

DOCKETED

Docket Number:	22-RENEW-01
Project Title:	Reliability Reserve Incentive Programs
TN #:	266435
Document Title:	Backup Materials for Item 15, SE US Development (SB Energy), for the October 8, 2025 CEC Business Meeting
Description:	Memorandum - California Environmental Quality Act (CEQA) Analysis for SE US Development LLC's Athos Battery Energy Storage System Project (DBA-25-002)
Filer:	O'Shea Bennett
Organization:	California Energy Commission
Submitter Role:	Commission Staff
Submission Date:	10/10/2025 10:15:45 AM
Docketed Date:	10/10/2025



**California Energy Commission
October 8, 2025, Business Meeting
Backup Materials for SE US Development, LLC**

The following backup materials for the above-referenced agenda item are available in this PDF packed as listed below:

1. Proposed Resolution
2. Grant Request Form
3. Scope of Work
4. CEQA Materials
 - a. CEQA Memo prepared by CEC Staff for the Commission as Responsible Agency
 - i. Attachment A (2025 CEQA Addendum prepared by the County of Riverside staff as Lead Agency)
 - ii. Attachment B (2025 Updated MMRP prepared by the County of Riverside staff as Lead Agency)
 - iii. Attachment C (2025 Substantial Conformance determination approved by the County of Riverside staff)

[PROPOSED]

RESOLUTION NO: 25-1008-XX

STATE OF CALIFORNIA

**STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION**

RESOLUTION: SE US Development, LLC

WHEREAS, SE US Development, LLC (Recipient) applied for Distributed Electricity Backup Assets (DEBA) funding from the California Energy Commission (CEC) under solicitation GFO-24-301 to support the procurement, installation, and performance of a 75 megawatt (MW) (300 megawatt-hours) four-hour lithium-ion battery energy storage system (BESS project) co-located at the existing solar photovoltaic generating facility at the Athos Renewable Energy Project (Athos Project) in Desert City in the County of Riverside (County); and

WHEREAS, on April 22, 2024, CEC staff proposed that SE US Development, LLC be awarded \$25,000,000 for the BESS project;

WHEREAS, the CEC's potential approval of the DEBA funding for the BESS project is a discretionary decision under the California Environmental Quality Act (CEQA);

WHEREAS, the Athos Project to construct and operate a 500 MW solar photovoltaic generating facility including 500 MW of energy storage was initially approved by the County of Riverside as the Lead Agency in June 2019, along with a Final Environmental Impact Report (2019 Final EIR), a Mitigation Monitoring and Reporting Plan (2019 MMRP), and a Conditional Use Permit (CUP180001), all filed with the State CEQA Clearinghouse (SCH 2018021021);

WHEREAS, in approving the Athos Project, the County of Riverside Board of Supervisors adopted a Statement of Overriding Considerations for direct and cumulative significant and unavoidable impacts to visual and aesthetic resources, and cumulative significant and unavoidable impacts to cultural landscapes and historic districts in eastern Riverside County;

WHEREAS, the project description in the 2019 Final EIR generally anticipated either battery or flywheel storage;

WHEREAS, in January 2025, SE US Development, LLC sought approval from the County for a Substantial Conformance determination with the Athos Project CUP180001, to construct and operate a total BESS capacity of 402.3 MW – inclusive of the 75 MW proposed for the DEBA funding – on three parcels within the Athos Project footprint;

WHEREAS, due to new information about the construction and operation of battery energy storage systems that were not known to the County in 2019, the County prepared a September 2025 Addendum (2025 Addendum) to the 2019 Final EIR, to discuss new information about lithium battery systems generally, as well as project details about the 402.3 MW BESS specifically;

WHEREAS, given the CEC's role as a Responsible Agency in its discretionary review and approval of potential DEBA funding for the BESS project, the County consulted with the CEC on the preparation of the 2025 Addendum and determination on the Substantial Conformance application, and included enforceable conditions of approval requested by CEC staff to comply with Senate Bill 38 (Laird, 2023) and address potentially hazardous conditions, fire risk, and other impacts to workers and public health and safety, among other provisions to comply with current laws, ordinances, rules, and standards (LORS) applicable to the BESS project;

WHEREAS, the County staff approved the Substantial Conformance application with numerous conditions, and on September 17, 2025, filed a Notice of Determination with the State CEQA Clearinghouse (SCH 2018021021);

WHEREAS, the County prepared a "Mitigation Monitoring and Reporting Program, as Adjusted for the Proposed BESS Component" (2025 Updated MMRP) to compile all the 2019 mitigation measures applicable to the BESS project and the enforceable conditions included in the Substantial Conformance determination;

WHEREAS, the CEC staff has conducted a review of the whole record for the Athos Project and BESS project, including but not limited to the 2019 Final EIR, 2019 MMRP, CUP180001, Substantial Conformance determination, 2025 Addendum, and 2025 Updated MMRP, and has prepared a memorandum for the CEC's consideration reflecting the staff's independent review and analysis of the potentially significant impacts of the BESS project;

WHEREAS, the BESS project will provide significant technological and energy benefits by capturing and storing up to 402.3 MW of off-peak and other renewable electricity at the existing solar photovoltaic generating facility that may otherwise be curtailed, for delivery to the regional and statewide transmission system during peak demand hours, and to alleviate congestion at the Athos Project;

WHEREAS, the BESS project will provide significant technological and energy benefits by adding capacity to the State's existing bulk grid power generators and make up to 75 MW of the incremental capacity available to the host California Balancing Authority during extreme events for a period of at least 5 years after the commercial online date of Phase 1 of the BESS project;

WHEREAS, the BESS project will provide regional economic benefits by providing approximately 50 construction jobs;

WHEREAS, the CEC staff recommends that the 2025 Updated MMRP and other specific terms and conditions be included in the proposed agreement DBA-25-002 to ensure that

the BESS project complies with all mitigation measures, conditions, and LORS.

WHEREAS, prior to acting on agreement DBA-25-002 for funding for 75 MW of battery energy storage at the Athos Project, the CEC desires to make certain findings as a Responsible Agency pursuant to the CEQA Guidelines at California Code of Regulations, title 14, sections 15091, 15093 and 15096.

THEREFORE, BE IT RESOLVED,

1. The CEC has independently reviewed the Lead Agency's information contained in the 2019 Final EIR, 2019 MMRP, and the findings and Statement of Overriding Considerations adopted by the County Board of Supervisors relevant to the Athos Project and CUP180001, as well as the Substantial Conformance determination, 2025 Addendum and 2025 Updated MMRP relevant to the 402.3 MW BESS project, as prepared by the County staff, and has reviewed the CEC staff memorandum identified above.
2. The County has already adopted and approved, and will enforce, the mitigation measures and conditions applicable to the BESS project, including the 75 MW component proposed for the DEBA funding.
3. The CEC finds that these documents are adequate for its use as the decision-making body for its consideration of DBA-25-002.
4. Approval of DBA-25-002 is within the scope of the project and activities evaluated in the County's documents.

FURTHER BE IT RESOLVED, that the CEC has balanced the economic, technological, and energy benefits of the BESS project and finds, on the basis of the entire record before it, that with the County's implementation and enforcement of all mitigation measures and conditions in the 2025 Updated MMRP, and with the compliance by SE US Development, LLC, with all terms and conditions in agreement DBA-25-002:

1. Changes or alterations to the project are within the responsibility and jurisdiction of the County of Riverside, and the County's record establishes that it incorporated and required changes and alterations to the project to lessen the direct and cumulative impacts of the Athos Project on visual resources, and to lessen the cumulative impacts on cultural resources in eastern Riverside County; and
2. The technological, energy, and economic benefits of the BESS project will outweigh the direct and cumulative significant and unavoidable impacts to visual and aesthetic resources, and cumulative significant and unavoidable impacts to cultural landscapes and historic districts in eastern Riverside County; and
3. Therefore, these unmitigated adverse impacts approved by the County are acceptable; and
4. For all other environmental resources required to be considered under CEQA by a Responsible Agency, there is no substantial evidence that the activities funded by DBA-25-002 will have a significant effect on the environment; and

FURTHER BE IT RESOLVED, that CEC finds that this conclusion reflects its independent judgement and analysis as a Responsible Agency under CEQA; and

FURTHER BE IT RESOLVED, that the CEC approves DBA-25-002 with the SE US Development, LLC, for \$25,000,000; and

FURTHER BE IT RESOLVED, that Executive Director or their designee shall execute the same on behalf of the CEC.

CERTIFICATION

The undersigned Secretariat to the CEC does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the CEC held on October 8, 2025.

AYE:

NAY:

ABSENT:

ABSTAIN:

Dated:

[NAME}
Secretariat



GRANT REQUEST FORM (GRF)

A. New Agreement Number

[**IMPORTANT:** New Agreement # to be completed by Contracts, Grants, and Loans Office.]

New Agreement Number: DBA-25-002

B. Division Information

1. Division Name: Reliability, Renewable Energy & Decarbonization Incentives Division
2. Agreement Manager: O'Shea Bennett
3. MS-:45
4. Phone Number: (916) 980-7978

C. Recipient's Information

1. Recipient's Legal Name: SE US Development, LLC

D. Title of Project

Title of project: Athos Storage B

E. Term and Amount

1. Start Date: November 12, 2025
2. End Date: March 30, 2033
3. Amount: \$25,000,000

F. Business Meeting Information

1. Are the ARFVTP agreements \$75K and under delegated to Executive Director? N/A
2. The Proposed Business Meeting Date: 10-8-2025
3. Consent or Discussion? Discussion
4. Business Meeting Presenter Name: O'Shea Bennett
5. Time Needed for Business Meeting: 5 minutes.
6. The email subscription topic is: Distributed Electricity Backup Assets

Agenda Item Subject and Description:

SE US Development, LLC. Proposed resolution adopting CEQA findings for SE US Development, LLC's Battery Energy Storage System Project, and approving grant agreement DEBA-25-002 with SE US Development, LLC. (Distributed Electricity Backup Assets (DEBA) Funding) Contact: O'Shea Bennett (Staff Presentation: 5 minutes)

- a. CEQA Findings: Findings as a responsible agency, based on the whole record, that it is the independent judgement of the CEC that there is no substantial evidence that the lithium ion battery energy storage project funded under the agreement will result in new significant impacts, and that the unavoidable significant impacts to visual and cultural resources from the larger Athos Renewable Energy Project approved by the County of Riverside in its Final Environment Impact Report in 2019 as the Lead Agency are outweighed by the regional environmental and economic benefits of the battery energy storage system.
- b. SE US Development, LLC. Proposed resolution approving agreement DBA-25-002 with SE US Development, LLC, for a \$25,000,000 grant to purchase, install, and report performance of a four-hour lithium-ion battery system with a nameplate capacity of 75 MW (300 MWh), as part of a larger 402 MW (1608 MWh) battery energy storage system installation at the



existing 450 MW solar project at the Athos Renewable Energy Project in Desert Center in Riverside County.

G. California Environmental Quality Act (CEQA) Compliance

1. Is Agreement considered a “Project” under CEQA?

Yes

2. If Agreement is considered a “Project” under CEQA answer the following questions.

a) Agreement IS exempt?

No

Statutory Exemption?

No

If yes, list PRC and/or CCR section number(s) and separate each with a comma. If no, enter “None” and go to the next question.

PRC section number: None

CCR section number: None

Categorical Exemption?

No

If yes, list CCR section number(s) and separate each with a comma. If no, enter “None” and go to the next question.

Common Sense Exemption? 14 CCR 15061 (b) (3)

No

If yes, explain reason why Agreement is exempt under the above section. If no, enter “Not applicable” and go to the next section.

b) Agreement IS NOT exempt.

IMPORTANT: consult with the legal office to determine next steps.

Yes. See CEQA Memo attached to the business meeting supporting materials.

If yes, answer yes or no to all that applies. If no, list all as “no” and “None” as “yes”.

Additional Documents	Applies
Initial Study	No
Negative Declaration	No
Mitigated Negative Declaration	No
Environmental Impact Report	Yes
Statement of Overriding Considerations	Yes
None	No

H. Is this project considered “Infrastructure”?

No



I. Subcontractors

List all Subcontractors listed in the Budget (s) (major and minor). Insert additional rows if needed. If no subcontractors to report, enter “No subcontractors to report” and “0” to funds. **Delete** any unused rows from the table

Subcontractor Legal Company Name	CEC Funds	Match Funds
TBD Engineering	\$100,000	\$550,000
TBD BESS Installation	\$8,500,000	\$10,500,000
TBD Construction Management	\$400,000	\$300,000

J. Vendors and Sellers for Equipment and Materials/Miscellaneous

List all Vendors and Sellers listed in Budget(s) for Equipment and Materials/Miscellaneous. Insert additional rows if needed. If no vendors or sellers to report, enter “No vendors or sellers to report” and “0” to funds. **Delete** any unused rows from the table.

Vendor/Seller Legal Company Name	CEC Funds	Match Funds
Fluence	\$16,000,000	\$58,500,000

K. Key Partners

List all key partner(s). Insert additional rows if needed. If no key partners to report, enter “No key partners to report.” **Delete** any unused rows from the table.

Key Partner Legal Company Name
No key partners to report

L. Budget Information

Include all budget information. Insert additional rows if needed. If no budget information to report, enter “N/A” for “Not Applicable” and “0” to Amount. **Delete** any unused rows from the table.

Funding Source	Funding Year of Appropriation	Budget List Number	Amount
DEBA	2021-22	500.108	\$25,000,000

TOTAL Amount: \$25,000,000

R&D Program Area: Not Applicable

Explanation for “Other” selection Not Applicable

Reimbursement Contract #: Not Applicable

Federal Agreement #: Not Applicable



M. Recipient’s Contact Information

1. Recipient’s Administrator/Officer

Name: Matthew Stucky
Address: SB Energy, 3 Lagoon Drive, Suite 280
City, State, Zip: Redwood City, CA 94065
Phone: (650) 731-3262
E-Mail: mattstucky@sbenergy.com

2. Recipient’s Project Manager

Name: Matthew Stucky
Address: 3 Lagoon Dr. Suite 280
City, State, Zip: Redwood City, CA 94065
Phone: (415) 710-3943
E-Mail: mattstucky@sbenergy.com

N. Selection Process Used

There are three types of selection process. List the one used for this GRF.

Selection Process	Additional Information
Competitive Solicitation #	GFO-23-401
First Come First Served Solicitation #	Not Applicable
Other	Not Applicable

O. Attached Items

1. List all items that should be attached to this GRF by entering “Yes” or “No”.

Item Number	Item Name	Attached
1	Exhibit A, Scope of Work/Schedule	Yes
2	Exhibit B, Budget Detail	Yes
3	CEC 105, Questionnaire for Identifying Conflicts	Yes
4	Recipient Resolution	No
5	Awardee CEQA Documentation	Yes



STATE OF CALIFORNIA
CALIFORNIA ENERGY COMMISSION

Grant Request Form
CEC-270 (Revised 01/2024)

Approved By

Individuals who approve this form must enter their full name and approval date in the MS Word version.

Agreement Manager: O'Shea Bennett

Approval Date: August 25, 2025

Office Manager: Ashley Emery

Approval Date: August 28, 2025

Director: Deana Carrillo

Approval Date: 09/26/2025

Exhibit A Scope of Work

I. TASK ACRONYM/TERM LISTS

A. Task List

Task #	CPR ¹	Task Name
1		General Project Tasks
2		System Design and Engineering, Procurement, and Plans, Certification, and Permitting
3	X	Long-Lead Time and Major Equipment Procurement
4		Construction Request for Proposals
5		Project Construction
6		System Interconnection and Commercial Operation
7		Annual Measurement and Verification Reporting
8		Evaluation of Project Benefits
9		Project Fact Sheet

B. Acronym/Term List

Acronym/Term	Meaning
BESS	Battery Energy Storage System
CAISO	California Independent System Operator
CAM	Commission Agreement Manager
CAO	Commission Agreement Officer
CEC	California Energy Commission
CPR	Critical Project Review
DEBA	Distributed Electricity Backup Assets
MW	Megawatt
MWh	Megawatt-hour
Recipient	SE US Development, LLC

II. PURPOSE OF AGREEMENT, PROBLEM/SOLUTION STATEMENT, AND GOALS AND OBJECTIVES

A. Purpose of Agreement

The purpose of this Agreement is to provide funding for the purchase, installation, and reporting of performance of a four-hour lithium-ion battery system. This is a new storage system to complement an existing solar generation system and will connect to the bulk electricity system at the same interconnection point as the existing solar generation system.

B. Problem/ Solution Statement

Background

Assembly Bill (AB) 205 (Ting, Chapter 61, Statutes of 2022) created the Strategic Reliability Reserve to support the state's electric grid reliability during extreme events. PRC Section 25790(c) states, "As California transitions to a clean energy future and contends with climate

¹ Please see subtask 1.3 in Part III of the Scope of Work (General Project Tasks) for a description of Critical Project Review (CPR) Meetings.

Exhibit A Scope of Work

impacts and other challenges, sufficient capacity of new and existing generation assets will be required to maintain reliability during extreme events.” As part of the Strategic Reliability Reserve, the Distributed Electricity Backup Assets (DEBA) Program provides incentives for constructing cleaner and more efficient distributed energy assets to strengthen electricity reliability. The DEBA Program also supports efficiency upgrades and capacity additions to existing bulk grid power generators in California that will support the state’s electrical grid during extreme events, prioritizing 1) feasible, cost-effective zero- and low-emission resources, and then 2) feasible, cost-effective conventional resources. Grant funding under GFO-23-401 is intended to accelerate project timelines and help fill gaps in the market that are preventing implementation of eligible projects.

Problem

The Athos Renewable Energy Project, a combined 450 megawatt (MW) solar project that has been operating and sending power to the bulk transmission grid does not currently include an energy storage unit to help meet demand during peak hours or alleviate curtailment and congestion at the plant. Although the 2019 plans for the Athos Renewable Energy Project included battery or flywheel energy storage, factors outside the Recipient’s control have made project financing for this component challenging.

Solution

Under this Agreement, the Recipient will purchase, install, and report performance of a 75 MW a portion of a 402.3 MW lithium-ion battery energy storage system (BESS) at the Athos Renewable Energy Project, comprised of self-contained, fully integrated containerized units. This funding will support the purchase, installation, and performance of 75 MW at 4-hours of capacity (300 MWh) during Phase 1 of the larger BESS project. This battery capacity will be added to the existing Athos Renewable Energy Project, providing a storage component to the existing solar generation. The project will be located on the site of an existing power generator, will utilize a majority of the same electrical infrastructure, and will connect to the bulk electricity system at the same interconnection point.

C. Goals and Objectives of the Agreement

Agreement Goals

The goals of this Agreement are to:

- Accelerate purchase and installation of a 75 MW portion of a 4-hour battery energy storage system co-located with an existing power plant and interconnected to the bulk transmission grid in California.
- Measure and verify five (5) years of performance of the availability of the incremental capacity of 75 MW/300 MWh of the battery energy storage system during peak reliability hours (4 p.m. – 10 p.m.) and electricity grid emergency events.
- Measure and verify five (5) years of performance of 75 MW/300 MWh of the battery energy storage system to charge during the day when the greenhouse gas intensity of grid electricity is low and discharge during peak reliability hours (4 p.m. – 10 p.m.).

Agreement Objectives

The objectives of this Agreement are to:

- Purchase and install a 75 MW/300 MWh portion of a battery energy storage system to add storage to an existing generation facility that is interconnected in California to the bulk transmission grid.

Exhibit A Scope of Work

- Make the incremental capacity of 75 MW/300 MWh of the battery energy storage system available during extreme events for a term of five years from the commercial online date of Phase 1 of the battery energy storage system.
- Make the incremental capacity of 75 MW/300 MWh of the battery energy storage system available on a day-ahead and real-time basis to the host California Balancing Authority for economic and exceptional dispatch, consistent with the applicable requirements and operational capabilities of the battery energy storage system.
- Provide measurement and verification data and performance reports according to a measurement verification plan approved by the CAM.

III. TASK 1 GENERAL PROJECT TASKS

PRODUCTS

Subtask 1.1 Products

The goal of this subtask is to establish the requirements for submitting project products (e.g., reports, summaries, plans, and presentation materials). Unless otherwise specified by the Commission Agreement Manager (CAM), the Recipient must deliver products as required below by the dates listed in the **Project Schedule (Part V)**. All products submitted which will be viewed by the public, must comply with the accessibility requirements of Section 508 of the federal Rehabilitation Act of 1973, as amended (29 U.S.C. Sec. 794d), and regulations implementing that act as set forth in Part 1194 of Title 36 of the Federal Code of Regulations. All technical tasks should include product(s). Products that require a draft version are indicated by marking “**(draft and final)**” after the product name in the “Products” section of the task/subtask. If “(draft and final)” does not appear after the product name, only a final version of the product is required. With respect to due dates within this Scope of Work, “**days**” means working days.

