	Section 15061(b)(3),		Kappkush, Inc.
CEQA Exempt	and Section 15301,	Representative(s):	
Area Plan:	Western Coachella Valley		MSA Consulting
Zoning Area/District:	Thousand Palms District		
Supervisory District:	Fourth District		
Project Planner:	Mina Morgan		
Project APN(s):	650-380-008		

John Hildebrand

 John Hildebrand
 Interim Planning Director

PROJECT DESCRIPTION AND LOCATION

Conditional Use Permit No. 190058 is a proposal to utilize an existing 13,060 sf two-story building to be used as a cannabis microbusiness facility on a 0.76-acre lot with parking and landscaping. The cannabis microbusiness will include 4,391 square feet of indoor cultivation, 1,559 square feet of manufacturing, 1,094 square feet of retail, 1,721 square feet of nursery, and 4,295 square feet of distribution along with supporting storage, office, employee break area, and reception areas.

Development Agreement No. 1900049 (DA No. 1900049) has a term of 10 years and will grant the applicant vesting rights to develop the Project in accordance with the terms of DA No. 1900049 and CUP No. 190058, and will provide community benefits to the Western Coachella Valley Area.

The project site is located north of Watt Court and east of Rio Del Sol Road. The project address is 72242 Watt CT, Thousand Palm CA.

The above is hereinafter referred to as "the project" or "Project."

PROJECT RECOMMENDATION

STAFF RECOMMENDATIONS:

THAT THE PLANNING COMMISSION RECOMMEND THAT THE BOARD OF SUPERVISORS TAKE THE FOLLOWING ACTIONS:

FIND that the project is **EXEMPT** from the California Environmental Quality Act (CEQA), pursuant to State CEQA Guidelines Section 15061 (b) (3) (Common Sense), Section 15301 (Existing Facilities), and Section 15303 (New Construction or Conversion of Small Structures) based on the findings and conclusions in the staff report; and,

TENTATIVELY APPROVE Development Agreement No. 1900049, based upon the findings in this staff report, pending final adoption of the Development Agreement ordinance by the Board of Supervisors; and,

APPROVE Conditional Use Permit No. 190058, subject to the attached Advisory Notification Document and Conditions of Approval and based upon the findings and conclusions provided in this staff report, subject to final approval of the Development Agreement ordinance by the Board of Supervisors.

PROJECT DATA

Land Use and Zoning:

Specific Plan:	N/A
Specific Plan Land Use:	N/A
Existing General Plan Foundation Component:	Community Development (CD)
Proposed General Plan Foundation Component:	N/A
Existing General Plan Land Use Designation:	Light Industrial (LI)
Proposed General Plan Land Use Designation:	N/A
Policy / Overlay Area:	N/A
Surrounding General Plan Land Uses	
North:	Light Industrial (LI)
East:	High Density Residential (HDR)
South:	Light Industrial (LI)
West:	Light Industrial (LI)
Existing Zoning Classification:	Manufacturing-Service Commercial (M-SC)
Proposed Zoning Classification:	N/A
Surrounding Zoning Classifications	
North:	Manufacturing-Service Commercial (M-SC)
East:	One-Family Dwellings (R-1)
South:	Manufacturing-Service Commercial (M-SC)
West:	Manufacturing-Service Commercial (M-SC)
Existing Use:	Vacant Building
Surrounding Uses	
North:	Vacant Land
South:	Existing Industrial Building
East:	Vacant Land
West:	Vacant Land

Project Details:

<i>Item</i>	<i>Value</i>	<i>Min./Max. Development Standard</i>
Project Site (Acres):	0.76	N/A
Existing Building Area (SQFT):	12,999	N/A
Building Height (FT):	34'	Maximum 50'

Parking:

<i>Type of Use</i>	<i>Building Area (In SF)</i>	<i>Parking Ratio</i>	<i>Spaces Required</i>	<i>Spaces Provided</i>
Commercial Cannabis Activities – Retail	1,102	1 spaces / 200 sq. ft. of gross floor area	6	6
Commercial Cannabis Activities – Cultivation / Distribution	11,897	2 Employees per 3 stalls (14 Employees Total)	10	15
TOTAL:	12,999		16	21

Located Within:

City's Sphere of Influence:	Yes – Cathedral City
Community Service Area (“CSA”):	No
Special Flood Hazard Zone:	Yes – Coachella Valley Water District
Agricultural Preserve:	No – Not In An Agricultural Preserve
Liquefaction Area:	Yes – Moderate
Subsidence Area:	Yes – Susceptible
Fault Zone:	No – Not In A Fault Zone
Fire Zone:	No – Not In A Fire Hazard Zone
Mount Palomar Observatory Lighting Zone:	No – Not in a Mt. Palomar Observatory Zone.
WRCMSHCP Criteria Cell:	No
CVMSHCP Conservation Boundary:	No
Stephens Kangaroo Rat (“SKR”) Fee Area:	No
Airport Influence Area (“AIA”):	No

PROJECT LOCATION MAP



Figure 1: Project Location Map

PROJECT BACKGROUND AND ANALYSIS

Background:

Cannabis Background:

On October 23, 2018, the Board of Supervisors adopted Ordinance No. 348.4898 that established the permitting process and regulations for commercial cannabis activities.

Applicants requesting to establish commercial cannabis retail, microbusiness, and/or cultivation uses were required to submit a request for proposal "RFP" cannabis package. Applicants who ranked highest were allowed to proceed with the Conditional Use Permit process. On July 2, 2019, the Board of Supervisors accepted the Cannabis RFP response package rankings list, which allowed the highest-ranking applicants to begin the land use review process for their proposed project. In the first year of implementation, 50 cannabis cultivation applications and 19 cannabis retail applications began the land use review process.

On May 19, 2020, the Board of Supervisors approved the second year of the Cannabis Regulatory Program, allowing interested parties to directly submit applications for Conditional Use Permits that will be evaluated through the environmental and public review and hearing process on a case-by-case basis. The application for Conditional Use Permit No. 190058 (CUP190058) and Development Agreement No. 1900049 (DA1900049) was submitted on October 30, 2019.

Project Details:

The proposed project will occupy an approximately 13,060-square-foot, two-story building to be used as a cannabis microbusiness facility on a 0.76-acre lot with parking and landscaping. The project includes twenty-one (21) off-street parking spaces which consists of eighteen (18) standard parking spaces, two (2) accessible parking space, and one (1) space allocated for electric vehicle parking, meeting the off-street requirement for microbusiness cannabis at 1 stall per 200 square feet, and 2 employees per 3 stalls that requires a minimum of sixteen (16) parking spaces. The site also includes a trash enclosure located on the southeast corner of the property. Furthermore, landscaping and internal walkways are proposed throughout the site, and the property is accessed from Watt Court via a single driveway.

Furthermore, the subject project proposes to install a full electronic surveillance security system throughout the property, to enhance the overall security monitoring on the subject site. In addition to the electronic security components on the property, armed security officers will be active on the subject site with specific tasks in place. All Security Officers will arrive fifteen (15) minutes prior to their start time to assure that the premises is safe for employees to enter and will escort employees to their vehicles at closing. Three (3) daytime Armed Security Officers will be provided during hours of operation, one (1) Armed Security Officer will be stationed inside the Showroom area to check in patients and monitor all activity on the Showroom floor; one (1) Security Officer will be stationed outside of the building to monitor ingress and egress from the building and manage the parking area; one (1) Armed Security Officer will be inside the Security Room to maintain video surveillance of the exterior and interior of the building by CCTV for any potential threats.

One (1) Armed Security Officer will be provided for overnight surveillance of the location and will be responsible for monitoring the inside and outside of the location by CCTV for any potential threats.

In addition to the four (4) Armed Security Officers listed above, one (1) Armed Security Officer will be assigned to only monitor the Cultivation area and provide 24 hour surveillance of the location. The Security Officer will be responsible for monitoring the inside and outside of the location by CCTV for any potential threats.

The existing building in question is a legally permitted industrial building. The two-story building has a flat roof with glass windows and four rollup doors located on the south elevations of the building. In addition, the building contains an ADA ramp with steel hand handrails for easy accessibility when entering the building.

The proposed interior of the building area consists of spaces for retail sales, dry/trim room, check-in lobby, storage, manufacturing, and mature/immature plants room.

The business will operate between the hours of 6am to 10pm daily in accordance with Section 19.505 (i) of Ordinance No. 348. Deliveries will operate daily during normal business hours, seven days per week.

General Plan Consistency:

The project site has a General Plan Foundation Component and Land Use Designation of Community Development (CD): Light Industrial (LI). The Community Development General Plan Foundation Component depicts areas where urban and suburban development is appropriate. This Foundation Component intends to provide a breadth of land uses that foster variety and choice, accommodate a range of lifestyles, living and working conditions, and accommodate diverse community settings.

The Light Industrial (LI) land use designation provides for a wide variety of industrial and related uses, including other service facilities, and supporting retail uses. The project is consistent with the Community Development General Plan Foundation Component and Light Industrial (LI) Land Use Designation as it would provide other service facilities and a supporting retail use.

Zoning Consistency:

The project site is zoned Manufacturing-Service Commercial (M-SC). Pursuant to Section 19.518 of Ordinance No. 348, cannabis microbusinesses are allowed in the M-SC Zone with an approved conditional use permit and development agreement. CUP No. 190058 was submitted to the County of Riverside on October 30th, 2019, and DA No. 1900049 was submitted on October 30th, 2019. The applicant has submitted this CUP application to obtain the required entitlements to establish a new cannabis microbusiness on the property. As further described in the findings section, the project meets all the applicable development standards for the M-SC Zone and those outlined in Section 19.519 of Ordinance No. 348, including design, height, setbacks, and parking requirements.

The project has a previously approved landscape plan in accordance with the County of Riverside Ordinance No. 348 and Ordinance No. 859.

ENVIRONMENTAL REVIEW AND ENVIRONMENTAL FINDINGS

This project is exempt from California Environmental Quality Act (CEQA) review pursuant to Article 19 - Categorical Exemptions, Section 15301 (Existing Facilities), which provides: Class I consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of existing or former use. The key consideration is whether the project involves negligible or no expansion of an existing use. The existing site has already been utilized for ongoing commercial uses at the site. Interior or exterior alterations involving such things as interior partitions, plumbing, and electrical conveyance would be required, which would not significantly expand the capability of the site or substantively increase the proposed use of the site beyond what already occurs. In this case, the proposed project would not expand the existing structures and has not proposed any significant construction or improvements for the project site. Therefore, the project as proposed, would not expand upon the existing permitted buildings, would not expand the use of the site beyond those uses that already occur, and therefore the Project complies with the guidelines of the California Environmental Quality Act (CEQA), (Article 19, Section 15301 Class 1, Existing Facilities).

This proposed project is also exempt from California Environmental Quality Act (CEQA) review pursuant to State CEQA Guidelines Section 15061 (Common Sense Exemption) because Section (b) (3) provides: The activity is covered by the general rule that CEQA applies only to projects, which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA. The proposed Project will continue to utilize the site as a commercial land use and will not result in any additional impacts related to traffic, air quality, or public safety, beyond what would occur at the commercial retail establishment for which the subject building was originally constructed and entitled. As the land is already developed, there are no potential impacts related to aesthetics, biological and cultural resources, hydrology, or other similar potential impacts that would occur via the Change of Zone that would alter the potentially permitted uses on the site since the change in permitted uses would still have to fit within the current physical context of the site and building on it. In addition, as the State has created various rules and regulations as they relate to cannabis waste, particularly for cannabis cultivators

(the State actually treats cannabis as an organic waste, versus a hazardous waste). Therefore, the project meets the requirements for CEQA exemption per Section 15061(b)(3) as there is no potential that the Project as proposed would have a significant physical impact on the environment.

In addition, the project will not result in any specific or general exceptions to the use of the categorical exemptions as detailed under State CEQA Guidelines Section 15300.2. The Project would not have a significant effect on the environment due to unusual circumstances; would not result in a cumulative impact; would not impact any historic resources; and is not located on a hazardous site or location, thus, no potentially significant environmental impacts are anticipated to occur. The County of Riverside regulates the effects of soils and geological constraints primarily through the enforcement of the California Building Code (CBC), which requires the implementation of engineering solutions for constraints to development posed by subsidence. Moreover, the project's proposed cannabis use does not qualify as an unusual circumstance as the State of California does not consider waste generated by a retail use to be hazardous. Additionally, the project is required to maintain any applicable permits from the Riverside County Fire Department, the Riverside County Department of Environmental Health, the Riverside County Department of Waste Resources and the Agricultural Commissioner

Based upon the identified exemptions above, the County of Riverside TLMA hereby concludes that the Project would not have a significant effect on the environment and the Project as proposed is exempt under CEQA. No further environmental analysis is warranted.

FINDINGS AND CONCLUSIONS

In order for the County to approve the proposed project, the following findings are required to be made:

Land Use Findings:

1. The project has a General Plan Land Use Designation of Light Industrial (LI). The Light Industrial land use designation provides for other service facilities and supporting retail uses. The proposed project is consistent with this land use designation because the project will provide a supporting retail use. Additionally, the Community Development General Plan Foundation Component depicts areas where urban and suburban development is appropriate. It is the intent of this Foundation Component to provide a breadth of land uses that foster variety and choice, accommodate a range of lifestyles, living and working conditions, and accommodate diverse community settings. The goal is to accommodate a balance of jobs, housing, and services within communities to help achieve other aspects of the General Plan Vision, such as mobility, open space, and air quality goals.

The project is consistent with the Community Development General Plan Foundation Component and Light Industrial Land Use Designation as it would provide retail, services, and job opportunities within the surrounding community.

2. The site has a Zoning Classification of Manufacturing-Service Commercial (M-SC), which is consistent with the Riverside County General Plan, including the applicable Foundation Component and Land Use Designation. The M-SC Zone conditionally allows specified commercial cannabis uses which implements the CD: LI General Plan Land Use Designation that encourages local and regional retail and services.

3. The proposed use, a commercial cannabis microbusiness facility, is allowed in the proposed M-SC Zoning Classification with an approved Conditional Use Permit and Development Agreement.
4. The uses surrounding the properties to the north, east and west are vacant land, and industrial to the south, leading to no likelihood of incompatibility of uses.

Conditional Use Permit Findings:

1. The proposed use will not be detrimental to the health, safety or general welfare of the community. As discussed below, the proposed project's use is consistent with the present and future uses in the surrounding area. Additionally, the project has received departmental approvals and has been designed and conditioned to protect the health, safety, and general welfare of the community. Furthermore, with the advisory notification document and conditions of approval, the proposed project will not be detrimental to the health, safety or general welfare of the community, and is subject to those conditions necessary to protect the health, safety and general welfare of the community.
2. The proposed project conforms to the logical development of the land and is compatible with the present and future logical development of the surrounding property, as the project site is surrounded by properties which are designated Community Development: Light Industrial (CD:LI) that would be similar light manufacturing/industrial and commercial and service uses as the proposed project. The proposed use, a cannabis microbusiness facility would provide community services and job opportunities within the surrounding community.
3. All use permits which permit the construction of more than one structure on a single legally divided parcel shall, in addition to all other requirements, be subject to a condition which prohibits the sale of any existing or subsequently constructed structures on the parcel until the parcel is divided and a final map recorded in accordance with Ordinance No. 460 in such a manner that each building is located on a separate legally divided parcel. The project includes an existing single building on a single parcel, so this situation does not exist for this project.

Permit Requirements for All Commercial Cannabis Activities:

1. Section 19.505 of Ordinance No. 348 sets forth requirements that all Commercial Cannabis Activities, including commercial cannabis retailers, must comply with, including, among others, submitting an appropriate application, obtaining and maintaining a state license, being sited and operated in such a way that controls odors, being limited in hours of operation, and implementing sufficient security measures. All of these requirements have either already been met or are required in the attached project's Conditions of Approval or Advisory Notification Document which are incorporated herein by this reference. Specifically, Planning. 6, Planning. 9, Planning 14 and 15 and other sections of the Advisory Notification Document address odor, hours of operation, security, and other requirements of Section 19.505.
2. While security has been raised as a concern relating to cannabis-related activities, a standard requirement of the advisory notification document (Planning. 14 and 15) requires sufficient security measures to deter and prevent the unauthorized entrance into areas containing Cannabis or Cannabis Products, to deter and prevent theft of Cannabis or Cannabis Produces, and to ensure emergency access per applicable Fire Code standards. These requirements include the following:

- a) A plan to prevent individuals from loitering on the lot if they are not engaging in activity expressly related to the Commercial Cannabis Activity.
- b) 24-hour emergency contact information for the owner or an on-site employee which shall be provided to the County.
- c) A professionally installed, maintained and monitored alarm system.
- d) Except for Live Cannabis Plants being cultivated at a cultivation facility and limited amounts of Cannabis for display purposes, all Cannabis and Cannabis Products shall be stored in a secured and locked structure and in a secured and locked safe room, safe, or vault, and in a manner as to prevent diversion, theft, and loss.
- e) 24-hour security surveillance cameras to monitor all entrances and exits to a Commercial Cannabis Activity, all interior spaces within the Commercial Cannabis Activity that are open and accessible to the public, and all interior spaces where Cannabis, cash or currency is being stored for any period of time on a regular basis. The permittee for a Commercial Cannabis Activity shall be responsible for ensuring that the security surveillance camera's footage is accessible. Video recordings shall be maintained for a minimum of 90 days and shall be made available to the County upon request.

With the implementation of these required measures, security concerns relating to the Commercial Cannabis Activity have been fully addressed.

Cannabis Retailer Minimum Standards:

1. The project is not located within 1,000 feet from any Child Day Care Center, K-12 school, public park, or Youth Center or variance has been approved allowing a shorter distance but not less than allowed by State law. This is met because a radius map buffering 1,200 feet from the subject site was prepared by Riverside County Geographic Information Systems and has not identified any Child Day Care Center, K-12 school, public park, or Youth Centers within 1,000 feet of the site.
2. The project is located within 1,000 feet of another existing or approved Cannabis Retailer. The project in question is located approximate 800' feet from another proposed microbusiness facility. Although the two sites are located within a close proximity of each other, they won't be conflicting with each since, the project in question proposes a microbusiness facility that entails a retail component, however, the conflicting microbusiness facility does not propose a retail component, thus the 1,000' feet separation is not applicable in this situation.
3. The project is not located within 500 feet of a smoke shop or similar facility because a radius map buffering 1,200 feet from the subject site was prepared by Riverside County Geographic Information Systems and has not identified any smoke shop or similar facility within 500 feet of the site.
4. The project is not located on a lot containing a residential dwelling unit because a property characteristic report as prepared by the Planning Department has not identified any residential dwelling units located at the subject site.
5. The development standards of the M-SC Zoning Classification are as follows:

- A. There is a minimum lot requirement of 10,000 square feet with a minimum average width of 75 feet, except that a lot size not less than 7,000 square feet and an average width of not less than 65 feet may be permitted when sewers are available and will be utilized for the development. No subdivision is proposed at this time for this standard to apply to, but regardless the project site meets lot size requirements.
- B. Setbacks.
- i. Where the front, side, or rear yard adjoins a lot zoned R-R, R-1, R-A, R-2, R-3, R-4, R-6, R-T, R-T-R, or W-2-M, the minimum setback shall be 25 feet from the property line. The building in question measures approximately 50' feet from the building to the residentially zoned property line and thus, meets the minimum requirements.
 - ii. Where the front, side, or rear yard adjoins a lot with zoning classification other than those specified in the prior section, there is no minimum setback. This condition applies on the north and west sides where no street frontage exists. The project is compliant with this provision.
 - iii. A 25-foot setback is required from property lines that adjoin a front, side, or rear yard adjoins a street. The existing building in question is a previously approved commercial building that meet the setback requirements for the M-SC zone requirements before.
 - iv. Within the exception of those portions of the setback area for which landscaping is required by Subsection E. below, the setback area may only be used for driveways, automobile parking, or landscaping. As stated previously, the building in question is a legally approved commercial building that met the minimum development standards which include landscaping.
- C. The M-SC zone classification establishes a height limit of 50 feet for buildings. The project is compliant with this provision as the height of the existing building is 34' feet. The other provisions related to building or structure height do not apply to the project.
- D. The M-SC zone establishes a masonry wall requirement for any industrial use permitted in this article on each property line that adjoins a parcel specifically zoned for residential use unless otherwise approved by the hearing office or body. The project in question meets this provision, and the property in question has an existing block wall with wrought iron fencing.
- E. The M-SC zone establishes landscaping requirements. These requirements include a minimum of ten percent of the site shall be landscaped, a minimum ten foot strip of landscaping adjacent to street right-of-way, and a minimum 20 foot strip adjacent to certain residential zones. The structure in question is a legally permitted commercial building, with no proposed development/construction.
- F. Automobile storage space shall be provided as required by Ordinance No. 348, Section 18.12. The project meets these requirements because the project requires 15 parking spaces and has proposed 21 parking spaces.

- G. Trash collection areas are required to be screened by landscaping or architectural features in such a manner as not to be visible from a public street or from any adjacent residential area. The proposed project includes a trash enclosure to ensure that the site is aesthetically appealing.
 - H. The M-SC zone establishes screening requirements for outside storage and service areas. No outside storage and service areas are proposed for this project, therefore this requirement does not apply.
 - I. All mechanical equipment used in this project included roof-mounted equipment, is screened.
 - J. Lighting is to be focused, directed and arranged to prevent glare or direct illumination on streets or adjoining property. The applicant has provided a photometric plan demonstrating compliance with this provision.
1. The project complies with the operational requirements set forth in Ordinance No. 348 Section 19.519.C. as shown below:
- A. *Entrances into the retail location of the Cannabis Retailer shall be separate from the reception area and locked at all times with entry strictly controlled. An electronic or mechanical entry system shall be utilized to limit access and entry to the retail location. As provided by the floor plan, Exhibit C, all retail, reception, employee offices, and inventory areas shall have electronic or mechanical secured access. The project has been conditioned to meet this standard. (Advisory Notification Document Planning-All No. 6 Cannabis Retail Operations – 1)*
 - B. *Cannabis Retailers may include the sale of Medical Cannabis, requiring an M-License from the State. Cannabis Retailers selling only Medical Cannabis shall verify consumers who enter the Premises are at least 18 years of age and that they hold a valid Physician's Recommendation. The project owner and management shall provide adequate training and education at the location as to these matters and require all customers to provide proper identification to verify consumers are of appropriate age. The project has been conditioned to meet this standard. (Advisory Notification Document Planning-All No. 12 Cannabis Retail Operations – 2)*
 - C. *Cannabis Retailers may include the sale of Adult Use Cannabis, requiring an A-license from the State. Cannabis Retailers selling only Adult Use Cannabis shall verify that consumers who enter the Premises are at least 21 years of age. The project owner and management shall provide adequate training and education at the location as to these matters and require all customers to provide proper identification to verify consumers are at least 21 years of age. The project has been conditioned to meet this standard. (Advisory Notification Document Planning-All No. 13 Cannabis Retail Operations – 3)*
 - D. *A Cannabis Retailers may include the sale of both Medical and Adult use Cannabis requiring both an A-License and an M-License from the State. All Cannabis Retailers selling both Medical and Adult Use Cannabis shall verify that consumers who enter the premises are at least 18 years of age and that they hold a valid Physician's Recommendation or are at least 21 years of age. The project owner and management shall provide adequate training and education at the location as to these matters and require all customers to provide proper identification to verify consumers are of appropriate age. The project has been conditioned to meet this standard. (Advisory Notification Document Planning-All No. 14 Cannabis Retail Operations – 4)*

- E. *Display areas shall include the smallest amount of Cannabis and Cannabis Products reasonably anticipated to meet sales during operating hours.* The project has been conditioned to meet this standard. (Advisory Notification Document Planning-All No. 15 Cannabis Retail Operations – 5)
- F. *Cannabis and Cannabis Products not in the display area shall be maintained in a locked secure area.* The project has been conditioned to meet this standard. (Advisory Notification Document Planning-All No. 16 Cannabis Retail Operations – 6)
- G. *Not more than 10% of the Cannabis Retailer floor area, up to a maximum of 50 square feet, shall be used for the sale of incidental goods such as, but not limited to, clothing, posters, or non-cannabis goods.* The project meets this standard because the provide floor plan, Exhibit C shows notes the maximum of 50 square feet for incidental goods that will be displayed at the sales counter only. It has been conditioned that not more than 10% of the Cannabis Retailer floor area, up to a maximum of 50 square feet, shall be used for the sale of incidental goods such as, but not limited to, clothing, posters, or non-cannabis goods. The project has been conditioned to meet this standard. (Advisory Notification Document Planning-All No. 17 Cannabis Retail Operations – 7)
- H. *Restroom facilities shall be locked and under the control of the Cannabis Retailer.* As provided by the floor plan of the project, Exhibit C, the restroom facilities have a locking door to the designated room. The project has been conditioned to meet this standard. (Advisory Notification Document Planning-All No. 18 Cannabis Retail Operations – 8)
- I. *Cannabis Retailers shall ensure that all Cannabis and Cannabis Products held for sale by the Cannabis Retailer are cultivated, manufactured, transported, distributed, and tested by California licensed and permitted facilities that are in full conformance with State and local laws and regulations.* The project has been conditioned to meet this standard. (Advisory Notification Document Planning-All No. 19 Cannabis Retail Operations – 9)
- J. *Cannabis Retailers shall not distribute any Cannabis or Cannabis Product unless such products are labeled and in a tamper-evident package in compliance with the California Business and Professions Code and any additional rules promulgated by a licensing authority.* The project has been conditioned to meet this standard. (Advisory Notification Document Planning-All No. 7 Cannabis Retail Operations – 10)
- K. *Cannabis Retailers shall not provide free samples of any type, including Cannabis Products, to any person and shall not allow any person to provide free samples on the Cannabis Retailer's lot.* It has been conditioned the Cannabis Retailer shall not provide free samples of any type, including Cannabis Products, to any person and shall not allow any person to provide free samples on the Cannabis Retailer's lot. The project has been conditioned to meet this standard. (Advisory Notification Document Planning-All No. 8 Cannabis Retail Operations – 11)
- L. *Deliveries shall be conducted in accordance with California Business and Professions Code Section 26090 or as may be amended and all state regulations pertaining to delivery of Cannabis Products.* The project has been conditioned to meet this standard. (Advisory Notification Document Planning-All No. 9 Cannabis Retail Operations – 12)

- M. *Cannabis or Cannabis Products shall not be sold or delivered by any means or method to any person within a motor vehicle.* The project has been conditioned to meet this standard. (Advisory Notification Document Planning-All No. 10 Cannabis Retail Operations – 13)
- N. *Cannabis Retailers shall not include a drive-in, drive-through or walk up window where retail sales of Cannabis or Cannabis Products are sold to persons or persons within or about a motor vehicle.* The project is not designed with a drive-in, drive-through, or walk up window and has further been conditioned to meet this standard. (Advisory Notification Document Planning-All No. 11 Cannabis Retail Operations – 14)

Manufacturing Operational Requirements

- 1. The project complies with the Manufacturing operational requirements set forth in Ordinance No. 348 Section 19.515.E. as shown below:
 - a. *Any compressed gases used in the manufacturing process shall not be stored on any lot within in containers that exceeds the amount which is approved by the Riverside County Fire Department and authorized by the conditional use permit.* The project has been conditioned to meet this standard. (Advisory Notification Document Planning-All No. 30 Manufacturing Operations – 1)
 - b. *Closed loop systems for compressed gas extraction systems must be commercially manufactured, bear a permanently affixed and visible serial number and certified by an engineer licensed by the State of California that the system was commercially manufactured, is safe for its intended use, and was built to codes of recognized and generally accepted good engineering practices.* The project has been conditioned to meet this standard. (Advisory Notification Document Planning-All No. 31 Manufacturing Operations – 2)
 - c. *Cannabis Manufacturing Facilities shall have a training program for persons using solvents or gases in a closed looped system to create cannabis extracts on how to use the system, to access applicable material safety data sheets and to handle and store the solvents and gases safely.* The project has been conditioned to meet this standard. (Advisory Notification Document Planning-All No. 32 Manufacturing Operations – 3)

Distribution Operational Requirements

- 1. The project complies with the Distribution operational requirements set forth in Ordinance No. 348 Section 19.521.C. as shown below:
 - a. *Cannabis and Cannabis Products shall only be transported between permitted and licensed Commercial Cannabis Activities.* The project has been conditioned to meet this standard. (Advisory Notification Document Planning-All No. 25 Distribution Operations – 1)
 - b. *In addition to the requirements of Ordinance No. 348 Section 19.505.Q. the following record keeping measures are required to be implemented for all Cannabis Distribution Facilities:*
 - i. *Prior to transporting Cannabis or Cannabis Products, a shipping manifest shall be completed as required by state law and regulations.* The project has been conditioned to meet this standard. (Advisory Notification Document Planning-All No. 26 Distribution Operations – 2)

- ii. *A copy of the shipping manifest shall be maintained during transportation and shall be made available upon request to law enforcement or any agents of the State or County charged with enforcement.* The project has been conditioned to meet this standard. (Advisory Notification Document Planning-All No. 26 Distribution Operations – 2)
- iii. *Cannabis Distribution Facilities shall maintain appropriate records of transactions and shipping manifests that demonstrate an organized method of storing and transporting Cannabis and Cannabis Products to maintain a clear chain of custody.* The project has been conditioned to meet this standard. (Advisory Notification Document Planning-All No. 26 Distribution Operations – 2)
- c. *Cannabis Distribution Facilities shall ensure that appropriate samples of Cannabis or Cannabis Products are tested by a permitted and licensed testing facility prior to distribution and shall maintain a copy of the test results in its files.* The project has been conditioned to meet this standard. (Advisory Notification Document Planning-All No. 27 Distribution Operations – 3)
- d. *Cannabis Distribution Facilities shall not be open to the public.* The Distribution component of the project is located on the second floor of the building and is not readily accessible to any public areas of the retail component of the project. The project has been conditioned to meet this standard. Advisory Notification Document Planning-All No. 28 Distribution Operations – 4)
- e. *Cannabis Distribution Facilities shall not transport or store non-cannabis goods.* The project has been conditioned to meet this standard. (Advisory Notification Document Planning-All No. 29 Distribution Operations – 5)

Cultivation Operational and Water and Energy Conservation Requirements

1. The project complies with the Cultivation water and energy conservation requirements and operational requirements set forth in Ordinance No. 348 Section 19.511.G through I as shown below:
 - a. **ENERGY CONSERVATION MEASURES.** *All Cannabis Cultivation operations shall include adequate measures to address the projected energy demand for Cannabis cultivation at the lot. On-site renewable energy generation shall be required for all Indoor Cannabis Cultivation operations. Renewable energy systems shall be designed to have a generation potential equal to or greater than 20-percent of the anticipated energy demand.* The project has been conditioned to meet this standard. (Advisory Notification Document Planning-All No. 20 Cultivation Operations – 1)
 - b. **WATER CONSERVATION MEASURES.** *All Cannabis Cultivation operations shall include adequate measures that minimize use of water for cultivation on the lot. Water conservation measures, water capture systems, or grey water systems shall be incorporated into the operations in order to minimize use of water where feasible.* The project has been conditioned to meet this standard. (Advisory Notification Document Planning-All No. 21 Cultivation Operations – 2)
 - c. **OPERATIONS.**
 - i. *All Cannabis Cultivation lighting shall be fully shielded, downward casting and not spill over onto structures, other properties or the night sky. All Indoor and Mixed Light Cannabis*

Cultivation operations shall be fully contained so that little to no light escapes. Light shall not escape at a level that is visible from neighboring properties between sunset and sunrise. The cultivation is proposed indoors and the portion of the building where it is proposed does not contain windows where any internal light would escape to be visible to neighboring properties. Furthermore, the project has been conditioned to meet this standard. (Advisory Notification Document Planning-All No. 22 Cultivation Operations – 3)

- ii. *All Cannabis Cultivation operations shall accumulate or store garbage and refuse in a nonabsorbent, water-tight, vector resistant, durable, easily cleanable, galvanized metal or heavy plastic containers with tight fitting lids. No refuse container shall be filled beyond the capacity to completely close the lid. All garbage and refuse on the site shall not be accumulated or stored for more than seven calendar days, and shall be properly disposed of before the end of the seventh day. All waste, including but not limited to refuse, garbage, green waste and recyclables, must be disposed of in accordance with County and State laws and regulations. All waste generated from Cannabis Cultivation operations must be properly stored and secured to prevent access from the public. The project has been conditioned to meet this standard. (Advisory Notification Document Planning-All No. 23 Cultivation Operations – 4)*
- iii. *Onsite generators are prohibited, except as a source of energy in an emergencies. Onsite generators for emergency use shall be included in the conditional use permit. The project is proposed within an existing building with electricity service and does not propose a generator on site. Regardless, the project has been conditioned to meet this standard. (Advisory Notification Document Planning-All No. 24 Cultivation Operations – 5)*
- iv. *Cannabis Cultivation within the A-1, A-P, A-2, and A-D Zones shall not include the retail sales of Cannabis or Cannabis Products. The project is not located within these zones, so this standard is not applicable.*

Cannabis Microbusiness Findings:

1. The project complies with all the requirements of the State and County for the selling of Cannabis. This is met because the project has been conditioned to meet these requirements.
2. The project is not located within 1,000 feet from any Child Day Care Center, K-12 school, public park, or Youth Center or a variance has been approved allowing a shorter distance but not less than allowed by State law. This is met because a radius map buffering 1,200 feet from the subject site was prepared by Riverside County Geographic Information Systems and has not identified any Child Day Care Center, K-12 school, public park, or Youth Centers within 1,200 feet of the site. Therefore, the project meets this standard.
3. The project includes adequate measures that address enforcement priorities for Commercial Cannabis Activities including restricting access to minors, and ensuring that Cannabis and Cannabis Products are obtained from and supplied only to other permitted licensed sources within the State and not distributed out of State. This is met because the project has been conditioned to meet this requirement. (Advisory Notification Document No. 16 Planning - General - O. Permit and License Posting, Advisory Notification Document No. 11 Planning – General – K Monitoring Program)
4. For Cannabis Microbusiness facility with verified cannabis-related violations within the last 12 months prior to the adoption date of Ordinance No. 348.4898, the use will not contribute to repeat

violation on the lot and all applicable fees have been paid. This is met because no record of any cannabis-related violations within the last 12 months exist at the project site.

Other Findings:

1. The project site is not located within a Criteria Cell of the Western Riverside County Multiple Species Habitat Conservation Plan.
2. The project site is located within Cathedral City Sphere of Influence. The project was transmitted to the City and no comments were received.
3. The project site is not located within an Airport Influence Area ("AIA") boundary and is therefore not subject to the Airport Land Use Commission ("ALUC") review.
4. The project site is not located within the Mount Palomar Observatory Lighting Zone boundary.
5. The project site is not located within the Fee Assessment Area of the Stephen's Kangaroo Rat Habitat Conservation Plan ("SKRHCP").

Fire Findings:

1. The project site is not located within Fire Hazard Severity Zone or a Cal Fire State Responsibility Area ("SRA"). Advisory Notification Document were placed on CUP No. 190058 requiring compliance with Ordinance No. 348.

Development Agreement:

The applicant has proposed entering into the attached draft development agreement (DA No. 1900049) with the County for the Project. The DA is consistent with the General Plan and Board Policy B-9. Additionally, the advisory notification document, conditions of approval, and entitlement approvals are incorporated in the exhibits of the DA and will ensure that the project is developed in a way that would not conflict with the public's health, safety, or general welfare. The DA has a term of 10 years and will grant the applicant vesting rights to develop the Project in accordance with the terms of the DA. In exchange, the DA provides certain public benefits that go beyond the basic requirements of the County including annual public benefit payments, which will be used for additional public safety services, infrastructure improvements, or community enhancement programs.

Approval Requirements and Conclusion:

Based on the findings provided in this staff report and conditions of approval, the project is consistent with the General Plan and any applicable specific plan, complies with the development standards of the M-SC zoning classification, complies with the permit requirements for all Commercial Cannabis Activities, complies with the minimum standard requirements and will not be detrimental to the public health, safety or general welfare. Additionally, the project complies with all applicable requirements of State law and ordinances of Riverside County.

PUBLIC HEARING NOTIFICATION AND COMMUNITY OUTREACH

This project was advertised in the Press Enterprise and Desert Sun newspapers on February 16, 2021. Additionally, public hearing notices were mailed to property owners within 1,200 feet of the project site. As of the writing of this report, Planning Staff has not received any written communications or phone calls indicating support or opposition to the proposed project.

REPORT:

Prepared by Mina Morgan
Reviewed by Leila Moshref-Danesh
Reviewed by Shellie Clack
Reviewed by Robert Flores
Approved by John Hildebrand

DEVELOPMENT AGREEMENT NO. 1900049

This Development Agreement (hereinafter "Agreement") is entered into effective on the date it is recorded with the Riverside County Recorder (hereinafter the "Effective Date") by and among the COUNTY OF RIVERSIDE (hereinafter "COUNTY"), and the persons and entities listed below (hereinafter "OWNER"):

[As required by Sections 103 and 103.5 of the *Procedures and Requirements of the County of Riverside for the Consideration of Development Agreements*, all owners of fee simple title to all or any part of the real property which is the subject of a development agreement shall be necessary parties to the agreement. Also, any person having a legal or equitable interest in such real property who is reasonably necessary to ensure the full implementation and performance of the development agreement throughout its term shall be a necessary party. No hearing on a development agreement shall be held until and unless all necessary parties have agreed in writing to join in the application of the development agreement.]

RECITALS

WHEREAS, COUNTY is authorized to enter into binding development agreements with persons having legal or equitable interests in real property for the development of such property, pursuant to Article 11, Section 7 of the California Constitution and Section 65864, et seq. of the Government Code; and,

WHEREAS, COUNTY has adopted Procedures and Requirements of the County of Riverside for the Consideration of Development Agreements (hereinafter "Procedures and Requirements"), pursuant to Section 65865 of the Government Code; and,

WHEREAS, OWNER has requested COUNTY to enter into a development agreement and proceedings have been taken in accordance with the Procedures and Requirements of COUNTY; and,

WHEREAS, by electing to enter into this Agreement, COUNTY shall bind future Boards of Supervisors of COUNTY by the obligations specified herein and limit the future exercise of certain governmental and proprietary powers of COUNTY; and,

WHEREAS, the terms and conditions of this Agreement have undergone extensive review by COUNTY and the Board of Supervisors and have been found to be fair, just and reasonable; and,

WHEREAS, the best interests of the citizens of Riverside County and the public health, safety and welfare will be served by entering into this Agreement; and,

WHEREAS, all of the procedures of the California Environmental Quality Act (Public Resources Code, Section 21000 et seq.) have been met with respect to the Project and the Agreement; and,

WHEREAS, this Agreement and the Project are consistent with the Riverside County General Plan and any specific plan applicable thereto; and,

WHEREAS, all actions taken and approvals given by COUNTY have been duly taken or approved in accordance with all applicable legal requirements for notice, public hearings, findings, votes, and other procedural matters; and,

WHEREAS, this Agreement will confer substantial private benefits on OWNER by granting vested rights to develop the Property in accordance with the provisions of this Agreement; and,

WHEREAS, OWNER proposes to develop the Property to be used for the Commercial Cannabis Activity described in Exhibit E (“the Development Plan”); and,

WHEREAS, Riverside County Ordinance 348.4898 (hereinafter “Ordinance No.

348.4898”) establishes a regulatory permitting process for Commercial Cannabis Activities and prohibits all Commercial Cannabis Activities in all land use zones without the benefit of a land use permit issued by the COUNTY; and,

WHEREAS, Board of Supervisors Policy No. B-9 further sets forth provisions to be included in development agreements in order to implement applicable General Plan provisions, to ensure that the County does not disproportionately bear the burden of commercial cannabis activities throughout the County, to ensure the County receives public benefits for the commercial cannabis activities, to ensure there are adequate resources available for enforcement of permitted and unpermitted commercial cannabis activities, and to give cannabis owners and property owners certainty as to the County’s requirements; and,

WHEREAS, this Agreement complies with the provisions of both Ordinance No. 348.4898 and Board Policy B-9; and,

WHEREAS, this Agreement will eliminate uncertainty in planning and provide for the orderly development of the Property, ensure progressive installation of necessary improvements, provide for public services appropriate to the development of the Project, and generally serve the purposes for which development agreements under Sections 65864, et seq. of the Government Code are intended; and,

WHEREAS, OWNER has incurred and will in the future incur substantial costs in order to assure development of the Property in accordance with this Agreement; and,

WHEREAS, OWNER has incurred and will in the future incur substantial costs in excess of the generally applicable requirements in order to assure vesting of legal rights to develop the Property in accordance with this Agreement.

COVENANTS

NOW, THEREFORE, in consideration of the above recitals and of the mutual covenants

hereinafter contained and for other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties agree as follows:

1. DEFINITIONS AND EXHIBITS.

1.1 Definitions. The following terms when used in this Agreement shall be defined as follows:

1.1.1 "Agreement" means this Development Agreement.

1.1.2 "Base Rate" means the calculated amount set forth in Exhibit "F", and which is payable to COUNTY annually pursuant to Subsections 4.2.1 and 4.2.2 of this Agreement and increased annually by 2% from and after the date of this agreement.

1.1.3 "Commercial Cannabis Activity" means the cultivation, possession, manufacture, distribution, processing, storing, laboratory testing, packaging, labeling, transportation, delivery or sale of Cannabis and cannabis products as provided for in Ordinance No. 348, as amended through Ordinance No. 348.4898, and any other subsequently adopted zoning ordinance amendment or subsequently adopted zoning ordinance.

1.1.4 "Conditional Use Permit" means the land use permit required by COUNTY to conduct Commercial Cannabis Activities.

1.1.5 "COUNTY" means the County of Riverside, a political subdivision of the State of California.

1.1.6 "Development" means the improvement of the Property for the purposes of completing the structures, improvements and facilities comprising the Project including, but not limited to: grading; the construction of infrastructure and public facilities related to the Project whether located within or outside the Property; the construction or re-

construction of buildings and structures; the tenant improvements of structures, and the installation of landscaping. When authorized by a Subsequent Development Approval as provided by this Agreement, “development” includes the maintenance, repair, reconstruction or redevelopment of any building, structure, improvement or facility after the construction and completion thereof.

1.1.7 “Development Approvals” means all permits and other entitlements for use subject to approval or issuance by COUNTY in connection with use of the Property and for development of the Property for Commercial Cannabis Activities including, but not limited to:

- (a) Conditional use permits, and site plans;
- (b) Zoning Amendments;
- (c) General Plan Amendments
- (d) Tentative and final subdivision and parcel maps;
- (e) Grading and building permits;
- (f) Any permits or entitlements necessary from the COUNTY;
- (g) Any easements necessary from COUNTY or any other land owner;
- (h) Specific plans and specific plan amendments;
- (i) Right of Entry agreements

1.1.8 “Development Exaction” means any requirement of the COUNTY in connection with or pursuant to any Land Use Regulation or Development Approval for the dedication of land, the construction of improvements or public facilities, or the payment of fees in order to lessen, offset, mitigate or compensate for the impacts of development on the environment or other public interests.

1.1.9 “Development Plan” means the Existing or Proposed Development Approvals and the Existing Land Use Regulations applicable to development of the Property.

1.1.10 “Effective Date” means the date this Agreement is recorded with the County Recorder.

1.1.11 “Existing Development Approvals” means all Development Approvals approved or issued prior to the Effective Date. Existing Development Approvals includes the Development Approvals incorporated herein as Exhibit “C” and all other Development Approvals which are a matter of public record on the Effective Date.

1.1.12 “Existing Land Use Regulations” means all Land Use Regulations in effect on the Effective Date. Existing Land Use Regulations includes the Land Use Regulations incorporated herein as Exhibit “D” and all other Land Use Regulations which are a matter of public record on the Effective Date.

1.1.13 “Land Use Regulations” means all ordinances, resolutions, codes, rules, regulations and official policies of COUNTY governing the development and use of land, including, without limitation, the permitted use of land, the density or intensity of use, subdivision requirements, the maximum height and size of proposed buildings and structures, the provisions for reservation or dedication of land for public purposes, and the design, improvement and construction standards and specifications applicable to the development of the property. “Land Use Regulations” does not include any COUNTY ordinance, resolution, code, rule, regulation or official policy, governing:

- (a) The conduct of businesses, professions, and occupations;
- (b) Taxes and assessments;
- (c) The control and abatement of nuisances;

- (d) The granting of encroachment permits and the conveyance of rights and interests which provide for the use of or the entry upon public property;
- (e) The exercise of the power of eminent domain.

1.1.14 "Mortgagee" means a mortgagee of a mortgage, a beneficiary under a deed of trust or any other security-device lender, and their successors and assigns.

1.1.15 "OWNER" means the owner of the PROPERTY and the persons and entities listed as OWNER on the first page of this Agreement. OWNER shall also include any of the following:

1. A person with an aggregate ownership interest of 20 percent or more in the Commercial Cannabis Activity for which a license or permit is being sought, unless the interest is solely a security, lien, or encumbrance.
2. The chief executive officer of a nonprofit or other entity for the Commercial Cannabis Activity.
3. A member of the board of directors of a nonprofit for the Commercial Cannabis Activity.
4. An individual who will be participating in the direction, control, or management of the person applying for a Commercial Cannabis Activity Conditional Use Permit or State license."

1.1.16 "Project" means the development of the Property contemplated by the Development Plan as such Plan may be further defined, enhanced or modified pursuant to the provisions of this Agreement.

1.1.17 "Property" means the real property described on Exhibit "A" and shown on Exhibit "B" to this Agreement.

1.1.18 “Reservations of Authority” means the rights and authority excepted from the assurances and rights provided to OWNER under this Agreement and reserved to COUNTY under Section 3.5 of this Agreement.

1.1.19 “Subsequent Development Approvals” means all Development Approvals approved subsequent to the Effective Date in connection with development of the Property.

1.1.20 “Subsequent Land Use Regulations” means any Land Use Regulations adopted and effective after the Effective Date of this Agreement.

1.1.21 “Transfer” means sale, assignment, lease, sublease or any other transfer of a legal or equitable interest in the Property.

1.2 Exhibits. The following documents are attached to, and by this reference made a part of, this Agreement:

Exhibit “A” - Legal Description of the Property

Exhibit “B” - Map Showing Property and Its Location

Exhibit “C” - Existing Development Approvals

Exhibit “D” - Existing Land Use Regulations

Exhibit “E” - Commercial Cannabis Activity Site Plan & Description

Exhibit “F” - Applicable Annual Public Benefits Base Payments

Exhibit “G” - Commercial Cannabis Area calculation exhibit.

Exhibit “H” - Additional Public Benefits Exhibit

2. GENERAL PROVISIONS.

2.1 Binding Effect of Agreement. The Property is hereby made subject to this Agreement. Development of the Property is hereby authorized and shall be carried out only in

accordance with the terms of this Agreement.

2.2 Ownership of Property. OWNER represents and covenants that it is the owner of a legal or equitable interest in the Property or a portion thereof.

2.3 Term. This Agreement shall commence on the Effective Date and shall continue for a period of ten years thereafter, unless this term is modified or extended for one additional five year term pursuant to the provisions of this Agreement and so long as the Project is in compliance with all applicable conditions of approval and County ordinances.

2.4 Transfer.

2.4.1 Right to Transfer. OWNER shall have the right to transfer the Property in whole or in part (provided that no such partial transfer shall violate the Subdivision Map Act, Government Code Section 66410, et seq., or Riverside County Ordinance No. 460) to any person, partnership, joint venture, firm or corporation at any time during the term of this Agreement; provided, however, that any such transfer shall include the assignment and assumption of the rights, duties and obligations arising under or from this Agreement and be made in strict compliance with the following conditions precedent:

(a) No transfer of any right or interest under this Agreement shall be made unless made together with the sale, transfer or assignment of all or a part of the Property.

(b) Concurrent with any such transfer or within fifteen (15) business days thereafter, OWNER shall notify COUNTY, in writing, of such transfer and shall provide COUNTY with an executed agreement by the transferee, in a form reasonably acceptable to COUNTY, providing therein that the transferee expressly and unconditionally assumes all the duties and obligations of OWNER under this Agreement.

Any transfer not made in strict compliance with the foregoing conditions shall constitute a default by OWNER under this Agreement. Notwithstanding the failure of any transferee to execute the agreement required by Paragraph (b) of this Subsection 2.4.1, the burdens of this Agreement shall be binding upon such transferee, but the benefits of this Agreement shall not inure to such transferee until and unless such agreement is executed.

2.4.2 Release of Transferring Owner. Notwithstanding any transfer, a transferring OWNER shall continue to be obligated under this Agreement unless such transferring OWNER is given a release in writing by COUNTY, which release shall be provided by COUNTY upon the full satisfaction by such transferring OWNER of the following conditions:

- (a) OWNER no longer has a legal or equitable interest in all or any part of the Property.
- (b) OWNER is not then in default under this Agreement.
- (c) OWNER has provided COUNTY with the notice and executed agreement required under Paragraph (b) of Subsection 2.4.1 above.
- (d) The transferee provides COUNTY with security equivalent to any security previously provided by OWNER to secure performance of its obligations hereunder.

2.4.3 Subsequent Transfer. Any subsequent transfer after an initial transfer shall be made only in accordance with and subject to the terms and conditions of this Section.

2.5 Amendment or Cancellation of Agreement. This Agreement may be amended or cancelled in whole or in part only by written consent of all parties in the manner provided for in Government Code Section 65868. This provision shall not limit any remedy of COUNTY or OWNER as provided by this Agreement.

2.6 Termination. This Agreement shall be deemed terminated and of no further effect upon the occurrence of any of the following events:

(a) Expiration of the stated term of this Agreement as set forth in Section 2.3.

(b) Entry of a final judgment by a court of competent jurisdiction setting aside, voiding or annulling the adoption of the ordinance approving this Agreement. For purposes of clarity this termination section excludes entry of a final judgment by a court of competent jurisdiction setting aside, voiding or annulling the adoption of Board of Supervisors' Policy No. B-9.

(c) The adoption of a referendum measure overriding or repealing the ordinance approving this Agreement.

(d) OWNER's election to terminate this Agreement. If OWNER elects not to develop all or a portion of the Property as a Commercial Cannabis Activity, OWNER shall provide notice of such election to the COUNTY, such notice by OWNER shall (i) seek to terminate this Agreement as to the portion of the Property that is the subject of such notice of termination; and (ii) shall acknowledge that the Conditional Use Permit (CUP No. 190058) shall be null and void as to the Property that is the subject of such notice of termination. Following receipt of OWNER's notice of election to terminate this Agreement, OWNER and COUNTY shall execute an appropriate instrument in recordable form evidencing such termination, and shall cause such instrument to be an amendment to this Agreement to be processed in accordance with COUNTY's Procedures and Requirements for the Consideration of Development Agreements set forth in Resolution No. 2020-124.

(e) When OWNER no longer has a legal or equitable interest in the Property or has ceased operations on the Property for a period of ninety (90) consecutive days and no evidence demonstrating continuing and ongoing use of the Property consistent with the approved Conditional Use Permit No. 190058.

(f) Federal Enforcement of the Federal Controlled Substances Act against OWNER or the COUNTY. The parties understand that cannabis is still classified as a Schedule I Drug under the Federal Controlled Substances Act, 21 U.S.C. §§ 801 et seq. In the event there is federal enforcement of the Federal Controlled Substances Act against the COUNTY for the COUNTY's enactment of a comprehensive, regulatory framework for commercial cannabis activities or against OWNER for OWNER's own commercial cannabis activities, this Agreement shall be deemed terminated and of no further effect.

(g) Revocation of a Commercial Cannabis Activity Conditional Use Permit or State License.

Upon the termination of this Agreement, no party shall have any further right or obligation hereunder except with respect to any obligation to have been performed prior to such termination or with respect to any default in the performance of the provisions of this Agreement which has occurred prior to such termination or with respect to any obligations which are specifically set forth as surviving this Agreement.

2.7 Notices.

(a) As used in this Agreement, "notice" includes, but is not limited to, the communication of notice, request, demand, approval, statement, report, acceptance, consent, waiver, appointment or other communication required or permitted hereunder.

(b) All notices shall be in writing and shall be considered given either:

(i) when delivered in person to the recipient named below; (ii) on the date of delivery shown on the return receipt, after deposit in the United States mail in a sealed envelope as either registered or certified mail with return receipt requested, and postage and postal charges prepaid, and addressed to the recipient named below; (iii) on the next business day when delivered by overnight United States mail or courier service; or (iv) on the date of delivery shown in the facsimile records of the party sending the facsimile after transmission by facsimile to the recipient named below. All notices shall be addressed as follows:

If to COUNTY:

Clerk of the Board of Supervisors

Riverside County Administrative Center

4080 Lemon Street, First Floor

Riverside, CA 92502

Fax No. (951) 955-1071

with copies to:

County Executive Officer

Riverside County Administrative Center

4080 Lemon Street, 4th Floor

Riverside, CA 92501

Fax No. (951) 955-1105

and

Assistant TLMA Director — Planning and Land Use

Transportation and Land Management Agency

Riverside County Administrative Center,

4080 Lemon Street, 12th Floor

Riverside, CA 92501

Fax No. (951) 955-1817

and

County Counsel

County of Riverside

3960 Orange Street, Suite 500

Riverside, CA 92501

Fax No. (951) 955-6363

If to OWNER:

Kappkush, Inc.

C/O Narine Kapukchyan

3856 Winford Drive

Tarzana, CA 91356

With a copy to: Eric@shevinlaw.com (c) Either party may, by notice given at any time, require subsequent notices to be given to another person or entity, whether a party or an officer or representative of a party, or to a different address, or both. Notices given before actual receipt of notice of change shall not be invalidated by any such change.

3. DEVELOPMENT OF THE PROPERTY.

3.1 Rights to Develop. Subject to the terms of this Agreement including the Reservations of Authority, OWNER shall have a vested right to develop the Property in accordance with, and to the extent of, the Development Plan. The Existing Development Approvals shall not expire and shall remain valid for the Term of this Agreement so long as the Project remains in

compliance with all conditions of approval for the Existing Development Approvals and in compliance with this Agreement. The Project shall remain subject to all Subsequent Development Approvals required to complete the Project as contemplated by the Development Plan. Except as otherwise provided in this Agreement, the permitted uses of the Property, the density and intensity of use, the maximum height and size of proposed buildings and structures, and provisions for reservation and dedication of land for public purposes shall be those set forth in the Development Plan.

3.2 Effect of Agreement on Land Use Regulations. Except as otherwise provided under the terms of this Agreement including the Reservations of Authority, the rules, regulations and official policies governing permitted uses of the Property, the density and intensity of use of the Property, the maximum height and size of proposed buildings and structures, and the design, improvement and construction standards and specifications applicable to development of the Property shall be the Existing Land Use Regulations. In connection with any Subsequent Development Approval, COUNTY shall exercise its discretion in accordance with the Development Plan, and as provided by this Agreement including, but not limited to, the Reservations of Authority. COUNTY shall accept for processing, review and action all applications for Subsequent Development Approvals, and such applications shall be processed in the normal manner for processing such matters.

3.3 Timing of Development. The parties acknowledge that OWNER cannot at this time predict when or the rate at which phases of the Property will be developed. Such decisions depend upon numerous factors which are not within the control of OWNER, such as market orientation and demand, interest rates, absorption, completion and other similar factors. Since the California Supreme Court held in Pardee Construction Co. v. City of Camarillo (1984) 37 Cal.3d 465, that the failure of the parties therein to provide for the timing of development resulted in a later adopted

initiative restricting the timing of development to prevail over such parties' agreement, it is the parties' intent to cure that deficiency by acknowledging and providing that OWNER shall have the right to develop the Property in such order and at such rate and at such times as OWNER deems appropriate within the exercise of its subjective business judgment.

3.4 Changes and Amendments. The parties acknowledge that refinement and further development of the Project will require Subsequent Development Approvals and may demonstrate that changes are appropriate and mutually desirable in the Existing Development Approvals. In the event OWNER finds that a change in the Existing Development Approvals is necessary or appropriate, OWNER shall apply for a Subsequent Development Approval to effectuate such change and COUNTY shall process and act on such application in accordance with the Existing Land Use Regulations, except as otherwise provided by this Agreement including the Reservations of Authority. If approved, any such change in the Existing Development Approvals shall be incorporated herein as an addendum to Exhibit "C", and may be further changed from time to time as provided in this Section. Unless otherwise required by law, as determined in COUNTY's reasonable discretion, a change to the Existing Development Approvals shall be deemed "minor" and not require an amendment to this Agreement provided such change does not:

(a) Alter the permitted uses of the Property as a whole; or,

(b) Increase the density or intensity of use of the Property as a whole;

or,

(c) Increase the maximum height and size of permitted buildings or structures;

or,

(d) Delete a requirement for the reservation or dedication of land for public purposes within the Property as a whole; or,

(e) Constitute a project requiring a subsequent or supplemental environmental

impact report pursuant to Section 21166 of the Public Resources Code.

3.5 Reservations of Authority.

3.5.1 Limitations. Reservations and Exceptions. Notwithstanding any other provision of this Agreement, the following Subsequent Land Use Regulations shall apply to the development of the Property.

(a) Processing fees and charges of every kind and nature imposed by COUNTY to cover the estimated actual costs to COUNTY of processing applications for Development Approvals or for monitoring compliance with any Development Approvals granted or issued.

(b) Procedural regulations relating to hearing bodies, petitions, applications, notices, findings, records, hearings, reports, recommendations, appeals and any other matter of procedure.

(c) Regulations governing construction standards and specifications including, without limitation, the Building Code, Plumbing Code, Mechanical Code, Electrical Code, Fire Code and Grading Code applicable in the County.

(d) Regulations imposing Development Exactions. Development Exactions shall be applicable to development of the Property if such Development Exaction is applied uniformly to development, either throughout the COUNTY or within a defined area of benefit which includes the Property. No such subsequently adopted Development Exaction shall apply if its application to the Property would physically prevent development of the Property for the uses and to the density or intensity of development set forth in the Development Plan.

(e) Regulations which may be in conflict with the Development Plan but

which are reasonably necessary to protect the public health and safety. To the extent possible, any such regulations shall be applied and construed so as to provide OWNER with the rights and assurances provided under this Agreement.

(f) Regulations which are not in conflict with the Development Plan. Any regulation, whether adopted by initiative or otherwise, limiting the rate or timing of development of the Property shall be deemed to conflict with the Development Plan and shall therefore not be applicable to the development of the Property.

(g) Regulations which are in conflict with the Development Plan provided OWNER has given written consent to the application of such regulations to development of the Property.

3.5.2 Subsequent Development Approvals. This Agreement shall not prevent COUNTY, in acting on Subsequent Development Approvals, from applying Subsequent Land Use Regulations which do not conflict with the Development Plan, nor shall this Agreement prevent COUNTY from denying or conditionally approving any Subsequent Development Approval on the basis of the Existing Land Use Regulations or any Subsequent Land Use Regulation not in conflict with the Development Plan.

3.5.3 Modification or Suspension by State or Federal Law. In the event that State or Federal laws or regulations, enacted after the Effective Date of this Agreement, prevent or preclude compliance with one or more of the provisions of this Agreement or require changes in plans, maps or permits approved by the COUNTY, such provisions of this Agreement shall be modified or suspended as may be necessary to comply with such State or Federal laws or regulations, provided, however, that this Agreement shall remain in full force and effect to the extent it is not inconsistent with such laws or regulations and to the

extent such laws or regulations do not render such remaining provisions impractical to enforce.

3.5.4 Intent. The parties acknowledge and agree that COUNTY is restricted in its authority to limit its police power by contract and that the foregoing limitations, reservations and exceptions are intended to reserve to COUNTY all of its police power which cannot be so limited. This Agreement shall be construed, contrary to its stated terms if necessary, to reserve to COUNTY all such power and authority which cannot be restricted by contract.

3.5.5. Application of State and Local Regulatory Laws Governing Commercial Cannabis Activities. The operation of Commercial Cannabis Activities is a highly regulated business activity, and it is subject to various state and local laws and regulations. This Agreement does not, and the County cannot and does not intend to, give OWNER the right to continue its operations without complying with applicable state and local laws governing its operations. OWNER shall be responsible for obtaining, and maintaining throughout the entire term of this Agreement, all applicable state licenses, permits, approvals, and consents, even if the applicable state laws and regulations are altered following the Effective Date.

3.6. Public Works. If OWNER is required by this Agreement to construct any public works facilities which will be dedicated to COUNTY or any other public agency upon completion, and if required by applicable laws to do so, OWNER shall perform such work in the same manner and subject to the same requirements as would be applicable to COUNTY or such other public agency if it would have undertaken such construction.

3.7 Provision of Real Property Interests by COUNTY. In any instance where OWNER is required to construct any public improvement on land not owned by OWNER, OWNER shall at

its sole cost and expense provide or cause to be provided, the real property interests necessary for the construction of such public improvements. In the event OWNER is unable, after exercising reasonable efforts to acquire the real property interests necessary for the construction of such public improvements, and if so instructed by OWNER and upon OWNER'S provision of adequate security for costs COUNTY may reasonably incur, COUNTY shall negotiate the purchase of the necessary real property interests to allow OWNER to construct the public improvements as required by this Agreement and, if necessary, in accordance with the procedures established by law, use its power of eminent domain to acquire such required real property interests. OWNER shall pay all costs associated with such acquisition or condemnation proceedings. This Section 3.7 is not intended by the parties to impose upon the OWNER an enforceable duty to acquire land or construct any public improvements on land not owned by OWNER, except to the extent that the OWNER elects to proceed with the development of the Project, and then only in accordance with valid conditions imposed by the COUNTY upon the development of the Project under the Subdivision Map Act, Government Code Section 66410 et seq., or other legal authority.

3.8 Regulation by Other Public Agencies. It is acknowledged by the parties that other public agencies not within the control of COUNTY possess authority to regulate aspects of the development of the Property separately from or jointly with COUNTY and this Agreement does not limit the authority of such other public agencies. For example, pursuant to Government Code Section 66477 and Section 10.35 of Riverside County Ordinance No. 460, another local public agency may provide local park and recreation services and facilities and in that event, it is permitted, and therefore shall be permitted by the parties, to participate jointly with COUNTY to determine the location of land to be dedicated or in lieu fees to be paid for local park purposes, provided that COUNTY shall exercise its authority subject to the terms of this Agreement.

3.9 Tentative Tract Map Extension. Notwithstanding the provisions of Section 66452.6(a)(1) of the Government Code, regarding extensions of time for approved tentative maps subject to a development agreement, no tentative subdivision map or tentative parcel map, heretofore or hereafter approved in connection with development of the Property, shall be granted an extension of time except in accordance with the Subdivision Map Act and Existing Land Use Regulations.

3.10 Vesting Tentative Maps. If any tentative or final subdivision map, or tentative or final parcel map, heretofore or hereafter approved in connection with development of the Property, is a vesting map under the Subdivision Map Act (Government Code Section 66410, et seq.) and Riverside County Ordinance No. 460 and if this Agreement is determined by a final judgment to be invalid or unenforceable insofar as it grants a vested right to develop to OWNER, then and to that extent the rights and protections afforded OWNER under the laws and ordinances applicable to vesting maps shall supersede the provisions of this Agreement. Except as set forth immediately above, development of the Property shall occur only as provided in this Agreement, and the provisions in this Agreement shall be controlling over any conflicting provision of law or ordinance concerning vesting maps.

3.11 Request for Proposal Responses. Unless superseded by the terms of this Agreement, development of the Property shall be consistent with the Request for Proposal Responses submitted to the COUNTY and associated with CAN XXX, incorporated herein by this reference.

4. PUBLIC BENEFITS.

4.1 Intent. The parties acknowledge and agree that development of the Property will detrimentally affect public interests which will not be fully addressed by the Development Plan and further acknowledge and agree that this Agreement confers substantial private benefits on OWNER which should be balanced by commensurate public benefits. Accordingly, the parties

intend to provide consideration to the public to balance the private benefits conferred on OWNER by providing more fully for the satisfaction of public interests.

4.2 Public Benefits for Commercial Cannabis Activities.

4.2.1 Annual Public Benefit Base Payments. Prior to the issuance of the first grading permit or the first building permit, whichever occurs first, for any part of the Commercial Cannabis Activity, OWNER shall pay to COUNTY an amount equal to the base payment calculated per Section 1.1.2 of this Agreement (“Base Payment”); provided, however, that such initial annual Base Payment shall be prorated based on the number of whole months remaining between the date of payment and the first following June 30th.

4.2.2 Subsequent Annual Base Payments. The annual Base Payment shall be subject to annual increases in an amount of 2%. Prior to the first July 1st following the initial Base Payment and each July 1st thereafter during the term of the Agreement, OWNER shall pay to COUNTY an amount equal to the Base Payment plus the 2% annual increase.

4.3 Annual Additional Public Benefits. OWNER shall perform Additional Public Benefits identified in Exhibit “H” that will benefit the community in which the Commercial Cannabis Activity is located. Prior to the issuance of the certificate of occupancy for any part of the Commercial Cannabis Activity, OWNER shall pay to COUNTY fifty percent (50%) of the total additional public benefit amount set forth in Exhibit “H” of this Agreement (“Additional Public Benefit”) and the remaining fifty percent (50%) of the total Additional Public Benefit within six (6) months of the issuance of certificate of occupancy; provided, however, that such initial annual payment shall be prorated based on the number of whole months remaining between the date of payment and the first following June 30th.

4.3.1 Subsequent Annual Additional Public Benefits. The Additional Public

Benefit provided in Exhibit "H" shall be subject to annual increases in an amount of 7%. Prior to the first July 1st following the initial Additional Public Benefit payment and each July 1st thereafter during the term of the Agreement, OWNER shall pay to COUNTY an amount equal to the Additional Public Benefit plus the 7% annual increase.

4.4 Taxes. Nothing herein shall be construed to relieve OWNER from paying and remitting all applicable federal, state and local taxes applicable to the Project, including but not limited to, income taxes, property taxes, local sales and use taxes, and any taxes imposed on cannabis activities and cannabis products pursuant to the Medicinal and Adult-Use Cannabis Regulation and Safety Act.

4.5 Assessments. Nothing herein shall be construed to relieve the Property from assessments levied against it by the County pursuant to any statutory procedure for the assessment of property to pay for infrastructure and/or services which benefit the Property.

4.6 New Taxes. Any subsequently enacted County taxes, including but not limited to any taxes on commercial cannabis activities, shall apply to the Project. In the event that County taxes are enacted specifically for commercial cannabis activities and cannabis products, the parties agree that this Agreement may be modified in accordance with Section 2.5 to reduce the OWNER's total public benefit payment (the sum total of the Base Rate plus the Additional Public Benefit) by an amount equal to the amount of the tax imposed on the OWNER for commercial cannabis activities and cannabis products. The parties acknowledge that the intent of being able to modify the Agreement in the event County taxes are enacted on the commercial cannabis activities and cannabis products is to enable the authority to adjust the total public benefit amount due and payable under this Agreement by the OWNER.

4.7 Vote on Future Assessments and Fees. In the event that any assessment, fee or charge which is applicable to the Property is subject to Article XIID of the California Constitution

and OWNER does not return its ballot, OWNER agrees, on behalf of itself and its successors that the County may count OWNER's ballot as affirmatively voting in favor of such assessment, fee or charge.

5. FINANCING OF PUBLIC IMPROVEMENTS. If deemed appropriate, COUNTY and OWNER will cooperate in the formation of any special assessment district, community facilities district or alternate financing mechanism to pay for the construction and/or maintenance and operation of public infrastructure facilities required as part of the Development Plan. OWNER also agrees that it will not initiate and/or cooperate in the formation of any such special assessment district, community facilities district or alternate financing mechanism involving any other public agency without the prior written consent of the COUNTY.

Should the Property be included within such a special assessment district, community facilities district or other financing entity, the following provisions shall be applicable:

(a) In the event OWNER conveys any portion of the Property and/or public facilities constructed on any portion of the Property to COUNTY or any other public entity and said Property is subject to payment of taxes and/or assessments, such taxes and/or assessments shall be paid in full by OWNER prior to completion of any such conveyance.

(b) If OWNER is in default in the payment of any taxes and/or assessments, OWNER shall be considered to be in default of this Agreement and COUNTY may, in its sole discretion, initiate proceedings pursuant to Section 8.4 of this Agreement.

Notwithstanding the foregoing, it is acknowledged and agreed by the parties that nothing contained in this Agreement shall be construed as requiring COUNTY or the COUNTY Board of Supervisors to form any such district or to issue and sell bonds.

6. REVIEW FOR COMPLIANCE.

6.1 Annual Review. The TLMA Director, in consultation with the County Executive

Officer and County Counsel, shall review this Agreement annually, on or before the Effective Date, in order to ascertain the good faith compliance by OWNER with the terms of the Agreement. In order to facilitate this review, OWNER shall submit an annual monitoring report, in a form specified by the TLMA Director providing all information necessary to evaluate such good faith compliance as determined by the TLMA Director. OWNER shall pay the annual review and administration fee set forth in Ordinance No. 671 prior to submission of each annual monitoring report. Prior to the issuance of any grading permit or building permit for any part of the Project, OWNER shall prepay a fee deposit and administration fee as set forth in Ordinance No. 671 (the "Monitoring Fee Prepayment"). The Monitoring Fee Prepayment shall be retained by the COUNTY until termination of this Agreement, may be used by the COUNTY at any time if there is a failure to pay any part of the annual monitoring and administration fees required under Ordinance No. 671, and shall be promptly replenished by OWNER up to the original required amount after notice by COUNTY to OWNER. Failure by OWNER to submit an annual monitoring report, on or before the Effective Date of each year in the form specified by the TLMA Director, to pay any part of the annual monitoring and administration fee required under Ordinance No. 671, to make the Monitoring Fee Prepayment or to replenish the Monitoring Fee Prepayment shall constitute a default by OWNER under this Agreement.

6.2 Special Review. The Board of Supervisors may order a special review of compliance with this Agreement at any time. The TLMA Director, in consultation with the County Executive Officer and County Counsel, shall conduct such special reviews.

6.3 Property Inspection. In accordance with applicable regulations set forth in the Medicinal and Adult Use Cannabis Regulation and Safety Act and upon twenty-four (24) hour written notice, OWNER shall allow COUNTY representatives access to the Property and all buildings and structures located on the Property to determine compliance with CUP No. 190058

and this Agreement.

6.4. Records Inspection. Upon written request by the COUNTY, OWNER shall provide records to the COUNTY demonstrating compliance with this Agreement, CUP No. 190058 and consistency with the Request for Proposal Responses associated with CAN XXX including, but not limited to, ownership of Property, local hiring and local ownership programs.

6.5 Procedure.

(a) During either an annual review or a special review, OWNER shall be required to demonstrate good faith compliance with the terms of the Agreement. The burden of proof on this issue shall be on OWNER.

(b) Upon completion of an annual review or a special review, the TLMA Director shall submit a report to the Board of Supervisors setting forth the evidence concerning good faith compliance by OWNER with the terms of this Agreement and his recommended finding on that issue.

(c) If the Board finds on the basis of substantial evidence that OWNER has complied in good faith with the terms and conditions of this Agreement, the review shall be concluded.

(d) If the Board makes a preliminary finding that OWNER has not complied in good faith with the terms and conditions of this Agreement, the Board may modify or terminate this Agreement as provided in Section 6.4 and Section 6.5. Notice of default as provided under Section 8.4 of this Agreement shall be given to OWNER prior to or concurrent with, proceedings under Section 6.4 and Section 6.5.

6.6 Proceedings Upon Modification or Termination. If, upon a preliminary finding under Section 6.3, COUNTY determines to proceed with modification or termination of this

Agreement, COUNTY shall give written notice to OWNER of its intention so to do. The notice shall be given at least ten calendar days prior to the scheduled hearing and shall contain:

- (a) The time and place of the hearing;
- (b) A statement as to whether or not COUNTY proposes to terminate or to modify the Agreement; and,
- (c) Such other information as is reasonably necessary to inform OWNER of the nature of the proceeding.

6.7 Hearing on Modification or Termination. At the time and place set for the hearing on modification or termination, OWNER shall be given an opportunity to be heard and shall be entitled to present written and oral evidence. OWNER shall be required to demonstrate good faith compliance with the terms and conditions of this Agreement. The burden of proof on this issue shall be on OWNER. If the Board of Supervisors finds, based upon substantial evidence, that OWNER has not complied in good faith with the terms or conditions of the Agreement, the Board may terminate this Agreement or modify this Agreement and impose such conditions as are reasonably necessary to protect the interests of the County. The decision of the Board of Supervisors shall be final, subject only to judicial review pursuant to Section 1094.5 of the Code of Civil Procedure.

6.8 Certificate of Agreement Compliance. If, at the conclusion of an annual or special review, OWNER is found to be in compliance with this Agreement, COUNTY shall, upon request by OWNER, issue a Certificate of Agreement Compliance ("Certificate") to OWNER stating that after the most recent annual or special review and based upon the information known or made known to the TLMA Director and Board of Supervisors that (1) this Agreement remains in effect and (2) OWNER is not in default. The Certificate shall be in recordable form, shall contain information necessary to communicate constructive record notice of the finding of

compliance, shall state whether the Certificate is issued after an annual or a special review and shall state the anticipated date of commencement of the next annual review. OWNER may record the Certificate with the County Recorder. Whether or not the Certificate is relied upon by transferees or OWNER, COUNTY shall not be bound by a Certificate if a default existed at the time of the Periodic or Special Review, but was concealed from or otherwise not known to the TLMA Director or Board of Supervisors.

7. INCORPORATION AND ANNEXATION.

7.1 Intent. If all or any portion of the Property is annexed to or otherwise becomes a part of a city or another county, it is the intent of the parties that this Agreement shall survive and be binding upon such other jurisdiction.

7.2 Incorporation. If at any time during the term of this Agreement, a city is incorporated comprising all or any portion of the Property, the validity and effect of this Agreement shall be governed by Section 65865.3 of the Government Code.

7.3 Annexation. OWNER and COUNTY shall oppose, in accordance with the procedures provided by law, the annexation to any city of all or any portion of the Property unless both OWNER and COUNTY give written consent to such annexation.

8. DEFAULT AND REMEDIES.

8.1 Remedies in General. It is acknowledged by the parties that COUNTY would not have entered into this Agreement if it were to be liable in damages under this Agreement, or with respect to this Agreement or the application thereof.

In general, each of the parties hereto may pursue any remedy at law or equity available for the breach of any provision of this Agreement, except that COUNTY shall not be liable in damages to OWNER, or to any successor in interest of OWNER, or to any other person, and OWNER

covenants not to sue for damages or claim any damages:

- (a) For any breach of this Agreement or for any cause of action which arises out of this Agreement; or
- (b) For the taking, impairment or restriction of any right or interest conveyed or provided under or pursuant to this Agreement; or
- (c) Arising out of or connected with any dispute, controversy or issue regarding the application, validity, interpretation or effect of the provisions of this Agreement.

Notwithstanding anything in this Article 8 to the contrary, OWNER's liability to COUNTY in connection with this Agreement shall be limited to direct damages and shall exclude any other liability, including without limitation liability for special, indirect, punitive or consequential damages in contract, tort, warranty, strict liability or otherwise.

8.2 Specific Performance. The parties acknowledge that money damages and remedies at law generally are inadequate and specific performance and other non-monetary relief are particularly appropriate remedies for the enforcement of this Agreement and should be available to all parties for the following reasons:

- (a) Money damages are unavailable against COUNTY as provided in Section 8.1 above.
- (b) Due to the size, nature and scope of the project, it may not be practical or possible to restore the Property to its natural condition once implementation of this Agreement has begun. After such implementation, OWNER may be foreclosed from other choices it may have had to utilize the Property or portions thereof. OWNER has invested significant time and resources and performed extensive planning and processing of the Project in agreeing to the terms of this Agreement and will be investing even more significant time and resources in implementing the Project in reliance upon the terms of

this Agreement, and it is not possible to determine the sum of money which would adequately compensate OWNER for such efforts.

8.3 General Release. Except for non-damage remedies, including the remedy of specific performance and judicial review as provided for in Section 8, OWNER, for itself, its successors and assignees, hereby releases the COUNTY, its officers, agents, employees, and independent contractors from any and all claims, demands, actions, or suits of any kind or nature whatsoever arising out of any liability, known or unknown, present or future, including, but not limited to, any claim or liability, based or asserted, pursuant to Article I, Section 19 of the California Constitution, the Fifth Amendment of the United States Constitution, or any other law or ordinance which seeks to impose any other monetary liability or damages, whatsoever, upon the COUNTY because it entered into this Agreement or because of the terms of this Agreement. OWNER hereby waives the provisions of Section 1542 of the Civil Code which provides:

A GENERAL RELEASE DOES NOT EXTEND TO CLAIMS THE CREDITOR OR RELEASING PARTY DOES NOT KNOW OR SUSPECT TO EXIST IN HIS OR HER FAVOR AT THE TIME OF EXECUTING THE RELEASE AND THAT, IF KNOWN BY HIM OR HER WOULD HAVE MATERIALLY AFFECTED HIS OR HER SETTLEMENT WITH THE DEBTOR OR RELEASED PARTY.

OWNER Initials

OWNER Initials

OWNER Initials

8.4 Termination or Modification of Agreement for Default of OWNER. Subject to the provisions contained in Subsection 2.5 herein, COUNTY may terminate or modify this Agreement for any failure of OWNER to perform any material duty or obligation of OWNER under this Agreement, or to comply in good faith with the terms of this Agreement (hereinafter referred to as

“default”); provided, however, COUNTY may terminate or modify this Agreement pursuant to this Section only after providing written notice to OWNER of default setting forth the nature of the default and the actions, if any, required by OWNER to cure such default and, where the default can be cured, OWNER has failed to take such actions and cure such default within 60 days after the effective date of such notice or, in the event that such default cannot be cured within such 60 day period but can be cured within a longer time, has failed to commence the actions necessary to cure such default within such 60 day period and to diligently proceed to complete such actions and cure such default.

8.5 Termination of Agreement for Default of COUNTY. OWNER may terminate this Agreement only in the event of a default by COUNTY in the performance of a material term of this Agreement and only after providing written notice to COUNTY of default setting forth the nature of the default and the actions, if any, required by COUNTY to cure such default and, where the default can be cured, COUNTY has failed to take such actions and cure such default within 60 days after the effective date of such notice or, in the event that such default cannot be cured within such 60 day period but can be cured within a longer time, has failed to commence the actions necessary to cure such default within such 60 day period and to diligently proceed to complete such actions and cure such default.

8.6 Attorneys’ Fees. In any action at law or in equity to enforce or interpret this Agreement, or otherwise arising out of this Agreement, including without limitation any action for declaratory relief or petition for writ of mandate, the parties shall bear their own attorneys’ fees.

9. THIRD PARTY LITIGATION.

9.1 General Plan Litigation. COUNTY has determined that this Agreement is consistent with its General Plan, and that the General Plan meets all requirements of law. OWNER has reviewed the General Plan and concurs with COUNTY’s determination. The parties

acknowledge that:

(a) Litigation may be filed challenging the legality, validity and adequacy of the General Plan; and,

(b) If successful, such challenges could delay or prevent the performance of this Agreement and the development of the Property.

COUNTY shall have no liability in damages under this Agreement for any failure of COUNTY to perform under this Agreement or the inability of OWNER to develop the Property as contemplated by the Development Plan of this Agreement as the result of a judicial determination that on the Effective Date, or at any time thereafter, the General Plan, or portions thereof, are invalid or inadequate or not in compliance with law.

9.2 Third Party Litigation Concerning Agreement. OWNER shall defend, at its expense, including attorneys' fees, indemnify, and hold harmless COUNTY, its officers, agents, employees and independent contractors from any claim, action or proceeding against COUNTY, its officers, agents, employees or independent contractors to attack, set aside, void, or annul the approval of this Agreement or the approval of any permit granted pursuant to this Agreement. COUNTY shall promptly notify OWNER of any such claim, action or proceeding, and COUNTY shall cooperate in the defense. If COUNTY fails to promptly notify OWNER of any such claim, action or proceeding, or if COUNTY fails to cooperate in the defense, OWNER shall not thereafter be responsible to defend, indemnify, or hold harmless COUNTY. COUNTY may in its discretion participate in the defense of any such claim, action or proceeding.

9.3 Indemnity. In addition to the provisions of 9.2 above, OWNER shall indemnify and hold COUNTY, its officers, agents, employees and independent contractors free and harmless from any liability whatsoever, based or asserted upon any act or omission of OWNER, its officers, agents, employees, subcontractors and independent contractors, for property damage, bodily

injury, or death (OWNER's employees included) or any other element of damage of any kind or nature, relating to or in any way connected with or arising from the activities contemplated hereunder, including, but not limited to, the study, design, engineering, construction, completion, failure and conveyance of the public improvements, save and except claims for damages arising through the sole active negligence or sole willful misconduct of COUNTY. OWNER shall defend, at its expense, including attorneys' fees, COUNTY, its officers, agents, employees and independent contractors in any legal action based upon such alleged acts or omissions. COUNTY may in its discretion participate in the defense of any such legal action.

9.4 Environment Assurances. OWNER shall indemnify and hold COUNTY, its officers, agents, employees and independent contractors free and harmless from any liability, based or asserted, upon any act or omission of OWNER, its officers, agents, employees, subcontractors, predecessors in interest, successors, assigns and independent contractors for any violation of any federal, state or local law, ordinance or regulation relating to industrial hygiene or to environmental conditions on, under or about the Property, including, but not limited to, soil and groundwater conditions, and OWNER shall defend, at its expense, including attorneys' fees, COUNTY, its officers, agents, employees and independent contractors in any action based or asserted upon any such alleged act or omission. COUNTY may in its discretion participate in the defense of any such action.

9.5 Reservation of Rights. With respect to Sections 9.2, 9.3 and 9.4 herein, COUNTY reserves the right to either (1) approve the attorney(s) which OWNER selects, hires or otherwise engages to defend COUNTY hereunder, which approval shall not be unreasonably withheld, or (2) conduct its own defense, provided, however, that OWNER shall reimburse COUNTY forthwith for any and all reasonable expenses incurred for such defense, including attorneys' fees, upon billing and accounting therefor.

9.6 Survival. The provisions of Sections 8.1 through 8.3, inclusive, Section 8.6 and Sections 9.1 through 9.6, inclusive, shall survive the termination of this Agreement.

10. MORTGAGEE PROTECTION.

The parties hereto agree that this Agreement shall not prevent or limit OWNER, in any manner, at OWNER's sole discretion, from encumbering the Property or any portion thereof or any improvement thereon by any mortgage, deed of trust or other security device securing financing with respect to the Property. COUNTY acknowledges that the lenders providing such financing may require certain Agreement interpretations and modifications and agrees upon request, from time to time, to meet with OWNER and representatives of such lenders to negotiate in good faith any such request for interpretation or modification. COUNTY will not unreasonably withhold its consent to any such requested interpretation or modification provided such interpretation or modification is consistent with the intent and purposes of this Agreement. Any Mortgagee of the Property shall be entitled to the following rights and privileges:

(a) Neither entering into this Agreement nor a breach of this Agreement shall defeat, render invalid, diminish or impair the lien of any mortgage on the Property made in good faith and for value, unless otherwise required by law.

(b) The Mortgagee of any mortgage or deed of trust encumbering the Property, or any part thereof, which Mortgagee, has submitted a request in writing to the COUNTY in the manner specified herein for giving notices, shall be entitled to receive written notification from COUNTY of any default by OWNER in the performance of OWNER's obligations under this Agreement.

(c) If COUNTY timely receives a request from a Mortgagee requesting a copy of any notice of default given to OWNER under the terms of this Agreement, COUNTY shall provide a copy of that notice to the Mortgagee within ten (10) days of sending the notice of default to OWNER. The Mortgagee shall have the right, but not the obligation, to cure the default during the

remaining cure period allowed such party under this Agreement.

(d) Any Mortgagee who comes into possession of the Property, or any part thereof, pursuant to foreclosure of the mortgage or deed of trust, or deed in lieu of such foreclosure, shall take the Property, or part thereof, subject to the terms of this Agreement. No Mortgagee (including one who acquires title or possession to the Property, or any portion thereof, by foreclosure, trustee's sale, deed in lieu of foreclosure, lease termination, eviction or otherwise) shall have any obligation to construct or complete construction of improvements, or to guarantee such construction or completion; provided, however, that a Mortgagee shall not be entitled to devote the Property to solar power plant use except in full compliance with this Agreement. A Mortgagee in possession shall not have an obligation or duty under this Agreement to perform any of OWNER's obligations or other affirmative covenants of OWNER hereunder, or to guarantee such performance; provided, however, that to the extent that any covenant to be performed by OWNER is a condition precedent to the performance of a covenant by COUNTY, the performance thereof shall continue to be a condition precedent to COUNTY's performance hereunder. All payments called for under Section 4 of this Agreement shall be a condition precedent to COUNTY's performance under this Agreement. Any transfer by any Mortgagee in possession shall be subject to the provisions of Section 2.4 of this Agreement.

11. MISCELLANEOUS PROVISIONS.

11.1 Recordation of Agreement. This Agreement and any amendment, modification, termination or cancellation thereof shall be recorded with the County Recorder by the Clerk of the Board of Supervisors within the period required by Section 65868.5 of the Government Code.

11.2 Entire Agreement. This Agreement sets forth and contains the entire understanding and agreement of the parties, and there are no oral or written representations, understandings or ancillary covenants, undertakings or agreements which are not contained or expressly referred to

herein. No testimony or evidence of any such representations, understandings or covenants shall be admissible in any proceeding of any kind or nature to interpret or determine the terms or conditions of this Agreement.

11.3 Severability. If any term, provision, covenant or condition of this Agreement shall be determined invalid, void or unenforceable, the remainder of this Agreement shall not be affected thereby to the extent such remaining provisions are not rendered impractical to perform taking into consideration the purposes of this Agreement. Notwithstanding the foregoing, the provision of the Public Benefits set forth in Sections 4.2 and 4.3 of this Agreement, including the payments set forth therein, are essential elements of this Agreement and COUNTY would not have entered into this Agreement but for such provisions, and therefore in the event such provisions are determined to be invalid, void or unenforceable, this entire Agreement shall be null and void and of no force and effect whatsoever.

11.4 Interpretation and Governing Law. This Agreement and any dispute arising hereunder shall be governed and interpreted in accordance with the laws of the State of California. This Agreement shall be construed as a whole according to its fair language and common meaning to achieve the objectives and purposes of the parties hereto, and the rule of construction to the effect that ambiguities are to be resolved against the drafting party shall not be employed in interpreting this Agreement, all parties having been represented by counsel in the negotiation and preparation hereof.

11.5 Section Headings. All section headings and subheadings are inserted for convenience only and shall not affect any construction or interpretation of this Agreement.

11.6 Gender and Number. As used herein, the neuter gender includes the masculine and feminine, the feminine gender includes the masculine, and the masculine gender includes the feminine. As used herein, the singular of any word includes the plural.

11.7 Joint and Several Obligations. If this Agreement is signed by more than one OWNER, all obligations of such OWNERS under this Agreement shall be joint and several, and the default of any such OWNER shall be the default of all such OWNERS.

11.8 Time of Essence. Time is of the essence in the performance of the provisions of this Agreement as to which time is an element.

11.9 Waiver. Failure by a party to insist upon the strict performance of any of the provisions of this Agreement by the other party, or the failure by a party to exercise its rights upon the default of the other party; shall not constitute a waiver of such party's right to insist and demand strict compliance by the other party with the terms of this Agreement thereafter.

11.10 No Third Party Beneficiaries. Unless expressly stated herein, this Agreement is made and entered into for the sole protection and benefit of the parties and their successors and assigns. No other person shall have any right of action based upon any provision of this Agreement.

11.11 Force Majeure. Neither party shall be deemed to be in default where failure or delay in performance of any of its obligations under this Agreement is caused by floods, earthquakes, other Acts of God, fires, wars, riots or similar hostilities, strikes and other labor difficulties beyond the party's control, (including the party's employment force). If any such events shall occur, the term of this Agreement and the time for performance by either party of any of its obligations hereunder may be extended by the written agreement of the parties for the period of time that such events prevented such performance, provided that the term of this Agreement shall not be extended under any circumstances for more than five (5) years.

11.12 Mutual Covenants. The covenants contained herein are mutual covenants and also constitute conditions to the concurrent or subsequent performance by the party benefited thereby of the covenants to be performed hereunder by such benefited party.

11.13 Successors in Interest. The burdens of this Agreement shall be binding upon, and

the benefits of this Agreement shall inure to, all successors in interest to the parties to this Agreement. All provisions of this Agreement shall be enforceable as equitable servitudes and constitute covenants running with the land. Each covenant to do or refrain from doing some act hereunder with regard to development of the Property: (a) is for the benefit of and is a burden upon every portion of the Property; (b) runs with the Property and each portion thereof; and, (c) is binding upon each party and each successor in interest during ownership of the Property or any portion thereof.

11.14 Counterparts. This Agreement may be executed by the parties in counterparts, which counterparts shall be construed together and have the same effect as if all of the parties had executed the same instrument.

11.15 Jurisdiction and Venue. Any action at law or in equity arising under this Agreement or brought by a party hereto for the purpose of enforcing, construing or determining the validity of any provision of this Agreement shall be filed and tried in the Riverside Historic Courthouse of the Superior Court of the County of Riverside, State of California, and the parties hereto waive all provisions of law providing for the filing, removal or change of venue to any other court.

11.16 Project as a Private Undertaking. It is specifically understood and agreed by and between the parties hereto that the development of the Project is a private development, that neither party is acting as the agent of the other in any respect hereunder, and that each party is an independent contracting entity with respect to the terms, covenants and conditions contained in this Agreement. No partnership, joint venture or other association of any kind is formed by this Agreement. The only relationship between COUNTY and OWNER is that of a government entity regulating the development of private property and the owner of such property.

11.17 Further Actions and Instruments. Each of the parties shall cooperate with and provide reasonable assistance to the other to the extent contemplated hereunder in the performance

of all obligations under this Agreement and the satisfaction of the conditions of this Agreement. Upon the request of either party at any time, the other party shall promptly execute, with acknowledgement or affidavit if reasonably required, and file or record such required instruments and writings and take any actions as may be reasonably necessary under the terms of this Agreement to carry out the intent and to fulfill the provisions of this Agreement or to evidence or consummate the transactions contemplated by this Agreement.

11.18 Eminent Domain. No provision of this Agreement shall be construed to limit or restrict the exercise by COUNTY of its power of eminent domain. As used herein, "Material Condemnation" means a condemnation of all or a portion of the Property that will have the effect of preventing development of the Project in accordance with this Agreement. In the event of a Material Condemnation, OWNER may (i) request the COUNTY to amend this Agreement and/or to amend the Development Plan, which amendment shall not be unreasonably withheld, (ii) decide, in its sole discretion, to challenge the condemnation, or (iii) request that COUNTY agree to terminate this Agreement by mutual agreement, which agreement shall not be unreasonably withheld, by giving a written request for termination to the COUNTY.

11.19 Agent for Service of Process. In the event OWNER is not a resident of the State of California or it is an association, partnership or joint venture without a member, partner or joint venturer resident of the State of California, or it is a foreign corporation, then in any such event, OWNER shall file with the TLMA Director, upon its execution of this Agreement, a designation of a natural person residing in the State of California, giving his or her name, residence and business addresses, as its agent for the purpose of service of process in any court action arising out of or based upon this Agreement, and the delivery to such agent of a copy of any process in any such action shall constitute valid service upon OWNER. If for any reason service of such process upon such agent is not feasible, then in such event OWNER may be personally served with such

process out of this County and such service shall constitute valid service upon OWNER. OWNER is amenable to the process so served, submits to the jurisdiction of the Court so obtained and waives any and all objections and protests thereto. OWNER for itself, assigns and successors hereby waives the provisions of the Hague Convention (Convention on the Service Abroad of Judicial and Extra Judicial Documents in Civil or Commercial Matters, 20 U .S.T. 361, T.I.A.S. No. 6638).

11.20 Designation of COUNTY Officials. Except for functions to be performed by the Board of Supervisors, COUNTY may, at any time and in its sole discretion, substitute any COUNTY official to perform any function identified in this Agreement as the designated responsibility of any other official. COUNTY shall provide notice of such substitution pursuant to Section 2.7; provided, however, the failure to give such notice shall not affect the authority of the substitute official in any way.

11.21 Authority to Execute. The person executing this Agreement on behalf of OWNER warrants and represents that he has the authority to execute this Agreement on behalf of his corporation, partnership or business entity and warrants and represents that he has the authority to bind OWNER to the performance of its obligations hereunder.

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]

IN WITNESS WHEREOF, the parties hereto have executed this Agreement on the day and year set forth below.

COUNTY OF RIVERSIDE, a political subdivision of the State of California

Dated: _____

By: _____
Karen Spiegel
Chair, Board of Supervisors

ATTEST:

KECIA HARPER
Clerk of the Board

By: _____
Deputy
(SEAL)

OWNER:

Dated: _____

By: _____

Dated: _____

By: _____

(ALL SIGNATURES SHALL BE ACKNOWLEDGED BEFORE A NOTARY PUBLIC.
EXECUTION ON BEHALF OF ANY CORPORATION SHALL BE BY TWO
CORPORATE OFFICERS.)

EXHIBIT "A"

Development Agreement No. 1900049

LEGAL DESCRIPTION OF PROPERTY

(This exhibit will consist of the legal description of the subject property, as described on a provided current (no more than 30 days old) Title Report)

EXHIBIT "B"

Development Agreement No. 1900049

MAP OF PROPERTY AND ITS LOCATION

*(This Exhibit will indicate the property's legal (metes and bounds, if required) boundary
and its location)*

EXHIBIT "C"

Development Agreement No. 1900049

EXISTING DEVELOPMENT APPROVALS

(This exhibit will list all existing Development Approvals of the subject property)

SPECIFIC PLAN

ZONING

LAND DIVISIONS

OTHER DEVELOPMENT APPROVALS

The development approvals listed above include the approved maps and all conditions of approval.

COPIES OF THE EXISTING DEVELOPMENT APPROVALS LISTED ABOVE ARE ON FILE IN THE RIVERSIDE COUNTY PLANNING DEPARTMENT AND ARE INCORPORATED HEREIN BY REFERENCE.

EXHIBIT "D"

Development Agreement No. 1900049

EXISTING LAND USE REGULATIONS

1. Riverside County Comprehensive General Plan as amended through Resolution No. 2019-050
2. Ordinance No. 348 as amended through Ordinance No. 348.4933
3. Ordinance No. 448 as amended through Ordinance No. 448.A
4. Ordinance No. 457 as amended through Ordinance No. 457.105
5. Ordinance No. 458 as amended through Ordinance No. 458.16
6. Ordinance No. 460 as amended through Ordinance No. 460.154
7. Ordinance No. 461 as amended through Ordinance No. 461.10
8. Ordinance No. 509 as amended through Ordinance No. 509.2
9. Ordinance No. 547 as amended through Ordinance No. 547.7
10. Ordinance No. 555 as amended through Ordinance No. 555.20
11. Ordinance No. 617 as amended through Ordinance No. 617.4
12. Ordinance No. 650 as amended through Ordinance No. 650.6
13. Ordinance No. 659 as amended through Ordinance No. 659.13
14. Ordinance No. 663 as amended through Ordinance No. 663.10
15. Ordinance No. 671 as amended through Ordinance No. 671.21
16. Ordinance No. 673 as amended through Ordinance No. 673.4
17. Ordinance No. 679 as amended through Ordinance No. 679.4
18. Ordinance No. 682 as amended through Ordinance No. 682.4
19. Ordinance No. 726 as amended through Ordinance No. 726
20. Ordinance No. 743 as amended through Ordinance No. 743.3

21. Ordinance No. 748 as amended through Ordinance No. 748.1
22. Ordinance No. 749 as amended through Ordinance No. 749.1
23. Ordinance No. 752 as amended through Ordinance No. 752.2
24. Ordinance No. 754 as amended through Ordinance No. 754.3
25. Ordinance No. 787 as amended through Ordinance No. 787.9
26. Ordinance No. 806 as amended through Ordinance No. 806
27. Ordinance No. 810 as amended through Ordinance No. 810.2
28. Ordinance No. 817 as amended through Ordinance No. 817.1
29. Ordinance No. 824 as amended through Ordinance No. 824.15
30. Ordinance No. 847 as amended through Ordinance No. 847.1
31. Ordinance No. 859 as amended through Ordinance No. 859.3
32. Ordinance No. 875 as amended through Ordinance No. 875.1
33. Ordinance No. 915 as amended through Ordinance No. 915
34. Ordinance No. 925 as amended through Ordinance No. 925.1
35. Ordinance No. 926 as amended through Ordinance No. 926
36. Ordinance No. 927 as amended through Ordinance No. 927
37. Ordinance No. 931 as amended through Ordinance No. 931
38. Resolution No. 2020-124 Amending Procedures and Requirements for the
Consideration of Development Agreements (Surface Mining)
39. Board of Supervisors Policy No. B-9 Commercial Cannabis Activities

COPIES OF THE EXISTING LAND USE REGULATIONS LISTED ABOVE ARE ON FILE IN THE RIVERSIDE COUNTY PLANNING DEPARTMENT AND ARE INCORPORATED HEREIN BY REFERENCE.

EXHIBIT "E"

Development Agreement No. 1900049

COMMERCIAL CANNABIS ACTIVITY SITE PLAN & DESCRIPTION

As shown on the attached site plan, CUP No. 190058 permits a Cannabis Micro Business within an existing 13,060 square foot building on an approximately 33,000 square foot lot. The Cannabis Micro Business will include 4,391 square feet of indoor cultivation, 1,559 square feet of manufacturing, 1,094 square feet of retail, 1,721 square feet of nursery, and 4,295 square feet of distribution along with supporting storage, office, employee break area, and reception areas.

EXHIBIT "F"

Development Agreement No. 1900049

APPLICABLE PUBLIC BASE BENEFITS PAYMENTS

The Cannabis Micro Business operating at the Property pursuant to CUP No. 190058 includes an existing 13,060 square foot building on an approximately 33,000 square foot lot, which will include indoor cultivation, nursery, retail, manufacturing, distribution and supporting storage, office, employee break area, and reception areas as more specifically shown on Exhibit "G". In accordance with Board Policy B-9, the base public benefit is the following: \$4.50 per square foot for the indoor cultivation, \$4.00 per square foot for the manufacturing, \$16.00 per square foot for the retail, \$3.00 per square foot for the distribution and \$0.50 per square foot for the nursery. Therefore, the public base benefit payment will be \$57,245.00 and will increase annually at a rate of 2%.

EXHIBIT "G"

Development Agreement No. 1900049

CANNABIS AREA CALCULATION EXHIBIT

The Cannabis Area calculation includes the following: 4,391 square feet for the indoor cultivation, 1,559 square feet for the manufacturing, 1,094 square feet for the retail, 1,721 square feet for the nursery and 4,295 square feet for the distribution totaling a 13,060 square foot building. The 13,060 building will be used for the Cannabis Micro Business as shown in this Exhibit "G".

EXHIBIT "H"

Development Agreement No. 1900049

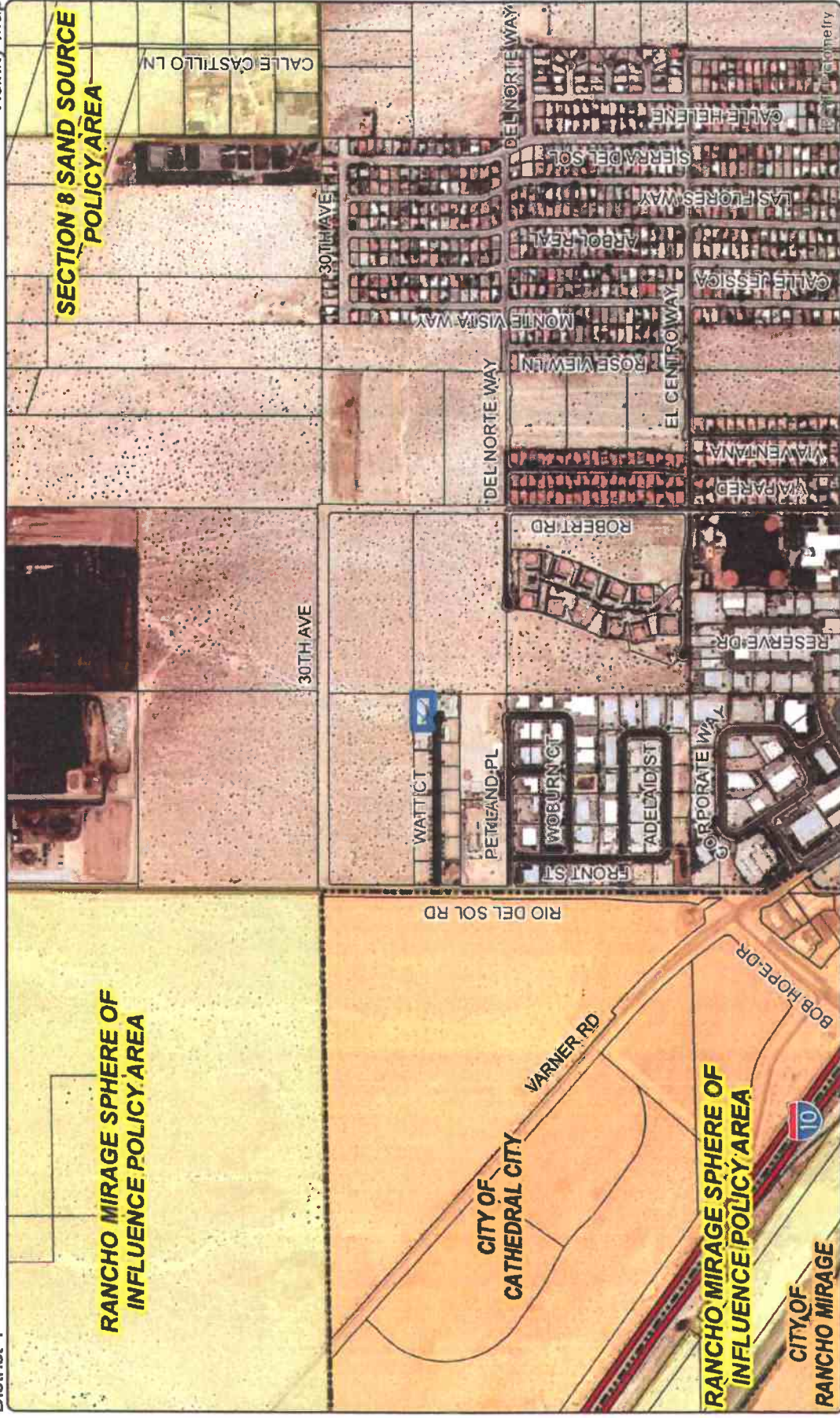
COMMERCIAL CANNABIS ACTIVITY PUBLIC BENEFIT

The additional annual public benefit provided by the OWNER shall be \$80,000.00 with an annual increase of 7%. The COUNTY will utilize this additional annual public benefit within the surrounding community for additional public benefits including, but not limited to, code enforcement, public safety services, infrastructure improvements, community enhancement programs and other similar public benefits as solely determined by the COUNTY's Board of Supervisors. Additionally, consistent with CAN XXX, OWNER will participate in community events, career opportunity events, as well as educational and wellness seminars within the surrounding community.

