

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



ITEM: 21.1
(ID # 19373)

MEETING DATE:

Tuesday, July 26, 2022

FROM : TLMA-PLANNING:

SUBJECT: TRANSPORTATION AND LAND MANAGEMENT AGENCY/PLANNING: PUBLIC HEARING ON CHANGE OF ZONE NO. 2200004, CONDITIONAL USE PERMIT NO. 2200003, and DEVELOPMENT AGREEMENT NO. 2200003 – Intent to adopt a Mitigated Declaration (CEQ220011) – Applicant: Wintec Energy, Ltd. c/o Fredrick Noble – Engineer/Representative: Webb & Associates c/o Scott Hildebrand – Fourth Supervisorial District – Thousand Palms Zoning District – Western Coachella Valley Area Plan – Rural: Rural Residential (R: RR) and Community Development: Medium Density Residential (CD: MDR) – Location: north of Interstate 10 Highway, south of Ramon Rd, east of Vista de Oro, and west of Chase School Rd – 165 Gross Acres – Zoning: Existing – One-Family Dwellings (R-1); Proposed – Regulated Development Areas (R-D) – REQUEST: Change of Zone 2200004 a proposal to change the existing Zoning Classifications of the project from R-1 to R-D on 165 gross acres (17 parcels). Conditional Use Permit No. 2200003 a proposal to develop a solar array & battery storage facility. The facility would consist of approx. 108 acres of solar arrays (panels) and approx. 43 acres of battery storage & onsite substation. An underground power-line extension will direct the power to a SCE power grid from the project site to the SCE Mirage Substation, north of Ramon Rd. The solar arrays would consist of 96 modules for a maximum of 150 MW of solar production. The battery storage would consist of 400 self-contained one MW storage batteries on elevated platforms totaling 400 MW of storage. The remainder of the site would consist of access roads, a solar substation, fencing, and some landscaping. Development Agreement No. 2200003 proposes a development agreement with the applicant and County consistent with the County's solar plant program (Board Policy B-29) and grants vesting rights to develop the project in accordance with the terms of the agreement which requires certain calculation of development impact fees. District 4. [Applicant Fees 100%]

Continued on page 2

RECOMMENDED MOTION: That the Board of Supervisors take the following actions:

ACTION:Policy

John Hildebrand
John Hildebrand, Planning Director

MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Perez, seconded by Supervisor Washington and duly carried by unanimous vote, IT WAS ORDERED that the above matter is approved as recommended with the agreement of the Conditions of Approval by the applicant; the above Ordinance is approved as introduced with waiver of the reading; and Ordinance 348.4987 is adopted with waiver of the reading.

Ayes: Jeffries, Spiegel, Washington, Perez and Hewitt
Nays: None
Absent: None
Date: July 26, 2022
xc: Planning, Co.Co., MC/COBAB

Kecia R. Harper
Clerk of the Board
By: *[Signature]*
Deputy

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

RECOMMENDED MOTION: That the Board of Supervisors take the following actions:

1. **ADOPT** a **MITIGATED NEGATIVE DECLARATION** for **ENVIRONMENTAL ASSESSMENT NO. 220011 (CEQ220011)**, 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;
2. **APPROVE CHANGE OF ZONE NO. 2200004**, to amend the zoning classifications of the Project site from One-Family Dwellings (R-1) to Regulated Development Areas (R-D), based upon the findings and conclusions in the staff report and all exhibits and pending final adoption of the zoning Ordinance No. 348.4987;
3. **ADOPT ORDINANCE NO. 348.4987**, an Ordinance of the County of Riverside amending Ordinance No. 348, as shown on Map No. 40.052, Change of Zone Case No. 2200004, to change the zoning classification of the Project site in the Thousand Palms District from One-Family Dwellings (R-1) to Regulated Development Areas (R-D), based upon the findings and conclusions provided in this staff report and all exhibits;
4. **INTRODUCE, READ TITLE, WAIVE FURTHER READING OF, AND ADOPT** on successive weeks **Ordinance No. 664.92**, an Ordinance of the County of Riverside approving Development Agreement No. 2200003, based upon the findings and conclusions provided in this staff report and all exhibits; and
5. **APPROVE CONDITIONAL USE PERMIT NO. 2200003**, based upon the findings and conclusions in this staff report and all exhibits and subject to the attached Advisory Notification Document, Conditions of Approval, final approval of Change of Zone No. 2200004 and adoption of Ordinance No. 348.4987, and final approval of Development Agreement No. 2200003 and adoption of Ordinance No. 664.92.

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: N/A	

C.E.O. RECOMMENDATION: Approve

BACKGROUND:

Overview

Change of Zone No. 2200004, Conditional Use Permit, No. 2200003, and Development Agreement No. 2200003 were submitted to the County of Riverside on February 3, 2022. Staff has reviewed the Project and has determined that it is consistent with all applicable zoning development standards, the General Plan, Board of Supervisor's Policy B-29 – Solar Power Plants, and all other applicable ordinances. Furthermore, an Initial Study (a Mitigated Negative

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

Declaration-MND) has been completed in accordance with the California Environmental Quality Act (CEQA) requirements.

As an environmental benefit, the Project would help the State achieve its renewable energy goals and mandates. The production of renewable energy has the added benefit of reducing air quality impacts and GHG emissions that would be produced by fossil-fuel based generation facilities. The Project would be developed on contiguous vacant land to minimize impacts to sensitive species and habitats.

The Project would also provide other important benefits to the local and regional economy from the purchase of equipment and supplies and other revenues as agreed upon in the terms of Development Agreement No. 2200003. Additionally, the Project would result in the contribution of significant development impact fees under Ordinance No. 659 which would assure that the Project pays its fair share of capital costs of facilities, as defined in Ordinance No. 659, associated with development of the Project. Indirectly the County and region would benefit from the employment of a few hundred daily workers during peak construction period and would provide approximately 4-8 permanent, part-time/full-time jobs upon operation. Other economic benefits include workers utilizing local and regional commercial services such as hotels and restaurants.

Site Characteristics

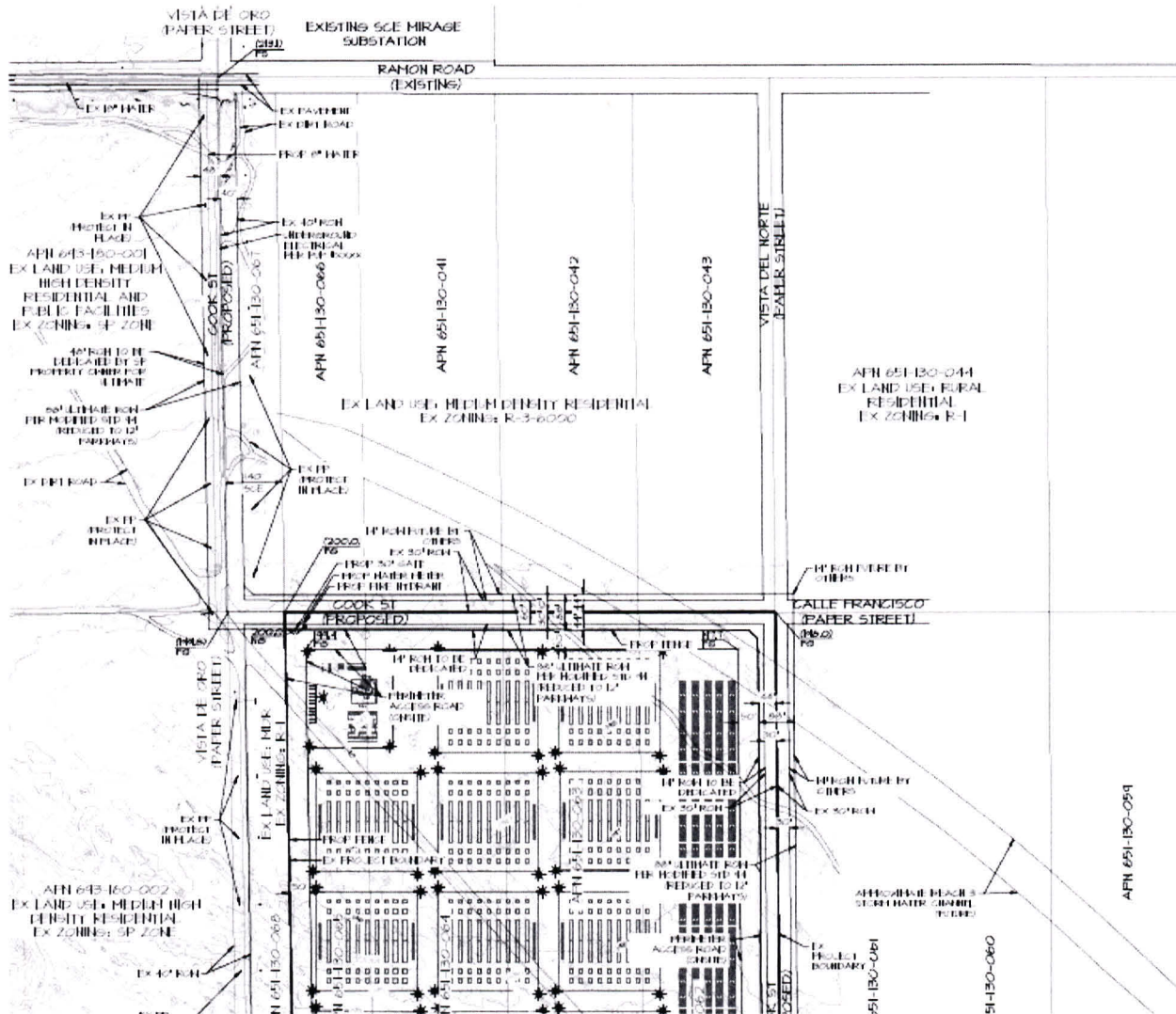
The proposed Project is located on approximately 165 gross acres contiguous parcels in the Thousand Palms area of Riverside County. The proposed Project site is in the Western Coachella Valley near the community of Thousand Palms, just northeast of the cities of Palm Desert, Rancho Mirage, and Cathedral City. The Project consists of 17 parcels of private land for the solar facility. The Project site is relatively level with topography descending gradually from southeast to northwest at elevations of 180 feet above mean sea level (AMSL) to 200 feet AMSL. The renewable energy facility sites would occupy approximately 151 acres of largely undisturbed, privately owned land, which would minimize ground disturbance and impacts to resources. Uses in the vicinity include vacant undisturbed land near the Coachella Valley National Wildlife Refuge, approximately 2,000 feet to the east, vacant land and the Ivey Ranch Country Club to the south, vacant land and the Shenandoah Springs Village residential development with golf course to the west, and vacant land and a Southern California Edison (SCE) substation (Mirage Substation) to the north.

Project Details

Energy would be transported from the Project site substation to SCE's Mirage Substation through a 230-kilovolt (kV) generation tie (gen-tie) lines that would be undergrounded. Underground or overhead collector lines would transmit energy to and from an on-site substation, to be located on the northeasterly portion of the northerly parcel on the project site, and the Battery Energy Storage System (BESS). Inverters located adjacent to the enclosures would invert and step-up energy to 230 kilovolts for transmission to the SCE Mirage Substation or invert from alternating current to direct current for storage in the BESS. The Project would provide 10 standard parking spaces for maintenance workers. No onsite building will be built for staff or maintenance workers. Additionally, the perimeter of the solar facility would be enclosed by an 8-foot-high chain-link fence and landscaping on the west and southern perimeters. Lighting is provided to the solar facility through 14-foot-high light poles on motion sensors with

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

shielding and directed downwards into the solar facility. There is a 4.8-acre area that includes cultural resources that will not be disturbed by the solar facility.



[illegible]

The proposed Project would be constructed within an area covered by the Western Coachella Valley Area Plan primarily on land designated in the Plan as Rural: Rural Residential (R: RR) and Community Development: Medium Density Residential (CD: MDR). No portions of the project site are located within an Agriculture Preserve, Historic Preservation District, or Airport Compatibility Zone. The Project site is within an Environmental Justice Community for the Thousand Palms area. Consistency with the General Plan is outlined in detail in the Findings Section of this report.

Change of Zone No. 2200004 proposes to change the Project site's zoning classification from One-Family Dwellings (R-1) to Regulated Development Areas (R-D). Since the R-1 zone does not allow the development of solar power plants or facilities the County requested a change of zone. The R-D Zone allows for the development of a solar power plants or facilities on a 10 acre

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

or larger parcel or parcels. Compliance with the Zoning Ordinance (Ordinance No. 348) is outlined in detail in the Findings Section of this report.

Board of Supervisors Policy B-29

The proposed Project is subject to Policy B-29, and the developer would need to enter into a development agreement with the County. The purpose of Policy B-29 is to ensure that the County does not disproportionately bear the burden of solar energy production and ensure the County is compensated in an amount it deems appropriate for the use of its real property. The policy states that the solar power plant owner shall annually pay the County \$150 for each acre of land involved in the power production process. It also lists requirements for solar power plant owners relating to sales and use taxes payable in connection with the construction of a solar power plant. Once the development agreement is enacted, the proposed Project would comply with this policy. The policy requires an expedited review and approval of any agreement(s), permits, or other approvals from the County necessary to site, develop and operate solar power plants. In an effort to expedite the review of this project, per the policy, the project has been prepared for the consideration by the Board of Supervisors.

Environmental Determination

An Initial Study (IS) and a Mitigated Negative Declaration (MND) have been prepared for this project in accordance with the California Environmental Quality Act (CEQA). The Initial Study identified potentially significant impacts in regard to the issue areas of Aesthetics, Biological Resources, Cultural Resources, Geology, Paleontological Resources, Tribal Cultural Resources, and Mandatory Findings of Significance; however, with the incorporation of mitigation measures the impacts were reduced to less than significant. Based on the Initial Study's conclusions, the County of Riverside determined that an MND is appropriate for the proposed Project pursuant to the State CEQA Guidelines. The IS and MND represent the independent judgement of Riverside County. The documents were circulated for public review on July 6, 2022, per the California Environmental Quality Act Statute and Guidelines Section 15105. The public review period ended on July 25, 2022. The CEQA documents are located at the Riverside County Planning Department at 4080 Lemon Street, Riverside, CA 92501.

As of the writing of this staff report, no comment letters in response to the IS and MND have been received, and no additional revisions to the project have been made. As demonstrated in the IS and MND, the proposed project will not result in any significant impacts to the environment, with mitigation incorporated.

Impact on Citizens and Businesses

The Projects have no direct impact on citizens or businesses, as these are private projects. All impacts have been studied through CEQA; as detailed in the Board of Supervisor Staff Report, which is attached hereto and incorporated for reference.

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

Additional Fiscal Information

All fees are paid by the applicant; there is no General Fund obligation.

ATTACHMENTS:

- A. BOARD OF SUPERVISORS STAFF REPORT**
- B. CHANGE OF ZONE EXHIBIT (Ord. No. 348.4987) for CZ2200004**
- C. CONDITIONAL USE PERMIT EXHIBITS for CUP220003**
- D. ORDINANCE NO. 664.92**
- E. MITIGATED NEGATIVE DECLARATION for CZ2200004/CUP220003 (CEQ220011)**
- F. ADVISORY NOTIFICATION DOCUMENT and CONDITIONS OF APPROVAL**
- G. OTHER DOCUMENTS and CERTIFICATE, RADIUS MAP, & LABELS for NOTICING**
- H. DEVELOPMENT AGREEMENT NO. 2200003**



Jason Farin, Principal Management Analyst 7/19/2022

1 ORDINANCE NO. 348.4987

2 AN ORDINANCE OF THE COUNTY OF RIVERSIDE
3 AMENDING ORDINANCE NO. 348 RELATING TO ZONING
4

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

6 Section 1. Section 4.1 of Ordinance No. 348, and Thousand Palms District Zoning
7 Plan Map No. 40, as amended, are further amended by placing in effect in the zone or zones shown on the
8 map entitled "Change of Official Zoning Plan, Thousand Palms District, Map No. 40.052 Change of Zone
9 Case No. 2200004" which map is made a part of this ordinance.

10 Section 2. This ordinance shall take effect 30 days after its adoption.
11

12 BOARD OF SUPERVISORS OF THE COUNTY
13 OF RIVERSIDE, STATE OF CALIFORNIA


14 By: 
15 Chair, Board of Supervisors
16 JEFF HEWITT

17 ATTEST:
18 KECIA HARPER
19 Clerk of the Board

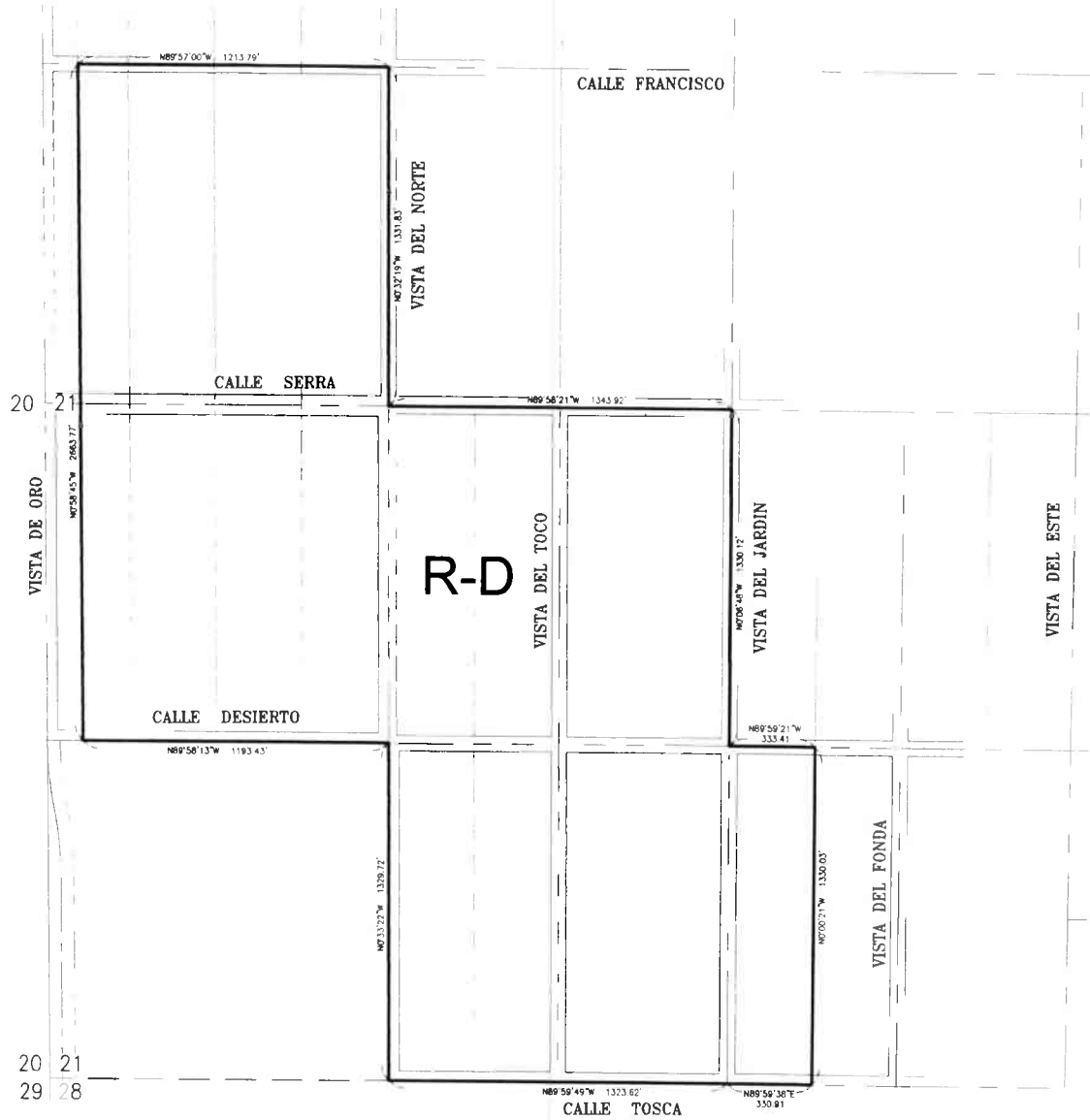
20 By: 
21 Deputy

22 (SEAL)

23 APPROVED AS TO FORM
24 July 14, 2022

25 By: 
26 SARAH K. MOORE
27 Deputy County Counsel
28

JUL 26 2022 21.1



R-D REGULATED DEVELOPMENT AREAS

MAP NO. 40.052

CHANGE OF OFFICIAL ZONING PLAN

**THOUSAND PALMS
DISTRICT**

CHANGE OF ZONE CASE NO. 2200004

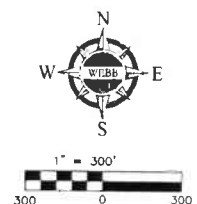
AMENDING ORDINANCE NO. 348

ADOPTED BY ORDINANCE NO. 348.4987

AUGUST 2, 2022

RIVERSIDE COUNTY BOARD OF SUPERVISORS

APN(s): 651-130-062 TO -065
651-140-017 TO -025
651-140-039 TO -042



1
2
3
4
5
6
7
8
9
10
11 STATE OF CALIFORNIA)
12 COUNTY OF RIVERSIDE) ss

13
14 I HEREBY CERTIFY that at a regular meeting of the Board of Supervisors of said county
15 held on July 26, 2022, the foregoing ordinance consisting of two Sections was adopted by
16 the following vote:

17 AYES: Jeffries, Spiegel, Washington, Perez and Hewitt

18 NAYS: None

19 ABSENT: None
20
21

22 DATE: July 26, 2022

KECIA R. HARPER
Clerk of the Board

23
24 BY: 
25
26 Deputy

27 SEAL

28
Item 21.1

Recorded at request of
Clerk, Board of Supervisors
County of Riverside

When recorded return to
Riverside County Planning Director
4080 Lemon Street, 12th Floor
Riverside, CA 92501

2022-0408680

09/27/2022 01:24 PM Fee: \$ 0.00

Page 1 of 48

Recorded in Official Records
County of Riverside
Peter Aldana
Assessor-County Clerk-Recorder



6080

DEVELOPMENT AGREEMENT NO. 2200003

A DEVELOPMENT AGREEMENT BETWEEN

COUNTY OF RIVERSIDE

AND

UNIUN ENERGY MANAGEMENT SERVICES, LLC and

THOUSAND PALMS 278, LLC

JUL 26 2022 211

TABLE OF CONTENTS

RECITALS	1
COVENANTS	2
1. DEFINITIONS AND EXHIBITS	2
1.1 Definitions	2
1.1.1 “Agreement”	2
1.1.2 “Base Payment”	2
1.1.3 “COUNTY”	2
1.1.4 “Development”	3
1.1.5 “Development Approvals”	3
1.1.6 “Development Exaction”	3
1.1.7 “Development Plan”	3
1.1.8 “Effective Date”	3
1.1.9 “Existing Development Approvals”	3
1.1.10 “Existing Land Use Regulations”	3
1.1.11 “Fiscal Year”	3
1.1.12 “Land Use Regulations”	3
1.1.13 “Local Sales and Use Taxes”	4
1.1.14 “Mortgagee”	4
1.1.15 “OWNER”	4
1.1.16 “Project”	4
1.1.17 “Property”	4

1.1.18	“Reservations of Authority”	4
1.1.19	“Solar Power Plant”	4
1.1.20	“Solar Power Plant Net Acreage”	4
1.1.21	“Subsequent Development Approvals”	5
1.1.224	“Subsequent Land Use Regulations”	5
1.1.23	“Transfer”	5
1.2	Exhibits	5
2.	GENERAL PROVISIONS	5
2.1	Binding Effect of Agreement	5
2.2	Ownership of Property	5
2.3	Term	6
2.4	Transfer	6
2.4.1	Right of Transfer	6
2.4.2	Release of Transferring Owner	6
2.4.3	Subsequent Assignment	7
2.5	Amendment or Cancellation of Agreement	7
2.6	Termination	7
2.7	Notices	7
3.	DEVELOPMENT OF THE PROPERTY	9
3.1	Rights to Develop	9
3.2	Effect of Agreement on Land Use Regulations	9
3.3	Timing of Development	9
3.4	Phasing Plan	10

3.5	Changes and Amendments	10
3.6	Reservations of Authority	10
3.6.1	Limitations, Reservations and Exceptions	10
3.6.2	Subsequent Development Approvals	11
3.6.3	Modification or Suspension by State or Federal Law	11
3.6.4	Intent	12
3.7	Public Works	12
3.8	Provision of Real Property Interests by COUNTY	12
3.9	Regulation by Other Public Agencies	12
3.10	Tentative Tract Map Extension	13
3.11	Vesting Tentative Maps	13
4.	PUBLIC BENEFITS	13
4.1	Intent	13
4.2	Annual Public Benefit Payment	13
4.2.1	Initial Annual Public Benefit Payment	13
4.2.2	Subsequent Annual Public Benefit Payments	13
4.2.3	Suspension of Power Production	13
4.2.4	Continuation of Payments	14
4.3	Local Sales and Use Taxes	14
4.4	Development Impact Fees	15
5.	FINANCING OF PUBLIC IMPROVEMENTS	15
6.	REVIEW FOR COMPLIANCE	16
6.1	Annual Review	16

6.2	Special Review	17
6.3	Procedure	17
6.4	Proceedings Upon Modification or Termination	17
6.5	Hearing on Modification or Termination	17
6.6	Certificate of Agreement Compliance	18
7.	INCORPORATION AND ANNEXATION	18
7.1	Intent	18
7.2	Incorporation	18
7.3	Annexation	18
8.	DEFAULT AND REMEDIES	18
8.1	Remedies in General	18
8.2	Specific Performance	19
8.3	Release	19
8.4	Termination or Modification of Agreement for Default of OWNER	19
8.5	Termination of Agreement for Default of COUNTY	20
9.	THIRD PARTY LITIGATION	20
9.1	General Plan Litigation	20
9.2	Third Party Litigation Concerning Agreement	20
9.3	Indemnity	21
9.4	Environment Assurances	21
9.5	Reservation of Rights	21
9.6	Survival	21
10.	MORTGAGEE PROTECTION	21

11. MISCELLANEOUS PROVISIONS	22
11.1 Recordation of Agreement	22
11.2 Entire Agreement	23
11.3 Severability	23
11.4 Interpretation and Governing Law	23
11.5 Section Headings	23
11.6 Singular and Plural	23
11.7 Joint and Several Obligations	23
11.8 Time of Essence	23
11.9 Waiver	23
11.10 No Third Party Beneficiaries	24
11.11 Force Majeure	24
11.12 Mutual Covenants	24
11.13 Successors in Interest	24
11.14 Counterparts	24
11.15 Jurisdiction and Venue	24
11.16 Project as a Private Undertaking	24
11.17 Further Actions and Instruments	24
11.18 Eminent Domain	25
11.19 Agent for Service of Process	25
11.20 Designation of COUNTY Officials	25
11.21 Authority to Execute	25
SIGNATURES	26

DEVELOPMENT AGREEMENT NO. 2200003

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"):

UNIUN ENERGY MANAGEMENT SERVICES, LLC, a California Limited Liability Company; and THOUSAND PALMS 278, LLC, a California Limited Liability Company

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, development of the Property in accordance with this Agreement will provide substantial benefits to COUNTY and will further important policies and goals of COUNTY; 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 Payment" means an amount equal to \$150 multiplied by the entire Solar Power Plant Net Acreage 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 2013 (currently \$179 per acre in 2022).

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

1.1.4 "Development" means any required improvements 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 of buildings and 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.

1.1.5 "Development Approvals" means all applicable permits and other as needed entitlements for use subject to approval or issuance by COUNTY in connection with development of the Property including, but not limited to:

- (a) Specific plans and specific plan amendments;
- (b) Zoning;
- (c) Conditional use permits, public use permits and plot plans;
- (d) Tentative and final subdivision and parcel maps;
- (e) Grading and building permits.

1.1.6 "Development Exaction" means any requirement of 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.

1.1.7 "Development Plan" means the Existing Development Approvals and the Existing Land Use Regulations applicable to development of the Property.

1.1.8 "Effective Date" means the date this Agreement is recorded with the County Recorder.

1.1.9 "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.

1.1.10 "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.

1.1.11 "Fiscal Year" means the period beginning on July 1 of each year and ending on the next succeeding June 30.

1.1.12 "Land Use Regulations" means all applicable 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 (other than the encroachment permit described in Section 3.6.2);
- (e) The exercise of the power of eminent domain.

1.1.13 "Local Sales and Use Taxes" means the one percent sales and use taxes imposed pursuant to and governed by the Bradley-Burns Uniform Local Sales and Use Tax Law, Revenue and Taxation Code Section 7200 et seq.

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 persons and entities listed as OWNER on the first page of this Agreement and their successors in interest to all or any part of the Property.

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 3.6 of this Agreement.

1.1.19 "Solar Power Plant" means the Project together with the related solar power plant real property and facilities described and shown on Exhibit "E".

1.1.20 "Solar Power Plant Net Acreage" means the area of all parts of the Property, and any other real property which is part of the Solar Power Plant, that is involved in the production, storage or transmission of power. "Solar Power Plant Net Acreage" includes, but is not limited to, all areas occupied by the power block, solar collection equipment, spaces contiguous to solar collection equipment, transformers, transmission lines and piping, transmission facilities, buildings, structures, service roads (regardless of surface

type and including service roads between collectors), and fencing surrounding all such areas. "Solar Power Plant Net Acreage" shall not include any access roads outside the Property, and shall not include any areas specifically designated and set aside either as environmentally sensitive land or open space land, and shall not include the fencing of such designated lands. The Solar Power Plant Net Acreage under the Existing Development Approvals is 151.6 net acres and is described and shown on Exhibit "F" to this Agreement. In the event the Project is modified by any Subsequent Development Approval, the Planning Director, in consultation with the County Executive Officer and County Counsel, shall recalculate the Solar Power Plant Net Acreage as part of such Subsequent Development Approval and such recalculated Solar Power Plant Net Acreage shall be used for all purposes under this Agreement after the effective date of such Subsequent Development Approval.

1.1.21 "Subsequent Development Approvals" means all Development Approvals approved subsequent to the Effective Date in connection with development of the Property.

1.1.22 "Subsequent Land Use Regulations" means any Land Use Regulations adopted and effective after the Effective Date of this Agreement.

1.1.23 "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" -- Solar Power Plant.

Exhibit "F" -- Solar Power Plant Net Acreage.

Exhibit "G" -- Applicable County Development Impact Fees.

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. The term of this Agreement shall commence on the Effective Date and shall continue for a period of thirty-four and one-half (34 ½) years from the issuance of the first grading or building permit, whichever comes first, unless this term is modified or extended pursuant to the provisions of this Agreement.

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 transfer of all or a part of the interest in 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 acceptable to COUNTY, and 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 in all respects 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.

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

(d) Cancellation of this Agreement by the parties pursuant to Section 2.5 of this Agreement.

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

Planning Director
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:

UNIUN Energy Management Services, LLC
Attn: Fred Noble

2045 East Tahquitz Canyon Way
Palms Springs, CA 92262

(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 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, subject only to any timing or phasing requirements set forth in the Development Plan or the Phasing Plan set forth in Section 3.4.

3.4 Phasing Plan. Development of the Property shall be subject to all timing and phasing requirements established by the Development Plan, including construction of the inverter, substation, and battery first, and the solar elements second.

3.5 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, including an increase in the height of structures by more than 15 feet; 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.

3.6 Reservations of Authority.

3.6.1 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; provided, however, that no such subsequently adopted Development Exaction shall be applicable to development of the Property unless 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.

3.6.2 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. However, notwithstanding the foregoing or anything to the contrary contained in the Existing Land Use Regulations or in the Municipal Code of COUNTY, OWNER shall have the right to install infrastructure associated with the Solar Power Plant in all public rights of way which have not been improved, based on an encroachment permit only and without the need for a franchise from COUNTY. Notwithstanding the foregoing, OWNER shall pay the Base Payment, as provided in this Agreement.

3.6.3 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, 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.

3.6.4 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.

3.7 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. This provision shall not, in and of itself, require the application of California Labor Code 1720 et. seq. or the California Public Contract Code.

3.8 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 3.8 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.

3.9 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.

3.10 Tentative Tract Map Extension. Notwithstanding the provisions of Section 66452.6 of the Government Code, 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 Existing Land Use Regulations.

3.11 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.

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 Annual Public Benefit Payments.

4.2.1 Initial Annual Public Benefit Payment. Within five (5) business days following the commencement of grading of the Solar Power Plant, OWNER shall pay to COUNTY an amount equal to the Base Payment calculated on the entire Solar Power Plant Net Acreage; provided, however, that such initial annual public benefit payment shall be prorated based on the number of whole months remaining between the date of payment and the first following September 30th. OWNER acknowledges and agrees that if such amount is not paid within five (5) days, it will stop work upon notice by COUNTY.

4.2.2 Subsequent Annual Public Benefit Payments. Prior to the first September 30th following the initial annual public benefit payment and each September 30th thereafter during the term of the Agreement, OWNER shall pay to COUNTY an amount equal to the Base Payment.

4.2.3 Suspension of Power Production. In the event the County takes action which compels a Solar Power Plant included in the Solar Power Plant Net Acreage to stop all power production for a period longer than 90 consecutive days for any reason other than a default under this Agreement or a violation of the conditions of approval of any Existing Development Approval or Subsequent Development Approval, the next payment due

under Subsection 4.2.2 may be reduced up to 50 percent based on the period of time the Solar Power Plant was compelled to remain inoperative.

4.2.4 Continuation of Payments. Should all or any portion of Property become part of a city or another county, the payments payable pursuant to Subsection 4.2.2 shall be paid to COUNTY prior to the effective date of incorporation or annexation. During any incorporation or annexation proceeding, OWNER shall agree that any incorporation or annexation may be conditioned so as to require OWNER to make said payments to COUNTY prior to the effective date of incorporation or annexation.

4.3. Local Sales and Use Taxes. OWNER and COUNTY acknowledge and agree that solar power plant owners have substantial control with respect to sales and use taxes payable in connection with the construction of a solar power plant and a corresponding responsibility to assure that such sales and use taxes are reported and remitted to the California State Board of Equalization (BOE) as provided by law. To ensure allocation directly to COUNTY, to the maximum extent possible under the law, of the sales and use taxes payable in connection with the construction of the Solar Power Plant, OWNER shall do the following, consistent with law:

(a) If OWNER meets the criteria set forth in applicable BOE regulations and policies, OWNER shall obtain a BOE permit, or sub-permit, for the Solar Power Plant jobsite and report and remit all such taxable sales or uses pertaining to construction of the Solar Power Plant using the permit or sub-permit for that jobsite to the maximum extent possible under the law.

(b) OWNER shall contractually require that all contractors and subcontractors whose contract with respect to the Solar Power Plant exceeds \$100,000.00 ("Major Subcontractors") who meet the criteria set forth in applicable BOE regulations and policies must obtain a BOE permit, or sub-permit, for the Solar Power Plant jobsite and report and remit all such taxable sales or uses pertaining to construction of the Solar Power Plant using the permit or sub-permit for that jobsite to the maximum extent possible under the law.

(c) Prior to the commencement of any grading or construction of the Solar Power Plant, OWNER shall deliver to COUNTY a list that includes, as applicable and without limitation, each contractor's and Major Subcontractor's business name, value of contract, scope of work on the Solar Power Plant, procurement list for the Solar Power Plant, BOE account numbers and permits or sub-permits specific to the Solar Power Plant jobsite, contact information for the individuals most knowledgeable about the Solar Power Plant and the sales and use taxes for such Solar Power Plant, and, in addition, shall attach copies of each permit or sub-permit issued by the BOE specific to the Solar Power Plant jobsite. Said list shall include all the above information for OWNER, its contractors, and all Major Subcontractors. OWNER shall provide updates to COUNTY of the information required under this section within thirty (30) days of any changes to the same, including the addition of any contractor or Major Subcontractor.

(d) OWNER shall certify in writing that OWNER understands the procedures for reporting and remitting sales and use taxes in the State of California and will follow all applicable state statutes and regulations with respect to such reporting and remitting.

(e) OWNER shall contractually require that each contractor or Major Subcontractor certify in writing that they understand the procedures for reporting and remitting sales and use taxes in the State of California and will follow all applicable state statutes and regulations with respect to such reporting and remitting.

(f) OWNER shall deliver to COUNTY or its designee (as provided in section (g) below) copies of all sales and use tax returns pertaining to the Solar Power Plant filed by the OWNER, its contractors and Major Subcontractors. Such returns shall be delivered to COUNTY or its designee within thirty (30) days of filing with the BOE. Such returns may be redacted to protect, among other things, proprietary information and may be supplemented by additional evidence that payments made complied with this policy.

(g) OWNER understands and agrees that COUNTY may, in its sole discretion, select and retain the services of a private sales tax consultant with expertise in California sales and use taxes to assist in implementing and enforcing compliance with the provisions of this Agreement and that OWNER shall be responsible for all reasonable costs incurred for the services of any such private sales tax consultant and shall reimburse COUNTY within thirty (30) days of written notice of the amount of such costs.

4.4 Development Impact Fees. Ordinance No. 659 is the COUNTY's Development Impact Fee Program (DIF) adopted under the authority of the Mitigation Fee Act. DIF applies to all development in COUNTY under the COUNTY's land use jurisdiction. Per Ordinance No. 659, the fees collected under the DIF program "shall be used toward the construction and acquisition of Facilities identified in the Needs List and the acquisition of open space and habitat". OWNER and COUNTY acknowledge and agree that solar power plants do not present the same Facilities needs as other new residential, commercial, or industrial development. For that reason, OWNER and COUNTY agree that the application and payment of the surface mining Development Impact Fee category from Ordinance No. 659 computed on a Project Area basis as set forth in Section 13 of Ordinance No. 659 is appropriate for the Project due to similar development impacts. The applicable Development Impact Fees for the Project are set forth in Exhibit G to this Agreement. The applicable Development Impact Fees shall be paid when a certificate of occupancy is issued for the Project or upon final inspection, whichever occurs first. However, this section shall not be construed to prevent payment of the Development Impact Fees prior to issuance of an occupancy permit or final inspection. The Development Impact Fees may be paid at the time application is made for a building permit as set forth in Section 12 of Ordinance No. 659.

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 Transportation and Land Management Agency Director ("TLMA Director"), in consultation with the County Executive Officer and County Counsel, shall review this Agreement annually, on or before the September 15th of each year commencing on the September 15th at least six (6) months after the Effective Date, in order to ascertain the good faith compliance by OWNER with the terms of the Agreement. On or before July 1st of each year, 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 in an amount equal to three (3) times the annual review and administration fee 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 original required amount after notice by COUNTY to OWNER. Failure by OWNER to submit an annual monitoring report by July 1st 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 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.

6.4 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 (10) 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.

6.5 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 of Supervisors 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.

6.6 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 annual 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.

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 6.5, 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 which 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."

8.4 Termination or Modification of Agreement for Default of OWNER. Subject to the provisions contained in Subsection 6.5 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 sixty (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 sixty (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. In response to any third-party litigation concerning this Agreement, OWNER may alternatively, in its sole discretion, (1) abandon the Development Plan and terminate its payment obligations under this Agreement, or (2) settle with third-party litigants, provided that such settlement does not require changes in the Development Plan that must be approved by COUNTY.

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 approve the attorney(s) which OWNER selects, hires or otherwise engages to defend COUNTY hereunder, which approval shall not be unreasonably withheld.

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 Sections 4.1, 4.2, 4.3, and 4.4 of this Agreement, to the extent that such payments are due, 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 Section 4.2 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 at any time during the term of this Agreement the Property is owned, in whole or in part, 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. 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. In the event of a Material Condemnation, meaning 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, 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.

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

COUNTY OF RIVERSIDE

Dated: _____
By: Jeff Hewitt
Jeff Hewitt
Chairman, Board of Supervisors

ATTEST:

KECIA HARPER-IHEM

Clerk of the Board

By: Maria Raso
Deputy
(SEAL)

FORM APPROVED COUNTY COUNSEL

BY: Aaron C. Gettis 7-14-22
AARON C. GETTIS DATE

OWNER:

Unium Energy Management Services, LLC,
a California limited liability company

By: *FW Noble*

Name: FREDERICK W. NOBLE

Its: MANAGER

Dated: 7/14/22

Thousand Palms 278, LLC,
a California limited liability company

By: *James L. Fullaker*

Name: JAMES L. FULLAKER

Its: MANAGER

Dated: 7/19/2022

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

See attached California All-Purpose Acknowledgment.

Deanne Marie Metzger
Notary Public

7/18/2022

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

CIVIL CODE § 1189

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California)

County of Riverside)

On July 18, 2022 before me, Leanne Marie McKenzie, Notary Public
Date Here Insert Name and Title of the Officer

personally appeared Frederick W. Noble
Name(s) of Signer(s)

who proved to me on the basis of satisfactory evidence to be the person~~(s)~~ whose name~~(s)~~ is are subscribed to the within instrument and acknowledged to me that he she they executed the same in his/her/their authorized capacity~~(ies)~~, and that by his/her/their signature~~(s)~~ on the instrument the person~~(s)~~, or the entity upon behalf of which the person~~(s)~~ acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.



Signature Leanne Marie McKenzie
Signature of Notary Public

Place Notary Seal Above

OPTIONAL

Though this section is optional, completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

Description of Attached Document

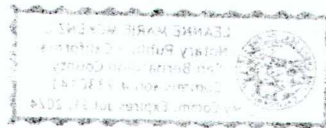
Title or Type of Document: Development Agreement # 2200003 Document Date: July 18, 2022
Number of Pages: _____ Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: Frederick W. Noble
☐ Corporate Officer — Title(s): _____
☐ Partner — ☐ Limited ☐ General
☐ Individual ☐ Attorney in Fact
☐ Trustee ☐ Guardian or Conservator
☒ Other: Owner

Signer Is Representing: Unum Energy Management Services, LLC

Signer's Name: _____
☐ Corporate Officer — Title(s): _____
☐ Partner — ☐ Limited ☐ General
☐ Individual ☐ Attorney in Fact
☐ Trustee ☐ Guardian or Conservator
☐ Other: _____
Signer Is Representing: _____



CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT**CIVIL CODE § 1189**

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

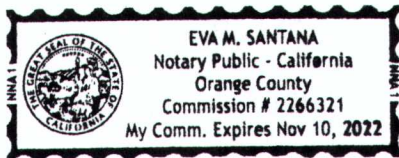
State of California)

County of Orange)On July 19, 2022 before me, Eva M. Santana, Notary Public,
Date Here Insert Name and Title of the Officerpersonally appeared James L. Fullmer
Name(s) of Signer(s)

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature Eva M. Santana
Signature of Notary Public

Place Notary Seal Above

OPTIONAL

Though this section is optional, completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

Description of Attached Document

Title or Type of Document: _____ Document Date: _____

Number of Pages: _____ Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____

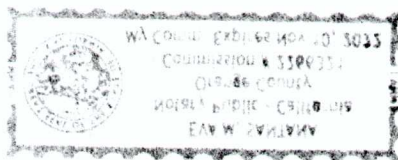
☐ Corporate Officer — Title(s): _____☐ Partner — ☐ Limited ☐ General☐ Individual ☐ Attorney in Fact☐ Trustee ☐ Guardian or Conservator☐ Other: _____

Signer Is Representing: _____

Signer's Name: _____

☐ Corporate Officer — Title(s): _____☐ Partner — ☐ Limited ☐ General☐ Individual ☐ Attorney in Fact☐ Trustee ☐ Guardian or Conservator☐ Other: _____

Signer Is Representing: _____



Development Agreement No. 2200003

EXHIBIT "A"

LEGAL DESCRIPTION OF THE PROPERTY

The Land referred to herein below is situated in an Unincorporated Area of the County of Riverside, State of California, and is described as follows:

PARCEL 1:

PARCELS 21, 22, 23, 24, 25, 26, 27 AND 28, IN THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS SHOWN ON THE RECORDS OF SURVEY, FILED IN BOOK 22, PAGE 3 OF RECORDS OF SURVEY, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

EXCEPT THEREFROM THE WESTERLY 140.00 FEET OF SAID PARCELS 24 AND 25 AS CONVEYED TO SOUTHERN CALIFORNIA EDISON COMPANY BY THE DEED RECORDED AUGUST 7, 1984 AS INSTRUMENT NO. 172083, OFFICIAL RECORDS.
PARCEL 1A:

AN EASEMENT FOR ROADWAY AND PUBLIC UTILITY PURPOSES TO BE USE IN COMMON WITH OTHER OVER VARIOUS STRIPS OF LAND DESIGNATED OF LAND DESIGNATED AS "ROAD EASEMENTS" AS SHOWN ON THE RECORD OF SURVEY FILED IN BOOK 22, PAGE 3 OF RECORDS OF SURVEY, RIVERSIDE COUNTY RECORDS.

PARCEL 2:

PARCELS 41, 42, 43, 44, 45, 46, 47, 48, AND 49, IN THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS SHOWN ON THE RECORD OF SURVEY FILED IN BOOK 25, PAGE 44 OF RECORDS OF SURVEY, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

PARCEL 2A:

AN EASEMENT FOR ROADWAY AND PUBLIC UTILITY PURPOSES TO BE USED IN COMMON WITH OTHERS OVER VARIOUS STRIPS OF LAND DESIGNATED AS "ROAD EASEMENTS" AS SHOWN ON THE RECORD OF SURVEY FILED IN BOOK 25, PAGE 44 OF RECORDS OF SURVEY, RIVERSIDE COUNTY RECORDS.

PARCEL 3: INTENTIONALLY DELETED

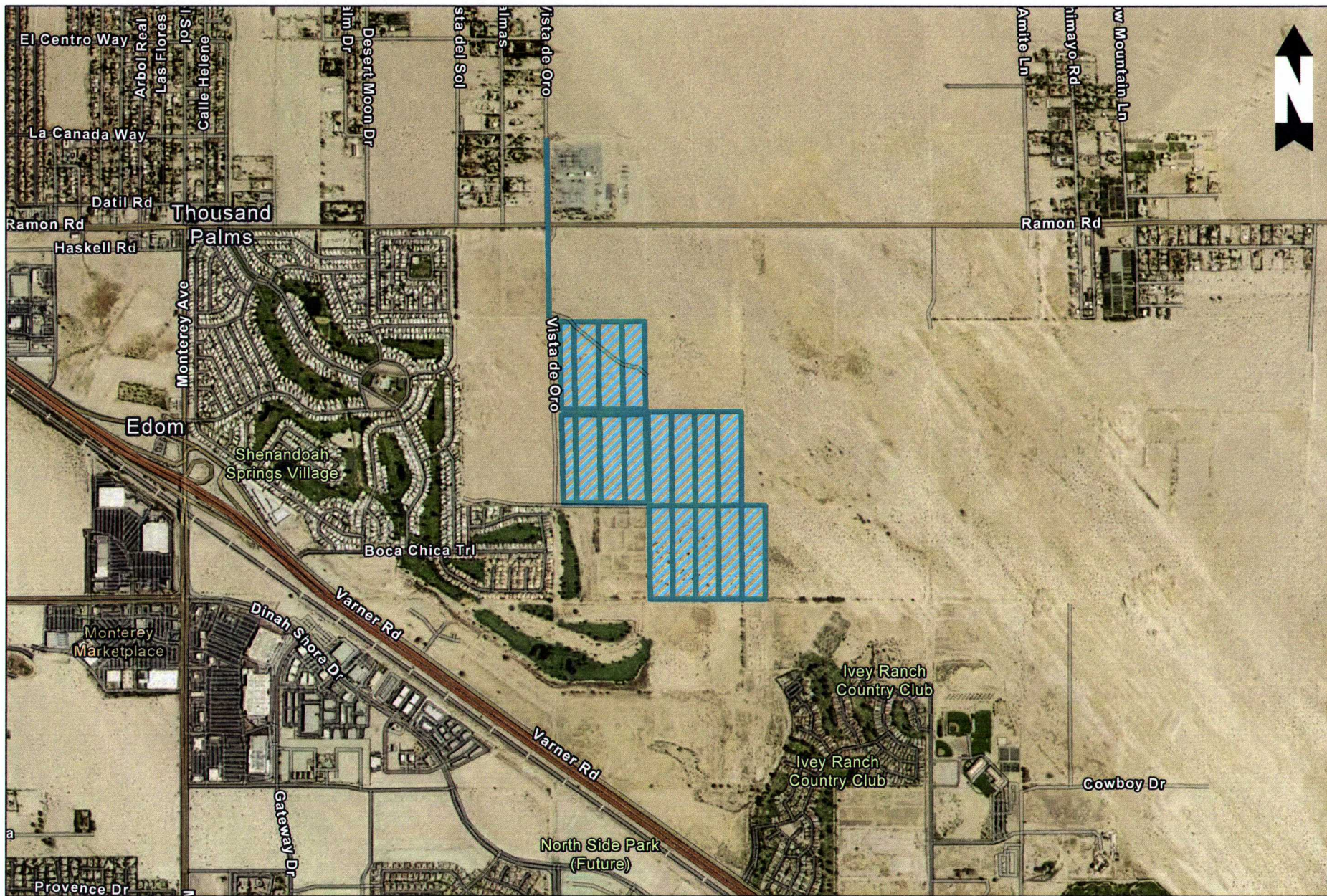
For conveyancing purposes only: APN 651-130-062 (Affects: Parcel 21 of Parcel 1);
651-130-063 (Affects: Parcel 22 of Parcel 1);
651-130-064 (Affects: Parcel 23 of Parcel 1);
651-130-065 (Affects: Parcel 24 of Parcel 1);

651-140-039 (Affects: Parcel 25 of Parcel 1);
651-140-040 (Affects: Parcel 26 of Parcel 1);
651-140-041 (Affects: Parcel 27 of Parcel 1);
651-140-042 (Affects: Parcel 28 of Parcel 1);
651-140-017 (Affects: Parcel 41 of Parcel 2);
651-140-018 (Affects: Parcel 42 of Parcel 2);
651-140-019 (Affects: Parcel 43 of Parcel 2);
651-140-020 (Affects: Parcel 44 of Parcel 2);
651-140-021 (Affects: Parcel 45 of Parcel 2);
651-140-022 (Affects: Parcel 46 of Parcel 2);
651-140-023 (Affects: Parcel 47 of Parcel 2);
651-140-024 (Affects: Parcel 48 of Parcel 2);
651-140-025 (Affects: Parcel 49 of Parcel 2)

Development Agreement No. 2200003

EXHIBIT "B"

MAP SHOWING PROPERTY AND ITS LOCATION



1 in = 0.36 miles

Development Agreement No. 2200003

EXHIBIT "C"

EXISTING DEVELOPMENT APPROVALS

Specific Plan

The development is not in a specific plan

Zoning and Use Permits

Change of Zone No. 2200004

Conditional Use Permit No. 2200003

Land Divisions

None

Other Development Approvals or Documents

Initial Study and Mitigated Negative Declaration

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.

Development Agreement No. 2200003

EXHIBIT "D"

EXISTING LAND USE REGULATIONS

1. Riverside County General Plan as amended through Resolution No. 2021-108
2. Ordinance No. 348 as amended through Ordinance No. 348.4978
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. 458.17
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. 673.5
17. Ordinance No. 679 as amended through Ordinance No. 679.4

18. Ordinance No. 682 as amended through Ordinance No. 682.6
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. 810.3
28. Ordinance No. 817 as amended through Ordinance No. 817.1
29. Ordinance No. 824 as amended through Ordinance No. 824.17
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. Resolution No. 2020-124 Establishing Procedures and Requirements of
the County of Riverside for the Consideration of Development
Agreements

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

Development Agreement No. 220003

EXHIBIT "E"

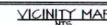
The proposed Project is a passive solar facility. Energy would be transported from the Project site substation to SCE's Mirage Substation through a 230-kilovolt (kV) generation tie (gen-tie) lines that would be undergrounded. Underground or overhead collector lines would transmit energy to and from an on-site substation, to be located on the northeasterly portion of the northerly parcel on the project site, and the Battery Energy Storage System (BESS). Inverters located adjacent to the enclosures would invert and step-up energy to 230 kilovolts for transmission to the SCE Mirage Substation or invert from alternating current to direct current for storage in the BESS. The Project would provide 10 standard parking spaces for maintenance workers. No onsite building will be built for staff or maintenance workers. Additionally, the perimeter of the solar facility would be enclosed by an 8-foot-high chain-link fence and landscaping on the west and southern perimeters. Lighting is provided to the solar facility through 14-foot-high light poles on motion sensors with shielding and directed downwards into the solar facility. There is a 4.8-acre area that includes cultural resources that will not be disturbed by the solar facility.

Development Agreement No. 2200003

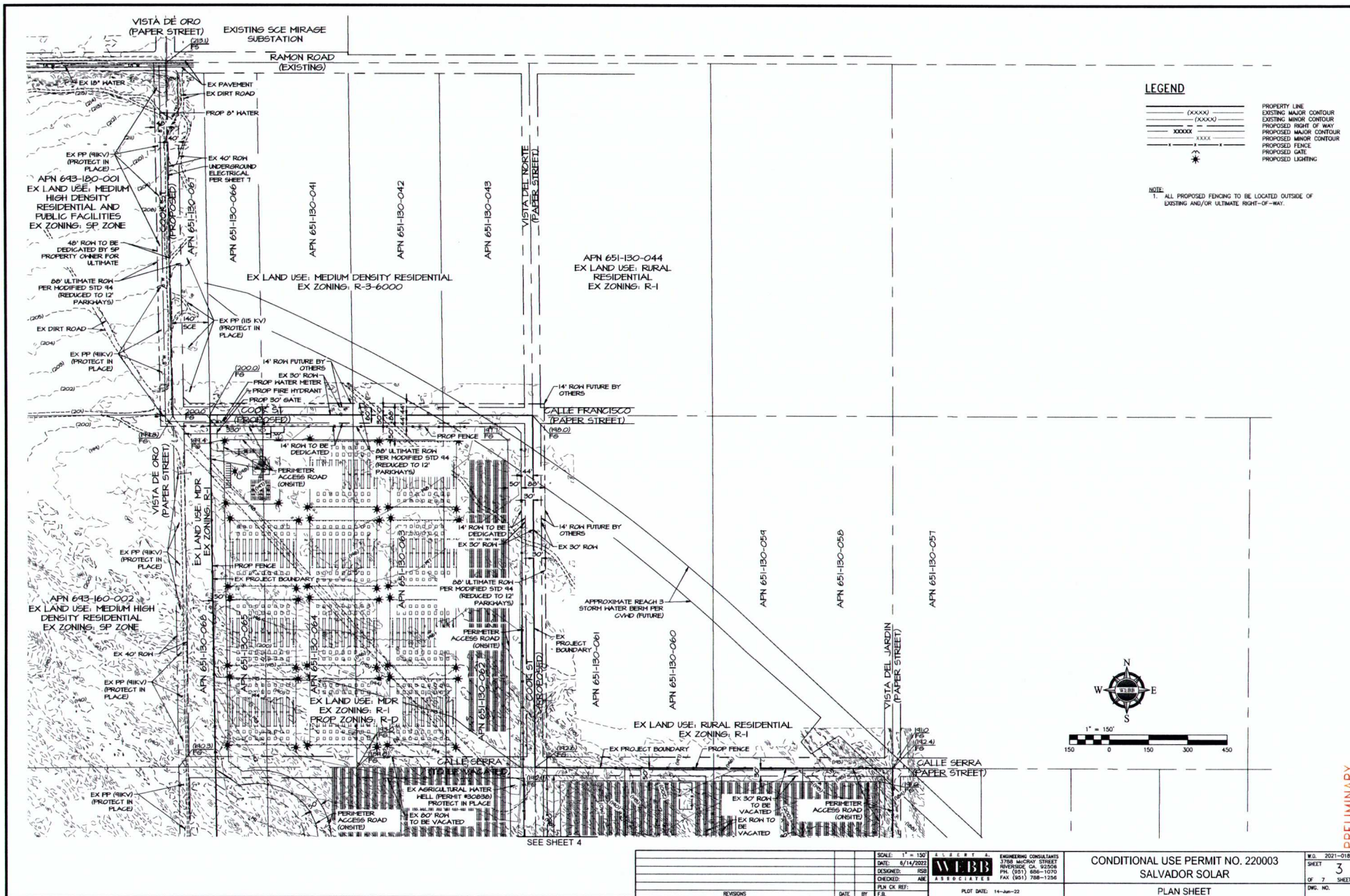
EXHIBIT "F"

SOLAR POWER PLANT NET ACREAGE

LOCATED IN SECTION 21, T. 4 S., R. 6 E., S.B.M.



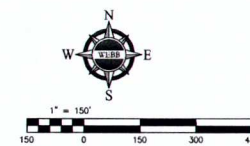
PRELIMINARY



LEGEND

-----	PROPERTY LINE
-----	EXISTING MAJOR CONTOUR
-----	EXISTING MINOR CONTOUR
-----	PROPOSED RIGHT OF WAY
-----	PROPOSED MAJOR CONTOUR
-----	PROPOSED MINOR CONTOUR
-----	PROPOSED FENCE
-----	PROPOSED GATE
-----	PROPOSED LIGHTING

NOTE:
1. ALL PROPOSED FENCING TO BE LOCATED OUTSIDE OF EXISTING AND/OR ULTIMATE RIGHT-OF-WAY.



PRELIMINARY

REVISIONS	DATE	BY	SCALE: 1" = 150'	DATE: 6/14/2022	DESIGNED: RSB	CHECKED: ABE	PLN OR REF: F.B.	PLT DATE: 11-Jun-22	ENGINEERING CONSULTANTS 3700 MCGRAY STREET RIVERSIDE, CA 92504 PH: (951) 656-1070 FAX: (951) 738-1254	CONDITIONAL USE PERMIT NO. 220003 SALVADOR SOLAR	NO. 2021-0196 SHEET 3 OF 7 SHEETS DWE: MD
-----------	------	----	------------------	-----------------	---------------	--------------	------------------	---------------------	---	---	--

Development Agreement No. 2200003

EXHIBIT "G"

APPLICABLE COUNTY DEVELOPMENT IMPACT FEES

Development Impact Fees are calculated to be \$6,717 dollars per net acre of project development. The net project development is 151.6 acres.

Maxwell, Sue

From: Wheeler, Timothy
Sent: Monday, July 25, 2022 4:37 PM
To: COB
Cc: Hildebrand, John; Brady, Russell
Subject: Memo for Agenda Item 21.1 (CZ2200004 / CUP220003 / DA2200003)
Attachments: 21.1_CUP220003-Memo for Revised exhibits & COA changes BOS 7.26.22.pdf

Importance: High

Please provide this Memo to the Board of Supervisors for their review in association with Agenda Item 21.1 for tomorrow's meeting.

Kind Regards,

Tim Wheeler
Urban Regional Planner IV
4080 Lemon St - 12th floor
Riverside, CA 92501
951-955-6060

How are we doing? Click the Link and tell us



*John Hildebrand
Planning Director*

RIVERSIDE COUNTY PLANNING DEPARTMENT

Memorandum

Date: July 25, 2022

To: Riverside County Board of Supervisors

From: Tim Wheeler, Project Planner

RE: Item 21.1 – Revised Site Plan exhibits and changes to Conditions of Approval regarding Transportation for the project (CZ2200004/CUP220003/DA2200003 – Salvador Solar)

Since completion of the report package for the Board of Supervisors meeting on July 26, 2022, Staff has received revised Site Plan exhibits (attached) and changes have been made to some of the Conditions of Approvals (AND/COA) for the project regarding Transportation. Revisions were needed to provide clarification on the limits of road right-of-way dedication for Conditional Use Permit No. 220003. The AND/COAs are from the Transportation Department and have been changed in the project. The changes are as follows:

Transportation:

Advisory Notification – 015 – Trans – General Conditions

- 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. The County of Riverside applicable ordinances 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.
- The Project shall submit a preliminary soils and pavement investigation report addressing the construction requirements within the road right-of-way.
- Alterations to natural drainage patterns shall require protecting downstream properties by means approved by the Transportation Department.
- If the Transportation Department allows the use of streets for drainage purposes, the 10-year discharge shall be contained in the top of curb or asphalt concrete dikes, and the 100-year discharge shall be contained in the street right-of-way.
- The Project shall install street name sign(s) in accordance with County Standard No. 816 and as directed by the Transportation Department.
- All corner cutbacks shall be applied per Standard 805, Ordinance 461, except for corners at Entry streets intersecting with General Plan roads, they shall be applied per Exhibit 'C' of the Countywide Design Guidelines.
- All centerline intersections shall be at 90 degrees, plus or minus 5 degrees.
- At intersections, local streets (below County Collector Road Standard) shall have a minimum 50' tangent, measured from flowline/curb-face to the end of the 50' tangent section.

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

"Planning Our Future... Preserving Our Past"

- Vacating/abandoning excess public rights-of-way requires a separate request from the Project that is approved by the Board of Supervisors. If said excess public rights-of-way is also County owned land, it may be necessary to enter into an agreement with the County for its purchase or exchange.
- The off-site rights-of-way for access road(s) required by the project shall be accepted to vest title in the name of the public if not already accepted.
- If any portion of the project is phased, the Project shall provide primary and secondary off-site access roads for each phase with routes to County maintained roads as approved by the Transportation Department.
- If there are previously dedicated public roads and utility easements that were not accepted by the County, the Project shall file a separate application to the County of Riverside, Office of the County Surveyor, for the acceptance of the existing dedications by resolution and bear all costs thereof.
- 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.
- Improvement plans for the required improvements must be prepared and shall be based upon a design profile extending a minimum of 300 feet beyond the limit of construction at a grade and alignment as approved by the Riverside County Transportation Department. Completion of road improvements does not imply acceptance for maintenance by County. Street Improvement Plans shall comply with Ordinance 460, 461, Riverside County Improvement Plan Check Policies and Guidelines, which can be found online <http://rctlma.org/trans>.

Prior to Issuance – 080 – Survey – Dedication

Cook Street (Vista De Oro) between Ramon Road and Calle Francisco:

Sufficient public street right-of-way along Cook Street shall be conveyed for public use to provide for a 88-foot full-width dedicated right-of-way (48' west of centerline, 40' east of centerline) per Standard No. 94, Ordinance No. 461 (modified).

Cook Street (Calle Francisco) between Vista De Oro and Vista Del Norte:

Sufficient public street right-of-way along Cook Street shall be conveyed for public use to provide for a 74-foot full-width dedicated right-of-way (44' project side, 30' opposite side) per Standard No. 94, Ordinance No. 461 (modified).

Cook Street (Vista Del Norte) between Calle Francisco and Calle Serra:

Sufficient public street right-of-way along Cook Street shall be conveyed for public use to provide for a 74-foot full-width dedicated right-of-way (44' project side, 30' opposite side) per Standard No. 94, Ordinance No. 461 (modified).

Cook Street (Vista Del Norte) between Calle Serra and Calle Desierto:

Sufficient public street right-of-way along Cook Street shall be conveyed for public use to provide for a 88-foot full-width dedicated right-of-way (44' project side, 44' opposite side) per Standard No. 94, Ordinance No. 461 (modified).

Cook Street (Vista Del Norte) between Calle Desierto and Calle Calle Tosca:

Sufficient public street right-of-way along Cook Street shall be conveyed for public use to provide for a 44-foot half-width dedicated right-of-way per Standard No. 94, Ordinance No. 461 (modified).

Cook Street (Calle Tosca) between Vista Del Norte and Project Eastern Boundary:

Sufficient public street right-of-way along Cook Street shall be conveyed for public use to provide for a 44-foot half-width dedicated right-of-way per Standard No. 94, Ordinance No. 461 (modified).

Prior to Final – 090 – Trans – Road Improvements and Dedication

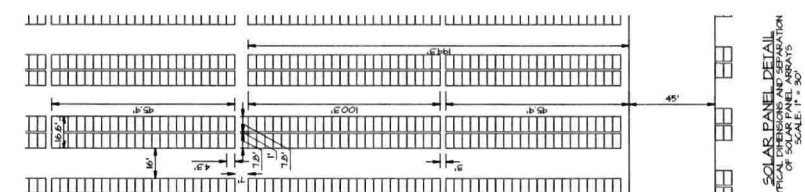
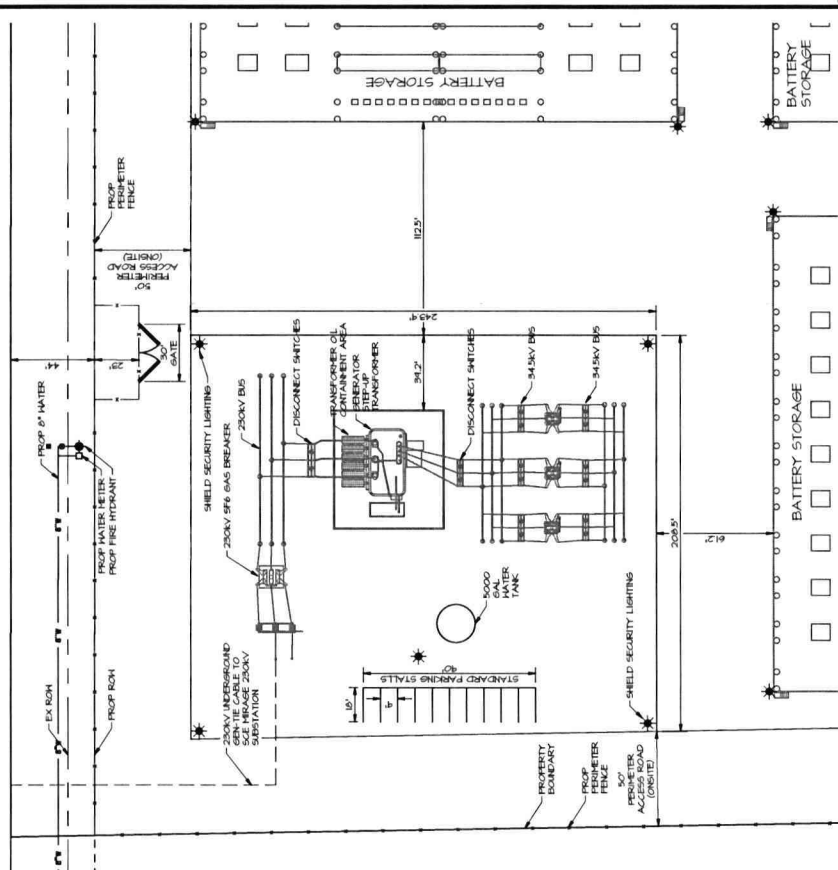
The Project shall provide the following improvements:

- Where full-width road right-of-way is provided (74-88 ft), Cook Street shall be improved with 30' Class II Base.
- Where half-width road right-of-way is provided (44 ft), Cook Street shall be improved with 30' Class II Base within the 44' of half-width dedicated road right-of-way.

NOTES:

1. Proposed perimeter fence to be located outside the existing and/or ultimate right-of-way.
2. Proposed gates to be located 330' from public road intersections or a minimum of 100' if infeasible.
3. The plan and profile shall utilize the design criteria for a Secondary Highway per Std. Nos. 94 and 114, Ord. No. 461.

The Project shall provide/acquire sufficient dedicated public right-of-way, environmental clearances, and signed approval of all street improvement plans for the above improvements. The limits of the improvements shall be consistent with the approved tentative map unless otherwise specified in these conditions. Should the applicant fail to acquire the necessary off-site right of way, the map will be returned for redesign.

[illegible]

[illegible][illegible]



John Hildebrand
Planning Director

RIVERSIDE COUNTY PLANNING DEPARTMENT

Memorandum

Date: July 25, 2022

To: Riverside County Board of Supervisors

From: Tim Wheeler, Project Planner

RE: Item 21.1 – Revised Site Plan exhibits and changes to Conditions of Approval regarding Transportation for the project (CZ2200004/CUP220003/DA2200003 – Salvador Solar)

Since completion of the report package for the Board of Supervisors meeting on July 26, 2022, Staff has received revised Site Plan exhibits (attached) and changes have been made to some of the Conditions of Approvals (AND/COA) for the project regarding Transportation. Revisions were needed to provide clarification on the limits of road right-of-way dedication for Conditional Use Permit No. 220003. The AND/COAs are from the Transportation Department and have been changed in the project. The changes are as follows:

Transportation:

Advisory Notification – 015 – Trans – General Conditions

- 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. The County of Riverside applicable ordinances 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.
- The Project shall submit a preliminary soils and pavement investigation report addressing the construction requirements within the road right-of-way.
- Alterations to natural drainage patterns shall require protecting downstream properties by means approved by the Transportation Department.
- If the Transportation Department allows the use of streets for drainage purposes, the 10-year discharge shall be contained in the top of curb or asphalt concrete dikes, and the 100-year discharge shall be contained in the street right-of-way.
- The Project shall install street name sign(s) in accordance with County Standard No. 816 and as directed by the Transportation Department.
- All corner cutbacks shall be applied per Standard 805, Ordinance 461, except for corners at Entry streets intersecting with General Plan roads, they shall be applied per Exhibit 'C' of the Countywide Design Guidelines.
- All centerline intersections shall be at 90 degrees, plus or minus 5 degrees.
- At intersections, local streets (below County Collector Road Standard) shall have a minimum 50' tangent, measured from flowline/curb-face to the end of the 50' tangent section.

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

- Vacating/abandoning excess public rights-of-way requires a separate request from the Project that is approved by the Board of Supervisors. If said excess public rights-of-way is also County owned land, it may be necessary to enter into an agreement with the County for its purchase or exchange.
- The off-site rights-of-way for access road(s) required by the project shall be accepted to vest title in the name of the public if not already accepted.
- If any portion of the project is phased, the Project shall provide primary and secondary off-site access roads for each phase with routes to County maintained roads as approved by the Transportation Department.
- If there are previously dedicated public roads and utility easements that were not accepted by the County, the Project shall file a separate application to the County of Riverside, Office of the County Surveyor, for the acceptance of the existing dedications by resolution and bear all costs thereof.
- 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.
- Improvement plans for the required improvements must be prepared and shall be based upon a design profile extending a minimum of 300 feet beyond the limit of construction at a grade and alignment as approved by the Riverside County Transportation Department. Completion of road improvements does not imply acceptance for maintenance by County. Street Improvement Plans shall comply with Ordinance 460, 461, Riverside County Improvement Plan Check Policies and Guidelines, which can be found online <http://rctlma.org/trans>.

Prior to Issuance – 080 – Survey – Dedication

Cook Street (Vista De Oro) between Ramon Road and Calle Francisco:

Sufficient public street right-of-way along Cook Street shall be conveyed for public use to provide for a 88-foot full-width dedicated right-of-way (48' west of centerline, 40' east of centerline) per Standard No. 94, Ordinance No. 461 (modified).

Cook Street (Calle Francisco) between Vista De Oro and Vista Del Norte:

Sufficient public street right-of-way along Cook Street shall be conveyed for public use to provide for a 74-foot full-width dedicated right-of-way (44' project side, 30' opposite side) per Standard No. 94, Ordinance No. 461 (modified).

Cook Street (Vista Del Norte) between Calle Francisco and Calle Serra:

Sufficient public street right-of-way along Cook Street shall be conveyed for public use to provide for a 74-foot full-width dedicated right-of-way (44' project side, 30' opposite side) per Standard No. 94, Ordinance No. 461 (modified).

Cook Street (Vista Del Norte) between Calle Serra and Calle Desierto:

Sufficient public street right-of-way along Cook Street shall be conveyed for public use to provide for a 88-foot full-width dedicated right-of-way (44' project side, 44' opposite side) per Standard No. 94, Ordinance No. 461 (modified).

Cook Street (Vista Del Norte) between Calle Desierto and Calle Calle Tosca:

Sufficient public street right-of-way along Cook Street shall be conveyed for public use to provide for a 44-foot half-width dedicated right-of-way per Standard No. 94, Ordinance No. 461 (modified).

Cook Street (Calle Tosca) between Vista Del Norte and Project Eastern Boundary:

Sufficient public street right-of-way along Cook Street shall be conveyed for public use to provide for a 44-foot half-width dedicated right-of-way per Standard No. 94, Ordinance No. 461 (modified).

Prior to Final – 090 – Trans – Road Improvements and Dedication

The Project shall provide the following improvements:

- Where full-width road right-of-way is provided (74-88 ft), Cook Street shall be improved with 30' Class II Base.
- Where half-width road right-of-way is provided (44 ft), Cook Street shall be improved with 30' Class II Base within the 44' of half-width dedicated road right-of-way.

NOTES:

1. Proposed perimeter fence to be located outside the existing and/or ultimate right-of-way.
2. Proposed gates to be located 330' from public road intersections or a minimum of 100' if infeasible.
3. The plan and profile shall utilize the design criteria for a Secondary Highway per Std. Nos. 94 and 114, Ord. No. 461.

The Project shall provide/acquire sufficient dedicated public right-of-way, environmental clearances, and signed approval of all street improvement plans for the above improvements. The limits of the improvements shall be consistent with the approved tentative map unless otherwise specified in these conditions. Should the applicant fail to acquire the necessary off-site right of way, the map will be returned for redesign.



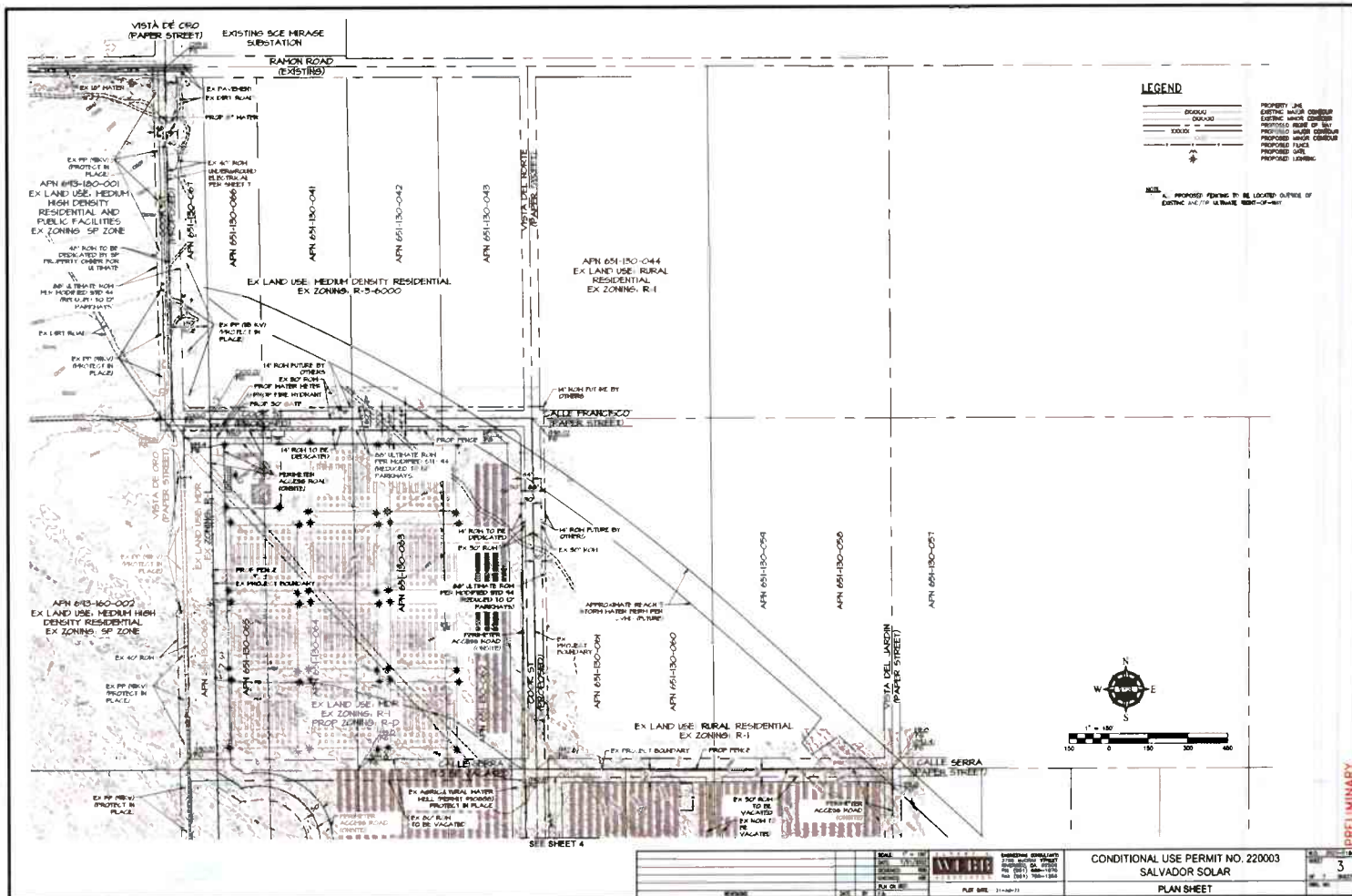
PRELIMINARY

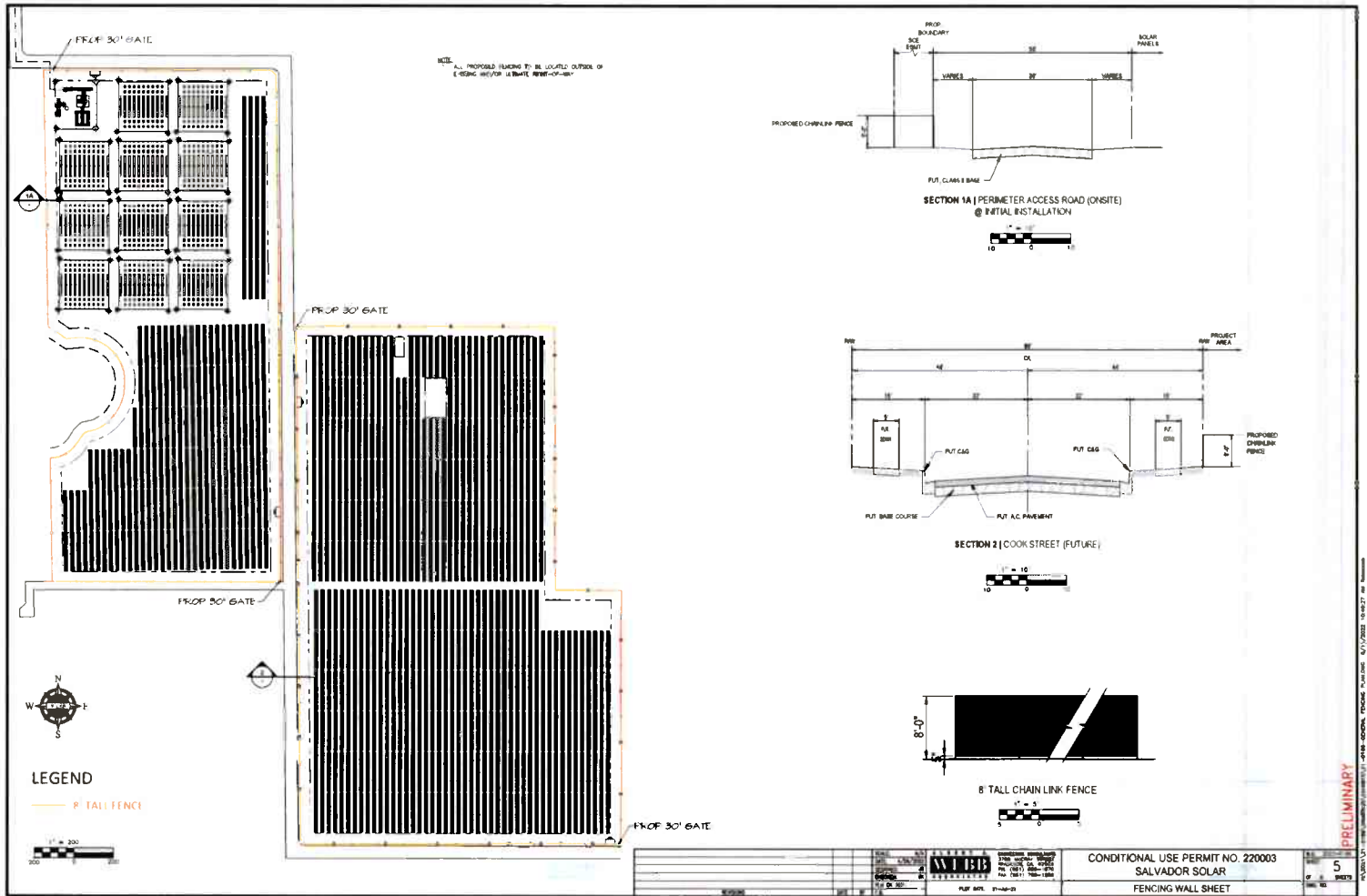


NOTE: PARKING STRIP IS SHOWN FOR REFERENCE ONLY. PARKING AREA WILL NOT BE STRIPED
PARKING AREA WILL BE COMPACTED CLASS II BASE MATERIAL.