The Recipient shall:

For products that require a draft version, including the Final Report Outline and Final Report

- Submit all draft products to the CAM for review and comment in accordance with the Project Schedule (Part V). The CAM will provide written comments to the Recipient on the draft product within 15 days of receipt, unless otherwise specified in the task/subtask for which the product is required.
- Consider incorporating all CAM comments into the final product. If the Recipient disagrees with any comment, provide a written response explaining why the comment was not incorporated into the final product.
- Submit the revised product and responses to comments within 10 days of notice by the CAM, unless the CAM specifies a longer time period, or approves a request for additional time.

For products that require a final version only

- Submit the product to the CAM for acceptance. The CAM may request minor revisions or explanations prior to acceptance.

For all products

- Submit all data and documents required as products in accordance with the following.

Instructions for Submitting Electronic Files and Developing Software:

- **Electronic File Format**

Exhibit A Scope of Work

- Submit all data and documents required as products under this Agreement in an electronic file format that is fully editable and compatible with the California Energy Commission's (CEC) software and Microsoft (MS)-operating computing platforms, or with any other format approved by the CAM. Deliver an electronic copy of the full text of any Agreement data and documents in a format specified by the CAM, such as memory stick.

The following describes the accepted formats for electronic data and documents provided to the CEC as products under this Agreement, and establishes the software versions that will be required to review and approve all software products:

- Data sets will be in MS Access or MS Excel file format (version 2007 or later), or any other format approved by the CAM.
- Text documents will be in MS Word file format, version 2007 or later.
- Project management documents will be in Microsoft Project file format, version 2007 or later.

- **Software Application Development**

Use the following standard Application Architecture components in compatible versions for any software application development required by this Agreement (e.g., databases, models, modeling tools), unless the CAM approves other software applications such as open source programs:

- Microsoft ASP.NET framework (version 3.5 and up). Recommend 4.0.
- Microsoft Internet Information Services (IIS), (version 6 and up) Recommend 7.5.
- Visual Studio.NET (version 2008 and up). Recommend 2010.
- C# Programming Language with Presentation (UI), Business Object and Data Layers.
- SQL (Structured Query Language).
- Microsoft SQL Server 2008, Stored Procedures. Recommend 2008 R2.
- Microsoft SQL Reporting Services. Recommend 2008 R2.
- XML (external interfaces).

Any exceptions to the Electronic File Format requirements above must be approved in writing by the CAM. The CAM will consult with the CEC's Information Technology Services Branch to determine whether the exceptions are allowable.

MEETINGS

Subtask 1.2 Kick-off Meeting

The goal of this subtask is to establish the lines of communication and procedures for implementing this Agreement.

The Recipient shall:

- Attend a "Kick-off" meeting with the CAM, the Commission Agreement Officer (CAO), and any other CEC staff relevant to the Agreement. The Recipient will bring its Project Manager and any other individuals designated by the CAM to this meeting. The administrative and technical aspects of the Agreement will be discussed at the meeting. Prior to the meeting, the CAM will provide an agenda to all potential meeting participants. The meeting may take place in person or by electronic conferencing (e.g., Teams), with approval of the CAM.

The administrative portion of the meeting will include discussion of the following:

Exhibit A Scope of Work

- Terms and conditions of the Agreement;
- Invoicing and auditing procedures;
- Administrative products (subtask 1.1);
- CPR meetings (subtask 1.3);
- Quarterly Progress Reports and Invoices (subtask 1.6)
- Match fund documentation (subtask 1.8);
- Plan, Certification, and Permit documentation (subtask 1.9);
- Subcontracts (subtask 1.10); and
- Any other relevant topics.

The technical portion of the meeting will include discussion of the following:

- The CAM's expectations for accomplishing tasks described in the Scope of Work;
 - An updated Project Schedule and Project Description;
 - Technical products (subtask 1.1);
 - Monthly status updates (subtask 1.5);
 - Final Report (subtask 1.7); and
 - Any other relevant topics.
- Provide *Kick-off Meeting Presentation* to include but not limited to:
 - Project overview (i.e. project description, goals and objectives, technical tasks, expected benefits, etc.)
 - Updated Project schedule that identifies milestones
 - Updated Project Description that identifies battery chemistry and key project construction and operation factors
 - List of potential project risk factors and hurdles
 - Summary of strategy for compliance with Mitigation Monitoring and Reporting Program and project conditions required by the County for the BESS project (see **Attachment 2 to Exhibit A** (Mitigation Monitoring and Reporting Program as Adjusted for the Proposed BESS Component)), The summary shall address at a minimum:
 - Battery energy storage system Emergency Response and Emergency Action Plan required by Senate Bill 38, and related worker and public safety measures.
 - Take authorization or avoidance, minimization and mitigation strategies for new listed or candidate species since the 2019 Final Environmental Impact Report.
 - Provide an *Updated Project Schedule, Updated Project Description, Match Funds Status Letter, and Certification and Permit Status Letter*, as needed to reflect any changes in the documents.

The CAM shall:

- Designate the date and location of the meeting.
- Send the Recipient a *Kick-off Meeting Agenda*.

Recipient Products:

- Kick-off Meeting Presentation
- Updated Project Schedule (*if applicable*)
- Updated Project Description
- Match Funds Status Letter (subtask 1.8)

Exhibit A Scope of Work

- Certification and Permit Status Letter (subtask 1.9)

CAM Product:

- Kick-off Meeting Agenda

Subtask 1.3 Critical Project Review (CPR) Meetings

The goal of this subtask is to determine if the project should continue to receive CEC funding, and if so whether any modifications must be made to the tasks, products, schedule, or budget. CPR meetings provide the opportunity for frank discussions between the CEC and the Recipient. As determined by the CAM, discussions may include project status, challenges, successes, advisory group findings and recommendations, final report preparation, and progress on technical transfer and production readiness activities (if applicable). Discussions will include status or issues with compliance and verification of all mitigation measures and conditions of the County of Riverside's approval of the BESS as provided in **Attachment 2 to this Exhibit A**. Participants will include the CAM and the Recipient and may include the CAO and any other individuals selected by the CAM to provide support to the CEC.

CPR meetings generally take place at key, predetermined points in the Agreement, as determined by the CAM and as shown in the Task List on page 1 of this Exhibit. However, the CAM may schedule additional CPR meetings as necessary. The budget will be reallocated to cover the additional costs borne by the Recipient, but the overall Agreement amount will not increase. CPR meetings generally take place at the CEC, but they may take place at another location, or may be conducted via electronic conferencing (e.g., Teams) as determined by the CAM.

The Recipient shall:

- Prepare and submit a *CPR Report* for each CPR meeting that: (1) discusses the progress of the Agreement toward achieving its goals and objectives; and (2) includes recommendations and conclusions regarding continued work on the project.
- Attend the CPR meeting.
- Present the CPR Report and any other required information at each CPR meeting.

The CAM shall:

- Determine the location, date, and time of each CPR meeting with the Recipient's input.
- Send the Recipient a *CPR Agenda* with a list of expected CPR participants in advance of the CPR meeting. If applicable, the agenda will include a discussion of match funding and permits.
- Conduct and make a record of each CPR meeting. Provide the Recipient with a schedule for providing a Progress Determination on continuation of the project.
- Determine whether to continue the project, and if so whether modifications are needed to the tasks, schedule, products, or budget for the remainder of the Agreement. If the CAM concludes that satisfactory progress is not being made, this conclusion will be referred to the Deputy Director of the Energy Research and Development Division.
- Provide the Recipient with a *Progress Determination* on continuation of the project, in accordance with the schedule. The Progress Determination may include a requirement that the Recipient revise one or more products.

Recipient Products:

- CPR Report(s)

CAM Products:

Exhibit A Scope of Work

- CPR Agenda
- Progress Determination

Subtask 1.4 Final Meeting

The goal of this subtask is to complete the closeout of this Agreement.

The Recipient shall:

- Meet with CEC staff to present project findings, conclusions, and recommendations. The final meeting must be completed during the closeout of this Agreement. This meeting will be attended by the Recipient and CAM, at a minimum. The meeting may occur in person or by electronic conferencing (e.g., Teams), with approval of the CAM.

The technical and administrative aspects of Agreement closeout will be discussed at the meeting, which may be divided into two separate meetings at the CAM's discretion.

- The technical portion of the meeting will involve the presentation of findings, conclusions, and recommended next steps (if any) for the Agreement. The CAM will determine the appropriate meeting participants.
- The administrative portion of the meeting will involve a discussion with the CAM and the CAO of the following Agreement closeout items:
 - Disposition of any procured equipment.
 - The CEC's request for specific "generated" data (not already provided in Agreement products).
 - Need to document the Recipient's disclosure of "subject inventions" developed under the Agreement.
 - "Surviving" Agreement provisions including but not limited to the repayment provisions, confidential products, and data sharing listed in the Standard Terms & Conditions, Section 22(K).
 - Final invoicing and release of retention.
- Prepare a *Final Meeting Agreement Summary* that documents any agreement made between the Recipient and CEC staff during the meeting.
- Prepare a *Schedule for Completing Agreement Closeout Activities*.
- Provide copies of *All Final Products* on a USB memory stick, organized by the tasks in the Agreement.

Products:

- Final Meeting Agreement Summary (*if applicable*)
- Schedule for Completing Agreement Closeout Activities
- All Final Products

REPORTS AND INVOICES

Subtask 1.5 Monthly Status Updates

- The goal of this task is to have monthly status updates between the CAM and Recipient to verify that satisfactory and continued progress is made towards achieving the objectives of this Agreement on time and within budget.
- The updates shall include information to monitor the timeliness of the commercial online date and ensure that all reimbursable activities are scheduled to be completed by March 30, 2030, and are complete and reimbursed by the CEC before the liquidation date of

Exhibit A Scope of Work

June 30, 2030. **No tasks completed after March 30, 2030, shall be reimbursed by CEC funds.**

- The objectives of this task are to summarize activities performed during the reporting period, to identify activities planned for the next reporting period, to identify issues that may affect performance and expenditures, to verify that all CEC reimbursable activities scheduled to be completed by March 30, 2030, are completed and reimbursed before the liquidation date of June 30, 2030, to verify match funds are being proportionally spent concurrently or in advance of CEC funds or are being spent in accordance with an approved Match Funding Spending Plan, to form the basis for determining whether invoices are consistent with work performed, and to answer any other questions from the CAM. Monthly calls might not be held on those months when a quarterly progress report is submitted or the CAM determines that a monthly call is unnecessary.

The CAM shall:

- Review monthly email summary.
- Provide questions to the Recipient prior to the monthly call.
- Provide call summary notes to Recipient of items discussed during call.

The Recipient shall:

- Email a summary every month to the CAM.
- Schedule a follow-up call with the CAM to discuss project status updates.
- Review the questions provided by CAM prior to the monthly call.
- Provide verbal answers to the CAM during the call.

Product:

- Email to CAM every month with status updates.
- Email to CAM concurring with monthly call summary notes.

Subtask 1.6 Quarterly Progress Reports and Invoices

- The goals of this subtask are to: (1) periodically verify that satisfactory and continued progress is made towards achieving the project objectives of this Agreement; and (2) ensure that invoices contain all required information and are submitted in the appropriate format.

The Recipient shall:

- Submit a Quarterly Progress Report to the CAM. Each progress report must:
 - Summarize progress made on all Agreement activities as specified in the scope of work for the reporting period, including accomplishments, problems, milestones, compliance with all mitigation and other conditions required by the County's approval of the BESS project, products, schedule, fiscal status, and an assessment of the ability to complete the Agreement within the current budget and any anticipated cost overruns. Progress reports are due to the CAM the 10th day of each January, April, July, and October. The Quarterly Progress Report template can be found on the ECAMS Resources webpage available at: <https://www.energy.ca.gov/media/4691>
- Submit a monthly or quarterly Invoice on the invoice template(s) provided by the CAM.

Recipient Products:

- Quarterly Progress Reports

Exhibit A Scope of Work

- Invoices

CAM Product:

- Invoice template

Subtask 1.7 Final Report

- The goal of this subtask is to prepare a comprehensive Final Report that describes the original purpose, approach, results, and conclusions of the work performed under this Agreement. When creating the Final Report Outline and the Final Report, the Recipient must use the CEC Style Manual provided by the CAM.

Subtask 1.7.1 Final Report Outline

The Recipient shall:

- Prepare a Final Report Outline in accordance with the Energy Commission Style Manual provided by the CAM.

Recipient Products:

- Final Report Outline (draft and final)

CAM Products:

- Energy Commission Style Manual
- Comments on Draft Final Report Outline
- Acceptance of Final Report Outline

Subtask 1.7.2 Final Report

The Recipient shall:

- Prepare a Final Report for this Agreement in accordance with the approved Final Report Outline, Energy Commission Style Manual, and Final Report Template provided by the CAM with the following considerations:
- Ensure that the report includes the following items, in the following order:
 - Cover page (**required**)
 - Credits page on the reverse side of cover with legal disclaimer (**required**)
 - Acknowledgements page (optional)
 - Preface (**required**)
 - Abstract, keywords, and citation page (**required**)
 - Table of Contents (**required**, followed by List of Figures and List of Tables, if needed)
 - Executive summary (**required**)
 - Body of the report (**required**)
 - References (if applicable)
 - Glossary/Acronyms (If more than 10 acronyms or abbreviations are used, it is required.)
 - Bibliography (if applicable)
 - Appendices (if applicable) (Create a separate volume if very large.)
 - Attachments (if applicable)

Exhibit A Scope of Work

- Submit a draft of the report to the CAM for review and comment at least two months prior to the end of the agreement. The CAM will provide written comments to the Recipient on the draft product within 15 days of receipt.
- Incorporate all CAM comments into the Final Report. If the Recipient disagrees with any comment, provide a Written Responses to Comments explaining why the comments were not incorporated into the final product.
- Submit the revised Final Report electronically with any Written Responses to Comments within 10 days of receipt of CAM's Written Comments on the Draft Final Report, unless the CAM specifies a longer time period or approves a request for additional time. The final report must be submitted at least one month prior to the agreement end date.

Products:

- Draft Final Report
- Written Responses to Comments (*if applicable*)
- Final Report

CAM Product:

- Written Comments on the Draft Final Report

MATCH FUNDS, PERMITS, AND SUBCONTRACTS

Subtask 1.8 Match Funds

The goal of this subtask is to ensure that the Recipient obtains any match funds planned for this Agreement and applies them to the Agreement during the Agreement term.

While the costs to obtain and document match funds are not reimbursable under this Agreement, the Recipient may spend match funds for this task. The Recipient may only spend match funds during the Agreement term, either concurrently or prior to the use of CEC funds. Match funds must be identified in writing, and the Recipient must obtain any associated commitments before incurring any costs for which the Recipient will request reimbursement.

The Recipient shall:

- Prepare a *Match Funds Status Letter* that documents the match funds committed to this Agreement. If no match funds were part of the proposal that led to the CEC awarding this Agreement and none have been identified at the time this Agreement starts, then state this in the letter.

If match funds were a part of the proposal that led to the CEC awarding this Agreement, then provide in the letter:

- A list of the match funds that identifies:
 - The amount of cash match funds, their source(s) (including a contact name, address, and telephone number), and the task(s) to which the match funds will be applied.
 - The amount of each in-kind contribution, a description of the contribution type (e.g., property, services), the documented market or book value, the source (including a contact name, address, and telephone number), and the task(s) to which the match funds will be applied. If the in-kind contribution is equipment or other tangible or real property, the Recipient must identify its owner and provide a contact name, address, telephone number, and the address where the property is located.

Exhibit A Scope of Work

- If different from the solicitation application, provide a letter of commitment from an authorized representative of each source of match funding that the funds or contributions have been secured.
- At the Kick-off meeting, discuss match funds and the impact on the project if they are significantly reduced or not obtained as committed. If applicable, match funds will be included as a line item in the progress reports and will be a topic at CPR meetings.
- Provide a *Supplemental Match Funds Notification Letter* to the CAM of receipt of additional match funds.
- Provide a *Match Funds Reduction Notification Letter* to the CAM if existing match funds are reduced during the course of the Agreement. Reduction of match funds may trigger a CPR meeting.

Products:

- Match Funds Status Letter
- Supplemental Match Funds Notification Letter (*if applicable*)
- Match Funds Reduction Notification Letter (*if applicable*)

Subtask 1.9 Plans, Certifications, and Permits

The goal of this subtask is to ensure that Recipient is obtaining approvals of all plans, certifications, and permits required for construction and operation as required under this Agreement and the County's approval of the BESS project in advance of the date they are needed to keep the Agreement schedule on track. Permit costs and the expenses associated with obtaining permits are not reimbursable under this Agreement, with the exception of costs incurred by University of California recipients. Approvals of plans, certifications and permits must be identified and obtained before the Recipient may incur any costs related to the use of the plans, certifications or permit(s) for which the Recipient will request reimbursement.

The Recipient shall:

- Comply with all laws, standards, ordinances, and rules applicable to the project, including but not limited to:
 - Mitigation measures and conditions of approval of the project required by the County of Riverside as documented in Attachment 2 to this Exhibit A (Mitigation Monitoring and Reporting Program, as Adjusted for the Proposed BESS Component)(Updated MMRP)
 - As part of **MM BIO-1**, prior to any ground-disturbing activities, conduct surveys for any species that became listed or candidates for listing under the California Endangered Species Act after the County's adoption of the 2019 mitigation measures addressing biological resources, and consulting with the California Department of Fish and Wildlife as appropriate.
- Prepare a *Plan, Certification, and Permit Status Letter* that documents the plans, certifications and permits required to conduct this Agreement. If no permits are required at the start of this Agreement, then state this in the letter. If permits will be required during the course of the Agreement, provide in the letter:
 - A list of the plans, certifications, or permits that identifies: (1) the type of plan, certification, or permit; and (2) the name, address, and telephone number of the approving or permitting jurisdictions or lead agencies.
 - The schedule the Recipient will follow in applying for and obtaining the approvals for plans, certifications, and permits.

The list of plans, certifications, and permits and the schedule for obtaining them will be discussed at the Kick-off meeting (subtask 1.2), and a timetable for submitting the updated

Exhibit A Scope of Work

list, schedule, and plans, certifications, and permits to the approving authority will be developed. The impact on the project if approval of the plans, certifications, and permits are not obtained in a timely fashion or are denied will also be discussed. If applicable, plans, certifications, and permits will be included as a line item in progress reports and will be a topic at CPR meetings.

- If during the course of the Agreement additional plans, certifications, or permits become necessary, then provide the CAM with an *Updated List of Plans, Certifications, and Permits* (including the appropriate information on each plan, certification, or permit) and an *Updated Schedule for Acquiring Approved Plans, Certifications, and Permits*.
- Upon the CAM's request, send the CAM a *Copy of Each Approved Plan, Certification, or Permit*.
- If during the course of the Agreement approvals of plans, certifications or permits are not obtained on time or are denied, notify the CAM within 5 days. Either of these events may trigger a CPR meeting.

Products:

- Plan, Certification and Permit Status Letter
- Updated List of Plans, Certifications, and Permits
- Updated Schedule for Acquiring Approval of Plans, Certifications, and Permits
- Upon request, Copy of Each Approved Plan, Certification and Permit

Subtask 1.10 Subcontracts

The goals of this subtask are to: (1) procure subcontracts required to carry out the tasks under this Agreement; and (2) ensure that the subcontracts are consistent with the terms and conditions of this Agreement.

The Recipient shall:

- Manage and coordinate subcontractor activities in accordance with the requirements of this Agreement.
- Incorporate this Agreement by reference into each subcontract.
- Include any required Energy Commission flow-down provisions in each subcontract, in addition to a statement that the terms of this Agreement will prevail if they conflict with the subcontract terms.
- Submit a draft of each *Subcontract* required to conduct the work under this Agreement.
- Submit a final copy of each executed subcontract.
- Notify and receive written approval from the CAM prior to adding any new subcontractors (see the discussion of subcontractor additions in the terms and conditions).

Products:

- Draft subcontracts
- Final subcontracts

Exhibit A Scope of Work

IV. TECHNICAL TASKS

*Products that require a draft version are indicated by marking “(draft and final)” after the product name in the “Products” section of the task/subtask. If “(draft and final)” does not appear after the product name, only a final version of the product is required. **Subtask 1.1 (Products)** describes the procedure for submitting products to the CAM.*

TASK 2: SYSTEM DESIGN AND ENGINEERING, PROCUREMENT, AND PLANS, CERTIFICATION, AND PERMITTING

The goal of this task is to complete the project’s system design, establish a procurement list, and complete all final planning, certification, and permitting documentation.

