



Board of Supervisors

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December 18, 2012

Commissioner Carla Peterman, Presiding Member
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CALIFORNIA ENERGY COMMISSION
1516 Ninth Street, MS-2000
Sacramento, CA 95814

California Energy Commission

DOCKETED
11-AFC-04

TN # 68925

DEC. 19 2012

RE: County of Riverside Comments on the Rio Mesa Solar Electric Generating Facility Preliminary Staff Assessment (2011 AFC-04)

Dear Commissioner Peterman and Mr. Martinez:

The County of Riverside ("County") appreciates the opportunity to provide comments and indicate necessary changes to the Preliminary Staff Assessment ("PSA") submitted by California Energy Commission ("CEC") staff for the Rio Mesa Solar Electric Generating Facility ("Rio Mesa SEGF" or "Project") in order that the proposed project be consistent with the County's local laws, ordinances, regulations and standards ("LORS"). The County, as an active participant in the licensing process, is grateful to the CEC staff for addressing many of our concerns and attempting to bring the proposed project into conformance with the County's LORS, specifically its land use policies, regulations, and solar power plant program.

Notwithstanding CEC staff's efforts, the PSA falls short in a number of areas including: (1) visual impacts, (2) impacts to County roads and a mechanism to enforce travel restrictions; (3) a detailed facility closure plan; (4) the analysis of the Rio Mesa SEGF's compliance with the County's General Plan and land use ordinances, (5) public health impacts, (6) fire impacts, and (7) the socioeconomic impacts to County services.

In addition to discussing each of these areas below, the County respectfully submits the attached Conditions of Approval which set out the additional or modified Conditions of Certification to those recommended by CEC staff in the PSA. These are conditions that the County would impose on the Project but for the exclusive jurisdiction granted to the Energy Commission under the provisions of the Warren-Alquist Act (Public Resources Code section 25500 et seq.).

Absent the CEC's certification authority, those areas and portions of the Project not located on federal land would be subject to County permitting processes. Such processes would require that the Project be consistent with all applicable County laws, ordinances, regulations and standards ("LORS"), including, but not limited to, the Riverside County General Plan, all applicable County ordinances, all applicable County resolutions and all applicable policies of the Board of Supervisors, as further discussed herein.

Along with Project conformance to the County's land use policies, there remain several areas of the PSA that cause concern and uncertainty with respect to the County's welfare. As indicated herein, some of these of concerns remain unresolved because additional information is needed.

According to CEC staff, the Project will not be consistent with several LORS and would result in significant, unmitigable adverse environmental impacts in Biological, Cultural and Visual Resources. Staff also identified additional informational needs in Geology and Paleontology, Cultural Resources, Soil and Surface Water, Water Supply, Traffic and Transportation, Transmission System Engineering, and Visual Resources.

SUMMARY OF THE PROPOSED RIO MESA ELECTRIC GENERATING FACILITY

As the County understands it, the Rio Mesa SEGF is proposed for development by Rio Mesa I, LLC and Rio Mesa II, LLC. Each entity would hold an equal one half ownership interest of certain shared facilities while separately owning each respective power plant. Both entities are wholly owned subsidiaries of Rio Mesa Holdings, LLC, which in turn is a wholly owned subsidiary of BrightSource Energy, Inc. The site is located in eastern Riverside County, approximately 13 miles southwest of Blythe, California. The project site is generally bounded on the east by the 161 kV Western Area Power Authority (WAPA) transmission lines, with undeveloped desert lands and active agriculture further east, on the south by undeveloped desert lands located in Imperial County, on the west by undeveloped desert lands and the Mule Mountains, and on the north by undeveloped public desert lands administered by the U.S. Bureau of Land Management (BLM).

As proposed, the Rio Mesa SEGF would encompass a total of approximately 3,805 acres on land leased from the Metropolitan Water District of Southern California (MWD). This area would include two proposed power plants, associated heliostat fields, and support facilities located within a common area. Additional land area, required to accommodate the project gen-tie transmission lines, emergency and construction electrical power supply line, and primary access road, would be located primarily on public lands administered by the U.S. Bureau of Land Management (BLM), although some properties within the gen-tie transmission corridor are private lands. The Rio Mesa SEGF would comprise two solar concentration thermal power plants, associated solar fields, and an approximate 19.5-acre common area to accommodate a combined administrative, control, maintenance, and warehouse building; evaporation ponds; groundwater wells; a water treatment plant; and a common switchyard. An approximate 103-acre construction logistics area would be established to accommodate construction parking, office equipment, and conference trailers; equipment staging assembly and material storage; a tire cleaning station; and other construction support facilities.

Each solar plant would generate 250 megawatts (MW) (net), for a total net output of 500 MW and would use heliostats – elevated mirrors guided by a tracking system mounted on a pylon – to focus the sun's rays on a receiver located atop a 750-foot-tall solar

power tower near the center of each solar field. Each solar field would use approximately 85,000 heliostats. Rio Mesa I, the southernmost plant site, would occupy approximately 1,828 acres, and Rio Mesa II, the northernmost plant site, would occupy approximately 1,977 acres.

Each power plant would use a solar power boiler, located atop a dedicated concrete tower, and a solar field based on heliostat mirror technology developed by BrightSource Energy, Inc. The heliostat fields would focus solar energy on the solar power boiler, referred to as "solar receiver steam generator," which would convert the solar energy into superheated steam.

Each power plant would generate electricity using solar energy as its primary fuel source. However, auxiliary boilers would be used to operate in parallel with the solar fields during partial load conditions and occasionally in the afternoon when power is needed after the solar energy has diminished to a level that no longer would support solar-only generation of electricity. These auxiliary boilers would also assist with daily start-up of the power generation equipment and night time preservation.

The Rio Mesa SEGF is proposed to be interconnected to the Southern California Edison (SCE) grid through a new 220 kV line that would be built as part of the Project and run north approximately 9.7 miles to connect to the Colorado River Substation. Access to both plants would be via Bradshaw Trail (primary) – paved or unpaved – and a new secondary access road directly north and parallel to 34th Avenue off of State Route 78. The portion of Bradshaw Trail to be used for the primary access route is currently a two-lane, east-west paved road for one mile west of Rannells Avenue. Beyond the paved segment it becomes a graded dirt road. The applicant proposes to improve Bradshaw Trail to a point where it connects to the northerly boundary of the northern plant; however, that portion of Bradshaw Trail traverses BLM land and how it is improved is still a topic to be discussed between the County and BLM because the County maintains the Bradshaw Trail. As proposed, the secondary access route would transect privately owned agricultural fields parallel to 34th Avenue to provide access to the southerly power plant north of the proposed metering station. In addition to the access roads, each plant would have perimeter access/maintenance.

COUNTY OF RIVERSIDE COMMENTS ON TECHNICAL AND ENVIRONMENTAL SECTIONS OF PSA

BIOLOGICAL RESOURCES

The CEC staff preliminary conclusions indicate that the proposed Project would result in significant and potential unmitigable adverse environmental impacts. The County concurs with this conclusion.

The Project would cause permanent long-term loss of 3,834 acres of desert shrub land, including 708.9 acres of desert dry wash woodland and blue palo verde / ironwood woodland, which are considered sensitive natural communities by California Department of Fish and Game (CDFG). Although the Project proposes a 3:1 mitigation ratio, or 2,124 acres of mitigation land, it is unclear if compensation at this ratio is feasible or even obtainable. The Project has yet to identify where or how such mitigation will occur. An unmitigable impact to sensitive natural vegetation communities is considered a significant impact under California Environmental Quality Act (CEQA). The County recommends the Project identify specific areas or lands that contain the required habitat

types and provide an analysis and discussion of the acquisition potential to evaluate if the 3:1 mitigation ratio is even feasible. If the mitigation is not feasible and an alternative is not provided, the County will likely be unable to support the Project.

The Project will have impacts to Special-Status Plants, including but not limited to Harwood's milk-vetch. Currently the Project is still conducting 2012 fall botanical surveys. Until those surveys are complete and reviewed, the County is unable to analyze impacts or anticipate appropriate mitigation for impacts the Project may have on special-status plants. The County recommends completion and submittal of 2012 Fall botanical surveys for public review.

The Project would cause loss of 3,834 acres of occupied desert tortoise habitat. Proposed mitigation measures include: a set-aside of compensatory habitat at a 1:1 ratio, preparation of a translocation plan, and preparation of a Raven Management Plan. The Project has yet to identify the location of the compensatory mitigation. This location should be discussed publicly during the Project review stage to validate if it is obtainable and to analyze the location and impacts, if any, such a translocation effort might have. The County also recommends the Project submit a draft Desert Tortoise Translocation plan that identifies proposed translocation sites, methods of translocation, testing for disease, and outlines how long translocated tortoises will be monitored. This would provide a deeper understanding and analysis of the impacts, and whether or not the proposed mitigation is adequate. In addition, the PSA indicates that the BLM is still in Section 7 consultation with the U.S. Fish and Wildlife Service. A Biological Opinion has not yet been prepared, and is expected to run concurrently with the CEC review.

The Project will have impacts to bald and golden eagle foraging habitat, and the Project may cause direct take of eagles during operation. The Project proposes an Eagle Conservation Plan to evaluate risk, and a draft of this plan should be provided publicly during the project review stage to evaluate and identify all mitigation measures, including but not limited to retrofitting distribution lines.

The Project is also estimated to impact burrowing owls, which is a state listed Species of Special Concern. Owls located during the construction phase that cannot be avoided would be relocated. The Project should prepare a draft Burrowing Owl Mitigation and Monitoring Plan that clearly identifies the anticipated location where owls would be relocated, method of relocation, and the duration of monitoring. This draft burrowing owl relocation plan needs to be prepared in accordance with the 2012 CDFG Burrowing Owl Guidelines. These guidelines state that eviction of owls alone without further monitoring or habitat enhancement is not considered adequate mitigation under CEQA.

The Project would have impacts on migratory birds and other special status avian and bat species. Currently, the Project is required to complete one year of avian and bat monitoring in 2012. Those surveys are currently in progress and only the first quarter results have been submitted to the CEC for review. In order to fully evaluate the impacts this Project may have on avian and bat resources, the one year monitoring survey should first be completed and reviewed. In addition, while the Project proposes a post-construction Bird and Bat Monitoring Plan, the County cannot evaluate what elements need to be incorporated into that Monitoring Plan until staff can evaluate the overall level of anticipated impacts to avian and bat resources. In addition, once the 2012 surveys are completed and reviewed, the County recommends a draft Bird and Bat Monitoring Plan be submitted for review that outlines the methods and duration, and any

contingency measures, of the post-construction monitoring in order to evaluate its effectiveness in reducing impacts to these resources. Since the surveys are not complete at this time, the Project cannot quantitatively estimate impacts to these resources, which makes evaluating the mitigation approach difficult.

The Project would impact both desert kit fox and American badger habitat, and thus a pre-construction clearance and exclusion survey would be conducted prior to construction. However, based on the size and scale of the Project, additional information regarding the exclusion techniques and the duration of post-exclusion monitoring is needed at this time to evaluate if the proposed mitigation is adequate.

Surveys for sensitive resources are still in progress at this time; consequently, it is not possible to propose or fully evaluate mitigation measures. The County is unable to endorse the Project until surveys are complete and further details regarding pre-construction and post-construction monitoring for sensitive and fully protected biological resources are provided by the Project applicant.

CULTURAL RESOURCES

The assessment of cultural resources appears to be progressing well but still lacks significant data to be complete, as described in the PSA. It is the County's understanding that additional studies are underway and are to be incorporated into the Final Staff Assessment. Nonetheless, the approach and logic being applied for the impacts analysis and mitigation appear adequate and appropriate for this Project. However, the County reserves making final comments on the cultural resources section until the outstanding studies are complete.

The assessment of potential impacts to paleontological resources from installation of the heliostat pedestals (fossils at depth) is incomplete and it is recommended in the PSA that additional subsurface investigation be conducted at this time to assess this potential impact. The County agrees with CEC Staff's recommendation. However, it is not clear to the County what next step is to be taken on this matter as it does not appear to be addressed in the PSA or Conditions of Certification. Treatment of this potential impact should be clarified.

The County is also concerned about the historic passageway in the Project site now known as The Bradshaw Trail. The Bradshaw Trail is significant as a pre-historic trail; as a route often traversed in the Spanish colonial Californio period; and as a wagon and stage route from 1862-1877. Its importance spans thousands of years, and along its course are important cultural, archaeological and historical resources. To indicate that the portion of The Bradshaw Trail impacted by the Project is not significant opens the way for "chopping up" the remaining Trail and the prospect of further loss of Trail continuity. This needs to be evaluated further.

LAND USE

General Project Site Information:

1. The following information was gathered from the Riverside County Land Information System.

The Project site is located within:

- a. Community of Palo Verde
- b. Palo Verde Valley Area Plan

- c. Fourth Supervisorial District
- d. Chuckawalla Zoning Area
- e. General Plan Land Use Designation: AG, OS-RUR
- f. Ordinance No. 348 Zoning Designation: W-2-10, N-A
- g. Ordinance No. 659 (DIF) Fee Area
- h. School District: Palo Verde Unified
- i. Flood Plain Review: Within Areas of Flooding Sensitivity
- j. Colorado Watershed
- k. Liquefaction Potential: Low, Moderate, Very High
- l. Subsidence: Susceptible
- m. Paleontological Sensitivity: Low Potential
- n. Airport Influence Area/Zone: Not Applicable
- o. Farmland: Local Importance; Other Lands

2. The Project site is not located within a:

- a. MSHCP Conservation Area
- b. Specific Plan
- c. General Plan Overlay
- d. Redevelopment area
- e. Agricultural Preserve
- f. Fault zone
- g. High Fire Area
- h. Lighting Ordinance No. 655 zone – not applicable, 120.68 miles from Mt. Palomar

General Plan

The County's General Plan is the development blueprint for the County. All land use activities must be consistent with the General Plan. The consistency of the Project with the General Plan remains a significant County concern and should be evaluated further. The Project site is designated Open Space-Rural and Agriculture on the Palo Verde Valley Area Plan Land Use Map of the General Plan. 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. The Agriculture land use designation has been established to help conserve productive agricultural lands within the County. Areas designated Agriculture generally lack infrastructure that is supportive of urban development. The following General Plan policies should be considered when evaluating the Project's consistency with the General Plan:

- Land Use Element Policy LU 2.1.c. - Provide a broad range of land uses, including a range of residential, commercial, business, industry, open space, recreation and public facility uses.
- Land Use Element Policy LU 5.1- Ensure that development does not exceed the ability to adequately provide supporting infrastructure and services.
- Land Use Element Policy 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.

- Land Use Element Policy LU 8.1 - Provide for the permanent preservation of open space lands that contain important natural resources and scenic and recreational values.
- Land Use Element Policy LU 9.1 – Requires that new development contribute their fair share to fund infrastructure and public facilities such as police and fire facilities.
- Land Use Element Policy LU 13.1 - Preserve and protect outstanding scenic vistas and visual features for the enjoyment of the traveling public.
- Land Use Element Policy LU 15.15 - 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.
- Land Use Element Policy LU 16.1 - Encourage the retention of agriculturally designated lands where agricultural activity can be sustained at an operational scale, where it accommodates lifestyle choice, and in locations where impacts to and from potentially incompatible uses, such as residential uses, are minimized, through incentives such as tax credits.
- Land Use Element Policy LU 16.2 - Protect agricultural uses, including those with industrial characteristics (dairies, poultry, hog farms, etc.) by discouraging inappropriate land division in the immediate proximity and allowing only uses and intensities that are compatible with agricultural uses.
- Land Use Element Policy LU 16.4 - Encourage conservation of productive agricultural lands. Preserve prime agricultural lands for high-value crop production.

In addition, the following General Plan Land Use Element policies apply to properties designated as Open Space-Rural on the area plan land use maps:

- Land Use Element Policy LU 20.1 - Require that structures be designed to maintain the environmental character in which they are located.
- Land Use Element Policy 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.
- Land Use Element Policy 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.
- Land Use Element Policy LU 20.4 - Ensure that development does not adversely impact the open space and rural character of the surrounding area.

- Land Use Element Policy LU 20.5 - Encourage parcel consolidation.
- Land Use Element Policy LU 20.6 - Provide programs and incentives that allow Open Space-Rural areas to maintain and enhance their existing and desired character.

The PSA recognizes that the Project will be inconsistent with several of the above policies, but still determines that the Project is consistent with the County's General Plan solely by relying on Land Use Element Policy 15.15. While Land Use Element Policy 15.15 is one policy the County would consider for a consistency determination, it would not be the only one considered. Consistency with Land Use Element Policy 15.15 alone would not allow the Project to be designed in a fashion that promotes inconsistency with other, equally important, land use policies. By its own language, Land Use Element Policy 15.15 states that the development of solar power plants shall be done in an environmentally and fiscally responsible manner. This requires balancing and consideration of all General Plan policies, as well as fully implementing all aspects of the County's solar power plant program discussed in greater detail below. The County remains concerned that the scope, scale and, most specifically, the height of the Project creates inconsistency with the policies identified above. Further evaluation by CEC Staff of the above-referenced land use element policies, as well as any other relevant General Plan principles and policies, and implementation measures including the County's solar power plant program, should be done to determine the Project's consistency with the General Plan.