RIVERSIDE COUNTY PLANNING DEPARTMENT
CUP190058 DA1900049
VICINITY/POLICY AREAS

Supervisor: Perez
District 4

Date Drawn: 01/13/2021
Vicinity Map



Zoning Dist: Thousand Palms

Author: Vinnie Nguyen



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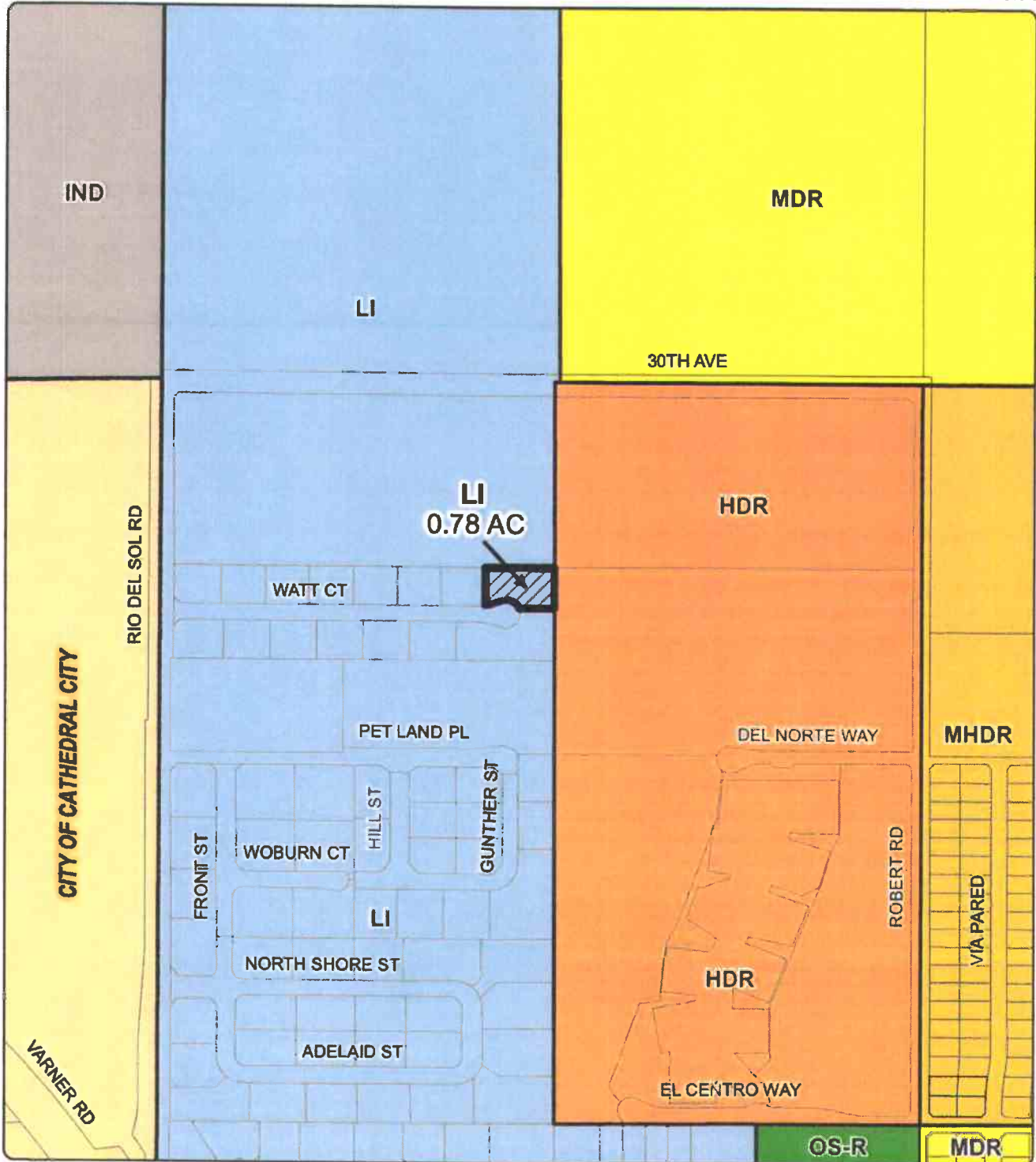
RIVERSIDE COUNTY PLANNING DEPARTMENT

CUP190058 DA1900049

EXISTING GENERAL PLAN

Supervisor: Perez
District 4

Date Drawn: 01/13/2021
Exhibit 5



Zoning Dist: Thousand Palms

Author: Vinnie Nguyen

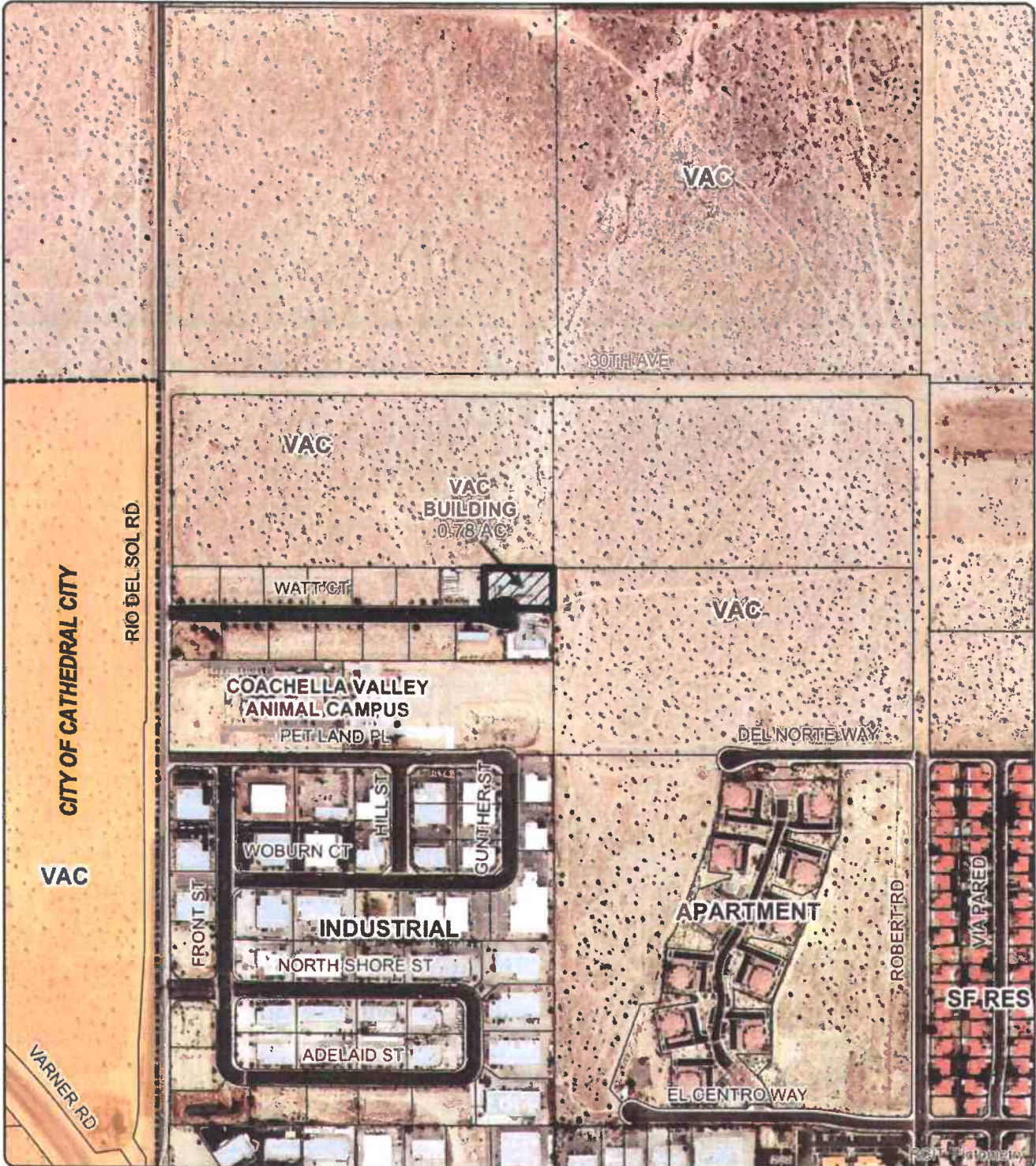
DISCLAIMER: On October 7, 2008, the County of Riverside adopted a new General Plan providing new land use designations for unincorporated Riverside County parcels. The new General Plan may contain different type of land use than is provided for under existing zoning. For further information, please contact the Riverside County Planning Department offices in Riverside at (951)955-3200 (Western County) or in Palm Desert at (760)863-8277 (Eastern County) or Website: <http://www.riversidecounty.net>

RIVERSIDE COUNTY PLANNING DEPARTMENT
CUP190058 DA1900049

Supervisor: Perez
 District 4

Date Drawn: 01/13/2021
 Exhibit 1

LAND USE



Zoning Dist: Thousand Palms

Author: Vinnie Nguyen



DISCLAIMER: On October 7, 2003, the County of Riverside adopted a new General Plan providing new land use designations for unincorporated Riverside County parcels. The new General Plan may contain different type of land use than is provided for under existing zoning. For further information, please contact the Riverside County Planning Department offices in Riverside at (951)955-3200 (Western County) or in Palm Desert at (760)863-8277 (Eastern County) or Website: www.riversidecounty.net

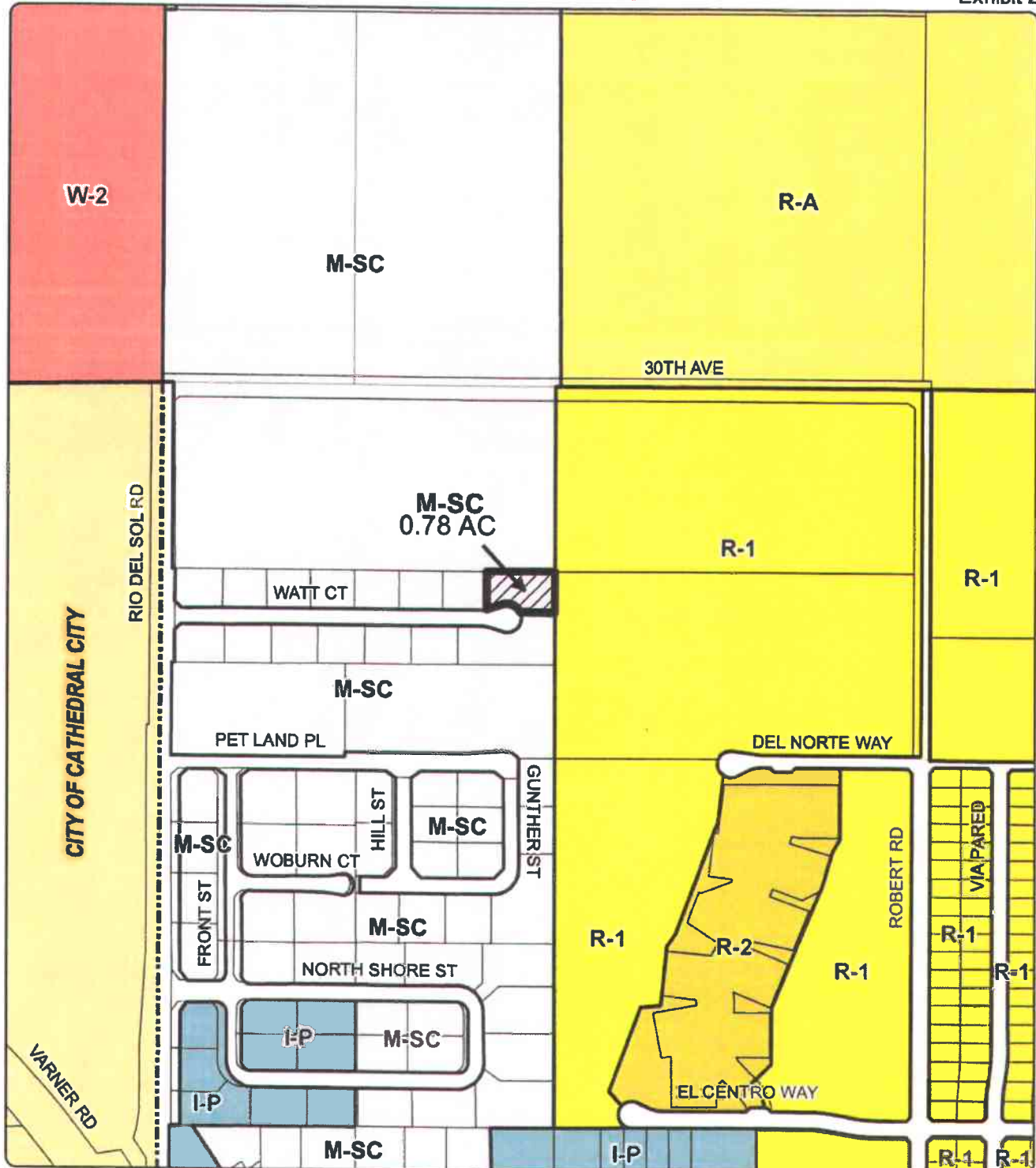
RIVERSIDE COUNTY PLANNING DEPARTMENT

CUP190058 DA1900049

Supervisor: Perez
District 4

Date Drawn: 01/13/2021
Exhibit 2

EXISTING ZONING



Zoning Dist: Thousand Palms

Author: Vinnie Nguyen



DISCLAIMER: On October 7, 2003, the County of Riverside adopted a new General Plan providing new land use designations for unincorporated Riverside County parcels. The new General Plan may contain different types of land use than is provided for under existing zoning. For further information, please contact the Riverside County Planning Department offices in Riverside at (951)955-3200 (Western County) or in Palm Desert at (760)863-8277 (Eastern County) or Website <http://webprod.cnrplma.org>

**CONDITIONAL USE PERMIT
PROPOSED SITE PLAN
CUP NO. 190058**

IN THE UNINCORPORATED AREA OF THE COUNTY OF INYARD, STATE OF CALIFORNIA
 EXISTING MAPS: SHARPEST 11, 1981

NO.	DATE	DESCRIPTION
1	11/11/81	PRELIMINARY
2	11/11/81	REVISIONS

DATA TABLE	
APPLICANT	LAURENCE, INC.
ADDRESS	10000 LAURENCE DRIVE DUNSMuir, CALIFORNIA 91534
CONTACT	WALTER LAURENCE
PHONE	(916) 477-8977
LAND OWNER	LAURENCE, INC.
ADDRESS	10000 LAURENCE DRIVE DUNSMuir, CALIFORNIA 91534
PHONE	(916) 477-8977
DESIGNER	M.S.A. CONSULTING, INC.
ADDRESS	10000 LAURENCE DRIVE DUNSMuir, CALIFORNIA 91534
PHONE	(916) 477-8977
DATE	11/11/81
PROJECT NO.	190058
DATE	11/11/81
PROJECT NO.	190058
DATE	11/11/81

GENERAL INFORMATION
 PARCEL 7 AND 8 IN PLATS IN THE COUNTY OF INYARD, STATE OF CALIFORNIA, AS SHOWN BY
 PLATS 190058 AND 190059, AND PLATS 190058 AND 190059, AND PLATS 190058 AND 190059.

LAND USE DESIGNATION	AREA (AC)	PERCENTAGE
RESIDENTIAL	11.00	100.00%
COMMERCIAL	0.00	0.00%
INDUSTRIAL	0.00	0.00%
AGRICULTURAL	0.00	0.00%
TOTAL	11.00	100.00%

CONCRETE	REINFORCEMENT	FOUNDATION	ROOFING	MECHANICAL	ELECTRICAL	PLUMBING	PAINTING	LANDSCAPING	OTHER
1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00

ESTIMATED COSTS	PERCENTAGE
CONCRETE	10.00%
REINFORCEMENT	10.00%
FOUNDATION	10.00%
ROOFING	10.00%
MECHANICAL	10.00%
ELECTRICAL	10.00%
PLUMBING	10.00%
PAINTING	10.00%
LANDSCAPING	10.00%
OTHER	10.00%

ESTIMATED COSTS	PERCENTAGE
CONCRETE	10.00%
REINFORCEMENT	10.00%
FOUNDATION	10.00%
ROOFING	10.00%
MECHANICAL	10.00%
ELECTRICAL	10.00%
PLUMBING	10.00%
PAINTING	10.00%
LANDSCAPING	10.00%
OTHER	10.00%

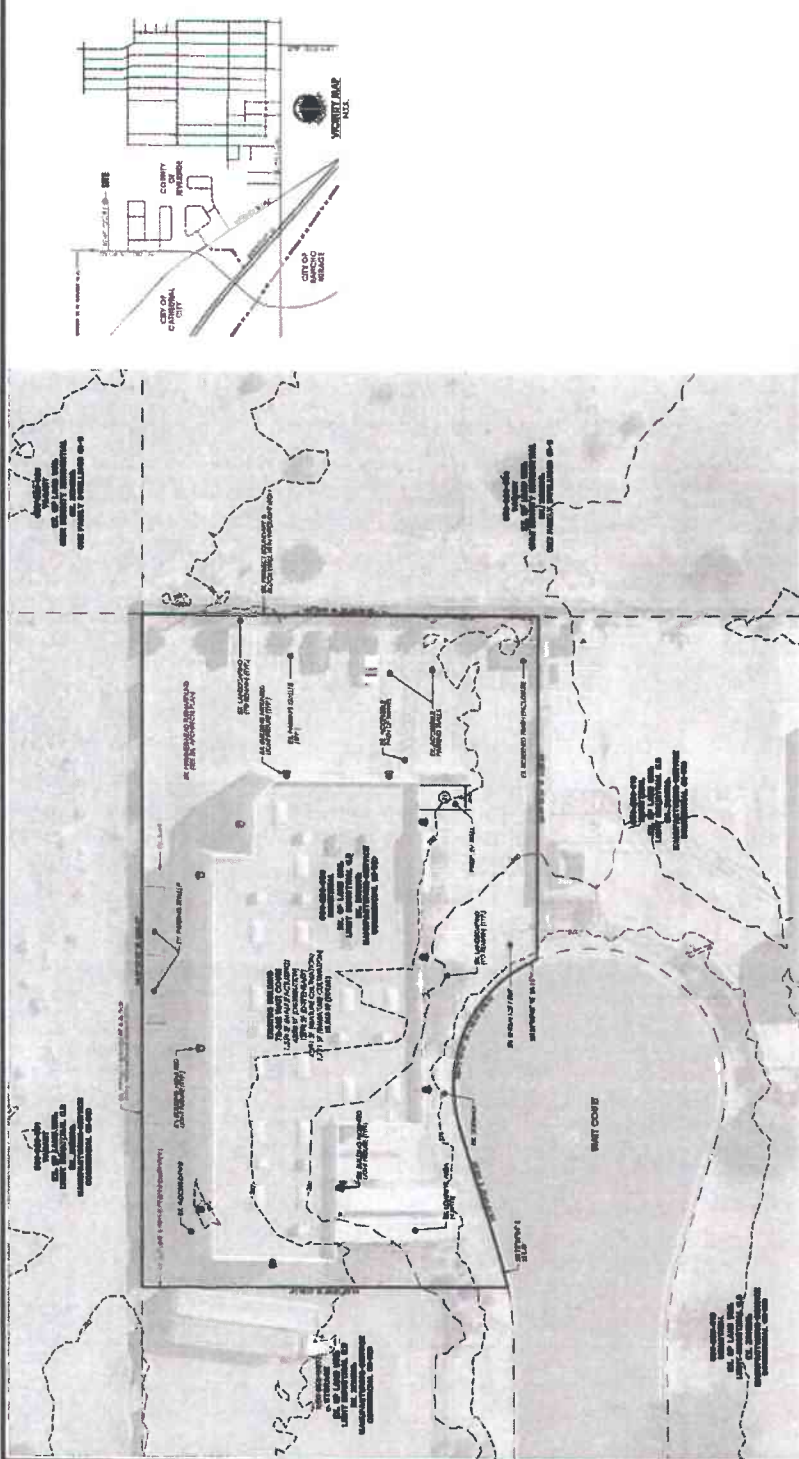
ESTIMATED COSTS	PERCENTAGE
CONCRETE	10.00%
REINFORCEMENT	10.00%
FOUNDATION	10.00%
ROOFING	10.00%
MECHANICAL	10.00%
ELECTRICAL	10.00%
PLUMBING	10.00%
PAINTING	10.00%
LANDSCAPING	10.00%
OTHER	10.00%

ESTIMATED COSTS	PERCENTAGE
CONCRETE	10.00%
REINFORCEMENT	10.00%
FOUNDATION	10.00%
ROOFING	10.00%
MECHANICAL	10.00%
ELECTRICAL	10.00%
PLUMBING	10.00%
PAINTING	10.00%
LANDSCAPING	10.00%
OTHER	10.00%

ESTIMATED COSTS	PERCENTAGE
CONCRETE	10.00%
REINFORCEMENT	10.00%
FOUNDATION	10.00%
ROOFING	10.00%
MECHANICAL	10.00%
ELECTRICAL	10.00%
PLUMBING	10.00%
PAINTING	10.00%
LANDSCAPING	10.00%
OTHER	10.00%

ESTIMATED COSTS	PERCENTAGE
CONCRETE	10.00%
REINFORCEMENT	10.00%
FOUNDATION	10.00%
ROOFING	10.00%
MECHANICAL	10.00%
ELECTRICAL	10.00%
PLUMBING	10.00%
PAINTING	10.00%
LANDSCAPING	10.00%
OTHER	10.00%

NOTES:
 1. THE PROJECT WILL BE CONSTRUCTED IN ACCORDANCE WITH THE CITY OF INYARD ORDINANCES.
 2. THE PROJECT WILL BE CONSTRUCTED IN ACCORDANCE WITH THE CITY OF INYARD ORDINANCES.
 3. THE PROJECT WILL BE CONSTRUCTED IN ACCORDANCE WITH THE CITY OF INYARD ORDINANCES.
 4. THE PROJECT WILL BE CONSTRUCTED IN ACCORDANCE WITH THE CITY OF INYARD ORDINANCES.
 5. THE PROJECT WILL BE CONSTRUCTED IN ACCORDANCE WITH THE CITY OF INYARD ORDINANCES.



ABBREVIATIONS

1"	1" = 40'
2"	2" = 80'
3"	3" = 120'
4"	4" = 160'
5"	5" = 200'
6"	6" = 240'
7"	7" = 280'
8"	8" = 320'
9"	9" = 360'
10"	10" = 400'
11"	11" = 440'
12"	12" = 480'
13"	13" = 520'
14"	14" = 560'
15"	15" = 600'
16"	16" = 640'
17"	17" = 680'
18"	18" = 720'
19"	19" = 760'
20"	20" = 800'
21"	21" = 840'
22"	22" = 880'
23"	23" = 920'
24"	24" = 960'
25"	25" = 1000'

M.S.A. CONSULTING, INC.
 A TRAINING - CIVIL ENGINEERING - LAND SURVEYING
 AND DESIGN FIRM
 10000 LAURENCE DRIVE
 DUNSMuir, CALIFORNIA 91534
 (916) 477-8977

CONTRACTOR:
 BAKSON BROS/NO
 4075 OROVIA AVE
 SAN JOSE, CA
 95135-5082
 WWW.BAKSONBROS.COM
 WWW.CALIFORNIA-CANNABIS.COM

**THOUSAND PALMS, CA 92276
 72242 WATT COURT,
 CANNABIS CULTIVATION, DISPENSARY, NONVOLATILE
 MANUFACTURING & DISTRIBUTION FACILITY**

(N)
FLOOR PLAN
 102820 SL

A2

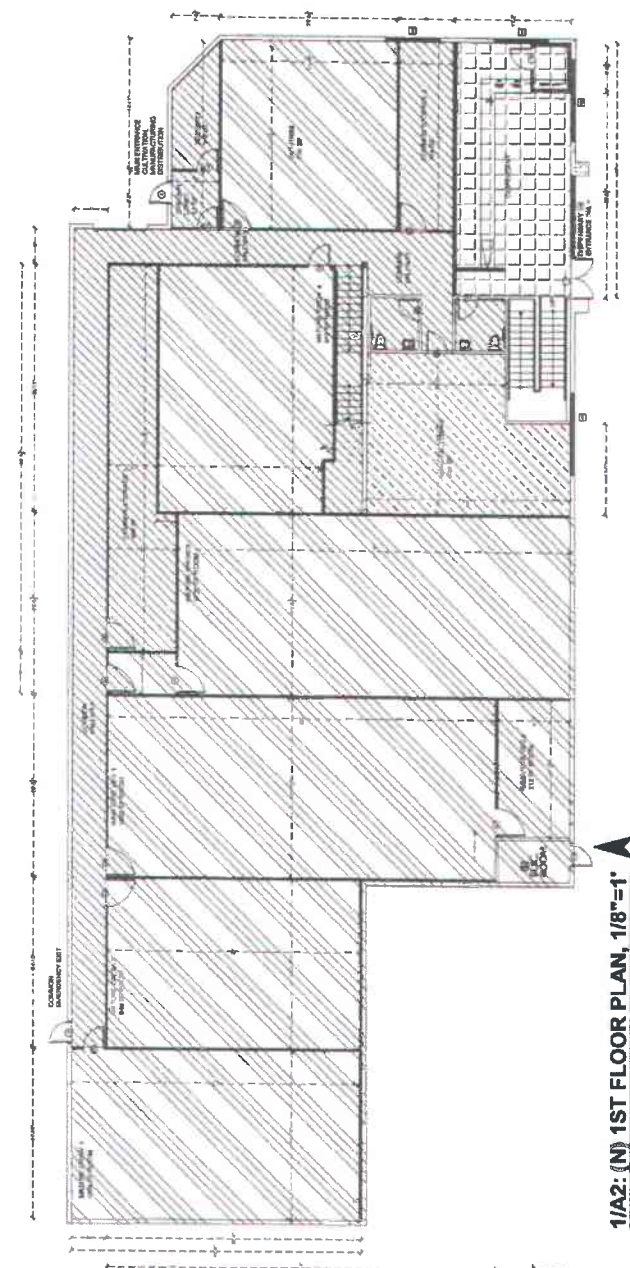
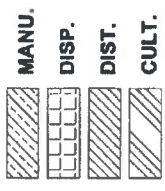
WALL LEGEND
 [Symbol] 1/2" THICK TO EXTERIOR
 [Symbol] 6" x 8" SIP INSULATED SPEC SPECIFIC SHEETS
 [Symbol] CONCRETE FOUNDATION
 [Symbol] CONCRETE ON BOTH SIDES

DOOR SCHEDULE & NOTES

SYMBOL	DOOR TYPE	NOTES
[Symbol]	STANDARD DOOR	
[Symbol]	GLASS DOOR	
[Symbol]	SLIDING GLASS DOOR	
[Symbol]	GLASS PARTITION	
[Symbol]	GLASS CURTAIN WALL	
[Symbol]	GLASS WALL	
[Symbol]	GLASS DOOR WALL	
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WINDOW SCHEDULE

SYMBOL	WINDOW TYPE	OPERATIONAL
[Symbol]	FIXED WINDOW	NO
[Symbol]	OPERATIONAL WINDOW	YES
[Symbol]	GLASS CURTAIN WALL	NO
[Symbol]	GLASS WALL	NO
[Symbol]	GLASS DOOR WALL	NO
[Symbol]	GLASS PARTITION WALL	NO
[Symbol]	GLASS CURTAIN WALL WALL	NO
[Symbol]	GLASS WALL WALL	NO
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[Symbol]	GLASS CURTAIN WALL WALL WALL WALL WALL WALL WALL WALL WALL WALL WALL	NO
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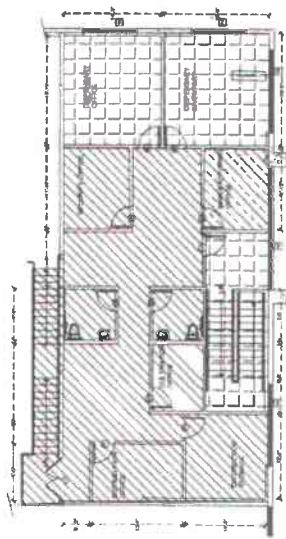
1/A2: (N) 1ST FLOOR PLAN, 1/8"=1'-1" NORTH

Cannabis Use: Total Square Footage


Retail	1,094
Manufacturing	1,559
Distribution	4,295
Mature Cultivation	4,391
Immature cultivation	1,721
=13,060	

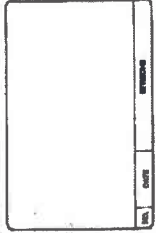
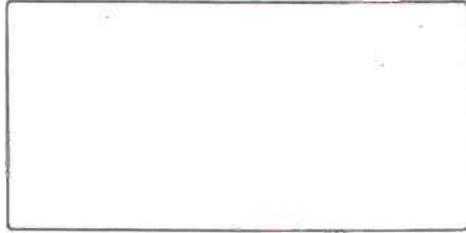
**MICROBUSINESS CULTIVATION
 NOT TO EXCEED 10,000SF**
 MATURE GROW CALCULATION:
 TOTAL RM SF + 2ND LEVEL, PLANTS ONLY

IMMATURE PLANTS: ROOM SF	
MATURE CANOPY 7332.52 SF	
-ROOM 1 - 1760.25	
-ROOM 2 - 1546.60	
-ROOM 3 - 2538.40	
-ROOM 4 - 1480.00	
IMMATURE CANOPY 1761 SF	
-ROOM 1 - 1608	
-ROOM 2 - 153	
DRY/TRIM RM: 705 SF	
TOTAL: 9798.52	
MATURE GROW LIGHTS: 400'LED	



2/A2: (N) 2ND FLOOR PLAN, 1/8"=1'-1" NORTH

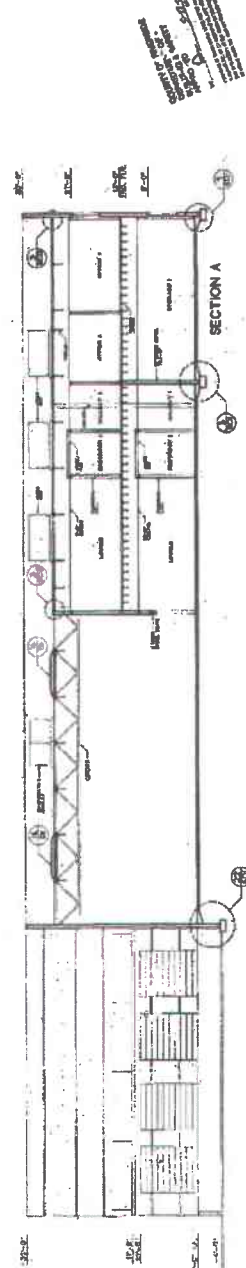
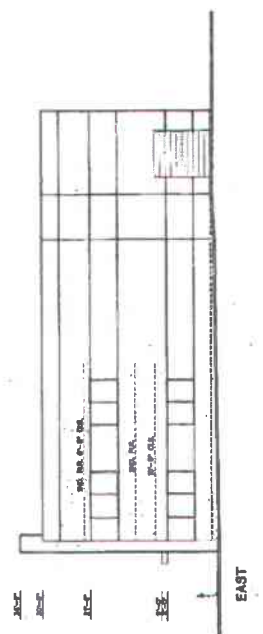
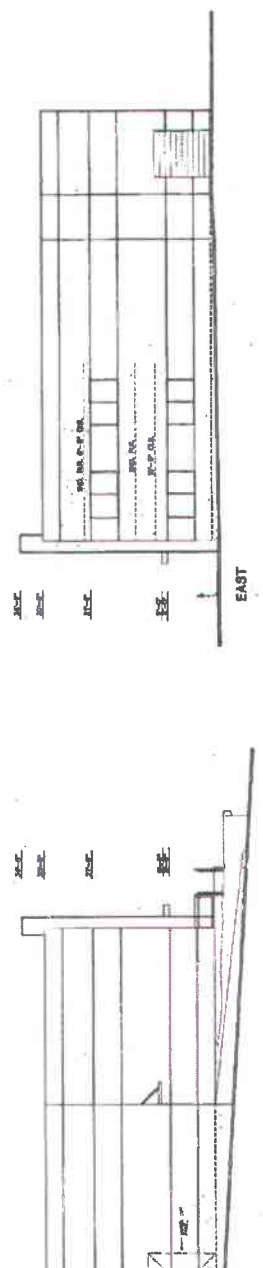
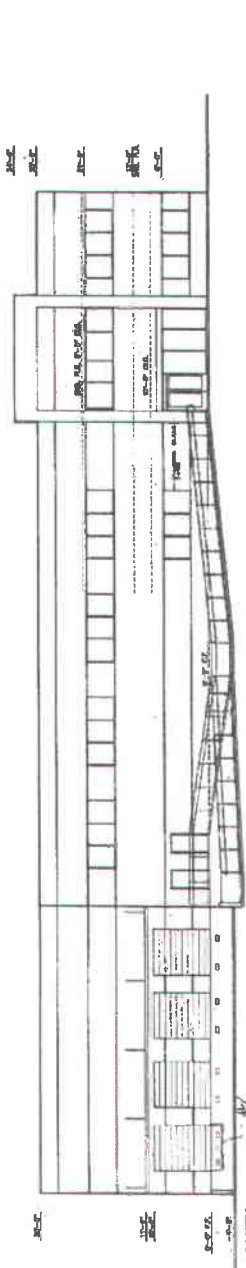

ROBERT H. RICCIARDI
 A PROFESSIONAL CORPORATION
 ARCHITECT
 17405 GLENVIEW DRIVE SUITE 100
 PALM BEACH, CALIFORNIA 92061
 TELEPHONE (407) 833-1100
 FAX (407) 833-1101



BRUCE MEYER
 TRUSS & MEYER CORP.
 10000 PALM BLVD. SUITE 100
 PALM BEACH, CALIFORNIA 92061

EXTERIOR ELEVATIONS
 & SECTION

A4

ALL DIMENSIONS ARE IN FEET AND INCHES
 UNLESS OTHERWISE SPECIFIED
 1/4" = 1'-0"

IN THE UNINCORPORATED AREA OF THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA.

**CONDITIONAL USE PERMIT
EXISTING ELEVATION PHOTOGRAPHS**

EXPIRE DATE: OCTOBER 31, 2017

DATA TABLE

APPLICANT	CANNONCO, LLC 4 WINDY CIRCLE LAUREL BRANCH, CALIFORNIA 92504
CONTACT	BOB FRANKS 951.946.2428
LAND OWNER	E. ENRIQUETA, LLC 22200 W. STATE ST. PALM SPRING, CALIFORNIA 92271
TELEPHONE	BRUCE A. JETER 951.946.2428
ENGINE PREPARED BY	MSA CONSULTING, INC. 3450 VAN DYKE BLVD PALM SPRING, CALIFORNIA 92279
CONTRACT	PAID 08/20/16 \$250
ASSISTANT PROJECT NUMBER	018/201607 & 018/201608



NORTH & WEST FACING ELEVATION



WEST FACING ELEVATION



WEST FACING ELEVATION



EAST & SOUTH FACING ELEVATION



EAST FACING ELEVATION



SOUTH FACING ELEVATION

MSA CONSULTING, INC.
 3450 VAN DYKE BLVD. SUITE 200
 PALM SPRING, CALIFORNIA 92279
 (951) 946-2428
 WWW.MSA-CONSULTING.COM



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SHEET
 1
 OF
 1
 SHEETS

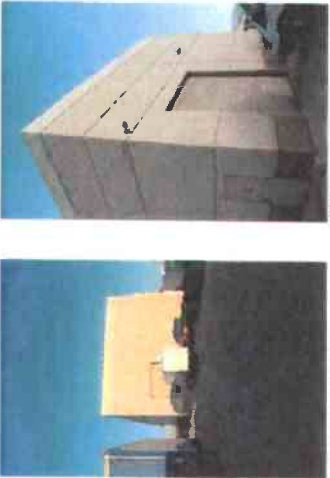
IN THE INCORPORATED AREA OF THE COUNTY OF SUTTER, STATE OF CALIFORNIA

**CONDITIONAL USE PERMIT
EXISTING ELEVATION PHOTOGRAPHS**

ISSUED DATE: OCTOBER 20, 2017			
DATA TABLE			
APPLICANT	CRIMSONDA, LLC		
PROJECT	LAURELWOOD CHURCH		
OWNER	CRIMSONDA, LLC		
ARCHITECT	2000 HANCOCK DRIVE LAURELWOOD, CALIFORNIA 95959		
DESIGNER	2000 HANCOCK DRIVE LAURELWOOD, CALIFORNIA 95959		
ENGINEER	2000 HANCOCK DRIVE LAURELWOOD, CALIFORNIA 95959		
ARCHITECT	2000 HANCOCK DRIVE LAURELWOOD, CALIFORNIA 95959		
APPROVED	PAUL COPPIN, ARCH. ASST.		
APPROVED	3333 MILDRED L. AUSTIN BLVD.		



NORTH & WEST FACING ELEVATION



WEST FACING ELEVATION



EAST FACING ELEVATION



EAST & SOUTH FACING ELEVATION



EAST FACING ELEVATION



SOUTH FACING ELEVATION

MSA CONSULTING, INC.
11415 SUTTER STREET, SUITE 100
LAURELWOOD, CALIFORNIA 95959
PH: (916) 534-5555
WWW.MSA-CO.COM

SHEET
1
OF
3

DATE
08/22/17

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2017
ALL RIGHTS RESERVED

17-2120-CA04747-0001-01 (REV. 05/2017) (SHEET 1 OF 3) (SHEET 1 OF 3) (SHEET 1 OF 3)



**COUNTY OF RIVERSIDE
TRANSPORTATION AND LAND MANAGEMENT AGENCY**

Juan C. Perez
Agency Director



02/23/21, 9:13 am

CUP190058

ADVISORY NOTIFICATION DOCUMENT

The following notifications are included as part of the recommendation of approval for CUP190058. They are intended to advise the applicant of various Federal, State and County regulations applicable to this entitlement and the subsequent development of the subject property.

Advisory Notification

Advisory Notification. 1 AND - Preamble

This Advisory Notification Document is included as part of the justification for the recommendation of approval of this Plan CUP190058 and is intended to advise the applicant of various Federal, State and County regulations applicable to this entitlement and the subsequent development of the subject property in accordance with approval of that entitlement and are in addition to the applied conditions of approval.

Advisory Notification. 2 AND - Project Description & Operational Limits

Conditional Use Permit No. 190058 is a proposal to utilize an existing 13,060 sf two-story building to be used as a cannabis microbusiness facility on a 0.76-acre lot with parking and landscaping. The cannabis microbusiness will include 4,391 square feet of indoor cultivation, 1,559 square feet of manufacturing, 1,094 square feet of retail, 1,721 square feet of nursery, and 4,295 square feet of distribution along with supporting storage, office, employee break area, and reception areas.

Advisory Notification. 3 AND - Exhibits

The development of the premises shall conform substantially with that as shown on the following APPROVED EXHIBIT(S)

- Exhibit A (Site Plan), dated 2/20/20
- Exhibit B (Elevations), dated 5/13/08
- Exhibit C (Floor Plans), dated 9/28/20

Advisory Notification. 4 AND - Federal, State & Local Regulation Compliance

1. Compliance with applicable Federal Regulations, including, but not limited to:
 - National Pollutant Discharge Elimination System (NPDES)
 - Clean Water Act
 - Migratory Bird Treaty Act (MBTA)
2. Compliance with applicable State Regulations, including, but not limited to:
 - The current Water Quality Management Plan (WQMP) Permit issued by the applicable Regional Water Quality Control Board (RWQCB.)

ADVISORY NOTIFICATION DOCUMENT

Advisory Notification

Advisory Notification. 4 AND - Federal, State & Local Regulation Compliance (cont.)

- Government Code Section 66020 (90 Days to Protest)
 - Government Code Section 66499.37 (Hold Harmless)
 - State Subdivision Map Act
 - Native American Cultural Resources, and Human Remains (Inadvertent Find)
 - School District Impact Compliance
 - Public Resources Code Section 5097.94 & Sections 21073 et al - AB 52 (Native Americans: CEQA)
3. Compliance with applicable County Regulations, including, but not limited to:
- Ord. No. 348 (Land Use Planning and Zoning Regulations)
 - Ord. No. 413 (Regulating Vehicle Parking)
 - Ord. No. 457 (Building Requirements)
 - Ord. No. 458 (Regulating Flood Hazard Areas & Implementing National Flood Insurance Program)
 - Ord. No. 460 (Division of Land)
 - Ord. No. 461 (Road Improvement Standards)
 - Ord. No. 484 (Control of Blowing Sand)
 - Ord. No. 625 (Right to Farm)
 - Ord. No. 716 (Abandoned, Neglected or Cruelly Treated Animals)
 - Ord. No. 771 (Controlling Potentially Dangerous & Dangerous Animals)
 - Ord. No. 878 (Regarding Noisy Animals)
 - Ord. No. 671 (Consolidated Fees)
 - Ord. No. 679 (Directional Signs for Subdivisions)
 - Ord. No. 787 (Fire Code)
 - Ord. No. 847 (Regulating Noise)
 - Ord. No. 857 (Business Licensing)
 - Ord. No. 859 (Water Efficient Landscape Requirements)
 - Ord. No. 915 (Regulating Outdoor Lighting)
 - Ord. No. 916 (Cottage Food Operations)
 - Ord. No. 927 (Regulating Short Term Rentals)
4. Mitigation Fee Ordinances
- Ord. No. 659 Development Impact Fees (DIF)
 - Ord. No. 663 Stephens Kangaroo Rat Habitat Conservation Plan (SKR)
 - Ord. No. 810 Western Riverside County Multiple Species Habitat Conservation Plan (WRCMSHCP)
 - Ord. No. 824 Western Riverside County Transportation Uniform Mitigation Fee (WR TUMF)

BS-Plan Check

BS-Plan Check. 1 Gen - Custom

NOTIFICATIONS:

CODE/ORDINANCE REQUIREMENTS:

The applicant shall obtain the required building permit(s) from the building department prior to any construction on the property. All building plans and supporting documentation shall comply with current adopted California Building Codes, Riverside County Ordinances regulations in effect at the time of building plan submittal and fee payment to the Building Department. All Building Department plan

ADVISORY NOTIFICATION DOCUMENT

BS-Plan Check

BS-Plan Check. 1

Gen - Custom (cont.)

submittal and fee requirements shall apply.

NOTE: The new updated 2019 California Building Codes will be in effect as of January 1st 2020, as mandated by the state of California. Any building plan and fee payment submitted to the building department on or after January 1st, 2020 will be subject to the new updated California Building Code(s).

PERMIT ISSUANCE:

Per section 105.1 (2016 California Building Code, CBC): Where any owner or authorized agent intends to construct, enlarge, alter, repair, move, demolish or change the occupancy of a building or structure, or to erect, install, enlarge, alter, repair, remove, convert, or replace any electrical, gas, mechanical, or plumbing system, the regulation of which is governed by this code, or to cause any such work to be done, shall first make application to the building official and obtain the required permit.

The applicant shall obtain the required building permit(s) from the building department prior to any construction or placement of any building, structure or equipment on the property.

The applicant shall obtain an approved final building inspection and certificate of occupancy from the building department prior to any use or occupancy of the building, or structure.

At no time shall the approval of the planning case exhibit allow for the construction or use of any building, structure, or equipment. In residential applications, each separate structure will require a separate building permit.

PERMITTED BUILDINGS:

CWP:

Where any building, structure, equipment, alteration, use, change of use, or utility has been fully or partially constructed, placed or installed on a property without permit, the applicant shall comply with current Building Department policies and procedures with regards to construction without permit (CWP).

The applicant may obtain a demolition permit to remove the CWP item from the property, or may begin the process to obtain the required building permit(s). Due to public safety concerns, time frames have been reduced to ensure that all minimum code and safety requirements per all applicable departments have been satisfied. Building plans and supporting documents and required verification documents shall be submitted to the building department with fee payment for review prior to any approval of the current planning case.

NOTE: Where a building and/or structure has been constructed, altered, or placed on the property without permit, the applicable building/structure shall not be occupied or in use until a final approved building inspection has been received. If the non-permitted/non-approved use and/or occupancy persists without full approval from applicable county departments, the applicant/owner is doing so at their own risk.

Plan Info

Plans prepared, stamped and signed by a design professional (California licensed Architect, or California Licensed Engineer) may not be altered with hand drawn information. The jurisdictional plan review and/or

ADVISORY NOTIFICATION DOCUMENT

BS-Plan Check

BS-Plan Check. 1

Gen - Custom (cont.)

inspection staff is unable to determine when such information has been placed, and if in fact either the design professional or applicable park authority has in fact approved the added information. All added structural components, cabinets/counter, or utility additions shall be included within the printed designed plans.

ACCESSIBLE PATH OF TRAVEL:

1- Please provide a revised site plan to indicate the required continuous accessible paved path of travel.

The accessible path of travel details shall include;

1. Accessible path construction type (Asphalt or concrete).
2. Accessible path width.
3. Accessible path directional slope % and cross slope %.
4. All accessible ramp and curb cut-out locations and details where applicable.

The Accessible path of travel shall:

1. Connect to the public R.O.W.
2. Connect to all building(s).
3. Connect to all accessible parking loading/unloading areas.
4. Connect to accessible sanitary facilities.
5. Connect to areas of public accommodation.

Please be aware that the approved site plan with accessibility requirements should be included with any building plan submittals. The plan review staff may have additional comments depending on the additional information or revisions provided during the plan review process. Additional accessible requirements within the structure shall be reviewed during the building plan review.

2- Relocate the ADA parking to comply with the following:

Parking spaces complying with 11B- 502 (Parking Spaces) that serve a particular building or facility shall be located on the shortest accessible route from parking to an entrance

3-Where parking serves more than one accessible entrance, parking spaces complying with 11B-502 (Parking Spaces) shall be dispersed and located on the shortest accessible route to the accessible entrances.

EV PARKING:

Revise the site plan to show the required designated EV parking per CGC.

DISABLED ACCESS GUIDELINE:

EVCS are not considered parking spaces by the code. In addition, the required accessible parking spaces shall not double as required EVCS. 11B-208.1.

Required Number of Accessible EVCS

Where EVCS are provided for public use or common use, accessible EVCS shall be provided in accordance with the table below. (11B-228.3.1) (11B-228.3.2) (11B-228.3.2.1)

Electric Vehicle Charging Stations for Public Use and Common Use

Total Number of EVCS at a Facility ¹	Minimum Number (by type) of Accessible EVCS Required	
Van Accessible	Standard Accessible	Ambulatory

ADVISORY NOTIFICATION DOCUMENT

BS-Plan Check

BS-Plan Check. 1 Gen - Custom (cont.)

1 to 4	1	0	0
5 to 25	1	1	0
26 to 50	1	1	1
51 to 75	1	2	2
76 to 100	1	3	3

101 and over 1, plus 1 for each 300, or fraction thereof, over 100 3, plus 1 for each 60, or fraction thereof, over 100 3, plus 1 for each 50, or fraction thereof, over 100.

EV PARKING:

Revise the site plan to show the required designated EV parking per CGC.

DISABLED ACCESS :

EVCS are not considered parking spaces by the code. In addition, the required accessible parking spaces shall not double as required EVCS. 11B-208.1.

Required Number of Accessible EVCS

Where EVCS are provided for public use or common use, accessible EVCS shall be provided in accordance with the table below. (11B-228.3.1) (11B-228.3.2) (11B-228.3.2.1)

Electric Vehicle Charging Stations for Public Use and Common Use

EVCS Locations

Accessible EVCS that serve a particular building or facility shall be located on an accessible route to an accessible entrance. (11B-812.5.1) (11B-812.5.1)

Where EVCS do not serve a particular building or facility, accessible EVCS shall be located on an accessible route to an accessible pedestrian entrance of the EV charging facility. (11B-812.5.1) (11B-812.5.1)

Vehicle spaces and access aisles shall be designed so that persons using them are not required to travel behind vehicle spaces or parking spaces other than the vehicle space in which their vehicle has been left to charge. (11B-812.5.4)

GREEN BUILDING CODE WASTE REDUCTION (Non Residential):

Included within the building plan submittal documents to the Building Department for plan review, the applicant shall provide a copy of the approved construction waste management plan by the Riverside County Waste Management Department that:

1. Identifies the materials to be diverted from disposal by efficient usage, reuse on the project, or salvage for future use or sales.
2. Determines if materials will be sorted on site or mixed.
3. Identifies diversion facilities where material collected will be taken.
4. Specifies that the amount of materials diverted shall be calculated by weight or volume, but not both.

For information regarding compliance with the above provision and requirements, please contact the Waste Management Department @ (951) 486-3200.

E Health

E Health. 1

ECP COMMENTS

If contamination or the presence of a naturally occurring hazardous material is discovered at the site,

ADVISORY NOTIFICATION DOCUMENT

E Health

E Health. 1 ECP COMMENTS (cont.)

assessment, investigation, and/or cleanup may be required. Contact Riverside County Environmental Health - Environmental Cleanup Programs at (951) 955-8980, for further information.

Fire

Fire. 1 AND - Federal, State & Local Regulation Compliance

1. Construction Permits Fire Department Review: Submittal of construction plans to the Office of the Fire Marshal for development, construction, installation and operational use permitting will be required. Final fire and life safety conditions will be addressed when the Office of the Fire Marshal reviews these plans. These conditions will be based on occupancy, use, California Building Code (CBC), California Fire Code, and related codes, which are in effect at the time of building plan submittal.
2. Prior to the issuance of the building permit, a hazardous materials inventory statement shall be submitted to the fire department for review and approval. The inventory shall be in an approved format as specified in the Riverside County Chemical Classification packet and include material safety data sheets. (CFC 5001.5.2)
3. Cannabis Facilities: Deferred submittals shall be required for Carbon Dioxide Gas Enrichments Systems and Plant Processing/Extraction Systems. Refer to the Riverside County Office of the Fire Marshal Technical Policy #TP16-004 and #TP16-005.
4. Knox Box and Gate Access: Buildings shall be provided with a Knox Box. The Knox Box shall be installed in an accessible location approved by the Office of the Fire Marshal. All electronically operated gates shall be provided with Knox key switches and automatic sensors for access. Ref. CFC 506.1
5. Addressing: All commercial buildings shall display street numbers in a prominent location on the address side and additional locations as required. Ref. CFC 505.1 and County of Riverside Office of the Fire Marshal Standard #07-01

General

General. 1 General – Business Licensing

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

General. 2 General – Causes for Revocation

In the event the use hereby permitted under this permit is found:

ADVISORY NOTIFICATION DOCUMENT

General

General. 2 General – Causes for Revocation (cont.)

- (a) to be in violation of the terms and conditions of this permit; and/or,
 - (b) to have been obtained by fraud or perjured testimony; and/or,
 - (c) to be detrimental to the public health, safety or general welfare, or is a public nuisance,
- then this permit shall be subject to revocation procedures.

General. 3 General – Ceased Operations

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

General. 4 General – Hold Harmless

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

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

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

(a) and (b) above are hereinafter collectively referred to as "LITIGATION."

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

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

Payment for COUNTY's costs related to the LITIGATION shall be made on a deposit basis. Within thirty (30) days of receipt of notice from COUNTY that LITIGATION has been initiated against the Project, applicant/permittee shall initially deposit with the COUNTY's Planning Department the total amount of Twenty Thousand Dollars (\$20,000). Applicant/permittee shall deposit with COUNTY such additional amounts as COUNTY reasonably and in good faith determines, from time to time, are necessary to cover costs and expenses incurred by the COUNTY, including but not limited to, the Office of County Counsel,

ADVISORY NOTIFICATION DOCUMENT

General

General. 4 General – Hold Harmless (cont.)

Riverside County Planning Department and the Riverside County Clerk of the Board associated with the LITIGATION. To the extent such costs are not recoverable under the California Public Records Act from the records requestor, applicant/permittee agrees that deposits under this section may also be used to cover staff time incurred by the COUNTY to compile, review, and redact records in response to a Public Records Act request made by a petitioner in any legal challenge to the Project when the petitioner is using the Public Records Act request as a means of obtaining the administrative record for LITIGATION purposes. Within ten (10) days of written notice from COUNTY, applicant/permittee shall make such additional deposits.

General. 5 General – Human Remains

If human remains are found on this site, the developer/permit holder or any successor in interest shall comply with State Health and Safety Code Section 7050.5.

General. 6 General – Review Fees

Any subsequent submittals required by these conditions of approval, including but not limited to grading plan, building plan, or mitigation and monitoring review, shall be reviewed on an hourly basis (research fee), or other such review fee as may be in effect at the time of submittal, as required by Ordinance No. 671. Each submittal shall be accompanied with a letter clearly indicating which condition or conditions the submittal is intended to comply with.

General. 7 General – Unanticipated Resources

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

If during ground disturbance activities, unanticipated cultural resources* are discovered, the following procedures shall be followed:

All ground disturbance activities within 100 feet of the discovered cultural resource shall be halted and the applicant shall call the County Archaeologist immediately upon discovery of the cultural resource. A meeting shall be convened between the developer, the project archaeologist**, the Native American tribal representative (or other appropriate ethnic/cultural group representative), and the County Archaeologist to discuss the significance of the find. At the meeting with the aforementioned parties, a decision is to be made, with the concurrence of the County Archaeologist, as to the appropriate treatment (documentation, recovery, avoidance, etc) for the cultural resource. Resource evaluations shall be limited to nondestructive analysis. Further ground disturbance shall not resume within the area of the discovery until the appropriate treatment has been accomplished.

* A cultural resource site is defined, for this condition, as being a feature and/or three or more artifacts in close association with each other.

** If not already employed by the project developer, a County approved archaeologist shall be employed by the project developer to assess the significance of the cultural resource, attend the meeting described

ADVISORY NOTIFICATION DOCUMENT

General

General. 7 **General – Unanticipated Resources (cont.)**
 above, and continue monitoring of all future site grading activities as necessary.

Planning

Planning. 1 **General - A. Application Requirements**
 At the time of filing the application for a Commercial Cannabis Activity on a form provided by the Planning Department, the applicant shall also provide the applicable fee for processing the land use permit application. All entitlement fees shall be paid in full, prior to operating the cannabis business.

Planning. 2 **General - B. State License Required**
 Obtain and maintain during the life of the Commercial Cannabis Activity the applicable California license issued pursuant to California Business and Professions Code Sections 19300.7 or 26050(a) as may be amended from time to time.

Planning. 3 **General - C. Suspension, Revocation, or Termination of State License**
 Suspension of a license issued by the State of California, or by any State licensing authority, shall immediately suspend the ability of a Commercial Cannabis Activity to operate within the County until the State, or its respective State licensing authority, reinstates or reissues the State license. Revocation or termination of a license by the State of California, or by any State licensing authority, will also be grounds to revoke or terminate any conditional use permit granted to a Commercial Cannabis Activity pursuant to this Article.

Planning. 4 **General - D. Health and Safety**
 Commercial Cannabis Activities shall at all times be operated in such a way as to ensure the health, safety, and welfare of the public. Commercial Cannabis Activities shall not create a public nuisance or adversely affect the health or safety of the nearby residents, businesses or employees working at the Commercial Cannabis Activity by creating dust, glare, heat, noise, noxious gasses, odor, smoke, traffic, vibration, unsafe conditions or other impacts, or be hazardous due to the use or storage of materials, processes, products, and runoff of water, pesticides or wastes.

Planning. 5 **General - E. Development Agreement**
 No approval required by this ordinance shall be given for any permit for a Commercial Cannabis Activity unless the Board of Supervisors prior to or concurrently with approves a development agreement, pursuant to Section 18.26b of this ordinance, setting forth the terms and conditions under which the Commercial Cannabis Activity will operate in addition to the requirements of this ordinance, all other local ordinances and regulations, state law and such other terms and conditions that will protect and promote the public health, safety and welfare. No use or operation under any permit for a Commercial Cannabis Activity shall be allowed to begin until the development agreement is effective.

Planning. 6 **General - F. Nuisance Odors**

ADVISORY NOTIFICATION DOCUMENT

Planning

Planning. 6

General - F. Nuisance Odors (cont.)

All Commercial Cannabis Activities shall be sited and operated in a manner that prevents Cannabis nuisance odors from being detected offsite. All Commercial Cannabis Activities shall provide a sufficient odor absorbing ventilation and exhaust system so that odor generated inside the Commercial Cannabis Activity that is distinctive to its operation is not detected outside of the operation's facility, anywhere on adjacent lots or public rights-of-way, on or about the exterior or interior common area walkways, hallways, breezeways, foyers, lobby areas, or any other areas available for use by common tenants or the visiting public, or within any other unit located inside the same building as the Commercial Cannabis Activity. In order to control nuisances such as odors, humidity and mold, Commercial Cannabis Activities shall install and maintain at the minimum, the following equipment, or any other equipment that can be proven to be an equally or more effective method or technology to control these nuisances:

1. An exhaust air filtration system with odor control that prevents internal odors from being emitted externally;
2. An air system that creates negative air pressure between the Commercial Cannabis Activities' interior and exterior, so that the odors generated by the Commercial Cannabis Activity are not detectable on the outside of the Commercial Cannabis Activity.

Planning. 7

General - G. Commercial Cannabis Activity Operator Qualifications

1. All operators and all employees of a Commercial Cannabis Activity must be 21 years of age or older.
2. Operators shall be subject to background checks.
3. Permits for Commercial Cannabis Activities shall not be granted for operators with felony convictions, as specified in subdivision (c) of Section 667.5 of the Penal Code and subdivision (c) of Section 1192.7 of the Penal Code.
4. Applicants providing false or misleading information in the permitting process will result in rejection of the application or nullification or revocation of any permit granted pursuant to this Article.

Planning. 8

General - H. Relocation of a Permitted Commercial Cannabis Activity

In the event the permittee or successor in interest vacates and relocates the Commercial Cannabis Activity to a new location, a new conditional use permit will need to be granted by the County in accordance with this ordinance prior to commencing operations at the new location.

Planning. 9

General - I. Hours of Operation

A Commercial Cannabis Activity operating as a Cannabis Retailer may be open to the public seven days a week only between the hours of 6:00 A.M. and 10:00 P.M. All other Commercial Cannabis Activities may operate only during the hours specified in the conditional use permit granted by the County.

Planning. 10

General - J. Inspections

ADVISORY NOTIFICATION DOCUMENT

Planning

Planning. 10 General - J. Inspections (cont.)

A Commercial Cannabis Activity shall be subject to inspections by appropriate local and State agencies, including, but not limited to, the Riverside County Departments of Code Enforcement, Planning, Fire, Public Health, Environmental Health, the Agricultural Commissioner's Office and the Sheriff's Department.

Planning. 11 General - K. Monitoring Program

Permittees of a Commercial Cannabis Activity shall participate in the County's monitoring program to verify permit requirements such as, but not limited to, security measures, water use and State track-and-trace requirements.

Planning. 12 General - L. Restriction on Alcohol and Tobacco Sales or Consumption

Commercial Cannabis Activities shall not allow the sale, dispensing, or consumption of alcoholic beverages or tobacco on the site of the Commercial Cannabis Activity.

Planning. 13 General - M. Restriction on Consumption

Cannabis shall not be consumed or used on the lot of any Commercial Cannabis Activity.

Planning. 14 General - N. Security - Part 1

A Commercial Cannabis Activity shall implement sufficient security measures to deter and prevent the unauthorized entrance into areas containing Cannabis or Cannabis Products, to deter and prevent the theft of Cannabis or Cannabis Products at the Commercial Cannabis Activity and to ensure emergency access in accordance with applicable Fire Code standards. Guard dogs shall not be used at the Commercial Cannabis Activity as a security measure. Security measures shall include, but not be limited to, the following:

1. A plan to prevent individuals from loitering on the lot if they are not engaging in activity expressly related to the Commercial Cannabis Activity.
2. 24 hour emergency contact information for the owner or an on-site employee which shall be provided to the County.
3. A professionally installed, maintained, and monitored alarm system.
4. Except for Live Cannabis Plants being cultivated at a cultivation facility and limited amounts of Cannabis for display purposes, all Cannabis and Cannabis Products shall be stored in a secured and locked structure and in a secured and locked safe room, safe, or vault, and in a manner as to prevent diversion, theft, and loss.
5. 24 hour security surveillance cameras to monitor all entrances and exits to a Commercial Cannabis Activity, all interior spaces within the Commercial Cannabis Activity that are open and accessible to the public, and all interior spaces where Cannabis, cash or currency is being stored for any period of time on a regular basis. The permittee for a Commercial Cannabis Activity shall be responsible for ensuring that the

ADVISORY NOTIFICATION DOCUMENT

Planning

Planning. 14

General - N. Security - Part 1 (cont.)

security surveillance camera's footage is accessible. Video recordings shall be maintained for a minimum of 90 days, and shall be made available to the County upon request.

Planning. 15

General - N. Security - Part 2

6. Sensors shall be installed to detect entry and exit from all secure areas.

7. Panic buttons shall be installed in all Commercial Cannabis Activities.

8. Any bars installed on the windows or the doors of a Commercial Cannabis Activity shall be installed only on the interior of the building.

9. Security personnel must be licensed by the State of California Bureau of Security and Investigative Services.

10. A Commercial Cannabis Activity shall have the capability to remain secure during a power outage and all access doors shall not be solely controlled by an electronic access panel to ensure locks are not released during a power outage.

11. A Commercial Cannabis Activity shall cooperate with the County and, upon reasonable notice to the Commercial Cannabis Activity, allow the County to inspect or audit the effectiveness of the security plan for the Commercial Cannabis Activity.

12. The permittee for a Commercial Cannabis Activity shall notify the Riverside County Sheriff's Department immediately after discovering any of the following:

a. Significant discrepancies identified during inventory.

b. Diversion, theft, loss, or any criminal activity involving the Commercial Cannabis Activity or any agent or employee of the Commercial Cannabis Activity.

c. The loss or unauthorized alteration of records related to Cannabis, registering qualifying patients, primary caregivers, or employees or agents of the Commercial Cannabis Activity.

d. Any other breach of security.

13. Firearms shall not be permitted at a Commercial Cannabis Activity by an owner, manager, employee, volunteer or vendor other than those individuals authorized as a State Licensed Security Personnel.

14. Cannabis or Cannabis Products shall not be stored outside at any time.

Planning. 16

General - O. Permit and License Posting

The permittee shall post or cause to be posted at the Commercial Cannabis Activity all required County and State permits and licenses to operate. Such posting shall be in a central location, visible to the

ADVISORY NOTIFICATION DOCUMENT

Planning

Planning. 16 **General - O. Permit and License Posting (cont.)**
patrons, and in all vehicles that deliver or transport Cannabis.

Planning. 17 **General - P. Signage**

Signage for a Commercial Cannabis Activity shall comply with the following:

1. In addition to the requirements set forth in this section and California Business and Professions Code section 26152 as may be amended, business identification signage for a Commercial Cannabis Activity shall comply with Section 19.4 of this ordinance.
2. No Commercial Cannabis Activity shall advertise by having a person or device holding a sign or an air dancer sign advertising the activity to passersby, whether such person, device or air dancer is on the lot of the Commercial Cannabis Activity or elsewhere including, but not limited to, the public right-of-way.
3. No Commercial Cannabis Activity shall publish or distribute advertising or marketing that is attractive to children.
4. No Commercial Cannabis shall advertise or market Cannabis or Cannabis Products on motor vehicles.
5. Except for advertising signs inside a licensed Premises and provided that such advertising signs do not advertise or market Cannabis or Cannabis Products in a manner intended to encourage persons under 21 years of age to consume Cannabis or Cannabis Products, no Commercial Cannabis Activity shall advertise or market Cannabis or Cannabis Products on an advertising sign within 1,000 feet of a Child Day Care Center, a K-12 school, a public park or a Youth Center.
6. No signs placed on the lot of a Commercial Cannabis Activity shall obstruct any entrance or exit to the building or any window.
7. Each entrance to a Commercial Cannabis Activity shall be visibly posted with a clear and legible notice indicating that smoking, ingesting, or otherwise consuming Cannabis on the lot of the Commercial Cannabis Activity is prohibited.
8. Signage shall not be directly illuminated, internally or externally.
9. No banners, flags, billboards, or other prohibited signs may be used at any time.

Planning. 18 **General - Q. Records**

1. Each owner and permittee of a Commercial Cannabis Activity shall maintain clear and adequate records and documentation demonstrating that all Cannabis or Cannabis Products have been obtained from and are provided to other permitted and licensed Cannabis operations. The County shall have the right to examine, monitor, and audit such records and documentation, which shall be made available to the County upon written request.
2. Each owner and permittee of a Commercial Cannabis Activity shall maintain a current register of the

ADVISORY NOTIFICATION DOCUMENT

Planning

Planning. 18

General - Q. Records (cont.)

names and contact information, including name, address, and telephone number, of anyone owning or holding an ownership interest in the Commercial Cannabis Activity, and of all the officers, managers, employees, agents and volunteers currently employed or otherwise engaged by the Commercial Cannabis Activity. The County shall have the right to examine, monitor, and audit such records and documentation, which shall be made available to the County upon request.

3. All Commercial Cannabis Activities shall maintain an inventory control and reporting system that accurately documents the present location, amounts, and descriptions of all Cannabis and Cannabis Products for all stages of the growing and production or manufacturing, laboratory testing and distribution processes until purchase by or distribution to a qualified patient, primary caregiver for medical purpose or an adult 21 years of age or older who qualifies to purchase adult-use Cannabis.

Planning. 19

General - R. Water

All Commercial Cannabis Activities shall obtain a 'Will Serve' letter from the applicable water purveyor, indicating agreement to supply water for the Commercial Cannabis Activity. The letter shall include the activity proposed and any improvements required for service. For Commercial Cannabis Activities where water service is not available, conditions from the Department of Environmental Health for a permitted onsite, in-ground well will be required for the conditional use permit. Irrigation and domestic water supplies shall not include water transported by vehicle from off-site sources.

Planning. 20

General - S. Waste Water

All Commercial Cannabis Activities shall obtain a 'Will Serve' letter from the applicable sanitary sewer purveyor, indicating agreement to supply sewer for the Commercial Cannabis Activity. The letter shall include the activity proposed and any improvements required for service. For Commercial Cannabis Activities where sewer service is not available, conditions from the Department of Environmental Health will be required for the conditional use permit. Where sanitary sewer is not available, the applicant shall obtain clearance from the appropriate regional water quality control board.

Planning. 21

General - T. Parking

Parking shall be provided in accordance with Section 18.12 of this ordinance.

Planning. 22

General - U. Visibility

In no case shall Live Cannabis Plants be visible from a public or private road, sidewalk, park or common public viewing area.

Planning. 23

General - V. Hazardous Materials

All Commercial Cannabis Activities that utilize hazardous materials shall comply with applicable hazardous waste generator, Riverside County Ordinance No. 615, and hazardous materials handling, Riverside County Ordinance No. 651, requirements and maintain any applicable permits for these programs from the Riverside County Fire Department, the Riverside County Department of Environmental Health, the

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Planning

Planning. 23 **General - V. Hazardous Materials (cont.)**
Riverside County Department of Waste Resources and the Agricultural Commissioner.

Planning. 24 **General - W. Compliance with Local and State Laws and Regulations**

1. All Commercial Cannabis Activities shall comply with all applicable local and State laws, ordinances and regulations related to, but not limited to, the following: the California Environmental Quality Act, California Building Code, California Fire Code, Riverside County Ordinance No. 787, Riverside County Ordinance No. 457, Riverside County Ordinance No. 657, Riverside County Ordinance No. 745, Airport Land Use Compatibility Plans, weights and measures regulations, track and trace requirements, pesticide use, water quality, storm water discharge and the grading of land.

2. All buildings and structures, including greenhouse, hoop structures, or other similar structures shall comply with all applicable Building, Fire, and Safety laws and regulations. All buildings and structures shall be reviewed by the Riverside County Building and Safety Department in accordance with the California Building Code and Riverside County Ordinance No. 457 and by the Riverside County Fire Department in accordance with Riverside County Ordinance No. 787 and the California Fire Code.

Planning. 25 **General - X. Material Alterations to Premises**

No physical change, alteration, or modification shall be made to a Premises without first obtaining the appropriate approvals from the County, including but not limited a substantial conformance or revised permit and all other necessary permits. Alterations or modifications requiring approval include, without limitation: (i) the removal, creation, or relocation of a common entryway, doorway, passage, or a means of public entry or exit, when such common entryway, doorway, or passage alters or changes limited-access areas within the Premises; (ii) the removal, creation, addition, or relocation of a Cultivation Area; (iii) or the addition or alteration of a water supply. The requirement of this Section is in addition to compliance with any other applicable State or local law or regulation pertaining to approval of building modifications, zoning, and land use requirements. In the event that the proposed modification requires a new or modified conditional use permit such permit must be obtained prior to issuance of building permits.

Planning. 26 **General - Y. Multiple Commercial Cannabis Activities**

Multiple Commercial Cannabis Activities may be allowed on the same lot provided the proposed activities are allowed in the zone classification and meet all requirements in this Article and State Law.

Planning-All

Planning-All. 1 **Cannabis Microbusiness Operations – 1**

Cannabis Microbusiness Facilities shall not transport or store non-cannabis goods, excluding any non-cannabis goods associated with a retail component that may include up to 10% of its floor area for non-cannabis goods.

Planning-All. 2 **Cannabis Microbusiness Operations – 2**

ADVISORY NOTIFICATION DOCUMENT

Planning-All

Planning-All. 2 Cannabis Microbusiness Operations – 2 (cont.)

Cannabis Microbusiness Facilities may distribute, manufacture (without volatile solvents) and dispense Cannabis under a single Cannabis Microbusiness Facilities license issued by the State.

Planning-All. 3 Cannabis Microbusiness Operations – 3

Cannabis Microbusiness Facilities may cultivate Cannabis indoors in an area less than 10,000 square feet.

Planning-All. 4 Cannabis Microbusiness Operations – 4

Cannabis Microbusiness Facilities shall include at least three of the following Commercial Cannabis Activities, which shall be set forth in the conditional use permit; Indoor Cultivation up to 10,000 square feet, Manufacturing (with non-volatile solvents), Distribution, and Retail sales pursuant to State License requirements.

Planning-All. 5 Cannabis Microbusiness Operations – 5

Cannabis Microbusiness Facilities shall comply with the operational requirements set forth in Article XIXh of Ordinance No. 348 that apply to the specified uses authorized by the approved conditional use permits, and the water and energy conservation standards as applicable to Cannabis Microbusiness Facilities that includes cultivation.

Planning-All. 6 Cannabis Retail Operations - 1

Entrances into the retail location of the Cannabis Retailer shall be separate from the reception area and locked at all times with entry strictly controlled. An electronic or mechanical entry system shall be utilized to limit access and entry to the retail location.

Planning-All. 7 Cannabis Retail Operations - 10

Cannabis Retailers shall not distribute any Cannabis or Cannabis Product unless such products are labeled and in a tamper-evident package in compliance with the California Business and Professions Code and any additional rules promulgated by a licensing authority.

Planning-All. 8 Cannabis Retail Operations - 11

Cannabis Retailers shall not provide free samples of any type, including Cannabis Products, to any person and shall not allow any person to provide free samples on the Cannabis Retailer's lot.

Planning-All. 9 Cannabis Retail Operations - 12

Deliveries shall be conducted in accordance with California Business and Professions Code Section 26090 or as may be amended and all state regulations pertaining to delivery of Cannabis Products.

Planning-All. 10 Cannabis Retail Operations - 13

Cannabis or Cannabis Products shall not be sold or delivered by any means or method to any person

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Planning-All

Planning-All. 10 **Cannabis Retail Operations - 13 (cont.)**
within a motor vehicle.

Planning-All. 11 **Cannabis Retail Operations - 14**

Cannabis Retailers shall not include a drive-in, drive-through or walk up window where retail sales of Cannabis or Cannabis Products are sold to persons or persons within or about a motor vehicle.

Planning-All. 12 **Cannabis Retail Operations - 2**

Cannabis Retailers may include the sale of Medical Cannabis, requiring an M-License from the State. Cannabis Retailers selling only Medical Cannabis shall verify consumers who enter the Premises are at least 18 years of age and that they hold a valid Physician's Recommendation.

Planning-All. 13 **Cannabis Retail Operations - 3**

Cannabis Retailers may include the sale of Adult Use Cannabis, requiring an A-license from the State. Cannabis Retailers selling only Adult Use Cannabis shall verify that consumers who enter the Premises are at least 21 years of age.

Planning-All. 14 **Cannabis Retail Operations - 4**

A Cannabis Retailers may include the sale of both Medical and Adult use Cannabis requiring both an A-License and an M-License from the State. All Cannabis Retailers selling both Medical and Adult Use Cannabis shall verify that consumers who enter the premises are at least 18 years of age and that they hold a valid Physician's Recommendation or are at least 21 years of age.

Planning-All. 15 **Cannabis Retail Operations - 5**

Display areas shall include the smallest amount of Cannabis and Cannabis Products reasonably anticipated to meet sales during operating hours.

Planning-All. 16 **Cannabis Retail Operations - 6**

Cannabis and Cannabis Products not in the display area shall be maintained in a locked secure area.

Planning-All. 17 **Cannabis Retail Operations - 7**

Not more than 10% of the Cannabis Retailer floor area, up to a maximum of 50 square feet, shall be used for the sale of incidental goods such as, but not limited to, clothing, posters, or non-cannabis goods.

Planning-All. 18 **Cannabis Retail Operations - 8**

Restroom facilities shall be locked and under the control of the Cannabis Retailer.

Planning-All. 19 **Cannabis Retail Operations - 9**

ADVISORY NOTIFICATION DOCUMENT

Planning-All

Planning-All. 19 Cannabis Retail Operations - 9 (cont.)

Cannabis Retailers shall ensure that all Cannabis and Cannabis Products held for sale by the Cannabis Retailer are cultivated, manufactured, transported, distributed, and tested by California licensed and permitted facilities that are in full conformance with State and local laws and regulations.

Planning-All. 20 Cultivation Operations - 1

All Cannabis Cultivation operations shall include adequate measures to address the projected energy demand for Cannabis cultivation at the lot. On-site renewable energy generation shall be required for all Indoor Cannabis Cultivation operations. Renewable energy systems shall be designed to have a generation potential equal to or greater than 20-percent of the anticipated energy demand.

Planning-All. 21 Cultivation Operations - 2

All Cannabis Cultivation operations shall include adequate measures that minimize use of water for cultivation on the lot. Water conservation measures, water capture systems, or grey water systems shall be incorporated into the operations in order to minimize use of water where feasible.

Planning-All. 22 Cultivation Operations - 3

All Cannabis Cultivation lighting shall be fully shielded, downward casting and not spill over onto structures, other properties or the night sky. All Indoor and Mixed Light Cannabis Cultivation operations shall be fully contained so that little to no light escapes. Light shall not escape at a level that is visible from neighboring properties between sunset and sunrise.

Planning-All. 23 Cultivation Operations - 4

All Cannabis Cultivation operations shall accumulate or store garbage and refuse in a nonabsorbent, water-tight, vector resistant, durable, easily cleanable, galvanized metal or heavy plastic containers with tight fitting lids. No refuse container shall be filled beyond the capacity to completely close the lid. All garbage and refuse on the site shall not be accumulated or stored for more than seven calendar days, and shall be properly disposed of before the end of the seventh day. All waste, including but not limited to refuse, garbage, green waste and recyclables, must be disposed of in accordance with County and State laws and regulations. All waste generated from Cannabis Cultivation operations must be properly stored and secured to prevent access from the public.

Planning-All. 24 Cultivation Operations - 5

Onsite generators are prohibited, except as a source of energy in an emergencies. No generator is proposed with this Conditional Use Permit for any purposes.

Planning-All. 25 Distribution Operations – 1

Cannabis and Cannabis Products shall only be transported between permitted and licensed Commercial Cannabis Activities.

Planning-All. 26 Distribution Operations – 2

ADVISORY NOTIFICATION DOCUMENT

Planning-All

Planning-All. 32 Manufacturing Operations – 3 (cont.)

closed looped system to create cannabis extracts on how to use the system, to access applicable material safety data sheets and to handle and store the solvents and gases safely.

Planning-All. 33 Renewable Energy - Installed

In accordance with measure Ordinance No. 348 Section 19.511.G for cannabis cultivation, the proposed project shall be required to offset its energy demand by 20 percent through provision of renewable energy generation. In accordance with the prior condition titled "Renewable Energy", prior to occupancy, the renewable energy facility as approved with the prior condition shall be installed and ready for operation.

Planning-PAL

Planning-PAL. 1 LOW PALEO POTENTIAL

According to the County's General Plan, this site has been mapped as having a "Low Potential" for paleontological resources. This category encompasses lands for which previous field surveys and documentation demonstrates a low potential for containing significant paleontological resources subject to adverse impacts. As such, this project is not anticipated to require any direct mitigation for paleontological resources. However, should fossil remains be encountered during site development:

1. All site earthmoving shall be ceased in the area of where the fossil remains are encountered. Earthmoving activities may be diverted to other areas of the site.
2. The owner of the property shall be immediately notified of the fossil discovery who will in turn immediately notify the County Geologist of the discovery.
3. The applicant shall retain a qualified paleontologist approved by the County of Riverside.
4. The paleontologist shall determine the significance of the encountered fossil remains.
5. Paleontological monitoring of earthmoving activities will continue thereafter on an as-needed basis by the paleontologist during all earthmoving activities that may expose sensitive strata. Earthmoving activities in areas of the project area where previously undisturbed strata will be buried but not otherwise disturbed will not be monitored. The supervising paleontologist will have the authority to reduce monitoring once he/she determines the probability of encountering any additional fossils has dropped below an acceptable level.
6. If fossil remains are encountered by earthmoving activities when the paleontologist is not onsite, these activities will be diverted around the fossil site and the paleontologist called to the site immediately to recover the remains.
7. Any recovered fossil remains will be prepared to the point of identification and identified to the lowest taxonomic level possible by knowledgeable paleontologists. The remains then will be curated (assigned and labeled with museum* repository fossil specimen numbers and corresponding fossil site

ADVISORY NOTIFICATION DOCUMENT

Planning-PAL

Planning-PAL. 1 **LOW PALEO POTENTIAL (cont.)**

numbers, as appropriate; places in specimen trays and, if necessary, vials with completed specimen data cards) and catalogued, an associated specimen data and corresponding geologic and geographic site data will be archived (specimen and site numbers and corresponding data entered into appropriate museum repository catalogs and computerized data bases) at the museum repository by a laboratory technician. The remains will then be accessioned into the museum repository fossil collection, where they will be permanently stored, maintained, and, along with associated specimen and site data, made available for future study by qualified scientific investigators. * Per the County of Riverside "SABER Policy", paleontological fossils found in the County of Riverside should, by preference, be directed to the Western Science Center in the City of Hemet.

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

Transportation

Transportation. 1 **COUNTY WEB SITE**

Additional information, standards, ordinances, policies, and design guidelines can be obtained from the Transportation Department Web site: <http://rctlma.org/trans/>. If you have questions, please call the Plan Check Section at (951) 955-6527.

Transportation. 2 **NO ADD'L ROAD IMPRVMENTS**

No additional road improvements will be required at this time along Rio Del Sol Road due to existing improvements.

Transportation. 3 **NO ADD'L ON-SITE R-O-W**

No additional on-site right-of-way dedication shall be required on Rio Del Sol Road since adequate right-of-way exists.

Transportation. 4 **STD INTRO (ORD 460/461)**

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

Waste Resources

ADVISORY NOTIFICATION DOCUMENT

Waste Resources

Waste Resources. 1 **Waste - General (cont.)**

Waste Resources. 1 **Waste - General**

Hazardous materials are not accepted at Riverside County landfills. In compliance with federal, state, and local regulations and ordinances, any hazardous waste generated in association with the project shall be disposed of at a permitted Hazardous Waste disposal facility. Hazardous waste materials include, but are not limited to, paint, batteries, oil, asbestos, and solvents. For further information regarding the determination, transport, and disposal of hazardous waste, please contact the Riverside County Department of Environmental Health, Environmental Protection and Oversight Division.

AB 341 focuses on increased commercial waste recycling as a method to reduce greenhouse gas (GHG) emissions. The regulation requires businesses and organizations that generate four or more cubic yards of waste per week and multifamily units of 5 or more, to recycle. A business shall take at least one of the following actions in order to reuse, recycle, compost, or otherwise divert commercial solid waste from disposal:

- Source separate recyclable and/or compostable material from solid waste and donate or self-haul the material to recycling facilities.
- Subscribe to a recycling service with their waste hauler.
- Provide recycling service to their tenants (if commercial or multi-family complex).
- Demonstrate compliance with the requirements of California Code of Regulations Title 14.

For more information, please visit:

www.rivcowm.org/opencms/recycling/recycling_and_compost_business.html#mandatory

Consider xeriscaping and using drought tolerant/low maintenance vegetation in all landscaped areas of the project.

The use of mulch and/or compost in the development and maintenance of landscaped areas within the project boundaries is recommended.

Recycle green waste through either onsite composting of grass, i.e., leaving the grass clippings on the lawn, or sending separated green waste to a composting facility.

AB 1826 requires businesses and multifamily complexes to arrange for organic waste recycling services. Those subject to AB 1826 shall take at least one of the following actions in order to divert organic waste from disposal:

-Source separate organic material from all other recyclables and donate or self-haul to a permitted organic waste processing facility.

-Enter into a contract or work agreement with gardening or landscaping service provider or refuse hauler to ensure the waste generated from those services meet the requirements of AB 1826.

Plan: CUP190058

Parcel: 650380008

80. Prior To Building Permit Issuance

E Health

080 - E Health. 1 E Health Clearance Not Satisfied

Prior to issuance of the building permit, clearance must be obtained from the Department of Environmental Health.

080 - E Health. 2 Sewer Will Serve Not Satisfied

A "Will Serve" letter is required from the sewer agency serving the project.

Planning

080 - Planning. 1 Fee Status Not Satisfied

Prior to issuance of building permits for CUP190058, the Planning Department shall determine the status of the deposit based fees for project. If the case fees are in a negative state, the permit holder shall pay the outstanding balance.

Transportation

080 - Transportation. 1 CVAG TUMF Not Satisfied

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

Waste Resources

080 - Waste Resources. 1 Waste Recycling Plan Not Satisfied

Prior to issuance of a building permit, a Waste Recycling Plan (WRP) shall be submitted to the Riverside County Department of Waste Resources for approval. At a minimum, the WRP must identify the materials (i.e., concrete, asphalt, wood, etc.) that will be generated by construction and development, the projected amounts, the measures/methods that will be taken to recycle, reuse, and/or reduce the amount of materials, the facilities and/or haulers that will be utilized, and the targeted recycling or reduction rate. During project construction, the project site shall have, at a minimum, two (2) bins: one for waste disposal and the other for the recycling of Construction and Demolition (C&D) materials. Additional bins are encouraged to be used for further source separation of C&D recyclable materials. Accurate record keeping (receipts) for recycling of C&D recyclable materials and solid waste disposal must be kept. Arrangements can be made through the franchise hauler.

90. Prior to Building Final Inspection

E Health

090 - E Health. 1 E Health Clearance Not Satisfied

Prior to building permit final, clearance must be obtained from the Department of Environmental Health.

090 - E Health. 2 Hazmat Clearance Not Satisfied

Obtain clearance from the Hazardous Materials Management Division.

Plan: CUP190058

Parcel: 650380008

90. Prior to Building Final Inspection

Transportation

090 - Transportation. 1 SIDEWALKS Not Satisfied

Existing sidewalks must be in good repair and meet all ADA standards for width, differential heaving, slopes, etc.

090 - Transportation. 2 STREETLIGHT Not Satisfied

Existing street lights along the property frontage must be in working order prior to final occupancy.

Waste Resources

090 - Waste Resources. 1 Waste - Mandatory Commercial and Organics Recycling Corr Not Satisfied

Prior to final inspection, the applicant shall complete a Mandatory Commercial Recycling and Organics Recycling Compliance form (Form D). Form D requires applicants to identify programs or plans that address commercial and organics recycling, in compliance with State legislation/regulation. Once completed, Form D shall be submitted to the Recycling Section of the Department of Waste Resources for approval. For more information go to: www.rcwaste.org/business/planning/applications. To obtain Form D, please contact the Recycling Section at 951-486-3200, or email to: Waste-CompostingRecycling@rivco.org.



RIVERSIDE COUNTY PLANNING DEPARTMENT

*Charissa Leach, P.E.
Assistant TLMA Director*

DEVELOPMENT ADVISORY COMMITTEE (“DAC”) INITIAL CASE TRANSMITTAL RIVERSIDE COUNTY PLANNING DEPARTMENT – PALM DESERT 77-588 El Duna Ct., Suite H Palm Desert, CA 92211

DATE: December 24, 2019

TO:

Riv. Co. Transportation Dept. (Palm Desert)
Riv. Co. Env. Health Dept. (Palm Desert)
Riv. Co. Public Health Dept.
Riv. Co. Fire Department (Palm Desert)
Riv. Co. Building & Safety – Plan Check

Riv. Co. Trans. Dept. – Landscape Section
Riv. Co. Sheriff’s Dept.
Riv. Co. Waste Resources Management Dept.
Riv. Co. Airport Land Use Commission

Board of Supervisors - Supervisor: V. Manuel
Perez
Cathedral City Sphere of Influence

CONDITIONAL USE PERMIT NO. 190058, DEVELOPMENT AGREEMENT NO. 1900049 – CEQ190153
– Applicant: Cannatopia, LLC– Fourth Supervisorial District – Thousand Palms District – Western Coachella Valley Area Plan: Light Industrial (LI) (0.25 - 0.60 FAR) – Location: North of Petland Place, East of Rio Del Sol Road, South of 28th Avenue, and West of Roberts Road – .78 Acres and .50 Acres – Zoning: Manufacturing – Service Commercial (M-SC) – **REQUEST:** Conditional Use Permit No. 190058 proposes to use an existing facility for a microbusiness use. Development Agreement No 1900049. Is a proposal whereby the applicant enters into a development agreement with the County of Riverside, consistent with the County’s Cannabis Ordinance, and it includeds terms for providing a community benefit to the Rancho California Area.– APN: 650-380-008 & 007 – **BBID: 420-427-069**

DAC staff members and other Ilsted Riverside County Agencies, Departments and Districts staff:
A Bluebeam invitation has been emailed to appropriate staff members so they can view and markup the map(s) and/or exhibit(s) for the above-described project. Please have your markups completed and draft conditions in the Public Land Management System (PLUS) on or before the indicated DAC date. If it is determined that the attached map(s) and/or exhibit(s) are not acceptable, please have corrections in the system and DENY the PLUS routing on or before the above date. This case is scheduled for a **DAC internal review on January 16, 2020.** Once the route is complete, and the approval screen is approved with or without corrections, the project can be scheduled for a public hearing.

DATE: _____ SIGNATURE: _____

PLEASE PRINT NAME AND TITLE: _____

TELEPHONE: _____

If you do not include this transmittal in your response, please include a reference to the case number and project planner’s name. Thank you.



RIVERSIDE COUNTY
PLANNING DEPARTMENT

Charissa Leach, P.E.
Assistant TLMA Director

Any questions regarding this project, should be directed to Mina Morgan, Project Planner at (951) 955-6035, or e-mail at mimorgan@rivco.org / MAILSTOP #: 1070

Public Hearing Path: Administrative Action: DH: PC: BOS:

COMMENTS:

DATE: _____ SIGNATURE: _____

PLEASE PRINT NAME AND TITLE: _____

TELEPHONE: _____

If you do not include this transmittal in your response, please include a reference to the case number and project planner's name. Thank you.



RIVERSIDE COUNTY PLANNING DEPARTMENT

Charissa Leach, P.E.
Assistant TLMA Director

APPLICATION FOR LAND USE AND DEVELOPMENT

CHECK ONE AS APPROPRIATE:

- PLOT PLAN PUBLIC USE PERMIT VARIANCE
 CONDITIONAL USE PERMIT TEMPORARY USE PERMIT
- REVISED PERMIT Original Case No. _____

INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED.

APPLICATION INFORMATION

Applicant Name: Kappkush, Inc.

Contact Person: Narine Kapukchyan E-Mail: kappfunding@gmail.com

Mailing Address: 3856 Winford Dr
Tarzana Street 91356
City Ca State ZIP

Daytime Phone No: (____) (818) 497-5897 Fax No: (____) _____

Engineer/Representative Name: MSA Consulting, Inc.

Contact Person: Chris Brizuela E-Mail: cbrizuela@msaconsultinginc.com

Mailing Address: 34200 Bob Hope Drive
Rancho Mirage Street 92270
City Ca State ZIP

Daytime Phone No: (760) 320-9811 Fax No: (____) _____

Property Owner Name: IE Enterprises, LLC.

Contact Person: Bruce A. Meyer E-Mail: bmeyer@innovativeerpo.com

Mailing Address: 41800 Harrison Dr
Palm Desert Street 92211
City Ca State ZIP

Daytime Phone No: (____) _____ Fax No: (____) _____

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 P.O. Box 1409, Riverside, California 92502-1409
 (951) 955-3200 • Fax (951) 955-1811

Desert Office • 77-588 El Duna Court, Suite H
 Palm Desert, California 92211
 (760) 863-8277 • Fax (760) 863-7555

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APPLICATION FOR DEVELOPMENT AGREEMENT

DESCRIBE APPLICANT'S INTEREST IN THE PROPERTY

Applicant has executed a Purchase and Sale Agreement with the Property Owner.

***NOTE: ATTACH DOCUMENTATION VERIFYING THE APPLICANT'S INTEREST AND AUTHORIZATION TO APPLY ON BEHALF OF THE OWNER (See Section 104 of Exhibit "A" of Resolution No. 2012-047).**


MARENIE KAPLAN HYAN
PRINTED NAME OF APPLICANT


SIGNATURE OF APPLICANT

DESCRIBE OWNER'S INTEREST IN THE PROPERTY

Current Owner of Property

BRUCE A. MEYER
PRINTED NAME OF PROPERTY OWNER(S)


SIGNATURE OF PROPERTY OWNER(S)

Check this box if additional persons or entities have an ownership interest in the subject property (ies) in addition to that indicated above, and attach a separate sheet that references the General Plan Amendment type and number and list those names, mailing addresses, phone and fax numbers, and email addresses, and provide signatures of those persons or entities having an interest in the real property(ies) involved in this application.

PROPERTY INFORMATION:

Assessor's Parcel Number(s): APN: 650-380-008 & 650-3-007

Approximate Gross Acreage: Approx. 1.3 AC.

General location (nearby or cross streets): North of Petland Pl. South of 28th Ave.
East of Rio Del Sol Rd. West of Robert Rd.

This completed application form, together with all of the **1100** requirements provided on the Development Agreement Application Filing Instructions handout, are required in order to file an application with the County of Riverside Planning Department.

Y:\Current Planning\LMS Replacement\Condensed P.D. Application Forms\295-107 DA Condensed Application.docx
Created: 07/06/2015 Revised: 07/30/2015

APPLICATION FOR LAND USE AND DEVELOPMENT

PROJECT PROPOSAL:

Describe the proposed project.

Conditional Use Permit (CUP) and Development Agreement (DA) applications for proposed Cannabis Microbusiness use (CAN 190110) in existing building located at 72242 Watt Court within the unincorporated community of Thousand Palms.

Identify the applicable Ordinance No. 348 Section and Subsection reference(s) describing the proposed land use(s): Section 19.522 CANNABIS MICROBUSINESS FACILITIES

Number of existing lots: 2

EXISTING Buildings/Structures: Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>						
No.*	Square Feet	Height	Stories	Use/Function	To be Removed	Bldg. Permit No.
1	approx.13,000 sq	34 feet	1 plus MF	Industrial/warehouse building	<input type="checkbox"/>	
2					<input type="checkbox"/>	
3					<input type="checkbox"/>	
4					<input type="checkbox"/>	
5					<input type="checkbox"/>	
6					<input type="checkbox"/>	
7					<input type="checkbox"/>	
8					<input type="checkbox"/>	
9					<input type="checkbox"/>	
10					<input type="checkbox"/>	

Place check in the applicable row, if building or structure is proposed to be removed.

PROPOSED Buildings/Structures: Yes <input type="checkbox"/> No <input type="checkbox"/>				
No.*	Square Feet	Height	Stories	Use/Function
1				
2				
3				
4				
5				
6				
7				
8				
9				
10				

PROPOSED Outdoor Uses/Areas: Yes <input type="checkbox"/> No <input type="checkbox"/>		
No.*	Square Feet	Use/Function
1		
2		
3		
4		
5		

APPLICATION FOR LAND USE AND DEVELOPMENT

6		
7		
8		
9		
10		

~~* Match to Buildings/Structures/Outdoor Uses/Areas identified on Exhibit "A".~~

~~Check this box if additional buildings/structures exist or are proposed, and attach additional page(s) to identify them.)~~

Related cases filed in conjunction with this application:

Development Agreement (DA) and Cannabis RFP (CAN 190110).

Are there previous development applications filed on the subject property: Yes No

If yes, provide Application No(s). Cannabis RFP (CAN 190110), PM32789.
(e.g. Tentative Parcel Map, Zone Change, etc.)

Initial Study (EA) No. (if known) _____ EIR No. (if applicable): _____

Have any special studies or reports, such as a traffic study, biological report, archaeological report, geological or geotechnical reports, been prepared for the subject property? Yes No

If yes, indicate the type of report(s) and provide a signed copy(ies): _____

Is the project located within 1,000 feet of a military installation, beneath a low-level flight path or within special use airspace as defined in Section 21098 of the Public Resources Code, and within an urbanized area as defined by Government Code Section 65944? Yes No

Is this an application for a development permit? Yes No

If the project located within either the Santa Ana River/San Jacinto Valley watershed, the Santa Margarita River watershed, or the Whitewater River watershed, check the appropriate checkbox below.

If not known, please refer to [Riverside County's Map My County website](#) to determine if the property is located within any of these watersheds (search for the subject property's Assessor's Parcel Number, then select the "Geographic" Map Layer – then select the "Watershed" sub-layer)

If any of the checkboxes are checked, click on the adjacent hyperlink to open the applicable Checklist Form. Complete the form and attach a copy as part of this application submittal package.

[Santa Ana River/San Jacinto Valley](#)

[Santa Margarita River](#)

[Whitewater River](#)

APPLICATION FOR LAND USE AND DEVELOPMENT

~~If the applicable Checklist has concluded that the application requires a preliminary project-specific Water Quality Management Plan (WQMP), such a plan shall be prepared and included with the submittal of this application.~~

HAZARDOUS WASTE AND SUBSTANCES STATEMENT

The development project and any alternatives proposed in this application are contained on the lists compiled pursuant to Section 65962.5 of the Government Code. Accordingly, the project applicant is required to submit a signed statement that contains the following information:

Name of Applicant: Kappkush, Inc. (Contact: Narine Kapukchyan)

Address: 3856 Winford Dr Tarzana, Ca 91356

Phone number: (818) 497-5897

Address of site (street name and number if available, and ZIP Code): 72242 Watt Court, Thousand Palms, Ca 92276

Local Agency: County of Riverside

Assessor's Book Page, and Parcel Number: PM 215/41 APNs: 650-380-007 & 650-380-008

Specify any list pursuant to Section 65962.5 of the Government Code: _____

Regulatory Identification number: _____

Date of list: _____

Applicant:  _____

Date 02-29-2021

HAZARDOUS MATERIALS DISCLOSURE STATEMENT

Government Code Section 65850.2 requires the owner or authorized agent for any development project to disclose whether:

1. Compliance will be needed with the applicable requirements of Section 25505 and Article 2 (commencing with Section 25531) of Chapter 6.95 of Division 20 of the Health and Safety Code or the requirements for a permit for construction or modification from the air pollution control district or air quality management district exercising jurisdiction in the area governed by the County. Yes No
2. The proposed project will have more than a threshold quantity of a regulated substance in a process or will contain a source or modified source of hazardous air emissions. Yes No

I (we) certify that my (our) answers are true and correct.

Owner/Authorized Agent (1)  _____

Date 02-29-2021

Owner/Authorized Agent (2) _____

Date _____

APPLICATION FOR LAND USE AND DEVELOPMENT

This completed application form, together with all of the listed requirements provided on the Land Use and Development Application Filing Instructions Handout, are required in order to file an application with the County of Riverside Planning Department.

Y:\Current Planning\LMS Replacement\Condensed P.D. Application Forms\Land Use and Development Condensed application.docx
Created: 04/29/2015 Revised: 08/03/2018



RIVERSIDE COUNTY PLANNING DEPARTMENT

**Charissa Leach, P.E.,
Assistant TLMA Director**

INDEMNIFICATION AGREEMENT REQUIRED FOR ALL PROJECTS

The owner(s) of the property, at their own expense, agree to defend, indemnify and hold harmless the County of Riverside and its agents, officers, and employees from and against any lawsuit, claim, action, or proceeding (collectively referred to as "proceeding") brought against the County of Riverside, its agents, officers, attorneys and employees to attack, set aside, void, or annul the County's decision to approve any tentative map (tract or parcel), revised map, map minor change, reversion to acreage, conditional use permit, public use permit, surface mining permit, WECS permit, hazardous waste siting permit, temporary outdoor event permit, plot plan, substantial conformance, revised permit, variance, setback adjustment, general plan amendment, specific plan, specific plan amendment, specific plan substantial conformance, zoning amendments, and any associated environmental documents. This defense and indemnification obligation shall include, but not limited to, damages, fees and/or costs awarded against the County, if any, and cost of suit, attorney's fees and other costs, liabilities and expenses incurred in connection with such proceeding whether incurred by applicant, property owner, the County, and/or the parties initiating or bringing such proceeding.

[Handwritten Signature]

1-27-21

Property Owner(s) Signature(s) and Date

BRUCE A. MEYER

Printed Name of Owner

If the property is owned by multiple owners, the paragraph above must be signed by each owner. Attach additional sheets of this page, if necessary.

If the property owner is a corporate entity, Limited Liability Company, partnership or trust, the following documentation must also be submitted with this application:

- *If the property owner is a limited partnership, provide a copy of the LP-1, LP-2 (if an amendment) filed with the California Secretary of State.*
- *If the property owner is a general partnership, provide a copy of the partnership agreement documenting who has authority to bind the general partnership and to sign on its behalf.*
- *If the property owner is a corporation, provide a copy of the Articles of Incorporation and/or a corporate resolution documenting which officers have authority to bind the corporation and to sign on its behalf. The corporation must also be in good standing with the California Secretary of State.*
- *If the property owner is a trust, provide a copy of the trust certificate.*

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INDEMNIFICATION AGREEMENT REQUIRED FOR ALL PROJECTS

- *If the property owner is a Limited Liability Corporation, provide a copy of the operating agreement for the LLC documenting who has authority to bind the LLC and to sign on its behalf.*

If the signing entity is also a corporate entity, Limited Liability Company, partnership or trust, the above documentation must also be submitted with this application. For any out of State legal entities, provide documentation showing registration with the California Secretary of State.

In addition to the above, provide a copy of a Preliminary Title Report for the property subject to this application. The Preliminary Title Report must be issued by a title company licensed to conduct business in the State of California and dated less than six months prior to the date of submittal of this application. The Assistant TLMA Director may waive the requirement for a Preliminary Title Report if it can be shown to the satisfaction of the Assistant TLMA Director that the property owner(s) has owned the property consistently for at least the last five years.

If the application is for a plot plan for a Wireless Communication Facility, the property owner(s) and the cellular service provider must sign the indemnification paragraph above. If the application is for a plot plan for a wireless communication co-location, only the co-locating service provider needs to sign the indemnification paragraph above.

NOTICE OF PUBLIC HEARING

A PUBLIC HEARING has been scheduled, pursuant to Riverside County Land Use Ordinance No. 348, before the RIVERSIDE COUNTY PLANNING COMMISSION to consider a proposed project in the vicinity of your property, as described below:

CONDITIONAL USE PERMIT NO. 190058 and DEVELOPMENT AGREEMENT NO. 1900049 – Exempt from the California Environmental Quality Act (CEQA), pursuant to State CEQA Guidelines Section 15061 (b)(3) (Common Sense), Section 15301 (Existing Facilities), and Section 15303 (New Construction or Conversion of Small Structures) – CEQ190153 – Applicant: Kappkush, Inc. – Fourth Supervisorial District – Thousand Palms District – Western Coachella Valley Area Plan: Light Industrial (LI) (0.25 - 0.60 FAR) – Location: Northerly of Watt Court, easterly of Rio Del Sol Road, southerly of 30th Avenue, and westerly of Roberts Road – .78 Acres – Zoning: Manufacturing – Service Commercial (M-SC) – **REQUEST:** Conditional Use Permit No. 190058 proposes to occupy an existing facility to be utilized for a microbusiness use. Development Agreement No. 1900049, is a proposal whereby the applicant enters into a development agreement with the County of Riverside, consistent with the County's Cannabis Ordinance, and it includes terms for providing a community benefit to the Western Coachella Valley Area. APN: 650-380-008.

TIME OF HEARING: 9:00 a.m. or as soon as possible thereafter.
DATE OF HEARING: **MARCH 3, 2021**
PLACE OF HEARING: RIVERSIDE COUNTY ADMINISTRATIVE CENTER
BOARD CHAMBERS, 1ST FLOOR
4080 LEMON STREET, RIVERSIDE, CA 92501

Pursuant to Executive Order N-25-20, this meeting will be conducted by teleconference and at the place of hearing, as listed above. Public access to the meeting location will be allowed but limited to comply with the Executive Order. Information on how to participate in the hearing will be available on the Planning Department website at: <https://planning.rctlma.org/>. For further information regarding this project please contact the Project Planner: Mina Morgan at (951) 955-6035 or email at mimorgan@rivco.org, or go to the County Planning Department's Planning Commission agenda web page at <http://planning.rctlma.org/PublicHearings.aspx>.

The Riverside County Planning Department has determined that the above-described application is exempt from the provisions of the California Environmental Quality Act (CEQA). The Planning Commission will consider the proposed application at the public hearing. The case file for the proposed project is available for review via email by contacting the project planner. Please contact the project planner regarding additional viewing methods.

Any person wishing to comment on the proposed project may submit their comments in writing by mail or email, or by phone between the date of this notice and the public hearing; or, you may appear and be heard at the time and place noted above. You may participate remotely by registering with the Planning Department. All comments received prior to the public hearing will be submitted to the Planning Commission for consideration, in addition to any oral testimony, before making a decision on the proposed project. All correspondence received before and during the meeting will be distributed to the Planning Commission and retained for the official record.

If this project is challenged in court, the issues may be limited to those raised at the public hearing, described in this notice, or in written correspondence delivered to the Planning Commission at, or prior to, the public hearing. Be advised that as a result of public hearings and comment, the Planning Commission may amend, in whole or in part, the proposed project. Accordingly, the designations, development standards, design or improvements, or any properties or lands within the boundaries of the proposed project, may be changed in a way other than specifically proposed.

Please send all written correspondence to:
RIVERSIDE COUNTY PLANNING DEPARTMENT
Attn: Mina Morgan
P.O. Box 1409, Riverside, CA 92502-1409

PROPERTY OWNERS CERTIFICATION FORM

I, VINNIE NGUYEN certify that on January 13, 2021

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

APN (s) or case numbers CUP190058 / DA1900049 for

Company or Individual's Name RCIT - GIS ,

Distance buffered 1200'

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

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

TITLE: GIS Analyst

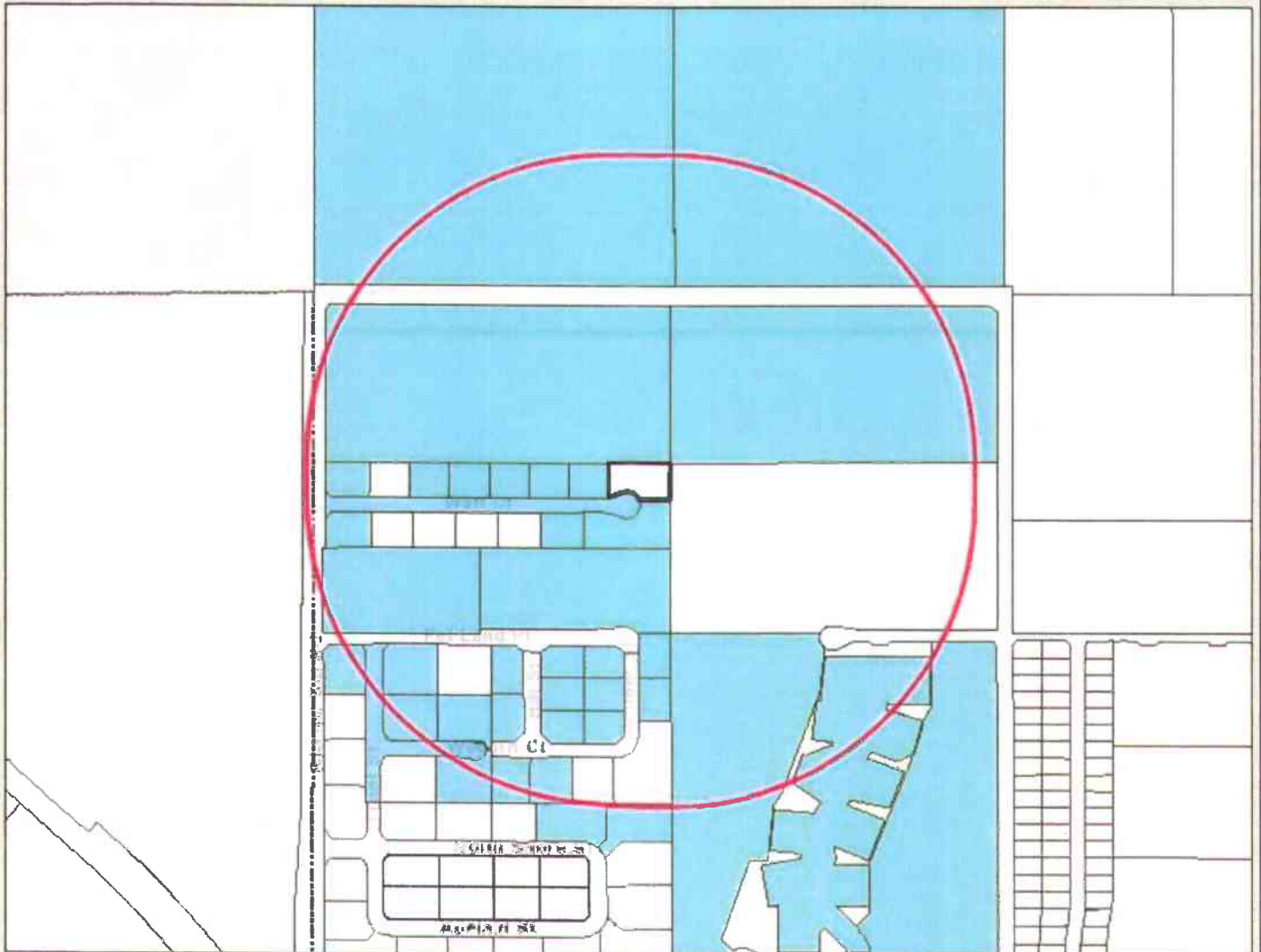
ADDRESS: 4080 Lemon Street 9TH Floor

 Riverside, Ca. 92502

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

Riverside County GIS Mailing Labels

CUP190058 DA1900049 (1200 feet buffer)



Legend

-  County Boundary
-  Cities
-  Parcels
-  World Street Map

Notes



0 752 1,505 Feet

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648150034
ARAWAY LTD
7400 ROBLIN BLVD
HEADINGLY MB R4H1A5

650350005
DOUGLAS G. DENBOER
637 BIG CANYON DR W
PALM SPRINGS CA 92264

650350012
BERNARD WHITE & SONS
71905 HIGHWAY 111 STE E
RANCHO MIRAGE CA 92270

650350017
WHITE BROTHERS INV CO
71905 HIGHWAY 111 STE E
RANCHO MIRAGE CA 92270

650350034
THOUSAND PALMS BUSINESS PARK OWNERS
38858 LOBELIA CIR
PALM DESERT CA 92211

648150035
TALLIEU CONST LTD
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HEADINGLY MB R4H1A5

650380016
MERRITT WILLIAMS
12300 VIA RONCOLE
SARATOGA CA 95070

650350036
RANCHO NINE HOLDINGS
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650360011
MARC ROY STEWART
13 OAKMONT DR
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650350019
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THOUSAND PLMS CA 92276

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650350011
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81594 CAMINO LOS MILAGROS
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LAKE FOREST CA 92630

650350009
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5727 WILDBRIAR
RCH PALOS VRD CA 90275

650350013
ADM PROP
28 HAMMOND STE F
IRVINE CA 92618

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BRANDON OBRIEN
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OTT REX C REVOCABLE LIVING TRUST
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Attn: Christopher Brizuela

Owner:

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Palm Desert CA, 92211




**COUNTY OF RIVERSIDE
PLANNING DEPARTMENT
STAFF REPORT**

Agenda Item No.:

4 . 2

Planning Commission Hearing: March 3, 2021

PROPOSED PROJECT

Case Number(s):	WCS00071R10; VAR200001	Applicant:	Alta Mesa Wind Repower
EA No.:	CEQ200004 MND		
Area Plan:	Western Coachella Valley	Representatives:	Jonathan Kirby /
Zoning Area:	Whitewater Area		Berk Gursoy / Vida Strong
Supervisory District:	Fifth District		
Project Planner:	Jay Olivas	 John Earle Hildebrand III Interim Planning Director	
Project APN(s):	516-020-001; 516-020-002		

PROJECT DESCRIPTION AND LOCATION

Commercial WECS Permit No. 71, Revised Permit No. 10 proposes to install up to seven (7) new commercial wind turbines up to 499 feet in height with a total project generating capacity of 27 Megawatts (MW). These seven (7) new turbines would replace the 159 turbines currently on the site which are scheduled for decommissioning in early 2021 under existing WECS permits, including demolition permits issued by the County. The project also includes associated equipment such as existing on-site substation, temporary construction yard, a new meteorological tower, and existing 220 kV transmission line. No work is proposed on existing interconnection line, and the project would use an existing access road from Haugen-Lehmann Way.

Variance Case No. 200001 proposes to eliminate the safety setbacks in accordance with Zoning Ordinance No. 348 along the western and northern lot lines from 1.1 times turbine height (549-feet) to 0-feet for wind turbines T-1, T-2A, and T-3A in a rural remote area.

The above discretionary actions are herein identified as the "Project".

The project site is in the unincorporated community of Whitewater Canyon, more specifically north of Interstate 10/Tamarack Road, east of Haugen-Lehmann Way, and west of Whitewater Canyon Road on a 640-acre site.

PROJECT RECOMMENDATION

STAFF RECOMMENDATIONS:

THAT THE PLANNING COMMISSION TAKE THE FOLLOWING ACTIONS:

ADOPT a MITIGATED NEGATIVE DECLARATION for CEQ NO. 200004, based on the findings and conclusions provided in the initial study, attached hereto, and the conclusion that the project will not have a significant effect on the environment; and,

APPROVE VARIANCE CASE NO. 200001, subject to the attached advisory notification document and the conditions of approval, AND based upon the findings and conclusions provided in this staff report; and,

APPROVE COMMERCIAL WECS PERMIT NO. 71, REVISED PERMIT NO. 10, subject to the attached advisory notification document and the conditions of approval, and based upon the findings and conclusions provided in this staff report.