The Recipient shall:

- Complete all system design and engineering
 - This will include limited engineering and design for system appurtenances and interconnection to the existing power system
- Prepare the following documents:
 - Technical Documentation
 - Manuals for Construction
 - Test Plans for Construction
- Prepare an Emergency Response and Emergency Action Plan required by Senate Bill 38 (Laird, Chapter 377, Statutes of 2023) for battery energy storage facilities, including:
 - Emergency Response and Emergency Action Plan in compliance with Senate Bill 38, including but not limited to **MM-HAZ-2, MM-HAZ-8, MM HAZ-10, MM HAZ-11, and Condition FIRE 080 – Fire.1(13)**
 - Hazard Mitigation Analysis required in **Condition FIRE 060 – Fire.2**
 - Written approval of the Emergency Response and Emergency Action Plan by the local agency authorizing official
- Provide the following products to the CAM:
 - *Plans, Certifications and Permit(s) upon request by the CAM*
 - *Technical Documentation*
 - *Manuals for Construction*
 - *Test Plans for Construction*
 - *Emergency Response and Emergency Action Plan*
 - *Hazard Mitigation Analysis*
 - *Offsite Consequence Analysis*

Products:

- Plans, Certifications and Permit(s), as requested
- Technical Documentation
- Manuals for Construction
- Test Plans for Construction
- Emergency Response and Emergency Action Plan
- Hazard Mitigation Analysis
- Offsite Consequence Analysis

TASK 3: LONG-LEAD TIME AND MAJOR EQUIPMENT PROCUREMENT

The goal of this task is to procure long-lead time and major equipment for the battery energy storage system (BESS).

Exhibit A Scope of Work

The Recipient shall:

- Initiate long-lead time equipment procurement process.
- *Issue procurement order for transformers.*
- Issue procurement order for 75 MW of 4-hour battery energy storage system containers with integrated alternating current output.
- Prepare a CPR Report in accordance with subtask 1.3 (CPR Meetings)
- Participate in a CPR meeting.
- Provide the following products to the CAM:
 - *Long Lead-Time Equipment Procurement Plan Report*
 - *Transformer Procurement Report*
 - *Battery Container Procurement Report*
 - *Transformer Delivery Report*
 - *Battery Container Delivery Report*

Products:

- CPR Report
- Long Lead-Time Equipment Procurement Plan Report
- Transformer Procurement Report
- Battery Container Procurement Report
- Transformer Delivery Report
- Battery Container Delivery Report

TASK 4: CONSTRUCTION REQUEST FOR PROPOSALS

The goal of this task is to select a vendor to construct the BESS.

The Recipient shall:

- Conduct internal procurement process to prepare a request for proposals.
- Issue a public request for proposals to select a construction vendor.
- Execute a contract with a construction vendor.
- Provide the following product to the CAM:
 - *Construction request for proposals*

Product:

- Construction Request for Proposals (draft and final)

TASK 5: PROJECT CONSTRUCTION

The goal of this task is to construct the battery energy storage system.

The Recipient shall:

- Construct, install, and commission a 75 MW/300 MWh portion of a new battery energy storage system, including:
 - Civil and electrical construction
 - Large equipment and transformer pads
 - California Independent System Operator (CAISO) metering and telemetry installation
 - Equipment delivery and installation
 - Crane off-loading
 - Equipment anchoring

Exhibit A Scope of Work

- Low-voltage conduit and cable installation
- Medium-voltage terminations and testing
- Energy management system controller installation and wiring
- Arc flash signage
- Commissioning
- Reviews and final checklist
- Provide the following products to the CAM:
 - *Pre-Construction Interim Report*
 - *Pre-Construction Final Report*
 - *Site Construction Interim Report*
 - *Site Construction Final Report*

Products:

- Pre-Construction Interim Report
- Pre-Construction Final Report
- Site Construction Interim Report
- Site Construction Final Report

TASK 6: SYSTEM INTERCONNECTION AND COMMERCIAL OPERATION

The goal of this task is to complete system interconnection and begin commercial operation.

The Recipient shall:

- Conduct CAISO New Resource Implementation Application and Processing Buckets 1-3:
 - Full network model and forecast preparation
 - Regulatory contracts and model testing
 - Market preparation
- Conduct CAISO New Resource Implementation Application and Processing Buckets 4-6:
 - Trial operations approval
 - Trial operations
 - Commercial operation
 - CAISO Commercial Operation Certificate issuance prior to declaring commercial operation date
- Complete interconnection and market pre-commissioning
- Complete market commissioning
- Declare commercial operation date
- Provide the following products to the CAM:
 - *Interconnection and Market Pre-Commissioning Report*
 - *Commercial Operation Report*
 - *Copy of CAISO Commercial Operation Certificate*

Products:

- Interconnection and Market Pre-Commissioning Report
- Commercial Operation Report
- Copy of CAISO Commercial Operation Certificate

TASK 7: ANNUAL MEASUREMENT AND VERIFICATION REPORTING

The goal of this task is to measure and verify five (5) years of performance of a 75 MW/300 MWh portion of the battery energy storage system.

The Recipient shall:

Exhibit A Scope of Work

- Develop a *Measurement and Verification Plan* for approval by the CAM. The Measurement and Verification Plan must include, but is not limited to, a plan to provide measurement data and performance reports on the following:
 - Availability of the incremental capacity of 75 MW of the battery energy storage system during extreme events for a term of five years from the commercial online date of the battery energy storage system.
 - Availability of the incremental capacity of 75 MW of the battery energy storage system on a day-ahead and real-time basis to the host California Balancing Authority for economic and exceptional dispatch, consistent with the applicable requirements and operational capabilities of the battery energy storage system.
 - Charging of the battery energy storage system during the day when the greenhouse gas intensity of grid electricity is low and discharge during peak reliability hours (4 p.m. – 10 p.m.)
- Provide measurement and verification data and performance reports according to a measurement verification plan approved by the CAM.

Products:

- Measurement and Verification Plan (draft and final)
- Measurement and Verification Report 1 (draft and final)
- Measurement and Verification Report 2 (draft and final)
- Measurement and Verification Report 3 (draft and final)
- Measurement and Verification Report 4 (draft and final)
- Measurement and Verification Report 5 (draft and final)

TASK 8: EVALUATION OF PROJECT BENEFITS

The goal of this task is to report the benefits resulting from this project, including greenhouse gas emission reductions and other benefits as specified by the CAM.

The Recipient shall:

- Complete the *Initial Project Benefits Questionnaire*. The Initial Project Benefits Questionnaire shall be initially completed by the Recipient with 'Kick-off' selected for the 'Relevant data collection period' and submitted to the CAM for review and approval.
- Complete the *Annual Survey* by December 15th of each year.
- Complete the *Final Project Benefits Questionnaire*. The Final Project Benefits Questionnaire shall be completed by the Recipient with 'Final' selected for the 'Relevant data collection period' and submitted to the CAM for review and approval.
- Respond to CAM questions regarding the questionnaire drafts.

Products:

- Initial Project Benefits Questionnaire
- Annual Survey
- Final Project Benefits Questionnaire

TASK 9: PROJECT FACT SHEET

The goal of this task is to develop an initial and final project fact sheet that describes the CEC-funded project and the benefits resulting from the project for the public and key decision makers.

The Recipient shall:

Exhibit A Scope of Work

- Prepare an *Initial Project Fact Sheet* at start of the project that describes the project and the expected benefits. Use the format provided by the CAM.
- Prepare a *Final Project Fact Sheet* at the project's conclusion that describes the project, the actual benefits resulting from the project, and lessons learned from implementing the project. Use the format provided by the CAM.
- Provide at least (6) six *High Quality Digital Photographs* (minimum resolution of 1300x500 pixels in landscape ratio) of pre and post technology installation at the project sites or related project photographs.

Products:

- Initial Project Fact Sheet (draft and final)
- Final Project Fact Sheet (draft and final)
- High Quality Digital Photographs

V. PROJECT SCHEDULE

Please see the attached Excel spreadsheet.

Attachments:

Attachment 1: Project Schedule

Attachment 2 Mitigation Monitoring and Reporting Program, as Adjusted for the Proposed BESS Component

MEMORANDUM

TO: Commissioners

FROM: Brett Fooks, Manager, Safety & Reliability Branch, Siting, Transmission, & Environmental Protection

SUBJECT: California Environmental Quality Act (CEQA) Analysis for SE US Development, LLC Athos Renewable Energy Project in the County of Riverside (DBA-25-002)

DATE: August 22, 2025

Summary

On the notice for the Business Meeting scheduled for October 8, 2025, the staff of the California Energy Commission (CEC staff) are proposing agreement DBA-25-002 (Agreement) with SE US Development, LLC Energy (Applicant) for the Athos Renewable Energy Project (Athos Project) in Riverside County. The Applicant applied for funding from the California Energy Commission (CEC) under GFO-23-401 and the Distributed Electricity Backup Assets (DEBA) Program. The DEBA funding will enable the Applicant to purchase, install, and report performance of a four-hour lithium-ion battery energy storage system (BESS, or BESS Project) on the Athos Project site.¹

The Applicant's DEBA proposal described a 75 megawatt (MW) / 300 megawatt hour (MWh) system co-located at the existing solar photovoltaic generating facility at the Athos Project site. The application was recommended for funding by CEC staff on April 22, 2024. Since the notice of proposed award was announced, the Applicant has applied for approval from the County to construct and operate a larger 402.3 MW / 1609 MWh BESS Project at the Athos Project site, including the 75 MW BESS system described in its grant proposal to the CEC.

¹ The DEBA application calls the project proposed for funding "Athos Storage B." However, for purposes of CEQA, the "project" including the whole of the project analyzed in this memo is entitled Athos Renewable Energy Project. For that reason, the project herein will be referred to as the Athos Renewable Energy Project, or simply Athos Project.

The proposed DEBA funding is a discretionary decision by the CEC under the California Environmental Quality Act (CEQA).² The Athos Project was initially approved by the County of Riverside as the Lead Agency in 2019, along with a Final Environmental Impact Report (2019 Final EIR) and Mitigation Monitoring and Reporting Plan (MMRP). There is new information about the BESS Project currently proposed by the Applicant that was not known or considered in the 2019 FEIR. Thus, the Planning Department of the County prepared an Addendum to discuss the new information and determined that there are no new significant impacts, given the applicable mitigation measures from the 2019 FEIR and additional conditions applied to the BESS Project in the County's recent approvals. In considering the funding proposal for a portion of the BESS Project, the CEC acts as a Responsible Agency under CEQA.³ Even though the application for DEBA funding only described a 75 MW BESS, the CEC must consider the whole of the 402.3 MW BESS Project to avoid piecemealing the analysis of potential environmental impacts.⁴ This memo contains staff's analysis and recommended findings for the CEC to consider adopting if it approves the DEBA funding for the BESS Project.

Project Description and Local Approvals

The 402.3 MW BESS Project (comprising approximately 31 acres) would consist of up to 3,000 prefabricated lithium-ion battery enclosures, the associated power conversion system, underground electrical interconnections, and supporting infrastructure. Each battery enclosure would measure approximately 25 feet in length, approximately 6 feet in width, and up to approximately 9.5 feet in height and would be equipped with integrated fire protection and thermal management systems. Construction is anticipated to occur in three phases over a total of 15 months. Phases 1, 2, and 3 would involve up to 25, 50, and 20 construction personnel, respectively. Operation and maintenance (O&M) of the BESS would be integrated into the existing O&M program for the overall Athos Project, which is performed by approximately 9 employees. At the conclusion of the operational life, the solar facility including the BESS, and generation tie-line, would be decommissioned and dismantled. The site would then be restored to its pre-development condition or to a condition deemed appropriate under prevailing County policy at the time of decommissioning.

This memo discusses the environmental impacts of the BESS Project partially funded by the proposed DEBA award. The Athos Project including solar generation and energy storage was considered in 2019 by the County of Riverside Planning Department (County) as the

² Cal. Code Regs., title 14, § 15352(b).

³ Cal. Code Regs., title 14, § 15096(h).

⁴ Cal. Code Regs., title 14, §15378(a).

lead agency under the California Environmental Quality Act (CEQA) in a Final Environmental Impact Report (2019 Final EIR), and approved by the County in Conditional Use Permit #180001 in June 2019. The 2019 Final EIR contained significant detail about the construction and operation of the solar generation facility. Less detail was provided about the energy storage component, given the conceptual nature of either battery or flywheel storage options. As part of the approval, the County adopted a Mitigation Monitoring and Reporting Plan (MMRP).

On April 25, 2025, the County approved Substantial Conformance No. 1 to the Conditional Use Permit to permit the development of the BESS. On September 15, 2025, the County approved Substantial Conformance No. 2 to the Conditional Use Permit, rendering its first Substantial Conformance No. 1 obsolete, since No. 2 includes all conditions listed in No. 1 plus additional conditions pursuant to CEC request.

In September 2025, the County prepared an Addendum to the Final EIR to evaluate whether the environmental impacts of the proposed BESS were adequately covered by and within the scope of the Final EIR (see Attachment A). The Addendum includes additional information about the engineering, technical specifications, and potential risks of the BESS which were not known in 2019. The Addendum concluded that the proposed BESS remains within the scope of the Final EIR and does not require subsequent action under CEQA. The County concluded that the mitigation measures outlined in the Final EIR remain applicable to the proposed BESS.

On September 15, 2025, the County approved Substantial Conformance No. 2 to the Conditional Use Permit to permit the development of the BESS with enforceable conditions in addition to the 2019 mitigation measures specific to the BESS given the new information about the BESS that was not known in 2019. In addition to the mitigation measures described in the Final EIR, the County has imposed additional conditions of approval on the Athos Project to further ensure that impacts remain less-than-significant. Attachment B of this memo contains the Mitigation Monitoring and Reporting Program as Adjusted for the Proposed BESS Component (2025 Updated MMRP) (see Attachment B), which is a complete list of mitigation measures and conditions of approval for the Athos Project; these measures and conditions are applicable to the BESS and are enforceable by the County, as discussed below.

The discretionary decision by the CEC to provide funding for the BESS under the proposed Agreement makes the CEC a Responsible Agency under CEQA. This analysis includes staff's recommendations for the CEC's findings as a responsible agency should the CEC decide to approve the Agreement.

Record and Documentation related to the BESS Project and Agreement

CEC Solicitation and SE US Development, LLC's, Application

On December 7, 2023, the CEC released competitive solicitation GFO-23-401 for grant funds for Bulk Grid Assets Enhancements for Grid Reliability for the purchase and installation of (1) efficiency upgrades and (2) capacity additions to existing bulk grid power generators in California that will serve as emergency supply for the state's electrical grid during extreme events. The solicitation proposed a total of \$150 million from DEBA funds for qualifying projects.⁵

On February 20, 2024, SE US Development, LLC (Applicant) submitted an application for \$25,000,000 in funding under GFO-23-401 for the proposed BESS at the Athos Project site, specifically to deploy a BESS system, including a 75 MW / 300 MWh capacity Li-ion BESS plus relevant auxiliaries, and associated controls, engineering, and design. In the Application, the Applicant affirmed that the Riverside County Planning Department would serve as the lead agency under CEQA and that the County prepared an Environmental Impact Report/Conditional Use Permit (EIR/CUP) in 2019 to ensure CEQA compliance for the Athos Project.

On April 22, 2024, the CEC staff recommended the Applicant's application for \$25 million in funding, contingent upon the approval of the Agreement at a publicly noticed CEC business meeting and execution of a grant agreement.

County's CEQA Process and CEC's Review and Comment

On May 14, 2018, the County posted to CEQANet⁶ a Notice of Preparation to prepare an EIR, and the Athos Project was assigned a state clearinghouse number SCH # 2018051021. The Draft EIR was published on March 8, 2019, and the 45-day comment period ran from March 9, 2019, to April 24, 2019. The Final EIR was posted to CEQANet in May 2019. At the time, the CEC had no role in approving any aspect of the Athos Project, and did not know about the potential funding for a BESS. It was not foreseeable that the CEC would be a Responsible Agency, and therefore did not comment on the EIR.

⁵ The entire solicitation and the CEC staff's notice of proposed awards can be accessed at: <https://www.energy.ca.gov/solicitations/2023-12/gfo-23-401-bulk-grid-asset-enhancements-grid-reliability>.

⁶ CEQANet is the online searchable database of the State Clearinghouse (SCH) within the California Office of Land Use and Climate Innovation and can be viewed at <https://ceqanet.opr.ca.gov/>.

In June 2019, the County Board of Supervisors adopted the Final EIR and made Findings including a Statement of Overriding Considerations for significant and unavoidable impacts related to aesthetics (i.e., to the visual character of the area) and cultural resources (i.e., visual intrusions to the Prehistoric Trails Network Cultural Landscape/Historic District).⁷

On April 25, 2025, the County staff approved Substantial Conformance No. 1 to the Conditional Use Permit. In September 2025, the County staff prepared an Addendum to the EIR to address new significant information pertaining to the BESS (see Attachment A). On September 15, 2025, the County staff approved Substantial Conformance No. 2 to the Conditional Use Permit. The County has provided CEC with the 2025 Updated MMRP (see Attachment B). The 2025 Updated MMRP is a single document that includes the mitigation measures from the 2019 Final EIR and the County's new conditions of approval in Substantial Conformance No. 1 and Substantial Conformance No. 2. The CEC has reviewed the Addendum, the 2025 Updated MMRP, Substantial Conformance No. 1, and Substantial Conformance No. 2. The County consulted with the CEC staff on several of these documents, and the 2025 Updated MMRP reflects requests by CEC staff to include enforceable conditions of approval that require compliance with Senate Bill 38 (Laird, 2023) and address potentially hazardous conditions, fire risk, and other impacts to workers and public health and safety, among other provisions to comply with current laws, ordinances, rules, and standards (LORS) applicable to the BESS project.

The CEC's Independent Judgment as a Responsible Agency

The CEC has noticed an agenda for a Business Meeting on October 8, 2025, and CEC staff has proposed that the CEC approve DEBA Agreement DBA-25-002 with the Applicant to provide \$25 million to partially fund the BESS. Because the decision to award funding for the construction and operation of the BESS is a discretionary decision within the meaning of CEQA, the agenda also proposes CEQA findings for the CEC to adopt as a responsible agency. The findings must reflect the CEC's independent judgment.

The proposed Agreement will provide partial funding for the Applicant to construct and operate the BESS, subject to mitigation measures and other conditions enforceable by the County to ensure that any potential impacts from the BESS are lessened to a level below

⁷ All documents posted to CEQANet by the County and commenters regarding the Athos Project can be viewed at: <https://ceqanet.opr.ca.gov/2024080720>.

significant, except for the preexisting unmitigated impacts to Visual and Cultural Resources.

To prepare the proposed Agreement for the CEC's consideration, the CEC staff has reviewed and considered the entirety of the record for the BESS. As documented above, this includes independent review of:

- The Application submitted by the Department in response to GFO-23-401,
- The County's CEQA documents and other documents relevant to the Athos Project including:
 - The 2019 Final EIR & MMRP
 - The 2019 Findings and Statement of Overriding Conditions by the County
 - The County staff's September 2025 Addendum to the Final EIR
 - The County staff's Substantial Conformance No. 1, updated in its Substantial Conformance No. 2 to the Conditional Use Permit, which includes the County's Conditions of Approval
 - The County's Mitigation Monitoring and Reporting Program as Adjusted for the Proposed BESS Component.

The construction, operation, and other activities described in the scope of work of the proposed Agreement fall within the activities evaluated by the County's CEQA documents and conditions of approval identified above. The scope of work of the proposed Agreement has no conflicts of information with the County's Final EIR, Addendum, and MMRP and Additional Conditions of Approval for the Proposed BESS. Further, the scope of work of the proposed Agreement requires the County to provide CEC staff a schedule for all the conditions or mitigation required to obtain or comply with the CUP, including but not limited to plans or testing required by the conditions or mitigation in the MMRP and CUP, and also to provide copies of the plans or testing to the CEC staff upon request.

Based on its independent review, analysis and judgement, the CEC staff offers the following for the CEC's consideration:

Aesthetics

The Final EIR found that the Athos Project site is located on undeveloped land vegetated with desert scrub, and that public views of the Athos Project site are confined to viewers on nearby roads.

The Final EIR found that Athos Project construction activities and associated industrial character could cause short-term aesthetic effects resulting from increased visual contrast, but that implementation of Mitigation Measure (MM) BIO-5 (Vegetation Resources

Management Plan) will reduce the impact during construction to a less-than-significant level.

The Final EIR found that operation of the Athos Project could substantially degrade the existing visual character or quality of public views of the site and its surroundings, but that implementation of MM AES-2 (Surface Treatment of Project Structures and Buildings) and AES-3 (Project Design) will reduce the impact to a less-than-significant level.