SCALE: 1" = 30' DATE: 7/27/2018 DESIGNED: AKB CHECKED: AKB P.L.N OR REV:		PROJECT: 1  ENGINEERING CONSULTANTS 3150A MIDWAY STREET OAKLAND, CA 94618 PH: (907) 686-1670 FAX: (907) 788-1254	CONDITIONAL USE PERMIT NO. 220003 SALVADOR SOLAR DETAILS	SHEET 2 OF 2 DATE: 7/27/2018 DRAWN BY:
--	--	---	--	---

PRELIMINARY

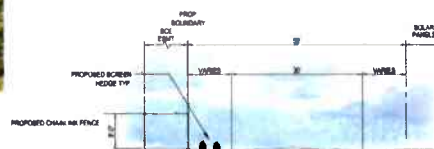




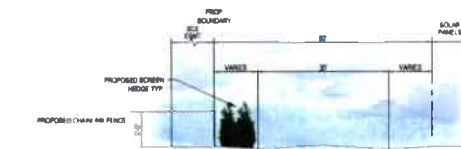


TYPICAL SCREEN HEDGE AFTER 5 YEARS OF GROWTH @ PROPOSED FENCING PERSPECTIVE

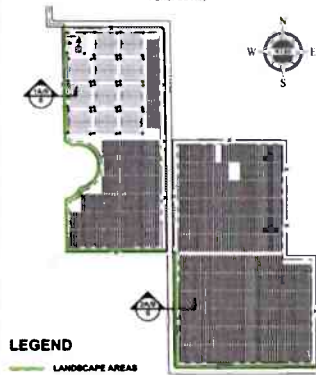
TYPICAL HEIGHT
PLUMB
PROPOSED 8' HIGH
CHAINLINK FENCE
TYP
PROPOSED SCREEN
HEDGE TYP



SECTION 1A | PERIMETER ACCESS ROAD (ONSITE)
@ INITIAL INSTALLATION



SECTION 1B | PERIMETER ACCESS ROAD (ONSITE)
@ AFTER 5 YEARS OF GROWTH



LEGEND

LANDSCAPE AREAS

KEY MAP

PLANT MATERIAL @ INSTALLATION



BACCHARIS SAROTHROIDES



CAESALPINIA MEXICANA



RHUS OVATA



VALOUELINA CALIFORNICA

PLANT MATERIAL AFTER 5 YEARS OF GROWTH



BACCHARIS SAROTHROIDES



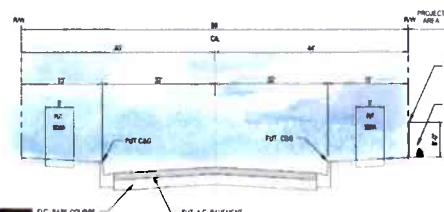
CAESALPINIA MEXICANA



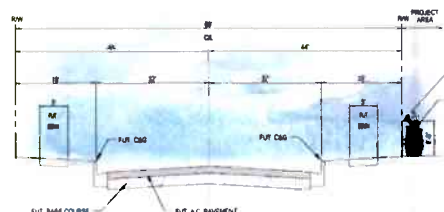
RHUS OVATA



VALOUELINA CALIFORNICA



SECTION 2A | COOK STREET (FUTURE)
@ INITIAL INSTALLATION

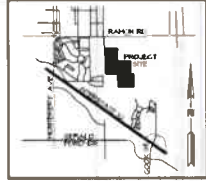
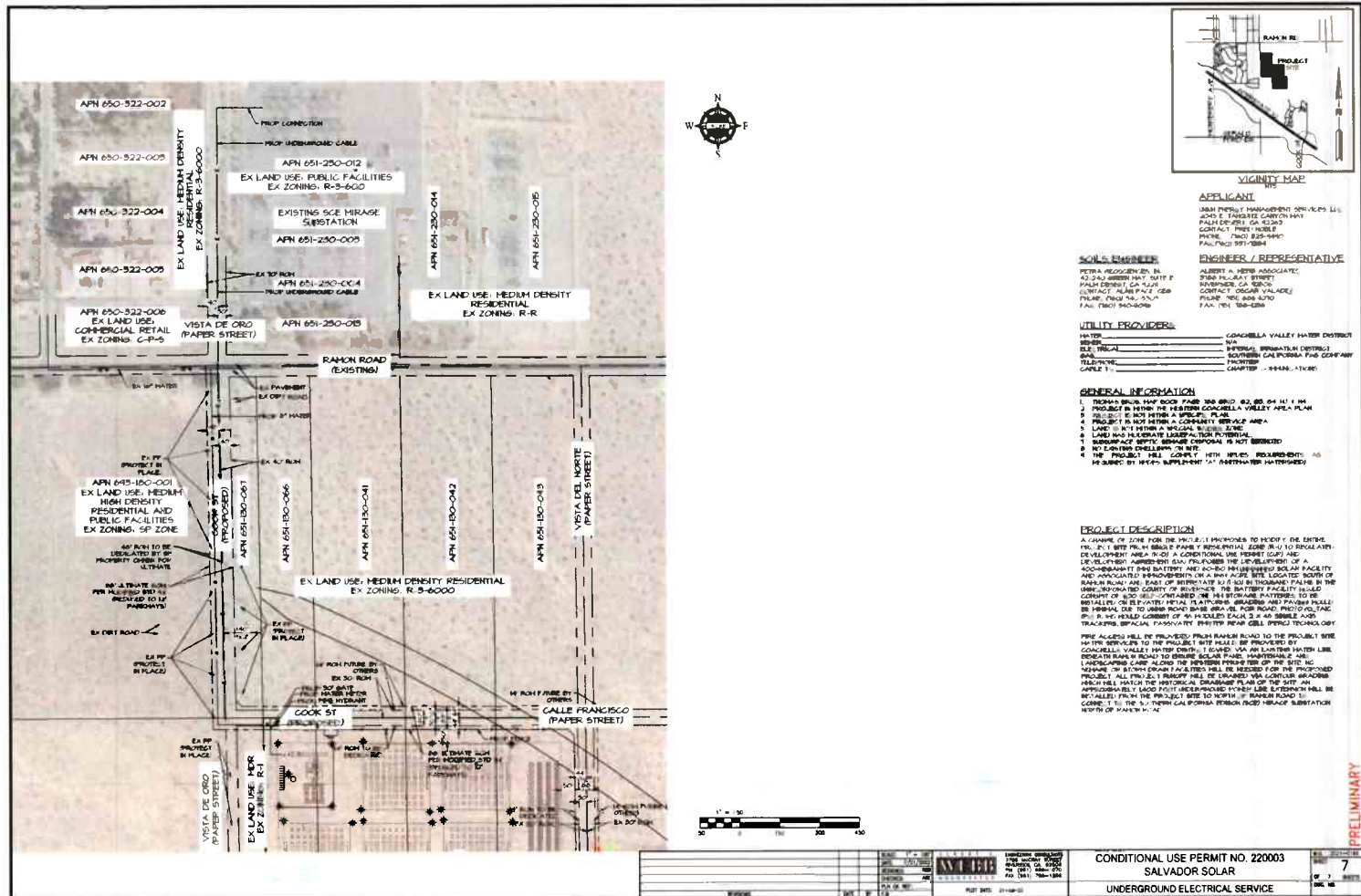


SECTION 2B | COOK STREET (FUTURE)
@ AFTER 5 YEARS OF GROWTH



SCREEN SHRUBS TYPES

- BACCHARIS SAROTHROIDES / DESERTBROOM BACCHARIS 5 GAL
- CAESALPINIA MEXICANA / MEXICAN BIRD OF PARADISE 5 GAL
- RHUS OVATA / SUGAR BUSH 5 GAL
- VALOUELINA CALIFORNICA / ARIZONA ROSEWOOD 5 GAL



VIGNETTE MAP

APPLICANT
SUN PESTEL MANAGEMENT SERVICES LLC
10000 S. PAPER STREET
PALM DESERT, CA 92260
CONTACT: PETER PESTEL
PHONE: (760) 835-1997
FAX: (760) 835-1998

ENGINEER / REPRESENTATIVE
ALBERT A. HERR ASSOCIATES
3000 PULASKI STREET
SANTA ANA, CA 92705
CONTACT: OSCAR VALADEZ
PHONE: (714) 836-5270
FAX: (714) 836-5288

SOLE ENGINEER
PETER PESTEL, INC.
40240 S. PAPER STREET
PALM DESERT, CA 92260
CONTACT: ALBERT A. HERR
PHONE: (760) 835-1997
FAX: (760) 835-1998

UTILITY PROVIDERS
WATER: COACHELLA VALLEY WATER DISTRICT
SEWER: N/A
ELECTRIC: SOUTHERN CALIFORNIA Edison
TELEPHONE: N/A
CABLE: N/A

GENERAL INFORMATION
1. PROJECT IS FOR THE INSTALLATION OF 300,000 WATT SOLAR PANELS.
2. PROJECT IS SITUATED IN THE WESTERN COACHELLA VALLEY AREA PLAN.
3. PROJECT IS NOT WITHIN A COMMUNITY DESIGN AREA.
4. PROJECT IS NOT WITHIN A HISTORICALLY SIGNIFICANT AREA.
5. PROJECT IS NOT WITHIN A NATURAL RESERVE ZONE.
6. PROJECT IS NOT WITHIN A DESIGNATED POTENTIAL SUBSTATION SITE.
7. PROJECT IS NOT WITHIN A DESIGNATED POTENTIAL SUBSTATION SITE.
8. PROJECT IS NOT WITHIN A DESIGNATED POTENTIAL SUBSTATION SITE.

PROJECT DESCRIPTION
A CHANGE OF ZONE FOR THE PROJECT IS PROPOSED TO RECLASSIFY THE EXISTING ZONE FROM R-1 (SINGLE-FAMILY RESIDENTIAL) TO R-1.5 (SINGLE-FAMILY RESIDENTIAL - MEDIUM DENSITY). THE PROJECT IS SITUATED IN THE WESTERN COACHELLA VALLEY AREA PLAN. THE PROJECT IS NOT WITHIN A COMMUNITY DESIGN AREA. THE PROJECT IS NOT WITHIN A HISTORICALLY SIGNIFICANT AREA. THE PROJECT IS NOT WITHIN A NATURAL RESERVE ZONE. THE PROJECT IS NOT WITHIN A DESIGNATED POTENTIAL SUBSTATION SITE. THE PROJECT IS NOT WITHIN A DESIGNATED POTENTIAL SUBSTATION SITE. THE PROJECT IS NOT WITHIN A DESIGNATED POTENTIAL SUBSTATION SITE.

CONDITIONAL USE PERMIT NO. 220003
SALVADOR SOLAR
UNDERGROUND ELECTRICAL SERVICE



State of California - Department of Fish and Wildlife
2022 ENVIRONMENTAL DOCUMENT FILING FEE
CASH RECEIPT
DFW 753.5a (REV. 01/01/22) Previously DFG 753.5a

RECEIPT NUMBER:

22-238820

STATE CLEARINGHOUSE NUMBER (if applicable)

SEE INSTRUCTIONS ON REVERSE. TYPE OR PRINT CLEARLY.

LEAD AGENCY

CLERK OF THE BOARD OF SUPERVISORS

LEAD AGENCY EMAIL

COB@RIVCO.ORG

DATE

06/23/2022

COUNTY/STATE AGENCY OF FILING

RIVERSIDE

DOCUMENT NUMBER

E-202200587

PROJECT TITLE

CZ2200004, CUP220003, DA2200003

PROJECT APPLICANT NAME

CLERK OF THE BOARD OF SUPERVISORS

PROJECT APPLICANT EMAIL

COB@RIVCO.ORG

PHONE NUMBER

(951) 955-1069

PROJECT APPLICANT ADDRESS

4080 LEMON ST. 1ST FLOOR,

CITY

RIVERSIDE

STATE

CA

ZIP CODE

92555

PROJECT APPLICANT (Check appropriate box)

☒ Local Public Agency

☐ School District

☐ Other Special District

☐ State Agency

☐ Private Entity

CHECK APPLICABLE FEES:

☐ Environmental Impact Report (EIR)

\$3,539.25

\$

☐ Mitigated/Negative Declaration (MND)(ND)

\$2,548.00

\$

☐ Certified Regulatory Program (CRP) document - payment due directly to CDFW

\$1,203.25

\$

☐ Exempt from fee

☐ Notice of Exemption (attach)

☐ CDFW No Effect Determination (attach)

☐ Fee previously paid (attach previously issued cash receipt copy)

☐ Water Right Application or Petition Fee (State Water Resources Control Board only)

\$850.00

\$

☐ County documentary handling fee

\$

\$0.00

☐ Other

\$

PAYMENT METHOD:

☐ Cash

☐ Credit

☐ Check

☒ Other

TOTAL RECEIVED

\$

\$0.00

SIGNATURE

X *U. Sandoval*

AGENCY OF FILING PRINTED NAME AND TITLE

Deputy



Lead Agency: Clerk of the Board of Supervisors
ATTN: Zuly Martinez
Address: 4080 Lemon Street 1st floor
Riverside, Ca. 92501

FILED / POSTED

County of Riverside
Peter Aldana
Assessor-County Clerk-Recorder

E-202200587
06/23/2022 05:00 PM Fee: \$ 0.00
Page 1 of 2

Removed: By: Deputy


Project Title

Notice of Public Hearing CZ2200004, CUP220003, DA2200003

Filing Type

- ☐ Environmental Impact Report
- ☐ Mitigated/Negative Declaration
- ☐ Notice of Exemption
- ☒ Other: Notice of Public Hearing

Notes

**NOTICE OF PUBLIC HEARING BEFORE THE BOARD OF SUPERVISORS OF RIVERSIDE COUNTY
ON A CHANGE OF ZONE, CONDITIONAL USE PERMIT, AND DEVELOPMENT AGREEMENT,
FOURTH SUPERVISORIAL DISTRICT**

NOTICE IS HEREBY GIVEN that a public hearing at which all interested persons will be heard, will be held before the Board of Supervisors of Riverside County, California, on the 1st Floor Board Chambers, County Administrative Center, 4080 Lemon Street, Riverside, on **Tuesday, July 26, 2022 at 10:00 A.M.** or as soon as possible thereafter, to consider the Planning Commission's recommended approval of Change of Zone No. 2200004, Conditional Use Permit No. 220003, and Development Agreement No. 2200003. Change of Zone 2200004 a proposal to change the existing Zoning Classifications of the project from R-1 to R-D on 165 gross acres (17 parcels). Conditional Use Permit No. 220003 a proposal to develop a solar array & battery storage facility. The facility would consist of approx. 108 acres of solar arrays (panels) and approx. 43 acres of battery storage & onsite substation. An underground power-line extension will direct the power to a SCE power grid from the project site to the SCE Mirage Substation, north of Ramon Rd. The solar arrays would consist of 96 modules for a maximum of 150 MW of solar production. The battery storage would consist of 400 self-contained one megawatt (MW) storage batteries on elevated platforms totaling 400 MW of storage. The remainder of the site would consist of access roads, a solar substation, fencing, and some landscaping. Development Agreement No. 2200003 proposes a development agreement with the applicant and County consistent with the County's solar plant program (Board Policy B-29) and grants vesting rights to develop the project in accordance with the terms of the agreement which requires certain calculation of development impact fees. This project is located north of Interstate 10 Highway, south of Ramon Rd, east of Vista de Oro, and west of Chase School Rd, fourth supervisorial district

Planning Department staff recommends that the Board of Supervisors **Adopt a Mitigated Negative Declaration for Environmental Assessment No. 220011 (CEQ220011), Adopt an Ordinance associated with Change of Zone No. 2200004, Approve Change of Zone No. 2200004, Tentatively Approve Development Agreement No. 2200003, and Approve Conditional Use Permit No. 220003.**

The Planning Department meeting documents for the proposed project may be viewed online under the Planning Commission hearing date on the Public Hearing page of the Planning Department website: <https://planning.rctlma.org/Public-Hearings>.

FOR FURTHER INFORMATION REGARDING THIS PROJECT, PLEASE CONTACT TIMOTHY WHEELER, URBAN/REGIONAL PLANNER IV, AT (951) 955-6060 OR EMAIL TWHEELER@RIVCO.ORG.

Any person wishing to testify in support of or in opposition to the project may do so in writing between the date of this notice and the public hearing or may appear and be heard at the time and place noted above. All written comments received prior to the public hearing will be submitted to the Board of Supervisors and the Board of Supervisors will consider such comments, in addition to any oral testimony, before making a decision on the project.

If you challenge the above item 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 to the Planning Commission or Board of Supervisors at, or prior to, the public hearing. Be advised that as a result of the public hearing and the consideration of all public comment, written and oral, the Board of Supervisors may amend, in whole or in part, the project and/or the related environmental document. Accordingly, the designations, development standards, design or improvements, or any properties or lands within the boundaries of the project, may be changed in a way other than specifically proposed.

Alternative formats available upon request to individuals with disabilities. If you require reasonable accommodation, please contact Clerk of the Board at (951) 955-1069, at least 72 hours prior to hearing.

Please send all written correspondence to: Clerk of the Board, 4080 Lemon Street, 1st Floor, Post Office Box 1147, Riverside, CA 92502-1147 or email cob@rivco.org

Dated: July 23, 2022

Kecia R. Harper, Clerk of the Board
By: Zuly Martinez, Board Assistant

**NOTICE OF PUBLIC HEARING BEFORE THE BOARD OF SUPERVISORS OF RIVERSIDE COUNTY
ON A CHANGE OF ZONE, CONDITIONAL USE PERMIT, AND DEVELOPMENT AGREEMENT,
FOURTH SUPERVISORIAL DISTRICT**

NOTICE IS HEREBY GIVEN that a public hearing at which all interested persons will be heard, will be held before the Board of Supervisors of Riverside County, California, on the 1st Floor Board Chambers, County Administrative Center, 4080 Lemon Street, Riverside, on **Tuesday, July 26, 2022 at 10:00 A.M.** or as soon as possible thereafter, to consider the Planning Commission's recommended approval of Change of Zone No. 2200004, Conditional Use Permit No. 220003, and Development Agreement No. 2200003. Change of Zone 2200004 a proposal to change the existing Zoning Classifications of the project from R-1 to R-D on 165 gross acres (17 parcels). Conditional Use Permit No. 220003 a proposal to develop a solar array & battery storage facility. The facility would consist of approx. 108 acres of solar arrays (panels) and approx. 43 acres of battery storage & onsite substation. An underground power-line extension will direct the power to a SCE power grid from the project site to the SCE Mirage Substation, north of Ramon Rd. The solar arrays would consist of 96 modules for a maximum of 150 MW of solar production. The battery storage would consist of 400 self-contained one megawatt (MW) storage batteries on elevated platforms totaling 400 MW of storage. The remainder of the site would consist of access roads, a solar substation, fencing, and some landscaping. Development Agreement No. 2200003 proposes a development agreement with the applicant and County consistent with the County's solar plant program (Board Policy B-29) and grants vesting rights to develop the project in accordance with the terms of the agreement which requires certain calculation of development impact fees. This project is located north of Interstate 10 Highway, south of Ramon Rd, east of Vista de Oro, and west of Chase School Rd, fourth supervisorial district

Planning Department staff recommends that the Board of Supervisors **Adopt a Mitigated Negative Declaration for Environmental Assessment No. 220011 (CEQ220011), Adopt an Ordinance associated with Change of Zone No. 2200004, Approve Change of Zone No. 2200004, Tentatively Approve Development Agreement No. 2200003, and Approve Conditional Use Permit No. 220003.**

The Planning Department meeting documents for the proposed project may be viewed online under the Planning Commission hearing date on the Public Hearing page of the Planning Department website: <https://planning.rctlma.org/Public-Hearings>.

FOR FURTHER INFORMATION REGARDING THIS PROJECT, PLEASE CONTACT TIMOTHY WHEELER, URBAN/REGIONAL PLANNER IV, AT (951) 955-6060 OR EMAIL TWHEELER@RIVCO.ORG.

Any person wishing to testify in support of or in opposition to the project may do so in writing between the date of this notice and the public hearing or may appear and be heard at the time and place noted above. All written comments received prior to the public hearing will be submitted to the Board of Supervisors and the Board of Supervisors will consider such comments, in addition to any oral testimony, before making a decision on the project.

If you challenge the above item 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 to the Planning Commission or Board of Supervisors at, or prior to, the public hearing. Be advised that as a result of the public hearing and the consideration of all public comment, written and oral, the Board of Supervisors may amend, in whole or in part, the project and/or the related environmental document. Accordingly, the designations, development standards, design or improvements, or any properties or lands within the boundaries of the project, may be changed in a way other than specifically proposed.

Alternative formats available upon request to individuals with disabilities. If you require reasonable accommodation, please contact Clerk of the Board at (951) 955-1069, at least 72 hours prior to hearing.

Please send all written correspondence to: Clerk of the Board, 4080 Lemon Street, 1st Floor, Post Office Box 1147, Riverside, CA 92502-1147 or email cob@rivco.org

Dated: July 23, 2022

Kecia R. Harper, Clerk of the Board
By: Zuly Martinez, Board Assistant



RIVERSIDE COUNTY PLANNING DEPARTMENT

John Hildebrand
Planning Director

Hearing Date: July 26, 2022

To: Clerk of the Board of Supervisors

From: Planning Department – Riverside (Planner: Tim Wheeler)

MinuteTraq #: 19373

Project Description:

TRANSPORTATION & LAND MANAGEMENT AGENCY/PLANNING: PUBLIC HEARING ON CHANGE OF ZONE NO. 2200004, CONDITIONAL USE PERMIT NO. 220003, and DEVELOPMENT AGREEMENT NO. 2200003 – Intent to adopt a Mitigated Declaration (CEQ220011) – Applicant: Wintec Energy, Ltd. c/o Fredrick Noble – Engineer/Representative: Webb & Associates c/o Scott Hildebrandt – Fourth Supervisorial District – Thousand Palms Zoning District – Western Coachella Valley Area Plan – Rural: Rural Residential (R: RR) and Community Development: Medium Density Residential (CD: MDR) – Location: north of Interstate 10 Highway, south of Ramon Rd, east of Vista de Oro, and west of Chase School Rd – 165 Gross Acres – Zoning: Existing – One-Family Dwellings (R-1); Proposed – Regulated Development Areas (R-D) – REQUEST: Change of Zone 2200004 a proposal to change the existing Zoning Classifications of the project from R-1 to R-D on 165 gross acres (17 parcels). Conditional Use Permit No. 220003 a proposal to develop a solar array & battery storage facility. The facility would consist of approx. 108 acres of solar arrays (panels) and approx. 43 acres of battery storage & onsite substation. An underground power-line extension will direct the power to a SCE power grid from the project site to the SCE Mirage Substation, north of Ramon Rd. The solar arrays would consist of 96 modules for a maximum of 150 MW of solar production. The battery storage would consist of 400 self-contained one megawatt (MW) storage batteries on elevated platforms totaling 400 MW of storage. The remainder of the site would consist of access roads, a solar substation, fencing, and some landscaping. Development Agreement No. 2200003 proposes a development agreement with the applicant and County consistent with the County's solar plant program (Board Policy B-29) and grants vesting rights to develop the project in accordance with the terms of the agreement which requires certain calculation of development impact fees. District 4. Applicant Fees 100%

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

- | | |
|---|--|
| <input type="checkbox"/> Place on Administrative Action | <input checked="" type="checkbox"/> Set for Hearing (Legislative Action Required; CZ, GPA, SP, SPA) |
| <input type="checkbox"/> Receive & File | |
| <input type="checkbox"/> EOT | |
| <input type="checkbox"/> Labels provided If Set For Hearing | <input checked="" type="checkbox"/> Publish in Newspaper: |
| <input type="checkbox"/> 10 Day <input type="checkbox"/> 20 Day <input type="checkbox"/> 30 day | (4th Dist) Desert Sun and Press Enterprise |
| <input type="checkbox"/> Place on Consent Calendar | <input checked="" type="checkbox"/> Mitigated Negative Declaration |
| <input type="checkbox"/> Place on Policy Calendar (Resolutions; Ordinances; PNC) | <input type="checkbox"/> 10 Day <input checked="" type="checkbox"/> 20 Day <input type="checkbox"/> 30 day |
| <input type="checkbox"/> Place on Section Initiation Proceeding (GPIP) | <input checked="" type="checkbox"/> Notify Property Owners (app/agencies/property owner labels provided) |
- 437
7120

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

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

"Planning Our Future... Preserving Our Past"

Designate Newspaper used by Planning Department for Notice of Hearing:
(4th Dist) Desert Sun and Press Enterprise

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



ITEM:
(ID # 19373)

MEETING DATE:

Tuesday, August 02, 2022

FROM : TLMA-PLANNING:

SUBJECT: TRANSPORTATION & LAND MANAGEMENT AGENCY/PLANNING: PUBLIC HEARING ON CHANGE OF ZONE NO. 2200004, CONDITIONAL USE PERMIT NO. 220003, and DEVELOPMENT AGREEMENT NO. 2200003 – Intent to adopt a Mitigated Declaration (CEQ220011) – Applicant: Wintec Energy, Ltd. c/o Fredrick Noble – Engineer/Representative: Webb & Associates c/o Scott Hildebrandt – Fourth Supervisorial District – Thousand Palms Zoning District – Western Coachella Valley Area Plan – Rural: Rural Residential (R: RR) and Community Development: Medium Density Residential (CD: MDR) – Location: north of Interstate 10 Highway, south of Ramon Rd, east of Vista de Oro, and west of Chase School Rd – 165 Gross Acres – Zoning: Existing – One-Family Dwellings (R-1); Proposed – Regulated Development Areas (R-D) – REQUEST: Change of Zone 2200004 a proposal to change the existing Zoning Classifications of the project from R-1 to R-D on 165 gross acres (17 parcels). Conditional Use Permit No. 220003 a proposal to develop a solar array & battery storage facility. The facility would consist of approx. 108 acres of solar arrays (panels) and approx. 43 acres of battery storage & onsite substation. An underground power-line extension will direct the power to a SCE power grid from the project site to the SCE Mirage Substation, north of Ramon Rd. The solar arrays would consist of 96 modules for a maximum of 150 MW of solar production. The battery storage would consist of 400 self-contained one megawatt (MW) storage batteries on elevated platforms totaling 400 MW of storage. The remainder of the site would consist of access roads, a solar substation, fencing, and some landscaping. Development Agreement No. 2200003 proposes a development agreement with the applicant and County consistent with the County's solar plant program (Board Policy B-29) and grants vesting rights to develop the project in accordance with the terms of the agreement which requires certain calculation of development impact fees. District Applicant Fees 100%

RECOMMENDED MOTION: That the Board of Supervisors take the following actions:

ADOPT a **MITIGATED NEGATIVE DECLARATION** for **ENVIRONMENTAL ASSESSMENT NO. 220011 (CEQ220011)**, 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,

ADOPT Ordinance No. 348.XXXX associated with **Change of Zone No. 2200004**, to change the zoning classification for the 165.2 area from One-Family Dwellings (R-1) to Regulated Development Areas (R-D), based upon the findings and conclusions provided in this staff report; and,

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

APPROVE CHANGE OF ZONE NO. 2200004, which changes the subject parcels' zoning classifications from One-Family Dwellings (R-1) to Regulated Development Areas (R-D) in accordance with Exhibit 3, subject to the final adoption of the zoning ordinance by the Board of Supervisors; and,

TENTATIVELY APPROVE DEVELOPMENT AGREEMENT NO. 2200003, 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. 2200003, subject to the attached Advisory Notification Document, Conditions of Approval, and final approval of Change of Zone No. 2200004, 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.

ACTION:

MINUTES OF THE BOARD OF SUPERVISORS

**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: N/A	

C.E.O. RECOMMENDATION: [CEO use]

BACKGROUND:

Overview

Change of Zone No. 2200004, Conditional Use Permit, No. 220003, and Development Agreement No. 2200003 were submitted to the County of Riverside on February 3, 2022. Staff has reviewed the Project and has determined that it is consistent with all applicable zoning development standards, the General Plan, Board of Supervisor's Policy B-29 – Solar Power Plants, and all other applicable ordinances. Furthermore, an Initial Study (a Mitigated Negative Declaration-MND) has been completed in accordance with the California Environmental Quality Act (CEQA) requirements.

As an environmental benefit, the Project would help the State achieve its renewable energy goals and mandates. The production of renewable energy has the added benefit of reducing air quality impacts and GHG emissions that would be produced by fossil-fuel based generation facilities. The Project would be developed on contiguous vacant land to minimize impacts to sensitive species and habitats.

The Project would also provide other important benefits to the local and regional economy from the purchase of equipment and supplies and sales tax revenue as agreed upon in the terms of Development Agreement No. 2200003. Additionally, the Project would result in the contribution of significant development impact fees under Ordinance No. 659 which would assure that the Project pays its fair share of capital costs of facilities, as defined in Ordinance No. 659, associated with development of the Project. Indirectly the County and region would benefit from the employment of a few hundred daily workers during peak construction period and would provide approximately 4-8 permanent, part-time/full-time jobs upon operation. Other economic benefits include workers utilizing local and regional commercial services such as hotels and restaurants.

Site Characteristics

The proposed Project is located on approximately 165 gross acres contiguous parcels in the Thousand Palms area of Riverside County. The proposed Project site is in the Western Coachella Valley near the community of Thousand Palms, just northeast of the cities of Palm Desert, Rancho Mirage, and Cathedral City. The Project consists of 17 parcels of private land

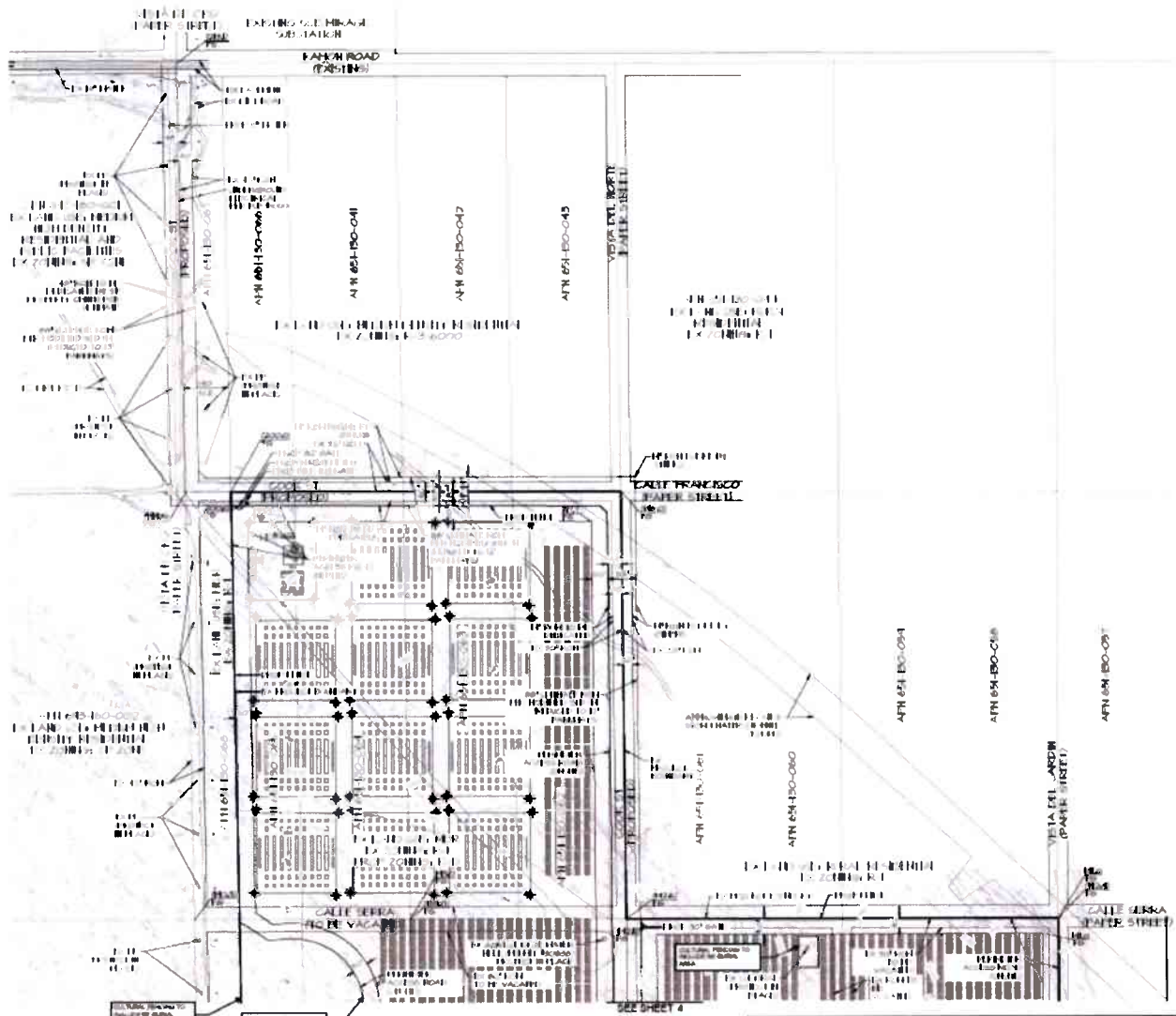
**SUBMITTAL TO THE BOARD OF SUPERVISORS COUNTY OF RIVERSIDE,
STATE OF CALIFORNIA**

for the solar facility. The Project site is relatively level with topography descending gradually from southeast to northwest at elevations of 180 feet above mean sea level (AMSL) to 200 feet AMSL. The renewable energy facility sites would occupy approximately 151 acres of largely undisturbed, privately owned land, which would minimize ground disturbance and impacts to resources. Uses in the vicinity include vacant undisturbed land near the Coachella Valley National Wildlife Refuge, approximately 2,000 feet to the east, vacant land and the Ivey Ranch Country Club to the south, vacant land and the Shenandoah Springs Village residential development with golf course to the west, and vacant land and a SCE substation (Mirage Substation) to the north.

Project Details

Energy would be transported from project site substation to SCE's Mirage Substation through a 230-kilovolt (kV) generation tie (gen-tie) lines that would be undergrounded. Underground or overhead collector lines would transmit energy to and from an on-site substation, to be located on the northeasterly portion of the northerly parcel on the project site, and the Battery Energy Storage System (BESS). Inverters located adjacent to the enclosures would invert and step-up energy to 230 kilovolts for transmission to the SCE Mirage Substation or invert from alternating current to direct current for storage in the BESS. The project would provide 10 standard parking spaces for maintenance workers. No onsite building will be built for staff or maintenance workers. Additionally, the perimeter of the solar facility would be enclosed by an 8-foot-high chain-link fence and landscaping on the west and southern perimeters. Lighting is provided to the solar facility through 14-foot-high light poles on motion sensors with shielding and directed downwards into the solar facility. There is a 4.8-acre area that includes cultural resources that will not be disturbed by the solar facility.

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



PROPERTY OWNERS CERTIFICATION FORM

I, VINNIE NGUYEN certify that on JUN 13, 2022

The attached property owners list was prepared by Riverside County GIS

APN (s) or case numbers CZ2200004 / CUP220003 for

Company or Individual's Name RCIT – GIS

Distance buffered 1800'

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

The proposed Project would be constructed within an area covered by the Western Coachella Valley Area Plan primarily on land designated in the Plan as Rural: Rural Residential (R: RR) and Community Development: Medium Density Residential (CD: MDR). No portions of the project site are located within an Agriculture Preserve, Historic Preservation District, or Airport Compatibility Zone. The project site is within an Environmental Justice Community for the Thousand Palms area. Consistency with the General Plan is outlined in detail in the Findings Section of this report.

Change of Zone No. 2200004 proposes to change the project site's zoning classification from One-Family Dwellings (R-1) to Regulated Development Areas (R-D). The R-D Zone allows for the development of a solar power plant on a 10 acre or larger parcel or parcels. Compliance

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

with the Zoning Ordinance (Ordinance No. 348) is outlined in detail in the Findings Section of this report.

Board of Supervisors Policy B-29

The proposed Project is subject to Policy B-29, and the developer would need to enter into a development agreement with the County. The purpose of Policy B-29 is to ensure that the County does not disproportionately bear the burden of solar energy production and ensure the County is compensated in an amount it deems appropriate for the use of its real property. The policy states that the solar power plant owner shall annually pay the County \$150 for each acre of land involved in the power production process. It also lists requirements for solar power plant owners relating to sales and use taxes payable in connection with the construction of a solar power plant. Once the development agreement is enacted, the proposed Project would comply with this policy. The policy requires an expedited review and approval of any agreement(s), permits, or other approvals from the County necessary to site, develop and operate solar power plants. In an effort to expedite the review of this project, per the policy, the project has been prepared for the consideration by the Board of Supervisors.

Environmental Determination

An Initial Study (IS) and a Mitigated Negative Declaration (MND) have been prepared for this project in accordance with the California Environmental Quality Act (CEQA). The Initial Study identified potentially significant impacts in regard to the issue areas of Aesthetics, Biological Resources, Cultural Resources, Geology, and Tribal Cultural Resources; however, with the incorporation of mitigation measures the impacts were reduced to less than significant. Based on the Initial Study's conclusions, the County of Riverside determined that an MND is appropriate for the proposed Project pursuant to the State CEQA Guidelines. The IS and MND represent the independent judgement of Riverside County. The documents were circulated for public review per the California Environmental Quality Act Statute and Guidelines Section 15105.

As of the writing of this staff report, no comment letters in response to the revised IS and MND have been received, and no additional revisions to the project have been made. As demonstrated in the IS and MND, the proposed project will not result in any significant impacts to the environment, with mitigation incorporated.

Impact on Citizens and Businesses

The Projects have no direct impact on citizens or businesses, as these are private projects. All impacts have been studied through CEQA; as detailed in the Planning Commission Staff Report, which is attached hereto and incorporated for reference.

Additional Fiscal Information

All fees are paid by the applicant; there is no General Fund obligation.

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

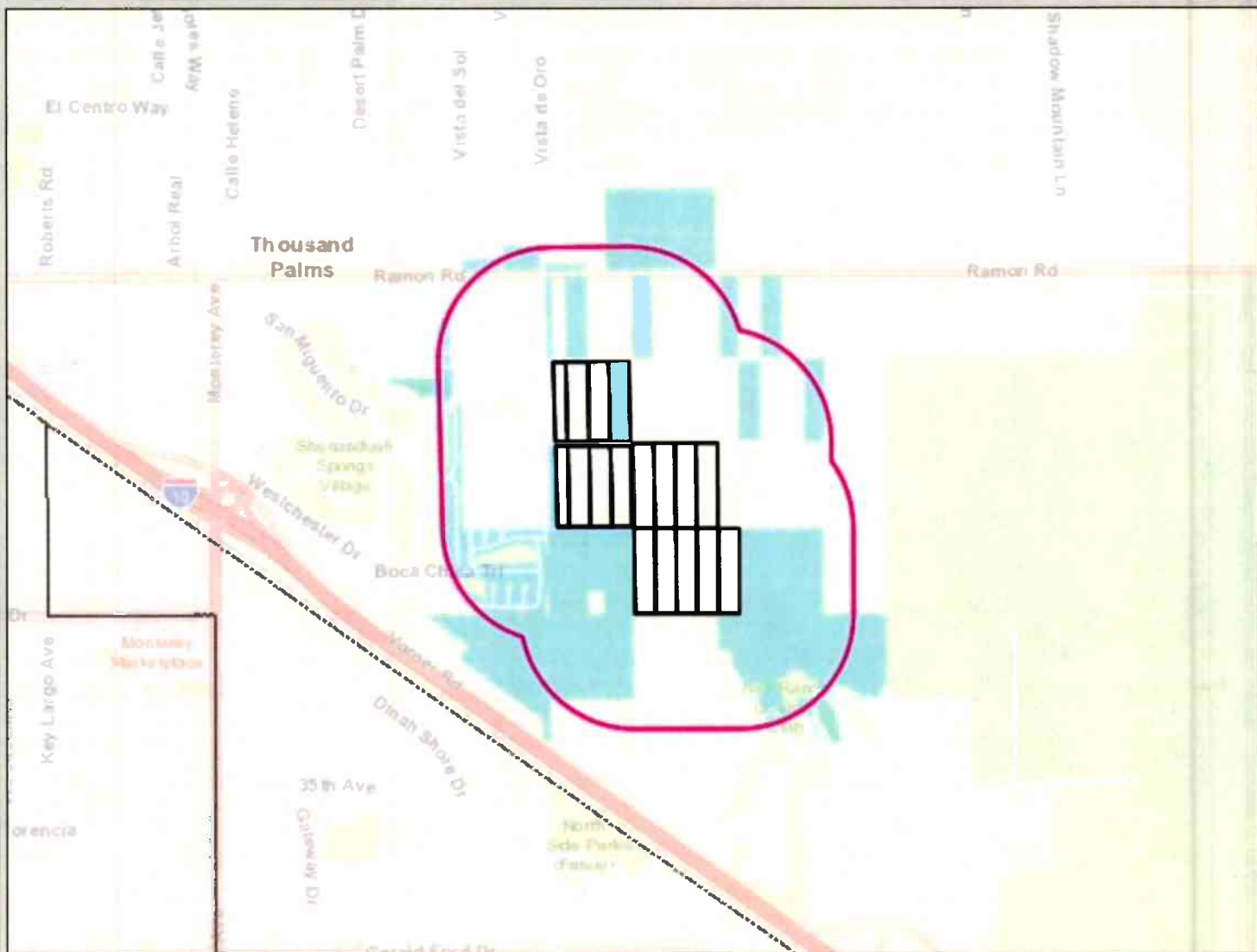
ATTACHMENTS:

- A. BOARD OF SUPERVISORS STAFF REPORT**
- B. CHANGE OF ZONE EXHIBIT (Ord. No. 348.XXXX) for CZ2200004**
- C. CONDITIONAL USE PERMIT EXHIBITS for CUP220003**
- D. DEVELOPMENT AGREEMENT for DA2200003**
- E. MITIGATED NEGATIVE DECLARATION for CZ2200004/CUP220003 (CEQ220011)**
- F. ADVISORY NOTIFICATION DOCUMENT and CONDITIONS OF APPROVAL**
- G. OTHER DOCUMENTS and CERTIFICATE, RADIUS MAP, & LABELS for NOTICING**

Riverside County GIS Mailing Labels

CZ2200004 / CUP220003

(1800 feet 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... 6/13/2022 12:53:03 PM

© Riverside County RCIT

Thousand Palms 278, LLC
2045 E Tahquitz Canyon Way
Palm Springs, CA 92262

Albert A. Webb Associates
3788 McCray
Riverside, CA 92506

Thousand Palms 278, LLC
2045 E Tahquitz Canyon Way
Palm Springs, CA 92262

Albert A. Webb Associates
3788 McCray
Riverside, CA 92506

Thousand Palms 278, LLC
2045 E Tahquitz Canyon Way
Palm Springs, CA 92262

Albert A. Webb Associates
3788 McCray
Riverside, CA 92506

Richard Drury, Molly Greene, Lozeau Drury LLP

1939 Harrison Street, Suite 150
Oakland, CA 94612

Agua Caliente Band of Cahuilla Indians
Pattie Garcia-Plotkin
5401 Dinah Shore Drive
Palm Springs, CA 92264

Thousand Palms MAC
73-710 Fred Waring Drive Suite 22
Palm Desert, CA 92260

CVWD
Attn: Patty Schwartz
P.O. Box 1058
Coachella, CA 92236

Imperial Irrigation District
81-600 Avenue 58
La Quinta, CA 92240

Southern California Edison
2244 Walnut Grove Ave. Room 312
PO. Box 600
Rosemead, CA. 91770

Soboba Band of Mission Indians
Joe Ontiveros
P.O. Box 487
San Jacinto, CA 92581

City of Cathedral City- Planning Department
68-700 Avenida Lalo Guerrero
Cathedral City, CA 92234

Reg. Water Quality Control Board #7
Colorado River Basin
73-720 Fred Warning Dr. Suite 102
Palm Desert, CA 92260-2564

Palm Springs Unified School District
980 E. Tahquitz Canyon Way, Suite 204
Palm Springs, CA 92262-6786

PROPERTY OWNERS CERTIFICATION FORM

I, VINNIE NGUYEN certify that on JUN 13, 2022

The attached property owners list was prepared by Riverside County GIS

APN (s) or case numbers CZ2200004 / CUP220003 for

Company or Individual's Name RCIT – GIS

Distance buffered 1800'

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

Agua Caliente Band of Cahuilla Indians
Pattie Garcia-Plotkin
5401 Dinah Shore Drive
Palm Springs, CA 92264

Thousand Palms MAC
73-710 Fred Waring Drive Suite 22
Palm Desert, CA 92260

CVWD
Attn: Patty Schwartz
P.O. Box 1058
Coachella, CA 92236

Imperial Irrigation District
81-600 Avenue 58
La Quinta, CA 92240

Southern California Edison
2244 Walnut Grove Ave. Room 312
PO. Box 600
Rosemead, CA. 91770

Soboba Band of Mission Indians
Joe Ontiveros
P.O. Box 487
San Jacinto, CA 92581

City of Cathedral City- Planning Department
68-700 Avenida Lalo Guerrero
Cathedral City, CA 92234

Reg. Water Quality Control Board #7
Colorado River Basin
73-720 Fred Warning Dr. Suite 102
Palm Desert, CA 92260-2564

Palm Springs Unified School District
980 E. Tahquitz Canyon Way, Suite 204
Palm Springs, CA 92262-6786

