

## 5.6 Land Use

This section provides an inventory of existing and designated land uses, including agricultural uses, in the vicinity of the Rice Solar Energy Project (RSEP). For purposes of this analysis, the affected environment study area is defined as those areas within 1 mile of the RSEP site. Section 5.6.1 describes the environment that could be affected by the proposed project. Section 5.6.2 presents an environmental analysis of project development. Section 5.6.3 discusses potential cumulative effects. Section 5.6.4 discusses possible mitigation measures. Section 5.6.5 presents the laws, ordinances, regulations, and standards (LORS) applicable to land use. Section 5.6.6 provides the agencies and agency contacts for land use issues. Section 5.6.7 provides a discussion of permits, and Section 5.6.8 lists the references used in preparing this section.

### 5.6.1 Affected Environment

#### 5.6.1.1 Existing Land Uses within the Study Area

As described in Section 1.2, the RSEP is sited within a larger 3,324-acre ownership property consisting of six Assessor's parcel numbers (APNs). Within this property, RSE will create a single 2,560-acre project parcel by merging four existing APNs (801-070-003, 801-070-004, 801-100-005, and 801-100-006). The project and facility site will be a 1,410-acre fenced area within the project parcel. The property, parcel, and project boundaries are shown in Figure 1.0-2 in Section 1.0 (see Figures 1.0-2 and 5.6-1).

The project property consists of private, unincorporated land immediately south of State Route (SR) 62 in eastern Riverside County, near the site of the former town of Rice, and 32 miles west of Parker, Arizona. Needles, California, is approximately 65 miles northeast; Blythe, California, is 40 miles south; and Twentynine Palms, California, is 75 miles west. The nearest residences are at Vidal Junction, approximately 15 miles northeast, and at the Metropolitan Water District of Southern California's Iron Mountain Pumping Plant, 17 miles west.

The RSEP includes a 10.0-mile generator tie-line connecting the plant facility to the Western Area Power Administration (Western) 161-kilovolt (kV) Parker-Blythe transmission line. The generator tie-line runs from the southeast corner of the site across lands managed by the Bureau of Land Management (BLM) and a small portion of private property (APNs 803-090-002 and 803-090-001). The interconnection substation will be on land managed by the BLM. RSE has applied for a right-of-way (ROW) grant for the land where the generator tie-line crosses BLM land and for the interconnection substation. RSE also proposes to obtain easements where the generator tie-line crosses private property.

The RSEP site includes the former Rice Army Airfield, constructed as part of the Desert Training Center and used as a military training airfield from 1942 to 1944. The airfield originally consisted of two oiled 5,000-foot runways and numerous aircraft hardstands extending beyond the runways to the southeast and southwest. The airfield served as a private airfield after 1944 and was abandoned between 1954 and 1958. The site is now primarily comprised of creosote bush-bursage desert scrub with few areas of disturbance where foundations or concrete from the runways and hardstands remain. The runways have regrown in bursage; no standing structures remain.

The RSEP site is surrounded by private land on the southwest and public lands managed by the BLM to the east, west, and north. SR 62 and the Colorado River Aqueduct, operated by the Metropolitan Water District of Southern California, are located just north of the site in San Bernardino County. The general landscape near the RSEP site consists of a gently sloping alluvial fan covered in creosote bush scrub, with sand dunes known as the Rice Valley Dunes to the south. At greater distance from the RSEP, nearly all of the land for miles in every direction is uninhabited public land managed by BLM. The former Rice Valley Dunes Off-Highway Vehicle Recreation area, south of the project site and generator tie-line route, has been closed by the BLM due to lack of use.

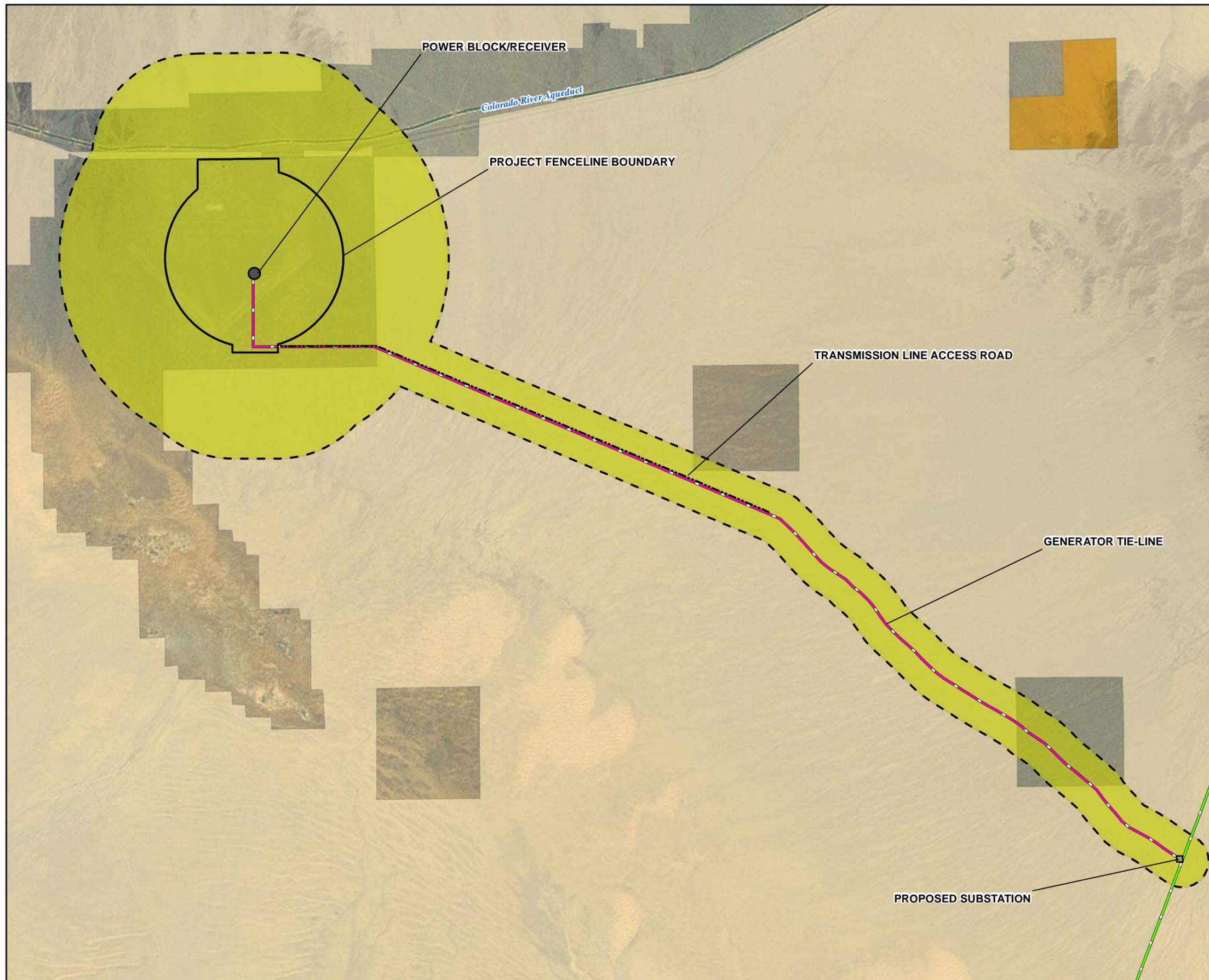
A search within 1-mile of the RSEP site determined that no schools (elementary, middle, and high), churches, child care/day centers, parks and recreation centers, historic areas, or mines and quarries are near the RSEP site. This search also determined that there are no occupied, inhabited, or used structures within a mile of the project site or generator tie-line route. Table 5.6-1 lists the name of the entity in each of these facility categories that is closest to the RSEP site. Figure 5.6-1 shows existing land uses within 1 mile of the RSEP site.