The Final EIR found that the Athos Project could create a new source of substantial light or glare which would adversely affect day or nighttime views in the area, but that implementation of MM AES-1 (Night Lighting Management Plan), MM AES-2, and MM AES-4 (Retention of Roadside Vegetation) will reduce the impact to a less-than-significant level.

The Final EIR found that the Athos Project could result in the creation of an aesthetically offensive site open to public view, but that implementation of MM AES-1 will reduce the impact to a less-than-significant level.

The Final EIR found that the Athos Project could expose residential property to unacceptable light levels, but that implementation of MM AES-1 will reduce the impact to a less-than-significant level.

The Final EIR found that the Athos Project could result in an inconsistency with regulatory plans, policies, and standards applicable to the protection of aesthetics, but that implementation of MM AES-1, AES-2, and AES-4 will reduce the impact to a less-than-significant level.

The Final EIR found that the industrial character of the Athos Project (and its eventual decommissioning) would cause short term and long-term aesthetic effects resulting from increased visual contrast. The Athos Project (including the BESS) would create visually discordant structural features and an industrial character that would significantly impact the views in limited areas adjacent to SR-177, even with incorporation of feasible mitigation measures. In addition, the proposed BESS would be decommissioned at the end of its useful life, which would involve the removal of above-ground and buried infrastructure, grading, and site restoration. Despite revegetation of the temporarily disturbed areas (with implementation of MM BIO-5), the long-term visual impacts associated with decommissioning would remain significant and unavoidable. Finally, the proposed BESS would make a considerable contribution to long-term cumulative aesthetic impacts for sensitive viewing populations along I-10 and SR-177, from nearby residences, and in the surrounding mountains and wilderness. Implementation of MM AES-1, MM AQ-1 (Fugitive Dust Control Plan) and MM BIO-5 will reduce these impacts, but not to a less-than-significant level.

Even with implementation of proposed mitigation, the County found that the Athos Project's impact on aesthetics because of Athos Project decommissioning will remain significant and unavoidable. Specifically, the Final EIR concluded that the Athos Project's visible contrast associated with visually discordant structural features and industrial character would substantially degrade the existing visual character or quality of the site and its surroundings. In addition, the Final EIR concluded that the Athos Project, in combination with 15 local energy projects, would make a considerable contribution (even with mitigation incorporated) to significant cumulative visual impacts when viewed by sensitive viewing populations along I-10 and SR-177, from nearby residences and in the surrounding mountains and wilderness. These cumulative impacts would result from the introduction of substantial visual contrast associated with discordant geometric patterns in the landscape; large-scale, built facilities with prominent industrial character; unnatural lines of demarcation in the valley floor landscape; inconsistent color contrasts; and visible night lighting within the broader Chuckwalla Valley. For many travelers along I-10, the scenic experience would be substantially degraded due to the perceived "industrialization" of the landscape. Other impacts on aesthetics will be less than significant with mitigation.

The Addendum discussed the new design and engineering information related to the BESS and found that the BESS would not result in new significant impacts nor a substantial increase in severity of direct or cumulative impacts than those disclosed in the Final EIR. The Addendum concluded that the BESS would result in significant and unavoidable direct and cumulative aesthetic impacts consistent with those described in the Final EIR.

Staff's independent review and recommended findings are that the benefits of the proposed BESS would outweigh the significant and unavoidable visual impacts of the proposed BESS. Specifically, the BESS would assist California in achieving its renewable energy generation goals. Additionally, the construction of the BESS is anticipated to result in up to 50 local construction jobs.

Staff also concludes that the other significant impacts of the BESS would be less than significant with implementation of the mitigation measures and conditions of approval listed in the updated MMRP.

Agriculture and Forest Resources

The Final EIR found that there are no forest lands, timberlands, or any Timberland Production zones in the City; no designated Prime Farmland, Unique Farmland, or Farmland of Statewide Importance; or lands in Williamson Act contract within the Athos Project site. The Final EIR found that the Athos Project is located on and adjacent to land designated for agricultural use by the County. The Final EIR found that impacts on

agricultural land from construction, operation, and decommissioning of the solar facility would be less than significant. The Final EIR found that there would be no impact on Forest Resources.

The Addendum discussed the new design and engineering information related to the BESS and found that the impacts of the proposed BESS on agricultural resources would remain less than significant, and that there would be no impact on Forest Resources.

Air Quality

The Final EIR found that the Athos project would result in less-than-significant impacts to air quality with implementation of mitigation measures. The Final EIR concluded that (1) the Athos Project would be consistent with the applicable Air Quality Management Plan; construction-related criteria air pollutant emissions would be reduced below South Coast Air Quality Management District (SCAQMD) thresholds with implementation measures; (3) operational-phase criteria air pollutant emissions would not exceed SCAQMD thresholds; (4) toxic air contaminant (TAC) emissions during Athos Project construction would not exceed SCAQMD health risk thresholds; (5) the Athos Project would not expose sensitive receptors to substantial concentrations of localized criteria air pollutant emissions, Valley Fever fungal spores, or dust; and (6) the Athos Project would not generate odors or other emissions affecting a substantial number of people. The Final EIR also determined the solar facility (including the BESS) would not result in a cumulatively considerable contribution to cumulative air quality impacts that occur as a result of the cumulative projects in the aggregate.

The Final EIR concluded that implementation of air quality mitigation measures listed in the Final EIR would reduce all impacts of the Athos Project on air quality to a less-than-significant level.

The Addendum discussed the new design and engineering information related to the BESS and found that the impacts of the BESS on air quality will remain less than significant with mitigation. The Addendum concluded that maximum daily criteria air pollutant emissions during construction of the BESS would be lower than those estimated in the Final EIR for the overall solar facility and that implementation of the mitigation measures identified in the Final EIR (i.e., MMs AQ 1-4) would continue to be required for the BESS to reduce impacts to a less-than-significant level.

Staff's independent review and recommended findings are that the proposed BESS would result in less-than-significant impacts with mitigation on air quality.

Biological Resources

The Final EIR found that with the implementation of mitigation measures, the Athos Project's impacts to biological resources would be reduced to a less than significant level.

The Final EIR found that the Athos Project will cause substantial adverse effects on rare, threatened, endangered, or other special-status wildlife and plant species either directly or through habitat modification or will substantially reduce the number or restrict the range of an endangered, rare, or threatened species. However, with implementation of mitigation measures, the impact will be less than significant with mitigation.

The Final EIR found that the Athos Project would cause substantial adverse effects on riparian habitat and the sensitive natural community desert dry wash woodland identified in local or regional plans, policies, or regulations or by CDFW or USFWS. However, with implementation of MM BIO-1, MM BIO-2, MM BIO-3, MM BIO-4, MM BIO-5, and MM BIO-6, the impact will be less than significant with mitigation.

The Final EIR found that the Athos Project will cause substantial adverse effects on State-protected jurisdictional waters found along the ephemeral washes and adjacent desert dry wash woodland on the Athos Project site. However, with implementation of MM BIO-1, MM BIO-2, MM BIO-3, MM BIO-4, MM BIO-5, MM BIO-6, and MM BIO-15 (Streambed and Watershed Protection), the impact will be less than significant with mitigation.

The Final EIR found that the Athos Project will interfere substantially with the movement of fish or wildlife, wildlife corridors, or impede the use of native wildlife nursery sites both at the solar facility and along the gen-tie lines. However, with implementation of MM BIO-1, MM BIO-2, MM BIO-3, MM BIO-4, MM BIO-5, MM BIO-6, MM BIO-8, MM BIO-9, MM BIO-10, MM BIO-11, MM BIO-12, MM BIO-13, and MM BIO-14, the impacts will be less than significant with mitigation.

The Final EIR found that the solar facility and gen-tie or underground connector lines will impact biological resources protected by the General Plan provisions, including special-status plants and animals, sensitive habitats, and waters of the State. However, with implementation of MM BIO-1, MM BIO-2, MM BIO-3, MM BIO-4, MM BIO-5, MM BIO-6, MM BIO-8, MM BIO-9, MM BIO-10, MM BIO-11, MM BIO-12, MM BIO-13, MM BIO-14, and MM BIO-15, the impacts will be less than significant with mitigation.

The Final EIR found that the Athos Project will reduce the habitat of a wildlife species and cause mortality or injury of wildlife species. However, the Athos Project will not substantially reduce the habitat of a wildlife species, cause a wildlife population to drop below self-sustaining levels, or threaten to eliminate a plant or animal community. Implementation of MM BIO-1, MM BIO-2, MM BIO-3, MM BIO-4, MM BIO-5, MM BIO-6, MM BIO-8, MM BIO-9, MM BIO-10, MM BIO-11, MM BIO-12, MM BIO-13, MM BIO-14, and MM

BIO-15 will minimize adverse effects such that the impacts will be less than significant with mitigation.

With implementation of these mitigation measures, the Final EIR concluded that the proposed Athos Project will have a less-than-significant impact on biological resources with mitigation incorporated.

The Addendum discussed the new design and engineering information related to the BESS and found that the impacts of the BESS on biological resources will remain less than significant with mitigation. Specifically, the Addendum concluded that impacts to natural habitats, Emory's crucifixion thorn, desert tortoise, desert kit fox, American badger, burrowing owl, and native birds and bats would be reduced to a less-than-significant level with implementation of Mitigation Measures BIO-1 through BIO-14. Impacts to desert dry wash woodland would be less-than-significant level with implementation of Mitigation Measures BIO-1 through BIO-6. Impacts to State-protected jurisdictional waters found along the ephemeral washes and within the desert dry wash woodlands would be less-than-significant level with implementation of Mitigation Measures BIO-1 through BIO-6 and BIO-15. Any potential interruptions of wildlife movement routes would be less-than-significant with implementation of Mitigation Measures BIO-1 through BIO-6 and BIO-8 through BIO-14. Impacts to special-status species, sensitive habitats, and waters of the State that are protected by Riverside County General Plan provisions would be less-than-significant with implementation of Mitigation Measures BIO-1 through BIO-6 and BIO-8 through BIO-15.

Staff's independent review and recommended findings are that the impacts of the proposed BESS on biological resources would be less than significant with implementation of the mitigation measures listed in the updated MMRP.

Cultural Resources and Tribal Cultural Resources

The Final EIR found that there are four resources that could be directly affected by the Athos Project at the project site that are considered historical resources for purposes of CEQA. In addition, six World War II-era archaeological sites are potentially subject to direct effects; these are not eligible for the California Register of Historical Resources (CRHR), but they are contributors to the Desert Training Center Cultural Landscape/Historic District (DTCCCL). Further, there are three sensitive archaeological resources present in the indirect effects study area. All these resources are eligible for the CRHR and are contributors to the Prehistoric Trails Network Cultural Landscape/Historic District (PTNCL).

The Final EIR found that the Athos Project will alter or destroy an historical site or archaeological site or cause adverse change in significance of historical resource as

defined in California Code of Regulations, Section 15064.5. The Athos Project will alter or destroy the four historic resources and the six WWII-era contributors to the DTCCL. However, implementation of the mitigation measures in the updated MMRP will reduce the impacts these resources to less than significant with mitigation.

The three sensitive prehistoric archaeological resources associated with the PTNCL that would be significantly affected include the prehistoric site CA-RIV-1515, North Chuckwalla Petroglyph National Register District (CA-RIV-1383), and Coco-Maricopa Trail (CA-RIV-53T) segments (c) and (d). The Athos Project would add more industrial components to the Chuckwalla Valley, and this would contribute to a visual intrusion upon the setting of the PTNCL. This visual intrusion compromises the integrity of the resource and would be a significant and unavoidable impact, even with implementation of MM CUL-12.

The Final EIR found that the Athos Project will cause an adverse change in significance of a unique archaeological resource pursuant to California Code of Regulations, Section 15064.5. While no unique archaeological resources have been identified to date, should any be discovered, implementation of MM CUL-1 through MM CUL-13 and MM AES-1 through MM AES-4 will reduce the impact to less than significant with mitigation.

The Final EIR found that the Athos Project could disturb any human remains including those interred outside of formal cemeteries. While no human remains have been identified to date, should any be discovered, implementation of MM CUL-1 through MM CUL-9, MM CUL-12, and MM AES-1 through MM AES-4 will reduce the impact to less than significant with mitigation.

The Final EIR found that the Athos Project could affect existing religious or sacred uses within the potential impact area. While no religious or sacred resources have been identified to date, should any be discovered, implementation of MM CUL-1 through MM CUL-9, MM CUL-12, and MM AES-1 through MM AES-4 will reduce the impact to less than significant with mitigation.

The Final EIR found that the Athos Project could cause adverse change in the significance of a Tribal Cultural Resource determined by the Lead Agency. While no tribal cultural resources have been identified to date, should any be discovered, implementation of MM CUL-1 through MM CUL-9, MM CUL-12, and MM AES-1 through MM AES-4 will reduce the impact to less than significant with mitigation.

The Final EIR found that the Athos Project could cause adverse change in the significance of a Tribal Cultural Resource eligible for or listed on the CRHR or in a local register of historical resources as defined in Public Resources Code section 5020.1(k). While no tribal cultural resources have been identified to date, should any be discovered, implementation

of MM CUL-1 through MM CUL-9, MM CUL-12, and MM AES-1 through MM AES-4 will reduce the impacts to less than significant with mitigation.

The Addendum discussed the new design and engineering information related to the BESS and found that the cumulative impact on cultural and tribal cultural resources from the BESS will remain unmitigated even with the 2019 mitigation implemented. The proposed BESS would be located within a distant viewshed of the North Chuckwalla Petroglyph National Register District, Coco-Maricopa Trail, and CA-RIV-1515, all of which are identified as sensitive archaeological resources and contributors to the Prehistoric Trails Network Cultural Landscape. The addition of industrial-scale infrastructure in the Chuckwalla Valley, including the proposed BESS, would result in visual intrusions that affect the setting of the Prehistoric Trails Network Cultural Landscape and compromise this landscape's integrity. Mitigation Measure CUL-12 (Prehistoric Trails Summary Report) was completed in January 2023 to document and contextualize these resources and reduce the severity of the contribution of the Athos Project to these impacts. Nevertheless, as described in the Final EIR, the Athos Project's contribution to this cumulative impact related to visual intrusion on the Prehistoric Trails Network Cultural Landscape would remain cumulatively considerable even with mitigation incorporated and therefore significant and unavoidable.

Staff's independent review and recommended findings are that the benefits of the proposed BESS outweigh the significant and unavoidable impacts to cultural resources. Specifically, the BESS would assist California in achieving its renewable energy generation goals. Staff also concludes that the other significant impacts of the BESS would be less than significant with implementation of the mitigation measures listed in the updated MMRP.

Geology and Soils

The Final EIR found that with implementation of mitigation measures, the Athos Project's potential impacts related to geology and soils would be reduced to less than significant.

The Athos Project site is not located within an identified potential fault rupture zone. However, the Athos Project site is in a seismically active area that would be subject to ground shaking, like much of Southern California. Liquefaction, landslide, lateral spreading, expansive soils, and other geologic instability is low risk. The Project would use an existing septic system that is permitted by the Riverside County Department of Environmental Health Services for the solar facility, and none is required for the gen-tie lines. While the solar facility is underlain by sand and gravel which could potentially be used as a saleable mineral, these resources will become available again after Athos

Project decommissioning. Therefore, the Final EIR found that impacts related to these conditions will be less than significant.

The Final EIR found that the Athos Project will change topography or ground surface or result in an increase in deposition, siltation, or wind and water erosion which could result in substantial soil erosion or loss of topsoil. However, with implementation of MM AQ-1, MM HWQ-1 and MM HWQ-4, the impacts will be less than significant with mitigation.

With implementation of these mitigation measures, the Final EIR concluded that the Athos Project will have a less-than-significant impact on geology and soils with mitigation incorporated.

The Addendum discussed the new design and engineering information related to the BESS and found that the proposed BESS would not result in any new significant impact nor substantial increase in severity of impacts than those disclosed in the Final EIR. Therefore, the Addendum concludes that the impacts of the BESS on geological and soils resources will remain less than significant with mitigation.

Staff's independent review and recommended findings are that the proposed BESS would result in less-than-significant impacts to geology and soils resources with mitigation incorporated.

Greenhouse Gases

The Final EIR found that the Athos Project would result in less than significant impacts related to Greenhouse Gas (GHG) issues. The GHG emissions generated from construction activities will be finite and occur for a relatively short-term period. Operational GHG emissions for the proposed Athos Project would be minimal since there would not be substantial additional vehicle trips associated with the monitoring and maintenance of the proposed facility. Additionally, the Athos Project itself will result in reductions in GHG emissions relative to the existing conditions by facilitating reduced power production by natural gas-fired units operating in the baseline. The proposed Agreement will not have any impact on greenhouse gases and will not change the impacts identified in the County's Final EIR.

The Addendum discussed the new design and engineering information related to the BESS and found that the BESS would not result in any significant impacts nor substantially more severe impacts than those disclosed in the Final EIR. Therefore, no mitigation measures are required.

Staff's independent review and recommended findings are that the proposed BESS would result in less-than-significant impacts related to greenhouse gas emissions.

Hazards and Hazardous Materials

The Final EIR found that with implementation of mitigation measures, the Athos Project's impacts related to hazards and hazardous materials would be less than significant.

The Final EIR found that the Athos Project will create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials. However, with implementation of MM HAZ-1 (Soil Investigation), MM HAZ-2 (Worker Environmental Awareness Program), MM HAZ-3 (UXO Identification, Training, and Reporting Plan), and MM HAZ-4 (Pre-demolition Surveys and Appropriate Hazardous Materials Removal), the impact will be less than significant with mitigation.

The Final EIR found that the Athos Project will create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment. The Addendum agreed with this analysis. The Addendum also considered impacts from thermal runaway, cascading cell failures, and the release of flammable gases. Compliance with the national standard NFPA 855, California state standards, and Riverside County PLUS Conditions of Approval for Fire Code Compliance, including compliance with all applicable code requirements of Section 1207 of the 2022 California Fire Code will minimize risk of fire due to thermal runaway, cascading cell failures, and the release of flammable gases. Further, with implementation of MM HAZ-2, the impact will be less than significant with mitigation.

The Final EIR found that the Athos Project will be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would create a significant hazard to the public or the environment. Although the Athos Project area was not identified specifically on the California Department of Toxic Substances and Control (DTSC) database, the Phase I Environmental Site Assessment (Phase I ESA) prepared for the Athos Project identified a number of potentially toxic substances located on the site that could result in impacts to workers, nearby residents or visitors. However, with implementation of MM HAZ-1, MM HAZ-2, MM HAZ 3, and MM HAZ-4, the impact will be less than significant with mitigation.

The Final EIR found that the Athos Project will result in less than significant impacts with mitigation related to impairment of the implementation of or physical interference with an adopted emergency response plan or emergency evacuation plan during both the construction and operations periods. The Final EIR concluded that with implementation of MM HAZ-2 and MM HAZ-6, the impact would be less than significant with mitigation.

The Final EIR found that the Athos Project will expose people or structures, either directly or indirectly, to a significant risk of loss, injury, or death involving wildland fires. While two of

the three proposed BESS facilities are not located in close vicinity of sensitive receptors, BESS Area 1N would be located approximately 200-300 feet southeast of the Green Acres Mobile Park (along SR-177). However, with implementation of MM HAZ-2, the Final EIR concluded that the impact would be less than significant with mitigation.

The Addendum concluded that the proposed BESS would not result in any new or substantially more severe significant impacts than those disclosed in the Final EIR. The mitigation measures proposed in the Final EIR apply to the BESS, and the Addendum included the following additional measures “to further reduce the less-than-significant impacts and ensure the enforceability of current best management practices and industry standards:” MM HAZ-5, MM HAZ-6, MM HAZ-7, MM HAZ-8, MM HAZ-9, MM HAZ-10, MM HAZ-11, MM HAZ-12, MM HAZ-13, and MM HAZ-14. These additional measures in the Addendum pertain to reducing impacts from fire. Additionally, the County imposed numerous conditions of approval in its Substantial Conformance No. 2, and these conditions of approval are included in the updated MMRP.

A new measure in the Addendum (i.e., MM HAZ-5) requires the preparation of a Fire Management and Prevention Plan. This Plan would include measures to safeguard human life, prevent personnel injury, preserve property, and minimize downtime due to fire or explosion. Specific focus would be given to fire-safe construction, reduction of ignition sources, control of fuel sources, availability of water, and proper maintenance of firefighting system. The plan would be subject to review and approval by the County Fire Department.

A new measure in the Addendum (i.e., MM HAZ-6) requires the Project owner, in accordance with the County’s conditions of approval, to complete a Hazard Mitigation Analysis to identify any required fire protection water supply and/or fire water storage tanks required for fire protection.

A new measure in the Addendum (i.e., MM HAZ-7) requires that, in accordance with the County’s conditions of approval, a fire inspection be conducted by the County Fire Department and/or Fire Marshall prior to the BESS being placed on site.