Zoning and Land Use

The County implements its General Plan through its Zoning Ordinance (Ordinance No. 348). The Project site is zoned W-2-10 (Controlled Development Areas, 10-acre minimum lot size) and N-A (Natural Assets). These zones are commonly applied to remote areas, with the W-2-10 zone generally applied to private lands and the N-A zone generally applied to federal land and other public lands. The "-10" in "W-2-10" is a suffix requiring a ten-acre minimum lot size for land division.

Ordinance No. 348.4705 amended Ordinance No. 348 to authorize solar power plants on lots ten (10) acres or larger in both the W-2 and N-A zones with a conditional use permit. Prior to the adoption of Ordinance No. 348.4705 on November 8, 2011, solar power plants were not previously permitted or conditionally permitted uses in any zone classification. They were therefore prohibited uses pursuant to Section 3.3 of Ordinance No. 348, which provides in pertinent part: "When a use is not specifically listed as permitted or conditionally permitted in a zone classification, the use is prohibited" As a result of Ordinance No. 348.4705, if the County had jurisdiction over the Project, it would require the approval of a conditional use permit in strict accordance with Ordinance No. 348. In approving such a permit, the County would be required to make the following findings:

- The Project is consistent with the County's General Plan.
- The Project will not be detrimental to the health, safety, or general welfare of the community, and such conditions have been applied as are necessary to protect the health, safety, or general welfare of the community.

Additionally, pursuant to Board of Supervisors' Policy B-29 which is discussed below in greater detail, approval of a conditional use permit for a solar power plant would require that a development agreement be approved and effective.

Any solar power plant conditionally permitted in the County must also comply with the development standards of the zone. The height of the Project remains a significant concern under both the zoning ordinance and the General Plan. The two 750-foot tall concrete towers of the Project do not comply with the height limits of either the W-2 or N-A zones. In most cases, a variance would be required under Section 18.27 of Ordinance No. 348 to exceed those height limits, the approval of which would compel the County to find that:

[B]ecause of special circumstances applicable to...[the] property, including size, shape, topography, location or surroundings, the strict application of th[e] ordinance deprives such property of privileges enjoyed by other property in the vicinity that is under the same zoning classification.

The required basis for such a variance cannot be made for this Project.

The PSA suggests that application of Section 18.34 would allow the Project to exceed the structure height development standards of the N-A and W-2 zones. This is incorrect. Section 18.34 can be used to seek an increase in structure height "when any zone classification provides that an application for a greater height limit may be made." The N-A zone does not provide for the application of Section 18.34. The W-2 zone provides for application of Section 18.34, but "[I]n no event, however, shall a building exceed seventy-five (75) feet in height or any other structure exceed one hundred five (105) feet in height" in the W-2 zone. Accordingly, Section 18.34 cannot be relied upon to change the height development standards of either zone to reach the total Project height of 760 feet.

Alternatively, Section 18.35 of Ordinance No. 348 states a zone change can be processed to allow structure height to deviate from zoning development standards provided a zone change is approved specifying the change to the development standard. Consequently, a change of zone under Ordinance No. 348 is necessary for the Project. Such change of zone would change the official zoning map for the Project area parcels to a development standard height of 760 feet. Such change of zone, an approval under Ordinance No. 348, would also need to comply with Board of Supervisors' Policy B-29.

Additionally, the Executive Summary of the PSA indicates that some portions of the gen-tie transmission corridor will cross private lands. If the County had jurisdiction over the Project, it would require the approval of a public use permit in strict accordance with Section 18.29 a.(2) of Ordinance No. 348 for those portions of the gen-tie crossing private land. Under Section 18.29, a public use permit is required for "facilities for the storage or transmission of electrical energy where the County is not preempted by law from exercising jurisdiction. This subsection shall take precedence over and supersede any conflicting provision in any zone classification. Facilities for the storage or transmission of electrical energy shall not be subject to the development standards of the zone classification in which they are located." Such public use permit, an approval

under Ordinance No. 348, would also need to comply with Board of Supervisors' Policy B-29.

Parcel Consolidation

The Project as proposed would cover several parcels, and it appears that structures would cross property lines. If the County had jurisdiction over the Project, it would require a reversion to acreage or a one lot parcel map to consolidate the parcels in strict accordance with the County's subdivision ordinance, Ordinance No. 460. If the parcels are not consolidated, either by reversion to acreage or a one lot parcel map, use of the parcels would be significantly constrained. Specifically, the Project developer would be required to comply with the specific setback requirements for the specific zone. This means that no buildings or structures could be built on top of actual parcel boundaries, and property within the setback areas could not be used.

While the County supports Condition of Certification Land-2, the County requests that it be made clear in the Condition of Certification that the Project applicant must consolidate the parcels in strict accordance with Ordinance No. 460, and that such parcel consolidation is a discretionary action by the County. Such parcel consolidation, an approval under Ordinance No. 460, would also need to comply with Board of Supervisors' Policy B-29.

Solar Power Plant Program

On November 8, 2011, the County adopted a comprehensive, integrated legislative solar power plant program which included General Plan Amendment No. 1080, Ordinance No. 348.4705, and Board of Supervisors' Policy B-29.

General Plan Amendment No. 1080 added Land Use Element Policy LU 15.5 to the General Plan as described below. Ordinance No. 348.4705 amended the County's Zoning Ordinance to authorize solar power plants on lots ten (10) acres or larger in a number of zones with a conditional use permit, including the W-2 and N-A zones applicable to the Project. Board of Supervisors' Policy B-29 added the following requirements:

- No encroachment permit shall be issued for a solar power plant unless the Board of Supervisors first grants a franchise to the solar power plant owner.
- No interest in the County's property, or the real property of any district governed by the County, shall be conveyed for a solar power plant unless the Board of Supervisors first approves a real property interest agreement with the solar power plant owner.
- No approval required by the County's Zoning or Subdivision Ordinances shall be given for a solar power plant unless the Board of Supervisors first approves a development agreement with the solar power plant owner and the development agreement is effective.

Board of Supervisors' Policy B-29 further requires that all such agreements shall include a term requiring a solar power plant owner to make an annual payment to the County of \$450 for each acre involved in the power production process and a term requiring a solar

power plant owner to secure the payment of sales and use taxes. The purpose of this program to ensure that the County can fully implement its General Plan, that the County does not disproportionately bear the burden of solar energy production, and that the County is compensated in an amount it deems appropriate for the use of its real property.

The Zoning Amendment, the General Plan Amendment, and the Board Policy were carefully considered and adopted by the Board of Supervisors as a comprehensive, integrated legislative program and each of its components has been expressly determined by the Board of Supervisors not to be severable. In order to ensure General Plan consistency, ensure full implementation of the County's General Plan, and ensure that the County does not disproportionately bear the burden of solar energy production, all aspects of the Solar Power Plant Program, including compliance with Board Policy B-29 must be satisfied in the permitting of solar power plants.

As set forth in our letter of March 7, 2012, to the Committee, it remains the County's current position that the pending litigation challenging the County's comprehensive, integrated legislative solar power plant program should not affect the CEC's evaluation of the Project's compliance with County LORS¹. However, if the County's solar power plant program is finally determined to be invalid or unenforceable, in whole or in part, by the courts, then all components of the program, including Board of Supervisors Policy B-29, General Plan Amendment No. 1080 (Land Use Policy LU 15.15) and Ordinance No. 348.4705, shall be deemed invalid in their entirety and shall have no further force or effect. If that occurs, a solar power plant, such as the Project, would not be in compliance with Ordinance No. 348 or the General Plan. As a result, it would not comply with County LORS.

Development Impact Fee (DIF) Ordinance No. 659

The County respectfully disagrees with both CEC Staff and the applicant with regard to the application and calculation of development impact fees for the Project.

Ordinance No. 659 is the County's Development Impact Fee Program ("DIF") adopted under the authority of the Mitigation Fee Act. The County established its DIF program recognizing that:

[[I]n order for the County to construct or acquire the needed Facilities and preserve open space, wildlife, and their habitats, it is necessary to require that all new development bear its fair share cost of providing the Facilities, open, space and habitat reasonably needed to serve that development.

DIF applies to all development in the County, not just solar power plant development. 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." (See Ordinance No. 659). DIF is only for "facilities" and the acquisition of open space and habitat, and does not cover increased needs for services.

¹ As of the writing of this letter, the Superior Court has continued the trial on this matter from January 25, 2013, to May 24, 2013, as stipulated to by the parties.

Under Ordinance No. 659, the Rio Mesa SEGF is in the Palo Verde Valley Area Plan and the N-A and W-2 zones on which the Project is proposed are classified as "commercial zones." The PSA correctly identifies the area plan and zone category for the Project, but only lists the "Public Facilities" amount of DIF. CEC staff calculates the DIF amount for the project as \$6,694 per acre multiplied by 3,805 acres. This is incorrect. Under Ordinance No. 659, a project must pay all components of the DIF total, meaning any amounts listed for the following categories in the ordinance: public facilities, fire facilities, transportation-roads, bridges, major improvements, transportation-signals, regional parks, community centers/parks, regional multipurpose trails, flood control, library books, and fee program administration. Under Ordinance No. 659, the total fee in the Palo Verde Valley Area Plan for a commercial zone project is currently \$16,939.50 per acre. It should be noted that this amount is a temporary 50 percent reduction previously adopted by the Board of Supervisors.

The PSA then goes on to state:

No development impact fee would be required because no new or expanded public facilities are necessary, and the proposed project will be required to offset its impacts to sensitive biological species and their habitat.

This is also incorrect and of concern to the County. Compliance with County LORS includes compliance with DIF, and payment of the proper DIF amount. Credits for DIF amounts are only given when "an owner or developer of real property dedicates land or constructs facilities identified in the Public Facilities Needs List. (See Section 18 of Ordinance No. 659). That has not occurred here.

The County also disagrees with the applicant's attempted calculation of DIF. First, the applicant contends that the calculation should be for industrial zones and the Desert Center/CV Desert area plan. Both of which are clearly incorrect based on the zoning and location of the Project site. Further, the applicant advised the CEC that the County already has an "approved methodology" for DIF for solar projects and that the amount is much smaller than the full project site acreage. Based on a record of conversation posted on the CEC's website for the Project, the applicant advised the CEC that:

Per John Snell on 10/16/2012 who spoke with the Riverside County Planning Director and confirmed this is the correct interpretation of the application of Ordinance 659 with respect to utility scale solar facilities.

The applicant provides no background documentation to support this "approved methodology." Nor does the applicant provide any details of which Planning Director spoke to John Snell and when such conversations occurred. John Snell is a Planning Commissioner. He is not an employee of the Planning Department, nor is he a County policy maker. County staff believes this quote may be referring to a conversation Mr. Snell had with former Planning Director Ron Goldman about the Blythe 1000 MW solar project approved by the CEC in 2010. However, it must be noted that the County does not have a Board of Supervisors "approved methodology" using "occupied" and "industrial" areas as claimed by the applicant. Absent a development agreement, the only methods of calculation approved by the Board of Supervisors for DIF are those set forth in Ordinance No. 659 and its implementing resolution, Resolution No. 2008-160.

Calculation of DIF is on an acreage basis in the commercial and industrial zones, and under a strict application of the ordinance the amount for the Project would be quite large, given the acreage involved. Currently, the County is negotiating DIF in conjunction with individual development agreements for solar power plants in the County. Such agreements specify the acreage of the project area subject to DIF, and adjust the fee based on project specifics and terms of the development agreement. Within the context of a negotiated development agreement approach on this Project, the County would consider limiting DIF to the following fee components under the fee structure for industrial, rather than commercial zones: fire facilities; transportation (including roads, bridges, and major improvements, but excluding traffic signals); regional parks; regional multipurpose trails; and fee program administration. Under the industrial fee structure and with the temporary 50 percent reduction, this would yield a total DIF of \$4,406 per acre, or a total of \$17.9 million. The payment of such a DIF amount is necessary for the Project to effectively comply with County LORS.

PUBLIC HEALTH

A concern from a health perspective is fugitive dust and PM10. As the PSA indicates, this area of Riverside County is already considered non-attainment for PM10 by the state, and there is a quantifiable risk already to the eastern county of higher rates of respiratory disease at baseline. The potential for inducing chronic pulmonary disease has an undoubted long-term health impact. This impact would be clearly most acute during the construction phase, but some lingering effect is likely especially from service operations on-site. As page 4.1-16 of the PSA mentions,

[T]he onsite fugitive dust emissions estimate may be underestimated given the amount of activity on the site and appropriate level of control for the applicant's proposed mitigation measures.

The PSA repeats this warning again on page 4.1-18. The proposed mitigation measures for fugitive dust and PM10 during construction and operation seem reasonable, assuming monitoring assures they make meaningful and EPA-compliant reduction in dust release (pages 4.1-21 through 30, inclusive). Although there is always concern about diesel exhaust particulates, the planned normal operation of the site (page 4.1-13) and the expected infrequent use of the diesel emergency engines make it unlikely they will be a significant negative effector to health by themselves; the majority of boiler fuel will be natural gas and within emission limits of the MDAQMD.

The Public Health review in section 4.7 of the PSA appears sufficient on its face, but does not acknowledge several confounding factors. As such, the conclusions of the CEC Staff should be considered carefully.

On page 4.7-5, the reviewer noted that the overall asthma rate in Riverside County was lower than the state average. However, particular high risk populations have a considerably poorer record. In pediatric asthma, the County ranked 37th out of 41 in a recent study of pediatric asthma hospitalizations (see attached EPE brief). These hospitalizations are high cost on a population ill able to afford it, and the impact weighs accordingly; see also page 4.8-5 in the PSA.

There is also well-documented disparity between western and eastern Riverside County. OSHPD data from 2007-2009, reported in the same attached EPE brief, gives the 92225 Blythe zip code the second highest rate of emergency room visits within the County due

to asthma in children. Diagnosis rates are further confounded by greatly impaired medical access in the Palo Verde-Blythe area. For the eastern portion of the County, 28.6 percent of adults are uninsured (2010 HARC figures), and the same OSPHD analysis showed only nine providers serving a population of approximately 17,020 in that zip code, for almost 2,900 patients per provider. This indicates the prevalence stated during the time period studied in this report is likely to be substantially underestimated. Based on these facts, any subsequent analysis of health impact, especially respiratory illness, should be very careful not to rely unnecessarily on statistics referencing the County as a whole.

Although there is a risk of Valley Fever due to the Project, the exact level of risk and health impact may be difficult to quantify. The issues with clear definition of Valley Fever cases may make the statistics on page 4.7-6 unreliable. However, the mitigation and safety measures proposed on pages 4.7-14 and 15, inclusive, do seem adequate for reducing worker exposure risk to soil spores and, as long as dust plumes are mitigated as indicated above, the County's Interim Public Health Officer agrees they are unlikely to spread beyond the plume area. However, he also agrees with his colleague Dr. Michael MacLean, MD, MS, health officer for Kings County, that Valley Fever assessment for this area is speculative at best (page 4.15-15).

The discussion and analysis of MICR/PMI on pages 4.7-19 through 22 inclusive appears to be adequate and complete.

Due to the presence of transmission lines from the Project, electromagnetic field exposure is mentioned as a concern. However, the County's Interim Public Health Officer agrees with the reviewer on page 4.12-7 that research "has not established that such fields pose a significant health hazard to exposed humans," and the proposed field-strength reductions measures on page 4.12-9 appear prudent and reasonable.

With regard to worker safety, in addition to the discussion of Valley Fever, the recommendations for avoiding pesticide exposure and unexploded ordnance both on 4.15-9, and injury reduction on pages 4.15-17 through 19, inclusive, appear adequate.

SOCIOECONOMICS

With regard to socioeconomics, CEC staff concludes in the PSA that the Project:

[W]ould not cause significant direct, indirect, or cumulative socioeconomic impacts on the project area's housing, schools, law enforcement, and parks, and would not have a socioeconomic impact on any environmental justice population. Staff also concludes that the project would not induce a substantial population growth or displacement of population, or induce substantial increases in demand for housing or public services.

The County has concerns regarding a number of underlying assumptions on which these conclusions are founded. With regard to housing supply, in Socioeconomic Table 8 (pages 4.8-9 and 4.8-10) CEC staff indicates that there a total of 800,707 housing units for "Riverside County, CA" with 114,447 corresponding vacancies within a 2 hour commute from the Project at the time of the 2010 census. This includes vacancies counted within Riverside County's resort communities. What may not have been considered is that occupation of housing in these resort communities is highly seasonal, and the population in the desert cities listed in Socioeconomic Table 8 fluctuates

significantly throughout the year. As a result, the PSA's conclusion regarding available housing stock may be overinflated.