**TABLE 5.6-1**  
Distance from RSEP Site to Facility by Facility Type

Name of Facility	Approximate Distance from RSEP Site (miles)
<b>Schools</b>	
La Pera Elementary, Parker, Arizona	24
Colorado River Indian Tribes Head Start Program, Parker, Arizona	26
Blake School, Parker, Arizona	32
Parker Unified School District No. 27, Parker, Arizona	32
<b>Churches</b>	
Big River Baptist Church, Big River, California	28
<b>Child Care/Daycare Centers</b>	
Helping Them Grow Daycare, Lake Havasu City, Arizona	40
Little Peoples Daycare, Lake Havasu City, Arizona	41
<b>Parks and Recreation Centers</b>	
Big River RV Park, Big River, California	27
Manataba Park, Arizona	31
Clovis Mayflower County Park, Colorado River Road, California	34
<b>Historic Areas</b>	
Iron Mountain Wasteway Area, Vidal, California	14

### 5.6.1.2 Agricultural Lands within the Study Area

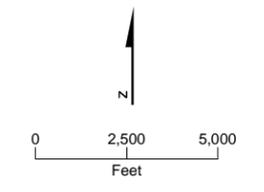
The Farmland Mapping and Monitoring Program (FMMP) of the California Department of Conservation (CDC) provides statistics on conversion of farmland to nonagricultural uses for counties in California. In 2006, Riverside County had approximately 444,455 acres of Important Farmlands (including Prime Farmland, Farmland of Statewide and Local Importance, and Unique Farmlands) and an additional 111,695 acres of grazing land. In the



- LEGEND**
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  - BUFFER
  - PROJECT FENCELINE BOUNDARY
  - PROPOSED SUBSTATION
  - POWER BLOCK/RECEIVER
  - STATE OWNED LAND
  - BUREAU OF LAND MANAGEMENT
- EXISTING LAND USE**
- OPEN SPACE - RURAL (DESERT AREA)

SOURCE: Riverside County Planning Department, General Plan Update, 2008. San Bernardino County GIS, General Plan Data, 2006.

This map was compiled from various scale source data and maps and is intended for use as only an approximate representation of actual locations.



**FIGURE 5.6-1**  
**EXISTING LAND USE**  
 RICE SOLAR ENERGY PROJECT  
 RIVERSIDE COUNTY, CALIFORNIA

period between 2004 and 2006, Important Farmlands shows a net decrease of 22,012 acres (4.95 percent) within the county (CDC, 2006a). A review of the “Important Farmlands” mapping by the FMMP shows that the RSEP site, interconnection substation site, and the generator tie-line route are designated as “Other Land” (CDC, 2006b). There are no important farmland designations within 1 mile of the project site and linear appurtenances. The project site is surrounded on the east, south, and west by a 74,740-acre federal rangeland allotment managed by the BLM for ephemeral use by sheep (CA-660-EA06-55, the Lava Lake Land & Livestock, LLC). Portions of the generator tie-line alignment cross through this allotment.

The project site is located on APNs 801-070-003, 801-070-004, 801-100-005, and 801-100-006. The majority of the generator tie-line would be located on BLM land; however a small portion would cross two privately owned parcels (APNs 803-090-002 and 803-090-001). The interconnection substation would be located on BLM land. No Williamson Act contract is associated with these parcels (Riverside County Land Information System, 2009), and there are no other agricultural uses in or near the project area. Because of the arid nature of the local environment and lack of irrigation, agricultural crops are not grown in this area.

### **5.6.1.3 Current Land Use Plans for the Study Area**

Plans and policies governing physical development in the project study area include the California Desert Conservation Area (CDCA) Plan (BLM, 1999), Northern and Eastern Colorado Desert Coordinated Management Plan (NECO) (BLM, 2002); Riverside County General Plan, Riverside County Land Use Ordinance (Riverside County, 2003); and the San Bernardino County General Plan and San Bernardino County Development Code (San Bernardino County, 2007).

Land use provisions included in every California city and county general plan (California State Planning Law, Government Code §65302 et seq.) reflect the goals and policies that guide the physical development of land in their jurisdiction. A BLM land management plan is a plan for the management of a defined resource area that includes goals and policies to guide the management of the land.

For the purposes of this Application for Certification (AFC), because the RSEP site is located on private land in the jurisdiction of Riverside County, the project is analyzed in terms of its conformity with the land use designations and policies described in the Riverside County General Plan. The Riverside County General Plan is being updated; therefore, the project is being analyzed in terms of its conformity with the existing General Plan (2003) and with the updated plan. A portion of the generator tie-line route and the interconnection substation are on lands managed by the BLM. For this reason, the AFC discusses the land use designations and policies described in the CDCA Plan. Finally, because the study area (1-mile radius) includes land within San Bernardino County, the AFC also discusses the conformity of the RSEP with the land use designations and policies described in the San Bernardino General Plan (2007). However, none of the project facilities are within San Bernardino County.

The RSEP conformity with current land use plans, policies, and regulations is addressed in greater detail in Section 5.6.2.

#### **5.6.1.4 General Plan Land Use Designations within the Study Area**

The RSEP site, interconnection substation site, and generator tie-line are located in Riverside County. The RSEP site, interconnection substation site, and generator tie-line route are designated in the Riverside County General Plan as Open Space-Rural (Riverside County Land Information System, 2009). The CDCA Plan designates those portions of the RSEP that lie within BLM jurisdiction as Multiple-Use Class M (Moderate Use) according to the CDCA Map 1 Land-Use Plan 1999 (BLM, 1999). Land uses within the 1-mile project area are designated by the Riverside County General Plan as Open Space-Rural, while the portion of the study area that extends to San Bernardino County is designated as Resource Conservation (RC). Figure 5.6-2 shows the land use plan designations within 1-mile of the project site. Table 5.6-2 lists the land use designations within 1-mile of the RSEP site.

#### **5.6.1.5 Zoning Designations within the Study Area**

The Riverside County Land Use Ordinance (zoning) is a regulatory tool used to implement the General Plan. It defines zones that dictate permitted uses and design requirements such as setbacks and height limits. County zoning ordinances are enforced by their respective planning and building departments.

Based on the Riverside County Land Information System, the RSEP site is zoned Controlled Development Zones-minimum 10 acre (W-2-10). The generator tie-line route and interconnection substation location are zoned Natural Assets (N-A), although most of this area is federal land under BLM jurisdiction. Other Riverside County lands in the study area are zoned W-2-10 and N-A as well.

Unlike other counties or cities, San Bernardino County has incorporated a one-map approach to the General Plan land use designations and zones. According to the San Bernardino General Plan, this approach allows the use of a single map showing both General Plan land use designations and zoning classifications and assures consistency between both. These combined classifications are referred to as Land Use Zoning Designations in the General Plan and Land Use Zoning Districts in the County Development Code. The land use zoning district applicable to the study area is RC.