A new measure in the Addendum (i.e., MM HAZ-8) requires that, in accordance with the County’s conditions of approval, an Emergency Operations Plan be prepared for the BESS. This plan must include procedures to respond to emergency situations, including fire.

A new measure in the Addendum (i.e., MM HAZ-9) requires compliance with all applicable fire safety standards, including the current California Fire Code (CFC), which governs the code requirements to minimize the risk of fire and life safety hazards specific to BESS used for load shedding, load sharing and other grid services. The County’s conditions of

approval require compliance with NFPA 855, Underwriters Laboratory (UL) 9540, UL 9540A, UL 1973, and UL 1741. Prior to energization, the BESS will be subject to inspection and approval by the County Fire Department and/or Fire Marshal.

A new measure in the Addendum (i.e., MM HAZ-10) requires the Project owner to submit a copy of the Project Construction Safety and Health Program, which must specify plans and programs to reduce risk of personal safety and health during the construction period, including but not limited to a Fire Management and Prevention Plan.

A new measure in the Addendum (i.e., MM HAZ-11) requires the Project owner to submit a copy of the Project Operations and Maintenance Safety and Health Program, which must specify plans and programs to reduce risk of personal safety and health during the operations and maintenance period, including but not limited to a Fire Prevention Plan and a Fire Protection System Impairment Program.

A new measure in the Addendum (i.e., MM HAZ-12) requires the Project owner to adhere to all applicable provisions of the latest version of NFPA 855: Standard for the Installation of Stationary Energy Storage Systems, as the minimum level of safety for the BESS. In any situation where both NFPA 855 and the state or local laws, ordinances, regulations, and standards have application, the more restrictive will apply. The Project owner must provide all system specifications and design drawings to the County for review and comment during the plan check/building permit process.

A new measure in the Addendum (i.e., MM HAZ-13) requires the Project owner to comply with specifications for the BESS facility, including but not limited to providing fire lanes wide enough to allow for fire engine access, providing at least two gates into the BESS facility wide enough to allow for fire engine access; placing water storage tanks at each BESS area that meet volume requirements specified by applicable codes and the County; installing closed-circuit television cameras, with pan, tilt, and zoom and low-light capability that cover the entire area of the BESS; and implementing the final provisions of CPUC GO 167-C.

Staff's independent review and findings are that with implementation of the mitigation measures in the updated MMRP and additional conditions of approval recommended by the CEC in the CUP incorporated and enforced by the County, the BESS will have a less-than-significant impact on hazards and hazardous materials.

Hydrology and Water Quality

The Final EIR found that the Athos Project will result in impacts that are less than significant with mitigation related to hydrology and water quality.

The Final EIR determined the solar facility (including the proposed BESS) would result in less-than-significant impacts to hydrology and water quality with mitigation incorporated because (1) the Athos Project avoids mass grading and limits the introduction of new impervious surfaces, thereby minimizing changes to natural drainage patterns; (2) groundwater use during construction, O&M, and decommissioning would be minimal relative to the safe yield of the Chuckwalla Valley Groundwater Basin and mitigation measures would be implemented to protect against potential overdraft; and (3) mitigation measures would be implemented to effectively control erosion, sedimentation, flood risk, and water quality degradation. The Final EIR also determined the solar facility would not result in a cumulatively considerable contribution to cumulative impacts to hydrology and water quality that could occur as a result of the cumulative projects in the aggregate.

In addition, the existing septic system will continue to be reused. Although a renewed use of the permitted septic system is not expected to result in substantial degradation of the groundwater underlying the Athos Project site, MM HWQ-2 (Septic System Rehabilitation) will allow the County to ensure that it is in line with County and EPA regulations and protective of water quality. The impact will be less than significant with mitigation.

The Final EIR found that the Athos Project will substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the Athos Project may impede sustainable groundwater management of the basin. While it is unlikely that Project-related use of groundwater could affect the adjacent Palo Verde Mesa Groundwater Basin (PVMGB) by inducing flows from the Colorado River into that basin, because uncertainty regarding an induced flow from the Colorado River, MM HWQ-3 (Mitigation of Impacts to the Palo Verde Mesa (PVMGB) Groundwater Basin) will reduce the impact to less than significant with mitigation.

The Final EIR found that the Athos Project will substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would result in substantial erosion or siltation on- or off-site. The mechanisms that could result in this alteration are grading, grubbing, leveling, trenching, roadbed compacting, increased impervious ground cover, and placement of fences and structures in drainage areas. MM HWQ-1 will reduce the risk of erosion-related impacts. However, implementation of MM HWQ-1 will reduce the impact to less than significant with mitigation.

The Final EIR found that the Athos Project will substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site. Although

minimal alteration of drainage patterns is expected. MM HWQ-1 will reduce the risk of erosion-related impacts, and MM HWQ-4 will reduce the risk of changes in drainage. Implementation of MM HWQ-1 and HWQ-4 will reduce the impact to less than significant with mitigation.

The Final EIR found that the Athos Project will substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff. The solar facility could increase runoff potential, but a large increase is not anticipated due to the small amount of new impervious areas and compacted roadways. However, implementation of MM HWQ-1 and MM HWQ-4 will reduce the impact to less than significant with mitigation.

The Final EIR found that the Athos Project will substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would impede or redirect flood flows. The perimeter fencing could become clogged with debris and earthen berms could be overtopped or breached. Much of the solar facility area will be subject to flooding with depths up to 6 feet. However, implementation of MM HWQ-1, MM HWQ-4, and MM HWQ-5 (Flood Protection) will reduce the impact to less than significant with mitigation.

With implementation of these mitigation measures, the Final EIR concluded that the Athos Project will have a less-than-significant impact on hydrology and water quality with mitigation incorporated.

The Addendum discussed the new design and engineering information related to the BESS and found that the BESS would not result in any new or substantially more severe significant impacts to hydrology and water quality. Construction and decommissioning activities could result in soil erosion and degraded water quality through increased turbidity and sediment deposition into local streams. During O&M, the BESS will operate as a closed system with no discharges, and routine maintenance would be integrated into the solar facility's existing O&M activities. Implementation of Mitigation Measure HWQ-1 will continue to be required for the proposed BESS component to reduce impacts related to surface water quality to a less-than-significant level with mitigation incorporated.

A new septic system was installed during construction of the solar facility to support its operational need, and the proposed BESS component would not modify this system.

Implementation of Mitigation Measure HWQ-2 will continue to be required for the proposed BESS component to reduce impacts related to groundwater quality to less than significant with mitigation incorporated, as described in the Final EIR.

The proposed BESS component will not increase impervious surfaces beyond those analyzed in the Final EIR and will not require water during O&M beyond incidental use for maintenance and therefore would not interfere substantially with groundwater management. Implementation of Mitigation Measure HWQ-3 will continue to be required for the proposed BESS component to reduce impacts related to groundwater supplies and recharge to less than significant with mitigation incorporated, as described in the Final EIR.

Similarly, as noted above, the proposed BESS component will not increase impervious surfaces beyond those analyzed in the Final EIR. While the introduction of impervious surfaces could incrementally increase the rate and frequency of runoff, thereby elevating erosion potential, the overall increase in impervious area would be minor and within the increase analyzed in the Final EIR. Implementation of Mitigation Measure HWQ-1 will continue to be required for the proposed BESS component to reduce impacts related to water quality and soil resources to less than significant with mitigation incorporated, as described in the Final EIR.

Similarly, as noted above, the proposed BESS component will not increase impervious surfaces beyond those analyzed in the Final EIR. While the introduction of impervious surfaces could increase the magnitude and frequency of runoff rates through the addition of impervious surfaces and alteration of ground surface characteristics through grading and vegetation removal. However, as described in the Final EIR, the increase in runoff is expected to be minimal. Implementation of Mitigation Measure HWQ-1 and Mitigation Measure HWQ-4 will continue to be required for the proposed BESS component to reduce impacts related to flooding and flood conveyance discharge to less than significant with mitigation incorporated, as described in the Final EIR.

Fencing installed around the proposed BESS component could also redirect flood flows if not properly designed. Security fencing is already in place around two of the three BESS sites (Sites 2 and 3); therefore, additional fencing required for the BESS component would be limited to Site 1, and such fencing was analyzed in the Final EIR. Implementation of Mitigation Measures HWQ-4 (Project Drainage Plan) and HWQ-5 (Flood Protection) would continue to be required for the Project, including the proposed BESS component, to reduce impacts related to flood flows to a less-than-significant level with mitigation incorporated, as described in the Final EIR.

Staff's independent review and recommended findings are that the proposed BESS would not result in significant impacts to hydrology and water quality with implementation of the mitigation measures listed in the updated MMRP.

Land Use and Planning

The Final EIR found that the Athos Project will not result in impacts relating to land use and planning. The Athos Project will be subject to the Riverside County General Plan, Desert Center Area Plan, California Desert Conservation Area Plan as Amended, and the County Ordinances. Hence, no mitigation measures are required.

The Addendum discussed the new design and engineering information related to the BESS and found that the BESS would have no impact on land use and planning.

Staff's independent review and recommended findings are that the proposed BESS would have no impact on land use and planning.

Noise

The Final EIR found the Athos Project would have less than significant impacts on noise with implementation of mitigation measures. The Athos Project would have temporary increases in ambient noise levels during construction and operation but would remain within established noise limits. With implementation of the mitigation measures in the Final EIR, the proposed Agreement will not have any significant impact on noise and will not change the impacts identified in the County's CEQA documents.

The Addendum discussed the new design and engineering information related to the BESS and found that impacts of the BESS on noise will remain less than significant with mitigation incorporated. The Addendum states that, as described in the Final EIR, construction and decommissioning of the solar facility would result in a temporary increase in ambient noise levels in the Athos Project site vicinity. Construction and decommissioning related noise would be variable and intermittent, depending on the specific activities occurring on a given day, and would attenuate with distance from the source. The highest noise levels would result from the use of impact pile drivers, with maximum intermittent noise levels reaching up to 94 dBA at 50 feet. Other construction activities, excluding pile driving, would generate noise levels up to 84 dBA at the same distance. Because similar types of activities and equipment would be utilized during construction and decommissioning of the proposed BESS as compared to those evaluated in the Final EIR for the solar facility, construction-phase noise levels would be similar to those analyzed in the Final EIR. In addition, the closest residence to the three BESS sites is located approximately 200 feet from BESS Site 2. This distance is greater than the distance to the nearest sensitive receptor for the overall Athos Project as identified in the Final EIR,

which evaluated impacts to the nearest residence less than 100 feet from the Athos Project site.

The Addendum states that, as indicated in the Final EIR, the thermal management air handling units (AHUs) and power conversion systems (PCSs) would be the primary sources of noise associated with the proposed BESS. When operating at maximum capacity, the AHUs would generate a noise level of less than 75 dBA at a distance of one meter, which equates to approximately 65 dBA at 10 feet. This noise level is lower than the noise level of 81 dBA at 10 feet that was assumed in the Final EIR for air conditioning units associated with the BESS. The noise generated for the PCS would be less than 60 dB at a distance of one meter, which equates to approximately 40 dBA at 10 meters. This noise level is also lower than the noise level of 66 dBA at 10 meters that was assumed in the Final EIR for the PCS associated with the BESS.

The Addendum states that the battery enclosures themselves would continue to be operationally silent, as assumed in the Final EIR. In addition, no additional permanent staff would be required for O&M of the BESS beyond those already employed at the Athos Project site to operate the solar facility. As such, the proposed BESS would not increase O&M-related traffic (and its associated noise levels) beyond what was estimated in the Final EIR for the existing solar facility. Additional sources of noise generated during O&M of the BESS would include the use of vehicles for vegetation treatment, and movement of equipment and personnel within the BESS sites. These activities would generate intermittent noise that would not generate adverse off-site noise impacts, as concluded in the Final EIR. Therefore, noise levels generated by O&M of the proposed BESS would be within the scope of what was previously analyzed in the Final EIR.

Staff's independent review and recommended findings are that the proposed BESS would result in less-than-significant impacts on noise with implementation of the mitigation measures listed in the updated MMRP.

Paleontological Resources

The Final EIR determined the solar facility (including the proposed BESS) would result in less-than-significant impacts to paleontological resources with mitigation incorporated because (1) the probability of encountering paleontological resources at the surface is low but the probability increases substantially as depth below ground surface increases; (2) Athos Project construction would introduce the presence of larger numbers of people in the Athos Project site vicinity who may engage in unauthorized collection of fossils and other paleontological resources; and (3) mitigation would reduce potentially significant impacts through retention of a qualified Project Paleontologist, paleontological monitoring

during ground-disturbing activities in areas of high sensitivity, paleontological awareness training for all construction personnel, and implementation of procedures to address unanticipated discoveries. The Final EIR also determined the solar facility would not result in a cumulatively considerable contribution to cumulative impacts to paleontological resources that could occur as a result of the cumulative projects in the aggregate.

With implementation of these mitigation measures, the Final EIR concluded that the Athos Project will have a less-than-significant impact on paleontological resources with mitigation incorporated.

The Addendum discussed the new design and engineering information related to the BESS and found that the BESS impact on paleontological resources will remain less than significant. The Addendum concluded that, based on the new information pertaining to the BESS, the BESS would not result in any new significant impacts nor substantially more severe significant impacts than those disclosed in the Final EIR.

Staff's independent review and recommended findings are that the proposed BESS would result in less-than-significant impacts with implementation of the mitigation measures in the updated MMRP.

Population and Housing

The Final EIR found that the Athos Project could induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure). However, based on the most recent unemployment rates, it is anticipated that most construction, operation, and maintenance workforce would come from the existing labor pool in nearby communities in Riverside or San Bernardino Counties. Therefore, the Athos Project's demand for additional housing from construction, operation, and decommissioning will not trigger the need for new housing and will not induce substantial permanent growth to the regional population levels. The impact is less than significant.

The Addendum discussed the new design and engineering information related to the BESS and found that the BESS impact on population and housing resources will remain less than significant with mitigation. The Addendum concluded that, based on the new information pertaining to the proposed BESS, the BESS would not result in any new or substantially more severe significant impacts to population and housing.

Staff's independent review and recommended findings are that the proposed BESS would result in less-than-significant impacts to population and housing with implementation of the mitigation measures identified in the Final EIR.

Public Services and Utilities

The Final EIR determined the solar facility would result in less-than-significant impacts to public services and utilities because (1) the Athos Project would not induce substantial population growth that would require new or expanded public facilities; (2) the Athos Project would not require connection to public sewer systems, natural gas infrastructure, or off-site utility expansions beyond those included in the Athos Project itself; and (3) solid waste, water use, and emergency service needs associated with the Athos Project would be minimal and adequately served by existing regional capacity and service providers. The Final EIR also determined the solar facility would not result in a cumulatively considerable contribution to cumulative impacts to public service and utilities that could occur as a result of the cumulative projects in the aggregate. The Addendum concluded that the proposed BESS would not result in any new or any substantially more severe impacts to public services and utilities than those disclosed in the Final EIR. However, the Addendum included additional mitigation measures outlined under Hazards?Hazardous.Materials? and.Wildfire.further reduce the less-than-significant impacts to fire protection services and ensure the enforceability of current best management practices and industry standards. With adherence to these conditions of approval, the Addendum concluded that the proposed BESS will have a less than significant impact on public services and utilities.

Staff's independent review and recommended findings are that the proposed BESS will not result in any significant impacts to public services and utilities with implementation of the mitigation measures proposed in the Addendum and the updated MMRP.

Recreation

The Final EIR found the Athos Project will have a less-than-significant impact on recreation. While the Athos Project will result in construction noise, fugitive dust, vehicle movement, and nighttime lighting that will affect nearby users of recreational facilities, the Athos Project will not increase the use of other regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated. The impact is less than significant.

The Addendum discussed the new design and engineering information related to the BESS and found that the BESS would not result in any new significant impacts nor substantially more severe significant impacts on recreational resources.

Staff's independent review and recommended findings are that the proposed BESS would result in less-than-significant impacts on recreation.

Traffic and Transportation

The Final EIR found that the Athos Project's impacts on transportation will be less than significant with mitigation. Operations and maintenance will not increase construction-related traffic or conflict with Riverside County's Congestion Management Program performance standards. The impacts will be less than significant.

The Final EIR found that the Athos Project will result in an increase in short-term construction-related vehicle and truck trips, which would in turn conflict with Riverside County's Congestion Management Program performance standards. However, with implementation of MM TRA-1 (Construction Traffic Control Plan), the impacts will be less than significant with mitigation.

The Final EIR found that, depending on FAA review, the Athos Project could result in potential hazard to air navigation. The FAA will identify if any Athos Project features pose aviation hazards and recommend any safety devices that may be required and whether any tower heights would be restricted. With implementation of MM TRA-2 (Comply with FAA 7460-1 Determination Recommendations), the impact will be less than significant with mitigation.

The Final EIR found that the Athos Project will increase transportation hazards or damage roads in the Athos Project area. Increased construction traffic and the movement of heavy trucks and equipment on roadways providing access to Athos Project work areas could damage and deteriorate roads. However, implementation of MM TRA-1 and TRA-3 (Repair Roadways and Transportation Facilities Damaged by Construction Activities) will reduce the impact to less than significant with mitigation.

The Final EIR found that Athos Project activities will cause a temporary disruption to emergency response access or vehicle movement. However, with implementation of the MM TRA-1 (Construction Traffic Control Plan) and adherence to the following conditions of approval, the impact would be less than significant with mitigation.

With implementation of this mitigation and these conditions of approval, the impact related to emergency response access will be reduced to less than significant with mitigation.

With implementation of the mitigation measures proposed in the Final EIR, the Final EIR concluded that the Athos Project will have a less-than-significant impact on traffic and transportation with mitigation incorporated.

The Addendum discussed the new design and engineering information related to the BESS and found that the BESS would not result in any new significant impacts nor substantially more severe significant impacts on transportation. Therefore, no additional mitigation measures were proposed in the Addendum.

Staff's independent review and recommended findings are that the proposed BESS would result in less-than-significant impacts to transportation with implementation of the mitigation measures listed in the updated MMRP.

Energy

The Final EIR determined the solar facility (which includes the BESS) would result in less-than-significant impacts to energy resources because (1) energy use during construction would be minimized through BMPs and mitigation measures that reduce equipment idling, encourage carpooling, and manage construction activity efficiently; and (2) operational energy use would be minimal and offset by the generation of up to 500 MW of renewable energy, thereby reducing reliance on fossil fuels. The Final EIR also determined the solar facility would result in a beneficial contribution to cumulative impacts to energy resources by directly supporting federal, state, and local plans for renewable energy development that could occur as a result of the cumulative projects in the aggregate. The Addendum discussed the new design and engineering information related to the BESS and found that the BESS would not result in any new significant impacts nor substantially more severe significant impacts related to energy. Therefore, no mitigation measures were proposed in the Addendum. Staff's independent review and recommended findings are that the proposed BESS will result in less-than-significant impacts to energy.

Conclusion

In summary, prior to the CEC reaching a decision on the Agreement, the CEC staff provides this memo for the CEC to consider the environmental effects of the 402.3MW BESS Project at the Athos Renewable Energy Project approved by the County in CUP #180001, Substantial Conformance #1 as updated by Substantial Conformance #2, and proposed for DEBA funding. On the basis of the whole record developed by the County, the CEC staff finds that, with the County's implementation and enforcement of all mitigation measures in the updated MMRP, including the conditions of the CUP #180001 and Substantial Conformance #2, the proposed BESS Project will result in significant and unavoidable impacts to aesthetics and cultural resources, even with implementation of mitigation measures included in the updated MMRP. Despite these significant and unavoidable impacts, CEC staff recommends that CEC approve the BESS and include in its findings a Statement of Overriding Considerations for these impacts because the benefits of the proposed BESS Project associated with assisting California in achieving its renewable energy generation goals and local green energy jobs outweigh the direct and cumulative impacts to the visual and cultural resources. The CEC staff further recommends that the CEC find that this conclusion reflects its independent judgment and analysis as a responsible agency under CEQA.



**CALIFORNIA
ENERGY COMMISSION**



**CALIFORNIA
NATURAL
RESOURCES
AGENCY**

**California Energy Commission
October 8, 2025, Business Meeting
Backup Materials for SE US Development, LLC**

Attachment A: 2025 CEQA Addendum prepared by the County of Riverside staff as Lead Agency



Athos Renewable Energy Project

Addendum to the Environmental Impact Report
SCH #2018051021

prepared by

Riverside County Planning Department

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September 2025

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Appendices

Appendix A Burrowing Owl Survey Report

1 Introduction

This document is an Addendum to the Final Environmental Impact Report (EIR) for IP Athos LLC's Athos Renewable Energy Project¹ (Project; State Clearinghouse [SCH] #2018051021), which was certified by the County of Riverside (County) Board of Supervisors in June 2019. The County subsequently approved the Project's Conditional Use Permit (CUP No. 180001), Public Use Permit (PUP), variance, and tentative parcel map, also in June 2019. The certified Final EIR consists of responses to public and agency comments received on the Draft EIR and the text of the Draft EIR (as revised in response to public and agency comments) and is supported by an accompanying Mitigation Monitoring and Reporting Program (MMRP).