With regard to availability of hotel and motel rooms within the 2 hour commute range, Socioeconomic Table 9 (page 4.8-10) there are 12,612 rooms within the study area. As with housing, the PSA does not appear to acknowledge that a substantial number of the rooms listed are within high end luxury resort communities, and many of these rooms draw premium room rates. In evaluating true room availability to the Project's employee base, the CEC should consider whether all the rooms counted would fall within any per diem allowance provided to the Project's workers. If a significant number of the luxury hotel rooms are realistically out of reach of the Project's workers, the availability of temporary housing may also be overstated as well.

Consequently, the County is concerned that the amount of affordable housing within reach of the Project's average worker may be significantly less than projected. Given the economic times, the number of similar solar projects in the pipeline that will also compete for available affordable housing, and the experience of other energy-related boom-town areas, the County can foresee the potential for some level of displacement. This is of concern not only with respect to the impact on permanent residents, but also the impact on long-time returning tourism and agricultural workers, on which the area's economy depends.

The County must also assume pressure will occur on the RV parks and long-term camping at the County's parks in the vicinity of the Project. To mitigate, in part, the potential impact on tourism along the Colorado River, upgrades will be necessary to the County's park facilities to accommodate the additional use that can be anticipated to result from construction of solar power plant projects in the area. For this reason, the County requests the County's DIF, discussed elsewhere in this letter, include the component for capital improvements for County parks.

With respect to the PSA's conclusion that there will be no net increase in population in Riverside County as a result of the Project, and therefore no consequent increase in need for public services, the County's position is that the number of similar representative projects is too few and the resulting body of data too small to draw definitive conclusions. The County is cautiously hopeful that high ratio of Riverside County residents will, in fact, be hired for this and other solar power plant projects, while recognizing that a rapid demand for skilled labor may quickly outstrip the region's qualified pool of workers. If this occurs, the County must be prepared to address the added service needs that an influx of workers from outside the County may cause.

Finally, the County disagrees with CEC staff's conclusion that there will be no environmental justice issues created by the Project because no minority population exists within reach of the Project. This conclusion is based on use of a 6 mile study zone around the project perimeter. However, calculations given in the PSA indicate that the community of Ripley is 6.8 miles from the Project, and Socioeconomic Table 2 indicates that 91 percent of the population of Ripley is minority. This ratio is significantly higher than the surrounding area generally.

Given that Highway 78 runs through Ripley, and alternative traffic routes surround Ripley, it is unquestionable that the population of Ripley, which fluctuates with agricultural work, will be exposed to the effects of construction traffic. In addition, as

indicated in the PSA, the prevailing winds often blow from the southwest, and will cross the Project toward Ripley. Given the nature of dust storms in the desert during high wind conditions, it is entirely conceivable that under such conditions drift from the Project could make the additional 0.8 of a mile to Ripley.

Contrary to the assumptions in the PSA, the absence of hospitals, schools and nursing homes within the study zone does not indicate an absence of a vulnerable population, but is instead indicative of the economic disadvantage of the area. As an agricultural labor community, there are families with both young children and elderly adults vulnerable to air quality and health issues. In addition, the PSA appears only to count residents within the 6 mile study zone, and does not consider the nature of the agricultural area within that zone as a work environment that may be subject to drift from the Project. As noted elsewhere in this letter, the County has serious concerns regarding the already significant challenges of serving the health care needs of the area, and the added burden that increased particulates and Valley Fever that may result from the Project. The County recommends broadening the buffer zone to include, at minimum, the community of Ripley and preferably farm houses in the neighboring agricultural area to assure that the goals of the National Environmental Policy Act and the California Environmental Quality Act are fulfilled and the potential impact on a highly vulnerable population is not overlooked.

PSEC

The County is also concerned about the Project's impacts on the County's Public Safety Enterprise Communication System Project ("PSEC"). The County has invested \$178 million in PSEC, a new regional public safety voice and data communication network. When fully implemented in December of 2013, the PSEC system will provide voice and data communication for law enforcement and other public safety first responders. The PSEC system will deliver enhanced interoperability between public safety agencies through a network of seventy-seven radio sites throughout the County. Since the PSEC sites are secure sites, the County can only provide general locations in a public document. Fifteen sites are located in the area east of Road 177, south of Road 62, west of Arizona 95, and the southern County border. Sites located in the east end of the County, where the Rio Mesa SEGf is proposed, are in very remote areas necessary to the PSEC system.

One of the primary concerns to the County is the potential for the Project to interfere with operation of the PSEC network. This concern is two-fold. First, the height of the two proposed 750 foot solar power towers may obstruct the PSEC microwave network. Microwave functions on a direct line of sight to the various connection points, and is the backbone of the network. Microwave provides the link to every site and a path back to the master site. If the proposed solar power towers are positioned between our microwave paths, then they will disrupt mission-critical PSEC communications, including those of law enforcement and other public safety first responders.

Second, the County is concerned about the potential impact the large heliostat fields may have on the PSEC microwave network, specifically the interference that solar flux from the heliostat fields may generate. Neither the information provided by the applicant nor included in the PSA about the Project are sufficient for the County to assess this impact. Although the County requested additional information on this issue from the applicant at a recent CEC workshop, no additional documentation was received by the County. Furthermore, the County is unaware of any other similar project of this scale in

operation that might provide real world data about the impact such heliostat fields have on microwave communications.

In addition, the County requires regular, unobstructed 24/7 access via the Bradshaw Trail to maintain our PSEC tower sites located in the mountains adjacent to the Project. The County is extremely concerned that County ingress and egress via Bradshaw Trail be preserved and in no way be disrupted at any time by construction or operational traffic related to the Project.

The County requests the following conditions be incorporated into the Proposed Conditions of Certification: 1) to secure full financial compensation to the County in the event the Project interferes with or renders inoperable any portion of the County's PSEC system; and 2) to guarantee the County unobstructed 24/7 priority access through the Bradshaw Trail.

SOIL AND SURFACE WATER

The PSA does not address the County's prior requests to the applicant regarding fencing requirements and elevating buildings and heliostats outside the floodplain limits to a minimum of 24 inches. Additionally, heliostats and the common service buildings are proposed within the 100-year floodplain, which must be kept free of fill, buildings and structures.

TRAFFIC AND TRANSPORTATION

The County is concerned about the impact that construction-related traffic will have on County roads. Absent the CEC's certification authority, the County would have the ability to ensure the mitigation of these impacts and respectfully requests that the CEC do the same.

On page 4.11-10 the PSA states the peak construction period would involve a workforce of 2,200 construction workers. Without sufficient detail, this is summarized as equating to 1,370 construction worker vehicles per day and amounting to 2,740 daily trips. The reviewer concludes that in order to support the 1,370 work vehicles, a carpool participation rate of 75 percent of the construction workforce is necessary. The County considers this assumed participation rate highly optimistic and potentially leading the PSA to understate significantly the traffic impacts. Unless this assumed carpool participation rate of three out of every four workers is substantiated through documentation, or enforced in the form of mitigation, the PSA has the potential to be deemed inadequate with regards to traffic impacts. In order for the Rio Mesa SEGF to utilize the trip generation assumptions in the PSA and to ensure adequate mitigation is provided for the 2,740 daily construction worker trips, the County highly recommends the CEC incorporate a required carpool participation rate of 75 percent into the Proposed Conditions for Certification Trans-2. The County further requests the following language and verification measures be incorporated into Proposed Condition of Certification Trans-2:

The following conditions shall be incorporated into the Proposed Conditions for Certification Trans-2:

Condition: Rio Mesa SEGF shall establish a rideshare program during the peak construction period and shall require 75 percent of the project construction workforce to participate.

Verification: In order to monitor and verify the construction traffic trips generation by the project, Rio Mesa SEGF shall conduct daily traffic counts at its project access points and provide this data to the County of Riverside Transportation Department (RCTD) for review. In the event the actual construction traffic trips exceeds those identified in the PSA, Rio Mesa SEGF shall prepare and submit a revised traffic impact analysis to RCTD and incorporate any new mitigation identified in the analysis into this Condition for Certification.

Furthermore, prior to the approval of the Project, the County requires the Project applicant to perform and provide analyses of the pavement structure for all roadways that may be utilized by Project construction traffic. If the analyses determine the pavement would not provide sufficient load bearing capacity for the construction traffic, the County would require the Project applicant to provide road improvements, as specified by the County Director of Transportation. The County would further require the Project applicant restore all public roads, easements, and rights-of-way that may be damaged due to Project-related construction activities to original or near-original condition in a timely manner. In addition, the County would seek financial security to ensure the restoration or replacement of such public roads, easements, and rights-of-way.

The County would require the Project applicant to provide evidence of primary and secondary access. The primary and secondary accesses shall be improved routes as approved by Transportation Department. Such secondary onsite and offsite access is necessary to provide fire protection and emergency medical response to all development areas. As currently proposed, the secondary access leading into the Project area through private land appears to be inadequate by County standards. The currently-proposed location of the secondary access requires concurrence and approval of both the County Transportation Department and the County Fire Department, and would be required to be maintained throughout all Project phasing and operation.

Further, as mentioned during the CEC's public workshops on the PSA, the Bradshaw Trail is a County maintained dirt road that the County requires be improved within the Project area with a minimum of 24 foot wide asphalt concrete pavement and 8 foot graded shoulders connecting to an existing asphalt concrete County maintained roadway on the east side of the Project, as approved by Transportation Department.

During the recent public workshops on the Project, it also came to light from the farming community that there is a well-known, unofficial alternate trucking route around the community of Ripley. Traveling southbound from the Interstate 10, on Neighbours/Highway 78, this alternate route turns west onto 20th Avenue from Neighbours and follows 20th Avenue west to the 90-degree turn into Rannells Boulevard, then south on Rannells Boulevard four miles to 28th Avenue, at which point the route rejoins Highway 78. This is effectively 7 mile customary bypass. The impacts of the Project construction traffic on this well-known alternative route should also be evaluated and mitigated.

VISUAL RESOURCES

The County continues to have concerns about the visual impact of the Project. CEC staff concluded that the Project, after implementing all staff-recommended conditions of

certification, would still have significant and unavoidable adverse direct visual impacts. The County agrees with this conclusion.

The Project, on its own and also in combination with existing and foreseeable future projects within the immediate project viewshed, will contribute to significant unavoidable cumulative visual impacts. Project impacts, in combination with existing and foreseeable future solar and other development projects within the I-10 corridor in Riverside County, will contribute to a perceived sense of cumulative industrialization of the currently open, undeveloped desert landscape of the eastern Chuckwalla Valley and Palo Verde Mesa, and impact views of scenic resources experienced by I-10 motorists, local residents, and recreational visitors within the Project viewshed.

The County agrees with CEC staff that the significant visual impacts cannot be mitigated. As noted at length above, the County further agrees the Project will be inconsistent with several important policies of the Riverside County General Plan. County residential, agricultural, and open space areas in the Project viewshed will be strongly impacted by effects of bright glare from the Project. However, the County does not believe the proposed mitigation is sufficient to off-set the vast changes being imposed on the residents within the vicinity of the Project. The proposed "off-site landscape screening" mitigation in Condition of Certification Vis-2 is not sufficient. It is unrealistic to assume that trees able to grow in the harsh, windswept desert environment of the Palo Verde Mesa would provide suitable screening. Since these impacts cannot be fully mitigated, the residents should reap some benefit from the Project that they will live with, and see, daily. The residents in the vicinity of the Project should receive some greater benefit.

Further, the County is concerned about the effects of bright glare along recognized scenic and historical recreational areas, including the Bradshaw Trail, Palo Verde Mountains Wilderness Area, and Cibola National Wildlife Refuge. The PSA recognizes that these areas "would experience a decline in [scenic and recreational] values due to bright glare." The landscape setting of the Project has a mostly natural character. The Project would "be a visually dominant and highly intrusive feature that would degrade the scenic qualities of its surroundings." Even though these areas may not be under the County's jurisdiction, these scenic and historical recreational areas are important to County residents and County tourism, on which much of the local economy of that area depends. The County also remains concerned about the scenic viewshed along the historic Bradshaw Trail. The County asks for stronger efforts to minimize and fully mitigate the visual impacts of the Project.

WASTE MANAGEMENT

The proposed Condition of Certification - Waste 4 requires that a Construction Waste Management Plan be prepared for all waste generated during construction of the facility, with submittal to Riverside County for review. The County requests that the "Verification" section be revised to specify that the Construction Waste Management Plan be submitted to the Riverside County Waste Management Department for review.

Proposed Condition of Certification - Waste 6 requires that an Operation Waste Management Plan be prepared for all wastes generated during operation of the facility. The County requests that the "Verification" section be amended to specify that the Annual Compliance Report shall also be submitted to the Riverside County Waste Management Department for review.

The County also requests that the Waste Management Table 2 in the PSA be revised to reflect that a) the estimated closure date of the Oasis Landfill is 2021; and b) the location of the County's Lamb Canyon Landfill is in Beaumont, California.

WORKER SAFETY AND FIRE PROTECTION

The Riverside County Fire Department ("RVC Fire") reviewed the Worker Safety and Fire Protection section of the PSA, as well as a copy of a Fire and Emergency Services Risk and Needs Analysis (FESNA) generated by the applicant.

While the County appreciates the scope covered by the applicant's self-assessment and the thoroughness of CEC Staff's report, the County must take issue with some of the content and conclusions of both the FESNA and PSA. Likewise, the County must clearly state that this Project does have a significant impact on RVC Fire. A global look at what is occurring in Eastern Riverside County shows what is ultimately becoming the huge industrialization of major tracts of previously sparsely populated and un-utilized desert. This is important to understand, both with regard to the impacts of the Project and the existing capability of RVC Fire services currently serving the nearby rural and agricultural communities.

Less than accurate efforts were made in the FESNA submitted by the applicant to show all hazards as being mitigated to "Less than significant" through compliance with applicable safety LORS and on-site measures. This submittal by the applicant is noted in the Summary of Conclusions of the PSA (page 4.15-1) which states:

In response to data requests, the applicant provided a Fire and Emergency Service Risk and Needs Analyses (FESNA). The analyses suggest that by complying with LORS, the project would not create significant impacts on the local RCFD or local emergency response resources because of the projected infrequency and small scale of any responses needed for fire, medical, or technical rescue needs.

RVC Fire is the Authority Having Jurisdiction (AHJ) for these emergency responses into the Project, and the County strongly disagrees with the CEC's statement above. The County applauds the proposed worker safety and fire protection plan and recognizes, like any good safety plan, it has the potential to limit incidents and accidents within a project. However, the experience of RVC Fire across the County in dealing with a huge cross section of business and industry is that in spite of workplace plans, OSHA regulations, and numerous other laws and ordinances, industrial accidents still occur. This unfortunate fact is what necessitates the existence of RVC Fire and the County's strong response to this PSA. While the Project's submittal and CEC staff's proposed Conditions of Certification "Worker Safety" 1 through 8 attempt to alleviate most emergencies internally, the ultimate responsibility for response and mitigation of any emergency still rests with RVC Fire. As such, RVC Fire must take a proactive position in the planning, staffing, equipping, training, response and overall preparation for these potential and likely emergencies. Therefore the County must strongly argue that this Project would have a significant impact on our County Fire Department.

In the submittal by the applicant, much attention is paid to the frequency of calls in determining impact. However, the County contends that it is not only the frequency of those calls, but the hazards created by the proposed land uses, activities, occupancy

and consequent inherent risks and related emergencies which will significantly impact RVC Fire. RVC Fire terms these as *low frequency/high risk/little discretionary time* emergencies.

Within RVC Fire, there is a base or core set of training and equipment outfitting which is the standard compliment for the County's engine companies and allow for rapid response to most conventional emergencies. Battalion 8, which serves the area, reflects this basic service delivery model. However, more complex emergencies requiring technical expertise and specialized equipment including, but not limited to, confined space, trench, hi-angle rope rescues, entrapments, etc. are handled by "truck companies." Truck companies are each staffed by four of our highest trained firefighters, and equipped with a veritable rolling tool box of specialized tools and equipment to affect these rescues. Currently, RVC Fire has seven such truck companies covering the entire urbanized and industrial areas of Riverside County. The closest RVC Fire truck company to the Project is located in Indio, and would have a response time of approximately 1 hour and 40 minutes. This is unacceptable in light of this Project, and the greater industrial accident risks that these solar projects generally pose to Eastern Riverside County. The current staffing, training and equipping of existing stations serving this area are not adequate to handle the technical rescues these projects can cause both during construction and operation. Some of these risks are summarized in the PSA (page 4.15-4):

Industrial environments are potentially dangerous during construction and operation of facilities. Workers at the proposed Rio Mesa SEGF would be exposed to loud noises, moving equipment, trenches, and confined space entry and egress problems. The workers could experience falls, trips, burns, lacerations, and numerous other injuries. Workers would also have the potential to be exposed to falling equipment or structures, chemical spills, hazardous waste, fires, explosions, and electrical sparks and electrocution.