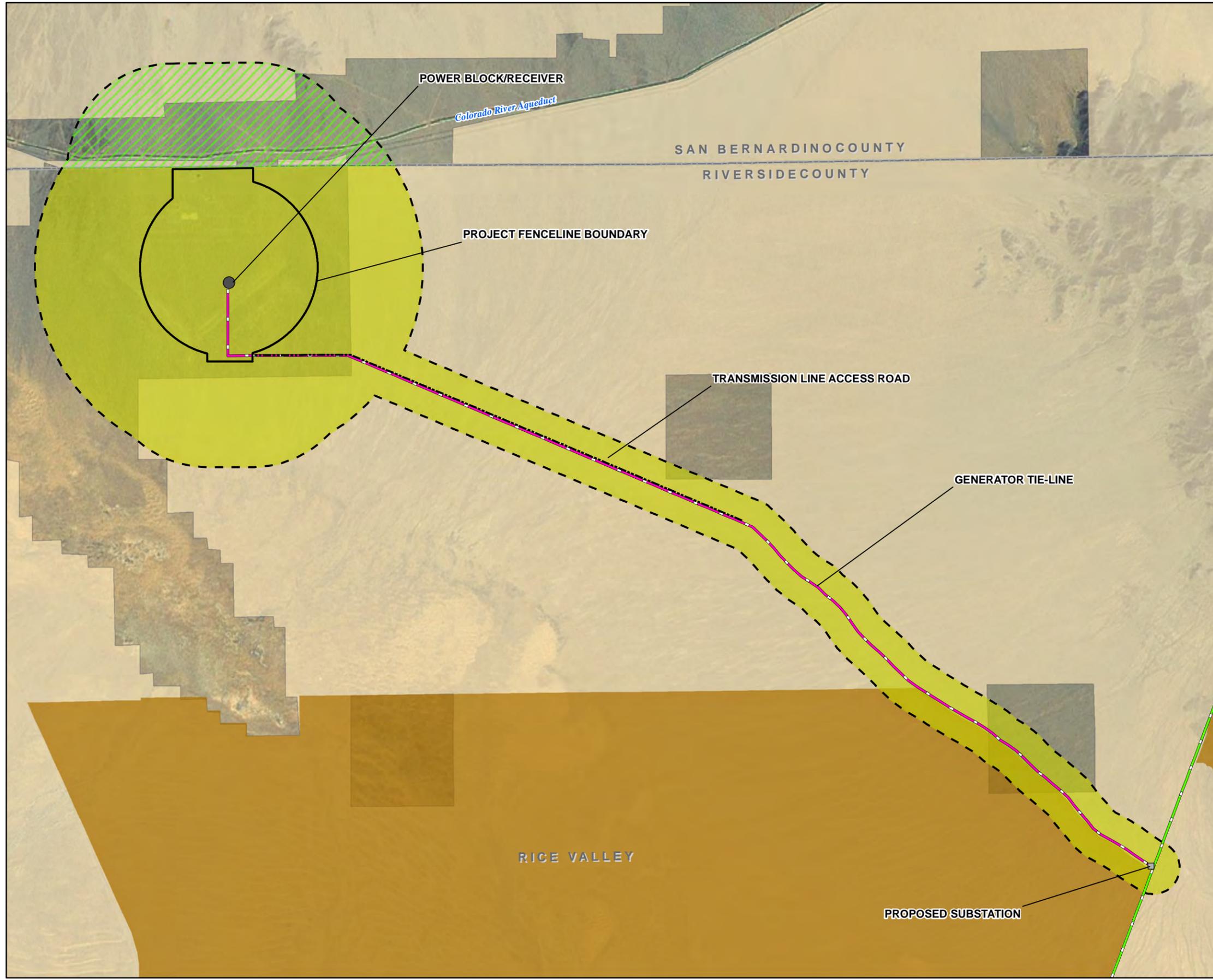
Figure 5.6-3 shows the zoning designations for land located within 1 mile of the project site. Table 5.6-3 lists the designations and uses allowed within each zoning district.

#### **5.6.1.6 Recent Proposed Zone Changes and General Plan Amendments**

Within the past 18 months, there have been no recent or proposed amendments to the BLM CDCA Plan, Riverside County General Plan and Land Use Ordinance, and San Bernardino County General Plan and Development Code that are applicable to the project study area, with the exception of Riverside County's General Plan update, which is in progress.

#### **5.6.1.7 Recent Discretionary Review by Public Agencies**

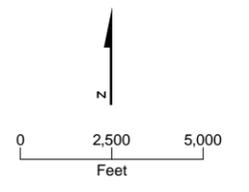
Discretionary reviews are actions that require review and approval by an overseeing regulatory agency. There have been no discretionary reviews by BLM, Riverside County, or San Bernardino County for active development projects within 15 miles of the study area within the last 18 months.



- LEGEND**
- TRANSMISSION LINE ACCESS ROAD
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  - BUFFER
  - PROJECT FENCELINE BOUNDARY
  - POWER BLOCK/RECEIVER
  - PROPOSED SUBSTATION
- BUREAU OF LAND MANAGEMENT**
- BLM CDCA Plan designation Multiple Use Class M (Moderate)
  - BLM WILDERNESS AREA - RICE VALLEY
- RIVERSIDE COUNTY - GENERAL PLAN**
- OPEN SPACE - RURAL (DESERT AREA)
- SAN BERNARDINO COUNTY - GENERAL PLAN**
- OPEN NON-DEVELOPMENT

SOURCE: Riverside County Planning Department, General Plan Update, 2008. San Bernardino County GIS, General Plan Data, 2006. Bureau of Land Management Wilderness Area Designations, National Wilderness Preservation System, 2007.

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**FIGURE 5.6-2**  
**GENERAL PLAN DESIGNATIONS**  
 RICE SOLAR ENERGY PROJECT  
 RIVERSIDE COUNTY, CALIFORNIA