The Final EIR evaluated construction and operation of a 500-megawatt (MW) solar facility, including a battery or flywheel storage system capable of storing up to 500 MW of electricity, on 3,440 acres of land near the community of Desert Center in unincorporated Riverside County as well as an approximately 11-mile, overhead, 220 kilovolt (kV) generation tie (gen-tie) transmission line interconnecting the solar facility to the existing Southern California Edison (SCE) Red Bluff Substation located south of Interstate 10 (I-10) to convey power produced by the Project to the statewide power grid. See Chapter 2, *Background and Project Description*, for further details on the Project. The Project Applicant completed construction of the majority of the solar facility in July 2022, with the exception of the proposed battery energy storage system (BESS) component. The Project Applicant is now proposing to construct a 402.3-MW BESS, as evaluated in the certified Final EIR and permitted under the approved CUP, entirely within the same footprint as previously analyzed in the Final EIR. In April 2025, the County issued a Substantial Conformance Determination, approving the specific location of the proposed 402.3 MW BESS within the existing Project boundaries. The CUP includes enforceable conditions of approval, incorporating mitigation measures outlined in the Final EIR as well as additional requirements developed by the County Development Advisory Committee (see Appendix O of the Athos EIR: Mitigation Monitoring and Reporting Program). The April 2025 Substantial Conformance approval also restates and adds to these conditions to ensure continued compliance (County of Riverside 2019).

In accordance with Section 15164 of the California Environmental Quality Act (CEQA) Guidelines, a lead agency shall prepare an Addendum to a previously certified EIR if some changes or additions are necessary, but none of the conditions described in Section 15162 calling for preparation of a subsequent EIR have occurred. CEQA Guidelines Section 15162(a) states no subsequent EIR shall be prepared for a project with a certified EIR unless the lead agency determines, based on substantial evidence in the light of the whole record, one or more of the following:

1. Substantial changes are proposed in the project that will require major revisions of the previous EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects.
2. Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects.

¹ The name of the Project Owner was subsequently changed to SB Athos LLC after SB Energy acquired the Project from the original developer, Intersect Power.

3. New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete, shows any of the following:
 - A. The project will have one or more significant effects not discussed in the previous EIR.
 - B. Significant effects previously examined will be substantially more severe than shown in the previous EIR.
 - C. Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative.
 - D. Mitigation measures or alternatives that are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

CEQA Guidelines Section 15163 indicates that the lead agency may choose to prepare a supplement to an EIR ("supplemental EIR") rather than a subsequent EIR if any of the conditions described in CEQA Guidelines Section 15162 would require the preparation of a subsequent EIR and only minor additions or changes would be necessary to make the previous EIR adequately apply to the project in the changed situation.

The analysis pursuant to CEQA Guidelines Sections 15162 and 15163 demonstrates whether the lead agency can approve the activity as being within the scope of the existing certified EIR, such that an addendum to the existing EIR would be appropriate, and no new environmental document, such as a subsequent or supplemental EIR, would be required.

CEQA Guidelines Section 15164 provides additional guidance for the preparation of an Addendum to a previously certified EIR:

- The lead agency or responsible agency shall prepare an addendum to a previously certified EIR if some changes or additions are necessary but none of the conditions described in Section 15162 calling for preparation of a subsequent EIR have occurred (Section 15164[a]);
- An addendum need not be circulated for public review but can be included in or attached to the certified EIR or adopted negative declaration (Section 15164[c]);
- The decision-making body shall consider the addendum with the certified EIR or adopted negative declaration prior to making a decision on the project (Section 15164[d]); and
- A brief explanation of the decision not to prepare a subsequent EIR pursuant to Section 15162 should be included in an addendum to an EIR, the lead agency's findings on the project, or elsewhere in the record. The explanation must be supported by substantial evidence (Section 15164[e]).

The County has prepared this Addendum in accordance with relevant provisions of CEQA and the CEQA Guidelines to evaluate whether the environmental impacts of the proposed BESS component remain covered by and within the scope of the Final EIR. This Addendum details any changes in the Project, changes in circumstances under which the Project is undertaken, and/or "new information of substantial importance" that may cause one or more new significant effects or substantially more severe significant effects to environmental resources as compared to those disclosed in the Final EIR.

The responses herein substantiate and support the County's determination that the proposed BESS component remains within the scope of the Final EIR certified for IP Athos LLC's Athos Renewable Energy Project, does not require subsequent action under CEQA Guidelines Section 15162, and the Addendum in conjunction with the Final EIR adequately analyzes potential environmental impacts. The mitigation measures outlined in the Final EIR remain applicable to the proposed BESS component, except where they have already been implemented and are no longer needed to reduce impacts, or where they pertain solely to other components of the Project that are unrelated to the proposed BESS component.

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2 Background and Project Description

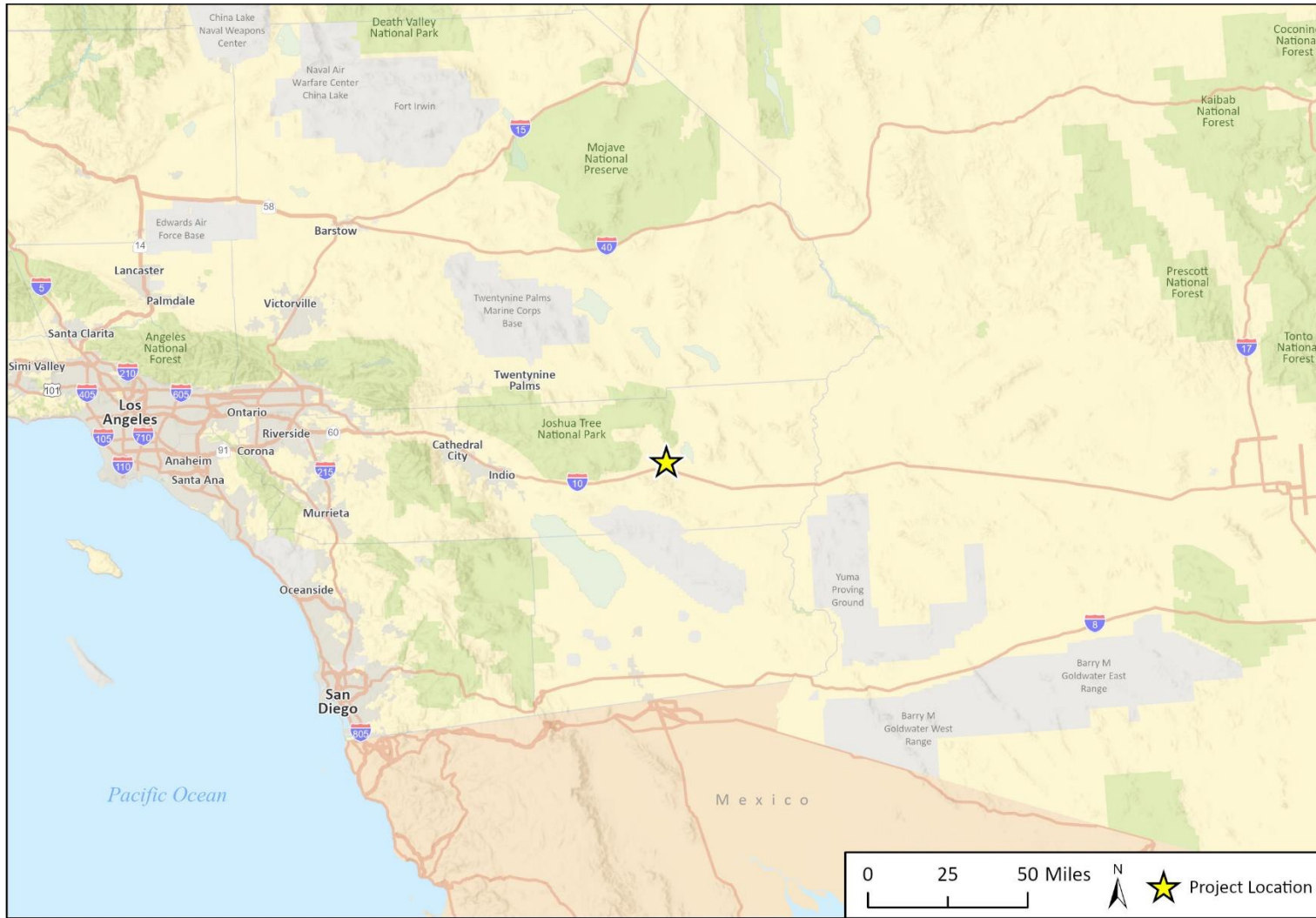
This section provides an overview of the Project evaluated in the Final EIR, including the solar facility and the 220 kV gen-tie transmission line, as well as the BESS component as currently proposed to provide context for evaluating any potential changes in environmental impacts. Because no modifications to the gen-tie line, which has been constructed and is operational, are proposed as part of the BESS component, the gen-tie line is not analyzed in this Addendum.

2.1 Athos Renewable Energy Project – 2019 Final EIR

The Project evaluated in the Final EIR consisted of construction and operation of a utility-scale solar photovoltaic (PV) electrical generating and storage facility and associated infrastructure to generate and deliver renewable electricity to the statewide electricity transmission grid on approximately 3,440 acres across seven groups of non-contiguous parcels near the community of Desert Center in Riverside County. The Project described in the Final EIR consisted of two major components – the solar facility and the 220-kV gen-tie line – which are outlined in the following subsections. The existing Desert Sunlight Solar Project and Desert Harvest Solar Project are located northwest of the Project’s northernmost parcels; the existing Palen Solar Project is located adjacent to the easternmost parcels of the Project; the existing Victory Pass Solar Project and Arica Solar Projects are located directly to the west of the Project. There are several other solar projects and associated gen-ties proposed on private and United States Bureau of Land Management (BLM)-administered lands in the area, including the Sapphire Solar Project and the Easley Solar Project (Conservation Biology Institute 2025).

Figure 1 shows the regional location of the Project site, and Figure 2 shows the layout of the Project as analyzed in the Final EIR. The existing Desert Sunlight Solar Project and Desert Harvest Solar Project are located northwest of the Project site’s northernmost parcels; the existing Palen Solar Project is located adjacent to the easternmost parcels of the Project site; and the existing Victory Pass Solar Project and Arica Solar Projects are located directly to the west of the Project site. There are several other solar projects and associated gen-ties proposed on private and BLM-administered lands in the area, including the Sapphire Solar Project and the Easley Solar Project.

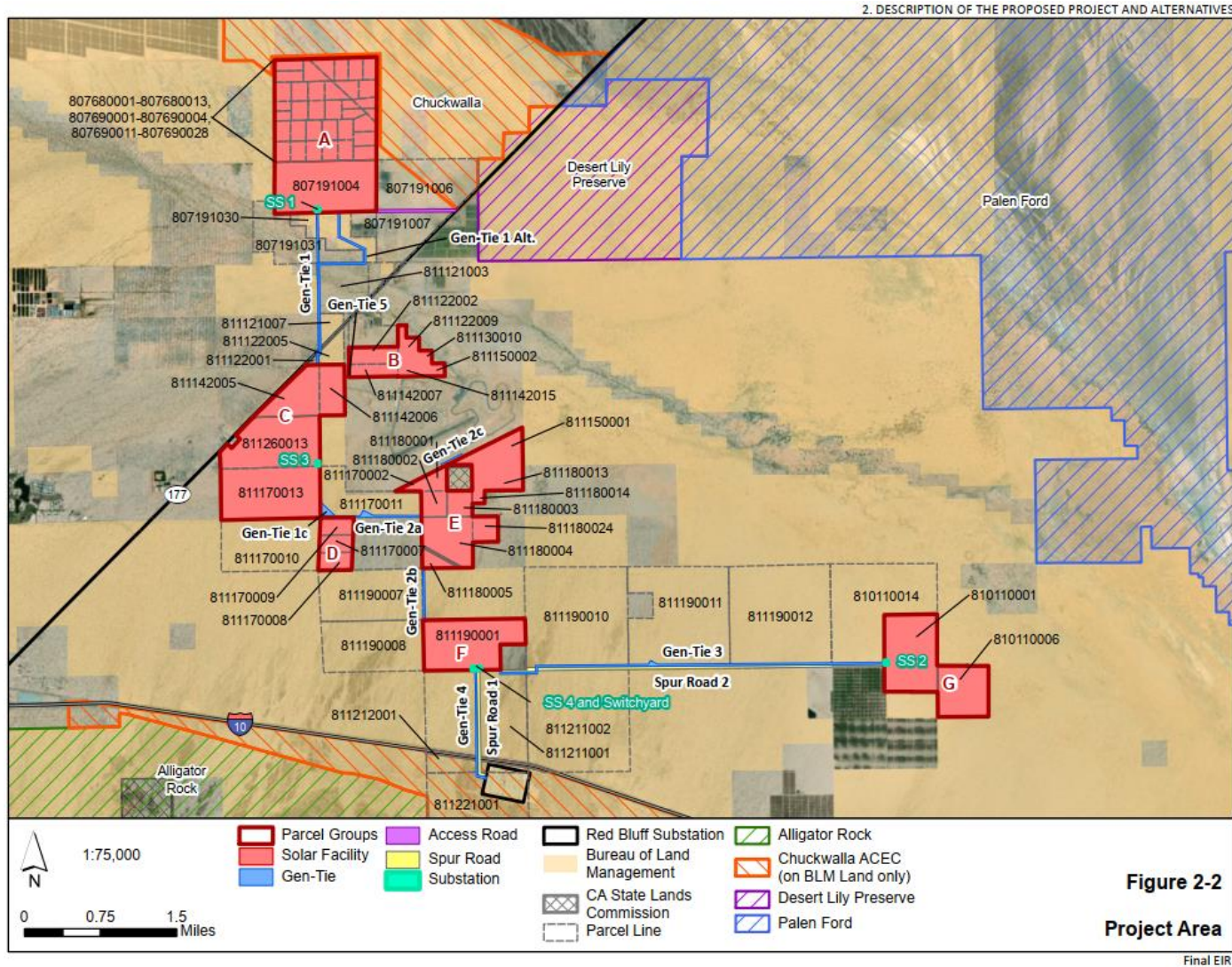
Figure 1 Regional Project Site Location



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Fig 1 Regional Location_Landscape

Figure 2 Athos Renewable Energy Project Evaluated in 2019 Final EIR



Source: County of Riverside 2019

Solar Facility

The Final EIR evaluated construction and operation of a solar facility encompassing 3,224 total acres on private land and consisting of the following:

- Solar array field that utilizes single-axis solar PV trackers.
- Inverters on a concrete pad or steel skid containing up to four inverters, a transformer, a battery enclosure, and a switchboard 8 to 11 feet high.
- System of 34.5 kV interior collection power lines located between inverters and substations, located either underground or installed overhead on wood poles.
- Up to four on-site substations, each approximately 150 feet long by 200 feet wide.
- One operation and maintenance (O&M) building, utilizing an existing house on site or construction of a new building, approximately 3,000 square feet.
- Supervisory Control and Data Acquisition System (SCADA) and telecommunications facilities.
- Meteorological data collection system.
- Battery or flywheel storage system capable of storing up to 500 MW of electricity
- Several interior access roads and a new access road in a disturbed area from Parcel Group A to State Route (SR) 177 (14 acres).
- Site security, controlled access, fencing, and lighting measures.

Construction of a 450-MW solar facility, with the exception of the battery or flywheel storage system (i.e., the BESS), was completed in July 2022, and the solar facility is currently operational. Because the proposed BESS component is the subject of this Addendum, additional detail on this component is provided below.

Battery Energy Storage System

The Final EIR analyzed construction and operation of a battery or flywheel storage system capable of storing up to 500 MW of electricity. The storage system was envisioned to consist of battery or flywheel banks housed in electrical enclosures and buried electrical conduit. The battery system would either be concentrated near the Project substations or dispersed throughout the solar facility sites. The Final EIR evaluated installation of up to 3,000 electrical enclosures measuring approximately 40 feet by 8 feet by 8.5 feet high on concrete foundations designed for secondary containment. The Project could use any commercially available battery technology, including but not limited to lithium ion, lead acid, sodium sulfur and sodium or nickel hydride. The Final EIR indicated battery systems are operationally silent, and flywheel systems would generate a noise level of approximately 45 dBA (A-weighted decibels).

Construction

The Final EIR anticipated construction of the solar facility (including the proposed BESS component) would occur over approximately 30 months with construction activities taking place primarily on weekdays between the hours of 6:00 a.m. and 6:00 p.m. during the months of June through September and between the hours of 7:00 a.m. and 6:00 p.m. during the months of October through May. The anticipated construction workforce was expected to consist of approximately 320 individuals on average, with 530 individuals required during peak construction. The Final EIR anticipated the construction workforce would largely be recruited from within Riverside and San

Bernadino counties. Construction activities for the solar facility were expected to include pre-construction surveys; construction of access roads and security fencing; clearing and construction of a laydown yard; site grading and preparation; construction of the O&M building, parking area, and pad mounts for transformers; installation of temporary power; construction of on-site roads; construction of substations; assembly and installation of panel blocks and wiring; and commissioning of equipment (e.g., testing, equipment calibration, troubleshooting).

Operation and Maintenance

The Final EIR anticipated that once construction was complete and the solar facility was operational, up to 10 permanent staff could be on-site for maintenance and repairs. O&M activities were expected to occur mainly during daytime hours and include panel washing (up to four times per year), security, equipment servicing, road and fence repairs, vegetation/weed/pest management, responding to automatic electronic alerts, and communications with customers, transmission system operators, and other entities involved in facility operations. Routine tasks would use light vehicles and equipment, while heavy machinery would only be utilized occasionally for major repairs. Maintenance would follow manufacturer guidelines, with solar panels expected to last over 30 years and degrade at about 0.5 percent annually. The Final EIR indicated a Fire Management and Prevention Plan would be prepared in coordination with the County Fire Department, BLM Fire, or other emergency response organizations to identify the fire hazards and response scenarios that may be involved with operating the solar facility. In addition, fire safety and suppression measures, such as smoke detectors and extinguishers, would be installed and available at the O&M facility.

Decommissioning

At the end of the Project's operational life, the solar facility would be decommissioned in accordance with a Closure, Decommissioning, and Reclamation Plan that complies with all applicable regulations at the time. Decommissioning would involve the removal of all above-ground equipment, underground cabling, and concrete foundations, with materials recycled or disposed of appropriately. The site would be graded, stabilized, and restored to pre-development conditions or another County-approved use, such as open space or agriculture. Decommissioning activities would be less intensive than construction and would use similar equipment and workforce. Waste would be sorted on-site, and hazardous materials, including any residual battery components, would be managed pursuant to the Project's Hazardous Materials Business Plan.

220-kV Gen-tie Line

The Final EIR evaluated construction and operation of an approximately 11-mile 220-kV gen-tie line across private and BLM-administered land as follows:

- Approximately 3.4 miles of gen-tie lines would be located within the solar facility sites on private land.
- Outside of the solar facility boundaries, approximately 7 miles of gen-tie line would be placed within a 100-foot-wide right-of-way (ROW) on BLM-administered land (96 acres) and 0.75 miles of gen-tie line would be located on private land (15 acres). Additionally, approximately 86 acres of access and spur roads would be constructed or upgraded on BLM-administered land.

Construction of the gen-tie line was completed in July 2021, and the gen-tie line is currently operational. The gen-tie line is located north and south of the I-10 freeway and connects the solar

facility to the existing SCE Red Bluff 500/220 kV Substation to deliver renewable electricity to the statewide electricity transmission grid.

2.2 BESS Component

The Project Applicant is now proposing to construct and operate the BESS component of the solar facility envisioned in the Final EIR. All other components of the Athos Renewable Energy Project would remain the same as those described in the Final EIR. The Project Applicant specifically proposes to construct an approximately 402.3 MW BESS facility, which would be smaller than the 500-MW battery storage system covered by the Final EIR and CUP, entirely within the boundaries of the certified Final EIR and approved CUP. Additional details on the components, construction, operation and maintenance, and decommissioning of the proposed BESS are presented below.