RVC Fire understands these complex incidents, and must establish and maintain the ability to handle the specialized and technical emergencies that may occur at the Project site. The specific needs of this additional rescue capability are covered in the attached document "Battalion 8 Solar Project Impacts and Mitigation." It is the position of the County that in order to provide necessary public protection, the Project must participate in the attached fire service mitigation measures and assume a proportional share of both the capital and operations and maintenance costs.

Respectfully, the next area of disagreement with the PSA is the information initially found on page 4.15-1 which states:

In the event that Riverside County Solar Policy B-29 is overturned, staff proposes Conditions of Certification Worker Safety-9, and -10, to provide an alternative mechanism for determining and implementing mitigation for impacts to the fire department.

This information is repeated on page 4.15-32 which infers that Riverside County Solar Policy B-29 is intended as mitigation for impacts to the fire department. This misinformation may have been derived from a letter written by RVC Fire Captain Jason Neuman, which incorrectly misstates that assumption. Board of Supervisors' Policy B-

29 is not mitigation of service or capital needs, nor does it replace Development Impact Fees (DIF). As noted above, it is the County's position that the Project must participate in its proportional share of the mitigating costs for impacts, in part, to RVC Fire facilities through the DIF process.

With regard to conditions of certification pertaining to worker safety, the County supports the measures in Worker Safety 1 through 4, and 6 through 8. The County also agrees that construction should not occur until funding of mitigation measure discussed below occurs. Likewise, the County will thereafter, to the best of its ability, initiate improvements to County Fire assets and services to best protect the workers on this Project, and the surrounding community. However, the County has concerns with other of the safety measures in that section.

With respect to Worker Safety 5, the County supports the presence of an on-site Automatic External Defibrillator (AED) program and the concurrent training of sufficient staff to ensure there is always someone on site capable of putting it into service. However, while the County supports this requirement, it is inadequate in providing for possible medical emergencies. While the inclusion of an AED in their program is warranted for heart-related emergencies, the type of medical emergencies more likely will be traumatic worker injuries. The County recommends the CEC require that in addition to an AED being on site, the same delegated staff and foremen be trained in First Aid, CPR and AED to a recognized standard, such as American Red Cross. In addition, the County recommends requiring "Trauma/First-Aid" kits sufficient to handle anticipated industrial accidents. Identical Trauma/First-Aid kits should also be located in the field (i.e.: in vehicles) at all times with those delegated staff and foremen as mentioned in Worker Safety 5.

With respect to Worker Safety 9, as previously stated, Board of Supervisors' Policy B-29 is not a mitigation of the impacts of the Project on the RVC Fire. Therefore, the County does not agree to the content of Worker Safety 9 as replacing Board Policy B-29. Likewise, as noted above, there are significant impacts to RVC Fire caused by this Project. The development of this huge industrial project brings with it the recognized potential for many different types of specialized and technical rescue emergencies, which are not currently within the capacity of existing County local fire stations. The County appreciates that CEC staff noted in Worker Safety 9 (1) that the Project should fund:

[I]ts project-related share of capital and operating costs to improve fire protection/emergency response infrastructure and provide appropriate equipment as mitigation of project-related impacts on fire protection/emergency response services within the jurisdiction.

The County requests the CEC continue to recognize this fact and condition all appropriate mitigation requirements on this Project. In addition to requiring mitigation for fire capital needs addressed in detail above in the discussion of DIF, the County requests an annual mitigation of \$375,000 to support the added operational expenses of the fire rescue program. In the event the Project's proportionate share of County Fire's actual annual expenses necessary to maintain readiness are less, the County will only accept the annual amount necessary to meet related expenses from such projects.

The County does not agree to a study conducted by a contractor chosen by the Project owner (Worker Safety 9 (2)). The CEC is in a position to evaluate this and other impacts and mitigations without a potentially biased study completed by a contractor chosen by the Project owner.

With respect to Worker Safety 10, in light of the issues discussed above, the County does not support Worker Safety 10.

ALTERNATIVES

The PSA states the Palen Solar Project Site is rejected as an alternative site “because it is an already approved project that has been considered as part of the California’s renewable portfolio since its approval.” Yet, the PSA does not investigate the possibility of an oversubscription of projects intended to meet California’s RPS. Due to the high concentration of renewable energy projects within the eastern portion of Riverside County; and more specifically along the Interstate-10 corridor, there is a high probability that some projects will not be constructed due to a lack of demand for renewable energy projects as investor and publically owned utilities meet their individual RPS thresholds.

Page 6.1-18 of the PSA includes the most recent census date (U.S. Census 2010) for the community of Palo Verde as 171 permanent residents. However, this number can be misleading as to the potential for long-term impacts to Riverside County residents. The community of Palo Verde is a highly commercialized agricultural community that, by the nature of seasonal harvesting, includes a substantial transit population that would not be included as permanent residents. It is recommended in the analysis of this alternative that the seasonal migrant farm worker population is considered.

Additionally, page 6.1-18 of the PSA states, “The project site is currently zoned Open Space – Rural (OS-RUR) and Agriculture (AG) by the Riverside County Zoning Ordinance.” This statement is incorrect. As discussed in the Land Use section above, the County employs a hierarchy of land use regulation and at the top of this hierarchy is the County’s General Plan – the constitution of the County – and the project site is designated in the General Plan as OS-RUR and AG. The zoning on the project site is a combination of Controlled Development (W-2) and Natural Assets (N-A). This is an important distinction, especially when the PSA discusses the inconsistency of the Project in regards to the County’s height restrictions. These height restrictions are set forth within the County’s zoning ordinance, rather than the General Plan; and as such, a Change of Zone is necessary to ensure that the Project complies with the County’s LORS, specifically with respect to height standards and zoning consistency.

It is also important to note and requested that in the Biological Resources section of the Alternatives beginning on page 6.1-18, that the County be identified as the responsible maintenance entity for a majority of the roads, primarily Bradshaw Trail, in and surrounding the project site.

The Visual Resources Section in the No Project Alternative analysis mentions the potential impacts on the agricultural community of Ripley. However, the Socioeconomics Section of the PSA eliminates any further discussion of this unique community due to the 6-mile study radius established under the Socioeconomics section of the PSA. The County believes that the impacts of the Project on the community of Ripley should fully be evaluated for all environmental assessment topics.

The County does not agree with the following statement on page 6.1-30 of the PSA:

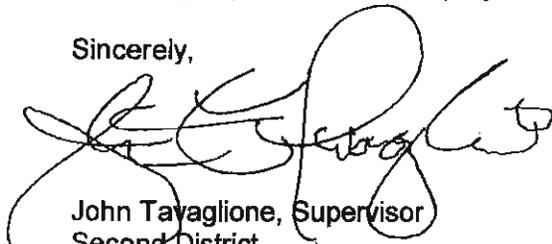
“Similar to the proposed Rio Mesa site, the construction of the solar power plant at the Sonoran West Off-site Alternative site would not physically divide a community and would not conflict with applicable land use plans or regulations as it is located entirely on BLM land and within a proposed SEZs.”

While these characteristics are likely true for the Sonoran West Off-site Alternative, folding in the proposed Rio Mesa site in this statement is confusing and provides the impression that the same concerns with respect to community impacts and land are not applicable to the Rio Mesa Project while in fact the County believes that they are and that additional information may be required to investigate further. The County recommends the removal of a comparison to the Rio Mesa Project site in this statement.

The County is also concerned about the apparent conclusion on page 6.1-70 that solar photovoltaic technology, as an alternative to the Project, would result in “similar socioeconomic impacts”. The County disagrees with this conclusion, in part; primarily in that a solar PV facility has fewer construction workers and will require a lower number of construction trips per day, which creates a lessened impact upon the surrounding circulation system of the Palo Verde area. These impacts associated with the construction of a large solar thermal generating facility has the potential to create a “boom town” effect upon the far easterly reaches of Riverside County, which is an area that is underserved by housing and public infrastructure.

Thank you again for the opportunity to provide comments on this Project that will have a lasting impact on the County. The County reserves the right to issue additional comments on the Preliminary Staff Assessment and Final Staff Assessment as the Project moves forward and additional information about the Project is known. Should you need additional information from the County, please contact Principal Planner Adam Rush at (951) 955-3200 or Deputy County Counsel Tiffany North at (951) 955-6300.

Sincerely,



John Tavaglione, Supervisor
Second District
Chairman of the Board

CONDITIONAL USE PERMIT Case #: CUP03687

Parcel: 879-230-011

10. GENERAL CONDITIONS

EVERY DEPARTMENT

10. EVERY. 1 USE - PROJECT DESCRIPTION RECOMMND

Rio Mesa Solar Holdings, LLC is currently processing an Application for Certification ("AFC") to the California Energy Commission ("CEC") for its proposed Rio Mesa Solar Electric Generating Facility ("the Project"). The Project proposes an approximate 500 megawatt solar concentration thermal energy generating facility (solar power plant) on approximately 5,750 acres of privately owned land. The first plant, a 250 megawatt (MW) (nominal) facility known as Rio Mesa I, will be constructed at the south end of the project and owned by Rio Mesa Solar I, LLC. The second plant, another 250 MW (nominal) facility known as Rio Mesa II, will be located in the central portion of the project site and owned by Rio Mesa Solar II, LLC. Each plant would utilize a solar power boiler, located on top of a 750-foot tall concrete tower, surrounded by heliostats, approximately 85,000 per solar power boiler, which would focus solar energy on the boiler. Auxiliary boilers would be used to operate in parallel with the solar field during partial load conditions and when additional power is needed. Each 250 MW solar power plant would require about 1,850 acres, or 2.9 square miles, of land to operate. A 119-acre shared common area would include combined administration, control, and maintenance facilities. Four additional features, consisting of linear corridors used for site access, distribution and transmission lines for electrical service lines, also are part of the Project, which are details as follows: Bradshaw Trail Access Road Corridor, 33kV Service Line Corridor (New), 33kV Service Line Corridor (Existing), and 34th Avenue Access Road Corridor. APN(s): See Application Materials

10. EVERY. 2 USE - HOLD HARMLESS RECOMMND

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

(a) any claim, action, or proceeding against the COUNTY to attack, set aside, void, or annul an approval of the COUNTY, its advisory agencies, appeal boards, or legislative body concerning Conditinoal Use Permit No. 3687; and

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10. GENERAL CONDITIONS

10. EVERY. 2 USE - HOLD HARMLESS (cont.)

RECOMMND

(b) any claim, action or proceeding against the COUNTY to attack, set aside, void, or annul any other decision made by the COUNTY concerning Conditional Use Permit No. 3687, including, but not limited to, decisions made in response to California Public Records Act requests.

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

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

10. EVERY. 4 USE - BOS B-29 POLICY

RECOMMND

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.

10. EVERY. 5 GEN - CONDITION MILESTONES

RECOMMND

10 = General Conditions. These conditions provide project specific information and will not have to be cleared individually.

20 = Prior to a Certain Date. These conditions require that action(s) by the developer/permit holder be taken by a specific date.

30 = Prior to Any Project Approval. These conditions are used for Specific Plans to ensure that tentative maps and other development projects will not go forward to public hearing without meeting the condition or reflecting the condition in its design.

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10. GENERAL CONDITIONS

10. EVERY. 5 GEN - CONDITION MILESTONES (cont.) RECOMMND

40 = Prior to Phasing (Unitization). These conditions are used for phased subdivisions and/or subdivision phasing plans to ensure that the phasing does not void a recordation condition.

50 = Prior to Map Recordation. These conditions require the developer/permit holder to comply with certain conditions prior to the recordation of a Final Subdivision Map or Final Parcel Map.

60 = Prior to Grading Permit Issuance. These conditions require the developer/permit holder to comply with certain conditions prior to the issuance of a grading permit (and/or Surface Mining Permit Special Inspection.)

70 = Prior to Grading Final Inspection. These conditions require the developer/permit holder to comply with certain conditions prior to requesting a grading permit final inspection.

80 = Prior to Building Permit Issuance. These conditions require the developer/permit holder to comply with certain conditions prior to the issuance of a building permit.

90 = Prior to Building Final Inspection. These conditions require the developer/permit holder to comply with certain conditions prior to requesting a building permit final inspection.

100 = Prior to Issuance of Given Building Permit. These conditions require the developer/permit holder to comply with certain conditions prior to the issuance of a certain number of residential building permits.

BS GRADE DEPARTMENT

10.BS GRADE. 1 USE - GENERAL INTRODUCTION RECOMMND

Improvements such as grading, filling, over excavation and recompaction, and base or paving which require a grading permit are subject to the included Building and Safety Department Grading Division conditions of approval.

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10. GENERAL CONDITIONS

10.BS GRADE. 3 USE - OBEY ALL GDG REGS RECOMMND

All grading shall conform to the California Building Code, Ordinance 457, and all other relevant laws, rules, and regulations governing grading in Riverside County and prior to commencing any grading which includes 50 or more cubic yards, the applicant shall obtain a grading permit from the Building and Safety Department.

10.BS GRADE. 4 USE - DISTURBS NEED G/PMT RECOMMND

Ordinance 457 requires a grading permit prior to clearing, grubbing, or any top soil disturbances related to construction grading.

10.BS GRADE. 6 USE - NPDES INSPECTIONS RECOMMND

Construction activities including clearing, stockpiling, grading or excavation of land which disturbs less than 1 acre and requires a grading permit or construction Building permit shall provide for effective control of erosion, sediment and all other pollutants year-round. The permit holder shall be responsible for the installation and monitoring of effective erosion and sediment controls. Such controls will be evaluated by the Department of Building and Safety periodically and prior to permit Final to verify compliance with industry recognized erosion control measures.

Construction activities including but not limited to clearing, stockpiling, grading or excavation of land, which disturbs 1 acre or more or on-sites which are part of a larger common plan of development which disturbs less than 1 acre are required to obtain coverage under the construction general permit with the State Water Resources Control Board. You are required to provide proof of WDID# and keep a current copy of the storm water pollution prevention plan (SWPPP) on the construction site and shall be made available to the Department of Building and Safety upon request.

Year-round, Best Management Practices (BMP's) shall be maintained and be in place for all areas that have been graded or disturbed and for all material, equipment and/or operations that need protection. Stabilized Construction Entrances and project perimeter linear barriers are required year round. Removal BMP's (those BMP's which must be temporarily removed during construction activities)

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10. GENERAL CONDITIONS

10.BS GRADE. 6 USE - NPDES INSPECTIONS (cont.) RECOMMND

shall be in place at the end of each working day.

Monitoring for erosion and sediment control is required and shall be performed by the QSD or QSP as required by the Construction General Permit. Stormwater samples are required for all discharge locations and projects may not exceed limits set forth by the Construction General Permit Numeric Action Levels and/or Numeric Effluent Levels. A Rain Event Action Plan is required when there is a 50% or greater forecast of rain within the 48 hours, by the National Weather Service or whenever rain is imminent. The QSD or QSP must print and save records of the precipitation forecast for the project location area from (<http://www.srh.noaa.gov/forecast>) and must accompany monitoring reports and sampling test data. A Rain gauge is required on site. The Department of Building and Safety will conduct periodic NPDES inspections of the site throughout the recognized storm season to verify compliance with the Construction General Permit and Stormwater ordinances and regulations.

10.BS GRADE. 7 USE - EROSION CNTRL PROTECT RECOMMND

Graded but undeveloped land shall provide, in addition to erosion control planting, any drainage facility deemed necessary to control or prevent erosion. Additional erosion protection may be required during the rainy season from October 1, to May 31.

10.BS GRADE. 8 USE - DUST CONTROL RECOMMND

All necessary measures to control dust shall be implemented by the developer during grading. A PM10 plan may be required at the time a grading permit is issued.

10.BS GRADE. 9 USE - 2:1 MAX SLOPE RATIO RECOMMND

Graded slopes shall be limited to a maximum steepness ratio of 2:1 (horizontal to vertical) unless otherwise approved.

10.BS GRADE. 11 USE - MINIMUM DRNAGE GRADE RECOMMND

Minimum drainage grade shall be 1% except on portland cement concrete where .35% shall be the minimum.

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10.BS GRADE. 12 USE - DRAINAGE & TERRACING RECOMMND

Provide drainage facilities and terracing in conformance with the California Building Code's chapter on "EXCAVATION & GRADING".

10.BS GRADE. 13 USE - SLOPE SETBACKS RECOMMND

Observe slope setbacks from buildings & property lines per the California Building Code as amended by Ordinance 457.

10.BS GRADE. 14 USE - SLOPES IN FLOODWAY RECOMMND

Graded slopes which infringe into the 100 year storm flood way boundaries, shall be protected from erosion, or other flood hazards, by a method acceptable to the Building & Safety Department's Engineer - which may include Riverside County Flood Control & Water Conservation District's review and approval. However, no graded slope will be allowed which in the professional judgment of the Building & Safety Department Engineer blocks, concentrates or diverts drainage flows.