**TABLE 5.6-2**  
Land Use Designations and Allowable Uses within a 1-mile Radius of the RSEP

Land Use Designation	Allowable Uses
<b>Riverside County</b>	
Open Space-Rural	<p>The Open Space-Rural land use designation is applied to remote, privately owned open space areas with limited access and a lack of public services. Single-family residential uses are permitted at a density of one dwelling unit per 20 acres. The extraction of mineral resources subject to an approved surface mining permit may be permissible, provided that the proposed project can be undertaken in a manner that is consistent with maintenance of scenic resources and views from residential neighborhoods and major roadways and that the project does not detract from efforts to protect endangered species.</p> <p>The 2008 Draft General Plan does not alter this definition.</p>
<b>San Bernardino County</b>	
Resource Conservation	<p>Composed of areas generally distant from urban centers with existing land uses including limited grazing, passive public and private recreation areas, rural residences and vacation cabins and watershed, wildlife and open space uses. The purpose of this designation is to encourage limited rural development that maximizes preservation of open space and watershed and wildlife habitat areas.</p>
<b>BLM</b>	
Multiple-Use Class M Moderate Use	<p>This designation is based on a controlled balance between higher intensity use and protection of public lands. This class provides for a wide variety of present and future uses such as mining, livestock grazing, recreation, energy, and utility development. Class M management is also designed to conserve desert resources and to mitigate damage to those resources that permitted uses may cause.</p> <p>The CDCA Plan identifies the following guidelines (permitted uses) for Class M lands:</p> <p>Electrical Generation Facilities – All types of electrical generation plants may be allowed in accordance with state, federal, and local laws. Nuclear and fossil fuel facilities, in addition to geothermal and wind and solar facilities, are allowed.</p> <p>Transmission Facilities – New gas, electric, and water transmission facilities and cables for interstate communication may be allowed only in designated corridors. NEPA requirements must be met.</p> <p>Distribution Facilities – New distribution facilities may be allowed and shall be placed in existing rights-of-way where they are reasonably available. NEPA requirements must be met.</p> <p>Communication Sites – New sites may be allowed. NEPA requirements must be met.</p> <p>Fire Management – Fire suppression in accordance with fire management plans.</p> <p>Vegetation Harvesting – Removal of vegetation may be allowed by permit.</p> <p>Livestock Grazing – Grazing will be allowed subject to the protection of sensitive resources.</p> <p>Mineral Exploration and Development – Leasable, locatable, saleable minerals are allowed.</p> <p>Motorized Vehicle Access/Transportation – Motorized-vehicle use will be allowed on “existing” routes of travel unless closed or limited by the authorized officer. Railroads and trams, airports, and land strips may be allowed.</p> <p>Recreation – Moderate to high user density recreation activities are allowed.</p>

Sources: Riverside County, 2003, 2008; San Bernardino County, 2007; and BLM, 1999.  
NEPA = National Environmental Policy Act

**TABLE 5.6-3**  
Zoning Designations and Allowable Activities Within a 1-mile Radius of the RSEP

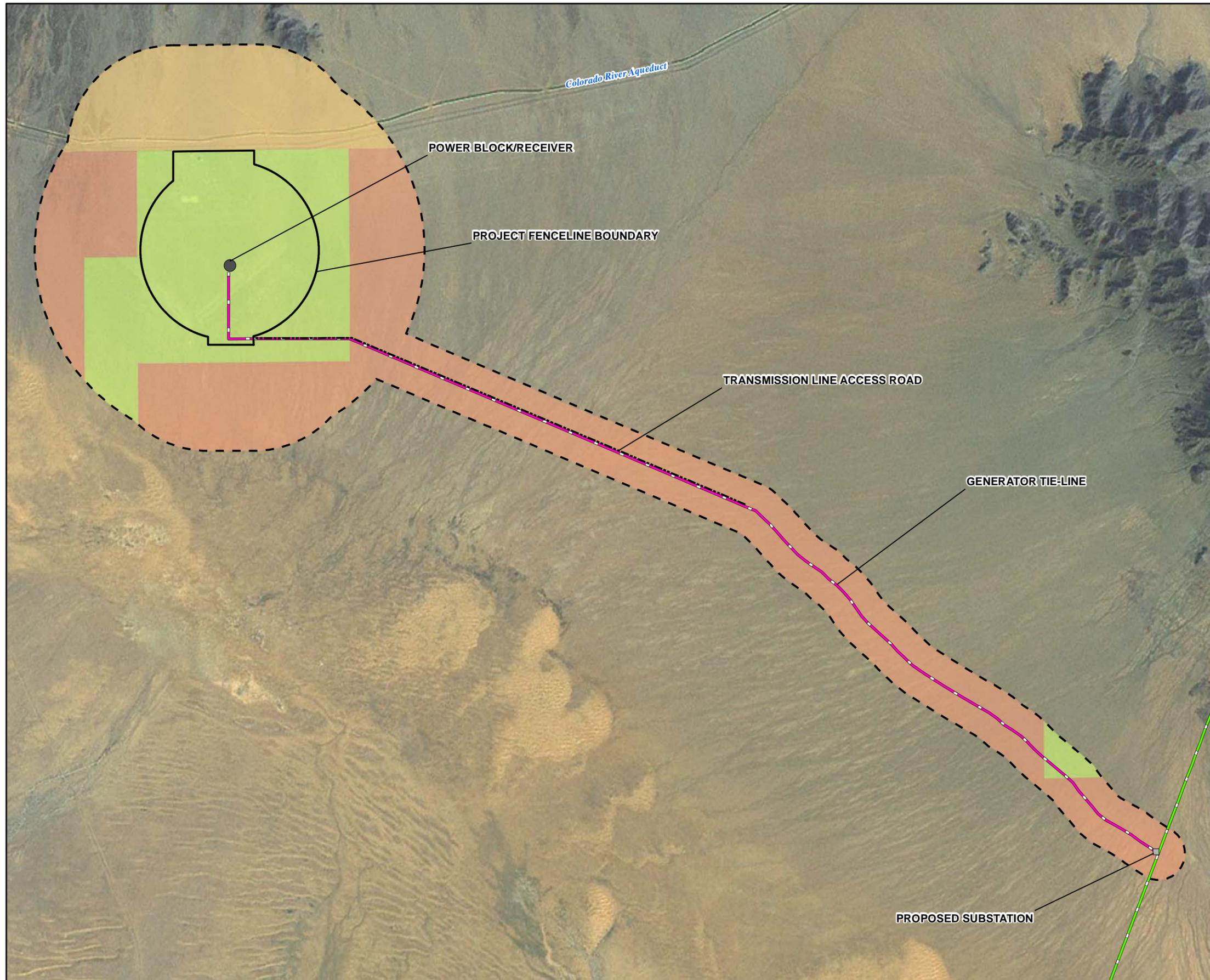
Zoning Designation	Allowable Uses
<b>Riverside County</b>	
W-2-10	<p>Controlled Development Areas. The W-2-10 zone allows one-family dwellings; water works facilities; nurseries, greenhouses, orchards, aviaries, field crops, tree crops, berry and bush crops, vegetables, and flower and herb gardening on a commercial scale; grazing of cattle, horses, sheep, goats, or other farm stock or animals; farms for rabbits, fish, frogs, chinchilla, and other small animals; farms for selective or experimental breeding; noncommercial raising of hogs; future Farmers of America or 4-H projects; temporary stands for display and sale of agriculture produce; a sign not exceeding 12 square feet in area per face; home occupations; noncommercial raising of not more than 5 miniature pigs; keeping or raising of crowing fowl; outside storage of materials; public utilities uses – including structures and the pertinent facilities necessary and incidental to the development and transmission of electrical power and gas; mining operations; and kennels and catteries.</p> <p>This zone also allows various uses provided a conditional use permit has been granted or approval of a plot plan. Development Standards applicable to the W-2 zone indicate that no building or structure shall exceed 50 feet in height, unless a greater height is approved; however, no building shall exceed 75 feet in height or any other structure exceed 105 feet in height unless a variance is approved.</p>
N-A	<p>Natural Assets. The N-A zone allows one-family dwellings, guest dwellings, automobile storage garages, accessory buildings, field and tree crops, grazing of cattle, horses, sheep or goats, apiaries, and onsite signs. N-A zoning allows public utility substations; water wells and appurtenant pump houses; picnic grounds; museums and menageries; an additional one-family mobile home; and churches, temples and other places of religious worship subject to approval of a Plot Plan. Subject to a Conditional Use Permit, the N-A zone allows recreational vehicle parks, migrant agricultural worker mobile home parks, resort hotels, mining operations, rock crushing plants, extraction and bottling of well water, golf courses and appurtenant facilities, riding academies and stables, fishing lakes, outdoor film studios, airport or landing field, camps and guest ranches. The N-A zone also allows surface mining and kennels and catteries subject to proper permitting. Development Standards applicable to the N-A zone indicate that no building shall exceed 20 feet in height.</p>
<b>San Bernardino County*</b>	
Resource Conservation	<p>Composed of areas generally distant from urban centers with existing land uses including limited grazing, passive public and private recreation areas, rural residences and vacation cabins and watershed, and wildlife and open space uses. The purpose of this designation is to encourage limited rural development that maximizes preservation of open space and watershed and wildlife habitat areas.</p>

\*Because none of the project facilities are in San Bernardino County, this designation is not applicable to the project. It is included here to conform with CEC's Siting Regulations.