651140028
PEI LIN HSEIH
35 LUCILE ST NO B
ARCADIA CA 91006

651140038
SOUTHERN CALIF EDISON CO
P O BOX 800
ROSEMEAD CA 91770

650324011
CVCWD
P O BOX 1058
COACHELLA CA 92236

651130044
COACHELLA VALLEY CONSERVATION
73710 FRED WARING STE 200
PALM DESERT CA 92260

651230009
COACHELLA VALLEY CONSERVATION
73710 FRED WARING NO 205
PALM DESERT CA 92260

651230013
SOUTHERN CALIFORNIA EDISON CO
P O BOX 410
LONG BEACH CA 90801

693132024
ROBINSON PAUL W
P O BOX 4313
PALM DESERT CA 92261

693134027
CAMPOS JAIME
P O BOX 4313
PALM DESERT CA 92260

693134028
RAUL GARCIA
32295 CHIRICAHUA DR
THOUSAND PALMS CA 92276

693134029
GUYRUN AMIRGHAN
33401 ACAPULCO TR
THOUSAND PALMS CA 92276

693291002
VICTOR MASILLO
33917 SHADY PALMS CIR
THOUSAND PALMS CA 92276

693291008
RODNEY MCFARLAND
502 CRYSTAL SPRINGS DR
WARMAN CANADA SK S0K 0A1

693291015
JOHN J. MCCABE
412 LOMBARD LN
WENATCHEE WA 98801

693291020
EDDIE J. FORSHEE
33818 DRIFTING SANDS CIR
THOUSAND PALMS CA 92276

693291021
 LEWELLYN E. SWANSON
 P O BOX 536
 PETERSBURG AK 99833

693291024
 JOSIE GOMEZ
 33898 DRIFTING SANDS CIR
 THOUSAND PALMS CA 92276

693292001
 JEROME IBBA
 73891 WHITE SANDS DR
 THOUSAND PALMS CA 92276

693141040
 CLEVINGER ANTHONY
 73700 STANTON DR
 THOUSAND PALMS CA 92276

651130051
 STATE OF CALIF DEPT OF FISH & GAME
 1807 13TH ST NO 103
 SACRAMENTO CA 95814

651230015
 IMPERIAL IRRIGATION DIST
 P O BOX 248
 COACHELLA CA 92236

693151018
 MYRA M. NEWSTEAD
 6454 CRICKSON RD
 LONE BUTTE BC V0K1X3

693291023
 WILLIAM G. DOERR
 33878 DRIFTING SANDS CIR
 THOUSAND PALMS CA 92276

693291026
 DAVID COOPER
 11742 RICASOLI WAY
 PORTER RANCH CA 91326

693292004
 CURTIS A. CONANT
 P O BOX 11512
 PALM DESERT CA 92255

650324007
 SANTIAGO MASCORRO
 P O BOX 910
 THOUSAND PALMS CA 92276

651140030
 COACHELLA VALLEY CONSERVATION
 73710 FRED WARING STE 205
 PALM DESERT CA 92260

693151017
 GREEN JOYCE COOPER
 8540 DE SOTO AVE NO 48
 CANOGA PARK CA 91304

693152036
 RICHARD JOHN SEIDL
 1824 WEST 13TH ST
 HASTINGS MN 55033

693261012
 GLENN C. CHIDESTER
 33390 ACAPULCO TR
 THOUSAND PALMS CA 92276

693152037
 WILLIAM R. BARTO
 32643 CHIRICAHUA
 THOUSAND PALMS CA 92276

693152038
 MICHAEL J. RYEN
 32649 CHIRICAHUA DR
 THOUSAND PALMS CA 92276

693261016
 DOUGLAS R. VONBANK
 33470 ACAPULCO TR
 THOUSAND PALMS CA 92276

693261023
 PAUL EISENZIMMER
 9346 MARTIN PARK DR
 BLACK CREEK BC V9J1C4

693262006
 LISA F. AYRES
 33227 ACAPULCO TR
 THOUSAND PALMS CA 92276

693262017
 TAREK FADI HALAWI
 1229 VIA ESPERANZA
 SAN DIMAS CA 91773

693262018
 RUSSELL C. KREIS
 PO BOX 122
 HEBRON ND 58638

693262019
 SALVESON THOMAS & PAT LIVING TRUST
 PO BOX 497
 BRIDGER MT 59014

693152042
 FREDRICK H. KNUTZEN
 32679 CHIRICAHUA
 THOUSAND PALMS CA 92276

693262026
 RALPH E. GREENE
 33473 ACAPULCO TR
 THOUSAND PALMS CA 92276

693171001
 JERRY E. BROWER
 6401 NW LINCOLN AVE
 VANCOUVER WA 98663

693171006
 RONALD J. RITZ
 411 5TH AVE
 LEWISTON ID 83501

693172010
 SANDRA H. MARSH
 10316 WHITECAP DR NW
 OLYMPIA WA 98502

693172020
 MEILING G. WARUNEK
 33001 GUADALAJARA DR
 THOUSAND PALMS CA 92276

650322006
 TIMOTHY LOREN LOCKHART
 51160 OSKAR LN
 MORONGO VALLEY CA 92256

651140034
 BENITO MEZA
 P O BOX 367
 THOUSAND PALMS CA 92276

693261008
 GRANA SHERRY FLORER
 33310 ACAPULCO TR
 THOUSAND PALMS CA 92276

693261011
 COMET T. BROWER
 33370 ACAPULCO TR
 THOUSAND PALMS CA 92276

693262002
 CAMILE G. ROSE
 7635 PINE TREE WAY
 SALINAS CA 93907

693262022
 PAUL LINSEEN
 68 FRANKLIN ST
 NORTHPORT NY 11768

650322005
 MILNER DENNIS LEE
 31950 VIA LAS PALMAS
 THOUSAND PALMS CA 92276

651140006
 THOUSAND PALMS DEV
 6678 152 ST # 209
 SURREY BC V3S7J2

693261007
 ANDRES VARGAS PEREZ
 33290 ACAPULCO TR
 THOUSAND PALMS CA 92276

693261009
 BRUCE LEGAULT
 5426-2260 22ST
 RED DEER AB T4R0K1

693262001
 RICHARD WACHAL
 203-4340 BEACH AVE
 PEACHLAND BC V0H1X6

693262021
 GUYRUN AMIRGHAN
 33401 ACAPULCO TRL
 THOUSAND PLMS CA 92276

693262037
 CANDIDO R. CASTILLO
 40379 CORTE SAN CARLOS
 INDIO CA 92203

693262038
RAY RIVERA
33633 ACAPULCO TR
THOUSAND PALMS CA 92276

693134025
RONALD H. TUCKER
73725 S PACHETA SQ
THOUSAND PALMS CA 92276

693134030
DOUGLAS G. WALLWAY
32331 CHIRICAHUA DR
THOUSAND PALMS CA 92276

693141043
JEFFREY T. FRANKE
P O BOX 841
RANCHO MIRAGE CA 92270

693151019
RICHARD D. HENNING
829 WESTCOTT SQUARE
EAGAN MN 55123

693272003
TERRY BARBARA ELAINE TRUST UTD 01/19/15
PO BOX 915
THOUSAND PALMS CA 92276

693272025
WILLIAM R. BALDWIN
73954 ELIZABETH DR
THOUSAND PALMS CA 92276

693274003
ALLEN W. NEAR
73040 DEL NORTE WY
THOUSAND PALMS CA 92276

693275025
HELENE CHO
2215 NE 171 ST
SHORELINE WA 98155

693275028
TIMOTHY R. TREECE
73833 ELIZABETH DR
THOUSAND PALMS CA 92276

693273010
HENRY C. BIGELOW
33760 BELL RD
THOUSAND PALMS CA 92276

693274004
DONNA M. WALKER
73721 WHITE SANDS DR
THOUSAND PALMS CA 92276

693274007
MACRIS WILLIAM C & MICHELLE M JOINT
73917 BOCA CHICA TR
THOUSAND PALMS CA 92276

693274008
JANET D. LOF
73905 BOCA CHICA TR
THOUSAND PALMS CA 92276

693274011
PAMELA MYLES
73865 BOCA CHICA TR
THOUSAND PALMS CA 92276

693274016
MICHAEL H. JENSEN
201 E BALLANTRAE
SHELTON WA 98584

693275020
LEONARD PAUL HANSEN
1523 132ND ST SE # 516
EVERETT WA 98208

693275033
GEORGE A. THOMAS
73771 ELIZABETH DR
THOUSAND PALMS CA 92276

693282014
PATRICIA CAFFREY
73806 WHITE SANDS DR
THOUSAND PALMS CA 92276

693282016
BRENT BANNISTER
13800 NASH DR
COLDSTREAM BC V1B1X8

693291013
DAVID B. ROBERTS
33932 SHADY PALMS CIR
THOUSAND PALMS CA 92276

693274012
LLOYD V. WHITING
6220 FAY BLVD
COCOA FL 32927

693275012
CONNIE A. SWANK
P O BOX 131006
BIG BEAR LAKE CA 92315

693275029
RICHARD RODNEY FOY
73821 ELIZABETH DR
THOUSAND PALMS CA 92276

693282003
MELISSA NOFZIGER
PO BOX 31
RAINIER OR 97048

693282015
KATHRYN E. MURRAY
73816 WHITE SANDS DR
THOUSAND PALMS CA 92276

693291003
E JOYCE SHOEMAKER
PO BOX 1768
STUDIO CITY CA 91614

693291019
ROBERT A. SMALL
33833 DRIFTING SANDS CIR
THOUSAND PALMS CA 92276

693292012
 MARILYN HELENE COBURN
 24671 50TH AVE
 LANGLEY CANADA BC V2Z 1E4

693292018
 ELLIOTT GREGORY WAYNE & KIM EVETTE
 237 S HACIENDA AVE
 GLENDORA CA 91741

693134023
 EDGAR MORALES
 73707 S PACHETA SQ
 THOUSAND PALMS CA 92276

693152039
 JUDY BARNES
 8818 CRESENT BAR NW # 183
 QUINCY WA 98848

693152040
 GARY A. QUICKSTAD
 3440 GOLFVIEW DR NO 110
 EAGAN MN 55123

693261003
 DEOBRAH E. MCCORMICK
 16088 FAME CIR
 HUNTINGTON BEACH CA 92649

693261018
 VIRGINIA BRUSCO
 33510 ACAPULCO TR
 THOUSAND PALMS CA 92276

693261025
 JUAN C. DIAZ
 33650 ACAPULCO TR
 THOUSAND PALMS CA 92276

693262008
 RUDY ALFONSO LOPEZ
 33251 ACAPULCO TR
 THOUSAND PALMS CA 92276

693262011
 JONATHAN DAVID NORRIS
 33287 ACAPULCO TR
 THOUSAND PALMS CA 92276

693262016
 DOUGLAS MUIR INNES
 11 BENCHLANDS PL
 COCHRANE AB T4C1C3

693262024
 MICHAEL J. LADIN
 33449 ACAPULCO TR
 THOUSAND PALMS CA 92276

693141042
 SOFIA SOLIS
 35325 DATE PALM DR STE 153A
 CATHEDRAL CITY CA 92234

693141044
 DANIEL KORSON
 32365 CHIRICAHUA DR
 THOUSAND PALMS CA 92276

693142022
RONNIE P. PARIS
25526 ALLIENE ST
LOMITA CA 90717

693142023
HILDA TAPIA
73727 STANTON DR
THOUSAND PALMS CA 92276

693262030
STEVEN R. DOW
409 BIRCH ST
CULTUS LAKE BC V2R4Z3

693262033
RICHARD S. DUNDAS
11911 LA COSTA LN
OSOYOOS BC V0H1V4

693262035
JOHN W. MARTIN
33575 ACAPULCO TR
THOUSAND PALMS CA 92276

693152030
DANIEL J. GILLIS
73677 ALGONQUIN PL
THOUSAND PALMS CA 92276

693271004
ABBAS HAJ PIROOZBAKHT GHOLAM
33661 LES RD
THOUSAND PALMS CA 92276

693271007
CONNIE SCHENEFELT
105 W FLORENCE
THOUSAND PLMS CA 92276

693271008
WILLIAM PAUL SMITH
20233 44A AVE
LANGLEY BC V3A6N2

693171012
THOMAS E. KUHN
32970 GUADALAJARA DR
THOUSAND PALMS CA 92276

693171014
KORSAN ROBERT & LYNDIA LIVING TRUST
1966 TICE VALLEY BLVD # 504
WALNUT CREEK CA 94595

693272005
NORMAN L. FIELD
33571 WALTON CIR
THOUSAND PALMS CA 92276

693272008
STEPHEN K. WILSON
33511 WALTON CIR
THOUSAND PALMS CA 92276

693171017
MIKE BURKE
33130 GUADALAJARA DR
THOUSAND PALMS CA 92276

693275031
ARNOLD C. MOE
13405 NE 84TH
REDMOND WA 98052

693275036
JOYCE E. HAYES
32121 OAKLAND HILLS
THOUSAND PALMS CA 92276

693152041
AMMAR KERRY SUE FAMILY TRUST DATED
PO BOX 374
THOUSAND PALMS CA 92276

693281018
KRAUSE HERBERT HENRY & PATRICIA LOUISE
73881 WHITE SANDS DR
THOUSAND PALMS CA 92276

693282011
STUART WALKER
BOX 1270
ROSETOWN SK S0L

693282021
RON H. MILLER
P O BOX 65
SHADY COVE OR 97539

693282029
JOAN CHASE
33934 PALM LAKE CIR
THOUSAND PALMS CA 92276

693291009
PATRICK SILLER
2780 GREENWOOD RD NO 55
NELSON CANADA BC V1L 6L3

693291010
DIANE LAVELY
33872 SHADY PALMS CIR
THOUSAND PALMS CA 92276

693291011
ANTHONY JASON LIENAU
33892 SHADY PALMS CIR
THOUSAND PALMS CA 92276

693171003
STANLEY D. MARKHAM
32790 GUADALAJARA DR
THOUSAND PALMS CA 92276

693171004
MICHELLE L. CASSERD
32810 GUADALAJARA DR
THOUSAND PALMS CA 92276

693171007
JAMES CLARKE
428 N CARPENTER RD
SNOHOMISH WA 98290

693171013
MORRIS GREENBERG
32990 GUADALAJARA DR
THOUSAND PALMS CA 92276

693172018
 ROBERT HOWELL
 958 DINGLEY DELL
 VICTORIA BC CANADA

693291025
 ROLLAND B. JOHNSON
 14517 N FAIRVIEW DR
 MEAD WA 99021

693291031
 BARRIE E. SMITH
 33855 BELL RD
 THOUSAND PALMS CA 92276

693172028
 JOSEPH D. ATWOOD
 33155 GUADALAJARA DR
 THOUSAND PALMS CA 92276

693292017
 DON L. DONNELLY
 33860 BELL RD
 THOUSAND PALMS CA 92276

693272011
 TODD EDWARD PARSLEY
 1360 E ADOBE WAY
 PALM SPRINGS CA 92262

693172008
 EDWARD J. GLAPINSKI
 32668 CHIRICAHUA DR
 THOUSAND PALMS CA 92276

693291016
 CONNIE J. WOOLSEY
 33893 DRIFTING SANDS CIR
 THOUSAND PALMS CA 92276

693291030
 ALEXANDER C. VASQUEZ
 33875 BELL RD
 1000 PALMS CA 92276

693172025
 WESLEY G. BAUER
 33091 GUADALAJARA DR
 THOUSAND PALMS CA 92276

693292005
 CAROLYN BILLINGS
 73931 WHITE SANDS DR
 THOUSAND PALMS CA 92276

693261014
 BRIZINSKI FAMILY TRUST DD 02/27/17
 226 W 8TH ST
 UPLAND CA 91786

693272013
 ROLLAND G. MEITHOF
 2145 SANTIAM DR
 WOODBURN OR 97071

693172015
 KARLA A. BEAIRSTO
 12189 W ARMSTRONG RD
 HOUSTON AK 99623

693272016
KELLY VITT
33516 LISA CIR
THOUSAND PALMS CA 92276

693272020
DAVID L. STRAWSER
1050 HAY ST
WASILLA AK 99654

693261019
DENISE LEASON
33530 ACAPULCO TR
THOUSAND PALMS CA 92276

693261024
SCOTT CLEFF
33630 ACAPULCO TR
THOUSAND PALMS CA 92276

693262009
HACK RICHARD
P O BOX 398
PIPER CITY IL 60959

693273005
CAIRNS SURVIVORS A TRUST U/D/T DATED
33670 BELL RD
THOUSAND PALMS CA 92276

693273008
WILLIAM D. VAUGHN
33710 BELL RD
THOUSAND PALMS CA 92276

693274005
GLEN BEATON
6716-101 A. AVE
EDMONTON AB T5H

693275004
MILLENNIAL REAL ESTATE
142 CAPRI
RANCHO MIRAGE CA 92270

693262012
ROBERT D. FREAR
33303 ACAPULCO TR
THOUSAND PALMS CA 92276

693262025
STEVEN WAYNE TERRY
33461 ACAPULCO TR
THOUSAND PALMS CA 92276

693271002
MARLENE DESRIS
33701 LES RD
THOUSAND PALMS CA 92276

693271010
SUSAN LEE HOSIER
33541 LES RD
THOUSAND PALMS CA 92276

693272009
DAVID J. CRAWFORD
33510 WALTON CIR
THOUSAND PALMS CA 92276

693272010
RAYMOND G. FISH
33530 WALTON CIR
THOUSAND PALMS CA 92276

693272023
JOAN C. POLMAN
73932 ELIZABETH DR
THOUSAND PALMS CA 92276

693273011
JOSE A. HERNANDEZ
487 VISTA BONITA
PALM DESERT CA 92260

693172013
WAYNE A. TECKLENBURG
34 DOUGLAS WOODS PARK SE
CALGARY AB CANADA T2Z2

693172021
WILLIAM THOMPSON
74 7848 170TH ST
SURREY BC CANADA

693141036
WILLIAM TRIMBOLI
32354 CAMILLA CIR
THOUSAND PALMS CA 92276

694020018
GERTRUDE M. BRYANT
2940 KILLARNEY DR
PRINCE GEORGE CANADA BC V2K 2B1

693272021
ELSIE P. ACACIO
73900 ELIZABETH DR
THOUSAND PALMS CA 92276

693272026
SANDRA K. BUSH
73966 ELIZABETH DR
THOUSAND PALMS CA 92276

693172011
DAN K. MELTON
309 N 148TH ST
SEATTLE WA 98133

693172016
CLIFFORD KEITH JACKSON
104-2100 W 3RD AVE
VANCOUVER BC V6K1L1

693172022
JAMES M. CORLISS
33035 GUADALAJARA DR
THOUSAND PALMS CA 92276

693141038
JAMES T. ANTUS
32406 CAMILLA CIR
THOUSAND PALMS CA 92276

693172023
JEROLD WOOD
38 SIERRA MORENO CLOSE SW
CALGARY AB T3H3G3

693172026
 DODD FAMILY TRUST DATED 11/01/1995
 2409 SNEAD DR
 ALHAMBRA CA 91803

693151020
 MANUEL MERCADO
 73710 ALGONQUIN PL
 THOUSAND PALMS CA 92276

694030014
 NUISMER BARBARA ANN FAMILY TRUST DATED
 113 AVELLINO CIR
 PALM DESERT CA 92211

694030018
 MICHAEL A. JENCI
 34605 BRANDING IRON LN
 THOUSAND PALMS CA 92276

694030024
 GARY S. HANN
 PO BOX 711
 CATHEDRAL CITY CA 92235

693152026
 RANDELL C. RICH
 PO BOX 243
 TROY ID 83871

693152033
 WILSON LIVING TRUST DATED 6/4/2019
 74056 W COLLAGE VIEW CIR
 PALM DESERT CA 92211

693152034
 MCMAHON DONALD R
 32617 CHIRICAHUA DR
 THOUSAND PALMS CA 92276

693134024
 GABRIELA SERRANO
 68260 CORTA RD
 CATHEDRAL CITY CA 92234

693141035
 ROGER W. BARNETT
 32340 CAMILLA CIR
 THOUSAND PALMS CA 92276

693152065
 SHENANDOAH VENTURES
 320 N PARK VISTA ST
 ANAHEIM CA 92806

693172024
 PLEAS H. UHLHORN
 33079 GUADALAJARA DR
 THOUSAND PALMS CA 92276

693172027
 ROGER P. STEWART
 33133 GUADALAJARA DR
 THOUSAND PALMS CA 92276

693172060
 JAMES N. NAYLOR
 32800 BARCELONA DR
 THOUSAND PALMS CA 92276

693271005
ANGELO FERRARA
33599 LAURA DR
THOUSAND PALMS CA 92276

693271009
RICHARD MONTEZ
33561 LES RD
THOUSAND PALMS CA 92276

693271011
LORNA DAMATO
33521 LES RD
THOUSAND PALMS CA 92276

693272002
FREDERICK A. MONTEMARANO
33540 LES RD
THOUSAND PALMS CA 92276

693272014
KAY A. SCHULZ
33537 LISA CIR
THOUSAND PALMS CA 92276

693272017
JACK L. DUGUID
33538 LISA CIR
THOUSAND PALMS CA 92276

693273002
DANIEL C. HOWSE
33580 BELL RD
THOUSAND PALMS CA 92276

693273009
HOWARD MCDONALD
33720 BELL RD
THOUSAND PALMS CA 92276

693274002
MICHAEL W. RUSSELL
73979 BOCA CHICA TR
THOUSANDPALMS CA 92276

693274013
SHIRLEY A. IRETON
131 DESERT FALLS CT
PALM DESERT CA 92211

693274014
PATRICIA DAULT
73823 BOCA CHICA TR
THOUSAND PALMS CA 92276

693274017
WINTERSUN REC PROP ASC
3630 SERENE WAY
LYNNWOOD WA 98087

693275005
PEDICINI FRANK P JR TRUST DATED 10/08/2003
73822 BOCA CHICA TR
THOUSAND PALMS CA 92276

693275008
THEODORE J. SPECCHIO
73878 BOCA CHICA TR
THOUSAND PALMS CA 92276

693275009
ROBERT H. FORTT
73890 BOCA CHICA TR
THOUSAND PALMS CA 92276

693275013
JEFFREY T. SPECCHIO
73942 BOCA CHICA TR
THOUSAND PALMS CA 92276

693275014
CARRIE LYN GILMAN
73954 BOCA CHICA TR
THOUSAND PALMS CA 92276

693275017
ROYCE D. WILKINSON
33691 BELL RD
THOUSAND PALMS CA 92276

693275030
DORA ELSA BROOKING OLEA
73811 ELIZABETH DR
THOUSAND PALMS CA 92276

693281011
RUSSELL BARROW
73811 WHITE SANDS DR
THOUSAND PALMS CA 92276

693281015
ERLINDA IVERSON
73851 WHITE SANDS DR
THOUSAND PALMS CA 92276

693261015
MATTHEW TIMOTHY FOX
255 WOODRIDGE DR
VALLEJO CA 94591

693262004
MICHELINA R. VINELLI
P O BOX 954
THOUSAND PALMS CA 92276

693262005
JOHN TRAINOR
26 2444 YORK
ARMSTRONG BC CANADA

693262010
STEPHANIE S. COFFELT
1624 W BETTY ELYSE
PHOENIZ AZ 85023

693262023
WILLIAM A. LUSKY
537 3RD ST
MANHATTAN BCH CA 90266

693271001
LARRY THOMAS THURSTON
33721 LES RD
THOUSAND PALMS CA 92276

693271006
WILLIAM D. HARRISON
72664 SOLANUS DR
BRUCE TWP MI 48065

693272015
LINDA SUE ORRICK
P O BOX 214
THOUSAND PALMS CA 92276

693272018
KEVIN M. SMITH
73864 ELIZABETH DR
THOUSAND PALMS CA 92276

693272024
TOIGO & WINTCH 2007 LIVING TRUST
33 MASON RD
YERINGTON NV 89447

693272027
ALLEN CAMASURA
540 YOSEMITE DR
SOUTH SAN FRANCISCO CA 94080

693273006
TRACI DESPINES
33680 BELL RD
THOUSAND PALMS CA 92276

693275001
ELDEN R. MANDERSCHIED
73770 BOCA CHICA TR
THOUSAND PALMS CA 92276

693275006
ROBERT L. HARLOW
73836 BOCA CHICA TR
THOUSAND PALMS CA 92276

693275023
ROBERT L. VANDEWALL
7712 68TH STREET CT NW
GIG HARBOR WA 98335

693275024
GORDON P. HARVEY
3356 SUNNYSIDE RD
KELOWNA BC V1Z2V4

693275027
NORMAN ARTHUR CLARK
21029 42ND AVE
LANGLEY BC V3A5A2

693275032
FRIEDA M. MAHAKIAN
73781 ELIZABETH DR
THOUSAND PALMS CA 92276

693281014
NANCY ANN PECKHAM
73841 WHITE SANDS DR
THOUSAND PALMS CA 92276

694030028
BANTA JERRY W & LESA D BANTA REVOCABLE
950 AQUA DR
GALLATIN TN 37066

693282009
SIMON TRUST DTD 3/5/2020
73756 WHITE SANDS DR
THOUSAND PALMS CA 92276

693282012
 CLAY DIANA L REVOCABLE TRUST FOR REAL
 2002 196TH ST SW STE E
 LYNNWOOD WA 98036

693274009
 PHILLIP G. MATTHEWS
 73893 BOCA CHICA TR
 THOUSAND PALMS CA 92276

693275002
 ROGER SHARMAN
 73782 BOCA CHICA TR
 THOUSAND PALMS CA 92276

693275035
 PHILIP R. LAPIERRE
 33640 LES RD
 THOUSAND PALMS CA 92276

693281013
 WHITE SANDS INV
 73831 WHITE SANDS DR
 THOUSAND PALMS CA 92276

693291005
 REVOCABLE LIVING TRUST OF CARAPEZZI
 33857 SHADY PALMS CIR
 THOUSAND PALMS CA 92276

693291007
 MORRISON NANCY & GERALD LIVING TRUST
 213 MAPLERIDGE DR
 MANKATO MN 56001

693291014
 JOHN MCRAE
 33933 DRIFTING SANDS CIR
 THOUSAND PALMS CA 92276

693291029
 S CONRAD
 RR2
 OLDS CANADA AB T4H 1P3

693292003
 CLIFFORD LONNIE WALKER
 PO BOX 43
 MACRGRIE SK S012E0

693292009
 TODD PARKS
 73971 WHITE SANDS
 THOUSAND PALMS CA 92276

693172019
 MARVIN K. HUSEN
 1346 VIEW POINTE
 GARDNERVILLE NV 89410

693172029
 CAMPBELL BARBARA JOAN TRUST UAD
 414 VIA MILANO
 CATHEDRAL CITY CA 92234

694020016
 EDMUND FOX
 34537 DOUBLE DIAMOND DR
 THOUSAND PALMS CA 92276

694020019
 DENISE WHITE SEIKER
 34520 DOUBLE DIAMOND DR
 THOUSAND PALMS CA 92276

693275011
 GARY SWARTS
 73916 BOCA CHICA TR
 THOUSAND PALMS CA 92276

693281012
 ELISA BOTBYL
 4501 FAIR HOPE DR
 LA MIRADA CA 90638

694030012
 DANIEL W. CLARK
 307 SHERMAN AVE
 COEUR D ALENE ID 83814

693282025
 C HAYDEN ELLINGHAM
 236 E HIGHWAY 81
 BURLEY ID 83318

693152028
 KENNETH ERBEY
 P O BOX 2892
 PALMER AK 99645

693171009
 KAREN LARKIN
 32910 GUADALAJARA DR
 THOUSAND PALMS CA 92276

693275007
 RAGLAND PEARL J
 73850 BOCA CHICA TR
 THOUSAND PALMS CA 92276

693275016
 SANDRA J. SZIDIK
 33721 BELL RD
 THOUSAND PALMS CA 92276

693282017
 CRAIG WOOLLVEN
 908 LIGHTHOUSE LANDING
 SUMMERLAND BC V0H1Z9

693282024
 ROBERT L. GREGORY
 33834 PALM LAKE CIR
 THOUSAND PALMS CA 92276

693152027
 RONALD E. NEFZGER
 73659 ALGONQUIN PL
 THOUSAND PALMS CA 92276

693152031
 MICHAEL DAVID PARSONS
 2019 CATHER VIEW PL
 NANAIMO BC V9R6S3

693171010
 ALBERT HOFSTAD
 P O BOX 1030
 PETERSBURG AK 99833

693171019
JUDY FISCHER
33050 GUADALAJARA DR
THOUSAND PALMS CA 92276

693172006
ALFRED CHARLES BILLER
32684 CHIRICAHUA DR
THOUSAND PALMS CA 92276

693172012
LINTON WALLIN
1581 ARBUTOS DR
AGASSIZ BC V0M1A2

694030017
HENRY E. RUBI
34635 BRANDING IRON LN
THOUSAND PALMS CA 92276

694030021
RICHARD LEE CEDARSTAFF
74627 BELLOWS RD
THOUSAND PALMS CA 92276

694030022
DENNIS PATRICK LAHEY
74628 BELLOWS RD
THOUSAND PALMS CA 92276

694050010
JACK IVEY RANCH HOMEOWNERS ASSN
74580 VARNER RD
THOUSAND PALMS CA 92276

693261001
MARVIN MOREY
2-940 CELIA CRESENT
TRAIL BC V1R1B8

693261005
JOSE M. GALVEZ
33250 ACAPULCO TR
THOUSAND PALMS CA 92276

693261006
JERRY BROWER
6401 NW LINCOLN AVE
VANCOUVER WA 98663

693261020
PAUL DUNBAR
33550 ACAPULCO TR
THOUSAND PALMS CA 92276

693261021
SUSAN SPENCER
1201 CLARENCE AVE
WINNIPEG MB R3T1T1

693262013
RICHARD M. ROOD
33315 ACAPULCO DR
THOUSAND PALMS CA 92276

693262028
ANDREW MCNAB
PO BOX 36
GRANGEVILLE ID 83530

693262031
VICKI JO GREENE
32650 SOUTHERN HILLS AVE
THOUSAND PALMS CA 92276

693272004
CLOVIS B. VAUGHN
42222 RCH LAS PALMAS 2425
RANCHO MIRAGE CA 92270

651130041
DEPT OF FISH & GAME WILDLIFE
1807 13TH ST STE 103
SACRAMENTO CA 95814

651140027
TSAI FEN CAIN
35 LUCILE ST # B
ARCADIA CA 91006

693141037
OURCO
5230 RAMSDELL AVE
LA CRESCENTA CA 91214

693142021
MICHAEL L. SCHAEER
73701 STANTON DR
THOUSAND PALMS CA 92276

693171005
DIANA LYNN MCDOUGAL
32830 GUADALAJARA DR
THOUSAND PALMS CA 92276

693262039
PONTIUS RUTH M LIVING TRUST DATED 9/2/98
20205 LANARK ST
WINNETKA CA 91306

651230010
COACHELLA VALLEY CONSERVATION
73710 FRED WARING NO 200
PALM DESERT CA 92260

651130048
HON ELIZABETH
P O BOX 1132
SIERRA MADRE CA 91025

651140035
BENITO MEZA
83480 ELLA AVE
THERMAL CA 92274

693141039
NARAGON KEVIN ESTATE OF
364 N 2ND
GROVER BEACH CA 93433

693152032
ROWLAND JACKSON
23900 64 AVENUE
LANGLEY BC V2Y2G8

693171008
ROLAND M. CRAWFORD
32890 GUADALAJARA DR
THOUSAND PALMS CA 92276

693171020
 MAE MISAWA
 33020 GUADALAJARA DR
 THOUSAND PALMS CA 92276

693282001
 CARLTON REV TRUST AGREEMENT DTD
 PO BOX 185
 CUT KNIFE SK SOMONO

693282026
 LAWRENCE QUECHUCK
 7-401 BROWN RD
 VERNON BC V1T7M2

693291018
 FRANCES H. MACOMBER
 33853 DRIFTING SANDS CIR
 THOUSAND PALMS CA 92276

693291027
 GARY HAMMOND AND PATRICIA L. HAMMOND
 33935 BELL RD
 THOUSAND PALMS CA 92276

693292007
 KENNETH D. SODOMA
 15015 W TAYLOR RD
 CHENEY WA 99004

693292015
 SCHWENKE REVOCABLE LIVING TRUST DTD
 4115 MATIA DR
 FERNDAL WA 98248

694020015
 ROSSO FAMILY REVOCABLE LIVING TRUST
 34557 DOUBLE DIAMOND DR
 THOUSAND PALMS CA 92276

694020042
 JACK IVEY RANCH HOMEOWNERS ASSN
 170 E 17TH ST
 COSTA MESA CA 92627

651130032
 DEPT OF FISH & GAME WILDLIFE CONSERV
 1807 13TH ST STE 103
 SACRAMENTO CA 95814

651130049
 HOMERO BETANCOURT
 15500 BUBBLINS WELLS RD
 DESERT HOT SPRINGS CA 92240

651130056
 TYNBERG PETER L H IRA
 70711 TAMARISK LN
 RANCHO MIRAGE CA 92270

651130067
 SOUTHERN CALIFORNIA EDISON CO
 P O BOX 800
 ROSEMEAD CA 91770

651140026
 BLANCA BARAJAS
 30495 DESERT PALM DR
 THOUSAND PALMS CA 92276

694050019
BERGER H N & FRANCES FOUNDATION
P O BOX 13390
PALM DESERT CA 92255

694030044
GERRY R. WOODS
74658 BELLOWS
THOUSAND PALMS CA 92276

694400003
DAVID J. LAUDIG
74775 COTTONTAIL CT
THOUSAND PALMS CA 92276

693261010
GARY BURNS
10 REGAL WAY
SHERWOOD PARK AB T8A5N1

693261022
FRANKLIN RALPH J LIVING TRUST DTD
33590 ACAPULCO TR
THOUSAND PALMS CA 92276

693262003
JAMES W. FREEMAN
33185 ACAPULCO TR
THOUSAND PALMS CA 92276

693282022
JAMIE LINSEN
68 FRANKLIN ST
NORTHPORT NY 11768

694030020
TIMOTHY JAMES MALACHOSKY
74631 BELLOWS RD
THOUSAND PALMS CA 92276

694400002
PATRICIA J. BERGMAN
74787 COTTONTAIL CT
THOUSAND PALMS CA 92276

694050006
H N & FRANCES C BERGER FOUNDATION
PO BOX 13390
PALM DESERT CA 92255

693261013
ROBERT A. JOHNSTON
33410 ACAPULCO TR
THOUSAND PALMS CA 92276

693261026
KERMIT HAAKONSON
97 NOTTINGHAM BLVD
SHERMAN PARK AB T8A5N9

693262014
DAVID E. BORING
6642 PARK ST
FIFE WA 98424

693282027
LAWRENCE POYNOR
33894 PALM LAKE CIR
THOUSAND PALMS CA 92276

693261002
 TAMMY LESSENGER
 33190 ACAPULCO TRAIL
 THOUSAND PALMS CA 92276

693261004
 KYLE FIORI
 33230 ACAPULCO TR
 THOUSAND PALMS CA 92276

693261017
 JOHN J. ZEMBO
 37080 FERBER DR
 RANCHO MIRAGE CA 92270

693262007
 HARLAND L. WOLD
 33239 ACAPULCO
 THOUSAND PALMS CA 92276

693262027
 STACEY L. DICKINSON
 4945 N NEAL RANCH RD
 KINGMAN AZ 86401

693262029
 BALDOMERO OCAMPO
 33511 ACAPULCO TR
 THOUSAND PALMS CA 92276

693262032
 PAUL A. DEARDEN
 33547 ACAPULCO TR
 THOUSAND PALMS CA 92276

693262034
 THOMAS N. BIRKLAND
 33563 ACAPULCO TRAIL
 THOUSAND PALMS CA 92276

693271003
 NORMA J. STEVENS
 PO BOX 683
 THOUSAND PALMS CA 92276

693272022
 MICHAEL DONLEY
 3746 LIME AVE
 LONG BEACH CA 90807

693273003
 STEINWALL PROP
 1759 116TH AVE NW
 COON RAPIDS MN 55448

693274010
 JOHN D. CUDDIHY
 73879 BOCA CHICA TR
 THOUSAND PALMS CA 92276

693275003
 LEO P. GRUENKE
 73796 BOCA CHICA TR
 THOUSAND PALMS CA 92276

693275010
 ROBERT M. WOOD
 73902 BOCA CHICA TR
 THOUSAND PALMS CA 92276

693275021
STANLEY PICKTHALL
73921 ELIZABETH DR
THOUSAND PALMS CA 92276

693275026
STEELE JILL GIFT TRUST DTD 6/25/07
15120 62ND AVE NW
STANWOOD WA 98292

693282004
GARY D. MOTT
73733 BOCA CHICA TR
THOUSAND PALMS CA 92276

693282006
NANCY JAEGER SHAW
19619 27TH AVE NW
SHORELINE WA 98177

693262015
JOHN R. SWENSON
33339 ACAPULCO TR
THOUSAND PALMS CA 92276

693272001
MYERS 2019 REVOCABLE LIVING TRUST
33520 LES RD
THOUSAND PALMS CA 92276

693272019
RAYMOND L. HILL
73876 ELIZABETH DR
THOUSAND PALMS CA 92276

693275022
HANSON JUDITH M REVOCABLE LIVING TRUST
2175 SW TAYLORS FERRY RD
PORTLAND OR 97219

693275034
TREECE KEITH CHARLES & BONNIE LEE LIVING
73773 ELIZABETH DR
THOUSAND PALMS CA 92276

693282005
FUTATO FAMILY TRUST 4/16/21
14446 SAN ARDO DR
LA MIRADA CA 90638

693282013
KENNETH J. CARLTON
26707 NE REDMOND FALL CITY RD
REDMOND WA 98053

693262036
CAROL J. GAIL
33587 ACAPULCO TR
THOUSAND PALMS CA 92276

693272006
KATIE L. MORRIS
33551 WALTON CIR
THOUSAND PALMS CA 92276

693273001
WOOLLEY LIVING TRUST DATED 05/17/2006
33550 BELL RD
THOUSAND PALMS CA 92276

693274001
MICHAEL W. RUSSELL
73979 BOCA CHICA TR
THOUSAND PALMS CA 92276

693274006
RENCE GANDY
73931 BOCA CHICA TR
THOUSAND PALMS CA 92276

693274015
HARVEY FRANCIS HECK
RR2 BOX 7 SITE
WESTEROSE AB T0C2V0

693274018
GERALD K. PERKINS
P O BOX 0488
THOUSAND PALMS CA 92276

693275015
NORWOOD DAVID L & CAROL ANN LIVING
73966 BOCA CHICA TR
THOUSAND PALMS CA 92276

693275018
L D HOLLIS
33581 BELL RD
THOUSAND PALMS CA 92276

693275019
RONALD W. SHERWOOD
PO BOX 404
THOUSAND PALMS CA 92276

693281016
EUGENE L. WIRSTA
33577 LAURA
THOUSAND PLMS CA 92276

693281017
YVONNE FRAZIER
PO BOX 194
PALM SPRINGS CA 92263

694020056
JACK IVEY RANCH HOMEOWNERS ASSN
P O BOX 240
LA QUINTA CA 92247

694030023
FRED R. WEAVER
74634 BELLOWS RD
THOUSAND PALMS CA 92276

694060032
NCP BAYOU 2 HOLDINGS
55 SAUGATUCK AVE
WESTPORT CT 06880

694400001
SMITH FAMILY TRUST 5/6/21
74799 COTTONTAIL CT
THOUSAND PALMS CA 92276

694400004
ERMA RUTH GUTIERREZ
74800 COTTONTAIL CT
THOUSAND PALMS CA 92276

651130062
THOUSAND PALMS 278
P O BOX 12950
PALM DESERT CA 92255

651140007
THOUSAND PALMS DEV
209-6678 152 ST
SURREY BC V3S7J2

693171016
CHRISTOPHER R. CAUGHELL
1204 156TH ST # 401
EDMONTON AB T6R0R6

693172009
TIMOTHY MARSH
18401 SE 440TH ST
ENUMCLAW WA 98022

693272012
JOHN BLOSCH
4811 KELLY DR
CARLSBAD CA 92008

693273007
ALLEN R. WARD
PO BOX 958
MONROE WA 98272

694030025
ELVIRA M. URETA
34580 BRANDING IRON LN
THOUSAND PALMS CA 92276

651140005
THOUSAND PALMS DEV
203 8120 128TH ST
SURREY BC CANADA

693171015
RONALD DOUGHERTY
6144 POISE ISLAND DR
SECHLT BC V7Z0L5

693171018
JOHN A. BONK
P O BOX 1527
SOUTH PASADENA CA 91031

693272007
ELMO GODDARD
6495 HAPPY CANYON NO 175
DENVER CO 80237

693273004
MICHAEL G. LAVELLE
1759 116TH AVE NW
MINNEAPOLIS MN 55448

694030013
DONALD SYLVIA
74630 MEXICALI ROSE
THOUSAND PALMS CA 92276

694030026
SUSAN MARIE SOMES
34594 BRANDING IRON LN
THOUSAND PALMS CA 92276

693282023
 JAMES GRZESEK
 3114 CHERRYDALE DR
 DIAMOND BAR CA 91765

693291001
 EUGENE A. BURKE
 33937 SHADY PALMS CIR
 THOUSANDPALMS WA 92276

693291004
 DOUG BROWN
 2003 MOUNTAINVIEW AVE
 LUMBY BC CANADA

693291006
 JERRY G. ROBERTS
 26 E SUNNY SANDS RD
 CATHLAMET WA 98612

693291022
 THERESA M. REIGER
 35 E 100 S APT 506
 SALT LAKE CITY UT 84111

693291028
 GAYLE L. SHAW
 14720 155TH ST E
 ORTING WA 98360

693292002
 DANIEL F. PFLUGER
 7653 S PARK AVE
 CONCRETE WA 98237

693292008
 ALEXANDER C. SUNG
 73961 WHITE SANDS DR
 THOUSAND PALMS CA 92276

694020017
 A AMES PLUMBING HEATING CORP
 PO BOX 1017
 GARDEN GROVE CA 92842

693282002
 MICHAEL L. MORRISSEY
 73745 BOCA CHICA TR
 THOUSAND PALMS CA 92276

693282010
 EBS TRUST DTD 9/11/2003
 73766 WHITE SANDS DR
 THOUSAND PALMS CA 92276

693282018
 CAROL EVE GOOLER
 33919 PALM LAKE CIR
 THOUSAND PALMS CA 92276

693282019
 STANLEY D. WOODWARD
 PO BOX 255
 BLUE RIVER OR 97413

693282020
 THOMAS A. STEINWACHS
 33879 PALM LAKE CIR
 THOUSAND PALMS CA 92276

693282028
LEATH IVA FAJAAGESUND
33914 PALM LAKE CIR
THOUSAND PALMS CA 92276

693292010
BRUMMOND FAMILY TRUST DATED 2/6/2015
73981 WHITE SANDS DR
THOUSAND PALMS CA 92276

693292013
DAVID A. BILAWA
33940 BELL RD
THOUSAND PALMS CA 92276

693292016
JILES E. GUM
325 HARPER LOOP
GRANTS PASS OR 97527

693141045
LEOBARDO BAEZ ESPINOZA
32357 CHIRICAHUA DR
THOUSAND PALMS CA 92276

693152029
CHARLES T. WAGNER
3228 MEADOW RIDGE LN
TWIN FALLS ID 83301

693152043
FREDRICK H. KNUTZEN
812 SUNDOWN LN
CAMANO ISLAND WA 98282

693291017
JULIE M. AMBORD
33873 DRIFTING SANDS CIR
THOUSAND PALMS CA 92276

693292011
PATRICIA LEAH SCHMIT
73991 WHITE SANDS DR
THOUSAND PALMS CA 92276

693292014
DORIS J. HOLLAND
33920 BELL RD
THOUSAND PALMS CA 92276

693141041
TONY GALVAN
32405 CHIRICAHUA DR
THOUSAND PALMS CA 92276

693142024
AIDA AMBRIZ
30 130 LAS FLORES WAY
THOUSAND PALMS CA 92276

693152035
AMMAR KERRY SUE FAMILY TRUST DTD
PO BOX 374
THOUSAND PALMS CA 92276

693171002
BRIAN G. LINDSAY
9 630 BROOKSIDE RS
VICTORIA BC V9C0B3

693171011
 JANICE CAROLYN LEMUS
 32950 GUADALAJARA DR
 THOUSAND PALMS CA 92276

693172007
 REIGER LESLIE & THERESA FAMILY LIVING
 35 W 100 S # 506
 SALT LAKE CITY UT 84111

693172014
 JACK RAYMOND MOCKFORD
 6360 LANSLOWNE PL
 DUNCAN BC V9L 5R2

693172017
 KENT LABERGE
 32943 GUADALAJARA DR
 THOUSAND PALMS CA 92276

693172058
 SUSANNA S. WARD
 32840 BARCELONA DR
 THOUSAND PALMS CA 92276

694060023
 INTEGRITY CAPITAL SHENANDOAH
 815 HARBOR CLIFF WAY # 252
 OCEANSIDE CA 92054

693172059
 JANET GREGORY
 32820 BARCELONA DR
 THOUSAND PALMS CA 92276

694400031
 CHAMPAGNE PARTNERS
 8860 LAWRENCE WELK DR
 ESCONDIDO CA 92026

693291012
 WILLIAM JACKSON
 33912 SHADY PALMS CIR
 THOUSAND PALMS CA 92276

693291032
 CHARLES R. POTHIER
 33835 BELL RD
 THOUSAND PALMS CA 92276

693291033
 RAYMOND CASTAGNER
 23-6211 CHILLIWACK RIVER RD
 CHILLIWACK BC V2R6A7

693292019
 JULIAN E. MEAD
 3561 S CARYSHEA ST
 WASILLA AK 99623

694030027
 ROBERT EUGENE BURGETT
 34610 BRANDING IRON LN
 THOUSAND PALMS CA 92276

694030043
 MICHAEL VINCENT ALLEN
 1320 LOUISIANA ST
 VALLEJO CA 94590

Thousand Palms 278, LLC
2045 E Tahquitz Canyon Way
Palm Springs, CA 92262

Albert A. Webb Associates
3788 McCray
Riverside, CA 92506

Thousand Palms 278, LLC
2045 E Tahquitz Canyon Way
Palm Springs, CA 92262

Albert A. Webb Associates
3788 McCray
Riverside, CA 92506

Thousand Palms 278, LLC
2045 E Tahquitz Canyon Way
Palm Springs, CA 92262

Albert A. Webb Associates
3788 McCray
Riverside, CA 92506

THE PRESS-ENTERPRISE

1825 Chicago Ave, Suite 100
Riverside, CA 92507
951-684-1200
951-368-9018 FAX

PROOF OF PUBLICATION (2010, 2015.5 C.C.P.)

Publication(s): The Press-Enterprise

PROOF OF PUBLICATION OF

Ad Desc.: ACR CZ2200004 /

I am a citizen of the United States. I am over the age of eighteen years and not a party to or interested in the above entitled matter. I am an authorized representative of THE PRESS-ENTERPRISE, a newspaper in general circulation, printed and published daily in the County of Riverside, and which newspaper has been adjudicated a newspaper of general circulation by the Superior Court of the County of Riverside, State of California, under date of April 25, 1952, Case Number 54446, under date of March 29, 1957, Case Number 65673, under date of August 25, 1995, Case Number 267864, and under date of September 16, 2013, Case Number RIC 1309013; that the notice, of which the annexed is a printed copy, has been published in said newspaper in accordance with the instructions of the person(s) requesting publication, and not in any supplement thereof on the following dates, to wit:

07/06/2022

I certify (or declare) under penalty of perjury that the foregoing is true and correct.

Date: July 06, 2022
At: Riverside, California


Legal Advertising Representative, The Press-Enterprise

BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE
PO BOX 1147
RIVERSIDE, CA 92502

Ad Number: 0011544900-01

P.O. Number:

Ad Copy:

NOTICE OF PUBLIC HEARING BEFORE THE BOARD OF SUPERVISORS OF RIVERSIDE COUNTY ON A CHANGE OF ZONE, CONDITIONAL USE PERMIT, AND DEVELOPMENT AGREEMENT, FOURTH SUPERVISORIAL DISTRICT

NOTICE IS HEREBY GIVEN that a public hearing at which all interested persons will be heard, will be held before the Board of Supervisors of Riverside County, California, on the 1st Floor Board Chambers, County Administrative Center, 4080 Lemon Street, Riverside, on **Tuesday, July 26, 2022 at 10:00 A.M.** or as soon as possible thereafter, to consider the Planning Commission's recommended approval of Change of Zone No. 2200004, Conditional Use Permit No. 220003, and Development Agreement No. 2200003. Change of Zone 2200004 a proposal to change the existing Zoning Classifications of the project from R-1 to R-D on 165 gross acres (17 parcels). Conditional Use Permit No. 220003 a proposal to develop a solar array & battery storage facility. The facility would consist of approx. 108 acres of solar arrays (panels) and approx. 43 acres of battery storage & onsite substation. An underground power-line extension will direct the power to a SCE power grid from the project site to the SCE Mirage Substation, north of Ramon Rd. The solar arrays would consist of 96 modules for a maximum of 150 MW of solar production. The battery storage would consist of 400 self-contained one megawatt (MW) storage batteries on elevated platforms totaling 400 MW of storage. The remainder of the site would consist of access roads, a solar substation, fencing, and some landscaping. Development Agreement No. 2200003 proposes a development agreement with the applicant and County consistent with the County's solar plant program (Board Policy B-29) and grants vesting rights to develop the project in accordance with the terms of the agreement which requires certain calculation of development impact fees. This project is located north of Interstate 10 Highway, south of Ramon Rd, east of Vista de Oro, and west of Chase School Rd, fourth supervisorial district

Planning Department staff recommends that the Board of Supervisors **Adopt a Mitigated Negative Declaration for Environmental Assessment No. 220011 (CEQ220011), Adopt an Ordinance associated with Change of Zone No. 2200004, Approve Change of Zone No. 2200004, Tentatively Approve Development Agreement No. 2200003, and Approve Conditional Use Permit No. 220003.**

The Planning Department meeting documents for the proposed project may be viewed online under the Planning Commission hearing date on the Public Hearing page of the Planning Department website: <https://planning.rctima.org/Public-Hearings>.

FOR FURTHER INFORMATION REGARDING THIS PROJECT, PLEASE CONTACT TIMOTHY WHEELER, URBAN/REGIONAL PLANNER IV, AT (951) 955-6060 OR EMAIL TWHEELER@RIVCO.ORG.

Any person wishing to testify in support of or in opposition to the project may do so in writing between the date of this notice and the public hearing or may appear and be heard at the time and place noted above. All written comments received prior to the public hearing will be submitted to the Board of Supervisors and the Board of Supervisors will consider such comments, in addition to any oral testimony, before making a decision on the project.

If you challenge the above item 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 to the Planning Commission or Board of Supervisors at, or prior to, the public hearing. Be advised that as a result of the public hearing and the consideration of all public comment, written and oral, the Board of Supervisors may amend, in whole or in part, the project and/or the related environmental document. Accordingly, the designations, development standards, design or improvements, or any properties or lands within the boundaries of the project, may be changed in a way other than specifically proposed.

Alternative formats available upon request to individuals with disabilities. If you require reasonable accommodation, please contact Clerk of the Board at (951) 955-1069, at least 72 hours prior to hearing.

Please send all written correspondence to: Clerk of the Board, 4080 Lemon Street, 1st Floor, Post Office Box 1147, Riverside, CA 92502-1147 or email cob@rivco.org

Dated: June 23, 2022

Kecia R. Harper, Clerk of the Board
By: Zuly Martinez, Board Assistant

Press-Enterprise
Published: 7/6/22

*Planning
7/26/22*



State of California - Department of Fish and Wildlife
2022 ENVIRONMENTAL DOCUMENT FILING FEE
CASH RECEIPT
DFW 753.5a (REV. 01/01/22) Previously DFG 753.5a

RECEIVED RIVERSIDE COUNTY
CLERK/BOARD OF SUPERVISORS

2022 AUG 18
RECEIPT NUMBER:
22-238820

STATE CLEARINGHOUSE NUMBER (If applicable)

SEE INSTRUCTIONS ON REVERSE. TYPE OR PRINT CLEARLY.

LEAD AGENCY CLERK OF THE BOARD OF SUPERVISORS	LEAD AGENCY EMAIL COB@RIVCO.ORG	DATE 06/23/2022
COUNTY/STATE AGENCY OF FILING RIVERSIDE	DOCUMENT NUMBER E-202200587	

PROJECT TITLE

CZ2200004, CUP220003, DA2200003

PROJECT APPLICANT NAME CLERK OF THE BOARD OF SUPERVISORS	PROJECT APPLICANT EMAIL COB@RIVCO.ORG	PHONE NUMBER (951) 955-1069
PROJECT APPLICANT ADDRESS 4080 LEMON ST. 1ST FLOOR,	CITY RIVERSIDE	STATE CA
		ZIP CODE 92555

PROJECT APPLICANT (Check appropriate box)

☒ Local Public Agency ☐ School District ☐ Other Special District ☐ State Agency ☐ Private Entity

CHECK APPLICABLE FEES:

<input type="checkbox"/> Environmental Impact Report (EIR)	\$3,539.25	\$	
<input type="checkbox"/> Mitigated/Negative Declaration (MND)(ND)	\$2,548.00	\$	
<input type="checkbox"/> Certified Regulatory Program (CRP) document - payment due directly to CDFW	\$1,203.25	\$	
<input type="checkbox"/> Exempt from fee			
<input type="checkbox"/> Notice of Exemption (attach)			
<input type="checkbox"/> CDFW No Effect Determination (attach)			
<input type="checkbox"/> Fee previously paid (attach previously issued cash receipt copy)			
<hr/>			
<input type="checkbox"/> Water Right Application or Petition Fee (State Water Resources Control Board only)	\$850.00	\$	
<input type="checkbox"/> County documentary handling fee		\$	\$0.00
<input type="checkbox"/> Other		\$	

PAYMENT METHOD:

☐ Cash ☐ Credit ☐ Check ☒ Other

TOTAL RECEIVED \$ \$0.00

SIGNATURE

X *C. Sandral*

AGENCY OF FILING PRINTED NAME AND TITLE

Deputy

7/26/22 21.1
2022-8-153361

**NOTICE OF PUBLIC HEARING BEFORE THE BOARD OF SUPERVISORS OF RIVERSIDE COUNTY
ON A CHANGE OF ZONE, CONDITIONAL USE PERMIT, AND DEVELOPMENT AGREEMENT,
FOURTH SUPERVISORIAL DISTRICT**

NOTICE IS HEREBY GIVEN that a public hearing at which all interested persons will be heard, will be held before the Board of Supervisors of Riverside County, California, on the 1st Floor Board Chambers, County Administrative Center, 4080 Lemon Street, Riverside, on **Tuesday, July 26, 2022 at 10:00 A.M.** or as soon as possible thereafter, to consider the Planning Commission's recommended approval of Change of Zone No. 2200004, Conditional Use Permit No. 2200003, and Development Agreement No. 2200003. Change of Zone 2200004 a proposal to change the existing Zoning Classifications of the project from R-1 to R-D on 165 gross acres (17 parcels). Conditional Use Permit No. 2200003 a proposal to develop a solar array & battery storage facility. The facility would consist of approx. 108 acres of solar arrays (panels) and approx. 43 acres of battery storage & onsite substation. An underground power-line extension will direct the power to a SCE power grid from the project site to the SCE Mirage Substation, north of Ramon Rd. The solar arrays would consist of 96 modules for a maximum of 150 MW of solar production. The battery storage would consist of 400 self-contained one megawatt (MW) storage batteries on elevated platforms totaling 400 MW of storage. The remainder of the site would consist of access roads, a solar substation, fencing, and some landscaping. Development Agreement No. 2200003 proposes a development agreement with the applicant and County consistent with the County's solar plant program (Board Policy B-29) and grants vesting rights to develop the project in accordance with the terms of the agreement which requires certain calculation of development impact fees. This project is located north of Interstate 10 Highway, south of Ramon Rd, east of Vista de Oro, and west of Chase School Rd, fourth supervisorial district

Planning Department staff recommends that the Board of Supervisors **Adopt a Mitigated Negative Declaration for Environmental Assessment No. 220011 (CEQ220011), Adopt an Ordinance associated with Change of Zone No. 2200004, Approve Change of Zone No. 2200004, Tentatively Approve Development Agreement No. 2200003, and Approve Conditional Use Permit No. 2200003.**

The Planning Department meeting documents for the proposed project may be viewed online under the Planning Commission hearing date on the Public Hearing page of the Planning Department website: <https://planning.rctlma.org/Public-Hearings>.

FOR FURTHER INFORMATION REGARDING THIS PROJECT, PLEASE CONTACT TIMOTHY WHEELER, URBAN/REGIONAL PLANNER IV, AT (951) 955-6060 OR EMAIL TWHEELER@RIVCO.ORG.

Any person wishing to testify in support of or in opposition to the project may do so in writing between the date of this notice and the public hearing or may appear and be heard at the time and place noted above. All written comments received prior to the public hearing will be submitted to the Board of Supervisors and the Board of Supervisors will consider such comments, in addition to any oral testimony, before making a decision on the project.

If you challenge the above item 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 to the Planning Commission or Board of Supervisors at, or prior to, the public hearing. Be advised that as a result of the public hearing and the consideration of all public comment, written and oral, the Board of Supervisors may amend, in whole or in part, the project and/or the related environmental document. Accordingly, the designations, development standards, design or improvements, or any properties or lands within the boundaries of the project, may be changed in a way other than specifically proposed.

Alternative formats available upon request to individuals with disabilities. If you require reasonable accommodation, please contact Clerk of the Board at (951) 955-1069, at least 72 hours prior to hearing.

Please send all written correspondence to: Clerk of the Board, 4080 Lemon Street, 1st Floor, Post Office Box 1147, Riverside, CA 92502-1147 or email cob@rivco.org

Dated: July 23, 2022

Kecia R. Harper, Clerk of the Board
By: Zuly Martinez, Board Assistant



Lead Agency: Clerk of the Board of Supervisors
ATTN: Zuly Martinez
Address: 4080 Lemon Street 1st floor
Riverside, Ca. 92501

FILED / POSTED

County of Riverside
Peter Aldana
Assessor-County Clerk-Recorder

E-202200587
06/23/2022 05:00 PM Fee: \$ 0.00
Page 1 of 2

Removed: 7/21/22 By: Scamach Deputy



Project Title

Notice of Public Hearing CZ2200004, CUP220003, DA2200003

Filing Type

- ☐ Environmental Impact Report
- ☐ Mitigated/Negative Declaration
- ☐ Notice of Exemption
- ☒ Other: Notice of Public Hearing

Notes



COUNTY OF RIVERSIDE PLANNING DEPARTMENT STAFF REPORT

Agenda Item No.

Board of Supervisor's Hearing: July 26, 2022

PROPOSED PROJECT

Case Number(s): Change of Zone No. 2200004

Conditional Use Permit No. 220003

Development Agmt. No. 2200003

Environmental: Mitigated Negative Declaration

Area Plan: Western Coachella Valley

Zoning Area/District: Thousand Palms District

Supervisorial District: Fourth District

Project Planner: Tim Wheeler

Applicant(s): Wintec Energy, LTD.

c/o Fred Noble

Representative: Webb & Associates

c/o Scott Hildebrandt

John Hildebrand
Planning Director

APNs: 651-130-062, 063, 064, 065 / 651-140-017, 018, 019,
020, 021, 022, 023, 024, 025 / 651-140-039, 040, 041, 042

PROJECT DESCRIPTION AND LOCATION

The requested entitlements below are considered the "Project" and are more fully detailed in the Initial Study. The Project is commonly referred to as the Salvador Energy Center or Noble Solar Project and is comprised of the following land use cases:

Change of Zone 2200004 is a proposal to change the existing Zoning Classifications for the project site from One-Family Dwellings (R-1) to Regulated Development Areas (R-D) on 165.7 gross acres (17 parcels).

Conditional Use Permit No. 220003 is a proposal to develop a solar array and solar battery storage facility. The facility would consist of an estimated 165 gross acres (approximately 108 acres of solar arrays (panels), approximately 43 acres of solar battery storage/onsite substation with access roads, approximately 4.8 acres of undisturbed cultural area, and approximately 9.3 acres of roadway dedication). An underground power-line extension will direct the power to a Southern California Edison (SCE) power grid from the project site to a substation (SCE Mirage Substation) north of Ramon Road. The solar arrays would consist of 96 modules per each panel: with single axis trackers, bifacial passivated emitter rear cell (perc) technology for a maximum of 150 MW of solar production. The battery storage section would consist of 400 self-contained one (1) megawatt (MW) storage batteries to be installed on elevated metal platforms totaling 400 MW of battery storage. The remainder of the site would consist of onsite perimeter access roads and a solar substation. The solar substation is an outdoor device installed on gravel or in some situations on precast concrete slabs. Furthermore, to minimize grading and paving, the project is to use road base gravel for roads (similar to windfarms) so as rain would percolate through the gravel. The facility would include 10 parking spaces.

Development Agreement No. 2200003 is consistent with the County's solar plant program (Board Policy B-29) and grants vesting rights to develop the project, for 34.5 years, in accordance with the terms of the

agreement and Conditional Use Permit No. 220003 and requires certain calculation of development impact fees.

The Project site is within the Western Coachella Valley Area Plan and is located north of Interstate 10 Highway, south of Ramon Road, east of Vista de Oro, and west of Chase School Road.

PROJECT RECOMMENDATION

STAFF RECOMMENDATIONS:

THAT THE BOARD OF SUPERVISORS TAKE THE FOLLOWING ACTIONS:

ADOPT a **MITIGATED NEGATIVE DECLARATION** for **ENVIRONMENTAL ASSESSMENT NO. 220011 (CEQ220011)**, 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 CHANGE OF ZONE NO. 2200004, to amend the zoning classifications of the Project site from One-Family Dwellings (R-1) to Regulated Development Areas (R-D), based upon the findings and conclusions in the staff report and all exhibits and pending final adoption of the zoning Ordinance No. 348.4987; and,

ADOPT ORDINANCE NO. 348.4987, an Ordinance of the County of Riverside amending Ordinance No. 348, as shown on Map No. 40.052, Change of Zone Case No. 2200004, to change the zoning classification of the Project site in the Thousand Palms District from One-Family Dwellings (R-1) to Regulated Development Areas (R-D), based upon the findings and conclusions provided in this staff report and all exhibits; and,

INTRODUCE, READ TITLE, WAIVE FURTHER READING OF, AND ADOPT on successive weeks **Ordinance No. 664.92**, an Ordinance of the County of Riverside approving Development Agreement No. 2200003, based upon the findings and conclusions provided in this staff report and all exhibits; and

APPROVE CONDITIONAL USE PERMIT NO. 220003, based upon the findings and conclusions in this staff report and all exhibits and subject to the attached Advisory Notification Document, Conditions of Approval, final approval of Change of Zone No. 2200004 and adoption of Ordinance No. 348.4987, and final approval of Development Agreement No. 2200003 and adoption of Ordinance No. 664.92.

PROJECT DATA

Land Use and Zoning:

Specific Plan:	N/A
Existing General Plan Foundation Component:	Rural and Community Development
Proposed General Plan Foundation Component:	N/A
Existing General Plan Land Use Designation:	Rural: Rural Residential (R: RR) and Community Development: Medium Density Residential (CD: MDR)
Proposed General Plan Land Use Designation:	N/A

Policy / Overlay Area:		N/A
Surrounding General Plan Land Uses		
North:	Rural: Rural Residential (R: RR) and Community Development: Medium Density Residential (CD: MDR)	
East:	Rural: Rural Residential (R: RR)	
South:	Community Development: Mixed Use Area (CD: MUA) and Community Development: High Density Residential (CD: HDR)	
West:	Community Development: Medium Density Residential (CD: MDR), Community Development: Medium High Density Residential (CD: MHDR), Community Development: Public Facilities (CD: PF), and Community Development: Mixed Use Area (CD: MUA)	
Existing Zoning Classification:		One-Family Dwellings (R-1)
Proposed Zoning Classification:		Regulated Development Areas (R-D)
Surrounding Zoning Classifications		
North:	General Residential – 6,000 sq ft minimum (R-3-6000)	
East:	One-Family Dwellings (R-1)	
South:	Mixed Use (MU) and Multiple Family Dwellings (R-2)	
West:	Specific Plan No. 386, R-5, and Mixed Use (MU)	
Existing Use:		Vacant Land
Surrounding Uses		
North:	Vacant Land	
East:	Vacant Land	
South:	Vacant Land and Residential Development	
West:	Vacant Land and Residential Development	

Project Details:

<i>Item</i>	<i>Value</i>	<i>Min./Max. Development Standard</i>
Project Site (Acres):	165.7 gross acres	N/A
Proposed Project Area:	151.6 net acres	N/A
Solar Panel Height (FT):	8'	N/A
Battery Facility Height with platform (FT):	13.5'	N/A

Parking:

<i>Type of Use</i>	<i>Building Area (in SF)</i>	<i>Parking Ratio</i>	<i>Spaces Required</i>	<i>Spaces Provided</i>
Solar Panel Facility	N/A	N/A	N/A	10
TOTAL:				

Located Within:

City's Sphere of Influence:	Yes – Cathedral City
Community Service Area ("CSA"):	No
Special Flood Hazard Zone:	Yes
Agricultural Preserve:	No
Liquefaction Area:	Yes – Moderate
Subsidence Area:	Yes – Susceptible
Fault Zone:	No
Fire Zone:	No
Mount Palomar Observatory Lighting Zone:	Yes – Zone B
CVMSHCP Conservation Boundary:	Yes – The project is outside the Coachella Valley Conservation Areas (to the east)
Stephens Kangaroo Rat ("SKR") Fee Area:	No
Airport Influence Area ("AIA"):	No

PROJECT LOCATION MAP

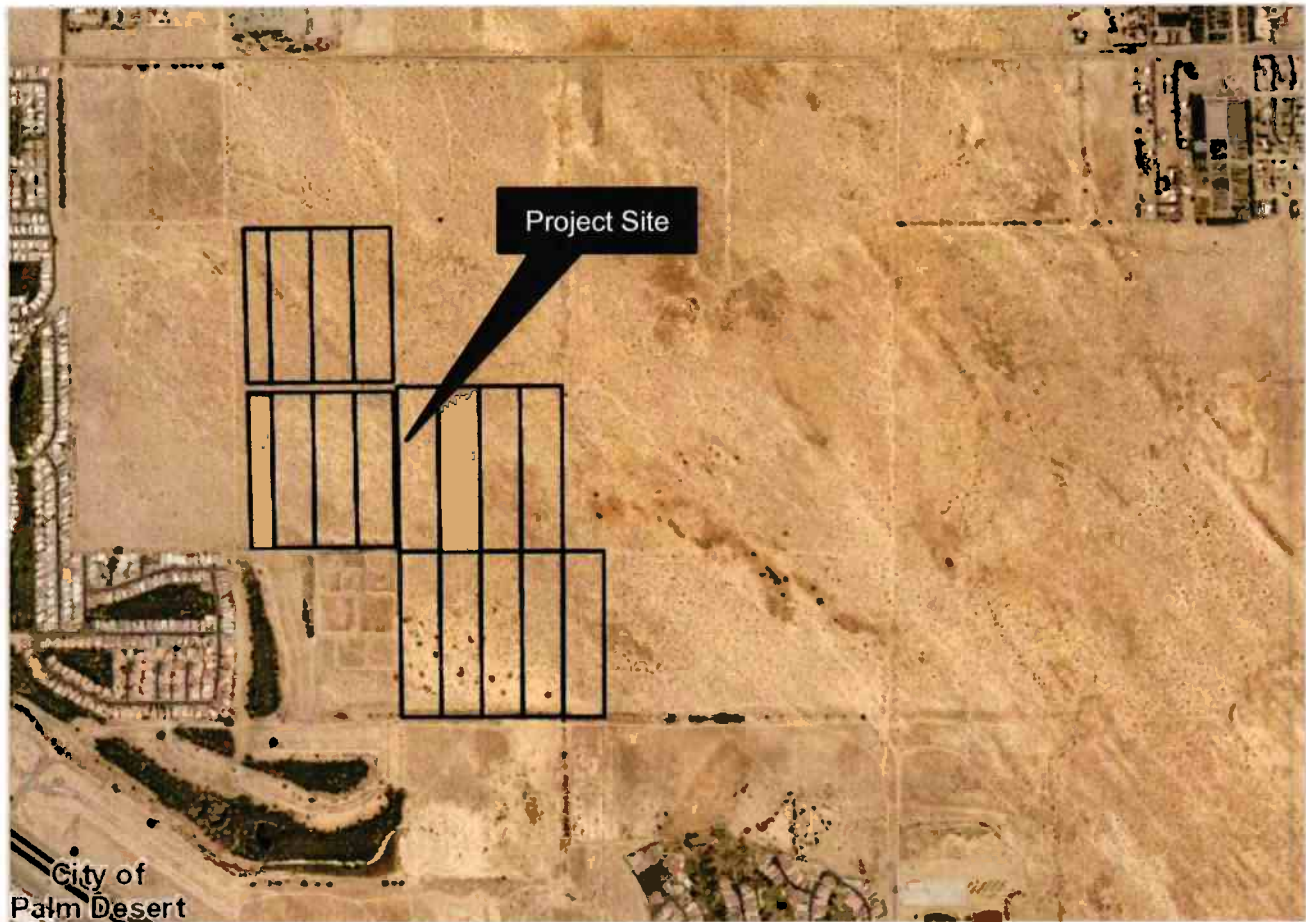


Figure 1: Project Location Map

PROJECT BACKGROUND AND ANALYSIS

Background:

Overview

Change of Zone No. 2200004, Conditional Use Permit, No. 2200003, and Development Agreement No. 2200003 were submitted to the County of Riverside on February 3, 2022. Staff has reviewed the Project and has determined that it is consistent with all applicable zoning development standards, the General Plan, Board of Supervisor's Policy B-29 – Solar Power Plants, and all other applicable ordinances. Furthermore, an Initial Study (a Mitigated Negative Declaration-MND) has been completed in accordance with the California Environmental Quality Act (CEQA) requirements.

As an environmental benefit, the Project would help the State achieve its renewable energy goals and mandates. The production of renewable energy has the added benefit of reducing air quality impacts and

GHG emissions that would be produced by fossil-fuel based generation facilities. The Project would be developed on contiguous vacant land to minimize impacts to sensitive species and habitats.

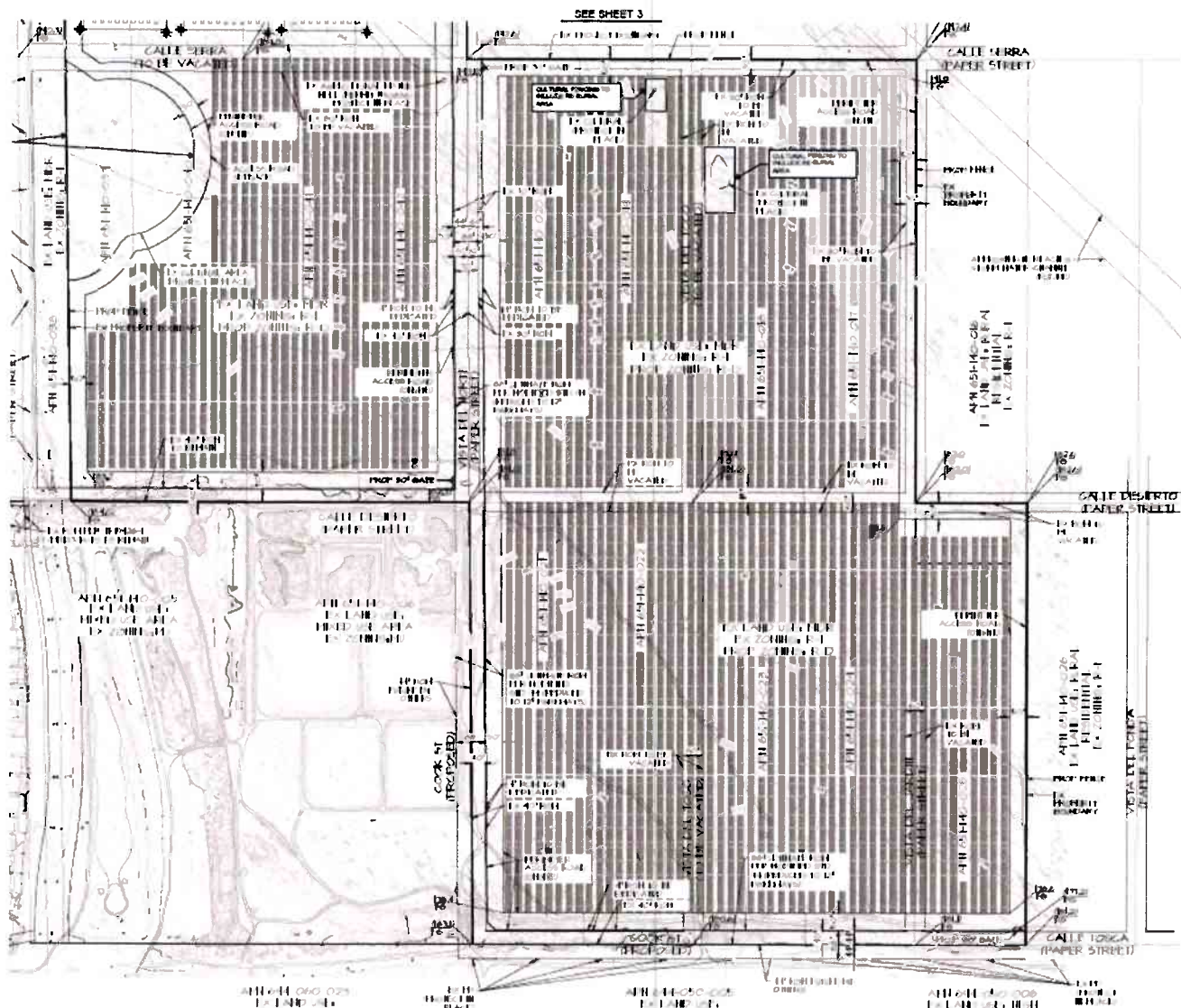
The Project would also provide other important benefits to the local and regional economy from the purchase of equipment and supplies and other revenues as agreed upon in the terms of Development Agreement No. 2200003. Additionally, the Project would result in the contribution of significant development impact fees under Ordinance No. 659 which would assure that the Project pays its fair share of capital costs of facilities, as defined in Ordinance No. 659, associated with development of the Project. Indirectly the County and region would benefit from the employment of a few hundred daily workers during peak construction period and would provide approximately 4-8 permanent, part-time/full-time jobs upon operation. Other economic benefits include workers utilizing local and regional commercial services such as hotels and restaurants.

Site Characteristics

The proposed Project is located on approximately 165 gross acres contiguous parcels in the Thousand Palms area of Riverside County. The proposed Project site is in the Western Coachella Valley near the community of Thousand Palms, just northeast of the cities of Palm Desert, Rancho Mirage, and Cathedral City. The Project consists of 17 parcels of private land for the solar facility. The Project site is relatively level with topography descending gradually from southeast to northwest at elevations of 180 feet above mean sea level (AMSL) to 200 feet AMSL. The renewable energy facility sites would occupy approximately 151 acres of largely undisturbed, privately owned land, which would minimize ground disturbance and impacts to resources. Uses in the vicinity include vacant undisturbed land near the Coachella Valley National Wildlife Refuge, approximately 2,000 feet to the east, vacant land and the Ivey Ranch Country Club to the south, vacant land and the Shenandoah Springs Village residential development with golf course to the west, and vacant land and a Southern California Edison (SCE) substation (Mirage Substation) to the north.

Project Details

Energy would be transported from the Project site substation to SCE's Mirage Substation through a 230-kilovolt (kV) generation tie (gen-tie) lines that would be undergrounded. Underground or overhead collector lines would transmit energy to and from an on-site substation, to be located on the northeasterly portion of the northerly parcel on the project site, and the Battery Energy Storage System (BESS). Inverters located adjacent to the enclosures would invert and step-up energy to 230 kilovolts for transmission to the SCE Mirage Substation or invert from alternating current to direct current for storage in the BESS. The Project would provide 10 standard parking spaces for maintenance workers. No onsite building will be built for staff or maintenance workers. Additionally, the perimeter of the solar facility would be enclosed by an 8-foot-high chain-link fence and landscaping on the west and southern perimeters. Lighting is provided to the solar facility through 14-foot-high light poles on motion sensors with shielding and directed downwards into the solar facility. There is a 4.8 acre area that includes cultural resources that will not be disturbed by the solar facility.



General Plan Consistency

The proposed Project would be constructed within an area covered by the Western Coachella Valley Area Plan primarily on land designated in the Plan as Rural: Rural Residential (R: RR) and Community Development: Medium Density Residential (CD: MDR). No portions of the project site are located within an Agriculture Preserve, Historic Preservation District, or Airport Compatibility Zone. The Project site is within an Environmental Justice Community for the Thousand Palms area. Consistency with the General Plan is outlined in detail in the Findings Section of this report.

Ordinance No. 348 Consistency

Change of Zone No. 2200004 proposes to change the Project site's zoning classification from One-Family Dwellings (R-1) to Regulated Development Areas (R-D). Since the R-1 zone does not allow the development of solar power plants or facilities the County requested a change of zone. The R-D Zone allows for the development of a solar power plants or facilities on a 10 acre or larger parcel or parcels.

Compliance with the Zoning Ordinance (Ordinance No. 348) is outlined in detail in the Findings Section of this report.

Board of Supervisors Policy B-29

The proposed Project is subject to Policy B-29, and the developer would need to enter into a development agreement with the County. The purpose of Policy B-29 is to ensure that the County does not disproportionately bear the burden of solar energy production and ensure the County is compensated in an amount it deems appropriate for the use of its real property. The policy states that the solar power plant owner shall annually pay the County \$150 for each acre of land involved in the power production process. It also lists requirements for solar power plant owners relating to sales and use taxes payable in connection with the construction of a solar power plant. Once the development agreement is enacted, the proposed Project would comply with this policy. The policy requires an expedited review and approval of any agreement(s), permits, or other approvals from the County necessary to site, develop and operate solar power plants. In an effort to expedite the review of this project, per the policy, the project has been prepared for the consideration by the Board of Supervisors.

ENVIRONMENTAL REVIEW AND ENVIRONMENTAL FINDINGS

An Initial Study (IS) and a Mitigated Negative Declaration (MND) have been prepared for this project in accordance with the California Environmental Quality Act (CEQA). The Initial Study identified potentially significant impacts in regard to the issue areas of Aesthetics, Biological Resources, Cultural Resources, Geology, Paleontological Resources, Tribal Cultural Resources, and Mandatory Findings of Significance; however, with the incorporation of mitigation measures the impacts were reduced to less than significant. Based on the Initial Study's conclusions, the County of Riverside determined that an MND is appropriate for the proposed Project pursuant to the State CEQA Guidelines. The IS and MND represent the independent judgement of Riverside County. The documents were circulated for public review on July 6, 2022 per the California Environmental Quality Act Statute and Guidelines Section 15105. The public review period ended on July 25, 2022. The CEQA documents are located at the Riverside County Planning Department at 4080 Lemon Street, Riverside, CA 92501.

As of the writing of this staff report, no comment letters in response to the revised IS and MND have been received, and no additional revisions to the project have been made. As demonstrated in the IS and MND, the proposed project will not result in any significant impacts to the environment, with mitigation incorporated.

FINDINGS AND CONCLUSIONS

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

Land Use Findings:

1. The Project site has a General Plan Land Use Designation of Rural: Rural Residential (R: RR) and Community Development: Medium Density Residential (CD: MDR) in the Western Coachella Valley Area Plan. The General Plan is general in nature as it pertains to land use allowances within a given General Plan Land Use Designation. Infrastructure or solar power developments is not a cited general use allowed within the Medium Density Residential land use designation or any land use designation. The more relevant land use determination is better suited to the specific zoning classification for which

the General Plan supports. A solar power plant facility is a specific use that supports all types of general plan designations (i.e., residential, commercial, or industrial) and could be allowed within most land use designations, assuming the zoning that implements the General Plan also allows it. This infrastructure determination is further supported by General Plan Policy LU 17.2 which states: "Permit and encourage, in an environmentally and fiscally responsible manner, the development of renewable energy resources and related infrastructure, including but not limited to, the development of solar power plants in the County of Riverside". Lastly, the conditions of approval and mitigation measures ensure that the Project is being developed in an environmentally responsible manner. The terms of the Development Agreement also ensure that the Project is being developed in a fiscally responsible manner. The Project is consistent with all other applicable provisions of the General Plan.

2. The Project site is located within an Environmental Justice Community as identified in the Healthy Communities Element. Attached to this staff report is a checklist that evaluates the Project's applicability and consistency to the Environmental Justice policies within the General Plan. As is shown in the checklist, the project is consistent with all applicable policies and therefore is consistent with this component of the General Plan. Additionally, there is a condition of approval (90-Environmental Justice Community Benefit) that has been added to the Project. This will address a community benefit payment associated with Environmental Justice concerns.
3. The Project site has a Zoning Classification of One-Family Dwellings (R-1). Change of Zone No. 2200004 proposes a zone change to R-1 to Regulated Development Areas (R-D), which is consistent with the Riverside County General Plan, as described further in the Change of Zone findings below.
4. The proposed use, a solar facility, is consistent with Ordinance 348 (Land Use) and is allowed within the R-D Zoning Classification, subject to a Conditional Use Permit approval, as described further in the Conditional Use Permit findings below.

Change of Zone Findings:

Change of Zone No. 2200004 (CZ2200004) is a proposal to change the Project site's Zoning Classification from One-Family Dwellings (R-1) to Regulated Development Areas (R-D). The following findings shall be made prior to making a recommendation to grant a Change of Zone, pursuant to the provisions of the Riverside County Zoning Ordinance No. 348 (Land Use):

1. The proposed Change of Zone to R-D would be consistent with the existing General Plan land use designation of R: RR and CD: MDR and would be consistent with all other applicable provisions of the General Plan as noted above in the Land Use Findings. Additionally, there are not any development standards for the R-D zone.
2. *The requested change of zone does not involve a change in or conflict with the Vision of the County of Riverside.* The County acknowledges and respects the long heritage of economic endeavors that have shaped portions of our environment through mining, agriculture, renewable energy development and similar enterprises and continue to take their value into consideration in shaping our environmental management. Furthermore, through General Planning Principles set forth in General Plan Appendix B, Section II.A.4 it states: "Energy efficiency should also be pursued wherever possible through development design to capitalize on facilitating solar energy".
3. *The proposed amendment would not be detrimental to the health, safety or general welfare of the community.* As detailed in the project's IS-MND all impacts have been reduced to a level that is less

than significant; in particular related to local air quality, noise, and other impacts related to public health were determined to be less than significant; impacts from hazards, hydrology, emergency access, and other impacts related to safety were determined to be less than significant; and other than aesthetics, other impacts related to general welfare were determined to be less than significant. Furthermore, the proposed change of zoning would facilitate energy production that would be used by the surrounding community as the solar facility will transmit energy to a public utility (SCE's Mirage substation) which is located approximately 1,500 feet north of the proposed project.

4. *The proposed Project is compatible with surrounding land uses*, as the surrounding land uses consist of vacant land, conservation lands, a residential development, and a public utility provider (SCE) to the north. The proposed solar facility will directly service, by means of transmitted energy, to the existing public utility (SCE's Mirage substation). With vacant and conserved lands surrounding most of the project perimeter and a public utility provider (SCE) approximately 1,400 feet to the north that would receive said generated power from the Project; the project becomes a uniquely situated location to provide renewable energy to the local County area.

Conditional Use Permit Findings:

A conditional use permit shall not be granted unless the applicant demonstrates that the proposed use will not be detrimental to the health, safety or general welfare of the community. Any permit that is granted shall be subject to such conditions as shall be necessary to protect the health, safety or general welfare of the community. The requirements for a conditional use permit are met by this project because:

1. *The proposed use conforms to all the requirements of the General Plan and with all applicable requirements of State law and the ordinances of Riverside County.* As detailed above in the Land Use Findings, the Project site has a General Plan Land Use Designation of Rural: Rural Residential (R: RR) and Community Development: Medium Density Residential (CD: MDR) in the Western Coachella Valley Area Plan. Furthermore, General Plan Policy LU17.2, applicable to all area plans and land use designations, encourages, in an environmentally and fiscally responsible manner, the development of renewable energy resources and related infrastructure, including but not limited to, the development of solar power plants in the County of Riverside. The conditions of approval and mitigation measures ensure that the Project is being developed in an environmentally responsible manner. The terms of Development Agreement No. 2200003 also ensure that the Project is being developed in a fiscally responsible manner.
2. *The overall development of the land must not be detrimental to the health, safety or general welfare of the community.* As detailed above in the Change of Zone findings, the processing of the Conditional Use Permit, with the conditions of approval and advisory notification document will ensure that the Project will not adversely affect the public's health, safety, and general welfare. In addition, the project has been analyzed through a Mitigated Negative Declaration (MND) that has provided mitigation measures that have also been included in the conditions of approval. The MND did not identify any unmitigated impacts related to public health and safety. The Project has been designed to be least intrusive and will provide renewable energy to meet the local and states energy goals. Therefore, the Project as designed and conditioned, will protect the public's health, safety, and general welfare.
3. *The proposed use conforms to the logical development of the land and to be compatible with the present and future logical development of the surrounding property.* Solar Plant Facilities and electric transmission lines (gen-tie) are allowed within the R-D zoning classification, subject to the approval of a Conditional Use Permit (solar plant facility). The Project site is predominately vacant and located

approximately 1,500 feet north of an existing public utility substation for SCE (SCE Mirage substation off Ramon Road). Other vacant lands, conversed lands, and some residential developments surround the Project site. Additionally, with some approved residential developments proposed to the south the proposed solar plant facility as well, the Project would help to serve energy to the growing community. Furthermore, the Project would act as an indirect buffer between the residential developments and the conversation lands (the Coachella Valley National Wildlife Refuge) approximately 2,000 feet to the east. Therefore, the site will be compatible with the present and future development surrounding the property.

Development Standards Findings:

With the approval of CZ2200004, the Project site will have a R-D zoning classification. The R-D zone however does not have any development standards that need to be satisfied for approval of this Project.

Development Agreement Findings:

Development Agreement No. 2200003 ("DA") is consistent with the General Plan and Board Policy B-29, and ensures the project is not detrimental to the public health, safety, and general welfare. The express term of the DA grants the applicant a vested right to develop the project in accordance with existing land use regulations, including the General Plan. The advisory notification document, conditions of approval, mitigation measures, and entitlement approvals are incorporated in the exhibits of the DA and will ensure that the solar power plant Project is developed in a way that would not conflict with the public's health, safety and welfare. The DA has a term of 34.5 years and will grant the applicant vesting rights to develop the Project in accordance with the terms of the DA. The DA will provide significant public benefits and contains terms consistent with the Board of Supervisor's Policy No. B-29, including terms regarding annual public benefits, payments, increases, development impact fees and local sales tax. All agreement provisions ensure that the DA will ensure the Project's public benefit.

Other Findings:

1. The Project site is located within a Conservation Area of the Coachella Valley Multiple Species Habitat Conservation Plan, but the overall Project is outside the Coachella Valley Conservation Areas to the east.
2. The Project site is located within the Sphere of Influence for Cathedral City. This Project was provided to these cities for review and comment. No comments were received either in favor or opposition of the Project.
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. In compliance with Assembly Bill 52 (AB52), notices regarding this Project were mailed to all requesting tribes on February 10, 2022. No response was received from Ramona Band of Cahuilla Indians, Morongo Band of Mission Indians, Torres-Martinez Desert Cahuilla Indians, Twenty-Nine Palms Band of Mission Indians, Cahuilla Band of Indians, Cabazon Band of Mission Indians, or Colorado River Indian Tribe. The Quechan Tribe responded in an email dated February 10, 2022, deferring consultation to tribes closer to the Project.

The Agua Caliente Band of Cahuilla Indians requested to consult in an emailed letter dated March 25, 2022. The cultural report and the Project conditions of approval were provided to the tribe on March 29, 2022. On April 22, 2022, a meeting was held in which this Project was discussed. During this meeting, the tribe provide specific confidential information regarding Tribal Cultural resources that may be impacted by this project and requested specific mitigation measures be placed on the Project.

The Soboba Band of Mission Indians requested to consult in a letter dated February 10, 2022. Project documents were provided to the tribe on March 29, 2022, and Soboba concluded consultation on March 30, 2022.

Specific Tribal Cultural Resources were identified by both consulting tribes who recommended that the Project avoid these resources. They further expressed concerns that the Project has the potential for as yet unidentified subsurface tribal cultural resources. The tribes request that a Native American monitor be present during ground disturbing activities so any unanticipated finds will be handled in a timely and culturally appropriate manner. The Project has been conditioned pursuant to this request.

5. The Project site is located within Zone B of the Mount Palomar Observatory Lighting Zone boundary, as identified by Ordinance No. 655 (Mt. Palomar). The Project is required to comply with all lighting standards specified within Ordinance No. 655, pursuant to Zone B.
6. 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 a Cal Fire State Responsibility Area ("SRA") OR Local Responsibility Area ("LRA") and is also not located within a high fire hazard severity zone.

Conclusion:

Based on the findings provided in this staff report, advisory notification document, and conditions of approval, the proposed use conforms to all the requirements of the General Plan, proposed zoning classification, development standards, conditional use permit, and with all applicable requirements of State law and the ordinances of Riverside County. In addition, there is no anticipation that the overall development of the land will be detrimental to the public health, safety, and general welfare of the community. For the reasons discussed above, as well as the information provided in the Initial Study, the proposed Project conforms to all the requirements of the General Plan and with all applicable requirements of State law and the ordinances of Riverside County. Moreover, the proposed Project would not be detrimental to the health, safety, or general welfare of the community.

PUBLIC HEARING NOTIFICATION AND COMMUNITY OUTREACH

This Project was advertised in the Desert Sun Newspaper. Additionally, public hearing notices were mailed to property owners within 1,800 feet of the Project site. As of the writing of this report, Planning Staff has/has not received written communication/phone calls from the public who indicated support/opposition to the proposed Project.

This Project was presented before the Thousand Palm Community Council on January 27, 2022.

1 ORDINANCE NO. 348.4987

2 AN ORDINANCE OF THE COUNTY OF RIVERSIDE

3 AMENDING ORDINANCE NO. 348 RELATING TO ZONING

4
5 The Board of Supervisors of the County of Riverside ordains as follows:

6 Section 1. Section 4.1 of Ordinance No. 348, and Thousand Palms District Zoning
7 Plan Map No. 40, as amended, are further amended by placing in effect in the zone or zones shown on the
8 map entitled "Change of Official Zoning Plan, Thousand Palms District, Map No. 40.052 Change of Zone
9 Case No. 2200004" which map is made a part of this ordinance.

10 Section 2. This ordinance shall take effect 30 days after its adoption.

11
12 BOARD OF SUPERVISORS OF THE COUNTY
13 OF RIVERSIDE, STATE OF CALIFORNIA

14 By: _____
15 Chair, Board of Supervisors

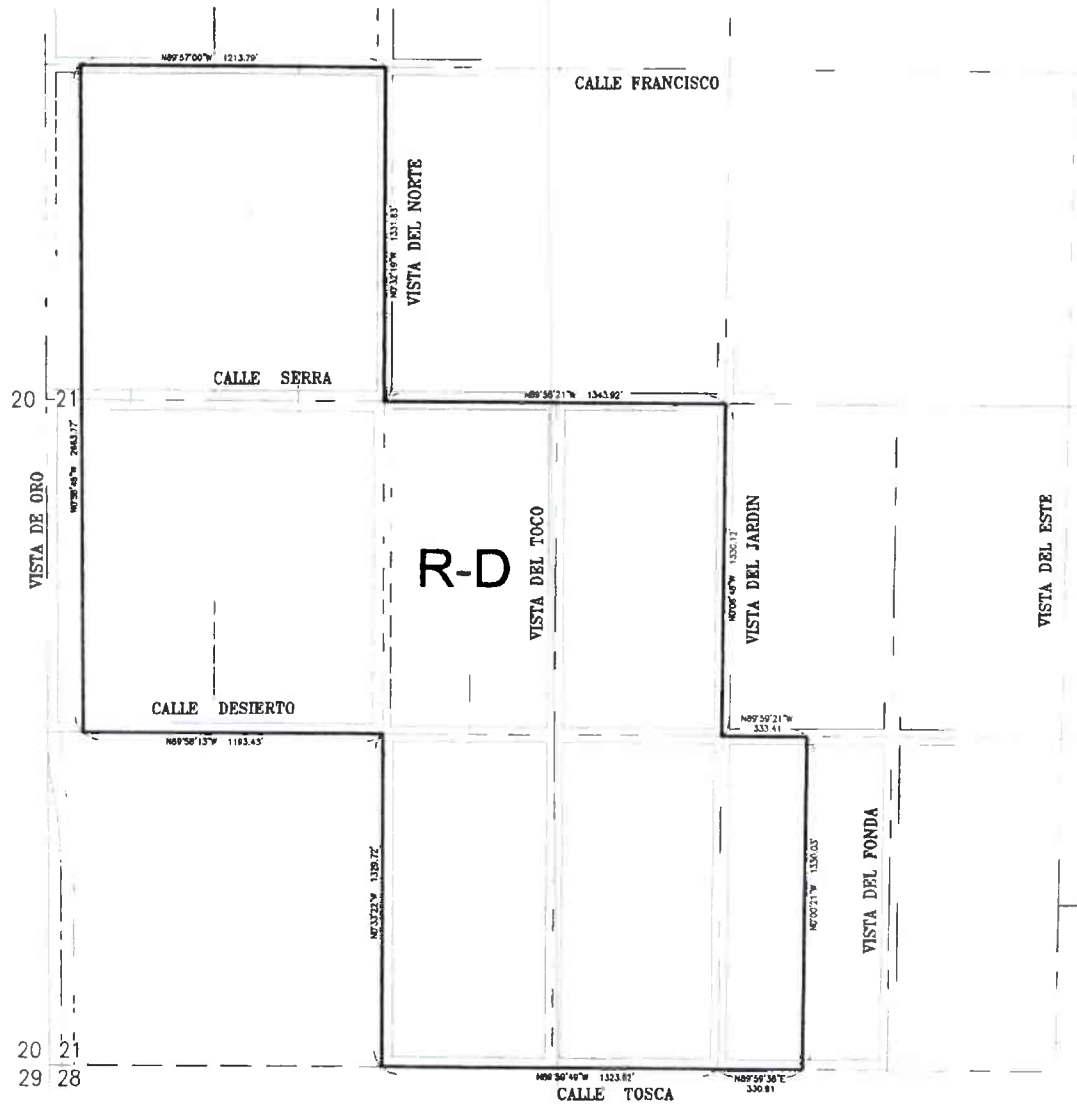
16 ATTEST:
17 KECIA HARPER
18 Clerk of the Board

19 By: _____
20 Deputy

21 (SEAL)

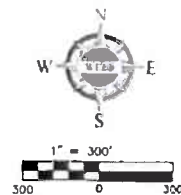
22
23 APPROVED AS TO FORM
24 July 14, 2022

25
26 By: Sarah K. Moore
27 SARAH K. MOORE
28 Deputy County Counsel



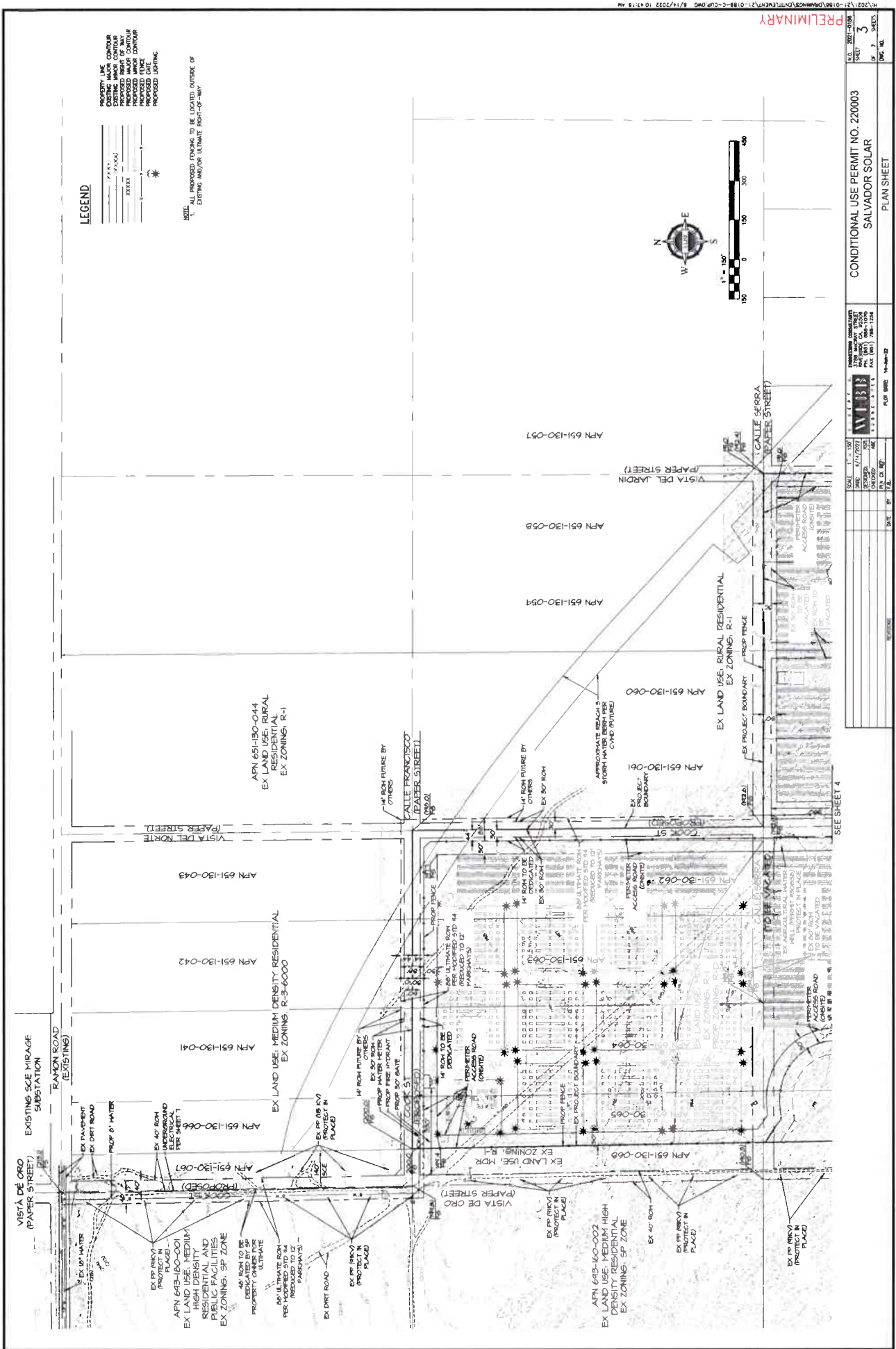
R-D REGULATED DEVELOPMENT AREAS

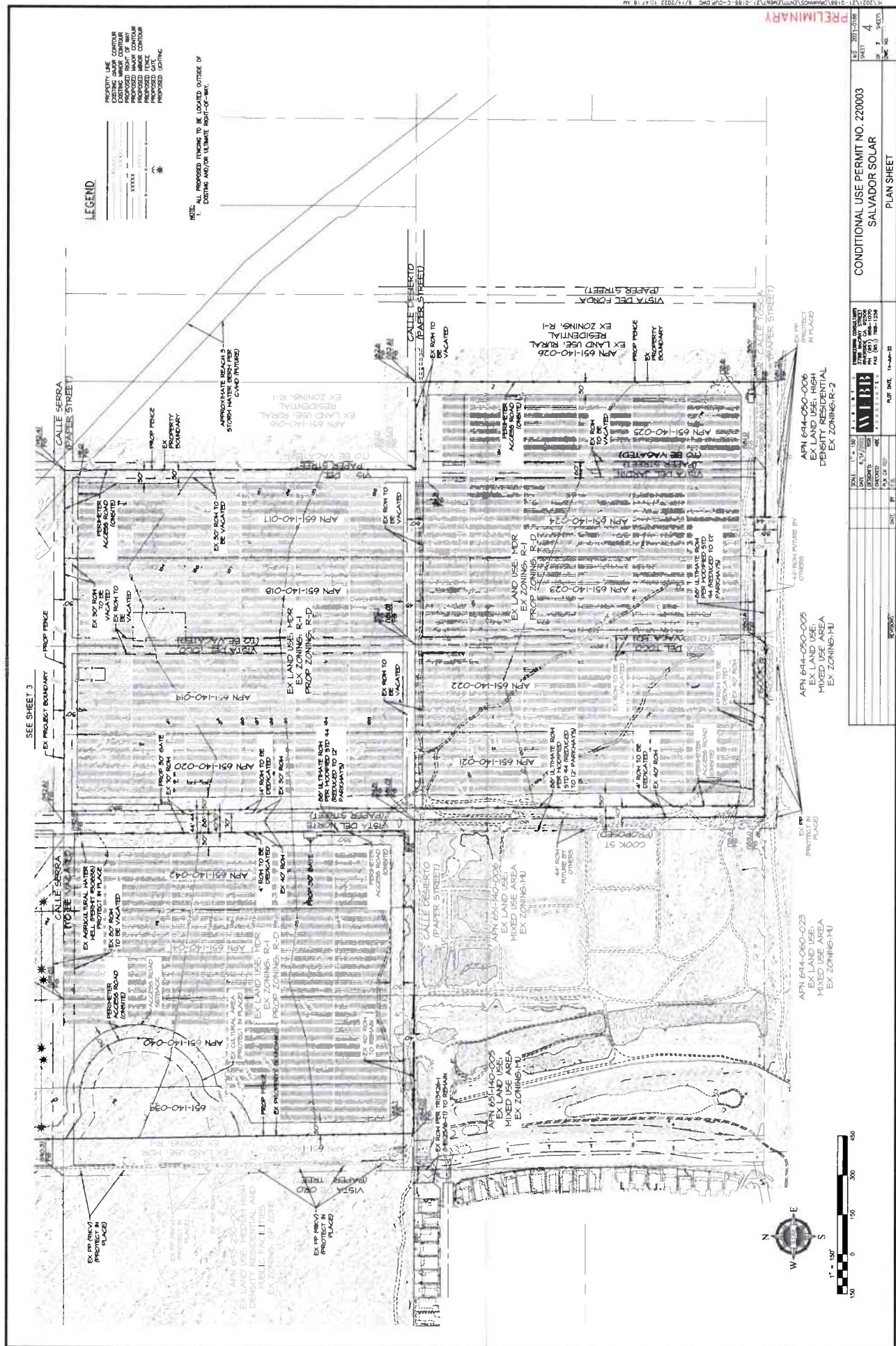
MAP NO. 40.052
 CHANGE OF OFFICIAL ZONING PLAN
**THOUSAND PALMS
 DISTRICT**
 CHANGE OF ZONE CASE NO. 2200004
 AMENDING ORDINANCE NO. 348
 ADOPTED BY ORDINANCE NO. 348.4987
 AUGUST 2, 2022