10.BS GRADE. 17 USE - PVT RD GRADG PMT RECOMMND

Constructing a private road requires a grading permit. All private roads which are conditioned to be paved shall conform to Ordinance 457 base and paving and inspection requirements.

10.BS GRADE. 18 USE - OFFST. PAVED PKG RECOMMND

All offstreet parking areas which are conditioned to be paved shall conform to Ordinance 457 base and paving design and inspection requirements.

10.BS GRADE. 23 USE - MANUFACTURED SLOPES RECOMMND

Plant and irrigate all manufactured slopes equal to or greater than 3 feet in vertical height with drought tolerant grass or ground cover; slopes 15 feet or greater in vertical height shall also be planted with drought tolerant shrubs or trees in accordance with the requirements of Ordinance 457.

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10. GENERAL CONDITIONS

10.BS GRADE. 24 USE - FINISH GRADE RECOMMND

Finish grade shall be sloped to provide proper drainage away from all exterior foundation walls in accordance with the California Building Code and Ordinance 457.

BS PLNCK DEPARTMENT

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

The proposed thermal solar 500 mega watt facility would fall under the State of California Energy Commission (CEC) jurisdiction. The state shall request or require the local jurisdiction (Riverside County Building Department) to provide building permit and inspection services, all building department plan submittal and fee requirements shall apply. Should building plans and supporting documents be submitted to the building department, all California Building Codes and Riverside County Ordinances shall apply.

EPD DEPARTMENT

10.EPD. 1 USE MITIGATION PLAN RECOMMND

The following comments are provided by the Environmental Programs Division based on the discussion at the 7/12/2012 LDC meeting at Riverside County:

The Environmental Information provided for the Rio Mesa Solar Project provides a summary of the proposed plan to monitor and document the effectiveness of biological mitigation measures. Mitigation measures contained within the USFWS Biological Opinion and other resource agency permits will be combined into a Biological Resources Mitigation Implementation Monitor (BRMIMP). The Environmental Information states that this BRMIMP will be prepared prior to Project construction and will outline how the Applicant will implement mitigation measures. Typically a draft BRMIMP would be prepared prior to Project approval by the Environmental Programs Division (EPD) of the Planning Department that would provide details of the biological mitigation approach, including the duration of biological monitoring. Mitigation measure BIO-5 states that all relocated tortoises will have radio transmitters in order to monitor their status after translocation. However, does not indicate how long monitoring will occur. The duration of monitoring for desert tortoise or any

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10. GENERAL CONDITIONS

10.EPD. 1

USE MITIGATION PLAN (cont.)

RECOMMND

other biological resource should be provided up front in a Draft BRMIMP. In addition BIO-11 states that the site "should" be cleared of potential desert kit fox dens and burrows shall be safely collapsed to prevent re-occupation. Additional details of the clearing and monitoring methods needs to be provided in order to adequately evaluate the proposed mitigation measures.

BIO-9 states that an Avian/Bat Protection Plan will be developed that will describe a program to reduce risks to bats and birds during the construction and operation of the Project. The document states that development of the Avian/Bat Protection Plan will be coordinated with the agencies. As previously stated additional details including but not limited to, monitoring and report protocols, duration, contingencies, details regarding the monitoring of the evaporation ponds, and other details related to resources management should be provided up front in a summary or draft Avian/Bat Protection Plan so that mitigation measures can be adequately evaluated prior to Project approval by EPD. These comments also apply to BIO-10 which eludes completion of surveys for Gila Woodpeckers and the eventual development of Habitat Mitigation Plan for the species. Additional details are required at this time to adequately evaluate the proposed mitigation plan.

It is the understanding of EPD that botanical surveys for sensitive plant species will occur during summer 2012 pending adequate rainfall in the desert. Please provide information that states what is considered adequate rainfall to conduct the surveys. If 2012 is not considered adequate what course of action would required to complete botanical surveys.

If you have any questions regarding these comments and questions please contact EPD biologist Jared Bond at 951-955-0314 or via email at jbond@rctlma.org.

FIRE DEPARTMENT

10.FIRE. 1

SECONDARY ACCESS

RECOMMND

Secondary access road is required for this project to a publically dedicated and maintained roadway that leads away from the property. This road shall be a quarter mile or more away from the primary entrance road. The road shall be

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10. GENERAL CONDITIONS

10.FIRE. 1 SECONDARY ACCESS (cont.) RECOMMND

designed to sustain 70,000 pounds over two axels, be all-weather material and constructed to Riverside County Transportation Standards. Approval shall be obtained from Transportation and Fire Department.

10.FIRE. 3 MIN REQ FIRE FLOW RECOMMND

Minimum required fire flow shall be 1500 Gallons per Minute (gpm) for 2 hours duration at 20 psi residual operating pressure. Additional fire flow may be required based on building plan requirements in accordance with California Fire Code Table IIIB. This must be available before any combustibile materials are placed on the property.

10.FIRE. 4 SUPER FIRE HYDRANT RECOMMND

Super fire hydrants (6"x4"x 2-2 1/2") shall be used for this project.

10.FIRE. 5 ON/OFF LOOPED HYDRANTS RECOMMND

A combination of on-site and off-site super fire hydrants, on a looped system (6"x4"x 2-2 1/2") may be required on this project

10.FIRE. 6 TANK PERMITS RECOMMND

If applicable, a separate permit is required for under/above ground fuel, chemical and mixed liquid storage tanks from Fire Department and Environmental Health Department.

10.FIRE. 7 RAPID KNOX ENTRY RECOMMND

Rapid knox entry system shall be installed on gates and buildings.

10.FIRE. 8 GATE ENTRANCES RECOMMND

Any gate providing access from a road to a driveway shall be located at least 35 feet from the roadway and shall open to allow a vehicle to stop without obstructing traffic on the road. Where a one-way road with a single traffic lane provide access to a gate entrance a 38 foot turning radius shall be used.

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10.FIRE. 9 AUTO/MANUAL GATES RECOMMND

Gate(s) shall be automatic operated, minimum 20 feet in width, with a setback of 35 feet from face of curb/flow line. Gate access shall be equipped with a rapid entry system. Automatic/manual gate pins shall be rated with shear pin force, not to exceed 30 foot pounds. Automatic gates shall be equipped with emergency backup power. Gates activated by the rapid entry system shall remain open until closed by the rapid entry system.

10.FIRE. 10 FIRE&RESCUE EQUIPMENT RECOMMND

Further firefighting and rescue equipment or other accommodations may be required at, on or within the tower based on input from fire department operations staff once full plans are received for review.

10.FIRE. 11 IMPACTS RECOMMND

The Proposed project shall have a cumulative adverse impact on the Fire Department's ability to provide an acceptable level of service. These impacts include an increase in the number of emergency and public service calls due to the increased presence of structures, traffic and population. The project proponents/developers will be expected to provide for a proportional mitigation to these impacts via capitol improvements and/or impact fees at County discretion.

10.FIRE. 12 PLAN SUBMITAL REQUIREMNT RECOMMND

Plans, along with applicable deposit based fees, shall be submitted for review and approval by Riverside County Fire prior to construction to be inclusive of, but not limited to, all access roadways, fire protection water systems, buildings, fire sprinkler systems, fire alarm systems, fuel storage tanks, and any other associated features requiring construction permits per the California Building and Fire Codes. Construction and acceptance inspections shall be performed by Riverside County Fire personnel for all plan submittals noted above.

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PLANNING DEPARTMENT

10.PLANNING. 1 REN ENG - UTILITY COORDINATION RECOMMND

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.

10.PLANNING. 2 REN ENG - FUTURE INTERFERENCE RECOMMND

If the operation of this facility generates electronic interference with or otherwise impairs the operation of any communication facilities, including but not limited to County Emergency Communications, 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.

10.PLANNING. 3 REN ENG - REPLACE OR MODIFY RECOMMND

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 Plans except for routine maintenance.

10.PLANNING. 4 REN ENG - ON SITE DIST. LINES RECOMMND

The developer/permit holder shall ensure all on site electrical distribution lines are undergrounded up to the point of step-up or utility interface in the case of an on-site substation.

10.PLANNING. 5 REN ENG - PRODUCTION MONITORIN RECOMMND

The developer/permit holder shall monitor the plant's power production, including the power production for each array or power block and ensure systems are in place to continue monitoring throughout the life of the permit from the time the facility is connected to the grid and begins selling power. A report of the plant's power production shall be produced within fourth-five (45) days from the date the developer/permit holder receives the request from the County.

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10. GENERAL CONDITIONS

10.PLANNING. 6 REN ENG - NO FINAL NO CONNECT RECOMMND

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 determine that adequate safe guards exist to ensure compliance with all conditions of approval.

10.PLANNING. 7 USE - COMPLY WITH ORD./CODES RECOMMND

The development of these premises shall comply with the standards of Ordinance No. 348 and all other applicable Riverside County ordinances and State and Federal codes.

The development of the premises shall conform substantially with that as shown on the APPROVED EXHIBIT, unless otherwise amended by these conditions of approval.

10.PLANNING. 8 USE - FEES FOR REVIEW RECOMMND

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

10.PLANNING. 9 USE - LIGHTING HOODED/DIRECTED RECOMMND

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

10.PLANNING. 10 USE - NO OUTDOOR ADVERTISING RECOMMND

No outdoor advertising display, sign or billboard (not including on-site advertising or directional signs) shall be constructed or maintained within the property subject to this approval.

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10.PLANNING. 11 USE- MAINTAIN LICENSING RECOMMND

At all times during the operation of the permitted use the permittee shall maintain and keep in effect a valid Power Purchase Agreement (PPA) with the Utility Purveyor. Should such agreement be denied, expire or lapse at any time in the future, this permit shall become null and void.

10.PLANNING. 12 USE - PREVENT DUST & BLOWSAND RECOMMND

Graded but undeveloped land shall be maintained in a condition so as to prevent a dust and/or blowsand nuisance and shall be either planted with interim landscaping or provided with other wind and water erosion control measures as approved by the Building and Safety Department and the State air quality management authorities.

10.PLANNING. 13 USE - NO OFF-ROAD USES ALLOWED RECOMMND

Trail bikes, dune buggies, off-road vehicles and other similar powered apparatus shall not be operated for purposes such as, but not limited to, hill climbing, trail riding, scrambling, racing and riding exhibitions.

10.PLANNING. 14 USE - 90 DAYS TO PROTEST RECOMMND

The project applicant has 90 days from the date of approval of these conditions to protest, in accordance with the procedures set forth in Government Code Section 66020, The imposition of any and all fees, dedications, reservations and/or other exactions imposed on this project as a result of this approval or conditional approval of the project.

10.PLANNING. 15 WCS - CAUSES FOR REVOCATION RECOMMND

In the event the use hereby permitted under this commercial use permit, a) is found to be in violation of the terms and conditions of this permit, b) is found to have been obtained by fraud or perjured testimony, or c) is found to be detrimental to the public health, safety or general welfare, or is a public nuisance, this commercial WECS permit, and any all all related permits, shall be subject to the revocation procedures in Section 18.31 of Ordinance No. 348.

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10. GENERAL CONDITIONS

10.PLANNING. 16

USE - BUSINESS LICENSING

RECOMMND

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

10.PLANNING. 17

USE FLOOD CORRECTIONS 7/16/12

RECOMMND

Conditional Use Permit No. 3687 (Rio Mesa Solar Electric Generating Facility) proposes to construct and operate an approximate 500 MW solar concentration thermal energy generating facility (solar power plant) and associated infrastructure. The 5,750-acre site is located in the Chuckawalla area, north of Imperial County Line, south of Bradshaw Trail, west of State Route 78, and west of Mule Mountain.

The various areas throughout the project site lies within the State Department of Water Resources (DWR) awareness floodplain and is adopted into the Country's Floodplain Management Ordinance 458. The project site is located on a broad alluvial plain and has a tributary drainage area of approximately 40 square miles from the southwest, west, and northwest. Stormwater flows from the Palo Verde and Mule Mountains impact the project site. The site's topography shows that runoff flows in a broad braided and distributary nature typical of desert washes. It is unclear if the proposed 12' earthen berms and swales are proposed to provide flood protection and allow buildings within the floodplain. The floodplain areas shall be kept free of fill and buildings. All new building shall be floodproofed by constructing the finished floor a minimum of 24 inches above the highest adjacent ground. Slope protection shall be provided for buildings on fill.

Though the site is within the Colorado River Regional Water Quality Control Board jurisdiction, it is outside the Whitewater River watershed limits of Riverside County National Pollutant Discharge Elimination System municipal separate storm sewer system permit (MS4 permit). Therefore, a Water Quality Management Plan for Urban Runoff (WQMP) is not required for the site. However, it is recommended the development incorporate site design Best Management Practices (BMPs) and source control BMPs, as applicable and

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10. GENERAL CONDITIONS

10. PLANNING. 17

USE FLOOD CORRECTIONS 7/16/12 (cont.)

RECOMMND

feasible, into the project plans. Site design BMPs include minimizing urban runoff, minimizing impervious footprint, conserve natural areas, and minimize directly connected impervious areas. Source control BMPs include (but are not limited to) education, activity restrictions and proper maintenance (non-structural) as well as the protection of slopes (structural).

Since the proposal is to construct solar panels, no increased runoff and/or flow diversion is anticipated. The property's maintenance access and site grading shall be designed in a manner that perpetuates the existing natural drainage patterns with respect to tributary drainage areas, outlet points and outlet conditions.

The District has reviewed the exhibits and information package (provided on a CD), received on June 26, 2012 and has the following comments which shall be addressed prior to the issuance of conditions of approval:

1. It is unclear if the proposed 12' earthen berms and swales are proposed to provide flood protection and allow buildings within the floodplain. The floodplain limits shall be delineated on the exhibit and kept free of all buildings and obstructions including fill.

2. All new building, outside areas of the severe and frequent flows, shall be floodproofed by constructing the finished floor a minimum of 24 inches above the highest adjacent ground. Slope protection shall be provided for fill exposed to erosive flows.

3. Chain link security fence with tortoise fencing is proposed around the entire solar field perimeter with various area adjacent to the project boundary. No flow obstructing fences (chain link, block wall, etc.) should be constructed along the south, west and north property lines. Any perimeter fencing shall be of a "rail" or tubular steel type to allow the free flow of storm runoff. If chain link fence must be constructed, it shall be set back into the property so as any ponding will be within the project. A drainage study justifying the setback amount should be submitted for review and approval. The location, call-out and detail of the fence should be included on the exhibit.

4. The rectangular mirrors of the heliostats are

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10.PLANNING. 17 USE FLOOD CORRECTIONS 7/16/12 (cont.) (cont.)RECOMMND

approximately 1.5 feet above the ground when fully upright. The mirrors shall have a minimum clearance of 24 inches above the highest adjacent ground when upright to ensure flows are not obstructed. The text and details shall be revised accordingly.

The above comments are based on the submitted information only. Revised submittals could result in new comments. Questions related to this case may be directed to Tina Hanson at 951.955.2511 or Henry Olivo at 951.955.1214.

10.PLANNING. 18 USE FLOOD CORRECTIONS 10/25/12 RECOMMND

Conditional Use Permit No. 3687 (Rio Mesa Solar Electric Generating Facility) proposes to construct and operate an approximate 500 MW solar concentration thermal energy generating facility (solar power plant) and associated infrastructure. The 5,750-acre site is located in the Chuckawalla area, north of Imperial County Line, south of Bradshaw Trail, west of State Route 78, and west of Mule Mountain.

The various areas throughout the project site lies within the State Department of Water Resources (DWR) awareness floodplain and is adopted into the Country's Floodplain Management Ordinance 458. The project site is located on a broad alluvial plain and has a tributary drainage area of approximately 40 square miles from the southwest, west, and northwest. Stormwater flows from the Palo Verde and Mule Mountains impact the project site. The site's topography shows that runoff flows in a broad braided and distributary nature typical of desert washes. Though a grading or drainage plan were not submitted, the Preliminary Staff Assessment (PSA) indicates that "some of the heliostats as well as the common service building would be located in the awareness 100-year floodplains." The project proposes diversion channels, bypass channels, or swales to direct these flows. The floodplain areas shall be kept free of fill and buildings. All new building shall be floodproofed by constructing the finished floor a minimum of 24 inches above the highest adjacent ground. Slope protection shall be provided for buildings on fill.

Though the site is within the Colorado River Regional Water Quality Control Board jurisdiction, it is outside the Whitewater River watershed limits of Riverside County

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10. PLANNING. 18

USE FLOOD CORRECTIONS 10/25/12 (cont.)

RECOMMND

National Pollutant Discharge Elimination System municipal separate storm sewer system permit (MS4 permit). Therefore, a Water Quality Management Plan for Urban Runoff (WQMP) is not required for the site. However, it is recommended the development incorporate site design Best Management Practices (BMPs) and source control BMPs, as applicable and feasible, into the project plans. Site design BMPs include minimizing urban runoff, minimizing impervious footprint, conserve natural areas, and minimize directly connected impervious areas. Source control BMPs include (but are not limited to) education, activity restrictions and proper maintenance (non-structural) as well as the protection of slopes (structural).