Sources: Riverside County Land Information System, 2009; San Bernardino County, 2007

### 5.6.1.8 Population Growth Trends

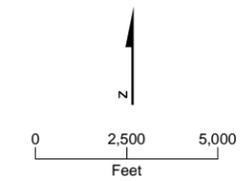
Land use and growth trends identified for the study area are based on population estimates, projections, and current land use plans. Riverside County's unincorporated population in 2000 was 420,721 (*State of California, Department of Finance, E-4 Population Estimates for Cities, Counties and the State, 2001–2009, with 2000 Benchmark. Sacramento, California, May 2009.*



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  - PROPOSED SUBSTATION
- ZONING DESIGNATIONS**
- RIVERSIDE COUNTY**
- NATURAL ASSETS
  - W-2-10
- SAN BERNADINO COUNTY**
- RESOURCE CONSERVATION

SOURCE: Riverside County Zoning Maps, 2009.  
San Bernardino County GIS and Zoning Maps, 2009.

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**FIGURE 5.6-3**  
**ZONING DESIGNATIONS**  
RICE SOLAR ENERGY PROJECT  
RIVERSIDE COUNTY, CALIFORNIA

In 2009, it is estimated to be 459,188 (*State of California, Department of Finance, E-4 Population Estimates for Cities, Counties and the State, 2001–2009, with 2000 Benchmark. Sacramento, California, May 2009*). Very little of this growth is expected to occur in the immediate project area, however. The nearest settlements of Vidal Junction and Iron Mountain Pumping Station are unlikely to grow significantly.

San Bernardino County's unincorporated population in 2000 was 292,857 (*State of California, Department of Finance, E-4 Population Estimates for Cities, Counties and the State, 2001–2009, with 2000 Benchmark. Sacramento, California, May 2009*). For 2009, it is projected at 295,398 (*State of California, Department of Finance, E-4 Population Estimates for Cities, Counties and the State, 2001–2009, with 2000 Benchmark. Sacramento, California, May 2009*).

## 5.6.2 Environmental Analysis

### 5.6.2.1 Significance Criteria

Significance criteria for impacts on land use were determined through review of applicable state and local regulations. Because of the California Energy Commission's (CEC) Site Certification Process pursuant to the Warren-Alquist Act, a certified agency program pursuant to the California Environmental Quality Act (CEQA), the following criteria developed from the CEQA Guidelines and the CEQA Checklist were used to evaluate the potential environmental impacts of the project:

- Will the project physically divide an established community?
- Will the project conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to, the General Plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?
- Will the project conflict with any applicable habitat conservation plan or natural community conservation plan?
- Will the project convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance, as shown on the maps prepared pursuant to the FMMP of the California Resources Agency, to nonagricultural use?
- Will the project involve other changes in the existing environment which, given their location and nature, could result in conversion of farmland to nonagricultural use?

### 5.6.2.2 Potential Effects on Land Use during RSEP Construction and Operation

#### 5.6.2.2.1 Divide an Established Community

The RSEP project involves the construction and operation of a new solar power plant on undeveloped privately owned land in a remote area of Riverside County. The surrounding area is characterized by undeveloped vacant land with no established neighborhoods or communities. The RSEP would not displace an existing neighborhood, nor would it result in new development that would physically divide an established community.

#### 5.6.2.2.2 Conflict with an Applicable Land Use Plan, Policy, or Regulation

The RSEP site is located on privately owned land that is designated Open Space-Rural (OS-RUR) by the Riverside County General Plan and is zoned Controlled Development

Area (W-2-10) according to the county land use ordinance. The OS-RUR land use designation is applied to remote, privately owned open space areas with limited access and a lack of public services. Single-family residential uses are permitted at a density of one dwelling unit per 20 acres and mineral resource extraction is permitting subject to an approved surface mining permit. The W-2 zone allows for a variety of uses; although most relevant to the proposed RSEP is the allowance of public utilities uses, including for structures and the pertinent facilities necessary and incidental to the development and transmission of electrical power and gas such as hydroelectric power plants, booster or conversion plants, transmission lines, pipe lines and the like. Given that RSEP is a public utility use necessary to the production and transmission of electrical power, the project is consistent with the W-2 zoning, based on consultation with Mr. Ron Goldman, Planning Director of Riverside County staff has indicated that a General Plan/Zoning Amendment is in preparation that will list solar energy production as a permitted use in this zone.

Development standards applicable to the W-2 zone as defined in the land use ordinance indicate that no building or structure shall exceed 50 feet in height, unless a greater height is approved, however, no building shall exceed 75 feet in height or any other structure exceed 105 feet in height unless a variance is approved. The RSEP will exceed this height restriction; if the county had exclusive jurisdiction over the project, RSE would need to obtain a variance to build the 653-foot-high solar receiver tower, 112-foot-tall air-cooled condenser, and 150-foot-tall steam generator building. However, the CEC's license takes the place of all state, regional, and local permits and entitlements for use that would otherwise be required.

The RSEP does not conflict with the BLM CDCA designation of Class M. This class provides for a wide variety of present and future uses such as mining, livestock grazing, recreation, energy, and utility development. The RSEP will also not conflict with the BLM's grazing allotment on land adjacent to the project site. The RSEP will require an amendment to the CDCA to establish a utility corridor for the generator tie-line, per BLM policy.

In addition, the RSEP will not physically impact any land within San Bernardino County and therefore does not conflict with the San Bernardino General Plan and Development Code designation of Resource Conservation.

In conclusion, the RSEP is consistent with policies set forth in the BLM CDCA Plan and the Riverside County General Plan and Development Code. Table 5.6-4 summarizes the project's conformity with these applicable plans.

#### **5.6.2.2.3 Conflict with an Applicable Habitat Conservation Plan**

The RSEP site is not located in the regulatory boundaries of a habitat conservation plan. As such, the RSEP would not conflict with an applicable habitat conservation plan.

#### **5.6.2.2.4 Convert Farmland to Nonagricultural Uses**

The project site is designated by the CDC as Other Land. No designated Prime Farmland, Unique Farmland, or Farmland of Statewide Importance has been mapped in the study area. The RSEP involves the construction of a power plant and associated linear appurtenances, which are considered nonagricultural uses. The lands associated with the RSEP site and linear appurtenances are not currently and have not in the recent past been used for farmland purposes. Given that the RSEP is not designated as farmland or currently used as farmland, the RSEP would not convert farmland to a nonagricultural use. Portions of the

proposed generator tie-line route run through an existing rangeland allotment; however, the transmission towers would not significantly reduce the amount of rangeland in this allotment.