PROJECT DATA	
Land Use and Zoning:	
Specific Plan:	N/A
Specific Plan Land Use:	N/A
Existing General Plan Foundation Component:	Open Space
Proposed General Plan Foundation Component:	N/A
Existing General Plan Land Use Designation:	Open Space-Rural (OS-RUR)
Proposed General Plan Land Use Designation:	N/A
Policy / Overlay Area:	N/A
Surrounding General Plan Land Use Designations	
North:	Open Space-Conservation Habitat (OS-CH)
East:	Open-Space-Conservation Habitat (OS-CH)
South:	Open Space-Conservation Habitat (OS-CH)
West:	Open Space Conservation Habitat (OS-CH)
Existing Zoning Classification:	Wind Energy (W-E)
Proposed Zoning Classification:	Not applicable
Surrounding Zoning Classifications	
North:	Rural Residential (R-R)
East:	Rural Residential (R-R)
South:	Controlled Development Areas (W-2-5)
West:	Rural Residential (R-R)
Existing Use:	159 existing wind turbines (WECS)
Surrounding Uses	
North:	Vacant Land
South:	Vacant land; Interstate 10 Rest Stop
East:	Vacant land; existing WECS; Whitewater River; Scattered Dwellings
West:	Vacant Land; Scattered Dwellings

Project Site Details:

<i>Item</i>	<i>Value</i>	<i>Min./Max. Development Standard</i>
Project Site (Acres):	640	20 Acre minimum
Existing Building Area (SQFT):	None-existing WECS	No Maximum Lot Coverage
Proposed Building Area (SQFT):	None-proposed WECS	Not applicable
Floor Area Ratio:	Not applicable	Not applicable
Building Height (FT):	499-foot WECS	500-foot WECS

Parking:

<i>Type of Use</i>	<i>Building Area (In SF)</i>	<i>Parking Ratio</i>	<i>Spaces Required</i>	<i>Spaces Provided</i>
Wind turbines	N/A	1-space per 2-employees	2	2
TOTAL:			2	2

Located Within:

City's Sphere of Influence:	No
Community Service Area ("CSA"):	No
Recreation and Parks District:	No
Special Flood Hazard Zone:	No
Area Drainage Plan:	No
Dam Inundation Area:	No
Agricultural Preserve	No
Liquefaction Area:	Yes (Moderate)
Fault Zone:	Yes-San Andreas
Fire Zone:	Yes-Moderate
Mount Palomar Observatory Lighting Zone:	Yes (Zone B)
CVMSHCP Conservation Area Boundary:	Yes – Stubbe and Cottonwood Canyons Conservation Area
Airport Influence Area ("AIA"):	No – WECS over 200-feet in height

PROJECT LOCATION MAP

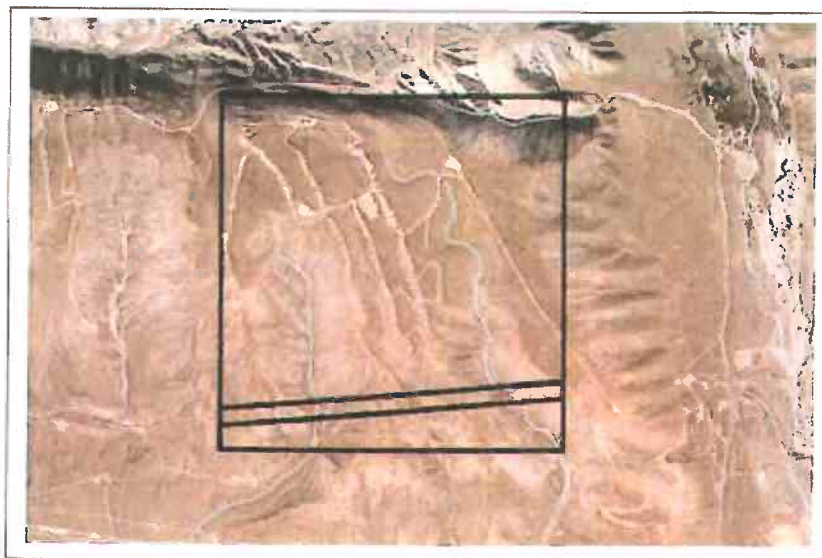


Figure 1: Project Location Map

PROJECT BACKGROUND AND ANALYSIS

Background: Commercial WECS Permit No. 71, Revised Permit No. 10 (WCS 71R10) and Variance Case No. 20001 were submitted on January 22, 2020. The current project site contains 159 existing wind turbines proposed to be decommissioned under proposed WCS 71R10 and be replaced with 7-new wind turbines up to 499-feet in height in the north central portion of a 640-acre site.

Commercial WECS Permit No. 71 was originally approved in 1985. Subsequent revisions (Revision No. 1 through Revision No. 9) were approved on the project site. The most recent revision an current permit is Commercial WECS Permit No. 71, Revised Permit No. 9 approved in 2002 for the existing 159 turbines to remain with existing substation along with proposed addition of 60 Gamesa 660 kW WECS with a rotor diameter up to 171 feet and WECS height up to 300 feet. None of the 60 Gamesa turbines approved under Revised Permit No. 9 were constructed. Proposed WCS 71R10 would replace Revision No. 9. The current project site maintains 159-existing turbines with proposal for 7-new turbines with proposed permit expiration date of July 1, 2051.

Additionally, a Substantial Conformance (WCS 71S4) was approved in 2010 to reduce the overall number of turbines from 159 turbines to 67 turbines, by completing the following: A) Remove 134 existing Danwin and Vestas V27 160-225 kW turbines. B) Keep nineteen (19) existing Danwin 160kW turbines and keep six (6) Vestas V27-225kW turbines. C) Install 15 previously approved but unbuilt Gamesa G52- 850 kW turbines up to 230 feet in height, or similar turbines in the same locations within a maximum overall height of 240 feet, and D) Install 27 Nordex N80 2.5 MW turbines up to 329 feet in height, or similar turbines in the same locations within a maximum overall height of 339 feet. E) Construct new Substation. However, WCS 71S4 was not constructed and none of the new turbines or new substation were constructed, and WCS 71S4 subsequently expired on July 1, 2015.

ENVIRONMENTAL REVIEW AND FINDINGS

An Initial Study (IS), CEQ200004, and Mitigated Negative Declaration (MND), was prepared for this project in accordance with the California Environmental Quality Act (CEQA). The IS represents the independent judgment of Riverside County and determines that the proposed project could not have a significant effect on the environment. A Notice of Intent to Adopt a Mitigated Negative Declaration was prepared, and the Mitigated Negative Declaration was made available for public review per the CEQA Statute and Guidelines Section 15105 for at least 30 days. The project as proposed and conditioned will not result in any potentially significant environmental impacts, with mitigation incorporated.

The Project's Initial Study was circulated with the State Clearinghouse for a 30-day review period between December 24, 2020 and January 22, 2021 in advance of the public hearing scheduled for March 3, 2021. As of this writing (2/23/21), comment letters were received from various groups and agencies including from the Metropolitan Water District (MWD) of Southern California. A Responses to Comments Document dated February 21, 2021 summarizes the responses attached to this staff report.

FINDINGS AND CONCLUSIONS

In order for the County to approve the proposed project, the following findings are required to be made:

Land Use Findings:

1. The project site is currently mapped by the General Plan as being Open-Space Rural (OS-RUR) on the Western Coachella Valley Area Plan and is also located within the San Gorgonio Pass Wind Energy Policy Area.
2. The OS-RUR land use designation encourages alternative energy land uses. The proposed project, which is for wind energy conversion systems (WECS), is therefore an appropriate land use for that land use designation.
3. Surrounding land use designations consist of OS-RUR and Open-Space Conservation Habitat (OS-CH).
4. The project site has an existing Zoning Classification of Wind Energy (W-E); the project site is bordered by property zoned Rural Residential (R-R) to the north, east, and west, and Controlled Development Areas (W-2-5; W-2-10) to the south. The wind energy conversion system is an allowed land use in the W-E zone with an approved commercial WECS permit.
5. The proposed use for commercial wind turbines conforms to the logical development of the land and is compatible with the present and future logical development of the surrounding property since the project is located in a rural area containing existing commercial wind turbines, vacant land, and scattered one family dwellings.
6. The project consists of an existing WECS array to be decommissioned and replaced with up to seven (7) new wind turbines up to 499-foot in height, and associated facilities such as pad mounted transformers and underground distribution lines.

7. Utilization of wind energy resources of Riverside County are a recognized and acceptable land use within Riverside County since 1982 when the initial general plan and zoning regulations for wind energy were adopted by the Board of Supervisors by Resolution No. 82-326.
8. The project is located north of Interstate 10, and existing public roads such as Haugen-Lehmann Way and Desert View Avenue to the west of the 640-acre site, and these public roads provide direct access to the project site. To address site access including during construction, the project has been conditioned by the Transportation Dept. as indicated by recommended Conditions of Approval (COA) such as with 60.TRANS.1 Encroachment Permit and 60.TRANS.2 Notifications.
9. The site is located within the Whitewater Watershed, and, is not located within a floodplain. Due to existing topography and drainage patterns, no further drainage improvements are required since the Project will be designed in a manner that ensures that all existing drainage courses will remain natural and unobstructed.
10. The project was reviewed under County Geologic Report GEO No. 200033 to address geotechnical concerns due to sloping topography and potential fault hazards within where new wind turbines are proposed (T1 through T7). The Project adequately addresses geology concerns based on the following facts and requirements:

GEO200033 concluded: 1. Barr Engineering Co. is the geotechnical consultant of record for the Alta Mesa Wind Project going forward. 2. There are currently mapped Holocene active faults in the immediate vicinity of the project turbines. Three turbine locations (AM-T1, AM-T2A, and AM-T3A) are within a currently delineated state of California Alquist Priolo earthquake fault zone. AM-T4A, AM-T5, AM-T6A, and AM-T7a are not within a currently mapped Alquist Priolo Earthquake Fault zone or County delineated fault zone. AM-T2A and AM-T7A are in the proximity of mapped secondary faults identified by previous geologic consultants. Therefore, the potential for future surface fault rupture within the limits of this repower project is considered high to low. 3. In order to clear the turbine locations and demonstrate that no fault trace is located within the proposed turbine footprint nor within 20 feet of the foundation edge, fault trenching was performed at three proposed turbine locations. 4. The trenches were approximately 130 feet long, which corresponded to the assumed maximum foundation diameter of 90 feet in addition to 20 feet on each side. Each trench extended 65 feet from the turbine stake perpendicular to the orientation of the nearby fault trace and corresponding A-P Zone boundary. 5. No evidence of faulting was noted in any of the three trenches. 6. Given that no faults or fault-like features were encountered in the trenches, it can be concluded that no ridgetop spreading has occurred at these locations in past earthquakes. At the turbines outside the A-P Zones where fault trenching did not occur, no evidence of ridgetop spreading was noted during the site visits nor during examination of aerial photographs. 7. The soils in the upper approximately 50 feet or greater are unsaturated and not susceptible to liquefaction. 8. Debris flow was noted on site. An example of this, located in the bottom of the deep drainage east of AM-T2A. It should be noted that the debris flow locations are at the bottom of drainages and should not adversely impact turbines and ancillary structures, which are generally located on ridgetops. 9. No evidence of slope failure as it relates to important infrastructure was noted during site reconnaissance. The topography north of turbine AM-T3A, creating the north-facing slope along the south side of the deep east-west canyon associated with the Banning fault, exhibits hummocky features. This provides evidence of some historic slope instability. However, turbine AM-T3A is set back a sufficient distance from this potentially unstable slope. 10. No significant rockfall was observed during the two site visits, thus is it not considered a phenomenon that will adversely impact project infrastructure. It should be noted that project

structures are located on ridgetops and are not likely to be susceptible to rockfall. 11. Many erosional surfaces are located at the heads of drainage courses on the alluvial materials south of the deep east-west canyon containing the Banning fault. These will be subject to long-term bluff retreat, but it is not anticipated to adversely impact project infrastructure during the design life of the facility. 12. Based on the slope stability analysis, two slopes were analyzed: 2.0H:1V for cut slopes and 2.5H:1V for fill slopes, based on the worst-case fill and cut slopes at Alta Mesa, which were located at turbines AM-T1 and AMT7A, respectively. The static and pseudo-static limit equilibrium results meet the required factors of safety in addition to the saturated infinite slope case. 13. Groundwater was not observed in any of the geotechnical borings completed during the investigation. Based upon these observations, groundwater is not anticipated to be a factor in the design and construction of shallow foundations at the project site. 14. The results of the investigation indicate the soils encountered on site are granular and do not have appreciable shrink-swell potential. 15. The project site is not an area of oil and gas development. The groundwater aquifer in the Coachella Valley has experienced significant drawdown in its history but subsidence at the project site has been minimal. 16. The alluvial surface on West Whitewater Hill is estimated to be >100,000 years old, indicating that very little if any of this material has been removed over that period of time due to wind erosion. 17. Using these shear wave velocities and a PGA of 1.14g (at AM-T3A; closest turbine to Banning fault) for 2 percent chance of exceedance in 50 years, the resulting total seismic settlement was computed as 0.14 inches. The resulting differential settlement is anticipated to be 0.07 inches, which is typically taken as half the total settlement. This settlement is considered to be well within the tolerable range.

GEO200033 requires the following: 1. The project site predominantly consists of undeveloped arid land and clearing, and grubbing will generally be restricted to the removal of brush and the primary root zone. Based on the results of the field investigation, topsoil is generally not present, and vegetation is sparse with root zone thickness on the order of approximately 1 to 4 inches. This material should not be used for structural fill and should be placed separately to avoid contamination with other excavated soils. This material could be used in grading non-structural fill such as fields or service areas in which compressibility of the material does not have an impact on structures. 2. Based on conditions encountered on site, foundations will typically be placed on natural ground (soil or weathered rock), and the use of compacted fill is not anticipated, except where excavation of unsuitable material below the foundation embedment depth is performed. 3. Wind turbine foundations should not be placed on any fill other than engineered fill or lean concrete placed in accordance with Section 6.1.7. 4. Based on the results of the geotechnical investigation, some of the wind turbine foundations will bear directly on weathered rock at the base of the excavation. 5. In cases where ripping and/or blasting is required to excavate for the foundation, it is recommended that a reasonable effort be made to remove loose rock from the base of the excavation to expose the rock surface. A flowable concrete mud mat should be used to create a level surface for foundation construction. 6. At a minimum, the exposed surface of the excavation should be uniform. Therefore, it should consist of a combination of solid rock and lean concrete or entirely of lean concrete. 7. Based on the results of the geotechnical investigation, most of the wind turbine foundations are anticipated to bear on soil or highly weathered rock. In general, for foundations supported on soil, the exposed subgrade should be surface compacted to consolidate loose soils present from the excavation. 8. The subgrade should be visually inspected for uniformity. If surface soils in the base of the excavation are disturbed, these soils should be surface compacted using a vibratory compactor (in sands and nonsaturated silts) or a smooth drum roller (saturated silts and clays). 9. If the base of the excavation lies partially on soil and rock, the soil should be removed to the rock surface and replaced with lean concrete to create a uniform bearing

surface for the foundation. 10. Alternatively, compacted engineered fill could be placed on top of the bedrock surface, provided it meets the requirements established in Section 6.1.7.

GEO No. 200033 satisfies the requirement for a geologic/geotechnical study for Planning/CEQA purposes subject to requirements outlined by AND Planning-GEO.1.

11. The project was reviewed under County Paleontological Report (PDP) No. 1667 to address paleontology. The Project adequately addresses paleontology concerns based on the following facts and requirements:

County Paleontological Report (PDP) No. 1667, submitted for this case (WCS00071R10), was prepared by Aspen Environmental Group, and is entitled: Alta Mesa Repower Project, Paleontological Assessment, dated November 2020. PDP01667 concludes that the project's potential to impact significant paleontological resources is yet unknown and that further study is needed. PDP01667 recommends that 600-pound samples of the paleosol be tested (screened) for micro vertebrate fossils. If none are found, then Project monitoring for paleontological resources is not required. Either way, a Paleontological Resources Impact Mitigation Program (PRIMP) should discuss the development and presentation of a Worker Environmental Appreciation Program, protocols for the unexpected discovery of fossils, and dating of pedogenic calcium carbonate from the Project footprint, if such can be found. If micro vertebrate fossils are located in the testing effort, then monitoring would be warranted, and the PRIMP should describe procedures for unexpected discovery protocols, monitoring, sediment sampling and processing, identification, reporting and curation of fossils found on the project, as well as radiocarbon dating of pedogenic carbonate from the Project footprint. If micro vertebrate fossils are not located during pre-construction testing, then the PRIMP will consist only of a Worker Environmental Appreciation Program, an unexpected discovery of fossils plan, and a radiocarbon date on pedogenic calcium carbonate from the Project footprint, if such can be found.

A PRIMP shall be required prior to grading for this project, and the scope of monitoring will be dependent upon the results of the recommended screening of the paleosol. PRIMP REQUIREMENTS: PRIOR TO ISSUANCE OF GRADING PERMITS: 1. The applicant shall retain a qualified paleontologist approved by the County to create and implement a project-specific plan for monitoring site grading/earthmoving activities (project paleontologist). 2. The project paleontologist retained shall review the approved development plan and grading plan and conduct any pre-construction work necessary to render appropriate monitoring and mitigation requirements as appropriate. These requirements shall be documented by the project paleontologist in a Paleontological Resource Impact Mitigation Program (PRIMP). This PRIMP shall be submitted to the County Geologist for approval prior to issuance of a Grading Permit. Information to be contained in the PRIMP, at a minimum and in addition to other industry standards and Society of Vertebrate Paleontology standards, are as follows: 1. A corresponding and active County Grading Permit (BGR) Number must be included in the title of the report. PRIMP reports submitted without a BGR number in the title will not be reviewed. 2. PRIMP must be accompanied by the final grading plan for the subject project. 3. Description of the proposed site and planned grading operations. 4. Description of the level of monitoring required for all earth-moving activities in the project area. 5. Identification and qualifications of the qualified paleontological monitor to be employed for grading operations monitoring. 6. Identification of personnel with authority and responsibility to temporarily halt or divert grading equipment to allow for recovery of large specimens. 7. Direction for any fossil discoveries to be immediately reported to the property owner who in turn will immediately notify the County Geologist of the discovery. 8. Means and methods to be employed by the

paleontological monitor to quickly salvage fossils as they are unearthed to avoid construction delays. 9. Sampling of sediments that are likely to contain the remains of small fossil invertebrates and vertebrates. 10. Procedures and protocol for collecting and processing of samples and specimens. 11. Fossil identification and curation procedures to be employed. 12. Identification of the permanent repository to receive any recovered fossil material. Pursuant the County SABER Policy, paleontological fossils found in the County should, by preference, be directed to the Western Science Center in the City of Hemet. A written agreement between the property owner/developer and the repository must be in place prior to site grading. 13. All pertinent exhibits, maps, and references. 14. Procedures for reporting of findings. 15. Identification and acknowledgement of the developer for the content of the PRIMP as well as acceptance of financial responsibility for monitoring, reporting and curation fees. The property owner and/or applicant on whose land the paleontological fossils are discovered shall provide appropriate funding for monitoring, reporting, delivery and curating the fossils at the institution where the fossils will be placed, and will provide confirmation to the County that such funding has been paid to the institution. 16. All reports shall be signed by the project paleontologist and all other professionals responsible for the reports content (e.g. PG), as appropriate.

PDP No. 1667 satisfies the requirement for a paleontological study for Planning/CEQA purposes subject to requirements outlined by COA 60.Planning-PAL.1.

Entitlement Findings:

12. The proposed use conforms to all the requirements of the General Plan, Ordinance No. 348 and with all applicable requirements of State law and the ordinances of Riverside County. The General Plan is Open Space-Rural (OS: RUR), which encourages rural type projects such as alternative energy projects including commercial WECS, on remote privately owned open space areas with limited access and public services, and thus would be compatible on the 640-acre site. The proposed Project, for commercial wind turbines is an alternative energy type land use in a rural setting and is located within the San Gorgonio Pass Wind Energy Policy Area which is considered to be one of the best areas in the nation for development of wind energy and therefore consistent with the General Plan and the Western Coachella Valley Area Plan. Pursuant to the applicable Zoning Classification of the existing Wind Energy (W-E) zone, the proposed commercial wind turbines will be fully consistent with the applicable zoning classification with the approval of WCS 71R10.
13. The overall development of the land shall be designed for the protection of the public health, safety, and general welfare. Implementation of the proposed Project will not impact the surrounding area in terms of a substantial increase in traffic or noise since the project would not generate a notable amount of daily traffic or operational noise after construction. The Project site is adequately served by Haugen-Lehmann Way and Desert View Avenue and can provide access for emergency vehicles. Furthermore, through compliance with the California Building Code and Riverside County Ordinance No. 348 the project will not negatively affect the public health, safety, or welfare.

Development Standards Findings:

14. The proposed land use, as a proposed WECS project, is consistent with the development standards set forth in Section 17.3 of the Wind Energy Zone (W-E) Zone in that:

- I. Height Limits - No commercial WECS shall exceed 500 feet in height. The project proposes WECS of 499-feet in height and is therefore in compliance with Section 17.3A.
 - II. Setbacks – No building or structure shall be closer than 50-feet from any lot line. The Project proposes no building or structure within 50-feet from any lot line and is therefore in compliance with Section 17.3B.
15. The proposed project is consistent with the Development Standards and Development Criteria as provided in Section 18.41(D.), respectively, of Ordinance No. 348 in that:
- I. Safety and security measures, such as fencing to prevent unauthorized access, are in place via the existing perimeter chain link fence. Meteorological tower guy wires will be distinctly marked, and warning signs will be in English and Spanish at the base of each existing and proposed WECS tower and perimeter fence warning of electrical and other hazards (Conditions of Approvals 90.Planning. – Perimeter Fence; AND.Planning.- Warning Signs).
 - II. Seismic Safety measures for the tower, foundation will be in compliance with the California Building Code per prior building permit issuance for the 7-proposed wind turbines.
 - III. Fire Protection measures will be in place the project will be is required to comply with fire prevention maintenance measure such as fire breaks, fire extinguishers on service vehicles, and equipment enclosures being equipped with automatic fire extinguishing systems.
 - IV. Electrical Distribution facilities will be in place connecting the project to the Southern California Edison electrical grid in conformance with California Building Codes and existing utility interconnection agreement.
 - V. Interference with navigational systems is addressed in that no navigational clutter exists with current and modernized radar systems in the San Geronio Pass area. Additionally, the Project is required to comply with FAA requirements as outlined in the Advisory Notification Document (AND) Planning.7-FAA Rules Compliance.
 - VI. The proposed wind turbines including foundation, tower, rotor system, electrical system, and rotor over speed will be certified and in conformance with good engineering practices per prior building permit issuance and compliance with conditions of approval such as requirements to certify structures and certify mechanical equipment as outlined in the COA 80.Planning.1 Certify Mechanical.
 - VII. Noise standards are complied with in that the acoustical analysis demonstrated no noise decibel levels dB(A) exceeding 55 dB(A) to the nearest residential dwellings would occur as indicated by AND Planning.16 Operational Noise. Additionally, the proposed commercial WECS project shall not be operated so an impulsive sound below 20 Hz adversely affects the habitability or use of any sensitive receptor such as a habitable dwelling.
 - VIII. No work is proposed on the existing interconnection line, and the project would use an existing access road from Haugen-Lehmann Way.
 - IX. Height limits are complied with in that new proposed turbines will be up to 499-feet in height and do not exceed 500 feet in height.

- X. Color and finish of proposed WECS will be light grey with matte finish. The proposed project has also provided a Visual Analysis to further address visual impacts.

Off-Street Vehicle Parking will be provided along existing graveled service roads immediately adjacent to the existing wind turbine rows and proposed turbine rows with 1 parking space per 2 employees in compliance with Section 18.41 of Zoning Ordinance No. 348. Due to 640-acre site with 7 proposed wind turbines, only 2 or 3 employees are expected to maintain the site at any given time limiting the need for parking spaces during operations.

Variance Findings pursuant to Section 18.27, Ordinance No. 348:

16. Variance Case No. 200001 requests a modification to Section 18.41d of Ordinance No. 348 as follows: to eliminate the safety setbacks in accordance with Zoning Ordinance No. 348 along the western and northern lot lines from 1.1 times turbine height (549-feet) to 0-feet for wind turbines T-1, T-2A, and T-3A in a rural remote area.

Special circumstances support the reduction or elimination of safety setbacks with respect to the Project property including shape, topography, location, and surroundings. These circumstances include the bisection of the site by the Metropolitan Water District Easement, unique topography, and the existence of Federal and State jurisdictional drainages.

Due to size, surroundings, special features and topography, opportunities for turbine development on this W-E zoned parcel are much more limited than other parcels zoned W-E within Riverside County, depriving this property of privileges enjoyed by other WE-zoned property. The Metropolitan Water District Easement runs through the flatter, southern portion of the Project property, bisecting the property and creating development constraints. In addition, Federal and State jurisdictional drainages pass from North to South through the Project property. Combined with the more mountainous terrain to the North, these property features adversely impact the Project by significantly reducing the land that would normally be available for wind turbine placement.

A variance from the safety setback would not adversely impact surrounding properties. Property to the North and West is mountainous, lacks access and is not zoned for wind energy. Without this variance, development of wind turbines on this Project property would be severely constrained.

A reduction in safety setbacks from 1.1 x Total WECS height to 0 feet is justified given that the Project property is comprised entirely of single-owner, private, fenced-in land, containing only energy infrastructure equipment, including the 159 existing turbines to be decommissioned and removed, and it contains no habitable structures. Without this variance, development of wind turbines on this Project property would be severely constrained.

No variance is requested for reduction of scenic setbacks since proposed Project is more than 1,000 feet from Interstate 10 to the south and greater than ¼ mile from State Highway 62 to the east.

Therefore, **Variance Case No. 200001** is justified in accordance with Section 18.27 and recommended for approval.

Other Findings:

17. The project is located within the Coachella Valley Multiple Species Habitat Conservation Plan (CVMSHCP) and is located within the Stubbe and Cottonwood Canyons Conservation Area. New construction is proposed with seven (7) new turbines and service roads in northwestern portion of the project site includes new total permanent disturbed acreage of up to 25-acres and new temporary disturbed acreage of 42.3 acres. The Project completed Joint Project Review (JPR) with the wildlife agencies. To address biological impacts the proposed Project was analyzed in the Initial Study based on supporting studies and analysis, including with Land Use Adjacency Guidelines within CVMSHCP Section 4.5 as follows:

Drainage - Proposed Development adjacent to or within a Conservation Area shall incorporate plans to ensure that the quantity and quality of runoff discharged to the adjacent Conservation Area is not altered in an adverse way when compared with existing conditions. Stormwater systems shall be designed to prevent the release of toxins, chemicals, petroleum products, exotic plant materials or other elements that might degrade or harm biological resources or ecosystem processes within the adjacent Conservation Area.

Toxics - Land uses proposed adjacent to or within a Conservation Area that use chemicals or generate bioproducts such as manure that are potentially toxic or may adversely affect wildlife and plant species, Habitat, or water quality shall incorporate measures to ensure that application of such chemicals does not result in any discharge to the adjacent Conservation Area.

Lighting - For proposed Development adjacent to or within a Conservation Area, lighting shall be shielded and directed toward the developed area. Landscape shielding or other appropriate methods shall be incorporated in project designs to minimize the effects of lighting adjacent to or within the adjacent Conservation Area in accordance with the guidelines to be included in the Implementation Manual.

Noise - Proposed Development adjacent to or within a Conservation Area that generates noise in excess of 75 dBA Leq hourly shall incorporate setbacks, berms, or walls, as appropriate, to minimize the effects of noise on the adjacent Conservation Area in accordance with the guidelines to be included in the Implementation Manual.

Invasives – Invasive, non-native plant species shall not be incorporated in the landscape for land uses adjacent to or within a Conservation Area. Landscape treatments within or adjacent to a Conservation Area shall incorporate native plant materials to the maximum extent Feasible; recommended native species are listed in Table 4-112. The plants listed in Table 4-113 shall not be used within or adjacent to a Conservation Area. This list may be amended from time to time through a Minor Amendment with Wildlife Agency Concurrence.

Barriers - Land uses adjacent to or within a Conservation Area shall incorporate barriers in individual project designs to minimize unauthorized public access, domestic animal predation, illegal trespass, or dumping in a Conservation Area. Such barriers may include native landscaping, rocks/boulders, fencing, walls and/or signage. 4.5.7 Grading/Land Development Manufactured slopes associated with site Development shall not extend into adjacent land in a Conservation Area.

The Project has been conditioned for compliance with the above Land Use Adjacency Guidelines as indicated by AND Planning-EPD.1.

To further address biological impacts the project has been conditioned prior to grading permit issuance (60.Planning-EPD 1 through 7) for Biological monitoring, Burrowing Owl preconstruction surveys, Desert tortoise preconstruction surveys, Nesting Bird Surveys, Minimization of Vegetation Impacts, Raven Management Plan, Weed Management Plan, Wildlife Relocation Plan, and Worker Environmental Awareness Program. Prior to final inspection the project is also conditioned to comply with Revegetation Implementation indicated by 90.Planning.EPD.1.

Biological impacts were found less than significant with mitigation measures incorporated.

18. The project for new WECS shall be required to pay CV-MSHCP fees in accordance with Ordinance No. 875 to be consistent with the plan and is a standard requirement indicated by COA 90.Planning.1-Ord. 659 (DIF).
19. In compliance with Assembly Bill 52 (AB52), notices regarding this project were mailed to all requesting tribes on August 27, 2020. Consultations were requested by the Soboba Band of Luiseño Indians and the Agua Caliente Band of Cahuilla Indians. The Quechan Tribe had no comments on this project and deferred to the more local Tribes. No response was received from the Twenty- Nine Palms Band of Mission Indians, Colorado River Indian Tribes (CRIT), Morongo Cultural Heritage Program, Torres Martinez Desert Cahuilla Indians, or the San Manuel Band of Mission Indians.

Agua Caliente requested to consult in a letter dated August 27, 2020. Consultation was initiated on September 22, 2020. The cultural report was provided to the tribe on September 22, 2020 and the project conditions of approval were sent to them on September 30, 2020.

The Soboba Band requested consultation in a letter dated August 31, 2020. Consultation was initiated during a meeting on September 23, 2020. The cultural report was sent to the tribe on September 22, 2020 and the project conditions of approval were provided to the tribe on September 30, 2020. Consultation was concluded with Soboba via email on October 08, 2020.

Both tribes provided confidential information that identified Tribal Cultural Resources within and in the vicinity of the project. They also expressed concern that the project area is sensitive for cultural resources and there is the possibility that previously unidentified resources might be found during ground disturbing activities. As such, the project has been conditioned for a Tribal Monitor from the consulting Tribe(s) to be present during grading activities as indicated by COA 60.Planning.2 Native American Monitor. This will ensure that any Tribal Cultural Resources found during construction activities will be handled in a culturally appropriate manner. In addition, conditions of approval that dictate the procedures to be followed should any unanticipated resources or human remains be identified during ground disturbing activities has been placed on this project. With the inclusion of these Conditions of Approval/ Mitigation Measures, impacts to any previously unidentified Tribal Cultural Resources would be mitigated to a level less than significant.

20. The permit holder shall remain in compliance with the attached Airport Land Use Commission (ALUC) letter dated February 11, 2021 summarized as follows: 1) WECS shall not generate electrical interference; 2) WECS rotor blades shall utilize flat or matte non glossy finish; 3) WECS shall not generate smoke or water vapor; 4) combined height of each WECS and foundation will

be less than 500 feet above ground level; 5) any new structures taller than 200-feet not part of this WECS permit will require review by ALUC and FAA as outlined in AND Planning.4-ALUC Letter.

21. Additionally, regarding the Decommissioning and Closure Plan for the 159 existing turbines as outlined with AND 15.Waste Resources.1, a Waste Recycling Plan (WRP) shall be submitted to the Riverside County Department of Waste Resources for approval. At a minimum, the WRP must identify the materials (i.e., wind turbines, cardboard, concrete, asphalt, etc.) that will be generated by the decommissioning and closure of the facility, the projected amounts, the measures/methods that will be taken to recycle, reuse, and/or reduce the amount of materials, the facilities and/or haulers that will be utilized, and the targeted recycling or reduction rate. During the decommissioning and closure, the project site shall have, at a minimum, two (2) bins: one for waste disposal and the other for the recycling of Construction and Demolition (C&D) materials. Additional bins are encouraged to be used for further source separation of C&D recyclable materials. Accurate record keeping (receipts) for recycling of C&D recyclable materials and solid waste disposal must be kept. Arrangements can be made through the franchise hauler.

PUBLIC HEARING NOTIFICATION AND OUTREACH

Public hearing notices were mailed to property owners within ½ mile of the proposed project site. The Notice of Hearing was also published in the Desert Sun and Press Enterprise on February 21, 2021. Additionally, local, and regional agencies such as the Metropolitan Water District, Southern California Edison, Bureau of Land Management, were notified by email communication letter. As of the writing of this report (2/23/21), Planning Staff has received five (5) communications from the public with general information questions addressed via telephone.

The project is not located within the Sphere of Influence (SOI) of any City but is in proximity to the City of Desert Hot Springs to the east and City of Palm Springs to the south and east. Project information was forwarded to both cities on 2/17/2021, and no comments have been received as of this writing.

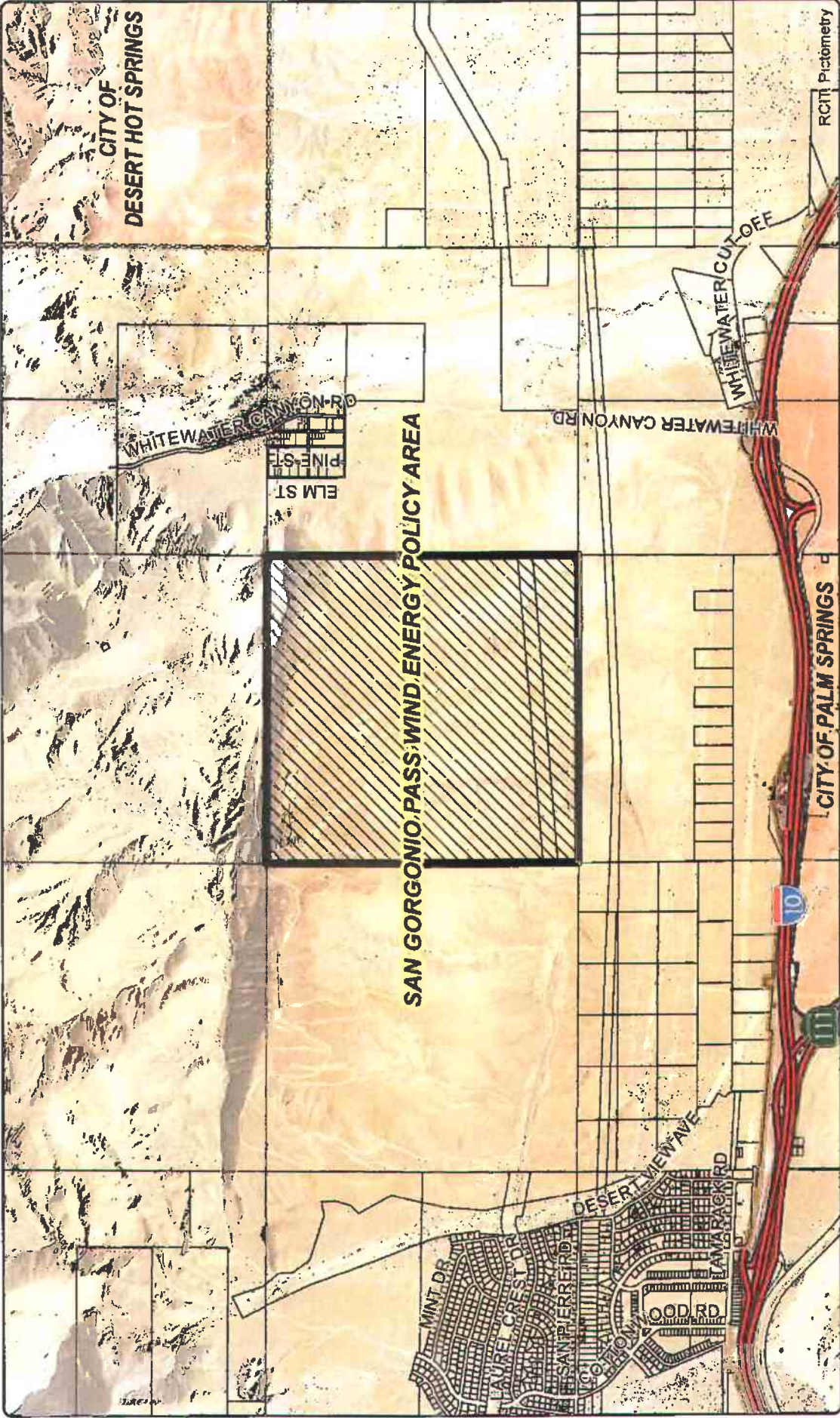
APPEAL INFORMATION

The Planning Commission's decision may be appealed to the Board of Supervisors. Such appeals shall be submitted to the Clerk of the Board within ten days after the notice of decision appears on the Board's agenda, accompanied by the fee set forth in Ordinance No. 671

RIVERSIDE COUNTY PLANNING DEPARTMENT
WCS00071R10 VAR200001
VICINITY/POLICY AREAS

Supervisor: Hewitt
 District 5

Date Drawn: 02/03/2021
 Vicinity Map



RCIT Pictometry

Zoning Area: Whitewater

Author: Vinnie Nguyen



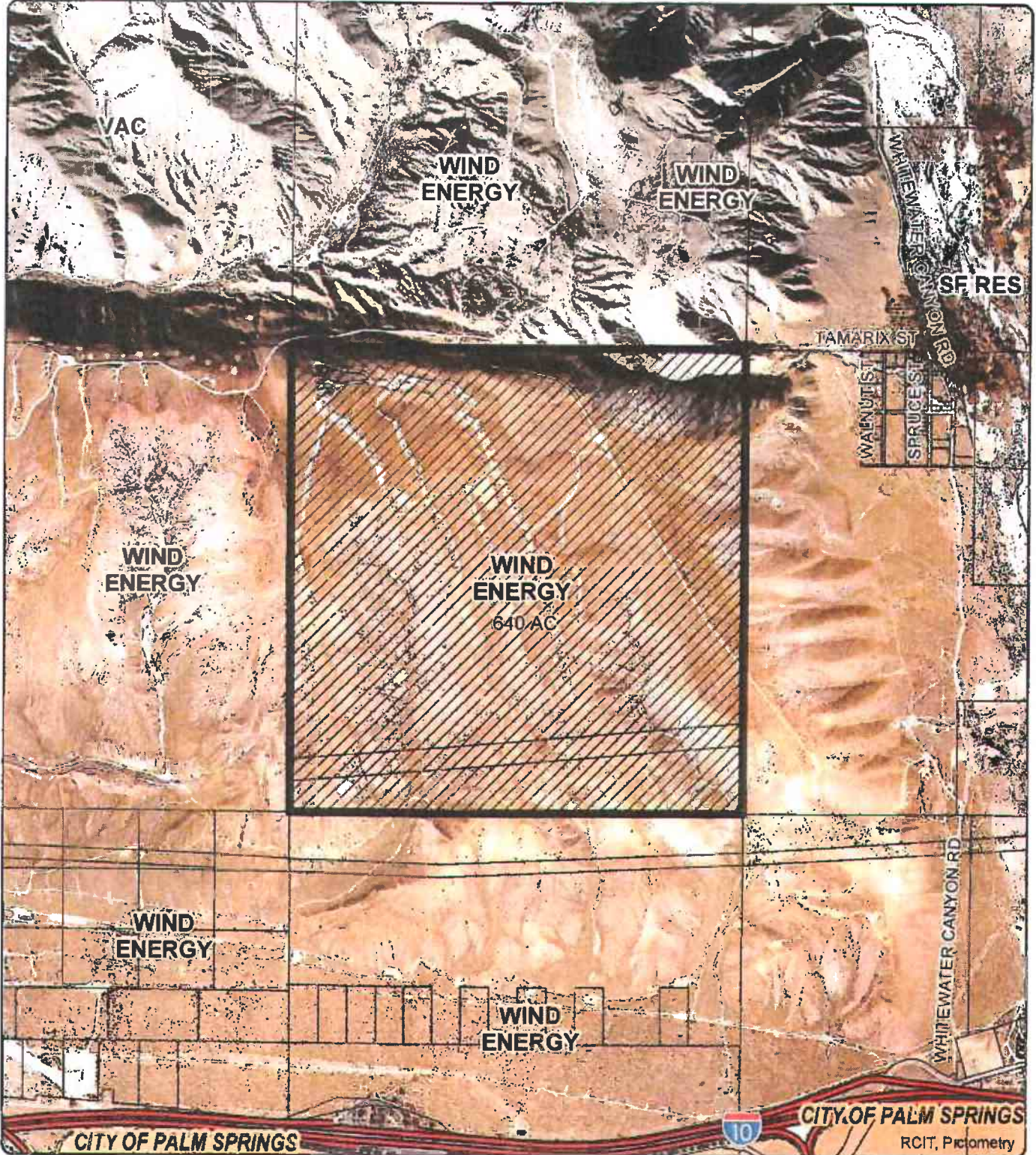
SUBMITTER: On October 7, 2009, the County of Riverside adopted a new General Plan providing new land use designations for unincorporated Riverside County parcels. The new General Plan may require different type of land use than is provided for on the subject parcel. The subject parcel is located within the City of Riverside. Riverside Department of Planning and Community Development at (951)796-5200. Website: www.riversideca.gov. Public Events at (951)966-4277. (Elections County) or Website: www.elections.ca.gov

RIVERSIDE COUNTY PLANNING DEPARTMENT
WCS00071R10 VAR200001

Supervisor: Hewitt
District 5

Date Drawn: 02/03/2021
Exhibit 1

LAND USE



Zoning Area: Whitewater

Author: Vinnie Nguyen



DISCLAIMER: On October 7, 2003, the County of Riverside adopted a new General Plan providing new land use designations for unincorporated Riverside County parcels. The new General Plan may contain different type of land use than is provided for under existing zoning. For further information, please contact the Riverside County Planning Department offices in Riverside at (951)955-3200 (Western County) or in Palm Desert at (760)863-8277 (Eastern County) or Website <http://www.riversidecounty.net>

RIVERSIDE COUNTY PLANNING DEPARTMENT

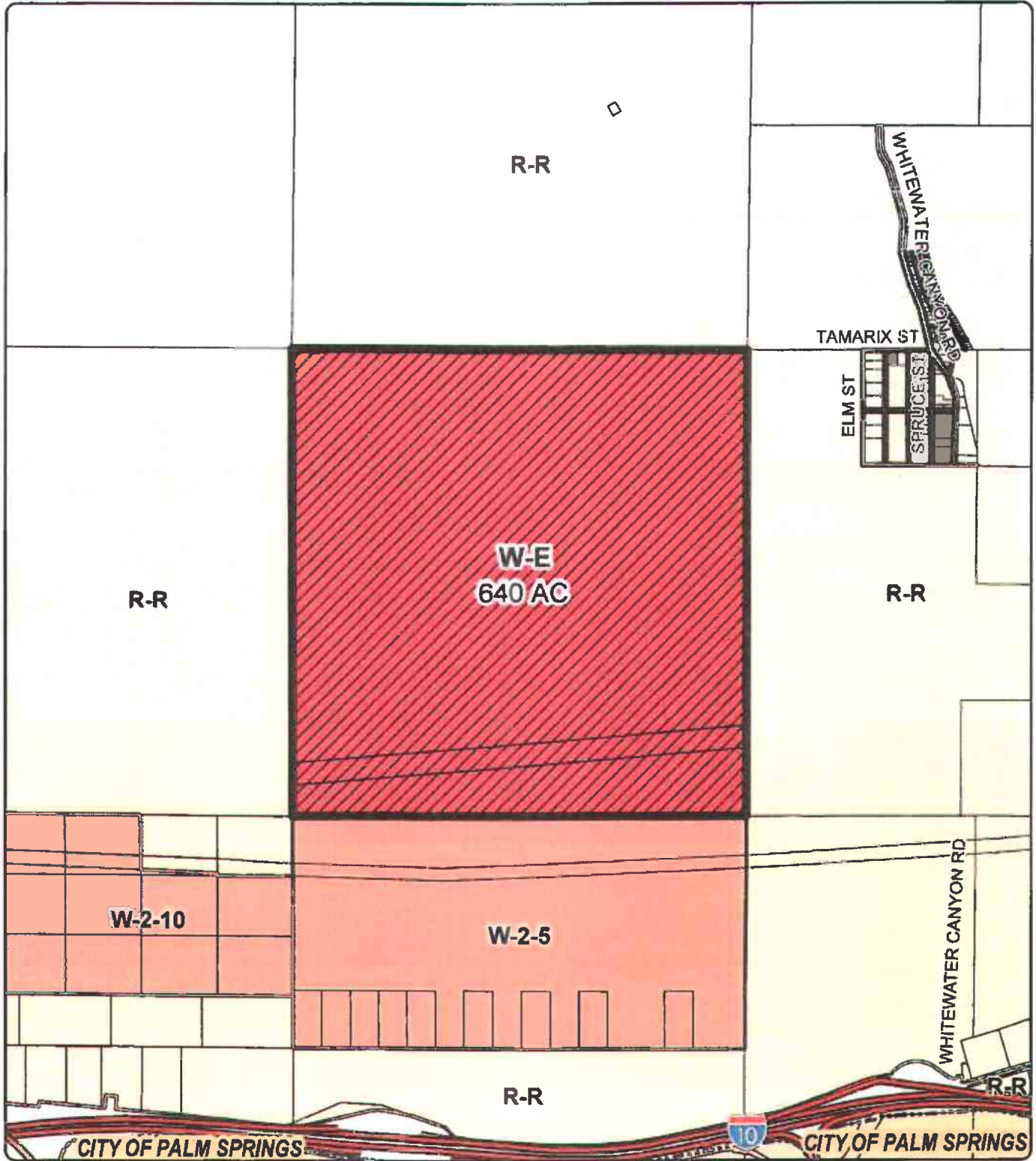
WCS00071R10 VAR200001

Supervisor: Hewitt
District 5

Date Drawn: 02/03/2021

Exhibit 2

EXISTING ZONING



Zoning Area: Whitewater

Author: Vinnie Nguyen

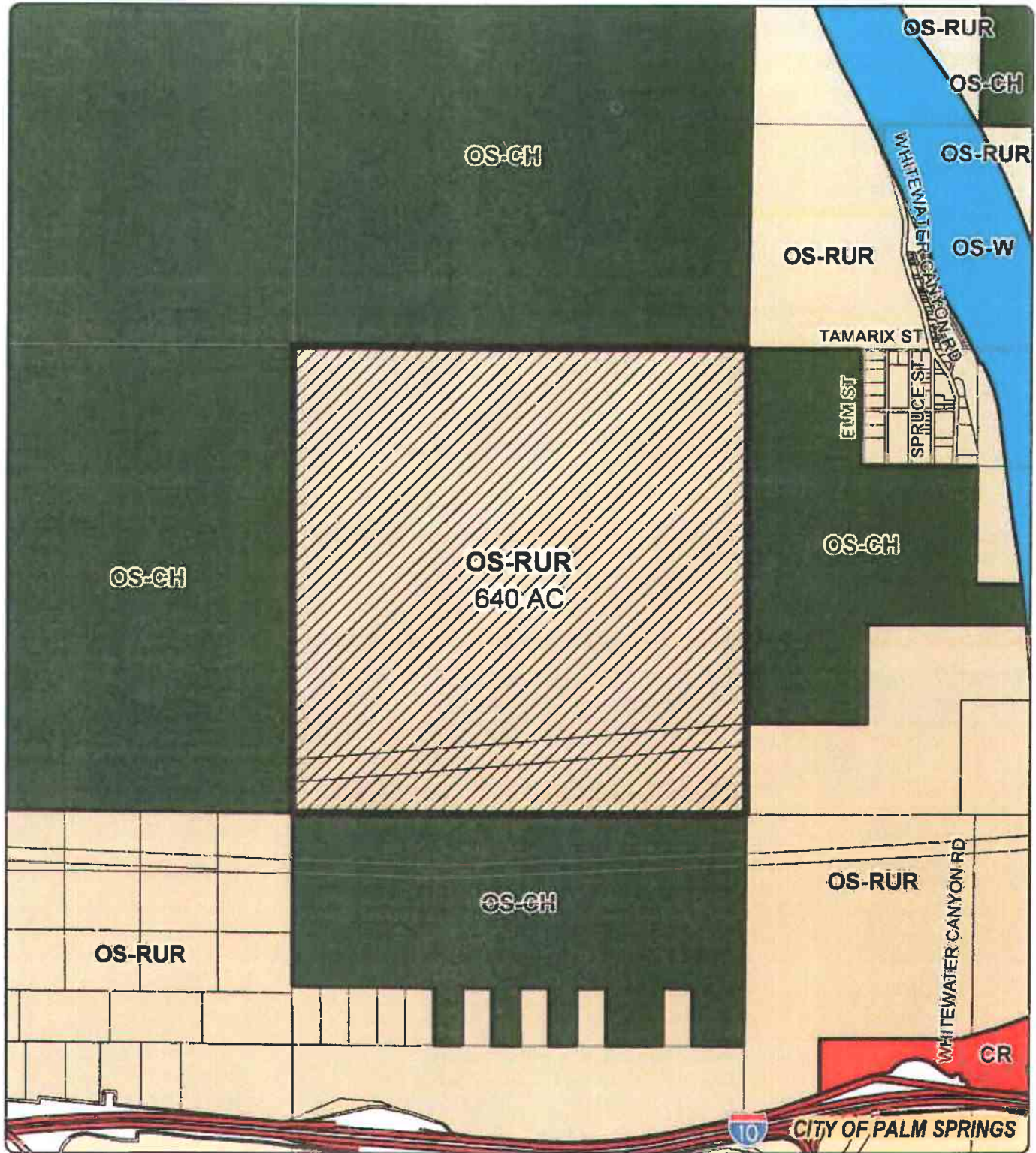


DISCLAIMER: On October 7, 2008, the County of Riverside adopted a new General Plan providing new land use designations for unincorporated Riverside County parcels. The new General Plan may contain different type of land use than is provided for under existing zoning. For further information, please contact the Riverside County Planning Department offices in Riverside at (951)955-3200 (Western County) or in Palm Desert at (760)863-8277 (Eastern County) or Website <http://planning.rctfwa.net>

RIVERSIDE COUNTY PLANNING DEPARTMENT
WCS00071R10 VAR200001
EXISTING GENERAL PLAN

Supervisor: Hewitt
 District 5

Date Drawn: 02/03/2021
 Exhibit 5



Zoning Area: Whitewater

Author: Vinnie Nguyen



DISCLAIMER: On October 7, 2009, the County of Riverside adopted a new General Plan providing new land use designations for unincorporated Riverside County parcels. The new General Plan may contain different type of land use than is provided for under existing zoning. For further information, please contact the Riverside County Planning Department offices in Riverside at (951) 955-3200 (Western County) or in Palm Desert at (760) 863-8277 (Eastern County) or Website <http://planning.rctd.org>

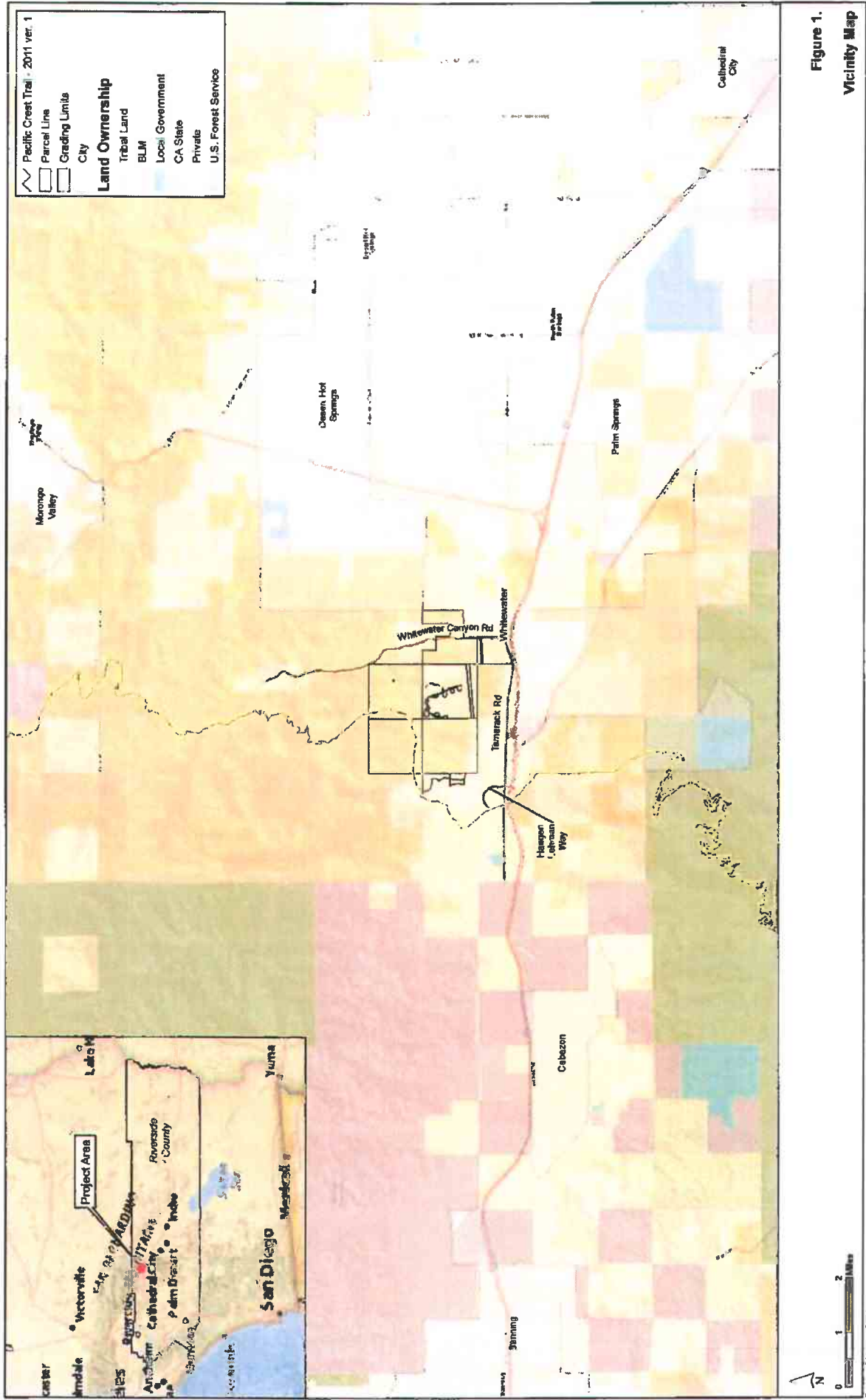
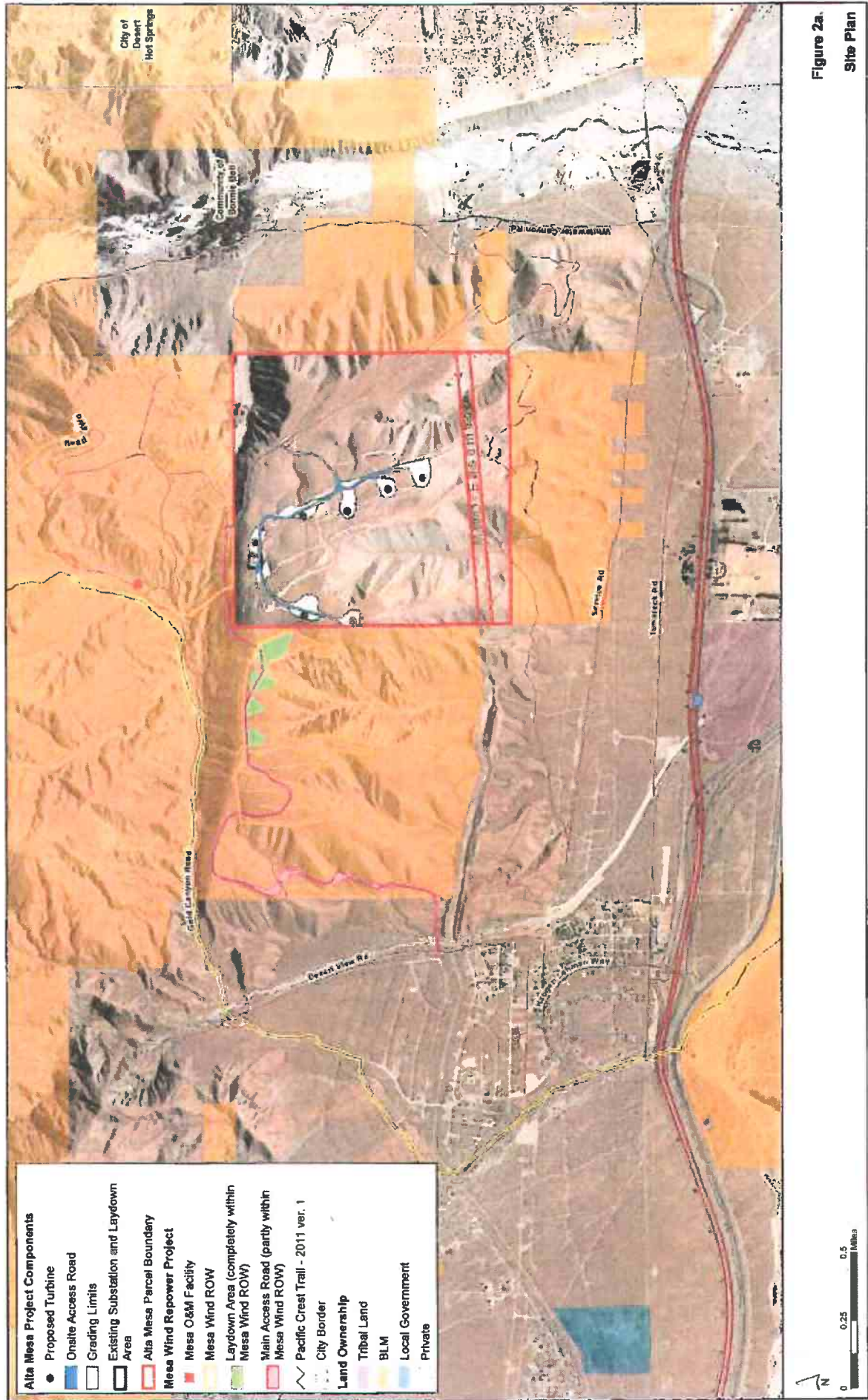


Figure 1.
Vicinity Map



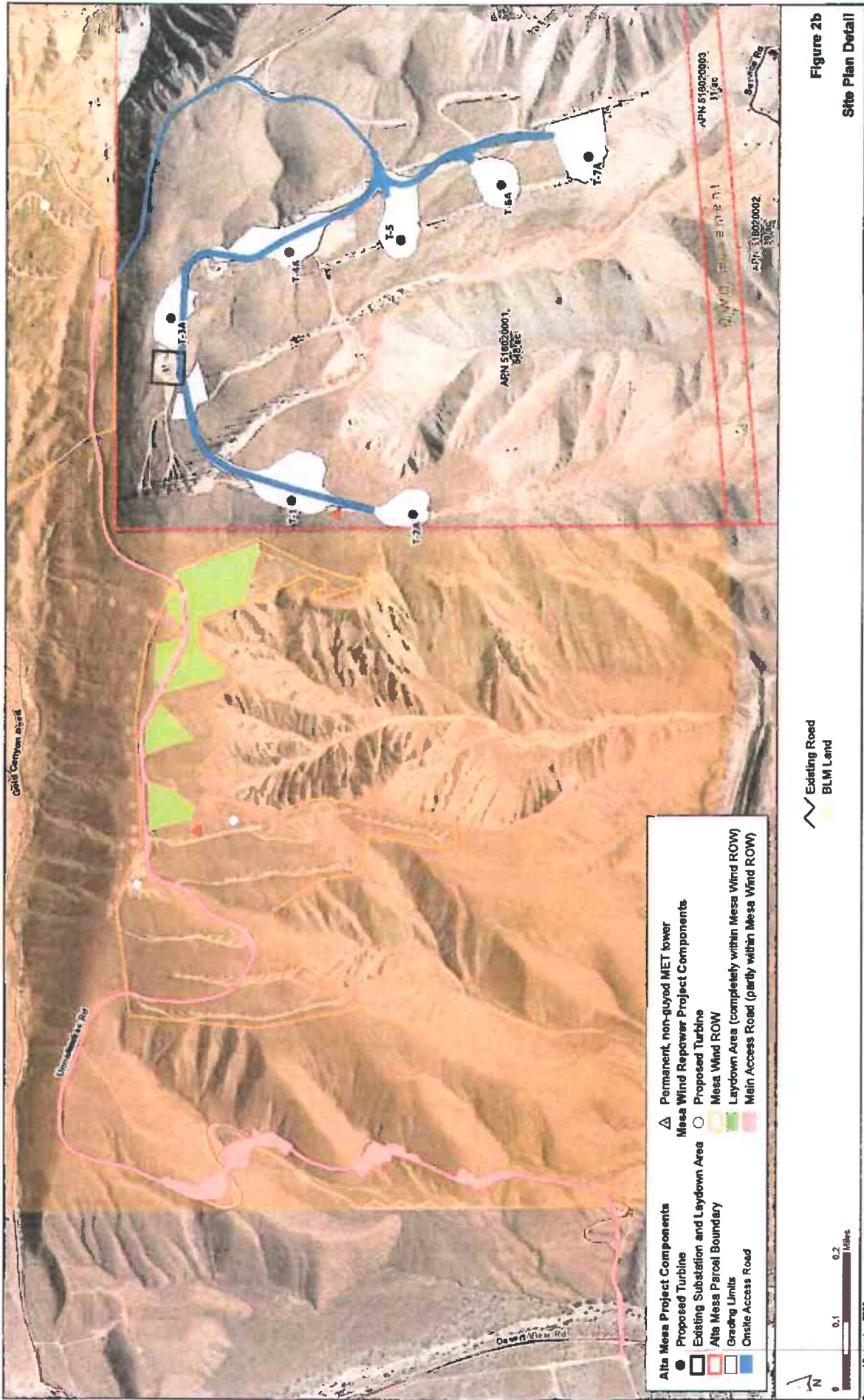


Figure 2b
Site Plan Detail

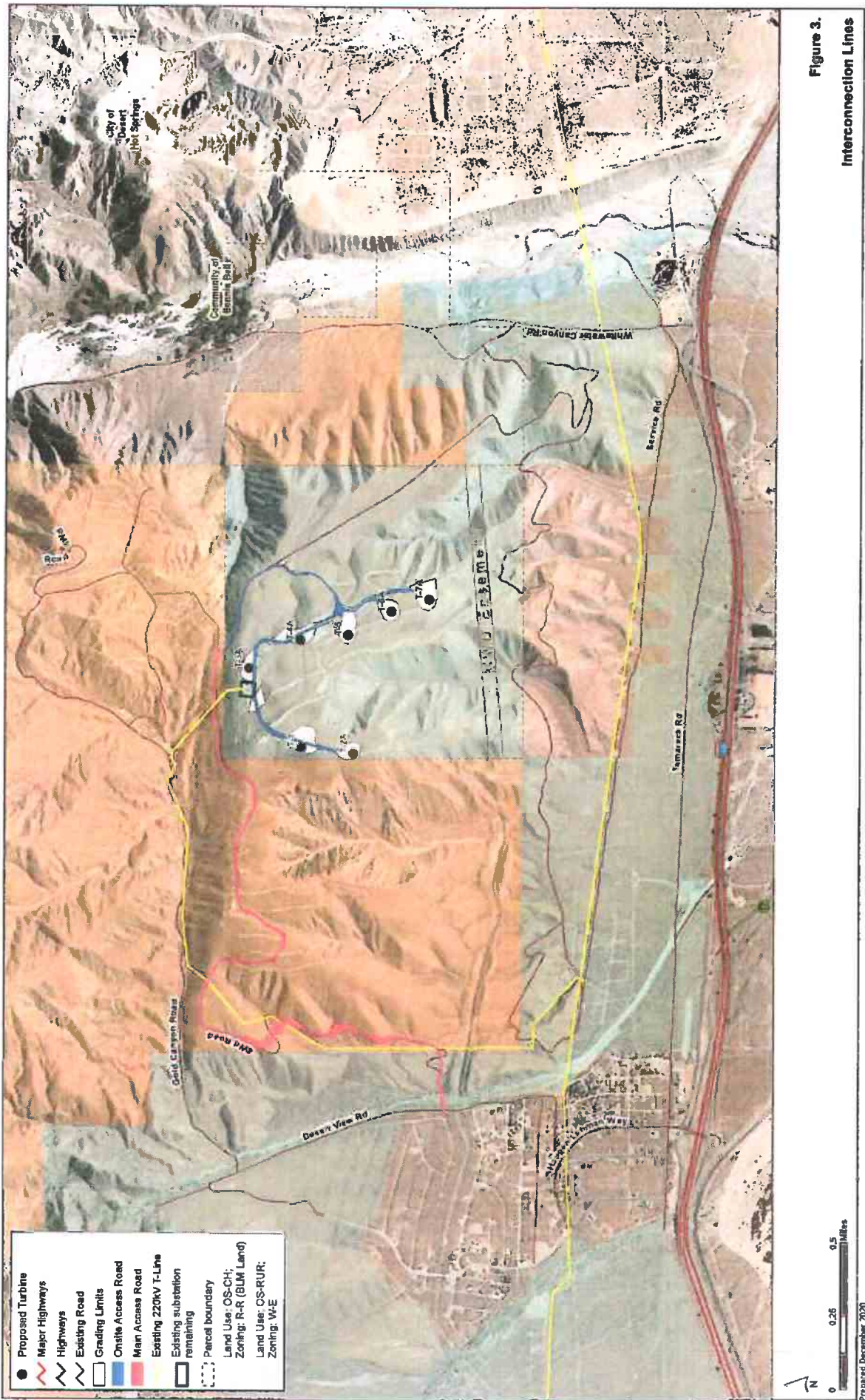


Figure 3.

Interconnection Lines

Elevation Drawing

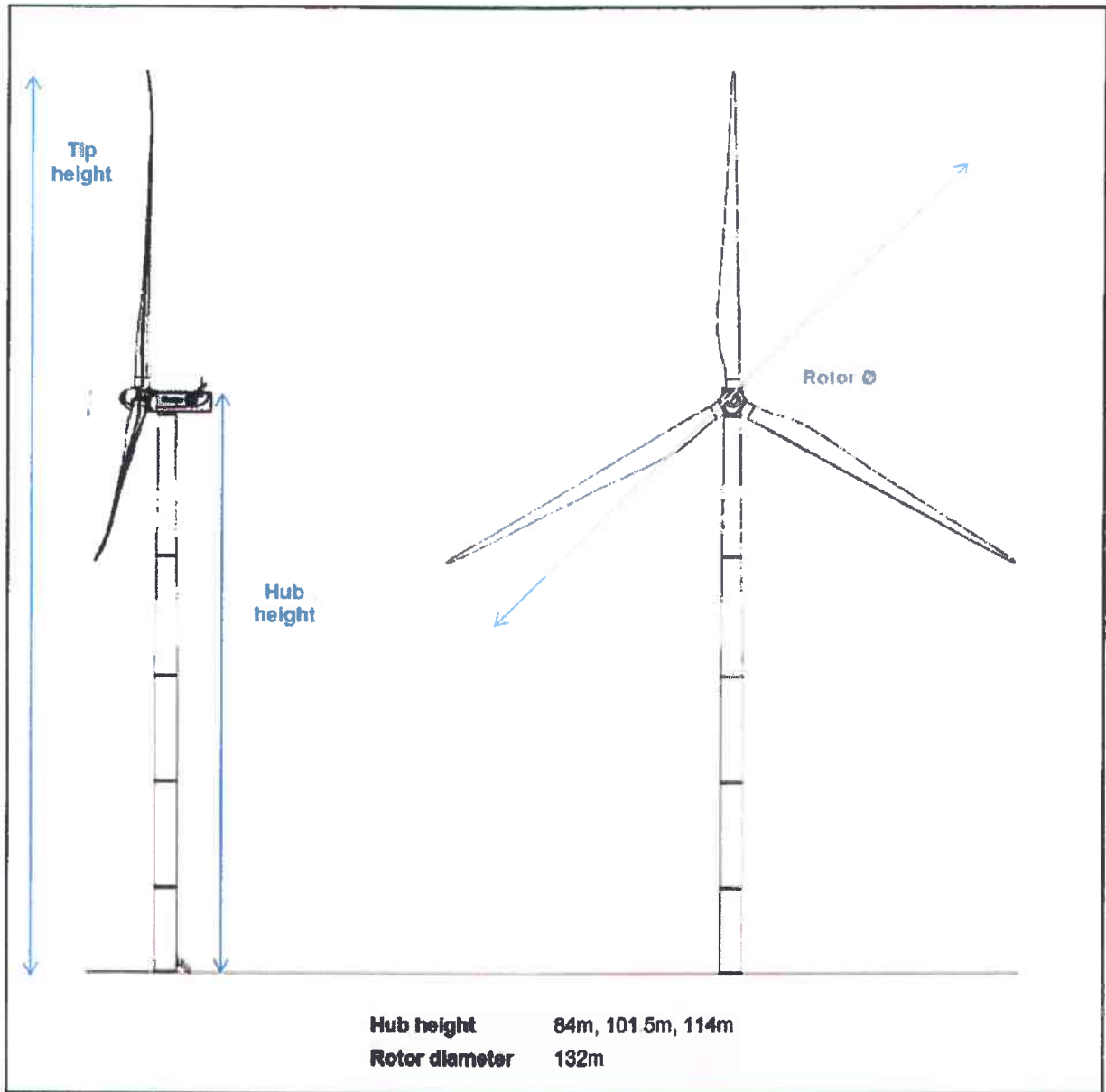


Figure 3: Elevation Drawing



Alta Mesa Wind Project

Riverside County, California

Issue for Permit Civil Plans

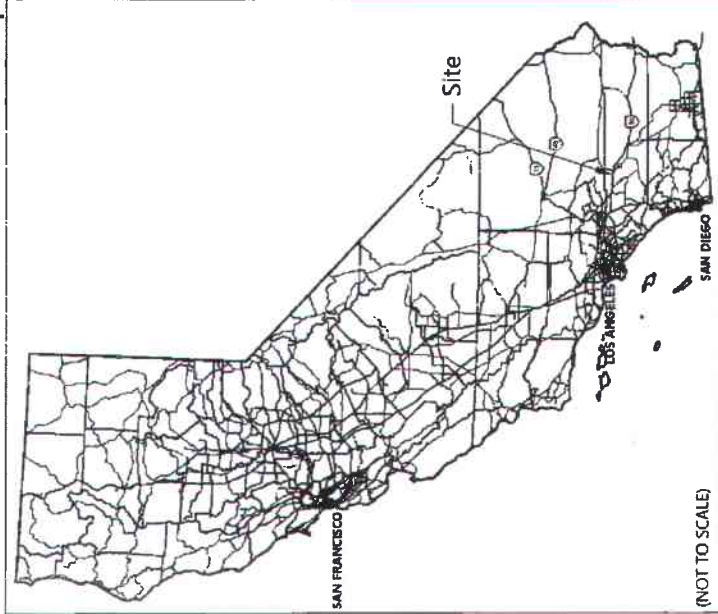
Brookfield

200 Liberty Street 14th Floor
New York, NY 10038
PROJECT: ALTA MESA WIND PROJECT
DATE: 02/01/2021
DRAWN BY: JAC OBLENKE
CHECKED BY: JAC OBLENKE

DATA SET INFORMATION

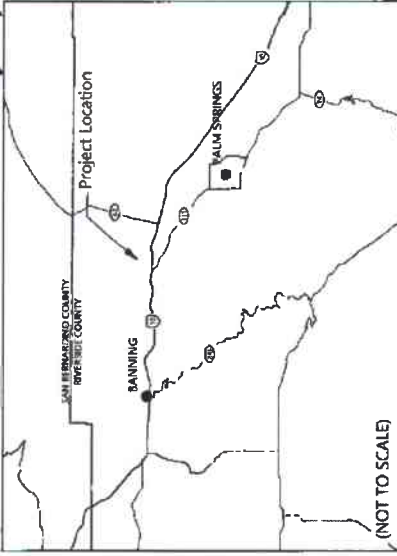
FILE NAME / PROJECT	LOCATION	DATE	REVISION
SWP01 - Civil Plans	Brookfield 412/2000	02/01/2021	01
SWP02 - Civil Plans	Brookfield 412/2000	02/01/2021	01
SWP03 - Civil Plans	Brookfield 412/2000	02/01/2021	01
SWP04 - Civil Plans	Brookfield 412/2000	02/01/2021	01
SWP05 - Civil Plans	Brookfield 412/2000	02/01/2021	01
SWP06 - Civil Plans	Brookfield 412/2000	02/01/2021	01
SWP07 - Civil Plans	Brookfield 412/2000	02/01/2021	01
SWP08 - Civil Plans	Brookfield 412/2000	02/01/2021	01
SWP09 - Civil Plans	Brookfield 412/2000	02/01/2021	01
SWP10 - Civil Plans	Brookfield 412/2000	02/01/2021	01

State Map



(NOT TO SCALE)

Vicinity Map



(NOT TO SCALE)

Alta Mesa Wind Project
Riverside County, CA

Cover

NOT FOR CONSTRUCTION
DATE: 02/01/2021
SHEET: 1 of 29

Sheet Number	Sheet Title
01	Cover
02	Sheet List and Turbine Coordinates
03	Overall
04	Delivery Flow Plan
05	Construction Details
06	Construction Details
07	Construction Details
08	Construction Details
09	Construction Details
10	Construction Notes
11	Construction Notes
12	Southwest Access Road - Sta. 0+00 to 22+00
13	Southwest Access Road - Sta. 22+00 to 42+00
14	Southwest Access Road - Sta. 42+00 to 54+00
15	Southwest Access Road - Sta. 54+00 to 70+00
16	Southwest Access Road - Sta. 70+00 to 84+00
17	Southwest Access Road - Sta. 84+00 to 104+00
18	Southwest Access Road - Sta. 104+00 to 124+00
19	Southwest Access Road - Sta. 124+00 to 138+00
20	Southwest Access Road - Sta. 138+00 to 148+50
21	Alta Mesa - Access Road A - Sta. 0+00 to 18+00
22	Alta Mesa - Access Road A - Sta. 18+00 to 37+00
23	Alta Mesa - Access Road A - Sta. 37+00 to 54+00
24	Alta Mesa - Access Road A - Sta. 54+00 to 72+00
25	Alta Mesa - Access Road A - Sta. 72+00 to 85+00
26	Alta Mesa - Access Road T-5 - Sta. 0+00 to 8+50
27	Alta Mesa - Access Road T-7A - Sta. 0+00 to 26+00
28	Alta Mesa - Access Road T-6A - Sta. 0+00 to 6+50
29	Site Plan - Laydown Yards

TURBINE COORDINATES LIST

Turbine ID	Northing	Easting	Longitude	Latitude
T-1	2287227.8285	6435312.4330	W116° 39' 58.74"	N033° 56' 36.92"
T-2A	2286285.3177	6435306.5783	W116° 40' 00.95"	N033° 56' 27.59"
T-3A	2288156.0897	6435726.2285	W116° 39' 43.01"	N033° 56' 46.11"
T-4A	2287240.7762	6437255.4252	W116° 39' 36.92"	N033° 56' 37.12"
T-5	2286975.8210	6437509.5180	W116° 39' 33.76"	N033° 56' 28.57"
T-6A	2286590.9200	6437748.7885	W116° 39' 30.75"	N033° 56' 20.84"
T-7A	2286910.8994	6437961.3902	W116° 39' 28.30"	N033° 56' 14.10"

Brookfield

200 Henry Street, 14th Floor
 New York, NY 10001

PROJECT: **ALTA MESA WIND PROJECT**
 CLIENT: **WESTWOOD GROUP, LLC**
 DATE: **02/01/2021**

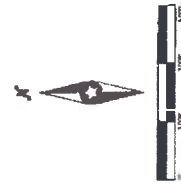
Alta Mesa Wind Project
 Riverside County, CA

Sheet List & Turbine Coordinates

NOT FOR CONSTRUCTION

DATE: 02/01/2021

SHEET: 2 of 29



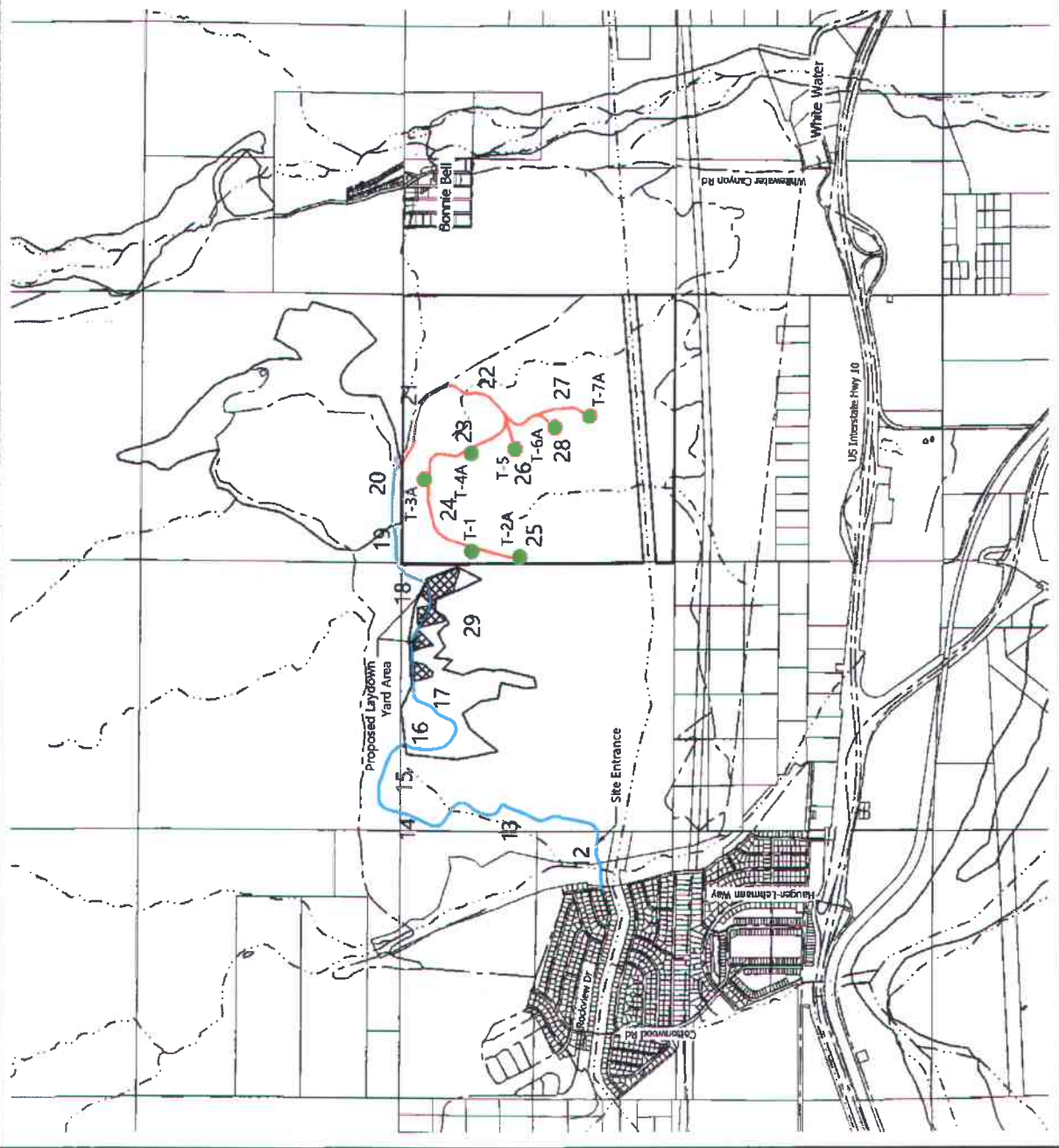
Alta Mesa Wind Project
 Riverside County, CA

Overall
 NOT FOR CONSTRUCTION
 DATE: 02/01/2021
 SHEET: 3 of 29

LEGEND:

- PROJECT BOUNDARY
- TRAILER LOCATION
- EXISTING MAIN ACCESS ROAD
- PROPOSED ALTA MESA ACCESS ROAD
- PROJECT FACILITIES
- EXISTING CONTINUOUS EASIMENT
- EXISTING FENCE
- EXISTING STREAM
- SHEET NUMBER REFERENCE

20





Alta Mesa Wind Project
 Riverside County, CA

Delivery Flow Plan
 NOT FOR CONSTRUCTION
 DATE: 02/01/2021
 SHEET: 4 OF 29



PROJECT NO.

Brookfield

300 Liberty Street, 14th Floor
 New York, NY 10021

OWNER
 CONTRACTOR
 DESIGNER
 DATE

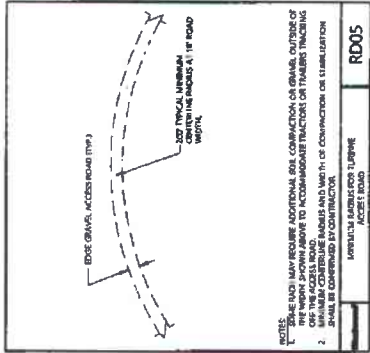
**Alta Mesa Wind
 Project**
 Riverside County, CA

Construction Details

NOT FOR CONSTRUCTION

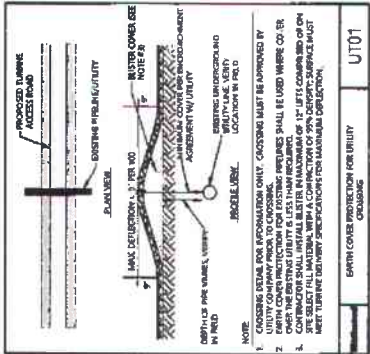
DATE 02/01/2021

SHEET 06 OF 29



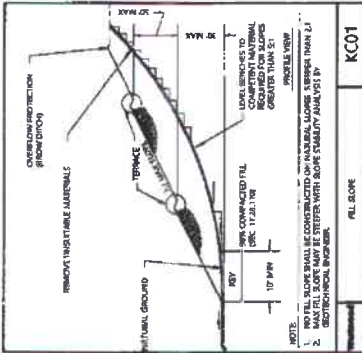
RD05
 TYPICAL UNDERMINA FOR TURBINE ACCESS ROAD

NOTES:
 1. THE ROAD MAY REQUIRE ADDITIONAL SOIL COMPACTION OR GRASS COVERS OUTSIDE OF THE WIDTH SHOWN ABOVE TO ACCOMMODATE TRACTORS OR TRAILERS TRAVELING WITH MAXIMUM OPERATING WEIGHTS AND WIDTHS OF CONSTRUCTION OR DEMOLITION SHALL BE DETERMINED BY CONTRACTOR.



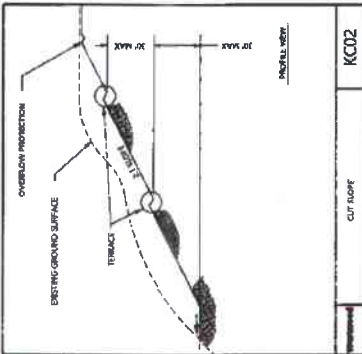
UT01
 EARTH COVER PROTECTION FOR UTILITY CROSSING

NOTES:
 1. CROSSING DETAIL FOR APPROXIMATION ONLY. CROSSING MUST BE APPROVED BY UTILITY COMPANY PRIOR TO CONSTRUCTION.
 2. ALL UTILITY CROSSINGS SHALL BE 12\"/>

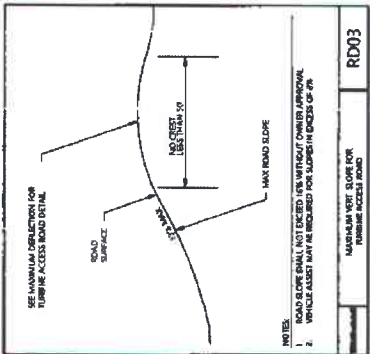


KC01
 FILL SLOPE

NOTES:
 1. NO FILL SLOPE SHALL BE CONSTRUCTED ON HAZARDOUS SOILS UNLESS MORE THAN 2\"/>

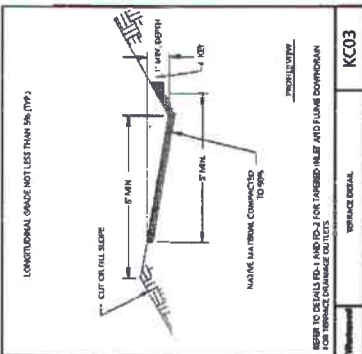


KC02
 CUT SLOPE



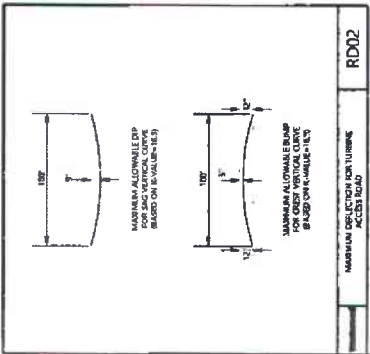
RD03
 MAXIMUM VERTICAL SLOPE FOR TURBINE ACCESS ROAD

NOTES:
 1. ROAD SLOPE SHALL NOT EXCEED THIS WITHOUT OWNER APPROVAL.
 2. VEHICLE WEIGHT SHALL BE DETERMINED FOR SUPPORTING GRADES UP TO 2\"/>

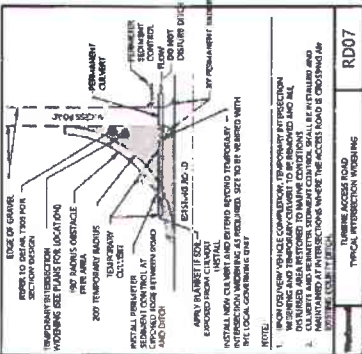


KC03
 TYPICAL DETAIL

NOTE: SEE DETAIL FOR 1\"/>

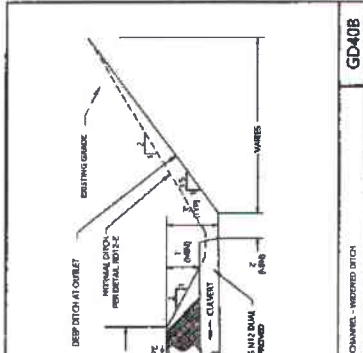


RD02
 MAXIMUM DEFLECTION FOR TURBINE ACCESS ROAD



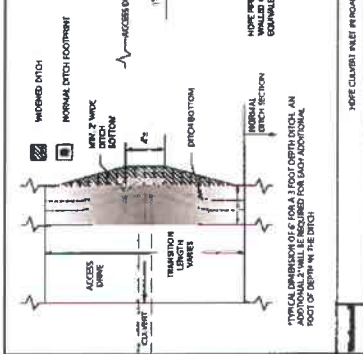
RD07
 TYPICAL INTERSECTION WASHING

NOTES:
 1. WORK FOLLOW NEW VEHICLE COMPLETION. TEMPORARY INTERSECTION WASHING AND TEMPORARY CURBLET TO BE REMOVED AND ALL CURBLET AND PERMANENT TEMPORARY CURBLET SHALL BE INSTALLED AND MAINTAINED AT INTERSECTIONS WHERE THE ACCESS ROAD IS CROSSING AN EXISTING ROAD.
 2. PERMANENT CURBLET SHALL BE INSTALLED WITHIN 30\"/>



GD40B
 HOOP CURBLET INLET IN ROADSIDE CHANNEL - WIDENED DITCH

TYPICAL DIMENSION OF 6\"/>

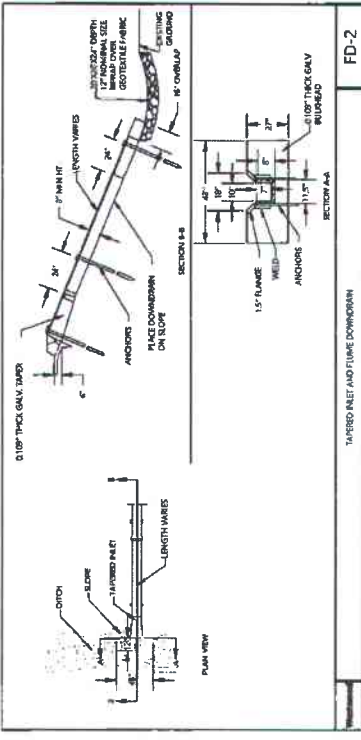


GD40A
 HOOP CURBLET INLET IN ROADSIDE CHANNEL - GRATE INLET

**Alta Mesa Wind
 Project**
 Riverside County, CA

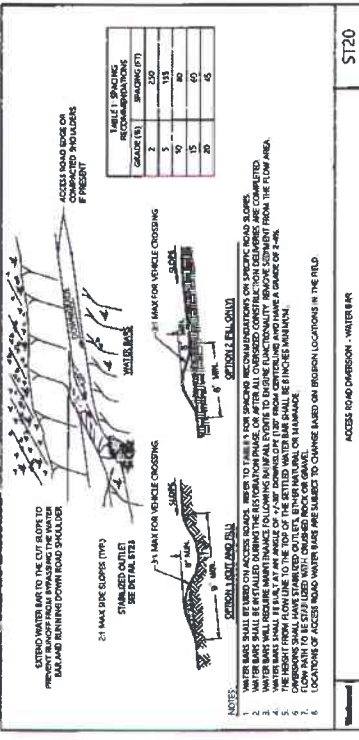
Construction Details

NOT FOR CONSTRUCTION
 DATE: 02/01/2021
 SHEET: 07 OF 29



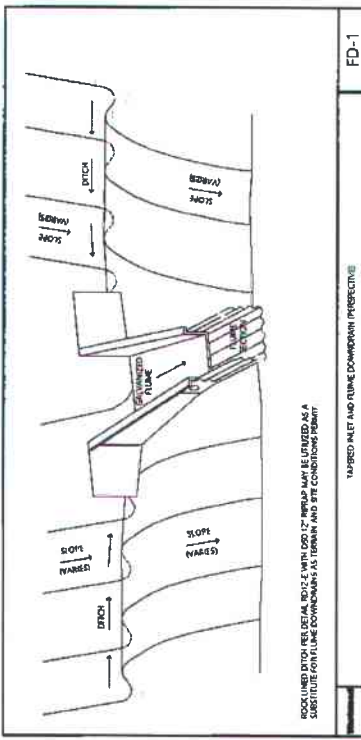
FD-2

TAPERED INLET AND TURBINE DOWNDRAIN



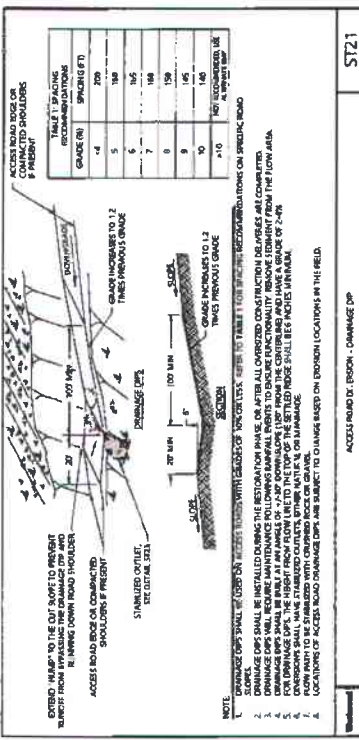
ST20

ACCESS ROAD DIVERSION - WATER BAR



FD-1

TAPERED INLET AND TURBINE DOWNDRAIN PERSPECTIVE



ST21

ACCESS ROAD DIVERSION - DRAINAGE DIP

ACCESS ROAD EDGE OR COMPACTED SHOULDER

TABLE 1: SPACING RECOMMENDATIONS

GRADE (%)	SPACING (FT)
4	200
5	180
6	165
7	150
8	135
9	120
10	105
11	90
12	75
13	60
14	45
15	30
16	15
17	0

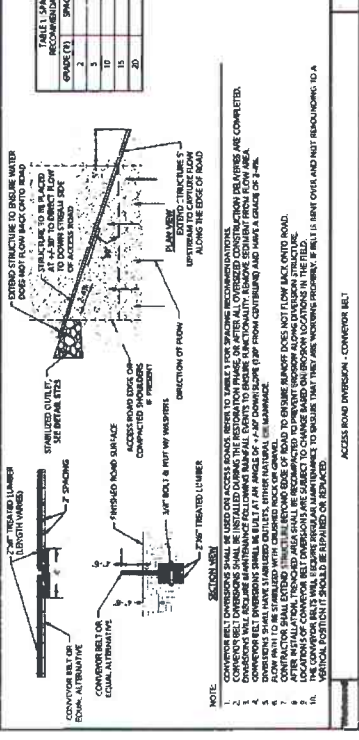
ACCESS ROAD EDGE OR COMPACTED SHOULDER

TABLE 1: SPACING RECOMMENDATIONS

GRADE (%)	SPACING (FT)
4	200
5	180
6	165
7	150
8	135
9	120
10	105
11	90
12	75
13	60
14	45
15	30
16	15
17	0

ROCK LINED INTO THE DETAIL. DETAIL WITH 60% 12" RIBBED MAT BEING USED AS A SUBSTITUTE FOR LINE DOWNDRAINS AS TERMINAL AND BITE CONDITIONS PERMIT.

EXTEND WATER BAR TO THE CUT SLOPE TO PREVENT RUNOFF FROM SPREADING THE WATER BEYOND THE INTENTED POINT BEING DRAINED.



ST22

ACCESS ROAD DIVERSION - CONCRETE CURB

ACCESS ROAD EDGE OR COMPACTED SHOULDER

TABLE 1: SPACING RECOMMENDATIONS

GRADE (%)	SPACING (FT)
4	200
5	180
6	165
7	150
8	135
9	120
10	105
11	90
12	75
13	60
14	45
15	30
16	15
17	0

CONCRETE CURB DIVERSIONS SHALL BE USED ON ACCESS ROADS. REFER TO TABLE 1 FOR SPACING RECOMMENDATIONS ON SPECIFIC ROAD SLOPES.

NOTE: 1. CONCRETE CURB DIVERSIONS SHALL BE USED ON ACCESS ROADS. REFER TO TABLE 1 FOR SPACING RECOMMENDATIONS ON SPECIFIC ROAD SLOPES.

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Brookfield

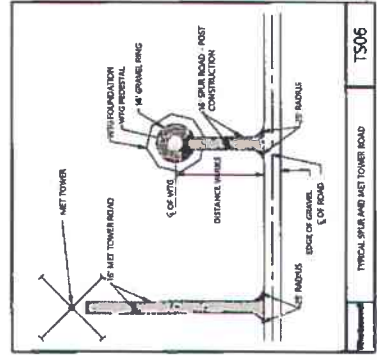
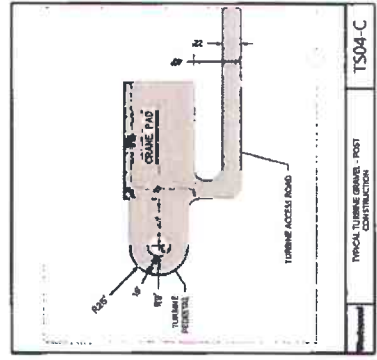
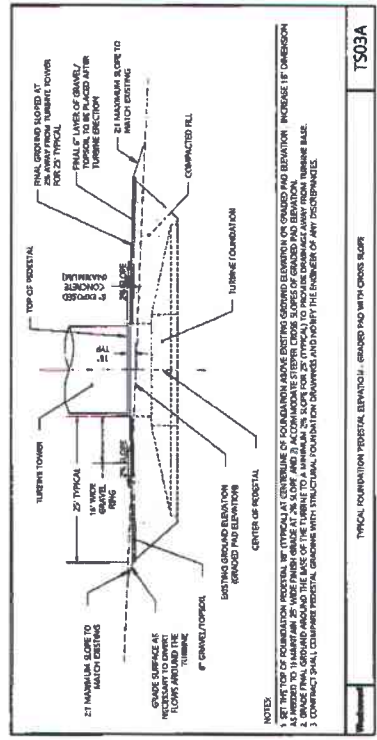
200 Liberty Street, 14th Floor
 New York, NY 10037

ARCHITECT: BROOKFIELD
 CONTRACTOR: CONCRETE
 ENGINEER: JSC O&A ENGINEERS

DATE: 02/01/2021

**Alta Mesa Wind
 Project**
 Riverside County, CA

Construction Details



Brookfield

200 Liberty Street, 14th Floor
 New York, NY 10038

PROJECT: **ALTA MESA WIND PROJECT**
 SITE: **CONCRETE**
 DRAWING: **CONCRETE PAVEMENT**
 DATE: **02/01/2021**

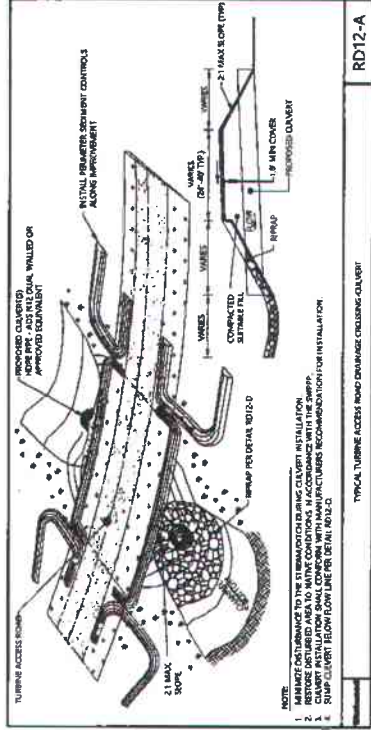
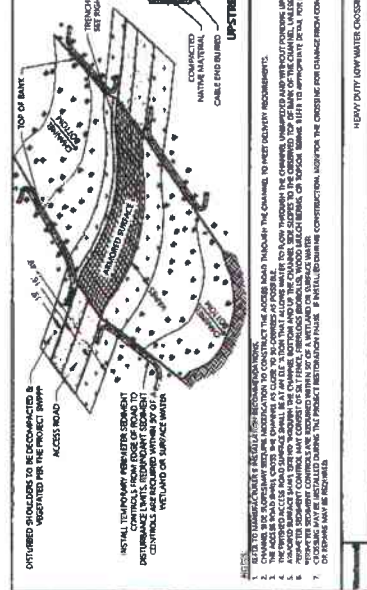
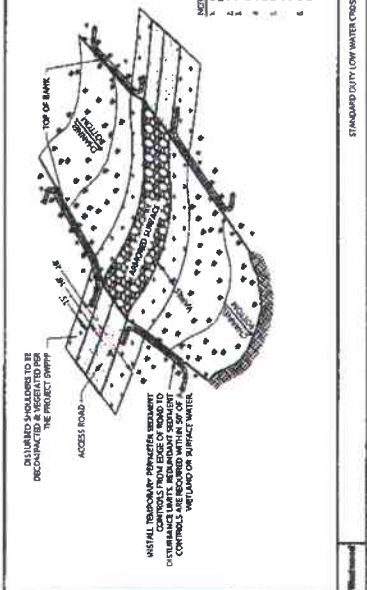
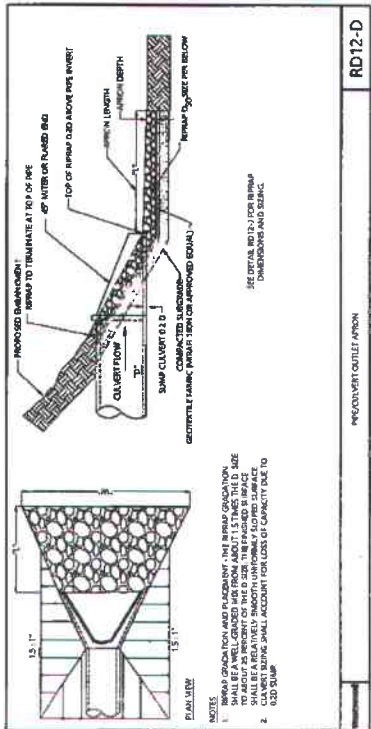
Alta Mesa Wind Project
 Riverside County, CA

Construction Details

NOT FOR CONSTRUCTION

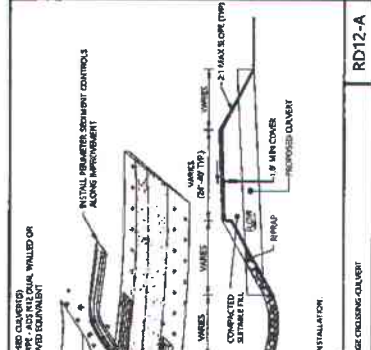
DATE: **02/01/2021**

SHEET: **09 of 29**



RD12-J
PERFORATED TABLE

Material	Depth	Thickness	Perforation	Notes
1	4"	1/8"	1/8"	
2	4"	1/8"	1/8"	
3	4"	1/8"	1/8"	
4	4"	1/8"	1/8"	
5	4"	1/8"	1/8"	
6	4"	1/8"	1/8"	
7	4"	1/8"	1/8"	
8	4"	1/8"	1/8"	
9	4"	1/8"	1/8"	
10	4"	1/8"	1/8"	
11	4"	1/8"	1/8"	
12	4"	1/8"	1/8"	
13	4"	1/8"	1/8"	
14	4"	1/8"	1/8"	
15	4"	1/8"	1/8"	
16	4"	1/8"	1/8"	
17	4"	1/8"	1/8"	
18	4"	1/8"	1/8"	
19	4"	1/8"	1/8"	
20	4"	1/8"	1/8"	
21	4"	1/8"	1/8"	
22	4"	1/8"	1/8"	
23	4"	1/8"	1/8"	
24	4"	1/8"	1/8"	
25	4"	1/8"	1/8"	
26	4"	1/8"	1/8"	
27	4"	1/8"	1/8"	
28	4"	1/8"	1/8"	
29	4"	1/8"	1/8"	
30	4"	1/8"	1/8"	



Brookfield

200 Liberty Street, 14th Floor
 New York, NY 10021

1. CONSULTOR	WESTWOOD CONSULTING
2. SUBCONSULTOR	RIVERSIDE COUNTY
3. SUBCONSULTOR	DR. JAMES L. BROWN

TABLE 1: DRAINAGE COORDINATION

Flowing Node	Receiving Node	Flow Rate (cfs)	Flow Rate (MGD)	Flow Type
06-11	06-12	1.37	0.03	Sanitary Sewer
06-11	06-13	1.37	0.03	Sanitary Sewer
06-11	06-14	1.37	0.03	Sanitary Sewer
06-11	06-15	1.37	0.03	Sanitary Sewer
06-11	06-16	1.37	0.03	Sanitary Sewer
06-11	06-17	1.37	0.03	Sanitary Sewer
06-11	06-18	1.37	0.03	Sanitary Sewer
06-11	06-19	1.37	0.03	Sanitary Sewer
06-11	06-20	1.37	0.03	Sanitary Sewer
06-11	06-21	1.37	0.03	Sanitary Sewer
06-11	06-22	1.37	0.03	Sanitary Sewer
06-11	06-23	1.37	0.03	Sanitary Sewer
06-11	06-24	1.37	0.03	Sanitary Sewer
06-11	06-25	1.37	0.03	Sanitary Sewer
06-11	06-26	1.37	0.03	Sanitary Sewer
06-11	06-27	1.37	0.03	Sanitary Sewer
06-11	06-28	1.37	0.03	Sanitary Sewer
06-11	06-29	1.37	0.03	Sanitary Sewer
06-11	06-30	1.37	0.03	Sanitary Sewer
06-11	06-31	1.37	0.03	Sanitary Sewer
06-11	06-32	1.37	0.03	Sanitary Sewer
06-11	06-33	1.37	0.03	Sanitary Sewer
06-11	06-34	1.37	0.03	Sanitary Sewer
06-11	06-35	1.37	0.03	Sanitary Sewer
06-11	06-36	1.37	0.03	Sanitary Sewer
06-11	06-37	1.37	0.03	Sanitary Sewer
06-11	06-38	1.37	0.03	Sanitary Sewer
06-11	06-39	1.37	0.03	Sanitary Sewer
06-11	06-40	1.37	0.03	Sanitary Sewer
06-11	06-41	1.37	0.03	Sanitary Sewer
06-11	06-42	1.37	0.03	Sanitary Sewer
06-11	06-43	1.37	0.03	Sanitary Sewer
06-11	06-44	1.37	0.03	Sanitary Sewer
06-11	06-45	1.37	0.03	Sanitary Sewer
06-11	06-46	1.37	0.03	Sanitary Sewer
06-11	06-47	1.37	0.03	Sanitary Sewer
06-11	06-48	1.37	0.03	Sanitary Sewer
06-11	06-49	1.37	0.03	Sanitary Sewer
06-11	06-50	1.37	0.03	Sanitary Sewer
06-11	06-51	1.37	0.03	Sanitary Sewer
06-11	06-52	1.37	0.03	Sanitary Sewer
06-11	06-53	1.37	0.03	Sanitary Sewer
06-11	06-54	1.37	0.03	Sanitary Sewer
06-11	06-55	1.37	0.03	Sanitary Sewer
06-11	06-56	1.37	0.03	Sanitary Sewer
06-11	06-57	1.37	0.03	Sanitary Sewer
06-11	06-58	1.37	0.03	Sanitary Sewer
06-11	06-59	1.37	0.03	Sanitary Sewer
06-11	06-60	1.37	0.03	Sanitary Sewer
06-11	06-61	1.37	0.03	Sanitary Sewer
06-11	06-62	1.37	0.03	Sanitary Sewer
06-11	06-63	1.37	0.03	Sanitary Sewer
06-11	06-64	1.37	0.03	Sanitary Sewer
06-11	06-65	1.37	0.03	Sanitary Sewer
06-11	06-66	1.37	0.03	Sanitary Sewer
06-11	06-67	1.37	0.03	Sanitary Sewer
06-11	06-68	1.37	0.03	Sanitary Sewer
06-11	06-69	1.37	0.03	Sanitary Sewer
06-11	06-70	1.37	0.03	Sanitary Sewer

NOTE: CLUSTERS ARE BORN 3000 FOR 20 YEAR RAINFALL EVENT.

RIVERSIDE COUNTY GRADING NOTES

GENERAL:

1. GRADING SHALL COMPLY TO THE 2013 CALIFORNIA BUILDING CODE (CBC) CHAPTERS 17, 18, & APPENDIX "A" AS AUTHORED BY RIVERSIDE COUNTY.
2. ALL PROPERTY CORNERS, EASEMENTS AND ALL CONSTRUCTION/RECONSTRUCTION/DEMOLITION AREAS SHALL BE IDENTIFIED BY THE ENVIRONMENTAL PROGRAMS DEPARTMENT (EPD) SHALL BE CLEARLY IDENTIFIED AND STAKED IN THE FIELD PRIOR TO COMMENCEMENT OF ANY CONSTRUCTION/DEMOLITION.
3. ALL WORK UNDER THIS PERMIT SHALL BE LIMITED TO WORK WITHIN THE PROPERTY LINES. ALL WORK WITHIN THE BOUNDARY OF ANY EASEMENT OR RIGHTS-OF-WAY SHALL BE LIMITED TO THE PROPERTY LINES AND SHALL NOT BE PERMITTED TO CROSS THE BOUNDARY OF ANY EASEMENT OR RIGHTS-OF-WAY.
4. ALL WORK UNDER THIS PERMIT SHALL BE LIMITED TO WORK WITHIN THE PROPERTY LINES. ALL WORK WITHIN THE BOUNDARY OF ANY EASEMENT OR RIGHTS-OF-WAY SHALL BE LIMITED TO THE PROPERTY LINES AND SHALL NOT BE PERMITTED TO CROSS THE BOUNDARY OF ANY EASEMENT OR RIGHTS-OF-WAY.
5. ALL WORK UNDER THIS PERMIT SHALL BE LIMITED TO WORK WITHIN THE PROPERTY LINES. ALL WORK WITHIN THE BOUNDARY OF ANY EASEMENT OR RIGHTS-OF-WAY SHALL BE LIMITED TO THE PROPERTY LINES AND SHALL NOT BE PERMITTED TO CROSS THE BOUNDARY OF ANY EASEMENT OR RIGHTS-OF-WAY.
6. THE CONTRACTOR SHALL NOTIFY THE BUILDING AND SAFETY DEPARTMENT AT LEAST 24 HOURS IN ADVANCE TO REQUEST TRASH LOT GRAB AND DEMONSTRATION. THIS NOTIFICATION MUST BE APPROVED PRIOR TO BUILDING PERMIT FINAL INSPECTION FOR EACH LOT.
7. PRIOR TO GRADING, A MEETING SHALL BE SCHEDULED WITH A RIVERSIDE COUNTY ENVIRONMENTAL COMPLIANCE INSPECTOR PRIOR TO COMMENCEMENT OF GRADING OPERATIONS.

CUT/SLOPE

1. MAXIMUM CUT SLOPE = 2:1 AND FILL SLOPE = 3:1 INCORPORATING TO VERTICAL STEEPER TILL SLOPES MAY BE USED WITH SLOPE STABILITY ANALYSIS COMPLETED BY GEOTECHNICAL ENGINEER.
2. GRASSING SHALL BE INSTALLED ON ALL SLOPES. SEEDING SHALL BE INSTALLED ON SLOPES OF 1:1 TO 3:1 AND COVERED WITH PROTECTIVE MATS. SEEDING SHALL BE INSTALLED ON SLOPES OF 1:1 TO 3:1 AND COVERED WITH PROTECTIVE MATS. SEEDING SHALL BE INSTALLED ON SLOPES OF 1:1 TO 3:1 AND COVERED WITH PROTECTIVE MATS.
3. THE SLOPE STABILITY FOR CUT AND FILL SLOPES TO BE INSTALLED SHALL BE PROVIDED TO THE SUBMITTER. THE SLOPE STABILITY FOR CUT AND FILL SLOPES TO BE INSTALLED SHALL BE PROVIDED TO THE SUBMITTER.
4. AND ROCK OR SIMILAR IRREMOVABLE MATERIAL WITH A MAXIMUM EXTENSION GREATER THAN 12 INCHES SHALL BE BUNDLED OR PLACED IN BINS CLOSER THAN 10 FEET TO THE DISTURBED GRADE.