Since the proposal is to construct solar panels, no increased runoff and/or flow diversion is anticipated. The property's maintenance access and site grading shall be designed in a manner that perpetuates the existing natural drainage patterns with respect to tributary drainage areas, outlet points and outlet conditions. The District has reviewed the PSA (provided on a CD), received on October 10, 2012 and has the following comments which shall be addressed prior to the issuance of conditions of approval:

1. Though a grading or drainage plan were not submitted, the Preliminary Staff Assessment (PSA) indicates that "some of the heliostats as well as the common service building would be located in the awareness 100-year floodplains." The project proposes diversion channels, bypass channels, or swales to direct these flows. The floodplain areas shall be kept free of fill and buildings. The floodplain limits shall be delineated on the exhibit and kept free of all buildings and obstructions including fill.

2. PREVIOUS COMMENT: All new building, outside areas of the severe and frequent flows, shall be floodproofed by constructing the finished floor a minimum of 24 inches above the highest adjacent ground. Slope protection shall be provided for fill exposed to erosive flows.

It is unclear if the following items were addressed since an exhibit was no included in this submittal. A revised exhibit shall be included in the next submittal.

3. PREVIOUS COMMENT, : Chain link security fence with tortoise fencing is proposed around the entire solar field

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10. GENERAL CONDITIONS

10.PLANNING. 18 USE FLOOD CORRECTIONS 10/25/12 (cont.) (cont.RECOMMND

perimeter with various area adjacent to the project boundary. No flow obstructing fences (chain link, block wall, etc.) should be constructed along the south, west and north property lines. Any perimeter fencing shall be of a "rail" or tubular steel type to allow the free flow of storm runoff. If chain link fence must be constructed, it shall be set back into the property so as any ponding will be within the project. A drainage study justifying the setback amount should be submitted for review and approval. The location, call-out and detail of the fence should be included on the exhibit.

4.PREVIOUS COMMENT: The rectangular mirrors of the heliostats are approximately 1.5 feet above the ground when fully upright. The mirrors shall have a minimum clearance of 24 inches above the highest adjacent ground when upright to ensure flows are not obstructed. The text and details shall be revised accordingly.

The above comments are based on the submitted information only. Revised submittals could result in new comments. Questions related to this case may be directed to Tina Hanson at 951.955.2511 or Henry Olivo at 951.955.1214.

TRANS DEPARTMENT

10.TRANS. 1 USE - COUNTY WEB SITE RECOMMND

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.

10.TRANS. 2 USE - STD INTRO (ORD 461) RECOMMND

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

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10. GENERAL CONDITIONS

10.TRANS. 2 USE - STD INTRO (ORD 461) (cont.) RECOMMND

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.

10.TRANS. 3 USE-ENCROACHMNT/FRANCHISE AGRE RECOMMND

If for any reason the applicant or the project requires to use the public road right-of-way. It is the responsibility of the applicant or the developer to contact County Transportation Department for any encroachment permits. Prior to the issuance of encroachment permit the applicant and/or developer shall contact County Counsel and also County Purchasing Department, to file the Franchise Agreement and get it approved by the Board of Supervisors. If for any reason Franchise Agreements do not get approved by the Board of Supervisors an encroachment permit cannot be issued. If Franchise Agreement is not approved by the Board of Supervisors, no construction or use can be commenced under this CUP.

10.TRANS. 4 USE - ENVIRONMENTAL CLEARANCES RECOMMND

It shall be the responsibility of the permit holder to comply with the applicable Federal, State and County environmental laws, and receive any necessary environmental clearance and/or permits required for construction of the Gen-Tie Line prior to commencing any work as authorized by the encroachment permit. If the permittee fails to comply with the required environmental laws, the encroachment permit shall be subject to the County's revocation procedures.

10.TRANS. 5 USE - ENCROACHMNT PERMIT/FINAL RECOMMND

It is the responsibility of the applicant and/or developer to contact Riverside County Transportation Department to obtain an encroachment permit, per Ordinance No. 499, to place the Gen-Tie lines and power poles within County road right-of-way, prior to installing and or disturbing any road right-of-way. The locations of power poles shall be determined during permitting stage.

A cash security deposit will be required by Transportation Department to ensure performance of the conditions of the permit and the replacement or restoration of the highway,

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10. GENERAL CONDITIONS

10.TRANS. 5 USE - ENCROACHMNT PERMIT/FINAL (cont.) RECOMMND

including pavement surfaces, ground surfaces, and sub-surfaces within highway rights-of-way, and survey monuments or other improvements that may have been disturbed. Also, the above mentioned deposit will ensure any reports or documentations due by the applicant and/or developer to any department of Riverside County be performed and completed, and that the final reports be submitted to each individual department. The security deposit will not be released until the applicant or developer provides a letter of completion from each department stating that they are satisfied with the project, and that they recommend the project to be finalized.

20. PRIOR TO A CERTAIN DATE

PLANNING DEPARTMENT

20.PLANNING. 2 USE - EXPIRATION DATE-CUP/PUP RECOMMND

This approval shall be used within two (2) years of the approval date; otherwise, it shall become null and void and of no effect whatsoever. By use is meant the beginning of substantial construction contemplated by this approval within two (2) year period which is thereafter diligently pursued to completion or to the actual occupancy of existing buildings or land under the terms of the authorized use. Prior to the expiration of the two year period, the permittee may request a one (1) year extension of time in which to begin substantial construction or use of this permit. Should the one year extension be obtained and no substantial construction or use of this permit be initiated within three (3) years of the approval date this permit, shall become null and void.

TRANS DEPARTMENT

20.TRANS. 1 USE - IMPROVEMENTS RECOMMND

All of the existing roads within the vicinity of this project (CUP03687) are not structurally sound to carry the construction traffic of this project. Proposed roads which require improvements are State Route 78, 34th Avenue, 30th Avenue, Bradshaw Trail, Lovekin Boulevard, 16th Avenue, 14th Avenue, 22nd Avenue and any other roads that are impacted by this project. It is the responsibility of this project to design paved structural section for primary and

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20. PRIOR TO A CERTAIN DATE

20.TRANS. 1 USE - IMPROVEMENTS (cont.)

RECOMMND

secondary accesses (minimum 24-foot wide pavement and 8-foot graded shoulder on each side). The improvement plans shall be prepared and submitted to Transportation Department for review and approval. Improvements shall be completed and approved as Directed by the Transportation Department prior to start of any construction.

* The Bradshaw Trail is a County maintained dirt road and shall be improved within the project boundary with a minimum of 24' foot wide asphalt concrete pavement and 8' foot graded shoulders, connecting to existing asphalt concrete County maintained roadway (on the East side), as approved by Transportation Department.

* Above mentioned roads shall be on dedicated road rights-of-way. If dedication does not exist it shall be dedicated by this project to the County *

60. PRIOR TO GRADING PRMT ISSUANCE

BS GRADE DEPARTMENT

60.BS GRADE. 1 USE - NPDES/SWPPP

RECOMMND

Prior to issuance of any grading or construction permits - whichever comes first - the applicant shall provide the Building and Safety Department evidence of compliance with the following: "Effective March 10, 2003 owner operators of grading or construction projects are required to comply with the N.P.D.E.S. (National Pollutant Discharge Elimination System) requirement to obtain a construction permit from the State Water Resource Control Board (SWRCB). The permit requirement applies to grading and construction sites of "ONE" acre or larger. The owner operator can comply by submitting a "Notice of Intent" (NOI), develop and implement a STORM WATER POLLUTION PREVENTION PLAN (SWPPP) and a monitoring program and reporting plan for the construction site. For additional information and to obtain a copy of the NPDES State Construction Permit contact the SWRCB at www.swrcb.ca.gov.

Additionally, at the time the county adopts, as part of any ordinance, regulations specific to the N.P.D.E.S., this project (or subdivision) shall comply with them.

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60. PRIOR TO GRADING PRMT ISSUANCE

60.BS GRADE. 2 USE - GRADING SECURITY RECOMMND

Grading in excess of 199 cubic yards will require a performance security to be posted with the Building and Safety Department.

60.BS GRADE. 3 USE - IMPORT / EXPORT RECOMMND

In instances where a grading plan involves import or export, prior to obtaining a grading permit, the applicant shall have obtained approval for the import/export location from the Building and Safety Department.

A separate stockpile permit is required for the import site. It shall be authorized in conjunction with an approved construction project and shall comply with the requirements of Ordinance 457.

If an Environmental Assessment, prior to issuing a grading permit, did not previously approve either location, a Grading Environmental Assessment shall be submitted to the Planning Director for review and comment and to the Building and Safety Department Director for approval.

Additionally, if the movement of import / export occurs using county roads, review and approval of the haul routes by the Transportation Department may be required.

60.BS GRADE. 4 USE - GEOTECH/SOILS, RPTS RECOMMND

Geotechnical soils reports, required in order to obtain a grading permit, shall be submitted to the Building and Safety Department for review and approval prior to issuance of a grading permit. All grading shall be in conformance with the recommendations of the geotechnical/soils reports as approved by Riverside County.* *The geotechnical/soils, compaction and inspection reports will be reviewed in accordance with the RIVERSIDE COUNTY GEOTECHNICAL GUIDELINES FOR REVIEW OF GEOTECHNICAL AND GEOLOGIC REPORTS.

60.BS GRADE. 6 USE - DRAINAGE DESIGN Q100 RECOMMND

All drainage facilities shall be designed in accordance with the Riverside County Flood Control & Water District's or Coachella Valley Water District's conditions of approval regarding this application. If not specifically addressed in their conditions, drainage shall be designed to accommodate 100 year storm flows.

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60. PRIOR TO GRADING PRMT ISSUANCE

60.BS GRADE. 7 USE - OFFSITE GRDG ONUS RECOMMND

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.

60.BS GRADE. 8 USE - NOTARIZED OFFSITE LTR RECOMMND

A notarized letter of permission 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.

60.BS GRADE. 12 USE - PRE-CONSTRUCTION MTG RECOMMND

Upon receiving grading plan approval and prior to the issuance of a grading permit, the applicant is required to schedule a pre-construction meeting with the Building and Safety Department Environmental Compliance Division.

60.BS GRADE. 13 USE - SITE DESIGN BMPS RECOMMND

Prior to the issuance of a grading permit, the grading plan shall include the Site Design BMPs to be utilized to mitigate impacts to water quality. This includes but is not limited to minimizing urban runoff by maximizing permeable areas, incorporating landscape buffers and directing drainage flows to these areas. Minimizing directly connected impervious areas by directing roof runoff to vegetative swales or landscape buffer areas. Minimizing impervious footprint by using open jointed paving materials or permeable surfaces. Conserving natural areas; by preserving native trees and shrubs; planting additional native or drought tolerant trees and shrubs; and directing drainage to natural areas.

60.BS GRADE. 14 USE - PM10 PLAN REQUIRED RECOMMND

A PM10 Fugitive Dust Mitigation Plan, prepared in accordance with AQMD Rule 403.1, shall be submitted to the Building and Safety Department for review and approval prior to the issuance of a grading permit.

1.NOTE: The PM 10 plan shall require the posting of signs in accordance with Building and Safety form "Signage Recommendations".

2.NOTE: All PM 10 measures must be in place prior to

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60. PRIOR TO GRADING PRMT ISSUANCE

60.BS GRADE. 14 USE - PM10 PLAN REQUIRED (cont.) RECOMMND

commencing any grading activity on site.

60.BS GRADE. 15 USE-BMP CONST NPDES PERMIT RECOMMND

Prior to the issuance of a grading permit, the owner / applicant shall obtain a BMP (Best Management Practices) Permit for the monitoring of the erosion and sediment control BMPs for the site. The Department of Building and Safety will conduct NPDES (National Pollutant Discharge Elimination System) inspections of the site based on Risk Level to verify compliance with the Construction General Permit, Stormwater ordinances and regulations until completion of the construction activities, permanent stabilization of the site and permit final.

PLANNING DEPARTMENT

60.PLANNING. 1 USE - PM10 MITIGATION PLAN RECOMMND

Notwithstanding any provision of Riverside County Ordinance No. 742 (Control of Fugitive Dust & PM10) to the contrary, this project shall comply with the requirements of Ordinance No. 742, including, but not necessarily limited to, the submission of a PM10 Mitigation Plan containing all reasonably available fugitive dust control measures; and, thereafter, the permit holder shall comply with all provisions of the approved PM10 Mitigation Plan during grading, earth movement operations and construction of the project as determined by the Director of the Department of Building and Safety.

The permit holder shall submit a copy of the approved PM10 Mitigation Plan to the Planning Department and the submitted copy shall include a cover letter containing a written certification from a state licensed professional that the control measures of the plan are included in the grading and building plans submitted to the Department of Building and Safety pursuant to obtaining a grading permit.

60.PLANNING. 8 GEN - GRADING PLAN CLEARANCE RECOMMND

Prior to the issuance of a grading permit, the developer shall submit a Request for Planning Clearance of Rough Grading Permit form to the Planning Department. The Planning Department shall verify that the plan-check approved grading plan is in conformance with Approved

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60. PRIOR TO GRADING PRMT ISSUANCE

60.PLANNING. 8 GEN - GRADING PLAN CLEARANCE (cont.) RECOMMND

Plans. The developer shall also submit proof of compliance with all Planning Department "Prior to Grading Permit Issuance" conditions at that time. Upon determination of condition compliance, the Planning Department will clear all "Prior to Grading Permit Issuance" conditions.

60.PLANNING. 10 USE- FEE STATUS RECOMMND

Prior to the issuance of grading permits for Conditional Use Permit No. 3687, the Planning Department shall determine the status of the deposit based fees. If the fees are in a negative status, the permit holder shall pay the outstanding balance.

60.PLANNING. 31 USE LLA OR CPM REQUIRED (1) RECOMMND

Prior to the issuance of a grading permit, the developer/permit holder shall file and process to completion a Lot line adjustment (LLA), a Certificate of Parcel Merger (CPM) or a one lot Parcel Map application with the Planning Department. The LLA or CPM shall relocate or merger the common lot lines between Assessor Parcel Nos. 879-230-001, 879-230-003, 879-230-005 and 879-230-008, 879-230-010, 879-230-011, 879-230-012, 879-230-013, 879-230-014, 879-230-016, 879-230-017, 879-230-018, 879-230-021, 879-230-023, 879-230-024, 879-240-001, 879-240-002, 879-240-037, 879-240-038, 879-250-001, 879-250-008, 879-250-011, 879-250-013, 879-261-019, 879-261-020, 879-261-021 and 879-261-022 to a configuration so the lot lines are not bisected by structures or power blocks. The application shall comply with the development standards of the Controlled Development Areas, Ten (10) Acre Minimum Lot Size (W-2-10 Zone) and the Natural Assets (N-A Zone) zones. Upon recordation, the developer/permit holder shall provide proof to the Planning Department for compliance with this condition.

60.PLANNING. 32 USE COC REQUIRED (1) RECOMMND

Prior to the issuance of a grading permit, the developer/permit holder shall file and process to completion a Certificate of Land Division Compliance (COC) application with the Planning Department for Assessor Parcel Nos. 879-230-001, 879-230-003, 879-230-005, 879-230-008, 879-230-010, 879-230-011, 879-230-012,

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60. PRIOR TO GRADING PRMT ISSUANCE

60.PLANNING. 32 USE COC REQUIRED (1) (cont.) RECOMMND

879-230-013, 879-230-014, 879-230-016, 879-230-017,
879-230-018, 879-230-021, 879-230-023, 879-230-024,
879-240-001, 879-240-002, 879-240-037, 879-240-038,
879-250-001, 879-250-008, 879-250-011, 879-250-013,
879-261-019, 879-261-020, 879-261-021 and 879-261-022. Upon
recordation, the developer/permit holder shall provide
proof to the Planning Department for compliance with this
condition.

TRANS DEPARTMENT

60.TRANS. 1 USE-SBMT/APPVD GRADG PLAN/TRAN RECOMMND

When you submit a grading plan to the Department of
Building and Safety, a copy of the grading plan shall be
submitted and approved by the Transportation Department
prior to a grading permit issuance.

Submit required grading plan to the Transportation
Department, Plan Check Section, 8th Floor, 4080 Lemon
Street, Riverside, CA.

60.TRANS. 2 USE - WATER QUALITY MGMT PLANS RECOMMND

The developer shall submit Water Quality Management Plans
(WQMP) to Riverside County Flood Control & Water
Conservation District and Transportation Department for
review and approval.

80. PRIOR TO BLDG PRMT ISSUANCE

BS GRADE DEPARTMENT

80.BS GRADE. 1 USE - NO B/PMT W/O G/PMT RECOMMND

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.

80.BS GRADE. 2 USE - ROUGH GRADE APPROVAL RECOMMND

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

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80. PRIOR TO BLDG PRMT ISSUANCE

80.BS GRADE. 2 USE - ROUGH GRADE APPROVAL (cont.)