**TABLE 5.6-4**  
Land Use Conformity with Applicable Plans and Policies

Plan Element/Chapter	Goal/Policy	Conformity
<b>Riverside County General Plan (2003)</b>		
Land Use Element	<p><b>Efficient Use of Land:</b></p> <p>LU 2.1 Accommodate land use development in accordance with the patterns and distribution of use and density depicted on the General Plan Land Use Map and the Area Plan Land Use Maps.</p> <p>LU 2.1g. Prevent inappropriate development in areas that are environmentally sensitive or subject to severe natural hazards.</p> <p><b>Land Use Compatibility:</b></p> <p>LU 6.2 Direct public, educational, religious, and utility uses established to serve the surrounding community toward those areas designated for Community Development and Rural Community uses on the applicable Area Plan land use maps. These uses may be found consistent with any of the Community Development, Rural Community, or Rural foundation designations, including the Rural Village Overlay, as well as the Open Space – Rural and Agriculture designations, under the following conditions:</p> <p>a. The facility is compatible in scale and design with surrounding land uses, and does not generate excessive noise, traffic, light, fumes, or odors that might have a negative impact on adjacent neighborhoods.</p> <p>b. The location of the proposed use will not jeopardize public health, safety, and welfare, or the facility is necessary to ensure the continual public safety and welfare.</p> <p>LU 6.3 Consider the positive characteristics and unique features of the project site and surrounding community during the design and development process.</p> <p>LU 6.4 Retain and enhance the integrity of existing residential, employment, agricultural, and open space areas by protecting them from encroachment of land uses that would result in impacts from noise, noxious fumes, glare, shadowing, and traffic.</p>	<p>The project is located on undeveloped lands designated for open space and rural uses in an area of the county where limited to no development has occurred.</p> <p>The project is not located in an environmentally sensitive area, nor is the land susceptible to severe natural hazards.</p> <p>The project is a utility use located on land designated Open Space-Rural; there are no adjacent neighborhoods in the project vicinity; the project will not generate excessive noise, traffic, light, or fumes and will not jeopardize public health, safety, and welfare.</p> <p>The project is located in an unincorporated area of Riverside County where there is limited to no development for many miles surrounding the site. As such, the project does not encroach on existing residential, employment, agricultural, and specially designated open urban and suburban spaces.</p>

**TABLE 5.6-4**  
Land Use Conformity with Applicable Plans and Policies

Plan Element/Chapter	Goal/Policy	Conformity
<b>Economic Development:</b>		
LU 7.1 Accommodate the development of a balance of land uses that maintain and enhance the County's fiscal viability, economic diversity, and environmental integrity.	LU 7.2 Promote and market the development of a variety of stable employment and business uses that provide a diversity of employment opportunities.	The project would be the one of the first commercial scale solar developments for Riverside County. The project will provide a renewable energy resource while creating both plant construction and operation employment for residents of Riverside County.
<b>Open Space, Habitat, and Natural Resource Protection:</b>		
LU 8.1 Provide for permanent preservation of open space lands that contain important natural resources, hazards, water features, watercourses, and scenic and recreational values.	LU 8.2 Require that development protects environmental resources by compliance with the Multipurpose Open Space Element of the General Plan and Federal and State regulations such as CEQA, NEPA, the Clean Air Act, and the Clean Water Act.	8.1 - The project is located on unincorporated undeveloped land that does not contain hazards, water features, watercourses or scenic and recreational values. While the project is located on "open space" designated land, the project will capture an important natural resource, solar energy.  8.2 - The project will comply with the CEC's AFC process, a CEQA-equivalent under the Warren-Alquist Act, and as such it fulfills the requirements of CEQA. The project will also comply with NEPA for those portions that cross BLM jurisdiction.
<b>Air Quality:</b>		
LU 10.1 Provide sufficient commercial and industrial development opportunities in order to increase local employment levels and thereby minimize long-distance commuting.		The project will provide plant construction and operation employment for residents in Riverside County.

**TABLE 5.6-4**  
Land Use Conformity with Applicable Plans and Policies

Plan Element/Chapter	Goal/Policy	Conformity
<b>Scenic Corridors:</b>		
LU 13.1 Preserve and protect outstanding scenic vistas and visual features for the enjoyment of the traveling public.	LU 13.3 Ensure that the design and appearance of new landscaping, structures, equipment, signs, or grading within Designated and Eligible State and County scenic highway corridors are compatible with the surrounding scenic setting or environment.	13.1 - The project is not located within a scenic corridor. SR 62 is eligible for scenic highway designation, but is not designated, in either Riverside or San Bernardino County. The project area contains many scenic vistas and these would not be significantly affected by the project.
LU 13.4 Maintain at least a 50-foot setback from the edge of the right-of-way for new development adjacent to Designated and Eligible State and County Scenic Highways.	LU 13.5 Require new or relocated electric or communication distribution lines, which would be visible from Designated and Eligible State and County Scenic Highways, to be placed underground.	13.3 – The design and appearance of the project structures are compatible with the surrounding scenic setting as much as possible. The power block and solar receiver tower will be located approximately 1 mile from SR 62, which is an eligible state scenic highway.
LU 13.6 Prohibit offsite outdoor advertising displays that are visible from Designated and Eligible State and County Scenic Highways.	LU 13.7 Require that the size, height, and type of on-premise signs visible from Designated and Eligible State and County Scenic Highways be the minimum necessary for identification. The design, materials, color, and location of the signs shall blend with the environment, utilizing natural materials where possible.	13.4 – All project facilities will be set back more than 50 feet from SR 62.
<b>Open Space-Rural Designation:</b>		
LU 20.1 Require that structures be designed to maintain the environmental character in which they are located.	LU 20.2 Require that development be designed to blend with undeveloped natural contours of the site and avoid an unvaried, unnatural, or manufactured appearance.	13.5 – The RSEP generator tie-line is a transmission, not a distribution line. RSE plans to extend the existing 12 kV distribution line for approximately 1.1 miles along SR 62 to provide construction and operation power. In this rural area, however, that sees little use, placing this line underground would not contribute significantly to accomplish the purposes of policy LU 13.5
LU 20.3 Require that adequate and available circulation facilities, water resources, sewer facilities, and/or septic capacity exist to meet the demands of the proposed land use.	LU 20.4 Ensure that development does not adversely impact the open space and rural character of the surrounding area.	13.6 – The RSEP will not have advertising displays that are visible from SR 62.
13.7 – On-premise signs will be the minimum necessary for identification.		
The RSEP will use neutral colors that will blend in with the desert surroundings.		
The RSEP will not involve significant grading or ground disturbance that would significantly alter the terrain.		
Water will be drawn from onsite wells and a septic facility will capture and treat waste flows. No other county services are required to meet the demands of the project.		
The RSEP is generally compatible in appearance with the open character of the project site. The project’s power block is located more than a mile from the nearest road.		