EROSION CONTROL - BEST PRACTICES

1. DRAINAGE ACROSS PROPERTY LINES SHALL NOT EXCEED THAT WHICH EXISTED PRIOR TO GRADING. EXCESS OR CONCENTRATED DRAINAGE SHALL BE CONTAINED ON SITE OR DIRECTED TO AN APPROVED DRAINAGE FACILITY. PROTECTION OF THE GROUND IN THE AREA OF DISCHARGE SHALL BE MAINTAINED BY INSTALLATION OF NON-EROSIVE DOWN CHANNELS OR OTHER DEVICES.
2. PROVIDE A SLOPE INTERCEPTION DRAIN ALONG THE TOP OF CUT SLOPES WHERE THE DRAINAGE PATH IS GREATER THAN 40 FEET TOWARDS THE CUT SLOPE.
3. ALL TYPES OF MATERIAL WATER COLLECTION SHALL BE APPROVED.
4. DRAINAGE CHANNELS, CHANNELS AND PIPES TO CONVEY OR INTERMITTENT DRAINAGE STRUCTURE, TEMPORARILY OR PERMANENTLY, SHALL BE INSTALLED TO CONVEY OR INTERMITTENT DRAINAGE STRUCTURE, TEMPORARILY OR PERMANENTLY.
5. DUST CONTROL SHALL BE CONTROLLED BY WATERING OR OTHER APPROVED METHODS.
6. ALL EXISTING DRAINAGE CHANNELS AND STORM DRAIN FACILITIES SHALL CONTINUE TO FUNCTION. PROTECTIVE MEASURES AND TEMPORARY DRAINAGE FACILITIES MUST BE USED TO PROTECT EXISTING FACILITIES DURING CONSTRUCTION.

Alta Mesa Wind Project

Riverside County, CA

Construction Notes

NOT FOR CONSTRUCTION

DATE: 02/01/2021

SHEET: 10 of 29

1. REGISTERED DESIGNER/ENGINEER/ARCHITECT SHALL BE RESPONSIBLE FOR THE DESIGN OF THE PROJECT AND SHALL BE RESPONSIBLE FOR THE CONTRACTOR'S OPERATIONS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROJECT'S OPERATIONS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROJECT'S OPERATIONS.

2. IT IS THE CONTRACTOR'S RESPONSIBILITY TO MAINTAIN COMPLIANCE WITH THE PROJECT'S OPERATIONS.

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Brookfield

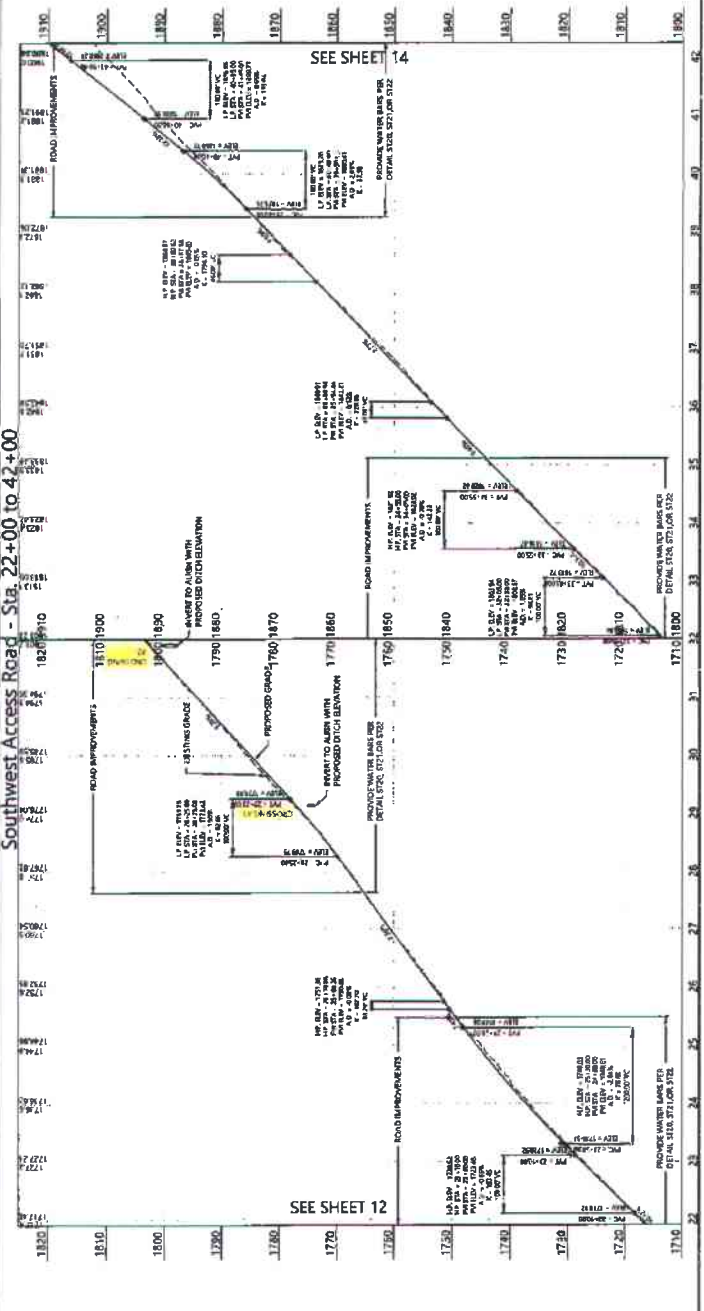
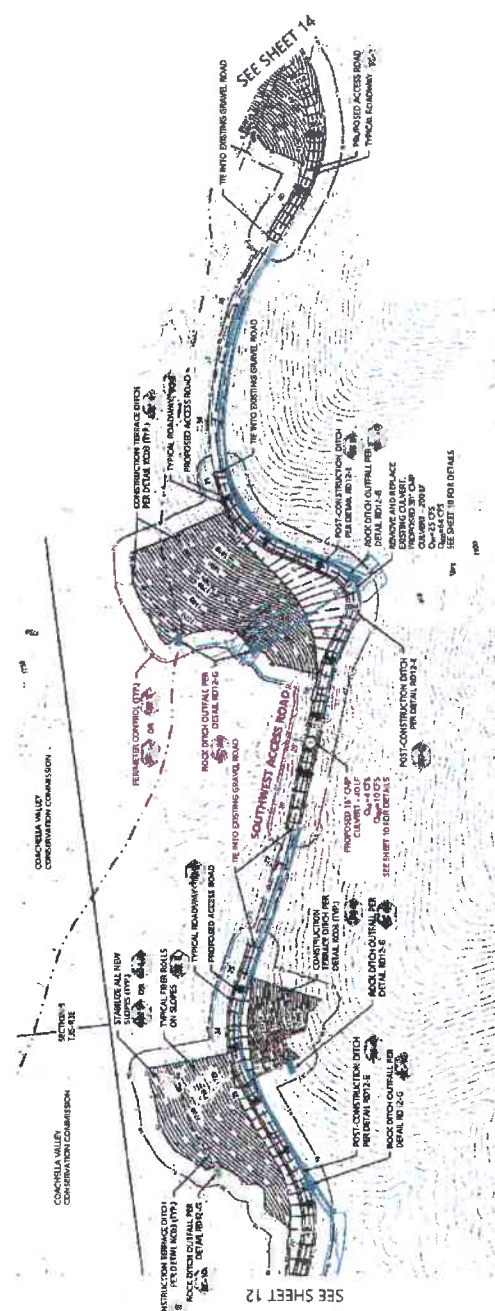
200 Unity Street, 4th Floor
 San Francisco, CA 94103

PROJECT	ALTA MESA WIND PROJECT
DATE	02/01/2021
SCALE	AS SHOWN
DESIGNED BY	WESTWOOD
CHECKED BY	WESTWOOD
APPROVED BY	WESTWOOD

LEGEND:

	TURBINE LOCATION
	PROPOSED ACCESS ROAD WITH GRANT PATH
	TEMPORARY GRAVEL AREA WITH GRANT PATH
	PROPOSED FULL AREA
	PROPOSED UNDERGROUND COLLECTION
	DETENTION BASIN
	PERIMETER SECURITY CONTROL
	PROPOSED ACCESS ROAD
	PROPOSED POST-CONSTRUCTION DITCH
	PROPOSED TERRACE DITCH
	PROPOSED ROADWAY CROSS SLOPE DIRECTION
	PROPOSED DRAINAGE CHANNEL
	PROPOSED DITCH OUTFALL
	BOUNDARY LINE
	PARCEL LINES
	ACCESS CONTROL
	INTERNAL CONTOUR
	SMALL WIND TURBINE
	PROPOSED ROAD
	GRAVEL ROAD
	CULVERT
	OVERHEAD POWER/CABLE/LINE POLE
	SPIGOT POLE
	MISCELLANEOUS STRUCTURE
	INSTREAM OBSTACLE
	WETLAND DELINEATION

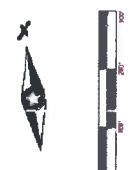
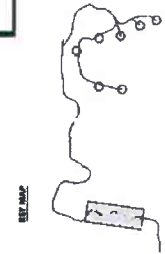
SEE ELECTRICAL PLANS FOR DETAILS



Alta Mesa Wind Project
 Riverside County, CA

Southwest Access Road - Sta. 22+00 to 42+00

NOT FOR CONSTRUCTION
 DATE: 02/01/2021
 SHEET: 13 of 29



NOT FOR CONSTRUCTION

Brookfield

200 Liberty Street, 14th Floor
 New York, NY 10037

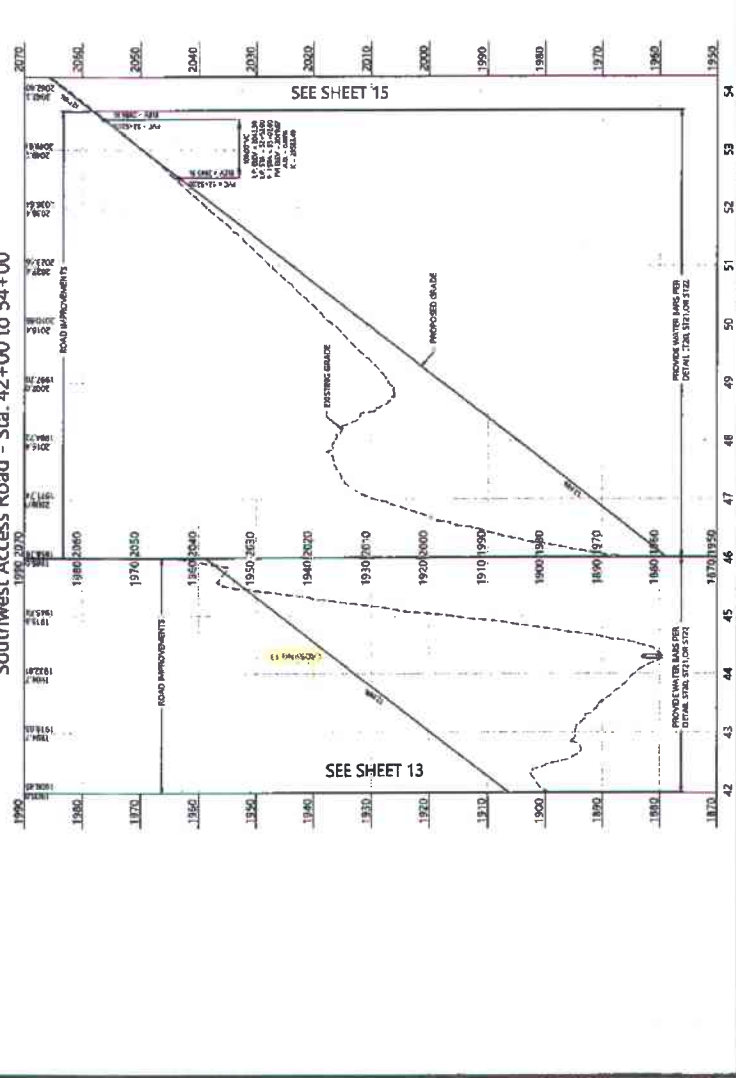
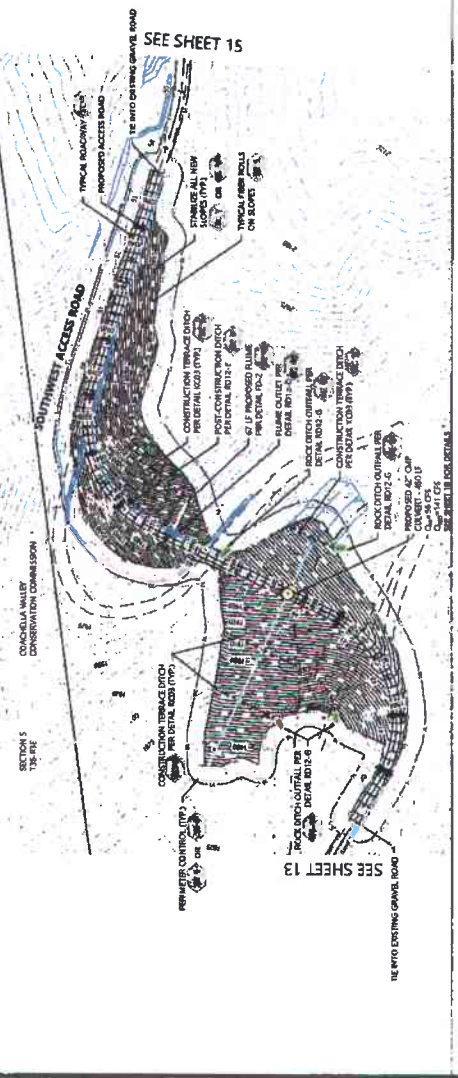
DATE: 02/01/2021
 SHEET: 14 OF 29

Alta Mesa Wind Project
 Riverside County, CA

Southwest Access
 Road - Sta. 42+00 to
 54+00

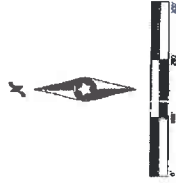
NOT FOR CONSTRUCTION
 DATE: 02/01/2021
 SHEET: 14 OF 29

- LEGEND:**
- TURBINE LOCATION
 - PROPOSED ACCESS ROAD
 - WITH GRADE PAVER
 - TEMPORARY GRAVE AREA
 - PROPOSED TURBINE PAD EDGE
 - PROPOSED UNDERGROUND COLLECTOR*
 - GRAVING LINES
 - PROPOSED TURBINE PAD
 - PROPOSED TURBINE CONTROL
 - PROPOSED MOIST CONTROL
 - PROPOSED INTERNAL CONTOUR
 - PROPOSED ROCK CONSTRUCTION DITCH
 - PROPOSED TRENCH DITCH
 - PROPOSED FLUME
 - PROPOSED ROAD CROSS SLOPE DIRECTION
 - PROPOSED ROCK DITCH OUTFALL
 - BOUNDARY TRENCH LINES
 - PARCELS LINES
 - EX ROAD CENTERLINE
 - EX EXISTING CENTERLINE
 - EX INTERNAL CONTOUR
 - EX SMALL WIND TURBINE
 - EX CONCRETE
 - EX GRAVEL ROAD
 - EX FENCE
 - EX CONCRETE POWER/TELECOM/CELLULAR POLE
 - EX SIGN
 - EX 6" P/WIRE
 - EX 4" P/WIRE
 - EX STREAM CHANNEL
 - EX WETLAND DELIMITATION
- *SEE ELECTRICAL PLANS FOR DETAILS



Brookfield
 200 Liberty Street, 4th Floor
 New York, NY 10038

1	DATE	02/01/2021
2	BY	CONTRACT
3	PROJECT	ALTA MESA WIND PROJECT
4	LOCATION	ALTA MESA WIND PROJECT
5	SCALE	AS SHOWN

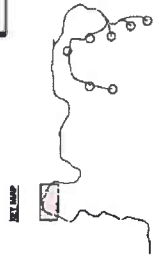
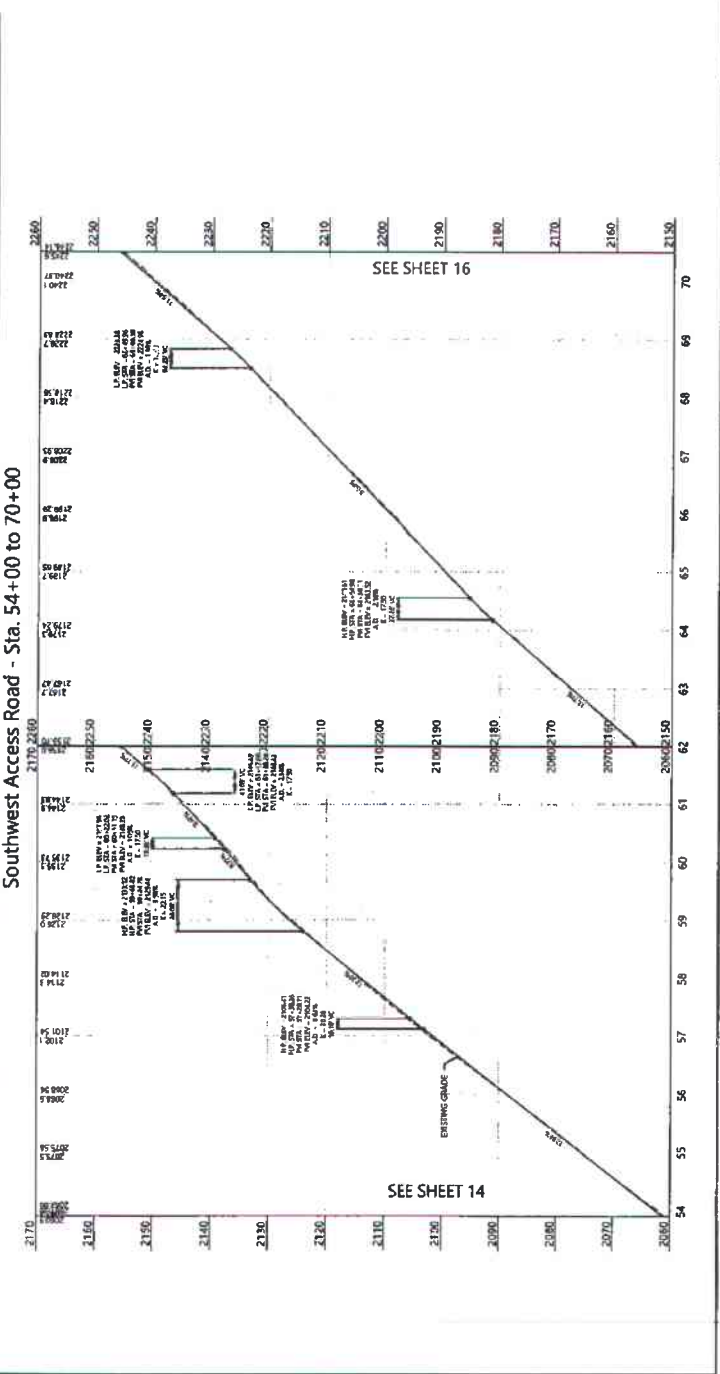
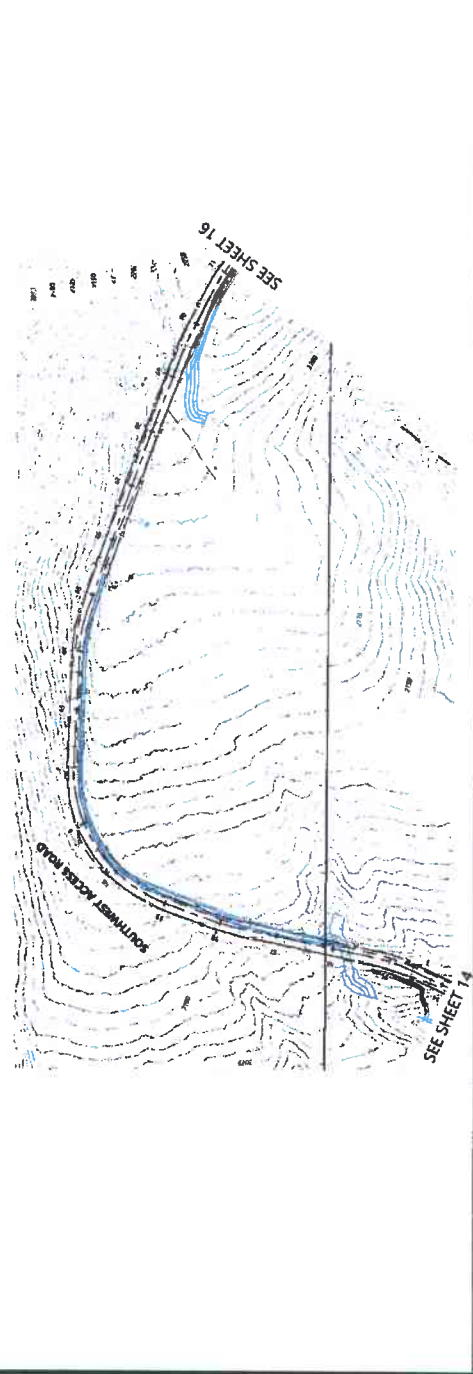


Alta Mesa Wind Project
 Riverside County, CA

Southwest Access Road - Sta. 54+00 to 70+00

NOT FOR CONSTRUCTION
 DATE: 02/01/2021
 SHEET: 15 of 29

- LEGEND:**
- T-4 TURBINE LOCATION
 - PROPOSED ACCESS ROAD WITH GRADY PATH
 - PROPOSED GRAVEL AREA
 - PROPOSED FULL AREA
 - PROPOSED UNDERGROUND COLLECTION
 - PERMANENT BERM-BENT CONTROL
 - PROPOSED ROAD CONTOUR
 - PROPOSED GRAVEL CONTOUR
 - PROPOSED PAVEMENT CONSTRUCTION BITCH
 - PROPOSED TERRACE BITCH
 - PROPOSED DRAINAGE CHANNELS
 - PROPOSED ROAD/PAVEMENT CROSS SLOPE DIRECTION
 - PROPOSED DITCH OUTFALL
 - RIGHT-OF-WAY LINES
 - WHEEL LINES
 - EXISTING ROAD/PAVEMENT
 - EXISTING CONTOUR
 - EXISTING GRAVEL TURBINE
 - EXISTING PAVED ROAD
 - EXISTING GRAVEL ROAD
 - EXISTING GRAVEL
 - EXISTING POWER/MISCELLANEOUS POLE
 - EXISTING WIRE
 - EXISTING MISCELLANEOUS STRUCTURE
 - EXISTING CHANNEL
 - EXISTING DRAINAGE
- SEE ELECTRICAL PLANS FOR DETAILS



Brookfield

200 Liberty Street, 14th Floor
 New York, NY 10037

PROJECT	CLIENT
ALTA MESA WIND PROJECT	ALTA MESA ENERGY
DESIGNED BY	DRAWN BY
WESTWOOD ENGINEERING	WESTWOOD ENGINEERING
CHECKED BY	DATE
WESTWOOD ENGINEERING	02/01/2021

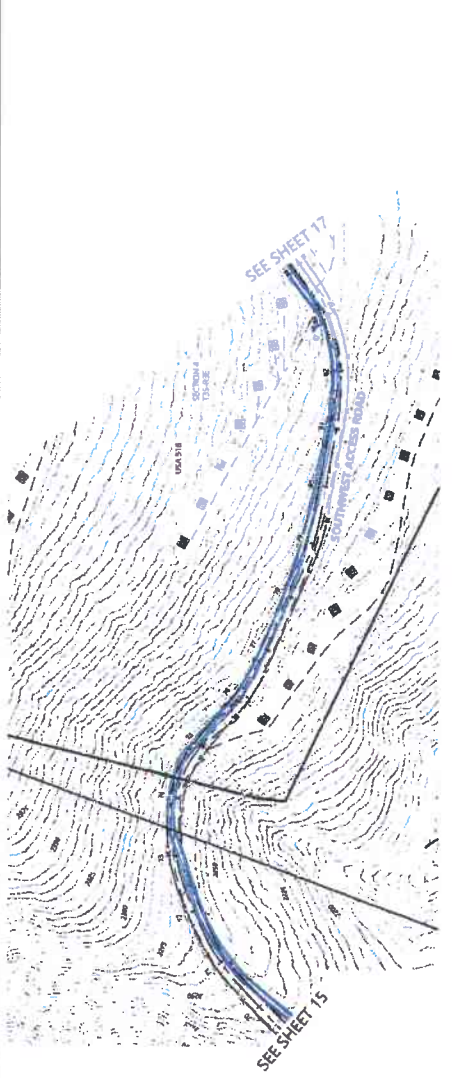
Alta Mesa Wind Project
 Riverside County, CA

Southwest Access
 Road - Sta. 70+00 to
 84+00

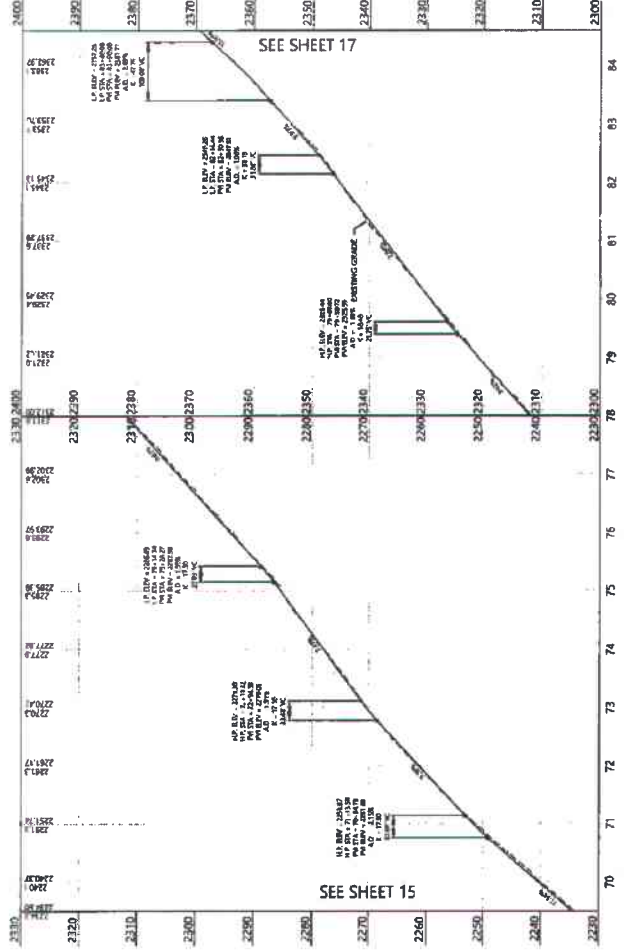
DATE: 02/01/2021
 SHEET: 16 of 29



- LEGEND:**
- TURBINE LOCATION
 - PROPOSED ACCESS ROAD WITH CHANGI POINT
 - TEMPORARY GRAVEL AREA
 - PROPOSED TURNING DOZE
 - PROPOSED UNDERGROUND COLLECTION*
 - GRAVEL LIMITS
 - DEFURROWING LIMITS
 - PROPOSED ARREST CONTOUR
 - PROPOSED ARREST COUNTER
 - PROPOSED DOG LEG CONSTRUCTION DETAIL
 - PROPOSED TRINEX DITCH
 - PROPOSED FILL
 - PROPOSED SIDEWALK LIGHT FIXTURES
 - PROPOSED DRAINAGE CROSSING
 - PROPOSED ROOF DETAIL
 - EXISTING DITCH
 - EXISTING CONCRETION
 - EXISTING CONCRETE
 - EXISTING ASPHALT
 - EXISTING GRAVEL ROAD
 - EXISTING FENCE
 - EXISTING COLLECTOR
 - EXISTING 3/4" GALVANIZED STEEL PIPE
 - EXISTING 2" GALVANIZED STEEL PIPE
 - EXISTING 4" GALVANIZED STEEL PIPE
 - EXISTING 6" GALVANIZED STEEL PIPE
 - EXISTING 8" GALVANIZED STEEL PIPE
 - EXISTING 12" GALVANIZED STEEL PIPE
 - EXISTING 18" GALVANIZED STEEL PIPE
 - EXISTING 24" GALVANIZED STEEL PIPE
 - EXISTING 30" GALVANIZED STEEL PIPE
 - EXISTING 36" GALVANIZED STEEL PIPE
 - EXISTING 42" GALVANIZED STEEL PIPE
 - EXISTING 48" GALVANIZED STEEL PIPE
 - EXISTING 54" GALVANIZED STEEL PIPE
 - EXISTING 60" GALVANIZED STEEL PIPE
 - EXISTING 66" GALVANIZED STEEL PIPE
 - EXISTING 72" GALVANIZED STEEL PIPE
 - EXISTING 78" GALVANIZED STEEL PIPE
 - EXISTING 84" GALVANIZED STEEL PIPE
 - EXISTING 90" GALVANIZED STEEL PIPE
 - EXISTING 96" GALVANIZED STEEL PIPE
 - EXISTING 102" GALVANIZED STEEL PIPE
 - EXISTING 108" GALVANIZED STEEL PIPE
 - EXISTING 114" GALVANIZED STEEL PIPE
 - EXISTING 120" GALVANIZED STEEL PIPE
 - EXISTING 126" GALVANIZED STEEL PIPE
 - EXISTING 132" GALVANIZED STEEL PIPE
 - EXISTING 138" GALVANIZED STEEL PIPE
 - EXISTING 144" GALVANIZED STEEL PIPE
 - EXISTING 150" GALVANIZED STEEL PIPE
 - EXISTING 156" GALVANIZED STEEL PIPE
 - EXISTING 162" GALVANIZED STEEL PIPE
 - EXISTING 168" GALVANIZED STEEL PIPE
 - EXISTING 174" GALVANIZED STEEL PIPE
 - EXISTING 180" GALVANIZED STEEL PIPE
 - EXISTING 186" GALVANIZED STEEL PIPE
 - EXISTING 192" GALVANIZED STEEL PIPE
 - EXISTING 198" GALVANIZED STEEL PIPE
 - EXISTING 204" GALVANIZED STEEL PIPE
 - EXISTING 210" GALVANIZED STEEL PIPE
 - EXISTING 216" GALVANIZED STEEL PIPE
 - EXISTING 222" GALVANIZED STEEL PIPE
 - EXISTING 228" GALVANIZED STEEL PIPE
 - EXISTING 234" GALVANIZED STEEL PIPE
 - EXISTING 240" GALVANIZED STEEL PIPE
 - EXISTING 246" GALVANIZED STEEL PIPE
 - EXISTING 252" GALVANIZED STEEL PIPE
 - EXISTING 258" GALVANIZED STEEL PIPE
 - EXISTING 264" GALVANIZED STEEL PIPE
 - EXISTING 270" GALVANIZED STEEL PIPE
 - EXISTING 276" GALVANIZED STEEL PIPE
 - EXISTING 282" GALVANIZED STEEL PIPE
 - EXISTING 288" GALVANIZED STEEL PIPE
 - EXISTING 294" GALVANIZED STEEL PIPE
 - EXISTING 300" GALVANIZED STEEL PIPE



Southwest Access Road - Sta. 70+00 to 84+00



SEE SHEET 15

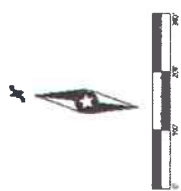
SEE SHEET 17

SYMBOL	DESCRIPTION
[Symbol]	PROPOSED POWER/CELLULAR/ANALOG PILE
[Symbol]	EX. 6/47 WIRE
[Symbol]	EX. 20W TELEPHONE STRUCTURE
[Symbol]	EX. STREAM CHANNEL
[Symbol]	EX. METLAND DELIMITATION
[Symbol]	EX. FENCE
[Symbol]	EX. SMALL WIND TURBINE
[Symbol]	EX. CANAL ROAD
[Symbol]	EX. ROAD CONTINUANCE
[Symbol]	EX. INTERNAL CONTOUR
[Symbol]	EX. EXISTING ROAD
[Symbol]	EX. EXISTING DRIVE
[Symbol]	EX. EXISTING DRIVE
[Symbol]	EX. EXISTING DRIVE

LEGEND:

SYMBOL	DESCRIPTION
[Symbol]	TURBINE LOCATION
[Symbol]	PROPOSED ACCESS ROAD WITH GRADY TURN
[Symbol]	TEMPORARY GRAVEL AREA
[Symbol]	PROPOSED TURNING POND DIKE
[Symbol]	PROPOSED UNDERGROUND COLLECTION
[Symbol]	GRAVEL LIMITS
[Symbol]	PROPOSED EXISTING CONTROL
[Symbol]	PROPOSED ACCESS CONTROL
[Symbol]	PROPOSED NOT CONSTRUCTION DITCH
[Symbol]	PROPOSED TURNING POND
[Symbol]	PROPOSED CROSS SLOPE DIRECTION
[Symbol]	PROPOSED DRAINAGE CROSSING
[Symbol]	PROPOSED ROCK DITCH OUTFALL
[Symbol]	PROPOSED ROCK DITCH
[Symbol]	PANOR (LINE)
[Symbol]	EX. SMALL WIND TURBINE
[Symbol]	EX. CANAL ROAD
[Symbol]	EX. ROAD CONTINUANCE
[Symbol]	EX. EXISTING ROAD
[Symbol]	EX. EXISTING DRIVE
[Symbol]	EX. EXISTING DRIVE
[Symbol]	EX. EXISTING DRIVE

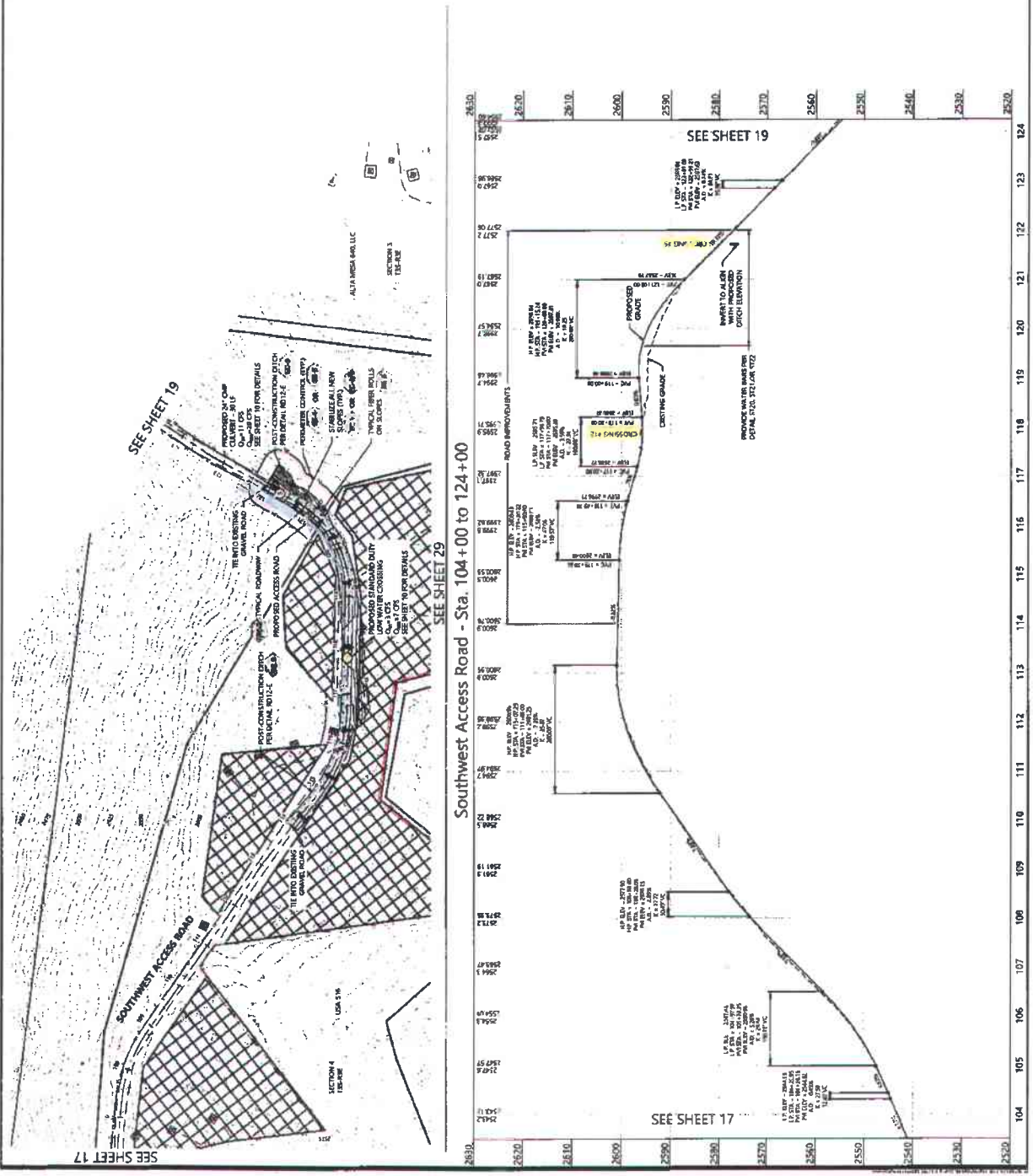
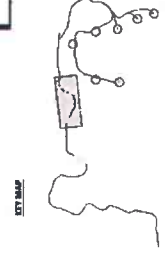
*SEE ELECTRICAL PLANS FOR DETAILS



Alta Mesa Wind Project
 Riverside County, CA

Southwest Access Road - Sta. 104+00 to 124+00

NOT FOR CONSTRUCTION
 DATE: 02/01/2021
 SHEET: 13 OF 29



SEE SHEET 17

SEE SHEET 19

SEE SHEET 29

SEE SHEET 19

SEE SHEET 17

NOV 02, 2021

Brookfield

201 Liberty Street, 16th Floor
 New York, NY 10061

PROJECT: ALTA MESA WIND PROJECT
 DRAWING: SW ACCESS ROAD
 SHEET: 15 OF 29

LEGEND:

T-#
 TURBINE LOCATION

PROPOSED ACCESS ROAD WITH GRADE PAH

TEMPORARY GRAVEL AREA

PROPOSED TUBERCLE AND DGE

PROPOSED WINDROW/SAND COLLECTION*

GRAVING LIMITS

EXISTING UTILITY

PROPOSED SECURITY CONTROL

PROPOSED INTERIOR CONTOUR

PROPOSED INTERIOR CONTOUR

PROPOSED POST CONSTRUCTION DIVY

PROPOSED ROAD AND CROSS DRAIN DIRECTION

PROPOSED DRAINAGE ENCLOSING

PROPOSED FENCE AND COUNTERALL

PROPOSED FENCE

PROPOSED SAND LINES

FENCE LINES

DC ROAD COVERAGE

DC SMALL WIND TUBERCLE

DC INTERIOR CONTOUR

DC GRAVEL ROAD

DC DRIVE

DC BRIDGE

DC CONCRETE POWER/REINFORCEMENT WALL

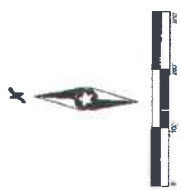
DC DRIVEWAY

DC INTERIOR STRUCTURE

DC STORM CHANNE

DC TURTLE EXHAUSTED

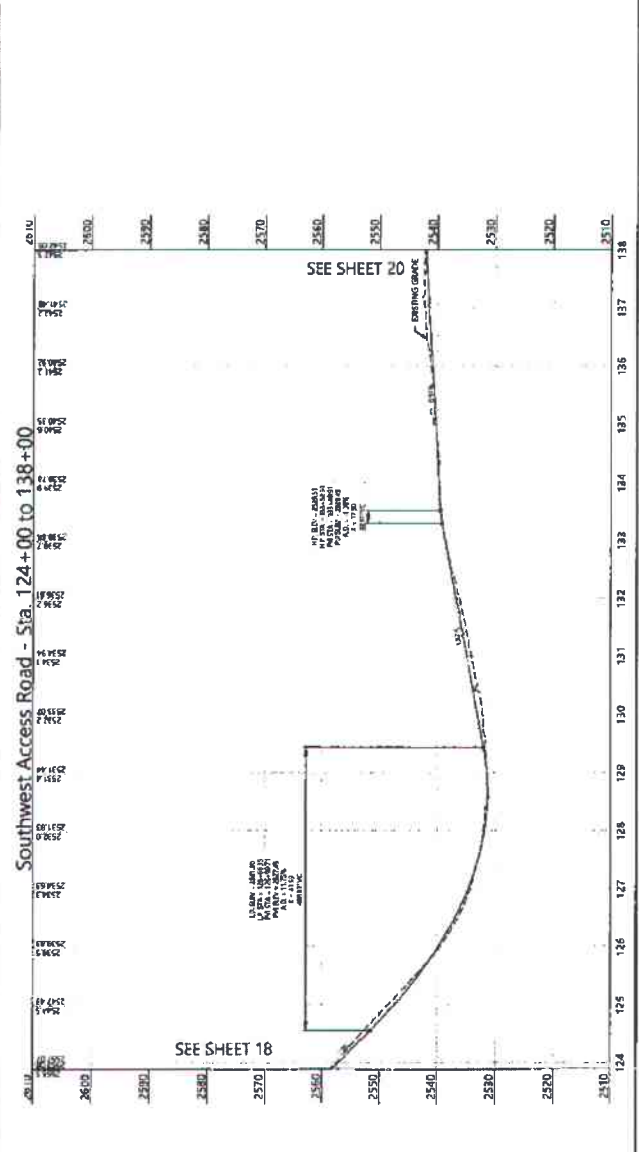
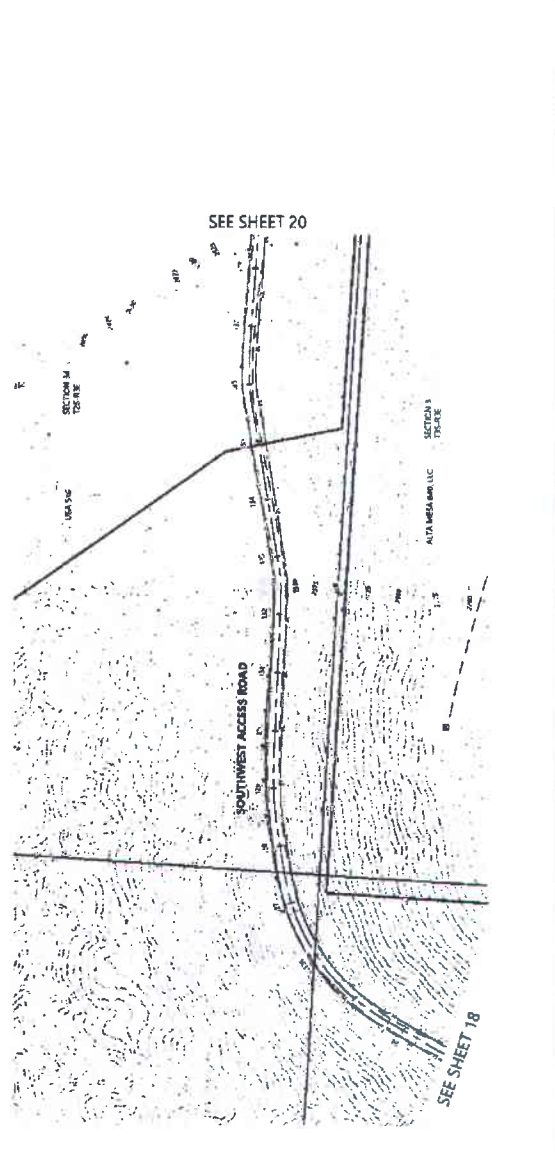
*SEE ELECTRICAL PLANS FOR DETAILS



Alta Mesa Wind Project
 Riverside County, CA

Southwest Access Road - Sta. 124+00 to 138+00

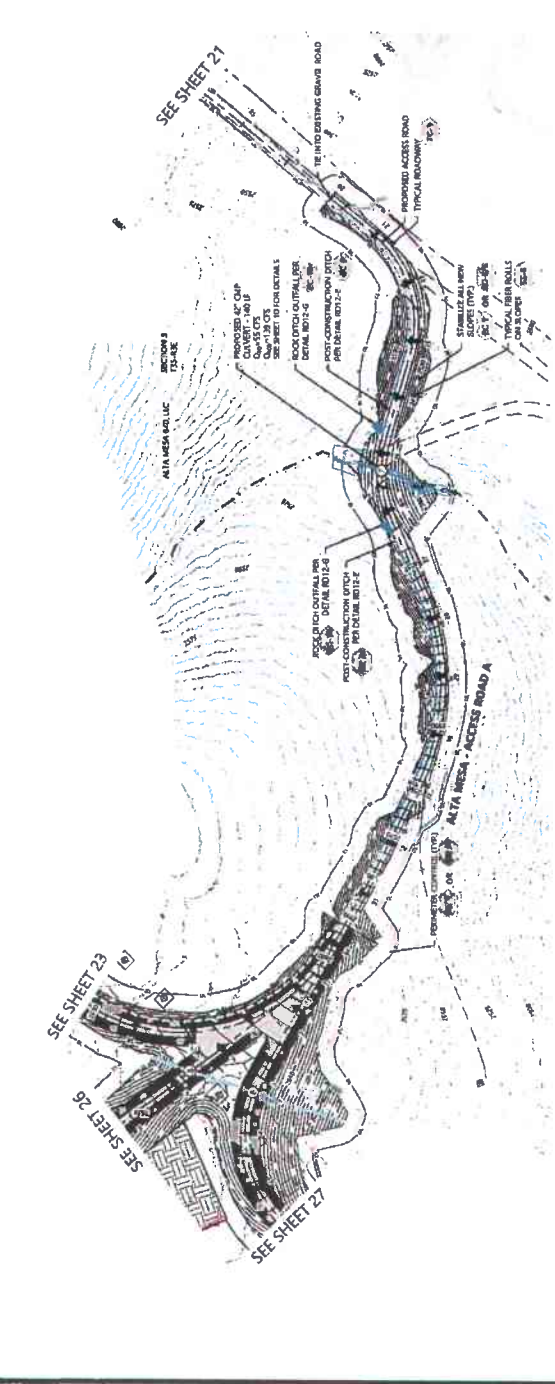
NOT FOR CONSTRUCTION
 DATE: 02/01/2021
 SHEET: 15 OF 29



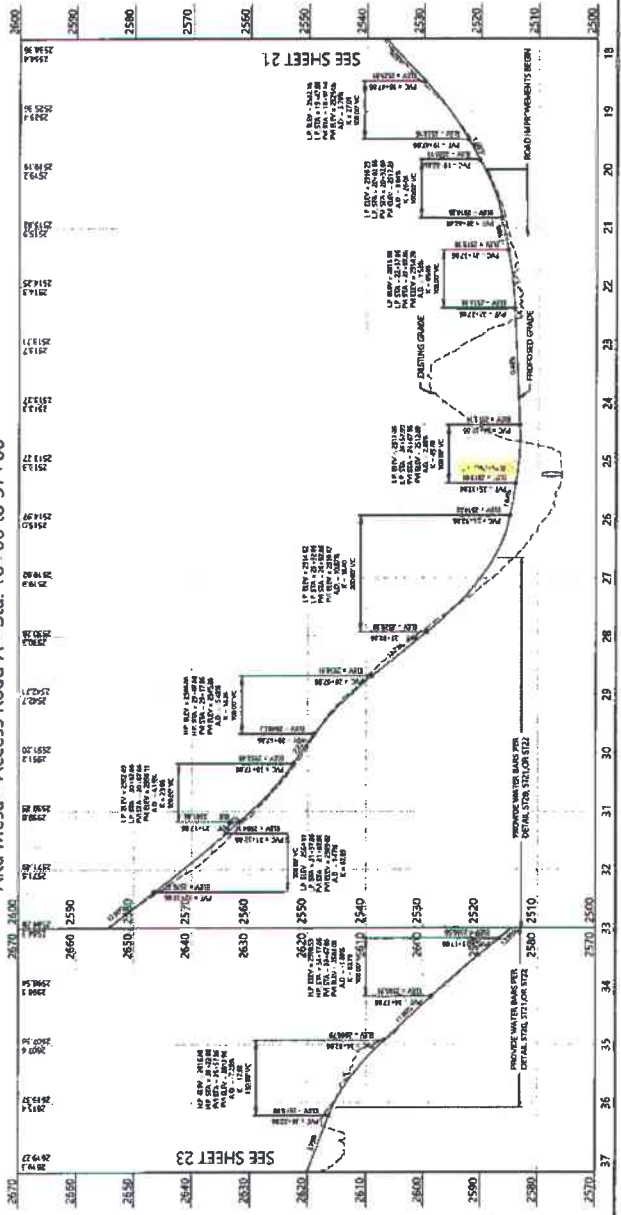
DATE	DESCRIPTION
02/01/2021	ISSUED FOR PERMITS
02/01/2021	ISSUED FOR CONSTRUCTION

LEGEND:

	TURBINE LOCATION
	PROPOSED ACCESS ROAD
	PROPOSED ACCESS ROAD WITH GRAVEL PATH
	TEMPORARY GRAVEL AREA
	PROPOSED TURBINE PAD FOOT
	PROPOSED UNDERDRAIN COLLECTION
	EXISTING UTILITY
	PROPOSED UTILITY
	PROPOSED STORMWATER MANAGEMENT
	PROPOSED ROAD DITCH
	PROPOSED ROAD DITCH WITH CULVERT
	PROPOSED ROAD DITCH WITH BRIDGE
	PROPOSED ROAD DITCH WITH STRUCTURE
	PROPOSED ROAD DITCH WITH POLE
	PROPOSED ROAD DITCH WITH POLE AND STRUCTURE
	PROPOSED ROAD DITCH WITH POLE AND STRUCTURE AND POLE
	PROPOSED ROAD DITCH WITH POLE AND STRUCTURE AND POLE AND POLE
	PROPOSED ROAD DITCH WITH POLE AND STRUCTURE AND POLE AND POLE AND POLE



Alta Mesa - Access Road A - Sta. 18+00 to 37+00



Alta Mesa Wind Project
 Riverside County, CA

Alta Mesa - Access Road A - Sta. 18+00 to 37+00

NOT FOR CONSTRUCTION
 DATE: 02/01/2021
 SHEET: 22 of 29



Brookfield
 200 Liberty Street, 14th Floor
 New York, NY 10038

NO.	DATE	DESCRIPTION
1	02/01/2021	ISSUED FOR PERMITS
2	02/01/2021	ISSUED FOR CONSTRUCTION

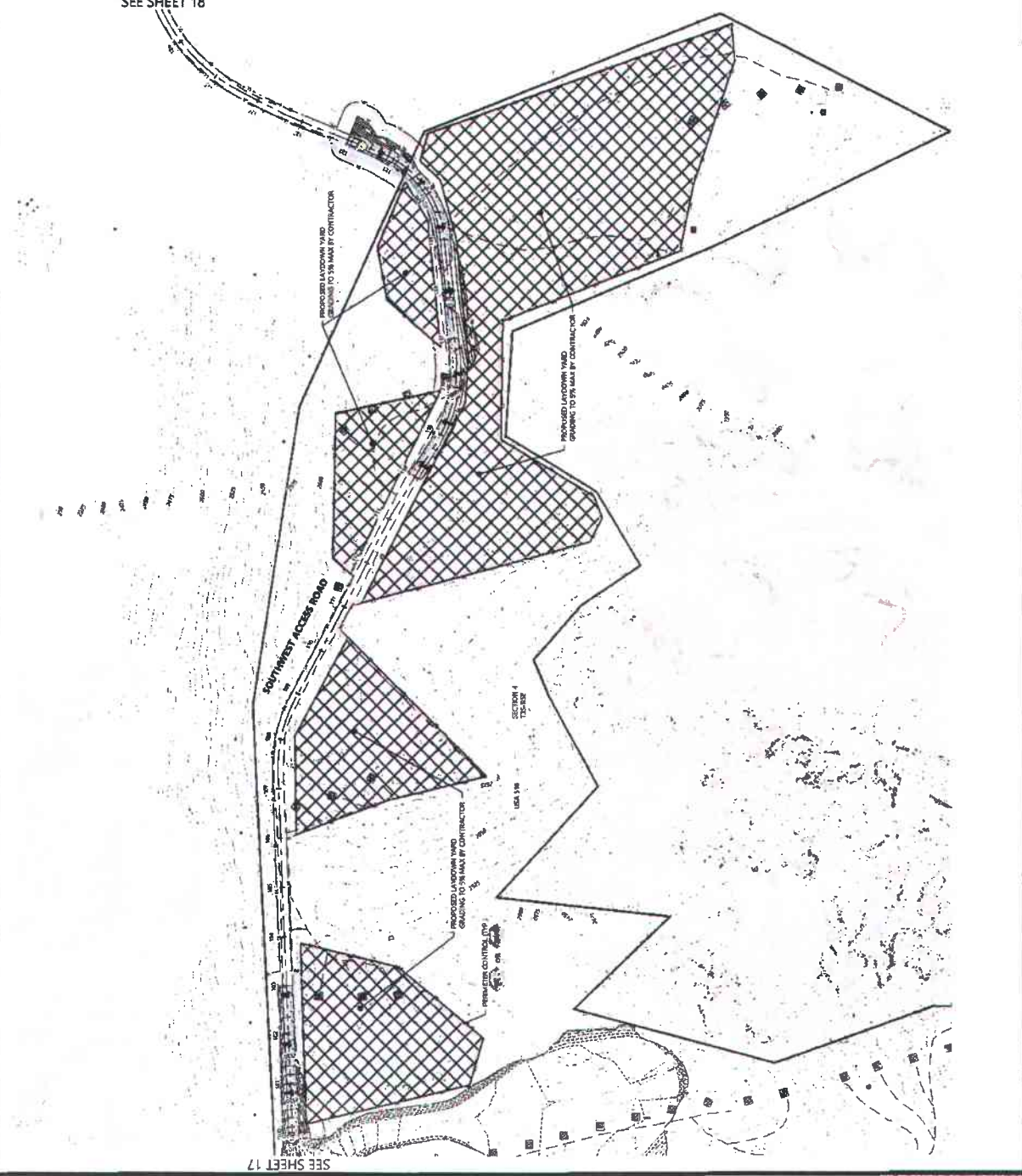
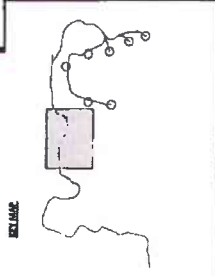


Alta Mesa Wind Project
 Riverside County, CA

Site Plan - Laydown Yards
 NOT FOR CONSTRUCTION
 DATE: 02/01/2021
 SHEET: 29 of 29

- LEGEND:**
- TURNPIKE LOCATION
 - PROPOSED ACCESS ROAD WITH DRIVEWAY
 - PROPOSED TURBINE PAD ROSE
 - PROPOSED TAIL AREA
 - PROPOSED LANDSCAPE COLLECTION*
 - PERIMETER BOUNDARY LIMITS
 - PROPOSED INDEX CONTOUR
 - PROPOSED CURVE CONTOUR
 - PROPOSED POST CONSTRUCTION DITCH
 - PROPOSED ELLIPSE
 - PROPOSED ROADWAY CROSS SECTION DIRECTION
 - PROPOSED DRIVEWAY CROSSING
 - BOUNDARY LINE
 - RIGHT-OF-WAY LINES
 - EX ROAD CENTERLINE
 - EX INDEX CONTOUR
 - EX INTERNAL CONTOUR
 - EX EXISTING TO TOPOG
 - EX CONCRETE
 - EX PAVED ROAD
 - EX GRAVEL ROAD
 - EX CURB
 - EX OVERHEAD POWER/TELEPHONE/ILLUMINATION POLE
 - EX MISC. STRUCTURE
 - EX STREAM CHANNEL
 - EX WETLAND (UNSATURATED)
 - SEE ELECTRICAL BUNKER FOR DETAILS

- MESA LEGEND:**
- MESA TURBINE LOCATION
 - MESA ACCESS ROAD
 - MESA BOUNDARY LIMITS
 - MESA INTERNAL CONTOUR



SEE SHEET 18

SEE SHEET 17

Alta Mesa Wind Project

Summary

SCH Number 2020120489
Lead Agency Riverside County
Document Title Alta Mesa Wind Project
Document Type MND - Mitigated Negative Declaration
Received 12/24/2020
Present Land Use Open Space Rural and Open Space Recreation

Document Description Commercial WECS Permit No. 71, Revised Permit No. 10 proposes to install up to seven (7) new commercial wind turbines up to 499-feet in height with a total project generating capacity of 27 MW. These 7 new turbines would replace the 159 turbines currently on the site which are scheduled for decommissioning Q1 2021 under existing permits, including demolition permits issued by the County. The project also includes associated equipment such as existing on-site substation, temporary construction yard, and existing 220kV- transmission line. No work is proposed on existing interconnection line, and the project would use an existing access road from Haugen-Lehmann Way. Variance Case No. 200001 proposes to eliminate the setbacks along the western and northern lot lines as required by Zoning Ordinance No. 348.

Contact Information Jay Olivas
Riverside County Planning Department
Lead/Public Agency
77-588 El Duna Court, Suite H
Palm Desert, CA 92211
Phone : (760) 863-7050
jolivas@rivco.org

Brookfield Renewable
Project Applicant

Location

Coordinates 33°56'26.58"N 116°39'25.41"W
Counties Riverside
Cross Streets 11 miles northwest of the City of Palm Springs
Zip n/a
Total Acres 67.3
Parcel # multiple
State Highways n/a
Railways n/a
Airports n/a
Schools n/a
Waterways n/a

Township n/a
Range n/a
Section n/a
Base n/a
Other Location Info 11 miles northwest of the City of Palm Springs
Other Information 11 miles northwest of the City of Palm Springs

Notice of Completion

Review Period Start 12/24/2020

Review Period End 1/22/2021

Reviewing Agencies

California Air Resources Board (ARB) California Coachella Valley Mountains Conservancy (CVMC)
 California Department of Conservation (DOC) California Department of Fish and Wildlife, Inland Deserts Region 6 (CDFW)
 California Department of Forestry and Fire Protection (CAL FIRE) California Department of Parks and Recreation
 California Department of Transportation, District 8 (DOT)
 California Department of Transportation, Division of Aeronautics (DOT)
 California Department of Transportation, Division of Transportation Planning (DOT)
 California Department of Water Resources (DWR) California Energy Commission
 California Governor's Office of Emergency Services (DES) California Highway Patrol (CHP)
 California Native American Heritage Commission (NAHC) California Natural Resources Agency
 California Regional Water Quality Control Board, Santa Ana Region 8 (RWQCB) California State Lands Commission (SLC)
 Department of Toxic Substances Control State Water Resources Control Board, Division of Drinking Water
 State Water Resources Control Board, Division of Water Quality

Attachments

Environmental Document

Appendices A-L_1s PDF 15501 K NOA NonTransmitted Agencies, Approved - 12-22-20 DOCX 90 K

Summary_Form_for_Document_Submittal_Updated 12-21-20 PDF 680 K

WCS00071R10 Alta Mesa EA-IS_Draft for Public Release - to RivCo PDF 4638 K

NOC

NOC and Environmental Transmittal Form, Revised 12-21-20 PDF 232 K

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FINAL

**Environmental Assessment/
Initial Study**

**ALTA MESA
WIND PROJECT**

Prepared for
County of Riverside



Technical Support Provided by



February 2021

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Appendix B Air Quality
Appendix C Biological Resources Reports
 - Biological Resources Technical Report
 - Public Roadway Biological Survey Memo (January 2021)

Appendix D Jurisdictional/Aquatic Delineations
 - CDFW Jurisdictional Delineation
 - USACE/RWQCB Aquatic Resource Delineation

Appendix E Final Joint Project Review for CVCC 20-002 Alta Mesa Wind Repower Project
Appendix F Applicable Regulations
Appendix G Geotechnical Plan
Appendix H Paleontological Assessment

COUNTY OF RIVERSIDE
ENVIRONMENTAL ASSESSMENT FORM: INITIAL STUDY

Environmental Assessment (CEQ / EA) Number: CEQ 200004

Project Case Type(s) and Number(s): Commercial WECS Permit No. 71R10 / Variance Case No. 200001

Commercial WECS Permit No. 71R10, Revised Permit No. 10 proposes to install up to seven (7) new commercial wind turbines up to 499 feet in height with a total project generating capacity of 27 MW. These 7 new turbines would replace the 159 turbines currently on the site which are scheduled for decommissioning Q1 2021 under existing permits, including demolition permits issued by the County. The project also includes associated equipment such as existing on-site substation, temporary construction yard, and existing 220 kV transmission line. No work is proposed on existing interconnection line, and the project would use an existing access road from Haugen-Lehmann Way. Variance Case No. 200001 proposes to eliminate the setbacks along the western and northern lot lines as required by Zoning Ordinance No. 348.

Lead Agency Name: Riverside County Planning Department

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

Contact Person: Jay Olivas, Project Planner

Telephone Number: 760.863.7050

Applicant's Name: Brookfield Renewable

Applicant's Address: 6703 Oak Creek Road, Mojave, California 93501

I. PROJECT INFORMATION

Project Description:

AM Wind Repower Alta Mesa-640 LLC (Alta Mesa), a subsidiary of Brookfield Renewable Energy (Brookfield), as owner of the Alta Mesa Wind Project (Alta Mesa Wind), is planning to repower the existing wind project located in Riverside County, approximately 11 miles northwest of the City of Palm Springs. The proposed Project site and surrounding area are located in the San Geronio Wind Resource Area. Alta Mesa is an existing 27 megawatt (MW) wind project with 159 turbines located on land zoned Wind Energy (W-E). W-E zoning allows the development of wind energy subject to approval of a Commercial WECS application. The existing turbines heights range from 114 to 145 feet. The existing 159 turbines will be removed first quarter 2021 under existing permits.¹

Alta Mesa proposes to construct the Alta Mesa Wind Project (herein, "Project" or "project"), which would include constructing, operating, maintaining, and decommissioning 7 new WTGs. The Project would produce 27 MW of wind energy. The new facilities would be decommissioned at the end of their estimated 30-year useful life. Figure 1 illustrates the project location. Alta Mesa is planning to construct the Project in tandem with the adjacent Mesa wind repowering project that is situated on BLM lands and is currently going through a separate but similar permitting process. Concurrent repowering of the two projects (as

¹ Decommissioning is occurring under Commercial WECS Permit Nos. 71 through 71R9, and AM Wind Repower LLC Brookfield secured required demolition and hazardous material approvals from the Riverside County Building Department.

opposed to two separate construction projects) would provide efficiencies and minimize total ground disturbance, traffic, and temporary impacts on environmental resources. The layout of the two projects is also being considered as one to minimize the viewshed impact while producing the most green energy.

The proposed locations for 7 WTGs are shown in Figures 2a and 2b. The nearest sensitive receptors to the new WTGs are rural residences in Bonnie Bell, the closest of which are 4,500 and 4,900 feet east of the Project.

The Project will necessitate ground disturbance for access roads and WTG construction pads (see Figure 2b). In most cases the new access roads will follow existing roads and new disturbance will be kept to a minimum. However, some roads will need to be widened, and some of the new turbines will be located away from existing disturbances. The total estimated disturbed area for the Project would be a total of up to 67.3 acres, of which 18.8 acres is already disturbed and 48.5 acres would be new disturbance. Of the 67.3 acres, less than 25 acres would be permanent, and 42.3 would be temporary. Of the 42.3 acres of temporary impacts, 32.4 acres would be a buffer area where vegetation removal is not anticipated but there may be some need for drive and crush due to trucks backing up or other unanticipated construction work. Plus, an additional 13.2 acres of ground disturbance would occur along the main access road to the Project site, an additional 0.2 acres of vegetation clearing along public access roads, and an additional 13 acres of ground disturbance would occur in the temporary construction yard, both within the Mesa Wind Project ROW project area (see Figure 2b). ~~Both the~~ The main access road, public access roads, and construction yard would be shared by the Alta Mesa Wind Project and the Mesa Wind Project Repower which are being permitted concurrently. Ground disturbance is associated with turbine siting, cut/fill, temporary construction yards, and widening of access roads. The Project would use existing disturbed areas and would avoid steep slopes whenever possible. The estimated ground disturbance is shown in Table 1.

Table 1. Alta Mesa Wind Project Estimated Disturbance (acres)

	New Disturbance (acres)	Existing Disturbance (acres)	Total (acres)
Onsite Components			
Turbines, turbine pads, grading and fill	18.5	6.1	24.6
Access roads within Alta Mesa Wind site	5.3	3.7	9.0
Temporary laydown yard	0.9	0.4	1.3
Buffer area	23.8	8.6	32.4
Onsite Subtotal	48.5	18.8	67.3
Offsite Components			
Main access road within Mesa Wind Project Repower	13.2	-	13.2
Temporary laydown yard within Mesa Wind Project Repower	13.0	-	13.0
<u>Public Access Roads</u>	<u>0.2</u>	-	<u>0.2</u>
Offsite Subtotal	26.42	-	26.42
Total Disturbance	74.97	18.8	93.75

Project Location

The Alta Mesa Wind infrastructure is located on 640 acres in Riverside County, 11 miles northwest of the City of Palm Springs in southern California (see Figure 1). The project would modify an existing unnamed access road (associated with BLM ROW CACA-13980) that enters from the west and crosses the Mesa Wind Project ROW to reach the Project site (see Figure 2a). The exiting access road crosses BLM land and

is being permitted as part of the adjacent Mesa Project for which an amended ROW Grant is being issued by BLM in January 2021. The Project area is rural, open space that is sparsely populated. Local land uses include existing wind farms and off-highway vehicle trails. The Pacific Crest Trail (PCT) runs north and west of the Project.

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Pacific Crest Trail - 2011 ver. 1
Parcel Line
Grading Limits
CITY

Land Ownership
Tribal Land
BLM
Local Government
CA State
Private
U.S. Forest Service

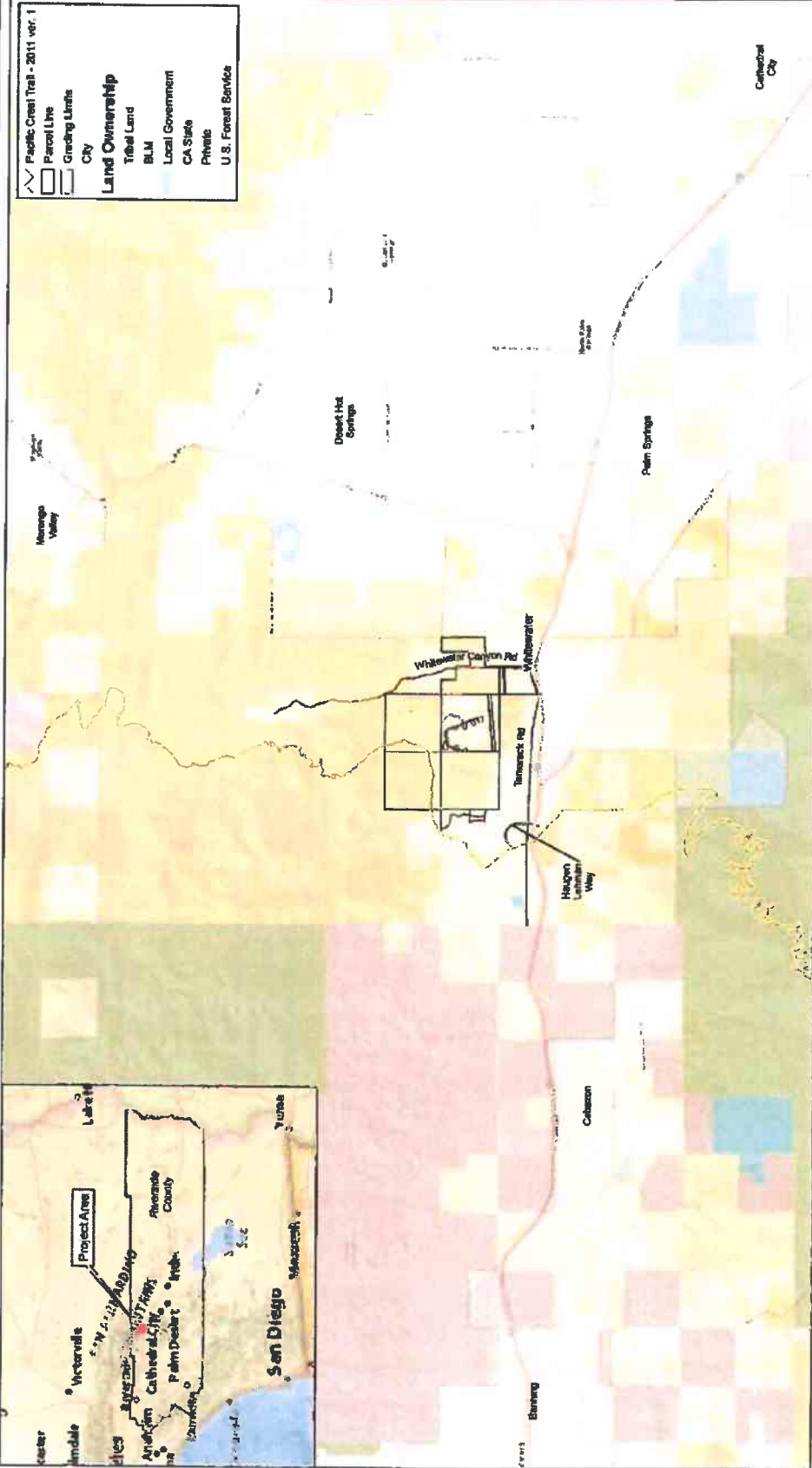


Figure 1.
Vicinity Map



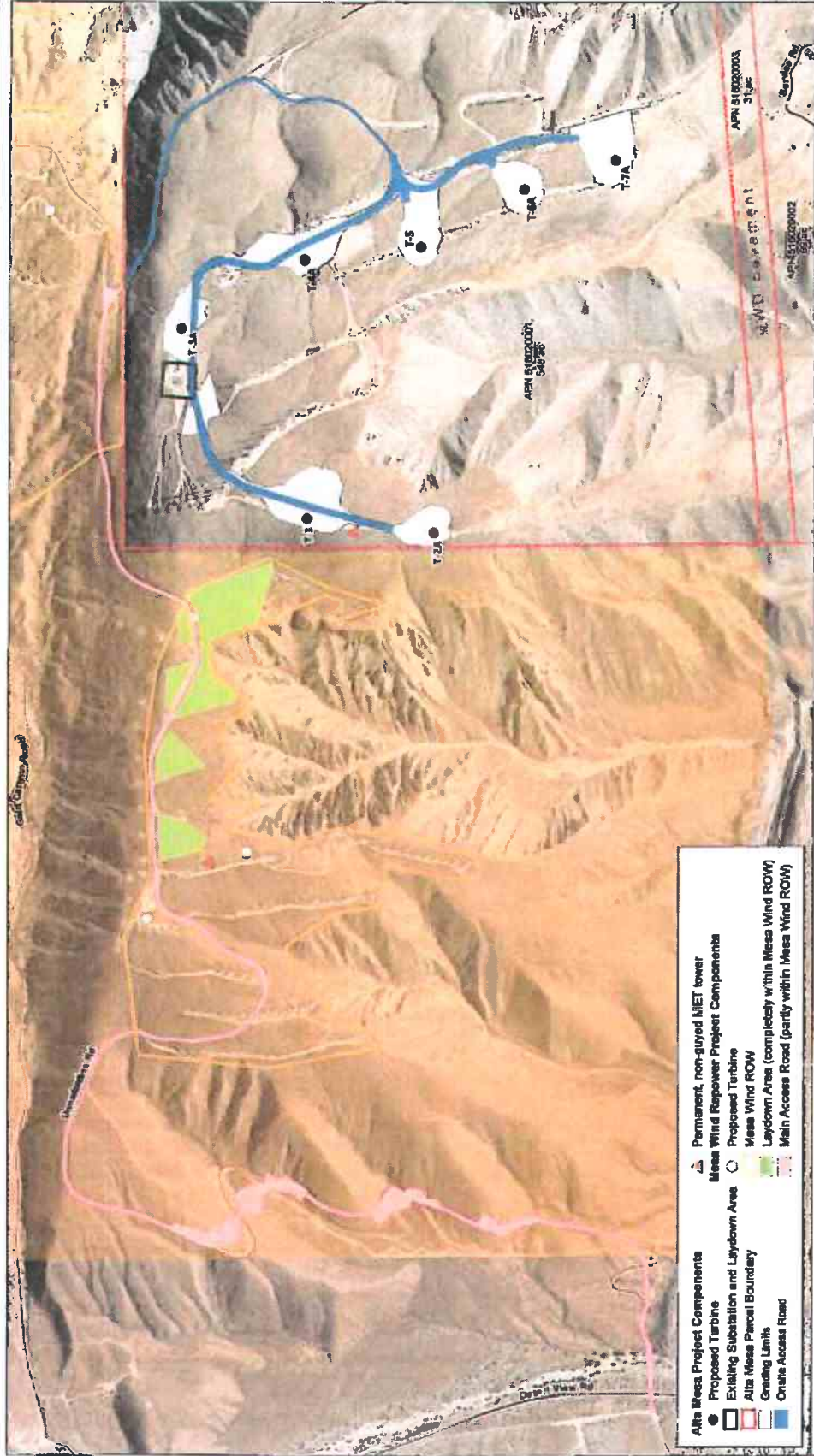
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- Alta Mesa Project Components**
- Proposed Turbine
 - On-site Access Road
 - Grading Limits
 - ▭ Existing Substation and Laydown Area
 - ▭ Alta Mesa Parcel Boundary
 - ▭ Mesa Wind Response Project
 - ▭ Mesa O&M Facility
 - ▭ Mesa Wind ROW
 - ▭ Laydown Area (completely within Mesa Wind ROW)
 - ▭ Main Access Road (partly within Mesa Wind ROW)
 - ▭ Pacific Crest Trail - 2011 ver. 1
 - ▭ City Border
 - ▭ Tribal Land
 - ▭ BLM
 - ▭ Local Government
 - ▭ Private

Figure 2a.
Site Plan

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- ▲ Permanent, non-guyed MET tower
- Proposed Turbine
- Existing Substation and Laydown Area
- Proposed Turbine
- Alta Mesa Parcel Boundary
- Mesa Wind ROW
- Laydown Area (completely within Mesa Wind ROW)
- Main Access Road (partly within Mesa Wind ROW)
- Onsite Access Road



Figure 2b
Site Plan Detail

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Project Components

Decommissioning of Existing Wind Turbines

The existing 159 turbines will be removed first quarter 2021 under existing permits [Commercial WECS Permit Nos. 71 through 71R9](#), for which Brookfield secured required demolition and hazardous material approvals from the Riverside County Building Department.

Underground power cables and communication lines to the existing turbines will be decommissioned in place. Underground cables will be cut off at ground surface. Transformers will be removed from the site for disposal or recycling.

The existing turbine concrete foundations will be left in place to minimize ground disturbance except those that need to be removed to build new foundations for the new turbines. At the time of decommissioning of the new 7 WTGs, all remaining existing foundations would be removed to 3 feet below the ground surface.

New Wind Turbines

The Project would consist of 7 new WTGs, each of which would be mounted on a reinforced concrete foundation. The new WTGs would be approximately 3.6 MW and 4.2 MW capacity per turbine and would be up to 499 feet tall, from top of foundation to blade tip at apex. Each WTG consists of the tower, nacelle, hub, and three blades. The tower portion consists of a tubular steel monopole and connects to the nacelle, hub, and three-bladed rotor, and would include internal access ladders and man lifts for maintenance. The nacelle would be an aerodynamic steel and fiberglass structure atop the tower, which would contain the inner mechanical workings of the new WTGs, including its power generating components. The hub is the fixture for attaching the blades to the main drive shaft and is covered by a fiberglass nose cone structure to streamline the airflow and protect the equipment. The blades and rotor have a diameter of up to 384 feet (117 meters), and each rotor is equipped with a braking system.

Additional features help the turbines operate safely. The controller is a microprocessor that automatically regulates the operation of the new WTGs, including startup, shutdown, pitch control (technology used to operate and control the angle of the blades), yaw control (mechanism used to turn the wind turbine rotor against the wind) and safety monitoring. This information would be communicated to the Operations and Maintenance (O&M) facility from the controller via fiber optic cables. A central Supervisory Control and Data Acquisition (SCADA) system would monitor data input from the controller to streamline centralized O&M, in some cases, the system can even analyze the data and take corrective measures. At each turbine, there would be a transformer inside the unit to increase the output voltage to transmit the power from the turbine to the collector substation, which is already in place. Safety lighting would be installed on the outside of the nacelles in order to comply with the Federal Aviation Administration (FAA) rules. Project specific requirements, including safety lighting, would be developed in conjunction with the FAA based on final design. The Riverside County Airport Land Use Commission will also review and approve WTG lighting. Lightning protection systems would be installed on each new WTG and connected to an underground grounding arrangement. All equipment, cables, and structures that make up the new WTGs would be connected to a metallic site-wide grounding network.

Ancillary Facilities / Electrical Collection System

The new WTGs would have new underground or overhead collector lines that would connect to the existing substation. New overhead lines would be placed on existing poles. The underground collector lines would be located in existing roads. The existing Alta Mesa Substation would be upgraded to replace the existing 12 kV/115 kV transformer with a 34.5 kV/115 kV transformer.

Interconnection to the Electrical Grid

Currently, generated electricity feeds into the onsite Alta Mesa Wind Substation and from there into Southern California Edison's (SCE) switchyard, which is the point of interconnection with SCE's 115 kV distribution system; see Figure 3. The repower would not change this interconnection nor require a repowered interconnection line.

Access Roads, Buildings, Parking Lots

The Project has two existing main access roads, an unnamed access road that enters from the west and crosses the Mesa Wind Project ROW (associated with BLM ROW CACA-13980) and a second unnamed access road that enters into the site from the east off of Whitewater Canyon Road. An estimated 1,000 feet of the unnamed access road that enters from the west is on private land where the Mesa Wind Project has existing easements. The access road crossing the Mesa Wind Project ROW would be improved and/or widened up to 24 feet with some areas widened up to 40 feet wide for appropriate turning radius. Up to 8 inches of locally sourced, imported weed-free gravel would be placed over compacted native material. Drainage ditches and culverts may also be installed in the road. BLM will be issuing an amended ROW Grant for CACA-13980 which includes this main access road in January 2021. The second unnamed access road that enters the site from the east off of Whitewater Canyon Road would not be improved and will likely not be used for any traffic during construction.

In most cases, onsite access roads will follow existing roads and new disturbance will be kept to a minimum; however, some roads will need to be widened. Permanent access roads would be 16 feet wide. Access roads would require periodic grading or replacement of gravel to maintain road quality for facility operations.

Project Construction

Construction Schedule

Prior to construction, permitting and surveying activities, and decommissioning of existing turbines will be completed. Construction of the new Project would take approximately 12 months, followed by restoration of temporary disturbance areas as provided in the timeline presented below:

- Pre-construction activity: March 2021 to June 2021
- Construction of repowered plant: July 2021 to June 2022
- Restoration of temporary disturbance: July 2022 to March 2023

Temporary Construction Yards

During construction, the Alta Mesa project would use a 13-acre temporary construction yard located on the Mesa Project site and a 1.3-acre temporary work area adjacent to the existing Alta Mesa Project substation.

The temporary construction yards may include the following facilities:

- Temporary offices
- Tool sheds and containers
- Self-contained chemical toilets
- Additional parking for construction equipment and vehicles.

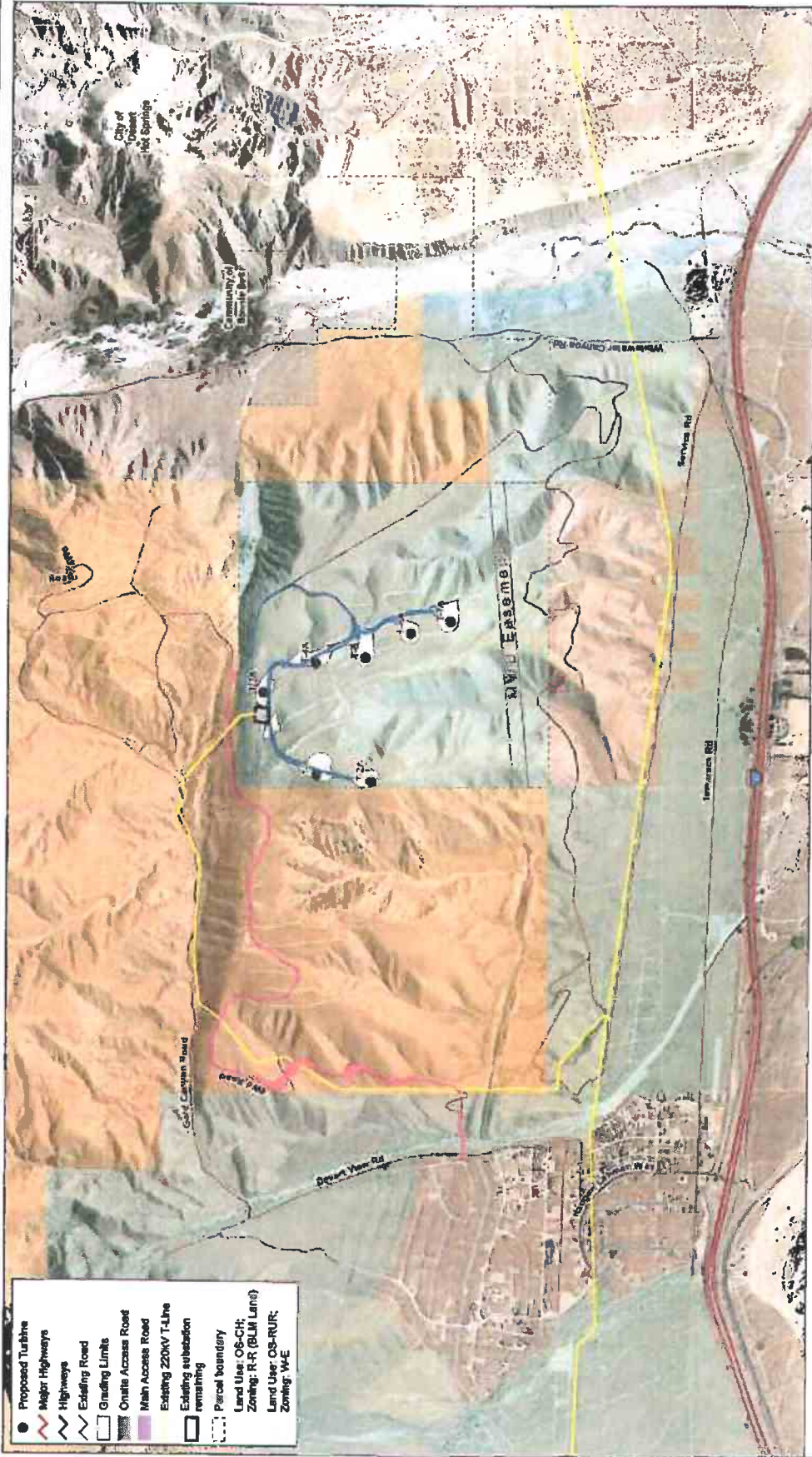


Figure 3.

Interconnection Lines

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Construction Workforces and Transportation

The on-site construction workforce would consist of skilled and unskilled laborers, craftsmen, supervisory personnel, safety personnel, support personnel, construction management personnel, electricians, equipment operators, ironworkers, millwrights, carpenters, general laborers, and truck drivers. The largest construction vehicle traffic would likely be associated with construction workers, followed by deliveries of new WTG components, steel, aggregate, water, electrical equipment, and other general deliveries. The construction workforce would be expected to average 150 with a peak at around 170.

A variety of construction equipment would be required during construction. This would include component trucks to transport the wind turbines and main erector crane, concrete trucks for pouring foundations, trucks used to transport aggregate and general construction and material delivery trucks. Additional construction equipment includes the main erector crane and RT cranes. An average of 180 trucks would be used per week over a 6 month period of the most active construction. Much fewer trucks would be needed throughout the rest of the construction period.

Water Use (Construction)

Construction of the repower would require an additional estimated 11.6 million gallons of water (35 acre feet). Water would be used primarily for earthwork compaction and for dust control and vegetation. Concrete would be obtained from permitted commercial or municipal sources or local batch plants located within the same watershed as the Project, or an onsite batch plant.

Operations and Maintenance

Operation and maintenance activities at the facility would include maintenance of new WTGs, access roads, and electrical equipment.

WTG

Each new WTG would be continuously monitored through the SCADA system that links the facility to Brookfield's National System Control Center. The SCADA system could also be used to remotely shut down a new WTG if necessary.

On average, each new WTG would require 40 to 50 hours of scheduled mechanical and electrical maintenance per year. O&M personnel would perform routine maintenance including replacing lubricating fluids, checking parts for wear, and downloading data from recording chips in anemometers.

Project Substation and Collector System

Similar to the WTGs, a periodic inspection and maintenance program would be established for the project substation and collector system based on Brookfield's experience operating wind farms and good utility practices. Such inspection and maintenance would be performed by a combination of project staff and subcontractors.

Access Roads

In addition to WTGs and electrical equipment, project staff would regularly inspect and maintain all onsite access roads, pads, and trenched areas to minimize erosion. During normal operation and maintenance, travel to and on the site would create minimal traffic. It is expected that road maintenance will be required twice a year, but more frequent maintenance would be done if needed to maintain road conditions acceptable to the County.

Access roads would require periodic grading or replacement of gravel to maintain road quality for facility operations. The existing Mesa O&M facility would continue to be used during ongoing operations and includes the building and graveled area for equipment, construction, storage and parking (see Figure 2a). The facility may require upgrades, dependent on ultimate decision of WTG manufacturer, but any size increase in facility would remain within the existing disturbed area.

Water Use (Operations)

Following construction, the Project would use up to 7,300 gallons per year, primarily at the O&M building.

Other Permits and Approvals

Various permits and approvals from other agencies may also need to be obtained by Brookfield for the Project. Table 2 summarizes the permits from other federal, State, and local agencies that may be needed for the project.

Table 2. Permits that May Be Required for the Alta Mesa Wind Project

Permit, Approval or Report	Regulatory Authority	Permit Description
Federal		
SF 299 – Application for Transportation and Utility Systems and Facilities on Federal Lands (ROW authorization permit)	BLM	Application provided to the BLM that serves the off-site access road. SF 299 has been filed for the off-site access road. Amended ROW Grant CACA-13980 being issued by BLM January 2021.
Form 7460 – Notice of Proposed Construction or Alteration (14 CFR Part 77.9)	Federal Aviation Administration	Required for erecting structures in excess of 200 feet tall.
National Pollutant Discharge Elimination System (NPDES) Construction Activities Storm Water General Permit	State Water Resources Control Board	Required for land disturbance of greater than 5 acres. Permit application needs applicant information; Project description, including size of area to be affected; and other environmental permits associated with the Project.
Clean Water Act Section 401/404 Permit(s)	U.S. Army Corps of Engineers	Applies if the Project involves the removal or placement of fill (i.e., soil, sediment, or most other material) in or near water bodies of the U.S. If a nationwide permit applies, no permit application is required.
Migratory Bird Treaty Act – Bird and Bat Conservation Strategy (BBCS)	USFWS	The USFWS recommends that electric utilities and utility-scale renewable energy project developers prepare and implement Bird and Bat Conservation Strategy to minimize the incidental take of migratory birds and bats.
Bald and Golden Eagle Protection Act (16 U.S.C. 668a–d)	USFWS	The Eagle Act allows the USFWS to authorize bald eagle and golden eagle programmatic take (take that is recurring, is not caused solely by indirect effects, and that occurs over the long term in a location that cannot be specifically identified). Such take must be incidental to actions that are otherwise lawful. An Eagle Permit Application includes an Eagle Conservation Plan for a 30-year programmatic take permit for golden eagles. This permit requires NEPA review.

Table 2. Permits that May Be Required for the Alta Mesa Wind Project

Permit, Approval or Report	Regulatory Authority	Permit Description
State		
Hazardous Materials Business Plan (California Health and Safety Code, Division 20, Chapter 6.95)	Riverside, Certified Unified Program Agency, (delegated from Cal EPA)	Identifies all hazardous materials and their location at the facility.
Hauling Truck and Other Overload Permits	California Department of Transportation	Required for construction hauling
Storm Water Discharge Permit	State Water Quality Control Board	Required for construction site over 5 acres. Authorization to be covered under the NPDES Construction Permit and approval of a Storm Water Pollution Prevention Plan.
Local		
Joint Project Review	Coachella Valley Conservation Commission	Because the Project is within the Coachella Valley MSHCP permit area, it would require a Joint Project Review for any potential impacts to endangered species. The Joint Project Review would ensure that the project complies with the MSHCP.
ALUC Review	Riverside County Airport Land Use Commission (ALUC)	The project requires review by the Airport Land Use Commission since turbines exceed 200-feet in height.
Air Quality Permit	South Coast Air Quality Management District	Management of particulates generated by construction at the site is required. Typically, Best Management Practices are employed and will be documented in the permit application.

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

B. Total Project Area: Approximately 640 acres (permanent disturbed acreage = 25 acres and temporary disturbed acreage = 42.3 acres, including 32.4-acre buffer area)

Residential Acres:	Lots:	Units:	Projected No. of Residents:
Commercial Acres:	Lots:	Sq.Ft. of Bldg. Area:	Est. No. of Employees:
Industrial Acres:	Lots:	Sq.Ft. of Bldg. Area:	Est. No. of Employees:
Other: 7 new turbines			

C. Assessor's Parcel No(s): 516020001, 516020002, ~~516020003~~

Street References: North of Interstate 10/Tamarack Road, east of Haugen-Lehmann Way, and west of Whitewater Canyon Road

Section, Township & Range Description or reference/attach a Legal Description: Turbines: T3S, R3E, N3/4 of Section 3; Access Road (permitted through Alta Mesa and shared with Mesa): T3S R3, N3/4 of Section 3, N1/4 and W1/4 of Section 4, NE1/4 of SE1/4 of Section 5; T2S R3E, S1/2 of SW1/4 and SE1/4 of SE1/4 of Section 33, S1/2 of SW1/4 of Section 34.

- D. Brief description of the existing environmental setting of the project site and its surroundings:** The Project site an existing wind energy project site with 159 wind turbines and vacant mountainous land, with surrounding vacant mountainous desert lands, other existing wind turbines and various utility uses within the property boundary. The areas around the Project site consist of vacant desert land or existing wind farms. The Project site is over 4,500 feet away from the nearest residential site, in the unincorporated community of Bonnie Bell. The project is located within the Coachella Valley Multiple Species Habitat Conservation Plan (CVMSHCP) and is more specifically located within the Stubbe and Cottonwood Canyons Conservation Area. The project was reviewed by the County of Riverside Environmental Programs Division in conjunction with the Coachella Valley Conservation Commission (CVCC) to address the CVMSHCP as discussed under Checklist Item 5.

II. APPLICABLE GENERAL PLAN AND ZONING REGULATIONS

A. General Plan Elements/Policies:

1. Land Use:

Circulation: The Project would be consistent with the following policies related to the Project and included within the County's General Plan Circulation Element:

C2.4 The direct project related traffic impacts of new development proposals shall be mitigated via conditions of approval requiring the construction of any improvements identified as necessary to meet level of service targets.

Consistency Analysis: Consistent. The Project would modify an unnamed existing access road to the west of the Project. This road would be improved to a width of up to 24 feet for construction, with some areas widened up to 40 feet wide for appropriate turning radius and would be graded and compacted in compliance with the approved geotechnical/soils report, and BLM and Riverside County Fire Department standards. Upon completion of construction, the permanent access road would be returned to a 16-foot width.

Multipurpose Open Space: The Project would be consistent with the following policies related to wind energy resources and included within the County's General Plan Multipurpose Open Space Element:

OS 10.1 Provide for orderly and efficient wind energy development in a manner that maximizes beneficial uses of wind resources and minimizes detrimental effects to the residents and the environment of the county.

Consistency Analysis: Consistent. The Project would improve the overall efficiency of energy production on the Project site by deploying new, modern, and high-efficiency wind turbines. Because state-of-the-art turbine technology would be used, the Project would be capable of generating more electric energy, more reliably and with fewer turbines, reducing the visual clutter that currently affects the site.

OS 10.2 Continue the County's Wind Implementation Monitoring Program (WIMP) in order to study the evolution of wind energy technology, identify means to solve environmental and community impacts, and provide for an ability to respond with changes in the County's regulatory structure.

Consistency Analysis: Consistent. The Project would be conditioned to pay WIMP fees.

Safety: The Project would be consistent with the following policies related to the Project and included within the County's General Plan Safety Element:

S 2.1 Minimize fault rupture hazards through enforcement of Alquist-Priolo Earthquake Fault Zoning Act provisions and the following policies:

- a. Require geologic studies or analyses for critical structures, and lifeline, high-occupancy, schools, and high-risk structures, within 0.5 miles of all Quaternary to historic faults shown on the Earthquake Fault Studies Zones map.
- b. Require geologic trenching studies within all designated Earthquake Fault Studies Zones, unless adequate evidence, as determined and accepted by the Riverside County Engineering Geologist, is presented. The County of Riverside may require geologic trenching of non-zoned faults for especially critical or vulnerable structures or lifelines.

S 2.2 Require geological and geotechnical investigations in areas with potential for earthquake-induced liquefaction, landsliding or settlement, for any building proposed for human occupancy and any structure whose damage would cause harm, except for accessory buildings.

Consistency Analysis: Consistent. Consistent with Mitigation Measure (MM) GEO-1, the site design and engineering shall be conducted in conformance with all recommendations as specified in a Geotechnical/Geologic Feasibility Study as well as those applicable recommendation specified in any subsequently prepared geotechnical/soils reports for the Project. The Applicant is planning to conduct geotechnical boring at each turbine location in the fall of 2020 by a geotechnical professional to confirm that, with the incorporation of Project-specific engineering considerations, the Project can be constructed and operated on-site without posing a risk to life or property.

Noise: The Project would be consistent with the following policies related to wind energy resources and included within the County's General Plan Noise Element:

N 5.1 Enforce the Wind Implementation Monitoring Program (WIMP).

Consistency Analysis: Consistent. The Project would be conditioned to pay WIMP fees in accordance with Planning-6 – WIMP Fees.

N 5.2 Encourage the replacement of outdated technology with more efficient technology with less noise impacts.

Consistency Analysis: Consistent. The wind turbines would be of the newest technology available.

Housing: The County's General Plan Housing Element does not contain any policies related to wind energy resources or the Project.

Consistency Analysis: While no policies outlined in the Housing Element apply, the Project would not conflict with the County's General Plan Housing policies.

Air Quality: The Project would be consistent with the following policies related to wind energy resources and included within the County's General Plan Air Quality Element:

AQ 20.19 Facilitate development and siting of renewable energy facilities and transmission lines in appropriate locations.

Consistency Analysis: Consistent. The Project would be situated on an existing commercial wind energy facility. The nearest residence is more than 4,500 feet away from the nearest proposed turbine location.

AQ 26.1 The County shall implement programs and requirements to achieve the following objectives related to reducing greenhouse gas emissions derived from energy generation:

- a. Encourage the installation of solar panels and other energy-efficient improvements.
- b. Facilitate residential and commercial renewable energy facilities (solar array installations, individual wind energy generators, etc.).
- c. Facilitate development of renewable energy facilities and transmission lines in appropriate locations.
- d. Facilitate renewable energy facilities and transmission line siting.
- e. Provide incentives for development of local green technology businesses and locally produced green products.
- f. Provide incentives for investment in residential and commercial energy efficiency improvements.
- g. Identify lands suitable for wind power generation or geothermal production and encourage development of these alternative energy sources.

Consistency Analysis: Consistent. The Project would improve the overall efficiency of energy production on the Project site by deploying new, modern, and high-efficiency wind turbines. Because state-of-the-art turbine technology would be used, the Project would be capable of generating renewable electric energy and thereby reducing greenhouse gas emissions.

Healthy Communities: The County's General Plan Healthy Communities Element does not contain any policies related to wind energy resources or the Project.

Consistency Analysis: While no policies outlined in the Healthy Communities Element apply, the Project would not conflict with the County's General Plan Health Community policies.

Environmental Justice (After Element Is Adopted): Not applicable

- B. **General Plan Area Plan(s):** Western Coachella Valley Plan Area
- C. **Foundation Component(s):** Open Space (unincorporated Riverside County)
- D. **Land Use Designation(s):** Open Space Rural (OS-RUR), Open Space Recreation (OS-R)
- E. **Overlay(s), if any:** Not applicable
- F. **Policy Area(s), if any:** San Gorgonio Pass Wind Energy Policy Area
- G. **Adjacent and Surrounding:**
 1. **General Plan Area Plan(s):** Western Coachella Valley Area Plan; The Pass Area Plan

2. Foundation Component(s): Rural, Open Space, Rural Community
3. Land Use Designation(s): Rural Desert, Conservation Habitat, Estate Density Residential
4. Overlay(s), if any: San Geronio Pass Wind Energy Policy Area
5. Policy Area(s), if any: San Geronio Pass Wind Energy Policy Area

H. Adopted Specific Plan Information

1. Name and Number of Specific Plan, if any: None
2. Specific Plan Planning Area, and Policies, if any: None

I. Existing Zoning: Wind Energy Resource (W-E) Zone

J. Proposed Zoning, if any: W-E (no change from existing)

K. Adjacent and Surrounding Zoning: R-R, W-2-5, W-2-10, R-1, and W-E

III. ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

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

- | | | |
|---|---|--|
| <input type="checkbox"/> Aesthetics | <input type="checkbox"/> Hazards & Hazardous Materials | <input type="checkbox"/> Recreation |
| <input type="checkbox"/> Agriculture & Forest Resources | <input type="checkbox"/> Hydrology / Water Quality | <input checked="" type="checkbox"/> Transportation |
| <input checked="" type="checkbox"/> Air Quality | <input type="checkbox"/> Land Use / Planning | <input type="checkbox"/> Tribal Cultural Resources |
| <input checked="" type="checkbox"/> Biological Resources | <input type="checkbox"/> Mineral Resources | <input type="checkbox"/> Utilities / Service Systems |
| <input checked="" type="checkbox"/> Cultural Resources | <input type="checkbox"/> Noise | <input checked="" type="checkbox"/> Wildfire |
| <input type="checkbox"/> Energy | <input checked="" type="checkbox"/> Paleontological Resources | <input checked="" type="checkbox"/> Mandatory Findings of Significance |
| <input checked="" type="checkbox"/> Geology / Soils | <input type="checkbox"/> Population / Housing | |
| <input type="checkbox"/> Greenhouse Gas Emissions | <input type="checkbox"/> Public Services | |

IV. DETERMINATION

On the basis of this initial evaluation:

A PREVIOUS ENVIRONMENTAL IMPACT REPORT/NEGATIVE DECLARATION WAS NOT PREPARED
<input type="checkbox"/> I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
<input checked="" type="checkbox"/> I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project, described in this document, have been made or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
<input type="checkbox"/> I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
A PREVIOUS ENVIRONMENTAL IMPACT REPORT/NEGATIVE DECLARATION WAS PREPARED
<input type="checkbox"/> I find that although the proposed project could have a significant effect on the environment, NO NEW ENVIRONMENTAL DOCUMENTATION IS REQUIRED because (a) all potentially significant effects of the proposed project have been adequately analyzed in an earlier EIR or Negative Declaration pursuant to applicable legal standards, (b) all potentially significant effects of the proposed project have been avoided or mitigated pursuant to that earlier EIR or Negative Declaration, (c) the proposed project will not result in any new significant environmental effects not identified in the earlier EIR or Negative Declaration, (d) the proposed project will not substantially increase the severity of the environmental effects identified in the earlier EIR or Negative Declaration, (e) no considerably different mitigation measures have been identified and (f) no mitigation measures found infeasible have become feasible.

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

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

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

JAY OLIVAS
Signature

Jay Olivas, Project Planner

Printed Name

December 22, 2020

Date

For: John Earle Hildebrand III
TLMA Deputy Director - Interim
Planning Director

V. ENVIRONMENTAL ISSUES ASSESSMENT

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

Aesthetics

Would the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
1. Scenic Resources				
a) Have a substantial effect upon a scenic highway corridor within which it is located?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings and unique or landmark features; obstruct any prominent scenic vista or view open to the public; or result in the creation of an aesthetically offensive site open to public view?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage points.) If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Source(s): Riverside County General Plan Figure C-8, "Scenic Highways", Visual Resources Study (Appendix A).

Findings of Fact: Impacts on scenic resources will be less than significant.

Currently, the Project site includes a commercial wind energy facility with existing wind turbine generators (WTGs) and related appurtenances and facilities, including access roads, electric collection lines, and a substation. The existing 159 existing WTGs range in height from 114 to 145 feet above ground level and would be removed. The wind generation facility would be repowered by the installation of seven WTGs, up to 499 feet in height above ground level. The main access road to the site would be improved and/or widened up to 24 feet with some areas widened up to 40 feet wide for appropriate turning radius. Onsite access roads would use existing roads in most cases which would be improved as necessary. Up to 8 inches of imported weed-free gravel would be placed over compacted native material on some roads. Gravel would be locally sourced and would therefore blend in with the existing landscape. Main and onsite access roads would be returned to a 16-foot width upon the completion of construction. Appendix A provides an

assessment of potential aesthetic impacts of the proposed Project by comparing existing conditions to future conditions from a variety of key observation points (KOPs). (Note: All figures referenced in this Aesthetics section are found in Appendix A.) The areas in the general Project vicinity from which the new WTGs may be visible are shown in Appendix A, Figure 1. The appendix also provides existing views and visual simulations of the Project as seen from seven KOPs as show in Appendix A, Figure 2. The existing and simulated future views from these KOPs that include proposed wind turbines are paired for comparison in Appendix A as Figures 3a through 9b. The Mesa Wind Project is adjacent to the Alta Wind Project and is proposed for repower. Appendix A, Figures 10a, 10b, and 10c illustrate the cumulative effect of both projects if the repowers are completed.

a) State Route (SR)-62, an officially designated state scenic highway, and SR-111, an eligible state scenic highway, are in the Project vicinity. Whitewater Canyon Road and Interstate 10 (I-10) east of SR-62 are county eligible scenic roadways. These and other local roads and highways offer scenic views of the Coachella Valley landscape and the dominant surrounding mountains.

The new wind turbines on the Project site would be 3.5 miles west of SR-62, at their nearest. They would not affect the existing long views of the Coachella Valley available to the southeast and east. Owing to the location of the Project site relative to San Jacinto Peak and SR-62, the new wind turbines would not be viewed by southbound motorists on SR-62 as being in line with San Jacinto Peak, a prominent visual element in the region. The northern terminus of SR-111 is at Interstate 10 (I-10) near Whitewater, approximately 1.5 mile south of the nearest Project turbine. As viewed from SR-111, new wind turbines on the Project site would be compatible with existing wind energy facilities found in northwestern Coachella Valley, including along SR-111. Because wind turbines are established, widespread elements in the existing viewshed, which also includes existing transmission lines and substations, the Project would not have a substantial effect upon a scenic highway corridor within which the Project is located.

b) The original visual landscape throughout the Project vicinity has been extensively altered by the development of commercial wind facilities (including turbines on and near the Project site), substations, transmission lines, and roadways. As such, large wind turbines are a commonly occurring visual elements in the area and are part of the existing visual and recreational experience. The Project would not substantially alter this experience. No trees, rock outcroppings or unique or landmark features would be affected, existing scenic vistas would not be substantially altered, and the Project would not create an aesthetically offensive site open to public view.

c) The Project site is in the Western Coachella Valley Plan Area which is overlain by the San Gorgonio Pass Wind Energy Policy Area at this location. The proposed repower project will require a Wind Energy Conversion System (WECS) permit.

To the east of the Project site are residential properties in the Bonnie Bell area along Whitewater Canyon Road (KOP 1) approximately 1 mile east of the nearest proposed wind turbine. Portions of six turbine tower sections, hubs, and blades would be visible from Whitewater Canyon Road. (See Appendix A Figures 3a and 3b.) For those residents living west of the Project site (KOP 2), the massing and scale of the new wind turbines would be noticeably larger than the existing wind turbines and similar to the views of other wind projects to the east. (See Appendix A Figures 4a and 4b.) In views from the south along SR-111 (KOP 6), the new wind turbine structures would be noticeably larger against the sky than the existing wind turbine structures visible on the ridge line north of I-10. (See Appendix A Figures 8a and 8b.) The existing and new wind turbines are also visible from the Pacific Coast Trail (KOP 4), where the viewshed currently containing hundreds of existing turbines (Alta Mesa and Mesa Wind combined) would be replaced with up to 15 new wind turbines. (See Appendix A Figures 6a and 6b.)

The new wind turbines would generally display a massing and scale similar to other modern wind turbine development in the Project vicinity. Large modern wind turbines dot the landscape in this designated wind energy area, as do more extensive older wind turbine developments. As a result, the anticipated massing and scale contrast between the existing smaller wind turbines on the Project site and the new larger wind turbines would be tempered by the presence of other existing modern wind turbine development in the Project area.

Overall, while visible, the new wind turbines would not substantially obstruct or interrupt existing views to mountain peaks available to highway motorists and would not substantially damage scenic resources, including, but not limited to, trees, rock outcroppings and unique or landmark features; obstruct any prominent scenic vista or view open to the public; or result in the creation of an aesthetically offensive site open to public view. The installation of 7 new wind turbines on a Project site currently developed with approximately 159 wind turbines (which will be removed from the site), within a region that has been previously developed with wind turbines, would not result in substantial damage to existing scenic resources. Additionally, the project proposes light grey turbine finish and is conditioned to provide color and finish samples prior to building permit issuance as indicated by Condition of Approval (COA) 80.Planning. 2 Color and Finish. Therefore, impacts of the Project with regard to scenic resources would be less than significant.

Mitigation: No mitigation is required.

Monitoring: No monitoring is required.

Would the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
2. Mt. Palomar Observatory				
a) Interfere with the nighttime use of the Mt. Palomar Observatory, as protected through Riverside County Ordinance No. 655?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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

Findings of Fact: Impacts will be less than significant.

a) The Project site is approximately 42 miles north-northeast of the Palomar Observatory in San Diego County. The Project site is located within Zone B as identified by the Mt. Palomar Lighting Ordinance No. 655 (Zone B extends to a 45-mile radius around the observatory). Due to the presence of intervening natural topography between the observatory and the Project site, the Project site is not within the immediate viewshed of the observatory. However, the Project would still be required to comply with Ordinance No. 655 including as outlined under the Advisory Notification Document (AND) Planning. 13-Mt. Palomar Lighting Area.

Nighttime lighting associated with the Project would be limited to FAA-required obstruction lighting, which would consist of slowly pulsing red lights affixed to the top of the new wind turbines and such lighting would be intermittent. Note that the FAA made the determination for the need for safety lighting for the new wind turbines. Based on the distance between the Project site and Palomar Observatory, no adverse effects on the observatory are expected. Therefore, impacts would be less than significant.

Mitigation: No mitigation is required.

Monitoring: No monitoring is required.

Would the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
3. Other Lighting Issues				
a) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Expose residential property to unacceptable light levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Source(s): On-site Inspection, Project Application Description

Findings of Fact: Impacts will be less than significant.

a-b) Due to their proposed height, the new wind turbines and met tower constructed on the Project site would have FAA obstruction lighting installed. Obstruction lights alert aircraft pilots to the presence of particularly tall objects. The addition of slowly pulsing red lights affixed atop some of the new wind turbines would represent an increased nighttime color contrast when compared to existing conditions. Obstruction lighting would also be a regular source of nighttime lighting in the area that could be perceived at nearby residences, the closest of which is located approximately 1 mile from the nearest wind turbine proposed on the Project site. Turbine lighting would also be visible from the PCT; however, given the direction of viewing, the project lighting would have the backdrop of Coachella Valley lighting, including I-10 vehicle lights.

Wind energy development is prevalent in the Project area along the I-10 corridor and the southern end of the SR-62 corridor and includes obstruction lighting. Therefore, the addition of the new wind turbines with obstruction lights would not represent a substantial new, previously unrepresented source of nighttime lighting in the Project area.

In terms of glare, the wind turbines would be a non-glare neutral color and any support poles associated with overhead transmission within the Project site would be constructed of wood. These conditions would be similar to other facilities in the area and would not introduce a source of daytime glare in the Project area. In addition, the Project will comply with Ordinance 655 regarding lighting and any FAA lighting requirements as outlined under AND Planning.7-FAA Rules Compliance. Therefore, impacts associated with nighttime lighting and daytime glare would be less than significant.