RECOMMND

issued. Rough Grade approval can be accomplished by complying with the following:

1.Submitting a "Wet Signed" copy of the Soils Compaction 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 to stabilize the site 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.

FIRE DEPARTMENT

80.FIRE. 1 WATER PLANS

RECOMMND

The applicant or developer shall separately submit water system plans to the Fire Department for review and approval. Plans shall be signed and approved by a registered civil engineer and the local water company with the following certification "I certify that the design of the water system is in accordance with the requirements prescribed by the Riverside County Fire Department. Super fire hydrants (6"X4"X2-2 1/2") shall be used for this project.

80.FIRE. 2 BLDG PLAN CHECK

RECOMMND

Building plan check deposit base fee of \$1,056.00, shall be paid by check or money order to the Riverside County Fire Department.

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80. PRIOR TO BLDG PRMT ISSUANCE

80.FIRE. 3 ROADS & FIRE LANES

RECOMMND

The applicant or developer shall separately submit site access plan designating required roadway, turnarounds and fire lane is required for review and approval. Due to length of roadways (over 1320 feet) adequately designed turnouts shall be required and as approved by Riverside County Fire. Roadway shall be provided to all structures and around the perimeter of the project. All roadways shall be designed by a registered engineer to sustain 70,000 pounds over two axles under all-weather conditions.

PLANNING DEPARTMENT

80.PLANNING. 1 REN ENG - PURCHASE AGRMENT (1)

RECOMMND

Prior to the issuance of building permits, the developer/permit holder shall provide a copy of the Power Purchase Agreement (PPA) with the utility purveyor to the Riverside County Planning Department for filing. One hard copy and one CD shall be provided. The Planning Department shall place the agreement on file for future reference and clear this condition.

80.PLANNING. 2 USE Ren Eng Remediation Bondin

RECOMMND

Prior to the issuance of building permits, the developer/permit holder shall bond or provide another appropriate form of financial assurance or enter into an agreement with the County to cover the cost of all foreign material removal and site restoration including but not limited to removal of foundations, towers, transformers, inverters and cables.

The bond, security, or agreement shall be held for the life of the permit, but may be released sooner by the Board of Supervisors upon approval of final demolition and site restoration inspection by the Department of Building and Safety. Thereafter, and with no interruption in the bonding, security, or agreement for the project, bonds shall be renewed in five (5) year increments to include the expiration date of the permit (s) granted, as referenced herein.

If the Planning Director determines, at any time during the term of the bond or other security, that the amount of the bond or other security has become insufficient, the permit holder shall increase the amount of the bond or other

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80. PRIOR TO BLDG PRMT ISSUANCE

80.PLANNING. 2 USE Ren Eng Remediation Bondin (cont.) RECOMMND

security within thirty (30) days after being notified that the amount is insufficient, but the required increase shall not exceed the increase in the U.S. Department of Labor Consumer Price Index for the Los Angeles-Long Beach Metropolitan Area.

80.PLANNING. 5 USE- SCHOOL MITIGATION RECOMMND

Impacts to the Palo Verde School District shall be mitigated in accordance with California State law.

80.PLANNING. 6 USE- WASTE MGMT. CLEARANCE RECOMMND

A clearance letter from Riverside County Waste Management District shall be provided to the Riverside County Planning Department verifying compliance with the conditions contained in their letter dated October 16, 2012, summarized as follows:

The developer shall provide adequate areas for collecting and loading recyclable materials such as paper products, glass and green waste in commercial, industrial, public facilities and residential development projects.

80.PLANNING. 7 USE - FEE BALANCE RECOMMND

Prior to issuance of building permits, the Planning Department shall determine if the deposit based fees for project are in a negative balance. If so, any outstanding fees shall be paid by the applicant/developer.

80.PLANNING. 8 USE - LIGHTING PLANS RECOMMND

All parking lot lights 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 Ordinance No. 655 and the Riverside County Comprehensive General Plan.

80.PLANNING. 12 GEN - USE BUILDING PLANS RECOMMND

Prior to the issuance of a building permit, the developer shall submit a Request for Planning Department Clearance form to the Planning Department. The Planning Department shall verify that the plan-check approved building plans are in conformance with APPROVED EXHIBITS. The developer

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80. PRIOR TO BLDG PRMT ISSUANCE

80.PLANNING. 12 GEN - USE BUILDING PLANS (cont.) RECOMMND

shall also submit proof of compliance with all Planning Department "Prior to Building Permit Issuance" conditions at that time. Upon determination of condition compliance, the Planning Department will clear all "Prior to Building Permit Issuance" conditions.

80.PLANNING. 13 USE- HEIGHT LIMITATIONS RECOMMND

All buildings and structures within this permit shall not exceed one-hundred and five (105') feet in overall height, except as provided by Section No. 18.20 of Ordinance No. 348. The permittee shall demonstrate to the satisfaction of the Planning Director and the Director of the Department of Building and Safety that construction plans comply with all height regulations; verification of compliance with the height regulations of this permit may include submission of a written certification by a state licensed professional that plans submitted to the Department of Building and Safety are in compliance and/or inspection of such plans by County staff.

The proposed project includes the construction of two (2) seven-hundred and fifty (750') foot tall Solar Energy Generating Systems along with a ten (10') foot lightening rod, for a total height of seven-hundred and sixty (760') feet in height. This proposal for height exceeds the maximum height in the Controlled Development zone by six-hundred and fifty-five (655') feet. In order for the County to allow such an increase in height a change of zone application must be submitted to modify the zoning classification for this particular project to allow for the increase in height. This Change of Zone application is required to be submitted and approved prior to the issuance of the first building permit.

TRANS DEPARTMENT

80.TRANS. 1 USE - EVIDENCE/LEGAL ACCESS RECOMMND

Provide evidence of legal access.

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90. PRIOR TO BLDG FINAL INSPECTION

BS GRADE DEPARTMENT

90.BS GRADE. 5 USE - REQ'D GRADING INSP'S RECOMMND

The developer / applicant shall be responsible for obtaining the following inspections required by Ordinance 457.

- 1.Sub-grade inspection prior to base placement.
- 2.Base inspection prior to paving.
- 3.Precise grade inspection of entire permit area.
 - a.Inspection of Final Paving
 - b.Precise Grade Inspection
 - c.Inspection of completed onsite storm drain facilities
 - d.Inspection of the Site Design BMPs

90.BS GRADE. 6 USE - PRECISE GRDG APPROVAL RECOMMND

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 Soils Compaction 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.

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90. PRIOR TO BLDG FINAL INSPECTION

90.BS GRADE. 6 USE - PRECISE GRDG APPROVAL (cont.) RECOMMND

5.Submitting a "Wet Signed" copy of the Certification certifying the installation of any onsite storm drain systems not inspected by Riverside County Flood Control District or the Riverside County Transportation Department.

Prior to release for building final, the applicant shall have met all precise grade requirements to obtain Building and Safety Department clearance.

90.BS GRADE. 7 USE - BMP INSPECTION RECOMMND

Prior to final building inspection, the applicant shall obtain inspection of all Site Design BMPs and/or clearance from the Building and Safety Department.

Source Control BMPs such as educational materials, activity restrictions and proper maintenance (non-structural) as well as proper landscape/irrigation design and protection of slopes and channels shall be made available to the owner/applicant.

90.BS GRADE. 9 USE - BUSINESS REGISTRATION RECOMMND

Prior to final building inspection, the applicant/owner shall register the project with the Department of Building Safety Business Registration Division. Any person or entity that owns or operates a commercial and/or industrial facility shall register such facility for annual inspections.

FIRE DEPARTMENT

90.FIRE. 2 SUPER FIRE HYDRANT FLOW RECOMMND

Approved super fire hydrants (6"x4"x2-2 1/2") with a minimum fire flow of 1500 GPM, shall be installed.

90.FIRE. 3 FIRE SPRINKLER SYSTEM RECOMMND

Fire sprinklers system shall be installed in all buildings that are required by County Ordinance 787.

90.FIRE. 4 AUTO/MANUAL FIRE ALARM RECOMMND

Install a manual and/or automatic fire alarm system as required by CA Fire Code.

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90. PRIOR TO BLDG FINAL INSPECTION

90.FIRE. 5 FIRE EXTINGUISHERS RECOMMND

Portable fire extinguishers shall be installed as per CA Fire Code, Title 19 and NFPA 10.

PLANNING DEPARTMENT

90.PLANNING. 1 REN ENG PURCHASE AGREEMENT (2) RECOMMND

Prior to final inspection, the developer/permit holder shall provide a copy of the Power Purchase Agreement (PPA) with the utility purveyor to the Riverside County Planning Department for filing. One hard copy and one CD shall be provided. The Planning Department shall place the agreement on file for future reference and clear this condition.

NOTE: This condition shall be considered cleared if the 80 Series POWER PURCHASE AGREEMENT (1) condition is in a MET status.

90.PLANNING. 2 REN ENG - ON SITE DIST. LINES RECOMMND

The developer/permit holder shall ensure all on site electrical distribution lines are undergrounded up to the point of step-up or utility interface in the case of an on-site substation.

The Planning Department shall verify this condition as part of the final inspection, and shall clear this condition upon determination of compliance.

90.PLANNING. 3 REN ENG - CLEAR CONST. AREA RECOMMND

Prior to scheduling and final inspection, the developer/permit holder shall ensure the entire site and construction staging area has been cleared from all construction related materials including, but not limited to, trash, fencing, trailers and etc.

The Planning Department shall verify this condition as part of the final inspection, and shall clear this condition upon determination of compliance.

90.PLANNING. 4 USE - LIGHTING PLAN COMPLY RECOMMND

All street lights 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

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90. PRIOR TO BLDG FINAL INSPECTION

90.PLANNING. 4 USE - LIGHTING PLAN COMPLY (cont.) RECOMMND

requirements of Riverside County Ordinance No. 655 and the Riverside County Comprehensive General Plan.

90.PLANNING. 5 USE - PARKING DUST TREATMENT RECOMMND

The parking and driveway areas shall be improved with a base of decomposed granite compacted to a minimum thickness of three (3) inches, or with an equivalent treatment, such as non-toxic chemical soil stabilization, to prevent the emission of fugitive dust and/or blowsand.

90.PLANNING. 6 USE - UTILITIES UNDERGROUND RECOMMND

All utilities, except electrical lines rated 33 kV or greater, shall be installed underground. If the permittee provides to the Department of Building and Safety and the Planning Department a definitive statement from the utility provider refusing to allow underground installation of the utilities they provide, this condition shall be null and void with respect to that utility.

90.PLANNING. 7 USE- HEIGHT LIMITATIONS RECOMMND

All buildings and structures within this permit shall not exceed one-hundred and five (105') feet in height, except as provided by Section No. 18.20 of Ordinance No. 348. All buildings and structures shall comply with approved construction plans that are designed in accordance with this condition. The permit holder may be required to submit to the Planning Department a written certification from a state licensed professional that all buildings and structures within this permit comply with the height regulations, indicated above. The Planning Department may require inspection by County staff to further verify compliance with this condition of approval.

The proposed project includes the construction of two (2) seven-hundred and fifty (750') foot tall Solar Energy Generating Systems along with a ten (10') foot lightning rod, for a total height of seven-hundred and sixty (760') feet in height. This proposal for height exceeds the maximum height in the Controlled Development zone by six-hundred and fifty-five (655') feet. In order for the County to allow such an increase in height a change of zone application must be submitted to modify the zoning classification for this particular project to allow for the

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90.PLANNING. 7 USE- HEIGHT LIMITATIONS (cont.) RECOMMND

increase in height. This Change of Zone application is required to be submitted and approved prior to the issuance of the first building permit.

90.PLANNING. 8 USE - ORD NO. 659 (DIF) RECOMMND

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. 3687 has been calculated to be 3,850 net acres.

In the event Riverside County Ordinance No. 659 is rescinded, this condition will no longer be applicable. However, should Riverside County Ordinance No. 659 be rescinded and superseded by a subsequent mitigation fee ordinance, payment of the appropriate fee set forth in that ordinance shall be required.

TRANS DEPARTMENT

90.TRANS. 1 USE - IMP PLANS RECOMMND

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.

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90.TRANS. 1

USE - IMP PLANS (cont.)

RECOMMND

NOTE: Before you prepare the street improvement plan(s), please review the Street Improvement Plan Policies and Guidelines from the Transportation Department Web site: www.rctlma.org/trans/land_dev_plan_check_guidelines.html.



Childhood Asthma in Riverside County, 2009

Introduction

Asthma affects Riverside County children of all backgrounds, but particularly those children living in relative poverty. Asthma is triggered by a variety of factors including dust, pollen, smoke, smog, and cockroaches. The most recent data available from the 2009 California Health Interview Survey indicates that the number of Riverside County children (0-17 years) who have ever been diagnosed with asthma is 13.8%, or roughly 85,000.¹ Among these children, 56.3% (48,000) still had asthma symptoms after receiving their initial asthma diagnosis.¹ Many of these children suffer from uncontrolled asthma that results in trips to the emergency department (ED) or hospitalization. In 2009, asthma was ranked 16th on the list of most common ED visits for youth aged 0-17 years.² Asthma is a significant problem for children and their families and this brief will examine the impact of asthma on health care utilization in Riverside County.

Key Findings

In Riverside County...

- The pediatric asthma hospitalization rate has been cut in half since the year 2000.
- ED visits for asthma among children are elevated in mid/pass regions.

Emergency Department Visits

In order to gauge the severity of childhood asthma and its impact on health care utilization across the county, hospital emergency department (ED) data was reviewed over a three year time period. Asthma visits were identified using ICD-9 codes reported as the primary diagnosis during the ED visit. Asthma rates were calculated by averaging the number of visits from each zip code over three years (2007-2009), and then dividing that number by the population (2009) of 0-17 year olds for each zip code in the county. The resulting rate shows the number of ED visits for asthma for every 10,000 children in the population; the detailed data is summarized in Exhibit 2 (page 2).

The map below uses patient zip code of residence to display the areas of the county with the highest rate of ED visitation for asthma.² While rates were calculated for the entire county, only the ten zip codes with the highest rates are shown below to focus on areas of great need. It should be noted that many areas of high need are *not* urban centers where the highest childhood asthma rates are usually expected according to previous research.³ However, because this

Exhibit 1. Top Ten Highest Rates of Emergency Department (ED) Visits for Asthma, Children Aged 0-17 years, 2007-09 Average.

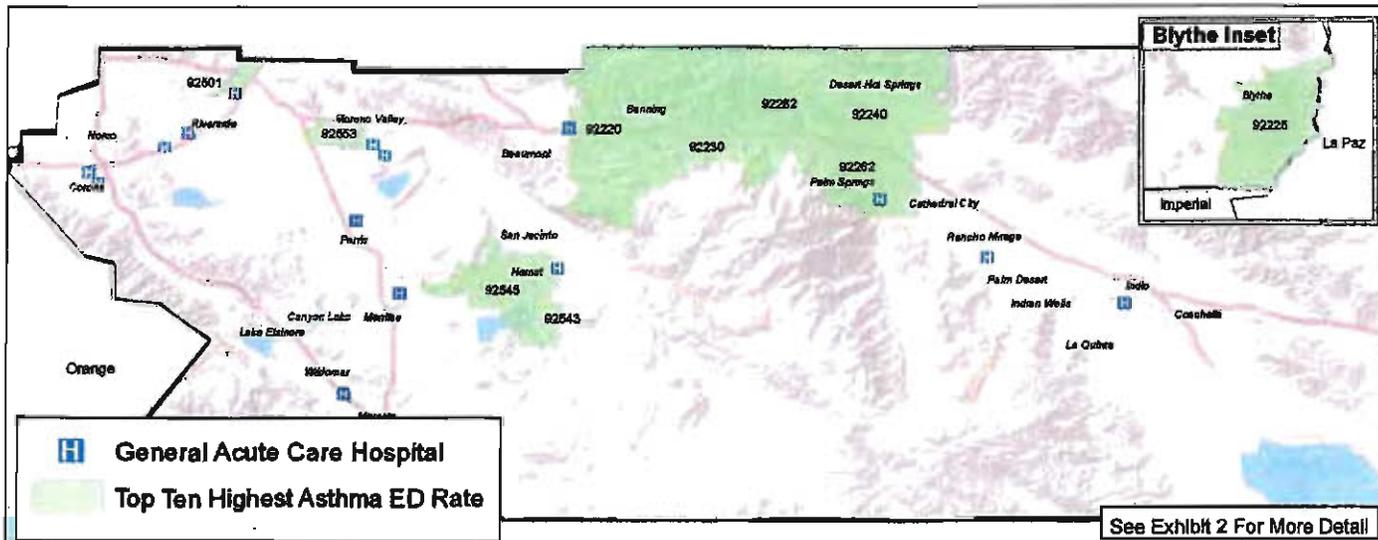


Exhibit 2. Top Ten Highest Rates of Emergency Department (ED) Visits for Asthma by Zip Code, Children Aged 0-17 years, 2007-09 Average

Rank (1=Highest Rate)	Zip Code	City	Asthma: Rate of Emergency Department Visits per 10,000 Population, 0-17 years, 2007-09	Population of Children Age 0-17 yrs, 2009	Asthma: Average Number of Emergency Department Visits, 0-17 years, 2007-09	Number of Primary Care Providers, 2007	Total Population, 2009	Ratio of Population to Provider
10	92262	Palm Springs	81.59	5,883	48.0	69	28,258	405
9	92543	Hemet	82.42	8,614	71.0	45	33,349	743
8	92220	Banning	83.02	8,472	70.3	25	32,550	1,320
7	92240	Desert Hot Springs	83.94	11,278	94.7	2	35,436	15,226
6	92545	Hemet	88.96	5,808	51.7	5	32,688	6,444
5	92553	Moreno Valley	99.52	18,858	187.7	39	48,546	1,910
4	92501	Riverside	107.37	6,085	65.3	29	21,016	741
3	92230	Cabazon	138.57	866	12.0	0	2,808	--
2	92225	Blythe	166.09	3,733	62.0	9	17,020	2,892
1	92282	White Water	212.94	407	8.7	0	1,152	--

Source: OSHPO, 2007-09

(Continued from page 1)

data is taken from emergency department visits and is not an indicator of asthma prevalence; therefore, it should not be assumed that the highlighted areas have the highest number of children with asthma. Rather, the map and table highlight areas of the county where childhood asthma is uncontrolled (Exhibit 1 and 2).