**TABLE 5.6-4**  
Land Use Conformity with Applicable Plans and Policies

Plan Element/Chapter	Goal/Policy	Conformity
	<p>LU 20.5 Encourage parcel consolidation.</p> <p>LU 20.6 Provide programs and incentives that allow Open Space-Rural areas to maintain and enhance their existing and desired character.</p>	<p>The project site is currently comprised of four parcels; these will be consolidated to one parcel.</p>
<b>San Bernardino County General Plan*</b>		
Conservation Element	<p><b>Goals:</b></p> <p>Goal CO-8: The County will minimize energy consumption and promote safe energy extraction, uses and systems to benefit local, regional and global environmental goals.</p> <p><b>Policies:</b></p> <p>CO8.1: Maximize the beneficial effects and minimize the adverse effects associated with the siting of major energy facilities. The County will site energy facilities equitably in order to minimize net energy use and consumption of natural resources, and avoid inappropriately burdening certain communities. Energy planning should conserve energy and reduce peak load demands, reduce natural resource consumption, minimize environmental impacts, and treat local communities fairly in providing energy efficiency programs and locating energy facilities.</p> <p>CO 8.3: Assist in efforts to develop alternative energy technologies that have minimum adverse effect on the environment and explore and promote newer opportunities for the use of alternative energy sources.</p> <p>CO 9.2: The County will work with utilities and generators to maximize the benefits and minimize the impacts associated with siting major energy facilities. It will be the goal of the County to site generation facilities in proximity to end-users in order to minimize net energy use and natural resource consumption and avoid inappropriately burdening certain communities.</p>	<p>Although the project is not sited within San Bernardino County, it will help the region achieve these goals.</p> <p>The project is sited adjacent to San Bernardino County. However, the siting of the facility does not burden any local communities because the project is located in a remote unincorporated portion of the County, where little to no development exists. Further, this project will help conserve energy, reduce peak load demands, and be built to minimize environmental impacts.</p> <p>The project is an alternative energy project that has a minimum effect on the environment.</p> <p>The project is not sited in San Bernardino County, but RSE will be working with Riverside County, BLM, the CEC, and other regulatory agencies to maximize the benefits and minimize the impacts associated with siting the RSEP.</p>

**TABLE 5.6-4**  
Land Use Conformity with Applicable Plans and Policies

Plan Element/Chapter	Goal/Policy	Conformity
<b>CDCA Plan</b>		
Energy Production and Utility Corridors Element	<p><b>Goals:</b></p> <ol style="list-style-type: none"> <li>1. Fully implement the network of joint-use planning corridors to meet projected utility needs to the year 2000.</li> <li>3. Identify potential sites for geothermal development, wind energy parks, and power plants.</li> </ol> <p><b>Decision criteria used for evaluating applications:</b></p> <ol style="list-style-type: none"> <li>1. Minimize the number of separate rights-of-way by using existing rights-of-way as a basis for planning corridors;</li> <li>4. Avoid sensitive resources wherever possible;</li> <li>5. Conform to local plans whenever possible;</li> <li>8. Consider ongoing projects for which decisions have been made;</li> <li>9. Consider corridor networks that have taken into account power needs and alternative fuel resources.</li> </ol>	<p>The RSEP is designed to implement the joint-use corridors and will provide an estimated 150-megawatt solar energy plant. It will make use of an existing utility corridor between Parker and Blythe.</p> <p>The RSEP will make use of the existing utility corridor.</p> <p>Because it is sited on a previously disturbed area, RSEP avoids some of the most sensitive habitats in the region.</p> <p>The project conforms to the CDCA and Riverside County General Plan.</p> <p>The Parker-Blythe utility corridor has been planned with local, statewide, and regional power needs in mind.</p> <p>The RSEP, as a solar energy project proposes to use an alternative and renewable fuel resource.</p>

\*Because none of the project facilities are located within San Bernardino County, these policies would not apply to the RSEP. They are listed here to comply with the CEC's siting regulations.

#### 5.6.2.2.5 Cause Changes that Would Result in the Conversion of Farmland

The RSEP would not cause land use changes that would induce other land use changes resulting in the long-term conversion of farmland. The surrounding area is not currently designated as farmland or used for agricultural production, and a power project would not attract residential or commercial development to the project area. Therefore, the RSEP would not cause changes that would result in the conversion of farmland.

#### 5.6.2.3 Compatibility with Existing and Designated Land Uses and Applicable Planning Policies

Table 5.6-4 lists applicable local plans and policies and describes the RSEP's conformity with them.

### 5.6.3 Cumulative Effects

A cumulative impact refers to a proposed project's incremental effect together with other closely related past, present, and reasonably foreseeable future projects whose impacts may compound or increase the incremental effect of the proposed project (Public Resources Code §21083; California Code of Regulations, title 14, §15064(h), 15065(c), 15130, and 15355).

There are no active projects proposed for the area within 15 miles of the RSEP at the present time. This, combined with the fact that the RSEP would not cause adverse land use impacts, means that the RSEP would not cause adverse cumulative impacts.

### **5.6.4 Mitigation Measures**

The RSEP would not cause significant adverse impacts in terms of land use, so mitigation measures are not necessary.

### **5.6.5 Laws, Ordinances, Regulations, and Standards**

This section lists and discusses the land use LORS that apply to the project. Consistent with AFC requirements, all plans and policies applicable to the 1-mile area surrounding the proposed RSEP site are summarized below. The project site, generator tie-line route, and interconnection substation location are in unincorporated Riverside County. The plant site and a short portion of the generator tie-line are under the control of private owners, while the interconnection substation and most of the lands associated with the generator tie-line are under the jurisdiction of the BLM. The BLM will require federal environmental review and a positive conclusion before a ROW agreement can be issued allowing use of the federal land. For the purposes of environmental review and permitting, the BLM and Western will be the co-lead federal agencies for compliance with NEPA, and the CEC will be the lead state agency for compliance with the CEQA.

#### **5.6.5.1 Federal LORS**

##### **5.6.5.1.1 National Environmental Policy Act**

NEPA requires federal agencies reviewing projects under their jurisdiction to consider the environmental impacts associated with their construction and operation. Under federal law, BLM is responsible for processing requests for ROWs to authorize the projects, associated transmission lines, and other appurtenant facilities to be constructed and operated on land it manages. In processing the applications, BLM must comply with NEPA. Similarly, Western is responsible under NEPA for considering the effects of its actions in permitting the generation interconnection with Western's transmission system.

In the case of solar power plant projects, NEPA compliance will consist of preparation of draft and final environmental impact statements. Separate consultation requirements and associated documentation are required for Section 106 of the National Historic Preservation Act (see Section 5.3, Cultural Resources) and Endangered Species Act Section 7 consultations (see Section 5.2, Biological Resources) associated with the project. BLM and Western are also responsible for Native American consultation, including government to government consultation.

##### **5.6.5.1.2 The California Desert Conservation Area Plan**

The CDCA was designated by Congress in 1976 through the Federal Land Policy and Management Act and covers 25 million acres of land. The BLM developed the CDCA Plan in 1980, and it serves as the land use guide for management of these public lands. The Energy Production and Utility Corridors Element of the CDCA Plan (BLM, 1999) states that the BLM focuses on the same factors affecting public lands and their resources as those used by the CEC. These factors include (1) consistency with the CDCA Plan, including the designation of proposed planning corridors; (2) protection of air quality; (3) impact on

adjacent wilderness and sensitive resources; (4) visual quality; (5) fuel sources and delivery systems; (6) cooling-water source(s); (7) waste disposal; (8) seismic hazards; and (9) regional equity. The proposed NECO (2002) amends the BLM CDCA Plan as discussed below.