Mitigation: No mitigation is required.

Monitoring: No monitoring is required.

Agriculture & Forest Resources

Would the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
4. Agriculture				
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland) as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with existing agricultural zoning, agricultural use or with land subject to a Williamson Act contract or land within a Riverside County Agricultural Preserve?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Cause development of non-agricultural uses within 300 feet of agriculturally zoned property (Ordinance No. 625 "Right-to-Farm")?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Source(s): Riverside County General Plan Figure OS-2, "Agricultural Resources," Western Coachella Valley Area Plan, California Department of Conservation Riverside County Important Farmland Data Sheet 1 of 3, GIS database, Project Application Materials

Findings of Fact: There will be no impacts.

a-d) The Project site is currently used as a commercial wind energy facility and is zoned as Wind Energy Resource under the Riverside County Zoning and designated as Open Space Rural (OS-RUR), Open Space Recreation in the Riverside County General Plan. The Project site is not located on or adjacent to any lands identified as Prime Farmland, Farmland of Statewide Importance, or Unique Farmland, as defined by the U.S. Department of Agriculture. This area is also not recognized by the Riverside County General Plan as an area of Important Farmland, and there are no areas of farmland or agriculture on or near the site. The Project site is not under a Williamson Act contract. The Project site would continue to support a commercial wind energy facility. The operations on this site would not impact any distant agricultural operations or resources. Therefore, no impacts to agricultural resources would occur.

Mitigation: No mitigation is required.

Monitoring: No monitoring is required.

Would the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
5. Forest				
a) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Govt. Code section 51104(g))?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in the loss of forest land or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Source(s): Riverside County General Plan Figure OS-3a, "Forestry Resources Western Riverside County Parks, Forests, and Recreation Areas," Figure OS-3b, "Forestry Resources Eastern Riverside County Parks, Forests, and Recreation Areas," Project Application Materials

Findings of Fact: There will be no impacts.

a-c) The Project site is currently used as a commercial wind energy facility zone and is zoned as Wind Energy Resource under the Riverside County Zoning and designated as Open Space Rural (OS-RUR), Open Space Recreation in the Riverside County General Plan. The Project site is not located on or adjacent to any lands identified as forestland or timberland. The Project would not impact forestland or the ability of distant timberland businesses to operate. Therefore, no impacts to forestland or timberland resources would occur.

Mitigation: No mitigation is required.

Monitoring: No monitoring is required.

Air Quality

Would the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
6. Air Quality Impacts				
a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Expose sensitive receptors, which are located within one (1) mile of the project site, to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Would the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Source(s): Riverside County General Plan, Riverside County Climate Action Plan (“CAP”), SCAQMD CEQA Air Quality Handbook

Findings of Fact: Impacts will be less than significant with the incorporated mitigation

a) The Project is located within the Salton Sea Air Basin (SSAB) and is within the Jurisdiction of the South Coast Air Quality Management District (SCAQMD). The SCAQMD has established rules that protect the air quality, such as Rule 219, Rule 402 and Rule 403. SCAQMD Rule 219 subjects equipment such as generators, compressors, pumps and concrete batch plants to permit requirements.

SCAQMD Rule 402 (Nuisance). This rule requires dust suppression techniques to prevent particles from becoming a nuisance off site. Rule 403 (Fugitive Dust) prohibits creation of dust plumes that are visible beyond the property line of the emission source. This rule requires all active operations to implement applicable best available control measures, and if the project is considered a “large operation” under this rule, enhanced dust control requirements may apply. A “large operation” is one that contains 50 or more acres of disturbed surface area.

The Riverside County General Plan’s Air Quality Element was adopted in 2015. The air quality element includes policies supporting regional cooperation with other jurisdictions to improve air quality; requiring compliance with federal, state and regional air quality regulations; encouraging programs to reduce vehicle miles traveled; encouraging energy conservation in urban land uses; and encouraging development patterns that improve the County’s jobs/housing balance. The Air Quality Element contains one policy that is relevant to the proposed Project, which is Policy AQ 20.19. This policy facilitates development and siting of renewable energy facilities and transmission lines in appropriate locations (Alta Mesa AQ Tech Report 2020).

Based on these considerations, the Project would not conflict with or obstruct implementation of the Air Quality Plan.

b) The Project is located in an area that is State and Federally designated as non-attainment for ozone and PM10. Construction-phase emissions would be intermittent and variable due to the phased activities of construction. Emission sources such as machinery would be dispersed over the project site, and would not be used continuously or at the same time. Substantial or adverse levels of localized ground-level concentrations of criteria pollutants and toxic air contaminants would not be likely to occur with construction because the pollutants would be emitted from several pieces of equipment dispersed over the Project site. Dust control and engine exhaust would be subject to rules and regulations by the SCAQMD, and by Mitigation Measures to avoid adverse levels of air pollutant concentrations.

Table 3 summarizes the overall construction emissions per phase without controls, and Table 4 shows overall construction emissions per phase with implementation of the two Mitigation Measures, detailed below, to control fugitive dust and on-site off-road equipment emissions. In Table 3, the maximum daily emissions without controls could exceed thresholds for NOx, PM10, and PM2.5. With implementation of the Mitigation Measures, the maximum daily emissions would not exceed thresholds set by the SCAQMD (see Table 4). Construction emissions would not exceed the federal General Conformity *de minimis* levels.

Therefore, Project construction would not result in a cumulatively considerable net increase in any criteria pollutant, and this impact would be less than significant with mitigation.

Project grading shall also occur in compliance with an approved PM10 Dust Control Plan dated December 2019 and as indicated by Dust Control Plan Summarization Sheet dated November 14, 2019.

During operation, the emissions would be the same as the baseline emissions. Operation and maintenance would remain the same, or yield very similar emissions to the existing condition. Therefore, there would be no impact.

Table 3. Proposed Project Construction Phase Air Pollutant Emission Rates, without Mitigation

Construction Activity	Project, per phase (lb/day)					
	VOC	NOx	CO	SOx	PM10	PM2.5
Year 2021: Roadway Improvements, and Installing New WTGs	10.7	124.1	80.1	0.3	804.0	87.8
Year 2022: Installing New WTGs, and Restoration, Revegetation	7.1	62.1	63.3	0.2	710.1	73.8
Year 2023: Restoration, Revegetation	0.9	5.9	10.2	0.0	121.5	12.5
Year 2053: Decommissioning of New WTGs	1.4	5.6	15.4	0.0	120.9	12.3
Maximum Daily Emissions, without Mitigation	10.7	124.1	80.1	0.3	804.0	87.8

Sources: CalEEMod Output (see Appendix B)

Table 4. Proposed Project Construction Phase Air Pollutant Emission Rates, with Mitigation

Construction Activity	Project, per phase (lb/day)					
	VOC	NOx	CO	SOx	PM10	PM2.5
Year 2021: Roadway Improvements, and Installing New WTGs	5.9	99.3	94.1	0.3	141.6	19.6
Year 2022: Installing New WTGs, and Restoration, Revegetation	4.4	57.2	74.5	0.2	120.4	15.1
Year 2023: Restoration, Revegetation	0.6	6.9	11.0	0.0	20.8	2.6
Year 2053: Decommissioning of New WTGs	0.8	15.6	20.2	0.0	20.9	3.0
Maximum Daily Emissions including Mitigation	5.9	99.3	94.1	0.3	141.6	19.6
SCAQMD Daily Thresholds (Construction)	75	100	550	150	150	55
Annual Proposed Action Emissions (tons per year)	0.39	5.41	6.71	0.02	10.69	1.35
General Conformity <i>de minimis</i> Levels (tons per year)	25	25	None	None	70	None

Sources: CalEEMod Output (see Appendix B)

c) During construction, the SCAQMD recommends using Localized Significance Thresholds for determining near-field impacts as a result of emissions from a small development site (up to 5 acres). The Project is located on 640 acres of private lands, so the localized thresholds would not be directly applicable. The closest residence or inhabitable dwelling to the Project's construction would be 4,500 feet away and there are no sensitive receptors within 4,500 feet of the site. Therefore, there would be no potential to expose sensitive receptors to substantial pollutant concentrations. This impact would be less than significant.

During operation of the project, the closest residence or inhabitable dwelling to the Project is over 4,500 feet away. There are no sensitive receptors within 4,500 feet of the Project. Therefore, there would be no impact.

d) During construction, there would be no other emissions or odors that would adversely affect a substantial number of people. The closest residential use to the project is over 4,500 feet away. The Project site is also relatively remote, and there is not a substantial number of people near the project. Therefore, there would be no impact. During operation, there would be no change in emissions from the baseline scenario. Operation and maintenance would remain the same or very similar to the existing condition. Therefore, there would be no impact.

Mitigation:

MM-AQ-1 Fugitive Dust Control Plan. In compliance with SCAQMD Rule 403, the Project would mitigate the particulate matter impact caused by dust emissions during construction by implementing a suite of effective dust control practices, such as using soil stabilizers or watering exposed areas (2 times/day or as needed) throughout construction and by limiting vehicle travel speeds to no more than 15 miles per hour on unpaved areas within the construction site. Visible speed limit signs would be posted at site entrance.

MM-AQ-2 Control On-Site Off-Road Equipment Emissions. The Project would mitigate the NOx, PM10, and PM2.5 in diesel exhaust emissions by requiring use of the off-road equipment achieving Tier 3 engine emissions standards. To implement this standard, the Project owner, when entering into construction contracts or when procuring off-road equipment or vehicles for on-site construction activities, shall ensure that only 2008-or-newer model year equipment or vehicles are obtained. All construction equipment using diesel engines shall either be registered under California Air Resources Board's Statewide Portable Equipment Registration Program or shall meet the Tier 3 California Emission Standards for Off-Road Compression-Ignition Engines, as specified in California Code of Regulations, Title 13, section 2423(b)(1). All diesel-fueled engines used in the construction of the facility shall have clearly visible tags showing that the engine meets the standards of this measure.

Monitoring: Monitoring would ensure dust emissions are limited and speed limit signs are posted.

Biological Resources

Would the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
7. Wildlife & Vegetation				
a) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Conservation Community Plan, or other approved local, regional, or state conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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

Source(s): BRTR (Appendix ~~CXX~~) and references therein; California Natural Diversity Data Base (CNDDB); California Native Plant Society (CNPS) On-line Electronic Inventory; CVMSHCP.

Findings of Fact: Impacts will be less than significant with the incorporated mitigation

This section of the IS describes biological resources at the Project site and evaluates the Project's potential impacts to biological resources, including jurisdictional waters. With implementation of Mitigation Measures (below) none of the Project's potential impacts to biological resources would be significant. The analysis is based on a Biological Resources Technical Report (BRTR), [biological survey memo for the public access road \(January 2021\)](#), and a ~~Jurisdictional Delineation (JD)~~ [Jurisdictional Delineation and Aquatic Resources Delineation](#), prepared by Aspen Environmental Group (Aspen) ~~in April and September 2020, respectively~~ (see Appendices [CB](#) and [DC1/2](#)). The BRTR includes a literature review of special-status biological resources reported by the CNDDB; the CNPS On-line Electronic Inventory; the Coachella Valley Multiple Species Habitat Conservation Plan (CVMSHCP); and environmental documents previously prepared for the [AM](#)

Wind Repower LLC Alta Mesa-640 Windfarm, Whitewater, Riverside County, California including the Biological Resources Assessment, Focused Burrowing Owl Survey, Desert Tortoise Protocol Survey, Jurisdictional Delineation, and CVMSHCP Consistency Analysis (Jericho Systems, Inc., 2018).

Focused concurrent field surveys were conducted during 2019 (May and July), and provided 100 percent visual coverage of all safely accessible areas within the Project footprint. The field surveys conformed to full coverage desert tortoise protocol surveys (USFWS, 2010). The botanical surveys were conducted in conformance with California Department of Fish and Wildlife guidelines (CDFW, 2018a). The Project site is on private lands within the CVMSHCP boundaries.

a) **Coachella Valley Multiple Species Habitat Conservation Plan.** The Coachella Valley Association of Governments (CVAG) prepared, on behalf of its member agencies, the Coachella Valley Multiple Species Habitat Conservation Plan (CVMSHCP), which provides a regional vision for balanced growth to meet the requirements of federal and state endangered species laws, while promoting enhanced opportunities for recreation, tourism and job growth (CVAG, 2016). The CVMSHCP complies with the ESA and CESA for land in the Coachella Valley under a single permit. By providing comprehensive compliance with federal and state endangered species laws, the Plan protects the desert's natural heritage and allows for more timely construction of infrastructure projects within the Plan boundaries. Overall management of the Plan is provided by the Coachella Valley Conservation Commission (CVCC), a joint powers authority of elected representatives.

The CVMSHCP covers 27 species of plants and animals including listed threatened or endangered species and other non-listed special-status species. It conserves between 200,000 and 250,000 acres of privately owned land through general plan land use designations, zoning/development standards and an aggressive acquisition program for a total conservation area of between 700,000 and 750,000 acres. The CVMSHCP was adopted by the plan participants in 2007 and 2008 and permits were issued by the Wildlife Agencies in late 2008.

The Project site is located within the CVMSHCP boundaries and will conform to the CVMSHCP requirements and in turn, the Western Coachella Valley Area Plan. The CVMSHCP includes mapped "modeled habitat" for certain covered species. Modeled habitat for the following three species is located within the Alta Mesa Wind Project Area:

- Coachella Valley milk-vetch: 4.3 acres (of 41,098 acres of modeled habitat in the MSHCP area; field survey confirms the modeled habitat is not suitable)
- Coachella Valley Jerusalem cricket: 4.3 acres (of 27,446 acres of modeled habitat in the MSHCP area; field survey confirms the modeled habitat is not suitable)
- Desert tortoise: 640 acres (i.e., the entire project area; of 587,926 acres of modeled habitat in the MSHCP area)

The entire main access road would be within the CVMSHCP area on modeled desert tortoise habitat. However, a small portion of the access road would cross two private land parcels (parcels 517030009 and 517030003) covered under the CVMSHCP and subject to applicable fees (Figure 4.4-1). The parcels include 1.04 acres of disturbance for the existing access road. New disturbance on these parcels associated with the Project would total 0.43 acres. Approximately 0.56 acres of existing disturbance along this portion of the access road would be restored post construction for a net reduction of 0.1 acres of disturbance on the private parcels.

The total access road footprint within the modeled habitat in the MSHCP covered area would include:

- Desert tortoise: 0.91 acres (0.48 include existing disturbance)

- LeConte's Thrasher: 0.87 acres (0.47 include existing disturbance)
- Sand source: 0.034 acres (0.004 include existing disturbance)
- Sand transport: 0.87 acres (0.47 include existing disturbance)
- Linkage: 0.91 acres (0.48 include existing disturbance)
- Desert dry wash woodland: 0.43 acres (0.27 include existing disturbance)

The Project, including the 0.43 acres of disturbance along the access road, would undergo a CVCC Joint Project Review and would conform to any conditions specified in CVCC's authorization.

The CVMSHCP identifies several Conservation Areas within its coverage area. The entire site is within the Stubbe and Cottonwood Canyons Conservation Area and the Whitewater Canyon Conservation Area of the CVMSHCP. Within each Conservation Area, the CVMSHCP specifies acreage caps on various habitat categories such as core habitat for desert tortoise and desert dry wash woodland. For projects located on private lands within the MSHCP area, the CVMSHCP provides state and federal Endangered Species Act coverage for several listed species as well as mitigation coverage for multiple other special-status plants and animals. The applicant prepared and submitted a status summary of all habitat impacts, by conservation area and category, to support the MSHCP consistency review.

The portion of the site within the Stubbe and Cottonwood Canyons Conservation Area lacks modeled habitat for many of the covered species with the exception of desert tortoise, Le Conte's thrasher and burrowing owl. In the portion of the site within Whitewater Canyon Conservation Area, modeled habitat for covered species is absent, with the exception of Le Conte's thrasher and desert tortoise.

By conforming to the CVMSHCP requirements, the Project would have no conflict and there would be no impact.

Additionally, the project is conditioned for CVMSHCP fees in accordance with Ordinance No. 875 since 7-new commercial wind turbines are proposed to be constructed on a portion of a 640-acre site as outlined with COA 90.Planning.2-Ord. No. 875 CVMSHCP Fees. [The Final Joint Project Review for the Alta Mesa Wind Project, confirming that the project conforms to the MSHCP and identifying the appropriate conditions and fees, was issued by CVCC on January 15, 2021, and has been added as Appendix E to this EA/IS.](#)

b) **Federal Endangered Species Act.** The Endangered Species Act (ESA) (16 U.S.C. 1531 et seq.) establishes legal requirements for the conservation of endangered and threatened species and the ecosystems upon which they depend.

Section 9. Section 9 of the ESA lists those actions that are prohibited under the ESA, including take (i.e., to harass, harm, pursue, hunt, wound, or kill) of listed species without special exemption. "Harm" is further defined to include significant habitat modification or degradation that results in death or injury to listed species by significantly impairing behavioral patterns such as breeding, feeding, or shelter. "Harass" is further defined as actions that create the likelihood of injury to listed species to an extent as to significantly disrupt normal behavior patterns which include breeding, feeding, and shelter.

Section 10. Section 10 allows for the "incidental take" of endangered and threatened species by non-federal entities. Incidental take is defined by the ESA as take that is "incidental to, and not the purpose of, the carrying out of an otherwise lawful activity." Section 10 requires an applicant for an incidental take permit to submit a Habitat Conservation Plan that specifies, among other things, the

impacts that are likely to result from the taking and the measures the applicant will undertake to minimize and mitigate such impacts. The CVMSHCP (Impact a, above) is an approved Habitat Conservation Plan and provides for Section 10 incidental take authorization for conforming projects. The Alta Mesa Wind Project will conform to the CVMSHCP as described above.

Critical Habitat. Designation of an area as critical habitat provides a means by which the habitat of an endangered or threatened species can be protected from adverse changes or destruction resulting from federal activities or projects. A critical habitat designation does not set up a reserve or refuge and usually applies only when federal funding, permits, or projects are involved. The Project site is not located within designated critical habitat for any species.

California Endangered Species Act. The California Endangered Species Act (CESA) (Fish and Game Code 2050 et seq.) establishes the policy of the state to conserve, protect, restore, and enhance threatened or endangered species and their habitats. CESA mandates that state agencies not approve projects that would jeopardize the continued existence of threatened or endangered species if reasonable and prudent alternatives are available that would avoid jeopardy. The CVMSHCP (below) provides for CESA incidental take authorization for conforming projects.

Title 14 of the California Code of Regulations (Sections 670.1) and Fish and Game Code Sections 2050 outline the criteria and process for listing a species as candidate, threatened, or endangered. As a candidate for listing, the species is temporarily afforded the same protections as a state-listed endangered or threatened species.

Fully Protected Designations – California Fish and Game Code Sections 3511, 4700, 5515, and 5050. Prior to enactment of CESA and the federal ESA, California enacted laws to “fully protect” designated wildlife species from take, including hunting, harvesting, and other activities. Unlike the subsequent CESA and ESA, there was no provision for authorized take of designated fully protected species. Currently, 36 fish and wildlife species are designated as fully protected in California, including golden eagle and desert bighorn sheep. California Senate Bill 618 (signed by Governor Brown in October 2011) authorizes take of fully protected species, where pursuant to a Natural Conservation Community Plan, approved by CDFW. The legislation gives fully protected species the same level of protection as is provided under the Natural Community Conservation Planning Act for endangered and threatened species.

The Project may adversely affect several listed threatened or endangered plant and wildlife species that have a potential to occur within the Project site. If present on the Project site, the Project would have potential to cause disturbance to one or more of these species. With CVMSHCP conformance and implementation of BIO Mitigation Measures, impacts to listed threatened and endangered species would be less than significant.

Threatened and Endangered (T&E) Plants

Triple-ribbed milk-vetch (FE): Triple-ribbed milk-vetch is a federally listed endangered plant found in arroyos, canyons, and hillsides between about 1,400 and 4,000 feet elevation. It grows in Whitewater Canyon east of the Project site and in nearby canyons, hills, and mountains to the east including Morongo Canyon and Mission Canyon and one disjunct site some 40 miles south at Agua Alta Canyon. It is very rare, and several known locations consist of only a single plant. Triple-ribbed milk-vetch is covered under the CVMSHCP. There is no CVMSHCP-modeled habitat on the site and triple-ribbed milk-vetch was not located during full-coverage field surveys conducted by Aspen Environmental Group and Leatherman Bioconsulting in May 2019 (see Appendix CB, Biological Resources Technical Report). Potentially suitable habitat is present, however there is a low potential for occurrence in the study area due to negative results of field surveys.

Coachella Valley milk-vetch (FE): Coachella Valley milk-vetch is an annual or short-lived perennial endemic to the Coachella Valley. It is primarily found on loose aeolian (wind transported) or, less-often, in alluvial (water transported) sands, on dunes or flats and along disturbed margins of sandy washes. There is no designated critical habitat for Coachella Valley milk-vetch on the Project site. It is covered under the CVMSCHP, and a small area of CVMSHCP-modeled habitat for Coachella Valley milk-vetch is within the Project site (see BRTR Figure 4). The site was examined in the field; no Coachella Valley milk-vetch and no windblown or fluvial sand deposits are present in this area or elsewhere on the site. Vegetation in that location is predominantly brittlebush and creosote bush. The area is not suitable habitat for Coachella Valley milk-vetch or other species requiring windblown sand. Based on the results of field surveys, Coachella Valley milk-vetch is not expected to occur on the site.

Summary of impacts to T&E plants. No Project impacts to T&E plants are anticipated, although there is a low probability that triple-ribbed milk-vetch could occur on the site. As a covered species under the CVMSHCP, any potential impacts would be covered through the USFWS authorization and offset through regional habitat conservation and management, supported in part through the Project applicant's participation in the MSHCP, as required by Riverside County.

Threatened and Endangered (T&E) Wildlife

Two listed threatened or endangered species, the desert tortoise and Swainson's hawk, are known from the immediate vicinity of the Project area. One listed threatened species, the coastal California gnat-catcher, has moderate potential for occurrence as the Project site is on the margin of its range. Other listed species of the region are either limited to riparian and aquatic habitats (e.g., southwestern willow flycatcher, least Bell's vireo and western yellow-billed cuckoo) or aeolian sands (e.g., Coachella Valley fringe-toed lizard) that do not occur within the Project area. These federally listed birds are not expected to occur on the site except during migration flyover or stopover.

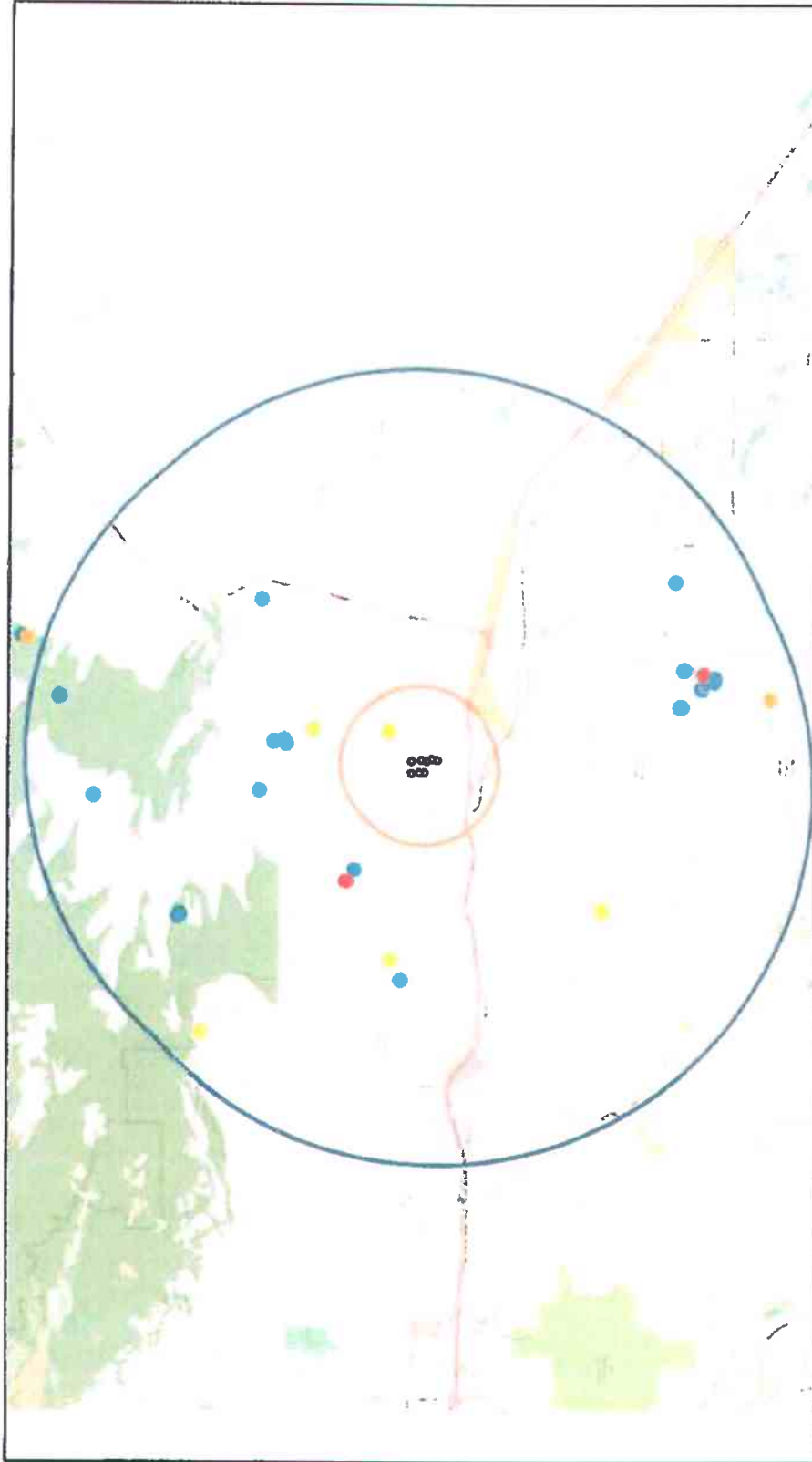
Reptiles

Desert tortoise (FT, CT). The desert tortoise is listed as threatened under CESA, and the Mojave population (i.e., west of the Colorado River) is listed as threatened under the federal ESA. East of the Colorado River, the desert tortoise's range extends into the Arizona deserts, and south through Sonora (Mexico). The listed Mojave population is now recognized as a distinct species (*Gopherus agassizii*) from the Sonoran desert tortoise (*G. morafkai*). All wild desert tortoises in California are part of the state and federally listed Mojave population.

Focused surveys at the Project site for desert tortoise detected two old burrows and one old piece of scat. No live tortoises were observed during the survey; however, they are known from within about 0.1 miles of the site and have a high potential to be present within the site². A total of 199 concrete foundations were inspected for potential tortoise burrows. One of these had a suitable desert tortoise burrow beneath it, however, based on visual inspection the burrow was not occupied by desert tortoise at the time of the survey. The burrow was revisited and by that date it had partially collapsed and appeared to be inactive. Visual inspection indicated that no desert tortoise was present.

The Project site is not within USFWS designated critical habitat for the desert tortoise (USFWS, 1994). Desert tortoise is covered under the CVMSHCP.

² Desert tortoises at the Mesa Wind site, located to the north of the Project site have been studied extensively. Researchers conducted focused desert tortoise surveys of the Mesa Wind Project in 1997, 1998, 1999, 2000, 2009, and 2010. The number of tortoises encountered increased with each survey (31, 42, 49, 59, 63, and 69 tortoises, respectively) (Lovich et al., 2011).



Source: BBI/USFWS, 2019.

- Alta Mesa Turbine Locations
- Alta Mesa 2-mile buffer*
- Alta Mesa 10-mile buffer
- *Per current USFWS eagle permitting guidance

- Active GOEA Nests
- New GOEA Nests (Inactive)
- New Potential Future GOEA Nests (currently other species)
- Confirmed Historical GOEA Nests (Inactive)

Figure 4
Golden Eagle Nest
Survey Results 2019

Summary of impacts to T&E reptiles. The project would impact approximately 48.5 acres of suitable and potentially occupied desert tortoise habitat (unvegetated/ruderal, brittlebush scrub, California juniper woodland, California sagebrush-buckwheat scrub, Creosote bush–brittle bush scrub). As part of the decommissioning of the existing turbines, it would also restore currently disturbed habitat. None of the project components would introduce new barriers to desert tortoise movement except on a very localized scale.

Without minimization or avoidance measures, the Project could cause mortality or injury to desert tortoises or other reptiles during decommissioning of legacy turbines, construction, or O&M activities. Desert tortoises, ~~their~~ or eggs, or other reptiles could be harmed during clearing or grading activities, or ~~tortoises~~ could become entrapped within open trenches and pipes. The Project could also cause mortality or injury to tortoises, ~~their~~ or eggs, or other reptiles from vehicle strikes. Other effects could include individual tortoises or eggs being crushed or entombed in their burrows, disruption of tortoise behavior during construction or operation of facilities, and disturbance by noise or vibrations from heavy equipment. Desert tortoises or other reptiles may be attracted to the construction area by shade beneath vehicles, equipment, or materials, or the application of water to control dust, placing them at higher risk of injury or mortality. These impacts to desert tortoises would be minimized or avoided through Mitigation Measures.

Without minimization and avoidance measures the Project construction and operation could create “subsidies” such as food, water, or nest sites, for common ravens or other predators. Ravens prey on juvenile desert tortoises, contributing to the overall decline in tortoise recruitment. However, the repower also would remove existing tubular steel legacy turbine towers, including towers supporting non-operable legacy turbines which provide nest and perch site subsidies for common ravens. Other effects could include the introduction and spread of invasive weeds and increased human presence. These effects to desert tortoise would be avoided or minimized through Mitigation Measures.

The Project would avoid or minimize impacts to desert tortoise on-site by implementing the Mitigation Measures listed below:

- MM BIO-1: Wildlife Relocation. Specifies methods to move wildlife, including desert tortoise that may be located in work areas, from harm’s way.
- MM BIO-2: Biological Monitoring. Requires on-site monitors during work where tortoises could occur, to ensure activities are halted or relocated to avoid tortoises, and to ensure worker compliance with avoidance areas and related requirements.
- MM BIO-3: Worker Environmental Awareness Program Training. Requires worker education to ensure familiarity with various protection measures for desert tortoises and other resources.
- MM BIO-4: Minimization of Vegetation and Habitat Impacts. Requires flagging to delimit approved work areas and prohibits ground disturbance outside specified areas.
- MM BIO-5: Wildlife Protection. Specifies multiple requirements to prevent harm to wildlife such as vehicle speed limits, pre-construction surveys in work areas, and various requirements to prevent attracting wildlife to work areas (e.g., managing water sources and trash) to prevent inadvertent harm to wildlife.
- MM BIO-6: Desert Tortoise Protection. Identifies multiple additional tortoise-specific measures to protect desert tortoises, such as checking beneath vehicles or equipment before moving them.
- MM BIO-7: Integrated Weed Management Plan. Requires actions to prevent introductions of weed seeds onto the site, and management measures to control invasive weeds, to prevent habitat degradation.

- MM BIO-8: Monitoring and Reporting Schedule. Specifies timing of monitoring activities and requirements for reporting to regulatory agencies.
- MM BIO-9: Trash Management. Minimizes potential attractants to tortoise predators (common ravens, coyotes, feral dogs) by preventing availability of food waste.
- MM BIO-10: Raven Management Plan. Requires monitoring for raven activity and follow-up agency coordination as needed.
- MM BIO-11: Revegetation. Requires revegetation of temporarily disturbed areas to maximize post-construction habitat value for desert tortoise and other wildlife, and to minimize erosion, weed invasion, and dust source.

With implementation of the measures identified above, and conformance with the CVMSHCP, the Project's potential impacts to desert tortoise would be less than significant and any potential take would be authorized.

Birds

Coastal California gnatcatcher (FT). The coastal California gnatcatcher is listed as threatened under the ESA. The gnatcatcher and several shrubs that are characteristic of its habitat reach their inland range margins in the San Geronio Pass area. It has been reported by BLM staff along the PCT, north of the Project site. There is a low possibility that coastal California gnatcatcher may occur on the Project site and, if so, most likely outside the breeding season during the dispersal phase of its life cycle. Coastal California gnatcatcher is not covered under the CVMSHCP.

Swainson's Hawk (CT). Swainson's hawk is listed as threatened under the CESA. In California, it nests in the San Joaquin Valley, western Antelope Valley, and Owens Valley. The Project site is well outside of the breeding range but Swainson's hawk may migrate over the site biannually. Swainson's hawks are regularly observed migrating through the San Geronio Pass and there are several records within about 2 miles of the site. Swainson's hawks have a high potential to migrate over the site and could use the site briefly during migratory stopovers (e.g., for resting or foraging), but otherwise would not be expected to occur. Swainson's hawk is not covered under the CVMSHCP.

Riparian birds. Threatened or endangered riparian birds, including least Bell's vireo, southwestern willow flycatcher (both SE/FE, CVMSHCP covered), and western yellow-billed cuckoo (SE, FT) could occur in riparian habitat along the Whitewater River about one mile east of the Project site, either during nesting season (least Bell's vireo have been documented nesting there) or during migratory "stopover" periods (willow flycatcher and yellow-billed cuckoo have been documented in the region briefly during migration, but not during breeding season). Any of these species could infrequently fly over the site but would not nest or overwinter there.

Summary of impacts to T&E birds. The primary Project risk to T&E birds would be collision with the turbines or other infrastructure during operation of the Project. The San Geronio Pass, located south of the Project area, is a high-use nocturnal flyway for migratory songbirds (studies summarized in the BRTR). Most of these migratory birds flew higher than the existing or proposed turbines, but about 11 percent were at altitudes within the blade-swept areas of the proposed turbines.

As a repower project, the potential net effect of future project operation would be the difference, either positive or negative, between the risk to these species under the existing use compared with the potential future risk under the proposed Project. A portion of this risk is due to rotor swept area (i.e., size of rotors X number of turbines). Table 5 compares the rotor swept area of the existing Alta Mesa Wind Project WTGs and the proposed repower WTGs.

Table 5. Rotor Swept Area Comparison.

WTG Configuration	Number of Turbines	Radius	Rotor Swept Area (each)	Rotor Swept Area (total)
Existing Alta Mesa Wind Project (Danwin)	117	11.5	415 m ²	48,586 m ²
Existing Alta Mesa Wind Project (Vestas V-27)	42	13.5	572 m ²	24,035 m ²
Total Existing Alta Mesa Wind Project	159	n/a	n/a	72,621 m ²
Proposed Alta Mesa Wind Project Repower	7	58.5 m	10,746 m ²	75,221 m ² (3.6% increase)

However, because repower projects are still relatively new, there is limited information about the overall effects of a repower on birds. The few published studies have been contradictory in their findings regarding the effects of increased turbine height or increased MW capacity on fatality rates of birds and further analysis is needed (Allison et al., 2019). The rotor swept area is a variable that can be quantified, and therefore an approximate 3.6 percent increase in overall hazard to birds can be expected. Because the repower WTG blades would extend farther above the ground, the risk to higher flying birds and bats (e.g., birds flying over the site during migration or soaring high above the site, possibly including golden eagle and Swainson’s hawk) would probably increase, but the risk to lower flying birds could decrease. However, the increased or decreased risk to any bird or bat species is related not just to differing turbine number and configuration but to the species’ local and seasonal activity, abundance, and any differences in visual perception of the WTGs compared with the legacy turbines, and resultant flight behavior such as avoidance around the WTGs. Fatality rates due to increased turbine height may also vary by species; for raptors, repowering at Altamont Pass, where smaller turbines have been replaced by fewer, taller turbines, may decrease fatalities in this group (Allison et al., 2019).

There is a low risk to T&E birds during Project construction, when they could strike construction equipment (e.g., cranes). Other impacts of construction such as noise or lighting could dissuade the birds from using surrounding habitat for nesting, roosting, or as a migratory stopover site. In addition, lighting on structures may attract migrating birds in flight, leading to collision with structures. Grading during construction may remove vegetation and potential nesting and roosting habitat. If construction is performed during nesting season, nests, eggs, or young could also be destroyed.

With implementation of the following Mitigation Measures, potential impacts to threatened and endangered birds would be less than significant. No take of listed bird species is anticipated, and any potential take of listed birds covered under the CVMSHCP (southwestern willow flycatcher, least Bell’s vireo) would be authorized through conformance with the CVMSHCP.

- MM BIO-2: Biological Monitoring. Requires on-site monitors during work where tortoises could occur, to ensure activities are halted or relocated to avoid tortoises, and to ensure worker compliance with avoidance areas and related requirements.
- MM BIO-3: Worker Environmental Awareness Program Training. Requires worker education to ensure familiarity with various protection measures for desert tortoises and other resources.
- MM BIO-4: Minimization of Vegetation and Habitat Impacts. Requires flagging to delimit approved work areas and prohibits ground disturbance outside specified areas.
- MM BIO-5: Wildlife Protection. Specifies multiple requirements to prevent harm to wildlife such as vehicle speed limits, pre-construction surveys in work areas, and various requirements to prevent attracting wildlife to work areas (e.g., managing water sources and trash) to prevent inadvertent harm to wildlife.

- MM BIO-7: Integrated Weed Management Plan. Requires actions to prevent introductions of weed seeds onto the site, and management measures to control invasive weeds, to prevent habitat degradation.
- MM BIO-8: Monitoring and Reporting Schedule. Specifies timing of monitoring activities and requirements for reporting to regulatory agencies.
- MM BIO-11: Revegetation. Requires revegetation of temporarily disturbed areas to maximize post-construction habitat value for desert tortoise and other wildlife, and to minimize erosion, weed invasion, and dust source.
- MM BIO-12: Post construction monitoring for birds and bats. Following construction, the applicant will conduct monitoring to identify bird and bat fatalities associated with the Project facilities.
- MM BIO-13: Bird and Bat Conservation Strategy. The applicant will conduct pre-construction surveys to locate nesting birds, specify measures to minimize Project-related adverse effects, passive relocation of burrowing owls if needed, and adaptive management as needed to reduce or offset bird mortality impacts.

c) **Migratory Bird Treaty Act.** The Migratory Bird Treaty Act (MBTA) (16 U.S.C. 703-711) is a treaty signed by the United States, Canada, Mexico, and Japan that prohibits take of any migratory bird, including eggs or active nests, except as permitted by regulation (e.g., hunting waterfowl or upland game species). Under the MBTA, "migratory bird" is broadly defined as "any species or family of birds that live, reproduce or migrate within or across international borders at some point during their annual life cycle" and thus applies to most native bird species.

Bald and Golden Eagle Protection Act. The Bald and Golden Eagle Protection Act (BGEPA) (16 U.S.C. 668, enacted by 54 Stat. 250) protects bald and golden eagles by prohibiting the taking, possession, and commerce of such birds and establishes civil penalties for violation of this act. Under BGEPA, take includes "disturb," which means "to agitate or bother a bald eagle or a golden eagle to a degree that causes, or is likely to cause, based on the best scientific information available, (1) injury to an eagle, (2) a decrease in its productivity, by substantially interfering with normal breeding, feeding, or sheltering behavior, or (3) nest abandonment, by substantially interfering with normal breeding, feeding, or sheltering behavior."

Plant Protection Act of 2000. Prevents importation, exportation, and spread of pests that are injurious to plants, and provides for the certification of plants and the control and eradication of plant pests. The Act consolidates requirements previously contained within multiple federal regulations including the Federal Noxious Weed Act, the Plant Quarantine Act, and the Federal Plant Pest Act.

Native Birds – California Fish and Game Code Sections 3503 and 3513. California Fish and Game Code Section 3503 prohibits take, possession, or needless destruction of bird nests or eggs except as otherwise provided by the Code; Section 3503.5 prohibits take or possession of birds of prey or their eggs except as otherwise provided by the Code; and Section 3513 provides for the adoption of the MBTA's provisions (above). With the exception of a few non-native birds such as European starling, the take of any birds or loss of active bird nests or young is regulated by these statutes. Most of these species have no other special conservation status as defined above. The administering agency for these sections is the CDFW. As with the MBTA, these statutes offer no statutory or regulatory mechanism for obtaining an incidental take permit for the loss of non-game migratory birds.

The Project may adversely affect several special-status plant and wildlife species that could occur within the Project site. If present on the Project site, the Project could cause disturbance to one or more of these species. With implementation of BIO MMs, impacts to special-status species would be less than significant. Additionally, conformance with the CVMSHCP would authorize take of any covered species.

Special-Status Plants

Several public agencies and private entities maintain lists of plants of conservation concern. The CDFW compiles these species including California Rare Plant Rank (CRPR) 1, 2, 3, or 4. These plants are treated here as "special-status species." One of these, spiny-hair blazing star has a low potential to be present. No additional special-status plants have been documented from the Project site or are expected to occur there. Refer to Tables 2 and 3 of the BRTR (Appendix [CB](#)) for additional information on all special-status plants.

Spiny-hair blazing star: Spiny-hair blazing star is an erect annual that has a CRPR of 2B.1 (i.e., rare in California but more common elsewhere in its range). It blooms from March through May and is found in Mojavean desert scrub on sandy, gravelly slopes and washes. It was documented in 2013 at three locations along a service road just west of Whitewater, within about 0.2 miles of the Project site. It was not found during the field surveys, but there is low potential that a small individual may have been overlooked or that a seed could enter the site and germinate in the future. The best habitat for this species is along the steep eroded slopes at the southern edge of the site. No Project infrastructure is planned for this area.

Summary of impacts to special-status plants. No Project impacts to special-status plants are anticipated. However, any unexpected impacts to special-status species that are covered under the CVMSHCP would be offset through regional habitat conservation and management, supported in part through the Project applicant's participation in the MSHCP, as required by Riverside County.

Special-Status Wildlife

Special status wildlife are species that are not federally or state listed as threatened or endangered, but that have special protections under other regulations. These include one candidate for state listing, Crotch bumblebee, and state fully protected species, including golden eagle and bald eagle, American peregrine falcon, desert kit fox, and Nelson's bighorn sheep. Golden eagle and bald eagle are also protected under the federal Bald and Golden Eagle Protection Act. In addition to the special-status wildlife species listed above, several public agencies and private entities maintain lists of wildlife species of conservation concern. The CDFW compiles these in its compendium of "Special Animals." These species are also treated here as special-status species, and include: coast horned lizard, red diamond rattlesnake, burrowing owl, raptors, upland perching birds, San Diego woodrat, bats, desert kit fox, and American badger.

Refer to Tables 2 and 3 of the BRTR (Appendix [CB](#)) for additional information on all special-status wildlife.

Invertebrates

Crotch Bumble Bee. Crotch bumble bee is a candidate species for State listing (CDFW, 2019c). It is a widespread secretive species; more than 100 recent observations have been made throughout much of California. It is typically found in openings in grassland and scrub habitats where it burrows into the ground and lives in colonies. It feeds on native plants including milkweed, pincushion, lupine, phacelia, sage, snapdragon, clarkia, bush poppy, and buckwheat (Hatfield et al., 2015). Many of these food plants and suitable burrowing and foraging habitat are present on or in the vicinity of the Project site. Crotch bumblebee has a moderate potential to be present on the site. Crotch bumblebee is not covered under the CVMSHCP.

Reptiles

Coast horned lizard. Coast horned lizard is a CDFW Species of Special Concern, found throughout much of coastal southern California, inland as far as the southern Mojave Desert. Coast horned lizards occur in

sandy soils in shrubland, grassland, and woodland habitats. They have been extirpated from much of their historic range by land use changes, but remain fairly common in natural open space areas where their primary prey (native ants) are found. They have been documented from Whitewater Canyon to the east and from the vicinity of Cabazon to the southwest. Desert horned lizard (no special-status) was observed on the site, but coast horned lizard was not. There is suitable habitat throughout the Project site, and coast horned lizards have a high potential to be present. Potential impacts to coast horned lizard, if present, are similar to those described above for desert tortoise.

Red diamond rattlesnake. Red diamond rattlesnake is a CDFW Species of Special Concern that lives throughout most of Orange County and western Riverside County, south through San Diego and Baja California and inland to the Colorado Desert margins. Their habitats include coastal sage scrub, chaparral, and woodlands through most of their geographic range, and desert scrub at the eastern margins of their range. They are generally found around boulders and rock outcrops. There are numerous records of red diamond rattlesnakes from Whitewater Canyon just east of the Project site. Two adult red diamond rattlesnakes were observed during the field surveys.

Birds

American Peregrine Falcon. Peregrine falcons were formerly listed under CESA and ESA but have been delisted under both acts. They are fully protected under the state Fish and Game Code. They are found irregularly in the region, generally during migratory and winter seasons. Waterfowl and shorebirds make up a large proportion of their prey, and nest sites are often within foraging range of large water bodies. Peregrine falcons are regularly observed migrating through the San Gorgonio pass and there are numerous observations within about one mile of the Project site. Peregrine falcons have a high potential to migrate over the Project site. There are no nest sites known in the vicinity.

Golden Eagle. Golden eagles are fully protected under the state Fish and Game Code and are protected under the Federal BGEPA. They are year-round residents throughout most of their range in the western United States. In the southwest, they are more common during winter. In the desert, they generally nest in steep, rugged terrain, often on sites with overhanging ledges, cliffs or large trees as cover. Golden eagles are wide-ranging predators, especially outside of the nesting season. Golden eagle foraging habitat consists of open terrain such as grasslands, deserts, savanna, and early successional forest and shrubland habitats throughout the regional foothills, mountains, and deserts. The mountains and canyons surrounding the Project site provide suitable golden eagle nesting habitat.

The Project site does not have suitable nesting habitat, but the entire site is suitable foraging habitat. There are several documented historic golden eagle nest locations within a 10-mile radius of the site, but the nearest active nests are about 9 miles distant and there are but none within 2 miles (current nest survey distance per the new guideline from USFWS). Please refer to Figure 4. The nearest recorded nest sites are about 2.5 miles west of the AM site. Golden eagles are regularly observed migrating through the San Gorgonio pass and there are numerous observations within about one mile of the site. Golden eagles have a high potential to occur over the site during winter, migration, or nesting seasons.

Bald Eagle. Bald eagles are fully protected under the state Fish and Game Code and are protected under the Federal BGEPA. They are occasional migrants in southern California during the winter. There are a few year-round resident birds, regularly seen near Lake Hemet in Riverside County, and more recently Big Bear Lake in San Bernardino County and Irvine Lake in Orange County. Bald eagles have been observed migrating through the San Gorgonio pass and were observed twice in January of 2019 at the nearby Interstate 10 Whitewater rest area (ebird.org, 2019). Bald eagles have a high potential to migrate over the Project site.

Raptors. In addition to the raptors discussed above, several other CDFW special-status birds of prey are found seasonally in the region, especially during winter and migration. These include osprey, ferruginous hawk, Cooper's hawk, sharp-shinned hawk, northern harrier, prairie falcon, merlin, and long-eared owl. None of these raptors are expected to nest on the site due to lack of suitable habitat, but all of them have high potential to fly over the site and occasionally forage on the site. Suitable winter or migratory season foraging habitat for these raptors is widely available throughout the region.

Upland Perching Birds. Several upland perching bird species are included in the CDFW Special Animals compilation (CDFW, 2018b). These include Costa's hummingbird, loggerhead shrike, LeConte's thrasher, black-tailed gnatcatcher, California horned lark, southern California rufous-crowned sparrow (winter/migration), and Lawrence's goldfinch (winter/migration). Costa's hummingbird, loggerhead shrike, and California horned lark were observed on the site during the field surveys. The remaining species have moderate to high potential to occur on the site (based on their habitat and geographic range). Other special-status birds could fly over the site during migratory flight, dispersal between off-site habitat areas, or briefly occupy the site as a stopover during migration or dispersal. One example is the black swift, but similar seasonal occurrence is applicable to all seasonal migrants.

Burrowing owl. The burrowing owl is a CDFW Species of Special Concern. It is a small, terrestrial owl of open country that occurs year-round in southern California. Burrowing owls favor flat, open annual or perennial grassland or gentle slopes and sparse shrub or tree cover. They use the burrows of ground squirrels and other rodents for shelter and nesting. Where ground squirrel burrows are not available, the owls may use alternate burrow sites or man-made features (such as drain pipes, debris piles, or concrete slabs). In the California deserts, burrowing owls generally occur in low numbers in scattered populations, but they can be found in much higher densities near agricultural lands where rodent and insect prey tend to be more abundant. Burrowing owls are covered under the CVMSHCP. The site provides suitable habitat for burrowing owls and a single adult burrowing owl was observed during the field surveys.

Mammals

San Diego desert woodrat. The San Diego desert woodrat is a CDFW Species of Special Concern. It is known from coastal and desert scrub and rocky outcrops throughout much of southern California. It frequently builds nests or middens (piles of sticks and debris arranged to form a shelter) in rock outcrops or may occupy larger middens (usually built by a different woodrat species) around the bases of shrubs. It is known from the region and has been trapped near the community of Whitewater (CDFW, 2019a). Habitat throughout the Project site is suitable for San Diego desert woodrat and numerous middens were observed under concrete foundation and among rock outcrops. No live woodrats were observed, and surveys could not confirm if common or special-status woodrats were occupying the middens. There is a high potential for San Diego desert woodrat to be present.

Bats. There are ten special-status bats that could occur in the Project vicinity; six of these are ranked as CDFW Species of Special Concern: pallid bat (SC), Townsend's big-eared bat (SC), western mastiff bat (SC), western red bat (SC), California leaf-nosed bat, long-eared myotis, fringed myotis, Yuma myotis, pocketed free-tailed bat (SC), and big free-tailed bat (SC). There is low potential for these species to roost on the site. The special-status bats of the local area roost in rock crevices, tunnels, or caves and one species (western yellow bat) roosts in the foliage of riparian trees. None of these features is present on the site.

All special-status regional bats are insectivorous, catching their prey either on the wing or on the ground. Some species feed mainly over open water where insect production is especially high, but others forage over open shrublands such as those found on the Project site. These special-status bats have moderate to high potential to forage over the Project site.

Three special-status bats have potential to fly over the site en route to foraging habitat elsewhere, including spotted bat (SC), western yellow bat (SC), and cave myotis (SC).

Desert kit fox. Desert kit fox is protected by the California Code of Regulations (Title 14, CCR: §460) and Fish and Game Commission Section 4000 as a fur-bearing mammal. Title 14 of the California Code of Regulations, Section 460, stipulates that desert kit fox may not be taken at any time. Desert kit fox is a fossorial mammal that occurs in arid open areas, shrub grassland, and desert ecosystems within the Mojave Desert. Desert kit fox typically occurs in association with its prey base, which includes small rodents, primarily kangaroo rats, rabbits, lizards, insects, and in some cases, immature desert tortoises (Zeiner et al., 1990). Burrow complexes that have multiple entrances provide shelter, escape, cover, and reproduction, but desert kit fox may utilize single burrows for temporary shelter. No desert kit fox burrows were found during the survey, but they have a moderate potential to be present within the Project site.

American badger. American badgers are a CDFW Species of Special Concern. They occupy mountains, deserts, and interior valleys, and are most abundant in drier open stages of most shrub, forest, and herbaceous habitats. They occupy areas where burrowing animals are available as prey and where soils are friable. Two potential American badger burrows were observed within the Project site.

Nelson's Bighorn Sheep. Nelson's bighorn sheep (or desert bighorn sheep) are fully protected under the state Fish and Game Code, and are known from the Transverse Ranges, California Desert Ranges, Nevada, northern Arizona, and Utah. Its populations in the Peninsular Ranges, south of the Project site, are federally listed as a threatened distinct vertebrate population segment. Nelson's bighorn sheep have been observed at the Mesa Wind site immediately north of the Project site and have a high potential to forage on the site.

Summary of impacts to special-status wildlife.

The Project would potentially substantially degrade about 48.5 acres of natural habitat. As part of the decommissioning of the existing legacy turbines, it would also restore currently disturbed habitat. None of the project components would introduce new barriers to wildlife movement except on a very localized scale.

Without minimization or avoidance measures, the Project could cause mortality or injury to ground-dwelling wildlife during decommissioning of legacy turbines, construction, or O&M activities. Clearing and grading activities may remove vegetation inhabited by wildlife or may injure or kill individuals, eggs, or young. Wildlife could be trapped in open trenches and pipes, killed or injured from vehicle strikes, or crushed or entombed in collapsed burrows.

Wildlife behaviors could be disrupted by night lighting, noise, or vibrations from heavy equipment. Wildlife may be attracted to the construction area by the shade produced by vehicles, equipment, or materials, or by the cooler conditions created by the application of water to control dust, placing them at a higher risk of injury or mortality.

Construction and operation may create "subsidies" such as food, water, or nest sites for opportunistic predators. However, the repower also would remove existing legacy tubular turbine towers, eliminating nest and perch sites at non-operable legacy turbines. Other impacts could include the introduction and spread of invasive weeds, leading to decreased habitat quality, and increased human presence.

Impacts to special-status wildlife would be avoided or minimized through implementation of the following BIO MMs:

- MM BIO-1: Wildlife Relocation. Specifies methods to move wildlife, including desert tortoise that may be located in work areas, from harm's way.
- MM BIO-2: Biological Monitoring. Requires on-site monitors during work where tortoises could occur, to ensure activities are halted or relocated to avoid tortoises, and to ensure worker compliance with avoidance areas and related requirements.
- MM BIO-3: Worker Environmental Awareness Program Training. Requires worker education to ensure familiarity with various protection measures for desert tortoises and other resources.
- MM BIO-4: Minimization of Vegetation and Habitat Impacts. Requires flagging to delimit approved work areas and prohibits ground disturbance outside specified areas.
- MM BIO-5: Wildlife Protection. Specifies multiple requirements to prevent harm to wildlife such as vehicle speed limits, pre-construction surveys in work areas, and various requirements to prevent attracting wildlife to work areas (e.g., managing water sources and trash) to prevent inadvertent harm to wildlife.
- MM BIO-6: Desert Tortoise Protection. Identifies multiple additional tortoise-specific measures to protect desert tortoises, such as checking beneath vehicles or equipment before moving them.
- MM BIO-7: Integrated Weed Management Plan. Requires actions to prevent introductions of weed seeds onto the site, and management measures to control invasive weeds, to prevent habitat degradation.
- MM BIO-8: Monitoring and Reporting Schedule. Specifies timing of monitoring activities and requirements for reporting to regulatory agencies.
- MM BIO-9: Trash Management. Minimizes potential attractants to tortoise predators (common ravens, coyotes, feral dogs) by preventing availability of food waste.
- MM BIO-10: Raven Management Plan. Requires monitoring for raven activity and follow-up agency coordination as needed.
- MM BIO-11: Revegetation. Requires revegetation of temporarily disturbed areas to maximize post-construction habitat value for desert tortoise and other wildlife, and to minimize erosion, weed invasion, and dust source.

The primary Project risk to special-status birds and bats would be collision with the turbines or other infrastructure during operation of the Project, described under the summary of impacts to T&E birds, above.

Other potential impacts to birds and bats due to construction may include noise or lighting that may deter them from using surrounding habitat for nesting, roosting, foraging, or as a migratory stopover site. Grading during construction may remove vegetation and potential nesting and roosting habitat. If construction is performed during nesting season, nests, eggs, or young could also be destroyed.

Impacts to special-status birds and bats would be avoided or minimized through implementation of the following additional BIO MMs:

- MM BIO-12: Post construction monitoring for birds and bats. Following construction, the applicant will conduct monitoring to identify bird and bat fatalities associated with the Project facilities.
- MM BIO-13: Bird and Bat Conservation Strategy. The applicant will conduct pre-construction surveys to locate nesting birds, specify measures to minimize Project-related adverse effects, passive relocation of burrowing owls if needed, and adaptive management as needed to reduce or offset bird mortality impacts.

With implementation of the MMs identified above, impacts to special-status wildlife would be less than significant. Additionally, any potential take of covered special-status species would be authorized through conformance with the CVMSHCP.

d) The Project would not erect permanent or long-term barriers to wildlife movement, although there would be some short-term interruption of potential movement during Project construction. The California Essential Habitat Connectivity Project identifies the San Bernardino Mountains and the San Jacinto Mountains, to the north and south of the Project site as natural landscape blocks. There are also essential connectivity areas between these natural landscape blocks that include the Project site. Additionally, the Project site is located within the Stubbe and Cottonwood Canyons Conservation Area and the Whitewater Canyon Conservation Area as identified in the CVMSHCP (CVAG, 2007). These Conservation Areas were identified as an important part of a Linkage and Biological Corridor linking the San Bernardino Mountains portion of the Transverse Ranges with the Peninsular Ranges (San Jacinto and Santa Rosa Mountains). It is likely to be used by predators and large mammals, including coyotes, bobcats, mountain lions, and foxes to move between the two mountain ranges.

Short-term construction impacts may include removal of vegetation used as cover for wildlife movement, or noise, vibrations, and night lighting that may alter wildlife movement through the Project site. However, these impacts would not prevent wildlife access to important resources or habitat areas. Additionally, the Project site is currently developed with wind turbines and has been operating in this capacity for over 20 years. Any effects on potential wildlife movement during operation would be similar to existing conditions and would be less than significant.

With the implementation of the following BIO MMs, the Project would avoid or minimize disturbance to wildlife movement or nursery sites, and impacts would be less than significant.

- MM BIO-4: Minimization of Vegetation and Habitat Impacts. Requires flagging to delimit approved work areas and prohibits ground disturbance outside specified areas.
- MM BIO-5: Wildlife Protection. Specifies multiple requirements to prevent harm to wildlife such as vehicle speed limits, pre-construction surveys in work areas, and various requirements to prevent attracting wildlife to work areas (e.g., managing water sources and trash) to prevent inadvertent harm to wildlife.
- MM BIO-11: Revegetation. Requires revegetation of temporarily disturbed areas to maximize post-construction habitat value for desert tortoise and other wildlife, and to minimize erosion, weed invasion, and dust source.

Regarding bird and bat movement, migration, or nursery sites there is a potential for bats or migratory or nesting birds to be present on the Project site, and their foraging, migration, or nest sites could be impacted by Project activities and facilities. As discussed above under T&E birds, the San Gorgonio Pass, located south of the Project area, is a high-use nocturnal flyway for migratory songbirds. Other special-status birds could fly over the site during migratory flight, dispersal between off-site habitat areas, or briefly occupy the site as a stopover (e.g., for resting, foraging, or temporary roosting due to weather) during migration or dispersal. One example is the black swift, but similar seasonal occurrence is applicable to all seasonal migrants. Most of these migratory birds flew higher than the existing or proposed turbines, but about 11 percent were at altitudes within the blade-swept areas of the proposed turbines.

With the implementation of BIO MMs, the Project would avoid or minimize disturbance to bats and migratory or nesting birds, and any potential impacts would be less than significant. Please also refer to the discussions of impacts to T&E birds and special-status wildlife, above.

- MM BIO-12: Post construction monitoring for birds and bats. Following construction, the applicant will conduct monitoring to identify bird and bat fatalities associated with the Project facilities.
- MM BIO-13: Bird and Bat Conservation Strategy. The applicant will conduct pre-construction surveys to locate nesting birds, specify measures to minimize Project-related adverse effects, passive relocation

of burrowing owls if needed, and adaptive management as needed to reduce or offset bird mortality impacts.

e) **Clean Water Act.** The Clean Water Act (33 U.S.C. 1251 et seq.) establishes legal requirements for the restoration and maintenance of the chemical, physical, and biological integrity of the nation's waters. Federal jurisdiction is determined by the U.S. Army Corps of Engineers and has not yet been determined for the Project site.

Section 401. Section 401 requires that an applicant for a federal license or permit that allows activities resulting in a discharge to waters of the United States must obtain a State certification that the discharge complies with other provisions of the Clean Water Act. The Regional Water Quality Control Boards (RWQCBs) administer the certification program in California.

Section 404. Section 404 establishes a permit program administered by the U.S. Army Corps of Engineers (USACE) regulating the discharge of dredged or fill material into waters of the United States, including wetlands. Implementing regulations by the USACE are found at 33 CFR Parts 320-330. Guidelines for Implementation are referred to as the Section 404(b)(1) Guidelines and were developed by the EPA in conjunction with the USACE (40 CFR Parts 230). The Guidelines allow the discharge of dredged or fill material into the aquatic system only if there is no practicable alternative that would have less adverse impacts.

Lake or Streambed Alteration Agreements – California Fish and Game Code Sections 1600-1616. Under these sections of the Fish and Game Code, an applicant is required to notify CDFW prior to constructing a project that would divert, obstruct, or change the natural flow, bed, channel, or bank of a river, stream, or lake. Preliminary notification and project review generally occur during the environmental review process. When a fish or wildlife resource may be substantially adversely affected, CDFW is required to propose reasonable project changes to protect the resource. These modifications are formalized in a Lake and Streambed Alteration Agreement (LSAA) that becomes part of the plans, specifications, and bid documents for the project. CDFW jurisdiction is determined to occur within the water body of any natural river, stream, or lake. The term "stream," which includes creeks and rivers, is defined in Title 14, CCR, Section 1.72.

California Porter-Cologne Water Quality Control Act. Pursuant to the California Porter-Cologne Water Quality Control Act, the State Water Resources Control Board (SWRCB) and the nine RWQCBs may require permits ("waste discharge requirements") for the fill or alteration of "Waters of the State." The term "Waters of the State" is defined as "any surface water or groundwater, including saline waters, within the boundaries of the state" (California Water Code, Section 13050[e]). Although "waste" is partially defined as any waste substance associated with human habitation, the SWRCB interprets this to include fill discharge into water bodies. The SWRCB and the RWQCB have interpreted their authority to require waste discharge requirements to extend to any proposal to fill or alter "Waters of the State," even if those same waters are not under the jurisdiction of the USACE. Pursuant to this authority, the SWRCB and the RWQCB may require the submission of a "report of waste discharge" under Water Code Section 13260, which is treated as an application for a waste discharge requirement.

There are no riparian or sensitive natural community types on the Project site; however, one sensitive vegetation type identified by the CDFW, desert willow woodland, is located west of the Project Site along the main access road.

The following vegetation types provide suitable habitat for many common wildlife species as well as special-status wildlife. None of these vegetation types identified on the Project site are classified as sensitive (CDFW, 2018c).

- Brittlebush scrub is the most abundant vegetation on the site, found primarily on exposed, west- and south-facing slopes. Brittlebush is a common to dominant species in desert shrublands and in coastal scrub of the interior valleys west of the site.
- California sagebrush – California buckwheat scrub is most common on disturbed soils such as along road cuts and adjacent to graded areas.
- California juniper woodland within the site is found on a single north-facing slope along the northern edge of the site.
- Creosote bush – brittlebush scrub is found throughout much of the site on areas with relatively flat topography. It is a widespread in the southern California deserts.
- Desert willow woodland is not found within the Project ROW but is along the main access road on private land where Mesa has an easement and the road crosses Cottonwood Creek. Potential impacts could affect up to 0.45 acres of this habitat, limited to areas of minor road improvements at the crossing site.
- Unvegetated areas or ruderal vegetation cover the roads, cleared areas, and building or O&M pads for the existing wind turbines.

The CVMSHCP identifies only one natural community, Sonoran Mixed Woody and Succulent Scrub, within the Project site. This natural community is characterized by presence of cactus and other stem succulents, and is not ranked as a sensitive community. The remainder of the Project site is mapped as wind energy.

Ephemeral desert washes and channels on the site do not support wetlands or other sensitive natural communities. However, ephemeral channels may provide habitat elements for wildlife such as increased plant diversity, cover, or food availability, and they serve to convey water and sediment downstream, supporting offsite habitat values.

These ephemeral channels meet jurisdictional criteria as waters of the state according to California Fish and Game Code and the Porter-Cologne Water Quality Act and are regulated by the CDFW and Colorado River RWQCB. They may meet federal Clean Water Act (CWA) criteria as waters of the U.S. and may require authorization from the United States Army Corps of Engineers under Section 404 of the CWA.

The Project is expected to permanently impact 0.64 acres of CDFW jurisdictional waters of the state. The Project is also expected to temporarily impact 0.16 acres of CDFW jurisdictional waters of the state. All of the potentially jurisdictional waters of the state mapped within the proposed disturbance area are characterized as ephemeral desert washes or ephemeral channels. These washes and channels exhibited field indicators of infrequent ephemeral active flow such as water marks, linear deposits of sediment and/or plant debris, bank scour, and erosion. Any substantial alteration (e.g., construction activities, culvert installation, or deposition of fill material) to these jurisdictional features, while not significant under CEQA, would require regulatory permits from the CDFW.

The desert willow woodland vegetation is in a dry wash crossing for the main access road, located within a road easement on Riverside County Flood Control land. Access for project construction would necessitate a temporary expansion of the easement, to be restored according to APM BIO-11 (Revegetation) following construction. Mitigation Measure BIO-11 specifies that the Applicant will prepare and implement a Revegetation Plan for all temporarily disturbed areas, and that the goal for areas where no future disturbance will occur (e.g., the expanded road crossing) will be restoration of vegetation and habitat characteristics to provide habitat for listed species comparable to what is present before the disturbance. The restoration requirement will return any impacted area along the road crossing to natural habitat similar to what is present prior to disturbance, so that no significant impact occurs. Other mitigation measures that will minimize project effects to this location are:

- MM BIO-2: Biological Monitoring. Requires on-site monitors during work where tortoises could occur, to ensure activities are halted or relocated to avoid tortoises, and to ensure worker compliance with avoidance areas and related requirements.
- MM BIO-3: Worker Environmental Awareness Program Training. Requires worker education to ensure familiarity with various protection measures for desert tortoises and other resources.
- MM BIO-4: Minimization of Vegetation and Habitat Impacts. Requires flagging to delimit approved work areas and prohibits ground disturbance outside specified areas.
- MM BIO-7: Integrated Weed Management Plan. Requires actions to prevent introductions of weed seeds onto the site, and management measures to control invasive weeds, to prevent habitat degradation.

In addition to the mitigation measures identified above, biological resource impacts at the road crossing site are covered under the CVMSHCP and mitigated through the MSHCP's to development fees. These fees are used to acquire and manage natural habitats throughout the Coachella Valley. (Please see *Impact g) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?*). These fees would serve to offset the Project's potential impacts to desert willow woodland through a "fair-share" payment to preserve and manage biological resources throughout the Coachella Valley. With these mitigation measures and MSHCP participation, the net impact would be less than significant. Finally, impacts to jurisdictional waters where the desert willow woodland occurs are subject to CDFW and RWQCB authorization as described above. Both agencies may specify permit conditions beyond the mitigation measures and CVMSHCP requirements identified here.

f) No wetlands are present on the Project site or in the vicinity and the Project would have no impact on wetlands. The project would involve disturbance to several ephemeral dry channels that meet CDFW jurisdictional criteria under the California Fish and Game Code (addressed above), but would not result in significant impacts to channels.

g) As discussed above in Item (a), the Project site is located within the CVMSHCP boundaries and would not conflict with the CVMSHCP.

Western Coachella Valley Area Plan. The Project site is located within the County of Riverside and is covered in its Western Coachella Valley Area Plan. The Plan contains policies that guide the physical development and land uses in the unincorporated western portion of the Coachella Valley, and is an extension of the County's larger General Plan. The General Plan establishes standards and policies for development within the entire unincorporated County territory, while the Area Plan details standards and policy direction relating specifically to the Western Coachella Valley (County of Riverside, 2019).

Habitat Conservation is addressed under Multipurpose Open Space and Local Open Space Policies. Relevant policies include:

- WCVAP 20.1 Protect visual and biological resources in the Western Coachella Valley through adherence to General Plan policies found in the Multiple Species Habitat Conservation Plans, Environmentally Sensitive Lands, Wetlands, and Scenic Resources sections of the Multipurpose Open Space Element.
- WCVAP 21.1 Protect the Whitewater River watershed and habitat, and provide recreational opportunities and flood protection through adherence to policies in the Open Space, Habitat and Natural Resources Preservation section of the General Plan Land Use Element and the Wetlands and Floodplain and Riparian Area Management sections of the General Plan Multipurpose Open Space Element.

WCVAP 22.1 Protect biological resources in the Western Coachella Valley through adherence to General Plan policies found in the Multiple Species Habitat Conservation Plans, Environmentally Sensitive Lands, Wetlands, and Floodplain and Riparian Area Management sections of the Multipurpose Open Space Element, as well as policies contained in the Coachella Valley Multiple Species Habitat Conservation Plan.

Consistent with the Western Coachella Valley Area Plan policies WCVAP 20.1, 21.1, and 22.1 (above) the project would adhere to Riverside County General Plan policies found in the Environmentally Sensitive Lands, Wetlands, Floodplain and Riparian Area Management, and Scenic Resources sections of the Multipurpose Open Space Element, and the Open Space, Habitat and Natural Resources Preservation section of the Land Use Element.

Mitigation:

Habitat compensation. The Alta Mesa Wind site is within the CVMSHCP boundaries and would offset the potential disturbance through the MSHCP process, including filing a Joint Project Review. +

MM BIO-1 **Wildlife Relocation.** The Applicant will prepare and implement a Wildlife Relocation Plan to ensure that special-status wildlife species, including (but not limited to) desert tortoise, burrowing owl, and desert kit fox, are safely relocated outside the Project construction area prior to construction. The Wildlife Relocation Plan will conform to USFWS guidelines for desert tortoise surveys and relocation and to CDFW guidelines for burrowing owl and desert kit fox passive relocation, including scheduling to avoid disturbance to natal dens or burrows. The Wildlife Relocation Plan will specify methodology for pre-construction clearance surveys on the proposed Project construction sites; monitoring or tracking special-status species, burrows, or dens that may be located during the surveys; construction of off-site artificial burrows, if needed; relocation methods for localized "out of harm's way" relocation when avoidance is infeasible; passive relocation methods for burrowing owl or desert kit fox; qualifications of field personnel who may handle desert tortoises; and follow-up monitoring of relocated animals.

MM BIO-2 **Biological Monitoring.** The Applicant will assign an Authorized Biologist as the primary point of contact for the lead resource agencies regarding biological resources mitigation and compliance. For desert tortoise protection measures (BIO-6, below), the Authorized Biologist will serve as the Field Contact Representative (FCR). The Applicant will provide the resume of the proposed Authorized Biologist to the County, USFWS, and CDFW (as appropriate) for concurrence at least 30-days prior to onset of ground-disturbing activities. The Authorized Biologist will have demonstrated expertise with the biological resources within the Project area. In general, the duties will include, but will not be limited to those listed below:

- Regular, direct communication with representatives of County, USFWS and CDFW, and other agencies, as appropriate.
- Train and supervise additional Biological Monitors to ensure that all biological monitoring activities are completed properly and according to schedules. Monitoring will include clearance surveys of any area or activity that may impact biological resources to ensure compliance with all avoidance and minimization measures for biological resources.
- Conduct or oversee WEAP training (MM BIO-3).

- Conduct or oversee clearance surveys and monitoring duties.
- Halt any activities in any area if it is determined that the activity, if continued, would cause an unauthorized adverse impact to biological resources.
- Clearly mark sensitive biological resource areas during construction, O&M, and decommissioning, and inspect these areas at appropriate intervals for compliance with regulatory terms and conditions.
- Conduct or oversee compliance inspections during ground disturbing construction and decommissioning activities. Inspections will include delineating limits of disturbance, fence construction activities, pre-construction clearance surveys; and clearing, grubbing, and grading.
- Inspect or oversee daily inspection of active construction or O&M activity areas where animals may have become trapped. At the end of each workday, either inspect installation of structures that prevent entrapment or allow escape during periods of construction inactivity. Periodically inspect areas with high vehicle activity (e.g., parking lots) for animals in harm's way and relocate them if necessary.
- During the operations phase of the Project, provide annual report conduct compliance inspections (trash management, wildlife mortality logs per incident, etc.); conduct weed monitoring and control (according to the Integrated Weed Management Plan).
- Immediately notify the Applicant, County, and resource agencies (as applicable) in writing of dead or injured special-status species, or of any non-compliance with biological mitigation measures or permit conditions.
- During construction, provide weekly verbal or written updates to County, and, for any information pertinent to state or federal permits, to the County and resource agencies.
- During construction and O&M, prepare and submit monthly and annual compliance reports, respectively.

Qualifications of Authorized Biologist. The Applicant shall assign at least one Authorized Biologist to the Project. The Applicant shall submit the resume and USFWS health assessment letter, if applicable, of the proposed Authorized Biologist(s), with at least three references and contact information, to the County for approval in consultation with CDFW and USFWS at least 30-days prior to the start of ground disturbing activities. The Authorized Biologist must meet the following minimum qualifications:

- Bachelor's degree in biological sciences, zoology, botany, ecology, or a closely related field;
- Three years of experience in field biology or current certification of a nationally recognized biological society, such as The Ecological Society of America or The Wildlife Society;
- Have at least one year of field experience with biological resources found in or near the Project area;
- Meet the current USFWS Authorized Biologist qualifications criteria, demonstrate familiarity with protocols and guidelines for the desert tortoise, and be approved by the USFWS;
- Possess a CESA Memorandum of Understanding pursuant to §2081(a) for desert tortoise.

- In lieu of the above requirements, the resume shall demonstrate to the satisfaction of the County, in consultation with CDFW and USFWS, that the proposed Authorized Biologist or alternate has the appropriate training and background to effectively implement the mitigation measures.

Process of approving a Biological Monitor

- The Authorized Biologist or Applicant shall submit the resume, at least three references, and contact information of the proposed Biological Monitors to the County. The resume shall demonstrate, to the satisfaction of the County, the appropriate education and experience to accomplish the assigned biological resource tasks. The Biological Monitor is the equivalent of the USFWS-approved biologist (also "Service-approved biologist").
- Biological Monitor(s) training by the Authorized Biologist shall include familiarity with the project design features, BO, WEAP, and USFWS guidelines on desert tortoise surveys and handling procedures.

MM BIO-3

Worker Environmental Awareness Program Training. The FCR or Authorized Biologist will prepare and implement a WEAP. The Applicant will be responsible for ensuring that all workers at the site receive WEAP training prior to beginning work on the Project and throughout construction and operations. The WEAP will be available in English and Spanish. The Applicant will submit the WEAP to County for approval prior to implementation. If the County does not respond to submittal of the draft Plan within 60 days, the Project owner may consider this a waiver of the County's authority to comment and the Plan may be considered approved. The WEAP will:

- Be developed by or in consultation with the Authorized Biologist and consist of an onsite or training center presentation with supporting written material and electronic media, including photographs of protected species, available to all participants.
- Provide an explanation of the function of flagging that designates authorized work areas; specify the prohibition of soil disturbance or vehicle travel outside designated areas.
- Discuss general safety protocols such as vehicle speed limits, hazardous substance spill prevention and containment measures, and fire prevention and protection measures.
- Review mitigation and biological permit requirements.
- Explain the sensitivity of the vegetation and habitat within and adjacent to work areas, and proper identification of these resources.
- Discuss the federal and State Endangered Species Acts, Bald and Golden Eagle Protection Act, and the Migratory Bird Treaty Act and the consequences of non-compliance with these acts.
- Discuss the locations and types of sensitive biological resources on the Project site and adjacent areas and explain the reasons for protecting these resources. This includes the biology and ecology of sensitive biological resources on the Project site and adjacent areas.
- Inform participants that no snakes, other reptiles, birds, bats, or any other wildlife will be harmed or harassed.

- Place special emphasis on species that may occur on the Project site including special-status plants, desert tortoise, burrowing owl, golden eagle, nesting birds, desert kit fox, American badger, and Nelson's bighorn sheep.
- Specify guidelines for avoiding rattlesnakes and reporting rattlesnake observations to ensure worker safety and avoid killing or injuring rattlesnakes. Wherever feasible, rattlesnakes should be safely removed from the work area using appropriate snake handling equipment, including a secure storage container for transport.
- Describe workers' responsibilities regarding wildlife avoidance, prohibitions of pets and firearms, and for avoiding the introduction of invasive weeds onto the Project site and surrounding areas, describe the Integrated Weed Management Plan.
- Provide contact information for the FCR and Authorized Biologist and instructions for notification of any threatened, endangered or sensitive wildlife discoveries, vehicle-wildlife collisions or dead or injured wildlife species encountered during Project-related activities.
- Include a training acknowledgment form to be signed by each worker indicating that they received training and will abide by the guidelines.

MM BIO-4

Minimization of Vegetation and Habitat Impacts. Prior to ground-disturbing activities, work areas (including, but not limited to, staging areas, access roads, and sites for temporary placement of construction materials and spoils) will be delineated with construction fencing (e.g., the common orange vinyl material) or staking to clearly identify the limits of work and will be verified by the Authorized Biologist. No paint or permanent discoloring agents shall be applied to rocks or vegetation (to indicate surveyor construction activity limits or for any other purpose). Fencing/staking will remain in place for the duration of construction. Spoils will be stockpiled in disturbed areas. All disturbances, vehicles, and equipment will be confined to the fenced/flagged areas.

When feasible, construction activities will minimize soil and vegetation disturbance to minimize impacts to soil and root systems. Upon completion of construction activities in any given area, all unused materials, equipment, staking and flagging, and refuse shall be removed and properly disposed of, including wrapping material, cables, cords, wire, boxes, rope, broken equipment parts, twine, strapping, buckets, and metal or plastic containers. Any unused or leftover hazardous products shall be properly disposed of offsite.

Hazardous materials will be handled and spills or leaks will be promptly corrected and cleaned up, according to applicable requirements. Vehicles will be properly maintained to prevent spills or leaks. Hazardous materials, including motor oil, fuel, antifreeze, hydraulic fluid, grease, will not be allowed to enter drainage channels.

MM BIO-5

Wildlife Protection. The Applicant shall undertake the following measures during construction and O&M to avoid or minimize impacts to wildlife. Implementation of all measures shall be subject to review and approval by the County.

- *Wildlife avoidance.* Wherever feasible, Project activities will avoid interference with wildlife (include ground-dwelling species, birds, bats) by allowing animals to escape from a work site prior to disturbance; conducting pre-construction surveys and exclusion measures for certain species as specified in other measures; checking existing structures and foundations for wildlife that may be present, and safely excluding them prior to removing the structures.

- *Minimize traffic impacts.* The Applicant will specify and enforce 15 miles per hour as the maximum vehicle speed limits, to minimize risk of wildlife collisions and fugitive dust.
- *Minimize lighting impacts.* Night lighting, when in use, shall be designed, installed, and maintained to prevent side casting of light towards surrounding fish or wildlife habitat. Any FAA required safety lighting color and pattern (e.g., steady vs. flashing lighting) will be designed to minimize potential hazards (i.e., attraction and subsequent collision) to native birds and bats.
- *Avoid use of toxic substances.* Soil bonding and weighting agents used for dust suppression on unpaved surfaces shall be non-toxic to wildlife and plants.
- *Minimize noise and vibration impacts.* The Applicant will minimize noise to offsite habitat.
- *Water.* Potable and non-potable water sources such as tanks, ponds, and pipes shall be covered or otherwise secured to prevent animals (including birds) from entering. Prevention methods may include storing water within closed tanks or covering open tanks with 2-centimeter netting. Dust abatement will use the minimum amount of water on dirt roads and construction areas to meet safety and air quality standards. Water sources (e.g., hydrants, tanks, etc.) shall be checked periodically by biological monitors to ensure they do not create puddles.
- *Trash.* All trash and food-related waste shall be contained in vehicles or covered trash containers inaccessible to ravens, coyotes, or other wildlife and removed from the site regularly.
- *Workers.* Workers shall not feed wildlife or bring pets to the Project site. Except for law enforcement personnel, no workers or visitors to the site shall bring firearms or weapons.
- *Wildlife netting or exclusion fencing.* The existing fence surrounding the O&M structure will be updated to include desert tortoise exclusion fencing. The Applicant may install temporary or permanent netting or fencing around equipment, work areas, or Project facilities to prevent wildlife exposure to hazards such as toxic materials or vehicle strikes, or prevent birds from nesting on equipment or facilities. Bird deterrent netting will be maintained free of holes and will be deployed and secured on the equipment in a manner that, insofar as possible, prevents wildlife from becoming trapped inside the netted area or within the excess netting. The Desert Tortoise Monitor or Authorized Biologist will inspect netting (if installed) twice daily, at the beginning and close of each work day. The Desert Tortoise Monitor or Authorized Biologist will inspect exclusion fence (if installed) weekly.
- *Wildlife entrapment.* Project-related excavations shall be secured to prevent wildlife entry and entrapment. Holes and trenches shall be backfilled, securely covered, or fenced. Excavations that cannot be fully secured shall incorporate wildlife ramp or other means to allow trapped animals to escape. At the end of each workday, a Desert Tortoise Monitor or Authorized Biologist shall ensure that excavations have been secured or provided with appropriate means for wildlife escape.

- *All pipes or other construction materials or supplies* will be covered or capped in storage or laydown areas. No pipes or tubing will be left open either temporarily or permanently, except during use or installation. Any construction pipe, culvert, or other hollow materials will be inspected for wildlife before it is moved, buried, or capped.
- *Dead or injured wildlife* will be reported to CDFW or the local animal control agency, as appropriate (special-status species must be reported to USFWS, County, and CDFW). An Authorized Biologist shall safely move the carcass out of the road or work area if needed and dispose of the animal as directed by the agency. If an animal is entrapped, an Authorized Biologist shall free the animal if feasible, or work with construction crews to free it, in compliance with safety requirements, or work with animal control or USFWS and CDFW to resolve the situation.
- *Pest control.* No anticoagulant rodenticides, such as Warfarin and related compounds (indandiones and hydroxycoumarins), may be used within the project site, on off-site project facilities and activities, or in support of any other project activities.

MM BIO-6

Desert Tortoise Protection. All ground-disturbing activities would avoid desert tortoise take by either exclusion fencing or on-site monitoring. The determination whether to fence work areas will be made on a case-by-case basis dependent on the schedule and extent of planned activities and topography of the work site. Desert tortoises would be handled or translocated according to the Desert Tortoise Relocation Plan, to be prepared as specified in MM BIO-1, pending approval by both the USFWS and CDFW.

The Authorized Biologist shall conduct or oversee pre-construction clearance surveys for each work area, watch for tortoises wandering into the construction areas, check under vehicles, and examine excavations and other potential pitfalls for entrapped animals. The Authorized Biologist will be responsible for overseeing compliance with desert tortoise protective measures and for coordination with the County, USFWS, and CDFW (described below). The Authorized Biologist shall have the authority to halt all Project activities that are in violation of these measures or that may result in take of a desert tortoise. Only the Authorized Biologist or Desert Tortoise Monitor with direct oversight from the Authorized Biologist will handle or relocate desert tortoises and only as specifically outlined in the Desert Tortoise Relocation Plan. Any incident that is considered by the Authorized Biologist to be in noncompliance with these measures will be documented immediately.

The Authorized Biologist will be responsible for overseeing compliance with desert tortoise protective measures and for coordination with resource agencies. The FCR will also have the authority to halt any Project activities that may risk take of a desert tortoise or that may be inconsistent with adopted mitigation measures or permit conditions. Neither the FCR nor any other Project employee may bar or limit any communications between any Natural Resource Agency or County and any Project biologist, biological monitor or contracted biologist. Upon notification by another Authorized Biologist or Monitor of any noncompliance, the FCR will ensure that appropriate corrective action is taken and documented. The following incidents will require immediate cessation of any Project activities that could harm a desert tortoise: (1) location of a desert tortoise within a work area; (2) imminent threat of injury or death to a desert tortoise; (3) unauthorized handling of a desert tortoise, regardless of intent; (4) operation of construction equipment or vehicles outside a Project area cleared of desert tortoise, except on designated roads; and (5)

conducting any construction activity without a Desert Tortoise Monitor where one is required.

The Authorized Biologist will be responsible for implementing, inspecting, or overseeing the following requirements in coordination with Desert Tortoise Monitors, the Applicant, and all its on-site contractors.

- *Monitor Desert Tortoise Exclusion Fence Installation (if necessary).* The desert tortoise exclusion fence installation will be monitored by the Authorized Biologist or Desert Tortoise Monitor, under supervision from the Authorized Biologist, who will ensure stipulations provided in the Service's (2009, Chapter 8) guidance for tortoise exclusionary fencing are met. Throughout the construction phase, the tortoise exclusionary fence will be checked regularly and immediately after major rainfall events to ensure its integrity. Repairs will be made within 48 hours of discovery to prevent a tortoise from entering the site.
- *Preconstruction Clearance Survey for fenced areas.* For construction areas that would be fenced with desert tortoise exclusion fencing or standard construction fencing, clearance surveys will follow procedures outlined in the Service's *Desert Tortoise Field Manual* (December 2009) or more current Service guidance. The Authorized Biologist will conduct preconstruction clearance surveys immediately prior to initiation of ground disturbing activities in desert tortoise habitat regardless of the time of year. The goal of a clearance survey is to find all tortoises on the surface and in burrows that could be harmed by construction activities. Surveys will cover 100 percent of the acreage to be disturbed. All potential burrows within 100 feet of construction activity will be marked and avoided to the extent practicable. Those that cannot be avoided will be excavated by the Authorized Biologist.
- *Monitor and oversee activities within construction phase tortoise exclusion fencing.* Prior to construction of Alta Mesa Wind repower, temporary or permanent desert tortoise exclusion fencing may be installed around the laydown area (temporary areas in use during construction and decommissioning phases only). The existing fence surrounding the O&M structure will be updated to include desert tortoise exclusion fencing. The fence will adhere to USFWS design guidelines (Service, 2009). The Authorized Biologist will conduct or oversee a clearance survey before the tortoise fence is enclosed to ensure no tortoises are in the work area. Any potentially occupied burrows will be avoided until monitoring or field observations (e.g., with a motion-activated camera or fiber-optic mounted video camera) determines absence. If live tortoises or an occupied tortoise burrow are identified in the work area, tortoises shall be relocated by the Authorized Biologist or allowed to leave on their own accord before enclosing the fence. The fence shall be either continuously monitored prior to closure, or clearance surveys shall be repeated prior to closure after tortoises are removed. Once installed, exclusion fencing will be inspected at least daily and following all rain events, and corrective action taken if needed to maintain it. Fencing around each work area will include a "cattle guard" or desert tortoise exclusion gate at each entry point. This gate will remain closed at all times, except when vehicles are entering or leaving the Project area. If it is deemed necessary to leave the gate open for extended periods of time (e.g., during high traffic periods), the gate may be left open as long as an Authorized Biologist or Desert Tortoise Monitor is present to monitor for tortoise activity in the vicinity.

- *Monitor and oversee activities within unfenced work areas.* As an alternative to exclusion fencing, for any work conducted in an area that is not fenced to exclude desert tortoises, the work area must be surveyed no more than two hours prior to any planned vehicle or equipment activities and monitored by a Desert Tortoise Monitor who will stop work if a tortoise enters the work area. Work activities will only proceed at the site and within a suitable buffer area after the tortoise has either moved away of its own accord, or if it has been relocated out of harm's way by an Authorized Biologist or a Monitor under the direct supervision of the Authorized Biologist. Work sites with potential hazards to desert tortoise (e.g., auger holes, steep-sided depressions) that are outside of the desert tortoise exclusion fencing will be securely covered or filled at the end of each workday. Note that work areas without tortoise exclusion fencing nonetheless will be clearly defined by other fencing materials, staking, flagging, or other measures (BIO-4, above).
- *Tortoises under vehicles.* The ground beneath parked vehicles will be inspected immediately prior to the vehicle being moved. If a tortoise is found beneath a vehicle, the tortoise shall be allowed to move out of the area on its own. If it does not leave within 30 minutes, the Authorized Biologist may move the tortoise out of harm's way in a manner consistent with MM BIO 1 and Service handling guidance.
- *Tortoises on roads.* If a tortoise is observed on or near the road accessing a work area, the Authorized Biologist or Desert Tortoise Monitor will be contacted immediately, and vehicles will stop to allow the tortoise to move off the road on its own. If it does not leave the site within 30 minutes, the Authorized Biologist may move the tortoise out of harm's way in a manner consistent with MM BIO-1 and Service handling guidance.
- *Tortoise Observations.* Any time a desert tortoise is observed within or near a work site, Project work activities will only proceed at the site and within a suitable buffer area after the tortoise has either moved away of its own accord, or if it has been moved from harm's way by the Authorized Biologist. If a tortoise is observed in an unfenced work area, construction will stop and the tortoise shall be allowed to move out of the area on its own. If it does not leave the site within 30 minutes, the Authorized Biologist may move the tortoise out of harm's way in a manner consistent with MM BIO 1 and Service handling guidance. If a tortoise or tortoise burrow is observed within the exclusion fencing, construction in the vicinity will stop, pending relocation of the tortoise.
- *Dead or Injured Desert Tortoise.* Upon locating a dead or injured tortoise, the Authorized Biologist will immediately notify the County, the USFWS's Palm Springs Fish and Wildlife Office, and CDFW by telephone. Written notification must be made within five days of the finding to the Palm Springs Fish and Wildlife Office and CDFW. The information provided must include the date and time of the finding or incident (if known), location of the carcass or injured animal, a photograph, cause of death, if known, and other pertinent information. Additionally, the Authorized Biologist will be responsible for identifying a nearby veterinarian capable of treating and rehabilitating any injured tortoises, and immediately transporting any injured tortoise to that office. The Project Proponent will be responsible for veterinary expenses.

MM BIO-7 **Integrated Weed Management Plan.** The Applicant will prepare and implement an Integrated Weed Management Plan (IWMP) to minimize or prevent invasive weeds from infesting the site or spreading into surrounding habitat. The County must approve the

plan. The IWMP will identify weed species occurring or potentially occurring in the Project area, means to prevent their introduction or spread (e.g., vehicle cleaning and inspections), monitoring methods to identify infestations, and timely implementation of manual or chemical (as appropriate) suppression and containment measures to control or eradicate invasive weeds. The IWMP will identify herbicides that may be used for control or eradication, and avoid herbicide use in or around any environmentally sensitive areas. The IWMP will also include a reporting schedule, to be implemented by the Applicant.

MM BIO-8 **Monitoring and Reporting Schedule.** Encounters with desert tortoise shall be immediately reported to the FCR, Authorized Biologist, or Monitor. The Authorized Biologist shall maintain a record of all desert tortoises encountered during construction and decommissioning activities. Information recorded for each desert tortoise will include: the location; date of observation; general condition of health and apparent injuries and state of healing; location of damaged exclusion fence (if applicable); if moved, location moved from and location moved to and whether the desert tortoise voided its bladder; and diagnostic markings (i.e., identification numbers or marked lateral scutes).

The Project proponent will provide monthly reports to the County, USFWS, and CDFW throughout the construction and decommissioning phases that summarizes the implementation of Project measures pertaining to desert tortoise management. The reports will be prepared by the Authorized Biologist.

The Project proponent will provide annual reports to the County, USFWS, and CDFW throughout the construction and decommissioning phases, and a final report upon completion of construction and decommissioning, that summarize the implementation of Project measures pertaining to desert tortoise management. The reports will be prepared by the Designated Biologist or other qualified biologist.

MM BIO-9 **Trash Management.** All garbage associated with the Project during all phases of the Project will be contained in secure receptacles to prevent the introduction of food resources that could potentially attract or support common ravens, coyotes, and other predators or scavengers. Secure, wildlife proof self-closing waste bins will be used for all organic waste. To reduce the possibility of ravens or other scavengers from ripping into bags and exposing the garbage, plastic bags containing garbage will not be left out for pickup. All such waste material must be in secure waste bins or dumpsters at all times.

MM BIO-10 **Raven Management Plan.** The Project applicant will develop and implement a Raven Management Plan to address activities that may occur during the pre-construction, construction, decommissioning, and O&M phases of the Project that may attract common ravens (*Corvus corax*), a nuisance species that is a subsidized predator of desert tortoises and other sensitive species in the Project vicinity. The measures contained in the Raven Management Plan will be designed to:

- Identify conditions associated with the Project that might provide raven subsidies or attractants.
- Describe management practices to avoid or minimize conditions that might increase raven numbers and predatory activities.
- Describe control practices for ravens.

- Address monitoring during construction and for the life of the Project and discuss reporting requirements.

The Project Applicant will submit payment to the Project sub-account of the Renewable Energy Action Team (REAT) Account held by the National Fish and Wildlife Foundation (NFWF) to support the Service's Regional Raven Management Program. The one-time fee will be as described in the cost allocation methodology or more current guidance as provided by the Service or CDFW. The contribution to the regional raven management plan will be \$105 per acre impacted.

MM BIO-11 **Revegetation.** The Applicant will prepare and implement a Revegetation Plan for all temporarily disturbed areas, to be reviewed and approved by County, USFWS, and CDFW. The Revegetation Plan will specify success criteria and materials and methods for site preparation, reseeding, maintaining, and monitoring revegetated areas in the following two categories:

- Temporarily disturbed areas where no future disturbance will occur (e.g., cut and fill slopes along roadways or turbine pads, to be left undisturbed throughout the life of the project). The goal of revegetation on these sites will be restoration of vegetation and habitat characteristics to provide habitat for listed species comparable to what is present before the disturbance.
- Temporarily disturbed construction areas around turbines, where future repairs or maintenance may necessitate further disturbance during the life of the project. The goal of revegetation on these sites will be to minimize dust, erosion, and invasive weeds from disturbed sites, but not to restore pre-disturbance habitat values (those impacts are mitigated through off-site compensation).

The nature of revegetation will differ according to each site, its pre-disturbance condition, and the nature of the construction disturbance (e.g., drive and crush vs. blading). The Plan will include: (a) soil preparation measures, including locations of recontouring, decompacting, imprinting, or other treatments; (b) details for topsoil storage, as applicable; (c) plant material collection and acquisition guidelines, plants from the project site, as well as obtaining replacement plants from outside the project area (sources for plant materials will be limited to locally occurring native species from the local area); (d) a plan drawing or schematic depicting the temporary disturbance areas described above; (e) time of year that the planting or seeding will occur and the methodology of the planting; (f) a description of the irrigation, if used; (g) success criteria; and (h) a monitoring program to measure the success criteria, commensurate with the Plan's goals, (i) contingency measures for failed revegetation efforts not meeting success criteria.

MM BIO-12 **Post construction monitoring for birds and bats.** The Applicant would conduct post construction mortality surveys for bird and bat populations on the repowered Alta Mesa Wind.

MM BIO-13 **Bird and Bat Conservation Strategy.** The Applicant will prepare and implement a Bird and Bat Conservation Strategy (BBCS) in coordination with the County, USFWS, and CDFW. The BBCS will specify (1) pre-construction survey schedule and methodology to locate nesting birds, including burrowing owl, near planned construction activities; (2) minimization and avoidance measures to prevent project-related nest abandonment or other potential take of nesting birds; (3) passive relocation methods to be implemented if an

active burrowing owl burrow is located near work activity areas; (4) pre- and post-operation monitoring protocol for bird and bat mortality; (5) mortality thresholds for listed or sensitive birds that will trigger adaptive management measures, (6) an adaptive management strategy to be implemented in the event mortality thresholds are exceeded, and (7) a format and schedule for reporting monitoring data and adaptive management actions to the County, USFWS, and CDFW.

Bird and bat mortality monitoring will be conducted under direction of a biologist approved by CDFW, USFWS, and the County.

Adaptive Management: The Project Owner, CDFW, USFWS, and Riverside County will review results of the baseline fatality monitoring to determine whether adaptive management measures should be considered to further avoid, minimize, or compensate for any unanticipated substantial increase in impacts to birds and bats. Thresholds for considering an adaptive response include are identified in Table 6:

Table 6. Adaptive Management Threshold Criteria (Actions required if number of fatalities caused by WTGs reaches these thresholds in any consecutive 12-month period)

	<u>Level 1</u>	<u>Level 2</u>
	<u>- Notify CDFW, USFWS, and BLM</u> <u>- Increase carcass search frequency in specified area(s)</u>	<u>- Notify CDFW, USFWS, and BLM</u> <u>- Adaptive measures to reduce fatalities</u>
<u>Federal- or California-listed species or California Fully Protected Species</u>	<u>1 fatality</u>	<u>2 fatalities</u>
<u>Non-listed Sensitive Species (CSC, WL, and Local Species of Concern)</u>	<u>2 fatalities (birds)</u> <u>2 fatalities (bats)</u>	<u>3 fatalities (birds)</u> <u>3 fatalities (bats)</u>
<u>Raptors without designated conservation status</u>	<u>3 fatalities</u>	<u>5 fatalities</u>
<u>Non-sensitive bird or bat species</u>	<u>4 fatalities per WTG, per year</u>	<u>12 fatalities per WTG, per year</u>
<u>Fatalities are based on determination with reasonable certainty that they are caused by WTG collision, including injured birds or bats.</u>		

Level 1 –Enhanced Survey. The carcass search frequency shall be increased in the vicinity of the specific WTG(s) suspected of being responsible.

Level 2 –The following Level 2 response options shall be considered and implemented if determined to be feasible and likely to reduce or compensate for further fatalities. Less extreme, less costly measures shall be exhausted before more extreme or costly measures are required.

- Habitat modifications to make the site less attractive to impacted species, including intensified efforts to reduce the prey base (e.g., ground squirrels). However, no anticoagulant rodenticides, such as Warfarin and related compounds (indandiones and hydroxycoumarins), may be used within the project site or in support of any project activities.
- Project modifications such as painting of WTG blades on selected WTGs to increase their visibility; audible warnings on towers; or other new or experimental

technologies. If appropriate, a modification may be implemented as a controlled experiment to test efficacy in reducing mortality.

- * Restricting turbine operation at low wind speeds; i.e., increasing the "cut-in speed" (the wind speed at which the turbines begin generating electricity) to 5.0 m/s or greater.

Monitoring: Species-specific pre-construction and construction monitoring is required consistent with the provisions outlined in the Mitigation Measures outline certain avoidance, minimization, and mitigation requirements for the activities within the Alta Mesa site and along the main access road. These requirements include, but are not limited to, the pre-construction surveys for burrowing owl and desert tortoise. If burrowing owl and/or desert tortoise are found on the Project site or main access road during the course of these surveys, additional avoidance measures would be implemented pursuant to the CVMSHCP requirements.

Cultural Resources

Would the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
8. Historic Resources				
a) Alter or destroy a historic site?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Cause a substantial adverse change in the significance of a historical resource, pursuant to California Code of Regulations, Section 15064.5?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Source(s): On-site Inspection, Project Application Materials, Phase I Cultural Resources Assessment for Alta Mesa Wind Project Repower (PDA 8030)

Findings of Fact: Impacts will be less than significant with the incorporated mitigation.

a-b) To address the Project's potential to impact historical resources, a cultural resources records search was conducted by Aspen Environmental Group (Aspen) on October 7, 2019, at the California Historical Resources Information System (CHRIS) Eastern Information Center located at the University of California, Riverside. The record search included a document review of all previously identified cultural resources, built environment resources, technical reports, ethnographic literature, historic aerial photographs and topographic maps, and determinations of eligibility for cultural resources. This search also included a review of eligible and listed resources on the National Register of Historic Places (NRHP), California Register of Historic Resources (CRHR), California State Historical Landmarks, and California Points of Historical Interest. Additionally, an intensive pedestrian field survey of the Project area was conducted during the week of November 12-15, 2019, and was led by Aspen's Michael E. Macko, M.A., RPA. Mr. Macko exceeds the Secretary of the Interior Qualification Standards in archaeology, and he has in-depth familiarity with the prehistoric and historic period cultural resources of the San Gregorio Pass area. Mr. Macko was assisted by Aspen archaeological field technician Elliot D'Antin, B.S.

The record search identified 24 previous cultural resource studies that have been completed within a 1.0-mile radius of the Project area. None of the 24 previous studies encompassed the Project area. The

previous studies identified 23 cultural resources within a 1.0-mile radius of the Project, none of which are within the Project area.

No NRHP or CRHR listed or eligible resources are located within the Project area. However, previously unknown buried resources could be uncovered, damaged, or destroyed during construction-related ground-disturbing activity, which would be considered a potentially significant impact. Therefore, implementation of mitigation measure CUL-1 would reduce such potential impacts to unknown historical resources to a less than significant level.

Mitigation:

MM CUL-1 Cultural Resource Monitoring Program. Prior to issuance of grading permits: The applicant/developer shall provide evidence to the County of Riverside Planning Department that a County certified professional archaeologist has been contracted to implement a Cultural Resource Monitoring Program (CRMP). A CRMP shall be developed in coordination with the consulting tribe(s) that addresses the details of all activities and provides procedures that must be followed in order to reduce the impacts to cultural and historic resources to a level that is less than significant as well as address potential impacts to undiscovered buried archaeological resources associated with this project. This document shall be reviewed by the consulting tribes and provided to the County Archaeologist for review and approval prior to issuance of the grading permit.

The CRMP shall contain at a minimum the following:

- **Archaeological Monitor** – An adequate number of qualified archaeological monitors shall be onsite to ensure all earth moving activities are observed for areas being monitored. This includes all grubbing, grading and trenching onsite and for all offsite improvements. Inspections will vary based on the rate of excavation, the materials excavated, and the presence and abundance of artifacts and features. The frequency and location of inspections will be determined and directed by the Project Archaeologist.
- **Cultural Sensitivity Training** – The Project Archaeologist and if required, a representative designated by the Tribe shall attend the pre-grading meeting with the contractors to provide Cultural Sensitivity Training for all construction personnel. Training will include a brief review of the cultural sensitivity of the Project and the surrounding area; the areas to be avoided during grading activities; what resources could potentially be identified during earthmoving activities; the requirements of the monitoring program; the protocols that apply in the event unanticipated cultural resources are identified, including who to contact and appropriate avoidance measures until the find(s) can be properly evaluated; and any other appropriate protocols. This is a mandatory training and all construction personnel must attend prior to beginning work on the project site. A sign-in sheet for attendees of this training shall be included in the Phase IV Monitoring Report.
- **Unanticipated Resources** – In the event that previously unidentified potentially significant cultural resources are discovered, the Archaeological and/or Tribal Monitor(s) shall have the authority to divert or temporarily halt ground disturbance operations in the area of discovery to allow evaluation of potentially significant cultural resources. The Project Archaeologist, in consultation with the Tribal monitor, shall determine the significance of the discovered resources. The County Archaeologist must concur with the evaluation before construction activities will be allowed to resume in the affected

area. Further, before construction activities are allowed to resume in the affected area, the artifacts shall be recovered and features recorded using professional archaeological methods. The Project Archaeologist shall determine the amount of material to be recovered for an adequate artifact sample for analysis. Isolates and clearly non-significant deposits shall be minimally documented in the field and the monitored grading can proceed.

- **Artifact Disposition** – the landowner(s) shall relinquish ownership of all cultural resources that are unearthed on the Project property during any ground-disturbing activities, including previous investigations and/or Phase III data recovery.

The Professional Archaeologist may submit a detailed letter to the County of Riverside during grading requesting a modification to the monitoring program if circumstances are encountered that reduce the need for monitoring.

MM CUL-21 **Project Archaeologist.** Prior to issuance of grading permits: The applicant/developer shall provide evidence to the County of Riverside Planning Department that a County certified professional archaeologist (Project Archaeologist) has been contracted to implement a Cultural Resource Monitoring Program (CRMP). A Cultural Resource Monitoring Plan shall be developed that addresses the details of all activities and provides procedures that must be followed in order to reduce the impacts to cultural and historic resources to a level that is less than significant as well as address potential impacts to undiscovered buried archaeological resources associated with this project. A fully executed copy of the contract and a wet-signed copy of the Monitoring Plan shall be provided to the County Archaeologist to ensure compliance with this condition of approval.

Working directly under the Project Archaeologist, an adequate number of qualified Archaeological Monitors shall be present to ensure that all earth moving activities are observed and shall be on-site during all grading activities for areas to be monitored including off-site improvements. Inspections will vary based on the rate of excavation, the materials excavated, and the presence and abundance of artifacts and features. The frequency and location of inspections will be determined by the Project Archaeologist.

Monitoring:

A County certified professional archaeologist shall prepare CRMP. Implement CRMP during construction, including WEAP training of all supervisors and crew prior to the start of construction.

Would the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
9. Archaeological Resources				
a) Alter or destroy an archaeological site?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource, pursuant to California Code of Regulations, Section 15064.5?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Source(s): On-Site Inspection, Project Application Materials, Phase I Cultural Resources Assessment for Alta Mesa Wind Project Repower (PDA 8030)

Findings of Fact: Impacts will be less than significant with the incorporated mitigation

a-b) Aspen conducted a record search in October 2019 and an intensive pedestrian survey of the Project area in November 2019.

The record search identified 24 previous cultural resource studies that have been completed within a 1.0-mile radius of the Project. None of the 24 previously studies encompass the Project area. The previous studies identified 23 cultural resources within a 1.0-mile radius of the Project, none of which are within the Project area.

The intensive pedestrian survey identified one cultural resource; a segment of a larger prehistoric trail designated as P-33-000075. The record search did not indicate the presence of P-33-000075, due to inaccurate plotting of the site location. Site P-33-000075 encompasses five features; the previously recorded trail segment, three rock cairns, and a lithic reduction concentration. Site P-33-000075 was evaluated for CRHR eligibility and was recommended as not eligible for listing on the CRHR under Criterion 1, 2, 3, or 4 as there is no continuous connection with the trail identified in the 1950s. Further, the data recorded for the trail indicates that it does not have the potential to contribute to the understanding of prehistory beyond what is already known. A more detailed description of the CRHR evaluation for P-33-000075 is provided below.

Criterion 1 – (The resource) is associated with events that have made a significant contribution to the broad patterns of California’s history and cultural heritage. Title 14, CCR Section 4852(b)(1) adds, “is associated with events that have made a significant contribution to the broad patterns of local or regional history, or the cultural heritage of California or the United States.”

The historic research conducted and presented here has indicated that the Project area was very likely part of the larger ethnographic Serrano and Desert and Pass Cahuilla traditional use areas. The original site record by Johnston (1956) did indicate the presence of ceramics along the trail, but these were not noted in the segment recorded in the Project. The research did not identify any association of the Project area with events important in the history of Whitewater, San Geronio Pass, Riverside County, California, or the United States. The resources do not lend themselves to establishing their placement in the Cultural History of the Cahuilla, Serrano and their ancestors. Therefore, site 33-000075 is recommended not eligible for listing in the CRHR under Criterion 1.

Criterion 2 – Is associated with the lives of persons important in our past. Title 14, CCR Section 4852(b)(2) adds, “is associated with the lives of persons important to local, California, or national history.”

No features or historical associations of the Project area have been identified with persons of importance to local, California, or national history. Therefore, site 33-000075 is recommended not eligible for listing in the CRHR under Criterion 2.

Criterion 3 – Embodies the distinctive characteristics of a type, period, region, or method of construction; or represents the work of an important creative individual; or possesses high artistic values. Title 14, CCR 4852(b)(3) allows a resource to be CRHR eligible if it represents the work of a master.

Trails, lithic scatters and cairn trail markers are not notable for their design or workmanship. They include very sparse remains with little richness and diversity and do not embody a distinctive character of the ethnohistoric or prehistoric periods. Therefore, site 33-000075 is recommended not eligible for listing in the CRHR under Criterion 3.

Criterion 4 – Has yielded, or may be likely to yield, information important in prehistory or history. Title 14, CCR 4852(b)(4) specifies that importance in prehistory or history can be defined at the scale of “the local area, California, or the nation.”

The present level of recordation for this segment of 33-000075 is believed to exhaust the information potential of the resource. Therefore, site 33-000075 is recommended not eligible for listing in the CRHR under Criterion 4.

No NRHP- or CRHR-listed or eligible resources are located within the Project area. However, previously unknown buried resources could be uncovered, damaged, or destroyed during construction-related ground disturbing activity, which would be considered a potential significant impact. Therefore, implementation of CUL-1 and CUL-2 would reduce potential impacts to known and unknown archaeological resources to a less than significant level.

c) No formal or informal cemeteries or burial grounds were identified in the cultural resources records search or during the intensive pedestrian survey. However, there is always a possibility of encountering unknown buried remains during Project-related ground disturbing activities. In the unlikely event human remains are discovered, compliance with State Law Health and Safety Code § 7050.5 would be required as indicated by AND Planning-CUL.1-Human Remains. These requirements state that no further excavations or disturbance of the site shall occur until the County Coroner has made the necessary findings as to its origin. Further, pursuant to Public Resources Code § 5097.98 (b), remains shall be left in place and free from disturbance until a final decision as to their treatment and disposition has been made. With the implementation of existing state regulations, potential Impacts to human remains would be less than significant.