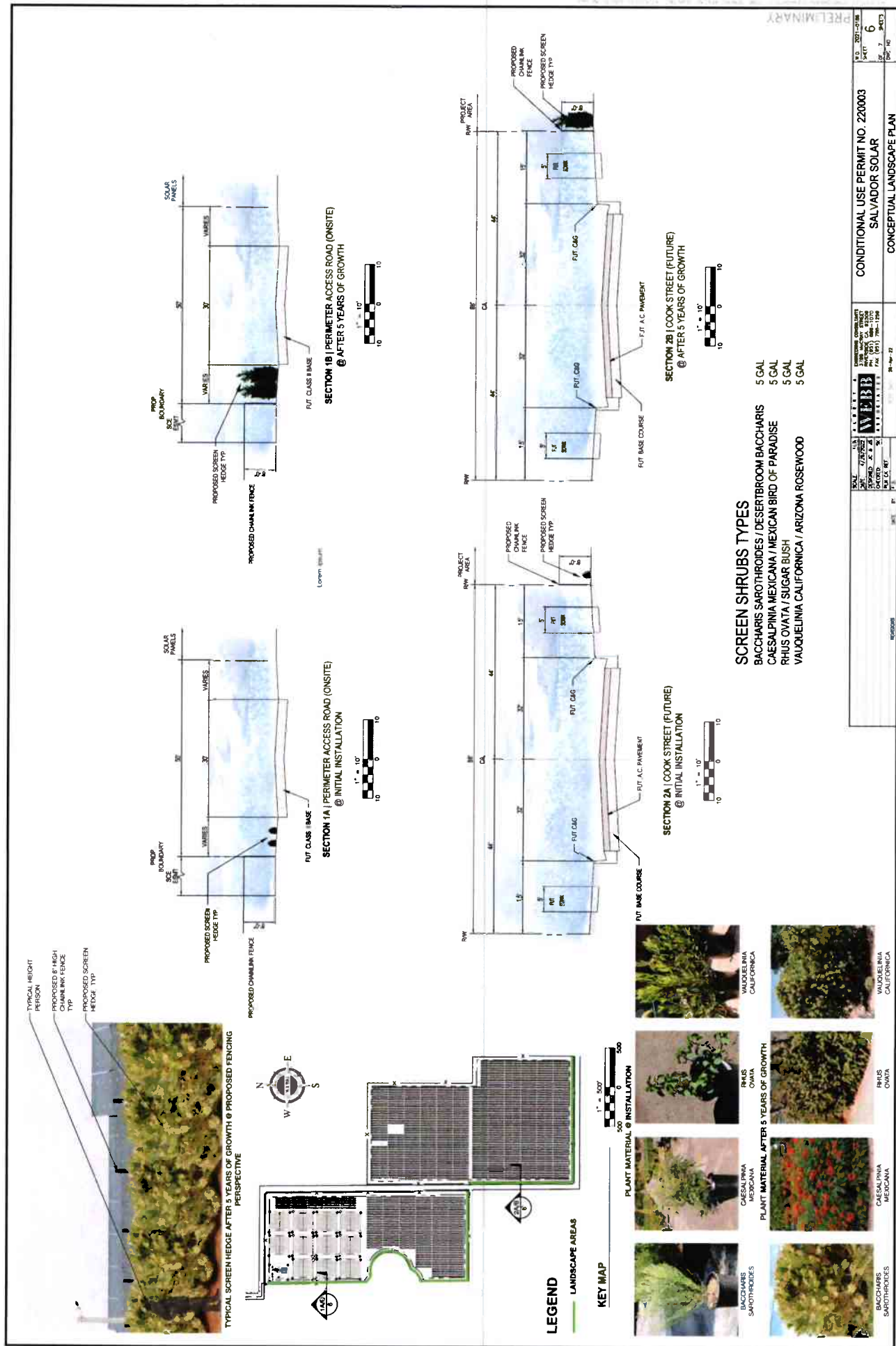


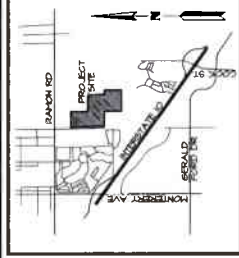
APN(s): 651-130-082 TO -065
 651-140-017 TO -025
 651-140-039 TO -042

RIVERSIDE COUNTY BOARD OF SUPERVISORS









VICINITY MAP

APPLICANT

USLM ENERGY MANAGEMENT SERVICES, LLC
2045 E. TANGITZ CANYON WAY
PALM DESERT, CA 92262
CONTACT: FRED NOBLE
PHONE: (760) 323-4440

SOILS ENGINEER

PETRA SCIENCES, INC.
42-240 GREEN WAY, SUITE E
PALM DESERT, CA 92211
CONTACT: ALAN PAGE, CEO
PHONE: (760) 340-5305
FAX: (760) 340-5046

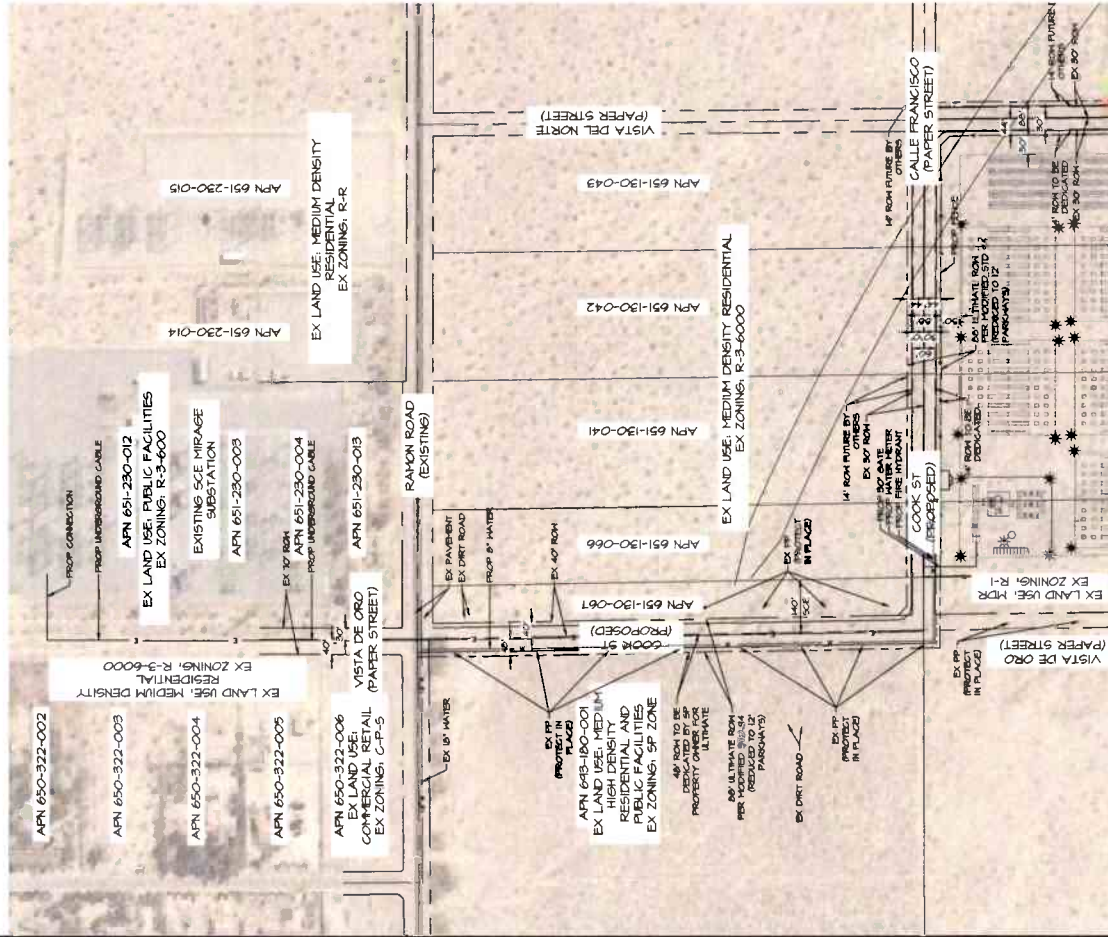
UTILITY PROVIDERS

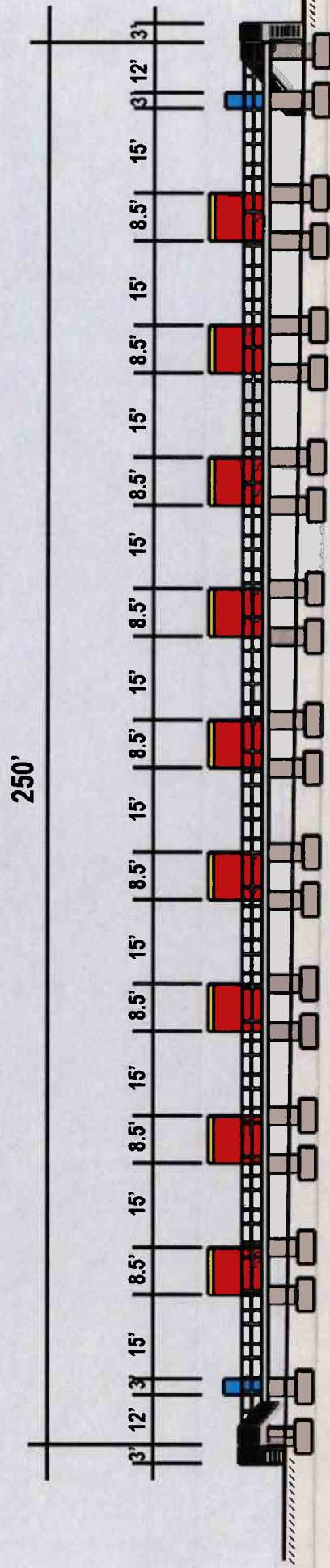
WATER	COACHELLA VALLEY WATER DISTRICT
SEWER	N/A
ELECTRICAL	INTERNAL IRRIGATION DISTRICT
GAS	SOUTHERN CALIFORNIA GAS COMPANY
TELEPHONE	FRONTIER
CABLE T.V.	CHARTER COMMUNICATIONS

GENERAL INFORMATION

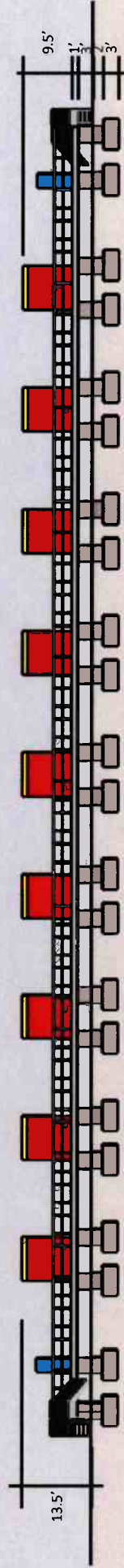
1. THOMAS BROOK MAP BOOK PAGE TWO GRID: 02 0504 10 4 14.
2. PROJECT TO HAPEN IN THE WESTERN COACHELLA VALLEY AREA PLAN
3. PROJECT IS NOT WITHIN A SPECIAL PLAN
4. PROJECT IS NOT WITHIN A COMMUNITY SERVICE AREA
5. LAND IS NOT WITHIN A SPECIAL STUDIES ZONE
6. LAND HAS MODERATE LIQUEFACTION POTENTIAL
7. SUBSURFACE SEPTIC DRAINAGE DISPOSAL IS NOT INTENDED.
8. NO EXISTING CHALLENGES ON SITE
9. THE PROJECT WILL COMPLY WITH NITROS REQUIREMENTS AS
REQUIRED BY NPDES SUPPLEMENT #1 (NITRIFICATION MATTER) AND

PROJECT DESCRIPTION

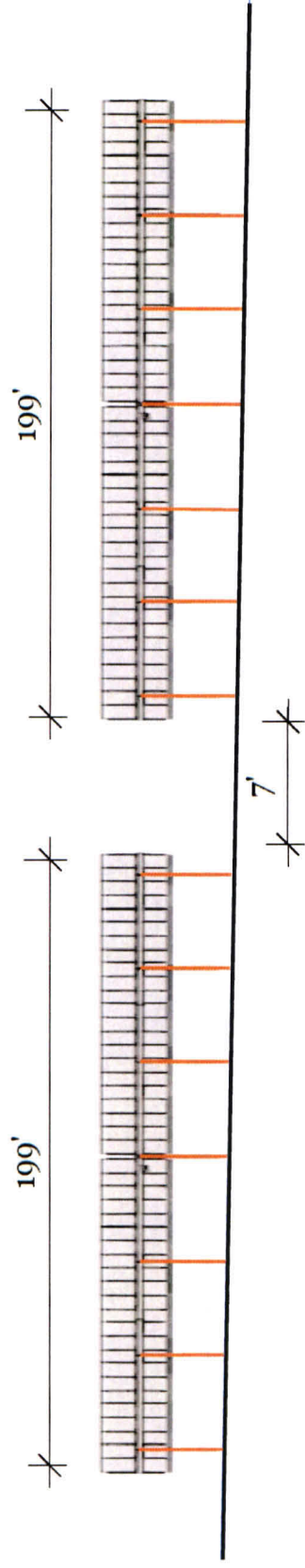
[illegible][illegible]



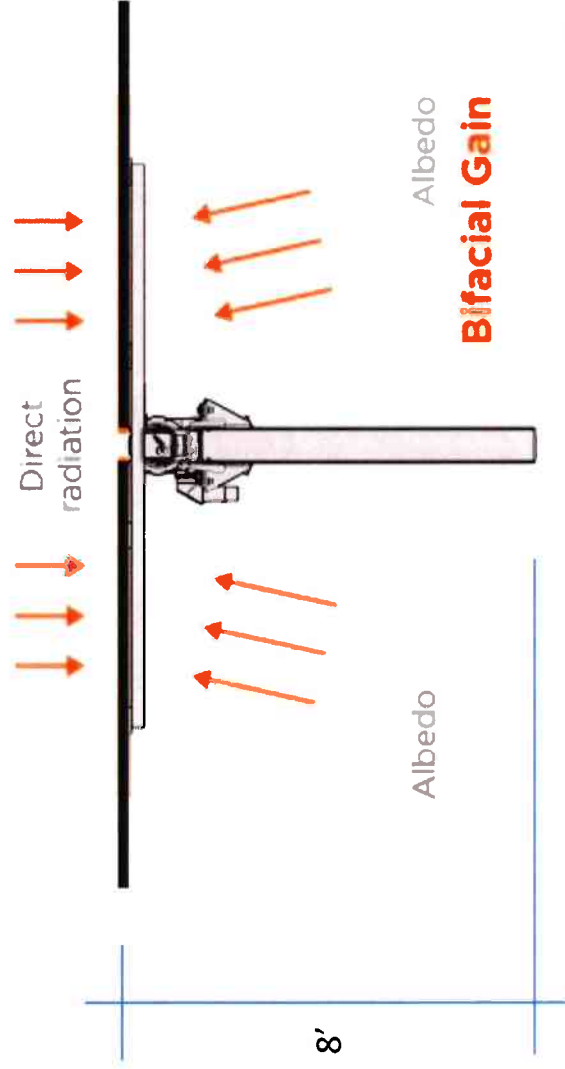
BESS PLATFORM -- NORTH ELEVATION



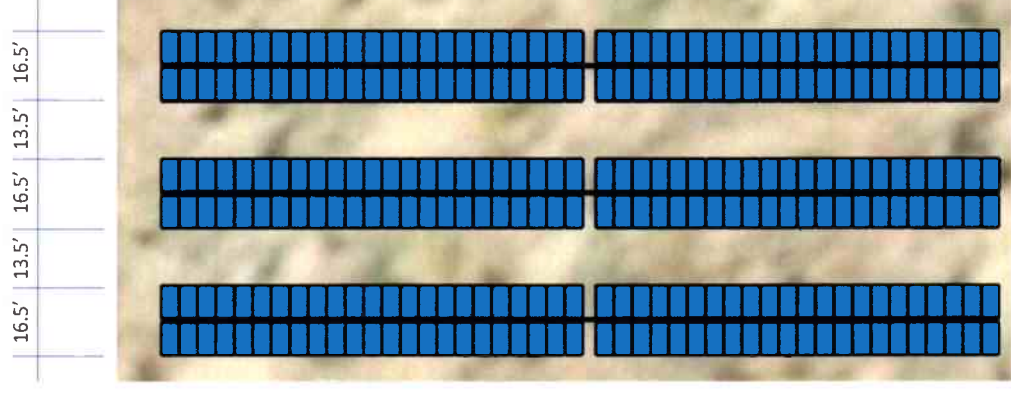
BESS PLATFORM -- TYPICAL HEIGHTS



SOLAR PV TABLES -- WEST ELEVATION



SOLAR PV TABLES -- TYPICAL HEIGHT / SPACING



PROJECT SALVADOR BUSINESS PLAN

1. Project Background

As California pursues its goal of an all renewable electrical generating future it has become clear to the Legislature, the Public Utilities Commission, the Energy Commission and the Independent System Operator that a renewable energy future does not work without a method of storing solar and wind energy which are by their nature intermittent. The Utility Companies have been ordered to procure a very large storage battery capacity to keep the lights on when the sun goes down or the wind doesn't blow. This has become an urgent matter because although there is an adequate supply of solar energy in the summer afternoons, the supply of on peak (early evening) renewable energy is not adequate to avoid blackouts; thus the need for large storage battery facilities so that surplus afternoon solar energy can be stored and released in the evening. Battery projects are usually built in conjunction with solar generation.

Salvador is a 148±-acre battery and solar project, located in Thousand Palms south of Varner Rd. and opposite the SCE Mirage Substation. It will consist of approximately 40 acres of battery facilities with the balance being a typical solar generating facility—ground mounted solar panels with related infrastructure.

The battery facility will consist of 400 typical size storage containers that is a self-contained one-megawatt storage battery. It is an outdoor device, installed on a platform. The project will minimize grading. Paving will be limited road base gravel as is done in the windfarms. The intent is that the rain will drain through the platforms or the road into the native soils within the site and not create a water quality concern as water quality level storm events will infiltrate into the site soils. This has been the experience in wind farms and should be followed here.

The project will need little in the way of utility services, a domestic water for fire service and perimeter irrigation. Fire access will be from both Cook Street and Ramon Road with a fire road access around the Battery Storage Facility and Solar Panels. The project substation will be in the northeast corner of the Battery

Storage Facility. An overhead 230kV transmission line from the project substation will extend to the north to the SCE Mirage Substation on Ramon Road.

2. Project Characteristics

BATTERY ENERGY STORAGE SYSTEM (BESS)

The BESS located on the northerly parcel and would include multiple self-contained, prefabricated enclosure units in a parallel configuration. The enclosure units would contain lithium-ion batteries store on racking. There would be no internal open space available for entry or occupation, and all battery racking would be fully accessible from the exterior of the enclosure via external doors. The lithium-ion technology is considered one of the safest, most easily understood, and most efficient methods of energy storage on the market. The proposed facility would use lithium-ion technology that has a long lifespan and boasts superior safety and stability characteristics. Each enclosure unit would also be fire rating in conformance with local fire authority and County of Riverside standards. Each unit would also be equipped with HVAC systems for thermal management of the batteries. Power to the HVAC and lighting would be provided through a connection to the on-site station service transformer with connection lines installed above and/or below ground. The BESS would be unmanned, and operational control would be performed off-site. Operational staff would also perform periodic inspections and maintenance as necessary.

In addition to fire suppression improvements, only batteries that are Underwriters Laboratories (UL) certified and that include built-in fail safe designed specifically to prevent thermal runaway and the spread of fire would be used. To the extent required by state and local fire code, a smoke detection and fire suppression system would be installed, which would not only suppress fire but also automatically shut down other batteries if smoke or fire is detected.

Lithium-ion is a common battery storage medium. A Manufacturer's example material safety data sheet, which lists the composition of the technology for a common type of lithium-ion battery used for energy storage use can be provided. The storage industry has matured in the last few years. There are national vendors that offer battery storage solutions with UL-listed batteries (e.g., LG

Chem, Samsung) and including effective fire protection systems. Once a specific vendor is selected, the Applicant will meet with local building and fire officials with proposed vendor, model and fire protection system to be installed.

ON-SITE SUBSTATION

Underground or overhead collector lines would transmit energy to and from an on-site substation, to be located on the northeasterly portion of the northerly parcel on the project site, and the BESS. Inverters located adjacent to the enclosures would invert and step up energy to 230 kilovolts for transmission to the SCE Mirage Substation or invert from alternating current to direct current for storage in the BESS. Additionally, the proposed substation would host the grid intertie safety equipment and switches required to interconnect to the high-voltage transmission system. The footprint of the onsite substation would be approximately 200 feet by 225 feet. The substation would include switchgear and additional electrical equipment required by SCE specifications. The associated transformers and switchgear would be located adjacent to the enclosures or structure on concrete pads. The open-air substation would be constructed per the attached site plan and near the SCE Mirage substation.

Underground wires and cabling would run from the battery cable collection box (inside the structure or from enclosures) to a concrete pad housing the electrical equipment mentioned previously. All outside electrical equipment would be housed in the appropriate National Electrical Manufacturers Association – rated enclosures and screened from view on all sides.

INVERTERS

The project would only use industry standard, nationally (and internationally) recognized equipment. The Project would likely use Eaton bidirectional inverters or equivalent. These inverters are unattended, standalone units that operate in all conditions. They operate in charge and discharge modes, are UL listed for bidirectional use, and are monitored and controlled remotely. There would be on-site disconnects in case of an emergency or unscheduled maintenance. In case of grid disturbance on SCE's side, the inverters would not operate until they are remotely turned on, or the grid instability is stabilized for a length of time. In

discharge mode, they are turned on remotely and controlled by internal circuitry and power control software at the facility. They are robust in their design and are designed to last more than 30 years.

Remote monitoring would be provided by the Operator's Fleet Performance and Diagnostics Center (FPDC). The FPDC provides high performance remote operating, monitoring, and diagnostic services for solar, wind, and energy storage assets. For energy and storage support, the FPDC provides around-the-clock operational monitoring, diagnostics, and management of alarms as established by the Power Generation Division engineering and operation teams. The FPDC operators are uniquely trained to interact closely with other Power Generation Division engineering teams as needed to achieve resolution of operational issues in a timely manner and with high level process discipline using quality tools.

GENERATION TRANSMISSION LINE

Energy would be transported from Project Site substation to SCE's Mirage Substation through a 230-kilovolt (kv) generation tie line (gen-tie). The proposed gen-tie will carry load to and from the Project collector substation and the SCE Mirage Substation. The gen-tie line would extend less than 0.5 miles to the north from the Site collector substation to its point of interconnection with the SCE Mirage Substation. The gen-tie line would be buried.

ANCILLARY FACILITIES

Signage

A small sign at the entrance of the Project Site would be installed. The sign would be no larger than 8 feet by 4 feet and read "Salvador Energy Center" In addition, required safety signs to identify high voltage within the facility, as well as information for emergency services, would be installed on the fence near the entrance and at the gates.

Perimeter fence

The perimeter of the Project Site would be enclosed by a 8 foot-tall chain-link fence. Access onto the Project Site would be controlled through drive-through gates. The purpose of the fence would be to prevent unauthorized access to the

site. The total height, above-grade, of the fence would be approximately 8 feet, with a 5-inch opening at the bottom of the fence to enable passage of small animals.

Lighting

Low-elevation (<14-foot), controlled security lighting would be installed at primary access gates, the on-site substation, and the entrance to energy storage structures. The lighting would only switch-on when personnel enter the area (through either motion-sensor or manual activation). All safety and emergency services signs would be lit when the lights are on. The lighting would be shielded so the light is directed downwards. Electrical power to supply the access gate and lighting would be obtained from SCE. Lighting would be only in areas where it is required for safety, security, or operations. All lighting would be directed on site and would include shielding as necessary to minimize illumination of the night sky or potential impacts to surrounding viewers.

3. Project Maintenance

BATTERY STORAGE FACILITY

- Battery Container Inspection every three months with a two-man inspection crew.
- Battery Container Maintenance every three months with a two-man maintenance crew or as needed.

SOLAR PANEL ARRAYS

- Solar Panel Inspection every six months with a two-man inspection crew.
- Solar Panel Maintenance every 12 months with a eight-man maintenance crew.
- Solar Panel Cleaning every three months with a two-man cleaning crew using commercially de-ionized water imported to the site by truck.

4. Project Water Usage

CONSTRUCTION WATER

Construction is expected to last five months with water being used for the following tasks:

- A. Site Pre-Watering - 0.5-month duration using approximately 300 Ac-Ft of water.
- B. Rough Grading and Dust Control – 1.5-month duration using approximately 60 Ac-Ft of water
- C. Platform/Foundation and Dust Control – 3-month duration using approximately 100 Ac- Ft of water

OPERATION AND MAINTENANCE

There are no maintenance buildings proposed on-site. Other than irrigation of perimeter landscape, or in event of a fire, there is no operational water needed for the project. Water for maintenance purposes for the solar panels will be de-ionized water imported with water trucks. Irrigation water will be limited to the perimeter adjacent to future development and not along the Conservation Area.

- A. Annual Irrigation Usage – 70,000 SF of perimeter irrigation using approximately 6 Ac-Ft of water.



MITIGATED NEGATIVE DECLARATION

FOR COUNTY CLERK'S USE ONLY

Salvador Solar

Initial Study/Mitigated Negative Declaration

CEQA Number: CEQ220011

June 2022

Lead Agency:

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

Project Applicant:

Union Energy Management Services, LLC
2045 E. Tahquitz Canyon Way
Palm Springs, CA 92262

Project Consultant:

The Altum Group
44-600 Village Court, Suite 100
Palm Desert, CA 92260

 **The Altum Group**

Table of Contents

I. Project Information	1
II. Applicable General Plan and Zoning Regulations	2
III. Environmental Factors Potentially Affected	14
IV. Determination	14
V. Environmental Issues Assessment	15
Aesthetics	16
Agriculture & Forest Resources	19
Air Quality	21
Biological Resources	28
Cultural Resources	33
Energy	38
Geology And Soils	39
Greenhouse Gas Emissions	45
Hazards And Hazardous Materials	46
Hydrology And Water Quality	49
Land Use/Planning	52
Mineral Resources	53
Noise	53
Paleontological Resources	58
Population And Housing	59
Public Services	61
Recreation	63
Transportation	65
Tribal Cultural Resources	68
Utilities And Service Systems	69
Wildfire	73
Mandatory Findings of Significance	75
VI. Earlier Analyses	77

List of Tables

Table 1 Construction-Related Regional Pollutant Emissions	23
Table 2 Regional Operational Pollutant Emissions	24
Table 3 Maximum Number of Acres Disturbed Per Day	25
Table 4 Local Construction Emissions at the Nearest Receptors	25

Table 5 Local Operational Emissions at the Nearest Receptors	26
Table 6 Project-Related Greenhouse Gas Emissions	45
Table 7 Project Operational Noise Levels	56
Table 8 Off-Site Traffic Noise Levels	57

List of Exhibits

Exhibit 1 Regional Map.....	5
Exhibit 2 Vicinity Map	6
Exhibit 3.1 Site Plan	7
Exhibit 3.2 Site Plan	8
Exhibit 3.3 Site Plan	9
Exhibit 3.4 Site Plan	10
Exhibit 4 Site Photos	11
Exhibit 5 Fencing Wall Plan	12
Exhibit 6 Conceptual Landscape Plan	13

Appendix

Appendix A1: Lighting Study
Appendix A2: Photometric Analysis
Appendix B: Air Quality, Greenhouse Gas, and Energy Impact Study
Appendix C1: Biological Resources Assessment
Appendix C2: Preliminary Burrowing Owl Focused Survey Report
Appendix D: Cultural Resources Investigation Update
Appendix E: Update of Existing Geotechnical Investigation Report
Appendix F: Noise Impact Study
Appendix G: Vehicle Miles Traveled (VMT) Screening Analysis
Appendix H: WQMP Exemption Memo

Acronyms

1992 Plan	CO	1992 Federal Attainment Plan for Carbon Monoxide
AMSL		Above Mean Sea Level
AQMP		Air Quality Management Plan
AB		Assembly Bill
APN		Assessor's Parcel Number
ADT		Average Daily Trips
BMS		Battery Management System
Caltrans		California Department of Transportation
CEQA		California Environmental Quality Act
CFGF		California Fish and Game Code
CALGreen		California Green Building Standards Code
CNPS		California Native Plant Society
CNDDB		California Natural Diversity Database
CAP		Climate Action Plan
CVMSHCP		Coachella Valley Multiple Species Habitat Conservation Plan
CVWD		Coachella Valley Water District
CSA		Community Service Area
		Comprehensive Environmental Response, Compensation, and Liability Act
CERLA		Conditional Use Permit
CUP		Department of Toxic Substance Control
DTSC		Development Agreement
DA		Federal Emergency Management Agency
FEMA		Federal Transit Administration
FTA		Fire Hazard Severity Zone
FHSZ		Hazardous Materials Business Plan
HMBP		Institute of Transportation Engineers
ITE		Integrated Regional Water Management Plan
WMP		Interstate 10
I-10		Level of Service
LOS		Local Responsibility Area
LRA		Medium Density Residential
MDR		Megawatt
MW		Metropolitan Water District of Southern California
MWD		

MBTA	Migratory Bird Treaty Act
MM	Mitigation Measure
MU	Mixed Use
MLD	Most Likely Descendant
NPDES	National Pollutant Discharge Elimination System
NAHC	Native American Heritage Commission
PM10	Particulate Matter
ppm	Parts Per Million
PCE	Passenger Car Equivalent
PERC	Passivated Emitter Rear Cell
PPV	Peak Particle Velocity
PV	Photovoltaic
PRC	Public Resources Code
R-D	Regulated Development Area
RCALUCP	Riverside County Airport Land Use Compatibility Plan
RMS	Root Mean Square Amplitude
RR	Rural Residential
SB	Senate Bill
R-1	Single-Family Residential zone
SRA	Source Receptor Area
SCAQMD	Southern California Air Quality Management District
SCE	Southern California Edison
SRA	State Responsibility Area
SWPPP	Stormwater Pollution Prevention Plan
USGS	United States Geological Survey
UWMP	Urban Water Management Plan
WCVAP	Western Coachella Valley Area Plan

COUNTY OF RIVERSIDE

ENVIRONMENTAL ASSESSMENT FORM: INITIAL STUDY

Environmental Assessment (CEQ / EA) Number: CEQ220011

Project Case Type (s) and Number(s): CUP220003, CZ2200004, DA2200003

Lead Agency Name: County of Riverside Planning Department

Address: 4080 Lemon Street 12th Floor, Riverside, CA 92501

Contact Person: Timothy Wheeler, Urban Regional Planner IV

Telephone Number: 951-955-6060

Applicant's Name: Fred Noble, Union Energy Management Services, LLC

Applicant's Address: 2045 E. Tahquitz Canyon Way, Palm Springs, CA 92262

I. PROJECT INFORMATION

Project Description: A Change of Zone for the Project proposes to modify the entire Project site from Single-Family Residential zone (R-1) to Regulated Development Area (R-D). A Conditional Use Permit (CUP) and Development Agreement (DA) proposes the development of a 400-megawatt (MW) battery and 60-150 MW unmanned solar facility and associated improvements on a 147.1 net acre site, located south of Ramon Road and east of Interstate 10 (I-10) in Thousand Palms in the unincorporated County of Riverside.

The proposed Salvador Solar Project (Project) sponsored by Union Energy Management Services, LLC supports the reduction of carbon emissions through the development of sustainable renewable energy sources. An interconnect will direct the power to the SCE power grid via an underground power line extension from the project site to the Southern California Edison (SCE) Mirage Substation north of Ramon Road. The energy will ultimately be sold to a future buyer. California is pursuing its goal of an all-renewable electrical generating future. This project responds to this need and also addresses the issues associated with the intermittent nature of energy production through inclusion of on-site storage battery capacity. Utility Companies have been ordered to procure a very large storage battery capacity to keep the lights on when the sun goes down or the wind doesn't blow. Inclusion of storage battery capacity as part of the Salvador project supports this effort by ensuring that it contributes to the supply of solar energy that can be stored and released in the evening.

The proposed battery facility will occupy approximately 40 acres of the site. It will consist of 400 self-contained one MW storage batteries to be installed on elevated metal platforms. The balance of the site will be occupied by Photovoltaic (PV) rows consisting of 96 modules each, 2 x 48 single axis trackers, bifacial passivated emitter rear cell (PERC) technology.

Landscaping would be provided along the western perimeter and a portion of the southern perimeter of the site. Fire access would be provided from Ramon Road to the Project site. Water services to the Project site would be provided by Coachella Valley Water District (CVWD) via an existing water line beneath Ramon Road to ensure solar panel maintenance and landscaping care along the perimeter of the site. No sewage or storm drain facilities would be needed for the proposed Project. Paving will be limited road base gravel as is done in the windfarms of the Coachella Valley. Rainfall will freely drain through the platforms, solar array and the pervious roads into the native soils within the site and not create a water quality concern as water quality level storm events will infiltrate into the site soils. All project runoff would be drained via contour grading, which would match the historical drainage patterns of the site. A detailed plan for closure and site restoration will be submitted and approved by the County prior to building permit issuance. The detailed plan for closure and site restoration upon termination of the use of the site for a solar power plant will include an explanation of methodology used in developing the proposed plan and proposed provisions for financial security to ensure implementation of the plan.

Refer to Exhibit 1, *Regional Map*, Exhibit 2, *Vicinity Map*, Exhibit 3.1 through 3.4, *Site Plan*, Exhibit 4, *Site Photos*, Exhibit 5, *Fencing Wall Plan*, and Exhibit 6 *Conceptual Landscape Plan*.

A. Type of Project: Site Specific ☒; Countywide ☐; Community ☐; Policy ☐.

B. Total Project Area:

Residential Acres: 0	Lots: 0	Units: 0	Projected No. of Residents: 0
Commercial Acres: 0	Lots: 0	Sq. Ft. of Bldg. Area: 0	Est. No. of Employees: 0
Industrial Acres: 0	Lots: 0	Sq. Ft. of Bldg. Area: 0	Est. No. of Employees: 0
Other: 165.2 gross ac / 147.1 net ac			

C. Assessor's Parcel No(s): 651-130-062 through -065, 651-140-039 through -042, and 651-140-017 through -025

Street References: South of Ramon Road and east of I-10

D. Section, Township & Range Description or reference/attach a Legal Description: Section 21, Township 4 South, Range 6 East, San Bernardino Base and Meridian

E. Brief description of the existing environmental setting of the project site and its surroundings: Under existing conditions, the Project site is vacant and undeveloped with scattered desert vegetation. Immediately north of the Project site is vacant, undeveloped conservation land. Immediately west of the Project site is vacant, undeveloped land and a residential community under the Specific Plan 378. Immediately south of the site is vacant, undeveloped land and a portion of an existing golf course. Immediately east of the site is vacant, undeveloped conservation land.

II. APPLICABLE GENERAL PLAN AND ZONING REGULATIONS

A. General Plan Elements/Policies:

- 1. Land Use:** The Project site is located within the Western Coachella Valley Area Plan (WCVAP) of the County of Riverside's General Plan. The General Plan and WCVAP designate the site for Medium Density Residential (MDR) and Rural Residential (RR) land uses. The MDR land use designation provides for the development of conventional single family detached houses and suburban subdivisions. Limited agriculture and animal-keeping uses are also allowed within this category. The RR land use designation allows one single family residence per five acres, as well as limited animal-keeping and agricultural activities. Limited recreational uses, compatible resource development and associated uses, and governmental uses are allowed within this designation. The Project site is zoned Single-Family Residential zone (R-1). According to the Riverside County Land Use Ordinance No. 348, the R-1 zone allows one-family dwellings, field crops, limited animal keeping, public parks, nurseries, daycare centers, mobile home parks, and churches. The Change of Zone request would change the Project's zoning classification of R-1 to Regulated Development Area (R-D) which allows for solar power plants on a lot 10 acres or larger with an approved Conditional Use Permit (CUP) entitlement
- 2. Circulation:** The proposed Project was reviewed for conformance with Riverside County Ordinance No. 461, "Road Improved Standards and Specifications" by the Riverside County Transportation Department. Adequate circulation facilities exist and are proposed to serve the proposed Project. The proposed Project meets all applicable circulation policies of the General Plan.

3. **Multipurpose Open Space:** No natural open space land is required to be preserved within the boundaries of this Project. The Project would be consistent with or otherwise would not conflict with the Coachella Valley Multiple Species Habitat Conservation Plan (CVMSHCP). The proposed Project meets all other applicable Multipurpose Open Space Element Policies. No riparian or other sensitive vegetation is located on the site and the site is not a wildlife corridor and is not located in a floodway or floodway fringe area. The site also does not contain agricultural resources, mineral resources, would not impact any known significant cultural or paleontological resources as any cultural resources are being avoided and undisturbed through project design and layout. Additionally, the project is not located in a designated scenic corridor, but is close to the I-10 Freeway which is a County Eligible Scenic Highway. The Project would not be a water-intensive use and the Project's landscaping plan would comply with County Ordinance No. 859.3, "Water Efficient Landscape Requirements."
4. **Safety:** The proposed Project allows for sufficient provision of emergency response services to the existing and future users of the Project through the Project's design. The proposed Project meets all other applicable Safety Element policies. The Project site is not located in a seismic fault rupture area, area subject to landslides, seiches, or significant liquefaction. The site is also not located in a wildfire hazard area.
5. **Noise:** The proposed Project meets all applicable Noise Element policies and would not exceed Riverside County noise standards as concluded by the analysis contained herein. The Project's construction and operational activities are required to comply with the Riverside County Noise Ordinance found in County Code Section 9.52.020.
6. **Housing:** No housing is proposed by this Project. The Project would not displace any existing housing. There are no significant adverse impacts to housing as a direct result of this Project.
7. **Air Quality:** The proposed Project is conditioned by Riverside County to control any fugitive dust during construction activities in accordance with the SCAQMD Rule 403. As concluded by the analysis contained herein, the proposed Project would not exceed the SCAQMD's regional emission significance threshold for any criteria pollutant during its operation; would not exceed the SCAQMD's significance thresholds for cancer and non-cancer health risks beyond thresholds of significance established by the SCAQMD; and would not create objectionable odors that affect sensitive receptors. The proposed Project is consistent with or otherwise would not conflict with all applicable Air Quality Element policies.
8. **Healthy Communities:** The Project would not result in any significant localized air quality impacts affecting nearby sensitive receptors (i.e., residential homes). The Project is not subject to severe natural hazards. The Project is consistent with or otherwise would not conflict with all applicable policies of the Healthy Communities Element.
9. **Environmental Justice:** The Project site is located within the Environmental Justice area. Therefore, the Project would be looking at Environmental Justice compliance for the main categories identified in the County's General Plan.

B. General Plan Area Plan(s): Western Coachella Valley Area Plan

C. Foundation Component(s): Community Development and Rural

D. Land Use Designation(s): Medium Density Residential and Rural Residential

E. Overlay(s), if any: None

F. Policy Area(s), if any: None

G. Adjacent and Surrounding:

1. **General Plan Area Plan(s):** Western Coachella Valley Area Plan

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

3. **Land Use Designation(s):** Medium Density Residential, Medium High Density Residential, Public Facilities, Mixed Use Area, Rural Residential, High Density Residential

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

5. **Policy Area(s), if any:** None

H. Adopted Specific Plan Information

1. **Name and Number of Specific Plan, if any:** N/A

2. **Specific Plan Planning Area, and Policies, if any:** N/A

I. Existing Zoning: Single-Family Residential (R-1)

J. Proposed Zoning, if any: Regulated Development Area (R-D)

K. Adjacent and Surrounding Zoning: R-3-6000, SP Zone, R-1, Mixed Use (MU), R-2, R-5

Executive Summary of Findings

The proposed Project is consistent with the existing County of Riverside General Plan land use designation: Medium Density Residential and Rural Residential. The Project was analyzed by a qualified biologist, archaeologist, air quality, noise, traffic, and geotechnical consultant (refer to Appendix A through Appendix H attached to this Initial Study).

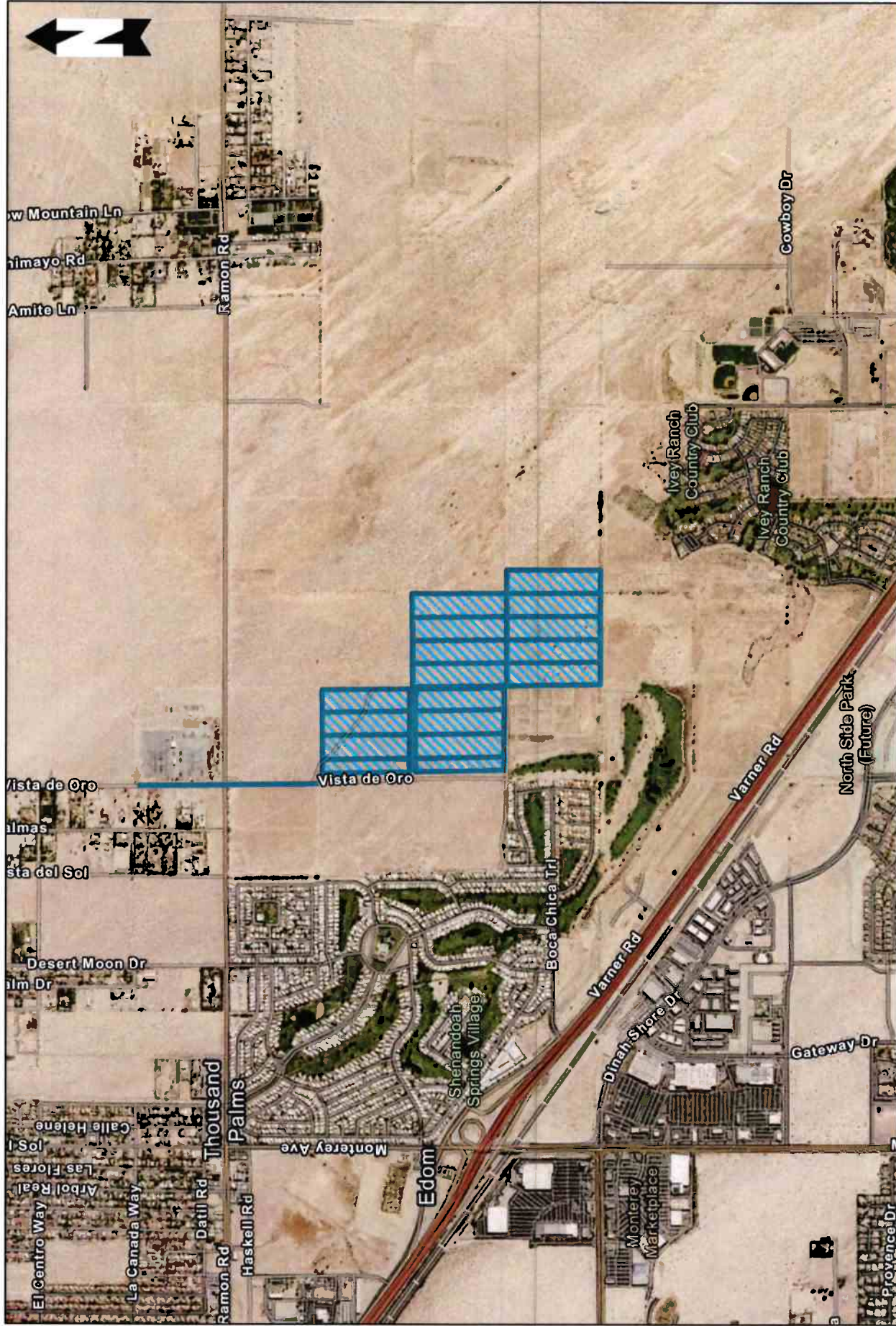
As analyzed throughout Section V, the proposed project would result in less-than significant impacts or no impact to every element of the project except for aesthetics, Wildlife & Vegetation, Historic Resources, Archeological Resources, Paleontological Resources, Housing, Recreation, and Tribal Cultural Resources, which will require mitigation measures through project design and compliance with existing policies or regulations to reduce their impacts to less than significant. As such, cumulatively considerable impacts associated with the proposed project would be less than significant with mitigation incorporated.

With the implementation of the mitigation measures reviewed throughout this Initial Study, the Project will not 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. Furthermore, the environmental evaluation of this Initial Study concludes that, with adherence to all mitigation measures, the Project's cumulatively considerable impacts will be mitigated to less-than-significant levels.

In conclusion, pursuant to State CEQA Guidelines Section 15369.5, the proposed Project meets the criteria for a Mitigated Negative Declaration.

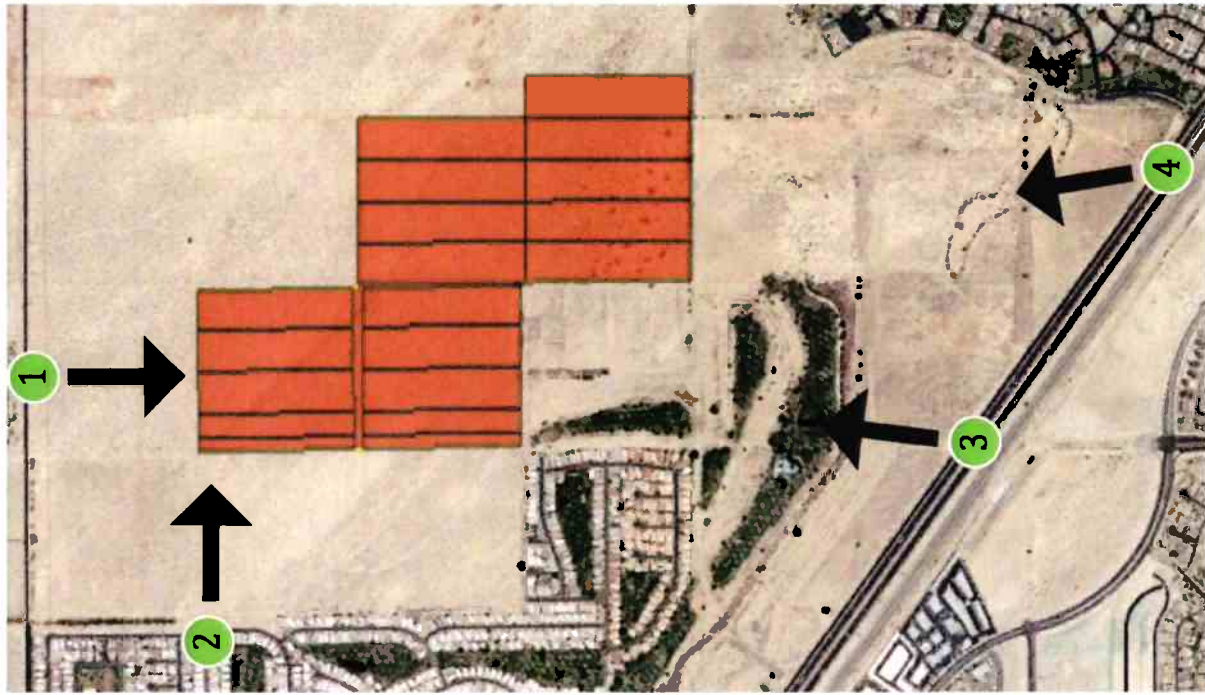


1 in = 5.17 miles

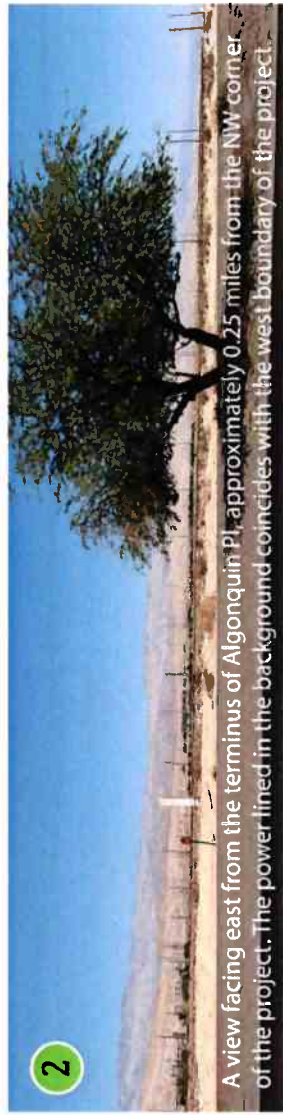


1 in = 0.36 miles





A view facing south from Ramon Road, approximately 0.25 miles from the northern edge of the site.



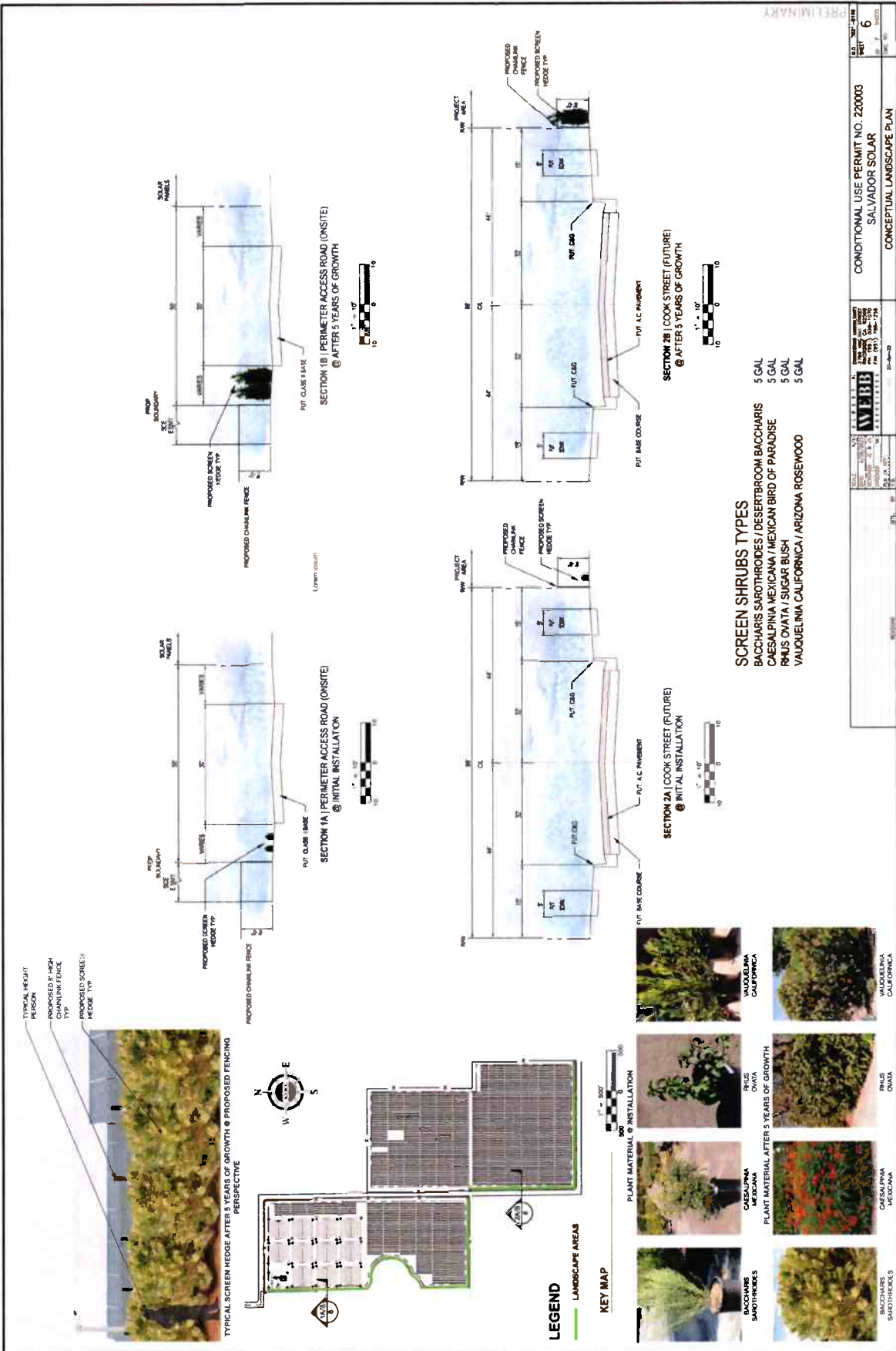
A view facing east from the terminus of Algonquin Pl, approximately 0.25 miles from the NW corner of the project. The power line in the background coincides with the west boundary of the project.



A north-facing view from Interstate 10 approximately 0.5 miles from the project which will be behind the trees visible in the background. This is the point of Interstate 10 that is closest to the project.



A view looking north from Interstate 10 westbound, approximately 0.71 miles from the southern edge of the project.



III. ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

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

- | | | |
|--|---|--|
| <input checked="" type="checkbox"/> Aesthetics | <input checked="" type="checkbox"/> Hazards & Hazardous Materials | <input checked="" type="checkbox"/> Recreation |
| <input type="checkbox"/> Agriculture & Forest Resources | <input checked="" type="checkbox"/> Hydrology / Water Quality | <input checked="" type="checkbox"/> Transportation |
| <input checked="" type="checkbox"/> Air Quality | <input checked="" type="checkbox"/> Land Use / Planning | <input checked="" type="checkbox"/> Tribal Cultural Resources |
| <input checked="" type="checkbox"/> Biological Resources | <input type="checkbox"/> Mineral Resources | <input checked="" type="checkbox"/> Utilities / Service Systems |
| <input checked="" type="checkbox"/> Cultural Resources | <input type="checkbox"/> Noise | <input type="checkbox"/> Wildfire |
| <input checked="" type="checkbox"/> Energy | <input checked="" type="checkbox"/> Paleontological Resources | <input checked="" type="checkbox"/> Mandatory Findings of Significance |
| <input checked="" type="checkbox"/> Geology / Soils | <input checked="" type="checkbox"/> Population / Housing | |
| <input checked="" type="checkbox"/> Greenhouse Gas Emissions | <input type="checkbox"/> Public Services | |

IV. DETERMINATION

On the basis of this initial evaluation:

A PREVIOUS ENVIRONMENTAL IMPACT REPORT/NEGATIVE DECLARATION WAS NOT PREPARED

- ☐ I find that the proposed project **COULD NOT** have a significant effect on the environment, and a **NEGATIVE DECLARATION** will be prepared.
- ☒ I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project, described in this document, have been made or agreed to by the project proponent. **A MITIGATED NEGATIVE DECLARATION** will be prepared.
- ☐ I find that the proposed project MAY have a significant effect on the environment, and an **ENVIRONMENTAL IMPACT REPORT** is required.

A PREVIOUS ENVIRONMENTAL IMPACT REPORT/NEGATIVE DECLARATION WAS PREPARED

- ☐ I find that although the proposed project could have a significant effect on the environment, **NO NEW ENVIRONMENTAL DOCUMENTATION IS REQUIRED** because (a) all potentially significant effects of the proposed project have been adequately analyzed in an earlier EIR or Negative Declaration pursuant to applicable legal standards, (b) all potentially significant effects of the proposed project have been avoided or mitigated pursuant to that earlier EIR or Negative Declaration, (c) the proposed project will not result in any new significant environmental effects not identified in the earlier EIR or Negative Declaration, (d) the proposed project will not substantially increase the severity of the environmental effects identified in the earlier EIR or Negative Declaration, (e) no considerably different mitigation measures have been identified and (f) no mitigation measures found infeasible have become feasible.
- ☐ I find that although all potentially significant effects have been adequately analyzed in an earlier EIR or Negative Declaration pursuant to applicable legal standards, some changes or additions are necessary but none of the conditions described in California Code of Regulations, Section 15162 exist. An **ADDENDUM** to a previously-certified EIR or Negative Declaration has been prepared and will be considered by the approving body or bodies.
- ☐ I find that at least one of the conditions described in California Code of Regulations, Section 15162 exist, but I further find that only minor additions or changes are necessary to make the previous EIR adequately apply to the project in the changed situation; therefore a **SUPPLEMENT TO THE ENVIRONMENTAL IMPACT REPORT** is required that need only contain the information necessary to make the previous EIR adequate for the project as revised.
- ☐ I find that at least one of the following conditions described in California Code of Regulations, Section 15162, exist and a **SUBSEQUENT ENVIRONMENTAL IMPACT REPORT** is required: (1) Substantial

changes are proposed in the project which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; (2) Substantial changes have occurred with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or (3) New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete or the negative declaration was adopted, shows any the following: (A) The project will have one or more significant effects not discussed in the previous EIR or negative declaration; (B) Significant effects previously examined will be substantially more severe than shown in the previous EIR or negative declaration; (C) Mitigation measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measures or alternatives; or, (D) Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR or negative declaration would substantially reduce one or more significant effects of the project on the environment, but the project proponents decline to adopt the mitigation measures or alternatives.

Timothy Wheeler
Signature

June 22, 2022
Date

Timothy Wheeler
Urban Regional Planner IV
Printed Name

For: John Hildebrand
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.

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

Source(s): Riverside County General Plan Figure C-8 "Scenic Highways", Riverside County Map My County, Preliminary Site Plan

Findings of Fact: Impacts will be less than significant with mitigation.

- a) **Less Than Significant with Mitigation Incorporated.** The Project site is located approximately 0.5 miles from Interstate 10, a Riverside Scenic Highway, at its closest point. Views of the proposed project site from Interstate 10 will be mostly obstructed by existing development and topographical features except for a short 0.8-mile section which will be visible to west-bound drivers for approximately 40 seconds (see Exhibit 4 Site Photos) (West bound traffic has the most exposure to the current unobstructed viewshed, east bound traffic has less exposure to the viewshed). The proposed solar/battery facility will consist mostly of solar arrays which are approximately 9 feet high, less than half the height of a single-story home. The tallest elements of the facility, a 35' high 55' wide and 55' deep transformer, and 13' high battery facilities, will be located at the northwest corner of the facility at approximately 1.3 miles to 1.7 miles from Interstate 10 alignment. The projects design includes an 8' high fence lined with 8' to 10' landscaping (living fence) which will shield views of the solar arrays from the south and west (See Exhibit 6 Landscaping Plan). The living fence plus the distance from Interstate 10 will result in a minimal scenic impact on views from the Interstate. Further, the vacant land between Interstate 10 and the solar/battery facility is currently planned under the Western Coachella Valley General Plan for mixed use development. Once this vacant area is developed, views of the solar/battery facility will be shielded from Interstate 10. Therefore, the impact of the solar facility is less than significant.
- b) **Less than Significant Impact with Mitigation Incorporated.** Under existing conditions, the Project site consists of vacant, undeveloped land with ruderal vegetation scattered across the site, which are not determined to be a scenic resource. There are no rock outcroppings, unique, or landmark features on the Project site.

The area is surrounded by scenic views of mountain ranges, including the Indio Hills and the Little San Bernardino Mountains to the north and east, the San Bernardino and San Jacinto Mountains to the west, and the Santa Rosa Mountains to the south. Views of the lower elevations of these

mountains are currently blocked by this existing development in all directions, and the project will not significantly alter these scenic views.

The project site is immediately surrounded by existing and entitled residential development to the west (see Exhibit 4 Site Photos), a mix of vacant, undeveloped land and residential homes to the north and south, and vacant, undeveloped land to the east. A SCE substation and an IID substation are located due north of the project site and power lines are located along its western boundary. The tallest elements of the facility, a 35' high transformer and 13' high battery facilities, will be located at the northwest corner of the facility. The 55' wide by 55' deep transformer is located 300' from Specific Plan 278 project boundary on the west. The 300' distance and the minimal structural width and depth of the transformer will result in a minimal obstruction of views. The largest component of the facility is the solar arrays which are approximately 9 feet high, less than half the height of a single-story home. The west and south sides of the facility will be fenced and aesthetically landscaped in a manner that will shield the facility and minimize its visual impact, especially along the western and southern perimeters which are adjacent to existing residential development. Therefore, the impact of the project on scenic resources will be less than significant.

c) Less than Significant Impact.

The Project site is adjacent to an urbanized area known as Thousand Palms. The site is currently vacant and is disturbed by dirt trails and pathways. The site is adjacent to the Coachella Valley National Wildlife Refuge on the north and east. To the north the Mirage Substation and the IID Substation which has an array of electrical equipment comparable to what will be built for the proposed solar array. There is vacant property to the west which is currently entitled with a residential Specific Plan. As noted in Item 1.b above great majority of the site will be occupied by solar arrays that are 9ft high that follow the existing contours off the site. This low design feature is consistent with the flat nature of those lands to the north and the east. As noted in Item 1.a above the project site is located significant distances from public views, and where proximate to existing and proposed residential development, the project incorporates perimeter landscaping. Further, it does not hinder distant views due to its low height of the proposed uses. The Zone Change and CUP proposed by the project will make the project consistent with the County's Zoning Ordinance and landscape improvements proposed pursuant to Mitigation Measure AES-1 will reduce visual impacts to less than significant levels and will help integrate the project visually with existing and proposed development in the project vicinity. Therefore the project will have less than significant impact on existing visual character or quality of public views of the site and its surroundings.

Mitigation: MM AES-1: The project shall provide landscaping along the perimeter fence as shown on Exhibit 6

- Landscape plant pallet shall be in compliance with the Coachella Valley Multi Species Habitat Conservation Plan Table 4-112: Coachella Valley Native Plants Recommended for Landscaping.
- Landscape plant pallet shall be reviewed and approved by Riverside County's Environmental Programs Division (EPD).
- A qualified Landscape Professional shall monitor plant health once a month for up to a year until plants are established.

Monitoring: Monitoring is required. Monitoring shall be conducted by a qualified Landscape Professional in coordination with Riverside County's Environmental Programs Division.

	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) **Less than Significant Impact.** According to Riverside County Map My County, the Project site is located within Zone B of the Mt. Palomar Nighttime Lighting Policy Area. All developments within Zone B of the Mt. Palomar Nighttime Lighting Policy Area, including the Project, are required to adhere to the requirements of Riverside County Ordinance No. 655, which controls artificial lighting sources intent of restricting the permitted use of certain light fixtures emitting into the night sky undesirable light rays which have a detrimental effect on astronomical observation and research. Proposed lighting would be limited as to type and would be required to be shielded. Therefore, because the Project would be required to comply with Ordinance No. 655, the Project's potential to interfere with the nighttime use of the Mt. Palomar observatory would be less than significant.

Mitigation: No mitigation is required.

Monitoring: No monitoring is required.

	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): Ord. No. 655 (Regulating Light Pollution), MD Acoustic's Lighting Study 1/21/22 (Appendix A1), MD Acoustic's Lighting Plan Study 4/25/22 (A2)

Findings of Fact: Impacts will be less than significant.

- a/b) **Less than Significant Impact.** Under existing conditions, the Project site is vacant and undeveloped and generates no day or nighttime light or glare. The site is surrounded by residential and undeveloped properties and abuts the Coachella Valley National Wildlife Refuge to the east. According to the Glare Analysis conducted by MD Acoustics (Appendix A1) for the proposed Project, there is no potential risk of glare to any roadways or sensitive receptors in the Project site vicinity. Existing light conditions is documented in Appendix A1. Lighting analysis is based on foot-candles. MD Acoustics noted that light may be observed by humans at 0.1 foot-candles. Approximately 37.1 foot-candles would be necessary for a reading area. Measurements of light

levels at the project site measured between 0 and 0.3 footcandles at the perimeter of the project. The project will only be using nighttime lighting for security purposes. The project will install 5 security lights at the substation and 4 security lights at the battery platform and 2 lights at the parking area. Photometric calculations prepared in Appendix A2 show that the light levels would associate with the security lighting would range between 0.0 to 4.5 foot-candles at the substation and battery platforms with spill below 45 ft. MD Acoustics determined that levels are within the expected range since the project will utilize nighttime lighting for security purposes only. The photometric analysis showed no potential impact of light trespass on any roadways or sensitive receptors in the vicinity of the project site. The proposed lighting plan analyzed complies with the County Code requirements. Impacts would be less than significant.

Mitigation: No mitigation is required.

Monitoring: No monitoring is required.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
AGRICULTURE & FOREST RESOURCES Would the project:				
4. Agriculture				
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland) as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<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," Riverside County Important Farmland, Riverside County Map My County, Project Application Materials

Findings of Fact: There will be no impacts.

- a) **No Impact.** According to Map My County, the majority of the Project site is designated as Other Lands and a sliver of the western portion of the site is designated as Urban and Built-Up Land. There are no portions of the site that contain Prime Farmlands, Unique Farmlands, or Farmland of Statewide Importance ("Farmland"); therefore, no impact would occur.
- b) **No Impact.** Under existing conditions, the Project site is zoned R-1 and is not zoned for agricultural use. As shown on Riverside County Map My County, the Project site is not a part of an agricultural preserve and is therefore not located within a Williamson Act contract area. The proposed Project would not conflict with existing agricultural zoning or with a Williamson Act contract, or land within a Riverside County Agricultural Preserve; therefore, no impact would occur.

- c) **No Impact.** There is no agriculturally zoned property located within 300 feet of the Project site; therefore, the Project would not cause development of non-agricultural uses within 300 feet of agriculturally zoned property. No impact would occur.
- d) **No Impact.** APNs 651-140-021 through 651-140-025 are adjacent to local importance farmland for about 1600 feet along the parcel's southern border. However, as described in Section 4(a), above, the Project site is not located in Farmland designated area. Therefore, the proposed Project would not lead to other changes in the existing environment such as the conversion of Farmland to non-agricultural use. No impact would occur.

Mitigation: No mitigation is required.

Monitoring: No monitoring is required.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
5. Forest	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
a) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Govt. Code section 51104(g))?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in the loss of forest land or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Source(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," Riverside County Map My County

Findings of Fact: There will be no impacts.

- a-c) **No Impact.** The Project site is not zoned as forest land and there are no lands within the Project site's vicinity that are zoned for forest land (as defined in Public Resources Code § 12220(g)), timberland (as defined by Public Resources Code § 4526), or Timberland Production (as defined by Government Code § 51104(g)). Due to the lack of forest land in the Project area, the Project would not conflict with zoning of forest land or result in the loss of forest land or the conversion of forest land to non-forest use. No impact would occur.

Mitigation: No mitigation is required.

Monitoring: No monitoring is required.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
AIR QUALITY Would the project:				
6. Air Quality Impacts				
a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) 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 type="checkbox"/>	<input checked="" 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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 checked="" type="checkbox"/>	<input type="checkbox"/>

Source(s): Air Quality, Greenhouse Gas, and Energy Impact Study (Appendix B)

Findings of Fact: Impacts will be less than significant with mitigation incorporated.

- a) **Less than Significant Impact.** The California Environmental Quality Act (CEQA) requires a discussion of any inconsistencies between a proposed project and applicable General Plans and Regional Plans (CEQA Guidelines Section 15125). The regional plan that applies to the proposed Project includes the SCAQMD Air Quality Management Plan (AQMP). Therefore, this section discusses any potential inconsistencies of the proposed Project with the AQMP.

The purpose of this discussion is to set forth the issues regarding consistency with the assumptions and objectives of the AQMP and discuss whether the proposed Project would interfere with the region's ability to comply with federal and state air quality standards. If the decision-makers determine that the proposed project is inconsistent, the lead agency may consider Project modifications or inclusion of mitigation to eliminate the inconsistency.

The SCAQMD CEQA Handbook states that "New or amended General Plan Elements (including land use zoning and density amendments), Specific Plans, and significant projects must be analyzed for consistency with the AQMP." Strict consistency with all aspects of the plan is usually not required. A proposed project should be considered to be consistent with the AQMP if it furthers one or more policies and does not obstruct other policies. The SCAQMD CEQA Handbook identifies two key indicators of consistency:

- (1) Whether the project will result in an increase in the frequency or severity of existing air quality violations or cause or contribute to new violations, or delay timely attainment of air quality standards or the interim emission reductions specified in the AQMP.
- (2) Whether the project will exceed the assumptions in the AQMP in 2016 or increments based on the year of project buildout and phase.

Both of these criteria are evaluated in the following sections

Criterion 1 – Increase in the Frequency or Severity of Violations

Based on the air quality modeling analysis contained in this Air Analysis Section, short-term construction impacts would not result in significant impacts based on the SCAQMD regional and

local thresholds of significance. This Air Analysis also found that, long-term operations impacts would not result in significant impacts based on the SCAQMD local and regional thresholds of significance.

Therefore, the proposed Project is not projected to contribute to the exceedance of any air pollutant concentration standards and is found to be consistent with the AQMP for the first criterion.

Criterion 2 – Exceed Assumptions in the AQMP

Consistency with the AQMP assumptions is determined by performing an analysis of the proposed Project with the assumptions in the AQMP. The emphasis of this criterion is to ensure that the analyses conducted for the proposed Project are based on the same forecasts as the AQMP. The 2016-2040 Regional Transportation/Sustainable Communities Strategy, prepared by SCAG, 2016, includes chapters on: the challenges in a changing region, creating a plan for our future, and the road to greater mobility and sustainable growth. These chapters currently respond directly to federal and state requirements placed on SCAG. Local governments are required to use these as the basis of their plans for purposes of consistency with applicable regional plans under CEQA. For this Project, the County of Riverside General Plan defines the assumptions that are represented in the AQMP.

The proposed Project has a current land use classification of Medium Density and Rural Residential in the County of Riverside. The proposed Project is to develop the site with a solar facility. The Project is seeking to zone the site as R-D which allows solar facilities subject to a Conditional Use Permit. The proposed use of the Project would reduce the building intensity and therefore, would not exceed assumptions in the County's General Plan or the AQMP. Impacts would be less than significant.

Based on the above, the proposed Project would not result in an inconsistency with the SCAQMD AQMP. Therefore, a less-than-significant impact would occur.

- b) Less than Significant Impact.** The Project consists of the development of a solar facility. Construction of the solar facility is planned to be operational in 2023. The phases of the construction activities which have been analyzed below are: 1) site preparation and 2) solar facility building.

The nearest sensitive receptors to the Project site that may be impacted by the development of the Project are the existing single-family residential dwelling units located approximately 190 feet to the southwest of the Project site.

CalEEMod (Version 2020.4.0) software was utilized to analyze short-term construction and long-term operational related impacts of the Project. The model is considered to be an accurate and comprehensive tool for quantifying air quality and GHG emissions impacts from land use projects throughout California and is recommended by the SCAQMD.

Construction-Related Impacts

The Project would be required to comply with existing SCAQMD rules for the reduction of fugitive dust emissions. SCAQMD Rules 403 and 403.1 establish these procedures. Compliance with these rules is achieved through application of standard best management practices in construction and operation activities, such as application of water or chemical stabilizers to disturbed soils, managing haul road dust by application of water, covering haul vehicles, restricting vehicle speeds on unpaved roads to 15 mph, sweeping loose dirt from paved site access roadways, cessation of construction activity when winds exceed 25 mph and establishing a permanent and stabilizing ground cover on finished sites. In addition, any operator applying for a grading permit, or a building permit for an activity with a disturbed surface area of more than 5,000 square feet, shall not initiate any earth-moving operations unless a Fugitive Dust Control Plan has been prepared pursuant to

the provisions of the Coachella Valley Fugitive Dust Control Handbook and approved by the County. It is anticipated that the Project would obtain and prepare the required Fugitive Dust Control Plan.

Regional Impacts

The phases of construction activities that were analyzed for the Project include site preparation and solar facility construction. The construction-related criteria pollutant emissions for each phase are shown below in Table 1, *Construction-Related Regional Pollutant Emissions*. Table 1 shows that none of the analyzed criteria pollutants would exceed the regional emissions thresholds. Therefore, a less-than-significant regional air quality impact would occur from construction of the Project.

Table 1 Construction-Related Regional Pollutant Emissions

Activity	Pollutant Emissions (pounds/day)					
	VOC	NOx	CO	SO ₂	PM ₁₀	PM _{2.5}
Site Preparation						
On-Site ²	3.17	33.08	19.70	0.04	9.28	5.42
Off-Site ³	0.07	0.05	0.72	0.00	0.20	0.05
Total	3.24	33.13	20.42	0.04	9.48	5.48
Solar Facility Construction						
On-Site ²	2.21	21.11	20.11	0.04	1.04	0.97
Off-Site ³	0.29	2.22	2.20	0.02	1.08	0.18
Total	2.49	23.33	22.32	0.05	2.11	1.15
SCAQMD Thresholds	75	100	550	150	150	55
Exceeds Thresholds	No	No	No	No	No	No
Notes: ¹ Source, CalEEMod Version 2020.4.0 ² On-site emissions from equipment operated on-site that is not operated on public roads. ³ Off-site emissions from equipment operated on public roads. ⁴ Construction, architectural coatings and paving phases may overlap.						

Operations-Related Impacts

The greatest cumulative operational impact on the air quality to the Basin would be the incremental addition of pollutants mainly from increased traffic from residential, commercial, and industrial development. In accordance with SCAQMD methodology, projects that do not exceed SCAQMD criteria or can be mitigated to less than criteria levels are not significant and do not add to the overall cumulative impact.

Regional Impacts

The potential operations-related air emissions have been analyzed below for the criteria pollutants and cumulative impacts. The operations related criteria air quality impacts created by the Project have been analyzed through use of the CalEEMod model and based on the proposed solar facility. The CalEEMod model analyzes operational emissions from area sources, energy usage, and mobile sources. The operating emissions were based on the year 2023, which is the anticipated opening year for the Project.

Mobile Sources

Mobile sources include emissions from the additional vehicle miles generated from the proposed Project. The vehicle trips associated with the proposed Project are based upon the trip generation

rates given in the Traffic Scoping Agreement (Integrated Engineering Group) which uses the ITE 10th Trip Generation Manual. The program then applies the emission factors for each trip which is provided by the EMFAC2017 model to determine the vehicular traffic pollutant emissions. The CalEEMod default trip lengths were used in this analysis. Please see CalEEMod output comments sections in Appendix A and B of the Air Quality Report (*Appendix B*) for details.

Area Sources

Area sources include emissions from consumer products, landscape equipment and architectural coatings. Landscape maintenance includes fuel combustion emissions from equipment such as lawn mowers, rototillers, shredders/grinders, blowers, trimmers, chain saws, and hedge trimmers, as well as air compressors, generators, and pumps.

Energy Usage

Energy usage includes emissions from the generation of electricity and natural gas used on-site. 2020.4.0 CalEEMod defaults were utilized.

Project Impacts

The Project would result in a long-term increase in air quality emissions due to Project-generated vehicle trips and ongoing operation of the Project. The worst-case VOC, NO_x, CO, SO₂, PM₁₀, and PM_{2.5} daily emissions created from the Project's long-term operations have been calculated and are summarized below in Table 2, *Regional Operational Pollutant Emissions*.

Table 2 Regional Operational Pollutant Emissions

Activity	Pollutant Emissions (pounds/day) ¹					
	VOC	NO _x	CO	SO ₂	PM ₁₀	PM _{2.5}
Area Sources ²	3.11	0.00	0.02	0.00	0.00	0.00
Energy Usage ³	0.00	0.00	0.00	0.00	0.00	0.00
Mobile Sources ⁴	0.01	0.00	0.02	0.00	0.00	0.00
Total Emissions	3.12	0.00	0.04	0.00	0.00	0.00
SCAQMD Thresholds	55	55	550	150	150	55
Exceeds Threshold?	No	No	No	No	No	No
Notes: ¹ Source: CalEEMod Version 2020.4.0 ² Area sources consist of emissions from consumer products, architectural coatings, and landscaping equipment. ³ Energy usage consists of emissions from on-site natural gas usage. ⁴ Mobile sources consist of emissions from vehicles and road dust.						

The data provided in Table 2 above shows that none of the analyzed criteria pollutants would exceed the regional emissions thresholds. Therefore, a less-than-significant regional air quality impact would occur from operation of the Project.

Cumulative Impacts

Cumulative projects include local development as well as general growth within the Project site. However, as with most development, the greatest source of emissions is from mobile sources, which travel well out of the local area. Therefore, from an air quality standpoint, the cumulative analysis would extend beyond any local projects and when wind patterns are considered would cover an even larger area. Accordingly, the cumulative analysis for the Project's air quality must be generic by nature.

The Project area is out of attainment for ozone and particulate matter (PM10). Construction and operation of cumulative projects will further degrade the local air quality, as well as the air quality of the Salton Sea portion of the South Coast Air Basin. The greatest cumulative impact on the quality of regional air cell would be the incremental addition of pollutants mainly from increased traffic volumes from residential, commercial, and industrial development and the use of heavy equipment and trucks associated with the construction of these projects. Air quality would be temporarily degraded during construction activities that occur separately or simultaneously. However, in accordance with the SCAQMD methodology, projects that do not exceed the SCAQMD criteria or can be mitigated to less than criteria levels are not significant and do not add to the overall cumulative impact. With respect to long-term emissions, the Project would result in a less-than-significant cumulative impact.

c) Less than Significant Impact with Mitigation Incorporated.

Construction-Related Local Impacts

Construction-related air emissions may have the potential to exceed the State and Federal air quality standards in the Project vicinity, even though these pollutant emissions may not be significant enough to create a regional impact to the Salton Sea portion of the South Coast Air Basin. The proposed Project has been analyzed for the potential local air quality impacts created from: construction-related fugitive dust and diesel emissions; from toxic air contaminants; and from construction-related odor impacts.

The emission thresholds were calculated based on the Coachella Valley, source receptor area (SRA) 30 and a disturbance value of 3.5 acres per day (see Table 3). The nearest sensitive receptors are the existing dwelling units located approximately 190 feet to the southwest of the Project site; therefore, for conservative purposes, the SCAQMD Look-up Tables for 50 meters was used. As shown in Table 4, none of the analyzed criteria pollutants would exceed the calculated local emissions thresholds at the nearest sensitive receptors. Therefore, there would be a less-than-significant impact.

Table 3 Maximum Number of Acres Disturbed Per Day

Activity	Equipment	Number	Acres/8hr-day	Total Acres
Site Preparation	Rubber Tired Dozers	3	0.5	1.5
	Tractors/Loaders/Backhoes	4	0.5	2.0
Total Per Phase				3.5
Notes: ¹ Source: CalEEMod output and South Coast AQMD, Fact Sheet for Applying CalEEMod to Localized Significance Thresholds. http://www.aqmd.gov/docs/default-source/ceqa/handbook/localized-significance-thresholds/cal-eemod-guidance.pdf?sfvrsn=2				

Table 4 Local Construction Emissions at the Nearest Receptors

Phase	On-Site Pollutant Emissions (pounds/day) ¹			
	NOx	CO	PM10	PM2.5
Site Preparation	33.08	19.70	9.28	5.42
Solar Facility Construction	22.94	20.25	1.17	1.10
SCAQMD Threshold for 50 meters (164 feet) or less²	225	1,931	22	7

Notes:

¹ Source: Calculated from CalEEMod and SCAQMD's Mass Rate Look-up Tables for two acres, to be conservative, in Coachella Valley Source Receptor Area (SRA 30). Project will disturb a maximum of 3.5 acres per day (see Table 7).

² The nearest sensitive receptor is located 57 meters southwest; therefore, the 50-meter threshold has been used.