Locations of Proposed BESS

The proposed BESS would be installed in three separate areas within Parcel Groups C and F, as defined in the Final EIR. The BESS sites are comprised of approximately 31 acres, entirely within the boundary of the Project site analyzed in the Final EIR. Of the 31 acres, up to 25 acres would be occupied by the BESS containers, power conversion system (PCS), and roads. The remaining acreage may be used for construction trailers, parking, and laydown areas. If additional area is needed for construction staging, vacant areas within the existing Project fence line would be used. Figure 3 illustrates the three areas where the BESS is proposed for installation in relation to the Project site previously assessed in the Final EIR. BESS Site 1 would be located in the northern portion of the Project site on Assessor's Parcel Number (APN) 811-142-007; BESS Site 2 would be located in the western-central portion of the Project site on APN 811-170-013; and BESS Site 3 would be located in the southern portion of the Project site on APN 811-190-001.

BESS Components

The preliminary site layouts of each of the three BESS sites are shown in Figure 4 through Figure 7. The BESS would consist of up to 850 prefabricated lithium-ion battery enclosures, the associated PCS, underground electrical interconnections, and supporting infrastructure. This number of containers would be well within the amount evaluated in the Final EIR (3,000 enclosures). Each battery enclosure would measure approximately 25 feet in length, approximately 6 feet in width, and up to approximately 9.5 feet in height and would be equipped with integrated fire protection and thermal management systems. The length and width of the proposed battery enclosures would be within the dimensions evaluated in the Final EIR; however, the proposed height would be increased by approximately one foot, as compared to the height of 8.5 feet analyzed in the Final EIR. The one-foot height increase would not affect energy output, emissions, or resource use of the battery enclosures as compared to what was analyzed in the Final EIR. The exterior of the enclosures would be made of steel and white in color to maintain reflectivity. Thermal management air handling units (AHUs) would be side mounted to each enclosure. When operating at maximum capacity, the AHUs would generate noise at less than 75 dBA at a distance of one meter, which equates to approximately 65 dBA at 10 feet. This noise level is lower than the noise level of 81 dBA at 10 feet that was assumed in the Final EIR for the cooling systems associated with the BESS.

Figure 3 Athos Renewable Energy Project Footprint and BESS Sites (Shown Green)

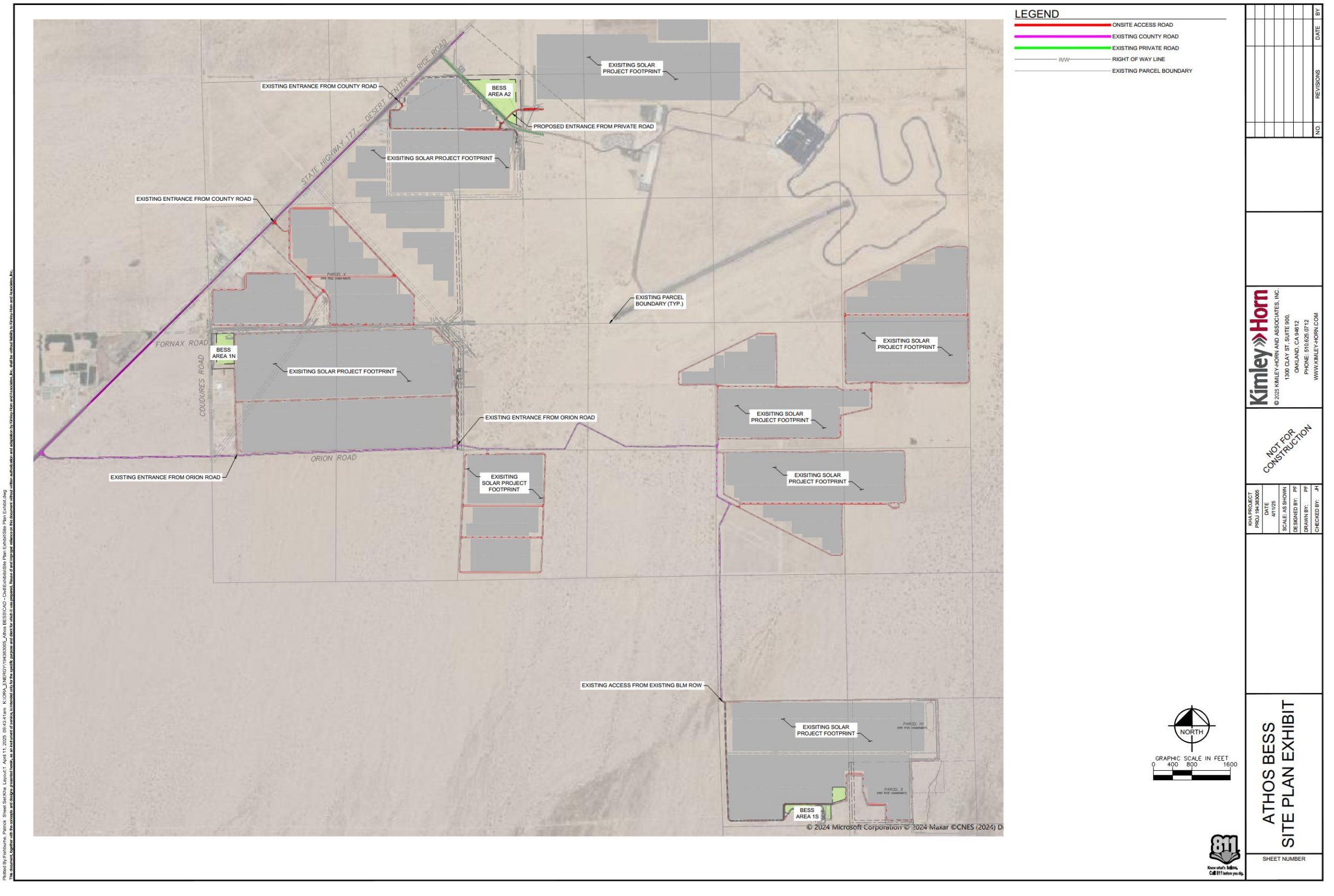


Figure 4 Preliminary Site Layout - BESS Site 1

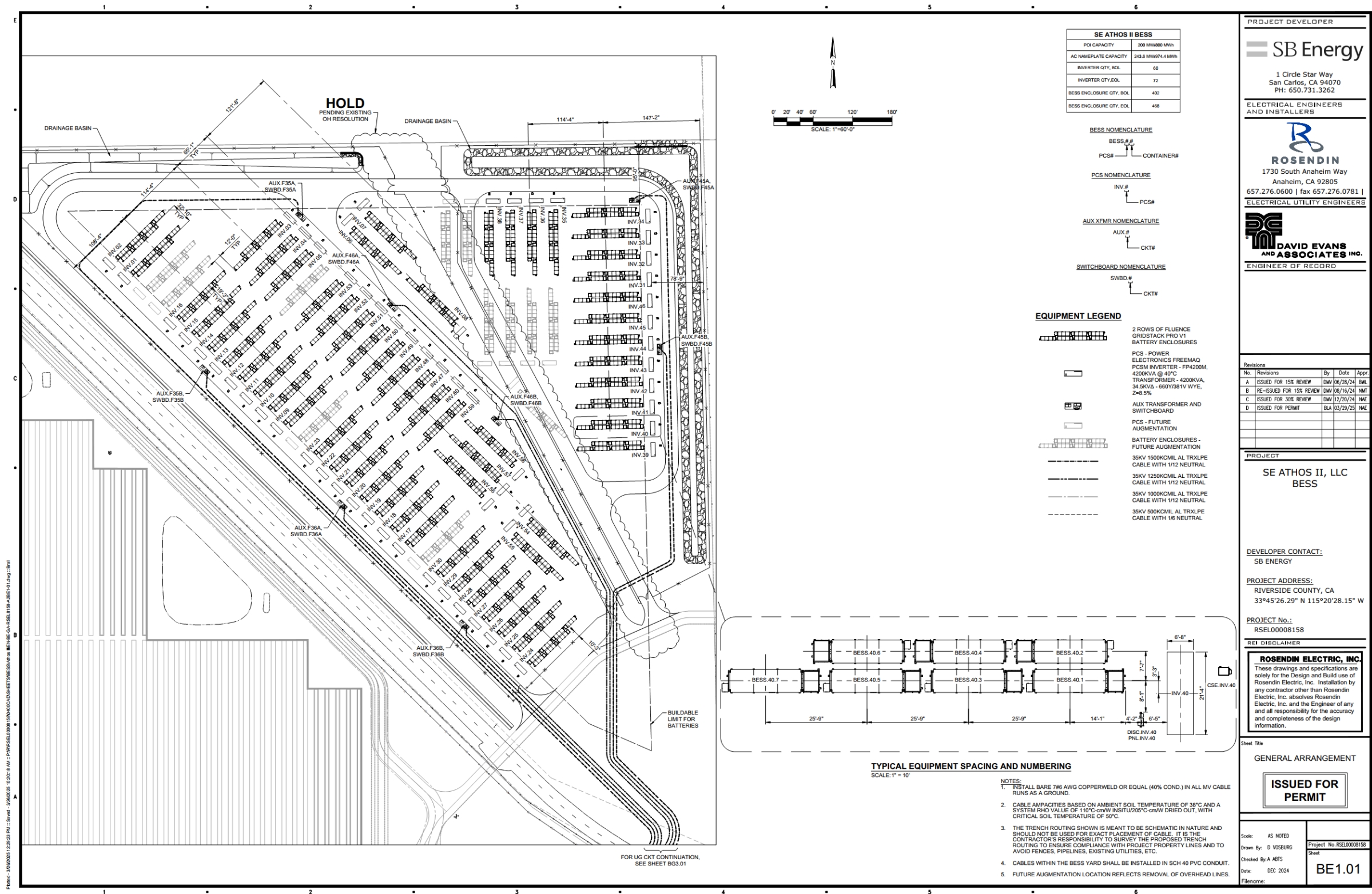


Figure 5 Preliminary Site Layout - BESS Site 2

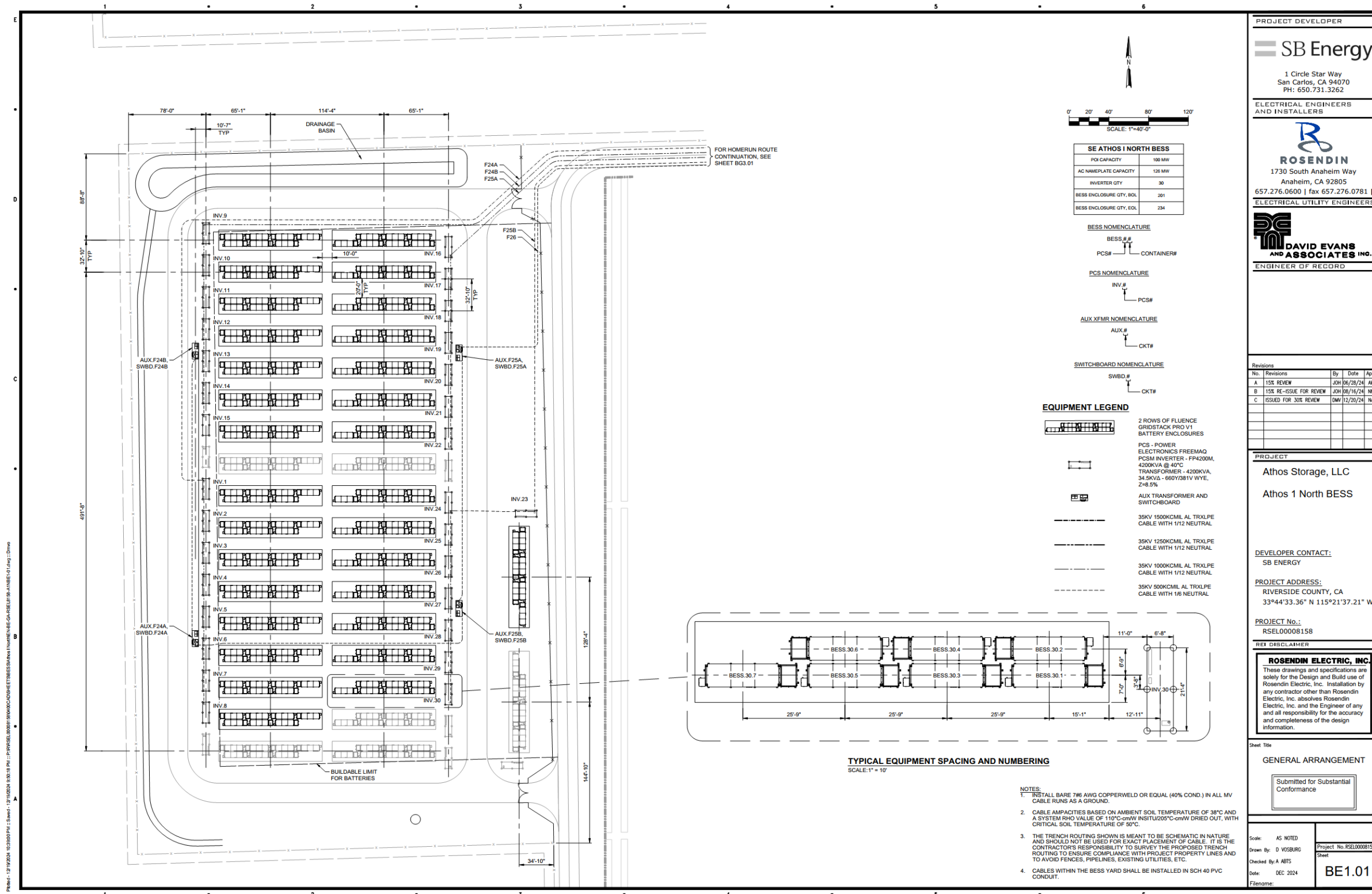


Figure 6 Preliminary Site Layout - BESS Site 3, Section 1

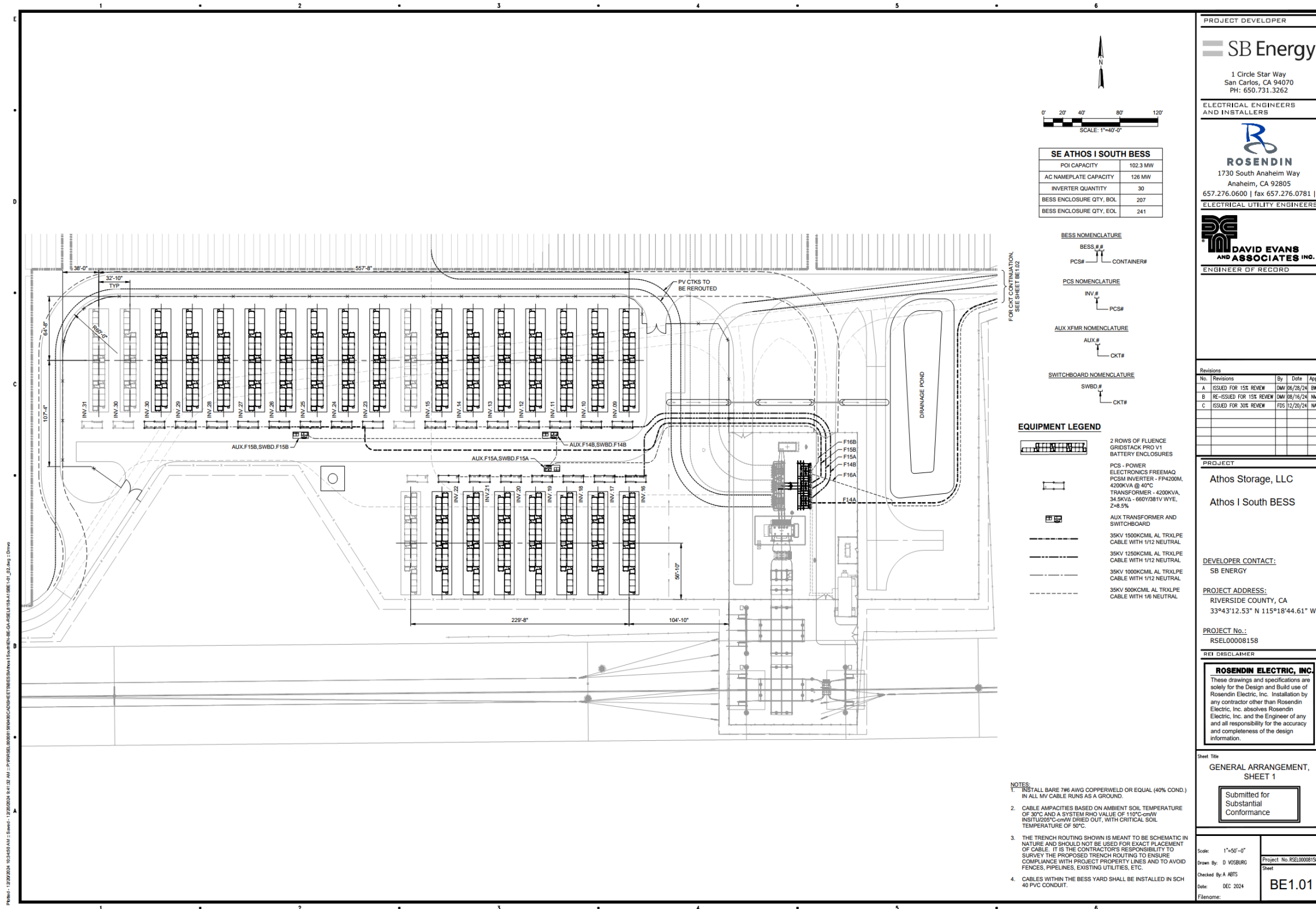
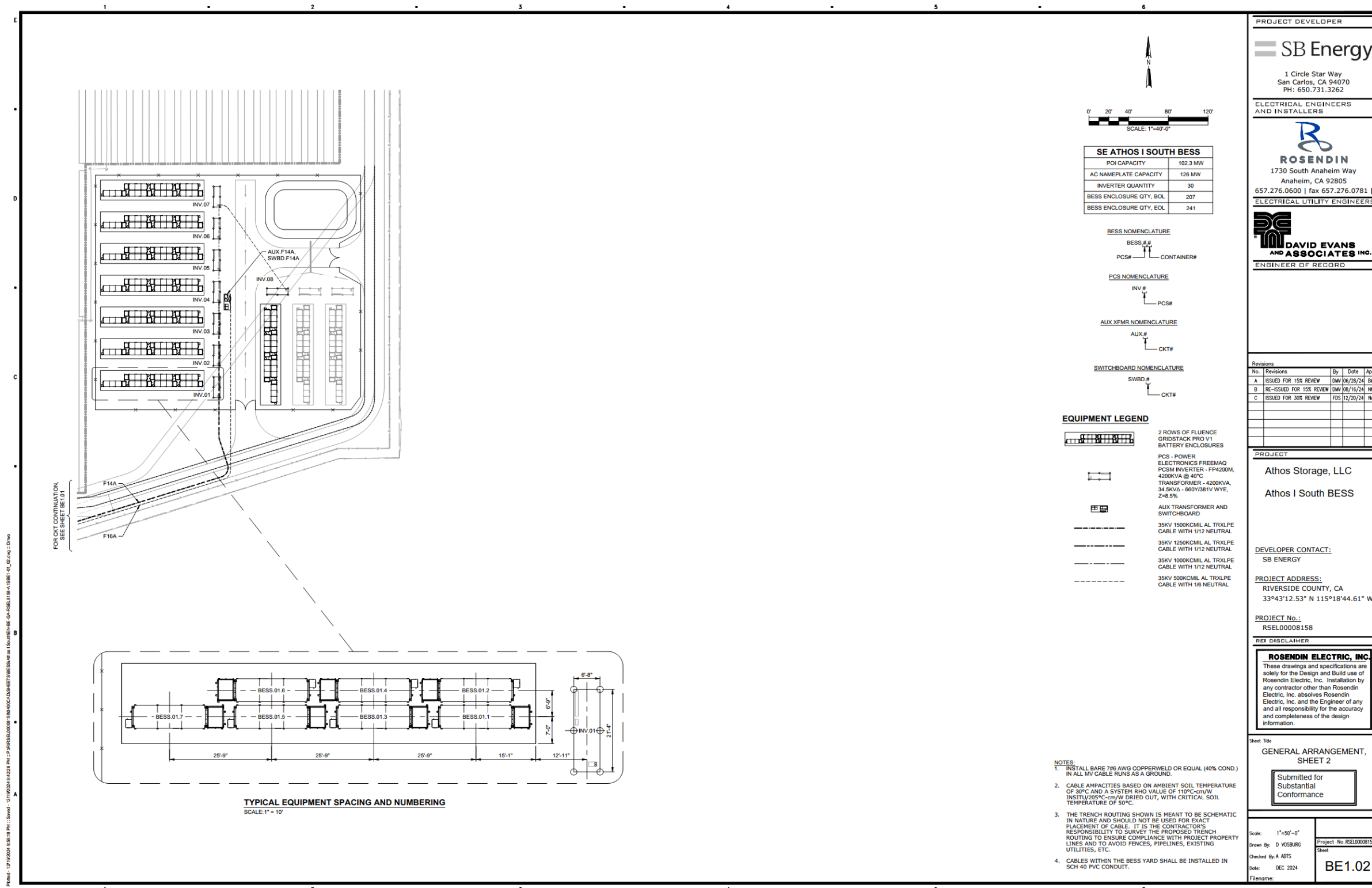


Figure 7 Preliminary Site Layout - BESS Site 3, Section 2



The proposed BESS would be installed on steel pile foundations, rather than concrete foundations as assumed in the Final EIR. The construction of steel pile foundations would result in less surface disturbance compared to concrete foundations, which require excavation, placement of aggregate base, and substantial concrete fill to elevate equipment above potential flood levels. However, steel pile foundations require a greater depth of ground disturbance (approximately 15 feet) as compared to concrete foundations (approximately one to two feet). Nevertheless, steel pile foundations would be consistent with the support structures envisioned in the Final EIR for the solar PV modules, which were anticipated to be steel piles.