Mitigation:

MM CUL-1: Prepare and implement Cultural Resources Monitoring Plan (CRMP). (full text above)

MM CUL-2: County certified professional archaeologist (Project Archaeologist) to implement CRMP. (full text above).

MM CUL-3 **Temporary Fencing** – Temporary fencing shall be required for the protection of cultural site(s) P-33-000075 during any grading activities. Prior to commencement of grading or brushing, the project archaeologist shall confirm the site boundaries and determine an adequate buffer for protection of the site(s). The applicant shall direct the installation of fencing under the supervision of the project archaeologist and if required, Native American Monitor. The fencing can be removed only after grading operations have been completed.

Monitoring:

Ensure all supervisors and crew receive WEAP training. Ensure resource is flagged properly.

Energy

Would the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
10. Energy Impacts				
a) Result in potentially significant environmental impacts due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with or obstruct a State or Local plan for renewable energy or energy efficiency?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Source(s): Riverside County General Plan Land Use Element, Project Application Materials

Findings of Fact: There will be no impacts

a-b) The Project site is located in the San Geronio Pass wind resource area in Riverside County. The Project will help the State of California meet its renewable energy goals and contribute to the Renewable Portfolio Standard (RPS) goal of 50 percent by 2030. During construction, there would be no wasteful, inefficient, or unnecessary consumption of energy resources. Construction would take place on site with up to 170 people. The equipment used would meet California standards for efficiency. During operation, there would be no wasteful, inefficient, or unnecessary consumption of energy resources, since the project would not be consuming energy, but rather creating renewable energy. No infrastructure added to the Project would consume electricity that would substantially exceed what is currently used for the Project. The Project would not conflict with or obstruct any state or local plans for renewable energy. The Project helps meet the goals of both the state and county guidelines that are set to reduce use of fossil fuels, grow the RPS, and do so in a way that is nonobstructive and compatible with surrounding communities. Therefore, there will be no impacts.

Mitigation: No mitigation is required.

Monitoring: No monitoring is required.

Geology and Soils

Would the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
11. Alquist-Priolo Earthquake Fault Zone or County Fault Hazard Zones				
a) Be subject to rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Source(s): Riverside County General Plan Appendix H, GIS database, County Geologic Report No. 200033, Southern California Earthquake Data Center

Findings of Fact: Impacts will be less than significant.

a) This Project is located within the Transverse ranges, within the San Andreas Fault Zone, as defined in the Riverside County General Plan Appendix H and by the Southern California Earthquake Data Center. The San Andreas Fault Zone near the Project deviates from its general north-south trend, bending westward and resulting in a complex zone with many active faults. Active faults of the San Andreas Fault Zone in the vicinity of the Project site are the Garnet Hill fault, San Gorgonio fault zone, and Banning fault. Due to the interrelated nature of these faults, there is a potential that one or more of the fault strands might rupture concurrently with an earthquake on another strand in the vicinity.

Several Alquist-Priolo Earthquake Fault Zones (A-P Zones) for the Garnet Hill and San Gorgonio Pass faults are located in the Project area. One of the A-P Zones for the Garnet Hill fault crosses along the western edge of the Project site and two turbines (T-1 and T-2A) are located with the A-P Zone. The A-P Zone for the San Gorgonio Pass fault zone is located along the northern edge of the Project site and two proposed turbines (T-13A and T-3A) are located with the A-P Zone. Two turbines, (T-2A and T-7A) are located in the vicinity of mapped secondary faults identified by previous geologic consultants. The mapped traces of the faults within the Project area do not cross any Project components, except the main access road. The main access road to the west of the Project crosses two segments of the Garnet Hill fault and the associated A-P Zone for these fault segments. The Alquist-Priolo act is applicable to surface ruptures and seeks to prevent or minimize harm to habitable structures (occupied 2,000 person hours per year). The Project does not include any new habitable structures and would not be subject to Alquist-Priolo regulations; however, County of Riverside policy prohibits location of critical structures, including power supply facilities, on active faults. Although several of the turbines are located with an A-P Zone and could potentially be damaged due to surface fault rupture, the construction phase will be short term and would be conducted in accordance with existing regulations and site-specific geological recommendations and all structures would be designed in accordance with all applicable codes and regulations, including required California Building Code and County seismic building standards (see Appendix E-D). The risk of loss, injury, or death would be less than significant.

Mitigation: No mitigation is required.

Monitoring: No monitoring is required.

Would the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
12. Liquefaction Potential Zone				
a) Be subject to seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Source(s): Riverside County General Plan Figure S-3, "Generalized Liquefaction," Riverside County General Plan Figure S-4, "Earthquake-Induced Slope Instability Map," County Geologic Report No. 200033

Findings of Fact: Impacts will be less than significant.

a) Soils that are prone to seismically induced ground failure and liquefaction are generally loose, unconsolidated soils. Liquefaction occurs when loose, water-saturated sediments lose strength and fail during strong ground shaking. The Project site is underlain by semi-consolidated Pleistocene alluvial deposits of the Cabezon Fanglomerate with groundwater levels of greater than 300 feet below ground surface. Due to the deep groundwater levels and the semi-consolidated nature of the Cabezon Fanglomerate it is

unlikely that liquefaction would occur in this area. Seismically induced landslides generally occur in steep areas with poorly consolidated or weak geologic units. Only small portions of the Project site are mapped as having low to moderate susceptibility to seismically induced landslides by the County, with the remainder of the site having no susceptibility to earthquake induced landslides. However, the geologic hazards report for the Project notes that the steep slopes in the Project area are likely prone to slope instability, ground cracking, and ridgetop spreading due to seismically induced ground shaking. The Project would be designed in accordance with geotechnical recommendations and all applicable codes and regulations to avoid areas of unstable slopes and prevent slope failure. Therefore, the impact would be less than significant.

Mitigation: No mitigation is required.

Monitoring: No monitoring is required.

Would the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
13. Ground-shaking Zone				
a) Be subject to strong seismic ground shaking?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Source(s): Riverside County General Plan Figure S-4, "Earthquake-Induced Slope Instability Map," and Figures S-13 through S-21 (showing General Ground Shaking Risk), California Geological Survey County Geologic Report No. 200033

Findings of Fact: Impacts will be less than significant with mitigation.

a) The Project is located in an area that is prone to ground shaking. This area has a high likelihood of a substantial earthquake happening over the 30-year life of the Project. The CGS Earthquake Shaking Potential Map indicates estimated long-period (1.0 second) ground accelerations [ground accelerations, represented as a fraction of the acceleration of gravity (g)] in the Proposed Project area of approximately 1.45g, which represents a potential for strong to severe ground shaking within the Project area (CGS, 2016). Long-period ground shaking affects tall, relatively flexible structures, but also correlates well with overall earthquake damage. Comprehensive research on the effect of seismic ground shaking on wind turbines is limited. Evidence from past earthquakes in California and Japan has shown that modern wind turbines have the ability to withstand substantial earthquakes without a catastrophic failure. Buckling of the tower or damage to the foundation are the most common damage found from earthquakes or seismic ground shaking. Recently, more installations of wind turbines have occurred in areas that are prone to earthquakes, so additional studies are being published and seismic shaking is considered in the engineering process, such as the requirements set in MM GEO-1 (Katsanos et al., 2016). It is likely that an earthquake will occur over the life of the Project that could result in strong seismic ground shaking. However, the Project site is remote, there is only one employee present, and the nearest turbine to a residence would be over 4,400 feet away, more than 9 times the height of a turbine. The Project would engineer the WTGs to consider the possibility of strong seismic ground shaking and ensure sufficient distance between the WTGs and the nearest residences, which would ensure a very low risk of loss, injury, or death due to seismic ground shaking. The impact would be less than significant with mitigation.

Mitigation:

MM GEO-1 Conformance with Geotechnical Recommendations. Site design and engineering shall be conducted in conformance with recommendations specified in site-specific geotechnical and geologic feasibility studies and soils reports prepared for the Project.

Monitoring: No monitoring is required.

Would the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
14. Landslide Risk				
a) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, collapse, or rockfall hazards?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Source(s): On-site Inspection, Riverside County General Plan Figure S-5, "Regions Underlain by Steep Slope," California Geological Survey County Geologic Report No. 200033

Findings of Fact: Impacts will be less than significant

a) Landslides generally occur in areas with steep slopes underlain by poorly consolidated or weak geologic units. Although portions of the Project area are on areas of slope of 30% or greater, no existing landslides have been mapped in the Project area by the California Geological Survey. However, the geologic hazard report for the Project site notes that instability of the steep hillsides, road cuts, and artificial fill on slopes is likely and that debris flow hazards are present in the lower elevation areas of the Project. The Project's construction requires some grading and compaction on roads, turbine pads, and work sites, which would be in accordance with all applicable codes and regulations to prevent slope failure. Therefore, impacts would be less than significant.

Mitigation: No mitigation is required.

Monitoring: No monitoring is required.

Would the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
15. Ground Subsidence				
a) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in ground subsidence?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Source(s): Riverside County General Plan Figure S-7, "Documented Subsidence Areas Map," County Geologic Report No. 200033

Findings of Fact: Impacts will be less than significant

a) The Project would not be located on unstable geologic units or units that would become unstable as a result of the Project. Although there are faults near the Project and the site is likely to experience strong

to severe ground shaking, the area is unlikely to experience liquefaction related phenomena due to the deep groundwater and the semi-consolidated nature of the Cabezon Fonglomerate underlying the site. Although there is no history of subsidence in the project area, the County has mapped the Project area as having a moderate susceptibility for subsidence. However, there would be a low risk of ground subsidence in the Project area due to the semi-consolidated nature of the underlying geologic units and lack of substantial groundwater withdrawal in the area. Project design and engineering would consider geology, soils, and seismic hazards of the site for each turbine and comply with all applicable standards and regulations. Therefore, this impact would be less than significant.

Mitigation: No mitigation is required.

Monitoring: No monitoring is required.

Would the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
16. Other Geologic Hazards				
a) Be subject to geologic hazards, such as seiche, mudflow, or volcanic hazard?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Source(s): On-site Inspection, Project Application Materials, County Geologic Report No. 200033

Findings of Fact: No Impact

a) The Project site has existing drainage channels, where mudflows are possible as a result of very intense rainfall. The Project would not increase the amount of runoff, and therefore would not increase the chances of mudflow. The Project is not located in an area that could be affected by other geological hazards such as seiche or volcanic hazard. Therefore, impacts associated with other geologic hazards would be less than significant.

Mitigation: No mitigation is required.

Monitoring: No monitoring is required.

Would the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
17. Slopes				
a) Change topography or ground surface relief features?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Create cut or fill slopes greater than 2:1 or higher than 10 feet?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Result in grading that affects or negates subsurface sewage disposal systems?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Source(s): Riv. Co. 800-Scale Slope Maps, Project Application Materials, Slope Stability Report; County Geologic Report No. 200033

Findings of Fact: Impacts will be less than significant with mitigation.

a-c) The Project will not significantly change the topography or ground surface relief features. The Applicant is conducting geotechnical testing at each turbine location and the site design and engineering shall be conducted in conformance with all recommendations from the geotechnical work [\(see Appendix G\)](#). The Project site contains slopes that range from less than 15 percent to greater than 30 percent. The Project is designed so that the wind turbines and Project access roads are not located on slopes greater than 5%, and the Project will not create slopes that are greater than 2:1 or higher than 10 feet. All cut/fill activities would be required to comply with all applicable grading requirements set forth by the County. This includes applying for and securing a grading permit and implementation of best management practices (BMPs), and standard design/engineering principles intended to minimize impacts of grading in areas containing steeper topography. The Project will not result in grading that affects or negates subsurface sewage disposal systems, as they do not traverse the project site. Therefore, impacts would be less than significant with mitigation.

Mitigation:

MM GEO-1 Conformance with Geotechnical Recommendations. Site design and engineering shall be conducted in conformance with recommendations specified in site-specific geotechnical and geologic feasibility studies and soils reports prepared for the Project.

Monitoring: No monitoring is required.

Would the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
18. Soils				
a) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Be located on expansive soil, as defined in Section 1803.5.3 of the California Building Code (2019), creating substantial direct or indirect risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Have soils incapable of adequately supporting use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Source(s): U.S.D.A. Soil Conservation Service Soil Surveys, Project Application Materials, On-site Inspection, Soils Report, SCAQMD, 1976, Riverside County General Plan Map, County Geologic Report No. 200033

Findings of Fact: Impacts will be less than significant with the incorporated mitigation

a-c) The Project area is in an area defined by the Riverside County General Plan as having moderate to high wind erodibility. This is due to the steep topography, dry soils, and being in an area with severe wind. The Project would comply with both SCAQMD Rules number 402 (Nuisance) and 403 (Fugitive Dust). Rule 402 requires dust suppression techniques to prevent particles from becoming a nuisance off-site, and Rule 403 requires control measures to reduce fugitive dust from active operations (SCAQMD, 1976). The project construction process would take measures to reduce wind erosion of soils including adopting a Fugitive Dust Control Plan to reduce wind erosion (MM AQ-1). A site-specific Storm Water Pollution Prevention Plan (SWPPP) would be required and would prevent erosion due to water. This SWPPP would include Best Management Practices to control erosion and for diverting water flow around disturbed areas, managing overland flow with temporary and permanent measures such as silt and straw fencing, and stabilizing

areas of concentrated flow. Topsoil would be eliminated in areas where new grading would occur and stabilization and revegetation post construction would be required in temporarily disturbed areas. The project proposes approximately 466,383 cubic yards of cut and fill. After construction, roads would be maintained to reduce erodibility, and after revegetation there would be less permanent land disturbance than the current amount. Standard soil erosion reduction requirements and MMs would ensure this impact would be less than significant.

This Project would not be located on expansive soil. The soil that is on the Project site is mainly sandy, gravelly, or loamy. These soils do not hold water and do not expand, so they would not create any direct or indirect risks to life or property. Therefore, there would be no impact.

The current wind energy project on the site sustains a septic system. Part of the Project overlays the Coachella Valley Groundwater Basin (CVGB). The groundwater basin is far below the surface of the earth, and even farther away from the Project, since the Project sits on a 600-foot-tall hill. There are adequate soils and adequate distance between the septic field and the CVGB, as well as any other sources that could be contaminated. Therefore, there would be no impact.

Mitigation: MM-AQ-1 Fugitive Dust Control Plan (see Air Quality for full text).

Monitoring: See Air Quality for monitoring requirements.

Would the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
19. Wind Erosion and Blowsand from project either on or off site				
a) Be impacted by or result in an increase in wind erosion and blowsand, either on or off site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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

Findings of Fact: Impacts will be less than significant.

a) Wind erosion and blowsand would be issues during the grading phases of Project construction. Blowsand creates concern for maintenance activities, since it acts as an abrasive on metal, glass, and wood surfaces including those on cars, windows, and siding. The operation and maintenance activities that occur on the Project site would not result in additional workers being located on-site for additional durations of time. Thus, the safety and quality of life issues associated with blowsand are not relevant to the project. Implementation of the Project's Dust Control Plan and adherence with the County's Fugitive Dust and Erosion Control Ordinance would serve to reduce the effects of wind erosion. The Project would adhere to Riverside County Ordinance No. 484, which requires prevention of substantial quantities of soil from being deposited on public roads and private property. As previously addressed, the Project would be required to comply with SCAQMD Rules 403 and 403.1 to control dust emissions generated during the grading activities onsite and along the main access road. Standard construction practices to reduce fugitive dust emissions would be implemented, which include watering of the active sites. Therefore, impacts associated with wind erosion and blowsand would be less the significant.

Mitigation: No mitigation is required.

Monitoring: No monitoring is required.

Greenhouse Gas Emissions

Would the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
20. Greenhouse Gas Emissions				
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Source(s): Riverside County General Plan, Riverside County Climate Action Plan ("CAP"), Project Application Materials

Findings of Fact: Impacts will be less than significant with the incorporated mitigation

a) Decommissioning of the old turbines, and construction of the Project would result in GHG emissions. These GHG emissions come from the use of off-road construction equipment, worker vehicles, mobilizing construction equipment, crew, and materials. The vehicles and equipment are used during all phases of construction activities through restoration and clean-up. These activities would cause GHG emissions due to fuel combustion by the construction vehicles and off-road equipment. Different sources of GHG emissions include diesel powered off-road equipment, gasoline powered construction vehicles which include trucks and autos for moving crews, equipment, materials, and water for fuels delivery. The equipment and vehicles would emit CO₂, CH₄, and N₂O as products of fuel use and combustion. Motor vehicle fuel combustion emissions in terms of CO₂e are approximately 95% CO₂ with less than 1% mass being composed CH₄ and N₂O emissions compared to CO₂. The new WTGs of the Project would produce electricity that would displace the need to produce electricity from traditional resources, such as fossil fuels.

Emissions from Development Activities. The construction, operation and maintenance activities create GHG emissions. These emissions come from improvements to the access roads, construction of the repowered plant, operations, and the eventual decommissioning of the Alta Mesa Project. The GHG emissions are specifically a result of the fossil-fuel combustion in the engines of construction equipment and vehicles used for transportation of workers or materials. Diesel fuel or gasoline is used in heavy-duty construction equipment, site development and preparation, facility construction, roadway construction and eventual decommissioning. Annual GHG emissions over the duration of construction, including future decommissioning, would vary up to 1,264 MTCO₂e/year. Direct on-site O&M activities would be the same as emissions from the baseline, because the operation and maintenance would remain the same, or very similar to the existing condition.

Emissions Avoided by Producing Electricity. The Project would produce up to 27 megawatts (MW) of wind energy. Any production of power that exceeds what is currently being produced would be an increase in displacement of carbon-based fuels that would otherwise be used to meet electricity demand. The power displaced is incremental power provided by generators elsewhere on the grid, typically from natural gas power plants. The displacement of carbon-based fuels means that the project would avoid GHG that would be emitted elsewhere on the grid. The quantity of avoided GHG could vary over time depending on California's statewide progress in reducing GHG in the electricity supply, by increasing its Renewable Portfolio Standard.

GHG impacts could arise from gas-insulated switchgear within the turbines, which contains SF6, and could leak over the life of the project. The amount of SF6 emitted are unquantified, although this is minimal, and avoided according to ARB regulations and the Applicant would be required to submit annual SF6 inventory and emissions reporting to the ARB for turbine and substation breaker/switch gear units. Installation of the project would result in new temporary and permanent ground disturbance. This effects GHG emissions since vegetation sequesters CO2, and acts as a sink as it removed CO2 from the atmosphere.

There would be a net GHG reduction due to this project from the direct and indirect effects on emissions from the construction and operations phases. The overall quantities of GHG generated by the Project would not have a significant impact on the environment because the SCAQMD threshold level would not be exceeded and the impact associated with GHG emissions would be less than significant.

b) Riverside County's Climate Action Plan (CAP) is a qualified GHG reduction plan according to CEQA guidelines. The Project would not exceed the 3,000 MT CO2e threshold established by the CAP. The Project would not conflict with any of the GHG reduction measures or goals within the Cap, and thus, is consistent with the plan. In addition, the Project would not inhibit the County from implementing any of the measures in the plan, both that apply to the Project and do not apply to the Project. Therefore, the impacts will be less than significant.

Mitigation: No mitigation is required.

Monitoring: No monitoring is required.

Hazards and Hazardous Materials

Would the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
21. Hazards and Hazardous Materials				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Impair implementation of or physically interfere with an adopted emergency response plan or an emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter (1/4) mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Source(s): Project Application Materials, CAL FIRE Fire Hazard Severity Zones in SRA, CPUC FireMap Tier 2 and Tier 3, County of Riverside EMS Plan and Fire Department Strategic Plan, US Occupational Safety and Health Standards 1910 Subpart L, California State Water Resources Control Board 2020 GeoTracker, US Department of Toxic Substances Control, 2020, US Department of Energy's Wind Energy Technologies Office WINDEXchange, General Electric Technical Documentation.

Findings of Fact: There will be no impacts

a-c) During construction of the Project, hazardous and potentially hazardous materials will be routinely transported, such as gasoline, diesel fuel, lubricants, and other products used to operate and maintain construction equipment. During construction, standard operating procedures would be followed to ensure that lubricants do not escape the surrounding area, and the transportation, use, and handling of these materials would be a temporary activity during construction and decommissioning. Oils from new turbines would not affect ground level soils because the project would be routinely monitored by on-site maintenance personnel, who regularly inspect the wind turbines. The wind turbines are equipped with a SCADA system which monitors the operation and safety of the wind turbines. Hazardous materials may be stored on the project site, and any transport, use, and handling of the hazardous materials would be conducted by a permitted and licensed service provider, and comply with applicable federal, state, and local agencies and regulations. These agencies include the U.S. Environmental Protection Agency (EPA), the Department of Toxic Substances Control (DTSC), the California Department of Transportation, The California Occupational Safety and Health Administration (Cal/OSHA), the Resource Conservation and Recovery Act (RCRA), and the Riverside County Department of Environmental Health. As mandated by Cal/OSHA, all hazardous materials stored on site would be accompanied by a Material Safety Data Sheet, which would inform on-site personnel about the necessary remediation procedures in the case of accidental release. The existing Hazardous Materials Business Plan (HMBP) and Spill Prevention, Control, and Countermeasures (SPCC) would be updated for the new project and would be provided to all appropriate authorities. Transmission oils from the turbines would not affect ground level soils.

The routine storage, transportation, and use of hazardous materials associated with vehicles and equipment used for project activities could result in an inadvertent release or spill. However, the volume of hazardous materials used for this project is relatively low, and modern wind turbines have an excellent safety record. According to WINDEXchange, a resource of the U.S. Department of Energy's Wind Energy Technologies Office, turbine failures are rare events, and there have been fewer than 40 incidents in the modern fleet of 40,000 turbines in the United States as of 2014.

Hazards associated with blade throw, when a blade disconnects from the turbine and is thrown, while virtually non-existent in modern turbines, is minimized by a proper setback. According to the industry best practices and General Electric's setback considerations, the setback distance to ensure safety would be 1.1 times the tip height of the turbine. The tip height is the hub height, plus the height of half of the rotor diameter. For the Project, the maximum tip height would be 499 feet, which means the setback would need to be 546 feet. The distance from the closest turbine to any residential use is 4,500 feet, which is more than sufficient to ensure safety from blade throw. As stated above, the modern wind turbines are equipped with a SCADA system, which would alert crew members to potentially hazardous situations due to a mechanical failure, therefore preventing the release of hazardous materials related to a turbine failure.

The Project may require short-term road closures during construction due to transfer of oversized equipment and infrastructure. Road closures are not expected to occur during operation. During construction, the bulk of traffic on public roads would be caused by the associated construction workers, followed by delivery of turbine components, and other construction equipment. If temporary lane closures are required,

Brookfield would apply for the necessary permits from the California Department of Transportation or local agencies, which would require coordination with emergency service providers to ensure they are aware of any route restrictions. Temporary traffic delays or lane closures could occur during project construction, it would occur only during the short-term window of construction and alternate routes would be available for emergency evacuation should they be needed. Therefore, the impact would be less than significant.

d-e) There are no schools within one-quarter mile of the Project. Additionally, the Project is not located on or near a site that is included on a list of hazardous material sites and would not create any hazard to the public or the environment. Therefore, there would be no impact.

Mitigation: No mitigation is required.

Monitoring: No monitoring is required.

Would the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
22. Airports				
a) Result in an inconsistency with an Airport Master Plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Require review by the Airport Land Use Commission?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) For a project located within an airport land use plan or, where such a plan has not been adopted, within two (2) miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) For a project within the vicinity of a private airstrip, or heliport, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Source(s): Riverside County General Plan Figure S-20, "Airport Locations," GIS database

Findings of Fact: There will be no impacts

a-d) The project requires review by the Airport Land Use Commission (ALUC) since the turbines exceed 200-feet in height. An application with the ALUC was filed in December 2020 and the project will be considered by the ALUC at their February hearing. Previously, the proposed Project was reviewed by the Federal Aviation Administration (FAA) who issued a "Determination of no Hazard to Air Navigation" for each turbine and the MET tower. In addition, the FAA required lighting on each turbine. The ALUC will use these FAA determinations in their consideration of the proposed Project. The Project is not located within 2 miles of an airport or airstrip. The closest airport to the Project is the Banning Municipal Airport, which is over 10 miles away from the Project, to the west. The Palm Springs International Airport is approximately 10 miles southeast of the Project. The Project is not located within an airport land use zone. The Applicant would follow the lighting requirements imposed by the FAA and ALUC.

There would be no safety hazard or excessive noise for people residing or working in the Project area due to the distance between the project and the public use airport. Therefore, there would be no impacts.

Mitigation: No mitigation is required.

Monitoring: No monitoring is required.

Hydrology and Water Quality

Would the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
23. Water Quality Impacts				
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Result in substantial erosion or siltation on-site or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on-site or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) Impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h) In flood hazard, tsunami, or seiche zones, risk the release of pollutants due to project inundation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Source(s): Riverside County General Plan Figure S-9, "Special Flood Hazard Areas," Figure S-10, "Dam Failure Inundation Zone," Riverside County Flood Control District Flood Hazard Report/Condition, GIS database

Findings of Fact: Impacts will be less than significant

a) Construction would require excavation and grading for access roads, tower pads and foundations, and installation of towers. Disturbance of soil during construction could result in soil erosion and lowered water quality through increased turbidity and sediment deposition into local drainageways. Accidental spills or disposal of harmful materials used during construction could wash into and pollute surface waters or groundwater. Materials that could contaminate the construction area or spill or leak include lead-based paint flakes, diesel fuel, gasoline, lubrication oil, cement slurry, hydraulic fluid, antifreeze, transmission fluid, lubricating grease, and other fluids.

Potential threats to surface water during construction would be minor and limited by measures required to prevent contamination of surface and ground water. The local drainageways are normally dry. Should contaminant spills occur during construction, these would be cleaned up prior to water being contaminated and conveyed to downstream waters such as the Whitewater River. Any contamination of surface waters from most of the site which drains to Cottonwood Creek or the San Gorgonio River is also unlikely due to dry conditions. Contamination of these downstream waters is further unlikely due to the lack of connectivity between the tributaries and the San Gorgonio River.

Because the towers are on hills, 600 feet or more above the adjacent valley floor, and the CVGB is primarily below the valley floor, CVGB groundwater is well below the maximum depth of excavation, resulting in little likelihood that this groundwater could be affected during construction. Secondary containment for hazardous materials such as fuels would be required by law, and a Spill Prevention Control and Countermeasure Plan (SPCCP) developed and adhered to. The fuels stored on-site would be in a locked container within a fenced and secure temporary staging area. Temporary portable sanitation facilities will be provided for construction and these will be maintained by a licensed hauler. A site-specific SWPPP would be required and would prevent water contamination from spills and sediment disturbance during construction. The SWPPP would include measures for diverting flow around disturbed areas, managing overland flow with temporary and permanent measures such as silt and straw fencing, stabilizing areas of concentrated flow, protecting inlets to culverts and catch basins, and prevention of tracking of sediment by vehicles. Site inspections would be conducted on a regular basis and after rainfall events exceeding 0.5 inches to ensure proper function of the stormwater control measures described in the SWPPP. Areas of temporary disturbance would be revegetated.

Potential threats to surface water quality during O&M would be minor. Most O&M activities do not involve ground disturbance except for inspection and maintenance of access roads and pads to minimize the potential for ongoing erosion. The only fluids used would be replacement lubricating fluids which would be minor and any spills of which would be subject to the SPCCP.

With these protection measures in place, impacts to surface or groundwater quality would be less than significant.

b) Construction water use is expected to be approximately 35 acre-feet total, and operations use would be up to 7,300 gallons per year. Both construction and operation would likely use water drawn from the CVGB because there are no other known aquifers in the area. Water for construction would be obtained from a local water purveyor and operations water would be provided from an existing on-site well. The amount of water drawn out for construction is very minor (about 0.03%) compared to the overall annual deficit of 137,000 acre-feet per year and would be a one-time use. Water used for operations (approximately 1 acre-foot/year) would be ongoing during the life of the project and would be consistent with the amount of water currently in use for operations. Therefore, the Project would have a less than significant impact.

c) Construction activities, including excavation and grading for access roads, construction yards, tower pads, foundations, and installation of towers, would not substantially alter the existing drainage pattern of the site. There are no streams or rivers on the site and drainages would be avoided to the maximum extent feasible except for access road crossings. The Project would remove 159 turbines and install 7 turbines. The engineering of the project would incorporate the existing drainage pattern of the site and any impacts to it would be less than significant.

d) Construction activities include excavation and grading for access roads, construction yards, tower pads, foundations, and installation of towers. These activities could result in soil erosion, and potential siltation

of water depositing into local drainageways. A project-specific SWPPP would be required and would include measures for diverting flow around disturbed areas with temporary and permanent measures such as silt and straw fencing, and areas of temporary disturbance would be revegetated. These measures are put in place to prevent erosion and siltation of water. Therefore, the Project would have a less than significant impact.

e) The Project would not increase the rate or amount of surface runoff. The overall amount of ground disturbance would be reduced from what is currently on the Project site, so there would be more infiltration, and less runoff. The Project is not in a county designated flood zone. The runoff that does exist now is not enough to result in flooding on the Project site where turbines or facilities are located, due to the topography of the area. There would not be an increased risk of flooding off-site due to the project, because of the arid climate and because none of the drainageways on the site carry sufficient water to generate runoff except during infrequent rains. Therefore, the Project would have a less than significant impact.

f) The Project would not increase the amount of runoff. Since the area is in an arid climate, the local drainageways are normally dry. In the event that a contaminant spills during construction, it would be cleaned up prior to any water being contaminated and conveyed downstream. The site-specific SWPPP would be required and would prevent water contamination from spills and sediment disturbance during construction, therefore preventing any polluted runoff. The SWPPP would include measures for diverting flow around disturbed areas, managing overland flow with temporary and permanent measures such as silt and straw fencing, stabilizing areas of concentrated flow, protecting inlets to culverts and catch basins, and prevention of tracking of sediment by vehicles. Site inspections would be conducted on a regular basis and after rainfall events exceeding 0.5 inches to ensure proper function of the stormwater control measures described in the SWPPP. During operation, there would be no runoff created that would exceed the capacity of the drainage systems, and the Project would not cause any runoff to become polluted. Therefore, the impact would be less than significant.

g) The Project would not impede or redirect flood flows. The project is in an area that has an arid climate, and the project site is not in an area that could flood, since it is elevated from the valley floor and on mountainous terrain. Drainage off the project site would not be impeded or redirected due to the Project. Therefore, the impact would be less than significant.

h) The Project is not in any flood hazard, tsunami, or seiche zones, therefore there is no impact.

i) The Project would not obstruct or conflict with implementation of a water quality control plan or sustainable groundwater management plan. During construction, the developer would follow guidelines set by these plans to protect water resources, by following the SWPPP, and by adhering to the Sustainable Groundwater Management Act (SGMA). The Project area does not have a Sustainable Groundwater Plan, but the CVWMP satisfies the requirements of the SGMA, as described in the SGMA Bridge Document for the Indio Sub-basin. The Bridge Document outlines the sustainable management criteria from the SGMA, explains why the CVWMP is sufficient. The Project would adhere to these management criteria and would not interfere with the goals of sustainable water management, such as overdraft, since the project would only use large amounts of water during construction. Therefore, there would be no impact.

Mitigation: No mitigation is required.

Monitoring: No monitoring is required.

Land Use/Planning

Would the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
24. Land Use				
a) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Disrupt or divide the physical arrangement of an established community (including a low-income or minority community)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Source(s): Riverside County General Plan Land Use Element, Riverside County Western Coachella Valley Area Plan, GIS database, Project Application Materials, National Trails System Act Legislation, DRECP LUPA

Findings of Fact: There will be no impacts.

a-b) All activities associated with the Project would occur within the existing site of the Alta Mesa Wind Project, with the exception of improvements to the main access road and construction yard on the Mesa Wind site (see Figure 2b). There would be no changes to established land uses on the existing site or to areas surrounding the Project. The Project is undergoing environmental review by the County including review of all the appropriate plans to ensure it is consistent with their requirements. The Project would be consistent with the County's planning and zoning designation of Open Space Rural and Open Space Recreation.

Under the existing condition, the Project site operates as a commercial wind energy facility and is designated Open Space Rural (OS-RUR) in the Western Coachella Valley Area Plan, and would continue to operate as such upon implementation of the Project. The project proposes removal with decommissioning of 159 existing wind turbines and installation of 7 new wind turbines up to 499 feet in height. The subject land was previously approved under Commercial WECS Permit No. 71R9 which has a permit life to which is now proposed to be replaced by WCS 71R10. In addition, the Project site is surrounded by operational wind energy development to the east and west. Thus, assuming that the County finds the Project to be consistent with the present and planned land use of the Project area, it is expected that the Project would continue to be consistent with Project area's land use once repowering activities have been completed. Impacts would be less than significant.

The project is not located within a City Sphere. A community outreach brochure was distributed in January 2020 regarding project facts and an open house was held on February 12, 2020.

The Project will not divide or disrupt the physical arrangement of an established community. The Project site an existing wind energy project, and the areas around the Project site consist of vacant desert land or existing wind farms. The Project site is approximately 4,500 feet away from the nearest residential site, in the unincorporated community of Bonnie Bell. The Project would not introduce any new infrastructure that could create a barrier across an existing community, due to the distance to any community and the non-linear nature of the Project. No impact would occur.

Mitigation: No mitigation is required.

Monitoring: No monitoring is required.

Mineral Resources

Would the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
25. Mineral Resources				
a) Result in the loss of availability of a known mineral resource that would be of value to the region or the residents of the State?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Potentially expose people or property to hazards from proposed, existing, or abandoned quarries or mines?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Source(s): Riverside County General Plan Figure OS-6, "Mineral Resources Area", Multipurpose Open Space Element, and Land Use Element.

Findings of Fact: There will be no impacts

a-c) The Project is located in a California Geological Survey designated Mineral Resource Zone (MRZ) identified as MRZ-3, which are areas containing known or inferred mineral occurrences of undetermined mineral resource significance. The Project would not interfere with any active mining operations and would consist of repowering an existing wind energy project. The potential for mineral development in the future after the use of the site for a wind project will remain the same. The Project would not constitute a substantial impact on regionally or locally important mineral resources. Therefore, no loss in availability of known mineral resources due to the Project would occur.

There are no proposed, active, or abandoned mining operations on the Project site. There are no delineated mineral resource recovery sites identified in the Riverside County General Plan or the Western Coachella Valley Area Plan (County of Riverside, 2019). Therefore, there would be no impact related to loss of availability of a locally important mineral resource recovery site. Additionally, no potential exists to expose people or property to hazards from proposed, existing, or abandoned quarries or mines.

Mitigation: No mitigation is required.

Monitoring: No monitoring is required.

Noise

Would the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
26. Airport Noise				
a) For a project located within an airport land use plan or, where such a plan has not been adopted, within two (2) miles of a public airport or public use airport would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Would the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
b) For a project located within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Source(s): Riverside County General Plan Figure S-20, "Airport Locations," County of Riverside Airport Facilities Map

Findings of Fact: There will be no impacts.

a-b) The Project is not located within the vicinity of a private airstrip or an airport land use plan. The closest airport is over 10 miles away. The Project would not expose people residing or working in the project area to excessive noise levels during construction or operation. Therefore, there would be no impact.

Mitigation: No mitigation is required.

Monitoring: No monitoring is required.

Would the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
27. Noise Effects by the Project				
a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan, noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Generation of excessive ground-borne vibration or ground-borne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Source(s): Riverside County General Plan, Table N-1 ("Land Use Compatibility for Community Noise Exposure"), Project Application Materials

Findings of Fact: There will be less than significant impacts.

a) Construction of the Project would create short-term and temporary construction noise levels that could be heard by nearby residents. Construction includes the removal of 159 existing legacy turbines, and installing 7 new WTGs, along with the electrical collection system, and modifying access roads. The installation of new WTGs would temporarily increase noise in the vicinity of the site and transportation corridors due to the use of heavy-duty construction equipment, haul trucks, and other vehicles.

The construction of new WTGs would be accomplished within a period of 12 months. During this time, noise from construction would be limited to occur during the day, when noise is tolerated better than at night due to the masking effect of background noise. During construction, the equipment used will vary depending on the work to be accomplished, and due to the nature of the construction, the equipment use, and associated noise, would be intermittent. Types of equipment to be used would include graders, dump trucks, compactors, excavators, drill rigs, concrete trucks, and cranes. The construction equipment can generate short-term maximum noise levels of approximately 89 dBA at a distance of 50 feet when the

equipment is under maximum load. With the time-varying usage of equipment, construction activities would likely generate daytime noise levels between 80 and 90 dBA Leq. These levels would attenuate over distance, so that construction noise levels would be less than 54 dBA at the nearest residence to the site. Lower noise levels would occur for locations shielded by terrain.

For locations within 50 feet of the access road, about 10 trucks per hour would cause about 61 dBA Leq and 56 dBA Ldn. Typical truck traffic volumes related to the Project would be an average of less than 220 trucks per week. Worker commute traffic and medium-duty truck deliveries would cause less noise than the heavy truck traffic because each light duty vehicle pass by emits about one-tenth of the sound of a heavy truck.

The daytime construction noise would be at least 4,500 feet from inhabited dwellings (see Figure 2a), and accordingly, construction activity and traffic would be exempt from limits in the County Noise Ordinance No. 847. Daytime noise levels would increase as a result of construction-related on-road traffic to 61 dBA for the nearest residences and locations within 50 feet of access roads. At distances greater than 100 feet, the resulting noise level would diminish so that it would be within the Riverside County General Plan Noise Element's Normally acceptable range (under 60 dBA Ldn) for low-density residential uses greater than 100 feet from roads. Depending on local existing daytime conditions along access roads, there would be a perceptible and noticeable increase in traffic noise levels (over a 3 dBA increase) due to haul truck trips during approximately 12 months of construction. Although this noise would be noticeable near the traffic, this traffic noise would be exempt under the Noise Ordinance, and construction traffic noise levels would be considered normally acceptable by the Noise Element of the County General Plan. Further, this would be temporary and would not result in a significant permanent ambient noise-level increase once the Project is operational. Therefore, this would be a less than significant impact and no mitigation is required.

During operation of the Project, wind turbines contribute to noise in two categories: mechanical and aerodynamic. There are also different types of noise produced by operation and maintenance, which include transformer and switchgear noise from step-up transformers and existing substations, corona noise from existing transmission lines. During maintenance, noise sources include vehicular traffic noise, including commuter and visitor and material delivery; and noise from the operation and maintenance (O&M) building.

Mechanical wind turbine noise is associated with the rotation of mechanical and electrical components. This type of noise on WTGs is primarily generated by the gearbox and related parts, and tends to be tonal in nature, although a broadband component exists. On modern turbines, this type of noise is substantially less of a factor, since they have been designed to minimize noise. The dominant noise component for the Project's turbines is aerodynamic noise. Aerodynamic noise has a broadband character which originates from the flow of air over and past the blades; therefore, the noise generally increases with tip speed, and is usually described as a "swishing" or "whooshing" sound.

According to the Applicant, the Noise generation characteristics at rated power output are 106.1-109.5 dBA. These levels could be revised as specific turbine generator models are chosen, but they represent the maximum potential source level, at the wind speed that causes the highest sound levels (10 meters per second at the hub). At high wind speeds, the noise from the wind itself tends to mask the increasing turbine noise.

To determine the potential noise impacts at nearby residences and other noise sensitive areas from the wind turbines, propagation of the source sound levels would occur over the surrounding terrain and distances. Considering geometric spreading only, each turbine would cause a sound pressure level of 75 dBA at a distance of 50 meters (164 feet), which is a level that would constitute a severe impact. Spacing

between the turbines would be determined closer to construction but would generally be approximately 150 meters (492 feet) or more. The noise level caused by each turbine would be 65 dBA at 150 meters apart. The new WTGs would be no closer than 4,500 feet from the nearest residences in the community of Bonnie Bell. Here, the equivalent sound pressure from each turbine would be approximately 46 dBA, or 53 dBA Ldn on a day-night basis, when the wind is blowing from the turbine tower toward the receptor. This noise level depends on the ultimate arrangement of wind turbines and the shielding that the terrain causes sound waves to redirect away from the receptor. The resultant combined noise levels would not increase or decrease by more than 10 dBA.

Besides distance and terrain, there are other factors that affect noise levels at nearby sensitive areas. Atmospheric conditions, including temperature inversions, can refract or bend, sound downward. Temperature inversions happen on calm nights and are characterized by temperature of the air increasing with height due to radiative cooling of the surface. Temperature inversions that could affect noise only happen with a stable atmosphere with low wind speeds, or below the cut in speed for operation of the turbine, therefore, the increased noise propagation associated with temperature inversion would be minimal. The exception would be in sheltered valleys with relatively low ambient noise levels. In general, the effects of wind speed on noise propagation would generally dominate over those of temperature gradient. Wind-generated background noise, such as the noise caused by wind interacting with vegetation and structures would also mask the wind turbine noise above wind speeds of 8 meters per second.

Along with the WTGs, there would be noise generated from the substation and transmission line, as well as noise generated by maintenance activities. There are two sources of noise associated with substations, transformer noise and switchgear noise. A transformer produces a constant low-frequency humming noise that is generally uniform in all directions and continuous. Switchgear noise is impulsive in nature, loud, and of very short duration, as it comes from the operation of circuit breakers used to break high-voltage connections. Noise from regular maintenance activities would include periodic site visits which would involve light or medium duty vehicle traffic with relatively low noise levels. Infrequent but noisy activities would be anticipated for road maintenance work with heavy equipment, as well as occasional repairs to wind turbines or auxiliary equipment. The anticipated noise levels for these activities would be well below those caused by construction activities and would not be substantially greater than the existing condition.

In conclusion, since the receptors would be no closer than 4,500 feet from the nearest WTG, the noise from each WTG would naturally attenuate with distance to a level of 46 dBA at the nearest residences, or 53 dBA Ldn on a day-night basis. This would not exceed the 55 dBA standard set by the County Ordinance No. 348 for impacts caused by WECS at habitable dwellings. For locations near the site boundary, such as the PCT, the noise levels would not exceed 65 dBA at 150 meters (500 feet) from any WTG, or approximately 50 dBA at the PCT. All offsite locations that are shielded by terrain would experience lower noise levels than unshielded areas. The new WTGs and related maintenance activities would result in a permanent increase in ambient noise levels; however, the resulting increase in noise levels would not be substantial since the noise levels remain compatible with the affected land uses in the project vicinity. Therefore, this impact would be less than significant, and no mitigation is required.

b) Construction of the Project would use different types of equipment that may cause minimal amounts of groundborne vibration or noise. Types of activities that could cause groundborne vibrations are traffic of medium and heavy-duty vehicles driving over uneven surfaces, and drilling equipment. These vibrations may be felt in the immediate vicinity of construction activities and are temporarily bothersome within 50 feet, depending on the source. No Project activity during construction, or equipment or facilities during operation are likely to create substantial and consistent vibration that could cause damage or annoyance. Therefore, this would be a less than significant impact, and no mitigation is required.

The project shall comply with conditions of approval on file including AND Planning.16-Operational Noise.

The Project would not cause groundborne vibration or groundborne noise levels during operation. Vibrations from wind turbines can lead to ground vibrations and these can be measured with sensitive vibration sensors. In several studies WTG vibrations have been measured at large distances, but this was because these vibrations could affect the performance of seismic stations that detect nuclear tests. These vibrations are too weak to be detected or to affect humans, even for people living close to wind turbines (van Kamp and van den Berg, 2017). Further studies have measured the vibrations at the foot of turbines and at nearby residences and even at the foot of the turbine, vibrations were very low; at the house, not only were vibrations low but those measured did not correspond with the output of the wind turbine (Meunier, 2013). Therefore, there would be no impact.

Mitigation: No mitigation is required.

Monitoring: No monitoring is required.

Paleontological Resources

Would the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
28. Paleontological Resources				
a) Directly or indirectly destroy a unique paleontological resource, site, or unique geologic feature?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Source(s): Riverside County General Plan Figure OS-8, "Paleontological Sensitivity," Paleontological Resource Report (PDP 01667)

Findings of Fact: Impacts will be less than significant with the incorporated mitigation

a) To determine if the Project would potentially impact paleontological resources, Aspen conducted a geology map review, a literature review, and requested the Western Science Center (WSC) in Hemet to conduct a paleontological record search for the adjacent Mesa Wind project, which included the current Project area (see Appendix H). Aspen also conducted a pedestrian survey of the current project area for this analysis.

A review of the geology of the area concluded that the Project lies in a curious geologic position. The San Gorgonio pass is the major geologic divide between the igneous batholithic Peninsular Ranges and the Transverse Ranges, which is a massive fault block composed of diverse forms of rock. The entirety of the Project footprint is mapped as Qcf: alluvial fanglomerate, light gray, weakly indurated, crudely bedded unconsolidated boulders, cobbles, and pebbles of detritus; mostly quartz diorite derived from the San Jacinto Mountains.

The WSC replied on March 3, 2019 with the paleontological record search results, which indicated they have no records of fossil localities within a one-mile radius of the Mesa Wind project area, including the current Project footprint, but do note fossil localities from similarly mapped old alluvial fan deposits within the region.

Aspen conducted a pedestrian survey of the Project area on April 20, 2020. A paleosol (technically a relict soil because it is not buried) has formed in the uppermost layers of the alluvial fan, indicating an extended period of stasis. Pedogenic calcium carbonate (caliche) was found in partings between the sediment peds

in some areas. The presence of caliche in these partings indicates a date of over 10,000 years, given the known rate of accumulation in nearby parts of the desert. The paleosol contains large quantities of dark red-brown silt mixed with the coarser alluvium, often containing large clasts. The oxidized silt may attain a depth of at least 10 feet.

No rhizoliths or other paleontological resources were noted in exposures of the paleosol within the Project area. However, a short distance west of the Project area, the same paleosol can be seen at the eroding edge of the alluvial fan surface, and rhizoliths do occur there. The coarseness of the alluvium in this area makes it unlikely that any organisms but the largest mammals could leave any trace within it. The paleontological potential of the Cabezon Fonglomerate in this area is rated as low potential. Regarding the paleosol developed at the exposed surface of the fan within the Project area, it is conceivable that small fossorial vertebrate organisms could have utilized the soil as habitat. However, no indications of such remains were detected during the survey, although vertebrate microfauna is usually detected through screening bulk sediment samples. Sampling and screening the paleosol were beyond the scope of the survey. The paleontological potential of the paleosol within the Project area is rated as unknown at this time.

The record search, literature review, and the survey did not indicate the presence of paleontological resources within the Project area. However, because rhizoliths were observed a short distance from the Project area within the same paleosol, it is possible that vertebrate fossils could be located subsurface within the Project area. Previously unknown buried paleontological resources could be uncovered, damaged, or destroyed during construction ground-disturbing activity, which would be considered a potentially significant impact. Implementation of mitigation measure PAL-1 would reduce potential impacts to unknown paleontological resources to a less than significant level.

Mitigation:

PAL-1 **Sampling and Worker Environmental Awareness Program (WEAP).** A 600 pound sample of the paleosol shall be tested (screened) for microvertebrate fossils. If none are found, paleontological resources monitoring is not required. If microvertebrate fossils are located, then monitoring would be warranted, and a Paleontological Resources Impact Mitigation Program (PRIMP) should describe procedures for unexpected discovery protocols, monitoring, sediment sampling and processing, identification, reporting and curation of fossils found on the Project, as well as radiocarbon dating of pedogenic carbonate from the Project footprint. If microvertebrate fossils are not located during pre-construction testing, then the PRIMP will consist only of a WEAP and an unexpected discovery of fossils plan.

Monitoring: All workers would receive the WEAP and potential monitoring may be required.

Population and Housing

Would the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
29. Housing				
a) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Would the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
b) Create a demand for additional housing, particularly housing affordable to households earning 80% or less of the County's median income?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Source(s): Project Application Materials, GIS database, Riverside County General Plan Housing Element, US Census Bureau ACS 5-Year Estimates Data Profile.

Findings of Fact: There will be no impacts

a-c) The purposed of the Project is to repower an existing wind energy project. This would not require the permanent removal or displacement of housing or persons that would warrant replacement housing elsewhere. The Project would not induce substantial unplanned population growth in the area directly or indirectly. The Project would not create a demand for additional housing, either due to displacement, or housing affordable to households earning 80% or less of the County's median income. No new housing or businesses, or extension of roads or other infrastructure are proposed as part of the Project. There would be no increase in permanent positions to operate the Project. During construction, some workers would reside in the Project area temporarily, and relocate after the Project construction is completed. Most construction workers are expected to commute to the Project site from surrounding communities. Therefore, no impact would occur.

Mitigation: No mitigation is required.

Monitoring: No monitoring is required.

Public Services

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

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
30. Fire Services	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Source(s): Riverside County General Plan Safety Element, Rengel et al. Computational Dynamics Inside a Wind Turbine, Uadiale et al. Overview of Problems and Solutions in Fire Protection Engineering of Wind Turbines.

Findings of Fact: Impacts will be less than significant

The Project site, main access road and construction yard are located within State Responsibility and Federal Responsibility Areas, respectively, mapped as Moderate Fire Hazard Severity Zones. Areas to the north of the Project, which are Federal Responsibility Area, are designated with "Very High" fire hazard

potential. Construction and routine maintenance of the Project is not expected to significantly increase the risk of fire. During construction, fires could be caused by a variety of factors, including vehicle exhausts, sparks associated with grading activities, welding activities, parking on dry vegetation, and the overall temporary increase in human activity. All construction equipment used for the Project is required to have fire suppression equipment on board or available at the work site. The site is also required to have an adequate supply of water with all-weather access for fire-fighting equipment and emergency vehicles.

Although occurrence is low, there is some potential for fire inside a WTG. Malfunctions leading to fires in modern WTGs are extremely low. (Bengel et al., 2017; Uadiale, 2014). The Project would be equipped with an automatic control system that is capable of monitoring all operational parameters, including stopping and starting each WTG. In the event of a fire, excess vibration or temperature, the WTG would be halted immediately. An alarm would immediately notify the on-call operators who would then take appropriate emergency measures. In the event of a fire in the hub of a WTG, there is limited availability of fire suppression crews to effectively fight fires that occur hundreds of feet above the ground. The high-wind conditions that are characteristic of the area make this a risky situation for both WTG malfunction and the spread of a wildfire due to embers falling to the ground from the WTG. These wind-blown embers could potentially travel outside the WTG pad and ignite surrounding vegetation.

Public concern related to fire from wind energy facilities are also associated with the potential for tower collapse or rotor failure and blade throw (separation of the blade from the rotor). The likelihood of a tower failure or collapse is very low and uncommon. Tower failure or collapse can occur as a result of static stress, material fatigue, seismic activity, or ground settling. Excess speed, material fatigue, excessive stress, or vibration can cause a potential rotor blade crack or dislocation from the turbine tower. Blade failures may occur due to extremely high winds and excess rotor speed, so commercial wind turbines are equipped with safety and engineering features to prevent excess rotor speed. Routine inspections and maintenance of the Project's WTGs would greatly reduce the risk of mechanical failure along with implementation of project design features such as a Construction Fire Prevention Plan and an Operational Fire Safety Plan. These plans will assist in the prevention of fire incidents and ensure an appropriate response.

Emergency response via the fire department could be required at the Project site in the event of an accident during construction or maintenance. The likelihood of an accident requiring such a response is unknown and expected to not be significant, because construction and maintenance activities associated with the Project are short term and temporary.

The Project will not induce an increase in population that would require additional fire protection. Additionally, compliance is required with conditions of approval on file including AND Fire. Therefore, the Project would have less than significant impacts.

Mitigation: No mitigation is required.

Monitoring: No monitoring is required.

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

31. Sheriff Services

Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Source(s): Riverside County General Plan

Findings of Fact: Impacts will be less than significant

The presence of workers and equipment associated with construction may attract vandals or other security risks to the area, which would increase demand on law enforcement services. However, the likelihood of requiring a response is unknown, and not expected to be significant due to the temporary and short-term nature of construction and maintenance activities. As stated above, the Project would not induce population growth so there would be no need for an increase in service. On the Project site, there would be adequate security measures in place, such as locked access gates and potential security guards. These measures are to minimize the amount of service calls from this type of land use, although this type of land use is not typically a cause of high numbers of service calls. Therefore, the Project would have a less than significant impact.

Mitigation: No mitigation is required.

Monitoring: No monitoring is required.

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

Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
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32. Schools

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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Source(s): GIS database

Findings of Fact: There will be no impacts

The Project would have no direct physical impact to schools. During construction, workers are expected to commute to the Project site from surrounding communities. Operations of the Project would not induce an increase in population. Therefore, substantial increases in populations that would adversely affect local school populations are not expected, there would be no need to build additional facilities

The Banning Unified School District provides public education services for the project area. The applicant will be required to pay school fees in accordance with State law due to proposed new commercial development (COA 80.Planning. – School Fees) of 7 new wind turbines. Therefore, impacts are less than significant.

Mitigation: No mitigation is required.

Monitoring: No monitoring is required.

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

Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
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33. Libraries

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Source(s): Riverside County General Plan

Findings of Fact: There will be no impacts.

The Project's construction and maintenance activities would not generate a permanent increase in population that would impact public facilities, such as libraries. It is not anticipated that the Project would increase population in a way that would increase the need for libraries. Therefore, no impact would occur.

Mitigation: No mitigation is required.

Monitoring: No monitoring is required.

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

34. Health Services

Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Source(s): Riverside County General Plan

Findings of Fact: There will be no impacts

The Project's construction and maintenance activities would not generate a permanent increase in population that would impact public facilities, such as health services. It is not anticipated that the Project would increase population in a way that would increase the need for health service facilities. Therefore, no impact would occur.

Mitigation: No mitigation is required.

Monitoring: No monitoring is required.

Recreation

Would the project:

35. Parks and Recreation

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
a) Include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Increase the use of existing neighborhood or regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Be located within a Community Service Area (CSA) or recreation and park district with a Community Parks and Recreation Plan (Quimby fees)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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

Findings of Fact: There will be no impacts

a-c) The Project does not include any recreational facilities. The Project would not cause an increased use of any recreational facilities or parks. There are no parks within one mile of the Project. The Pacific Crest Trail (PCT) runs north and west of the Project site, and there are federal lands nearby that are used for recreation. Local population would not be increased as there would be no increase in permanent positions to operate the Project. During construction, it is possible that some workers would reside in the Project area temporarily, but most construction workers are expected to commute to the Project site from surrounding communities. The Project would not induce local population growth that would cause an increased use of the PCT, recreation lands, or any parks nearby. The Project would be limited to construction and operation of wind energy facilities, and none of the proposed activities would involve or prompt the construction or expansion of recreational facilities.

The Project site is not within the boundaries of any public agency designated to receive land dedication or fees pursuant to Section 10.35 of Ordinance No. 460. The Project would not result in an increase in population generating a need for recreational services (Section 10.35 Riverside County Ordinance No. 460). Therefore, no impacts associated with park and recreational facilities would occur.

Mitigation: No mitigation is required.

Monitoring: No monitoring is required.

Would the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
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36. Recreational Trails

a) Include the construction or expansion of a trail system?

Source(s): Riverside County General Plan Figure C-6, Trails and Bikeway System

Findings of Fact: There will be no impacts

a) The Project area is near some Non-County trails as shown in the Riverside County General Plan. This trail system is the Pacific Crest Trail. The Project does not involve the construction or expansion of a trails system. The Project would also not prompt population growth that would lead to a trail system being expanded or constructed. Therefore, there would be no impact.

Mitigation: No mitigation is required.

Monitoring: No monitoring is required.

Transportation

Would the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
37. Transportation				
a) Conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g. farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Cause an effect upon, or a need for new or altered maintenance of roads?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) Cause an effect upon circulation during the project's construction?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f) Result in inadequate emergency access or access to nearby uses?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Source(s): Riverside County General Plan, Project Application Materials, Riverside County Regional Transportation Plan, Congestion Management Appendix.

Findings of Fact: Impacts will be less than significant with the incorporated mitigation

a) During the Project's construction, there would be workers travelling to/from the site, as well as deliveries of equipment and materials generating temporary vehicle trips to the area. The performance of local roadways and the I-10 may be slightly reduced due to the commuter and delivery trips. It is estimated that there would be a maximum addition of 170 daily commute trips (average of 150 daily commute trips during construction) and approximately 30 daily truck deliveries during construction. However, given the existing daily traffic on I-10, (over 96,000 vehicles), an additional 200 vehicles would not have an effect. Local roadways would experience a greater effect, but the impact would be temporary, and the Community of Whitewater would be given advance notice of the construction schedule.

Consistent with MM-TRA-1, the Applicant will prepare a construction management plan, which would include measures designed to reduce the impact of temporary construction traffic, such as advanced notice to local departments, residents, and businesses, and use of signage before and during construction to ensure roads are accessible.

Any oversized trucks would require permits through Caltrans and the County and would follow all safety requirements such as flaggers and flashing lights. The Project is located in a rural area, and not within close proximity to office uses, employment centers, or existing or future residential sites. Therefore, the opportunities for alternative transportation in the area are limited and would not impact an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, including bicycles, public transportation, and pedestrian facilities.

Operation and maintenance of the Project is expected to generate minimal daily traffic volumes, would be similar to the existing traffic for the Project, and would not require any temporary disruptions to travel lanes. Due to the limited nature of construction and maintenance activities, less than significant impacts to an applicable plan, ordinance, or policy establishing measures of effectiveness for the performance of the circulation system would occur.

Proof of legal access shall be required prior to building permit issuance as outlined under COA 80.Trans.1-Evidence Legal Access. Additionally, the project does not conflict with any County policy regarding mass transit.

Transportation Uniform Mitigation Fees (TUMF) mitigation fees shall be required (COA 80.Trans.2-TUMF) prior to any future building permits.

b) As discussed in CEQA Guidelines Section 15064.3(b.3), a qualitative analysis of construction traffic vehicle miles travelled (VMT) may be appropriate. The Project would result in temporary traffic trips during construction. The majority of truck trips associated with materials and equipment deliveries would likely come from within the Palm Springs and/or Riverside–San Bernardino area because they are readily available in the region and would likely be more cost efficient compared with obtaining such materials and equipment from greater distances. Some materials trips would likely originate from the Ports of Long Beach and Los Angeles or potentially from the other states due to the specialized nature of the WTGs and the limited suppliers. Many temporary workers needed for construction of the Project would reside within a 60- to 90-minute drive time of the Project area. This assumption is based on observations regarding worker commute habits during construction monitoring efforts for other renewable energy and transmission projects in the California desert. However, it is likely that some specialized construction workers would come from outside a reasonable commute area and seek temporary housing proximate to the work area.

While some construction truck trips may require high VMT to access the Project site, such trips would be necessary to deliver specialized equipment and materials that are not available locally. Due to the availability of rail lines from the ports and from out of state to the general project area, VMT may be reduced by equipment and materials being hauled via rail to closer locations before being trucked to work sites. Project-related construction trips are not considered to require a substantial or sustained increase in VMT compared to regional averages for rural construction projects, nor would they result in temporary emission increases that could impact plans and policies related to the reduction of greenhouse gas emissions by reducing VMT.

Upon completion of construction, all construction-related worker commute trips and truck trips would cease. Operation and maintenance of the Project is expected to generate minimal daily traffic volumes, with VMT being identical or similar to that occurring under current operation and maintenance of the existing wind farm. Therefore, while the Project may include temporary construction trips with VMT from outside the immediate Project area, these trips would be temporary and would not affect existing transit uses or corridors and are presumed to cause a less than significant transportation impact.

The existing Metropolitan Water District (MWD) facilities will not be affected during construction or operations.

c) Where feasible, the existing network of permanent access roads would be retained, improved, and reused for the Project. In addition to the existing roads, less than 0.5 miles of new segments of permanent maintenance roads would be constructed to provide access and circulation within the Project boundaries. Access roads would incorporate applicable federal and local standards regarding internal road design and circulation. On-site, the construction of the access and maintenance roads would not increase hazards due to

design features, and steep slopes and sharp turns would be avoided. Access roads would be improved or widened to ensure a sufficient turn radius. Local roads within the Community of Whitewater have been reviewed to ensure their width is appropriate for transport of the oversized WTG equipment and the Applicant would work with the County to get any encroachment permit needed.

d) Because of the large-scale vehicles needed to bring the equipment to the site, the Project would require additional maintenance of public roadway rights-of-way, including the intersection of Cottonwood Drive and Rockview Drive, and along Rockview Drive. All heavy equipment travel would occur within the public roadway right-of-way boundaries within an approved subdivision where the roadways have been developed. In areas where vegetation has encroached within the rights-of-ways, it will be cleared to a width of 16 feet to allow safe vehicle travel. For all locations where the blade tips would extend beyond the public roadway right-of-way boundaries due to roadway turning radius, easements will be executed with the applicable property owners (blade tips would only traverse airspace and not come into contact with the ground). Off-site, workers commuting and transportation of equipment would be short term, ~~and not cause a need for new maintenance.~~ Consistent with MM-TRA-1, the Applicant will prepare a construction management plan that will include measures to ensure advanced notice to local departments, residents, and businesses, and use of signage before and during construction to ensure roads are accessible, and that the public roads are restored to the same or better conditions after completion of the construction. On-site, maintenance of roads is included in the Operations and Maintenance of the Project, such as periodic grading or replacement of gravel to maintain road quality.

e) As stated above, the Project would result in an increase in trips to and from the Project site during construction. This would be approximately 170 daily commute trips, plus an additional 30 trips from delivery trucks. Compared to the circulation in the area currently, about 96,000 vehicles on the I-10, this would be a miniscule addition, and would not cause an effect on the circulation. Mitigation measure MM-TRA-1 ensures that construction does not interfere with circulation.

f) The Project would not alter emergency access onto the Project site. The existing network of permanent access roads would be retained as used for the Project, where feasible. The Project would include an approximately 16-foot-wide permanent access road to provide access to the Project site, and some minor additions of 16-foot-wide permanent maintenance roads, which includes 16-foot wide maintenance road access to each WTG and ancillary equipment. Some roads may be widened to ensure a proper turn radius. These roads would incorporate applicable federal and local standards regarding internal road design and circulation, particularly those provisions relating to emergency vehicle access. MM-TRA-1 ensures that the County Fire Department and Sheriff's Department is notified of closures to roads in advance to prevent issues with emergency access.

Mitigation:

MM-TRA-1 **Construction Management Plan.** Prior to finalization of plans and specifications, a construction management plan (CMP) should be prepared by the Applicant and/or their construction contractor for any construction activities that encroach into the public right-of-way. The CMP shall include measures designed to reduce the impact of temporary construction traffic and any necessary lane or street closure. Such measures may include but are not limited to providing early notification of closures to the County Fire Department and Sherriff's Departments, residents, and nearby businesses; the use of signage before and during construction activities that clearly delineates detour routes around the lane and street closures; and flaggers to direct traffic in the vicinity of the closure. The CMP will also include a description or pictures of the pre-construction conditions of the roadways and ensure that they are restored to the same or better conditions after construction.

Monitoring: The County would review the CMP and ensure the measure is implemented.

Would the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
38. Bike Trails				
a) Include the construction or expansion of a bike system or bike lanes?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Source(s): Riverside County General Plan

Findings of Fact: There will be no impacts

The Project is a wind energy repower project in a rural area. There will be no bike lane or bike system constructed or expanded as part of the project or as a result of the project. Therefore, there will be no impact.

Mitigation: No mitigation is required.

Monitoring: No monitoring is required.

Tribal Cultural Resources

Would the project cause a substantial adverse change in the significance of a Tribal Cultural Resource, defined in Public Resources Code section 21074 as either a site, feature, place, or cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American Tribe, and that is:

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
39. Tribal Cultural Resources				
a) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1 (k)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1? (In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Source(s): County Archaeologist, AB52 Tribal Consultation,

Findings of Fact: Impacts will be less than significant with the incorporated mitigation

a-b) In compliance with Assembly Bill 52 (AB52), notices regarding this project were mailed to all requesting tribes on August 27, 2020. Consultations were requested by the Soboba Band of Luiseño Indians and the Agua Caliente Band of Cahuilla Indians. The Quechan Tribe had no comments on this project and

deferred to the more local Tribes. No response was received from the Twenty-Nine Palms Band of Mission Indians, Colorado River Indian Tribes (CRIT), Morongo Cultural Heritage Program, Torres Martinez Desert Cahuilla Indians or the San Manuel Band of Mission Indians.

Agua Caliente requested to consult in a letter dated August 27, 2020. Consultation was initiated on September 22, 2020. The cultural report was provided to the tribe on September 22, 2020 and the project conditions of approval were sent to them on September 30, 2020. In a letter dated November 3, 2020, the tribe requested to be contacted to arrange tribal monitoring and consultation was concluded by the tribe.

The Soboba Band requested consultation in a letter dated August 31, 2020. Consultation was initiated during a meeting on September 23, 2020. The cultural report was sent to the tribe on September 22, 2020 and the project conditions of approval were provided to the tribe on September 30, 2020. Consultation was concluded with Soboba via email on October 08, 2020.

Both tribes provided confidential information that identified Tribal Cultural Resources within and in the vicinity of the project. They also expressed concern that the project area is sensitive for cultural resources and there is the possibility that previously unidentified resources might be found during ground disturbing activities. As such, the project has been conditioned for a Tribal Monitor from the consulting Tribe(s) to be present during grading activities. This will ensure that any Tribal Cultural Resources found during construction activities will be handled in a culturally appropriate manner. In addition, conditions of approval that dictate the procedures to be followed should any unanticipated resources or human remains be identified during ground disturbing activities has been placed on this project. With the inclusion of these Conditions of Approval/ Mitigation Measures, impacts to any previously unidentified Tribal Cultural Resources would be mitigated to a level less than significant.

Mitigation:

MM TCR-1 Tribal Monitoring. Prior to the issuance of grading permits, the developer/permit applicant shall enter into agreement(s) with the consulting tribe(s) for Native American Monitor(s).

The Native American Monitor(s) shall be on-site during all initial ground disturbing activities and excavation of each portion of the project site including clearing, grubbing, tree removals, grading and trenching. In conjunction with the Archaeological Monitor(s), the Native American Monitor(s) shall have the authority to temporarily divert, redirect or halt the ground disturbance activities to allow identification, evaluation, and potential recovery of cultural resources.

The developer/permit applicant shall submit a fully executed copy of the agreement(s) to the County Archaeologist to ensure compliance with this condition of approval. Upon verification, the Archaeologist shall clear this condition.

This agreement shall not modify any condition of approval or mitigation measure.

Monitoring: Monitoring will be conducted by participating tribes. Tribal and cultural monitors will ensure implementation of procedures regarding identification of any potential unanticipated resources or human remains.

Utilities and Service Systems

Would the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
40. Water				
a) Require or result in the relocation or construction of new or expanded water, wastewater treatment, or storm water drainage systems, whereby the construction or relocation would cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry, and multiple dry years?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Source(s): Project Application Materials,

Findings of Fact: Impacts will be less than significant

a-b) During construction, wastewater generation would be limited to construction workers and would be contained within portable toilet facilities or at approved public facilities, both of which would dispose of wastewater with the local treatment provider. During operation, the Project would not generate substantial volumes of wastewater due to the minimal number of full-time or part-time employees, and it would be disposed of within the existing on-site septic system. Construction and some maintenance/repair activities would require the temporary use of water for dust suppression and possibly equipment wash down, soil compaction and other miscellaneous uses (such as concrete or grout production). Water used for these purposes would be obtained from the well that is currently used on the Project site. However, water used for these purposes would be temporary and not in quantities requiring the construction of new or expanded water supplies. The Project site is located on mountainous terrain that is intersected by small local drainageways, which handle stormwater, and no other stormwater management would be needed. The Proposed Project would not induce population or other facilities that may place increased demands on these utility services. No impacts to such facilities would occur.

There would be sufficient water supplies to serve the Project under any circumstance. There would be no foreseeable future development related to the Project that would increase the amount of water drawn from the source other than what is needed for construction, operation, and maintenance. The well on the site draws from the CVGB, which has a 36,500,000 acre-feet capacity. The Project is estimated to draw 35 acre-feet for construction, and 7,300 gallons per year for operation and maintenance. The CVGB has plenty of water supply for the Project. The Project would not induce population or other facilities that may place increased demands on water supplies. Less than significant impacts would occur.

The southern portion of the project site is bisected by the Colorado River Aqueduct under the jurisdiction of the Metropolitan Water District of Southern California (MWD); however, this area of the project site is well south of the proposed turbine development area

Mitigation: No mitigation is required.

Monitoring: No monitoring is required.

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

Source(s): Department of Environmental Health Review

Findings of Fact: Impacts will be less than significant

a-b) Wastewater generation for construction workers would either be contained within portable toilet facilities or at approved public facilities, both of which would dispose of wastewater with the local treatment provider. Construction is expected to be short term, and therefore would not create a substantial amount of wastewater. During operation, wastewater from the minimal number of full time or part time employees would be disposed of within the on-site septic system. The volume of wastewater generated by employees during operation would be minimal and would not impact the capacity of wastewater treatment providers serving the Project area. The Project would result in less than significant impacts.

Mitigation: No mitigation is required.

Monitoring: No monitoring is required.

Would the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
42. Solid Waste				
a) Generate solid waste in excess of State or Local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Comply with federal, state, and local management and reduction statutes and regulations related to solid wastes including the CIWMP (County Integrated Waste Management Plan)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Source(s): Riverside County General Plan, CalRecycle Integrated Waste Management Plan Enforcement, California Public Resources Code, California Solid Waste Reuse and Recycling Access Act of 1991.

Findings of Fact: Impacts will be less than significant

a-b) Waste generated during construction and operation of the Project would be limited and is not expected to be at or exceed a level that could impact daily throughput or overall capacity of any landfill or waste disposal facility. The closest landfill to the Project is Lamb Canyon Landfill, which has a remaining capacity of over 19 million cubic yards. The Project would result in less than significant impacts.

The Project would comply with the Riverside County Source Reduction and Recycling Element. Applicable materials would be resold or refurbished, then recycled if possible, and the rest of the material would be disposed of in the appropriate scrap or waste facilities. Some waste generated during construction and maintenance would be green waste (vegetation) and recycled (plastic and aluminum trash, other metals, etc.). If any of the waste for disposal is identified as hazardous, it would be managed by a certified hazardous waste transporter. This applies to all stages of the Project. Therefore, solid waste generated during decommissioning, construction, and operations and maintenance of the Project would be properly disposed of in a manner that complies with federal, state, and local management. Compliance with conditions of approval on file including COA 80. Waste Resources.1-Waste Recycling Plan and COA 90.Waste Resources.1-Waste Reporting Form and Receipts. The Project would result in less than significant impacts.

Mitigation: No mitigation is required.

Monitoring: No monitoring is required.

Would the project impact the following facilities requiring or resulting in the construction of new facilities or the expansion of existing facilities, whereby the construction or relocation would cause significant environmental effects?	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
43. Utilities				
a) Electricity?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Natural gas?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Communications systems?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Street lighting?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Maintenance of public facilities, including roads?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Other governmental services?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Source(s): Project Application Materials, Western Coachella Valley Area Plan, The Riverside County General plan Safety Element.

Findings of Fact: There will be no impacts

a-f) The Project includes installation of 7 new commercial WTGs. After construction, there would be no increase in the number of employees at the site for operation and maintenance. Therefore, there would be no increase in demand for electricity, natural gas, communications systems, street lighting or other government services. Since there would be no increase in demand, there would be no construction or expansion of such facilities due to the Project.

The Project layout was designed based upon County and third party (SCE) requirements for safety setbacks from utilities, including present and potential future electrical transmission lines, natural gas pipelines, telephone and water lines, roads and other public utilities.

To avoid contact or damage to buried wet and dry utilities, the construction contractor is required to contact "Dig Alert" (Underground Service Alert of Southern California) prior to the issuance of grading permits to ensure that pipelines are properly located. The Project Applicant would also be required to secure all appropriate amendments to rights-of-way or corresponding instruments from the Southern California Gas Company, MWD, SCE, and other utilities. Utility easements of record would be observed and unauthorized disturbance would be prohibited by law. The project shall also comply with conditions of approval such as AND Planning.14-No Connect w/o Final. Therefore, impacts associated with utilities would be less than significant.

The Project would use public roads to access the site and would use access roads within the ROW. The Project would not be required to improve any public roads.

There would be no impacts associated with utilities.

Mitigation: No mitigation is required.

Monitoring: No monitoring is required.

Wildfire

If located in or near a State Responsibility Area ("SRA"), lands classified as very high fire hazard severity zone, or other hazardous fire areas that may be designated by the Fire Chief, would the project:

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
44. Wildfire Impacts				
a) Substantially impair an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Expose people or structures either directly or indirectly, to a significant risk of loss, injury, or death involving wildland fires?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Source(s): Riverside County General Plan Figure S-11, "Wildfire Susceptibility," and Safety Element, GIS database, Project Application Materials, Rengel et al. Computational Dynamics Inside a Wind Turbine, Uadiale et al. Overview of Problems and Solutions in Fire Protection Engineering of Wind Turbines.

Findings of Fact: Impacts will be less than significant with mitigation

a) The Project would require the use of local roads to transport construction equipment and material. This would require under 2 miles of local roadways and the majority of vehicle and truck transport would be standard sized and would not result in blockages of local roadways. Construction could require closure of roadways during transportation of oversized loads. MM FIRE-1 would provide for fire/emergency services access if roadways blockages occur. All of the local roadways have redundant parallel roads to access the local neighborhood. The local roadways used by the Project are not known to be part of an adopted or designated emergency evacuation route or plan. Operation and maintenance are expected to have no impact since there will be no new full-time employees, and there will be no change from the current scenario. Occasionally, for maintenance activities, there may be a short term, and temporary increase in traffic volume. MM FIRE-2 requires that the Applicant expands the existing Operational Fire Safety Plan for review and approval by the RCFD, prior to operation of the project. Therefore, impacts would be less than significant.

b) The Project is located in a region with high wildfires risk due to the presence of dense, dry fuels, paired with a warm and arid climate. The approach to fire prevention and defense includes both facility design and planned construction and operational activities.

Construction. During construction, fires could be caused by a variety of factors, including vehicle exhaust, sparks associated with grading activities, welding activities, parking on dry vegetation, and the overall temporary increase in human activity. Accidental ignition could result in a fire, which, depending on the location, could spread. The consequences of a such a fire could be severe depending on weather conditions at the time and the ability of on-site firefighting personnel to quickly respond to the fire. If noticed by the equipment operator or other construction personnel, small ignitions can easily be suppressed by on-site equipment and designated fire watch personnel. All construction equipment is required to have fire suppression equipment on board or at the work site to ensure the availability of an adequate onsite supply of water with all-weather access for fire-fighting equipment and emergency vehicles.

MM FIRE-1 would minimize adverse impacts due to fire during construction and require preparation of a Construction Fire Prevention Plan. Adherence to standard construction best management practices and applicable fire requirements identified in the Construction Fire Protection Plan reduces the potential for significant fire hazards.

Given the unpredictable nature of wildfire and wind, and the fact that high winds exist at the Project site, it should be expected that a wildfire within the Project area has the potential to disperse pollutants throughout the area and the West Coachella Valley. However, the Project would not alter wind patterns, the spread of a wildfire through the area, or result in vegetation that could exacerbate pollutant concentrations compared to existing conditions. With implementation of MM FIRE-1, the Project would result in less than significant impacts.

Operations. During operations, fires could be caused by vehicle activity, parking on dry vegetation, and human activity. Since the number of employees and vehicles during operations would not increase, and the number of turbines would reduce from 159 to 7, no increase in fire potential would occur. See Impact (c). below for description of potential failures related to project facilities and associated fire risk. With implementation of MM FIRE-2, the Project would result in less than significant impacts.

c) The Project would construct, operate, maintain, and decommission 7 new WTGs. Although the new WTGs pose a fire risk, it would be reduced compared to the baseline of the 159 legacy turbines. There are risks for fire due to WTGs, power lines, and access roads.

WTGs have a potential for fire starting inside of them, but malfunctions leading to fires inside modern WTGs are very low (Bengel et al., 2017; Uadiale, 2014). The Project would be controlled by an automatic

control system capable of monitoring all operational parameters and starting and stopping each WTG. In the event of a fire, excess vibration, or temperature, the WTG would be stopped immediately. A notice would be sent to on-call operators who would take appropriate emergency measures. In the event of a fire inside a turbine, there are few fire suppression crews that would be able to effectively fight fires that occur hundreds of feet above the ground. A fire in the turbine could release embers, and in a high wind situation, could be blown outside the WTG pad and ignite vegetation in the surrounding area.

As discussed in the hazards section, another concern related to wind energy would be the potential for tower collapse or rotor failure and blade throw (separation of the blade from the rotor), and a potential fire that could result from such an event. Excessive static stress, material fatigue, seismic activity, or ground settling can cause tower failure, collapse, or both. The likelihood of either of these events is very low, and the occurrence is uncommon. A fire occurrence from one of these events is also uncommon. Modern, commercial turbines are equipped with safety and engineering features to prevent excess rotor speed, and routine inspection and maintenance would reduce the risk of WTG mechanical failure that could lead to fire. Additionally, MM FIRE-2 requires the Applicant to renew and expand the existing Operational Fire Safety Plan to minimize potential adverse fire ignition impacts.

Power Lines. Risk of fire for this project is due to high winds or avian collision with overhead collector lines. The Project does not propose to build new transmission lines. Vegetation would be cleared around all overhead power lines in compliance with California Public Utilities Commission requirements. In the event of downed power lines due to severe storms, earthquakes, or accidents, MM-FIRE-2 would be applied.

Access Roads. The cleared and graded main access road and access roads on the Project site could act as firebreaks. The Project is improving access roads and therefore would be allowing increased access to firefighting vehicles and equipment. Maintenance includes periodic grading or replacement of gravel on access roads to maintain road quality for access to the Project site, the WTGs, and through the site.

The maintenance of WTGs, power lines, and access roads will prevent fires and benefit fire response to a wildfire event. Construction and operation of the Project would not directly require new or expanded infrastructure that may exacerbate fire risk.

With implementation of the mitigation measures, less than significant impacts would occur with regard to the installation or maintenance of associated infrastructure that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment.

d) The Riverside County General Plan's Earthquake-Induced Slope Instability Map shows that the Project is in an area that has low to locally moderate susceptibility to seismically induced landslides and rockfalls. The slopes in the area range from less than 15% to over 30%. All WTGs would be placed at least 4,500 feet from the nearest residence and would not be placed directly upslope from any residence. The Project does not include extensive grading, excavation, or new structures that would significantly alter soil stability. Since the site's current use is a wind energy facility, the Project is not considered to expose persons or structures to substantial adverse potential effects from landslides after a wildfire compared to baseline.

The Project area is semi-undisturbed vacant desert land, on mountainous terrain in a warm and arid climate. The site has small, local drainageways, a small portion of which make their way to the Whitewater River directly, or like a larger portion does, through Cottonwood Creek to the west and the San Gorgonio River to the south of the Project. The Project does not propose any changes that would substantially change drainage that could cause flooding or erosion. Therefore, the Project would not increase the risk of flooding after a wildfire compared to existing conditions.

Less than significant impacts would occur.

e) The Project is located in a warm, arid climate with high wildfire risks due to dense, dry fuels. According to the Riverside County General Plan Figure S-11, the Project site is within both a state and federal moderate fire susceptibility zone. Fire prevention and defense includes both facility design and planned construction and operational activities. During construction, fires could be caused by a variety of factors, including vehicle exhaust, parking on dry vegetation, sparks associated with grading or welding activities, and the overall increase in human activity.

Fires could happen as a result of accidental ignition, which depending on the location, could spread. If noticed by the equipment operator or other construction officer, small fires can be suppressed by on-site equipment and designated fire-watch personnel. All construction equipment is required to have fire suppression equipment on board or on site, to ensure the availability of an adequate onsite supply of water with all-weather access for fire-fighting equipment and emergency vehicles.

Consequences of a fire could be severe depending on the weather conditions and the availability of on-site firefighting personnel to quickly respond to the fire.

MM FIRE-1 would minimize adverse effects due to fire during construction and require preparation of a construction fire prevention plan. Adherence to standard construction best management practices and applicable fire requirements identified in the Construction Fire Protection plan reduces the potential for significant fire hazards.

Impacts would be less than significant with mitigation.

Mitigation:

MM-FIRE-1 Construction Fire Prevention Plan. Prior to construction, the Applicant (in coordination with their contractors shall prepare a Construction Fire Prevention Plan for review and approval by the Riverside County Fire Department (RCFD) that includes (but not be limited to) the following information and provisions:

- Responsibilities of the Project Applicant, their contractor(s), and RCFD with respect to fire prevention and inspection of work areas.
- On-site personnel in charge of overseeing Fire Plan implementation.
- Construction staff and equipment that can be used for fighting fire.
- Emergency measures for construction curtailment.
- Provisions for fire/emergency services access if roadway blockage occurs due to large loads during construction and operation.
- Cleared, maintained worker parking and construction staging areas shall be designated; no parking or construction activities shall be allowed in non-designated areas.
- Smoking and open fires shall be prohibited at the Project site during construction and operations. A copy of the notification to all contractors regarding prohibiting smoking and burning shall be provided to the RCFD.
- Assurances that all internal combustion construction equipment shall be equipped with appropriate spark arrestors and carry fire extinguishers.
- A fire watch with appropriate firefighting equipment shall be available at the Project site at all times when welding activities are taking place. Spark producing activities (such as

welding and metal cutting) shall not occur when sustained winds exceed limits set forth by the RCFD.

- Appropriate hot work permits/approvals (for activities such as welding and metal cutting) shall be obtained from the jurisdictional fire agency.
- All construction activities shall be curtailed in the event of a fire or when fuel and weather conditions get into the “very high” and “extreme” ranges (Red Flag Warning), as determined by the National Weather Service. Any specific Project-related activities to be allowed during very high or extreme weather conditions would be at the discretion of the RCFD.

MM-FIRE-2 **Renew and Expand the Existing Operational Fire Safety Plan.** Prior to operation of new WTGs, the Project Applicant shall expand the existing Operational Fire Safety Plan for review and approval by the RCFD. The plan shall contain (but not be limited to) the following provisions:

- Responsibilities of the Project Applicant, their contractor(s), and RCFD with respect to fire prevention and inspection of work areas.
- A vegetation management plan to address vegetation clearance around all WTGs; and plans for regularly scheduled brush clearance of vegetation on and adjacent to all access roads, power lines, and other facilities. All vegetation clearance and fire breaks shall be consistent with federal and State requirements, whichever is most stringent.
- Means for ensuring on-site operational fire water supply (i.e. a functioning well or storage tank) is available prior to operation.
- Procedures for Supervisory Control and Data Acquisition (SCADA) system (or other constant monitoring equipment) providing immediate notifications to emergency fire services.
- By December 31 of each operational year, the applicant shall provide a report to Riverside County Planning and Fire that summarizes ongoing fire abatement measures, results of RCFD inspections, any fires onsite, and any adaptive measures to further minimize fire risk.

Monitoring: No monitoring is required

Mandatory Findings of Significance

Does the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
45. Have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Source(s): Staff Review, Project Application Materials

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

The Project is located within an existing wind farm and would be located on already disturbed land so would not substantially reduce the habitat of a fish or wildlife species. After construction, there would be minimal permanently disturbed lands. Habitat that is impacted would be restored or replaced as required as required by mitigation presented in the Biological Resources section; therefore, wildlife populations would not drop below self-sustaining levels due to habitat loss (and fish populations would not be affected at all). Because vegetation communities would be restored or replaced, the Project would not threaten to eliminate a plant or wildlife community. The Applicant would ensure the Project was consistent with the Coachella Valley MSHCP. Finally, because the Project is located entirely within an existing wind farm, the Project would not reduce the number or restrict the range of rare or endangered plants or wildlife.

Cultural resources surveys have been completed and Native American tribes have been consulted. There are no known TCRs located within the Project area and no known TCRs within one mile of the Project area's boundary. There are no known resources eligible for the CRHR or NRHP within the Project boundary.

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

Source(s): Staff Review, Project Application Materials

Findings of Fact: CEQA requires lead agencies to consider the cumulative impacts of proposed projects under review. A project may result in significant adverse cumulative impacts when its effects are cumulatively considerable; that is, the incremental effects of an individual project are significant when viewed in connection with the effects of past projects, other current projects, and probable future projects regardless of what agency or person undertakes such other actions (Section 15130(a)(1)).

Under CEQA, there are two acceptable and commonly used methodologies for establishing the cumulative impact setting or scenario: the “list approach” and the “projections approach.” The first approach would use a list of past, present, and probable future projects producing related or cumulative impacts. (Section 15130 (b)(1)(A)). The second approach is to use a summary of projections contained in an adopted general plan or related planning document, or in a prior environmental document which has been adopted or certified, which described or evaluated regional or area wide conditions contributing to the cumulative impact. (Section 15130 (b)(1)(B)).

The “list” approach was selected. As used in the analysis of cumulative impacts, the term “cumulative scenario” is used to include the proposed Project and other identified projects whose impacts have the potential to combine with or overlap with those of the Project.

Cumulative Projects. Projects used in the cumulative impact analysis are listed in Table 76, Cumulative Projects. Projects within a 10-mile radius of the Project are considered in the analysis.

Table 76. Cumulative Projects

Project Name	Project Description	Location	Proximity to Project	Status
Mesa Wind Repower Project	The Mesa Wind Repower proposes to construct, operate, and decommission 8 turbines. Prior to construction, 460 existing legacy turbines would be removed under existing permits. This would occur on BLM administered land. This project is being proposed by Brookfield and is under permitting by the BLM (BLM approved October 2020) and CDFW.	South and west of the Alta Mesa Wind Project	<0.1 miles	In development
Painted Hills Wind Energy Repowering Project	Painted Hills is an approximately 600-acre Wind Energy Repower project. The project proposes decommissioning and removing almost 300 existing wind turbines, and installing up to 14 new commercial wind turbines, up to 499 feet tall. The project proposes to install ancillary equipment that includes 3 temporary meteorological towers, 2 permanent meteorological towers and site upgrades. This project has been approved by Riverside County.	Riverside County, east of the unincorporated White-water area, and within the San Gorgonio Pass Wind Energy Policy Area.	1.75 miles east	In construction

Table 76. Cumulative Projects

Project Name	Project Description	Location	Proximity to Project	Status
Coachella Wind Holdings Repower (previously San Jacinto Wind II)	The San Jacinto Wind II Project proposes to decommission and remove approximately 146 existing wind turbines and install 3 new turbines on BLM land with ancillary equipment. This would occur on approximately 225 acres of land. This project proposes leaving 45 of the existing wind turbines operating.	Riverside County, South of Interstate 10 and State Route 62 Junction, 4 miles north of Downtown Palm Springs.	7.25 miles southeast	Approved, pre-construction
Multi-Tenant Wireless Broadband Communications Site	This project is one, three-legged, 196-foot-tall freestanding, self-support lattice communication tower on 2.2 acres of land administered by the BLM	Riverside County, in Morongo Canyon at Highway 62	6.5 miles northeast	Under environmental review
Interstate 10 Bypass – Banning to Cabazon	This project would be a road between the City of Banning and the unincorporated community of Cabazon. It is currently under review with a final environmental document expected in early 2021. After the document is released, the design and ROW phases would begin.	Riverside County, between the City of Banning and unincorporated community of Cabazon.	6 miles west	Under environmental review
Whitewater River Groundwater Replenishment Facility ROW	This is a request to the BLM by the CVWD to operate and maintain their existing facility on 690 acres of public lands managed by the BLM. No new construction is required.	South of Highway 62 and north of Highway 111	5 miles southeast	Under environmental review
West of Devers Upgrade Project	Southern California Edison proposed to upgrade and adjust 48 miles of existing 220 kilovolt (kV) transmission lines between North Palm Springs and San Bernardino, in Riverside and San Bernardino Counties within a utility corridor occupied by existing transmission lines.	South of the Alta Mesa Project	0.1 miles south of the Project boundary	Under construction
Riverside County flood berm and road work – Whitewater Canyon	This project includes roadwork including a flood berm due to the road being washed out in 2019. The total project disturbance is 38 acres for roadwork and berm. Project is north of Bonnie Bell.	Riverside County, Whitewater Canyon Road at Horn Corner	1.5 miles north	Under construction
Private residential and commercial development in Palm Springs, Banning and at the Morongo Casino	Private residential and commercial development projects are proposed or under construction within the 10-mile radius. Example projects include the 3,385 residential unit Rancho San Geronio Project partially within the 10-mile radius in Banning, the Morongo Casino Expansion, and numerous residential projects in the City of Palm Springs.	Riverside County, within 10 miles of Project boundary	Between 7 and 10 miles from the project	Planning/Under environmental review/Under construction

Source: BLM, Mesa Wind Repower Project Environmental Assessment 2020.

Cumulative Analysis. This section discusses whether the Project would result in cumulatively considerable significant short-term or long-term environmental impacts when combined with other past, present, and reasonably foreseeable future projects in the area. Short-term impacts are generally associated with construction of the Project, while long-term impacts result from ongoing O&M of the Project.

The Project would have no impact to Agriculture and Forestry, Energy, Land Use and Planning, Mineral Resources, Population and Housing, and Recreation so would not contribute to cumulative impacts on these resources. For Greenhouse Gases, Public Services, Transportation, and Utilities and Service Systems, the Project would result in less than significant effects and would not contribute to a cumulatively considerable impact. The vehicle use considered in the Transportation section includes the vehicles that would be used for the adjacent Mesa Project and no additional cumulative projects would use the Haugen-Lehmann exit or local roadways.

Aesthetics. The geographic scope for aesthetics would be where the Alta Mesa Project is in the same field of view as other built facilities or impacted landscapes. This analysis will focus on one other project, the Mesa Repower Project because it is co-located with the Alta Mesa WTGs on adjacent ridges and it would be difficult for viewing populations to determine where one project ends and the other begins.

Because the Alta Mesa and Mesa project construction would occur at the same time or consecutively, construction activities, equipment and night lighting would combine and lead to the continued presence of construction equipment on roads and in the landscape in the I-10 corridor. The total construction timeframe for both projects would be the same as for the Alta Mesa Project, up to 12 months. Project construction would be over 3,600 feet from the nearest residence and would be of short duration from any one viewpoint, so would not combine to result in a cumulatively significant impact.

The Alta Mesa and Mesa projects would appear identical in terms of structural design and scale. As a result, the two projects would be perceived as a single development. This would create a combined effect on visual resources. Both Alta Mesa and Mesa are repowering existing projects and removing 619 WTGs and putting up a combined 15 WTGs, and nighttime lighting would combine. While the new WTGs would be larger than the existing ones, they would not result in a cumulatively significant impact compared to the baseline and the new wind turbines would generally display a similar massing, and scale, and lighting as other modern wind turbine development in the Project area (see Figure 10a).

Air Quality. The geographic scope of the cumulative effects analysis for air quality is a 6-mile radius because this radius includes projects that are in close enough proximity to combine to result in localized air impacts. Cumulative impacts could occur during the 12 months of construction. Air emissions during operations would remain the same as ongoing operations. The Alta Mesa Project air impacts would primarily combine with construction of the Mesa Project because it is adjacent to the Alta Mesa Project and would be under construction at the same time. Because the construction of these projects is combined, the emissions presented in Tables 3 and 4 are for the total emissions for both repower projects (Mesa and Alta Mesa), that is to say, the emissions of Mesa were treated as Project emissions and not cumulative emissions. Other projects within the 6-mile radius include the Coachella Wind Holdings Repower, Painted Hills Wind Repower, West of Devers Upgrade, and flood berm and roadwork are already approved or under construction, so would be unlikely to overlap with the entirety of the Mesa and Alta Mesa construction. If portions of the cumulative projects construction, or if other projects are under construction concurrently and within a 6-mile radius, such as private development on the outskirts of Palm Springs, the combined effects of construction emissions including fugitive dust and equipment exhaust emissions, could be worsened. However, all projects under construction would need to comply with the applicable

rules and regulations established by the SCAQMD to avoid visible plumes and implement additional measures where needed to control dust emissions. Therefore, impacts would not be cumulatively considerable.

Biological Resources. The cumulative analysis for Biological Resources uses the CVMSHCP coverage area as the geographic scope. The CVMSHCP boundaries include the Project and the species affected by the Project would be the same as those considered under the CVMSHCP. Under the CVMSHCP, private land use impacts to covered special status plant species and animal habitat throughout the Coachella Valley are offset through habitat acquisition and management to minimize or avoid the otherwise cumulative impacts of the development. For most biological resources within the CVMSHCP, the cumulative impacts are not substantial. The Project would offset habitat impacts through compensation and other measures, consistent with the MSHCP, as well as Mitigation Measures BIO-1 through BIO-13, and therefore would not contribute considerably to any existing cumulative impacts.

Although bird and bat mortality due to wind repowers has not been studied in the San Gorgonio Pass area, there have been studies in the Altamont Pass area, which document effects of first generation turbines. There are anecdotal reports of bird mortalities (including golden eagle) near at the existing site and at several other sites in the area. As a result, the extent of golden eagle or other bird and bat mortality from wind turbine collisions in the San Gorgonio Pass has not been quantified and cannot be evaluated in terms of the overall importance to bird and bat populations. Wind energy projects in the San Gorgonio Pass and Coachella Valley, contribute to cumulative risk of bird and bat mortality from striking WTGs. The Proposed Project is adjacent to the Mesa Wind Project Repower site, and thus cumulative WTG collision risk of the two projects may affect the same individual birds or bats, if they pass over both project sites. The Project would contribute to a new baseline and operational bird and bat mortality data, and would implement adaptive management measure if needed, as part of the Bird and Bat Conservation Strategy. Additionally, the three other repower projects identified as cumulative projects (Mesa, Painted Hills, and Coachella Wind Holdings) are expected to contribute to an understanding of regional bird and bat mortality risks of wind repower projects, as well as implement their own adaptive management strategies. Both the Coachella Wind Holdings and the Painted Hills repower project include requirements for bird and bat mortality monitoring. The Mesa Wind Repower is expected to include a similar requirement, which combined with the other projects in the area, will contribute to improving the understanding of bird and bat mortality in the area. The three other repower projects identified may cumulatively increase the total rotor swept area. But the Proposed Project's potential contribution to cumulative impacts to bird and bat mortality is estimated as an increase of about 3.6 percent above the baseline condition on the site. By itself, this contribution would not be considerable. If monitoring identifies a substantial unexpected impact, then adaptive management measures would be implemented to mitigate the impact (please see Mitigation Measure BIO-13). The Bird and Bat Conservation Strategy will include an adaptive management strategy that will help reduce the cumulative contribution of the Project if any effects are found to less than cumulatively considerable.

Cultural. Of the cultural resources are located on the Alta Mesa Project site, none of which are eligible for the CRHR or NRHP, and no known unique archeological resources are present. The Project has measures in place to minimize impacts to resources that may be discovered during construction, and the adjacent Mesa Project is expected to have the same or similar guidelines. Because of this, cumulative impacts to cultural resources would not combine to be cumulatively significant.

Geology and Soils. Impacts to geology and soils are localized in nature and are unlikely to combine with the impacts of other projects unless immediately adjacent to the locations. Because the Mesa Wind Repower is adjacent to the Project and undergoing construction at the same time, it could combine with

the Alta Mesa Project to result in cumulative impacts. Both the Alta Mesa and Mesa Projects would be required to use a SWPPP and Best Management Practices, which would reduce the projects contribution to any cumulative erosion. Additionally, both projects would be required to comply with all engineering studies to address the geology of the site reducing the effects of any potential ground shaking on the projects. Because both the Mesa and Alta Mesa are over 3,600 feet from the nearest sensitive receptor, they would not combine to result in a cumulatively significant impact due to geology and soils.

No known paleontological resources have been identified in the Project area or within one mile of the Project area. The Mesa Project and the Alta Mesa Project have the potential to destroy buried paleontological resources, given that this area has a PFYC of 3; however, the characteristics of the site such as slope and soil, are generally not good conditions for fossil preservation or yield. The Mesa Project would have measures in place to protect any paleontological discoveries and minimize impacts as noted in the Environmental Assessment, and the Alta Mesa Project also has similar guidelines. Therefore, there would be no cumulatively significant impact.

Hazards and Hazardous Materials. Impacts due to hazards and hazardous materials are localized in nature and unlikely to combine with impacts of other projects unless in the immediate vicinity. The Project and Mesa Project would involve the storage, use, disposal, and transportation of hazardous materials to varying degrees during construction and operation. Impacts from these activities would be less than significant because the storage, use, disposal, and transportation of hazardous materials are extensively regulated by various federal, State, and local laws, regulations, and policies. It is foreseeable that the Project and other cumulative projects would implement and comply with these existing hazardous materials laws, regulations, and policies. Therefore, the related projects impacts would not be considered cumulatively significant.

Fire. Cumulative risk of fire depends on the combined short-term and long-term potential to start a fire or impede firefighting. Both the Alta Mesa Project and Mesa will reduce the risk of fire compared with baseline and include fire prevention measures. The decommissioning of old turbines and construction of new turbines poses a minor fire risk but all construction projects are required to include measures to minimize fire risk. The new 15 WTGs that are being built include modern technologies that would reduce the risk of fire compared to the 619 legacy turbines. The West of Devers project that is just south of the Mesa and Alta Mesa Projects is also taking measures to reduce fire risk by replacing older transmission lines and wooden poles with new transmission lines. Therefore, the cumulative risk of fire would be reduced by the cumulative projects.

Noise. The geographic scope for the cumulative scenario for noise is 3,000 feet, because noise that has travelled beyond this distance dissipates into the environment. The cumulative scenario would last the duration of the Project. During construction, the Project could potentially have cumulative effects when combined with the Mesa Project because the projects are adjacent to one another and construction would occur at the same time. The Mesa project, like the Alta Mesa Project, would need to comply with applicable Riverside County ordinances and standards to minimize noise impacts to area receptors. Due to the distance from the construction area to the closest receptor, noise would be expected to increase compared to the baseline, but would not be cumulatively significant.

During operation, the cumulative noise impacts of the Project would combine with the Mesa Project. Both of the projects are constructing modern turbines that are generally quieter in mechanical noise than the current turbines. The nearest receptor is over 3,600 feet away, and beyond the 3,000-foot setback set in Riverside County Noise Ordinance No. 348. Noise sources related to the Project and cumulative projects at distances greater than 3,000 feet from receptors would not likely create a cumulative noise impact at the receptors. Due to the limited phase operation noise impacts associate with the Project, the cumulative

impact would be negligible, and operation of the Project would not result in adverse cumulative effects on noise levels.

Tribal Cultural Resources. Tribal concerns have been expressed through the AB52 consultation process for which the project has been conditioned to include tribal monitoring and procedures for identified unanticipated discoveries and human remains, should they occur. The adjacent Mesa Project is expected to have the same or similar guidelines. Because of this, cumulative impacts to tribal cultural resources would not combine to be cumulatively significant.

Hydrology and Water Quality. The Project is in the Whitewater Hydrologic Unit, and the Coachella Valley Basin Planning Area. The Mesa Project, which is adjacent to the Alta Mesa Project, is also in this unit and area. The sites, on mountainous terrain, in an arid climate, are intersected by small, local drainageways which carry runoff towards the Whitewater River. The streams are ephemeral, and none of these drainageways on the site carry sufficient water to generate runoff except during infrequent rains. Due to the terrain, there is no appreciable offsite drainage, nor are there designated flood zones.

Some of the turbines in the Mesa Project, and some of the shared access roads for the Alta Mesa Project are above the Coachella Valley Groundwater Basin (CVGB). This groundwater is well below the maximum depth of excavation since the project is on hills which are 600 feet or more above the valley floor. This means that groundwater is not likely to be affected by either of the projects. To prevent surface water contamination, a Spill Prevention Control and Countermeasure Plan (SPCCP), as well as a site-specific Stormwater Pollution Prevention Plan (SWPPP) would be required to prevent water contamination from spills and sediment disturbance during construction. The Mesa Project is expected to follow similar plans and guidelines to ensure water quality.

Water used during construction is expected to be drawn from the CVGB from an on-site well, as there is no known aquifer in the area. Construction water use for both of these projects is expected to be 76 acre-feet in total which is less than 0.06% of the aquifer. Much less water, approximately 14,600 gallons per year, would be used for operation. The water quality of surface and groundwater would be protected, and the cumulative scenario would not contribute to a significant deficit in the groundwater basin, so the project would not result in cumulatively adverse effects on hydrology or water quality.

Does the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Source(s): Staff Review, Project Application Materials

Findings of Fact: As noted throughout the Initial Study, with mitigation, the proposed project would not result in environmental effects which would cause substantial adverse effects on human beings, either directly or indirectly. The project is located 4,500 feet away from the nearest receptor, and noise levels from construction at any time would be below the threshold as set by ordinances as acceptable. The project would be required to comply with air district standards, including use of equipment that meets specific emission standards. Dust (particulate matter) has the potential of affect human health. The effects of fugitive dust would be less than significant with Applicant Proposed Measures. APM-AQ-1 (Fugitive Dust Control Plan) will mitigate the effect of fugitive dust on humans. APM-AQ-2 would minimize the

emissions from on-site use of vehicles. In addition, most construction would be short-term and would occur in locations remote from residences, schools, and other sensitive receptors. Seismic impacts on workers during construction would be less than significant, and the project would not exacerbate existing seismic conditions. Hazards impacts would be less than significant. During construction, the Project would be required to have a Hazardous Materials Business Plan (HMBP) which contains information regarding the presence and storage of hazardous materials on site to prevent spills and ensure safety. APM-FIRE-1 and APM-FIRE-2 require a construction fire plan, and an operational fire safety plan, which both exist to reduce risk to property and humans. Operation and maintenance activities would be comparable to current activities and no additional impacts to human beings would occur. Project impacts would be less than significant.

VI. EARLIER ANALYSES

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

Earlier Analyses Used, if any: Commercial WECS Permit Nos. 71 through 71R9

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

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

Appendices

Appendix A Visual Simulations

Appendix B Air Quality

Appendix C Biological Resources Reports

- Biological Resources Technical Report
- Public Roadway Biological Survey Memo (January 2021)

Appendix D Jurisdictional/Aquatic Delineations

- CDFW Jurisdictional Delineation
- USACE/RWQCB Aquatic Resource Delineation

Appendix E Final Joint Project Review for CVCC 20-002 Alta Mesa Wind Repower Project

Appendix F Applicable Regulations

Appendix G Geotechnical Plan

Appendix H Paleontological Assessment

Mitigation Monitoring Reporting Program

An Environmental Assessment / Initial Study (EA/IS) has been prepared to assess the Alta Mesa Wind Project's potential environmental effects and appropriate mitigation was developed to reduce potentially significant impacts to less than significant. AM Wind Repower LLC, Applicant, would be responsible for implementing all applicable measures, including the adopted mitigation measures and conditions of project approval, as well as conditions imposed in any permits or regulations administered by other responsible agencies. Riverside County is responsible for monitoring and reporting on required mitigation. The following Mitigation Monitoring Reporting Program summarizes the mitigation implementation, timing, and monitoring requirements.

Mitigation Monitoring Program

Air Quality

MITIGATION MEASURE	MM-AQ-1 Fugitive Dust Control Plan. The Project would mitigate the particulate matter impact caused by dust emissions during construction by implementing a suite of effective dust control practices, such as using soil stabilizers or watering exposed areas (2 times/day or as needed) throughout construction and by limiting vehicle travel speeds to no more than 15 miles per hour on unpaved areas within the construction site. Visible speed limit signs would be posted at site entrance.
Timing/Location	During Construction
Responsible Party	Applicant
Responsible Monitoring Party	Riverside County
Verification Approval Party	Riverside County
MITIGATION MEASURE	MM-AQ-2 Control On-Site Off-Road Equipment Emissions. The Project would mitigate the NO _x , PM ₁₀ , and PM _{2.5} in diesel exhaust emissions by requiring use of the off-road equipment achieving Tier 3 engine emissions standards. To implement this standard, the Project owner, when entering into construction contracts or when procuring off-road equipment or vehicles for on-site construction activities, shall ensure that only 2008-or-newer model year equipment or vehicles are obtained. All construction equipment using diesel engines shall either be registered under California Air Resources Board's Statewide Portable Equipment Registration Program or shall meet the Tier 3 California Emission Standards for Off-Road Compression-Ignition Engines, as specified in California Code of Regulations, Title 13, section 2423(b)(1). All diesel-fueled engines used in the construction of the facility shall have clearly visible tags showing that the engine meets the standards of this measure.
Timing/Location	During Construction
Responsible Party	Applicant
Responsible Monitoring Party	Riverside County
Verification Approval Party	Riverside County

Mitigation Monitoring Program

Biological Resources

MITIGATION MEASURE **MM BIO-1 Wildlife Relocation.** The Applicant will prepare and implement a Wildlife Relocation Plan to ensure that special-status wildlife species, including (but not limited to) desert tortoise, burrowing owl, and desert kit fox, are safely relocated outside the Project construction area prior to construction. The Wildlife Relocation Plan will conform to USFWS guidelines for desert tortoise surveys and relocation and to CDFW guidelines for burrowing owl and desert kit fox passive relocation, including scheduling to avoid disturbance to natal dens or burrows. The Wildlife Relocation Plan will specify methodology for pre-construction clearance surveys on the proposed Project construction sites; monitoring or tracking special-status species, burrows, or dens that may be located during the surveys; construction of off-site artificial burrows, if needed; relocation methods for localized "out of harm's way" relocation; passive relocation methods for burrowing owl or desert kit fox; qualifications of field personnel who may handle desert tortoises; and follow-up monitoring of relocated animals.

Timing/Location Prior to and During Construction

Responsible Party Applicant

Responsible Monitoring Party Riverside County

Verification Approval Party Riverside County

MITIGATION MEASURE

MM BIO-2 Biological Monitoring. The Applicant will assign an Authorized Biologist as the primary point of contact for the lead resource agencies regarding biological resources mitigation and compliance. For desert tortoise protection measures (BIO-6, below), the Authorized Biologist will serve as the Field Contact Representative (FCR). The Applicant will provide the resume of the proposed Authorized Biologist to the County, USFWS, and CDFW (as appropriate) for concurrence at least 30-days prior to onset of ground-disturbing activities. The Authorized Biologist will have demonstrated expertise with the biological resources within the Project area. In general, the duties will include, but will not be limited to those listed below:

- Regular, direct communication with representatives of County, USFWS and CDFW, and other agencies, as appropriate.
- Train and supervise additional Biological Monitors to ensure that all biological monitoring activities are completed properly and according to schedules. Monitoring will include clearance surveys of any area or activity that may impact biological resources to ensure compliance with all avoidance and minimization measures for biological resources.
- Conduct or oversee WEAP training (MM BIO-3).
- Conduct or oversee clearance surveys and monitoring duties.
- Halt any activities in any area if it is determined that the activity, if continued, would cause an unauthorized adverse impact to biological resources.
- Clearly mark sensitive biological resource areas during construction, O&M, and decommissioning, and inspect these areas at appropriate intervals for compliance with regulatory terms and conditions.
- Conduct or oversee compliance inspections during ground disturbing construction and decommissioning activities. Inspections will include delineating limits of disturbance, fence construction activities, pre-construction clearance surveys; and clearing, grubbing, and grading.
- Inspect or oversee daily inspection of active construction or O&M activity areas where animals may have become trapped. At the end of each workday, either inspect installation of structures that prevent entrapment or allow escape during periods of construction inactivity. Periodically inspect areas with high vehicle activity (e.g., parking lots) for animals in harm's way and relocate them if necessary.
- During the operations phase of the Project, provide annual report conduct compliance inspections (trash management, wildlife mortality logs per incident, etc.); conduct weed monitoring and control (according to the Integrated Weed Management Plan).
- Immediately notify the Applicant, County, and resource agencies (as applicable) in writing of dead or injured special-status species, or of any non-compliance with biological mitigation measures or permit conditions.
- During construction, provide weekly verbal or written updates to County, and, for any information pertinent to state or federal permits, to the County and resource agencies.
- During construction and O&M, prepare and submit monthly and annual compliance reports, respectively.