Operations-Related Local Impacts

Project-related air emissions may have the potential to exceed the state and federal air quality standards in the Project vicinity, even though these pollutant emissions may not be significant enough to create a regional impact to the SSAB. The Project has been analyzed for the potential local CO emissions impacts from Project-generated vehicular trips and from the potential local air quality impacts from on-site operations. The following analyzes the vehicular CO emissions and local impacts from on-site operations.

Local CO Hotspot Impacts from Project-Generated Vehicular Trips

CO is the pollutant of major concern along roadways because the most notable source of CO is motor vehicles. For this reason, CO concentrations are usually indicative of the local air quality generated by a roadway network and are used as an indicator of potential local air quality impacts. Local air quality impacts can be assessed by comparing the future without and with project CO levels to the state and federal CO standards of 20 parts per million (ppm) over one hour or 9 ppm over eight hours.

Traffic analysis from IEG's Scoping Agreement showed that the Project would generate 120 average daily trips. The 1992 Federal Attainment Plan for Carbon Monoxide (1992 CO Plan) showed that an intersection which has a daily traffic volume of approximately 100,000 vehicles per day would not violate the CO standard. The volume of traffic at Project buildout would be well below 100,000 vehicles and below the necessary volume to even get close to causing a violation of the CO standard. Therefore, no CO "hot spot" modeling was performed, and no significant long-term air quality impact is anticipated to local air quality with the on-going use of the proposed Project.

Local Air Quality Impacts from Onsite Operations

Table 5, *Local Operational Emissions at the Nearest Receptors*, shows the calculated emissions for the proposed operational activities compared with appropriate LSTs. The LST analysis only includes on-site sources; however, the CalEEMod software outputs do not separate on-site and off-site emissions for mobile sources¹. For a worst-case scenario assessment, the emissions shown in Table 5 include all on-site Project-related stationary sources and 10% of the Project-related new mobile sources. This percentage is an estimate of the amount of Project-related new vehicle traffic that would occur on-site.

Table 5 Local Operational Emissions at the Nearest Receptors

On-Site Emission Source	On-Site Pollutant Emissions (pounds/day) ¹			
	NOx	CO	PM10	PM2.5
Area Sources ²	0.00	0.02	0.00	0.00
Energy Usage ¹	0.00	0.00	0.00	0.00
On-Site Vehicle Emissions ⁴	0.00	0.00	0.00	0.00
Total Emissions	0.00	0.02	0.00	0.00
SCAQMD Threshold for 50 meters (164 feet)⁵	225	1,931	6	2
Exceeds Threshold?	No	No	No	No

¹ The Project site is approximately 0.5 miles in length at its longest point; therefore the on-site mobile source emissions represent approximately 1/14th of the shortest CalEEMod default distance of 6.9 miles. Therefore, to be conservative, 1/10th the distance (dividing the mobile source emissions by 10) was used to represent the portion of the overall mobile source emissions that would occur on-site.

Notes:

- ¹ Source: Calculated from CalEEMod and SCAQMD's Mass Rate Look-up Tables for two acres, to be conservative, in Coachella Valley Source Receptor Area (SRA 30). Project will disturb a maximum of 3.5 acres per day (see Table 7).
- ² Area sources consist of emissions from consumer products, architectural coatings, and landscaping equipment.
- ³ Energy usage consists of emissions from generation of electricity and on-site natural gas usage.
- ⁴ On-site vehicular emissions based on 1/10 of the gross vehicular emissions and road dust.
- ⁵ The nearest sensitive receptor is located 55 meters east; therefore, the 50-meter threshold has been used.

Table 5 indicates that the local operational emission would not exceed the LST thresholds at the nearest sensitive receptors, located adjacent to the Project. Therefore, the Project would not result in significant localized operational emissions.

Valley Fever Analysis

The Project is located in an area designated as suspected endemic for Valley Fever by the Center for Disease Control. Annual case reports for 2006 through 2010 from the County of Riverside Department of Public Health indicate that Riverside County has reported incident rates for Valley Fever that range from a rate of 2.3 to 3.6 cases per year per 100,000 population. These incidence rates for Riverside County, while rising since 2006, have remained below the State average incidence rates and have been well below the worst-case annual rates for other counties within the State during this period, occurring within the San Joaquin Valley, where there are over 300 cases per 100,000 population. Given the low incidence rate in Riverside County, the potential for the Project construction activities to encounter and disperse CI spores and create the potential for additional Valley Fever infections is considered low.

Nevertheless, earthmoving and other activities that cause fugitive dust emissions can cause Valley Fever spores, if present, to become airborne. SCAQMD Rule 403 requires fugitive dust mitigation measures for this Project that would substantially reduce fugitive dust emissions, discussed in Section 2.1.2 of *Appendix B*. To ensure the Project will not have a significant impact, the Applicant will be required to implement a fugitive dust plan, as described in Mitigation Measure (MM) AQ-1, below.

In conclusion, with implementation of MM AQ-1, the Project would not expose sensitive receptors to substantial pollutant concentrations and impacts would be less than significant.

- d) **Less than Significant Impact.** Potential sources that may emit odors during construction activities include the application of materials such as asphalt pavement. The objectionable odors that may be produced during the construction process are of short-term in nature and the odor emissions are expected to cease upon the drying or hardening of the odor producing materials. Diesel exhaust and VOCs would be emitted during construction of the Project, which are objectionable to some; however, emissions would disperse rapidly from the Project site and therefore should not reach an objectionable level at the nearest sensitive receptors. Due to the short-term nature and limited amounts of odor producing materials being utilized, no significant impact related to odors would occur during construction of the proposed Project.

The SCAQMD recommends that odor impacts be addressed in a qualitative manner. Such an analysis shall determine whether the Project would result in excessive nuisance odors, as defined under the California Code of Regulations and Section 41700 of the California Health and Safety Code, and thus would constitute a public nuisance related to air quality.

Potential sources that may emit odors during the on-going operations of the proposed Project would include odor emissions from vehicle emissions. Due to the distance of the nearest receptors from the Project site and through compliance with SCAQMD's Rule 402 no significant impact related to odors would occur during the on-going operations of the proposed Project.

Mitigation:

MM AQ-1: Prior to grading permit issuance, the Applicant shall implement a fugitive dust control plan per SCAQMD Rule 403 in order to reduce exposure of the public and workers from Valley Fever spores during ground disturbing activities.

Monitoring: No monitoring is required.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
BIOLOGICAL RESOURCES Would the project:				
7. Wildlife & Vegetation				
a) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Conservation Community Plan, or other approved local, regional, or state conservation plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Have a substantial adverse effect, either directly or through habitat modifications, on any endangered, or threatened species, as listed in Title 14 of the California Code of Regulations (Sections 670.2 or 670.5) or in Title 50, Code of Federal Regulations (Sections 17.11 or 17.12)?	<input type="checkbox"/>	<input 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): ELMT Consulting's Biological Resources Assessment (Appendix C1); ELMT Consulting's Preliminary Burrowing Owl Focused Survey Report (Appendix C2); Karl Kosciuch, Daniel Riser-Espinoza, Cyrus Moqtaderi, Wallace Erickson. "Aquatic Habitat Bird Occurrences at Photovoltaic Solar Energy Development in Southern California, USA." Diversity 2021, 13, 524, <https://www.doi.org/10.3390/d13110524>

Findings of Fact: Impacts will be less than significant with the incorporation of mitigation.

- a) **Less than Significant Impact with Mitigation Incorporated.** The proposed Project is located within the boundaries of the Coachella Valley Multiple Species Habitat Conservation Plan (CVMSHCP), but not located within any of the CVMSHCP designated conservation areas; however, the eastern boundary of the Project site abuts the Thousand Palms Conservation Area. As a Covered Activity located outside designated conservation areas, construction of the proposed Project is expected to implement the applicable regulatory compliance measures described in Section 4.4 of the CVMSHCP (refer to *Appendix C*). In addition, the Project Applicant is required to pay a local development fee prior to Project implementation as described in Mitigation Measure MM BIO-1. With implementation of these measures, and land use adjacency guidelines, and payment of the CVMSHCP mitigation fee (MM BIO-1), the proposed Project would be fully consistent with the biological goals and objectives of the CVMSHCP. Therefore, with implementation of MM BIO-1, the Project would not conflict with the provisions of any adopted Habitat Conservation Plan, Natural Conservation Community Plan, or other approved local, regional, or state conservation plan.

b/c) Less than Significant Impact with Mitigation Incorporated.

Plant and Habitat Communities: The Project site contains two plant communities: creosote bush scrub and tamarisk thickets. The Project site supports disturbed land in areas that are routinely impacted by regular vehicle access, foot traffic, and off-highway vehicle use. These areas tend to be unvegetated and may support minimal ruderal species. The Project site also supports developed land, which occurs on-site in the form of a crushed asphalt/compacted gravel road and pad. Developed land supported on-site tends to be unvegetated and may support minimal ruderal species capable of growing through crushed asphalt/compacted gravel.

Creosote Bush: The creosote bush scrub plant community occurs throughout the Project site. This plant community is dominated by creosote and supports a limited variety of woody perennials and an herbaceous understory dominated by Mediterranean grass.

Tamarisk Thickets: The southern portion of the Project site supports tamarisk thickets, which support the same plant species as the creosote bush scrub plant community but are dominated by tamarisk, often in monospecific grouping. Additional species cover is minimal. Refuse and debris are common around tamarisk thickets, and some were observed to support illicit camp sites.

The California Natural Diversity Database (CNDDDB) lists one special-status vegetation community as being identified within the Myoma United States Geological Survey (USGS) 7.5-minute quadrangle: Desert Fan Palm Oasis Woodland. Based on the results of the field survey, no special-status plant communities were observed on-site. Therefore, no special-status plant communities would be impacted by Project implementation.

Critical Habitat. Critical habitat is defined as areas of land, water, and air space that contain the physical and biological features essential for the survival and recovery of endangered and threatened species. The Project site is located within a federally designated Critical Habitat for Coachella Valley fringe-toed lizard. Because Coachella Valley fringe-toed lizard is a covered species under the CVMSCHP, no further surveys or additional mitigation measures would be required for potential impacts to this species, if present. Additionally, installation of the solar panels will have a small disturbance footprint and no Coachella Valley fringe-toed lizard are expected to be impacted as they are a mobile species and will have the ability to move around the Project site following Project implementation. Impacts to fringe-toed lizard would be less than significant.

Threatened and Endangered Plants: A total of 21 special-status plant species have been recorded in the CNDDDB and California Native Plant Society's (CNPS) in the Myoma and Cathedral City quadrangles. No special-status plant species were observed on-site during the field survey on

December 10, 2021. Based on habitat requirements for the identified special-status species, known species distributions, and existing site conditions, it was determined that the Project site has a high potential to support Coachella Valley milkvetch; and a moderate potential to support Borrego milkvetch (*Astragalus lentiginosus* var. *borreganus*) and ribbed cryptantha (*Johnstonella costata*); and a low potential to support pointed dodder (*Cuscuta californica* var. *apiculata*), Arizona spurge (*Euphorbia arizonica*), and flat-seeded spurge (*Euphorbia platysperma*). Further, it was determined that no other special-status plant species have the potential to occur on-site and are presumed absent. None of these six plant species were detected during plant surveys conducted in 2014. Likewise, 2022 plant surveys conducted on April 1, 15, and 29 of 2022 did not detect any of these plant species. Of the aforementioned special-status species, only Coachella Valley milkvetch is a federally listed species. Coachella Valley milkvetch is covered under the CVMSHCP, and mitigation for this species is incorporated into the CVMSHCP. Therefore, the Project would have a less-than-significant impact on special-status plant species, including the Coachella Valley milkvetch.

Threatened and Endangered Wildlife: Forty-six special-status wildlife species have been reported in the Myoma and Cathedral City quadrangle (refer to *Appendix C*). The only special-status animal species observed onsite during the field investigation were Costa's hummingbird and sharp-shinned hawk. Based on habitat requirements for the identified special-status wildlife species, known distributions, and the and routine disturbance, it was determined that the proposed Project has a high potential to support Cooper's hawk (*Accipiter cooperii*), burrowing owl (*Athene cunicularia*), loggerhead shrike (*Lanius ludovicianus*), black-tailed gnatcatcher (*Polioptila melanura*) and Coachella Valley round-tailed ground squirrel; a moderate potential to support California horned lark (*Eremophila alpestris actia*), prairie falcon (*Falco mexicanus*), Coachella giant sand treader cricket (*Macrobaenetes valgum*), flat-tailed horned lizard (*Phrynosoma mcallii*), Coachella Valley Jerusalem cricket (*Stenopelmatus cahulaesis*) and Coachella Valley fringe-toed lizard (*Uma inornata*); and a low potential to support pallid San Diego pocket mouse (*Chaetodipus fallaz pallidus*), and Palm Springs pocket mouse (*Perognathus longimembris brevinasus*). Further, it was determined that no other special-status wildlife species have the potential to occur on-site and are presumed absent. It should be noted that project implementation will remove foraging habitat for special-status species known to occur in the area. However, various conservation areas are found in close proximity to the project site that can accommodate the additional foraging activities. Specifically, the Coachella Valley Wildlife Refuge is immediately adjacent east and west of the project site. Further, payment of fees (MM Bio-1) under the CVMSHCP provides for expansion of preserved habitat.

The Project site is unvegetated and/or vegetated with a variety of low-growing plant species that allow for line-of-sight observation favored by burrowing owls. The site also supports California ground squirrel and desert cottontail burrows that provide suitable burrows capable of providing roosting and nesting opportunities. However, the southern portion of the site and surrounding powerline that provide perching opportunities for large raptors that can prey on burrowing owls. Due to suitable habitat on the site, ELMT conducted a preliminary focused burrowing owl survey, which consisted of three separate focused burrowing owl surveys on April 1, 4, and 7, 2022. During the three surveys, no burrowing owls or signs (pellets, feathers, castings, or whitewash) were observed on or within 500 feet, where accessible, of the Project site. Based on the results of the surveys, no burrowing owls or evidence of recent or historic use by burrowing owls were observed on the Project site. Therefore, burrowing owls are presumed absent from the Project site. However, ELMT will continue to conduct burrowing owl focused surveys in accordance with 2012 CDFW Staff Report on Burrowing Owl Mitigation for the remainder of the 2022 breeding season. The final burrowing owl focused survey will be conducted after June 15th per the protocol. Based on the results of the prior focused surveys, no burrowing owls are expected to be observed onsite during the final focused survey and the preliminary results will remain valid. However, if burrowing owls are observed onsite during the final focused survey, and are determined to have nested or are

currently nesting onsite (not only foraging onsite), a burrowing owl exclusion/relocation plan will need to be prepared and approved by the wildlife agencies prior to implementation. The following recommendations must be adhered to: Exclusion and relocation activities may not occur during the breeding season, which is defined as March 1 through August 31, with the following exception: From March 1 through March 15 and from August 1 through August 31 exclusion and relocation activities may take place if it is proven to the appropriate regulatory agencies (if any) that egg laying or chick rearing is not taking place. This determination must be made by a qualified biologist.

Cooper's hawk, sharp-shinned hawk, Costa's hummingbird, California horned lark, prairie falcon, loggerhead shrike, and black-tailed gnatcatcher are state or federally listed as threatened or endangered. In order to ensure impacts to these avian species do not occur from implementation of the proposed Project, a pre-construction nesting bird clearance survey shall be conducted prior to ground disturbance, as described in MM BIO-2. With implementation of MM BIO-2, impacts to special-status avian species would be less than significant.

Lake Effect

The proposed project is a passive facility not a solar power tower facility. Such passive facilities have been the subject of "lake effect" impacts. An article, *Limited Evidence Birds Confuse Solar Panels with Lakes*, prepared by The Wildlife Society in November 2021 (Based on original article Aquatic Habitat Bird Occurrences at Photovoltaic Solar Energy Development in Southern California, USA), states "aquatic bird carcasses have been discovered around solar facilities for years, even when these developments are miles from water bodies.... Previously hypothesized a "lake effect" where these birds – some of which require water to take off and land are confusing reflective solar panels with water bodies and colliding into them." Surveys were conducted for birds that depend on water for takeoff (*western grebes*) and birds that do not depend on water for takeoff (*American avocets*) around three solar facilities and compared them to Lake Tamarisk in California. Based on the surveys conducted the following was stated "we found limited evidence of attraction of aquatic habitat birds to the PV solar facility sites. We had no evidence of landing, circling or approaching." Further, their research showed that the "effects of the solar panels may be similar to that of a wet parking (lot) that occurs under specific conditions and can lead to problems for aquatic birds as well, rather than a ubiquitous omnipresent signal of a lake for all aquatic birds. Based on this article, prepared by The Wildlife Society, there is currently no evidence that solar facilities create they hypothesized "lake effect," resulting in a significant increase in the death of aquatic birds. As a result, no mitigation measures are recommended or required.

- d) **Less than Significant Impact with Mitigation Incorporated.** The eastern boundary of the Project site immediately abuts the Thousand Palms Conservation Area under the CVMSHCP, which serves as habitat linkage from the Little San Bernardino Mountains to the Coachella Valley National Wildlife Refuge and the Whitewater River. Project activities are not expected to extend beyond site boundaries; therefore, implementation of the proposed Project is not expected to have any direct impacts to the Thousand Palms Conservation Area. The project design provides for a 5" opening at the bottom of the perimeter fencing to ensure free movement of small animals. Further, the applicable CVMSHCP Land Use Adjacency Guidelines (described in Section 5.2 of *Appendix C*) would be implemented to ensure potential indirect impacts to the Thousand Palms Conservation Area and wildlife movement opportunities are less than significant. Lastly, as mentioned in Section 7b and 7c, above, the Project would not cause a lake effect for migratory or nesting birds. Therefore, based on the foregoing, implementation of the proposed Project would not disrupt or have any adverse effects on any migratory corridors or linkages in the surrounding area.

No active nests or nesting behaviors were observed during the field survey conducted on December 10, 2021. However, the creosote bush scrub and tamarisk thickets plant communities provide suitable foraging and nesting habitat for year-round and seasonal avian residents, as well as migrating songbirds that have adapted to conditions in desert environments. Therefore, the

Project has the potential to impact nesting birds if vegetation is removed during the nesting season (February 1 through August 31). Impacts to nesting birds are prohibited by the Migratory Bird Treaty Act (MBTA) and California Fish and Game Code (CFGF). With the Project's mandatory compliance with the MBTA, CFGF, and MM BIO-3, which prohibit the removal of any habitat containing an active migratory bird nest, a less-than-significant impact would occur associated with the Project's potential impacts to migratory birds.

- e) **No Impact.** The Project site does not contain any riparian habitat or sensitive natural community; therefore, there would be no 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.
- f) **No Impact.** There are no wetlands present on the Project site or in the Project site vicinity; therefore, there would be no 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.
- g) **No Impact.** Other than the CVMSHCP, which is addressed above, the only local policies or ordinances protecting biological resources within the Project area are Riverside County Ordinance No. 559 (Regulating the Removal of Trees) and the County's Oak Tree Management Guidelines. The Project site does not contain oak trees. Therefore, the Riverside County Oak Tree Management Guidelines are not applicable to the Project. Ordinance No. 559 pertains to parcels or property located above 5,000 feet in elevation. Because the Project site does not reach an elevation of 5,000 feet, Ordinance No. 559 is also not applicable to the Project site. Thus, because the Project would not conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance, no impact would occur as a result of implementation of the Project as proposed on the Project site.

Mitigation:

MM BIO-1: Prior to issuance of grading permits, the Project Applicant shall make a payment of a local development fee to the CVMSHCP in order to protect sensitive plants, wildlife, and habitats covered by the CVMSHCP.

MM BIO-2: Three days prior to any ground disturbing activities or vegetation removal, a qualified biologist shall conduct a preconstruction survey to identify any sensitive biological resource to flag for avoidance. Any sensitive species that may be present within the Project area shall be relocated outside of the impact areas.

MM BIO-3: Prior to grading permit issuance, vegetation removal shall be conducted during the non-nesting season for migratory bird to avoid direct impacts. The nesting season is between February 1 through September 15. If vegetation removal occurs in the migratory bird nesting season then a preconstruction nesting bird surveys be performed during the nesting bird season between February 1 through September 15, within 3 days prior to vegetation removal. If nests are found during surveys, they will be flagged and a 2,500-foot buffer to a 500-foot buffer (for raptors) shall be fenced around the nests. The buffer area shall be kept in place until the young have fledged and leave the nest.

Monitoring: No monitoring is required.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
CULTURAL RESOURCES Would the project:				
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): CRM Tech's Cultural Resources Update Report (Appendix D)

Findings of Fact: Impacts will be less than significant with mitigation incorporated.

a-b) Less than Significant with Mitigation Incorporated. CRM Tech completed a cultural resources investigation for the proposed Project on November 23, 2021. Between August and November 2014, CRM Tech performed a phase I cultural resources survey; approximately 80 acres of which are within the Project site. Also, the project area of the 2014 study extended along the section line between Sections 20 and 21 up to Ramon Road. In addition, between December 2014 and March 2015, CRM Tech performed a cultural resources study on approximately 170 acres of vacant land, which includes all of the current Project site except the access road area extending north from the main body of the property along the section line between Sections 20 and 21 and crossing Ramon Road for access into the Mirage Substation.

As could be assumed for this area of Riverside County, the results of the records searches for CRM Tech's 2014 and 2015 studies are different only due to the slightly different 1-mile radii of the different scopes of the records searches for each project area. The 2015 records search, which essentially covers the current study area, found that more than 30 previous cultural resources studies had been conducted outside of the Project area but within a one-mile radius of it. These and other similar studies in the vicinity resulted in the recordation of 10 historical/archaeological sites within the one-mile scope of the records search but outside of the current study area, none of which are in the immediate vicinity of the current study area.

According to the 2015 cultural resources study, one historic-period site (33-024131) has been identified within the Project site. This site was reviewed and evaluated against the California Register criteria to determine its qualifications as a "historical resource." The 2015 report concluded that "[Site] 33-024131 does not appear to meet the statutory definition of 'historical resources.'

Site 33-024131

One single episode of incidental dumping may have generated this small, late-historic-period refuse deposit, and as such shows no potential for close association with any persons or events of recognized historic significance. The artifacts observed at the site are quite common among similar refuse deposits from the late historic period and offer no unique or important archaeological data for the study of national, state, regional, or local history. Without any demonstrated potential for unique or special qualities, Site 33-024131 is not a significant cultural resource and is not eligible for listing in the California Register and, thus, does not qualify as a "historical resource" under CEQA.

Mitigation:

MM CUL-1: Prior to the issuance of grading permits, the developer/permit holder shall retain and enter into a monitoring and mitigation service contract with a qualified Archaeologist

for services. The Project Archaeologist (Cultural Resource Professional) shall develop a monitoring plan for the long-term care and maintenance of the cultural features preserved at the Project site. The monitoring plan must be approved by the County Archaeologist prior to issuance of grading permits. The preferred method of treating prehistoric resources is to preserve them in place and as such, if resources are encountered, they will be treated according to the approved monitoring plan.

Monitoring: MM CUL-1: Monitoring is required.

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

Source(s): CRM Tech's Cultural Resources Update Report (Appendix D)

Findings of Fact: Impacts will be less than significant with the incorporated mitigation.

a-c) Less than Significant Impact with Mitigation Incorporated. A total of four prehistoric archaeological sites (33-000785, 33-015429, 33-024129, and 33-024130) have been identified within the Project site. [Site 33-015430 was previously determined to be in Section 20, and all the artifacts from the site have been collected.] During the current study, each of the sites were revisited. It was noted that slight disturbances have occurred at some of the sites. In general, however, the conditions at each of the sites, including the types and numbers of artifacts at each site are substantially the same as previously reported. Therefore, the evaluations of the sites that were developed during the 2015 study remain the same. Below is a summary of each of the four sites.

Site 33-000785

Site 33-000785 was previously determined to be significant under CEQA provisions because of its archaeological data potential and the Native American traditional cultural value embodied in the cremation remains. The presence of additional cremation remains and artifacts were found at the site during the 2014, 2015, and the current study further enhances the archaeological data potential and traditional cultural value of the site and reinforces its eligibility for the California Register under Criterion 4. Site 33-000785, therefore, is a significant cultural resource. The project design provides that this site will not be disturbed by development and will be preserved in place and protected with buffers and fencing.

Site 33-015429

This site was originally recorded in 2006 as consisting of a lithic and ceramic scatter and a nearly complete vessel. The vessel, however, is a type that has never been reported in the Coachella Valley. Reflecting on the clay type and style, it is considered to be modern in age. The ceramic pieces that had been recorded on the surface in this area were not observed in 2011 or by Ballester in 2014. Likewise, the site does not exhibit any indication of a subsurface component. As such, it does not demonstrate the potential for important archaeological information, nor does not appear

to be eligible for listing in the California Register, and consequently is not a significant cultural resource and does not meet the CEQA definition of a "historical resource."

Site 33-024129

Site 33-024129 appears to represent a small late-prehistoric food-processing activity area where some limited lithic tool production also occurred. Although it is a small site, with dune deflation possibly explaining the concentration of artifacts, and having been slightly impacted, given the presence of cremation remains at Site 33-000785, this general area may have been used for a number of different activities. Additional artifacts may be present at Site 33-024129 below the ground surface, therefore the project design provides that this site will not be disturbed by development and will be preserved in place and protected with buffers and fencing.

Site 33-024130

While there is no definitely discernable prehistoric hearth at Site 33-024130, as with Site 33-024129, given the diverse activities that occurred in the general vicinity during prehistoric times, the possibility of additional cultural remains in subsurface deposits cannot be ruled out at 33-024130. The project design provides that this site will not be disturbed by development and will be preserved in place and protected with buffers and fencing.

Site 33-000785 was previously determined to be a significant cultural resource because of its archaeological data potential and the Native American traditional cultural value embodied in the cremation remains; therefore, mitigation is required. Sites 33-024129 and 33-024130 have the potential to be a significant historical resource however, the Applicant would avoid impact to Sites 33-000785, 33-024129 and 33-024130, as described in MM CUL-2. Therefore, with implementation of MM CUL-2, no impact to Sites 33-000785, 33-024129, and 33-024130 would occur.

Due to the demonstrated archaeological sensitivity of the Project site, surface alteration restrictions and a program of archaeological and Native American monitoring would be required prior to earth-disturbing activities associated with the Project (as described in MM CUL-3 through MM CUL-5).

Lastly, in the unexpected event that additional human remains could be uncovered during ground disturbing activities, those remains would require proper treatment in accordance with all applicable laws. Through the implementation of Mitigation Measure CUL-3, all construction work taking place within the vicinity of the discovered remains must cease and the necessary steps to ensure the integrity of the immediate area must be taken. The State of California Health and Safety Code 7050.5 and the California Public Resources Code (PRC) Section 5097.98 states that the County Coroner must be notified within 24 hours of the discovered human remains. If the remains discovered are determined by the coroner to be of Native American descent, the coroner shall contact the Native American Heritage Commission (NAHC) within 24 hours. The NAHC would, in turn, contact the Most Likely Descendant (MLD) who would determine further action to be taken. The MLD would have 48 hours to access the site and make a recommendation regarding disposition of the remains. Therefore, with incorporation of Mitigation Measure CUL-6, impacts to human remains would be less than significant.

In conclusion, with implementation of MM CUL-1 through MM CUL-6, impacts to significant archaeological resources and human remains would be reduced to less-than-significant levels.

Mitigation:

See **MM CUL-1**, above.

MM CUL-2: Site(s) P-33-00785, P-33-024129, and P-33-024130, shall be avoided and preserved by Project design. Prior to any earthmoving activities within 100' of this resource, the Project Archaeologist, Project Supervisor and Tribal Monitor shall fence off P-33-00785, P-33-024129, P-33-024130, with sufficient buffer area to protect these sites from grading impacts. The construction fencing shall be checked on a weekly basis throughout the grading process to ensure that the sites are appropriately protected. The construction fencing shall be removed once all earthmoving is complete for this area.

MM CUL-3: Prior to the issuance of grading permits, the developer/permit holder shall retain and enter into a monitoring and mitigation service contract with a qualified Archaeologist for services. The Project Archaeologist (Cultural Resource Professional) shall develop a Cultural Resources Monitoring Plan which must be approved by the County Archaeologist prior to issuance of grading permits. The monitoring plan shall include a controlled grading plan for the areas surrounding sites P-33-00785, P-33-024129 and P-33-024130. The project design provides that these sites will be preserved undisturbed in place with adequate buffering and protective fencing. The monitoring plan shall also include details for a surface collection of all surface artifacts located within the boundaries of sites that will be impacted by this project. All artifacts will be catalogued and analyzed prior to final disposition. The Project Archaeologist shall be included in the pre-grade meetings to provide Construction Worker Cultural Resources Sensitivity Training including the establishment of set guidelines for ground disturbance in sensitive areas with the grading contractors and Native American Monitors. A sign-in sheet for attendees of this training shall be included in the Phase IV Monitoring Report.

The Project Archaeologist shall manage and oversee monitoring for all initial ground disturbing activities and excavation of each portion of the project site including clearing, grubbing, tree removals, grading, trenching, stockpiling of materials, rock crushing, structure demolition and etc.

The Project Monitor shall have the authority to temporarily divert, redirect or halt the ground disturbance activities to allow identification, evaluation, and potential recovery of cultural resources in coordination with the special interest monitors. The developer/permit holder shall submit a fully executed copy of the contract and a wet-signed copy of the Monitoring Plan to the Riverside County Planning Department to ensure compliance with this condition of approval.

MM CUL-4: The landowner(s) shall relinquish ownership of all cultural resources, {with the exception of sacred items, burial goods, and Human Remains} including all archaeological artifacts and non-human remains as part of the required mitigation for impacts to cultural resources. This shall include any and all artifacts collected during any previous archaeological investigations. The applicant shall relinquish the artifacts through one or more of the following methods and provide the Riverside County Archaeologist with evidence of same.

a. A fully executed reburial agreement with the appropriate culturally affiliated Native American tribe or band. This shall include measures and provisions to protect the future reburial area from any future impacts. Reburial shall not occur until all cataloguing, analysis and special studies have been completed on the cultural resources and approved by the Riverside County Archaeologist.

b. A curation agreement with an appropriate qualified repository within Riverside County that meets federal standards pursuant to 36 CFR Part 79 and therefore would be professionally curated and made available to other archaeologists/researchers for further study. The collections and associated records shall be transferred, including title, to an appropriate curation facility within Riverside County, to be accompanied by payment of the fees necessary for permanent curation.

c. If more than one Native American Group is involved with the project and cannot come to an agreement between themselves as to the disposition of cultural resources, the landowner(s) shall contact the Riverside County Archaeologist regarding this matter and then proceed with the cultural resources being curated at the Western Science Center.

Note: Should reburial of collected cultural resources be preferred, it shall not occur until after the Phase IV monitoring report has been submitted to and approved by the Riverside County Archaeologist. The developer/permit applicant is responsible for all costs associated with reburial and all costs associated with curation should that disposition method be employed. All methods of disposition shall be described in the Phase IV monitoring report.

MM CUL-5: Prior to the issuance of grading permits, the developer/permit applicant shall enter into an agreement with the Agua Caliente Band of Cahuilla Indians for a Native American Monitor.

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 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.

MM CUL-6: In the event that human remains are uncovered during ground disturbing activities on the project site, no further disturbance shall occur, and all work shall cease until the County Coroner has made a determination of the origin and disposition of the remains. Ground disturbing activities and excavations shall not resume until the following has been addressed:

1. The County Coroner has been contacted and determined that no investigation to the cause of death is required, and

If the County Coroner determines that the remains are of Native American decent, the Coroner must notify Native American Heritage Commission (NAHC), which will then determine the Most Likely Descendant (MLD). The MLD shall complete the inspection of the site within 48 hours of notification and may recommend means of treating or disposing of, with appropriate dignity, the human remains, and any associated grave goods as provided in Public Resource Code Section 5097.98.

Monitoring: MM CUL-2: Monitoring is required.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
ENERGY Would the project:				
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 checked="" type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>

Source(s): Air Quality, Greenhouse Gas, and Energy Impact Study (Appendix B), Preliminary Root Cause Analysis: Mid-August 2020 Heat Storm report

Findings of Fact: Impacts will be less than significant.

a) Less than Significant Impact.

Energy Use During Construction

The Project's construction process would consume electricity and fuel, but once built, will contribute 60-150 MW of energy to the power grid, completely offsetting its energy consumption by the facilities while providing much-needed clean energy to the State of California.

The short-term construction activities will generate an estimated 517,752 vehicle miles traveled resulting in the consumption of an estimated 28,551 gallons of fuel consumption. Construction equipment is estimated to consume 85,358 gallons (see Appendix B, Tables 14-17). Construction equipment would be required to conform to the applicable CARB emissions standards, acting to promote equipment fuel efficiencies. Based on the foregoing, the Project's construction energy consumption would not be considered inefficient, wasteful, or otherwise unnecessary.

Energy Use During Operation

The project will contribute 60-150 MW of energy to the power grid, completely offsetting its energy consumption by the facilities while providing much-needed clean energy to the State of California

Energy consumption in support of or related to Project operations would include transportation energy demands (energy consumed by employee and patron vehicles accessing the Project site) and facilities energy demands (energy consumed by building operations and site maintenance activities). Estimated daily operational trip generation is 47 miles resulting in a total annual fuel consumption of 594 gallons (See Appendix B, Table 18) The proposed Project does not propose uses or operations that would inherently result in excessive and wasteful vehicle trips, nor associated excess and wasteful vehicle energy consumption. Trips are limited to periodic inspections and servicing/cleaning of equipment. Therefore, Project transportation energy consumption would not be considered inefficient, wasteful, or otherwise unnecessary. The Project would be required to comply with Title 24 standards, which would ensure that the Project's energy demand would not be considered inefficient, wasteful, or otherwise unnecessary. Also, the project will result in the beneficial impact of generating between 60 and 150 MW of energy yearly which will help offset project related operational energy consumption impacts. Impacts during Project operation would be less than significant.

- b) **Less than Significant Impact.** The project will contribute 60-150 MW of energy to the power grid, completely offsetting its energy consumption by the facilities while providing much-needed clean energy to the State of California. It would fill a noteworthy shortfall of available energy to meet current demand. An analysis of the Mid-August 2020 heat storm power outages conducted by the California Independent System Operator highlighted the need for California to meet the energy needs of its residents with clean energy sources, especially as climate change accelerates warming and drying trends throughout California, leading to ever increasing energy demand and less availability of hydroelectricity sources. The report found that the State had failed to provide adequate energy resources during its transition to clean energy sources, especially during heat waves and during early evening hours when the contributions of solar energy drop while energy demand spikes. The California ISO recommended that the state “[expedites] the regulatory and procurement processes to develop additional resources” (page 15). This project aligns with the recommendations of this report.

Regarding federal transportation regulations, the Project site is located in an area that is developing. It is within a quarter mile of the Tri-Palm Estates to the west, with an approved planned community approved in between, it will occupy the last available vacant land on the east side of the Coachella Valley National Refuge. Portions of the Jack Ivey Ranch Country exist to the south of the project site. And SCE and IID substations are located to the north. Access to/from the Project site is from existing roads. These roads are already in place so the Project would not interfere with, nor otherwise obstruct intermodal transportation plans or projects that may be proposed pursuant to the ISTEA because SCAG is not planning for intermodal facilities in the Project area.

Regarding the State’s Energy Plan and compliance with Title 24 CCR energy efficiency standards, the applicant is required to comply with the California Green Building Standard Code requirements for energy efficient buildings and appliances as well as utility energy efficiency programs implemented by the SCE and Southern California Gas Company.

Regarding the State’s Renewable Energy Portfolio Standards, the Project would be required to meet or exceed the energy standards established in the California Green Building Standards Code, Title 24, Part 11 (CALGreen). CalGreen Standards require that new buildings reduce water consumption, employ building commissioning to increase building system efficiencies, divert construction waste from landfills, and install low pollutant-emitting finish materials.

Mitigation: No mitigation is required.

Monitoring: No monitoring is required.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
GEOLOGY AND SOILS Would the project directly or indirectly:				
11. Alquist-Priolo Earthquake Fault Zone or County Fault Hazard Zones	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?				

Source(s): Riverside County Map My County, Petra Geosciences Geotechnical Update Report (Appendix E)

Findings of Fact: There will be no impacts.

- a) **No Impact.** There are no known active or potentially active faults on or trending toward the Project site and according to Map My County and the Project's Geotechnical Report, the Project site is not located within a mapped Alquist-Priolo Earthquake Fault Zone. Because the Project site is not located on a known fault and no known faults are trending towards the Project site, there is no potential for the Project to directly or indirectly expose people or structures to substantial adverse effects related to ground rupture of a known earthquake fault.

Mitigation: No mitigation is required.

Monitoring: No monitoring is required.

	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 Map My County, Petra Geosciences Geotechnical Report (Appendix E)

Findings of Fact: Impacts will be less than significant.

- a) **Less than Significant Impact.** According to Map My County, the property is located within an area that has been designated as having a moderate potential for earthquake-induced liquefaction. However, based upon a relatively deep historic high groundwater level (approximately 160 feet below ground surface) and the relatively high density of coarse-grained alluvial soils underlying the site, the liquefaction potential at the site is considered negligible. As such, surface manifestation of liquefaction such as ground fissures, sand boils, loss of bearing, liquefaction-induced settlement, etc. is considered negligible. Therefore, Project impacts relating to seismic-related ground failure, including liquefaction, would be less than significant.

Mitigation: No mitigation is required.

Monitoring: No monitoring is required.

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

Source(s): Petra Geosciences Geotechnical Update Report (Appendix E)

Findings of Fact: Impacts will be less than significant.

- a) **Less than Significant Impact.** The Project site is located in a seismically active area of southern California that is expected to experience moderate to severe ground shaking during seismic events. This risk is not substantially different than the risk that is experienced by other properties in southern

California. Ground shaking originating from earthquakes along other active faults in the region is expected to induce lower accelerations due to smaller anticipated earthquakes and/or greater distances to other faults. The Project would be required to be constructed in accordance with currently adopted California Building Standards Code, Riverside County Ordinances, and California Title 24 regulations. Furthermore, the Project would be required to comply with site-specific grading and construction recommendations such as contained within *Appendix E*. Specifically, the Battery Platforms and Solar Tracker Tables will be mounted on driven posts. The depth that the posts will be driven into the ground a depth that will be based on seismic loading and potential erosion. Other projects in the area have had the posts driven from 6' to 9' into the ground. With the Project's mandatory compliance with these standard and site-specific design and construction measures, potential impacts related to seismic ground shaking would be less than significant.

Mitigation: No mitigation is required.

Monitoring: No monitoring is required.

	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): Petra Geosciences Geotechnical Update Report (Appendix E)

Findings of Fact: Impacts will be less than significant.

- a) **Less than Significant Impact.** According to Riverside County, the Project site is not located within an area at risk to landslide or landslide hazard and the site contains slope angles less than 15%. The topography of the Project site is generally level and does not contain substantial natural or man-made slopes nor does it contain any substantial cliffs that could cause landslides or rockfall hazards. In addition, the areas surrounding the Project site are relatively flat, and have no hillsides that may have the potential for landslide or rockfall hazards.

Lateral spreading is primarily associated with liquefaction hazards. As noted in Section 12(a), the potential for liquefaction is considered very low due to the absence of a shallow groundwater table and the relative high density of the coarse-grained alluvial soils underlying the site. In addition, the Project would be required to comply with site-specific recommendations contained in *Appendix E*, which would reduce potential impacts to less than significant. In conclusion, development of the Project would result in a less-than-significant impact relating to landslide risk.

Mitigation: No mitigation is required.

Monitoring: No monitoring is required.

	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 Map My County, Petra Geosciences Geotechnical Update Report (Appendix E)

Findings of Fact: Impacts will be less than significant.

- a) **Less than Significant Impact.** As previously discussed in Section 11(a), Section 12(a), and Section 14(a), the Project site is not located within an active or potentially active fault zone, or in an area at risk of landslide or liquefaction due to relatively deep historic high groundwater level (~160 feet); therefore, the Project site has unlikely potential for liquefaction or landslides. Additionally, design and construction of the Project would comply with all seismic safety development requirements, including the Title 24 standards of the current California Building Code. The Project also would be required to comply with site-specific recommendations contained in *Appendix E*. Therefore, the Project would result in less-than-significant impacts associated with landslide, lateral spreading, subsidence, liquefaction, or collapse.

Mitigation: No mitigation is required.

Monitoring: No monitoring is required.

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

Source(s): Google Earth

Findings of Fact: There will be no impacts.

- a) **No Impact.** The Salton Sea is situated approximately 27 miles southeast of the site with an elevation approximately 430 feet lower than the Project site. In addition, no major reservoir is located near, or upstream of the site, and no volcano is located near the Project site. Therefore, the potential for seiche or inundation is considered negligible. Because of the inland location of the site, flooding due to a tsunami is also considered negligible at the site. Therefore, there will be no impact.

Mitigation: No mitigation is required.

Monitoring: No monitoring is required.

	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 type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Result in grading that affects or negates subsurface sewage disposal systems?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Source(s): Petra Geosciences Geotechnical Update Report (Appendix E)

Findings of Fact: Impacts will be less than significant.

- a) **Less than Significant Impact.** The Project site is relatively level with topography descending gradually from southeast to northwest at elevations of 180 feet above mean sea level (AMSL) to 200 feet AMSL. Grading would occur over the entire Project site and after grading, elevations would be similar as under existing conditions. Impacts resulting in topographic changes would be less than significant.
- b) **Less than Significant Impact.** All slopes on the Project site would be engineered for long-term stability and would be required to be constructed in accordance with the site-specific grading specifications of *Appendix E*. Therefore, the Project would not create a substantial adverse effect associated with changes in topography nor create cut or fill slopes greater than 2:1 or higher than 10 feet. Impacts would be less than significant.
- c) **No Impact.** The Project site does not contain any operational subsurface sewage disposal systems under existing conditions. The Project site does not serve as a leach field for any off-site properties and has no potential to affect or negate operating subsurface sewage disposal systems. No subsurface sewage disposal systems are required or proposed for Project implementation. No impact would occur.

Mitigation: No mitigation is required.

Monitoring: No monitoring is required.

	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 type="checkbox"/>	<input checked="" 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 checked="" type="checkbox"/>	<input 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): Petra Geosciences Geotechnical Update Report (Appendix E)

Findings of Fact: Impacts will be less than significant.

- a) **Less than Significant Impact.** The Project would be required to comply with the preparation of a Stormwater Pollution Prevention Plan (SWPPP) that would be submitted to and approved by the County prior to construction. The approval of a Project-specific SWPPP would ensure that onsite soil erosion would be kept to a minimum during development of the Project. Therefore, impacts related to substantial soil erosion or the loss of topsoil would be less than significant.
- b) **Less than Significant Impact.** According to the Project's Geotechnical Report, the predominant soil types encountered on the site are typically medium dense, fine to medium-grained sand to more coarse-grained with some silty sands with increasing depths. Therefore, the absence of any clayey constituent would render the near surface expansion potential as very low. In addition, if imported soils are required, these soils should exhibit a low expansive potential. Lastly, the Project would be required by the County to incorporate the recommendations contained within *Appendix E* into the grading and building plans for the Project. Therefore, the Project would result in less-than-significant impacts associated with expansive soils and would not create substantial risks to life or property.
- c) **No Impact.** The Project would not involve the use of septic tanks or any other alternative wastewater disposal systems. Therefore, there would be no impacts associated with septic tanks or alternative wastewater systems.

Mitigation: No mitigation is required.

Monitoring: No monitoring is required.

	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.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
a) Be impacted by or result in an increase in wind erosion and blowsand, either on or off site?				

Source(s): Ord. No. 460, Article XV & Ord. No. 484

Findings of Fact: Impacts will be less than significant.

- a) **Less than Significant Impact.** 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 site. Therefore, impacts associated with wind erosion and blowsand would be less than significant.

Mitigation: No mitigation is required.

Monitoring: No monitoring is required.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
GREENHOUSE GAS EMISSIONS Would the project:				
20. Greenhouse Gas Emissions	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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): Air Quality, Greenhouse Gas, and Energy Impact Study (Appendix B)

Findings of Fact: Impacts will be less than significant.

- a) **Less than Significant Impact.** Operational emissions occur over the life of the Project. The operational emissions for the Project are 737.64 metric tons of CO₂e per year (see Table 6). Furthermore, as shown in Table 6, the Project's total emissions (with incorporation of construction related GHG emissions) would be 754.64 metric tons of CO₂e per year. These emissions do not exceed the County of Riverside Climate Action Plan (CAP) Update and SCAQMD screening threshold of 3,000 metric tons of CO₂e per year. Therefore, the Project's GHG emissions are considered to be less than significant.

Table 6 Project-Related Greenhouse Gas Emissions

Category	Greenhouse Gas Emissions (Metric Tons/Year) ¹					
	Bio-CO ₂	NonBio-CO ₂	CO ₂	CH ₄	N ₂ O	CO ₂ e
Area Sources ²	0.00	0.00	0.00	0.00	0.00	0.00
Energy Usage ³	0.00	0.00	0.00	0.00	0.00	0.00
Mobile Sources ⁴	0.00	0.15	0.15	0.00	0.00	0.17
Solid Waste ⁵	0.00	0.00	0.00	0.00	0.00	0.00
Water ⁶	0.00	0.10	0.10	0.00	0.00	0.10
Construction ⁷	0.00	35.66	35.66	0.01	0.00	36.15
Total Emissions	0.00	35.91	35.91	0.01	0.00	36.43
County of Riverside CAP and SCAQMD Draft Screening Threshold						3,000
Exceeds Threshold?						No
Notes:						
¹ Source: CalEEMod Version 2020.4.0						
² Area sources consist of GHG emissions from consumer products, architectural coatings, and landscape equipment.						
³ Energy usage consist of GHG emissions from electricity and natural gas usage.						

⁴Mobile sources consist of GHG emissions from vehicles.

⁵Solid waste includes the CO₂ and CH₄ emissions created from the solid waste placed in landfills.

⁶Water includes GHG emissions from electricity used for transport of water and processing of wastewater.

⁷Construction GHG emissions based on a 30-year amortization rate.

- b) Less than Significant Impact.** The proposed Project would have the potential to conflict with any applicable plan, policy or regulation of an agency adopted for the purpose of reducing the emissions of GHGs. As stated previously, the County of Riverside has adopted a Climate Action Plan; therefore, the Project and its GHG emissions have been compared to the goals of the County of Riverside CAP Update.

Per the County's CAP Update, the County adopted its first CAP in 2015 which set a target to reduce emissions back to 1990 levels by the year 2020 as recommended in the AB 32 Scoping Plan. Furthermore, the goals and supporting measures within the County's CAP Update are proposed to reflect and ensure compliance with changes in the local and State policies and regulations such as SB 32 and California's 2017 Climate Change Scoping Plan. Therefore, compliance with the County's CAP in turn reflects consistency with the goals of the CARB Scoping Plan, Assembly Bill (AB) 32 and Senate Bill (SB) 32.

Appendix D of the Riverside County CAP Update also states that projects that do not exceed the CAP's screening threshold of 3,000 MTCO₂e per year are considered to have less than significant GHG emissions and are in compliance with the County's CAP Update. According to the County's CAP Update, projects that do not exceed emissions of 3,000 MTCO₂e per year are also required to include the following efficiency measures:

- Energy efficiency matching or exceeding the Title 24 requirements in effect as of January 2017, and
- Water conservation measures that match the California Green Building Code in effect as of January 2017.

As stated above, the GHG emissions generated by the proposed Project would not exceed the County of Riverside CAP Update screening threshold of 3,000 metric tons per year of CO₂e. Therefore, the Project would not conflict with or obstruct a state or local plan for renewable energy or energy efficiency.

Mitigation: No mitigation is required.

Monitoring: No monitoring is required.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
HAZARDS AND HAZARDOUS MATERIALS Would the project:				
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"/>

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
c) Impair implementation of or physically interfere with an adopted emergency response plan or an emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter (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 checked="" type="checkbox"/>	<input type="checkbox"/>

Source(s): Google Earth, State of California Water Resources Control Board GeoTracker

Findings of Fact: Impacts will be less than significant.

a/b) Less than Significant Impact. Proposed construction activities for the development of the Project may involve the use and transport of hazardous materials, which include but not limited to fuels, gasoline, hydraulic fluid, lubricants, and other liquids associated with the operation of heavy equipment utilized for construction. Additionally, transportation, storage, use and disposal of hazardous materials during construction activities would be required to comply with all applicable federal, state, and local statutes and regulations. This includes the preparation of a SWPPP that would outline specific BMPs that would be administered during the construction of the Project to prevent the discharge of construction-related pollutants that could contaminate nearby water sources. The Resource Conservation and Recovery Act (RCRA; 42 USC 6901 et seq.) would require businesses with substantial quantities of hazardous materials to adhere to strict requirements regarding handlings, transportation, and storing of supplies. Furthermore, the Hazardous Materials Transportation Act, 49 U.S.C. § 5101 et seq., protects against the risk to life, property, and the environment that are associated in the transportation of hazardous materials in intrastate, interstate, and foreign commerce. Upon completion of the proposed construction, all hazardous materials would be removed from the Project site. Therefore, with all applicable regulations in place, impacts associated with accidental release of hazardous materials during construction activities would be less than significant.

The proposed Project involves the construction of a solar facility, which is not typically associated with the routine transport, use, or disposal of hazardous materials. Furthermore, the Project would be required to disclose all hazardous materials that would be handled onsite, and if the Project exceeds the quantities mentioned above, a Hazardous Materials Business Plan (HMBP) would be required. The preparation of the HMBP for the Project would ensure that the necessary procedures and protocols are in place and exercise for the safe containment and handling of hazardous materials. This also includes regulations set by OSHA regarding worker safety and waste management. The CDC also provides guidance and recommendations for the prevention and control of infectious diseases that are associated with healthcare environments. No detergents or chemicals will be used for solar panel maintenance. Solar panels will be washed every three months with de-ionized water. Batteries are self-contained within a container unit that contain a spill tray to trap potential leakage. Through implementation of all applicable plans and regulations the Project would not create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials or through foreseeable accidental release of hazardous materials. Therefore, impacts would be less than significant.

- c) **No Impact.** The Project site does not contain any emergency facilities, nor does it serve as an emergency evacuation route. Under long-term operational conditions, the proposed Project would be required to maintain adequate emergency access for emergency vehicles on-site as required by the County. Furthermore, the Project would not result in a substantial alteration to the design or capacity of any existing public road that would impair or interfere with the implementation of evacuation procedures. Because the Project would not interfere with an adopted emergency response or evacuation plan, no impact would occur.
- d) **No Impact.** The nearest school to the Project site is Southern California Nursing Academy, which is approximately 0.6 mile southwest of the Project site. The Project would not impact schools within 0.25-miles by emitting hazardous or handling hazardous or acutely hazardous materials, substances, or waste. No impact would occur.
- e) **Less than Significant Impact.** According to the Department of Toxic Substance Control (DTSC), there are no Federal Superfund sites within the vicinity of the Project site. All environmental cleanups and any permitted hazardous material facilities are listed in the Envirostor database, including Comprehensive Environmental Response, Compensation, and Liability Act (CERLA) sites as well. Additionally, according to the State of California Water Resources Control Board GeoTracker, the Project site is not located within any cleanup sites. The nearest cleanup site is located at Tri-Palm Estates and County Club, approximately 0.2-mile west, which had potential contaminants of concern (gasoline). However, the clean-up status on this site has been completed and the case has been closed as of January 22, 1999. The Project is not located on a site or within the vicinity of a site that is listed as a hazardous materials site pursuant to Government Code Section 65962.5. Thus, the Project would not create a significant hazard to the public or the environment and impacts would be less than significant.

Mitigation: No mitigation is required.

Monitoring: No monitoring is required.

	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) No Impact. The nearest airport to the Project site is the Bermuda Dunes Airport located approximately 6.7 miles southeast of the Project site. The Project site is not located within the airport influence area or part of the airport land use compatibility plan. Due to a Change of Zone being proposed for the Project, the Project will be reviewed and approved by the ALUC prior to building permit issuance. Furthermore, there are no private airport facilities or heliports within the vicinity of the Project site. Accordingly, the Project would not result in a safety hazard for people residing or working in the Project area. No impact would occur.

Mitigation: No mitigation is required.

Monitoring: No monitoring is required.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
HYDROLOGY AND WATER QUALITY Would the project:				
23. Water Quality Impacts	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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 checked="" type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>

Source(s): Riverside County General Plan Figure 4 "Flood Hazard Zone," Preliminary Site Plan, FEMA Flood Maps, Albert A. Webb Associates

Findings of Fact: Impacts will be less than significant.

a) **Less than Significant Impact.** Construction of the Project would be subject to National Pollutant Discharge Elimination System (NPDES) stormwater regulations for construction which are required

when there is a soil disturbance of more than one acre. The Applicant will be required to comply with all rules, regulations, and procedures of the NPDES permit for municipal and construction activities as outlined by the California State Water Resources Control Board or any of its Regional Water Quality Control Boards (Colorado River Basin – Region 7). The Project would be required to meet all applicable water quality standards or waste discharge requirements, thus avoiding any violation of such standards or requirements. The project area is located downstream of the toe of the Thousand Palms Wash alluvial fan. Several other smaller alluvial fans exist upstream of the project site. Sediment sources in the project vicinity are the alluvial fan runoff from these fans as well as windblown sands. Several small unnamed ephemeral streams cross the project limits draining primarily south to southeasterly. The ephemeral streams are generally not well defined and may experience some lateral movement during runoff events. As a result of the alluvial fan runoff the project site is subject to occasional shallow flooding. It is because of this condition, and the requirement to perpetuate historical runoff patterns, that the solar panels and the battery containers are elevated three to four feet above the natural terrain. The solar panels which cover the majority of the site will be mounted on posts that are driven 6 to 9' below grade, while the batteries will be located on elevated pads. By doing this, along with using road base instead of asphalt, no impervious areas are created. Because there is no proposed impervious area within the project site, there is no increased runoff, and any direct rainfall will drain onto the existing terrain within the project area as it has historically done in the past where it infiltrates into the soils within the project area.

As the project only consists of minor grading that replicates the existing landform and uses pervious road base materials instead of asphalt concrete, general pollutants are not created.

According to the Whitewater River Water Quality Guidance Document, a project requires a WQMP when it meets the thresholds for a Priority Development Project. The proposed project does not fall into the categories for a Priority Development Project based as presented in Appendix H, WQMP Exemption Memo.

According to the General Plan, since the 1900's and leading through today, depletion of groundwater basins has been accelerating since the expansion of agricultural activities. Consequently, groundwater demand exceeds available recharge and in turn causing an "overdraft". To ensure water availability, Coachella Valley water agencies contract with Metropolitan Water District of Southern California (MWD) to exchange their water entitlement from the State Water Project for like amounts from the Colorado River. Water is diverted and percolates into the Whitewater Subbasin via MWD's aqueduct that crosses the Whitewater River. The mentioned agreement is intended to assure adequate water supplies through the year 2035. Furthermore, the water agencies are required to prepare an Urban Water Management Plan (UWMP) every five years. This plan helps set forth a program to meet water demands during normal, dry, and multiple dry years. The UWMP helps to ensure that water supplies are being planned for and meet future growth. The 2020 UWMP, determined that adequate water supplies would be available to serve existing service areas through the year 2040. As such, since the Project site is within the County's existing service area and has been accounted for within these water projections, the proposed Project would be consistent with the 2020 UWMP and would not substantially decrease groundwater supplies. Therefore, impacts to groundwater supplies would be less than significant.

The Project would not generate effluent that would subsequently require treatment at a wastewater facility). Furthermore, adherence to all NPDES regulations would minimize any pollutants associated with urban runoff to a less than significant level. Therefore, with implementation of all applicable NPDES regulations, impacts to water quality standards or waste discharge requirements would be less than significant.

- b) **Less than Significant Impact.** The primary source of water in the Coachella Valley is groundwater extracted by deep wells and replenished with Colorado River Water. The Coachella Valley Water District (CVWD) will provide domestic water service to the Project and is a participant in the Coachella Valley Regional Water Management Group that prepared an Integrated Regional Water Management Plan (WMP) in 2018. The *2018 Integrated Regional WMP* determined that long-term regional demand for potable water is expected to increase; however, with continued conservation measures and replenishment of groundwater, sufficient supplies will be available to meet the projected demand. As such, Project water demands have already been accounted for within the *2018 Integrated Regional WMP* and sufficient water supplies exist to serve the Project.

At Project buildout, water will be required to serve the needs of the new solar facility. The Project would connect to the existing water line on Ramon Road. No new wells or additional water infrastructure are proposed. The Project would be required to comply with CVWD's and the County's water-efficiency requirements, such as including the potential use of drought-tolerant planting materials and limited landscaping irrigation. The Project would also be required to comply with CVWD's drought restrictions and water reduction measures as applicable. Therefore, compliance and implementation of CVWD and County requirements would ensure that the Project would not substantially decrease groundwater supplies or interfere substantially with groundwater recharge. Impacts would be less than significant.

- c) **Less than Significant Impact.** The project grading will not alter the existing drainage pattern of the site or surrounding area. The project proposes minimal superficial grading that replicates the existing topography and does not alter any stream or river. Additionally, the project does not propose any impervious surfaces, therefore there will be no increase of runoff exiting the site. Therefor the project would have a less than significant impacts.
- d) **Less than Significant Impact.** The project perpetuates existing natural drainage patterns and does not propose any impervious areas that will increase runoff which could create an increase in erosion. Additionally, by performing only minimal grading that replicates the existing contours, the erosive potential of existing soils is minimized. Since, the project does not propose to block drainage, there would be no provision or allowance for siltation to occur onsite or offsite. All grading operations will conform to the County's NPDES requirements for soil stabilization until such time as required.
- e) **Less than Significant Impact.** The project does not propose any impervious surfaces; therefore, the amount of historical runoff will not be increased. The site is proposing to replicate the existing contours and drainage patters therefore would be no flooding created on site or off-site.
- f) **Less than Significant Impact.** The site design does not propose any impervious surfaces nor significant changes to current drainage patterns. Therefore, the project will not generate an increase in runoff impacting any existing or planned stormwater drainage systems. As noted in item d above the project will conform to the County's NPDES requirements. Impacts would be less than significant.
- g) **Less than Significant Impact.** The project is located within a US Federal Emergency Management Area. The project elevates all equipment 3-4 feet above the surface to allow flood flows to drain in the historical manner, pre and post project therefore resulting in no impacts to flood flows. Impacts would be less than significant.
- h) **Less than Significant Impact.** The Project is located within the U.S Federal Emergency Management Agency (FEMA) Flood Zone AO; therefore, it is located within the 100-year flood plain all project elements are elevated 3-4 feet above existing terrain, those elements are not subject to inundation and will not release pollutants do to project inundation. The Project site is not located

within the vicinity of a water body. Due to the Project site location being far away from the ocean and far away from any lakes or dams, there is no possibility of dam failure, tsunami or seiche. Impacts would be less than significant.

- i) **Less than Significant Impact.** Project water demand has already been accounted for in the 2018 *Integrated Regional WMP* and sufficient water supplies exist to serve the Project. The Project would adhere to all applicable water quality standards and will implement a Project specific WQMP approved by the County and the Regional Water Quality Control Board for both construction and operational activities. Therefore, the Project would not conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan. Impacts would be less than significant.

Mitigation: No mitigation is required.

Monitoring: No monitoring is required.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
LAND USE/PLANNING Would the project:				
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 checked="" type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>

Source(s): Riverside County Map My County

Findings of Fact: Impacts will be less than significant.

- a) **Less than Significant Impact.** As previously mentioned, the Applicant has applied for a Change of Zone, which would change the existing zoning of the entire Project site from R-1 to R-D.

The Applicant would develop the Project site in accordance with the proposed zone (R-D) and would comply with all applicable development regulations/development standards contained in the Zoning Ordinance. Furthermore, the Project is consistent with the existing General Plan land use designation, "MDR" and "RR." Accordingly, implementation of the Project would not conflict with the County's General Plan or Zoning Ordinance. Therefore, implementation of the Project would not cause significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigation an environmental effect. Impacts would be less than significant.

- b) **Less than Significant Impact.** The Project site is located within an area of the Thousand Palms Community that is urbanizing. The project site is currently vacant and undeveloped. The Project site is surrounded by undeveloped land to the north and to the east, vacant and undeveloped land (currently entitled with a 590-unit Specific Plan) and existing residential homes to the west, and vacant, undeveloped land and a portion of an existing golf course to the south. The Project would not physically divide any of the established surrounding communities because the project is at the edge of lands either occupied by existing development or planned for residential development. It is

bounded on the north and east by the Coachella Valley National Wildlife Refuge, where it serves as a transitional buffer to more active residential development. Therefore, it will not divide nor impact any existing community and impacts would be less than significant.

Mitigation: No mitigation is required.

Monitoring: No monitoring is required.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
MINERAL RESOURCES Would the project:				
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"

Findings of Fact: There will be no impacts.

a-c) No Impact. Per the County's General Plan (Figure OS-6) the Project site is located in Mineral Zone MRZ-3, which indicates that significance of mineral deposits are undetermined. Furthermore, if a potential mineral extraction operation were to be located within the Project site, it would be incompatible both with the land use designation and surrounding land uses whereas the proposed project would be a quiet, non-congestive use that would not expose people to such issues. Therefore, development of the Project would result in a less-than-significant impact relating to mineral resources.

Mitigation: No mitigation is required.

Monitoring: No monitoring is required.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
NOISE Would the project result in:				
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"/>

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?

☐☐☐☒

Source(s): MD Acoustic's Noise Impact Study (Appendix F), Google Earth

Findings of Fact: There will be no impacts.

- a) **No Impact.** The nearest airport to the Project site is the Bermuda Dunes Airport, located approximately 7.0 miles southeast of the Project site. The Project site is not located within the airport influence area boundary. Furthermore, the noise compatibility contours provided in the Riverside County Airport Land Use Compatibility Plan (RCALUCP) show that the Project site is way outside of the 65 dBA CNEL noise contour for the Bermuda Dunes Airport. Therefore, the Project would not expose people residing or working in the Project area to excessive noise levels associated with airports. No impact would occur.
- b) **No Impact.** There are no private airfields or airstrips in the vicinity of the Project site. Therefore, the Project would not expose people to excessive noise levels associated with operations at a private airstrip. No impact would occur.

Mitigation: No mitigation is required.

Monitoring: No monitoring is required.

	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): MD Acoustic's Noise Impact Study (Appendix F)

Findings of Fact: Impacts will be less than significant.

- a) **Less than Significant Impact.** Project construction noise would occur due to the use of equipment that includes a combination of trucks, power tools, concrete mixers, and portable generators that when combined can reach high levels. The number and mix of construction equipment is expected to occur in stages such as site preparation, grading, building construction, paving, and architectural coating.

To describe the Project construction noise levels, measurements were collected for similar activities at several construction sites. Since the reference noise levels were collected at varying distances, all construction noise level measurements presented in Table 4 of *Appendix F*, have been adjusted to describe a uniform reference distance of 50 feet.

Construction Noise Analysis

Noise generated by construction will temporarily increase the ambient noise levels within the Project vicinity. Construction will occur during hours which are exempt from noise regulation as described in County of Riverside's Code of Ordinances Section 9.52.20.

Typical operating cycles for these types of construction equipment may involve one or two minutes of full power operation followed by three to four minutes at lower power settings. Noise levels will be the loudest during the grading phase. Grading will consist of the use of 2 graders, 2 loaders, and 2 scrapers operating as close as 250 feet from the nearest property line.

Unmitigated noise levels have the potential to reach 47.8 dBA Leq and 66.4 Lmax at the nearest sensitive receptors during building construction. Noise levels for the other construction phases would be lower, approximately 36-40 dBA Leq and 60-62 dBA Lmax.

After construction, day-to-day operations on the project will be silent except for noise generated by occasional maintenance and landscaping during hours when such noises are exempt from regulation as described in County of Riverside's Code of Ordinances Section 9.52.20.

Therefore, the impact is considered less than significant.

Operational Noise Analysis

Sensitive receptors that may be affected by Project operational noise include residential zoned areas surrounding the site, existing residential to the southwest, and the Coachella Valley National Wildlife Refuge area to the east. The worst-case stationary noise was modeled using SoundPLAN acoustical modeling software. Worst-case assumes that all Project equipment is always operating at full load when in reality the noise would be intermittent and cycle on/off depending on customer usage. The levels are compared to the County's nighttime limit although the Project would be quietest at night.

A total of four receptors were modeled to evaluate the proposed Project's operational impact, which is shown in Exhibit F of *Appendix F*. This study compares the Project's operational noise levels to two different noise assessment scenarios: 1) Project Only operational noise level projections, 2) Project plus ambient noise level projections.

Project Operational Noise Levels

Exhibit F of *Appendix F* shows the "project only" operational noise levels at the Project site and illustrates how the noise would propagate at the property lines and/or sensitive receptor area. Operational noise levels at the adjacent uses are anticipated to range between 34 dBA to 45 dBA Lmax (depending on the location). The Project noise level at the Coachella Valley National Wildlife Refuge area, which has been designated "conservation habitat" in the land use plan, would be below 45 dBA.

Project Plus Ambient Operational Noise Levels

Table 7, below, demonstrates the Project plus the ambient noise levels. Project plus ambient noise level projections are anticipated to range between 45 to 49 dBA Leq depending on location. Therefore, the Project has been compared to the quietest hourly average ambient noise level for comparative purposes.

Table 7 Project Operational Noise Levels

Receptor ¹	Floor	Existing Ambient Noise Level (dBA, Leq) ²	Project Noise Level (dBA, Lmax) ³	Nighttime (10PM – 7AM) Stationary Noise Limit (dBA, Lmax) ⁴	Combined Noise Level (dBA, Lmax) ⁴	Change in Noise Level as Result of Project
1	1	47	45	45	49	2
2	1	47	45	45	49	2
3	1	45	34	45	45	0
4	1	47	43	45	48	1

Notes:¹ Receptors 1-4 represent residential uses.² Existing ambient taken as one-hour measurement.³ See Exhibit F for the operational noise level projections at said receptors.⁴ Per the County of Riverside noise ordinance Chapter 9.52.

As shown in Table 7, the Project noise level does not exceed the County of Riverside stationary exterior noise limits. Project operations are anticipated to remain below the County noise limits and would not change at the existing residential site. Therefore, impacts are less than significant.

When comparing the baseline plus Project condition, the change in noise level would be between 0 to 2 dBA, Leq, which would fall within the "Not Perceptible" acoustic characteristic. Therefore, impacts would be considered less than significant.

Off-Site Traffic Noise Analysis

A worst-case project-generated traffic noise level was modeled utilizing the FHWA Traffic Noise Prediction Model – FHWA-RD-77-108. Traffic noise levels were calculated 50 feet from the centerline of the analyzed roadway. The modeling is theoretical and does not take into account any existing barriers, structures, and/or topographical features that may further reduce noise levels. Therefore, the levels are shown for comparative purposes only to show the difference with and without Project conditions. In addition, the noise contours for 60, 65, and 70 dBA CNEL were calculated. The potential off-site noise impacts caused by an increase of traffic from the operation of the proposed Project on the nearby roadways were calculated for the following scenarios:

- Existing Year (without Project): This scenario refers to existing year traffic noise conditions.
- Existing Year (Plus Project): This scenario refers to existing year + Project traffic noise conditions.

Table 8 compares the without and with Project scenario and shows the change in traffic noise levels because of the proposed Project. It takes a change of 3 dB or more to hear a perceptible difference. As demonstrated in Table 8, the Project is anticipated to change the noise 0.1 dBA CNEL, which is significantly less than the FINCON standard CNEL which allows a 1.5 dBA increase in CNEL.

Although there is an increase in traffic noise levels, the impact is considered less than significant as the noise levels at or near any existing proposed sensitive receptor would be 73.2 dBA CNEL or less and the change in noise level is 3 dBA or less.

Table 8 Off-Site Traffic Noise Levels

Existing Without Project Exterior Noise Levels

Roadway	Segment	CNEL at 50 Ft (dBA)	Distance to Contour (Ft)			
			70 dBA CNEL	65 dBA CNEL	60 dBA CNEL	55 dBA CNEL
Ramon Road	East of Monterey Ave	71.1	64	203	643	2032

Existing With Project Exterior Noise Levels

Roadway	Segment	CNEL at 50 Ft (dBA)	Distance to Contour (Ft)			
			70 dBA CNEL	65 dBA CNEL	60 dBA CNEL	55 dBA CNEL
Ramon Road	East of Monterey Ave	71.2	65	206	652	2062

Change in Existing Noise Levels as a Result of Project

Roadway ¹	Segment	CNEL at 50 Feet dBA ²			
		Existing Without Project	Existing With Project	Change in Noise Level	Potential Significant Impact
Ramon Road	East of Monterey Ave	71.1	71.2	0.1	No

Notes:

¹ Exterior noise levels calculated at 5 feet above ground level.

² Noise levels calculated from the centerline of the subject roadway.

- b) **Less than Significant Impact.** The Project does not propose or require uses or activities that would be considered substantive sources of on-going vibration.

For the purposes of this analysis, and to substantiate whether the Project would result in “exposure of persons to or generation of excessive ground borne vibration or ground borne noise levels,” applicable criteria developed by the California Department of Transportation (Caltrans) were employed. The Caltrans Transportation and Construction Vibration Guidance Manual indicates that received vibration levels of 0.10 Peak Particle Velocity (PPV) (equal to 0.071 Root Mean Square Amplitude [RMS]) could be strongly perceptible (Caltrans Transportation and Construction Vibration Guidance Manual (Caltrans) September 2013, p. 38). For the purposes of this analysis, received vibration levels exceeding 0.10 PPV (0.071 RMS) would be considered potentially significant.

Groundborne vibration levels resulting from construction activities occurring within the Project site were estimated by data published by the Federal Transit Administration (FTA). The primary vibration source during construction may be from a bulldozer. A large bulldozer has a vibration impact of 0.089 inches per second peak particle velocity (PPV) at 25 feet which is perceptible but below any risk to architectural damage.

At a distance of 250 feet, a large bulldozer would yield a worst-case 0.007 PPV (in/sec) which is below the level and perception and is below any threshold of damage. Impacts would be less than significant.

Mitigation: No mitigation is required.

Monitoring: No monitoring is required.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
PALEONTOLOGICAL RESOURCES:				
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 Map My County, 2022

Findings of Fact: Impacts will be less than significant with mitigation incorporated.

- a) **Less than Significant with Mitigation Incorporated.** According to Riverside Map My County, the Project site is located within an area with low paleontological sensitivity. Notwithstanding, there is a remote potential to unearth significant paleontological resources during construction activities. Through implementation of Mitigation Measures PAL-1 through PAL-4, impacts to unique paleontological resources or site or unique geologic feature would be reduced to a less-than-significant level.

Mitigation:

MM PAL-1: Prior to the start of the proposed project activities, all field personnel will receive a worker's environmental awareness training on paleontological resources. The training will provide a description of the laws and ordinances protecting fossil resources, the types of fossil resources that may be encountered in the project area, the role of the paleontological monitor, outline steps to follow in the event that a fossil discovery is made, and provide contact information for the project paleontologist. The training will be developed by the project paleontologist and can be delivered concurrent with other training including cultural, biological, safety, etc.

MM PAL-2: Prior to the commencement of ground-disturbing activities, a professional paleontologist will be retained to prepare and implement a PRMMP for the proposed project. The PRMMP will describe the monitoring required during excavations that extend into older Quaternary (Pleistocene) age sediments, and the location of areas deemed to have a high paleontological resource potential. Part-time monitoring, or spot checking, may be required during shallow ground-disturbances (< 10 feet below ground surface) to confirm that sensitive geologic units are not being impacted. Monitoring will entail the visual inspection of excavated or graded areas and trench sidewalls.

MM PAL-3: In the event that a paleontological resource is discovered, the monitor will have the authority to temporarily divert the construction equipment around the find until it is assessed for scientific significance and, if appropriate, collected. If the resource is determined to be of scientific significance, the project paleontologist shall complete the following:

1. **Salvage of Fossils.** If fossils are discovered, all work in the immediate vicinity should be halted to allow the paleontological monitor, and/or project paleontologist to evaluate the discovery and determine if the fossil may be considered significant. If the fossils are determined to be potentially significant, the project paleontologist

(or paleontological monitor) should recover them following standard field procedures for collecting paleontological as outlined in the PRMMP prepared for the project. Typically, fossils can be safely salvaged quickly by a single paleontologist and not disrupt construction activity. In some cases, larger fossils (such as complete skeletons or large mammal fossils) require more extensive excavation and longer salvage periods. In this case the paleontologist should have the authority to temporarily direct, divert or halt construction activity to ensure that the fossil(s) can be removed in a safe and timely manner.

2. Fossil Preparation and Curation. The PRMMP will identify the museum that has agreed to accept fossils that may be discovered during project-related excavations. Upon completion of fieldwork, all significant fossils collected will be prepared in a properly equipped laboratory to a point ready for curation. Preparation may include the removal of excess matrix from fossil materials and stabilizing or repairing specimens. During preparation and inventory, the fossils specimens will be identified to the lowest taxonomic level practical prior to curation at an accredited museum. The fossil specimens must be delivered to the accredited museum or repository no later than 90 days after all fieldwork is completed. The cost of curation will be assessed by the repository and will be the responsibility of the client.

MM PAL-4: Upon completion of ground disturbing activity (and curation of fossils if necessary) the project paleontologist shall prepare a final mitigation and monitoring report outlining the results of the mitigation and monitoring program. The report shall include discussion of the location, duration and methods of the monitoring, stratigraphic sections, any recovered fossils, and the scientific significance of those fossils, and where fossils were curated.

Monitoring: MM PAL-1 through MM PAL-4: Monitoring is required and shall occur.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
POPULATION AND HOUSING Would the project:				
29. Housing				
a) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Create a demand for additional housing, particularly housing affordable to households earning 80% or less of the County's median income?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) 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): Preliminary Site Plan

Findings of Fact: Impacts will be less than significant with mitigation incorporated.

- a) **Less than Significant with Mitigation Incorporated.** Under existing conditions, the Project site is comprised of vacant, undeveloped land with no residential structures. Therefore, development of the Project would not displace any housing or displace any people however, the project is located

in the Thousand Palms Environmental Justice Community. The Environmental Justice Form (item HC 18.12) included in the application submittal identified the loss of potential affordable housing as an impact. The project's lifespan of 34 years will have a short-term impact on the future development of potential affordable housing. The project site has a potential residential development yield of 400 units; 80 of which qualify as potential cap A affordable housing. A fee of \$2,500 per affordable unit will be provided to the County of Riverside to mitigate the short-term loss of these affordable housing units.

- b) **No Impact.** The proposed Project would consist of a solar facility. According to the County's General Plan, the Project is expected to create approximately 35 temporary jobs; therefore, due to the small amount of employment generated by the Project and the fact that the jobs are temporary, it is not anticipated that the labor demand caused by the Project would trigger the need for affordable housing. No impact associated with affordable housing needs would occur.
- c) **No Impact.** The proposed Project would not directly generate a residential population and is expected to create approximately 35 temporary jobs. It is anticipated that the employment base for the construction phase of the Project would come from the existing population in Riverside County. Proposed improvements that are specific to the Project and Project-related improvements would not extend beyond the Project as described; therefore, indirect population growth due to infrastructure improvements would not occur. The project provision of energy to the grid there would not induce growth as the energy provided would fill a noteworthy shortfall of available energy to meet current demand. An analysis of the Mid-August 2020 heat storm power outages conducted by the California Independent System Operator highlighted the need for California to meet the energy needs of its residents with clean energy sources, especially as climate change accelerates warming and drying trends throughout California, leading to ever increasing energy demand and less availability of hydroelectricity sources. The report found that the State had failed to provide adequate energy resources during its transition to clean energy sources, especially during heat waves and during early evening hours when the contributions of solar energy drop while energy demand spikes. The California ISO recommended that the state "[expedite] the regulatory and procurement processes to develop additional resources" (page 15). The Salvador Solar Project responds to the need for more sources of clean and reliable energy. It provides battery storage of solar power that can be used to help meet the state's energy demand spikes in the evening when solar power generation is not available. The project does not induce demand. Rather, it is being built to meet existing excessive demand and to help reduce the likelihood of another catastrophic power outage in the future. Based on the foregoing, the Project would have no impact related to directly or indirectly inducing substantial population growth in the area.

Mitigation:

MM POP-1 Prior to issuance of a grading permit, the Applicant shall pay fees to off-set short-term impacts on potential affordable housing.

Monitoring: No monitoring is required.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
PUBLIC SERVICES Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered government facilities or the need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the following public services:				
30. Fire Services	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Source(s): Google Earth, Riverside County General Plan Safety Element

Findings of Fact: Impacts will be less than significant.