The reasons for this lack of asthma control may vary from zip code to zip code. For example, although the population in zip code 92282 is small, with roughly 400 children, there were an average of nearly 9 visits to the emergency department per year. The lack of primary care providers (PCPs) in this zip code (Exhibit 2) may help explain why uncontrolled asthma is resulting in ED usage for this area, but the same cannot be said of specific zip codes in Palm Springs and Riverside, where population to provider ratios are lower than the state average of 1 provider per 847 people.⁴

While having a PCP near their home is important, families of children with asthma need to be able to 1) access the PCP, 2) afford medications, 3) understand and comply with prescriptions, and 4) successfully identify and avoid triggers. Although indoor and outdoor air quality is a key factor in exacerbating symptoms, research also indicates that many PCPs do not provide treatment that adheres to national guidelines and that when the PCPs do, area ED visits and hospitalizations are significantly reduced.³

When children with asthma have health insurance and access to primary care to help them understand their asthma triggers and controller medication, their asthma can be controlled in an outpatient setting in all but the most extreme circumstances.³

Hospitalizations

The hospitalization of a child for asthma is categorized as a preventable hospitalization by national and state agencies that monitor health care quality indicators. In a recent report, Riverside County ranked among the worst, 37th out of 41 areas across California, for the number of pediatric asthma hospitalizations per 100,000 people.⁵ As of 2008, there were 97.2 asthma hospitalizations per 100,000 children aged 2 to 17 as compared to 77.6 hospitalizations statewide.⁶ While the hospitalization rate has improved from a high of 182.6 in the year 2000, the gap between Riverside County, the State and other counties remains substantial.⁶

The impact of asthma on the healthcare system is evaluated in a variety of ways but most directly by looking at the cost of an admission. A very recent study conducted by the Centers for Disease Control and Prevention looked at costs of asthma treatment from 2002 through 2007 and found that the average cost, in 2009 dollars, of a hospitalization was \$4,767.⁷ Meanwhile, the cost of an office visit was \$123 and an ED visit was \$638.⁷ The cost of treating asthma in the hospital is almost 40 times greater than an outpatient visit.

(Continued on page 3)

Exhibit 3. Asthma Hospitalizations Among Children (0-17 yrs), Riverside County Residents, 2007- 2009

(Continued from page 2)

The unadjusted cost hospitals charged for asthma hospitalizations among Riverside County children was calculated by analyzing three years of admissions data and is displayed in Exhibit 3. The total number of visits was aggregated and averaged over three years, along with the total cost per hospital for treating all Riverside County children admitted with asthma as the primary diagnosis.⁸ Although there were fluctuations across hospitals, the average cost for treating Riverside children was roughly \$4,500. While this is an unadjusted estimate, the value is similar to the results reported in the aforementioned national study, suggesting that treating asthma in Riverside County hospitals is comparable to national estimates.

It should also be noted that nearly 40 percent of the cost of hospitalizing Riverside County children for asthma was incurred at hospitals outside of the county borders. Loma Linda University Medical Center, with its specialized treatment facilities for children, accounted for the largest share with an annual charge of more than \$2 million (not shown)—more than 60% of the total out of county charges.

Hospital	Patients			Total Patients		Annual Cost (3 Yr Avg)
	2007	2008	2009	3 Yrs	3 Yr Avg	
Menifee Valley Medical Center	*	*	*	*	*	--
San Geronio Memorial Hospital	*	*	*	*	*	--
Rancho Springs Medical Center	*	*	*	16	5.3	\$67,043
Palo Verde Hospital	*	*	*	18	6.0	\$80,325
Eisenhower Memorial Hospital	18	19	22	59	19.7	\$376,785
Moreno Valley Community Hospital	25	25	15	65	21.7	\$142,400
Desert Regional Medical Center	22	29	28	79	26.3	\$458,437
Corona Regional Medical Center	34	25	35	94	31.3	\$287,397
Parkview Community Hosp./Med. Ctr	34	29	49	112	37.3	\$421,989
Riverside Community Hospital	44	40	38	122	40.7	\$446,527
Hemet Valley Medical Center	51	55	28	134	44.7	\$461,517
Kaiser Hospital, Riverside	66	54	56	176	58.7	--
John F Kennedy Memorial Hospital	58	76	95	229	76.3	\$1,197,162
Riverside County Regional Med. Ctr.	66	83	113	262	87.3	\$1,083,307
<i>In County Hospitals</i>	429	452	489	1370	456.7	\$5,033,101
<i>Out of County Hospitals</i>	152	141	139	432	144.0	\$3,241,567
Grand Total	581	593	628	1802	600.7	\$8,274,668

*Less Than 15, Cell Suppressed to Protect Patient Confidentiality

Source: OSHPD, 2007-09

The hospitals in Exhibit 3 are sorted by increasing number of average annual admissions for asthma, showing that Riverside County Regional Medical Center (RCRMC) and JFK Memorial Hospital had the highest average number of annual admissions, and that the number of admissions increased steadily at both facilities over the past 3 years. While the admission numbers at many hospitals were fairly small and subject to random fluctuation from year to year, the increasing trend at RCRMC and JFK provides evidence that children in the areas of Moreno Valley and the southern Coachella Valley may not be receiving the needed care to manage their asthma in the outpatient setting or adhering to asthma control regimens at home.

From The Desk Of—Consuela Edmond, Asthma Program Coordinator

Improving asthma symptoms and helping families gain control over their child's asthma is the primary goal of the Riverside County Department of Public Health's Asthma Program. Using the data presented on the pages above allows us to focus our limited resources and work with community partners to help manage asthma more efficiently outside of the hospital setting. Although hospitalization rates were cut in half the past decade, we continue to work hard at our goals. The Childhood Asthma Program provides free asthma education to children 0-17 years of age and also to senior adults (ages 55 and older) who have been diagnosed with asthma. The free services include 1) asthma education (in-home or phone consultation), 2) allergen-proof mattress and pillowcase covers, 3) medication delivery devices (spacers), 4) peak flow meters, and 5) an environmental assessment, which produces a written plan to reduce asthma allergens and irritants in the home. For more information and to find out how to receive free asthma services, please call (951) 358-4977.

Suggested Citation: Meconis KD. Childhood Asthma in Riverside County, 2009. Riverside, CA: Riverside County Department of Public Health, Epidemiology and Program Evaluation, 2011.

References:

1. California Health Interview Survey (CHIS), 2009
2. Office of Statewide Health Planning and Development (OSHPD), Emergency Department Data, 2007, 2008, 2009.
3. Cloutier MM, et al. "Use of asthma guidelines by primary care providers to reduce hospitalizations and emergency department visits in poor, minority, urban children". *J Pediatr*, 146, pp 591-597.
4. Goolsby D. "Health survey finds county deficiencies". *The Desert Sun*. <http://www.mydesert.com/article/20110331/NEWS01/103310307/Health-survey-finds-county-deficiencies>. March 31, 2011.
5. Office of Statewide Health Planning and Development (OSHPD), Patient Discharge Data, 1999-2008. "Preventable Hospitalizations in California: Statewide and County Trends, Appendix B-Average PQI Rates, PQI 04-Pediatric Asthma". Version 3.1.
6. Office of Statewide Health Planning and Development (OSHPD), Patient Discharge Data, 1999-2008. "Preventable Hospitalizations in California: Statewide and County Trends, PQI 04; Pediatric Asthma, Riverside County". Version 3.1.
7. Barnett SBL, and Nurmagambetov TA "Costs of asthma in the United States: 2002-2007". *J Allergy Clin Immunol*, 127:1, pp 145-152.
8. Office of Statewide Health Planning and Development (OSHPD), Patient Discharge Data, 2007, 2008, 2009.



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Battalion 8 Solar Project Impacts and Mitigation

Eastern Riverside County Solar Projects – Issue Summary

In an effort to meet growing energy demands, and decrease reliance on petroleum or less ecologically friendly resources such as coal, there has been a national push to harness “Green” energy from the sun. The vast expanses of open desert in eastern Riverside County are experiencing this growth in the form of huge tracts of land being turned into industrial complexes dedicated to solar energy. The impact to the Fire Department of this large scale industrialization is the added potential for accidents and injuries related to the construction and operation of these various projects. The type of accidents which accompany these projects can include trench collapse, confined space entry, physical entrapment, as well as elevated or high angle rope rescue needs. Current fire department resources serving that area are not adequately staffed, trained or equipped to handle these specialized technical rescues.

Fire Protection Overview

Riverside County Fire Department (RVC Fire) Blythe Battalion (Battalion 8) covers about 4900 square miles. Battalion 8 spreads from Chiriaco Summit on the west to the California/Arizona border at the east, the Riverside/San Bernardino county line to the north and the Riverside/Imperial County line to the south. Battalion 8 has 4 staffed fire stations. These stations are operated with 3 person engine companies, except for Fire Station 49 at Desert Center. This engine is now staffed with 4 persons on duty daily – which is consistent with the goals of this program. At least one employee on each engine daily is a certified Paramedic providing Advanced Life Support.

The RVC Fire engines in Battalion 8 are limited in their ability to handle Technical Rescue responses. These limitations are directly related to the availability of equipment, personnel and the training levels/certifications needed to mitigate these types of emergencies. Paid staff on engines are only certified to a very basic *Awareness* level for Confined Space and Hazardous Materials, and are not trained in trench rescue and high angle rope rescue systems. Their engines are not adequately equipped with the necessary equipment for these rescues. Within Riverside County, complex Technical Rescues such as these are handled by “Truck Companies”. These truck companies are each staffed by 4 of our highest trained firefighters, responding with a veritable rolling tool box of specialized equipment and outfitting to affect these rescues. Currently RVC Fire has 7 truck companies covering the urbanized and industrial areas of Riverside County. The closest RVC Fire Truck Company to the Blythe/Palo Verde area is located a considerable distance away in Indio, and would have a response time in excess of an hour and forty minutes.

Based on the extended response times for existing Technical Rescue resources to the eastern County area, the RCOFD recognizes the need to expand the capability of our Fire and Rescue services in Battalion 8.

Recommended Staff, Equipment, Facility, and Training Enhancement

It is the goal of the RCOFD to staff, equip and train our Battalion 8 personnel to a level providing them the capability to initiate and handle most technical rescues in an expedient fashion without waiting extensively for additional responders from outside the area. Although this normally and consistent with our County-wide operations would be provided by the addition of a Truck Company, it was felt that a non-standard approach would be a better fit to the service area. After much discussion and review, the following service enhancement program is being recommended:

Establish and maintain 4 person staffing on E-49 (Lake Tamarisk Fire Station). Due to the remoteness of this station (approximately 45 minutes from the next closest stations), 4 person staffing is to be maintained on this unit, allowing for immediate “2-in/2-out” entries. Training for officers will be upgraded to include technical rescue training. Additional Technical Rescue equipment will be allocated to this station to assist with these type incidents. (note: 4 person staffing has already been initiated)

Establish and maintain a 2 person rescue squad at Fire Station 45 (Blythe Airport). A two person/paramedic equipped medium duty squad will be staffed at Fire Station 45, which will be task-forced (joined) with adjacent engine companies to provide Technical Rescue services. This unit will be equipped with confined space entry equipment, rope rescue equipment, trench shoring, jacks and airbags, cutting torches, saws and many other tools normally carried by a Truck Company. Additional shoring materials will be carried in a small utility support trailer.

Increase Training Program for Battalion 8 staff. Training program will be designed to provide qualified personnel to respond to technical rescues. This will include compliance with CCR Title 8 GISO Sections 5156, 5157 and 5158 as well as appropriate State recognized certifications. The training-needs mitigation will cover both initial training and ongoing in-service and recertification.

Provide increased Battalion Chief Coverage. Due to the technical nature of the Solar facilities and the potential complex rescues associated with construction and operations, in-area Battalion Chief response coverage is needed beyond current 3-day per week local administrative coverage. As projects come online, and funding allows, the goal will be 7/24 Chief Officer presence in the area.

Update Fire Stations to accommodate increased equipment and staffing. Current Stations in the area are undersized in their ability to accommodate the required personnel and equipment. The goal is to ultimately replace both structures (Fire Stations 45 – Blythe Airport and 49 – Lake Tamrisk) using a combination of Solar mitigation, DIF and other available funds.

Provide a replacement program for rescue tools and equipment as they wear out or reach the end of their normal service life. Budget the cost of replacing equipment needed due to general wear and damage incurred during training and emergencies as well as those times which may reach the end of their acceptable service life.

In Closing

Although it is impossible to predict every emergency and the complexity of its mitigation, it is the goal of Riverside County Fire Department to be as prepared as possible. This program is intended to increase our preparedness and allow us to respond to and mitigate emergencies associated with the industrial solar plants being developed in the Eastern Riverside County area. The design of this program is to provide a specific plan with quantifiable upgrades to personnel, equipment and training, and account for those mitigating costs in a direct auditable trail to monies spent from any Solar Project developer.

Ultimately it is the intention of the Riverside County Fire Department to provide superior customer service while helping to assure a safe work environment for everyone.



BEFORE THE ENERGY RESOURCES CONSERVATION AND DEVELOPMENT
COMMISSION OF THE STATE OF CALIFORNIA
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1-800-822-6228 – WWW.ENERGY.CA.GOV

**APPLICATION FOR CERTIFICATION FOR THE
RIO MESA SOLAR ELECTRIC
GENERATING FACILITY**

DOCKET NO. 11-AFC-04
PROOF OF SERVICE
(Revised 11/2/12)

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DECLARATION OF SERVICE

I, Tiffany North, declare that on December 19, 2012, I served and filed a copy of the attached document: County of Riverside Comments on the Rio Mesa Solar Electric Generating Facility Preliminary Staff Assessment (11 AFC-04), dated December 18, 2012. This document is accompanied by the most recent Proof of Service list, located on the web page for this project at: <http://www.energy.ca.gov/sitingcases/riomesa/index.html>.

The document has been sent to the other parties in this proceeding (as shown on the Proof of Service list) and to the Commission's Docket Unit or Chief Counsel, as appropriate, in the following manner:

(Check all that Apply)

For service to all other parties:

- Served electronically to all e-mail addresses on the Proof of Service list;
- Served by delivering on this date, either personally, or for mailing with the U.S. Postal Service with first-class postage thereon fully prepaid, to the name and address of the person served, for mailing that same day in the ordinary course of business; that the envelope was sealed and placed for collection and mailing on that date to those addresses marked "hard copy required" or where no e-mail address is provided.

AND

For filing with the Docket Unit at the Energy Commission:

- by sending electronic copies to the e-mail address below (preferred method); **OR**
- by depositing an original and 12 paper copies in the mail with the U.S. Postal Service with first class postage thereon fully prepaid, as follows:

CALIFORNIA ENERGY COMMISSION – DOCKET UNIT
Attn: Docket No. 11-AFC-04
1516 Ninth Street, MS-4
Sacramento, CA 95814-5512
docket@energy.ca.gov

OR, if filing a Petition for Reconsideration of Decision or Order pursuant to Title 20, § 1720:

- Served by delivering on this date one electronic copy by e-mail, and an original paper copy to the Chief Counsel at the following address, either personally, or for mailing with the U.S. Postal Service with first class postage thereon fully prepaid:

California Energy Commission
Michael J. Levy, Chief Counsel
1516 Ninth Street MS-14
Sacramento, CA 95814
michael.levy@energy.ca.gov

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct, that I am employed in the county where this mailing occurred, and that I am over the age of 18 years and not a party to the proceeding.



Tiffany North