Qualifications of Authorized Biologist. The Applicant shall assign at least one Authorized Biologist to the Project. The Applicant shall submit the resume and USFWS health assessment letter, if applicable, of the proposed Authorized Biologist(s), with at least three references and contact information, to the County for approval in consultation with CDFW and USFWS at least 30-days prior to the start of ground disturbing activities. The Authorized Biologist must meet the following minimum qualifications:

- Bachelor's degree in biological sciences, zoology, botany, ecology, or a closely related field;
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Mitigation Monitoring Program

- Three years of experience in field biology or current certification of a nationally recognized biological society, such as The Ecological Society of America or The Wildlife Society;
- Have at least one year of field experience with biological resources found in or near the Project area;
- Meet the current USFWS Authorized Biologist qualifications criteria, demonstrate familiarity with protocols and guidelines for the desert tortoise, and be approved by the USFWS;
- Possess a CESA Memorandum of Understanding pursuant to §2081(a) for desert tortoise.
- In lieu of the above requirements, the resume shall demonstrate to the satisfaction of the County, in consultation with CDFW and USFWS, that the proposed Authorized Biologist or alternate has the appropriate training and background to effectively implement the mitigation measures.

Process of approving a Biological Monitor

- The Authorized Biologist or Applicant shall submit the resume, at least three references, and contact information of the proposed Biological Monitors to the County. The resume shall demonstrate, to the satisfaction of the County, the appropriate education and experience to accomplish the assigned biological resource tasks. The Biological Monitor is the equivalent of the USFWS-approved biologist (also "Service-approved biologist").
- Biological Monitor(s) training by the Authorized Biologist shall include familiarity with the project design features, BO, WEAP, and USFWS guidelines on desert tortoise surveys and handling procedures.

Timing/Location	Prior to and During Construction
Responsible Party	Applicant
Responsible Monitoring Party	Riverside County
Verification Approval Party	Riverside County

Mitigation Monitoring Program

MITIGATION MEASURE

MM BIO-3 Worker Environmental Awareness Program Training. The FCR or Authorized Biologist will prepare and implement a WEAP. The Applicant will be responsible for ensuring that all workers at the site receive WEAP training prior to beginning work on the Project and throughout construction and operations. The WEAP will be available in English and Spanish. The Applicant will submit the WEAP to County for approval prior to implementation. If the County does not respond to submittal of the draft Plan within 60 days, the Project owner may consider this a waiver of the County’s authority to comment and the Plan may be considered approved. The WEAP will:

- Be developed by or in consultation with the Authorized Biologist and consist of an onsite or training center presentation with supporting written material and electronic media, including photographs of protected species, available to all participants.
- Provide an explanation of the function of flagging that designates authorized work areas; specify the prohibition of soil disturbance or vehicle travel outside designated areas.
- Discuss general safety protocols such as vehicle speed limits, hazardous substance spill prevention and containment measures, and fire prevention and protection measures.
- Review mitigation and biological permit requirements.
- Explain the sensitivity of the vegetation and habitat within and adjacent to work areas, and proper identification of these resources.
- Discuss the federal and State Endangered Species Acts, Bald and Golden Eagle Protection Act, and the Migratory Bird Treaty Act and the consequences of non-compliance with these acts.
- Discuss the locations and types of sensitive biological resources on the Project site and adjacent areas and explain the reasons for protecting these resources. This includes the biology and ecology of sensitive biological resources on the Project site and adjacent areas.
- Inform participants that no snakes, other reptiles, birds, bats, or any other wildlife will be harmed or harassed.
- Place special emphasis on species that may occur on the Project site including special-status plants, desert tortoise, burrowing owl, golden eagle, nesting birds, desert kit fox, American badger, and Nelson’s bighorn sheep.
- Specify guidelines for avoiding rattlesnakes and reporting rattlesnake observations to ensure worker safety and avoid killing or injuring rattlesnakes. Wherever feasible, rattlesnakes should be safely removed from the work area using appropriate snake handling equipment, including a secure storage container for transport.
- Describe workers’ responsibilities regarding wildlife avoidance, prohibitions of pets and firearms, and for avoiding the introduction of invasive weeds onto the Project site and surrounding areas, describe the Integrated Weed Management Plan.
- Provide contact information for the FCR and Authorized Biologist and instructions for notification of any threatened, endangered or sensitive wildlife discoveries, vehicle-wildlife collisions or dead or injured wildlife species encountered during Project-related activities.
- Include a training acknowledgment form to be signed by each worker indicating that they received training and will abide by the guidelines.

Timing/Location	Prior to and During Construction
Responsible Party	Applicant
Responsible Monitoring Party	Riverside County
Verification Approval Party	Riverside County

Mitigation Monitoring Program

Method of Verification

MITIGATION MEASURE

MM BIO-4 Minimization of Vegetation and Habitat Impacts. Prior to ground-disturbing activities, work areas (including, but not limited to, staging areas, access roads, and sites for temporary placement of construction materials and spoils) will be delineated with construction fencing (e.g., the common orange vinyl material) or staking to clearly identify the limits of work and will be verified by the Authorized Biologist. No paint or permanent discoloring agents shall be applied to rocks or vegetation (to indicate surveyor construction activity limits or for any other purpose). Fencing/staking will remain in place for the duration of construction. Spoils will be stockpiled in disturbed areas. All disturbances, vehicles, and equipment will be confined to the fenced/flagged areas.

When feasible, construction activities will minimize soil and vegetation disturbance to minimize impacts to soil and root systems. Upon completion of construction activities in any given area, all unused materials, equipment, staking and flagging, and refuse shall be removed and properly disposed of, including wrapping material, cables, cords, wire, boxes, rope, broken equipment parts, twine, strapping, buckets, and metal or plastic containers. Any unused or leftover hazardous products shall be properly disposed of offsite.

Hazardous materials will be handled and spills or leaks will be promptly corrected and cleaned up, according to applicable requirements. Vehicles will be properly maintained to prevent spills or leaks. Hazardous materials, including motor oil, fuel, antifreeze, hydraulic fluid, grease, will not be allowed to enter drainage channels.

Timing/Location Prior to and During Construction

Responsible Party Applicant

Responsible Monitoring Party Riverside County

Verification Approval Party Riverside County

MITIGATION MEASURE

MM BIO-5 Wildlife Protection. The Applicant shall undertake the following measures during construction and O&M to avoid or minimize impacts to wildlife. Implementation of all measures shall be subject to review and approval by the County.

- *Wildlife avoidance.* Wherever feasible, Project activities will avoid interference with wildlife (include ground-dwelling species, birds, bats) by allowing animals to escape from a work site prior to disturbance; conducting pre-construction surveys and exclusion measures for certain species as specified in other measures; checking existing structures and foundations for wildlife that may be present, and safely excluding them prior to removing the structures.
- *Minimize traffic impacts.* The Applicant will specify and enforce 15 miles per hour as the maximum vehicle speed limits, to minimize risk of wildlife collisions and fugitive dust.
- *Minimize lighting impacts.* Night lighting, when in use, shall be designed, installed, and maintained to prevent side casting of light towards surrounding fish or wildlife habitat. Any FAA required safety lighting color and pattern (e.g., steady vs. flashing lighting) will be designed to minimize potential hazards (i.e., attraction and subsequent collision) to native birds and bats.
- *Avoid use of toxic substances.* Soil bonding and weighting agents used for dust sup-pression on unpaved surfaces shall be non-toxic to wildlife and plants.
- *Minimize noise and vibration impacts.* The Applicant will minimize noise to offsite habitat.
- *Water.* Potable and non-potable water sources such as tanks, ponds, and pipes shall be covered or otherwise secured to prevent animals (including birds) from entering. Prevention methods may include storing water within closed tanks or covering open tanks with 2-centimeter netting. Dust abatement will use the minimum amount of water on dirt roads and construction areas to meet safety and air quality standards. Water sources (e.g., hydrants, tanks, etc.) shall be checked periodically by biological monitors to ensure they do not create puddles.
- *Trash.* All trash and food-related waste shall be contained in vehicles or covered trash containers inaccessible to ravens, coyotes, or other wildlife and removed from the site regularly.
- *Workers.* Workers shall not feed wildlife or bring pets to the Project site. Except for law enforcement personnel, no workers or visitors to the site shall bring firearms or weapons.
- *Wildlife netting or exclusion fencing.* The existing fence surrounding the O&M structure will be updated to include desert tortoise exclusion fencing. The Applicant may install temporary or permanent netting or fencing around equipment, work areas, or Project facilities to prevent wildlife exposure to hazards such as toxic materials or vehicle strikes, or prevent birds from nesting on equipment or facilities. Bird deterrent netting will be maintained free of holes and will be deployed and secured on the equipment in a manner that, insofar as possible, prevents wildlife from becoming trapped inside the netted area or within the excess netting. The Desert Tortoise Monitor or Authorized Biologist will inspect netting (if installed) twice daily, at the beginning and close of each work day. The Desert Tortoise Monitor or Authorized Biologist will inspect exclusion fence (if installed) weekly.
- *Wildlife entrapment.* Project-related excavations shall be secured to prevent wildlife entry and entrapment. Holes and trenches shall be backfilled, securely covered, or fenced. Excavations that cannot be fully secured shall incorporate wildlife ramp or other means to allow trapped animals to escape. At the end of each workday, a Desert Tortoise Monitor

Mitigation Monitoring Program

or Authorized Biologist shall ensure that excavations have been secured or provided with appropriate means for wildlife escape.

- *All pipes or other construction materials or supplies* will be covered or capped in storage or laydown areas. No pipes or tubing will be left open either temporarily or permanently, except during use or installation. Any construction pipe, culvert, or other hollow materials will be inspected for wildlife before it is moved, buried, or capped.
- *Dead or injured wildlife* will be reported to CDFW or the local animal control agency, as appropriate (special-status species must be reported to USFWS, County, and CDFW). An Authorized Biologist shall safely move the carcass out of the road or work area if needed and dispose of the animal as directed by the agency. If an animal is entrapped, an Authorized Biologist shall free the animal if feasible, or work with construction crews to free it, in compliance with safety requirements, or work with animal control or USFWS and CDFW to resolve the situation.
- *Pest control.* No anticoagulant rodenticides, such as Warfarin and related compounds (indandiones and hydroxycoumarins), may be used within the project site, on off-site project facilities and activities, or in support of any other project activities.

Timing/Location	During Construction and O&M
Responsible Party	Applicant
Responsible Monitoring Party	Riverside County
Verification Approval Party	Riverside County

MITIGATION MEASURE

MM BIO-6 Desert Tortoise Protection. All ground-disturbing activities would avoid desert tortoise take by either exclusion fencing or on-site monitoring. The determination whether to fence work areas will be made on a case-by-case basis dependent on the schedule and extent of planned activities and topography of the work site. Desert tortoises would be handled or translocated according to the Desert Tortoise Relocation Plan, to be prepared as specified in MM BIO-1, pending approval by both the USFWS and CDFW.

The Authorized Biologist shall conduct or oversee pre-construction clearance surveys for each work area, watch for tortoises wandering into the construction areas, check under vehicles, and examine excavations and other potential pitfalls for entrapped animals. The Authorized Biologist will be responsible for overseeing compliance with desert tortoise protective measures and for coordination with the County, USFWS, and CDFW (described below). The Authorized Biologist shall have the authority to halt all Project activities that are in violation of these measures or that may result in take of a desert tortoise. Only the Authorized Biologist or Desert Tortoise Monitor with direct oversight from the Authorized Biologist will handle or relocate desert tortoises and only as specifically outlined in the Desert Tortoise Relocation Plan. Any incident that is considered by the Authorized Biologist to be in noncompliance with these measures will be documented immediately.

The Authorized Biologist will be responsible for overseeing compliance with desert tortoise protective measures and for coordination with resource agencies. The FCR will also have the authority to halt any Project activities that may risk take of a desert tortoise or that may be inconsistent with adopted mitigation measures or permit conditions. Neither the FCR nor any other Project employee may bar or limit any communications between any Natural Resource Agency or County and any Project biologist, biological monitor or contracted biologist. Upon notification by another Authorized Biologist or Monitor of any noncompliance, the FCR will ensure that appropriate corrective action is taken and documented. The following incidents will require immediate cessation of any Project activities that could harm a desert tortoise: (1) location of a desert tortoise within a work area; (2) imminent threat of injury or death to a desert tortoise; (3) unauthorized handling of a desert tortoise, regardless of intent; (4) operation of construction equipment or vehicles outside a Project area cleared of desert tortoise, except on designated roads; and (5) conducting any construction activity without a Desert Tortoise Monitor where one is required.

The Authorized Biologist will be responsible for implementing, inspecting, or overseeing the following requirements in coordination with Desert Tortoise Monitors, the Applicant, and all its on-site contractors.

- *Monitor Desert Tortoise Exclusion Fence Installation (if necessary).* The desert tortoise exclusion fence installation will be monitored by the Authorized Biologist or Desert Tortoise Monitor, under supervision from the Authorized Biologist, who will ensure stipulations provided in the Service's (2009, Chapter 8) guidance for tortoise exclusionary fencing are met. Throughout the construction phase, the tortoise exclusionary fence will be checked regularly and immediately after major rainfall events to ensure its integrity. Repairs will be made within 48 hours of discovery to prevent a tortoise from entering the site.
 - *Preconstruction Clearance Survey for fenced areas.* For construction areas that would be fenced with desert tortoise exclusion fencing or standard construction fencing, clearance surveys will follow procedures outlined in the Service's Desert Tortoise Field Manual (December 2009) or more current Service guidance. The Authorized Biologist will conduct preconstruction clearance surveys immediately prior to initiation of ground disturbing activities in desert tortoise habitat regardless of the time of year. The goal of a clearance survey is to find all tortoises on the surface
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and in burrows that could be harmed by construction activities. Surveys will cover 100 percent of the acreage to be disturbed. All potential burrows within 100 feet of construction activity will be marked and avoided to the extent practicable. Those that cannot be avoided will be excavated by the Authorized Biologist.

- *Monitor and oversee activities within construction phase tortoise exclusion fencing.* Prior to construction of Alta Mesa Wind repower, temporary or permanent desert tortoise exclusion fencing may be installed around the laydown area (temporary areas in use during construction and decommissioning phases only). The existing fence surrounding the O&M structure will be updated to include desert tortoise exclusion fencing. The fence will adhere to USFWS design guidelines (Service, 2009). The Authorized Biologist will conduct or oversee a clearance survey before the tortoise fence is enclosed to ensure no tortoises are in the work area. Any potentially occupied burrows will be avoided until monitoring or field observations (e.g., with a motion-activated camera or fiber-optic mounted video camera) determines absence. If live tortoises or an occupied tortoise burrow are identified in the work area, tortoises shall be relocated by the Authorized Biologist or allowed to leave on their own accord before enclosing the fence. The fence shall be either continuously monitored prior to closure, or clearance surveys shall be repeated prior to closure after tortoises are removed. Once installed, exclusion fencing will be inspected at least daily and following all rain events, and corrective action taken if needed to maintain it. Fencing around each work area will include a "cattle guard" or desert tortoise exclusion gate at each entry point. This gate will remain closed at all times, except when vehicles are entering or leaving the Project area. If it is deemed necessary to leave the gate open for extended periods of time (e.g., during high traffic periods), the gate may be left open as long as an Authorized Biologist or Desert Tortoise Monitor is present to monitor for tortoise activity in the vicinity.
- *Monitor and oversee activities within unfenced work areas.* As an alternative to exclusion fencing, for any work conducted in an area that is not fenced to exclude desert tortoises, the work area must be surveyed no more than two hours prior to any planned vehicle or equipment activities and monitored by a Desert Tortoise Monitor who will stop work if a tortoise enters the work area. Work activities will only proceed at the site and within a suitable buffer area after the tortoise has either moved away of its own accord, or if it has been relocated out of harm's way by an Authorized Biologist or a Monitor under the direct supervision of the Authorized Biologist. Work sites with potential hazards to desert tortoise (e.g., auger holes, steep-sided depressions) that are outside of the desert tortoise exclusion fencing will be securely covered or filled at the end of each workday. Note that work areas without tortoise exclusion fencing nonetheless will be clearly defined by other fencing materials, staking, flagging, or other measures (BIO-4, above).
- *Tortoises under vehicles.* The ground beneath parked vehicles will be inspected immediately prior to the vehicle being moved. If a tortoise is found beneath a vehicle, the tortoise shall be allowed to move out of the area on its own. If it does not leave within 30 minutes, the Authorized Biologist may move the tortoise out of harm's way in a manner consistent with MM BIO 1 and Service handling guidance.
- *Tortoises on roads.* If a tortoise is observed on or near the road accessing a work area, the Authorized Biologist or Desert Tortoise Monitor will be contacted immediately, and vehicles will stop to allow the tortoise to move off the road on its own. If it does not leave the site within 30 minutes, the Authorized Biologist may move the tortoise out of harm's way in a manner consistent with MM BIO 1 and Service handling guidance.

Mitigation Monitoring Program

- *Tortoise Observations.* Any time a desert tortoise is observed within or near a work site, Project work activities will only proceed at the site and within a suitable buffer area after the tortoise has either moved away of its own accord, or if it has been moved from harm's way by the Authorized Biologist. If a tortoise is observed in an unfenced work area, construction will stop and the tortoise shall be allowed to move out of the area on its own. If it does not leave the site within 30 minutes, the Authorized Biologist may move the tortoise out of harm's way in a manner consistent with MM BIO 1 and Service handling guidance. If a tortoise or tortoise burrow is observed within the exclusion fencing, construction in the vicinity will stop, pending relocation of the tortoise.
- *Dead or Injured Desert Tortoise.* Upon locating a dead or injured tortoise, the Authorized Biologist will immediately notify the County, the USFWS's Palm Springs Fish and Wildlife Office, and CDFW by telephone. Written notification must be made within five days of the finding to the Palm Springs Fish and Wildlife Office and CDFW. The information provided must include the date and time of the finding or incident (if known), location of the carcass or injured animal, a photograph, cause of death, if known, and other pertinent information. Additionally, the Authorized Biologist will be responsible for identifying a nearby veterinarian capable of treating and rehabilitating any injured tortoises, and immediately transporting any injured tortoise to that office. The Project Proponent will be responsible for veterinary expenses.

Timing/Location	Prior to and During Construction
Responsible Party	Applicant
Responsible Monitoring Party	Riverside County
Verification Approval Party	Riverside County

MITIGATION MEASURE **MM BIO-7 Integrated Weed Management Plan.** The Applicant will prepare and implement an Integrated Weed Management Plan (IWMP) to minimize or prevent invasive weeds from infesting the site or spreading into surrounding habitat. The County must approve the plan. The IWMP will identify weed species occurring or potentially occurring in the Project area, means to prevent their introduction or spread (e.g., vehicle cleaning and inspections), monitoring methods to identify infestations, and timely implementation of manual or chemical (as appropriate) suppression and containment measures to control or eradicate invasive weeds. The IWMP will identify herbicides that may be used for control or eradication, and avoid herbicide use in or around any environmentally sensitive areas. The IWMP will also include a reporting schedule, to be implemented by the Applicant.

Timing/Location	Prior to and During Construction
Responsible Party	Applicant
Responsible Monitoring Party	Riverside County
Verification Approval Party	Riverside County

Mitigation Monitoring Program

MITIGATION MEASURE **MM BIO-8 Monitoring and Reporting Schedule.** Encounters with desert tortoise shall be immediately reported to the FCR, Authorized Biologist, or Monitor. The Authorized Biologist shall maintain a record of all desert tortoises encountered during construction and decommissioning activities. Information recorded for each desert tortoise will include: the location; date of observation; general condition of health and apparent injuries and state of healing; location of damaged exclusion fence (if applicable); if moved, location moved from and location moved to and whether the desert tortoise voided its bladder; and diagnostic markings (i.e., identification numbers or marked lateral scutes).

The Project proponent will provide monthly reports to the County, USFWS, and CDFW throughout the construction and decommissioning phases that summarizes the implementation of Project measures pertaining to desert tortoise management. The reports will be prepared by the Authorized Biologist.

The Project proponent will provide annual reports to the County, USFWS, and CDFW throughout the construction and decommissioning phases, and a final report upon completion of construction and decommissioning, that summarize the implementation of Project measures pertaining to desert tortoise management. The reports will be prepared by the Designated Biologist or other qualified biologist.

Timing/Location	During Construction and Decommissioning
Responsible Party	Applicant
Responsible Monitoring Party	Riverside County
Verification Approval Party	Riverside County

MITIGATION MEASURE **MM BIO-9 Trash Management.** All garbage associated with the Project during all phases of the Project will be contained in secure receptacles to prevent the introduction of food resources that could potentially attract or support common ravens, coyotes, and other predators or scavengers. Secure, wildlife proof self-closing waste bins will be used for all organic waste. To reduce the possibility of ravens or other scavengers from ripping into bags and exposing the garbage, plastic bags containing garbage will not be left out for pickup. All such waste material must be in secure waste bins or dumpsters at all times.

Timing/Location	All Project Phases
Responsible Party	Applicant
Responsible Monitoring Party	Riverside County
Verification Approval Party	Riverside County

Mitigation Monitoring Program

MITIGATION MEASURE	<p>MM BIO-10 Raven Management Plan. The Project applicant will develop and implement a Raven Management Plan to address activities that may occur during the pre-construction, construction, decommissioning, and O&M phases of the Project that may attract common ravens (<i>Corvus corax</i>), a nuisance species that is a subsidized predator of desert tortoises and other sensitive species in the Project vicinity. The measures contained in the Raven Management Plan will be designed to:</p> <ul style="list-style-type: none"> • Identify conditions associated with the Project that might provide raven subsidies or attractants. • Describe management practices to avoid or minimize conditions that might increase raven numbers and predatory activities. • Describe control practices for ravens. • Address monitoring during construction and for the life of the Project and discuss reporting requirements.
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The Project Applicant will submit payment to the Project sub-account of the Renewable Energy Action Team (REAT) Account held by the National Fish and Wildlife Foundation (NFWF) to support the Service's Regional Raven Management Program. The one-time fee will be as described in the cost allocation methodology or more current guidance as provided by the Service or CDFW. The contribution to the regional raven management plan will be \$105 per acre impacted.

Timing/Location	All Project Phases
Responsible Party	Applicant
Responsible Monitoring Party	Riverside County
Verification Approval Party	Riverside County

Mitigation Monitoring Program

MITIGATION MEASURE

MM BIO-11 Revegetation. The Applicant will prepare and implement a Revegetation Plan for all temporarily disturbed areas, to be reviewed and approved by County, USFWS, and CDFW. The Revegetation Plan will specify success criteria and materials and methods for site preparation, reseeding, maintaining, and monitoring revegetated areas in the following two categories:

- Temporarily disturbed areas where no future disturbance will occur (e.g., cut and fill slopes along roadways or turbine pads, to be left undisturbed throughout the life of the project). The goal of revegetation on these sites will be restoration of vegetation and habitat characteristics to provide habitat for listed species comparable to what is present before the disturbance.
- Temporarily disturbed construction areas around turbines, where future repairs or maintenance may necessitate further disturbance during the life of the project. The goal of revegetation on these sites will be to minimize dust, erosion, and invasive weeds from disturbed sites, but not to restore pre-disturbance habitat values (those impacts are mitigated through off-site compensation).

The nature of revegetation will differ according to each site, its pre-disturbance condition, and the nature of the construction disturbance (e.g., drive and crush vs. blading). The Plan will include: (a) soil preparation measures, including locations of recontouring, decompacting, imprinting, or other treatments; (b) details for topsoil storage, as applicable; (c) plant material collection and acquisition guidelines, plants from the project site, as well as obtaining replacement plants from outside the project area (sources for plant materials will be limited to locally occurring native species from the local area); (d) a plan drawing or schematic depicting the temporary disturbance areas described above; (e) time of year that the planting or seeding will occur and the methodology of the planting; (f) a description of the irrigation, if used; (g) success criteria; and (h) a monitoring program to measure the success criteria, commensurate with the Plan's goals, (i) contingency measures for failed revegetation efforts not meeting success criteria.

Timing/Location	Prior to and During Construction
Responsible Party	Applicant
Responsible Monitoring Party	Riverside County
Verification Approval Party	Riverside County
MITIGATION MEASURE	MM BIO-12 Post construction monitoring for birds and bats. The Applicant would conduct post construction mortality surveys for bird and bat populations on the repowered Alta Mesa Wind.
Timing/Location	Post Construction
Responsible Party	Applicant
Responsible Monitoring Party	Riverside County
Verification Approval Party	Riverside County

Mitigation Monitoring Program

MITIGATION MEASURE **MM BIO-13 Bird and Bat Conservation Strategy.** The Applicant will prepare and implement a Bird and Bat Conservation Strategy (BBCS) in coordination with the County, USFWS, and CDFW. The BBCS will specify (1) pre-construction survey schedule and methodology to locate nesting birds, including burrowing owl, near planned construction activities; (2) minimization and avoidance measures to prevent project-related nest abandonment or other potential take of nesting birds; (3) passive relocation methods to be implemented if an active burrowing owl burrow is located near work activity areas; (4) pre- and post-operation monitoring protocol for bird and bat mortality; (5) mortality thresholds for listed or sensitive birds that will trigger adaptive management measures, (6) an adaptive management strategy to be implemented in the event mortality thresholds are exceeded, and (7) a format and schedule for reporting monitoring data and adaptive management actions to the County, USFWS, and CDFW.

Timing/Location All Project Phases

Responsible Party Applicant

Responsible Monitoring Party Riverside County

Verification Approval Party Riverside County

Mitigation Monitoring Program

Cultural Resources

Mitigation Monitoring Program

MITIGATION MEASURE

MM CUL-1 Cultural Resource Monitoring Program. Prior to issuance of grading permits: The applicant/developer shall provide evidence to the County of Riverside Planning Department that a County certified professional archaeologist has been contracted to implement a Cultural Resource Monitoring Program (CRMP). A CRMP shall be developed in coordination with the consulting tribe(s) that addresses the details of all activities and provides procedures that must be followed in order to reduce the impacts to cultural and historic resources to a level that is less than significant as well as address potential impacts to undiscovered buried archaeological resources associated with this project. This document shall be reviewed by the consulting tribes and provided to the County Archaeologist for review and approval prior to issuance of the grading permit.

The CRMP shall contain at a minimum the following:

- Archaeological Monitor – An adequate number of qualified archaeological monitors shall be onsite to ensure all earth moving activities are observed for areas being monitored. This includes all grubbing, grading and trenching onsite and for all offsite improvements. Inspections will vary based on the rate of excavation, the materials excavated, and the presence and abundance of artifacts and features. The frequency and location of inspections will be determined and directed by the Project Archaeologist.
- Cultural Sensitivity Training – The Project Archaeologist and if required, a representative designated by the Tribe shall attend the pre-grading meeting with the contractors to provide Cultural Sensitivity Training for all construction personnel. Training will include a brief review of the cultural sensitivity of the Project and the surrounding area; the areas to be avoided during grading activities; what resources could potentially be identified during earthmoving activities; the requirements of the monitoring program; the protocols that apply in the event unanticipated cultural resources are identified, including who to contact and appropriate avoidance measures until the find(s) can be properly evaluated; and any other appropriate protocols. This is a mandatory training and all construction personnel must attend prior to beginning work on the project site. A sign-in sheet for attendees of this training shall be included in the Phase IV Monitoring Report.
- Unanticipated Resources – In the event that previously unidentified potentially significant cultural resources are discovered, the Archaeological and/or Tribal Monitor(s) shall have the authority to divert or temporarily halt ground disturbance operations in the area of discovery to allow evaluation of potentially significant cultural resources. The Project Archaeologist, in consultation with the Tribal monitor, shall determine the significance of the discovered resources. The County Archaeologist must concur with the evaluation before construction activities will be allowed to resume in the affected area. Further, before construction activities are allowed to resume in the affected area, the artifacts shall be recovered and features recorded using professional archaeological methods. The Project Archaeologist shall determine the amount of material to be recovered for an adequate artifact sample for analysis. Isolates and clearly non-significant deposits shall be minimally documented in the field and the monitored grading can proceed.
- Artifact Disposition – the landowner(s) shall relinquish ownership of all cultural resources that are unearthed on the Project property during any ground-disturbing activities, including previous investigations and/or Phase III data recovery.

The Professional Archaeologist may submit a detailed letter to the County of Riverside during grading requesting a modification to the monitoring program if circumstances are encountered that reduce the need for monitoring.

Mitigation Monitoring Program

Timing/Location Prior to and During Construction

Responsible Party Applicant

Responsible Monitoring Party Riverside County

Verification Approval Party Riverside County

MITIGATION MEASURE **MM CUL-2 Project Archaeologist.** Prior to issuance of grading permits: The applicant/developer shall provide evidence to the County of Riverside Planning Department that a County certified professional archaeologist (Project Archaeologist) has been contracted to implement a Cultural Resource Monitoring Program (CRMP). A Cultural Resource Monitoring Plan shall be developed that addresses the details of all activities and provides procedures that must be followed in order to reduce the impacts to cultural and historic resources to a level that is less than significant as well as address potential impacts to undiscovered buried archaeological resources associated with this project. A fully executed copy of the contract and a wet-signed copy of the Monitoring Plan shall be provided to the County Archaeologist to ensure compliance with this condition of approval.

Working directly under the Project Archaeologist, an adequate number of qualified Archaeological Monitors shall be present to ensure that all earth moving activities are observed and shall be on-site during all grading activities for areas to be monitored including off-site improvements. Inspections will vary based on the rate of excavation, the materials excavated, and the presence and abundance of artifacts and features. The frequency and location of inspections will be determined by the Project Archaeologist.

Timing/Location Prior to and During Construction

Responsible Party Applicant

Responsible Monitoring Party Riverside County

Verification Approval Party Riverside County

MITIGATION MEASURE **MM CUL-3 Temporary Fencing.** Temporary fencing shall be required for the protection of cultural site(s) P-33-000075 during any grading activities. Prior to commencement of grading or brushing, the project archaeologist shall confirm the site boundaries and determine an adequate buffer for protection of the site(s). The applicant shall direct the installation of fencing under the supervision of the project archaeologist and if required, Native American Monitor. The fencing can be removed only after grading operations have been completed.

Timing/Location Prior to and During Construction

Responsible Party Applicant

Responsible Monitoring Party Riverside County

Verification Approval Party Riverside County

Geology and Soils

MITIGATION MEASURE **MM GEO 1 Conformance with Geotechnical Recommendations.** Site design and engineering shall be conducted in conformance with recommendations specified in site-specific geotechnical and geologic feasibility studies and soils reports prepared for the Project.

Timing/Location Prior to Construction

Responsible Party Applicant

Responsible Monitoring Party Riverside County

Verification Approval Party Riverside County

Mitigation Monitoring Program

Paleontological Resources

MITIGATION MEASURE **PAL-1 Sampling and Worker Environmental Awareness Program (WEAP).** A 600 pound sample of the paleosol shall be tested (screened) for microvertebrate fossils. If none are found, paleontological resources monitoring is not required. If microvertebrate fossils are located, then monitoring would be warranted, and a Paleontological Resources Impact Mitigation Program (PRIMP) should describe procedures for unexpected discovery protocols, monitoring, sediment sampling and processing, identification, reporting and curation of fossils found on the Project, as well as radiocarbon dating of pedogenic carbonate from the Project footprint. If microvertebrate fossils are not located during pre-construction testing, then the PRIMP will consist only of a WEAP and an unexpected discovery of fossils plan.

Timing/Location Prior to and During Construction

Responsible Party Applicant

Responsible Monitoring Party Riverside County

Verification Approval Party Riverside County

Traffic/Transportation

MITIGATION MEASURE **MM-TRA-1 Construction Management Plan.** Prior to finalization of plans and specifications, a construction management plan (CMP) should be prepared by the Applicant and/or their construction contractor for any construction activities that encroach into the public right-of-way. The CMP shall include measures designed to reduce the impact of temporary construction traffic and any necessary lane or street closure. Such measures may include but are not limited to providing early notification of closures to the County Fire Department and Sherriff's Departments, residents, and nearby businesses; the use of signage before and during construction activities that clearly delineates detour routes around the lane and street closures; and flaggers to direct traffic in the vicinity of the closure. The CMP will also include a description or pictures of the pre-construction conditions of the roadways and ensure that they are restored to the same or better conditions after construction.

Timing/Location Prior to and During Construction

Responsible Party Applicant

Responsible Monitoring Party Riverside County

Verification Approval Party Riverside County

Mitigation Monitoring Program

Tribal Cultural Resources

MITIGATION MEASURE	<p>MM TCR-1 Tribal Monitoring. Prior to the issuance of grading permits, the developer/permit applicant shall enter into agreement(s) with the consulting tribe(s) for Native American Monitor(s).</p> <p>The Native American Monitor(s) shall be on-site during all initial ground disturbing activities and excavation of each portion of the project site including clearing, grubbing, tree removals, grading and trenching. In conjunction with the Archaeological Monitor(s), the Native American Monitor(s) shall have the authority to temporarily divert, redirect or halt the ground disturbance activities to allow identification, evaluation, and potential recovery of cultural resources.</p> <p>The developer/permit applicant shall submit a fully executed copy of the agreement(s) to the County Archaeologist to ensure compliance with this condition of approval. Upon verification, the Archaeologist shall clear this condition.</p> <p>This agreement shall not modify any condition of approval or mitigation measure.</p>
Timing/Location	Prior to and During Construction
Responsible Party	Applicant
Responsible Monitoring Party	Riverside County
Verification Approval Party	Riverside County

Mitigation Monitoring Program

Wildfire

MITIGATION MEASURE

MM-FIRE 1 Construction Fire Prevention Plan. Prior to construction, the Applicant (In coordination with their contractors shall prepare a Construction Fire Prevention Plan for review and approval by the Riverside County Fire Department (RCFD) that includes (but not be limited to) the following information and provisions:

- Responsibilities of the Project Applicant, their contractor(s), and RCFD with respect to fire prevention and inspection of work areas.
- On-site personnel in charge of overseeing Fire Plan implementation.
- Construction staff and equipment that can be used for fighting fire.
- Emergency measures for construction curtailment.
- Provisions for fire/emergency services access if roadway blockage occurs due to large loads during construction and operation.
- Cleared, maintained worker parking and construction staging areas shall be designated; no parking or construction activities shall be allowed in non-designated areas.
- Smoking and open fires shall be prohibited at the Project site during construction and operations. A copy of the notification to all contractors regarding prohibiting smoking and burning shall be provided to the RCFD.
- Assurances that all internal combustion construction equipment shall be equipped with appropriate spark arrestors and carry fire extinguishers.
- A fire watch with appropriate firefighting equipment shall be available at the Project site at all times when welding activities are taking place. Spark producing activities (such as welding and metal cutting) shall not occur when sustained winds exceed limits set forth by the RCFD.
- Appropriate hot work permits/approvals (for activities such as welding and metal cutting) shall be obtained from the jurisdictional fire agency.
- All construction activities shall be curtailed in the event of a fire or when fuel and weather conditions get into the "very high" and "extreme" ranges (Red Flag Warning), as determined by the National Weather Service. Any specific Project-related activities to be allowed during very high or extreme weather conditions would be at the discretion of the RCFD.

Timing/Location	Prior to and During Construction
Responsible Party	Applicant
Responsible Monitoring Party	Riverside County
Verification Approval Party	Riverside County

Mitigation Monitoring Program

MITIGATION MEASURE	<p>MM-FIRE 2 Renew and Expand the Existing Operational Fire Safety Plan. Prior to operation of new WTGs, the Project Applicant shall expand the existing Operational Fire Safety Plan for review and approval by the RCFD. The plan shall contain (but not be limited to) the following provisions:</p> <ul style="list-style-type: none"> • Responsibilities of the Project Applicant, their contractor(s), and RCFD with respect to fire prevention and inspection of work areas. • A vegetation management plan to address vegetation clearance around all WTGs; and plans for regularly scheduled brush clearance of vegetation on and adjacent to all access roads, power lines, and other facilities. All vegetation clearance and fire breaks shall be consistent with federal and State requirements, whichever is most stringent. • Means for ensuring on-site operational fire water supply (i.e. a functioning well or storage tank) is available prior to operation. • Procedures for Supervisory Control and Data Acquisition (SCADA) system (or other constant monitoring equipment) providing immediate notifications to emergency fire services. • By December 31 of each operational year, the applicant shall provide a report to Riverside County Planning and Fire that summarizes ongoing fire abatement measures, results of RCFD inspections, any fires onsite, and any adaptive measures to further minimize fire risk.
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Timing/Location	Prior to Operations
Responsible Party	Applicant
Responsible Monitoring Party	Riverside County
Verification Approval Party	Riverside County



**COUNTY OF RIVERSIDE
TRANSPORTATION AND LAND MANAGEMENT AGENCY**

Juan C. Perez
Agency Director



02/23/21, 3:02 pm

WCS00071R10

ADVISORY NOTIFICATION DOCUMENT

The following notifications are included as part of the recommendation of approval for WCS00071R10. They are intended to advise the applicant of various Federal, State and County regulations applicable to this entitlement and the subsequent development of the subject property.

Advisory Notification

Advisory Notification. 1 AND - Preamble

This Advisory Notification Document is included as part of the justification for the recommendation of approval of WCS00071R10 and is intended to advise the applicant of various Federal, State and County regulations applicable to this entitlement and the subsequent development of the subject property in accordance with approval of that entitlement and are in addition to the applied conditions of approval.

Advisory Notification. 2 AND - Project Description & Operational Limits

The use hereby permitted is for a commercial WECS array and Commercial WECS Permit No. 71R10 installs up to seven (7) new commercial wind turbines up to 499-feet in height with a total project generating capacity of 27 Megawatts (MW). These 7 new turbines would replace the 159 turbines currently on the site which are scheduled for decommissioning in early 2021 under existing permits, including demolition permits issued by the County. The project also includes associated equipment such as existing on-site substation, temporary construction yard, a new meteorological tower, and existing 220 kV transmission line. No work is proposed on existing interconnection line, and the project would use an existing access road from Haugen-Lehmann Way.

Related Variance Case No. 200001 proposes to eliminate the safety setbacks in accordance with Zoning Ordinance No. 348 along the western and northern lot lines from 1.1 times turbine height (549-feet) to 0-feet for wind turbines T-1, T-2A, and T-3A in a rural remote area.

Advisory Notification. 3 AND - Exhibits

The development of the premises shall conform substantially with that as shown on APPROVED EXHIBITS: Exhibit A (Site Plans, Site Disturbance Plans, Elevation) (Sheets 1-29) by Westwood dated February 11, 2021.

Advisory Notification. 4 AND - Federal, State & Local Regulation Compliance

1. Compliance with applicable Federal Regulations, including, but not limited to:
 - National Pollutant Discharge Elimination System (NPDES)
 - Clean Water Act
 - Migratory Bird Treaty Act (MBTA)

2. Compliance with applicable State Regulations, including, but not limited to:

ADVISORY NOTIFICATION DOCUMENT

Advisory Notification

Advisory Notification. 4 AND - Federal, State & Local Regulation Compliance (cont.)

- The current Water Quality Management Plan (WQMP) Permit issued by the applicable Regional Water Quality Control Board (RWQCB.)
 - Government Code Section 66020 (90 Days to Protest)
 - Government Code Section 66499.37 (Hold Harmless)
 - State Subdivision Map Act
 - Native American Cultural Resources, and Human Remains (Inadvertent Find)
 - School District Impact Compliance
 - Civil Code Section 815.3 & Government Code Sections 65040.2 et al - SB 18 (Tribal Intergovernmental Consultation) {for GPAs, SPs, & SPAs
 - Public Resources Code Section 5097.94 & Sections 21073 et al - AB 52 (Native Americans: CEQA)}{for all projects with EIR, ND or MND determinations}

- 3. Compliance with applicable County Regulations, including, but not limited to:
 - Ord. No. 348 (Land Use Planning and Zoning Regulations) {Land Use Entitlements}
 - Ord. No. 413 (Regulating Vehicle Parking) {Land Use Entitlements}
 - Ord. No. 421 (Excavation Covering & Swimming Pool Safety) {Land Use Entitlements}
 - Ord. No. 457 (Building Requirements) {Land Use Entitlements}
 - Ord. No. 458 (Regulating Flood Hazard Areas & Implementing National Flood Insurance Program) {Geographically based}
 - Ord. No. 460 (Division of Land) {for TTMs and TPMS}
 - Ord. No. 461 (Road Improvement Standards) {for TTMs and TPMS}
 - Ord. No. 484 (Control of Blowing Sand) {Geographically based on soil type}
 - Ord. No. 555 (Surface Mining and Reclamation) {for SMPs}
 - Ord. No. 625 (Right to Farm) {Geographically based}
 - Ord. No. 630 (Regulating Dogs and Cats) {For kennels and catteries}
 - Ord. No. 716 (Abandoned, Neglected or Cruelly Treated Animals)
 - Ord. No. 771 (Controlling Potentially Dangerous & Dangerous Animals)
 - Ord. No. 878 (Regarding Noisy Animals)
 - Ord. No. 655 (Regulating Light Pollution) {Geographically based}
 - Ord. No. 671 (Consolidated Fees) {All case types}
 - Ord. No. 679 (Directional Signs for Subdivisions) {for TTMs and TPMS}
 - Ord. No. 742 (Fugitive Dust/PM10 Emissions in Coachella Valley) {Geographically based}
 - Ord. No. 787 (Fire Code)
 - Ord. No. 847 (Regulating Noise) {Land Use Entitlements}
 - Ord. No. 857 (Business Licensing) {Land Use Entitlements}
 - Ord. No. 859 (Water Efficient Landscape Requirements) {Land Use Entitlements, and for TTMs and TPMS}
 - Ord. No. 915 (Regulating Outdoor Lighting) {Geographically based}
 - Ord. No. 916 (Cottage Food Operations)
 - Ord. No. 925 (Prohibiting Marijuana Cultivating)
 - Ord. No. 927 (Regulating Short Term Rentals)
 - Ord. No. 928 (Clarifying County Prohibition on Mobile Marijuana Dispensaries and Deliveries)

ADVISORY NOTIFICATION DOCUMENT

Advisory Notification

Advisory Notification. 4 AND - Federal, State & Local Regulation Compliance (cont.)

4. Mitigation Fee Ordinances

- Ord. No. 659 Development Impact Fees (DIF)
- Ord. No. 663 Stephens Kangaroo Rat Habitat Conservation Plan (SKR)
- Ord. No. 673 Coachella Valley Transportation Uniform Mitigation Fee (CV TUMF)
- Ord. No. 810 Western Riverside County Multiple Species Habitat Conservation Plan (WRCMSHCP)
- Ord. No. 824 Western Riverside County Transportation Uniform Mitigation Fee (WR TUMF)
- Ord. No. 875 Coachella Valley Multiple Species Habitat Conservation Plan (CV MSHCP)

BS-Plan Check

BS-Plan Check. 1 Gen - Custom

NOTIFICATIONS:

CODE/ORDINANCE REQUIREMENTS:

The applicant shall obtain the required building permit(s) from the building department prior to any construction on the property. All building plans and supporting documentation shall comply with current adopted California Building Codes, Riverside County Ordinances regulations in effect at the time of building plan submittal and fee payment to the Building Department. All Building Department plan submittal and fee requirements shall apply.

NOTE: The new updated 2019 California Building Codes will be in effect as of January 1st 2020, as mandated by the state of California. Any building plan and fee payment submitted to the building department on or after January 1st, 2020 will be subject to the new updated California Building Code(s).

PERMIT ISSUANCE:

Per section 105.1 (2019 California Building Code, CBC): Where any owner or authorized agent intends to construct, enlarge, alter, repair, move, demolish or change the occupancy of a building or structure, or to erect, install, enlarge, alter, repair, remove, convert, or replace any electrical, gas, mechanical, or plumbing system, the regulation of which is governed by this code, or to cause any such work to be done, shall first make application to the building official and obtain the required permit.

The applicant shall obtain the required building permit(s) from the building department prior to any construction or placement of any building, structure or equipment on the property.

The applicant shall obtain an approved final building inspection and certificate of occupancy from the building department prior to any use or occupancy of the building, or structure.

At no time shall the approval of the planning case exhibit allow for the construction or use of any building, structure, or equipment. In residential applications, each separate structure will require a separate building permit.

E Health

E Health. 1 ECP COMMENTS

If contamination or the presence of a naturally occurring hazardous material is discovered at the site, assessment, investigation, and/or cleanup may be required. Contact Riverside County Environmental Health - Environmental Cleanup Programs at (951) 955-8980, for further information.

Planning

ADVISORY NOTIFICATION DOCUMENT

Planning

Planning. 14

Gen - Mitigation Measures Biological Resources (cont.)

desert tortoises; and follow-up monitoring of relocated animals.

MM BIO-2 Biological Monitoring. The Applicant will assign an Authorized Biologist as the primary point of contact for the lead resource agencies regarding biological resources mitigation and compliance. For desert tortoise protection measures (BIO-6, below), the Authorized Biologist will serve as the Field Contact Representative (FCR). The Applicant will provide the resume of the proposed Authorized Biologist to the County, USFWS, and CDFW (as appropriate) for concurrence at least 30-days prior to onset of ground-disturbing activities. The Authorized Biologist will have demonstrated expertise with the biological resources within the Project area. In general, the duties will include, but will not be limited to those listed below:

- Regular, direct communication with representatives of County, USFWS and CDFW, and other agencies, as appropriate.
- Train and supervise additional Biological Monitors to ensure that all biological monitoring activities are completed properly and according to schedules. Monitoring will include clearance surveys of any area or activity that may impact biological resources to ensure compliance with all avoidance and minimization measures for biological resources.
- Conduct or oversee WEAP training (MM BIO-3).
- Conduct or oversee clearance surveys and monitoring duties.
- Halt any activities in any area if it is determined that the activity, if continued, would cause an unauthorized adverse impact to biological resources.
- Clearly mark sensitive biological resource areas during construction, O&M, and decommissioning, and inspect these areas at appropriate intervals for compliance with regulatory terms and conditions.
- Conduct or oversee compliance inspections during ground disturbing construction and decommissioning activities. Inspections will include delineating limits of disturbance, fence construction activities, pre-construction clearance surveys; and clearing, grubbing, and grading.
- Inspect or oversee daily inspection of active construction or O&M activity areas where animals may have become trapped. At the end of each workday, either inspect installation of structures that prevent entrapment or allow escape during periods of construction inactivity. Periodically inspect areas with high vehicle activity (e.g., parking lots) for animals in harm's way and relocate them if necessary.
- During the operations phase of the Project, provide annual report conduct compliance inspections (trash management, wildlife mortality logs per incident, etc.); conduct weed monitoring and control (according to the Integrated Weed Management Plan).
- Immediately notify the Applicant, County, and resource agencies (as applicable) in writing of dead or injured special-status species, or of any non-compliance with biological mitigation measures or permit conditions.
- During construction, provide weekly verbal or written updates to County, and, for any information pertinent to state or federal permits, to the County and resource agencies.
- During construction and O&M, prepare and submit monthly and annual compliance reports, respectively.

Qualifications of Authorized Biologist. The Applicant shall assign at least one Authorized Biologist to the Project. The Applicant shall submit the resume and USFWS health assessment letter, if applicable, of the proposed Authorized Biologist(s), with at least three references and contact information, to the County for approval in consultation with CDFW and USFWS at least 30-days prior to the start of ground disturbing

ADVISORY NOTIFICATION DOCUMENT

Planning

Planning. 14

Gen - Mitigation Measures Biological Resources (cont.)

activities. The Authorized Biologist must meet the following minimum qualifications:

- Bachelor's degree in biological sciences, zoology, botany, ecology, or a closely related field;
- Three years of experience in field biology or current certification of a nationally recognized biological society, such as The Ecological Society of America or The Wildlife Society;
- Have at least one year of field experience with biological resources found in or near the Project area;
- Meet the current USFWS Authorized Biologist qualifications criteria, demonstrate familiarity with protocols and guidelines for the desert tortoise, and be approved by the USFWS;
- Possess a CESA Memorandum of Understanding pursuant to §2081(a) for desert tortoise.
- In lieu of the above requirements, the resume shall demonstrate to the satisfaction of the County, in consultation with CDFW and USFWS, that the proposed Authorized Biologist or alternate has the appropriate training and background to effectively implement the mitigation measures.

Process of approving a Biological Monitor

- The Authorized Biologist or Applicant shall submit the resume, at least three references, and contact information of the proposed Biological Monitors to the County. The resume shall demonstrate, to the satisfaction of the County, the appropriate education and experience to accomplish the assigned biological resource tasks. The Biological Monitor is the equivalent of the USFWS-approved biologist (also "Service-approved biologist").
- Biological Monitor(s) training by the Authorized Biologist shall include familiarity with the project design features, BO, WEAP, and USFWS guidelines on desert tortoise surveys and handling procedures. MM BIO-3 Worker Environmental Awareness Program Training. The FCR or Authorized Biologist will prepare and implement a WEAP. The Applicant will be responsible for ensuring that all workers at the site receive WEAP training prior to beginning work on the Project and throughout construction and operations. The WEAP will be available in English and Spanish. The Applicant will submit the WEAP to County for approval prior to implementation. If the County does not respond to submittal of the draft Plan within 60 days, the Project owner may consider this a waiver of the County's authority to comment and the Plan may be considered approved. The WEAP will:
 - Be developed by or in consultation with the Authorized Biologist and consist of an onsite or training center presentation with supporting written material and electronic media, including photographs of protected species, available to all participants.
 - Provide an explanation of the function of flagging that designates authorized work areas; specify the prohibition of soil disturbance or vehicle travel outside designated areas.
 - Discuss general safety protocols such as vehicle speed limits, hazardous substance spill prevention and containment measures, and fire prevention and protection measures.
 - Review mitigation and biological permit requirements.
 - Explain the sensitivity of the vegetation and habitat within and adjacent to work areas, and proper identification of these resources.
 - Discuss the federal and State Endangered Species Acts, Bald and Golden Eagle Protection Act, and the Migratory Bird Treaty Act and the consequences of non-compliance with these acts.
 - Discuss the locations and types of sensitive biological resources on the Project site and adjacent areas and explain the reasons for protecting these resources. This includes the biology and ecology of sensitive biological resources on the Project site and adjacent areas.
 - Inform participants that no snakes, other reptiles, birds, bats, or any other wildlife will be harmed or

ADVISORY NOTIFICATION DOCUMENT

Planning

Planning. 14

Gen - Mitigation Measures Biological Resources (cont.)

harassed.

- Place special emphasis on species that may occur on the Project site including special-status plants, desert tortoise, burrowing owl, golden eagle, nesting birds, desert kit fox, American badger, and Nelson's bighorn sheep.
- Specify guidelines for avoiding rattlesnakes and reporting rattlesnake observations to ensure worker safety and avoid killing or injuring rattlesnakes. Wherever feasible, rattle-snakes should be safely removed from the work area using appropriate snake handling equipment, including a secure storage container for transport.
- Describe workers' responsibilities regarding wildlife avoidance, prohibitions of pets and firearms, and for avoiding the introduction of invasive weeds onto the Project site and surrounding areas, describe the Integrated Weed Management Plan.
- Provide contact information for the FCR and Authorized Biologist and instructions for notification of any threatened, endangered or sensitive wildlife discoveries, vehicle-wildlife collisions or dead or injured wildlife species encountered during Project-related activities.
- Include a training acknowledgment form to be signed by each worker indicating that they received training and will abide by the guidelines.

MM BIO-4 Minimization of Vegetation and Habitat Impacts. Prior to ground-disturbing activities, work areas (including, but not limited to, staging areas, access roads, and sites for temporary placement of construction materials and spoils) will be delineated with construction fencing (e.g., the common orange vinyl material) or staking to clearly identify the limits of work and will be verified by the Authorized Biologist. No paint or permanent discoloring agents shall be applied to rocks or vegetation (to indicate surveyor construction activity limits or for any other purpose). Fencing/staking will remain in place for the duration of construction. Spoils will be stockpiled in disturbed areas. All disturbances, vehicles, and equipment will be confined to the fenced/flagged areas.

When feasible, construction activities will minimize soil and vegetation disturbance to minimize impacts to soil and root systems. Upon completion of construction activities in any given area, all unused materials, equipment, staking and flagging, and refuse shall be removed and properly disposed of, including wrapping material, cables, cords, wire, boxes, rope, broken equipment parts, twine, strapping, buckets, and metal or plastic containers. Any unused or leftover hazardous products shall be properly disposed of offsite.

Hazardous materials will be handled and spills or leaks will be promptly corrected and cleaned up, according to applicable requirements. Vehicles will be properly maintained to prevent spills or leaks. Hazardous materials, including motor oil, fuel, antifreeze, hydraulic fluid, grease, will not be allowed to enter drainage channels.

MM BIO-5 Wildlife Protection. The Applicant shall undertake the following measures during construction and O&M to avoid or minimize impacts to wildlife. Implementation of all measures shall be subject to review and approval by the County.

- Wildlife avoidance. Wherever feasible, Project activities will avoid interference with wildlife (include ground-dwelling species, birds, bats) by allowing animals to escape from a work site prior to disturbance; conducting pre-construction surveys and exclusion measures for certain species as specified in other measures; checking existing structures and foundations for wildlife that may be present, and safely excluding them prior to removing the structures.
- Minimize traffic impacts. The Applicant will specify and enforce 15 miles per hour as the maximum

ADVISORY NOTIFICATION DOCUMENT

Planning

Planning. 14

Gen - Mitigation Measures Biological Resources (cont.)

vehicle speed limits, to minimize risk of wildlife collisions and fugitive dust.

- Minimize lighting impacts. Night lighting, when in use, shall be designed, installed, and maintained to prevent side casting of light towards surrounding fish or wildlife habitat. Any FAA required safety lighting color and pattern (e.g., steady vs. flashing lighting) will be designed to minimize potential hazards (i.e., attraction and subsequent collision) to native birds and bats.
- Avoid use of toxic substances. Soil bonding and weighting agents used for dust suppression on unpaved surfaces shall be non-toxic to wildlife and plants.
- Minimize noise and vibration impacts. The Applicant will minimize noise to offsite habitat.
- Water. Potable and non-potable water sources such as tanks, ponds, and pipes shall be covered or otherwise secured to prevent animals (including birds) from entering. Prevention methods may include storing water within closed tanks or covering open tanks with 2-centimeter netting. Dust abatement will use the minimum amount of water on dirt roads and construction areas to meet safety and air quality standards. Water sources (e.g., hydrants, tanks, etc.) shall be checked periodically by biological monitors to ensure they do not create puddles.
- Trash. All trash and food-related waste shall be contained in vehicles or covered trash containers inaccessible to ravens, coyotes, or other wildlife and removed from the site regularly.
- Workers. Workers shall not feed wildlife or bring pets to the Project site. Except for law enforcement personnel, no workers or visitors to the site shall bring firearms or weapons.
- Wildlife netting or exclusion fencing. The existing fence surrounding the O&M structure will be updated to include desert tortoise exclusion fencing. The Applicant may install temporary or permanent netting or fencing around equipment, work areas, or Project facilities to prevent wildlife exposure to hazards such as toxic materials or vehicle strikes, or prevent birds from nesting on equipment or facilities. Bird deterrent netting will be maintained free of holes and will be deployed and secured on the equipment in a manner that, insofar as possible, prevents wildlife from becoming trapped inside the netted area or within the excess netting. The Desert Tortoise Monitor or Authorized Biologist will inspect netting (if installed) twice daily, at the beginning and close of each work day. The Desert Tortoise Monitor or Authorized Biologist will inspect exclusion fence (if installed) weekly.
- Wildlife entrapment. Project-related excavations shall be secured to prevent wildlife entry and entrapment. Holes and trenches shall be backfilled, securely covered, or fenced. Excavations that cannot be fully secured shall incorporate wildlife ramp or other means to allow trapped animals to escape. At the end of each workday, a Desert Tortoise Monitor or Authorized Biologist shall ensure that excavations have been secured or provided with appropriate means for wildlife escape.
- All pipes or other construction materials or supplies will be covered or capped in storage or laydown areas. No pipes or tubing will be left open either temporarily or permanently, except during use or installation. Any construction pipe, culvert, or other hollow materials will be inspected for wildlife before it is moved, buried, or capped.
- Dead or injured wildlife will be reported to CDFW or the local animal control agency, as appropriate (special-status species must be reported to USFWS, County, and CDFW). An Authorized Biologist shall safely move the carcass out of the road or work area if needed and dispose of the animal as directed by the agency. If an animal is entrapped, an Authorized Biologist shall free the animal if feasible, or work with construction crews to free it, in compliance with safety requirements, or work with animal control or USFWS and CDFW to resolve the situation.
- Pest control. No anticoagulant rodenticides, such as Warfarin and related compounds (indandiones

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Planning

Planning. 14

Gen - Mitigation Measures Biological Resources (cont.)

and hydroxycoumarins), may be used within the project site, on off-site project facilities and activities, or in support of any other project activities.

MM BIO-6 Desert Tortoise Protection. All ground-disturbing activities would avoid desert tortoise take by either exclusion fencing or on-site monitoring. The determination whether to fence work areas will be made on a case-by-case basis dependent on the schedule and extent of planned activities and topography of the work site. Desert tortoises would be handled or translocated according to the Desert Tortoise Relocation Plan, to be prepared as specified in MM BIO-1, pending approval by both the USFWS and CDFW.

The Authorized Biologist shall conduct or oversee pre-construction clearance surveys for each work area, watch for tortoises wandering into the construction areas, check under vehicles, and examine excavations and other potential pitfalls for entrapped animals. The Authorized Biologist will be responsible for overseeing compliance with desert tortoise protective measures and for coordination with the County, USFWS, and CDFW (described below). The Authorized Biologist shall have the authority to halt all Project activities that are in violation of these measures or that may result in take of a desert tortoise. Only the Authorized Biologist or Desert Tortoise Monitor with direct oversight from the Authorized Biologist will handle or relocate desert tortoises and only as specifically outlined in the Desert Tortoise Relocation Plan. Any incident that is considered by the Authorized Biologist to be in noncompliance with these measures will be documented immediately.

The Authorized Biologist will be responsible for overseeing compliance with desert tortoise protective measures and for coordination with resource agencies. The FCR will also have the authority to halt any Project activities that may risk take of a desert tortoise or that may be inconsistent with adopted mitigation measures or permit conditions. Neither the FCR nor any other Project employee may bar or limit any communications between any Natural Resource Agency or County and any Project biologist, biological monitor or contracted biologist. Upon notification by another Authorized Biologist or Monitor of any noncompliance, the FCR will ensure that appropriate corrective action is taken and documented. The following incidents will require immediate cessation of any Project activities that could harm a desert tortoise: (1) location of a desert tortoise within a work area; (2) imminent threat of injury or death to a desert tortoise; (3) unauthorized handling of a desert tortoise, regardless of intent; (4) operation of construction equipment or vehicles outside a Project area cleared of desert tortoise, except on designated roads; and (5) conducting any construction activity without a Desert Tortoise Monitor where one is required.

The Authorized Biologist will be responsible for implementing, inspecting, or overseeing the following requirements in coordination with Desert Tortoise Monitors, the Applicant, and all its on-site contractors.

- Monitor Desert Tortoise Exclusion Fence Installation (if necessary). The desert tortoise exclusion fence installation will be monitored by the Authorized Biologist or Desert Tortoise Monitor, under supervision from the Authorized Biologist, who will ensure stipulations provided in the Service's (2009, Chapter 8) guidance for tortoise exclusionary fencing are met. Throughout the construction phase, the tortoise exclusionary fence will be checked regularly and immediately after major rainfall events to ensure its integrity. Repairs will be made within 48 hours of discovery to prevent a tortoise from entering the site.
- Preconstruction Clearance Survey for fenced areas. For construction areas that would be fenced with

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Gen - Mitigation Measures Biological Resources (cont.)

desert tortoise exclusion fencing or standard construction fencing, clearance surveys will follow procedures outlined in the Service's Desert Tortoise Field Manual (December 2009) or more current Service guidance. The Authorized Biologist will conduct preconstruction clearance surveys immediately prior to initiation of ground disturbing activities in desert tortoise habitat regardless of the time of year. The goal of a clearance survey is to find all tortoises on the surface and in burrows that could be harmed by construction activities. Surveys will cover 100 percent of the acreage to be disturbed. All potential burrows within 100 feet of construction activity will be marked and avoided to the extent practicable. Those that cannot be avoided will be excavated by the Authorized Biologist.

- Monitor and oversee activities within construction phase tortoise exclusion fencing. Prior to construction of Alta Mesa Wind repower, temporary or permanent desert tortoise exclusion fencing may be installed around the laydown area (temporary areas in use during construction and decommissioning phases only). The existing fence surrounding the O&M structure will be updated to include desert tortoise exclusion fencing. The fence will adhere to USFWS design guidelines (Service, 2009). The Authorized Biologist will conduct or oversee a clearance survey before the tortoise fence is enclosed to ensure no tortoises are in the work area. Any potentially occupied burrows will be avoided until monitoring or field observations (e.g., with a motion-activated camera or fiber-optic mounted video camera) determines absence. If live tortoises or an occupied tortoise burrow are identified in the work area, tortoises shall be relocated by the Authorized Biologist or allowed to leave on their own accord before enclosing the fence. The fence shall be either continuously monitored prior to closure, or clearance surveys shall be repeated prior to closure after tortoises are removed. Once installed, exclusion fencing will be inspected at least daily and following all rain events, and corrective action taken if needed to maintain it. Fencing around each work area will include a "cattle guard" or desert tortoise exclusion gate at each entry point. This gate will remain closed at all times, except when vehicles are entering or leaving the Project area. If it is deemed necessary to leave the gate open for extended periods of time (e.g., during high traffic periods), the gate may be left open as long as an Authorized Biologist or Desert Tortoise Monitor is present to monitor for tortoise activity in the vicinity.

- Monitor and oversee activities within unfenced work areas. As an alternative to exclusion fencing, for any work conducted in an area that is not fenced to exclude desert tortoises, the work area must be surveyed no more than two hours prior to any planned vehicle or equipment activities and monitored by a Desert Tortoise Monitor who will stop work if a tortoise enters the work area. Work activities will only proceed at the site and within a suitable buffer area after the tortoise has either moved away of its own accord, or if it has been relocated out of harm's way by an Authorized Biologist or a Monitor under the direct supervision of the Authorized Biologist. Work sites with potential hazards to desert tortoise (e.g., auger holes, steep-sided depressions) that are outside of the desert tortoise exclusion fencing will be securely covered or filled at the end of each workday. Note that work areas without tortoise exclusion fencing nonetheless will be clearly defined by other fencing materials, staking, flagging, or other measures (BIO-4, above).

- Tortoises under vehicles. The ground beneath parked vehicles will be inspected immediately prior to the vehicle being moved. If a tortoise is found beneath a vehicle, the tortoise shall be allowed to move out of the area on its own. If it does not leave within 30 minutes, the Authorized Biologist may move the tortoise out of harm's way in a manner consistent with MM BIO 1 and Service handling guidance.

- Tortoises on roads. If a tortoise is observed on or near the road accessing a work area, the Authorized Biologist or Desert Tortoise Monitor will be contacted immediately, and vehicles will stop to allow the

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Planning. 14

Gen - Mitigation Measures Biological Resources (cont.)

tortoise to move off the road on its own. If it does not leave the site within 30 minutes, the Authorized Biologist may move the tortoise out of harm's way in a manner consistent with MM BIO 1 and Service handling guidance.

- **Tortoise Observations.** Any time a desert tortoise is observed within or near a work site, Project work activities will only proceed at the site and within a suitable buffer area after the tortoise has either moved away of its own accord, or if it has been moved from harm's way by the Authorized Biologist. If a tortoise is observed in an unfenced work area, construction will stop and the tortoise shall be allowed to move out of the area on its own. If it does not leave the site within 30 minutes, the Authorized Biologist may move the tortoise out of harm's way in a manner consistent with MM BIO 1 and Service handling guidance. If a tortoise or tortoise burrow is observed within the exclusion fencing, construction in the vicinity will stop, pending relocation of the tortoise.

- **Dead or Injured Desert Tortoise.** Upon locating a dead or injured tortoise, the Authorized Biologist will immediately notify the County, the USFWS's Palm Springs Fish and Wildlife Office, and CDFW by telephone. Written notification must be made within five days of the finding to the Palm Springs Fish and Wildlife Office and CDFW. The information provided must include the date and time of the finding or incident (if known), location of the carcass or injured animal, a photograph, cause of death, if known, and other pertinent information. Additionally, the Authorized Biologist will be responsible for identifying a nearby veterinarian capable of treating and rehabilitating any injured tortoises, and immediately transporting any injured tortoise to that office. The Project Proponent will be responsible for veterinary expenses.

MITIGATION MEASURE MM BIO-7 Integrated Weed Management Plan. The Applicant will prepare and implement an Integrated Weed Management Plan (IWMP) to minimize or prevent invasive weeds from infesting the site or spreading into surrounding habitat. The County must approve the plan. The IWMP will identify weed species occurring or potentially occurring in the Project area, means to prevent their introduction or spread (e.g., vehicle cleaning and inspections), monitoring methods to identify infestations, and timely implementation of manual or chemical (as appropriate) suppression and containment measures to control or eradicate invasive weeds. The IWMP will identify herbicides that may be used for control or eradication, and avoid herbicide use in or around any environmentally sensitive areas. The IWMP will also include a reporting schedule, to be implemented by the Applicant.

MM BIO-8 Monitoring and Reporting Schedule. Encounters with desert tortoise shall be immediately reported to the FCR, Authorized Biologist, or Monitor. The Authorized Biologist shall maintain a record of all desert tortoises encountered during construction and decommissioning activities. Information recorded for each desert tortoise will include: the location; date of observation; general condition of health and apparent injuries and state of healing; location of damaged exclusion fence (if applicable); if moved, location moved from and location moved to and whether the desert tortoise voided its bladder; and diagnostic markings (i.e., identification numbers or marked lateral scutes).

The Project proponent will provide monthly reports to the County, USFWS, and CDFW throughout the construction and decommissioning phases that summarizes the implementation of Project measures pertaining to desert tortoise management. The reports will be prepared by the Authorized Biologist.

The Project proponent will provide annual reports to the County, USFWS, and CDFW throughout the construction and decommissioning phases, and a final report upon completion of construction and

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Planning. 14

Gen - Mitigation Measures Biological Resources (cont.)

decommissioning, that summarize the implementation of Project measures pertaining to desert tortoise management. The reports will be prepared by the Designated Biologist or other qualified biologist. MM BIO-9 Trash Management. All garbage associated with the Project during all phases of the Project will be contained in secure receptacles to prevent the introduction of food resources that could potentially attract or support common ravens, coyotes, and other predators or scavengers. Secure, wildlife proof self-closing waste bins will be used for all organic waste. To reduce the possibility of ravens or other scavengers from ripping into bags and exposing the garbage, plastic bags containing garbage will not be left out for pickup. All such waste material must be in secure waste bins or dumpsters at all times.

MM BIO-10 Raven Management Plan. The Project applicant will develop and implement a Raven Management Plan to address activities that may occur during the pre-construction, construction, decommissioning, and O&M phases of the Project that may attract common ravens (*Corvus corax*), a nuisance species that is a subsidized predator of desert tortoises and other sensitive species in the Project vicinity. The measures contained in the Raven Management Plan will be designed to:

- Identify conditions associated with the Project that might provide raven subsidies or attractants.
- Describe management practices to avoid or minimize conditions that might increase raven numbers and predatory activities.
- Describe control practices for ravens.
- Address monitoring during construction and for the life of the Project and discuss reporting requirements.

The Project Applicant will submit payment to the Project sub-account of the Renewable Energy Action Team (REAT) Account held by the National Fish and Wildlife Foundation (NFWF) to support the Service's Regional Raven Management Program. The one-time fee will be as described in the cost allocation methodology or more current guidance as provided by the Service or CDFW. The contribution to the regional raven management plan will be \$105 per acre impacted.

MM BIO-11 Revegetation. The Applicant will prepare and implement a Revegetation Plan for all temporarily disturbed areas, to be reviewed and approved by County, USFWS, and CDFW. The Revegetation Plan will specify success criteria and materials and methods for site preparation, reseeding, maintaining, and monitoring revegetated areas in the following two categories:

- Temporarily disturbed areas where no future disturbance will occur (e.g., cut and fill slopes along roadways or turbine pads, to be left undisturbed throughout the life of the project). The goal of revegetation on these sites will be restoration of vegetation and habitat characteristics to provide habitat for listed species comparable to what is present before the disturbance.
- Temporarily disturbed construction areas around turbines, where future repairs or maintenance may necessitate further disturbance during the life of the project. The goal of revegetation on these sites will be to minimize dust, erosion, and invasive weeds from disturbed sites, but not to restore pre-disturbance habitat values (those impacts are mitigated through off-site compensation).

The nature of revegetation will differ according to each site, its pre-disturbance condition, and the nature of the construction disturbance (e.g., drive and crush vs. blading). The Plan will include: (a) soil preparation measures, including locations of recontouring, decompacting, imprinting, or other treatments; (b) details for topsoil storage, as applicable; (c) plant material collection and acquisition guidelines, plants from the project site, as well as obtaining replacement plants from outside the project

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Planning

Planning. 14

Gen - Mitigation Measures Biological Resources (cont.)

area (sources for plant materials will be limited to locally occurring native species from the local area); (d) a plan drawing or schematic depicting the temporary disturbance areas described above; (e) time of year that the planting or seeding will occur and the methodology of the planting; (f) a description of the irrigation, if used; (g) success criteria; and (h) a monitoring program to measure the success criteria, commensurate with the Plan's goals, (i) contingency measures for failed revegetation efforts not meeting success criteria.

MM BIO-13 Bird and Bat Conservation Strategy. The Applicant will prepare and implement a Bird and Bat Conservation Strategy (BBCS) in coordination with the County, USFWS, and CDFW. The BBCS will specify (1) pre-construction survey schedule and methodology to locate nesting birds, including burrowing owl, near planned construction activities; (2) minimization and avoidance measures to prevent project-related nest abandonment or other potential take of nesting birds; (3) passive relocation methods to be implemented if an active burrowing owl burrow is located near work activity areas; (4) pre- and post-operation monitoring protocol for bird and bat mortality; (5) mortality thresholds for listed or sensitive birds that will trigger adaptive management measures, (6) an adaptive management strategy to be implemented in the event mortality thresholds are exceeded, and (7) a format and schedule for reporting monitoring data and adaptive management actions to the County, USFWS, and CDFW.

Planning. 15

Gen - Mitigation Measures Cultural Resources

MM CUL-1 Cultural Resource Monitoring Program. Prior to issuance of grading permits: The applicant/developer shall provide evidence to the County of Riverside Planning Department that a County certified professional archaeologist has been contracted to implement a Cultural Resource Monitoring Program (CRMP). A CRMP shall be developed in coordination with the consulting tribe(s) that addresses the details of all activities and provides procedures that must be followed in order to reduce the impacts to cultural and historic resources to a level that is less than significant as well as address potential impacts to undiscovered buried archaeological resources associated with this project. This document shall be reviewed by the consulting tribes and provided to the County Archaeologist for review and approval prior to issuance of the grading permit.

The CRMP shall contain at a minimum the following:

- Archaeological Monitor – An adequate number of qualified archaeological monitors shall be onsite to ensure all earth moving activities are observed for areas being monitored. This includes all grubbing, grading and trenching onsite and for all offsite improvements. Inspections will vary based on the rate of excavation, the materials excavated, and the presence and abundance of artifacts and features. The frequency and location of inspections will be determined and directed by the Project Archaeologist.
- Cultural Sensitivity Training – The Project Archaeologist and if required, a representative designated by the Tribe shall attend the pre-grading meeting with the contractors to provide Cultural Sensitivity Training for all construction personnel. Training will include a brief review of the cultural sensitivity of the Project and the surrounding area; the areas to be avoided during grading activities; what resources could potentially be identified during earthmoving activities; the requirements of the monitoring program; the protocols that apply in the event unanticipated cultural resources are identified, including who to contact and appropriate avoidance measures until the find(s) can be properly evaluated; and any other appropriate protocols. This is a mandatory training and all construction personnel must attend prior to beginning work on the project site. A sign-in sheet for attendees of this training shall be included in the Phase IV Monitoring Report.

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Planning

Planning. 15

Gen - Mitigation Measures Cultural Resources (cont.)

- **Unanticipated Resources** – In the event that previously unidentified potentially significant cultural resources are discovered, the Archaeological and/or Tribal Monitor(s) shall have the authority to divert or temporarily halt ground disturbance operations in the area of discovery to allow evaluation of potentially significant cultural resources. The Project Archaeologist, in consultation with the Tribal monitor, shall determine the significance of the discovered resources. The County Archaeologist must concur with the evaluation before construction activities will be allowed to resume in the affected area. Further, before construction activities are allowed to resume in the affected area, the artifacts shall be recovered and features recorded using professional archaeological methods. The Project Archaeologist shall determine the amount of material to be recovered for an adequate artifact sample for analysis. Isolates and clearly non-significant deposits shall be minimally documented in the field and the monitored grading can proceed.
- **Artifact Disposition** – the landowner(s) shall relinquish ownership of all cultural resources that are unearthed on the Project property during any ground-disturbing activities, including previous investigations and/or Phase III data recovery.

The Professional Archaeologist may submit a detailed letter to the County of Riverside during grading requesting a modification to the monitoring program if circumstances are encountered that reduce the need for monitoring.

MM CUL-2 Project Archaeologist. Prior to issuance of grading permits: The applicant/developer shall provide evidence to the County of Riverside Planning Department that a County certified professional archaeologist (Project Archaeologist) has been contracted to implement a Cultural Resource Monitoring Program (CRMP). A Cultural Resource Monitoring Plan shall be developed that addresses the details of all activities and provides procedures that must be followed in order to reduce the impacts to cultural and historic resources to a level that is less than significant as well as address potential impacts to undiscovered buried archaeological resources associated with this project. A fully executed copy of the contract and a wet-signed copy of the Monitoring Plan shall be provided to the County Archaeologist to ensure compliance with this condition of approval.

Working directly under the Project Archaeologist, an adequate number of qualified Archaeological Monitors shall be present to ensure that all earth moving activities are observed and shall be on-site during all grading activities for areas to be monitored including off-site improvements. Inspections will vary based on the rate of excavation, the materials excavated, and the presence and abundance of artifacts and features. The frequency and location of inspections will be determined by the Project Archaeologist.

MM CUL-3 Temporary Fencing. Temporary fencing shall be required for the protection of cultural site(s) P-33-000075 during any grading activities. Prior to commencement of grading or brushing, the project archaeologist shall confirm the site boundaries and determine an adequate buffer for protection of the site(s). The applicant shall direct the installation of fencing under the supervision of the project archaeologist and if required, Native American Monitor. The fencing can be removed only after grading operations have been completed.

Planning. 16

Gen - Mitigation Measures Geology Soils

MM GEO 1 Conformance with Geotechnical Recommendations. Site design and engineering shall be conducted in conformance with recommendations specified in site-specific geotechnical and geologic

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Planning

Planning. 19

Gen - Mitigation Measures Wildfire (cont.)

construction activities shall be allowed in non-designated areas.

- Smoking and open fires shall be prohibited at the Project site during construction and operations. A copy of the notification to all contractors regarding prohibiting smoking and burning shall be provided to the RCFD.
- Assurances that all internal combustion construction equipment shall be equipped with appropriate spark arrestors and carry fire extinguishers.
- A fire watch with appropriate firefighting equipment shall be available at the Project site at all times when welding activities are taking place. Spark producing activities (such as welding and metal cutting) shall not occur when sustained winds exceed limits set forth by the RCFD.
- Appropriate hot work permits/approvals (for activities such as welding and metal cutting) shall be obtained from the jurisdictional fire agency.
- All construction activities shall be curtailed in the event of a fire or when fuel and weather conditions get into the "very high" and "extreme" ranges (Red Flag Warning), as determined by the National Weather Service. Any specific Project-related activities to be allowed during very high or extreme weather conditions would be at the discretion of the RCFD.

MM-FIRE 2 Renew and Expand the Existing Operational Fire Safety Plan. Prior to operation of new WTGs, the Project Applicant shall expand the existing Operational Fire Safety Plan for review and approval by the RCFD. The plan shall contain (but not be limited to) the following provisions:

- Responsibilities of the Project Applicant, their contractor(s), and RCFD with respect to fire prevention and inspection of work areas.
- A vegetation management plan to address vegetation clearance around all WTGs; and plans for regularly scheduled brush clearance of vegetation on and adjacent to all access roads, power lines, and other facilities. All vegetation clearance and fire breaks shall be consistent with federal and State requirements, whichever is most stringent.
- Means for ensuring on-site operational fire water supply (i.e. a functioning well or storage tank) is available prior to operation.
- Procedures for Supervisory Control and Data Acquisition (SCADA) system (or other constant monitoring equipment) providing immediate notifications to emergency fire services.
- By December 31 of each operational year, the applicant shall provide a report to Riverside County Planning and Fire that summarizes ongoing fire abatement measures, results of RCFD inspections, any fires onsite, and any adaptive measures to further minimize fire risk.

Planning. 20

Gen - Monitoring Reports

The permittee may be required to submit periodic monitoring reports containing data on the operations and environmental impacts of this commercial WECS permit, including, but not limited to, noise, WECS failures, power production and sightings of threatened or endangered species. Upon written notice from the County of Riverside, requiring such a report, the permittee shall prepare and submit the required report within sixty (60) calendar days.

Planning. 21

Gen - Mt. Palomar Lighting Area

Within the Mt. Palomar Lighting Area, as defined in Ordinance No. 655, low pressure sodium vapor lighting or overhead lighting with shields or cutoff luminaires, shall be utilized. Notwithstanding, all WECS and meteorological towers shall be lighted according to the requirements of FAA Advisory Circular

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Planning-CUL

Planning-CUL. 1 Human Remains (cont.)

comply with State Health and Safety Code Section 7050.5.

Planning-CUL. 2 PDA 8030 accepted

County Archaeological Report (PDA) No. 8030 submitted for this project (WCS0071R10) was prepared by Michael E. Macko et.al.of Aspen Environmental and is entitled: "Alta Mesa Wind Project Repower", dated March 2020.

PDA08030 concludes: One cultural resource was identified during the current survey and is identified as a segment of the prehistoric trail segment designated 33-000075. The site also includes 3 rock cairn features and a prehistoric lithic scatter. The historic research conducted and presented indicated that the Project area was very likely part of the larger ethnographic Serrano and Desert and Pass Cahuilla traditional use areas. Aspen recommends Site 33-000075 is not eligible for listing in the CRHR.

PDA08030 recommends: The intent of the Project is to preserve existing resources to the extent safety and facilities design will allow. Buried resources are not expected to be present, particularly potential Tribal Cultural Resources. In view of the remote possibility that the resource may have buried components, the following two measures are recommended: Resource Flag and Avoid RIV-33-000075 and Worker Environmental Awareness Program.

These documents are herein incorporated as a part of the record for project.

Planning-CUL. 3 Unanticipated Resources

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

If during ground disturbance activities, unanticipated cultural resources* are discovered, the following procedures shall be followed:

All ground disturbance activities within 100 feet of the discovered cultural resource shall be halted and the applicant shall call the County Archaeologist immediately upon discovery of the cultural resource. A meeting shall be convened between the developer, the project archaeologist**, the Native American tribal representative (or other appropriate ethnic/cultural group representative), and the County Archaeologist to discuss the significance of the find. At the meeting with the aforementioned parties, a decision is to be made, with the concurrence of the County Archaeologist, as to the appropriate treatment (documentation, recovery, avoidance, etc.) for the cultural resource. Resource evaluations shall be limited to nondestructive analysis.

Further ground disturbance shall not resume within the area of the discovery until the appropriate treatment has been accomplished.

* A cultural resource site is defined, for this condition, as being a feature and/or three or more artifacts in close association with each other.

** If not already employed by the project developer, a County approved archaeologist shall be employed by the project developer to assess the significance of the cultural resource, attend the meeting described above, and continue monitoring of all future site grading activities as necessary.

Planning-EPD

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Planning-EPD

Planning-EPD. 1 Land Use Agency Guidelines - EPD (cont.)

incorporate native plant materials to the maximum extent Feasible; recommended native species are listed in Table 4-112. The plants listed in Table 4-113 shall not be used within or adjacent to a Conservation Area. This list may be amended from time to time through a Minor Amendment with Wildlife Agency Concurrence.

4.5.6 Barriers

Land uses adjacent to or within a Conservation Area shall incorporate barriers in individual project designs to minimize unauthorized public access, domestic animal predation, illegal trespass, or dumping in a Conservation Area. Such barriers may include native landscaping, rocks/boulders, fencing, walls and/or signage.

4.5.7 Grading/Land Development

Manufactured slopes associated with site Development shall not extend into adjacent land in a Conservation Area.

Planning-GEO

Planning-GEO. 1 GEO200033 APPROVED

County Geologic Report GEO No. 200033, submitted for the project WCS00071R10, was prepared by Barr Engineering, Inc. The report is titled; "Geotechnical Engineering Report, Alta Mesa Wind Project, M. A. Mortenson Company, Riverside County, California," dated February 2021. In addition, the following reports have been submitted for the project:

"Response to County Comments, Mesa-Alta Mesa Wind Project, Riverside County, California, Rev. 3," dated February 9, 2021.

"Response to County Comments, Mesa-Alta Mesa Wind Project, Riverside County, California, Rev. 2," dated February 6, 2021.

"Geotechnical Engineering Report, Mesa-Alta Mesa Wind Project, Brookfield Renewable Partners, Riverside County, California," dated November 6, 2020.

"Limited Geologic Hazards Study Alta Mesa Repower – Eight New Turbine Locations, T-1, T-2A, T-3A, T-4A, T-5, T-6A, T-7A & T13A, Whitewater Area of San Gorgonio Pass, Riverside County, California, Brookfield PO No. U141417-Rev. 0," dated July 31, 2020, by Earth Systems Pacific.

GEO200033 concluded:

1. Barr Engineering Co. is the geotechnical consultant of record for the Alta Mesa Wind Project going forward.
2. There are currently mapped Holocene-active faults in the immediate vicinity of the project turbines. Three turbine locations (AM-T1, AM-T2A, and AM-T3A) are within a currently delineated state of California Alquist-Priolo earthquake fault zone. AM-T4A, AM-T5, AM-T6A, and AM-T7a are not within a currently mapped Alquist-Priolo Earthquake Fault zone or County delineated fault zone. AM-T2A and AM-T7A are in the proximity of mapped secondary faults identified by previous geologic consultants. Therefore, the potential for future surface fault rupture within the limits of this repower project is considered high to low.
3. In order to clear the turbine locations and demonstrate that no fault trace is located within the proposed turbine footprint nor within 20 feet of the foundation edge, fault trenching was performed at

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Planning-GEO

Planning-GEO. 1

GEO200033 APPROVED (cont.)

three proposed turbine locations.

4. The trenches were approximately 130 feet long, which corresponded to the assumed maximum foundation diameter of 90 feet in addition to 20 feet on each side. Each trench extended 65 feet from the turbine stake perpendicular to the orientation of the nearby fault trace and corresponding A-P Zone boundary.
5. No evidence of faulting was noted in any of the three trenches.
6. Given that no faults or fault-like features were encountered in the trenches, it can be concluded that no ridgetop spreading has occurred at these locations in past earthquakes. At the turbines outside the A-P Zones where fault trenching did not occur, no evidence of ridgetop spreading was noted during the site visits nor during examination of aerial photographs.
7. The soils in the upper approximately 50 feet or greater are unsaturated and not susceptible to liquefaction.
8. Debris flow was noted on site. An example of this, located in the bottom of the deep drainage east of AM-T2A. It should be noted that the debris flow locations are at the bottom of drainages and should not adversely impact turbines and ancillary structures, which are generally located on ridgetops.
9. No evidence of slope failure as it relates to important infrastructure was noted during site reconnaissance. The topography north of turbine AM-T3A, creating the north-facing slope along the south side of the deep east-west canyon associated with the Banning fault, exhibits hummocky features. This provides evidence of some historic slope instability. However, turbine AM-T3A is set back a sufficient distance from this potentially unstable slope.
10. No significant rockfall was observed during the two site visits, thus is it not considered a phenomenon that will adversely impact project infrastructure. It should be noted that project structures are located on ridgetops and are not likely to be susceptible to rockfall.
11. Many erosional surfaces are located at the heads of drainage courses on the alluvial materials south of the deep east-west canyon containing the Banning fault. These will be subject to long-term bluff retreat, but it is not anticipated to adversely impact project infrastructure during the design life of the facility.
12. Based on the slope stability analysis, two slopes were analyzed: 2.0H:1V for cut slopes and 2.5H:1V for fill slopes, based on the worst-case fill and cut slopes at Alta Mesa, which were located at turbines AM-T1 and AM-T7A, respectively. The static and pseudo-static limit equilibrium results meet the required factors of safety in addition to the saturated infinite slope case.
13. Groundwater was not observed in any of the geotechnical borings completed during the investigation. Based upon these observations, groundwater is not anticipated to be a factor in the design and construction of shallow foundations at the project site.
14. The results of the investigation indicate the soils encountered on site are granular and do not have appreciable shrink-swell potential.
15. The project site is not an area of oil and gas development. The groundwater aquifer in the Coachella Valley has experienced significant drawdown in its history but subsidence at the project site has been minimal.
16. The alluvial surface on West Whitewater Hill is estimated to be >100,000 years old, indicating that very little if any of this material has been removed over that period of time due to wind erosion.
17. Using these shear wave velocities and a PGA of 1.14g (at AM-T3A; closest turbine to Banning fault) for 2 percent chance of exceedance in 50 years, the resulting total seismic settlement was computed as 0.14 inches. The resulting differential settlement is anticipated to be 0.07 inches, which is typically taken as

ADVISORY NOTIFICATION DOCUMENT

Planning-GEO

Planning-GEO. 1

GEO200033 APPROVED (cont.)

half the total settlement. This settlement is considered to be well within the tolerable range.

GEO200033 recommended:

1. The project site predominantly consists of undeveloped arid land and clearing and grubbing will generally be restricted to the removal of brush and the primary root zone. Based on the results of the field investigation, topsoil is generally not present, and vegetation is sparse with root zone thickness on the order of approximately 1 to 4 inches. This material should not be used for structural fill and should be placed separately to avoid contamination with other excavated soils. This material could be used in grading non-structural fill such as fields or service areas in which compressibility of the material does not have an impact on structures.
2. Based on conditions encountered on site, foundations will typically be placed on natural ground (soil or weathered rock), and the use of compacted fill is not anticipated, except where excavation of unsuitable material below the foundation embedment depth is performed.
3. Wind turbine foundations should not be placed on any fill other than engineered fill or lean concrete placed in accordance with Section 6.1.7.
4. Based on the results of the geotechnical investigation, some of the wind turbine foundations will bear directly on weathered rock at the base of the excavation.
5. In cases where ripping and/or blasting is required to excavate for the foundation, it is recommended that a reasonable effort be made to remove loose rock from the base of the excavation to expose the rock surface. A flowable concrete mud mat should be used to create a level surface for foundation construction.
6. At a minimum, the exposed surface of the excavation should be uniform. Therefore, it should consist of a combination of solid rock and lean concrete or entirely of lean concrete.
7. Based on the results of the geotechnical investigation, most of the wind turbine foundations are anticipated to bear on soil or highly weathered rock. In general, for foundations supported on soil, the exposed subgrade should be surface compacted to consolidate loose soils present from the excavation.
8. The subgrade should be visually inspected for uniformity. If surface soils in the base of the excavation are disturbed, these soils should be surface compacted using a vibratory compactor (in sands and nonsaturated silts) or a smooth drum roller (saturated silts and clays).
9. If the base of the excavation lies partially on soil and rock, the soil should be removed to the rock surface and replaced with lean concrete to create a uniform bearing surface for the foundation.
10. Alternatively, compacted engineered fill could be placed on top of the bedrock surface, provided it meets the requirements established in Section 6.1.7.

GEO No. 200033 satisfies the requirement for a geologic/geotechnical study for Planning/CEQA purposes. GEO No. 200033 is hereby accepted for planning purposes. Engineering and other Building Code parameters were not included as a part of this review or approval. This approval is not intended and should not be misconstrued as approval for grading permit. Engineering and other building code parameters should be reviewed, and additional comments and/or conditions may be imposed by the County of Riverside upon application for grading and/or building permits.

Waste Resources

Waste Resources. 1

Decommissioning and Closure Plan

ADVISORY NOTIFICATION DOCUMENT

Waste Resources

Waste Resources. 1 Decommissioning and Closure Plan (cont.)

Prior to County Approval of the Decommissioning and Closure Plan: A Waste Recycling Plan (WRP) shall be submitted to the Riverside County Department of Waste Resources for approval. At a minimum, the WRP must identify the materials (i.e., wind turbines, cardboard, concrete, asphalt, etc.) that will be generated by the decommissioning and closure of the facility, the projected amounts, the measures/methods that will be taken to recycle, reuse, and/or reduce the amount of materials, the facilities and/or haulers that will be utilized, and the targeted recycling or reduction rate. During the decommissioning and closure, the project site shall have, at a minimum, two (2) bins: one for waste disposal and the other for the recycling of Construction and Demolition (C&D) materials. Additional bins are encouraged to be used for further source separation of C&D recyclable materials. Accurate record keeping (receipts) for recycling of C&D recyclable materials and solid waste disposal must be kept. Arrangements can be made through the franchise hauler.

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60. Prior To Grading Permit Issuance

BS-Grade

060 - BS-Grade. 1 EASEMENTS/PERMISSION Not Satisfied

Prior to the issuance of a grading permit, it shall be the sole responsibility of the owner/applicant to obtain any and all proposed or required easements and/or permissions necessary to perform the grading herein proposed.

A notarized letter of permission and/or recorded easement from the affected property owners or easement holders shall be provided in instances where off site grading is proposed as part of the grading plan.

In instances where the grading plan proposes drainage facilities on adjacent off site property, the owner/ applicant shall provide a copy of the recorded drainage easement or copy of Final Map.

060 - BS-Grade. 2 IF WQMP IS REQUIRED Not Satisfied

If a Water Quality Management Plan (WQMP) is required, the owner / applicant shall submit to the Building & Safety Department, the Final Water Quality Management Plan (WQMP) site plan for comparison to the grading plan.

060 - BS-Grade. 3 IMPROVEMENT SECURITIES Not Satisfied

Prior to issuance of a Grading Permit, the applicant may be required to post a Grading and/or Erosion Control Security. Please contact the Riverside County Transportation Department for additional information and requirements.

060 - BS-Grade. 4 Revegetation Plan and Bond - EPD Not Satisfied

Prior to issuance of a grading permit, the Applicant will prepare and implement a Revegetation Plan for all temporarily disturbed areas, to be reviewed and approved by County, USFWS, and CDFW. Additionally the Applicant shall provide a Bond to ensure completion of the work. The Revegetation Plan will specify success criteria and materials and methods for site preparation, reseeding, maintaining, and monitoring revegetated areas in the following two categories:

Temporarily disturbed areas where no future disturbance will occur (e.g., cut and fill slopes along roadways or turbine pads, to be left undisturbed throughout the life of the project). The goal of revegetation on these sites will be restoration of vegetation and habitat characteristics to provide habitat for listed species comparable to what is present before the disturbance.

Temporarily disturbed construction areas around turbines, where future repairs or maintenance may necessitate further disturbance during the life of the project. The goal of revegetation on these sites will be to minimize dust, erosion, and invasive weeds from disturbed sites, but not to restore pre-disturbance habitat values (those impacts are mitigated through off-site compensation).

The nature of revegetation will differ according to each site, its pre-disturbance condition, and the nature of the construction disturbance (e.g., drive and crush vs. blading). The Plan will include: (a) soil preparation measures, including locations of recontouring, decompacting, imprinting, or other treatments; (b) details for topsoil storage, as applicable; (c) plant material collection and acquisition guidelines, plants from the project site, as well as obtaining replacement plants from outside the project area (sources for plant materials will be limited to locally occurring native species from the local area); (d) a plan drawing or schematic depicting the temporary disturbance areas described above; (e) time of year that the planting or seeding will occur and the methodology of the planting; (f) a description of the irrigation, if used; (g) success criteria; and (h) a monitoring program to measure the success criteria, commensurate with the Plan's goals, (i) contingency measures for failed revegetation efforts not meeting success criteria.

060 - BS-Grade. 5 SLOPE STABILITY ANALYSIS Not Satisfied

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60. Prior To Grading Permit Issuance

BS-Grade

060 - BS-Grade. 5 SLOPE STABILITY ANALYSIS (cont.) Not Satisfied

A slope stability report shall be submitted for review and approval for all proposed cut or fill slopes over 30 feet in vertical height or slopes steeper than 2:1 (horizontal to vertical).

Planning

060 - Planning. 1 Gen - Fee Status Not Satisfied

Prior to the issuance of grading permits for commercial WECS Permit No. 71R10, the Planning Department shall determine the status of the deposit based fees. If the fees are in a negative status, the permit holder shall pay the outstanding balance.

Planning-CUL

060 - Planning-CUL. 1 Cultural Resources Monitoring Program (CRMP) Not Satisfied

Prior to issuance of grading permits: The applicant/developer shall provide evidence to the County of Riverside Planning Department that a County certified professional archaeologist has been contracted to implement a Cultural Resource Monitoring Program (CRMP). A CRMP shall be developed in coordination with the consulting tribe(s) that addresses the details of all activities and provides procedures that must be followed in order to reduce the impacts to cultural and historic resources to a level that is less than significant as well as address potential impacts to undiscovered buried archaeological resources associated with this project. This document shall be reviewed by the consulting tribes and provided to the County Archaeologist for review and approval prior to issuance of the grading permit.

The CRMP shall contain at a minimum the following:

Archaeological Monitor An adequate number of qualified archaeological monitors shall be onsite to ensure all earth moving activities are observed for areas being monitored. This includes all grubbing, grading and trenching onsite and for all offsite improvements. Inspections will vary based on the rate of excavation, the materials excavated, and the presence and abundance of artifacts and features. The frequency and location of inspections will be determined and directed by the Project Archaeologist.

Cultural Sensitivity Training - The Project Archaeologist and if required, a representative designated by the Tribe shall attend the pre-grading meeting with the contractors to provide Cultural Sensitivity Training for all construction personnel. Training will include a brief review of the cultural sensitivity of the Project and the surrounding area; the areas to be avoided during grading activities; what resources could potentially be identified during earthmoving activities; the requirements of the monitoring program; the protocols that apply in the event unanticipated cultural resources are identified, including who to contact and appropriate avoidance measures until the find(s) can be properly evaluated; and any other appropriate protocols. This is a mandatory training and all construction personnel must attend prior to beginning work on the project site. A sign-in sheet for attendees of this training shall be included in the Phase IV Monitoring Report.

Unanticipated Resources - In the event that previously unidentified potentially significant cultural resources are discovered, the Archaeological and/or Tribal Monitor(s) shall have the authority to divert or temporarily halt ground disturbance operations in the area of discovery to allow evaluation of potentially significant cultural resources. The Project Archaeologist, in consultation with the Tribal monitor, shall determine the significance of the discovered resources. The County Archaeologist must concur with the evaluation before construction activities will be allowed to resume in the affected area. Further, before construction activities are allowed to resume in the affected area, the artifacts shall be recovered and features recorded using professional archaeological methods. The Project Archaeologist shall determine the amount of material to be recovered for an adequate artifact sample

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Planning-CUL

060 - Planning-CUL. 1 Cultural Resources Monitoring Program (CRMP) (cont.) Not Satisfied
for analysis. Isolates and clearly non-significant deposits shall be minimally documented in the field and the monitored grading can proceed.

Artifact Disposition- the landowner(s) shall relinquish ownership of all cultural resources that are unearthed on the Project property during any ground-disturbing activities, including previous investigations and/or Phase III data recovery.

The Professional Archaeologist may submit a detailed letter to the County of Riverside during grading requesting a modification to the monitoring program if circumstances are encountered that reduce the need for monitoring

060 - Planning-CUL. 2 Native American Monitor Not Satisfied

Prior to the issuance of grading permits, the developer/permit applicant shall enter into agreement(s) with the consulting tribe(s) for Native American Monitor(s).

The Native American Monitor(s) shall be on-site during all initial ground disturbing activities and excavation of each portion of the project site including clearing, grubbing, tree removals, grading and trenching. In conjunction with the Archaeological Monitor(s), the Native American Monitor(s) shall have the authority to temporarily divert, redirect or halt the ground disturbance activities to allow identification, evaluation, and potential recovery of cultural resources.

The developer/permit applicant shall submit a fully executed copy of the agreement(s) to the County Archaeologist to ensure compliance with this condition of approval. Upon verification, the Archaeologist shall clear this condition.

This agreement shall not modify any condition of approval or mitigation measure.

060 - Planning-CUL. 3 Project Archaeologist Not Satisfied

Prior to issuance of grading permits: The applicant/developer shall provide evidence to the County of Riverside Planning Department that a County certified professional archaeologist (Project Archaeologist) has been contracted to implement a Cultural Resource Monitoring Program (CRMP). A Cultural Resource Monitoring Plan shall be developed that addresses the details of all activities and provides procedures that must be followed in order to reduce the impacts to cultural and historic resources to a level that is less than significant as well as address potential impacts to undiscovered buried archaeological resources associated with this project. A fully executed copy of the contract and a wet-signed copy of the Monitoring Plan shall be provided to the County Archaeologist to ensure compliance with this condition of approval.

Working directly under the Project Archaeologist, an adequate number of qualified Archaeological Monitors shall be present to ensure that all earth moving activities are observed and shall be on-site during all grading activities for areas to be monitored including off-site improvements. Inspections will vary based on the rate of excavation, the materials excavated, and the presence and abundance of artifacts and features. The frequency and location of inspections will be determined by the Project Archaeologist.

060 - Planning-CUL. 4 Temporary Fencing Not Satisfied

Temporary Fencing - Temporary fencing shall be required for the protection of cultural site(s) P-33-000075 during any grading activities. Prior to commencement of grading or brushing, the project archaeologist shall confirm the site boundaries and determine an adequate buffer for protection of the site(s). The applicant shall direct the installation of fencing under the supervision of the project archaeologist and if required, Native American Monitor. The fencing can be removed only after grading operations have been completed.

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60. Prior To Grading Permit Issuance

Planning-CUL

060 - Planning-CUL. 4 Temporary Fencing (cont.) Not Satisfied

Planning-EPD

060 - Planning-EPD. 1 Biological Monitoring - EPD Not Satisfied

Prior to issuance of a grading permit, the Applicant shall contract with a County approved biologist to monitor ongoing ground disturbance.

The Applicant will assign an Authorized Biologist as the primary point of contact for the lead resource agencies regarding biological resources mitigation and compliance. For desert tortoise protection measures, the Authorized Biologist will serve as the Field Contact Representative (FCR). The Applicant will provide the resume of the proposed Authorized Biologist to the County, USFWS, and CDFW (as appropriate) for concurrence at least 30-days prior to onset of ground-disturbing activities. The Authorized Biologist will have demonstrated expertise with the biological resources within the Project area. In general, the duties will include, but will not be limited to those listed below:

- Regular, direct communication with representatives of County, USFWS and CDFW, and other agencies, as appropriate.
- Train and supervise additional Biological Monitors to ensure that all biological monitoring activities are completed properly and according to schedules. Monitoring will include clearance surveys of any area or activity that may impact biological resources to ensure compliance with all avoidance and minimization measures for biological resources.
- Conduct or oversee WEAP training.
- Conduct or oversee clearance surveys and monitoring duties.
- Halt any activities in any area if it is determined that the activity, if continued, would cause an unauthorized adverse impact to biological resources.
- Clearly mark sensitive biological resource areas during construction, O&M, and decommissioning, and inspect these areas at appropriate intervals for compliance with regulatory terms and conditions.
- Conduct or oversee compliance inspections during ground disturbing construction and decommissioning activities. Inspections will include delineating limits of disturbance, fence construction activities, pre-construction clearance surveys; and clearing, grubbing, and grading.
- Inspect or oversee daily inspection of active construction or O&M activity areas where animals may have become trapped. At the end of each work day, either inspect installation of structures that prevent entrapment or allow escape during periods of construction inactivity. Periodically inspect areas with high vehicle activity (e.g., parking lots) for animals in harm's way and relocate them if necessary.
- During the operations phase of the Project, provide annual report conduct compliance inspections (trash management, wildlife mortality logs per incident, etc.); con-duct weed monitoring and control (according to the Integrated Weed Management Plan).
- Immediately notify the Applicant, County, and resource agencies (as applicable) in writing of dead or injured special-status species, or of any non-compliance with bio-logical mitigation measures or permit conditions.
- During construction, provide weekly written updates to County, and, for any information pertinent to state or federal permits, to the County and resource agencies.
- During construction and O&M, prepare and submit monthly and annual compliance reports, respectively.

Qualifications of Authorized Biologist. The Applicant shall assign at least one Authorized Biologist to the Project. The Applicant shall submit the resume and USFWS health assessment letter, if applicable, of the proposed Authorized Biologist(s), with at least three references and contact information, to the County for approval in consultation with CDFW and USFWS at least 30-days prior

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060 - Planning-EPD. 1 Biological Monitoring - EPD (cont.) Not Satisfied

to the start of ground disturbing activities. The Authorized Biologist must meet the following minimum qualifications:

- Bachelor's degree in biological sciences, zoology, botany, ecology, or a closely related field;
- Three years of experience in field biology or current certification of a nationally recognized biological society, such as The Ecological Society of America or The Wildlife Society;
- Have at least one year of field experience with biological resources found in or near the Project area;
- Meet the current USFWS Authorized Biologist qualifications criteria, demonstrate familiarity with protocols and guidelines for the desert tortoise, and be approved by the USFWS;
- Possess a CESA Memorandum of Understanding pursuant to §2081(a) for desert tortoise.
- In lieu of the above requirements, the resume shall demonstrate to the satisfaction of the County, in consultation with CDFW and USFWS, that the proposed Authorized Biologist or alternate has the appropriate training and background to effectively implement the mitigation measures.

Process of approving a Biological Monitor

- The Authorized Biologist or Applicant shall submit the resume, at least three references, and contact information of the proposed Biological Monitors to the County. The resume shall demonstrate, to the satisfaction of the County, the appropriate education and experience to accomplish the assigned biological resource tasks. The Biological Monitor is the equivalent of the USFWS-approved biologist (also "Service-approved biologist").
- Biological Monitor(s) training by the Authorized Biologist shall include familiarity with the project design features, BO, WEAP, and USFWS guidelines on desert tortoise surveys and handling procedures.

060 - Planning-EPD. 2 Burrowing owl preconstruction surveys - EPD Not Satisfied

Prior to issuance of a grading permit, the applicant shall provide EPD with a report detailing the results of preconstruction surveys for burrowing owls.

This measure does not apply to single-family residences and any noncommercial accessory uses and structures including but not limited to second units on an existing legal lot, or to O&M of Covered Activities other than levees, berms, dikes, and similar features that are known to contain burrowing owl burrows. O&M of roads is not subject to this requirement. For other projects that are subject to CEQA, the Permittees will require burrowing owl surveys in the Conservation Areas using an accepted protocol (as determined by the CVCC in coordination with the Permittees and the Wildlife Agencies). Prior to Development, the construction area and adjacent areas within 500 feet of the Development site, or to the edge of the property if less than 500 feet, will be surveyed by an Acceptable Biologist for burrows that could be used by burrowing owl. If a burrow is located, the biologist will determine if an owl is present in the burrow. If the burrow is determined to be occupied, the burrow will be flagged and a 160-foot buffer during the non-breeding season and a 250-foot buffer during the breeding season, or a buffer to the edge of the property boundary if less than 500 feet, will be established around the burrow. The buffer will be staked and flagged. No Development or O&M activities will be permitted within the buffer until the young are no longer dependent on the burrow. If the burrow is unoccupied, the burrow will be made inaccessible to owls, and the Covered Activity may proceed. If either a nesting or escape burrow is occupied, owls shall be relocated pursuant to accepted Wildlife Agency protocols. A burrow is assumed occupied if records indicate that, based on surveys conducted following protocol, at least one burrowing owl has been observed occupying a burrow on site during the past three years. If there are no records for the site, surveys must be conducted to determine, prior to construction, if burrowing owls are present. Determination of the appropriate method of relocation, such as eviction/passive relocation or active relocation, shall be

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060 - Planning-EPD. 2 Burrowing owl preconstruction surveys - EPD (cont.) Not Satisfied
based on the specific site conditions (e.g., distance to nearest suitable habitat and presence of burrows within that habitat) in coordination with the Wildlife Agencies. Active relocation and eviction/passive relocation require the preservation and maintenance of suitable burrowing owl habitat determined through coordination with the Wildlife Agencies.

060 - Planning-EPD. 3 Desert tortoise preconstruction surveys and exclusion - EPD Not Satisfied

Prior to issuance of a grading permit, the applicant shall provide EPD with a report details the results of preconstruction surveys for desert tortoise and any and all exclusion efforts.

All ground-disturbing activities would avoid desert tortoise take by either exclusion fencing or on-site monitoring. The determination whether to fence work areas will be made on a case by case basis dependent on the schedule and extent of planned activities and topography of the work site. Desert tortoises would be handled or translocated according to the Desert Tortoise Relocation Plan, to be prepared as specified in MM BIO-1, pending approval by both the USFWS and CDFW.

The Authorized Biologist shall conduct or oversee pre-construction clearance surveys for each work area, watch for tortoises wandering into the construction areas, check under vehicles, and examine excavations and other potential pitfalls for entrapped animals. The Authorized Biologist will be responsible for overseeing compliance with desert tortoise protective measures and for coordination with the County, USFWS, and CDFW (described below). The Authorized Biologist shall have the authority to halt all Project activities that are in violation of these measures or that may result in take of a desert tortoise. Only the Authorized Biologist or Desert Tortoise Monitor with direct oversight from the Authorized Biologist will handle or relocate desert tortoises and only as specifically outlined in the Desert Tortoise Relocation Plan. Any incident that is considered by the Authorized Biologist to be in noncompliance with these measures will be documented immediately.

The Authorized Biologist will be responsible for overseeing compliance with desert tortoise protective measures and for coordination with resource agencies. The FCR will also have the authority to halt any Project activities that may risk take of a desert tortoise or that may be inconsistent with adopted mitigation measures or permit conditions. Neither the FCR nor any other Project employee may bar or limit any communications between any Natural Resource Agency or County and any Project biologist, biological monitor or contracted biologist. Upon notification by another Authorized Biologist or Monitor of any noncompliance, the FCR will ensure that appropriate corrective action is taken and documented. The following incidents will require immediate cessation of any Project activities that could harm a desert tortoise: (1) location of a desert tortoise within a work area; (2) imminent threat of injury or death to a desert tortoise; (3) unauthorized handling of a desert tortoise, regardless of intent; (4) operation of construction equipment or vehicles outside a Project area cleared of desert tortoise, except on designated roads; and (5) conducting any construction activity without a Desert Tortoise Monitor where one is required.

The Authorized Biologist will be responsible for implementing, inspecting, or overseeing the following requirements in coordination with Desert Tortoise Monitors, the Applicant, and all its on-site contractors.

Monitor Desert Tortoise Exclusion Fence Installation (if necessary). The desert tortoise exclusion fence installation will be monitored by the Authorized Biologist or Desert Tortoise Monitor, under supervision from the Authorized Biologist, who will ensure stipulations provided in the Service's (2009, Chapter 8) guidance for tortoise exclusionary fencing are met. Throughout the construction phase, the tortoise exclusionary fence will be checked regularly and immediately after major rainfall events to ensure its integrity. Repairs will be made within 48 hours of discovery to prevent a tortoise from entering the site.