- a) **Less than Significant Impact.** The Riverside County Fire Department provides fire protection services to the Project site and surrounding area. The nearest Riverside County Fire Department Fire Station (Station 35) is located at 31920 Robert Road, approximately 1.3 miles northwest from the Project site. Based on the Project site's proximity to the existing fire station, the Project would be adequately served by fire protection services, and no new or expanded unplanned facilities would be required. Additionally, the Project would not include residential uses and no people would reside upon the Project site. The project will ensure that the battery enclosure units will be built, maintained, and inspected in compliance with Riverside County Standards, California Fire Code, and recommendations from the National Fire Protection Association's Standard for the Installation of Stationary Energy Storage Systems. To address the unlikely occurrence of a fire, the project will use safety features including a Battery Management System (BMS) which shuts down abnormally performing battery racks, internal fire suppression systems, adequate spacing of batteries and clearance distances, and thermal management systems to prevent overheating. The project will be remotely monitored at all times by trained personnel who will be respond rapidly and coordinate with emergency personnel, when necessary, in the unlikely event of an emergency. Additionally, periodic inspections and maintenance will be conducted at the site. Maintenance of the Project would require regular but occasional visual inspections, equipment servicing, and minor repairs and would not require personnel to work full-time on the Project site. The Project also would incorporate the latest industry standards when constructing the proposed solar facility. The design and construction of the Project and the materials used to build the associated improvements would be required to comply with the 2020 California Fire Code. The Riverside County Fire Department will review and approve Project plans to ensure all applicable fire standards and regulations are met. Payment of County Development Impact Fees will provide resources to the County Fire Department to maintain and augment their services. Therefore, impacts would be less than significant.

Mitigation: No mitigation is required.

Monitoring: No monitoring is required.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
31. Sheriff Services	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Source(s): Google Earth, Riverside County General Plan Safety Element

Findings of Fact: Impact will be less than significant.

- a) **Less than Significant Impact.** The Riverside County Sheriff's Department provides sheriff services to the Project site and surrounding area. The closest station that serves the Project site is the Palm Springs Sheriff's Department and is located at 73705 Gerald Ford Drive. This station is located approximately 1.5 miles southwest from the Project site. Because the Project is not a resident-generated use and no full-time personnel is required for the Project, the Project would be adequately served by existing sheriff services and no new or expanded unplanned facilities would be required. The Riverside County Sheriff Department will review and plans to ensure any public safety concerns are addressed. Payment of County Development Impact Fees will provide resources to the County Sheriff Department to maintain and augment their services. Therefore, no impact would occur.

Mitigation: No mitigation is required.

Monitoring: No monitoring is required.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
32. Schools	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Source(s): Google Earth

Findings of Fact: There will be no impacts.

- a) **No Impact.** The Project involves the development of a solar facility, which is not a student-generated land use. During operation of the proposed Project, minimal maintenance requirements are anticipated, as the proposed Project would operate independently with little human involvement required. On intermittent occasions, the presence of several workers may be required if major repair or replacement of equipment is necessary. However, due to the nature of the proposed Project, such maintenance activities are anticipated to be infrequent and no full-time personnel would be required. Furthermore, the nearest school to the Project site is Xavier High School, which is approximately 0.5 mile southeast of the Project site. The Project is required to pay the State mandated school impact fees, which would assist in mitigating impacts to school. No impact would occur.

Mitigation: No mitigation is required.

Monitoring: No monitoring is required.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
33. Libraries	<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.

- a) **No Impact.** The Project's activities such as maintenance and construction would not lead to any permanent increase in population that would impact libraries. The Project is not expected to increase population in a way that would increase the demand for libraries. Therefore, there would be no impact.

Mitigation: No mitigation is required.

Monitoring: No monitoring is required.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
34. Health Services	<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.

- a) **No Impact.** The Project's activities such as maintenance and construction would not lead to any permanent increase in population that would impact health services. The Project is not expected to increase population in a way that would increase the demand for health service facilities. Therefore, there would be no impact.

Mitigation: No mitigation is required.

Monitoring: No monitoring is required.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
RECREATION Would the project:				
35. Parks and Recreation				
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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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), Parks & Open Space Department Review

Findings of Fact: There will be no impacts.

a/b) **No Impact.** The Project does not have the potential to a significant increase in the local population, and no increase in demand for parks or recreation facilities would occur. Therefore, there will be no expansion of existing or development of new parks or recreation areas. No impact would occur.

c) **Less than Significant with Mitigation Incorporated.** County Service Areas (CSA) facilities operated by the County of Riverside include County-owned and maintained parks and community centers. According to Map My County, the Project site is not located within a CSA. The Project site is not located within the boundaries of any adopted Community Parks and Recreation Plan and the park dedication and par fee requirements of Riverside County Ordinance No. 460, Section 10.35 (Park and Recreation Fees and Dedications), only apply to residential subdivisions. Therefore, the Project is not subject to a recreational CSA or payment of Quimby Fees The project is located in the Thousand Palms Environmental Justice Community. The Environmental Justice Form (item HC 19.2) included in the application submittal identified the need for high quality parks, green space, hiking trails, recreational facilities, and natural environments in areas where such facilities are lacking. A parks, recreation and open space fee of \$300 per potential affordable unit will be provided to the County of Riverside as mitigation to pay for the expansion of parks and recreation services within the Western Coachella Valley Area Plan, Area II.

Mitigation:

MM REC-1 Prior to issuance of a grading permit, the Applicant shall pay a parks and recreation fee.

Monitoring: No monitoring is required.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
36. Recreational Trails	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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) **No Impact.** There are planned trails located along the Project site's frontage with Ramona Road. Because the proposed use for the Project site is a solar facility, the Project would not interfere with the construction or expansion of a trail system. The Project would also not lead to population growth and would not lead to a trail system being constructed or expanded. Therefore, no impact would occur to recreational trails.

Mitigation: No mitigation is required.

Monitoring: No monitoring is required.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
TRANSPORTATION Would the project:				
37. Transportation	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
a) Conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Cause an effect upon circulation during the project's construction?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Result in inadequate emergency access or access to nearby uses?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Source(s): Riverside County General Plan, Integrated Engineering Group's VMT Screening Analysis (Appendix G)

Findings of Fact: Impacts will be less than significant.

- a) **Less than Significant Impact.** Per the County of Riverside Transportation Analysis Guidelines for Level of Service and Vehicle Miles Traveled, trip generation may be estimated for land uses that are not included in the Institute of Transportation Engineers (ITE) Trip Generation Manual or other published sources. For the purposes of this analysis, the forecasted trips generated by the Project assume that trips would occur during the construction phase only since the Project, once constructed and in operation, would be unmanned with no office or operation space constructed on site. The operation of the site would be monitored remotely not requiring any employees to be present on-site. Site routine maintenance and inspections would be performed consistent with an established monthly maintenance schedule and time of need.

Project construction peak hour trips are anticipated to occur outside the typical peak hours of the network since construction workers will need to be at the construction site prior to 7am and depart the site at 3pm; however in order to evaluate the worst-case scenario, it is assumed that construction employees arrive during the AM peak hour and depart during the peak hour traffic of the adjacent street with truck trips occurring randomly over the course of the work day.

Based on these assumptions, a daily and peak hour trip generation has been calculated for the Project. It is estimated that 35 employees would work on the site during the five-month peak construction period of which 25 employees would arrive alone and 10 employees would carpool. Other ancillary project related truck trips are also accounted for as follows

- Single Occupancy - 25 employees
 - 50 (25 employees x 2 trips per day) daily trips
 - 25 inbound trips in the morning peak and
 - 25 outbound trips in the afternoon peak

- Carpool (assumed 2 in a carpool) – 10 employees
 - 10 (10 employees/2 x 2 trips per day) daily trips
 - 5 inbound trips in the morning peak
 - 5 outbound trips in the afternoon peak
- Truck Trips – 10 trucks
 - 60 (10 x 3 (PCE factor) x 2) daily trips
 - 3 inbound and 3 outbound trips in the morning peak
 - 3 inbound and 3 outbound trips in the afternoon peak

Based on the information provided by IEG, the Project is expected to generate 120 daily trips, 36 AM peak hour trips, and 36 PM peak hour trips. Pursuant to the County's Transportation Guidelines, trip generation of less than 100 vehicle trips during the peak hours would be exempt from preparing a level of service (LOS) analysis and would therefore not conflict with the County's General Plan. Impacts would be less than significant.

- b) Less than Significant Impact.** CEQA Guidelines section 15064.3 sets forth guidelines for implementing Senate Bill 743 (SB 743) for reduction of GHG emissions and development of multimodal transportation networks. SB 743 requires amendments to the CEQA Guidelines to provide for an alternative criterion to the LOS methodology for evaluating transportation impacts. Generally, "vehicle miles travelled" or VMT is considered as the most appropriate measurement of transportation impacts. VMT refers to the amount and distance of automobile travel attributable to a project.

Since the Project, once constructed and in operation, would be unmanned with no office or operation space constructed on-site, it will be screened out from a full VMT analysis. Additionally, it should be noted that construction worker VMT is not a newly generated VMT; instead, it is redistributed throughout the regional roadway network based on the different work sites in which construction workers travel to each day. Therefore, construction workers are not generating new VMT each day, only redistributing it. This redistribution is considered to have a nominal and momentary effect on the regional and citywide daily VMT.

The Project's total daily trips is 120 average daily trips (ADT), including implementation of the appropriate passenger car equivalent (PCE) adjustment factor for heavy vehicles. However, the intent of SB 743 and VMT analysis per CEQA is the analysis of VMT-generated "automobiles" in which OPR defines as "on-road passenger vehicles, specifically cars and light trucks." The total daily trips from passenger vehicles, excluding construction truck trips is 60 ADT. In addition, the Project total daily trips is 80 ADT without applying the 3.0 PCE conversion rate to Project construction truck trips. In the case of a VMT analysis, it is not appropriate to apply the PCE factor since the VMT generated by the trucks is, in fact, not three times the VMT generated by a passenger vehicle making the same trip. The Project would generate 80 ADT (without PCE factors) under the construction phase of the Project. This would be a conservative analysis as this is the period where the site would generate the most traffic and VMT. Once the Project is constructed it would not generate additional VMT on a daily basis and would not be an origin or destination for the public; therefore per the County of Riverside, Transportation Analysis Guidelines for Level of Service, Vehicle Miles Traveled, December 2020, the project would qualify for small project screening and would be presumed to be less than significant for VMT impacts.

- c) Less than Significant Impact.** The Project would not include any physical improvements that would extend to adjacent roads. Aside from the internal access roads that would be located on the Project site, the Project would not involve the construction or altering of any roads outside of the Project site's boundary. However, an Encroachment Permit will facilitate short term construction within the Ramon Road right-of-way where an underground feed will be extended from the project

to the SCE Substation north of Ramon Road. A Traffic Control Plan will be provided for any construction activity within any traveled public right-of-way. The County will review all of the Project's application materials to ensure all roadway improvements would be designed according to the County's standards and that no hazardous transportation design features would be introduced through implementation of the Project. Accordingly, the Project would not create or substantially increase safety hazards due to a design feature or incompatible uses. Impacts would be less than significant.

- d) **Less than Significant Impact.** Due to the nature of the proposed use of the site, the Project would not generate substantial traffic on roadways within the Project site vicinity and therefore would not alter or require new maintenance of the roadways within the Project site vicinity. In addition, prior to the issuance of a building permit, the Project proponent is required to comply with County requirements within public road rights-of-way in accordance with Ordinance No. 461. Based on the foregoing, impacts would be less than significant.
- e) **Less than Significant Impact.** The Project would not cause an adverse effect upon circulation during Project construction activities. An Encroachment Permit will facilitate short term construction within the Ramon Road right-of-way where an underground feed will be extended from the project to the SCE Substation north of Ramon Road. A Traffic Control Plan will be provided for any construction activity within any traveled public right-of-way. There would be intermittent entering and exiting of trucks onto the site during construction, but due to access along Ramon Road, there would be a less-than-significant impact to these roadways. Therefore, impacts would be less than significant.
- f) **Less than Significant Impact.** Under long-term operational conditions, the proposed Project would be required to maintain adequate emergency access for emergency vehicles on-site as required by the County. During the course of the County of Riverside's review of the proposed Project, the Project's design was reviewed to ensure that adequate access to-and-from the site is provided for emergency vehicles. An Encroachment Permit will facilitate short term construction within the Ramon Road right-of-way where an underground feed will be extended from the project to the SCE Substation north of Ramon Road. A Traffic Control Plan will be provided for any construction activity within any traveled public right-of-way. The County of Riverside will review all future Project construction drawings to ensure that adequate emergency access is maintained along abutting public streets during temporary construction activities. With adherence to County requirements for emergency vehicle access, impacts would be less than significant.

Mitigation: No mitigation is required.

Monitoring: No monitoring is required.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
38. Bike Trails	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
a) Include the construction or expansion of a bike system or bike lanes?				

Source(s): Preliminary Site Plan, Riverside County General Plan Figure C-7, Trails and Bikeway System

Findings of Fact: There will be no impacts.

- a) **No Impact.** The Project consists of the construction and operation of a solar facility. According to the County of Riverside General Plan Figure C-7, there are no planned bikeways abutting the Project site, and the Applicant does not propose construction or expansion of a bike system or bike lanes. Therefore, there will be no impact to bike trails.

Mitigation: No mitigation is required.

Monitoring: No monitoring is required.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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:				
39. Tribal Cultural Resources	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Source(s): County Archaeologist, AB 52 Tribal Consultation

Findings of Fact: Impacts will be less than significant with mitigation incorporated.

- a) **Less than Significant with Mitigation Incorporated.** As previously mentioned in Section 9, *Archaeological Resources*, there are three potential archaeological resources on the Project site: Site 33-000785 is a significant resource and Sites 33-024129 and 33-024130 have the potential to be a significant resource if disturbed. However, the Applicant will avoid impact on these three Sites during construction and operational use of the Project as described in MM CUL-2. With implementation of MM CUL-2, impacts to archaeological resources will not occur and impacts will be less than significant.
- b) **Less than Significant with Mitigation Incorporated.** Changes in the California Environmental Quality Act, effective July 2015, require that the County address a new category of cultural resources – tribal cultural resources – not previously included within the law's purview. Tribal Cultural Resources are those resources with inherent tribal values that are difficult to identify through the same means as archaeological resources. These resources can be identified and understood through direct consultation with the tribes who attach tribal value to the resource. Tribal cultural resources may include Native American archaeological sites, but they may also include other types of resources such as cultural landscapes or sacred places. The appropriate treatment of tribal cultural resources is determined through consultation with tribes.

In compliance with Assembly Bill 52 (AB52), notices regarding this project were mailed to all requesting tribes on February 10, 2022. No response was received from Ramona Band of Cahuilla Indians, Morongo Band of Mission Indians, Torres-Martinez Desert Cahuilla Indians, Twenty-Nine Palms Band of Mission Indians, Cahuilla Band of Indians, Cabazon Band of Mission Indians, or Colorado River Indian Tribe. The Quechan Tribe responded in an email dated February 10, 2022, deferring consultation to tribes closer to the project. The Agua Caliente Band of Cahuilla Indians requested to consult in an emailed letter dated March 25, 2022. The cultural report and the project conditions of approval were provided to the tribe on March 29, 2022. On April 22, 2022, a meeting was held in which this project was discussed. During this meeting, the tribe provide specific confidential information regarding Tribal Cultural resources that may be impacted by this project and requested specific mitigation measures be placed on the project.

The Soboba Band of Mission Indians requested to consult in a letter dated February 10, 2022. Project documents were provided to the tribe on March 29, 2022, and Soboba concluded consultation on March 30, 2022.

Specific Tribal Cultural Resources were identified by both consulting tribes who recommended that the project avoid these resources. They further expressed concerns that the project has the potential for as yet unidentified subsurface tribal cultural resources. The tribes request that a Native American monitor be present during ground disturbing activities so any unanticipated finds will be handled in a timely and culturally appropriate manner. Mitigation Measures MM CUL-1 in Section 8, and MM CUL- 2, 3, 4, 5 , and 6 address concerns expressed by the consulting tribes.

Mitigation: See MM CUL-2 in Section 9.

Monitoring: MM CUL-2: Monitoring is required

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
UTILITIES AND SERVICE SYSTEMS Would the project:				
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): Coachella Valley Water District

Findings of Fact: Impacts will be less than significant.

- a) **No Impact.** During construction of the Project, water would be transported to the Project site via water trucks and used for dust suppression. Water service for maintenance and potential landscaping on the site would be provided via the existing water line beneath Ramon Road. Due to the nominal amount of water needed for the Project, the Project would not require or result in the relocation or construction of new or expanded water facilities, whereby the construction or relocation would cause significant environmental effects. The Project would not produce effluent that would subsequently require treatment at the wastewater facility. As such, the Project would

not warrant construction of new or expansion of existing wastewater facilities. As previously mentioned in Section 23 (c-g), the proposed site grading and drainage for the Project would consist of contour grading, which would be designed to match the historical drainage pattern of the site. There will be no impervious areas, no on-site impounding, and no flood control structures within the project therefore the Project would not require construction of new or expanded storm water drainage facilities. No impact would occur.

b. Less than Significant Impact. The project will require metered water to support construction activities associated with the project. Construction is expected to last five months with water being used for the following tasks:

- a. Site Pre-Watering - 0.5-month duration using approximately 300 Ac-Ft of water.
- b. Rough Grading and Dust Control – 1.5-month duration using approximately 60 Ac-Ft of water
- c. Platform/Foundation and Dust Control – 3-month duration using approximately 100 Ac- Ft of water

Operational and maintenance water demand will be limited to irrigation of perimeter landscape. Irrigation water will be limited to drought tolerant perimeter landscaping adjacent to future residential development on the west and south boundaries of the project. Annual irrigation water usage is estimated to be approximately 6 Ac-Ft. Water for maintenance purposes for the solar panels will be de-ionized water imported with water trucks.

CVWD is responsible for supplying potable water to the Project and its region. The 2020 *Cucamonga Valley Water District Urban Water Management Plan (UWMP)* comprehensively addresses water demand and supply throughout the District's service area, including the County of Riverside. Development proposed by the Project is consistent with the existing County's General Plan land use designations envisioned under the *UWMP*. As documented within the *UWMP*, water supplies available to District customers are sufficient to meet all existing demands and anticipated future demands (including the Project's demands) under normal, single-dry year, and extended drought conditions for the 20-year time frame evaluated in the *UWMP*. Even in the event of water supply shortages or water emergencies, the District has in place water shortage contingency plans which ensure provision of priority water services to all its existing and anticipated customers, including the Project. Based on the foregoing, the CVWD would have sufficient water supplies available to serve the Project and reasonably foreseeable future development during normal, dry, and multiple dry years. Impacts would be less than significant.

Mitigation: No mitigation is required.

Monitoring: No monitoring is required.

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

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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) Less than Significant Impact. The proposed Project would not include permanent, traditional restroom facilities that would connect with a municipal sewer system and subsequently require effluent treatment. During construction of the proposed Project, construction workers would use temporary, portable restroom facilities. During the operations phase of the Project, no full-time personnel would be on the Project site, and as such, no permanent or temporary restroom facilities are proposed. The ground surface below the solar panels would be pervious, allowing any residual water from panel washing and erosion control activities to be absorbed into the topsoil before percolating into the deeper subsurface soils. Therefore, the Project would not generate effluent that would subsequently require treatment at a wastewater facility. Impacts associated with the exceedance of wastewater treatment requirements would be less than significant.

Mitigation: No mitigation is required.

Monitoring: No monitoring is required.

	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, Riverside County Waste Management District correspondence

Findings of Fact: Impacts will be less than significant.

a) Less than Significant Impact. The California Department of Resources Recycling and Recovery (CalRecycle) provides solid waste generation estimates for various land uses. The nature of the proposed Project is unique, no buildings are being built, there will be no asphalt roads, all building materials are typically metal, and any excess materials will be recycled. Minor trash generated by construction and maintenance crews would be negligible. Solid waste from the Project site would

be disposed at Lamb Canyon Landfill in the City of Beaumont, which has a remaining capacity 19.2 million cubic yards (2015). Due to the small scale of the Project, the Lamb Canyon Landfill has more than enough capacity to serve the proposed Project. Impacts would be less than significant.

- b) Less than Significant Impact.** The California Integrated Waste Management Act (AB 939), signed into law in 1989, established an integrated waste management system that focused on source reduction, recycling, composting, and land disposal of waste. In addition, the bill established a 50 percent waste reduction requirement for cities and counties by the year 2000, along with a process to ensure environmentally safe disposal of waste that could not be diverted. Per the requirements of the Integrated Waste Management Act, the Riverside County Board of Supervisors adopted the County of Riverside Countywide Integrated Waste Management Plan (CIWMP), which outlines the goals, policies, and programs the County and its cities implement to create an integrated and cost-effective waste management system that complies with the provisions of AB 939 and its diversion mandates. In order to assist the County of Riverside in achieving the mandated goals of the Integrated Waste Management Act, the Project's building tenant(s) would be required to work with future refuse haulers to develop and implement feasible waste reduction programs, including source reduction, recycling, and composting. Additionally, in accordance with the California Solid Waste Reuse and Recycling Act of 1991 (Public Resources Code § 42911), the Project is required to provide adequate areas for collecting and loading recyclable materials where solid waste is collected. The collection areas are required to be shown on construction drawings and be in place before occupancy permits are issued. Additionally, in compliance with AB 341 (Mandatory Commercial Recycling Program), the future occupant(s) of the proposed Project would be required to arrange for recycling services, if the occupant generates four or more cubic yards of solid waste per week. The implementation of these mandatory requirements would reduce the amount of solid waste generated by the Project and diverted to landfills, which in turn will aid in the extension of the life of affected disposal sites. The Project would be required to comply with all applicable solid waste statutes and regulations; as such, impacts related to solid waste statutes and regulations would be less than significant.

Mitigation: No mitigation is required.

Monitoring: No monitoring is required.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
43. Utilities				
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?				
a) Electricity?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Natural gas?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Communications systems?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Street lighting?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Maintenance of public facilities, including roads?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Other governmental services?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Source(s): Utility Companies

Findings of Fact: Impacts will be less than significant.

a-f) Less than Significant Impact. The proposed Project would generate power for the site and would also receive power from the proposed utility line extension north of Ramon Road that connects to the Mirage Substation. As analyzed throughout this EA/IS, environmental impacts from the utility extension would not be significant as it would be accomplished in conformance with the rules and standards enforced by the applicable service provider. In addition, no natural gas or communication systems would be required for operation of the Project as it is a solar facility. Any street lighting, maintenance of public facilities, and other governmental services would comply with the County's General Plan and Development Code guidelines. Therefore, impacts associated with the construction and operation of electricity, natural gas, communications systems, street lighting, public facilities maintenance, and other governmental services would be less than significant.

Mitigation: No mitigation is required.

Monitoring: No monitoring is required.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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:				
44. Wildfire Impacts	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
a) Substantially impair an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Source(s): Riverside County Map My County, California Department of Forestry and Fire Protection

Findings of Fact: There will be no impacts.

a) No Impact. The Riverside County Fire Department provides fire protection services to the Project site and surrounding area. The nearest Riverside County Fire Department Fire Station (Station 35) is located at 31920 Robert Road, approximately 1.3 miles northwest from the Project site. Based on the Project site's proximity to the existing fire station, the Project would

be adequately served by fire protection services, and no new or expanded unplanned facilities would be required.

- b) No Impact.** The Project would be adequately served by existing fire protection infrastructure, and no new or expanded unplanned structures would be required.
- c) No Impact.** Battery facilities will use built-in fire suppression features including a Battery Management System (BMS) which shuts down abnormally performing battery racks, internal fire suppression systems, adequate spacing of batteries and clearance distances, and thermal management systems to prevent overheating. The project will be remotely monitored at all times by trained personnel who will respond rapidly and coordinate with emergency personnel, when necessary, in the unlikely event of an emergency. Construction of these facilities will incur temporary impacts to noise levels as noted in section V.27a but will not have ongoing impacts on noise levels.
- d) No Impact.** The proposed project is not located within a hillside area, it is located on flat land and as noted in Item e. below, the project is not within a fire risk area. The proposed improvements are not subject to combustion. As noted in Item c. above, the battery systems are controlled by a management system that includes fire suppression systems and other systems that prevent overheating. Irrigated landscaping will be provided along with western border of the project site. The landscaping is separated from the battery racks and solar array by 50' and will be buffered from adjacent residentially zoned property on the west side by various road and utility easements. Given that the site has minimal fire risks, maintains natural drainage patterns (See Item 23 c., d., e., f., and g) there will not be impacts to people or structures onsite nor surrounding areas due to fire related slope issues, downstream flooding, or drainage impacts. No impact would occur.
- e) No Impact.** The project will not expose people or structures either directly or indirectly, to a significant risk of loss, injury, or death involving wildland fires. CAL FIRE adopted Fire Hazard Severity Zone (FHSZ) maps for State Responsibility Areas (SRAs) in November 2007. The fire hazard model considers the wildland fuels. Fuel is that part of the natural vegetation that burns during the wildfire. The model also considers topography, especially the steepness of the slopes. Fires burn faster as they burn up-slope. Weather (temperature, humidity, and wind) has a significant influence on fire behavior. The model recognizes that some areas of California have more frequent and severe wildfires than other areas. Finally, the model considers the production of burning fire brands (embers) how far they move, and how receptive the landing site is to new fires. All SRAs are rated moderate, high or very high fire hazard.

According to CAL FIRE adopted FHSZ maps for SRAs, the Project site or the vicinity of the Project site is not located within an FHSZ in an SRA. Also, as shown in Riverside County Map My County, the Project site is not located in a State Responsibility Area/Federal Responsibility Area or a Local Responsibility Area (LRA). The Project site is located adjacent to land uses that do not pose a high fire risk. The Project site is not located in or adjacent to an SRA, nor is the Project site classified as a very high fire hazard severity zone, or other hazardous fire areas that may be designated by the Fire Chief. Because the Project site is not located in an SRA, the Project is not subject to Wildfire Section 44(a) through (e).

Mitigation: No mitigation is required.

Monitoring: No monitoring is required

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

MANDATORY FINDINGS OF SIGNIFICANCE Does the Project:

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): All sources previously identified in Section V.1 through 44, Staff Review, Project Application Materials

Findings of Fact: Less-Than-Significant Impact with Mitigation Incorporated. As concluded in Sections V.1 through 44 of this document, all potential impacts discussed can be mitigated to a less-than significant level for these resources.

As described in Section V.1.a, b, and c, the project's effect upon the Interstate 10 scenic highway corridor will be reduced by a living fence. The west and south sides of the facility will be fenced and aesthetically landscaped in a manner that will shield the facility and minimize its visual impact, especially along the western and southern perimeters which are adjacent to existing residential development. Therefore, with mitigation incorporated, the project will have less than significant impact on existing visual character or quality of public views of the site and its surroundings.

As described in Section V.7.a, the project is located within the boundaries of the Coachella Valley Multiple Species Habitat Conservation Plan (CVMSHCP), but not located within any of the CVMSHCP designated conservation areas, and the eastern boundary of the Project site abuts the Thousand Palms Conservation Area. Construction of the proposed Project is expected to implement the applicable regulatory compliance measures described in Section 4.4 of the CVMSHCP (refer to Appendix C). The applicant will also be required to pay CVMSHCP mitigation fee, follow land use adjacency guidelines. With the implementation of these mitigation measures, the project will have a less than significant impact.

As described in Section V.7.b/c, the Project site contains two plant communities: creosote bush scrub and tamarisk thickets. project implementation will remove foraging habitat for special-status species known to occur in the area. However, various conservation areas are found near the project site that can accommodate the additional foraging activities, and payment of mitigation fee (MM Bio-1) under the CVMSHCP provides for expansion of preserved habitat. While no burrowing owls were observed on the site, project developers will prepare a burrowing owl exclusion/relocation plan for approval by the wildlife agencies, and exclusion and relocation activities may not occur during the breeding season. Additionally, a pre-construction nesting bird clearance survey shall be conducted prior to ground disturbance, and the removal of any habitat containing an active migratory bird nest will be prohibited.

As described in Section V.7.d, the project design provides for a 5" opening at the bottom of the perimeter fencing to ensure free movement of small animals. Further, the applicable CVMSHCP Land Use Adjacency Guidelines (described in Section 5.2 of Appendix C) would be implemented to ensure potential indirect impacts to the Thousand Palms Conservation Area and wildlife movement opportunities are less than significant.

As described in Section V.8.a/b, Section V.9.a-c, and Sections V.39.a and b, parcels P-33-00785 was determined to be a significant historical resource and sites P-33-024129 & P-33-024130 were determined to be potential significant historical resources. To mitigate impact to these parcels, they will be protected during the grading process, and prior to the issuance of grading permits, the Project Developer and the appropriate Tribe shall prepare a Preservation Plan for the long-term care and maintenance of the cultural features preserved at these sites. Additional measures will be taken as outlined in MM CUL-3, 4, 5, 6, and 7.

As described in Section V.28.a, there is a remote potential to unearth significant paleontological resources during construction activities. Through implementation of Mitigation Measures PAL-1 through PAL-4, impacts to unique paleontological resources or site or unique geologic feature would be reduced to a less-than-significant level as outlined in MM PAL-1, 2, 3, and 4.

With the implementation of these mitigation measures, the project will have a less than significant impact.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
46. 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Source(s): All sources previously identified in Section V.1 through 44, Staff Review, Project Application Materials

Findings of Fact: Less-Than-Significant Impact with Mitigation Incorporated. The proposed project of a solar energy facility will cause minimal to no change in existing conditions, other than temporary impacts associated with construction activities, and other impacts which will be mitigated to less than significant as outlined in section V.45.

As analyzed throughout Section V, the proposed project would result in less-than significant impacts or no impact to every element of the project except that mitigation would be required to reduce potentially significant impacts related to aesthetics, Wildlife & Vegetation, Historic Resources, Archeological Resources, Paleontological Resources, and Tribal Cultural Resources. Impacts would be minimized or avoided through project design and compliance with existing policies or regulations. As such, cumulatively considerable impacts associated with the proposed project would be less than significant with mitigation incorporated.

Mitigation and other measures: Implementation of MM AES-1, MM BIO-1, MM BIO-2, MM BIO-3, MM CUL-1 through MM CUL-7, MM PAL-1 through 4, there's no mitigation listed for 39. Tribal Cultural Resources, but they might be covered through the MM BIOs.

Monitoring: Implementation of MM CUL-2, MM PAL 1 through MM PAL 4

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
47. 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): All sources previously identified in Section V.1 through 44, Staff Review, Project Application Materials

Findings of Fact: Less-Than-Significant Impact with Mitigation Incorporated. Direct and indirect environmental effects on human beings were analyzed in numerous sections of this Initial Study.

As analyzed throughout Section V, the proposed project would result in less-than significant impacts or no impact to every element of the project except that mitigation would be required to reduce potentially significant impacts related to aesthetics, Wildlife & Vegetation, Historic Resources, Archeological Resources, Paleontological Resources, and Tribal Cultural Resources. Impacts would be minimized or avoided through project design and compliance with existing policies or regulations. As such, any direct or indirect impacts associated with the proposed project on human beings would be less than significant with mitigation incorporated.

Mitigation and other measures: Implementation of MM AES-1, MM BIO-1, MM BIO-2, MM BIO-3, MM CUL-1 through MM CUL-6, MM POP-1, MM REC-1, MM PAL-1 through 4, the mitigation listed for 39. *Tribal Cultural Resources*, is covered through MM CUL-2.

Monitoring: Implementation of MM CUL-2, MM PAL 1 through MM PAL 4

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: None

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

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



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

Charissa Leach, P.E.
Assistant CEO/TLMA Director



07/14/22, 11:12 am

CUP220003

ADVISORY NOTIFICATION DOCUMENT

The following notifications are included as part of the recommendation of approval for CUP220003. 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 (CUP220003) 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 requested entitlements below are considered the "Project" and is more fully detailed in the Initial Study. The project is commonly referred to as the Salvador Energy Center or Noble Solar Project and is comprised of the following land use cases:

Change of Zone 2200004 is a proposal to change the existing Zoning Classifications for the project site from One-Family Dwellings (R-1) to Regulated Development Areas (R-D) on 165.7 gross acres (17 parcels).

Conditional Use Permit No. 2200003 is a proposal to develop a solar array and solar battery storage facility. The facility would consist of approximately 108 acres of solar arrays (panels) and approximately 43 acres of solar battery storage and onsite substation with access roads. An underground power-line extension will direct the power to a Southern California Edison (SCE) power grid from the project site to a substation (SCE Mirage Substation) north of Ramon Road. The solar arrays would consist of 96 modules per each panel: with single axis trackers, bifacial passivated emitter rear cell (perc) technology for a maximum of 150 MW of solar production. The battery storage section would consist of 400 self-contained one (1) megawatt (MW) storage batteries to be installed on elevated metal platforms totaling 400 MW of battery storage. The remainder of the site would consist of onsite perimeter access roads and a solar substation. The solar substation is an outdoor device installed on gravel or in some situations on precast concrete slabs. Furthermore, to minimize grading and paving, the project is to use road base gravel for roads (similar to windfarms) so as rain would percolate through the gravel. The facility would include 10 parking spaces.

Development Agreement No. 2200003 proposes a development agreement with the applicant and County consistent with the County's solar plant program (Board Policy B-29) and grants vesting rights to develop the project in accordance with the terms of the agreement which requires certain calculation of development impact fees.

The Project site is within the Western Coachella Valley Area Plan and is located north of Interstate 10 Highway, south of Ramon Road, east of Vista de Oro, and west of Chase School Road.

ADVISORY NOTIFICATION DOCUMENT**Advisory Notification****Advisory Notification. 3 AND - Design Guidelines**

Compliance with applicable Design Guidelines;

1. County Wide Design Guidelines and Standards

Advisory Notification. 4 AND - Exhibits

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

Exhibit A & C (Site Plan & Floor Plans), dated May 16, 2022.

Exhibit B (Elevations & Business Plan), dated May 16, 2022.

Exhibit F (Fencing Plan), dated May 16, 2022.

Exhibit G (Conceptual Grading Plan), dated May 16, 2022.

Exhibit L (Conceptual Landscaping and Irrigation Plans), dated May 16, 2022.

Exhibit U (Utility Plan), dated May 16, 2022

Advisory Notification. 5 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.)
- Government Code Section 66020 (90 Days to Protest)
- Government Code Section 66499.37 (Hold Harmless)
- Native American Cultural Resources, and Human Remains (Inadvertent Find)
- School District Impact Compliance
- current California Building Code (CBC)
- 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. 461 (Road Improvement Standards)
- Ord. No. 484 (Control of Blowing Sand)
- Ord. No. 655 (Regulating Light Pollution)
- Ord. No. 671 (Consolidated Fees)
- Ord. No. 742 (Fugitive Dust/PM10 Emissions in Coachella Valley)
- Ord. No. 787 (Fire Code)
- Ord. No. 847 (Regulating Noise)

ADVISORY NOTIFICATION DOCUMENT**Advisory Notification****Advisory Notification. 5 AND - Federal, State & Local Regulation Compliance (cont.)**

- Ord. No. 857 (Business Licensing)
- Ord. No. 859 (Water Efficient Landscape Requirements)
- Ord. No. 915 (Regulating Outdoor Lighting)
- Ord. No. 925 (Prohibiting Marijuana Cultivating)

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 (CVTUMF)
- Ord. No. 875 Coachella Valley Multiple Species Habitat Conservation Plan (CVMSHCP)

BS-Plan Check**BS-Plan Check. 1 Gen - Custom**

BUILDING AND SAFETY COMMENTS To assist in providing an expeditious review, please cloud all corrections on revised exhibit. Items labeled as "Corrections" must be addressed prior to entitlement approval. Items labeled as "Notifications" are for your information only and are not required for entitlement approval. Include a comment response list addressing each correction on the comment list. Thank You.

NOTIFICATIONS: 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 submittal. 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.

SUB-STATION Please clarify if the system will be connected to a sub-station? call out the location on the plan if applicable. risk category III shall apply for any sub-station. risk category II is required for the arrays

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

ADVISORY NOTIFICATION DOCUMENT**BS-Plan Check****BS-Plan Check. 1 Gen - Custom (cont.)**

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 2022 California Building Codes will be in effect as of January 1st, 2023, as mandated by the state of California. Any building plan and fee payment submitted to the building department on or after January 1st, 2023, will be subject to the new updated California Building Code(s).

E Health**E Health. 1 DEH ECP Comments**

Based on the information provided in the environmental assessment documents submitted for this project and with the provision that the information was accurate and representative of site conditions, RCDEH-ECP (Riverside County Department of Environmental Health – Environmental Cleanup Program) concludes no further environmental assessment is required for this project.

If previously unidentified 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.

Fire**Fire. 1 New Proposed Fire Hydrant**

The plan for the new fire hydrant shall be reviewed by the Office of the Fire Marshal prior to installation. The engineer who will design the plan should consult with the Office of the Fire Marshal to determine the design flow rate for the fire hydrant.

Fire. 2 Prior to installation of the Battery Energy Storage System

Prior to installation of the Battery Energy Storage System, construction documents for the energy storage system shall be submitted to the Office of the Fire Marshal for review and approval. CFC 1206.1.3

Planning**Planning. 1 Business Registration**

Every person conducting a business within the unincorporated area of Riverside County, as defined in Riverside County Ordinance No. 857, shall obtain a Business (Stormwater) Registration for stormwater compliance. For more information regarding business registration, contact the County of Riverside Transportation Department for information regarding Stormwater Compliance Program – (https://rctlma.org/trans/stormwatercompliance/Agg1921_SelectTab/3)

Planning. 2 Cause for Revocation

In the event the use hereby permitted under this permit, a) is found to be in violation of the terms and

ADVISORY NOTIFICATION DOCUMENT**Planning****Planning. 2****Cause for Revocation (cont.)**

conditions of this permit, b) is found to have been obtained by fraud or perjured testimony, or c) is found to be detrimental to the public health, safety or general welfare, or is a public nuisance, this permit shall be subject to the revocation procedures.

Planning. 3**Fees**

Any subsequent submittal(s) required by these conditions of approval, including but not limited to grading plans, building plans, or mitigation monitoring reviews, 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.

Planning. 4**Future Interference**

If the operation of this facility generates electronic interference with or otherwise impairs the operation of any communication facilities, the developer/permit holder shall take immediate action and consult with County Information Technology staff to develop and implement measures acceptable to the Department of Information Technology.

Planning. 5**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 Change of Zone 2200004, Conditional Use Permit No. 220003, Development Agreement No. 2200003, or its associated environmental documentation (Mitigated Negative Declaration (CEQ220011)); 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 Change of Zone 2200004, Conditional Use Permit No. 220003, Development Agreement No. 2200003, or its associated environmental documentation (Mitigated Negative Declaration (CEQ220011)), 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.

ADVISORY NOTIFICATION DOCUMENT**Planning****Planning. 5 Hold Harmless (cont.)**

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, 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."

Planning. 6 Lighting

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

Planning. 7 No Final, No Connect

The developer/permit holder shall ensure that the Department of Building and safety has completed their final inspection prior to connection to the utility purveyor. A temporary power permit may be pursued from the Department of Building and Safety prior to final inspection for construction and to allow equipment and system testing. The Director of Building and Safety or his designee, may allow the interconnection of individual arrays or power blocks if it is determined that adequate safe guards exist to ensure compliance with all conditions of approval.

Planning. 8 Project Design

The developer/permit holder shall ensure that the project design matches the conceptual designs provided with the entitlement project (i.e., fencing, landscaping, avoidances, etc.). No alterations to the overall design of the project site unless presented and approved by the Planning Department.

Planning. 9 Replace or Modify

The developer/permit holder shall give written notice to the Planning and Building Safety Directors prior to the replacement or modification of any portion of this site as shown on the APPROVED EXHIBITS except for routine maintenance.

Planning. 10 Utility Coordination

The developer/permit holder shall ensure all distribution lines, electrical substations and other interconnection facilities are constructed to the specifications of the utility purveyor and/or building codes. Interconnection shall conform to the procedures and standards established by the Public Utilities Commission or as applicable.

ADVISORY NOTIFICATION DOCUMENT**Planning****Planning-CUL****Planning-CUL. 1****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.

Planning-CUL. 2**MM CUL-6**

: In the event that human remains are uncovered during ground disturbing activities on the project site, no further disturbance shall occur, and all work shall cease until the County Coroner has made a determination of the origin and disposition of the remains. Ground disturbing activities and excavations shall not resume until the following has been addressed: 1. The County Coroner has been contacted and determined that no investigation to the cause of death is required, and If the County Coroner determines that the remains are of Native American decent, the Coroner must notify Native American Heritage Commission (NAHC), which will then determine the Most Likely Descendant (MLD). The MLD shall complete the inspection of the site within 48 hours of notification and may recommend means of treating or disposing of, with appropriate dignity, the human remains, and any associated grave goods as provided in Public Resource Code Section 5097.98.

Planning-CUL. 3**PDA 8209 Accepted**

County Archaeological Report (PDA) No. 8209 submitted for this project (CUP220003) was prepared by CRM Tech and is entitled: "Update to a Previously Completed Phase I Cultural Resources Study for the Nobles Solar CEQA Project in the Thousand Palms Area of Riverside County, California" dated December 21, 2021. Five archaeological sites are present within the project area. CEQA mandates that "historical resources" be properly treated to mitigate impacts to the resources, with avoidance/preservation-in-place being the preferred treatment. Sites 33-015429 and 33-024131, however, do not meet the statutory definition of "historical resources" and, therefore, no further cultural resources investigations or efforts are mandated by CEQA at these sites. If Sites 33-024129 and 33-024130 cannot be avoided, additional archaeological work (an archaeological testing and evaluation program) is recommended. The testing and evaluation program would be designed to determine if important archaeological data is present at either of the sites. If such data are present at either site, then the site would be a significant cultural resource and further treatment measures (avoidance or mitigative data recovery) would need to be implemented to mitigate impacts to the site.

Even before CRM TECH was brought into the compliance process for this project, the project These documents are herein incorporated as a part of the record for project proponent had already agreed to avoid impacts to Sites 33-000785, 33-024129, and 33-024130. Plans to preserve the site in place in perpetuity and thus avoid impacts to them were already being drawn and designed. s such, there will be no impacts to Sites 33-000785, 33-024129, and

ADVISORY NOTIFICATION DOCUMENT**Planning-CUL****Planning-CUL. 3****PDA 8209 Accepted (cont.)**

33-024130. Additionally, an "Advisory Notification Document" date January 20, 2022, has been prepared that provides more details regarding the preservation of these sites.

PDA 8209 Recommends: Due to the demonstrated archaeological sensitivity of the project area, a program of archaeological and Native American monitoring needs to be in place prior to earth-disturbing activities associated with the project. Although Sites 33-015429 and 33-024131 do not meet the statutory definition of "historical resources," in the spirit of preserving as much of the nation's cultural heritage as possible, CRM TECH recommends that the artifacts observed at these sites be collected for analyses and curation in conjunction with the monitoring program of the rest of the project area. In addition, archaeologically controlled grading should be undertaken in the site areas. Such grading would include very little soil removal at each pass and a sufficient amount of time between mechanical passes to allow for a thorough inspection of the area after each cut.

PDA recommends: These documents are herein incorporated as a part of the record for project.

Planning-CUL. 4**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-GEO**Planning-GEO. 1****GEO180003 UPDATE ACCEPTED**

County Geologic Report GEO No. 180003 Update, submitted for the project CUP220003, was prepared by Petra Geotechnical, Inc., and is titled; "Update of Existing Geotechnical Investigation Report, Salvador Solar Array and Energy Storage, Located on the South Side of Ramon Road and East of Monterey Avenue, Thousand Palms Area, Riverside County, California", dated December 23, 2021. In addition, Petra has

ADVISORY NOTIFICATION DOCUMENT**Planning-GEO****Planning-GEO. 1****GEO180003 UPDATE ACCEPTED (cont.)**

submitted the following reports for the project: "Preliminary Geotechnical Assessment, Thousand Palms 278 Project, Ramon Road East of Monterey Avenue, Thousand Palms, County of Riverside County, California," dated July 31, 2014. "Preliminary Geotechnical Assessment, Support of Preliminary Project Application to the County of Riverside, Horus Thousand Palms 157 Solar Project, Southeast of Vista Del Oro and Calle Francisco Road, Thousand Palms, California," dated January 15, 2015. "Preliminary Geotechnical Investigation, Proposed Thousand Palms 157 Solar Energy Facility, Located on the South Side of Ramon Road and East of Monterey Avenue, Thousand Palms Area, Riverside County, California," dated August 28, 2018. GEO180003 Update concluded: 1. No active faults are known to project through the site and the site is not within an Alquist-Priolo Earthquake Fault Zone, nor a County of Riverside fault hazard zone. 2. Based upon published maps, onsite mapping, and a review of aerial photographs of the site, risks associated with primary surface ground rupture should be considered very low. 3. In view of the depth of groundwater and dense alluvial fan materials that underlie the site, the potential for manifestation of liquefaction induced features or significant dynamic settlement is considered negligible. 4. Locally, no fissures or other surficial evidence of subsidence were observed at or near the subject site. Therefore, risks associated with subsidence are considered low and would generally not be a factor for the proposed development. 5. Based on the site conditions, lateral spreading, ground lurching and ground subsidence are considered unlikely at the site. 6. The bearing soil is non-expansive and falls within the "very low" expansion category in accordance with California Building Code (CBC) classification criteria. 7. Compressible soils are anticipated throughout the property and are expected to be comprised of poorly-graded sand and the upper portion of the alluvium. Remedial grading depths on the order of 5 feet below existing ground surface will likely be required to mitigate potentially compressible soils. GEO180003 Update recommended: 1. All vegetation and any trash or debris in areas to be graded should be removed from the site. 2. In areas where structures are to be supported by conventional shallow slab-on-grade foundations, spread footings, and/or mat foundations, the existing ground should be over-excavated to depths that expose competent native soils exhibiting an in-place relative compaction of 85 percent or more, based on Test Method ASTM D1557. 3. The horizontal limits of over-excavation should extend to a minimum distance of 5 feet beyond the proposed perimeter foundation lines or to a horizontal distance equal to the depth of overexcavation, whichever is greater. 4. Following removal of unsuitable surficial materials, exposed bottom surfaces in areas approved for fill placement should be first scarified to a depth of 12 inches, flooded and compacted with a heavy vibratory roller in two directions prior to placement of additional fill. 5. Minimum compaction of the upper 12 inches of the removal bottom should meet or exceed 90 percent relative compaction. 6. All fills should be placed in 6- to 8-inch thick maximum lifts, watered or air dried as necessary to achieve approximately 2 percent above optimum moisture conditions, and then compacted to a minimum relative compaction of 90 percent. 7. Due to the variability of the surficial soil conditions, the required depths of over-excavation will have to

ADVISORY NOTIFICATION DOCUMENT**Planning-GEO****Planning-GEO. 1****GEO180003 UPDATE ACCEPTED (cont.)**

be determined during grading on a case-by-case basis. Therefore, prior to placing compacted fill, the exposed bottom surfaces in all over-excavated areas should be observed and approved by the project geotechnical consultant. 8. The deeper native soils over a majority of the site are anticipated to be suitable to support the spread footings provided the footing is founded no less than approximately 3 feet below existing grade. 9.

Grades within the site should not be lowered to the extent that they will have an adverse impact on the lateral stability of the existing property line structures that are to be protected in place. 10. We recommend that a detailed geotechnical evaluation be conducted when site grading and foundation plans are developed so that site specific grading and foundation recommendations that are appropriate for the proposed construction can be prepared. GEO No. 180003 Update satisfies the requirement for a geologic/geotechnical updated study for Planning/CEQA purposes. GEO No. 180003 Update 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 upon application for grading and/or building permits.

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

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

recover the remains.

7. Any recovered fossil remains will be prepared to the point of identification and identified to the lowest taxonomic level possible by knowledgeable paleontologists. The remains then will be curated (assigned and labeled with museum* repository fossil specimen numbers and corresponding fossil site numbers, as appropriate; places in specimen trays and, if necessary, vials with completed specimen data cards) and catalogued, an associated specimen data and corresponding geologic and geographic site data 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****RCTD-USE - General Conditions**

- With respect to the conditions of approval for the referenced tentative exhibit, the land divider shall provide all street improvements, street improvement plans and/or road dedications set forth herein in accordance with Ordinance 460 and 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. The County of Riverside applicable ordinances 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.
- The Project shall submit a preliminary soils and pavement investigation report addressing the construction requirements within the road right-of-way.
- Alterations to natural drainage patterns shall require protecting downstream properties by means approved by the Transportation Department.
- If the Transportation Department allows the use of streets for drainage purposes, the 10-year discharge shall be contained in the top of curb or asphalt concrete dikes, and the 100-year discharge shall be contained in the street right-of-way.
- The Project shall install street name sign(s) in accordance with County Standard No. 816 and as directed by the Transportation Department.

ADVISORY NOTIFICATION DOCUMENT**Transportation****Transportation. 1****RCTD-USE - General Conditions (cont.)**

- All corner cutbacks shall be applied per Standard 805, Ordinance 461, except for corners at Entry streets intersecting with General Plan roads, they shall be applied per Exhibit 'C' of the Countywide Design Guidelines.
- All centerline intersections shall be at 90 degrees, plus or minus 5 degrees.
- At intersections, local streets (below County Collector Road Standard) shall have a minimum 50' tangent, measured from flowline/curb-face to the end of the 50' tangent section.
- Vacating/abandoning excess public rights-of-way requires a separate request from the Project that is approved by the Board of Supervisors. If said excess public rights-of-way is also County owned land, it may be necessary to enter into an agreement with the County for its purchase or exchange.
- The off-site rights-of-way for access road(s) required by the project shall be accepted to vest title in the name of the public if not already accepted.
- If any portion of the project is phased, the Project shall provide primary and secondary off-site access roads for each phase with routes to County maintained roads as approved by the Transportation Department.
- If there are previously dedicated public roads and utility easements that were not accepted by the County, the Project shall file a separate application to the County of Riverside, Office of the County Surveyor, for the acceptance of the existing dedications by resolution and bear all costs thereof.
- 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.
- Improvement plans for the required improvements must be prepared and shall be based upon a design profile extending a minimum of 300 feet beyond the limit of construction at a grade and alignment as approved by the Riverside County Transportation Department. Completion of road improvements does not imply acceptance for maintenance by County. Street Improvement Plans shall comply with Ordinance 460, 461, Riverside County Improvement Plan Check Policies and Guidelines, which can be found online <http://rctlma.org/trans>.

Waste Resources**Waste Resources. 1****Decommissioning and Closure Plan**

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., solar panels, cardboard, concrete, asphalt, wood, 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.

ADVISORY NOTIFICATION DOCUMENT**Waste Resources****Waste Resources. 1****Decommissioning and Closure Plan (cont.)**

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.

Plan: CUP220003

Parcel: 651130062

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.

E Health

060 - E Health. 1

Destroy Wells

Not Satisfied

Phase I Environmental Site Assessment, Salvador Solar Array and Energy Storage, Parcel 1, APN's 651-130-062, -063, -064, -065 And 651-140-039, -40, -42 And -042 and Parcel 2, APN's 651-140- 017, -018, -019, -020, -021, -022, -023, -024 And -025 South of Ramon Road and East of Monterey Avenue Thousand Palms Area of Riverside County, California 92276 by Petra Geosciences, Inc., dated March 28, 2022 identifies the following in their report: " No signs of water wells were observed within the subject property during our recent site walk, except for two rusted metal risers located at the southeastern end of the crushed asphalt-paved road bisecting Parcel 1. The risers are within an area delineated by four corner metal posts. Metal caps have been welded to the small diameter and large diameter riser tops. No markings are visible. No other piping or equipment was observed. If these risers cannot be properly identified and may be a well, its destruction must be conducted under permit with the Department of Environmental Health. Call 951-955-8980 for additional questions.

Fire

060 - Fire. 1

Prior to grading permit

Not Satisfied

1. A fire access site plan shall be reviewed and approved by the Office of the Fire Marshal. The access road shall be designed, constructed, and maintained to support the imposed load of fire apparatus weighing at least 75,000 pounds and constructed to Riverside County Transportation Standards. A registered engineer shall certify the design and construction of the access road based on the fire apparatus-imposed load of 75,000 pounds. The onsite access road shall be not less than 20 feet in width and shall have an unobstructed vertical clearance of not less than 13 feet 6 inches. The grade of the access road shall not exceed 15%.

Plan: CUP220003

Parcel: 651130062

60. Prior To Grading Permit Issuance

Fire

Planning

060 - Planning. 1 CVWD Flood Management Review (Ord. 458) Not Satisfied

Prior to grading permit issuance, the developer of the solar facility shall submit flood management plans for review to CVWD per their letter provided on March 1, 2022, for CUP220003 (as part of the Staff Report Package for approval). The developer or their successor shall provide a letter from CVWD that the flood management review has been satisfied and completed to the Planning Department.

060 - Planning. 2 Development Agreement Not Satisfied

In order to secure public health, safety, and welfare, this project shall be subject to the requirements of Board of Supervisors Policy Number B-29 (Solar Power Plant Policy). The applicant has proposed entering into a Development Agreement (DA No. 2200003) with the County. Board of Supervisors Policy No. B-29 states, "No approval required by Ordinance Nos. 348 or 460 shall be given for a solar power plant unless the Board first approves a development agreement with the solar power plant owner and the development agreement is effective." County staff has reached an agreement with the applicant on the provisions of the development agreement that are consistent with Board of Supervisor Policy No. B-29. In the event it is determined that any provisions of DA No. 2200003 are inconsistent with Board of Supervisors Policy No. B-29, the provisions of DA No. 2200003 shall control.

060 - Planning. 3 Mitigation Measure - AQ-1 Not Satisfied

Fugitive Dust Control Plan. The Project owner shall prepare and implement a Fugitive Dust Control Plan to address fugitive dust emissions during Project construction, operation, maintenance, and decommissioning. The plan would include measures to minimize fugitive dust emissions from development of laydown and staging areas, site grading, vegetation management, and installing all Project facilities through post-construction cleanup. The Project owner would take every reasonable precaution to prevent all airborne fugitive dust plumes from leaving the Project site and to prevent visible particulate matter from being deposited upon public roadways. The plan would be subject to review and approval by the SCAQMD (Rule 403). Said plan needs to reduce the exposure of the of the public and workers from Valley Fever spores during ground disturbing activities. (MM AQ-1)

060 - Planning. 4 Mitigation Measure - BIO-1 Not Satisfied

Prior to grading permit issuance, payment of the Coachella Valley Multi-Species Habitat Conservation Plan (CVMSHCP) shall be made. The CVMSHCP shall be paid on the total gross acres of the project site which consists of 165 gross acres. (MM BIO-1)

Planning-CUL

060 - Planning-CUL. 1 Controlled grading / artifact collection Not Satisfied

Cultural site(s) P-33-024131 will be impacted during construction activities. A plan will be developed and included in the CRMP by the Project Archaeologist that addresses artifact collection and a controlled grading plan that shall require the systematic removal of the ground surface to allow for the identification, documentation and recovery of any subsurface cultural deposits. Results of the controlled grading program shall be included in the Phase IV monitoring report.

Plan: CUP220003

Parcel: 651130062

60. Prior To Grading Permit Issuance

Planning-CUL

060 - Planning-CUL. 2 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 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 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

Plan: CUP220003

Parcel: 651130062

60. Prior To Grading Permit Issuance

Planning-CUL

060 - Planning-CUL. 3 ECS Sheet - reburial area Not Satisfied

Prior project approval the developer/ applicant shall provide evidence to the Riverside County Planning Department that an Environmental Constraints Sheet has been included in the Grading Plans. This sheet shall indicate the presence of environmentally constrained area(s) and the requirements for avoidance of archaeological sites 33-000785, 33-024129, 33-024130. The exhibit shall also indicate an area that will be protected and not disturbed in the future to be used for reburial of any artifacts that will be impacted and/or discovered during grading. This is confidential and the exact nature of this area will not be called out on the grading plans.

060 - Planning-CUL. 4 MM CUL-1 Not Satisfied

Prior to the issuance of grading permits, the developer/permit holder shall retain and enter into a monitoring and mitigation service contract with a qualified Archaeologist for services. The Project Archaeologist (Cultural Resource Professional) shall develop a monitoring plan for the long-term care and maintenance of the cultural features preserved at the Project site. The monitoring plan must be approved by the County Archaeologist prior to issuance of grading permits. The preferred method of treating prehistoric resources is to preserve them in place and as such, if resources are encountered, they will be treated according to the approved monitoring plan

060 - Planning-CUL. 5 MM CUL-2 Not Satisfied

:Site(s) P-33-00785, P-33-024129, and P-33-024130, shall be avoided and preserved by Project design. Prior to any earthmoving activities within 100' of this resource, the Project Archaeologist, Project Supervisor and Tribal Monitor shall fence off P-33- 00785, P-33-024129, P-33-024130, with sufficient buffer area to protect these sites from grading impacts. The construction fencing shall be checked on a weekly basis throughout the grading process to ensure that the sites are appropriately protected. The construction fencing shall be removed once all earthmoving is complete for this area.

060 - Planning-CUL. 6 MM CUL-3 Not Satisfied

Prior to the issuance of grading permits, the developer/permit holder shall retain and enter into a monitoring and mitigation service contract with a qualified Archaeologist for services. The Project Archaeologist (Cultural Resource Professional) shall develop a Cultural Resources Monitoring Plan which must be approved by the County Archaeologist prior to issuance of grading permits. The monitoring plan shall include a controlled grading plan for the areas surrounding sites P-33-00785, P-33-024129 and P-33-024130. The project design provides that these sites will be preserved undisturbed in place with adequate buffering and protective fencing. The monitoring plan shall also include details for a surface collection of all surface artifacts located within the boundaries of sites that will be impacted by this project. All artifacts will be catalogued and analyzed prior to final disposition. The Project Archaeologist shall be included in the pre-grade meetings to provide Construction Worker Cultural Resources Sensitivity Training including the establishment of set guidelines for ground disturbance in sensitive areas with the grading contractors and Native American Monitors. A sign-in sheet for attendees of this training shall be included in the Phase IV Monitoring Report. The Project Archaeologist shall manage and oversee monitoring for all initial ground disturbing activities and excavation of each portion of the project site including

Plan: CUP220003

Parcel: 651130062

60. Prior To Grading Permit Issuance

Planning-CUL

060 - Planning-CUL. 6 MM CUL-3 (cont.) Not Satisfied

clearing, grubbing, tree removals, grading, trenching, stockpiling of materials, rock crushing, structure demolition and etc. The Project Monitor shall have the authority to temporarily divert, redirect or halt the ground disturbance activities to allow identification, evaluation, and potential recovery of cultural resources in coordination with the special interest monitors. The developer/permit holder shall submit a fully executed copy of the contract and a wetsigned copy of the Monitoring Plan to the Riverside County Planning Department to ensure compliance with this condition of approval.

060 - Planning-CUL. 7 MM CUL-4 Not Satisfied

The landowner(s) shall relinquish ownership of all cultural resources, {with the exception of sacred items, burial goods, and Human Remains) including all archaeological artifacts and non-human remains as part of the required mitigation for impacts to cultural resources. This shall include any and all artifacts collected during any previous archaeological investigations. The applicant shall relinquish the artifacts through one or more of the following methods and provide the Riverside County Archaeologist with evidence of same. a. A fully executed reburial agreement with the appropriate culturally affiliated Native American tribe or band. This shall include measures and provisions to protect the future reburial area from any future impacts. Reburial shall not occur until all cataloguing, analysis and special studies have been completed on the cultural resources and approved by the Riverside County Archaeologist. Page 37 of 77 CEQ / EA No. CEQ220011 b. A curation agreement with an appropriate qualified repository within Riverside County that meets federal standards pursuant to 36 CFR Part 79 and therefore would be professionally curated and made available to other archaeologists/researchers for further study. The collections and associated records shall be transferred, including title, to an appropriate curation facility within Riverside County, to be accompanied by payment of the fees necessary for permanent curation. c. If more than one Native American Group is involved with the project and cannot come to an agreement between themselves as to the disposition of cultural resources, the landowner(s) shall contact the Riverside County Archaeologist regarding this matter and then proceed with the cultural resources being curated at the Western Science Center. Note: Should reburial of collected cultural resources be preferred, it shall not occur until after the Phase IV monitoring report has been submitted to and approved by the Riverside County Archaeologist. The developer/permit applicant is responsible for all costs associated with reburial and all costs associated with curation should that disposition method be employed. All methods of disposition shall be described in the Phase IV monitoring report.

060 - Planning-CUL. 8 MM CUL-5 Not Satisfied

Prior to the issuance of grading permits, the developer/permit applicant shall enter into an agreement with the Agua Caliente Band of Cahuilla Indians for a Native American Monitor. 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,

Plan: CUP220003

Parcel: 651130062

60. Prior To Grading Permit Issuance

Planning-CUL

060 - Planning-CUL. 8 MM CUL-5 (cont.) Not Satisfied

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 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. 9 Native American Monitor Not Satisfied

Prior to the issuance of grading permits, the developer/permit applicant shall enter into an agreement with the Agua Caliente Band of Cahuilla Indians for a Native American Monitor. 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 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. 10 Temporary fencing Not Satisfied

Temporary fencing shall be required for the protection of cultural site(s) 33-000785, 33-024129, 33-024130 during 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 Native American Monitor. The fencing can be removed only after grading operations have been completed.

Planning-EPD

060 - Planning-EPD. 1 Burrowing Owl Preconstruction Survey - EPD Not Satisfied

Within 30 days prior to the issuance of a grading permit, including permits for clearing and grubbing, a pre-construction presence/absence survey for the burrowing owl shall be conducted by a qualified biologist and the results provided in writing to the Environmental Programs Department. The pre-construction survey shall cover the project site and any offsite improvements. If it is determined that the project site is occupied by the Burrowing Owl, take of "active" nests shall be avoided pursuant to the MSHCP and the Migratory Bird Treaty Act. However, when the Burrowing Owl is present, relocation outside of the nesting season (February 1 through August 31) by a qualified biologist shall be required. The County Biologist shall be consulted to determine appropriate type of relocation (active or passive) and translocation sites. A grading permit may be issued once the species has been relocated. 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 for instructions.

Plan: CUP220003

Parcel: 651130062

60. Prior To Grading Permit Issuance

Planning-EPD

060 - Planning-EPD. 1 Burrowing Owl Preconstruction Survey - EPD (cont.) Not Satisfied
Biological reports not uploaded to the FTP site may result in delayed review and approval.

060 - Planning-EPD. 2 Desert Tortoise Preconstruction Survey - EPD Not Satisfied

Pursuant to Section 4.4 of the CVMSHCP prior to issuance of a grading permit an Acceptable Biologist will conduct a presence/absence survey of the Development area and adjacent areas within 200 feet of the Development area, or to the property boundary if less than 200 feet and permission from the adjacent landowner cannot be obtained, for fresh sign of desert tortoise, including live tortoises, tortoise remains, burrows, tracks, scat, or eggshells. The presence/absence survey must be conducted during the window between February 15 and October 31. Presence/absence surveys require 100% coverage of the survey area. If no sign is found, a clearance survey is not required. A presence/absence survey is valid for 90 days or indefinitely if tortoise-proof fencing is installed around the Development site. If desert tortoise is identified on the project site during the pre-construction survey, and direct impacts to the species are unavoidable, the project shall consult with the County and the wildlife agencies, before proceeding to follow the USFWS guidelines for avoidance, exclusion, and/or passive relocation. The Biologist will submit a report covering the results of the presence/absence survey to the Environmental Programs Division of the Riverside County Planning Department. 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. Biological reports not uploaded to the FTP site may result in delayed review and approval.

060 - Planning-EPD. 3 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 grading, including grubbing and clearing, the project's consulting biologist shall prepare and submit a report, documenting the results of the survey, to EPD for review. The preconstruction survey shall cover the project site and any offsite improvements. In some cases EPD may also require a Monitoring and Avoidance Plan prior to the issuance of a rough grading permit. Additionally, if nests are found during surveys, they will be flagged and a 2,500-foot buffer to a 500-foot buffer (for raptors) shall be fenced around the nests. The buffer area shall be kept in place until the young have fledged and leave the nest.

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

Plan: CUP220003

Parcel: 651130062

60. Prior To Grading Permit Issuance

Planning-EPD

060 - Planning-EPD. 3 MBTA Nesting Bird Survey - EPD (cont.)
Poonamallee at mpoonama@rivco.org for instructions.

Not Satisfied

Biological reports not uploaded to the FTP site may result in delayed review and approval.

Planning-PAL

060 - Planning-PAL. 1 Mitigation Measure - PAL-1 thru 3

Not Satisfied

MM PAL-1 Prior to the start of the proposed project activities, all field personnel will receive a worker's environmental awareness training on paleontological resources. The training will provide a description of the laws and ordinances protecting fossil resources, the types of fossil resources that may be encountered in the project area, the role of the paleontological monitor, outline steps to follow in the event that a fossil discovery is made, and provide contact information for the project paleontologist. The training will be developed by the project paleontologist and can be delivered concurrent with other training including cultural, biological, safety, etc.

MM PAL-2 Prior to the commencement of ground-disturbing activities, a professional paleontologist will be retained to prepare and implement a PRMMP for the proposed project. The PRMMP will describe the monitoring required during excavations that extend into older Quaternary (Pleistocene) age sediments, and the location of areas deemed to have a high paleontological resource potential. Part-time monitoring, or spot checking, may be required during shallow ground-disturbances (< 10 feet below ground surface) to confirm that sensitive geologic units are not being impacted. Monitoring will entail the visual inspection of excavated or graded areas and trench sidewalls.

MM PAL-3 In the event that a paleontological resource is discovered, the monitor will have the authority to temporarily divert the construction equipment around the find until it is assessed for scientific significance and, if appropriate, collected. If the resource is determined to be of scientific significance, the project paleontologist shall complete the following:

1. **Salvage of Fossils.** If fossils are discovered, all work in the immediate vicinity should be halted to allow the paleontological monitor, and/or project paleontologist to evaluate the discovery and determine if the fossil may be considered significant. If the fossils are determined to be potentially significant, the project paleontologist (or paleontological monitor) should recover them following standard field procedures for collecting paleontological as outlined in the PRMMP prepared for the project. Typically, fossils can be safely salvaged quickly by a single paleontologist and not disrupt construction activity. In some cases, larger fossils (such as complete skeletons or large mammal fossils) require more extensive excavation and longer salvage periods. In this case the paleontologist should have the authority to temporarily direct, divert or halt construction activity to ensure that the fossil(s) can be removed in a safe and timely manner.

2. **Fossil Preparation and Curation.** The PRMMP will identify the museum that has agreed to accept fossils that may be discovered during project-related excavations. Upon completion of fieldwork, all significant fossils collected will be prepared in a properly equipped laboratory to a point ready for curation. Preparation may include the removal of excess matrix from fossil materials and stabilizing or repairing specimens. During preparation and inventory, the fossils specimens will be identified to the lowest taxonomic level practical prior to curation at an accredited museum. The fossil specimens must be delivered to the accredited museum or repository no later than 90 days after all fieldwork is completed. The cost of curation will be assessed by the repository and will be the responsibility of the client.

Plan: CUP220003

Parcel: 651130062

60. Prior To Grading Permit Issuance

Transportation

060 - Transportation. 1 RCTD-USE - Sight Distance Not Satisfied

Adequate sight distance shall be provided in accordance with Std. No. 821, Ord. No. 461 or as approved by the Director of Transportation.

060 - Transportation. 2 RCTD-USE - Submit Grading Plans Not Satisfied

The project proponent shall submit two sets of grading plans (24" x 36") to the Transportation Department for review and approval. If road right-of-way improvements are required, the project proponent shall submit street improvement plans for review and approval, open an IP account, and pay for all associated fees in order to clear this condition. The Standard plan check turnaround time is 10 working days. Approval is required prior to issuance of a grading permit.

70. Prior To Grading Final Inspection

Planning-CUL

070 - Planning-CUL. 1 Artifact Disposition Not Satisfied

In the event cultural resources are identified during ground disturbing activities, the landowner(s) shall relinquish ownership of all cultural resources and provide evidence to the satisfaction of the County Archaeologist that all 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), have been handled through the following methods. Any artifacts identified and collected during construction grading activities are not to leave the project area and shall remain onsite in a secure location until final disposition.

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), have been 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. Evidence shall be in the form of a letter from the curation facility identifying that archaeological materials have been received and that all fees have been paid.

Prehistoric and/or Tribal Cultural Resources One of the following treatments shall be applied. 1.

Preservation-in-place, if feasible is the preferred option. Preservation in place means avoiding the resources, leaving them in the place where they were found with no development affecting the integrity of the resources. 2. Reburial of the resources on the Project property. The measures for reburial shall be culturally appropriate as determined through consultation with the consulting Tribe(s) and include, at least, the following: Measures to protect the reburial area from any future impacts in perpetuity. Reburial shall not occur until all required cataloguing (including a complete photographic record) and analysis have been completed on the cultural resources, with the exception that sacred and ceremonial items, burial goods, and Native American human remains are excluded. No cataloguing, analysis, or other studies may occur on human remains grave goods, and sacred and ceremonial items. Any reburial processes shall be culturally appropriate and approved by the consulting tribe(s). Listing of contents

Plan: CUP220003

Parcel: 651130062

70. Prior To Grading Final Inspection

Planning-CUL

070 - Planning-CUL. 1 Artifact Disposition (cont.) Not Satisfied

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.

Human Remains Pursuant to State Health and Safety Code Section 7050.5, if human remains are encountered, no further disturbance shall occur until the County Coroner has made the necessary findings as to origin. Further, pursuant to Public Resources Code Section 5097.98 (b), remains shall be left in place and free from disturbance until a final decision as to the treatment and their disposition has been made. If the Riverside County Coroner determines the remains to be Native American, the Native American Heritage Commission shall be contacted by the Coroner within the period specified by law (24 hours). Subsequently, the Native American Heritage Commission shall identify the "Most Likely Descendant". The Most Likely Descendant shall then make recommendations and engage in consultation with the property owner concerning the treatment of the remains and any associated items as provided in Public Resources Code Section 5097.98.

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-PAL

070 - Planning-PAL. 1 Mitigation Measure - PAL-4 Not Satisfied

MM PAL-4 Upon completion of ground disturbing activity (and curation of fossils if necessary) the project paleontologist shall prepare a final mitigation and monitoring report outlining the results of the mitigation and monitoring program. The report shall include discussion of the location, duration and methods of the monitoring, stratigraphic sections, any recovered fossils, and the scientific significance of those fossils, and where fossils were curated.

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

Plan: CUP220003

Parcel: 651130062

80. Prior To Building Permit Issuance

BS-Grade

080 - BS-Grade. 2 ROUGH GRADE APPROVAL (cont.) Not Satisfied

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.

080 - E Health. 2 Water Will Serve Not Satisfied

A "Will-Serve" letter is required from the appropriate water agency.

Planning

080 - Planning. 1 Conform to Project Site Plans & Elevations Not Satisfied

Prior to issuance of the any building permit, Planning shall review the building plans to confirm that the solar facility matches the approved entitlement (i.e., design layout, landscaping, elevations, landscaping, fencing, etc.).

080 - Planning. 2 Development Agreement Not Satisfied

In order to secure public health, safety, and welfare, this project shall be subject to the requirements of Board of Supervisors Policy Number B-29 (Solar Power Plant Policy). The applicant has proposed entering into a Development Agreement (DA No. 2200003) with the County. Board of Supervisors Policy No. B-29 states, "No approval required by Ordinance Nos. 348 or 460 shall be given for a solar power plant unless the Board first approves a development agreement with the solar power plant owner and the development agreement is effective." County staff has reached an agreement with the applicant on the provisions of the development agreement that are consistent with Board of Supervisor Policy No. B-29. In the event it is determined that any provisions of DA No. 2200003 are inconsistent with Board of Supervisors Policy No. B-29, the provisions of DA No. 2200003 shall control.

080 - Planning. 3 Mitigation Measure - AES-1 Not Satisfied

Prior to issuance of any building permits, Landscaping plans shall be approved by the Landscaping Division of the Transportation Department. Said plans will need to meet the provided landscaping and

Plan: CUP220003

Parcel: 651130062

80. Prior To Building Permit Issuance

Planning

080 - Planning. 3 Mitigation Measure - AES-1 (cont.) Not Satisfied

growth approved under the entitlement project. As per the MND, Southern and Western perimeter of the project site must be shielded by landscaping screening to shield the solar facility from the nearby residential community. (MM-AES-1)

Survey

080 - Survey. 1 RCTD-USE - Dedication Not Satisfied

Cook Street between Calle Desierto and Calle Tosca and between Vista Del Norte to the easterly project boundary: Sufficient public street right-of-way along Cook Street shall be conveyed for public use to provide for a 44-foot half-width dedicated right-of-way per modified Standard No. 94, Ordinance 461.

Cook Street between Ramon Road and Calle Francisco and within the interior limits of the project: Sufficient public street right-of-way along Cook Street shall be conveyed for public use to provide for a 88-foot full-width dedicated right-of-way per modified Standard No. 94, Ordinance 461.

080 - Survey. 2 RCTD-USE - Survey Monuments Not Satisfied

Prior to construction, the project shall comply with the following requirements, as approved by the Transportation Department, to clear this condition:

- Prior to construction, if survey monuments including centerline monuments, tie points, property corners and benchmarks found it shall be located and tied out and corner records filed with the County Surveyor pursuant to Section 8771 of the Business & Professions Code. Survey points destroyed during construction shall be reset, and a second corner record filed for those points prior to completion and acceptance of the improvements.

Transportation

080 - Transportation. 1 RCTD-USE - Street Improvement Plans Not Satisfied

The Project shall obtain approval of street improvement plans from the Transportation Department. Street Improvement Plans shall comply with Ordinance 460, 461, Riverside County Improvement Plan Check Policies and Guidelines, which can be found online <http://rctlma.org/trans>.

080 - Transportation. 2 RCTD-USE - Utility Plan Not Satisfied

Proposed electrical power lines below 33.6 KV within public right of way for this project site shall be designed to be placed underground in accordance with Ordinance 460 and 461, or as approved by the Transportation Department. The applicant is responsible for coordinating the work with the serving utility company. A disposition note describing the above shall be reflected on the site plan. A written proof for initiating the design and/or application of the relocation issued by the utility company shall be submitted to the Transportation Department for verification purposes.

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

Plan: CUP220003

Parcel: 651130062

80. Prior To Building Permit Issuance

Waste Resources

080 - Waste Resources. 1 Gen - Waste Recycling Plan (cont.)

Not Satisfied

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

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 Grading Report from the Soils Engineer (registered geologist or certified geologist, civil engineer or geotechnical engineer as appropriate) for the sub-grade and base of all paved areas. 3. Submitting a "Wet Signed" copy of the Sub-grade (rough) Certification from a Registered Civil Engineer certifying that the sub-grade was completed in conformance with the approved grading plan. 4.

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.

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 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.

090 - E Health. 3

Hazmat Waste

Not Satisfied

The facility requires a hazardous waste permit if a hazardous waste is generated as defined in Title 22 of the California Code of Regulations, Section 66260.10 and 66261.3. The hazardous waste report and fee is due at occupancy. If further review of the site indicates additional environmental health issues, the Division reserves the right to regulate the business in accordance with applicable County Ordinances. Contact (951) 358-5055 for more information.

Plan: CUP220003

Parcel: 651130062

90. Prior to Building Final Inspection

Planning

090 - Planning. 1

Environmental Justice Community Benefit Fee

Not Satisfied

Prior to final inspection of any building permit, the applicant, permittee, or successor-in-interest shall pay a Community Benefit Fee associated with Environmental Justice determination for the project site (a solar facility). The Environmental Justice Community Benefit Fee would address the potential loss of Affordable residential housing associated with the developed area for the solar facility. Based on the current zoning of the property, it has been determined that a potential loss of 80 Affordable dwelling units could occur and that a Community Benefit would be paid at a rate of two-thousand five hundred dollars (\$2,500.00) per dwelling unit ($80 \text{ du} \times \$2,500.00 = \$200,000.00$). Additionally, associated with the dwelling units, a potential for the loss of Regional Parks funding is an Environmental Justice concern. Therefore, the applicant, permittee, or successor-in-interest shall pay a Regional Parks Fee for the potential 80 Affordable dwelling units lost. Based on the subject Area Plan DIF for residential, three hundred dollars (\$300.00) per dwelling unit ($80 \text{ du} \times \$300.00 = \$24,000.00$) shall be paid prior to final inspection of any building permit. Based on these fee determinations, the applicant, permittee, or successor-in-interest is required to pay a total Environmental Justice Community Benefit fee totaling two hundred twenty-four thousand (\$224,000.00). Said fee shall be paid to the County of Riverside to be used for local community benefit.

090 - Planning. 2

Lighting

Not Satisfied

All streetlights and other outdoor lighting shall be shown on electrical plans submitted to the Department of Building and Safety for plan check approval and shall comply with the requirements of Riverside County Ordinances and the Riverside County Comprehensive General Plan.

090 - Planning. 3

Ord. No. 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 Conditional Use Permit No. 220003 has been calculated to be at a total of 151.6 net acres.

Plan: CUP220003

Parcel: 651130062

90. Prior to Building Final Inspection

Planning

090 - Planning. 4

Ord. No. 875 CVMSHCP

Not Satisfied

Prior to the issuance of a certificate of occupancy, or upon building permit final inspection prior to use or occupancy for cases without final inspection or certificate of occupancy (such as an SMP), whichever comes first, the applicant 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 Conditional Use Permit No. 220003 is calculated to be a total of 151.6 net acres.