#### **5.6.5.1.3 Northern and Eastern Colorado Desert Coordinated Management Plan**

The NECO (July 2002) amends the BLM CDCA Plan for the area identified as the Northern and Eastern Colorado Desert. The RSEP is located in the central portion of the NECO Planning Area Boundary. The NECO addresses rangeland standards, recovery of the desert tortoise, management of special-status plants and animals and natural communities, management of wild horses and burros, designation of routes of travel, land ownership patterns, and resource access/regulatory burden. The NECO was prepared in the context of BLM's multiple use management mission. The planning process was a collaborative effort by local, state, and federal agencies and several citizens groups representing a variety of interests.

The RSEP generator tie-line is located mostly on federal land under BLM's jurisdiction and is subject to the provisions of BLM's CDCA Plan (BLM, 1999). The Energy Production and Utility Corridors Element of the CDCA Plan includes the full implementation of a network of planning corridors to meet the projected utility needs to the year 2000, the identification of environmental constraints and siting procedures, and the identification of potential sites for geothermal development, wind energy parks, and power plants. Sixteen planning corridors were identified in the CDCA Plan. They are intended to include new electrical transmission lines of 161-kV or above, all pipelines with diameters greater than 12 inches, cables for interstate communications, and major aqueducts or canals for inter-basin transfers of water. The corridors vary from 2 to 5 miles wide.

The CDCA Plan also allows BLM to site microwave towers, and conventional, solar, geothermal, wind and nuclear power plants on BLM lands within the CDCA (U.S. Fish and Wildlife Service, 2002). The RSEP generator tie-line route is in an area that is designated Class M Moderate Use according to the CDCA Map 1, Land-Use Plan 1999 (BLM, 1999) (Figure 5.6-1). The RSEP generator tie-line route ties into the Parker-Blythe line, which is located in a designated BLM utility corridor. Existing land uses and CDCA Plan land use designations for the study area are defined in Table 5.6-3. Definitions of planning designations in the RSEP land use study area are identified in Table 5.6-4. The NECO amends the CDCA Plan.

#### **5.6.5.2 State LORS**

Pursuant to Section 25500 of the Warren-Alquist Act, the CEC certification is in lieu of all state, regional, and local permits and requirements. The AFC process is CEQA-equivalent under the Warren-Alquist Act and as such, it fulfills the requirements of CEQA. CEQA is codified in the California Public Resources Code, Sections 21000-21178.1. Guidelines for implementation of CEQA are codified in the California Code of Regulations (CCR) Sections 15000-15387.

#### **5.6.5.3 Local LORS**

Land use provisions that are included in every California city and county General Plan (California State Planning Law, Government code §65302 et seq.) reflect the goals and policies that guide the physical development of land in their jurisdiction. The city and

county zoning ordinances are enforced by their respective planning and building departments.

Table 5.6-5 lists the LORS, the agencies that administer them, and the AFC section that discusses the project's conformance with the LORS.

**TABLE 5.6-5**  
Laws, Ordinances, Regulations, and Standards for Land Use

<b>LORS</b>	<b>Requirement/Applicability</b>	<b>Administering Agency</b>	<b>AFC Section Explaining Conformance</b>
<b>Federal</b>			
NEPA	Requires consideration of environmental impacts from construction and operation through preparation of an environmental impact statement.	BLM, Palm Springs Field Office and Western Area Power Administration	Section 5.6.5.1.1
CDCA Plan (1980, amended 1999)	The CDCA Plan is the land-use guide for management of public lands and resources within the CDCA.	BLM, Palm Springs, South Coast Field Office	Section 5.6.5.1.1
<b>State</b>			
CEQA California Public Resources Code, Sections 21000-21178.1, including Guidelines for implementation of CEQA are codified in the CCR Sections 15000-15387.	Establishes policies and procedures for review of proposed power plants in California.	CEC	Section 5.6.5.2.1
Warren-Alquist Act (Public Resources Code Section 25000 et seq.)	Legislation that created and gave statutory authority to the CEC.	CEC	Section 5.6.5.2.1
<b>Local</b>			
Riverside County General Plan	Comprehensive long-range plan to serve as the guide for the physical development of the county.	County of Riverside Planning Department County Administrative Center 4080 Lemon St., 9th Fl. Riverside, CA 92502-1409	Table 5.6-5 Section 5.6.2.1.2
Riverside County Zoning Regulations	Establish zoning districts governing land use and the placement of buildings and district improvements.	County of Riverside Planning Department County Administrative Center 4080 Lemon St., 9th Fl. Riverside, CA 92502-1409	Table 5.6-3 Section 5.6.2.2.2

## 5.6.6 Agencies and Agency Contacts

Public and regulatory agencies that would have permitting authority for the project, except for the jurisdiction of the CEC, and agency contacts are provided in Table 5.6-6.

**TABLE 5.6-6**  
Agency Contacts for Land Use

Issue	Agency	Contact
CDCA conformance	BLM, Palm Springs Field Office	BLM Palm Springs – South Coast Field Office 1201 Bird Center Drive Palm Springs, CA 92262 (760) 833-7100
Land use plans and land use ordinance	County of Riverside	Ron Goldman Planning Director County of Riverside Planning Department County Administrative Center 4080 Lemon St., 9th Fl. P.O. Box 1409 Riverside, CA 92502-1409 (951) 955-3265
Land use plans and development code	County of San Bernardino*	Julie Rynerson Rock Land Use Services, Director 385 N Arrowhead Avenue San Bernardino, CA 92415 (909) 387-8311

\*The project facilities are not located in San Bernardino County, so San Bernardino County plans and policies do not apply. This information is included here for consistency with CEC's Siting Regulations.

## 5.6.7 Permits and Permit Schedule

Permits and permit schedule for permits outside the authority of the CEC are provided in Table 5.6-7.

**TABLE 5.6-7**  
Schedule for Permits Outside the Authority of the Commission

Issue	Agency Contact	Schedule
Federal ROW for transmission lines, substations, and access roads and utilities encroachment permit	BLM, Palm Springs Field Office	Completion of NEPA process and ROW authorization expected by first quarter, 2011
CDCA Amendment to establish a utility corridor for the generator tie-line	BLM, Palm Springs Field Office	Will be done in conjunction with the Federal ROW application and approval process (above), by first quarter, 2011
Lot line adjustment to consolidate parcels	Riverside County Planning Department	After CEC licensing, expected first quarter, 2011

## 5.6.8 References

Bureau of Land Management (BLM). 2002. Northern and Eastern Colorado Desert Coordinated Management Plan (NECO).

Bureau of Land Management (BLM). 1999. The California Desert Conservation Area Plan, 1980 as amended. Desert District. Riverside, California. March.

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California Department of Conservation (CDC). 2006b. Farmland Mapping and Monitoring Program (FMMP) Dataset for Riverside County.

Riverside County Land Information System. 2009. <http://www3.tlma.co.riverside.ca.us/pa/rclis/index.html>. Accessed July 24, 2009.

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