Preconstruction Clearance Survey for fenced areas. For construction areas that would be fenced

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- 060 - Planning-EPD. 3 Desert tortoise preconstruction surveys and exclusion - EPD Not Satisfied with desert tortoise exclusion fencing or standard construction fencing, clearance surveys will follow procedures outlined in the Service's Desert Tortoise Field Manual (December 2009) or more current Service guidance. The Authorized Biologist will conduct preconstruction clearance surveys immediately prior to initiation of ground disturbing activities in desert tortoise habitat regardless of the time of year. The goal of a clearance survey is to find all tortoises on the surface and in burrows that could be harmed by construction activities. Surveys will cover 100 percent of the acreage to be disturbed. All potential burrows within 100 feet of construction activity will be marked and avoided to the extent practicable. Those that cannot be avoided will be excavated by the Authorized Biologist.
- Monitor and oversee activities within construction phase tortoise exclusion fencing. Prior to construction of Alta Mesa Wind repower, temporary or permanent desert tortoise exclusion fencing may be installed around the laydown area (temporary areas in use during construction and decommissioning phases only). The existing fence surrounding the O&M structure will be updated to include desert tortoise exclusion fencing. The fence will adhere to USFWS design guidelines (Service, 2009). The Authorized Biologist will conduct or oversee a clearance survey before the tortoise fence is enclosed to ensure no tortoises are in the work area. Any potentially occupied burrows will be avoided until monitoring or field observations (e.g., with a motion-activated camera or fiber-optic mounted video camera) determines absence. If live tortoises or an occupied tortoise burrow are identified in the work area, tortoises shall be relocated by the Authorized Biologist or allowed to leave on their own accord before enclosing the fence. The fence shall be either continuously monitored prior to closure, or clearance surveys shall be repeated prior to closure after tortoises are removed. Once installed, exclusion fencing will be inspected at least daily and following all rain events, and corrective action taken if needed to maintain it. Fencing around each work area will include a "cattle guard" or desert tortoise exclusion gate at each entry point. This gate will remain closed at all times, except when vehicles are entering or leaving the Project area. If it is deemed necessary to leave the gate open for extended periods of time (e.g., during high traffic periods), the gate may be left open as long as an Authorized Biologist or Desert Tortoise Monitor is present to monitor for tortoise activity in the vicinity.
 - Monitor and oversee activities within unfenced work areas. As an alternative to exclusion fencing, for any work conducted in an area that is not fenced to exclude desert tortoises, the work area must be surveyed no more than two hours prior to any planned vehicle or equipment activities and monitored by a Desert Tortoise Monitor who will stop work if a tortoise enters the work area. Work activities will only proceed at the site and within a suitable buffer area after the tortoise has either moved away of its own accord, or if it has been relocated out of harm's way by an Authorized Biologist or a Monitor under the direct supervision of the Authorized Biologist. Work sites with potential hazards to desert tortoise (e.g., auger holes, steep-sided depressions) that are outside of the desert tortoise exclusion fencing will be securely covered or filled at the end of each workday. Note that work areas without tortoise exclusion fencing nonetheless will be clearly defined by other fencing materials, staking, flagging, or other measures (BIO-4, above).
 - Tortoises under vehicles. The ground beneath parked vehicles will be inspected immediately prior to the vehicle being moved. If a tortoise is found beneath a vehicle, the tortoise shall be allowed to move out of the area on its own. If it does not leave within 30 minutes, the Authorized Biologist may move the tortoise out of harm's way in a manner consistent with MM BIO 1 and Service handling guidance.
 - Tortoises on roads. If a tortoise is observed on or near the road accessing a work area, the Authorized Biologist or Desert Tortoise Monitor will be contacted immediately, and vehicles will stop to allow the tortoise to move off the road on its own. If it does not leave the site within 30 minutes, the Authorized Biologist may move the tortoise out of harm's way in a manner consistent with MM BIO 1 and Service handling guidance.
 - Tortoise Observations. Any time a desert tortoise is observed within or near a work site, Project

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060 - Planning-EPD. 3 Desert tortoise preconstruction surveys and exclusion - EPD Not Satisfied
work activities will only proceed at the site and within a suitable buffer area after the tortoise has either moved away of its own accord, or if it has been moved from harm's way by the Authorized Biologist. If a tortoise is observed in an unfenced work area, construction will stop and the tortoise shall be allowed to move out of the area on its own. If it does not leave the site within 30 minutes, the Authorized Biologist may move the tortoise out of harm's way in a manner consistent with MM BIO 1 and Service handling guidance. If a tortoise or tortoise burrow is observed within the exclusion fencing, construction in the vicinity will stop, pending relocation of the tortoise.

Dead or Injured Desert Tortoise. Upon locating a dead or injured tortoise, the Authorized Biologist will immediately notify the County, the USFWS's Palm Springs Fish and Wildlife Office, and CDFW by telephone. Written notification must be made within five days of the finding to the Palm Springs Fish and Wildlife Office and CDFW. The information provided must include the date and time of the finding or incident (if known), location of the carcass or injured animal, a photograph, cause of death, if known, and other pertinent information.

060 - Planning-EPD. 4 MBTA Nesting Bird Survey - EPD Not Satisfied

Birds and their nests are protected by the Migratory Bird Treaty Act (MBTA) and California Department of Fish and Wildlife (CDFW) Codes. Since the project supports suitable nesting bird habitat, removal of vegetation or any other potential nesting bird habitat disturbances shall be conducted outside of the avian nesting season (February 1st through August 31st). If habitat must be cleared during the nesting season, a preconstruction nesting bird survey shall be conducted. The preconstruction nesting bird survey must be conducted by a biologist who holds a current MOU with the County of Riverside. If nesting activity is observed, appropriate avoidance measures shall be adopted to avoid any potential impacts to nesting birds. The nesting bird survey must be completed no more than 3 days prior to any ground disturbance. If ground disturbance does not begin within 3 days of the survey date a second survey must be conducted.

Prior to issuance of a permit for rough grading, the project's consulting biologist shall prepare and submit a report, documenting the results of the survey, to EPD for review. In some cases EPD may also require a Monitoring and Avoidance Plan prior to the issuance of a rough grading permit.

When the requested documents/studies are completed and ready for EPD review, please upload them to our Secure File Transfer server to ensure prompt response and review. If you are unfamiliar with the process for uploading biological documents to the FTP site, please contact Matthew Poonamallee at mpoonama@rivco.org and Rigo Caballero at rcaballero@rivco.org for instructions.

Biological reports not uploaded to the FTP site may result in delayed review and approval.

060 - Planning-EPD. 5 Minimization of Vegetation Impacts - EPD Not Satisfied

Prior to issuance of a grading permit, the Applicant shall submit a report detailing preconstruction efforts to minimize impacts to vegetation and on site habitat as described below.

Prior to ground-disturbing activities, work areas (including, but not limited to, staging areas, access roads, and sites for temporary placement of construction materials and spoils) will be delineated with construction fencing (e.g., the common orange vinyl material) or staking to clearly identify the limits of work and will be verified by the Authorized Biologist. No paint or permanent discoloring agents shall be applied to rocks or vegetation (to indicate surveyor construction activity limits or for any other purpose). Fencing/staking will remain in place for the duration of construction. Spoils will be stockpiled

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060 - Planning-EPD. 5 Minimization of Vegetation Impacts - EPD (cont.) Not Satisfied
in disturbed areas. All disturbances, vehicles, and equipment will be confined to the fenced/flagged areas.

When feasible, construction activities will minimize soil and vegetation disturbance to minimize impacts to soil and root systems. Upon completion of construction activities in any given area, all unused materials, equipment, staking and flagging, and refuse shall be removed and properly disposed of, including wrapping material, cables, cords, wire, boxes, rope, broken equipment parts, twine, strapping, buckets, and metal or plastic containers. Any unused or leftover hazardous products shall be properly disposed of offsite.

Hazardous materials will be handled and spills or leaks will be promptly corrected and cleaned up, according to applicable requirements. Vehicles will be properly maintained to prevent spills or leaks. Hazardous materials, including motor oil, fuel, antifreeze, hydraulic fluid, grease, will not be allowed to enter drainage channels.

060 - Planning-EPD. 6 Raven Management Plan - EPD Not Satisfied

The Project applicant will develop and implement a Raven Management Plan to address activities that may occur during the pre-construction, construction, decommissioning, and O&M phases of the Project that may attract common ravens (*Corvus corax*), a nuisance species that is a subsidized predator of desert tortoises and other sensitive species in the Project vicinity. The Raven Management Plan shall be submitted to the County for review and approval prior to issuance of a grading permit. The measures contained in the Raven Management Plan will be designed to:

- Identify conditions associated with the Project that might provide raven subsidies or attractants.
- Describe management practices to avoid or minimize conditions that might increase raven numbers and predatory activities.
- Describe control practices for ravens.
- Address monitoring during construction and for the life of the Project and discuss reporting requirements.

The Project Applicant will submit payment to the Project sub-account of the Renewable Energy Action Team (REAT) Account held by the National Fish and Wildlife Foundation (NFWF) to support the Service's Regional Raven Management Program. The one-time fee will be as described in the cost allocation methodology or more current guidance as provided by the Service or CDFW. The contribution to the regional raven management plan will be \$105 per acre impacted.

060 - Planning-EPD. 7 Weed Management Plan - EPD Not Satisfied

Prior to issuance of a grading permit, the Applicant shall provide EPD with a Weed Management Plan for review and approval.

The Applicant will prepare and implement an Integrated Weed Management Plan (IWMP) to minimize or prevent invasive weeds from infesting the site or spreading into surrounding habitat. The County must approve the plan. The IWMP will identify weed species occurring or potentially occurring in the Project area, means to prevent their introduction or spread (e.g., vehicle cleaning and inspections), monitoring methods to identify infestations, and timely implementation of manual or chemical (as appropriate) suppression and containment measures to control or eradicate invasive weeds. The IWMP will identify herbicides that may be used for control or eradication, and avoid herbicide use in or around any environmentally sensitive areas. The IWMP will also include a reporting schedule, to be implemented by the Applicant.

060 - Planning-EPD. 8 Wildlife Life Relocation Plan - EPD Not Satisfied

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60. Prior To Grading Permit Issuance

Planning-EPD

060 - Planning-EPD. 8 Wildlife Life Relocation Plan - EPD (cont.) Not Satisfied

The Applicant shall provide EPD with a Wildlife Relocation Plan prior to issuance of a grading permit for review and approval. Additionally, prior to issuance of a grading permit, the Applicant shall provide EPD with reports detailing the results of any and all preconstruction surveys for special status-species.

The Applicant will prepare and implement a Wildlife Relocation Plan to ensure that special-status wildlife species, including (but not limited to) desert tortoise, burrowing owl, and desert kit fox, are safely relocated outside the Project construction area prior to construction. The Wildlife Relocation Plan will conform to USFWS guidelines for desert tortoise surveys and relocation and to CDFW guidelines for burrowing owl and desert kit fox passive relocation, including scheduling to avoid disturbance to natal dens or burrows. The Wildlife Relocation Plan will specify methodology for pre-construction clearance surveys on the proposed Project construction sites; monitoring or tracking special-status species, burrows, or dens that may be located during the surveys; construction of off-site artificial burrows, if needed; relocation methods for localized "out of harm's way" relocation; passive relocation methods for burrowing owl or desert kit fox; qualifications of field personnel who may handle desert tortoises; and follow-up monitoring of relocated animals.

060 - Planning-EPD. 9 Worker Environmental Awareness Program - EPD Not Satisfied

Working Environmental Awareness Program (WEAP desert/CVMSHCP version)

Prior to issuance of a grading permit, a Worker Environmental Awareness Program will be prepared and supplied to EPD. The Applicant will be responsible for ensuring that all workers at the site receive WEAP training prior to beginning work on the Project and throughout construction and operations. The WEAP will be available in English and Spanish.

The WEAP will:

- Be developed by or in consultation with the Authorized Biologist and consist of an onsite or training center presentation with supporting written material and electronic media, including photographs of protected species, available to all participants.
- Provide an explanation of the function of flagging that designates authorized work areas; specify the prohibition of soil disturbance or vehicle travel outside designated areas.
- Discuss general safety protocols such as vehicle speed limits, hazardous substance spill prevention and containment measures, and fire prevention and protection measures.
- Review mitigation and biological permit requirements.
- Explain the sensitivity of the vegetation and habitat within and adjacent to work areas, and proper identification of these resources.
- Discuss the federal and State Endangered Species Acts, Bald and Golden Eagle Protection Act, and the Migratory Bird Treaty Act and the consequences of non-compliance with these acts.
- Discuss the locations and types of sensitive biological resources on the Project site and adjacent areas and explain the reasons for protecting these resources. This includes the biology and ecology of sensitive biological resources on the Project site and adjacent areas.
- Inform participants that no snakes, other reptiles, birds, bats, or any other wildlife will be harmed or harassed.
- Place special emphasis on species that may occur on the Project site including special-status plants, desert tortoise, burrowing owl, golden eagle, nesting birds, desert kit fox, American badger, and Nelson's bighorn sheep.
- Specify guidelines for avoiding rattlesnakes and reporting rattlesnake observations to ensure worker safety and avoid killing or injuring rattlesnakes. Wherever feasible, rattlesnakes should be safely removed from the work area using appropriate snake handling equipment, including a secure storage container for transport.

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60. Prior To Grading Permit Issuance

Planning-EPD

- 060 - Planning-EPD. 9 Worker Environmental Awareness Program - EPD (cont.) Not Satisfied
- Describe workers' responsibilities regarding wildlife avoidance, prohibitions of pets and firearms, and for avoiding the introduction of invasive weeds onto the Project site and surrounding areas, describe the Integrated Weed Management Plan.
 - Provide contact information for the FCR and Authorized Biologist and instructions for notification of any threatened, endangered or sensitive wildlife discoveries, vehicle-wildlife collisions or dead or injured wildlife species encountered during Project-related activities.
 - Include a training acknowledgment form to be signed by each worker indicating that they received training and will abide by the guidelines.

Planning-PAL

- 060 - Planning-PAL. 1 PRIMP Not Satisfied

County Paleontological Report (PDP) No. 1667, submitted for this case (WCS00071R10), was prepared by Aspen Environmental Group and is entitled: "Alta Mesa Repower Project, Paleontological Assessment", dated November 2020.

PDP01667 concludes that the project's potential to impact significant paleontological resources is yet unknown and that further study is needed.

PDP01667 recommends that 600 pound samples of the paleosol be tested (screened) for microvertebrate fossils. If none are found, then Project monitoring for paleontological resources is not required. Either way, a Paleontological Resources Impact Mitigation Program (PRIMP) should discuss the development and presentation of a Worker Environmental Appreciation Program, protocols for the unexpected discovery of fossils, and dating of pedogenic calcium carbonate from the Project footprint, if such can be found. If microvertebrate fossils are located in the testing effort, then monitoring would be warranted, and the PRIMP should describe procedures for unexpected discovery protocols, monitoring, sediment sampling and processing, identification, reporting and curation of fossils found on the project, as well as radiocarbon dating of pedogenic carbonate from the Project footprint. If microvertebrate fossils are not located during pre-construction testing, then the PRIMP will consist only of a Worker Environmental Appreciation Program, an unexpected discovery of fossils plan, and a radiocarbon date on pedogenic calcium carbonate from the Project footprint, if such can be found.

PDP01667 satisfies the requirement for a Paleontological Resource Assessment for CEQA purposes. PDP01667 is hereby accepted for WCS00071R10. A PRIMP shall be required prior to grading for this project, and the scope of monitoring will be dependent upon the results of the recommended screening of the paleosol.

PRIMP REQUIREMENTS:

PRIOR TO ISSUANCE OF GRADING PERMITS:

1. The applicant shall retain a qualified paleontologist approved by the County to create and implement a project-specific plan for monitoring site grading/earthmoving activities (project paleontologist).
2. The project paleontologist retained shall review the approved development plan and grading plan and conduct any pre-construction work necessary to render appropriate monitoring and mitigation requirements as appropriate. These requirements shall be documented by the project paleontologist in a Paleontological Resource Impact Mitigation Program (PRIMP). This PRIMP shall be submitted to the County Geologist for approval prior to issuance of a Grading Permit. Information to be contained in the PRIMP, at a minimum and in addition to other industry standards and Society of Vertebrate Paleontology standards, are as follows:
 1. A corresponding and active County Grading Permit (BGR) Number must be included in the title of the report. PRIMP reports submitted without a BGR number in the title will not be reviewed.
 2. PRIMP must be accompanied by the final grading plan for the subject project.

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60. Prior To Grading Permit Issuance

Planning-PAL

060 - Planning-PAL. 1 PRIMP (cont.) Not Satisfied

3. Description of the proposed site and planned grading operations.
4. Description of the level of monitoring required for all earth-moving activities in the project area.
5. Identification and qualifications of the qualified paleontological monitor to be employed for grading operations monitoring.
6. Identification of personnel with authority and responsibility to temporarily halt or divert grading equipment to allow for recovery of large specimens.
7. Direction for any fossil discoveries to be immediately reported to the property owner who in turn will immediately notify the County Geologist of the discovery.
8. Means and methods to be employed by the paleontological monitor to quickly salvage fossils as they are unearthed to avoid construction delays.
9. Sampling of sediments that are likely to contain the remains of small fossil invertebrates and vertebrates.
10. Procedures and protocol for collecting and processing of samples and specimens.
11. Fossil identification and curation procedures to be employed.
12. Identification of the permanent repository to receive any recovered fossil material. *Pursuant the County "SABER Policy", paleontological fossils found in the County should, by preference, be directed to the Western Science Center in the City of Hemet. A written agreement between the property owner/developer and the repository must be in place prior to site grading.
13. All pertinent exhibits, maps and references.
14. Procedures for reporting of findings.
15. Identification and acknowledgement of the developer for the content of the PRIMP as well as acceptance of financial responsibility for monitoring, reporting and curation fees. The property owner and/or applicant on whose land the paleontological fossils are discovered shall provide appropriate funding for monitoring, reporting, delivery and curating the fossils at the institution where the fossils will be placed, and will provide confirmation to the County that such funding has been paid to the institution.
16. All reports shall be signed by the project paleontologist and all other professionals responsible for the report's content (eg. PG), as appropriate. One signed digital copy of the report(s) shall be submitted by email to the County Geologist (dwalsh@rivco.org) along with a copy of this condition and the grading plan for appropriate case processing and tracking. These documents should not be submitted to the project Planner, Plan Check staff, Land Use Counter or any other County office. In addition, the applicant shall submit proof of hiring (i.e. copy of executed contract, retainer agreement, etc.) a project paleontologist for the in-grading implementation of the PRIMP.
Safeguard Artifacts Being Excavated in Riverside County (SABER)

Transportation

060 - Transportation. 1 ENCROACHMENT PERMIT Not Satisfied

- Applicant shall submit an encroachment permit for heavy transport and identify all proposed haul routes. Permit shall include:
- Map with all routes and proposed streets showing truck turning radius for all large turbine parts and accessories.
 - Pavement condition analysis of all proposed roads.

060 - Transportation. 2 NOTIFICATIONS Not Satisfied

- Applicant shall notify all local residents, Transportation Department and County Supervisors office prior to transportation of oversized loads.

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60. Prior To Grading Permit Issuance

Transportation

060 - Transportation. 2 NOTIFICATIONS (cont.)

Not Satisfied

70. Prior To Grading Final Inspection

Planning-CUL

070 - Planning-CUL. 1 Artifact Disposition

Not Satisfied

Prior to Grading Permit Final Inspection, the landowner(s) shall relinquish ownership of all cultural resources that are unearthed on the Project property during any ground-disturbing activities, including previous investigations and/or Phase III data recovery.

Historic Resources- all historic archaeological materials recovered during the archaeological investigations (this includes collections made during an earlier project, such as testing of archaeological sites that took place years ago), shall be curated at the Western Science Center, a Riverside County curation facility that meets State Resources Department Office of Historic Preservation Guidelines for the Curation of Archaeological Resources ensuring access and use pursuant to the Guidelines

Prehistoric Resources- One of the following treatments shall be applied.

a. Reburial of the resources on the Project property. The measures for reburial shall include, at least, the following: Measures to protect the reburial area from any future impacts. Reburial shall not occur until all required cataloguing, analysis and studies have been completed on the cultural resources, with an exception that sacred items, burial goods and Native American human remains are excluded. Any reburial processes shall be culturally appropriate. Listing of contents and location of the reburial shall be included in the confidential Phase IV Report. The Phase IV Report shall be filed with the County under a confidential cover and not subject to a Public Records Request.

b. If reburial is not agreed upon by the Consulting Tribes then the resources shall be curated at a culturally appropriate manner at the Western Science Center, a Riverside County curation facility that meets State Resources Department Office of Historic Preservation Guidelines for the Curation of Archaeological Resources ensuring access and use pursuant to the Guidelines. The collection and associated records shall be transferred, including title, and are to be accompanied by payment of the fees necessary for permanent curation. Evidence of curation in the form of a letter from the curation facility stating that subject archaeological materials have been received and that all fees have been paid, shall be provided by the landowner to the County. There shall be no destructive or invasive testing on sacred items, burial goods and Native American human remains.

070 - Planning-CUL. 2 Phase IV Monitoring Report

Not Satisfied

Prior to Grading Permit Final Inspection, a Phase IV Cultural Resources Monitoring Report shall be submitted that complies with the Riverside County Planning Department's requirements for such reports for all ground disturbing activities associated with this grading permit. The report shall follow the County of Riverside Planning Department Cultural Resources (Archaeological) Investigations Standard Scopes of Work posted on the TLMA website. The report shall include results of any feature relocation or residue analysis required as well as evidence of the required cultural sensitivity training for the construction staff held during the required pre-grade meeting and evidence that any artifacts have been treated in accordance to procedures stipulated in the Cultural Resources Management Plan.

Planning-EPD

070 - Planning-EPD. 1 Revegetation Implementation - EPD

Not Satisfied

Prior to finalization of grading permit or finalization of building permit, whichever comes first,

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70. Prior To Grading Final Inspection

Planning-EPD

- 070 - Planning-EPD. 1 Revegetation Implementation - EPD (cont.) Not Satisfied
revegetation of temporarily impacted areas shall be implemented. The Applicant shall arrange with EPD for a site visit to inspect the revegetation.

After revegetation has been implemented, the Applicant shall provide EPD with annual progress reports, which monitor the revegetation efforts compared to previously established success criteria, for the first two years. After the first two years, progress reports shall be provided to EPD every other year until the success criteria as established in the revegetation plan is met.

- 070 - Planning-EPD. 2 Revegetation Progress Review Billing Mechanism - EPD Not Satisfied

Prior to finalization of the first building or grading permit, whichever comes first, the Applicant shall establish a billing mechanism with the County (such as a PAR) which EPD may use to charge time towards while reviewing required Annual and Biennial Revegetation Progress Reports.

80. Prior To Building Permit Issuance

BS-Grade

- 080 - BS-Grade. 1 NO BUILDING PERMIT W/O GRADING PERMIT Not Satisfied

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

- 080 - BS-Grade. 2 ROUGH GRADE APPROVAL Not Satisfied

Prior to the issuance of any building permit, the applicant shall obtain rough grade approval and/or approval to construct from the Building and Safety Department. The Building and Safety Department must approve the completed grading of your project before a building permit can be issued. Rough Grade approval can be accomplished by complying with the following:

1. Submitting a "Wet Signed" copy of the Soils Grading Report containing substantiating data from the Soils Engineer (registered geologist or certified geologist, civil engineer or geotechnical engineer as appropriate) for his/her certification of the project.
2. Submitting a "Wet Signed" copy of the Rough Grade certification from a Registered Civil Engineer certifying that the grading was completed in conformance with the approved grading plan.
3. Requesting a Rough Grade Inspection and obtaining rough grade approval from a Riverside County inspector.
4. Rough Grade Only Permits: In addition to obtaining all required inspections and approval of all final reports, all sites permitted for rough grade only shall provide 100 percent vegetative coverage or other means of site stabilization as approved by the County Inspector prior to receiving a rough grade permit final.

Prior to release for building permit, the applicant shall have met all rough grade requirements to obtain Building and Safety Department clearance.

E Health

- 080 - E Health. 1 E Health Clearance Not Satisfied

Prior to issuance of the building permit, clearance must be obtained from the Department of Environmental Health.

Planning

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80. Prior To Building Permit Issuance

Planning

080 - Planning. 1 Gen - Certify Mechanical Not Satisfied

Prior to the issuance of building permits for any WECS, the permit holder will provide the Director of the Department of Building and Safety certifications from the wind turbine manufacturer that they meet appropriate International Standards and certifications.

080 - Planning. 2 Gen - Color & Finish Not Satisfied

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

080 - Planning. 3 Gen - Dust Control Not Satisfied

Fugitive dust and blowsand control measures, as described in the permit holder's dust control plan dated December 2019, shall be incorporated into the construction and operation activities of this permit. Prior to issuance of building permits, the permit holder shall submit a written certification from a state licensed professional that the project conforms to required fugitive dust and blowsand control requirements.

080 - Planning. 4 Gen - Electric Connection Not Satisfied

PRIOR TO THE ISSUANCE OF A BUILDING PERMIT, the permit holder shall submit to the Department of Building and Safety documentation confirming that the proposed transmission/distribution utility interconnection is acceptable and in accordance with the procedures established by the California Public Utilities Commission or the California Independent System Operator (CAISO), unless otherwise approved by the Planning Director. Such documentation may be in the form of a technical assessment or interconnection agreement.

080 - Planning. 5 Gen - Stake Property Not Satisfied

PRIOR TO ISSUANCE OF BUILDING PERMITS, the permit holder shall place identified stakes at each corner of the property containing this commercial WECS permit and at appropriate locations within the the actual construction site, as shown in the APPROVED EXHIBIT "A". Additional stakes may be required, as determined by the Planning Director or Building Director. The stakes shall extend at least three (3) feet above the ground and shall be maintained during the construction, repowering and restoration period(s) of this WECS permit. The Planning Department shall require the permit holder to submit written certification from a state licensed professional and/or inspection by county staff in order to verify compliance with this condition of approval.

080 - Planning. 6 Gen - Structure Not Satisfied

Prior to the issuance of building permits for any WECS and towers, a California registered structural and electrical engineer shall certify, in writing, to the satisfaction of the Director of the Department of Building and Safety, that the WECS foundations, tower and compatibility of the tower with the rotor and the rotor related equipment, and the electrical system, conform with good engineering practice and comply with the applicable provisions of the Uniform Building and Electrical Code that have been adopted by the County of Riverside.

080 - Planning. 7 WCS - Bond or Security Not Satisfied

Prior to Building Permit Issuance for the WECS or towers allowed by this permit, a bond or other

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80. Prior To Building Permit Issuance

Planning

080 - Planning. 7 WCS - Bond or Security (cont.) Not Satisfied

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

080 - Planning. 8 WCS - WIMP Fees Not Satisfied

Prior to Building Permit Issuance the permit holder shall pay to the Planning Director all Wind Implementation Monitoring Program (WIMP) fees established by the Board of Supervisors and in effect at the time of the request for a building permit.

Transportation

080 - Transportation. 1 EVIDENCE/LEGAL ACCESS Not Satisfied

Provide evidence of legal access.

080 - Transportation. 2 TUMF Not Satisfied

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

Waste Resources

080 - Waste Resources. 1 Gen - Waste Recycling Plan Not Satisfied

Prior to issuance of a building permit, a Waste Recycling Plan (WRP) shall be submitted to the Riverside County Department of Waste Resources for approval. At a minimum, the WRP must identify the materials (i.e., concrete, asphalt, wood, etc.) that will be generated by construction and development, the projected amounts, the measures/methods that will be taken to recycle, reuse, and/or reduce the amount of materials, the facilities and/or haulers that will be utilized, and the targeted recycling or reduction rate. During project construction, the project site shall have, at a minimum, two (2) bins: one for waste disposal and the other for the recycling of Construction and Demolition (C&D) materials. Additional bins are encouraged to be used for further source separation of C&D recyclable materials. Accurate record keeping (receipts) for recycling of C&D recyclable materials and solid waste disposal must be kept. Arrangements can be made through the franchise hauler.

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90. Prior to Building Final Inspection

BS-Grade

090 - BS-Grade. 1 PRECISE GRADE APPROVAL Not Satisfied

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

1. Requesting and obtaining approval of all required grading inspections.
2. Submitting a "Wet Signed" copy of the Precise (Final) Grade Certification for the entire site from a Registered Civil Engineer certifying that the precise grading was completed in conformance with the approved grading plan.
3. Permanent site stabilization shall be implemented and approved by the County Grading Inspector. Prior to release for building final, the applicant shall have met all precise grade requirements to obtain Building and Safety Department clearance.

E Health

090 - E Health. 1 E Health Clearance Not Satisfied

Prior to building permit final, clearance must be obtained from the Department of Environmental Health.

090 - E Health. 2 Hazmat BUS Plan Not Satisfied

The facility will require a business emergency plan for the storage of hazardous materials greater than 55 gallons, 200 cubic feet or 500 pounds, or any acutely hazardous materials or extremely hazardous substances.

090 - E Health. 3 Hazmat Clearance Not Satisfied

Obtain clearance from the Hazardous Materials Management Division.

090 - E Health. 4 Hazmat Review Not Satisfied

If further review of the site indicates additional environmental health issues, the Hazardous Materials Management Division reserves the right to regulate the business in accordance with applicable County Ordinances.

Planning

090 - Planning. 1 Gen - Ord. 659 (DIF) Not Satisfied

Prior to the issuance of either a certificate of occupancy or prior to building permit final inspection, the applicant shall comply with the provisions of Riverside County Ordinance No. 659, which requires the payment of the appropriate fee set forth in the Ordinance. Riverside County Ordinance No. 659 has been established to set forth policies, regulations and fees related to the funding and installation of facilities and the acquisition of open space and habitat necessary to address the direct and cumulative environmental effects generated by new development project described and defined in this Ordinance, and it establishes the authorized uses of the fees collected. The amount of the fee for commercial or industrial development shall be calculated on the basis of the "Project Area," as defined in the Ordinance, which shall mean the net area, measured in acres, from the adjacent road right-of-way to the limits of the project development. The Project Area for Commercial WECS Permit No. 71R10 has been calculated to be no more than 25.0 acres of new permanent disturbed acres. The actual Project Area for calculating fees shall be based upon a final as-built survey.

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90. Prior to Building Final Inspection

Planning

090 - Planning. 1 Gen - Ord. 659 (DIF) (cont.) Not Satisfied

090 - Planning. 2 Gen - Ord. 875 (CVMSHCP Fees) Not Satisfied

Prior to building permit final inspection, the permit holder shall comply with the provisions of Riverside County Ordinance No. 875, which requires the payment of the appropriate fee set forth in the ordinance. The amount of the fee will be based on the "Project Area" as defined in the ordinance and the aforementioned condition of approval. The Project Area for Commercial WECS Permit No. 71R10 is calculated to be no more than 25.0 acres of new permanent disturbance. The actual Project Area for calculating fees shall be based upon a final as-built survey.

090 - Planning. 3 Gen - Perimeter Fence Not Satisfied

PRIOR TO FINAL BUILDING INSPECTION APPROVAL of the first WECS and tower, a six (6) foot high chain-link fence or three (3) strand barbed-wire fence and locking portals along the outer project boundaries shall be verified to be in good condition so as to prevent and discourage unauthorized entry at all times during the life of this WECS permit. Should the project be near I-10, Highway 62 or Highway 111, the existing/proposed fence shall be verified to be setback a minimum of 400 feet from the respective highway right-of-way unless otherwise approved by the Planning Department based on security requirements. Any changes to the existing fence shall be subject to the approval of the Department of Building and Safety.

Planning-EPD

090 - Planning-EPD. 1 Revegetation Implementation - EPD Not Satisfied

Prior to finalization of grading permit or finalization of building permit, whichever comes first, revegetation of temporarily impacted areas shall be implemented. The Applicant shall arrange with EPD for a site visit to inspect the revegetation.

After revegetation has been implemented, the Applicant shall provide EPD with annual progress reports, which monitor the revegetation efforts compared to previously established success criteria, for the first two years. After the first two years, progress reports shall be provided to EPD every other year until the success criteria as established in the revegetation plan is met.

090 - Planning-EPD. 2 Revegetation Progress Review Billing Mechanism - EPD Not Satisfied

Prior to finalization of the first building or grading permit, whichever comes first, the Applicant shall establish a billing mechanism with the County (such as a PAR) which EPD may use to charge time towards while reviewing required Annual and Biennial Revegetation Progress Reports.

Transportation

090 - Transportation. 1 POST CONSTRUCTION Not Satisfied

Applicant shall perform a post construction pavement condition analysis. Applicant shall be financially responsible to repair any damage that occurred as a result of construction and transport traffic.

Waste Resources

090 - Waste Resources. 1 Gen - Waste Reporting Form and Receipts Not Satisfied

Prior to final building inspection, evidence (i.e., waste reporting form along with receipts or other types

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Riverside County PLUS
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90. Prior to Building Final Inspection

Waste Resources

090 - Waste Resources. 1 Gen - Waste Reporting Form and Receipts (cont.) Not Satisfied
of verification) to demonstrate project compliance with the approved Waste Recycling Plan (WRP)
shall be presented by the project proponent to the Planning Division of the Riverside County
Department of Waste Resources. Receipts must clearly identify the amount of waste disposed and
Construction and Demolition (C&D) materials recycled.



AIRPORT LAND USE COMMISSION RIVERSIDE COUNTY

February 11, 2021

Mr. Jay Olivas, Project Planner
Riverside County Planning Department
775-588 El Duna Court, Suite H
Palm Desert CA 92211

CHAIR
Russell Betts
Desert Hot Springs

VICE CHAIR
Steven Stewart
Palm Springs

COMMISSIONERS

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Riverside

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Steve Mancos
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4080 Lemon St., 14th Floor
Riverside, CA 92501
(951) 955-5132

www.aluc.org

RE: AIRPORT LAND USE COMMISSION (ALUC) DEVELOPMENT REVIEW

File No.: ZAP1092PS20
Related File Nos.: WCS00071R10 (WECS Permit), VAR200001 (Variance) [BLM Case No. CACA55718 Amendment to Existing Right-of-Way Grants]
Compatibility Zone: Not in Airport Influence Area (Review due to structure height)
APNs: 516-020-001, 516-020-002, 516-020-003

Dear Mr. Olivas:

On February 11, 2021, the Riverside County Airport Land Use Commission (ALUC) found County of Riverside Case Nos. WCS00071R10 (WECS Permit), VAR200001 (Variance), [BLM Case No. CACA55718 Amendment to Existing Right-of-Way Grants], a proposal within the jurisdiction of the County of Riverside, Alta Mesa Wind Project, to decommission and remove 159 existing commercial wind turbines (wind energy conversion systems, abbreviated as "WECS") and install 7 new wind turbines with a maximum height of 499 feet above ground level on 548 acres (25 acres net development footprint) located northerly of Interstate 10, and westerly of State Route 62, and install one new 263 foot tall meteorological tower, as well as including associated equipment such as existing on-site substation, temporary construction yard, access roads, and existing 220kV transmission line, and a variance to eliminate building setbacks along the western and norther property lines; the applicant also proposes another project within the jurisdiction of the Bureau of Land Management, Mesa Wind Project, to decommission and remove 460 existing commercial wind turbines and install 8 new wind turbines with a maximum height of 499 feet above ground level on 1,285 acres (30 acres net development footprint), located northerly of Interstate 10, and westerly of State Route 62, and install one new 263 foot tall meteorological tower, CONSISTENT with the 2004 Riverside County Airport Land Use Compatibility Plan, subject to the following conditions:

CONDITIONS:

1. The proposed wind turbines ("WECS") shall not generate electrical interference that may be detrimental to the operation of aircraft and/or aircraft instrumentation.
2. Rotor blades shall utilize a flat or matte (non-glossy) finish so as to minimize the reflection of sunlight towards an aircraft engaged in an initial straight climb during takeoff or towards an aircraft engaged in a straight final approach toward a landing at an airport.
3. The WECS and any accessory uses shall not generate smoke or water vapor and shall be designed so as not to attract large concentrations of birds.
4. The combined height of each WECS and its foundation shall not exceed 499 feet above ground level (AGL).

5. This project has been evaluated by Airport Land Use Commission (ALUC) and the Federal Aviation Administration (FAA) for seven (7) wind turbines and one (1) meteorological tower for the Alta Mesa Wind Project, and eight (8) wind turbines and one (1) meteorological tower for the Mesa Wind Project. Any increase in number, height, or change in location of the turbines or meteorological tower, or any proposal for new structures taller than 200 feet from ground level, will require subsequent submittal to, and review by, the ALUC and FAA.
6. The Federal Aviation Administration has conducted aeronautical studies of each proposed wind turbines (Aeronautical Study Nos. 2020-WTW-8064-OE and 2020-WTW-8065-OE, and 2020-WTW-8067-OE thru 2020-WTW-8071-OE for the Alta Mesa Wind Project, and 2020-WTW-8054-OE thru 2020-WTW-8061-OE for the Mesa Wind Project) and has specified that each of these structures shall be marked/lighted in accordance with FAA Advisory circular 70/7460-1 M, Obstruction Marking and Lighting, white paint/synchronized red lights – Chapters 4, 13 (Turbines) and 15, unless superseded by subsequent FAA determination(s) in writing.
7. The Federal Aviation Administration has conducted aeronautical studies for the proposed meteorological towers (Aeronautical Study No. 2020-WTW-8072-OE for the Alta Mesa Wind Project, and 2020-WTW-8063-OE for the Mesa Wind Project) and has specified that the structure shall be marked/lighted in accordance with FAA Advisory circular 70/7460-1 M, Obstruction Marking and Lighting, paint/red lights - Chapters 3 (Marked), 4, 5 (Red) and 15, unless superseded by subsequent FAA determination(s) in writing.
8. In order to ensure proper conspicuity of turbines at night during construction, all turbines should be lit with temporary lighting once they reach a height of 200 feet or greater until such time the permanent lighting configuration is turned on. As the height of the structure continues to increase, the temporary lighting should be relocated to the uppermost part of the structure. The temporary lighting may be turned off for periods when they would interfere with construction personnel. If practical, permanent obstruction lights should be installed and operated at each level as construction progresses. An FAA Type L-810 steady red light fixture shall be used to light the structure during the construction phase. If power is not available, turbines shall be lit with self-contained, solar powered LED steady red light fixture that meets the photometric requirements of an FAA Type L-810 lighting system. The lights should be positioned to ensure that a pilot has an unobstructed view of a least one light at each level. The use of NOTAM (D) to not light turbines within a project until the entire project has been completed is prohibited.
9. Any failure or malfunction that lasts more than thirty (30) minutes and affects a top light or flashing obstruction light, regardless of its position, should be reported immediately to (877) 487-6867 so a Notice to Airmen (NOTAM) can be issued. As soon as normal operation is restored, notify the same number.
10. The maximum top point elevations specified in the Federal Aviation Administration Aeronautical Studies shall not be amended without further review by the Airport Land Use Commission and the Federal Aviation Administration; provided, however, that reduction in structure height or elevation shall not require further review by the Airport Land Use Commission.
11. Temporary construction equipment used during actual construction of the structures shall not exceed 499 feet in height and a maximum elevation (above mean sea level) not

to exceed the elevations specified in the Federal Aviation Administration Aeronautical Studies (and 263 feet in height for the meteorological towers), unless separate notice is provided to the Federal Aviation Administration through the Form 7460-1 process.

12. Within five (5) days after construction reaches its greatest height, FAA Form 7460-2 (Part II), Notice of Actual Construction or Alteration, shall be completed by the project proponent or his/her designee and e-filed with the Federal Aviation Administration. (Go to <https://ceaaa.faa.gov> for instructions.) This requirement is also applicable in the event the project is abandoned or a decision is made not to construct the structure.
13. To the maximum extent possible, in compliance with FAA guidelines regarding lighting, mitigation measures shall be incorporated into the project that would minimize light pollution to the people on the ground.

Supporting documentation was provided to the Airport Land Use Commission and is available online at www.rcaluc.org, click Agendas 2-14-21 Agenda, Bookmark Agenda Item No. 3.1.

If you have any questions, please contact Paul Rull, ALUC Principal Planner, at (951) 955-6893.

Sincerely,
RIVERSIDE COUNTY AIRPORT LAND USE COMMISSION



Paul Rull, ALUC Principal Planner, on behalf of the ALUC Director, Simon Housman

Attachments: Notice of Airport in Vicinity

cc: Alta Mesa 640, LLC (applicant/property owner)
Brookfield Renewable Partners (representative)
Ulises Aguirre, Interim Airport Manager, Palm Springs International Airport
ALUC Case File

Y:\AIRPORT CASE FILES\Palm Springs\ZAP1092PS20\ZAP1092PS20.LTR.doc

NOTICE OF AIRPORT IN VICINITY

This property is presently located in the vicinity of an airport, within what is known as an airport influence area. For that reason, the property may be subject to some of the annoyances or inconveniences associated with proximity to airport operations (for example: noise, vibration, or odors). Individual sensitivities to those annoyances [can vary from person to person. You may wish to consider what airport annoyances], if any, are associated with the property before you complete your purchase and determine whether they are acceptable to you. Business & Professions Code Section 11010 (b) (13)(A)



RIVERSIDE COUNTY

PLANNING DEPARTMENT

Charissa Leach, P.E.
Assistant TLMA Director

August 26, 2020

SUBJECT: ASSEMBLY BILL 52 (AB 52) FORMAL NOTIFICATION (WCS0071R10)

This serves to notify you of a proposed project located within Riverside County. A map depicting the location and a project description can be found below. Pursuant to Public Resources Code section 21080.3.1(d), if you wish to initiate consultation on this proposed project, please send a consultation request within 30 days of receipt of this notice to hthomson@rivco.org. To ensure an effective and good faith consultation effort, Planning asks that the request for consultation also indicate the following:

- Whether there are TCR's in project area. If so, what specifically is the TCR? The Tribe must provide County with substantial evidence to support this and if the TCR consists of a "landscape", the Tribe must also geographically define the landscape in terms of size and scope of the project.
- Is the Project causing a substantial adverse impact to a TCR? If so, what is that impact?

Project Description:

COMMERCIAL WECS PERMIT NO. 71R10 (WCS00071R10) / VARIANCE CASE NO. 200001 (VAR200001) – CEQ200004 – Applicant: Brookfield Renewable – Representative: Aspen Environmental Group - Fifth Supervisorial District – Western Coachella Valley Area Plan – Open Space: Rural (OS:RUR) – Zoning: Wind Energy (W-E) – 640-Acres – Location: The site is located in the unincorporated community of Whitewater Canyon, more specifically north of Interstate 10/Tamarack Road, east of Haugen-Lehmann Way, and west of Whitewater Canyon Road – **REQUEST: Commercial WECS Permit No. 71R10** proposes to decommission and remove 159 existing commercial wind turbines and install up to 14-new commercial wind turbines in three-rows up to 500-feet in height with a per turbine generating capacity of between 2.4 megawatts (MW) and 4.8 MW each (39 MW for total project). The project also includes associated equipment such as existing on-site substation, temporary construction yard, and existing 220kV- transmission line. No work is proposed on existing interconnection line, and the project would use existing access road from Haugen-Lehmann Way. **Variance Case No. 200001** proposes to eliminate wind access setbacks from 5 times rotor diameter as depicted in the proposed Project Exhibits. APN's 516-020-001; 516-020-002; 516-020-003. Related Cases: WCS 71 R1 through R9, WCS 71 S1 through S4. **BBID: 436-680-010**

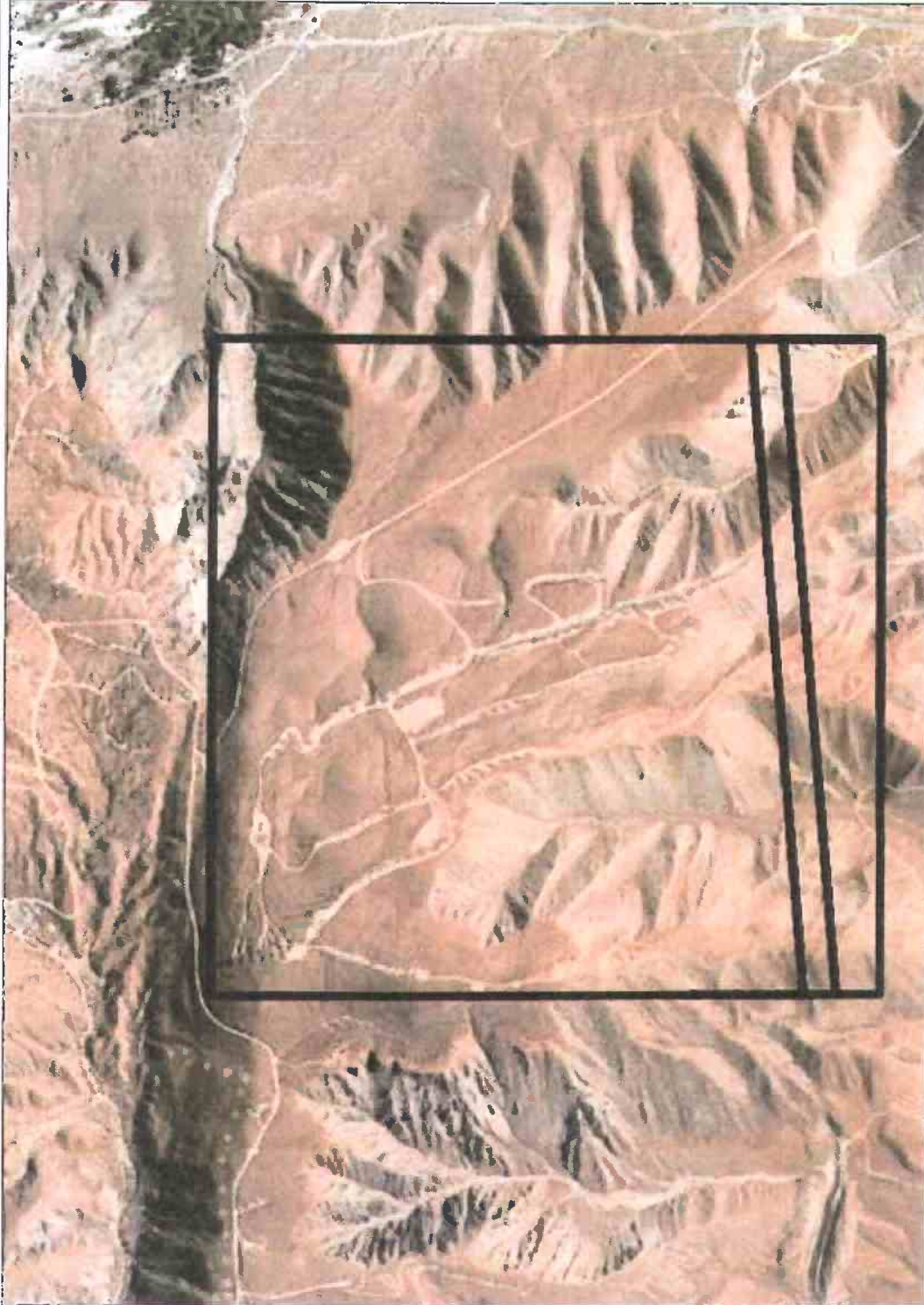
Sincerely,

PLANNING DEPARTMENT

Heather Thomson, Archaeologist

Email CC: Jay Olivas jolivas@rivco.org Project Planner
Attachment: Project Vicinity Map and Project Aerial

WCS0071R10



Legend



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

REPORT PRINTED ON... 8/28/2020 11:57:40 AM

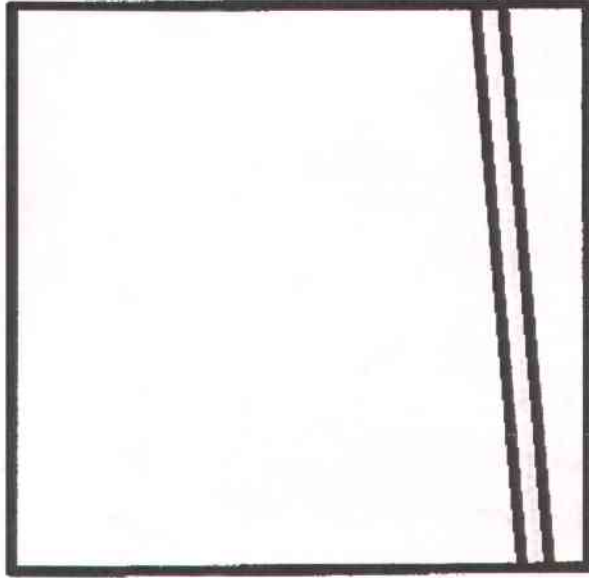
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Notes

WCS0071R10



Legend



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

REPORT PRINTED ON... 8/26/2020 11:58:40 AM

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Notes

AGUA CALIENTE BAND OF CAHUILLA INDIANS

TRIBAL HISTORIC PRESERVATION OFFICE



03-006-2020-033

August 27, 2020

[VIA EMAIL TO:Hthomson@rivco.org]
Riverside County
Ms. Heather Thomson
4080 Lemon Street, 12th Floor, P.O. Box 1409
Riverside, CA 92502-1409

Re: AB 52- WCS00071R10

Dear Ms. Heather Thomson,

The Agua Caliente Band of Cahuilla Indians (ACBCI) appreciates your efforts to include the Tribal Historic Preservation Office (THPO) in the WCS0071R10 project. The project area is not located within the boundaries of the ACBCI Reservation. However, it is within the Tribe's Traditional Use Area. For this reason, the ACBCI THPO requests the following:

*The presence of an approved Agua Caliente Native American Cultural Resource Monitor(s) during any ground disturbing activities (including archaeological testing and surveys). Should buried cultural deposits be encountered, the Monitor may request that destructive construction halt and the Monitor shall notify a Qualified Archaeologist (Secretary of the Interior's Standards and Guidelines) to investigate and, if necessary, prepare a mitigation plan for submission to the State Historic Preservation Officer and the Agua Caliente Tribal Historic Preservation Office.

Again, the Agua Caliente appreciates your interest in our cultural heritage. If you have questions or require additional information, please call me at (760)699-6907. You may also email me at ACBCI-THPO@aguacaliente.net.

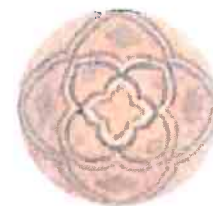
Cordially,

Pattie Garcia-Plotkin

Pattie Garcia-Plotkin
Director
Tribal Historic Preservation Office
AGUA CALIENTE BAND
OF CAHUILLA INDIANS

AGUA CALIENTE BAND OF CAHUILLA INDIANS

TRIBAL HISTORIC PRESERVATION OFFICE



03-006-2020-033

September 22, 2020

[VIA EMAIL TO: Hthomson@rivco.org]

Riverside County

Ms. Heather Thomson

4080 Lemon Street, 12th Floor, P.O. Box 1409

Riverside, CA 92502-1409

Re: WCS0071R10

Dear Ms. Heather Thomson,

The Agua Caliente Band of Cahuilla Indians (ACBCI) appreciates your efforts to include the Tribal Historic Preservation Office (THPO) in the WCS0071R10 project. We have reviewed the documents and have the following comments:

*The presence of an approved Agua Caliente Native American Cultural Resource Monitor(s) during any ground disturbing activities (including archaeological testing and surveys). Should buried cultural deposits be encountered, the Monitor may request that destructive construction halt and the Monitor shall notify a Qualified Archaeologist (Secretary of the Interior's Standards and Guidelines) to investigate and, if necessary, prepare a mitigation plan for submission to the State Historic Preservation Officer and the Agua Caliente Tribal Historic Preservation Office.

* The ACBCI THPO recognizes a Tribal Cultural Resource inside and adjacent to the project area.

* Please provide a map with the results of the records search, the resources identified on the survey and the project area.

Again, the Agua Caliente appreciates your interest in our cultural heritage. If you have questions or require additional information, please call me at (760)699-6907. You may also email me at ACBCI-THPO@aguacaliente.net.

Cordially,

Pattie Garcia-Plotkin

Pattie Garcia-Plotkin

Director

Tribal Historic Preservation Office

AGUA CALIENTE BAND

OF CAHUILLA INDIANS

August 31, 2020

Attn: Heather Thomson, Archaeologist
Riverside County Planning Department
4080 Lemon Street, 12th Floor
Riverside, CA 92501



RE: AB 52 Consultation; WCS0071R10

The Soboba Band of Luiseño Indians has received your notification pursuant under Assembly Bill 52.

Soboba Band of Luiseño Indians is requesting to initiate formal consultation with the County of Riverside. A meeting can be scheduled by contacting me via email or phone. All contact information has been included in this letter.

I look forward to hearing from and meeting with you soon.

Sincerely,

A handwritten signature in black ink, appearing to read "Joe", with a long horizontal line extending to the right.

Joseph Ontiveros, Tribal Historic Preservation Officer
Soboba Band of Luiseño Indians
P.O. Box 487
San Jacinto, CA 92581
Phone (951) 654-5544 ext. 4137
Cell (951) 663-5279
jontiveros@soboba-nsn.gov

Confidentiality: The entirety of the contents of this letter shall remain confidential between Soboba and the County of Riverside. No part of the contents of this letter may be shared, copied, or utilized in any way with any other individual, entity, municipality, or tribe, whatsoever, without the expressed written permission of the Soboba Band of Luiseño Indians.

Olivas, Jay

From: Quechan Historic Preservation <historicpreservation@quechantribe.com>
Sent: Thursday, August 27, 2020 9:35 AM
To: Thomson, Heather
Subject: RE: WCS00071R10

This email is to inform you that we have no comments on this project. We defer to the more local Tribes and support their decisions on the project.

From: Thomson, Heather [mailto:HThomson@rivco.org]
Sent: Thursday, August 27, 2020 9:09 AM
To: Olivas, Jay
Cc: Thomson, Heather
Subject: WCS00071R10

Please find as an attachment the AB52 notification and exhibits for **WCS00071R10**.

Commercial WECS Permit No. 71R10 proposes to decommission and remove 159 existing commercial wind turbines and install up to 14-new commercial wind turbines in three-rows up to 500-feet in height with a per turbine generating capacity of between 2.4 megawatts (MW) and 4.8 MW each (39 MW for total project). The project also includes associated equipment such as existing on-site substation, temporary construction yard, and existing 220kV- transmission line. No work is proposed on existing interconnection line, and the project would use existing access road from Haugen-Lehmann Way.

Heather A. Thomson M.A., RPA
County Archaeologist
TLMA- Planning

4080 Lemon St., 12th Floor
Riverside, CA 92501
(951) 955-2873 office
hthomson@rivco.org



RIVERSIDE COUNTY
PLANNING DEPARTMENT

Confidentiality Disclaimer

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RIVERSIDE COUNTY
PLANNING DEPARTMENT

Charissa Leach, P.E.
Assistant TLMA Director

**APPLICATION FOR COMMERCIAL WIND ENERGY
CONVERSION SYSTEMS (WECS) PERMIT**

INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED.

APPLICATION INFORMATION:

Applicant Name: Brookfield Renewable

Contact Person: Jonathan Kirby

E-Mail: jonathan.kirby@brookfieldrenewable.com

Mailing Address: 6703 Oak Creek Road

Mojave, CA 93501

Street

City

State

ZIP

Daytime Phone No: (213) 212-0781

Fax No: ()

Engineer/Representative Name: Aspen Environmental Group

Contact Person: Emily Capello

E-Mail: ecapello@aspeneg.com

Mailing Address: 235 Montgomery St. Suite 640

San Francisco, CA 94109

Street

City

State

ZIP

Daytime Phone No: (415) 696-5312

Fax No: ()

Property Owner Name: Alta Mesa 640, LLC

Contact Person: Mohammed Koya

E-Mail: mfkoya@hotmail.com

Mailing Address: 4020 Sierra College Boulevard, #200

Rocklin, CA 95677

Street

City

State

ZIP

Check this box if additional persons or entities have an ownership interest in the subject property(ies) in addition to that indicated above; and attach a separate sheet that references the property address and/or assessor's parcel number and list those names, mailing addresses, phone and fax numbers, and email addresses; and provide signatures of those persons or entities having an interest in the real property(ies) involved in this application.

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

Desert Office • 77-588 El Duna Court, Suite H
Palm Desert, California 92211
(760) 863-8277 • Fax (760) 863-7555

"Planning Our Future... Preserving Our Past"

APPLICATION FOR COMMERCIAL WECS

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

AUTHORIZATION FOR CONCURRENT FEE TRANSFER

The applicant authorizes the Planning Department and TLMA to expedite the refund and billing process by transferring monies among concurrent applications to cover processing costs as necessary. Fees collected in excess of the actual cost of providing specific services will be refunded. If additional funds are needed to complete the processing of this application, the applicant will be billed, and processing of the application will cease until the outstanding balance is paid and sufficient funds are available to continue the processing of the application. The applicant understands the deposit fee process as described above, and that there will be NO refund of fees which have been expended as part of the application review or other related activities or services, even if the application is withdrawn or the application is ultimately denied.

AUTHORITY FOR THIS APPLICATION IS HEREBY GIVEN:

I certify that I am/we are the record owner(s) or authorized agent, and that the information filed is true and correct to the best of my knowledge, and in accordance with Govt. Code Section 65105, acknowledge that in the performance of their functions, planning agency personnel may enter upon any land and make examinations and surveys, provided that the entries, examinations, and surveys do not interfere with the use of the land by those persons lawfully entitled to the possession thereof.

(If an authorized agent signs, the agent must submit a letter signed by the owner(s) indicating authority to sign on the owner(s)'s behalf, and if this application is submitted electronically, the "wet-signed" signatures must be submitted to the Planning Department after submittal but before the subdivision is ready for public hearing.)

<u>Mohammed F. Kain</u> PRINTED NAME OF PROPERTY OWNER(S)	<u>[Signature]</u> SIGNATURE OF PROPERTY OWNER(S)
_____ PRINTED NAME OF PROPERTY OWNER(S)	_____ SIGNATURE OF PROPERTY OWNER(S)

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

PROPERTY INFORMATION:

Assessor's Parcel Number(s): 516020001; 516020002; 516020003

Approximate Gross Acreage: 640 acres

General location (nearby or cross streets): North of Interstate 10, South of _____
East of Haugen-Lehmann Way, West of Whitewater Canyon Road

APPLICATION FOR COMMERCIAL WECS

Proposal (describe the project):

The proposed project is a repower of the existing wind project. It would involve removal of the existing 159 legacy turbines and installation of up to 14 new turbines. The new turbines would be up to 500 feet tall. The project does not include work on the existing interconnection line. The project would use the existing access road from Haugen-Lehmann Way

Indicate total rated power output of the WECS: up to 39 MW

Are there previous development applications filed on the subject property: Yes No

If yes, provide Application No(s). Commercial WECS Permit No. 71 Substantial Conformance No. 4
(e.g. Tentative Parcel Map, Zone Change, etc.)

Initial Study (EA) No. (if known) 40187 EIR No. (if applicable): _____

Have any special studies or reports, such as a traffic study, biological report, archaeological report, geological or geotechnical reports, been prepared for the subject property? Yes No

If yes, indicate the type of report(s) and provide a signed copy(ies): Biological Report, Geological Report

Is the project located within 1,000 feet of a military installation, beneath a low-level flight path or within special use airspace as defined in Section 21098 of the Public Resources Code, and within an urbanized area as defined by Government Code Section 65944? Yes No

Is this an application for a development permit? Yes No

If the project located within either the Santa Ana River/San Jacinto Valley watershed, the Santa Margarita River watershed, or the Whitewater River watershed, check the appropriate checkbox below.

If not known, please refer to [Riverside County's Map My County website](#) to determine if the property is located within any of these watersheds (search for the subject property's Assessor's Parcel Number, then select the "Geographic" Map Layer – then select the "Watershed" sub-layer)

If any of the checkboxes are checked, click on the adjacent hyperlink to open the applicable Checklist Form. Complete the form and attach a copy as part of this application submittal package.

[Santa Ana River/San Jacinto Valley](#)

[Santa Margarita River](#)

[Whitewater River](#)

If the applicable Checklist has concluded that the application requires a preliminary project-specific Water Quality Management Plan (WQMP), such a plan shall be prepared and included with the submittal of this application.

APPLICATION FOR COMMERCIAL WECS

HAZARDOUS WASTE SITE DISCLOSURE STATEMENT

Government Code Section 65962.5 requires the applicant for any development project to consult specified state-prepared lists of hazardous waste sites and submit a signed statement to the local agency indicating whether the project is located on or near an identified site. Under the statute, no application shall be accepted as complete without this signed statement.

I (we) certify that I (we) have investigated our project with respect to its location on or near an identified hazardous waste site and that my (our) answers are true and correct to the best of my (our) knowledge. My (Our) investigation has shown that:

The project is not located on or near an identified hazardous waste site.

The project is located on or near an identified hazardous waste site. Please list the location of the hazardous waste site(s) on an attached sheet.

Owner/Representative (1) South Kelly Date 11-14-2019
Owner/Representative (2) _____ Date _____

APPLICATION FOR COMMERCIAL WECS

PROJECT DESCRIPTION INFORMATION SHEET (Provide attached sheet(s) if necessary)	
1. Manufacturer(s) Name:	TBD
2. Wind Machine Model(s):	TBD
3. Physical Specification:	
a. Total height (Blade tip at 12 O'clock position):	144.5 - 152.1 m (487 - 499 ft)
b. Tower Height:	78.0 - 135.0 m (256 - 443 ft)
c. Rotor Diameter:	125 - 133 m (410 - 436 ft)
d. Minimum Blade Height above Ground or foundation platform (whichever is less - if WECS is located on an existing building, such as a roof, indicate total height of structure with WECS and roof clearance distance):	11.5 - 25.0 m (38 - 82 ft)
e. Weight of blades:	15.6 - 17.6 Metric Tonnes (17.2 - 19.4 US Tons), each (3 blades)
f. Total machine and tower weight (in tons):	159.0 - 206.6 Metric Tonnes (175.3 - 227.7 US Tons)
g. Width of foundation:	16.5 - 21.5 m (55 - 70 ft)
h. Depth of foundation:	31m (9.5 ft)
i. Height of foundation:	33m (10 ft)
j. Weight of foundation:	1617 - 2618 Metric Tonnes (1782 - 2886 US Tons)
k. Tower construction material(s):	Tubular Steel
l. Blade construction material(s)	Glass-fiber Reinforced Epoxy (GRE), Balsa Wood, Foam
m. Internal bearing and turbine construction material(s):	Bearing: 42CrMo4 - 34CrNiMo6, Structural Parts: Cast Iron & Forged Steel, Nose Cone & Nacelle Cover: Fiberglass-Reinforced Polyester
4. Machine Coloration:	
a. Color of tower:	White RAL 9010 / Light Grey RAL 9018
b. Color of turbine:	White RAL 9010 / Light Grey RAL 9018
c. Color of blade:	White RAL 9010 / Light Grey RAL 9018
5. Performance Specifications:	
a. Rotation speed (RPM):	5.5 - 20.0 RPM
b. Blade tip speed:	82.5 - 85.1 m/s (270.5 - 279.2 ft/s)
c. Cut in and out speed (if any):	2.5 - 3.5 m/s (8.2 - 11.5 ft/s) and 20 - 30 m/s (66 - 98 ft/s)
d. Rated power output (name plate or power curve):	2.4- 4.8 MW
e. Rated wind speed:	11 m/s (36 ft/s)

APPLICATION FOR COMMERCIAL WECS

PROJECT DESCRIPTION INFORMATION SHEET (Provide attached sheet(s) if necessary)	
f. Rotor orientation: Horizontal or Vertical:	Vertical Orientation (Rotates on Horizontal Axis)
g. Estimated useful life of machine:	25 + Years
6. Noise generation characteristics: a. At rated power output (name plate or power curve):	106.1 - 109.5 dB(A)
b. Maximum speed:	12-22 m/s (39 - 72 ft/s)
7. Indicate type of overspeed control system:	Pitch control mechanism plus mechanical breaking system
8. Are any components certified by a recognized national testing laboratory (i.e., U.L., etc.)? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No. If yes, please explain.	Yes, all turbine manufacturers under consideration are certified by DNV/UL
9. Indicate the site preparation schedule with expected dates of WECS installation and whether or not the project will be broken into phases.	Site Preparation and Balance of Plant - Expected to begin May 2021. WECS Installation - expected from July 2021 through October 2021
10. Indicate potential distance of blade throw and probability of occurrence	<1% probability of occurrence. Potential distance is 100 yds.
11. Transmission System: a. Location point of interconnection with utility:	Existing Southern California Edison (SCE) Switchyard with an interconnection to existing SCE Devers Substation.
b. Are additional transmission lines required? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	No additional transmission line or upgrades to existing transmission lines are required.
c. If new lines are required, indicate total length of extension:	N/A
d. If new lines required, attach an exhibit map indicating route:	N/A
12. Have you obtained easements for wind access from adjacent property owner(s)? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No (If yes, please note on site plan and attach any related documentation.)	Attached
13. Security and Safety: a. What other safety devices are proposed (i.e., fencing, anti-climb devices, etc.)	Door locks at base of turbines, Harnesses for maintenance work, Lock out/Tag Out procedures for maintenance

APPLICATION FOR COMMERCIAL WECS

DUST CONTROL PLAN SUMMARIZATION SHEET

I, Jonathan Kirby, certify that I am the Commercial WECS applicant, or his/her authorized agent and that the attached Dust Control Plan was prepared for the property known as (Assessor's Parcel Number(s)): APN 516020001, APN 516020002, APN 516020003

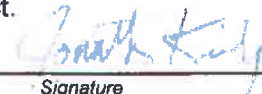
The Dust Control Plan studies the impacts of the WECS project in all its known aspects both on and off-site regarding dust and blowsand control, and minimization of wind and water erosion pursuant to the Riverside County Ordinance No. 348 and No. 484, and the California Environmental Quality Act (CEQA), and the report format outlined herein.

The specific measures that will be, and are agreed to be, implemented are summarized below and may be more particularly described in the attached study (attach additional sheets if necessary.)

- Stabilize all unpaved roads and disturbance areas with a non-toxic soil stabilizer or soil weighting agent
 - Stabilize the main access roads through the site with soil binders
 - Phase grading and earthwork activities to minimize exposed soils on any single day
 - No vehicle shall exceed 15 miles per hour on unpaved areas, post visible speed limit signs
 - Inspect construction vehicle tires prior to entering paved roads, sweep entrances to paved roads
 - Cover soil truck loads
 - Stabilize graded site surfaces upon completion of grading with a vegetative ground cover or other treatment
-

I understand the purpose of the above measures is to maintain air quality standards and to prevent a public dust and blowsand problem. I further agree that Riverside County may take necessary actions to abate any and all unlawful public nuisances caused by this WECS project.

Jonathan Kirby



Printed Name

Signature

11-14-2019

Date

APPLICATION FOR COMMERCIAL WECS

MICROWAVE COMMUNICATIONS LINK OWNERS NOTIFICATION CERTIFICATION

I, Jonathan Kirby, certify that on November 6, 2019, the attached microwave communications link owners list within 2 miles of the attached WECS application were notified of this application as required by Riverside County Ordinance No. 348. Copies of the written notification are also attached. The microwave communications link owners list was prepared by Aspen Environmental and said list is a complete and true compilation of owners of microwave communications links within 2 miles of the property involved in the WECS application.

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

Jonathan Kirby

<u>PRINTED NAME</u>		<u>Signature</u>	
11-14-2019			
<u>Dated</u>		<u>Case Number</u>	
Compliance Manager		<u>Title/Registration</u>	
6703 Oak Creek Road		<u>Mailing Address</u>	
Mojave, CA 93501		<u>City</u> <u>State</u> <u>ZIP</u>	
(213) 212-0781		()	
<u>Phone Number</u>		<u>Fax Number</u>	
Jonathan.Kirby@brookfieldrenewable.com		<u>E-Mail</u>	

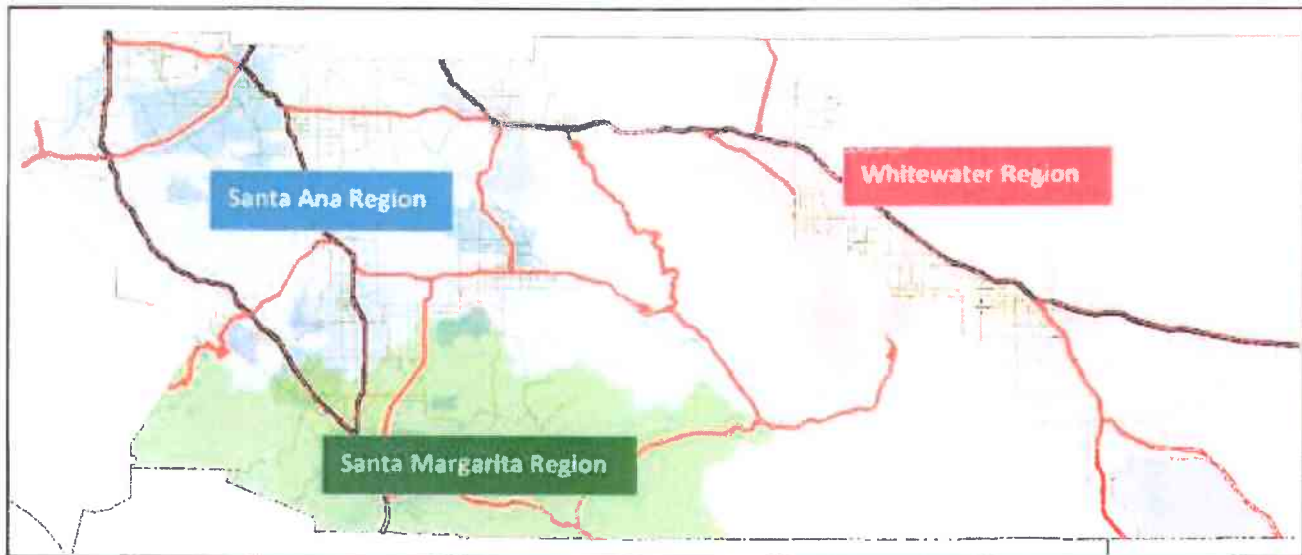
APPLICATION FOR COMMERCIAL WECS

This completed application form, together with all of the listed requirements provided on the Commercial WECS Application Filing Instructions Handout, are required in order to file an application with the County of Riverside Planning Department.

Y:\Current Planning\LMS Replacement\Condensed P.D. Application Forms\295-1069 WECS-Commercial Condensed Application.docx
Created: 07/06/2015 Revised: 07/30/2018

**Water Quality Management Plan Applicability Checklists and Other
Development Project Checklists for all watersheds/areas in
unincorporated Riverside County.**

All projects in unincorporated Riverside County shall complete the appropriate **Water Quality Management Plan (WQMP) Applicability Checklist** to confirm if WQMP requirements apply, and be submitted with your project's application. In addition, if the project is exempt from WQMP requirements and is in the **Santa Margarita Region**, the project shall complete the **"Other Development Project Checklist"** and submit to the Riverside County Transportation Department.



If WQMP requirements apply, a Preliminary WQMP shall be submitted and approved by the Transportation Department prior to entitlements, and a Final WQMP shall be submitted and approved by the Transportation Department prior to any building or grading permit.

Permanent Water Quality facilities (known as Post-Construction Best Management Practices (BMPs)) are required to address expected pollutant loads and higher runoff characteristics from most private development projects and public capital projects. These Post-Construction BMPs are designed with a Project-Specific WQMP. WQMP requirements are separate from the requirements for temporary impacts during the construction phase (i.e. Stormwater Pollution Prevention Plan (SWPPP), and construction BMPs).

Three State Regional Water Quality Control Boards regulate water quality requirements in Riverside County. Each State Regional Board has different WQMP requirements for their jurisdiction. Templates and guidance documents for each region are available through the compliance document links below. Applicability Checklists are included to verify if WQMP requirements apply for a given project or if no WQMP is required.

Santa Ana Region: <http://rcflood.org/NPDES/SantaAnaWS.aspx>

Santa Margarita Region: <http://rcflood.org/NPDES/SMRWMA.aspx>

Whitewater Region: <http://rcflood.org/NPDES/WhitewaterWS.aspx>

As of November 1, 2018, all WQMPs for development projects will be reviewed by the Riverside County Transportation Department, for the unincorporated portions of Riverside County. For Riverside County Flood Control facilities, typically storm drains larger than 36-inch diameter, the Riverside County Flood Control District will continue to review the Hydrology studies and their associated improvement plans, but Transportation will review the WQMP on behalf of Flood Control.

Checklist for Identifying Projects Requiring a Project-Specific Water Quality Management Plan (WQMP) within the Whitewater River Region	
Project File No.	PAR 190022
Project Name:	Alta Mesa Wind Project Repower
Project Location:	APN 516-020-001; 516-020-002; 516-020-003
Project Description:	Repower of an existing wind project

All applications for discretionary New Development and Redevelopment projects that fall into one of the Priority Development Project categories submitted to the local permitting authority on or after December 31, 2014 require preparation, approval, and implementation of a project-specific WQMP that complies with the WQMP Guidance document.

The eight Priority Development Project Categories are:	Yes	No
Single-family hillside residences that create 10,000 square feet or more of impervious area where the natural slope is 25% or greater;		✓
Single-family hillside residences that create 10,000 square feet of impervious area where the natural slope is 10% or greater where erosive soil conditions are known;		✓
Commercial and Industrial developments of 100,000 square feet or more;		✓
Automotive repair shops (Standard Industrial Classification (SIC) codes ¹ 5013, 7532, 7533, 7534, 7537, 7538, and 7539)		✓
Retail gasoline outlets disturbing greater than 5,000 square feet;		✓
Restaurants disturbing greater than 5,000 square feet;		✓
Home subdivisions with 10 or more housing units; and,		✓
Parking lots of 5,000 square feet or more or with 25 or more parking spaces, and potentially exposed to Urban Runoff.		✓

¹ Descriptions of SIC codes can be found at <http://www.osha.gov/pls/imis/sicsearch.html>.

DETERMINATION: Check the box for applicable determination.

Any questions answered "YES"

Project requires a project-specific WQMP. Electronic submittals are encouraged on CD and required for the approved documents.

All questions are answered "NO"

Project requires incorporation of Site Design Best Management Practices (BMPs) and Source Control BMPs imposed through Conditions of Approval or permit conditions.



RIVERSIDE COUNTY PLANNING DEPARTMENT

Charissa Leach, P.E.
Assistant TLMA Director

APPLICATION FOR LAND USE AND DEVELOPMENT

CHECK ONE AS APPROPRIATE:

- PLOT PLAN PUBLIC USE PERMIT VARIANCE
 CONDITIONAL USE PERMIT TEMPORARY USE PERMIT
 REVISED PERMIT Original Case No. _____

INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED.

APPLICATION INFORMATION

Applicant Name: Brookfield Renewable

Contact Person: Jonathan Kirby E-Mail: jonathan.kirby@brookfieldrenewable.com

Mailing Address: 6703 Oak Creek Road
Mojave, CA 93501
Street City State ZIP

Daytime Phone No: (213) 212-0781 Fax No: ()

Engineer/Representative Name: Aspen Environmental Group

Contact Person: Emily Capello E-Mail: ecapello@aspene.com

Mailing Address: 235 Montgomery St. Suite 640
San Francisco, CA 94109
Street City State ZIP

Daytime Phone No: (949) 788-4205 Fax No: ()

Property Owner Name: Alta Mesa 640, LLC

Contact Person: Mohammed Koya E-Mail: mfkoya@hotmail.com

Mailing Address: 4020 Sierra College Boulevard, #200
Rocklin, CA 95677
Street City State ZIP

Daytime Phone No: (916) 628-3064 Fax No: ()

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

Desert Office • 77-588 El Duna Court, Suite H
Palm Desert, California 92211
(760) 863-8277 • Fax (760) 863-7555

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APPLICATION FOR LAND USE AND DEVELOPMENT

Check this box if additional persons or entities have an ownership interest in the subject property(ies) in addition to that indicated above; and attach a separate sheet that references the use permit type and number and list those names, mailing addresses, phone and fax numbers, and email addresses; and provide signatures of those persons or entities having an interest in the real property(ies) involved in this application.

AUTHORITY FOR THIS APPLICATION IS HEREBY GIVEN:

I certify that I am/we are the record owner(s) or authorized agent, and that the information filed is true and correct to the best of my knowledge, and in accordance with Govt. Code Section 65105, acknowledge that in the performance of their functions, planning agency personnel may enter upon any land and make examinations and surveys, provided that the entries, examinations, and surveys do not interfere with the use of the land by those persons lawfully entitled to the possession thereof.

(If an authorized agent signs, the agent must submit a letter signed by the owner(s) indicating authority to sign on the owner(s)'s behalf, and if this application is submitted electronically, the "wet-signed" signatures must be submitted to the Planning Department after submittal but before the use permit is ready for public hearing.)

Mohammed F. Kaya
PRINTED NAME OF PROPERTY OWNER(S)

[Handwritten Signature]
SIGNATURE OF PROPERTY OWNER(S)

PRINTED NAME OF PROPERTY OWNER(S)

SIGNATURE OF PROPERTY OWNER(S)

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

AUTHORIZATION FOR CONCURRENT FEE TRANSFER

The applicant authorizes the Planning Department and TLMA to expedite the refund and billing process by transferring monies among concurrent applications to cover processing costs as necessary. Fees collected in excess of the actual cost of providing specific services will be refunded. If additional funds are needed to complete the processing of this application, the applicant will be billed, and processing of the application will cease until the outstanding balance is paid and sufficient funds are available to continue the processing of the application. The applicant understands the deposit fee process as described above, and that there will be NO refund of fees which have been expended as part of the application review or other related activities or services, even if the application is withdrawn or the application is ultimately denied.

PROPERTY INFORMATION:

Assessor's Parcel Number(s): 516020001; 516020002; 516020003

Approximate Gross Acreage: 640 acres

General location (nearby or cross streets): North of Interstate 10, South of _____, East of Haugen-Lehmann Way, West of Whitewater Canyon Rd.

APPLICATION FOR LAND USE AND DEVELOPMENT

PROJECT PROPOSAL:

Describe the proposed project.

The proposed project is a repower of the existing wind project. It would involve removal of the existing 159 legacy turbines and installation of up to 14 turbines. The Variance request is to eliminate the wind access setbacks. The project is adjacent to the Mesa Wind Project, owned by Brookfield, the same developer as AM Wind Repower.

Identify the applicable Ordinance No. 348 Section and Subsection reference(s) describing the proposed land use(s): Zoning: Wind Energy, Section 17.1, 17.2, 17.3

Number of existing lots: _____

EXISTING Buildings/Structures: Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>						
No.*	Square Feet	Height	Stories	Use/Function	To be Removed	Bldg. Permit No.
1	159 turbines	114-145 feet tall		Wind Energy	<input checked="" type="checkbox"/>	
2	Substation			Wind Energy	<input type="checkbox"/>	
3					<input type="checkbox"/>	
4					<input type="checkbox"/>	
5					<input type="checkbox"/>	
6					<input type="checkbox"/>	
7					<input type="checkbox"/>	
8					<input type="checkbox"/>	
9					<input type="checkbox"/>	
10					<input type="checkbox"/>	

Place check in the applicable row, if building or structure is proposed to be removed.

PROPOSED Buildings/Structures: Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>				
No.*	Square Feet	Height	Stories	Use/Function
1	up to 14 turbines	up to 499 feet tall		Wind energy. The WECS would be within the setback for an adjacent wind project, the Mesa Wind Project. However, both projects are being developed by the same parent entity and have been designed with an eliminated wind access setback.
2				
3				
4				
5				
6				
7				
8				
9				
10				

PROPOSED Outdoor Uses/Areas: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>		
No.*	Square Feet	Use/Function
1		
2		
3		
4		
5		

APPLICATION FOR LAND USE AND DEVELOPMENT

6		
7		
8		
9		
10		

* Match to Buildings/Structures/Outdoor Uses/Areas identified on Exhibit "A".

Check this box if additional buildings/structures exist or are proposed, and attach additional page(s) to identify them.)

Related cases filed in conjunction with this application:

Application for a WECS Commercial Permit

Are there previous development applications filed on the subject property: Yes No

If yes, provide Application No(s). Commercial WECS Permit No. 71 Substantial Conformance No. 4
(e.g. Tentative Parcel Map, Zone Change, etc.)

Initial Study (EA) No. (if known) 40187 EIR No. (if applicable): _____

Have any special studies or reports, such as a traffic study, biological report, archaeological report, geological or geotechnical reports, been prepared for the subject property? Yes No

If yes, indicate the type of report(s) and provide a signed copy(ies): Biological Report, Geological Report

Is the project located within 1,000 feet of a military installation, beneath a low-level flight path or within special use airspace as defined in Section 21098 of the Public Resources Code, and within an urbanized area as defined by Government Code Section 65944? Yes No

Is this an application for a development permit? Yes No

If the project located within either the Santa Ana River/San Jacinto Valley watershed, the Santa Margarita River watershed, or the Whitewater River watershed, check the appropriate checkbox below.

If not known, please refer to [Riverside County's Map My County website](#) to determine if the property is located within any of these watersheds (search for the subject property's Assessor's Parcel Number, then select the "Geographic" Map Layer – then select the "Watershed" sub-layer)

If any of the checkboxes are checked, click on the adjacent hyperlink to open the applicable Checklist Form. Complete the form and attach a copy as part of this application submittal package.

[Santa Ana River/San Jacinto Valley](#)

[Santa Margarita River](#)

[Whitewater River](#)

APPLICATION FOR LAND USE AND DEVELOPMENT

If the applicable Checklist has concluded that the application requires a preliminary project-specific Water Quality Management Plan (WQMP), such a plan shall be prepared and included with the submittal of this application.

HAZARDOUS WASTE AND SUBSTANCES STATEMENT

The development project and any alternatives proposed in this application are contained on the lists compiled pursuant to Section 65962.5 of the Government Code. Accordingly, the project applicant is required to submit a signed statement that contains the following information:

Name of Applicant: _____

Address: _____

Phone number: _____

Address of site (street name and number if available, and ZIP Code): _____

Local Agency: County of Riverside

Assessor's Book Page, and Parcel Number: _____

Specify any list pursuant to Section 65962.5 of the Government Code: _____

Regulatory Identification number: _____

Date of list: _____

Applicant: _____ Date _____

HAZARDOUS MATERIALS DISCLOSURE STATEMENT

Government Code Section 65850.2 requires the owner or authorized agent for any development project to disclose whether:

1. Compliance will be needed with the applicable requirements of Section 25505 and Article 2 (commencing with Section 25531) of Chapter 6.95 of Division 20 of the Health and Safety Code or the requirements for a permit for construction or modification from the air pollution control district or air quality management district exercising jurisdiction in the area governed by the County. Yes No
2. The proposed project will have more than a threshold quantity of a regulated substance in a process or will contain a source or modified source of hazardous air emissions. Yes No

I (we) certify that my (our) answers are true and correct.

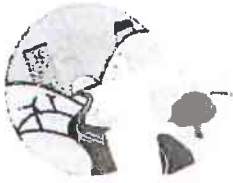
Owner/Authorized Agent (1) Mohamed H. K. G. J. Date 11/15/19

Owner/Authorized Agent (2) _____ Date _____

APPLICATION FOR LAND USE AND DEVELOPMENT

This completed application form, together with all of the listed requirements provided on the Land Use and Development Application Filing Instructions Handout, are required in order to file an application with the County of Riverside Planning Department.

Y:\Current Planning\LMS Replacement\Condensed P.D. Application Forms\Land Use and Development Condensed application.docx
Created: 04/29/2015 Revised: 08/03/2018



Charissa Leach, P.E.,
Assistant TLMA Director

RIVERSIDE COUNTY PLANNING DEPARTMENT

INDEMNIFICATION AGREEMENT REQUIRED FOR ALL PROJECTS

The owner(s) of the property, at their own expense, agree to defend, indemnify and hold harmless the County of Riverside and its agents, officers, and employees from and against any lawsuit, claim, action, or proceeding (collectively referred to as "proceeding") brought against the County of Riverside, its agents, officers, attorneys and employees to attack, set aside, void, or annul the County's decision to approve any tentative map (tract or parcel), revised map, map minor change, reversion to acreage, conditional use permit, public use permit, surface mining permit, WECS permit, hazardous waste siting permit, temporary outdoor event permit, plot plan, substantial conformance, revised permit, variance, setback adjustment, general plan amendment, specific plan, specific plan amendment, specific plan substantial conformance, zoning amendments, and any associated environmental documents. This defense and indemnification obligation shall include, but not limited to, damages, fees and/or costs awarded against the County, if any, and cost of suit, attorney's fees and other costs, liabilities and expenses incurred in connection with such proceeding whether incurred by applicant, property owner, the County, and/or the parties initiating or bringing such proceeding.

Property Owner(s) Signature(s) and Date

MOHAMMED F. Kaya

Printed Name of Owner

If the property is owned by multiple owners, the paragraph above must be signed by each owner. Attach additional sheets of this page, if necessary.

If the property owner is a corporate entity, Limited Liability Company, partnership or trust, the following documentation must also be submitted with this application:

- *If the property owner is a limited partnership, provide a copy of the LP-1, LP-2 (if an amendment) filed with the California Secretary of State.*
- *If the property owner is a general partnership, provide a copy of the partnership agreement documenting who has authority to bind the general partnership and to sign on its behalf.*
- *If the property owner is a corporation, provide a copy of the Articles of Incorporation and/or a corporate resolution documenting which officers have authority to bind the corporation and to sign on its behalf. The corporation must also be in good standing with the California Secretary of State.*
- *If the property owner is a trust, provide a copy of the trust certificate.*

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

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

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INDEMNIFICATION AGREEMENT REQUIRED FOR ALL PROJECTS

- *If the property owner is a Limited Liability Corporation, provide a copy of the operating agreement for the LLC documenting who has authority to bind the LLC and to sign on its behalf.*

If the signing entity is also a corporate entity, Limited Liability Company, partnership or trust, the above documentation must also be submitted with this application. For any out of State legal entities, provide documentation showing registration with the California Secretary of State.

In addition to the above, provide a copy of a Preliminary Title Report for the property subject to this application. The Preliminary Title Report must be issued by a title company licensed to conduct business in the State of California and dated less than six months prior to the date of submittal of this application. The Assistant TLMA Director may waive the requirement for a Preliminary Title Report if it can be shown to the satisfaction of the Assistant TLMA Director that the property owner(s) has owned the property consistently for at least the last five years.

If the application is for a plot plan for a Wireless Communication Facility, the property owner(s) and the cellular service provider must sign the indemnification paragraph above. If the application is for a plot plan for a wireless communication co-location, only the co-locating service provider needs to sign the indemnification paragraph above.



Dear Neighbor,

As you are aware, Brookfield Renewable is in the process of "re-powering" two wind farms in your area. Wind has come a long way since its emergence as one of the most sought-after renewable energy sources. In fact, one of the first utility scale wind farms was built right here in the San Geronimo Pass, which is home to one of the most productive climates for wind production in the country.

As a result of significant improvements in wind turbine technology over the past several years, a large number of wind farms are now being "re-powered". This means that older turbines that have reached the end of their useful life are being replaced with more efficient turbines that will continue generating renewable energy in a safe and reliable manner for years to come.

In the case of our Mesa/Alta Mesa projects, this means that we are removing over 600 older wind turbines and replacing them with 17 more efficient, productive turbines.

As part of our community outreach to inform our neighbors about the project, we have presented at public meetings, held public forums, and we have been in contact with neighbors like yourself, local officials and pertinent agencies to ensure that the local community is aware of what our plan is and has had the proper chance to weigh in with thoughts/opinions.

As a company, we believe in being good community partners and see ourselves as a part of the communities where we operate. In fact, after these respective meetings and communications, we have adjusted the project plan to reflect the feedback we received from the community.

On the other side of this mailer, you'll see photos of the existing wind farm and turbines along with what we had originally proposed and how we have adjusted the original proposal in response to community feedback. As always, if you have any questions or concerns, please don't hesitate to reach out to me directly.

Best Regards,
Brian P. Noonan
Manager, Stakeholder Relations
Brian.Noonan@brookfieldrenewable.com

Public Outreach To Date

- 11/12/19: City of San Juan Public Meeting by the Board
- 11/20/20: Public Open House
- 2/11/20: Public Meeting for all of the site and building project changes to local residents to communicate to the community
- 3/11/20: Meeting at the City of San Juan to include additional public meeting
- 2/12/20: Meeting at Open House for residents to come and see the proposal and chat with community representatives

RENEWABLE ENERGY COMPANY TO REPLACE OVER 450 OLD WIND TURBINES

A renewable energy company is set to replace over 450 old wind turbines in the San Geronimo Pass area. The project is being led by Brookfield Renewable. The company is currently in the process of removing the old turbines and installing new, more efficient ones. The new turbines will produce more energy and are expected to last for a longer period of time.

Built in the 1980s and 1990s, the old turbines were designed to generate power in a different way than the new turbines. The new turbines are expected to produce more energy and are expected to last for a longer period of time.

"It's a great opportunity for us to replace the old turbines with new, more efficient ones. We're excited to see the new turbines installed and to see the energy production increase," said Andy Green, Director of Community Relations for Brookfield Renewable.

NOTICE OF PUBLIC HEARING
and
INTENT TO ADOPT A MITIGATED NEGATIVE DECLARATION

A **PUBLIC HEARING** has been scheduled, pursuant to Riverside County Land Use Ordinance No. 348, before the **RIVERSIDE COUNTY PLANNING COMMISSION** to consider a proposed project in the vicinity of your property, as described below:

COMMERCIAL WECS PERMIT NO. 71, REVISED PERMIT NO. 10, and VARIANCE CASE NO. 200001 – Intent to Adopt a Mitigated Negative Declaration – CEQ200004 – Applicant: Alta Mesa Wind Repower, LLC/Jonathan Kirby - Representative: Aspen Environmental Group/Vida Strong – Fifth Supervisorial District – Western Coachella Valley Area Plan – Open Space: Rural (OS-RUR) – Zoning: Wind Energy (W-E) – 640 Acres – Location: The site is located in the unincorporated community of Whitewater Canyon, more specifically northerly of Interstate 10/Tamarack Road, easterly of Haugen-Lehmann Way, and westerly of Whitewater Canyon Road – **REQUEST:** Commercial WECS Permit No. 71, Revised Permit No. 10 proposes to install up to seven (7) new commercial wind turbines up to 499 feet in height with a total project generating capacity of 27 MW. These seven (7) new turbines would replace the 159 turbines currently on the site which are scheduled for decommissioning early 2021 under existing WECS permits, including demolition permits issued by the County. The project also includes associated equipment such as existing on-site substation, temporary construction yard, new meteorological tower, and existing 220 kV transmission line. No work is proposed on existing interconnection line, and the project would use an existing access road from Haugen-Lehmann Way. Variance Case No. 200001 proposes to eliminate the safety setbacks in accordance with Zoning Ordinance No. 348 along the western and northern lot lines from 1.1 times turbine height (549-feet) to 0-feet for wind turbines T-1, T-2A, and T-3A in a rural remote area. APN's 516-020-001 and 516-020-002.

TIME OF HEARING: 9:00 a.m. or as soon as possible thereafter.
DATE OF HEARING: **MARCH 3, 2021**
PLACE OF HEARING: RIVERSIDE COUNTY ADMINISTRATIVE CENTER
BOARD CHAMBERS, 1ST FLOOR
4080 LEMON STREET, RIVERSIDE, CA 92501

Pursuant to Executive Order N-25-20, this meeting will be conducted by teleconference and at the place of hearing, as listed above. Public access to the meeting location will be allowed but limited to comply with the Executive Order. Information on how to participate in the hearing will be available on the Planning Department website at: <https://planning.rctlma.org/>. For further information regarding this project please contact Project Planner: Jay Olivas at (760) 863-7050 or email at jolivas@rivco.org, or go to the County Planning Department's Planning Commission agenda web page at <http://planning.rctlma.org/PublicHearings.aspx>.

The Riverside County Planning Department has determined that the above project will not have a significant effect on the environment and has recommended adoption of a mitigated negative declaration. The Planning Commission will consider the proposed project and the proposed mitigated negative declaration, at the public hearing. The case file for the proposed project and the proposed mitigated negative declaration is available for review via email by contacting the project planner. Please contact the project planner regarding additional viewing methods.

Any person wishing to comment on the proposed project may submit their comments in writing by mail or email, or by phone between the date of this notice and the public hearing; or, you may appear and be heard at the time and place noted above. You may participate remotely by registering with the Planning Department. All comments received prior to the public hearing will be submitted to the Planning Commission for consideration, in addition to any oral testimony, before making a decision on the proposed project. All correspondence received before and during the meeting will be distributed to the Planning Commission and retained for the official record.

If you challenge this project in court, you may be limited to raising only those issues you or someone else raised at the public hearing, described in this notice, or in written correspondence delivered to the Planning Commission at, or prior to, the public hearing. Be advised that, as a result of public hearings and comment, the Planning Commission may amend, in whole or in part, the proposed project. Accordingly, the designations, development standards, design or improvements, or any properties or lands, within the boundaries of the proposed project, may be changed in a way other than specifically proposed.

Please send all written correspondence to:
RIVERSIDE COUNTY PLANNING DEPARTMENT
Attn: Jay Olivas, P.O. Box 1409, Riverside, CA 92502-1409

PROPERTY OWNERS CERTIFICATION FORM

I, VINNIE NGUYEN certify that on February 02, 2021

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

APN (s) or case numbers WCS00071R10 for

Company or Individual's Name RCIT - GIS,

Distance buffered 1/2 Mile

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

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

TITLE: GIS Analyst

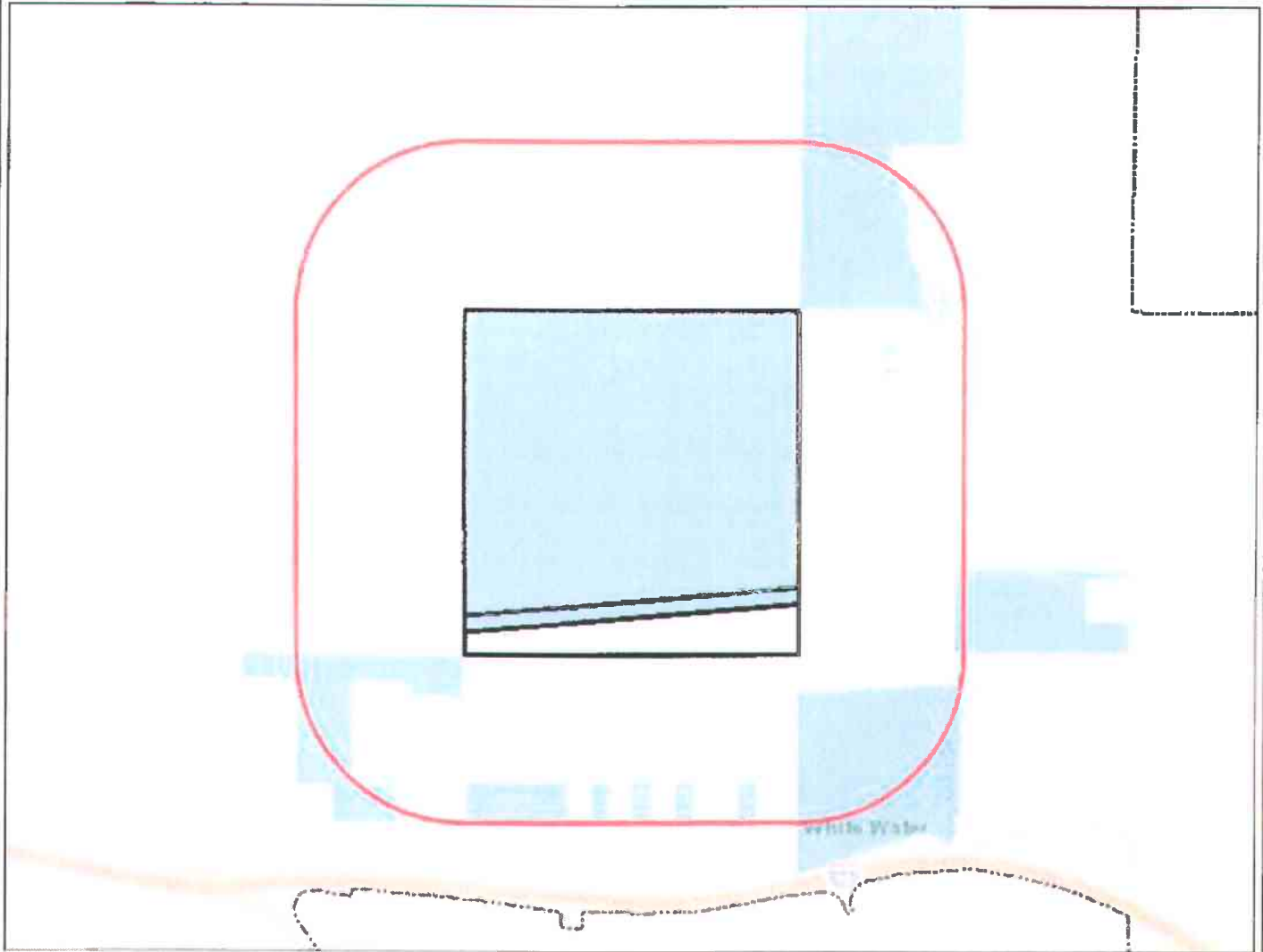
ADDRESS: 4080 Lemon Street 9TH Floor

Riverside, Ca. 92502

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

Riverside County GIS Mailing Labels

WCS00071R10 (1/2 Mile buffer)



Legend

-  County Boundary
-  Cities
-  World Street Map

Notes



0 3,009 6,019 Feet



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

REPORT PRINTED ON...2/2/2021 11:11:02 AM

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514260003
FRIENDS OF THE DESERT MOUNTAINS
P O BOX 1281
PALM DESERT CA 92261

516060040
ROBIN E. HARRIS
1717 E VISTA CHINO # A7614
PALM SPRINGS CA 92263

516080005
HELEN LEE KLAMM
2231 BAYSIDE DR
CORONA DEL MAR CA 92625

514260005
USA BLM
355 HEMSTED DR
REDDING CA 96002

514272006
DAVID BROST
5891 W A ST
WEST LINN OR 97068

514273011
PETER JAMES MACKENZIE
STAR RTE 1 BOX 560
WHITEWATER CA 92282

514273012
PETER MACKENZIE
11940 WHITEWATER CANYON RD
WHITEWATER CA 92282

514273020
TROUPE ELEANOR M 2003 TRUST
11870 CECIL DR
WHITE WATER CA 92282

514273049
EVELYN ELAINE HANNA
11900 CECIL
WHITEWATER CA 92282

514273052
JEFFERY HENRY PASCAL
1568 HEIDI CT
REDLANDS CA 92374

516060020
HSIU CHU TSENG
85 CUTLER RD
GREENWICH CT 06831

516080006
BRUCE A. KAPLAN
PO BOX 2187
SUN VALLEY ID 83353

516080008
PAUL V. MC CARTHY
1908 TOLL BRIDGE CT
ALEXANDRIA VA 22308

516044004
KRISTEN D. KOBZEFF
5062 VALLECITO AVE
WESTMINSTER CA 92683

514273051
IRMA NAVA
40652 BROOKSIDE AVE
CHERRY VALLEY CA 92223

516020001
ALTA MESA 640
4020 SIERRA COLLEGE 200
ROCKLIN CA 95677

516080001
MARVIN CONRAD LOGAN
30015 AVENIDA LOS NINOS
CATHEDRAL CY CA 92234

516100003
JANET TOHL
848 N LA CIENEGA STE 207
LOS ANGELES CA 90069

514271030
MEADER KEITH A
271 ROUND LAKE RD
BALLSTON LAKE NY 12019

514273055
PAUL L. STARKE
68257 CALLE AZTECA
DESERT HOT SPRINGS CA 92240

516052009
THEODORE GARLAND
5994 VIA LOMA
RIVERSIDE CA 92506

516060017
MANUEL FLORES RAMIREZ
844 16TH ST
SAN DIEGO CA 92101

516060034
ROBIN E. HARRIS
1717 E VISTA CHINO BLDG 7A #614
PALM SPRINGS CA 92262

514271011
DANIEL F. MCCLEARY
2521 W 4TH ST
LOS ANGELES CA 90057

516060035
CHARLES CARSON
1032 E BRENNER PL
LONG BEACH CA 90813

516020003
METROPOLITAN WATER DIST OF SO CALIF
250 E 5TH ST STE 1500
CINCINNATI OH 45202

516060023
PBMB JOURNEY
16A JOURNEY STE 100
ALISO VIEJO CA 92656

514273010
MICHAEL J. BICKFORD
10625 PALM DR
DESERT HOT SPRINGS CA 92240

514273050
RICHARD LEE TUSKO
5792 ORANGE AVE
CYPRESS CA 90630

516043004
BRUCE B. MACKENZIE
8855 SUTTER CIR APT 515D
HUNTINGTON BEACH CA 92646

516052008
PRATER TRUST DTD 7/30/2007
314 TANGLE WOOD LN
HIGHLAND VILLAGE TX 75077

516055001
MICHAEL JAMES GALLAGHER
P O BOX 580481
N PALM SPRINGS CA 92258

516080004
CARL ELMER LEE
2231 BAYSIDE DR
CORONA DEL MAR CA 92625

514271039
FRIENDS OF THE DESERT MOUNTAINS
PO BOX 1281
PALM DESERT CA 92261

514273023
AACAL INC
4850 DEL MAR MESA RD
SAN DIEGO CA 92130

514273030
NICHOLE OSULLIVAN
11826 CECIL DR
WHITEWATER CA 92282

514273042
JAMES B. MACKENZIE
P O BOX 1592
KOLOA HI 96756

514273047
BILLEE R. DEEMER
P O BOX 6540
PAHRUMP NV 89041

516060036
RICK ALLEN POWELL
17780 CAVAN CT
TEHACHAPI CA 93581

516080003
THOMAS O. MENZIES
102 FOXTAIL DR
SANTA MONICA CA 90402

516060031
BENITO O. MICHEL
16021 E PROMONTORY PL
LA MIRADA CA 90838

516060041
ZOND SYSTEMS INC
P O BOX 1910
TEHACHAPI CA 93581

516080007
SOUTHERN CALIFORNIA EDISON CO
P O BOX 300
ROSEMEAD CA 91770

516080009
DAVID E. FINKELSTEIN
P O BOX 480048
LOS ANGELES CA 90048

514272009
MARCUS WYNNE HUGHES
11868 CECIL DR
WHITEWATER CA 92282

516030017
MWD
700 N ALAMEDA ST NO 3
LOS ANGELES CA 90012

516051002
MARCUS WYNNE HUGHES
3002 PACIFIC AVE
VENICE CA 90291

516060037
ROBIN E. HARRIS
1717 E VISTA CHINO # A7614
PALM SPRINGS CA 92262

516080002
ODILON L. URIBE
5460 MITCHELL AVE
RIVERSIDE CA 92505

Kirkland West
Habitat Defense Council
PO Box 7821
Laguna Niguel, CA 92607-7821

Sheila Sannadan, Legal Assistant
Adams Broadwell Joseph & Cardozo
601 Gateway Boulevard, Suite 1000
South San Francisco, CA 94080

Richard Drury
Theresa Rettinghouse
Lozeau Drury, LLC.
410 12th Street Suite 250
Oakland, CA 94607



RIVERSIDE COUNTY
PLANNING DEPARTMENT

Charissa Leach, P.E.
Assistant TLMA Director

MITIGATED NEGATIVE DECLARATION

Project/Case Number: COMMERCIAL WECS PERMIT NO. 71R10; VARIANCE CASE NO. 200001

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

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

COMPLETED/REVIEWED BY:

By: Jay Olivas Title: Project Planner Date: February 11, 2021

Applicant/Project Sponsor: Aspen Environmental Group Date Submitted: January 22, 2020

ADOPTED BY: Planning Commission

Person Verifying Adoption: _____ Date: March 3, 2021

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

Riverside County Planning Department 77588 El Duna Ct., Ste. H, Palm Desert, CA 92211

For additional information, please contact Jay Olivas, Project Planner at 760-863-8271.

Revised: 02/11/21
Y:\Planning Case Files-Riverside office\WCS00071R10\DH-PC BOS\WCS MND.docx

Please charge deposit fee case#: ZCEQ200004 ZCFW210010

FOR COUNTY CLERK'S USE ONLY



RIVERSIDE COUNTY PLANNING DEPARTMENT

Charissa Leach, P.E.
Assistant TLMA Director

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

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

77588 El Duna Ct Ste. H
Palm Desert, California 92211

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

COMMERCIAL WECS PERMIT NO. 71R10 / VARIANCE CASE NO. 200001 / CEQ200004

Project Title/Case Numbers

Jay Olivas, Project Planner
County Contact Person

(760) 863-8271
Phone Number

2020120489

State Clearinghouse Number (if submitted to the State Clearinghouse)

Aspen Environmental Group
Project Applicant

235 E Montgomery Street, Ste. 935 San Francisco, CA 91404
Address

The site is located in the unincorporated community of Whitewater Canyon, more specifically north of Interstate 10/Tamarack Road, east of Haugen-Lehmann Way, and west of Whitewater Canyon Road

Project Location

Commercial WECS Permit No. 71, Revised Permit No. 10 proposes to install up to seven (7) new commercial wind turbines up to 499 feet in height with a total project generating capacity of 27 MW. These 7 new turbines would replace the 159 turbines currently on the site which are scheduled for decommissioning Q1 2021 under existing permits, including demolition permits issued by the County. The project also includes associated equipment such as existing on-site substation, temporary construction yard, new meteorological tower, and existing 220 kV transmission line. No work is proposed on existing interconnection line, and the project would use an existing access road from Haugen-Lehmann Way. Variance Case No. 200001 proposes to eliminate the safety setbacks in accordance with Zoning Ordinance No. 348 along the western and northern lot lines from 1.1 times turbine height (549-feet) to 0-feet for wind turbines T-1, T-2A, and T-3A in a rural remote area.

Project Description

This is to advise that the Riverside County Planning Commission, as the lead agency, has approved the above-referenced project on March 3, 2021, and has made the following determinations regarding that project:

1. The project WILL NOT have a significant effect on the environment.
2. Mitigation measures WERE made a condition of the approval of the project.
4. A Mitigation Monitoring and Reporting Plan/Program WAS adopted.
5. A statement of Overriding Considerations WAS NOT adopted
6. Findings were made pursuant to the provisions of CEQA.

This is to certify that the Initial Study, with comments, responses, and record of project approval is available to the general public at: Riverside County Planning Department, 77588 El Duna Ct, Palm Desert, CA 92211.

Signature

Project Planner _____
Title

March 3, 2021
Date

Date Received for Filing and Posting at OPR: _____

Revised: 2/11/2021

Y:\Planning Case Files-Riverside office\WCS00071R10\DH-PC BOS\WCS NOD.docx

Please charge deposit fee case#: ZCEQ200004 ZCFW210010

FOR COUNTY CLERK'S USE ONLY

**INVOICE (INV-00137186)
FOR RIVERSIDE COUNTY**

**County of Riverside
Transportation & Land Management Agency**



BILLING CONTACT / APPLICANT

Emily Capello
Aspen Environmental Group
235 E Montgomery St, Ste 935
San Francisco, Ca 94104

INVOICE NUMBER	INVOICE DATE	INVOICE DUE DATE	INVOICE STATUS
INV-00137186	02/11/2021	02/11/2021	Due

REFERENCE NUMBER	FEE NAME	TOTAL
CFW210010	0451 - CF&W Trust ND/MND	\$2,480.25
	0452 - CF&W Trust Record Fees	\$50.00

SITE ADDRESS		
0 Unassigned White Water, CA 92282	SUB TOTAL	\$2,530.25

TOTAL DUE	\$2,530.25
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PAYMENT OPTIONS		Note A 2.28% transaction service fee will be applied to Credit Card payments
Online Payments	Go to: RivCoPlus.org	E-Checks and Credit Cards are accepted on-line.
Credit Card Payment by Phone	(760) 863-7735	Please have your invoice number ready for reference.
Payment by US Postal Mail Service	County of Riverside Attn: Accounts Receivables P.O. Box 1605 Riverside, CA 92502	Reference your invoice number on your check or include a copy of the invoice.
Payment by FedEx, UPS or similar courier	County of Riverside Attn: Accounts Receivables 4080 Lemon St., 14th Fl. Riverside, CA 92501	Reference your invoice number on your check or include a copy of the invoice.

Note that this invoice is used for both initial and supplemental payment requests. On Deposit Based Fee (DBF) cases and permits all work will cease when the balance is negative. If you have already made an initial payment and you are receiving an additional invoice, your case or permit has a low or negative balance. Work cannot resume until you have provided additional funds. If you would like to review a full statement of costs to date, e-mail your request to, TLMABilling@rivco.org and include the reference number(s), which is your case number and department in the subject line.