090 - Planning. 5

Perimeter Fencing and Landscaping

Not Satisfied

Perimeter fencing and landscaping locations shall be in conformance with APPROVED EXHIBIT(s).

090 - Planning. 6

Site Inspection

Not Satisfied

Prior to final inspection, the Planning Department shall conduct a final site inspection to confirm the solar facility was constructed per the approved entitlement (i.e., landscaping, parking, design layout, etc.).

Transportation

090 - Transportation. 1

RCTD-USE - Fee Payment

Not Satisfied

Prior to the time of issuance of a Certificate of Occupancy or upon final inspection, whichever occurs first, the Project shall pay fees in accordance with the fee schedule in effect at the time of payment:

- All Transportation Uniform Mitigation Fees (TUMF) in accordance with Ordinance 673. (east)

090 - Transportation. 2

RCTD-USE - Road Improvements and Dedication

Not Satisfied

The Project shall provide the following improvements:

- Cook Street between Calle Desierto and Calle Tosca and between Vista Del Norte to the easterly project boundary is designated as a SECONDARY HIGHWAY and shall be improved with 30' Class II Base on 44' of half-width dedicated right-of-way.
- Cook Street between Ramon Road and Calle Francisco and within the interior limits of the project is designated as a SECONDARY HIGHWAY and shall be improved with 30' Class II Base on 88' of full-width dedicated right-of-way.

NOTES:

1. Driveways shall be constructed per Riverside County Standard No. 207A, Ordinance No. 461.
2. Proposed perimeter fence to be located outside the existing and/or ultimate right-of-way.
3. Proposed gates to be located 330' from public road intersections or a minimum of 100' if infeasible.
4. The plan and profile shall utilize the design criteria for a Secondary Highway per Std. Nos. 94 and

Plan: CUP220003

Parcel: 651130062

90. Prior to Building Final Inspection

Transportation

090 - Transportation. 2 RCTD-USE - Road Improvements and Dedication (cont.) Not Satisfied
114, Ord. No. 461.

The Project shall provide/acquire sufficient dedicated public right-of-way, environmental clearances, and signed approval of all street improvement plans for the above improvements. The limits of the improvements shall be consistent with the approved tentative map unless otherwise specified in these conditions. Should the applicant fail to acquire the necessary off-site right of way, the map will be returned for redesign.

090 - Transportation. 3 RCTD-USE - Utility Install Not Satisfied

Electrical power, telephone, communication, street lighting, and cable television lines shall be installed underground in accordance with Ordinance 460 and 461, or as approved by the Transportation Department. This also applies to all overhead lines below 34 kilovolts along the project frontage and all offsite overhead lines in each direction of the project site to the nearest offsite pole. A certificate should be obtained from the pertinent utility company and submitted to the Department of Transportation as proof of completion for clearance.

In addition, the Project shall ensure that streetlights are energized and operational along the streets of those lots where the Project is seeking Building Final Inspection (Occupancy).

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 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.



COACHELLA VALLEY WATER DISTRICT

Established in 1918 as a public agency

GENERAL MANAGER
Jim Barrett

ASSISTANT GENERAL MANAGER
Robert Cheng

CLERK OF THE BOARD
Sylvia Bermudez

ASSISTANT GENERAL MANAGER
Dan Charlton

March 1, 2022

Tim Wheeler
Riverside County Planning Department
77588 El Duna Court, Suite H
Palm Desert, CA 92502

Dear Mr. Wheeler:

Subject: Riverside County Planning Department, Change of Zone No. 2200004,
Conditional Use Permit No. 220003 and Development Agreement No. 2200003

This project lies within the area of the Whitewater River Basin Thousand Palms Flood Control Project, which will provide regional flood protection to a portion of the Thousand Palms area. CVWD is currently in the design phase of this project. Upon completion of the design phase, developers and property owners within the area may be required to dedicate right-of-way for regional flood control facilities and/or participate in the financing of a portion of these facilities. Until construction of this project is complete, the developer shall comply with Riverside County Ordinance 458.

Prior to approval of construction, the developer shall comply with Riverside County Ordinance No. 458 as amended in the preparation of on-site flood protection facilities for this project. The developer will be required to pay fees and submit plans to CVWD as part of the flood management review. Flood protection measures shall include detailed hydrologic and hydraulic analysis of off-site flows and plans for flood protection. Flood protection measures may include design and construction of flood conveyance facilities.

Construction of walls may be in violation of Ordinance No. 458. When CVWD reviews a project for compliance with Ordinance No. 458, walls are reviewed carefully and seldom found to be compatible with the goals of Ordinance No. 458. Walls can cause diversion and concentration of storm flows onto adjacent properties and thus be in violation of Ordinance 458 and California drainage law.

Walls must be constructed in a manner that will not increase the risk of off-site stormwater flows on the adjacent properties. This can be accomplished by constructing open sections in the wall to accommodate flow-through. To achieve this, CVWD requires that if walls are constructed in a special flood hazard area, at least 50 percent of the total lineal footage of the wall be constructed of wrought iron fencing or similar material that will provide for flow-through of off-site stormwater flows.

Construction materials used within the open sections must extend the entire vertical wall height so not to obstruct flow at the finish grade/surface.

This area is shown to be subject to shallow flooding and is designated Zone AO, depth 1 and 2 foot on Federal Flood Insurance rate maps, which are in effect at this time.

Flood protection measures for local drainage and valley floor drainage shall comply with California Drainage Law and provide that stormwater flows are received onto and discharged from this property in a manner that is reasonably compatible with predevelopment conditions.

The County of Riverside (County) shall require mitigation measures to be incorporated into the development to prevent flooding of the site or downstream properties. These measures shall require 100 percent on-site retention of the incremental increase of runoff from the 100-year storm.

The project is located within the service area of CVWD for the provision of domestic water and sanitation service. The initiation of said service to this area will be subject to the satisfaction of terms and conditions established by CVWD and imposed from time to time, including but not limited to fees and charges, water conservation measures, etc.

CVWD may need additional facilities to provide for the orderly expansion of its domestic water sanitation systems. These facilities may include pipelines, wells, reservoirs, booster pumping stations, lift stations, treatment plants and other facilities. The developer may be required to construct/install these facilities and then convey said facilities to CVWD along with the land and/or easements on which these facilities will be located. The terms and conditions for the planning, design, construction/installation, and conveyance of property interests shall be determined by CVWD pursuant to its rules and regulations as said requirements may be revised from time to time. These sites shall be shown on the parcel map as lots and/or easements to be deeded to CVWD for "CVWD public services" purposes.

This notice of domestic water and sanitation service availability only applies to the specific property for which it was issued and shall expire three (3) years from date of issuance. Unless or until all requirements for the initiation of service are met, the developer shall not be deemed to have any vested right or other commitment to receive water and/or sanitation service. In the event all of the terms, conditions, fees and charges are not satisfied on or before the expiration date, this notice shall expire. Upon expiration, the developer will be required to submit a new application and otherwise comply with any and all new or amended requirements for the provision of service as may be determined by CVWD pursuant to its rules and regulations.

Tim Wheeler
Riverside County Planning Department
March 1, 2022
Page 3

Domestic water and sanitation service remains at all times subject to changes in regulations adopted by CVWD's Board of Directors including reductions in, or suspensions of, service.

The project lies within the West Whitewater River Subbasin Area of Benefit. Groundwater production within the area of benefit is subject to a replenishment assessment in accordance with the State Water Code.

Any entity producing more than 25 acre-feet of water during any year from one or more wells must equip the well(s) with a water-measuring device. A CVWD Water Production Metering Agreement is required to provide CVWD staff with the authority to regularly read and maintain this water-measuring device.

The Sustainable Groundwater Management Act (SGMA) is a law requiring that groundwater basins are managed to achieve sustainability. In accordance with the SGMA, CVWD submitted the Coachella Valley Water Management Plan as an alternative to a Groundwater Sustainability Plan (Alternative Plan) for the Indio Subbasin. On July 17, 2019, the Department of Water Resources (DWR) sent a notification approving the Alternative Plan. The goal of the Alternative Plan is to reliably meet current and future water demands in a cost-effective and sustainable manner. This development lies within the Indio Subbasin and will contribute to the total water demand in the subbasin. The elements and actions described in the Alternative Plan shall be incorporated into the design, construction, and operation of this development to reduce its negative impact on the Indio Subbasin.

If you have any questions, please call Tommy Fowlkes, Development Services Supervisor, extension 3535.

Sincerely,



Carrie Oliphant
Director of Engineering

cc: Roman Ramirez
Riverside County Department of Transportation
77588 El Duna, Suite H
Palm Desert, CA 92211

Russell Williams
Riverside County Department of Transportation
4080 Lemon Street, 8th Floor
Riverside, CA 92501



Tim Wheeler
Riverside County Planning Department
February 28, 2022
Page 4

Mark Abbott
Supervising Environmental Health Specialist
Riverside County Department of Environmental Health
Environmental Protection and Oversight Division
47-950 Arabia Street, Suite A
Indio, CA 92201

TH:s\Eng\DevSvcs\2022\Feb\DR1. Rivco Change of Zone 2200004

File: 0163.1, 0421.1, 0721.1, 1150.11
Geo. 04-06-21-3
PZ 22-13230

NOBLE SOLAR PROJECT

RIVERSIDE COUNTY, CALIFORNIA

Burrowing Owl Focused Survey Report

Prepared For:

Wintex Energy, LTD

2045 East Tahquitz Canyon Way

Palm Springs, California 92262

Contact: *Fred Noble*

Prepared By:

ELMT Consulting

2201 N. Grand Avenue #10098

Santa Ana, California 2711

Contact: *Travis J. McGill*

714.716.5050

July 2022

NOBLE SOLAR PROJECT

RIVERSIDE COUNTY, CALIFORNIA

Burrowing Owl Focused Survey Report

The undersigned certify that the statements furnished in this report and exhibits present data and information required for this biological evaluation, and the facts, statements, and information presented is a complete and accurate account of the findings and conclusions to the best of our knowledge and beliefs.



Travis J. McGill
Director



Thomas J. McGill, Ph.D.
Managing Director

July 2022

Table of Contents

Section 1	Introduction.....	1
1.1	Project Location.....	1
1.2	Project Description.....	1
Section 2	Species Background.....	5
2.1	Species Background.....	5
2.2	Regulatory Framework	5
2.2.1	CVMSHCP Section 4.4 Required Avoidance, Minimization, and Mitigation Measures – Burrowing Owl	6
Section 3	Methodology	7
Section 4	Results	10
4.1	Existing Conditions.....	10
4.2	Burrowing Owl Focused Survey.....	11
Section 5	Conclusion and Recommendations.....	14
Section 6	References.....	15

EXHIBITS

Exhibit 1:	Regional Vicinity	2
Exhibit 2:	Site Vicinity.....	3
Exhibit 3:	Project Site	4
Exhibit 4:	Survey Area and Suitable Habitat	9
Exhibit 5:	Vegetation	12
Exhibit 6:	CNDDB BUOW Observations.....	13

APPENDIX

Appendix A	Site Photographs
Appendix B	Fauna Compendium

Section 1 Introduction

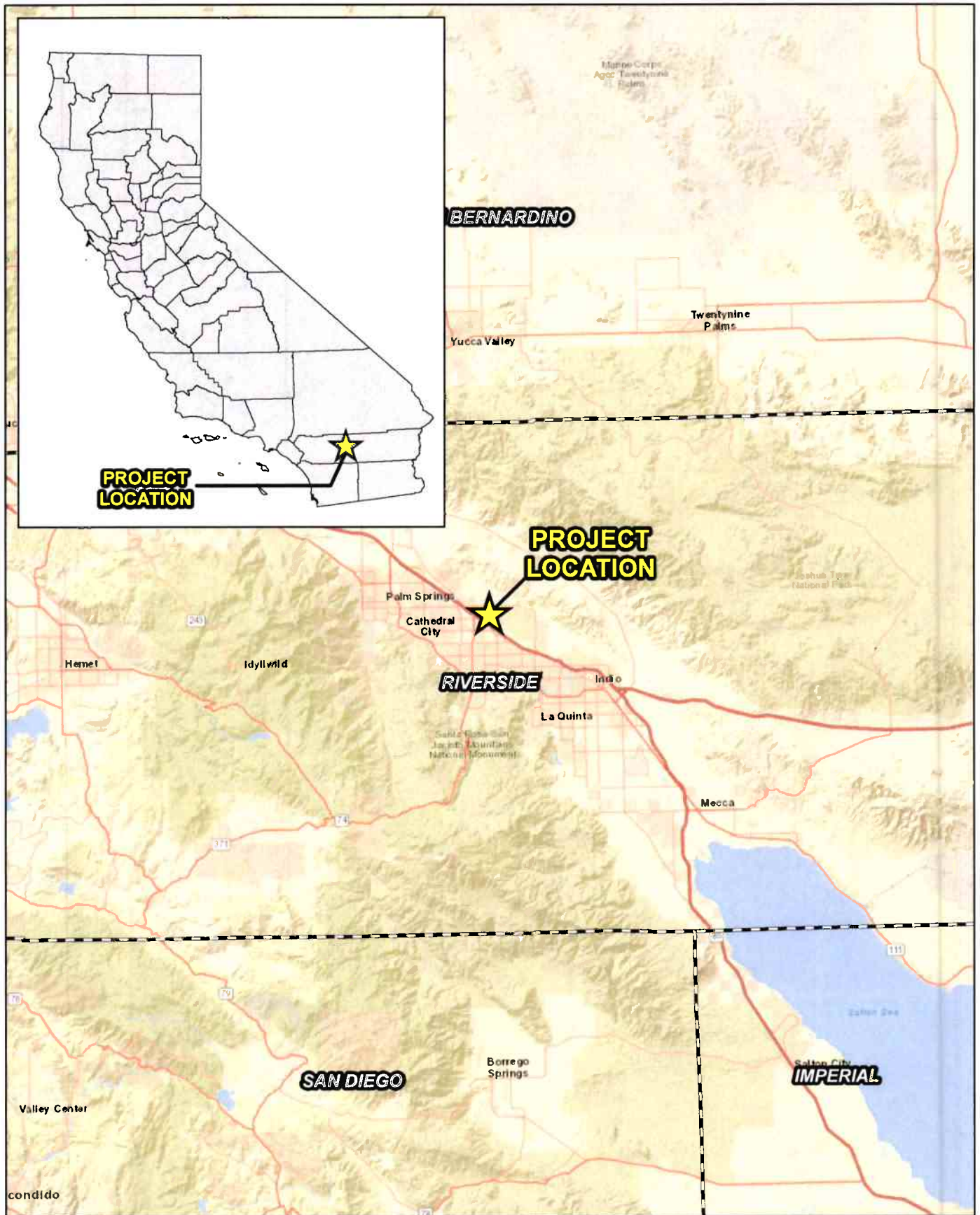
ELMT Consulting (ELMT) conducted a focused burrowing owl (*Athene cunicularia*) survey for the Noble Solar Project (project or project site) located in unincorporated Riverside County, California. Biologists Travis J. McGill, and Jacob H. Lloyd Davies surveyed the project site in accordance with the survey protocols listed in the California Department of Fish and Wildlife (CDFW) 2012 Staff Report on Burrowing Owl Mitigation. ELMT biologists conducted three (3) initial focused burrowing owl surveys on April 1, 4, and 7, 2022, and three follow up surveys were conducted on May 3, May 31, and June 20, 2022. All surveys were completed between 0545 to 1100 hours. The surveys were conducted to document the presence/absence of burrowing owl on the project site.

1.1 PROJECT LOCATION

The project site is generally located north and east of Interstate 10 and south and west of the Little San Bernardino Mountains in unincorporated Riverside County, California (Exhibit 1, *Regional Vicinity*). The site is depicted on the Myoma quadrangle of the United States Geological Survey's (USGS) 7.5-minute topographic map series within Section 21 of Township 4 South, Range 6 East (Exhibit 2, *Site Vicinity*). Specifically, the project site is located south of Ramon Road, east of Monterey Avenue, north of Interstate 10 and encompasses 17 parcels: APN's 651-130-062 through -065, 651-140-039 through -042, and 651-140-017 through -025. Refer to Exhibits 1- 3.

1.2 PROJECT DESCRIPTION

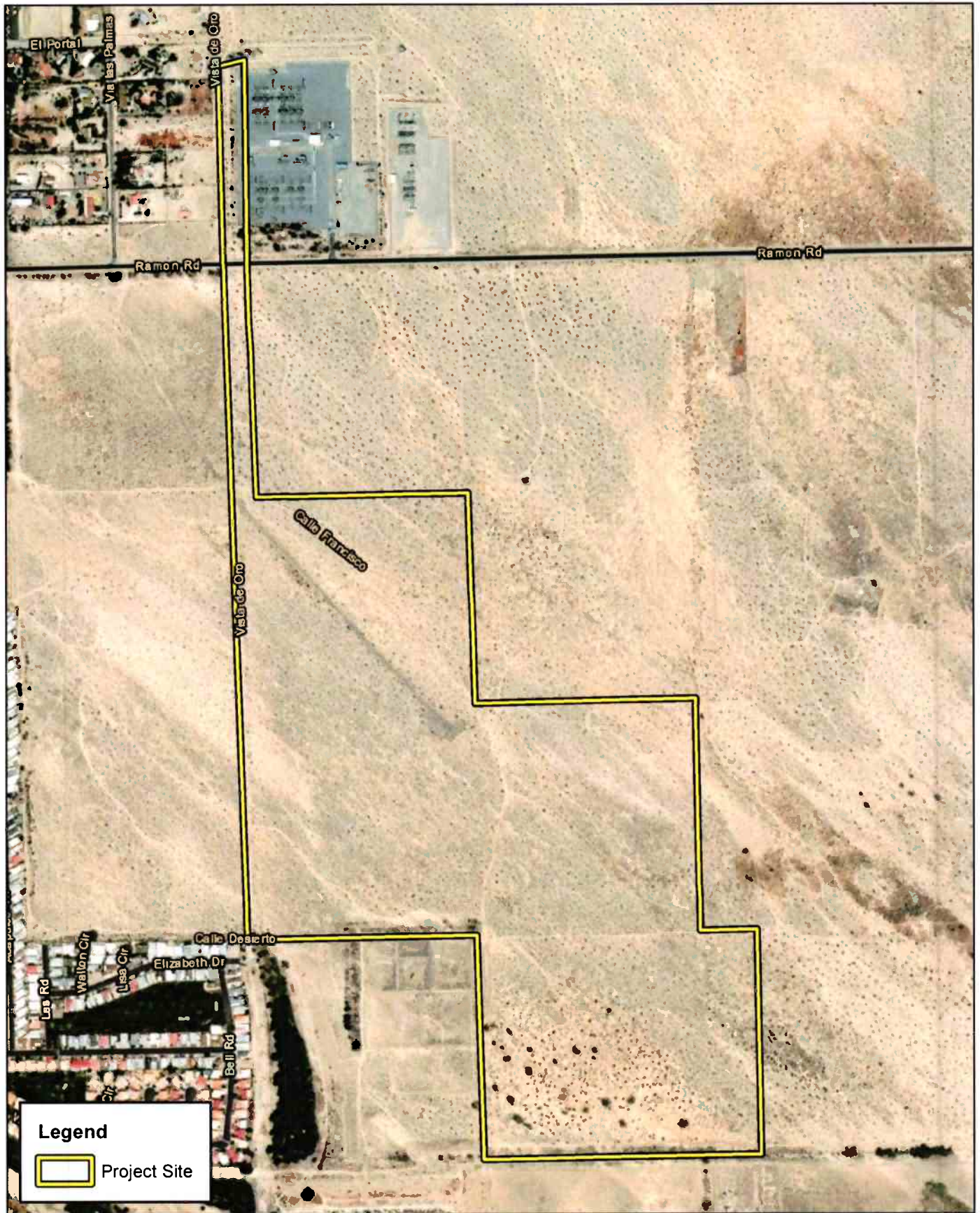
The proposed project involves the construction and operation of a 400 MW battery and 60-150 MW solar facility on 166 acres and includes off-site improvement areas north of Ramon Road and in the southeast corner of the middle of the site.



BURROWING OWL FOCUSED SURVEY
NOBLE SOLAR

Regional Vicinity

Exhibit 1



BURROWING OWL FOCUSED SURVEY
NOBLE SOLAR

Project Site

Exhibit 3

Section 2 Species Background

2.1 SPECIES BACKGROUND

The burrowing owl is a grassland specialist distributed throughout western North America where it occupies open areas with short vegetation and bare ground within shrub, desert, and grassland environments. Burrowing owls use a wide variety of arid and semi-arid environments with well-drained, level to gently-sloping areas characterized by sparse vegetation and bare ground (Haug and Didiuk 1993; Dechant et al. 1999). Burrowing owls are dependent upon the presence of fossorial mammals, such as ground squirrels (*Otospermophilus beecheyi*), whose burrows are used for roosting and nesting (Haug and Didiuk 1993). The presence or absence of colonial mammal burrows is often a major factor that limits the presence or absence of burrowing owls. Where mammal burrows are scarce, burrowing owls have been found occupying man-made cavities, such as buried and non-functioning drain pipes, stand-pipes, and dry culverts. Burrowing mammals may burrow beneath rocks and debris or large, heavy objects such as abandoned cars, concrete blocks, or concrete pads. Large, hard objects at burrow entrances stabilize the entrance from collapse and may inhibit excavation by predators.

Burrowing owls have crepuscular (dawn and dusk) hunting habits but are often observed perched in or near the burrow entrance during the day. They prey upon invertebrates and small vertebrates (Thomsen 1971) through low vegetation which allows for foraging visibility. The nesting season occurs between February 1 and August 31. Burrowing owl in California may migrate southerly, but often remain in the breeding area during the non-breeding period.

The burrowing owl was once abundant and widely distributed within coastal southern California, but it has declined precipitously in counties such as Los Angeles, Orange, San Diego, Riverside, and San Bernardino. A petition was filed to list the California population of the western burrowing owl as an Endangered or Threatened species (Center for Biological Diversity 2003); however, the California Department of Fish and Wildlife (CDFW) declined to list the burrowing owl as either endangered or threatened. The CDFW currently lists the burrowing owl as a California Species of Special Concern.

2.2 REGULATORY FRAMEWORK

The burrowing owl is a resident and migratory bird species protected by international treaty under the Migratory Bird Treaty Act (MBTA) of 1918. The MBTA reflects agreements made between the U.S., England, Mexico, the former Soviet Union, and Japan to protect all of North America's migratory bird populations. The MBTA protects migratory bird nests from possession, sale, purchase, barter, transport, import and export, and collection. The other prohibitions of the MBTA - capture, pursue, hunt, and kill - are inapplicable to nests. The regulatory definition of take, as defined in Title 50 C.F.R. part 10.12, means to pursue, hunt, shoot, wound, kill, trap, capture, or collect, or attempt to hunt, shoot, wound, kill, trap, capture, or collect. Only the verb "collect" applies to nests. It is illegal to collect, possess, and by any means transfer possession of any migratory bird nest. The MBTA prohibits the destruction of a nest when it contains birds or eggs, and no possession shall occur during the destruction (United States Fish and Wildlife Service, Migratory Bird Permit Memorandum, April 15, 2003). Certain exceptions to this prohibition are included in 50 C.F.R. section 21. Pursuant to CDFW Code section 3513, the

Department enforces the MBTA consistent with rules and regulations adopted by the Secretary of the Interior under provisions of the Migratory Treaty Act.

Additionally, burrowing owl is protected under Sections 3503, 3503.3, 3511, and 3513 of the CDFW Code which prohibit the take, possession, or destruction of birds, their nests or eggs. Implementation of the take provisions requires that project-related disturbance at active nesting territories be reduced or eliminated during critical phases of the nesting cycle (March 1 - August 15, annually). CDFW Code Section 3503.5 protects birds in the orders Falconiformes or Strigiformes (Birds of Prey, such as hawks and owls, including burrowing owls) which makes it unlawful to take, possess, or destroy their nest or eggs.

CDFW's 2012 Staff Report on Burrowing Owl Mitigation offers long-term assurances for conservation of this species in exchange for biologically appropriate levels of incidental take and/or habitat loss as defined in the approved plan. California's NCCP Act (FGC §2800 et seq.) governs such plans at the state level, and was designed to conserve species, natural communities, ecosystems, and ecological processes across a jurisdiction or a collection of jurisdictions. Complementary federal HCPs are governed by the Endangered Species Act (7 U.S.C. § 136, 16 U.S.C. § 1531 et seq.) (ESA). Regional conservation plans (and certain other landscape-level conservation and management plans), may provide conservation for unlisted as well as listed species. Because the geographic scope of NCCPs and HCPs may span many hundreds of thousands of acres, these planning tools have the potential to play a significant role in conservation of burrowing owls, and grasslands and other habitats.

Guidelines for the Implementation of the California Environmental Quality Act (CEQA) provide that a species be considered as endangered or "rare" regardless of appearance on a formal list for the purposes of the CEQA (Guidelines, Section 15380, subsections b and d). CEQA requires a mandatory finding of significance if impacts to threatened or endangered species are likely to occur (Sections 21001(c), 21083. Guidelines 15380, 15064, 15065). Avoidance or mitigation must be presented to reduce impacts to less than significant levels.

2.2.1 CVMSHCP Section 4.4 Required Avoidance, Minimization, and Mitigation Measures – Burrowing Owl

Section 4.4 of the Coachella Valley Multiple Species Habitat Conservation Plan (CVMSHCP) states that projects subject to CEQA, will require burrowing owl surveys in the Conservation Areas using an accepted protocol. Prior to project implementation, the project footprint and adjacent areas within 500 feet of the 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.

Section 3 Methodology

General weather conditions during each of the surveys were suitable for detections of burrowing owls. The weather during the surveys consisted of cloudy to clear skies with minimal wind, and temperatures ranging from 65 to 90 degrees Fahrenheit (°F). Surveys are not accepted if they are conducted during rain, high winds (> 20 mph), dense fog, or temperatures over 90°F. The protocol survey for burrowing owl requires a systematic survey of all areas that provide suitable habitat plus a 150-meter (approximately 500 feet) zone of influence (survey area) on all sides of suitable habitat, where applicable (Exhibit 4, *Survey Area and Suitable Habitat*).

Due to surrounding development and fenced-off private property, a zone of influence was not able to be surveyed by foot on portions of the areas to the west and south of the project site. Residential developments occur west and south of the site and do not provide suitable habitat for burrowing owls; therefore, these areas were not surveyed for burrowing owls. The area east of the site is largely undeveloped and surveyed for burrowing owls. The areas north and east of the site were surveyed on foot.

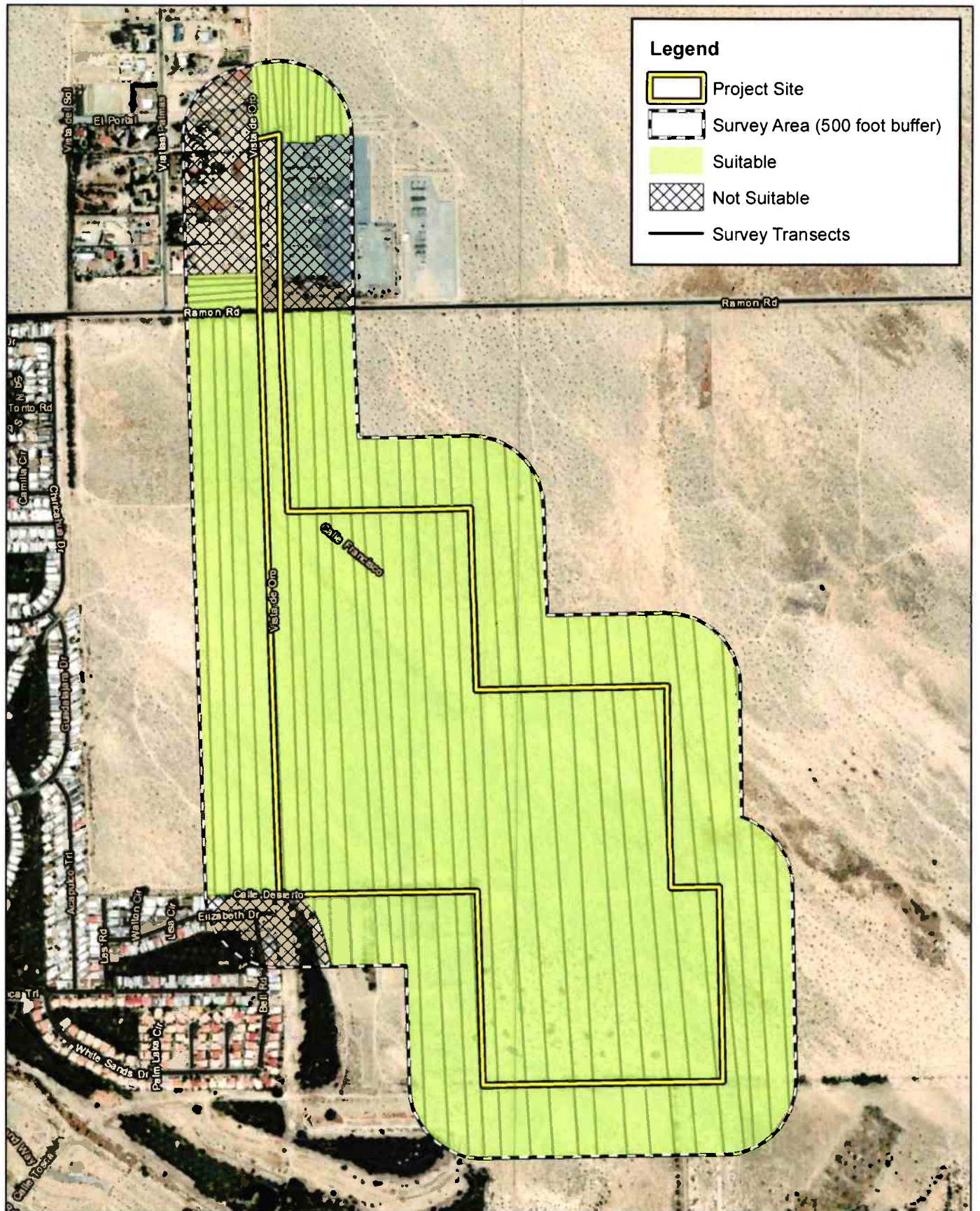
Survey transects on the project site were generally oriented north to south and were conducted at a maximum of 30-meter (approximately 100 feet) intervals to ensure 100% visual coverage of all areas in suitable habitat on the project site and within the survey area. The focused burrowing owl surveys were conducted during the recognized timeframe (the breeding season is typically March through August) in the morning one hour before sunrise to two hours after sunrise.

Suitable burrows/sites, including rock piles and non-natural substrates, were thoroughly examined for signs of presence. All burrows encountered were examined for shape, scat, pellets, white-wash, feathers, tracks, and prey remains. The location of all suitable burrowing owl habitat, potential owl burrows, burrowing owl sign, and any owls observed were recorded and mapped, with a hand-held GPS unit, if observed. Methods to detect presence of burrowing owls included direct observation, aural detection, and signs of presence. Binoculars were used to observe distant birds and their activity around potential nesting habitat. During the focused surveys, the survey area was assessed on foot by qualified biologists Travis J. McGill and Jacob H. Lloyd Davies, who are knowledgeable in the habitats and behavior of burrowing owls.

The focused burrowing owl surveys were conducted on April 1, 4, and 7, 2022, and on May 3, May 31, and June 20, 2022. All surveys were completed between 06545 to 1100 hours. The surveys were conducted to document the presence/absence of burrowing owl on the project site.

Table 1: Survey Data

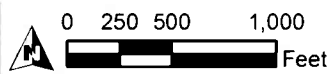
Survey No.	Survey Date	Surveyor	Time	Temperature (°F)	Cloud Cover	Wind Speed (mph)	Burrowing Owl Detected
1	4/1/22	Travis McGill and Jacob Lloyd Davies	0600-1100	71-80	0%	1-3	No
2	4/4/22	Travis McGill and Jacob Lloyd Davies	0600-1100	68-76	0%	1-3	No
3	4/7/22	Travis McGill and Jacob Lloyd Davies	0600-1100	62-78	0%	1-3	No
4	5/3/22	Travis McGill and Jacob Lloyd Davies	0545-1045	63-85	0%	1-5	No
5	5/31/22	Travis McGill and Jacob Lloyd Davies	0545-1045	68-87	0%	1-5	No
6	6/20/22	Travis McGill and Jacob Lloyd Davies	0545-1100	69-90	0%	1-5	No



BURROWING OWL FOCUSED SURVEY
NOBLE SOLAR

Survey Area and Suitable Habitat

Exhibit 4



Source: ESRI Aerial Imagery, Riverside County

Section 4 Results

4.1 EXISTING CONDITIONS

The project site is located at an approximate elevation of 171 to 210 feet above mean sea level and generally slopes from north to south. Onsite topography consists of low undulating terrain with no areas of significant topographic relief. The proposed project site supports mostly undeveloped land that supports similar natural plant communities as those observed in undeveloped areas nearby. Undeveloped land supported onsite exists in varying states of disturbance and vegetative density due to anthropogenic impacts such as regular vehicle and pedestrian access, illicit dumping, and significant off-highway recreational vehicle use, including artificial track installations. The network of trails that permeates the site extends into the surrounding area, especially towards nearby residential developments.

The project site is located north of the City of Palm Desert, east of the City of Cathedral City and the Thousand Palms, west of the City of Indio, and south of the Little San Bernardino Mountains in an area that has gradually undergone a conversion from natural habitats to residential, recreational, industrial, and commercial developments on the north side of Interstate 10. The site is bounded to the north by Ramon Road with residential and undeveloped land north of the road; immediately to the west by undeveloped, vacant land that abuts a residential further to the west; to the south by undeveloped, vacant land and residential and commercial land; and to the east by undeveloped land that supports the Thousand Palms Conservation area.

The project site supports primarily undeveloped, vacant land that is generally consistent with naturally occurring native habitats in the surrounding area. The project site supports two (2) plant communities: creosote bush scrub and tamarisk thickets (refer to Exhibit 5, *Vegetation*). In addition, the site supports two (2) land cover type that would be classified as disturbed. Please refer to Appendix A, *Site Photographs*, for representative photographs of the proposed project. The plant communities and land cover type are described in further detail below.

Creosote Bush Scrub

The creosote bush scrub plant community occurs throughout the project site. This plant community is dominated by creosote (*Larrea tridentata*) and supports a limited variety of woody perennials and an herbaceous understory dominated by Mediterranean grass (*Schismus barbatus*). Common plant species observed during the field investigation include hoary saltbush (*Atriplex canescens*), burro weed (*Ambrosia dumosa*), Sahara mustard (*Brassica tournefortii*), filaree (*Erodium* spp.), Sonoran sandmat (*Euphorbia micromera*), brittlebush (*Encelia farinosa*), Nevada ephedra (*Ephedra nevadensis*), Mediterranean grass (*Schismus barbatus*), and tamarisk (*Tamarix ramosissima*). Species evenness and vegetative density vary throughout the on-site creosote bush scrub due largely to the significant use of the site for off-highway recreational vehicle activities.

Tamarisk Thickets

The southern portion of the project site supports tamarisk thickets, which support the same plant species as the creosote bush scrub plant community but are dominated by tamarisk, often in monospecific grouping. Additional species cover is minimal. Refuse and debris are common around tamarisk thickets, and some were observed to support illicit camp sites.

Disturbed

The project site supports disturbed land in areas that are routinely impacted by regular vehicle access, foot traffic, and off-highway vehicle use, especially where rudimentary tracks have been established. These areas tend to be unvegetated and may support minimal ruderal species.

Developed

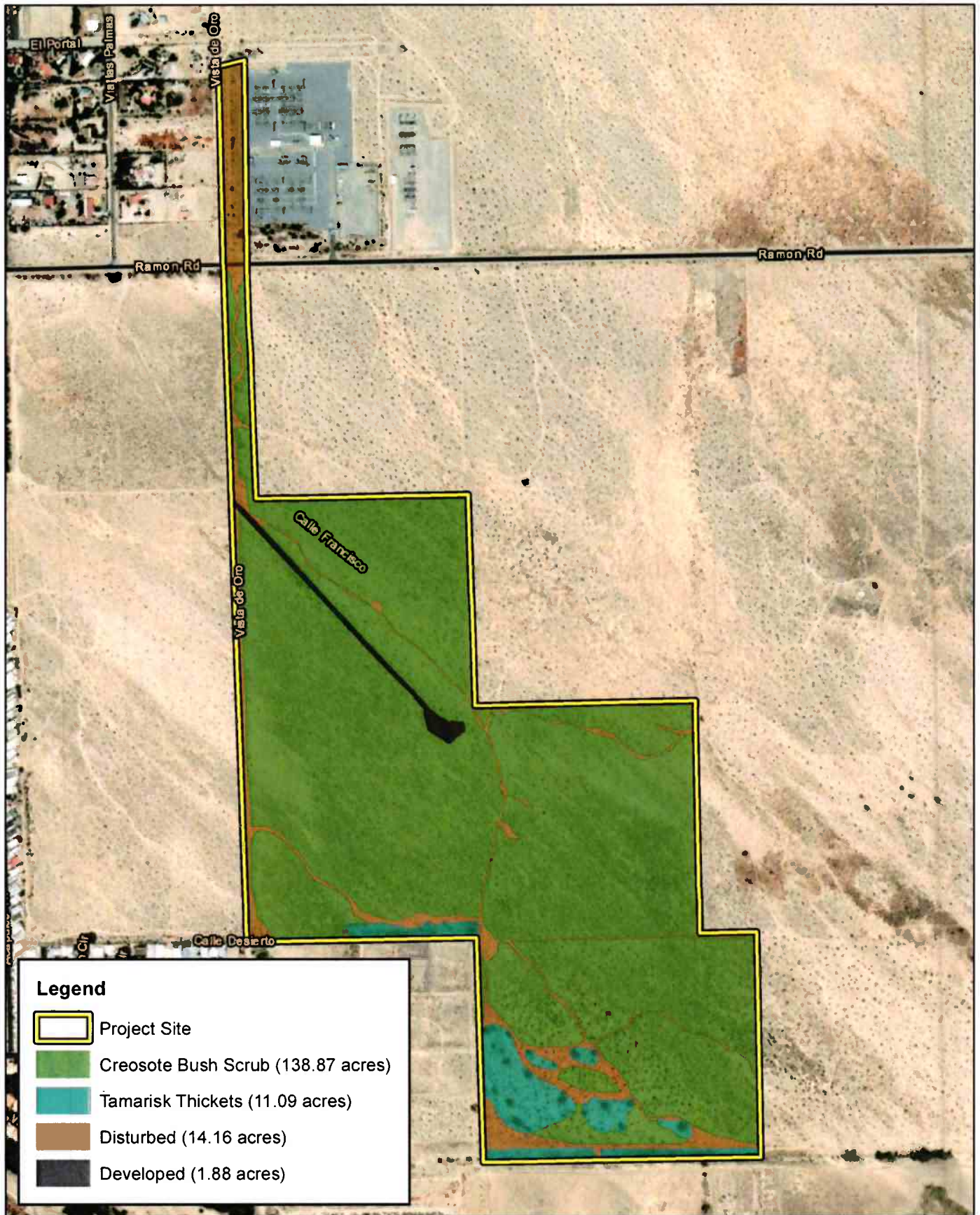
Developed land occurs on-site in the form of a crushed asphalt/compacted gravel road and pad. According to historic aerials, these features appeared on-site sometime between December 2005 and January 2006, entering the site from Ramon Road via adjacent undeveloped land to the northwest. The crushed asphalt/compacted gravel pad does not appear to have supported significant additional development since its installation. Developed land supported on-site tends to be unvegetated and may support minimal ruderal species capable of growing through crushed asphalt/compacted gravel.

Based on a review of CDFW's California Natural Diversity Database (CNDDDB) approximately 8 burrowing owl observations have been recorded within 5 miles of the project site. The nearest occurrence was approximately 1 mile southeast of the project site. Refer to Exhibit 6, *CNDDDB BUOW Observations*.

4.2 BURROWING OWL FOCUSED SURVEY

The project site is unvegetated and/or vegetated with a variety of low-growing plant species that allow for line-of-sight observation favored by burrowing owls. The site also supports California ground squirrel and desert cottontail (*Sylvilagus audubonii*) burrows that provide suitable burrows (>4 inches in diameter) capable of providing roosting and nesting opportunities. However, the southern portion of the site and surrounding powerlines that provide perching opportunities for large raptors (i.e., red-tailed hawk) that can prey on burrowing owls. Despite a systematic search of the project site, no burrowing owls or sign (pellets, feathers, castings, or whitewash) were observed on or within 500 feet, where accessible, of the project site during the focused surveys.

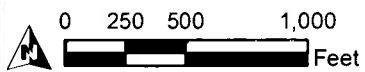
A list of avian species identified during the surveys is provided in Appendix B.



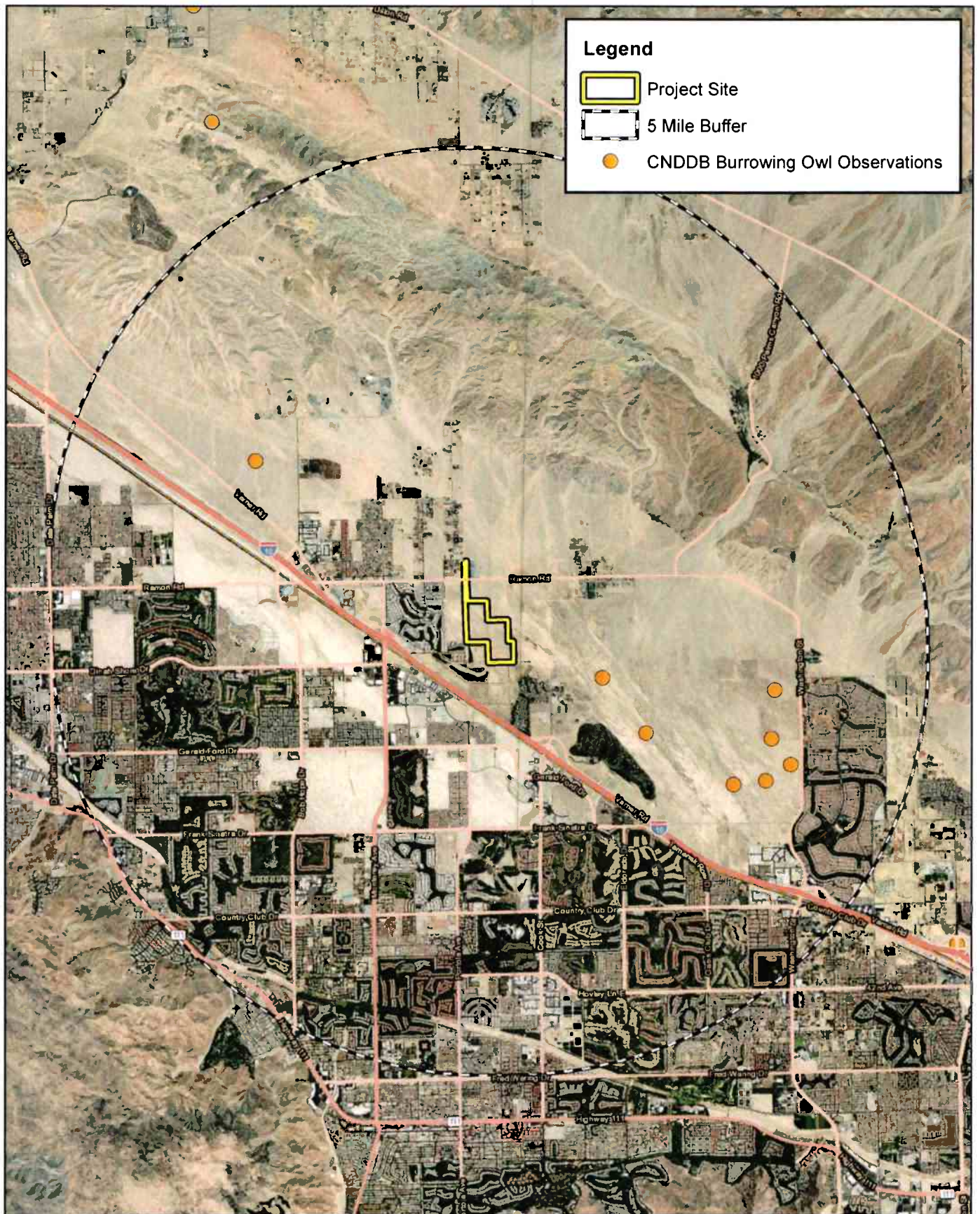
BURROWING OWL FOCUSED SURVEY
NOBLE SOLAR

Vegetation

Exhibit 5



Source: ESRI Aerial Imagery, Riverside County



BURROWING OWL FOCUSED SURVEY
NOBLE SOLAR

CNDDDB BUOW Observations

Exhibit 6



Source: ESRI Aerial Imagery, CDFW CNDDDB, Riverside County

Section 5 Conclusion and Recommendations

Based on the results of the 2022 burrowing owl focused surveys, no burrowing owls or evidence of recent or historic use by burrowing owls were observed on the project site. As a result, burrowing owls are presumed to be absent from the project site. Out of an abundance of caution, and to ensure burrowing owl remain absent from the project site prior to any ground disturbing activities. If burrowing owls and/or birds displaying nesting behaviors are observed within the project site during future construction, further review may be needed to ensure compliance with the CVMSHCP, MBTA and Fish and Game Code.

Section 6 References

- California Burrowing Owl Consortium, 1993. *Burrowing Owl Survey Protocol and Mitigation Guidelines*. Accessed on the internet at:
www.dfg.ca.gov/wildlife/nongame/docs/boconsortium.pdf
- California Department of Fish and Wildlife (CDFW), 2019. RareFind 5, California Natural Diversity Data Base, California. Data Base report on threatened, endangered, rare or otherwise sensitive species and communities for the Stelle Peak and Perris 7.5-minute USGS quadrangles.
- California Department of Fish and Wildlife (CDFW), 2012. *Staff Report on Burrowing Owl Mitigation*.
- Coulombe, H.N. 1971. *Behavior and population ecology of the burrowing owl (Speotyto cunicularia) in the Imperial Valley of California*. Condor 73: 162-176.
- CVAG. 2007. Final Recirculated Coachella Valley Multiple Species Habitat Conservation Plan and Natural Community Conservation Plan.
- Haug, E.A., B.A. Millsap, and M.S. Martell. 1993. *Burrowing Owl (Speotyto cunicularia)*. In: A. Poole and F. Gill, editors, *Birds of North America*, No. 61. Philadelphia: The Academy of Natural Science; Washington DC: The American Ornithologists' Union.
- Ramsen, Jr., J.V. 1978. *Bird Species of Special Concern in California*. Non-game Wildlife Investigations. Wildlife Management Branch Administrative Report No78-1. Report prepared for California Department of Fish and Game.

Appendix A Site Photographs



Photograph 1: From the northern boundary of the project site at Ramon Road looking south.



Photograph 2: From the middle of the western boundary of the project site looking east.



Photograph 3: From the middle of the eastern boundary of the project site looking east.



Photograph 4: From the middle of the southern boundary of the project site looking north.



Photograph 5: Representative photograph of a tamarisk thicket.



Photograph 6: Foreground: A heavily disturbed area that has been impacted by regular off-highway recreational vehicle use. Background: Creosote bush scrub.



Photograph 7: The developed road supported by the project site.



Photograph 8: Suitable burrows (>4 inches) for roosting and nesting by burrowing owls are present throughout the project site.

Appendix B Fauna Compendium

Table B-1: Wildlife Species

Scientific Name	Common Name
Aves	Birds
<i>Auriparus flaviceps</i>	verdin
<i>Buteo jamaicensis</i>	red-tailed hawk
<i>Calypte anna</i>	Anna's hummingbird
<i>Calypte costae</i>	Costa's hummingbird
<i>Columba livia</i>	rock pigeon
<i>Corvus brachyrhynchos</i>	American crow
<i>Corvus corax</i>	common raven
<i>Euphagus cyanocephalus</i>	Brewer's blackbird
<i>Falco sparverius</i>	American kestrel
<i>Geococcyx californianus</i>	greater roadrunner
<i>Haemorhous mexicanus</i>	house finch
<i>Icterus cucullatus</i>	hooded oriole
<i>Lanius ludovicianus</i>	loggerhead shrike
<i>Mimus polyglottos</i>	northern mockingbird
<i>Passer domesticus</i>	house sparrow
<i>Petrochelidon pyrrhonota</i>	cliff swallow
<i>Sayornis saya</i>	Say's phoebe
<i>Setophaga coronata</i>	yellow-rumped warbler
<i>Spinus psaltria</i>	lesser goldfinch
<i>Stelgidopteryx serripennis</i>	northern rough-winged swallow
<i>Streptopelia decaocto</i>	Eurasian collard-dove
<i>Sturnus vulgaris</i>	European starling
<i>Tyrannus vociferans</i>	Cassin's kingbird
<i>Zenaidura macroura</i>	mourning dove
<i>Zonotrichia leucophrys</i>	white-crowned sparrow
Mammalia	Mammals
<i>Canis latrans</i>	coyote
<i>Felis catus</i>	domestic cat
<i>Otospermophilus beecheyi</i>	California ground squirrel
<i>Thomomys bottae</i>	Botta's pocket gopher
<i>Sylvilagus audubonii</i>	Audubon's cottontail
Reptilia	Reptiles
<i>Callisaurus draconoides rhodostictus</i>	western zebra-tailed lizard
<i>Coluber flagellum piceus</i>	red racer
<i>Dipsosaurus dorsalis</i>	desert iguana
<i>Uta stansburiana elegans</i>	western side-blotched lizard

PROPERTY OWNERS CERTIFICATION FORM

I, VINNIE NGUYEN certify that on JUN 13, 2022

The attached property owners list was prepared by Riverside County GIS

APN (s) or case numbers CZ2200004 / CUP220003 for

Company or Individual's Name RCIT – GIS

Distance buffered 1800'

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

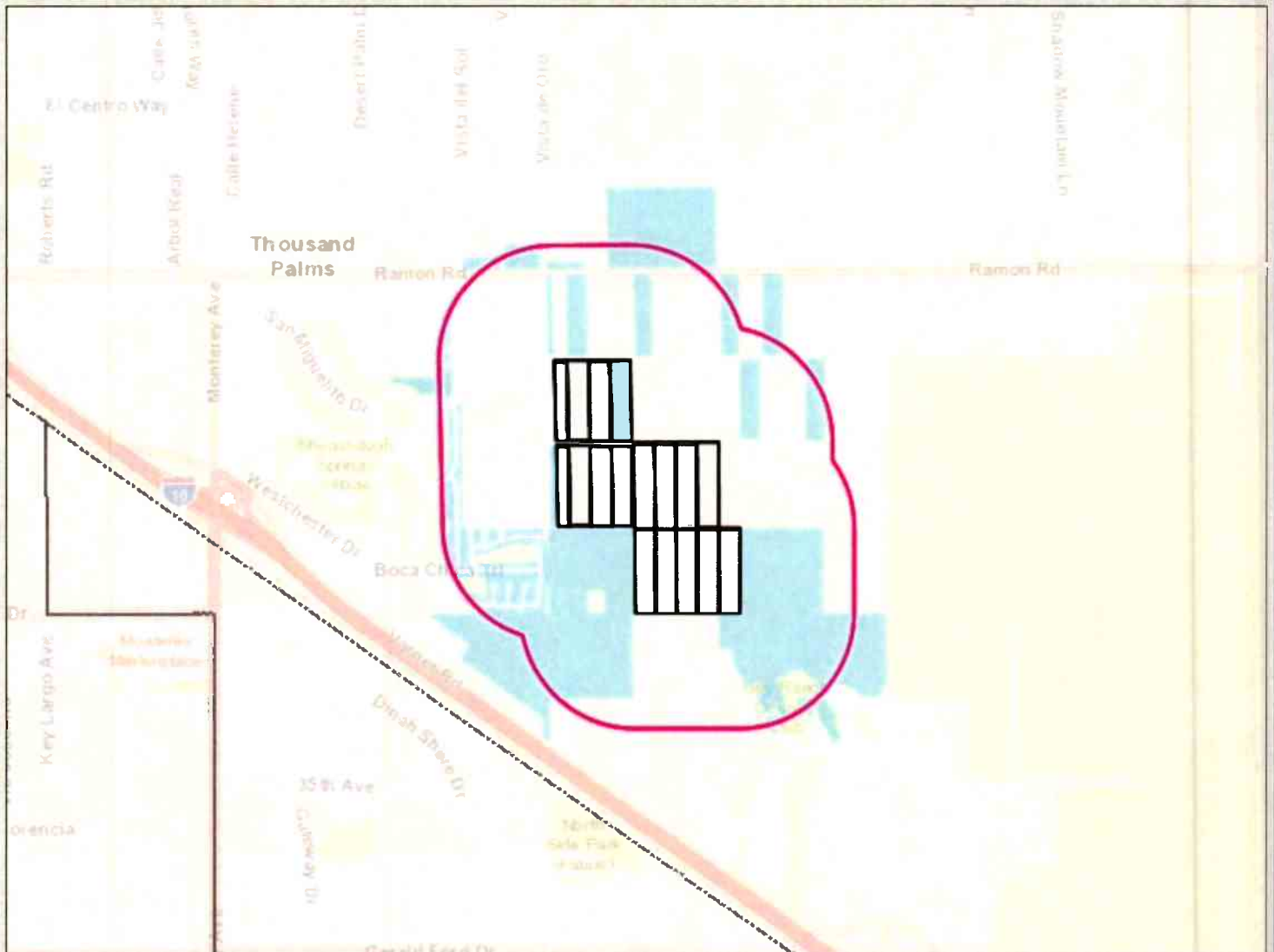
Riverside, Ca. 92502

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

Riverside County GIS Mailing Labels

CZ2200004 / CUP220003

(1800 feet 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...6/13/2022 12:53:03 PM

© Riverside County RCIT

651140028
PEI LIN HSEIH
35 LUCILE ST NO B
ARCADIA CA 91006

651140038
SOUTHERN CALIF EDISON CO
P O BOX 800
ROSEMEAD CA 91770

650324011
CVCWD
P O BOX 1058
COACHELLA CA 92236

651130044
COACHELLA VALLEY CONSERVATION
73710 FRED WARING STE 200
PALM DESERT CA 92260

651230009
COACHELLA VALLEY CONSERVATION
73710 FRED WARING NO 205
PALM DESERT CA 92260

651230013
SOUTHERN CALIFORNIA EDISON CO
P O BOX 410
LONG BEACH CA 90801

693132024
ROBINSON PAUL W
P O BOX 4313
PALM DESERT CA 92261

693134027
CAMPOS JAIME
P O BOX 4313
PALM DESERT CA 92260

693134028
RAUL GARCIA
32295 CHIRICAHUA DR
THOUSAND PALMS CA 92276

693134029
GUYRUN AMIRGHAN
33401 ACAPULCO TR
THOUSAND PALMS CA 92276

693291002
VICTOR MASILLO
33917 SHADY PALMS CIR
THOUSAND PALMS CA 92276

693291008
RODNEY MCFARLAND
502 CRYSTAL SPRINGS DR
WARMAN CANADA SK S0K 0A1

693291015
JOHN J. MCCABE
412 LOMBARD LN
WENATCHEE WA 98801

693291020
EDDIE J. FORSHEE
33818 DRIFTING SANDS CIR
THOUSAND PALMS CA 92276

693291021
LEWELLYN E. SWANSON
P O BOX 536
PETERSBURG AK 99833

693291023
WILLIAM G. DOERR
33878 DRIFTING SANDS CIR
THOUSAND PALMS CA 92276

693291024
JOSIE GOMEZ
33898 DRIFTING SANDS CIR
THOUSAND PALMS CA 92276

693291026
DAVID COOPER
11742 RICASOLI WAY
PORTER RANCH CA 91326

693292001
JEROME IBBA
73891 WHITE SANDS DR
THOUSAND PALMS CA 92276

693292004
CURTIS A. CONANT
P O BOX 11512
PALM DESERT CA 92255

693141040
CLEVINGER ANTHONY
73700 STANTON DR
THOUSAND PALMS CA 92276

650324007
SANTIAGO MASCORRO
P O BOX 910
THOUSAND PALMS CA 92276

651130051
STATE OF CALIF DEPT OF FISH & GAME
1807 13TH ST NO 103
SACRAMENTO CA 95814

651140030
COACHELLA VALLEY CONSERVATION
73710 FRED WARING STE 205
PALM DESERT CA 92260

651230015
IMPERIAL IRRIGATION DIST
P O BOX 248
COACHELLA CA 92236

693151017
GREEN JOYCE COOPER
8540 DE SOTO AVE NO 48
CANOGA PARK CA 91304

693151018
MYRA M. NEWSTEAD
6454 CRICKSON RD
LONE BUTTE BC V0K1X3

693152036
RICHARD JOHN SEIDL
1824 WEST 13TH ST
HASTINGS MN 55033

693261012
GLENN C. CHIDESTER
33390 ACAPULCO TR
THOUSAND PALMS CA 92276

693152037
WILLIAM R. BARTO
32643 CHIRICAHUA
THOUSAND PALMS CA 92276

693152038
MICHAEL J. RYEN
32649 CHIRICAHUA DR
THOUSAND PALMS CA 92276

693261016
DOUGLAS R. VONBANK
33470 ACAPULCO TR
THOUSAND PALMS CA 92276

693261023
PAUL EISENZIMMER
9346 MARTIN PARK DR
BLACK CREEK BC V9J1C4

693262006
LISA F. AYRES
33227 ACAPULCO TR
THOUSAND PALMS CA 92276

693262017
TAREK FADI HALAWI
1229 VIA ESPERANZA
SAN DIMAS CA 91773

693262018
RUSSELL C. KREIS
PO BOX 122
HEBRON ND 58638

693262019
SALVESON THOMAS & PAT LIVING TRUST
PO BOX 497
BRIDGER MT 59014

693152042
FREDRICK H. KNUTZEN
32679 CHIRICAHUA
THOUSAND PALMS CA 92276

693262026
RALPH E. GREENE
33473 ACAPULCO TR
THOUSAND PALMS CA 92276

693171001
JERRY E. BROWER
6401 NW LINCOLN AVE
VANCOUVER WA 98663

693171006
RONALD J. RITZ
411 5TH AVE
LEWISTON ID 83501

693172010
SANDRA H. MARSH
10316 WHITECAP DR NW
OLYMPIA WA 98502

693172020
MEILING G. WARUNEK
33001 GUADALAJARA DR
THOUSAND PALMS CA 92276

650322005
MILNER DENNIS LEE
31950 VIA LAS PALMAS
THOUSAND PALMS CA 92276

650322006
TIMOTHY LOREN LOCKHART
51160 OSKAR LN
MORONGO VALLEY CA 92256

651140006
THOUSAND PALMS DEV
6678 152 ST # 209
SURREY BC V3S7J2

651140034
BENITO MEZA
P O BOX 367
THOUSAND PALMS CA 92276

693261007
ANDRES VARGAS PEREZ
33290 ACAPULCO TR
THOUSAND PALMS CA 92276

693261008
GRANA SHERRY FLORER
33310 ACAPULCO TR
THOUSAND PALMS CA 92276

693261009
BRUCE LEGAULT
5426-2260 22ST
RED DEER AB T4R0K1

693261011
COMET T. BROWER
33370 ACAPULCO TR
THOUSAND PALMS CA 92276

693262001
RICHARD WACHAL
203-4340 BEACH AVE
PEACHLAND BC V0H1X6

693262002
CAMILE G. ROSE
7635 PINE TREE WAY
SALINAS CA 93907

693262021
GUYRUN AMIRGHAN
33401 ACAPULCO TRL
THOUSAND PLMS CA 92276

693262022
PAUL LINSEEN
68 FRANKLIN ST
NORTHPORT NY 11768

693262037
CANDIDO R. CASTILLO
40379 CORTE SAN CARLOS
INDIO CA 92203

693262038
RAY RIVERA
33633 ACAPULCO TR
THOUSAND PALMS CA 92276

693134025
RONALD H. TUCKER
73725 S PACHETA SQ
THOUSAND PALMS CA 92276

693134030
DOUGLAS G. WALLWAY
32331 CHIRICAHUA DR
THOUSAND PALMS CA 92276

693141043
JEFFREY T. FRANKE
P O BOX 841
RANCHO MIRAGE CA 92270

693151019
RICHARD D. HENNING
829 WESTCOTT SQUARE
EAGAN MN 55123

693272003
TERRY BARBARA ELAINE TRUST UTD 01/19/15
PO BOX 915
THOUSAND PALMS CA 92276

693272025
WILLIAM R. BALDWIN
73954 ELIZABETH DR
THOUSAND PALMS CA 92276

693274003
ALLEN W. NEAR
73040 DEL NORTE WY
THOUSAND PALMS CA 92276

693275025
HELENE CHO
2215 NE 171 ST
SHORELINE WA 98155

693275028
TIMOTHY R. TREECE
73833 ELIZABETH DR
THOUSAND PALMS CA 92276

693273010
HENRY C. BIGELOW
33760 BELL RD
THOUSAND PALMS CA 92276

693274004
DONNA M. WALKER
73721 WHITE SANDS DR
THOUSAND PALMS CA 92276

693274007
MACRIS WILLIAM C & MICHELLE M JOINT
73917 BOCA CHICA TR
THOUSAND PALMS CA 92276

693274008
JANET D. LOF
73905 BOCA CHICA TR
THOUSAND PALMS CA 92276

693274011
PAMELA MYLES
73865 BOCA CHICA TR
THOUSAND PALMS CA 92276

693274012
LLOYD V. WHITING
6220 FAY BLVD
COCOA FL 32927

693274016
MICHAEL H. JENSEN
201 E BALLANTRAE
SHELTON WA 98584

693275012
CONNIE A. SWANK
P O BOX 131006
BIG BEAR LAKE CA 92315

693275020
LEONARD PAUL HANSEN
1523 132ND ST SE # 516
EVERETT WA 98208

693275029
RICHARD RODNEY FOY
73821 ELIZABETH DR
THOUSAND PALMS CA 92276

693275033
GEORGE A. THOMAS
73771 ELIZABETH DR
THOUSAND PALMS CA 92276

693282003
MELISSA NOFZIGER
PO BOX 31
RAINIER OR 97048

693282014
PATRICIA CAFFREY
73806 WHITE SANDS DR
THOUSAND PALMS CA 92276

693282015
KATHRYN E. MURRAY
73816 WHITE SANDS DR
THOUSAND PALMS CA 92276

693282016
BRENT BANNISTER
13800 NASH DR
COLDSTREAM BC V1B1X8

693291003
E JOYCE SHOEMAKER
PO BOX 1768
STUDIO CITY CA 91614

693291013
DAVID B. ROBERTS
33932 SHADY PALMS CIR
THOUSAND PALMS CA 92276

693291019
ROBERT A. SMALL
33833 DRIFTING SANDS CIR
THOUSAND PALMS CA 92276

693292012
MARILYN HELENE COBURN
24671 50TH AVE
LANGLEY CANADA BC V2Z 1E4

693292018
ELLIOTT GREGORY WAYNE & KIM EVETTE
237 S HACIENDA AVE
GLENORA CA 91741

693134023
EDGAR MORALES
73707 S PACHETA SQ
THOUSAND PALMS CA 92276

693152039
JUDY BARNES
8818 CRESENT BAR NW # 183
QUINCY WA 98848

693152040
GARY A. QUICKSTAD
3440 GOLFVIEW DR NO 110
EAGAN MN 55123

693261003
DEOBRAH E. MCCORMICK
16088 FAME CIR
HUNTINGTON BEACH CA 92649

693261018
VIRGINIA BRUSCO
33510 ACAPULCO TR
THOUSAND PALMS CA 92276

693261025
JUAN C. DIAZ
33650 ACAPULCO TR
THOUSAND PALMS CA 92276

693262008
RUDY ALFONSO LOPEZ
33251 ACAPULCO TR
THOUSAND PALMS CA 92276

693262011
JONATHAN DAVID NORRIS
33287 ACAPULCO TR
THOUSAND PALMS CA 92276

693262016
DOUGLAS MUIR INNES
11 BENCHLANDS PL
COCHRANE AB T4C1C3

693262024
MICHAEL J. LADIN
33449 ACAPULCO TR
THOUSAND PALMS CA 92276

693141042
SOFIA SOLIS
35325 DATE PALM DR STE 153A
CATHEDRAL CITY CA 92234

693141044
DANIEL KORSON
32365 CHIRICAHUA DR
THOUSAND PALMS CA 92276

693142022
RONNIE P. PARIS
25526 ALLIENE ST
LOMITA CA 90717

693142023
HILDA TAPIA
73727 STANTON DR
THOUSAND PALMS CA 92276

693262030
STEVEN R. DOW
409 BIRCH ST
CULTUS LAKE BC V2R4Z3

693262033
RICHARD S. DUNDAS
11911 LA COSTA LN
OSOYOOS BC V0H1V4

693262035
JOHN W. MARTIN
33575 ACAPULCO TR
THOUSAND PALMS CA 92276

693152030
DANIEL J. GILLIS
73677 ALGONQUIN PL
THOUSAND PALMS CA 92276

693271004
ABBAS HAJ PIROOZBAKHT GHOLAM
33661 LES RD
THOUSAND PALMS CA 92276

693271007
CONNIE SCHENEFELT
105 W FLORENCE
THOUSAND PLMS CA 92276

693271008
WILLIAM PAUL SMITH
20233 44A AVE
LANGLEY BC V3A6N2

693171012
THOMAS E. KUHN
32970 GUADALAJARA DR
THOUSAND PALMS CA 92276

693171014
KORSAN ROBERT & LYNDA LIVING TRUST
1966 TICE VALLEY BLVD # 504
WALNUT CREEK CA 94595

693272005
NORMAN L. FIELD
33571 WALTON CIR
THOUSAND PALMS CA 92276

693272008
STEPHEN K. WILSON
33511 WALTON CIR
THOUSAND PALMS CA 92276

693171017
MIKE BURKE
33130 GUADALAJARA DR
THOUSAND PALMS CA 92276

693275031
ARNOLD C. MOE
13405 NE 84TH
REDMOND WA 98052

693275036
JOYCE E. HAYES
32121 OAKLAND HILLS
THOUSAND PALMS CA 92276

693152041
AMMAR KERRY SUE FAMILY TRUST DATED
PO BOX 374
THOUSAND PALMS CA 92276

693281018
KRAUSE HERBERT HENRY & PATRICIA LOUISE
73881 WHITE SANDS DR
THOUSAND PALMS CA 92276

693282011
STUART WALKER
BOX 1270
ROSETOWN SK S0L

693282021
RON H. MILLER
P O BOX 65
SHADY COVE OR 97539

693282029
JOAN CHASE
33934 PALM LAKE CIR
THOUSAND PALMS CA 92276

693291009
PATRICK SILLER
2780 GREENWOOD RD NO 55
NELSON CANADA BC V1L 6L3

693291010
DIANE LAVELY
33872 SHADY PALMS CIR
THOUSAND PALMS CA 92276

693291011
ANTHONY JASON LIENAU
33892 SHADY PALMS CIR
THOUSAND PALMS CA 92276

693171003
STANLEY D. MARKHAM
32790 GUADALAJARA DR
THOUSAND PALMS CA 92276

693171004
MICHELLE L. CASSERD
32810 GUADALAJARA DR
THOUSAND PALMS CA 92276

693171007
JAMES CLARKE
428 N CARPENTER RD
SNOHOMISH WA 98290

693171013
MORRIS GREENBERG
32990 GUADALAJARA DR
THOUSAND PALMS CA 92276

693172018
ROBERT HOWELL
958 DINGLEY DELL
VICTORIA BC CANADA

693291016
CONNIE J. WOOLSEY
33893 DRIFTING SANDS CIR
THOUSAND PALMS CA 92276

693291025
ROLLAND B. JOHNSON
14517 N FAIRVIEW DR
MEAD WA 99021

693291030
ALEXANDER C. VASQUEZ
33875 BELL RD
1000 PALMS CA 92276

693291031
BARRIE E. SMITH
33855 BELL RD
THOUSAND PALMS CA 92276

693172025
WESLEY G. BAUER
33091 GUADALAJARA DR
THOUSAND PALMS CA 92276

693172028
JOSEPH D. ATWOOD
33155 GUADALAJARA DR
THOUSAND PALMS CA 92276

693292005
CAROLYN BILLINGS
73931 WHITE SANDS DR
THOUSAND PALMS CA 92276

693292017
DON L. DONNELLY
33860 BELL RD
THOUSAND PALMS CA 92276

693261014
BRIZINSKI FAMILY TRUST DD 02/27/17
226 W 8TH ST
UPLAND CA 91786

693272011
TODD EDWARD PARSLEY
1360 E ADOBE WAY
PALM SPRINGS CA 92262

693272013
ROLLAND G. MEITHOF
2145 SANTIAM DR
WOODBURN OR 97071

693172008
EDWARD J. GLAPINSKI
32668 CHIRICAHUA DR
THOUSAND PALMS CA 92276

693172015
KARLA A. BEIRSTO
12189 W ARMSTRONG RD
HOUSTON AK 99623

693272016
KELLY VITT
33516 LISA CIR
THOUSAND PALMS CA 92276

693272020
DAVID L. STRAWSER
1050 HAY ST
WASILLA AK 99654

693261019
DENISE LEASON
33530 ACAPULCO TR
THOUSAND PALMS CA 92276

693261024
SCOTT CLEFF
33630 ACAPULCO TR
THOUSAND PALMS CA 92276

693262009
HACK RICHARD
P O BOX 398
PIPER CITY IL 60959

693273005
CAIRNS SURVIVORS A TRUST U/D/T DATED
33670 BELL RD
THOUSAND PALMS CA 92276

693273008
WILLIAM D. VAUGHN
33710 BELL RD
THOUSAND PALMS CA 92276

693274005
GLEN BEATON
6716-101 A. AVE
EDMONTON AB T5H

693275004
MILLENNIAL REAL ESTATE
142 CAPRI
RANCHO MIRAGE CA 92270

693262012
ROBERT D. FREAR
33303 ACAPULCO TR
THOUSAND PALMS CA 92276

693262025
STEVEN WAYNE TERRY
33461 ACAPULCO TR
THOUSAND PALMS CA 92276

693271002
MARLENE DESRIS
33701 LES RD
THOUSAND PALMS CA 92276

693271010
SUSAN LEE HOSIER
33541 LES RD
THOUSAND PALMS CA 92276

693272009
DAVID J. CRAWFORD
33510 WALTON CIR
THOUSAND PALMS CA 92276

693272010
RAYMOND G. FISH
33530 WALTON CIR
THOUSAND PALMS CA 92276

693272021
ELSIE P. ACACIO
73900 ELIZABETH DR
THOUSAND PALMS CA 92276

693272023
JOAN C. POLMAN
73932 ELIZABETH DR
THOUSAND PALMS CA 92276

693272026
SANDRA K. BUSH
73966 ELIZABETH DR
THOUSAND PALMS CA 92276

693273011
JOSE A. HERNANDEZ
487 VISTA BONITA
PALM DESERT CA 92260

693172011
DAN K. MELTON
309 N 148TH ST
SEATTLE WA 98133

693172013
WAYNE A. TECKLENBURG
34 DOUGLAS WOODS PARK SE
CALGARY AB CANADA T2Z2

693172016
CLIFFORD KEITH JACKSON
104-2100 W 3RD AVE
VANCOUVER BC V6K1L1

693172021
WILLIAM THOMPSON
74 7848 170TH ST
SURREY BC CANADA

693172022
JAMES M. CORLISS
33035 GUADALAJARA DR
THOUSAND PALMS CA 92276

693141036
WILLIAM TRIMBOLI
32354 CAMILLA CIR
THOUSAND PALMS CA 92276

693141038
JAMES T. ANTUS
32406 CAMILLA CIR
THOUSAND PALMS CA 92276

694020018
GERTRUDE M. BRYANT
2940 KILLARNEY DR
PRINCE GEORGE CANADA BC V2K 2B1

693172023
JEROLD WOOD
38 SIERRA MORENO CLOSE SW
CALGARY AB T3H3G3

693172026
DODD FAMILY TRUST DATED 11/01/1995
2409 SNEAD DR
ALHAMBRA CA 91803

693151020
MANUEL MERCADO
73710 ALGONQUIN PL
THOUSAND PALMS CA 92276

694030014
NUISMER BARBARA ANN FAMILY TRUST DATED
113 AVELLINO CIR
PALM DESERT CA 92211

694030018
MICHAEL A. JENCI
34605 BRANDING IRON LN
THOUSAND PALMS CA 92276

694030024
GARY S. HANN
PO BOX 711
CATHEDRAL CITY CA 92235

693152026
RANDELL C. RICH
PO BOX 243
TROY ID 83871

693152033
WILSON LIVING TRUST DATED 6/4/2019
74056 W COLLAGE VIEW CIR
PALM DESERT CA 92211

693152034
MCMAHON DONALD R
32617 CHIRICAHUA DR
THOUSAND PALMS CA 92276

693134024
GABRIELA SERRANO
68260 CORTA RD
CATHEDRAL CITY CA 92234

693141035
ROGER W. BARNETT
32340 CAMILLA CIR
THOUSAND PALMS CA 92276

693152065
SHENANDOAH VENTURES
320 N PARK VISTA ST
ANAHEIM CA 92806

693172024
PLEAS H. UHLHORN
33079 GUADALAJARA DR
THOUSAND PALMS CA 92276

693172027
ROGER P. STEWART
33133 GUADALAJARA DR
THOUSAND PALMS CA 92276

693172060
JAMES N. NAYLOR
32800 BARCELONA DR
THOUSAND PALMS CA 92276

693271005
ANGELO FERRARA
33599 LAURA DR
THOUSAND PALMS CA 92276

693271009
RICHARD MONTEZ
33561 LES RD
THOUSAND PALMS CA 92276

693271011
LORNA DAMATO
33521 LES RD
THOUSAND PALMS CA 92276

693272002
FREDERICK A. MONTEMARANO
33540 LES RD
THOUSAND PALMS CA 92276

693272014
KAY A. SCHULZ
33537 LISA CIR
THOUSAND PALMS CA 92276

693272017
JACK L. DUGUID
33538 LISA CIR
THOUSAND PALMS CA 92276

693273002
DANIEL C. HOWSE
33580 BELL RD
THOUSAND PALMS CA 92276

693273009
HOWARD MCDONALD
33720 BELL RD
THOUSAND PALMS CA 92276

693274002
MICHAEL W. RUSSELL
73979 BOCA CHICA TR
THOUSANDPALMS CA 92276

693274013
SHIRLEY A. IRETON
131 DESERT FALLS CT
PALM DESERT CA 92211

693274014
PATRICIA DAULT
73823 BOCA CHICA TR
THOUSAND PALMS CA 92276

693274017
WINTERSUN REC PROP ASC
3630 SERENE WAY
LYNNWOOD WA 98087

693275005
PEDICINI FRANK P JR TRUST DATED 10/08/2003
73822 BOCA CHICA TR
THOUSAND PALMS CA 92276

693275008
THEODORE J. SPECCHIO
73878 BOCA CHICA TR
THOUSAND PALMS CA 92276

693275009
ROBERT H. FORTT
73890 BOCA CHICA TR
THOUSAND PALMS CA 92276

693275013
JEFFREY T. SPECCHIO
73942 BOCA CHICA TR
THOUSAND PALMS CA 92276

693275014
CARRIE LYN GILMAN
73954 BOCA CHICA TR
THOUSAND PALMS CA 92276

693275017
ROYCE D. WILKINSON
33691 BELL RD
THOUSAND PALMS CA 92276

693275030
DORA ELSA BROOKING OLEA
73811 ELIZABETH DR
THOUSAND PALMS CA 92276

693281011
RUSSELL BARROW
73811 WHITE SANDS DR
THOUSAND PALMS CA 92276

693281015
ERLINDA IVERSON
73851 WHITE SANDS DR
THOUSAND PALMS CA 92276

693261015
MATTHEW TIMOTHY FOX
255 WOODRIDGE DR
VALLEJO CA 94591

693262004
MICHELINA R. VINELLI
P O BOX 954
THOUSAND PALMS CA 92276

693262005
JOHN TRAINOR
26 2444 YORK
ARMSTRONG BC CANADA

693262010
STEPHANIE S. COFFELT
1624 W BETTY ELYSE
PHOENIZ AZ 85023

693262023
WILLIAM A. LUSKY
537 3RD ST
MANHATTAN BCH CA 90266

693271001
LARRY THOMAS THURSTON
33721 LES RD
THOUSAND PALMS CA 92276

693271006
WILLIAM D. HARRISON
72664 SOLANUS DR
BRUCE TWP MI 48065

693272015
LINDA SUE ORRICK
P O BOX 214
THOUSAND PALMS CA 92276

693272018
KEVIN M. SMITH
73864 ELIZABETH DR
THOUSAND PALMS CA 92276

693272024
TOIGO & WINTCH 2007 LIVING TRUST
33 MASON RD
YERINGTON NV 89447

693272027
ALLEN CAMASURA
540 YOSEMITE DR
SOUTH SAN FRANCISCO CA 94080

693273006
TRACI DESPINES
33680 BELL RD
THOUSAND PALMS CA 92276

693275001
ELDEN R. MANDERSCHIED
73770 BOCA CHICA TR
THOUSAND PALMS CA 92276

693275006
ROBERT L. HARLOW
73836 BOCA CHICA TR
THOUSAND PALMS CA 92276

693275023
ROBERT L. VANDEWALL
7712 68TH STREET CT NW
GIG HARBOR WA 98335

693275024
GORDON P. HARVEY
3356 SUNNYSIDE RD
KELOWNA BC V1Z2V4

693275027
NORMAN ARTHUR CLARK
21029 42ND AVE
LANGLEY BC V3A5A2

693275032
FRIEDA M. MAHAKIAN
73781 ELIZABETH DR
THOUSAND PALMS CA 92276

693281014
NANCY ANN PECKHAM
73841 WHITE SANDS DR
THOUSAND PALMS CA 92276

694030028
BANTA JERRY W & LESA D BANTA REVOCABLE
950 AQUA DR
GALLATIN TN 37066

693282009
SIMON TRUST DTD 3/5/2020
73756 WHITE SANDS DR
THOUSAND PALMS CA 92276

693282012
CLAY DIANA L REVOCABLE TRUST FOR REAL
2002 196TH ST SW STE E
LYNNWOOD WA 98036

693274009
PHILLIP G. MATTHEWS
73893 BOCA CHICA TR
THOUSAND PALMS CA 92276

693275002
ROGER SHARMAN
73782 BOCA CHICA TR
THOUSAND PALMS CA 92276

693275035
PHILIP R. LAPIERRE
33640 LES RD
THOUSAND PALMS CA 92276

693281013
WHITE SANDS INV
73831 WHITE SANDS DR
THOUSAND PALMS CA 92276

693291005
REVOCABLE LIVING TRUST OF CARAPEZZI
33857 SHADY PALMS CIR
THOUSAND PALMS CA 92276

693291007
MORRISON NANCY & GERALD LIVING TRUST
213 MAPLERIDGE DR
MANKATO MN 56001

693291014
JOHN MCRAE
33933 DRIFTING SANDS CIR
THOUSAND PALMS CA 92276

693291029
S CONRAD
RR2
OLDS CANADA AB T4H 1P3

693292003
CLIFFORD LONNIE WALKER
PO BOX 43
MACRGRIE SK S012E0

693292009
TODD PARKS
73971 WHITE SANDS
THOUSAND PALMS CA 92276

693172019
MARVIN K. HUSEN
1346 VIEW POINTE
GARDNERVILLE NV 89410

693172029
CAMPBELL BARBARA JOAN TRUST UAD
414 VIA MILANO
CATHEDRAL CITY CA 92234

694020016
EDMUND FOX
34537 DOUBLE DIAMOND DR
THOUSAND PALMS CA 92276

694020019
DENISE WHITE SEIKER
34520 DOUBLE DIAMOND DR
THOUSAND PALMS CA 92276

693275007
RAGLAND PEARL J
73850 BOCA CHICA TR
THOUSAND PALMS CA 92276

693275011
GARY SWARTS
73916 BOCA CHICA TR
THOUSAND PALMS CA 92276

693275016
SANDRA J. SZIDIK
33721 BELL RD
THOUSAND PALMS CA 92276

693281012
ELISA BOTBYL
4501 FAIR HOPE DR
LA MIRADA CA 90638

693282017
CRAIG WOOLLVEN
908 LIGHTHOUSE LANDING
SUMMERLAND BC V0H1Z9

694030012
DANIEL W. CLARK
307 SHERMAN AVE
COEUR D ALENE ID 83814

693282024
ROBERT L. GREGORY
33834 PALM LAKE CIR
THOUSAND PALMS CA 92276

693282025
C HAYDEN ELLINGHAM
236 E HIGHWAY 81
BURLEY ID 83318

693152027
RONALD E. NEFZGER
73659 ALGONQUIN PL
THOUSAND PALMS CA 92276

693152028
KENNETH ERBEY
P O BOX 2892
PALMER AK 99645

693152031
MICHAEL DAVID PARSONS
2019 CATHER VIEW PL
NANAIMO BC V9R6S3

693171009
KAREN LARKIN
32910 GUADALAJARA DR
THOUSAND PALMS CA 92276

693171010
ALBERT HOFSTAD
P O BOX 1030
PETERSBURG AK 99833

693171019
JUDY FISCHER
33050 GUADALAJARA DR
THOUSAND PALMS CA 92276

693172006
ALFRED CHARLES BILLER
32684 CHIRICAHUA DR
THOUSAND PALMS CA 92276

693172012
LINTON WALLIN
1581 ARBUTOS DR
AGASSIZ BC V0M1A2

694030017
HENRY E. RUBI
34635 BRANDING IRON LN
THOUSAND PALMS CA 92276

694030021
RICHARD LEE CEDARSTAFF
74627 BELLOWS RD
THOUSAND PALMS CA 92276

694030022
DENNIS PATRICK LAHEY
74628 BELLOWS RD
THOUSAND PALMS CA 92276

694050010
JACK IVEY RANCH HOMEOWNERS ASSN
74580 VARNER RD
THOUSAND PALMS CA 92276

693261001
MARVIN MOREY
2-940 CELIA CRESENT
TRAIL BC V1R1B8

693261005
JOSE M. GALVEZ
33250 ACAPULCO TR
THOUSAND PALMS CA 92276

693261006
JERRY BROWER
6401 NW LINCOLN AVE
VANCOUVER WA 98663

693261020
PAUL DUNBAR
33550 ACAPULCO TR
THOUSAND PALMS CA 92276

693261021
SUSAN SPENCER
1201 CLARENCE AVE
WINNIPEG MB R3T1T1

693262013
RICHARD M. ROOD
33315 ACAPULCO DR
THOUSAND PALMS CA 92276

693262028
ANDREW MCNAB
PO BOX 36
GRANGEVILLE ID 83530

693262031
VICKI JO GREENE
32650 SOUTHERN HILLS AVE
THOUSAND PALMS CA 92276

693262039
PONTIUS RUTH M LIVING TRUST DATED 9/2/98
20205 LANARK ST
WINNETKA CA 91306

693272004
CLOVIS B. VAUGHN
42222 RCH LAS PALMAS 2425
RANCHO MIRAGE CA 92270

651230010
COACHELLA VALLEY CONSERVATION
73710 FRED WARING NO 200
PALM DESERT CA 92260

651130041
DEPT OF FISH & GAME WILDLIFE
1807 13TH ST STE 103
SACRAMENTO CA 95814

651130048
HON ELIZABETH
P O BOX 1132
SIERRA MADRE CA 91025

651140027
TSAI FEN CAIN
35 LUCILE ST # B
ARCADIA CA 91006

651140035
BENITO MEZA
83480 ELLA AVE
THERMAL CA 92274

693141037
OURCO
5230 RAMSDELL AVE
LA CRESCENTA CA 91214

693141039
NARAGON KEVIN ESTATE OF
364 N 2ND
GROVER BEACH CA 93433

693142021
MICHAEL L. SCHAEER
73701 STANTON DR
THOUSAND PALMS CA 92276

693152032
ROWLAND JACKSON
23900 64 AVENUE
LANGLEY BC V2Y2G8

693171005
DIANA LYNN MCDOUGAL
32830 GUADALAJARA DR
THOUSAND PALMS CA 92276

693171008
ROLAND M. CRAWFORD
32890 GUADALAJARA DR
THOUSAND PALMS CA 92276

693171020
MAE MISAWA
33020 GUADALAJARA DR
THOUSAND PALMS CA 92276

693282001
CARLTON REV TRUST AGREEMENT DTD
PO BOX 185
CUT KNIFE SK S0M0N0

693282026
LAWRENCE QUECHUCK
7-401 BROWN RD
VERNON BC V1T7M2

693291018
FRANCES H. MACOMBER
33853 DRIFTING SANDS CIR
THOUSAND PALMS CA 92276

693291027
GARY HAMMOND AND PATRICIA L. HAMMOND
33935 BELL RD
THOUSAND PALMS CA 92276

693292007
KENNETH D. SODOMA
15015 W TAYLOR RD
CHENEY WA 99004

693292015
SCHWENKE REVOCABLE LIVING TRUST DTD
4115 MATIA DR
FERNDAL WA 98248

694020015
ROSSO FAMILY REVOCABLE LIVING TRUST
34557 DOUBLE DIAMOND DR
THOUSAND PALMS CA 92276

694020042
JACK IVEY RANCH HOMEOWNERS ASSN
170 E 17TH ST
COSTA MESA CA 92627

651130032
DEPT OF FISH & GAME WILDLIFE CONSERV
1807 13TH ST STE 103
SACRAMENTO CA 95814

651130049
HOMERO BETANCOURT
15500 BUBBLINS WELLS RD
DESERT HOT SPRINGS CA 92240

651130056
TYNBERG PETER L H IRA
70711 TAMARISK LN
RANCHO MIRAGE CA 92270

651130067
SOUTHERN CALIFORNIA EDISON CO
P O BOX 800
ROSEMEAD CA 91770

651140026
BLANCA BARAJAS
30495 DESERT PALM DR
THOUSAND PALMS CA 92276

694050019
BERGER H N & FRANCES FOUNDATION
P O BOX 13390
PALM DESERT CA 92255

694030020
TIMOTHY JAMES MALACHOSKY
74631 BELLOWS RD
THOUSAND PALMS CA 92276

694030044
GERRY R. WOODS
74658 BELLOWS
THOUSAND PALMS CA 92276

694400002
PATRICIA J. BERGMAN
74787 COTTONTAIL CT
THOUSAND PALMS CA 92276

694400003
DAVID J. LAUDIG
74775 COTTONTAIL CT
THOUSAND PALMS CA 92276

694050006
H N & FRANCES C BERGER FOUNDATION
PO BOX 13390
PALM DESERT CA 92255

693261010
GARY BURNS
10 REGAL WAY
SHERWOOD PARK AB T8A5N1

693261013
ROBERT A. JOHNSTON
33410 ACAPULCO TR
THOUSAND PALMS CA 92276

693261022
FRANKLIN RALPH J LIVING TRUST DTD
33590 ACAPULCO TR
THOUSAND PALMS CA 92276

693261026
KERMIT HAAKONSON
97 NOTTINGHAM BLVD
SHERMAN PARK AB T8A5N9

693262003
JAMES W. FREEMAN
33185 ACAPULCO TR
THOUSAND PALMS CA 92276

693262014
DAVID E. BORING
6642 PARK ST
FIFE WA 98424

693282022
JAMIE LINSSEN
68 FRANKLIN ST
NORTHPORT NY 11768

693282027
LAWRENCE POYNOR
33894 PALM LAKE CIR
THOUSAND PALMS CA 92276

693261002
TAMMY LESSENGER
33190 ACAPULCO TRAIL
THOUSAND PALMS CA 92276

693261004
KYLE FIORI
33230 ACAPULCO TR
THOUSAND PALMS CA 92276

693261017
JOHN J. ZEMBO
37080 FERBER DR
RANCHO MIRAGE CA 92270

693262007
HARLAND L. WOLD
33239 ACAPULCO
THOUSAND PALMS CA 92276

693262027
STACEY L. DICKINSON
4945 N NEAL RANCH RD
KINGMAN AZ 86401

693262029
BALDOMERO OCAMPO
33511 ACAPULCO TR
THOUSAND PALMS CA 92276

693262032
PAUL A. DEARDEN
33547 ACAPULCO TR
THOUSAND PALMS CA 92276

693262034
THOMAS N. BIRKLAND
33563 ACAPULCO TRAIL
THOUSAND PALMS CA 92276

693271003
NORMA J. STEVENS
PO BOX 683
THOUSAND PALMS CA 92276

693272022
MICHAEL DONLEY
3746 LIME AVE
LONG BEACH CA 90807

693273003
STEINWALL PROP
1759 116TH AVE NW
COON RAPIDS MN 55448

693274010
JOHN D. CUDDIHY
73879 BOCA CHICA TR
THOUSAND PALMS CA 92276

693275003
LEO P. GRUENKE
73796 BOCA CHICA TR
THOUSAND PALMS CA 92276

693275010
ROBERT M. WOOD
73902 BOCA CHICA TR
THOUSAND PALMS CA 92276

693275021
STANLEY PICKTHALL
73921 ELIZABETH DR
THOUSAND PALMS CA 92276

693275022
HANSON JUDITH M REVOCABLE LIVING TRUST
2175 SW TAYLORS FERRY RD
PORTLAND OR 97219

693275026
STEELE JILL GIFT TRUST DTD 6/25/07
15120 62ND AVE NW
STANWOOD WA 98292

693275034
TREECE KEITH CHARLES & BONNIE LEE LIVING
73773 ELIZABETH DR
THOUSAND PALMS CA 92276

693282004
GARY D. MOTT
73733 BOCA CHICA TR
THOUSAND PALMS CA 92276

693282005
FUTATO FAMILY TRUST 4/16/21
14446 SAN ARDO DR
LA MIRADA CA 90638

693282006
NANCY JAEGER SHAW
19619 27TH AVE NW
SHORELINE WA 98177

693282013
KENNETH J. CARLTON
26707 NE REDMOND FALL CITY RD
REDMOND WA 98053

693262015
JOHN R. SWENSON
33339 ACAPULCO TR
THOUSAND PALMS CA 92276

693262036
CAROL J. GAIL
33587 ACAPULCO TR
THOUSAND PALMS CA 92276

693272001
MYERS 2019 REVOCABLE LIVING TRUST
33520 LES RD
THOUSAND PALMS CA 92276

693272006
KATIE L. MORRIS
33551 WALTON CIR
THOUSAND PALMS CA 92276

693272019
RAYMOND L. HILL
73876 ELIZABETH DR
THOUSAND PALMS CA 92276

693273001
WOOLLEY LIVING TRUST DATED 05/17/2006
33550 BELL RD
THOUSAND PALMS CA 92276

693274001
MICHAEL W. RUSSELL
73979 BOCA CHICA TR
THOUSAND PALMS CA 92276

693274006
RENCE GANDY
73931 BOCA CHICA TR
THOUSAND PALMS CA 92276

693274015
HARVEY FRANCIS HECK
RR2 BOX 7 SITE
WESTEROSE AB T0C2V0

693274018
GERALD K. PERKINS
P O BOX 0488
THOUSAND PALMS CA 92276

693275015
NORWOOD DAVID L & CAROL ANN LIVING
73966 BOCA CHICA TR
THOUSAND PALMS CA 92276

693275018
L D HOLLIS
33581 BELL RD
THOUSAND PALMS CA 92276

693275019
RONALD W. SHERWOOD
PO BOX 404
THOUSAND PALMS CA 92276

693281016
EUGENE L. WIRSTA
33577 LAURA
THOUSAND PLMS CA 92276

693281017
YVONNE FRAZIER
PO BOX 194
PALM SPRINGS CA 92263

694020056
JACK IVEY RANCH HOMEOWNERS ASSN
P O BOX 240
LA QUINTA CA 92247

694030023
FRED R. WEAVER
74634 BELLOWS RD
THOUSAND PALMS CA 92276

694060032
NCP BAYOU 2 HOLDINGS
55 SAUGATUCK AVE
WESTPORT CT 06880

694400001
SMITH FAMILY TRUST 5/6/21
74799 COTTONTAIL CT
THOUSAND PALMS CA 92276

694400004
ERMA RUTH GUTIERREZ
74800 COTTONTAIL CT
THOUSAND PALMS CA 92276

651130062
THOUSAND PALMS 278
P O BOX 12950
PALM DESERT CA 92255

651140005
THOUSAND PALMS DEV
203 8120 128TH ST
SURREY BC CANADA

651140007
THOUSAND PALMS DEV
209-6678 152 ST
SURREY BC V3S7J2

693171015
RONALD DOUGHERTY
6144 POISE ISLAND DR
SECHelt BC V7Z0L5

693171016
CHRISTOPHER R. CAUGHELL
1204 156TH ST # 401
EDMONTON AB T6R0R6

693171018
JOHN A. BONK
P O BOX 1527
SOUTH PASADENA CA 91031

693172009
TIMOTHY MARSH
18401 SE 440TH ST
ENUMCLAW WA 98022

693272007
ELMO GODDARD
6495 HAPPY CANYON NO 175
DENVER CO 80237

693272012
JOHN BLOSCH
4811 KELLY DR
CARLSBAD CA 92008

693273004
MICHAEL G. LAVELLE
1759 116TH AVE NW
MINNEAPOLIS MN 55448

693273007
ALLEN R. WARD
PO BOX 958
MONROE WA 98272

694030013
DONALD SYLVIA
74630 MEXICALI ROSE
THOUSAND PALMS CA 92276

694030025
ELVIRA M. URETA
34580 BRANDING IRON LN
THOUSAND PALMS CA 92276

694030026
SUSAN MARIE SOMES
34594 BRANDING IRON LN
THOUSAND PALMS CA 92276

693282023
JAMES GRZESEK
3114 CHERRYDALE DR
DIAMOND BAR CA 91765

693291001
EUGENE A. BURKE
33937 SHADY PALMS CIR
THOUSANDPALMS WA 92276

693291004
DOUG BROWN
2003 MOUNTAINVIEW AVE
LUMBY BC CANADA

693291006
JERRY G. ROBERTS
26 E SUNNY SANDS RD
CATHLAMET WA 98612

693291022
THERESA M. REIGER
35 E 100 S APT 506
SALT LAKE CITY UT 84111

693291028
GAYLE L. SHAW
14720 155TH ST E
ORTING WA 98360

693292002
DANIEL F. PFLUGER
7653 S PARK AVE
CONCRETE WA 98237

693292008
ALEXANDER C. SUNG
73961 WHITE SANDS DR
THOUSAND PALMS CA 92276

694020017
A AMES PLUMBING HEATING CORP
PO BOX 1017
GARDEN GROVE CA 92842

693282002
MICHAEL L. MORRISSEY
73745 BOCA CHICA TR
THOUSAND PALMS CA 92276

693282010
EBS TRUST DTD 9/11/2003
73766 WHITE SANDS DR
THOUSAND PALMS CA 92276

693282018
CAROL EVE GOOLER
33919 PALM LAKE CIR
THOUSAND PALMS CA 92276

693282019
STANLEY D. WOODWARD
PO BOX 255
BLUE RIVER OR 97413

693282020
THOMAS A. STEINWACHS
33879 PALM LAKE CIR
THOUSAND PALMS CA 92276

693282028
LEATH IVA FAJAAGESUND
33914 PALM LAKE CIR
THOUSAND PALMS CA 92276

693291017
JULIE M. AMBORD
33873 DRIFTING SANDS CIR
THOUSAND PALMS CA 92276

693292010
BRUMMOND FAMILY TRUST DATED 2/6/2015
73981 WHITE SANDS DR
THOUSAND PALMS CA 92276

693292011
PATRICIA LEAH SCHMIT
73991 WHITE SANDS DR
THOUSAND PALMS CA 92276

693292013
DAVID A. BILAWA
33940 BELL RD
THOUSAND PALMS CA 92276

693292014
DORIS J. HOLLAND
33920 BELL RD
THOUSAND PALMS CA 92276

693292016
JILES E. GUM
325 HARPER LOOP
GRANTS PASS OR 97527

693141041
TONY GALVAN
32405 CHIRICAHUA DR
THOUSAND PALMS CA 92276

693141045
LEOBARDO BAEZ ESPINOZA
32357 CHIRICAHUA DR
THOUSAND PALMS CA 92276

693142024
AIDA AMBRIZ
30 130 LAS FLORES WAY
THOUSAND PALMS CA 92276

693152029
CHARLES T. WAGNER
3228 MEADOW RIDGE LN
TWIN FALLS ID 83301

693152035
AMMAR KERRY SUE FAMILY TRUST DTD
PO BOX 374
THOUSAND PALMS CA 92276

693152043
FREDRICK H. KNUTZEN
812 SUNDOWN LN
CAMANO ISLAND WA 98282

693171002
BRIAN G. LINDSAY
9 630 BROOKSIDE RS
VICTORIA BC V9C0B3

693171011
JANICE CAROLYN LEMUS
32950 GUADALAJARA DR
THOUSAND PALMS CA 92276

693172007
REIGER LESLIE & THERESA FAMILY LIVING
35 W 100 S # 506
SALT LAKE CITY UT 84111

693172014
JACK RAYMOND MOCKFORD
6360 LANSLOWNE PL
DUNCAN BC V9L 5R2

693172017
KENT LABERGE
32943 GUADALAJARA DR
THOUSAND PALMS CA 92276

693172058
SUSANNA S. WARD
32840 BARCELONA DR
THOUSAND PALMS CA 92276

694060023
INTEGRITY CAPITAL SHENANDOAH
815 HARBOR CLIFF WAY # 252
OCEANSIDE CA 92054

693172059
JANET GREGORY
32820 BARCELONA DR
THOUSAND PALMS CA 92276

694400031
CHAMPAGNE PARTNERS
8860 LAWRENCE WELK DR
ESCONDIDO CA 92026

693291012
WILLIAM JACKSON
33912 SHADY PALMS CIR
THOUSAND PALMS CA 92276

693291032
CHARLES R. POTHIER
33835 BELL RD
THOUSAND PALMS CA 92276

693291033
RAYMOND CASTAGNER
23-6211 CHILLIWACK RIVER RD
CHILLIWACK BC V2R6A7

693292019
JULIAN E. MEAD
3561 S CARYSHEA ST
WASILLA AK 99623

694030027
ROBERT EUGENE BURGETT
34610 BRANDING IRON LN
THOUSAND PALMS CA 92276

694030043
MICHAEL VINCENT ALLEN
1320 LOUISIANA ST
VALLEJO CA 94590

Recorded at request of
Clerk, Board of Supervisors
County of Riverside

When recorded return to
Riverside County Planning Director
4080 Lemon Street, 12th Floor
Riverside, CA 92501

DEVELOPMENT AGREEMENT NO. 2200003

A DEVELOPMENT AGREEMENT BETWEEN

COUNTY OF RIVERSIDE

AND

UNIUN ENERGY MANAGEMENT SERVICES, LLC and

THOUSAND PALMS 278, LLC

TABLE OF CONTENTS

RECITALS	1
COVENANTS	2
1. DEFINITIONS AND EXHIBITS	2
1.1 Definitions	2
1.1.1 "Agreement"	2
1.1.2 "Base Payment"	2
1.1.3 "COUNTY"	2
1.1.4 "Development"	3
1.1.5 "Development Approvals"	3
1.1.6 "Development Exaction"	3
1.1.7 "Development Plan"	3
1.1.8 "Effective Date"	3
1.1.9 "Existing Development Approvals"	3
1.1.10 "Existing Land Use Regulations"	3
1.1.11 "Fiscal Year"	3
1.1.12 "Land Use Regulations"	3
1.1.13 "Local Sales and Use Taxes"	4
1.1.14 "Mortgagee"	4
1.1.15 "OWNER"	4
1.1.16 "Project"	4
1.1.17 "Property"	4

1.1.18	“Reservations of Authority”	4
1.1.19	“Solar Power Plant”	4
1.1.20	“Solar Power Plant Net Acreage”	4
1.1.21	“Subsequent Development Approvals”	5
1.1.224	“Subsequent Land Use Regulations”	5
1.1.23	“Transfer”	5
1.2	Exhibits	5
2.	GENERAL PROVISIONS	5
2.1	Binding Effect of Agreement	5
2.2	Ownership of Property	5
2.3	Term	6
2.4	Transfer	6
2.4.1	Right of Transfer	6
2.4.2	Release of Transferring Owner	6
2.4.3	Subsequent Assignment	7
2.5	Amendment or Cancellation of Agreement	7
2.6	Termination	7
2.7	Notices	7
3.	DEVELOPMENT OF THE PROPERTY	9
3.1	Rights to Develop	9
3.2	Effect of Agreement on Land Use Regulations	9
3.3	Timing of Development	9
3.4	Phasing Plan	10

3.5	Changes and Amendments	10
3.6	Reservations of Authority	10
3.6.1	Limitations, Reservations and Exceptions	10
3.6.2	Subsequent Development Approvals	11
3.6.3	Modification or Suspension by State or Federal Law	11
3.6.4	Intent	12
3.7	Public Works	12
3.8	Provision of Real Property Interests by COUNTY	12
3.9	Regulation by Other Public Agencies	12
3.10	Tentative Tract Map Extension	13
3.11	Vesting Tentative Maps	13
4.	PUBLIC BENEFITS	13
4.1	Intent	13
4.2	Annual Public Benefit Payment	13
4.2.1	Initial Annual Public Benefit Payment	13
4.2.2	Subsequent Annual Public Benefit Payments	13
4.2.3	Suspension of Power Production	13
4.2.4	Continuation of Payments	14
4.3	Local Sales and Use Taxes	14
4.4	Development Impact Fees	15
5.	FINANCING OF PUBLIC IMPROVEMENTS	15
6.	REVIEW FOR COMPLIANCE	16
6.1	Annual Review	16

6.2	Special Review	17
6.3	Procedure	17
6.4	Proceedings Upon Modification or Termination	17
6.5	Hearing on Modification or Termination	17
6.6	Certificate of Agreement Compliance	18
7.	INCORPORATION AND ANNEXATION	18
7.1	Intent	18
7.2	Incorporation	18
7.3	Annexation	18
8.	DEFAULT AND REMEDIES	18
8.1	Remedies in General	18
8.2	Specific Performance	19
8.3	Release	19
8.4	Termination or Modification of Agreement for Default of OWNER	19
8.5	Termination of Agreement for Default of COUNTY	20
9.	THIRD PARTY LITIGATION	20
9.1	General Plan Litigation	20
9.2	Third Party Litigation Concerning Agreement	20
9.3	Indemnity	21
9.4	Environment Assurances	21
9.5	Reservation of Rights	21
9.6	Survival	21
10.	MORTGAGEE PROTECTION	21

11. MISCELLANEOUS PROVISIONS	22
11.1 Recordation of Agreement	22
11.2 Entire Agreement	23
11.3 Severability	23
11.4 Interpretation and Governing Law	23
11.5 Section Headings	23
11.6 Singular and Plural	23
11.7 Joint and Several Obligations	23
11.8 Time of Essence	23
11.9 Waiver	23
11.10 No Third Party Beneficiaries	24
11.11 Force Majeure	24
11.12 Mutual Covenants	24
11.13 Successors in Interest	24
11.14 Counterparts	24
11.15 Jurisdiction and Venue	24
11.16 Project as a Private Undertaking	24
11.17 Further Actions and Instruments	24
11.18 Eminent Domain	25
11.19 Agent for Service of Process	25
11.20 Designation of COUNTY Officials	25
11.21 Authority to Execute	25
SIGNATURES	26

DEVELOPMENT AGREEMENT NO. 2200003

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"):

UNIUN ENERGY MANAGEMENT SERVICES, LLC, a California Limited Liability Company; and THOUSAND PALMS 278, LLC, a California Limited Liability Company

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, development of the Property in accordance with this Agreement will provide substantial benefits to COUNTY and will further important policies and goals of COUNTY; 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 Payment" means an amount equal to \$150 multiplied by the entire Solar Power Plant Net Acreage 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 2013 (currently \$179 per acre in 2022).

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

1.1.4 "Development" means any required improvements 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 of buildings and 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.

1.1.5 "Development Approvals" means all applicable permits and other as needed entitlements for use subject to approval or issuance by COUNTY in connection with development of the Property including, but not limited to:

- (a) Specific plans and specific plan amendments;
- (b) Zoning;
- (c) Conditional use permits, public use permits and plot plans;
- (d) Tentative and final subdivision and parcel maps;
- (e) Grading and building permits.

1.1.6 "Development Exaction" means any requirement of 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.

1.1.7 "Development Plan" means the Existing Development Approvals and the Existing Land Use Regulations applicable to development of the Property.

1.1.8 "Effective Date" means the date this Agreement is recorded with the County Recorder.

1.1.9 "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.

1.1.10 "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.

1.1.11 "Fiscal Year" means the period beginning on July 1 of each year and ending on the next succeeding June 30.

1.1.12 "Land Use Regulations" means all applicable 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 (other than the encroachment permit described in Section 3.6.2);
- (e) The exercise of the power of eminent domain.

1.1.13 "Local Sales and Use Taxes" means the one percent sales and use taxes imposed pursuant to and governed by the Bradley-Burns Uniform Local Sales and Use Tax Law, Revenue and Taxation Code Section 7200 et seq.

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 persons and entities listed as OWNER on the first page of this Agreement and their successors in interest to all or any part of the Property.

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 3.6 of this Agreement.

1.1.19 "Solar Power Plant" means the Project together with the related solar power plant real property and facilities described and shown on Exhibit "E".

1.1.20 "Solar Power Plant Net Acreage" means the area of all parts of the Property, and any other real property which is part of the Solar Power Plant, that is involved in the production, storage or transmission of power. "Solar Power Plant Net Acreage" includes, but is not limited to, all areas occupied by the power block, solar collection equipment, spaces contiguous to solar collection equipment, transformers, transmission lines and piping, transmission facilities, buildings, structures, service roads (regardless of surface

type and including service roads between collectors), and fencing surrounding all such areas. "Solar Power Plant Net Acreage" shall not include any access roads outside the Property, and shall not include any areas specifically designated and set aside either as environmentally sensitive land or open space land, and shall not include the fencing of such designated lands. The Solar Power Plant Net Acreage under the Existing Development Approvals is 151.6 net acres and is described and shown on Exhibit "F" to this Agreement. In the event the Project is modified by any Subsequent Development Approval, the Planning Director, in consultation with the County Executive Officer and County Counsel, shall recalculate the Solar Power Plant Net Acreage as part of such Subsequent Development Approval and such recalculated Solar Power Plant Net Acreage shall be used for all purposes under this Agreement after the effective date of such Subsequent Development Approval.

1.1.21 "Subsequent Development Approvals" means all Development Approvals approved subsequent to the Effective Date in connection with development of the Property.

1.1.22 "Subsequent Land Use Regulations" means any Land Use Regulations adopted and effective after the Effective Date of this Agreement.

1.1.23 "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" -- Solar Power Plant.

Exhibit "F" -- Solar Power Plant Net Acreage.

Exhibit "G" -- Applicable County Development Impact Fees.

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. The term of this Agreement shall commence on the Effective Date and shall continue for a period of thirty-four and one-half (34 ½) years from the issuance of the first grading or building permit, whichever comes first, unless this term is modified or extended pursuant to the provisions of this Agreement.

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 transfer of all or a part of the interest in 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 acceptable to COUNTY, and 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 in all respects 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.

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

(d) Cancellation of this Agreement by the parties pursuant to Section 2.5 of this Agreement.

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

Planning Director
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:

UNIUN Energy Management Services, LLC
Attn: Fred Noble

2045 East Tahquitz Canyon Way
Palms Springs, CA 92262

(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 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, subject only to any timing or phasing requirements set forth in the Development Plan or the Phasing Plan set forth in Section 3.4.

3.4 Phasing Plan. Development of the Property shall be subject to all timing and phasing requirements established by the Development Plan, including construction of the inverter, substation, and battery first, and the solar elements second.

3.5 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, including an increase in the height of structures by more than 15 feet; 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.

3.6 Reservations of Authority.

3.6.1 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; provided, however, that no such subsequently adopted Development Exaction shall be applicable to development of the Property unless 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.

3.6.2 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. However, notwithstanding the foregoing or anything to the contrary contained in the Existing Land Use Regulations or in the Municipal Code of COUNTY, OWNER shall have the right to install infrastructure associated with the Solar Power Plant in all public rights of way which have not been improved, based on an encroachment permit only and without the need for a franchise from COUNTY. Notwithstanding the foregoing, OWNER shall pay the Base Payment, as provided in this Agreement.

3.6.3 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, 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.

3.6.4 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.

3.7 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. This provision shall not, in and of itself, require the application of California Labor Code 1720 et. seq. or the California Public Contract Code.

3.8 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 3.8 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.

3.9 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.

3.10 Tentative Tract Map Extension. Notwithstanding the provisions of Section 66452.6 of the Government Code, 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 Existing Land Use Regulations.

3.11 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.

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 Annual Public Benefit Payments.

4.2.1 Initial Annual Public Benefit Payment. Within five (5) business days following the commencement of grading of the Solar Power Plant, OWNER shall pay to COUNTY an amount equal to the Base Payment calculated on the entire Solar Power Plant Net Acreage; provided, however, that such initial annual public benefit payment shall be prorated based on the number of whole months remaining between the date of payment and the first following September 30th. OWNER acknowledges and agrees that if such amount is not paid within five (5) days, it will stop work upon notice by COUNTY.

4.2.2 Subsequent Annual Public Benefit Payments. Prior to the first September 30th following the initial annual public benefit payment and each September 30th thereafter during the term of the Agreement, OWNER shall pay to COUNTY an amount equal to the Base Payment.

4.2.3 Suspension of Power Production. In the event the County takes action which compels a Solar Power Plant included in the Solar Power Plant Net Acreage to stop all power production for a period longer than 90 consecutive days for any reason other than a default under this Agreement or a violation of the conditions of approval of any Existing Development Approval or Subsequent Development Approval, the next payment due

under Subsection 4.2.2 may be reduced up to 50 percent based on the period of time the Solar Power Plant was compelled to remain inoperative.

4.2.4 Continuation of Payments. Should all or any portion of Property become part of a city or another county, the payments payable pursuant to Subsection 4.2.2 shall be paid to COUNTY prior to the effective date of incorporation or annexation. During any incorporation or annexation proceeding, OWNER shall agree that any incorporation or annexation may be conditioned so as to require OWNER to make said payments to COUNTY prior to the effective date of incorporation or annexation.

4.3. Local Sales and Use Taxes. OWNER and COUNTY acknowledge and agree that solar power plant owners have substantial control with respect to sales and use taxes payable in connection with the construction of a solar power plant and a corresponding responsibility to assure that such sales and use taxes are reported and remitted to the California State Board of Equalization (BOE) as provided by law. To ensure allocation directly to COUNTY, to the maximum extent possible under the law, of the sales and use taxes payable in connection with the construction of the Solar Power Plant, OWNER shall do the following, consistent with law:

(a) If OWNER meets the criteria set forth in applicable BOE regulations and policies, OWNER shall obtain a BOE permit, or sub-permit, for the Solar Power Plant jobsite and report and remit all such taxable sales or uses pertaining to construction of the Solar Power Plant using the permit or sub-permit for that jobsite to the maximum extent possible under the law.

(b) OWNER shall contractually require that all contractors and subcontractors whose contract with respect to the Solar Power Plant exceeds \$100,000.00 ("Major Subcontractors") who meet the criteria set forth in applicable BOE regulations and policies must obtain a BOE permit, or sub-permit, for the Solar Power Plant jobsite and report and remit all such taxable sales or uses pertaining to construction of the Solar Power Plant using the permit or sub-permit for that jobsite to the maximum extent possible under the law.

(c) Prior to the commencement of any grading or construction of the Solar Power Plant, OWNER shall deliver to COUNTY a list that includes, as applicable and without limitation, each contractor's and Major Subcontractor's business name, value of contract, scope of work on the Solar Power Plant, procurement list for the Solar Power Plant, BOE account numbers and permits or sub-permits specific to the Solar Power Plant jobsite, contact information for the individuals most knowledgeable about the Solar Power Plant and the sales and use taxes for such Solar Power Plant, and, in addition, shall attach copies of each permit or sub-permit issued by the BOE specific to the Solar Power Plant jobsite. Said list shall include all the above information for OWNER, its contractors, and all Major Subcontractors. OWNER shall provide updates to COUNTY of the information required under this section within thirty (30) days of any changes to the same, including the addition of any contractor or Major Subcontractor.

(d) OWNER shall certify in writing that OWNER understands the procedures for reporting and remitting sales and use taxes in the State of California and will follow all applicable state statutes and regulations with respect to such reporting and remitting.

(e) OWNER shall contractually require that each contractor or Major Subcontractor certify in writing that they understand the procedures for reporting and remitting sales and use taxes in the State of California and will follow all applicable state statutes and regulations with respect to such reporting and remitting.

(f) OWNER shall deliver to COUNTY or its designee (as provided in section (g) below) copies of all sales and use tax returns pertaining to the Solar Power Plant filed by the OWNER, its contractors and Major Subcontractors. Such returns shall be delivered to COUNTY or its designee within thirty (30) days of filing with the BOE. Such returns may be redacted to protect, among other things, proprietary information and may be supplemented by additional evidence that payments made complied with this policy.

(g) OWNER understands and agrees that COUNTY may, in its sole discretion, select and retain the services of a private sales tax consultant with expertise in California sales and use taxes to assist in implementing and enforcing compliance with the provisions of this Agreement and that OWNER shall be responsible for all reasonable costs incurred for the services of any such private sales tax consultant and shall reimburse COUNTY within thirty (30) days of written notice of the amount of such costs.

4.4 Development Impact Fees. Ordinance No. 659 is the COUNTY's Development Impact Fee Program (DIF) adopted under the authority of the Mitigation Fee Act. DIF applies to all development in COUNTY under the COUNTY's land use jurisdiction. Per Ordinance No. 659, the fees collected under the DIF program "shall be used toward the construction and acquisition of Facilities identified in the Needs List and the acquisition of open space and habitat". OWNER and COUNTY acknowledge and agree that solar power plants do not present the same Facilities needs as other new residential, commercial, or industrial development. For that reason, OWNER and COUNTY agree that the application and payment of the surface mining Development Impact Fee category from Ordinance No. 659 computed on a Project Area basis as set forth in Section 13 of Ordinance No. 659 is appropriate for the Project due to similar development impacts. The applicable Development Impact Fees for the Project are set forth in Exhibit G to this Agreement. The applicable Development Impact Fees shall be paid when a certificate of occupancy is issued for the Project or upon final inspection, whichever occurs first. However, this section shall not be construed to prevent payment of the Development Impact Fees prior to issuance of an occupancy permit or final inspection. The Development Impact Fees may be paid at the time application is made for a building permit as set forth in Section 12 of Ordinance No. 659.

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 Transportation and Land Management Agency Director ("TLMA Director"), in consultation with the County Executive Officer and County Counsel, shall review this Agreement annually, on or before the September 15th of each year commencing on the September 15th at least six (6) months after the Effective Date, in order to ascertain the good faith compliance by OWNER with the terms of the Agreement. On or before July 1st of each year, 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 in an amount equal to three (3) times the annual review and administration fee 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 original required amount after notice by COUNTY to OWNER. Failure by OWNER to submit an annual monitoring report by July 1st 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 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.

6.4 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 (10) 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.

6.5 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 of Supervisors 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.

6.6 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 annual 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.

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 6.5, 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 which 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."

8.4 Termination or Modification of Agreement for Default of OWNER. Subject to the provisions contained in Subsection 6.5 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 sixty (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 sixty (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. In response to any third-party litigation concerning this Agreement, OWNER may alternatively, in its sole discretion, (1) abandon the Development Plan and terminate its payment obligations under this Agreement, or (2) settle with third-party litigants, provided that such settlement does not require changes in the Development Plan that must be approved by COUNTY.

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 approve the attorney(s) which OWNER selects, hires or otherwise engages to defend COUNTY hereunder, which approval shall not be unreasonably withheld.

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 Sections 4.1, 4.2, 4.3, and 4.4 of this Agreement, to the extent that such payments are due, 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 Section 4.2 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 at any time during the term of this Agreement the Property is owned, in whole or in part, 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. 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. In the event of a Material Condemnation, meaning 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, 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.

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

COUNTY OF RIVERSIDE

Dated: _____

By: _____
Jeff Hewitt
Chairman, Board of Supervisors

ATTEST:

KECIA HARPER-IHEM

Clerk of the Board

By: _____
Deputy

(SEAL)

FORM APPROVED COUNTY COUNSEL

BY: Aaron C. Gettis 7-14-22
AARON C. GETTIS DATE

OWNER:

Unium Energy Management Services, LLC,
a California limited liability company

By: *FW Noble*

Name: FREDERICK W. NOBLE

Its: MANAGER

Dated: 7/14/22

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

OWNER:

Unium Energy Management Services, LLC,
a California limited liability company

By: _____

Name: _____

Its: _____

Dated: _____

Thousand Palms 278, L.L.C.,
a California limited liability company

By:  _____

Name: JAMES L. FULLER

Its: MANAGER

Dated: 7-14-2022

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

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT**CIVIL CODE § 1189**

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California)
County of Orange)

On July 14, 2022 before me, Eva M. Santana, Notary Public,
Date Here Insert Name and Title of the Officer
personally appeared James L. Fullmer
Name(s) of Signer(s)

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.



Signature [Signature]
Signature of Notary Public

Place Notary Seal Above

OPTIONAL

Though this section is optional, completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

Description of Attached Document

Title or Type of Document: _____ Document Date: _____
Number of Pages: _____ Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____
☐ Corporate Officer — Title(s): _____
☐ Partner — ☐ Limited ☐ General
☐ Individual ☐ Attorney in Fact
☐ Trustee ☐ Guardian or Conservator
☐ Other: _____
Signer Is Representing: _____

Signer's Name: _____
☐ Corporate Officer — Title(s): _____
☐ Partner — ☐ Limited ☐ General
☐ Individual ☐ Attorney in Fact
☐ Trustee ☐ Guardian or Conservator
☐ Other: _____
Signer Is Representing: _____

Development Agreement No. 2200003

EXHIBIT "A"

LEGAL DESCRIPTION OF THE PROPERTY

The Land referred to herein below is situated in an Unincorporated Area of the County of Riverside, State of California, and is described as follows:

PARCEL 1:

PARCELS 21, 22, 23, 24, 25, 26, 27 AND 28, IN THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS SHOWN ON THE RECORDS OF SURVEY, FILED IN BOOK 22, PAGE 3 OF RECORDS OF SURVEY, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

EXCEPT THEREFROM THE WESTERLY 140.00 FEET OF SAID PARCELS 24 AND 25 AS CONVEYED TO SOUTHERN CALIFORNIA EDISON COMPANY BY THE DEED RECORDED AUGUST 7, 1984 AS INSTRUMENT NO. 172083, OFFICIAL RECORDS.
PARCEL 1A:

AN EASEMENT FOR ROADWAY AND PUBLIC UTILITY PURPOSES TO BE USE IN COMMON WITH OTHER OVER VARIOUS STRIPS OF LAND DESIGNATED OF LAND DESIGNATED AS "ROAD EASEMENTS" AS SHOWN ON THE RECORD OF SURVEY FILED IN BOOK 22, PAGE 3 OF RECORDS OF SURVEY, RIVERSIDE COUNTY RECORDS.

PARCEL 2:

PARCELS 41, 42, 43, 44, 45, 46, 47, 48, AND 49, IN THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS SHOWN ON THE RECORD OF SURVEY FILED IN BOOK 25, PAGE 44 OF RECORDS OF SURVEY, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

PARCEL 2A:

AN EASEMENT FOR ROADWAY AND PUBLIC UTILITY PURPOSES TO BE USED IN COMMON WITH OTHERS OVER VARIOUS STRIPS OF LAND DESIGNATED AS "ROAD EASEMENTS" AS SHOWN ON THE RECORD OF SURVEY FILED IN BOOK 25, PAGE 44 OF RECORDS OF SURVEY, RIVERSIDE COUNTY RECORDS.

PARCEL 3: INTENTIONALLY DELETED

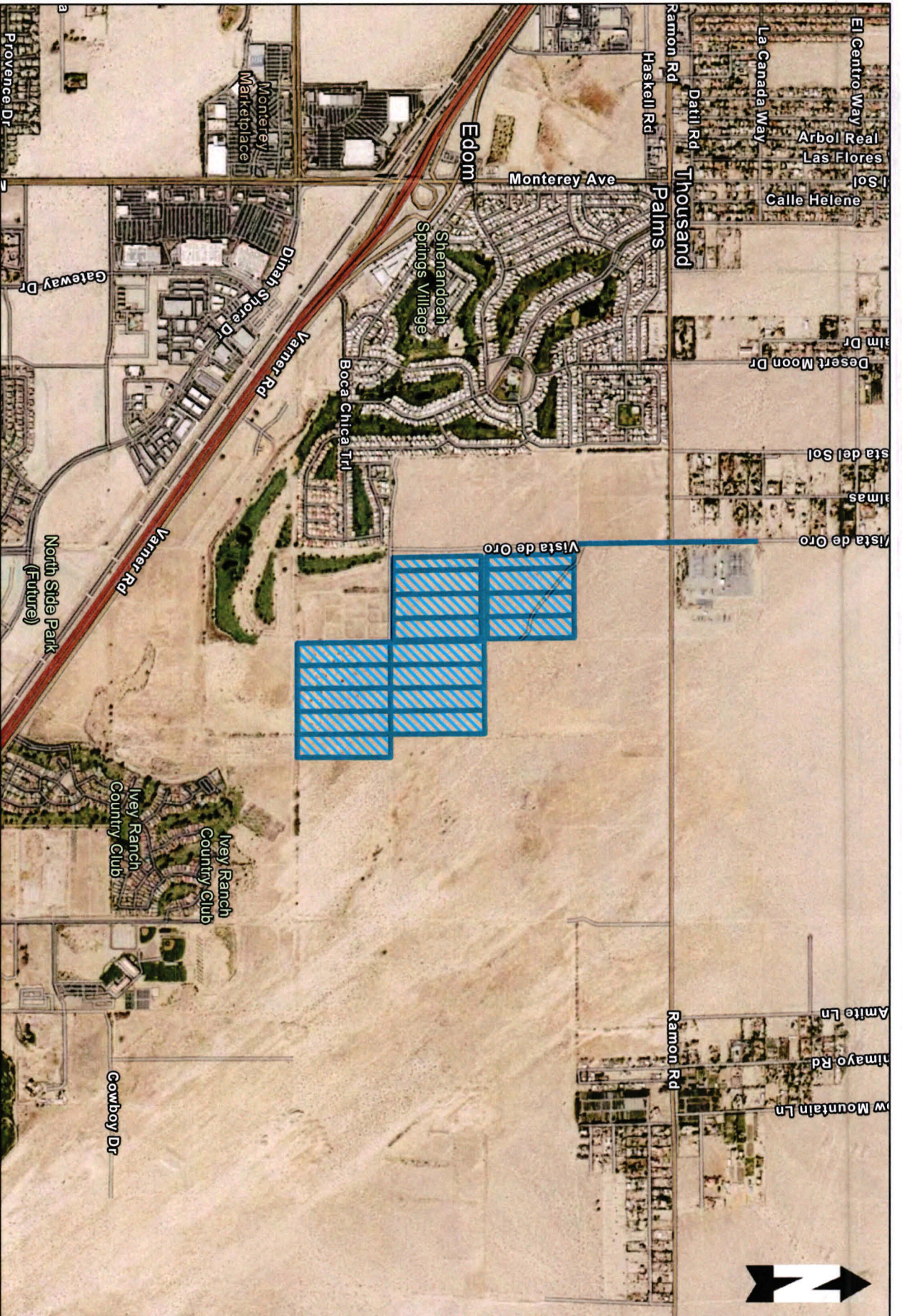
For conveyancing purposes only: APN 651-130-062 (Affects: Parcel 21 of Parcel 1);
651-130-063 (Affects: Parcel 22 of Parcel 1);
651-130-064 (Affects: Parcel 23 of Parcel 1);
651-130-065 (Affects: Parcel 24 of Parcel 1);

651-140-039 (Affects: Parcel 25 of Parcel 1);
651-140-040 (Affects: Parcel 26 of Parcel 1);
651-140-041 (Affects: Parcel 27 of Parcel 1);
651-140-042 (Affects: Parcel 28 of Parcel 1);
651-140-017 (Affects: Parcel 41 of Parcel 2);
651-140-018 (Affects: Parcel 42 of Parcel 2);
651-140-019 (Affects: Parcel 43 of Parcel 2);
651-140-020 (Affects: Parcel 44 of Parcel 2);
651-140-021 (Affects: Parcel 45 of Parcel 2);
651-140-022 (Affects: Parcel 46 of Parcel 2);
651-140-023 (Affects: Parcel 47 of Parcel 2);
651-140-024 (Affects: Parcel 48 of Parcel 2);
651-140-025 (Affects: Parcel 49 of Parcel 2)

Development Agreement No. 2200003

EXHIBIT "B"

MAP SHOWING PROPERTY AND ITS LOCATION



1 in = 0.36 miles

Development Agreement No. 2200003

EXHIBIT "C"

EXISTING DEVELOPMENT APPROVALS

Specific Plan

The development is not in a specific plan

Zoning and Use Permits

Change of Zone No. 2200004

Conditional Use Permit No. 220003

Land Divisions

None

Other Development Approvals or Documents

Initial Study and Mitigated Negative Declaration

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.

Development Agreement No. 2200003

EXHIBIT "D"

EXISTING LAND USE REGULATIONS

1. Riverside County General Plan as amended through Resolution No. 2021-108
2. Ordinance No. 348 as amended through Ordinance No. 348.4978
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. 458.17
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. 673.5
17. Ordinance No. 679 as amended through Ordinance No. 679.4

18. Ordinance No. 682 as amended through Ordinance No. 682.6
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. 810.3
28. Ordinance No. 817 as amended through Ordinance No. 817.1
29. Ordinance No. 824 as amended through Ordinance No. 824.17
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. Resolution No. 2020-124 Establishing Procedures and Requirements of
the County of Riverside for the Consideration of Development
Agreements

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

Development Agreement No. 220003

EXHIBIT "E"

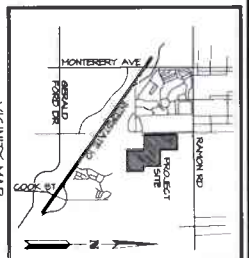
The proposed Project is a passive solar facility. Energy would be transported from the Project site substation to SCE's Mirage Substation through a 230-kilovolt (kV) generation tie (gen-tie) lines that would be undergrounded. Underground or overhead collector lines would transmit energy to and from an on-site substation, to be located on the northeasterly portion of the northerly parcel on the project site, and the Battery Energy Storage System (BESS). Inverters located adjacent to the enclosures would invert and step-up energy to 230 kilovolts for transmission to the SCE Mirage Substation or invert from alternating current to direct current for storage in the BESS. The Project would provide 10 standard parking spaces for maintenance workers. No onsite building will be built for staff or maintenance workers. Additionally, the perimeter of the solar facility would be enclosed by an 8-foot-high chain-link fence and landscaping on the west and southern perimeters. Lighting is provided to the solar facility through 14-foot-high light poles on motion sensors with shielding and directed downwards into the solar facility. There is a 4.8-acre area that includes cultural resources that will not be disturbed by the solar facility.

Development Agreement No. 2200003

EXHIBIT "F"

SOLAR POWER PLANT NET ACREAGE

COUNTY OF RIVERSIDE STATE OF CALIFORNIA **CONDITIONAL USE PERMIT NO. 220003** LOCATED IN SECTION 21, T. 4 S., R. 6 E., S.B.M.



VICINITY MAP

OWNER

THOMAS PAUL 276, LLC
 600 BOX 100
 RIVERSIDE, CA 92506
 PHONE: (951) 500-0000
 FAX: (951) 500-0000

APPLICANT

USA ENERGY MANAGEMENT SERVICES, LLC
 10000 RIVERSIDE AVE
 RIVERSIDE, CA 92504
 PHONE: (951) 500-0000
 FAX: (951) 500-0000

ENGINEER / REPRESENTATIVE

ALBERT A. HARRIS ASSOCIATES
 1000 RIVERSIDE AVE
 RIVERSIDE, CA 92504
 PHONE: (951) 500-0000
 FAX: (951) 500-0000

LAND USE AND ZONING

EXISTING LAND USE: VACANT LOT
 ZONING: UNDESIGNATED GENERAL B-14 LAND USE
 RESIDENTIAL (R6) B-14 RESIDENTIAL (TALL APART)
 DEPARTMENT (TALL APART)

SCHOOL DISTRICT

UNION HIGH SCHOOL DISTRICT
 1000 RIVERSIDE AVE
 RIVERSIDE, CA 92504
 PHONE: (951) 500-0000
 FAX: (951) 500-0000

UTILITY PROVIDERS

INTERNAL RIVERSIDE DISTRICT
 1000 RIVERSIDE AVE
 RIVERSIDE, CA 92504
 PHONE: (951) 500-0000
 FAX: (951) 500-0000

LEGAL DESCRIPTION

PARCELS 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000, 1001, 1002, 1003, 1004, 1005, 1006, 1007, 1008, 1009, 1010, 1011, 1012, 1013, 1014, 1015, 1016, 1017, 1018, 1019, 1020, 1021, 1022, 1023, 1024, 1025, 1026, 1027, 1028, 1029, 1030, 1031, 1032, 1033, 1034, 1035, 1036, 1037, 1038, 1039, 1040, 1041, 1042, 1043, 1044, 1045, 1046, 1047, 1048, 1049, 1050, 1051, 1052, 1053, 1054, 1055, 1056, 1057, 1058, 1059, 1060, 1061, 1062, 1063, 1064, 1065, 1066, 1067, 1068, 1069, 1070, 1071, 1072, 1073, 1074, 1075, 1076, 1077, 1078, 1079, 1080, 1081, 1082, 1083, 1084, 1085, 1086, 1087, 1088, 1089, 1090, 1091, 1092, 1093, 1094, 1095, 1096, 1097, 1098, 1099, 1100, 1101, 1102, 1103, 1104, 1105, 1106, 1107, 1108, 1109, 1110, 1111, 1112, 1113, 1114, 1115, 1116, 1117, 1118, 1119, 1120, 1121, 1122, 1123, 1124, 1125, 1126, 1127, 1128, 1129, 1130, 1131, 1132, 1133, 1134, 1135, 1136, 1137, 1138, 1139, 1140, 1141, 1142, 1143, 1144, 1145, 1146, 1147, 1148, 1149, 1150, 1151, 1152, 1153, 1154, 1155, 1156, 1157, 1158, 1159, 1160, 1161, 1162, 1163, 1164, 1165, 1166, 1167, 1168, 1169, 1170, 1171, 1172, 1173, 1174, 1175, 1176, 1177, 1178, 1179, 1180, 1181, 1182, 1183, 1184, 1185, 1186, 1187, 1188, 1189, 1190, 1191, 1192, 1193, 1194, 1195, 1196, 1197, 1198, 1199, 1200, 1201, 1202, 1203, 1204, 1205, 1206, 1207, 1208, 1209, 1210, 1211, 1212, 1213, 1214, 1215, 1216, 1217, 1218, 1219, 1220, 1221, 1222, 1223, 1224, 1225, 1226, 1227, 1228, 1229, 1230, 1231, 1232, 1233, 1234, 1235, 1236, 1237, 1238, 1239, 1240, 1241, 1242, 1243, 1244, 1245, 1246, 1247, 1248, 1249, 1250, 1251, 1252, 1253, 1254, 1255, 1256, 1257, 1258, 1259, 1260, 1261, 1262, 1263, 1264, 1265, 1266, 1267, 1268, 1269, 1270, 1271, 1272, 1273, 1274, 1275, 1276, 1277, 1278, 1279, 1280, 1281, 1282, 1283, 1284, 1285, 1286, 1287, 1288, 1289, 1290, 1291, 1292, 1293, 1294, 1295, 1296, 1297, 1298, 1299, 1300, 1301, 1302, 1303, 1304, 1305, 1306, 1307, 1308, 1309, 1310, 1311, 1312, 1313, 1314, 1315, 1316, 1317, 1318, 1319, 1320, 1321, 1322, 1323, 1324, 1325, 1326, 1327, 1328, 1329, 1330, 1331, 1332, 1333, 1334, 1335, 1336, 1337, 1338, 1339, 1340, 1341, 1342, 1343, 1344, 1345, 1346, 1347, 1348, 1349, 1350, 1351, 1352, 1353, 1354, 1355, 1356, 1357, 1358, 1359, 1360, 1361, 1362, 1363, 1364, 1365, 1366, 1367, 1368, 1369, 1370, 1371, 1372, 1373, 1374, 1375, 1376, 1377, 1378, 1379, 1380, 1381, 1382, 1383, 1384, 1385, 1386, 1387, 1388, 1389, 1390, 1391, 1392, 1393, 1394, 1395, 1396, 1397, 1398, 1399, 1400, 1401, 1402, 1403, 1404, 1405, 1406, 1407, 1408, 1409, 1410, 1411, 1412, 1413, 1414, 1415, 1416, 1417, 1418, 1419, 1420, 1421, 1422, 1423, 1424, 1425, 1426, 1427, 1428, 1429, 1430, 1431, 1432, 1433, 1434, 1435, 1436, 1437, 1438, 1439, 1440, 1441, 1442, 1443, 1444, 1445, 1446, 1447, 1448, 1449, 1450, 1451, 1452, 1453, 1454, 1455, 1456, 1457, 1458, 1459, 1460, 1461, 1462, 1463, 1464, 1465, 1466, 1467, 1468, 1469, 1470, 1471, 1472, 1473, 1474, 1475, 1476, 1477, 1478, 1479, 1480, 1481, 1482, 1483, 1484, 1485, 1486, 1487, 1488, 1489, 1490, 1491, 1492, 1493, 1494, 1495, 1496, 1497, 1498, 1499, 1500, 1501, 1502, 1503, 1504, 1505, 1506, 1507, 1508, 1509, 1510, 1511, 1512, 1513, 1514, 1515, 1516, 1517, 1518, 1519, 1520, 1521, 1522, 1523, 1524, 1525, 1526, 1527, 1528, 1529, 1530, 1531, 1532, 1533, 1534, 1535, 1536, 1537, 1538, 1539, 1540, 1541, 1542, 1543, 1544, 1545, 1546, 1547, 1548, 1549, 1550, 1551, 1552, 1553, 1554, 1555, 1556, 1557, 1558, 1559, 1560, 1561, 1562, 1563, 1564, 1565, 1566, 1567, 1568, 1569, 1570, 1571, 1572, 1573, 1574, 1575, 1576, 1577, 1578, 1579, 1580, 1581, 1582, 1583, 1584, 1585, 1586, 1587, 1588, 1589, 1590, 1591, 1592, 1593, 1594, 1595, 1596, 1597, 1598, 1599, 1600, 1601, 1602, 1603, 1604, 1605, 1606, 1607, 1608, 1609, 1610, 1611, 1612, 1613, 1614, 1615, 1616, 1617, 1618, 1619, 1620, 1621, 1622, 1623, 1624, 1625, 1626, 1627, 1628, 1629, 1630, 1631, 1632, 1633, 1634, 1635, 1636, 1637, 1638, 1639, 1640, 1641, 1642, 1643, 1644, 1645, 1646, 1647, 1648, 1649, 1650, 1651, 1652, 1653, 1654, 1655, 1656, 1657, 1658, 1659, 1660, 1661, 1662, 1663, 1664, 1665, 1666, 1667, 1668, 1669, 1670, 1671, 1672, 1673, 1674, 1675, 1676, 1677, 1678, 1679, 1680, 1681, 1682, 1683, 1684, 1685, 1686, 1687, 1688, 1689, 1690, 1691, 1692, 1693, 1694, 1695, 1696, 1697, 1698, 1699, 1700, 1701, 1702, 1703, 1704, 1705, 1706, 1707, 1708, 1709, 1710, 1711, 1712, 1713, 1714, 1715, 1716, 1717, 1718, 1719, 1720, 1721, 1722, 1723, 1724, 1725, 1726, 1727, 1728, 1729, 1730, 1731, 1732, 1733, 1734, 1735, 1736, 1737, 1738, 1739, 1740, 1741, 1742, 1743, 1744, 1745, 1746, 1747, 1748, 1749, 1750, 1751, 1752, 1753, 1754, 1755, 1756, 1757, 1758, 1759, 1760, 1761, 1762, 1763, 1764, 1765, 1766, 1767, 1768, 1769, 1770, 1771, 1772, 1773, 1774, 1775, 1776, 1777, 1778, 1779, 1780, 1781, 1782, 1783, 1784, 1785, 1786, 1787, 1788, 1789, 1790, 1791, 1792, 1793, 1794, 1795, 1796, 1797, 1798, 1799, 1800, 1801, 1802, 1803, 1804, 1805, 1806, 1807, 1808, 1809, 1810, 1811, 1812, 1813, 1814, 1815, 1816, 1817, 1818, 1819, 1820, 1821, 1822, 1823, 1824, 1825, 1826, 1827, 1828, 1829, 1830, 1831, 1832, 1833, 1834, 1835, 1836, 1837, 1838, 1839, 1840, 1841, 1842, 1843, 1844, 1845, 1846, 1847, 1848, 1849, 1850, 1851, 1852, 1853, 1854, 1855, 1856, 1857, 1858, 1859, 1860, 1861, 1862, 1863, 1864, 1865, 1866, 1867, 1868, 1869, 1870, 1871, 1872, 1873, 1874, 1875, 1876, 1877, 1878, 1879, 1880, 1881, 1882, 1883, 1884, 1885, 1886, 1887, 1888, 1889, 1890, 1891, 1892, 1893, 1894, 1895, 1896, 1897, 1898, 1899, 1900, 1901, 1902, 1903, 1904, 1905, 1906, 1907, 1908, 1909, 1910, 1911, 1912, 1913, 1914, 1915, 1916, 1917, 1918, 1919, 1920, 1921, 1922, 1923, 1924, 1925, 1926, 1927, 1928, 1929, 1930, 1931, 1932, 1933, 1934, 1935, 1936, 1937, 1938, 1939, 1940, 1941, 1942, 1943, 1944, 1945, 1946, 1947, 1948, 1949, 1950, 1951, 1952, 1953, 1954, 1955, 1956, 1957, 1958, 1959, 1960, 1961, 1962, 1963, 1964, 1965, 1966, 1967, 1968, 1969, 1970, 1971, 1972, 1973, 1974, 1975, 1976, 1977, 1978, 1979, 1980, 1981, 1982, 1983, 1984, 1985, 1986, 1987, 1988, 1989, 1990, 1991, 1992, 1993, 1994, 1995, 1996, 1997, 1998, 1999, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2029, 2030, 2031, 2032, 20

[illegible]

PRELIMINARY

Development Agreement No. 2200003

EXHIBIT "G"

APPLICABLE COUNTY DEVELOPMENT IMPACT FEES

Development Impact Fees are calculated to be \$6,717 dollars per net acre of project development. The net project development is 151.6 acres.



**PROOF OF
PUBLICATION**

**STATE OF CALIFORNIA SS.
COUNTY OF RIVERSIDE**

RIVERSIDE COUNTY – BOARD OF SUP.
ATTN: Zuly Martinez
4080 LEMON ST, 1ST FL, RM 127
RIVERSIDE CA 92501

I am over the age of 18 years old, a citizen of the United States and not a party to, or have interest in this matter. I hereby certify that the attached advertisement appeared in said newspaper (set in type not smaller than non paniel) in each and entire issue of said newspaper and not in any supplement thereof on the following dates, to wit:

8/12/22

I acknowledge that I am a principal clerk of the printer of The Desert Sun, printed and published weekly I the City of Palm Springs, County of Riverside, State of California. The Desert Sun was adjudicated a Newspaper of general circulation on March 24, 1988 by the Superior Court of the County of Riverside, State of California Case No. 191236.

I certify under penalty of perjury, under the laws of the State of California, that the foregoing is true and correct. Executed on this 18th of August 2022 in Green Bay, Wisconsin, County of Brown


DECLARANT

Ad#: GCI0927417
P O: Adoption of ORD No. 348.4987
of Affidavits: 1

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

**ORDINANCE NO. 348.4987
AN ORDINANCE OF THE COUNTY OF RIVERSIDE
AMENDING ORDINANCE NO. 348 RELATING TO ZONING**

The Board of Supervisors of the County of Riverside ordains as follows:
Section 1. Section 4.1 of Ordinance No. 348, and Thousand Palms District Zoning Plan Map No. 40, as amended, are further amended by placing in effect in the zone or zones shown on the map entitled "Change of Official Zoning Plan, Thousand Palms District, Map No. 40.052 Change of Zone Case No. 2200004" which map is made a part of this ordinance.

Section 2. This ordinance shall take effect 30 days after its adoption.

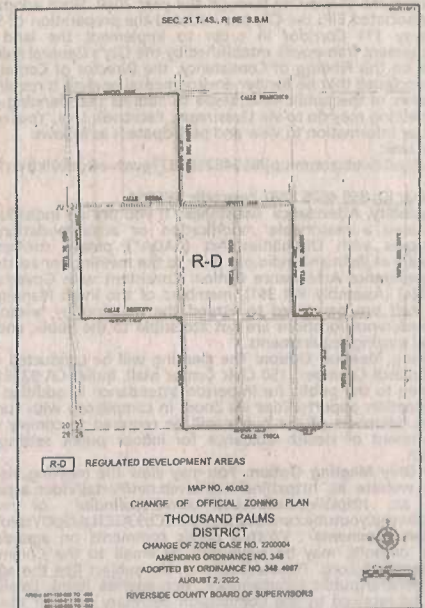
J. Hewitt, Chair of the Board

I HEREBY CERTIFY that at a regular meeting of the Board of Supervisors of said County, held on **July 26, 2022**, the foregoing Ordinance was adopted by said Board by the following vote:

AYES: Jeffries, Spiegel,
Washington, Perez, and Hewitt
NAYS: None
ABSENT: None

Kecia R. Harper, Clerk of the Board
By: Zuly Martinez, Board Assistant

DS-GCI0927417-01



ORDINANCE NO. 348.4987
AN ORDINANCE OF THE COUNTY OF RIVERSIDE
AMENDING ORDINANCE NO. 348 RELATING TO ZONING

THE PRESS-ENTERPRISE

1825 Chicago Ave, Suite 100
Riverside, CA 92507
951-684-1200
951-368-9018 FAX

PROOF OF PUBLICATION (2010, 2015.5 C.C.P)

Publication(s): The Press-Enterprise

PROOF OF PUBLICATION OF

Ad Desc.: Adoption of Ord. No. 348.4987 /

I am a citizen of the United States. I am over the age of eighteen years and not a party to or interested in the above entitled matter. I am an authorized representative of THE PRESS-ENTERPRISE, a newspaper in general circulation, printed and published daily in the County of Riverside, and which newspaper has been adjudicated a newspaper of general circulation by the Superior Court of the County of Riverside, State of California, under date of April 25, 1952, Case Number 54446, under date of March 29, 1957, Case Number 65673, under date of August 25, 1995, Case Number 267864, and under date of September 16, 2013, Case Number RIC 1309013; that the notice, of which the annexed is a printed copy, has been published in said newspaper in accordance with the instructions of the person(s) requesting publication, and not in any supplement thereof on the following dates, to wit:

08/13/2022

I certify (or declare) under penalty of perjury that the foregoing is true and correct.

Date: August 13, 2022
At: Riverside, California



Legal Advertising Representative, The Press-Enterprise

BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE
PO BOX 1147
RIVERSIDE, CA 92502

Ad Number: 0011553642-01

P.O. Number:

Ad Copy:

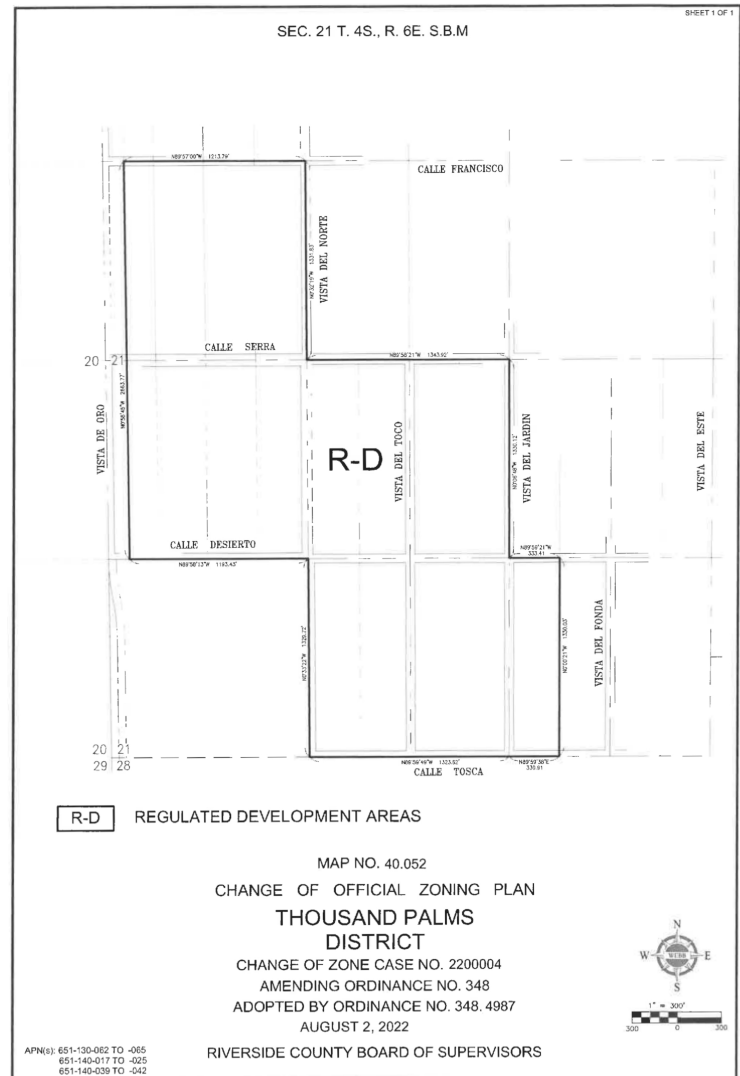
BOARD OF SUPERVISORS OF THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA

ORDINANCE NO. 348.4987 AN ORDINANCE OF THE COUNTY OF RIVERSIDE AMENDING ORDINANCE NO. 348 RELATING TO ZONING

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

Section 1. Section 4.1 of Ordinance No. 348, and Thousand Palms District Zoning Plan Map No. 40, as amended, are further amended by placing in effect in the zone or zones shown on the map entitled "Change of Official Zoning Plan, Thousand Palms District, Map No. 40.052 Change of Zone Case No. 2200004" which map is made a part of this ordinance.

Section 2. This ordinance shall take effect 30 days after its adoption.



APN(s): 651-130-062 TO -065
651-140-017 TO -025
651-140-036 TO -042

RIVERSIDE COUNTY BOARD OF SUPERVISORS

H:\2021\21-0186\Drawings\Map\Map\COZ\21-0186_FINAL_COZ.dwg

J. Hewitt, Chair of the Board

I HEREBY CERTIFY that at a regular meeting of the Board of Supervisors of said County, held on **July 26, 2022**, the foregoing Ordinance was adopted by said Board by the following vote:

AYES: Jeffries, Spiegel, Washington, Perez, and Hewitt
NAYS: None
ABSENT: None

Kecia R. Harper, Clerk of the Board
By: Zuly Martinez, Board Assistant
Press-Enterprise
Published: 8/13/22



2022 ENVIRONMENTAL DOCUMENT FILING FEE

CASH RECEIPT

DFW 753.5a (REV. 01/01/22) Previously DFG 753.5a

RECEIPT NUMBER:

22-246485

STATE CLEARINGHOUSE NUMBER (if applicable)

SEE INSTRUCTIONS ON REVERSE. TYPE OR PRINT CLEARLY.

LEAD AGENCY

LEAD AGENCY EMAIL

DATE

CLERK OF THE BOARD OF SUPERVISORS

COB@RIVCO.ORG

06/29/2022

COUNTY/STATE AGENCY OF FILING

DOCUMENT NUMBER

RIVERSIDE

E-202200604

PROJECT TITLE

CZ2100000

PROJECT APPLICANT NAME

PROJECT APPLICANT EMAIL

PHONE NUMBER

CLERK OF THE BOARD OF SUPERVISORS

COB@RIVCO.ORG

(951) 955-1069

PROJECT APPLICANT ADDRESS

CITY

STATE

ZIP CODE

4080 LEMON ST 1ST FLOOR,

RIVERSIDE

CA

92501

PROJECT APPLICANT (Check appropriate box)

☒ Local Public Agency ☐ School District ☐ Other Special District ☐ State Agency ☐ Private Entity

CHECK APPLICABLE FEES:

<input type="checkbox"/> Environmental Impact Report (EIR)	\$3,539.25	\$	
<input type="checkbox"/> Mitigated/Negative Declaration (MND)(ND)	\$2,548.00	\$	
<input type="checkbox"/> Certified Regulatory Program (CRP) document - payment due directly to CDFW	\$1,203.25	\$	

☐ Exempt from fee☐ Notice of Exemption (attach)☐ CDFW No Effect Determination (attach)☐ Fee previously paid (attach previously issued cash receipt copy)

<input type="checkbox"/> Water Right Application or Petition Fee (State Water Resources Control Board only)	\$850.00	\$	
---	----------	----	--

<input type="checkbox"/> County documentary handling fee	\$		\$0.00
--	----	--	--------

<input type="checkbox"/> Other	\$		
--------------------------------	----	--	--

PAYMENT METHOD:

☐ Cash ☐ Credit ☐ Check ☒ Other

TOTAL RECEIVED \$ \$0.00

SIGNATURE

AGENCY OF FILING PRINTED NAME AND TITLE

X *U. Sandoval*

Deputy



Lead Agency: Clerk of the Board
ATTN: Zuly Martinez
Address: 4080 Lemon Street 1st floor
Riverside, Ca. 92502

FILED / POSTED

County of Riverside
Peter Aldana
Assessor-County Clerk-Recorder

E-20220604
06/29/2022 02:54 PM Fee: \$ 0.00
Page 1 of 2

Removed: By: Deputy



Project Title

Notice of Public Hearing CZ2100000

Filing Type

- ☐ Environmental Impact Report
- ☐ Mitigated/Negative Declaration
- ☐ Notice of Exemption
- ☒ Other: Notice of Public Hearing

Notes

**NOTICE OF PUBLIC HEARING BEFORE THE BOARD OF SUPERVISORS OF RIVERSIDE COUNTY
ON A CHANGE OF ZONE, COUNTYWIDE**

NOTICE IS HEREBY GIVEN that a public hearing at which all interested persons will be heard, will be held before the Board of Supervisors of Riverside County, California, on the 1st Floor Board Chambers, County Administrative Center, 4080 Lemon Street, Riverside, on **Tuesday, July 26, 2022 at 10:00 A.M.** or as soon as possible thereafter, to consider the Planning Commission's recommended approval of **Change of Zone No. 2100000**. Change of Zone No. 2100000 is an amendment to County Ordinance No. 927 (Short Term Rentals), Ordinance No. 671 (Consolidated Fees for Land Use), and a request to allocate certain Transient Occupancy Tax ("TOT") funds to the Code Enforcement Department. Ordinance No. 927.1 amends Ordinance No. 927 in its entirety and includes comprehensive updates to definitions, permitting, occupancy, operations, and enforcement of Short Term Rentals. Ordinance No. 671.22 amends Ordinance No. 671 to update the Short Term Rental initial application fee from \$250.00 to \$740.00 and the annual renewal fee from \$100.00 to \$540.00. This is also a request to set aside 50% of the increase in TOT generated by Short Term Rentals (using FY 21/22 as a baseline) to fund Code Enforcement activities associated with ongoing enforcement of Ordinance No. 927. This amendment applies to all areas located within the unincorporated portions of Riverside County

The Planning Commission recommends that the Board of Supervisors **Find that the proposed amendment is exempt from CEQA, Adopt Ordinance No. 927.1, Adopt Ordinance No. 671.22, and Direct the Executive Office to set aside 50% of the increase in Transient Occupancy Tax ("TOT") generated by Short Term Rentals (using FY 21/22 as a baseline) to fund the ongoing Code Enforcement activities associated with enforcement of Ordinance No. 927.**

On May 18, 2022 the Planning Commission approved staff recommendation to the Board of Supervisors by a vote of 5-0. The Planning Department meeting documents for the proposed project may be viewed online under the Planning Commission hearing date on the Public Hearing page of the Planning Department website: <https://planning.rctlma.org/Public-Hearings>.

FOR FURTHER INFORMATION REGARDING THIS PROJECT, PLEASE CONTACT JOHN HILDEBRAND, PLANNING DIRECTOR, AT (951) 955-1888 OR EMAIL JHILDEBR@RIVCO.ORG.

Any person wishing to testify in support of or in opposition to the project may do so in writing between the date of this notice and the public hearing or may appear and be heard at the time and place noted above. All written comments received prior to the public hearing will be submitted to the Board of Supervisors and the Board of Supervisors will consider such comments, in addition to any oral testimony, before making a decision on the project.

If you challenge the above item 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 to the Planning Commission or Board of Supervisors at, or prior to, the public hearing. Be advised that as a result of the public hearing and the consideration of all public comment, written and oral, the Board of Supervisors may amend, in whole or in part, the project and/or the related environmental document. Accordingly, the designations, development standards, design or improvements, or any properties or lands within the boundaries of the project, may be changed in a way other than specifically proposed.

Alternative formats available upon request to individuals with disabilities. If you require reasonable accommodation, please contact Clerk of the Board at (951) 955-1069, at least 72 hours prior to hearing.

Please send all written correspondence to: Clerk of the Board, 4080 Lemon Street, 1st Floor, Post Office Box 1147, Riverside, CA 92502-1147 or email cob@rivco.org

Dated: June 28, 2022

Kecia R. Harper, Clerk of the Board
By: Zuly Martinez, Board Assistant