As required by the County's conditions of approval in the Project's CUP, as modified by the County's April 2025 Substantial Conformance Determination, the overall spacing of the BESS units would be based on full-scale fire testing to prevent any potential fires from propagating from one unit to the next. Each BESS unit would also be equipped with a fire protection system specifically designed to prevent, detect, and address fire-related hazards associated with lithium-ion batteries. This system would incorporate both active and passive fire protection measures. Passive measures include system design features such as thermal insulation, spacing between enclosures, and deflagration panels to safely relieve pressure in the event of a gas buildup. Active measures include a fire alarm system, combustible gas detection, and an active venting mechanism to prevent gas accumulation inside the enclosure. The fire alarm system would be designed, built, and tested to comply with NFPA 72. Its primary function would be to detect the initial signs of off-gassing, such as the presence of combustible gases or fire, before a significant volume of gases is released. Upon detection, the system would activate and trigger the opening of deflagration panels to rapidly release pressure from a potential deflagration, without compromising the integrity of the enclosure. These systems would be supported by a Battery Management System that monitors and disconnects the system under abnormal conditions, such as excessive cell temperature, over-voltage, under-voltage, or excessive current. In addition, a Site Emergency Plan would be implemented to ensure that personnel are trained and informed to respond appropriately in the event of an alarm or fire. To further support emergency response, each of the three BESS sites would include first responder panels, where plant personnel, as well as emergency responders, can monitor container and system conditions. Each site would also include a water storage tank sized in compliance with applicable standards and County requirements.

The BESS would not necessitate new continuous exterior lighting. Motion-activated lighting would be installed at key locations, as needed, to ensure safe ingress and egress from the battery enclosures and substation areas. Similar to what was described in the Final EIR for the Project, all lighting associated with the BESS would be fully shielded and directed downward to minimize glare and prevent light spillover onto adjacent properties. Exterior lighting would be required to comply with the current Title 24 regulations established by the State of California and, if applicable, would be coordinated with the California Department of Transportation (Caltrans) to meet lighting standards along I-10. In addition, all lighting would be required to adhere to Riverside County Ordinances 655 (Regulating Light Pollution) and 915 (Regulating Outdoor Lighting).

A PCS, composed of inverters and transformers to convert the direct current to alternating current and to step-up the voltage, would be either integrated within each battery enclosure or installed adjacent to the enclosures. Up to seven battery containers would be connected to one PCS with a total of up to approximately 135 PCS installed across the BESS. Cable trays would connect each PCS to the batteries in the enclosures. Each PCS would contain an inverter and transformer, which would convert the power between direct current (DC) and alternating current (AC) and step up the voltage from 1,500 volts to 34.5 kV. Each PCS enclosure would measure approximately 21 feet long, 6.5 feet

wide, and 7 feet tall, which would be consistent in size with the battery enclosures described in the Final EIR. Noise generated by each PCS would be less than 60 dB at a distance of one meter, which equates to approximately 40 dBA at 10 meters. This noise level is lower than the noise level of 66 dBA at 10 meters that was assumed in the Final EIR for the PCS with cooling system associated with the BESS.

Buried medium-voltage (MV) cables would be installed to connect the PCS enclosures to the existing substations within the Project site. At the substations, new MV riser poles would be installed. Each BESS MV cable would have its own breaker, disconnect switch, and meter, and the MV cables would be connected to the low-voltage side of the existing step-up transformers in each substation. In addition, auxiliary substation service transformers would be installed near the battery containers and would be connected to the low-voltage side of the transformers at the existing substations within the Project site.

Security fencing is already in place around two of the three BESS locations. New wildlife and security fencing would be installed at BESS Site 1. All electrical enclosures would be installed at least 12 inches above the 100-year flood elevation to achieve compliance with applicable flood protection standards.

Construction

Construction of the BESS is anticipated to occur over the course of approximately 15 months, beginning as soon as the fourth quarter of 2025 to achieve the Project's required commercial operation dates in late 2026 and early 2027. Construction activities would typically occur Monday through Friday between the hours of 6:00 a.m. and 6:00 p.m. during the months of June through September and between the hours of 7:00 a.m. and 6:00 p.m. during the months of October through May, in compliance with the Riverside County Ordinance No. 847 (Regulating Noise in Riverside County). Some construction work may be scheduled at night to minimize disruptions to the operating solar facility or to ensure worker safety during periods of extreme heat. Such night work would be noticed and scheduled in accordance with the Project's existing permits and County rules and regulations. Prior to the start of construction activities for the BESS, the Project Applicant would be required to demonstrate compliance with all applicable mitigation measures from the Final EIR related to pre-construction surveys, trainings, and other activities.

Construction would generally occur in the following three phases, which would overlap:

- Phase 1 would consist of site preparation activities and would occur for approximately 2.5 months. Up to approximately 25 construction personnel would be present on site.
- Phase 2 would consist of installation of the BESS and would occur for approximately 12 months. Up to approximately 50 construction personnel would be present on site.
- Phase 3 would consist of commissioning (start-up and testing) of the BESS and would occur for approximately 2 months. Up to approximately 20 construction personnel would be present on site.

The construction activities described above would be substantially similar to those described in the Final EIR for the solar facility, and the estimated number of construction personnel would be well within that estimated in the Final EIR for the Project (average of 320 individuals with a peak of 530 individuals per day).

During site preparation, the BESS sites would be graded and compacted as necessary to support infrastructure development. Steel pile foundations for battery enclosures and associated electrical

equipment may require elevation above the existing grade to meet design and safety standards. To obtain suitable fill material, borrow pits may be excavated within the boundaries of the Project site, as approved under the CUP. Although specific borrow pit locations have not yet been identified, they would remain within the Project site evaluated in the Final EIR. These borrow pits may also serve a dual purpose as on-site stormwater retention basins, in accordance with County requirements, to offset increased impervious surface area resulting from BESS installation.

During the installation phase, the ground grid would be excavated and piles would be driven to support the BESS container foundations. Once the foundations are prepared, the BESS containers would be placed using cranes. Electrical conduit installation would follow in a tiered sequence: medium-voltage AC conduits at a depth of four feet, DC conduits at a depth of three feet, and auxiliary power and communications conduits at a depth of two feet. DC lines would connect the BESS containers to the PCS, while AC conduits would link each PCS to one of several MV transformers. Separate auxiliary transformers would be installed to provide power primarily for cooling the BESS containers, with all transformers mounted on concrete pad foundations. After the placement of containers and conduit, the area beneath and surrounding the BESS containers would be backfilled with approximately four inches of yard rock.

Upon completion of the installation phase, cold commissioning would commence. During this phase, the system would be powered solely by auxiliary sources, such as Tier 4 generators compliant with regional air quality regulations, to maintain container cooling without charging or discharging to the grid. Cold commissioning would be followed by hot commissioning, which involves full system testing, including grid charging and energy discharge operations. Commissioning of the BESS would include testing, equipment calibration, and troubleshooting. Technicians would troubleshoot errors to ensure the optimal functioning and safety of all BESS components. Heavy equipment and large crews are not anticipated for the commissioning phase, unless repairs are required or parts must be replaced. The facility would be placed into service upon successful completion of hot commissioning.

Access, Driveways, and Parking

Flatbed trailers and trucks would be utilized to transport construction equipment and materials to the BESS sites. Access to the BESS sites during construction would primarily be provided via existing access roads within the Project site. For BESS Site 1, a new driveway would be constructed from an existing private access road to facilitate site entry. Upon completion of construction, improvements to existing roads within the Project site may be completed to restore them to pre-construction conditions.

In accordance with the conditions of approval established under the Project's CUP, as modified by the County's April 2025 Substantial Conformance Determination, additional access roads would be constructed from the main road to within 150 feet of all BESS units. These roads would be a minimum of 24 feet in width and constructed with an all-weather surface capable of supporting loads of up to 80,000 pounds, consistent with County fire safety standards.

Water Requirements

As described in the Final EIR, water for construction-related dust control would be sourced from one or more existing wells, either located on-site or on adjacent or nearby properties. If sourced from off site, water would be trucked to the Project site. Approximately 10 acre-feet is estimated to be needed for dust control associated with the 31 acres designated for the BESS sites.

As detailed in the Final EIR, portable restroom facilities would be provided and maintained by licensed service providers during construction. Potable water for drinking and sanitation purposes would be delivered to the site by a certified bottled water supplier.

Waste Management

As outlined in the Final EIR, construction-related waste materials would be sorted on-site and transported to appropriate waste management facilities. Recyclable materials would be separated from non-recyclable items and stored until delivery to designated recycling centers. Wooden construction waste, such as pallets, would be sold, recycled, or processed for composting. Other compostable materials, including vegetation, may also be composted off site. Nonhazardous materials that cannot be reused or recycled would be disposed of at approved municipal or county landfills. Hazardous and electronic waste would not be landfilled but instead transported to licensed hazardous waste handling or electronic recycling facilities. All contractors and workers would receive training on proper waste sorting procedures, designated recycling storage areas, and best practices for minimizing landfill disposal.

Hazardous Materials

As detailed in the Final EIR, construction of the BESS would involve the limited use of hazardous materials, such as fuels and lubricants required for fueling and maintaining construction equipment. These materials may be stored in temporary aboveground tanks or storage sheds located within the Project site. All fuel storage would occur in locked containers situated within a fenced and secure temporary staging area. Because regulated hazardous materials would be present on-site, storage and handling procedures would be governed by the Project's Hazardous Materials Business Plan, which would be updated prior to the commencement of BESS construction. Where applicable, spill prevention measures and secondary containment systems would be implemented; however, compliance with 40 Code of Federal Regulations (CFR) Part 112 or Section 311 of the Clean Water Act would not be required because no discharges to regulated waters of the United States are anticipated.

Servicing of trucks and construction vehicles would occur off-site. The use, storage, transportation, and disposal of hazardous materials during BESS construction would be required to comply with all applicable federal, state, and local laws, ordinances, regulations, and standards. No extremely hazardous substances, as defined under 40 CFR Part 355, are expected to be produced, used, stored, transported, or disposed of in connection with the BESS. Safety Data Sheets for all applicable materials would be maintained on-site and made readily accessible to Project personnel.

Operation and Maintenance

Upon completion of construction, O&M of the BESS would be integrated into the existing O&M program for the solar facility, which is performed by approximately nine O&M employees. O&M activities for the BESS would include:

- Routine inspection and testing;
- Vegetation, weed, and pest management;
- Security;
- Routine maintenance;
- Occasional equipment repair and replacement; and

- Communications with customers, transmission system operators, and other entities involved in facility operations.

The BESS would operate continuously 24 hours per day, 365 days per year and would store and dispatch power during both daylight and non-daylight hours, as required by grid operators. O&M activities for the BESS as well as its operating schedule would be substantially similar to those described in the Final EIR for the solar facility.

Decommissioning

As described in the Final EIR, at the conclusion of the operational life, the solar facility including the BESS, and generation tie-line would be decommissioned and dismantled. Decommissioning activities would be conducted in accordance with all applicable federal, state, and local laws, ordinances, regulations, and standards in effect at the time. Where feasible, Project components would be recycled or repurposed, and the decommissioning process will be designed to maximize salvage opportunities.

Following the removal of both above-ground and subsurface infrastructure, the site would be restored to its pre-development condition or to a condition deemed appropriate under prevailing County policy at the time of decommissioning. These activities will be carried out under a Decommissioning and Site Reclamation Plan, which will be updated prior to decommissioning.

While decommissioning would require equipment and personnel similar to those used during construction, the overall intensity of activity is expected to be significantly lower. Upon completion, the solar facility, including the three BESS sites, may be returned to agricultural use, preserved as open space, or repurposed for other approved land uses.

3 Impacts Analysis

This Addendum evaluates potential environmental impacts that could result from the proposed BESS component. The analysis provides updates to the information presented in the Final EIR where necessary to characterize potential impacts associated with the proposed BESS component. The analysis focuses on the impacts of the solar facility (which includes the proposed BESS components) as described in the Final EIR and does not discuss impacts related to the gen-tie line, which has been constructed, is operational, and does not pertain to the proposed BESS component. Information and technical analyses from the Final EIR are utilized or referenced throughout this Addendum.

Impact Analysis Approach

The impacts analysis contained in Section 3, *Impacts Analysis*, of this Addendum follows the order of the Final EIR. For each environmental resource, the analysis 1) summarizes the impacts identified in the Final EIR; 2) discusses potential impacts, including cumulative impacts, associated with the proposed BESS component; and 3) presents a conclusion regarding potential impacts associated with the proposed BESS component and how they compare to impacts identified in the Final EIR. Consistent with the Final EIR, this Addendum evaluates impacts utilizing the CEQA Guidelines Appendix G Environmental Checklist Form, which presents a checklist of suggested environmental issue areas to be assessed in CEQA analyses, as well as the County's adopted administrative guidelines established to comply with CEQA. The Appendix G checklist, in addition to County administrative guidelines, is consistent with the format and environmental topics and questions of the checklist used in the Final EIR, but also includes recent updates to reflect the most recently adopted checklist provided in Appendix G of the CEQA Guidelines. Consistent with the approach utilized in the Final EIR, some significance thresholds that pertain to related topics in each environmental issue area are addressed collectively. For example, in Section 3.3, *Air Quality*, thresholds (c) and (e) both pertain to the exposure of sensitive receptors to substantial air pollutant emissions and are therefore addressed in a single impacts analysis, mirroring Impact AQ-3 in the Final EIR. The checklist considers the full range of environmental issues subject to analysis under CEQA and County administrative guidelines (in rows), then poses a series of questions (in columns) aimed at identifying the following:

Where was impact analyzed?

This column provides a cross-reference to the portions of the certified Final EIR where information and analyses may be found relative to the environmental issue listed under each topic. The cross-references identified in this column correspond with page numbers and section numbers of the certified Final EIR.

Do proposed changes require major revisions to the adopted Final EIR?

In accordance with CEQA Guidelines Section 15162(a)(1), this column indicates whether the proposed BESS component would result in new significant environmental impacts or a substantial increase in the severity of previously identified significant environmental impacts that, in turn, would require major revisions of the certified Final EIR.

Do new circumstances require major revisions to the adopted Final EIR?

In accordance with CEQA Guidelines Section 15162(a)(2), this column indicates whether changes to the circumstances under which the proposed BESS component is undertaken or implemented have occurred that would result in new significant environmental impacts or a substantial increase in the severity of previously identified significant environmental impacts that, in turn, would require major revisions of the certified Final EIR.

Is there any new information resulting in new or substantially more severe significant impacts?

In accordance with CEQA Guidelines Sections 15162(a)(3)(A) and 15162(a)(3)(B), this column indicates whether new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the Final EIR was certified, shows the proposed BESS component would result in new significant environmental impacts or a substantial increase in the severity of previously identified significant environmental impacts that, in turn, would require major revisions of the certified Final EIR.

Do mitigation measures included in the certified Final EIR address and/or resolve impacts?

In accordance with CEQA Guidelines Sections 15162(a)(3)(C) and 15162(a)(3)(D), this column indicates whether new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the Final EIR was certified, shows that mitigation measures in the adopted Final EIR would now be feasible, or identifies new mitigation measures not in the adopted Final EIR that would reduce significant impacts, but which the Project Applicant declines to adopt.

Cumulative Projects

The cumulative impacts analysis in the Final EIR considered a number of past, present, and probable future projects in the Desert Center and Blythe region, which are outlined in Tables 3.1-1 and 3.1-2 in Section 3.1.2, *Cumulative Impact Scenario*, of the Final EIR. Since certification of the Final EIR in 2019, several previously proposed projects are now operational, and a number of new projects have been proposed. Table 1 and Table 2 include the updated lists of cumulative projects in the Desert Center and Blythe region, consistent with the cumulative project list method (CEQA Guidelines Section 15130) utilized in the Final EIR. The cumulative projects lists are based on information available on the Riverside County Planning Department website (County of Riverside 2025b) and associated agency websites. The specific geographic area affected by the Project and its potential to contribute to cumulative impacts varies based on the environmental resource under consideration and is identified in each cumulative impacts analysis in the following sections.

Table 1 Past and Present Projects or Programs in the Project Area

ID	Project Name; Agency ID	Location	Ownership	Status	Acres	Project Description	Addition or Change Since 2019 Final EIR?
1	West-Wide Section 368 Energy Corridors	Riverside County, parallel to the I-10	BLM, DOE, USFS	Approved by BLM and USFS	N/A	Designation of corridors on federal land in the 11 western states, including California, for oil, gas and hydrogen pipelines and electricity transmission and distribution facilities (energy corridors). One of the corridors runs along the southern portion of Riverside County.	No
2	Blythe PV Project	Blythe	Clearway Energy Group	Operational	200	21-MW solar PV facility.	No
3	McCoy Solar Project	Blythe	NextEra	Operational	8,100	An up to 750-MW solar PV project located primarily on BLM-administered land about 13 miles north of Blythe with a 16-mile gen-tie line. The first 250 MW began commercial operation in June 2016, but it does not have a schedule for the remaining 500 MW.	No
4	Genesis Solar Energy Project	North of I-10, 25 miles west of Blythe and 27 miles east of Desert Center	NextEra	Operational	1,950	250-MW solar trough project on 4,640 acres north of the Ford Dry Lake. Includes six-mile natural gas pipeline and a 5.5-mile gen-tie line to the Blythe Energy Center to Julian Hinds Transmission Line, then travels east on shared transmission poles to the Colorado River Substation.	No
5	Blythe Solar Power Project	Blythe	NextEra	Operational	4,100	A 550-MW solar PV project located 2 miles north of I-10 and 8 miles west of the City of Blythe on BLM land. A 230 kV gen-tie line will connect the solar energy generating facility to the SCE Colorado River Substation.	No
6	Desert Sunlight Solar Project	6 miles north of Desert Center	NextEra	Operational	4,400	A 550-MW solar PV project located on BLM land. The project includes a 230-kV transmission line that extends south from the Solar Farm site to interconnect with the Red Bluff Substation.	No
7	SCE Red Bluff Substation	Southeast of Desert Center	SCE	Operational	75	220/500-kV substation to interconnect renewable projects near Desert Center to the Devers–Palo Verde transmission line.	No
8	Devers-Palo Verde 1 Transmission Line	From Palo Verde, Arizona to Devers Substation near Palm Springs	SCE	Operational	N/A	Existing 500-kV transmission line parallel to I-10 from Arizona to SCE Devers Substation, near Palm Springs. Loops into the SCE Colorado River Substation, which is located 10 miles southwest of Blythe.	No
9	Devers-Palo Verde 2 Transmission Line (Devers-Colorado River Transmission Line)	From Blythe to Devers Substation near Palm Springs	SCE	Operational	N/A	Existing 500-kV transmission line parallel to I-10 from the SCE Colorado River Substation to the Devers Substation, near Palm Springs. The right-of-way requires 130 feet on federal, state and private land.	No
10	Blythe Energy Project Transmission Line	From Blythe to Julian Hinds Substation	Blythe Energy, LLC	Operational	N/A	Existing 230-kV transmission line.	No
11	SCE Colorado River Substation	Blythe	SCE	Operational	90	A 500/230-kV substation located east of Blythe. The 500-kV switching station includes buses, circuit breakers, and disconnect switches. The switchyard is equipped with 108-foot-high dead-end structures. Outdoor night lighting is designed to illuminate the switch rack when manually switched on.	No
12	Desert Renewable Energy Conservation Plan (DRECP)	California Desert Conservation Area (CDCA) District	BLM, DOE, USFS	Existing	10 million	The DRECP Land Use Plan Amendment is an amendment to the CDCA for all BLM-administered public lands in the CDCA region. The plan will help provide effective protection and conservation of desert ecosystems while allowing for the appropriate development of solar, wind, and geothermal energy projects. The DRECP designates 148,000 acres of Development Focus Areas in Riverside County.	No
13	NRG Blythe II	Blythe	Clearway Energy Group	Operational	200	20-MW solar PV project that came online in spring 2017.	No
14	Oberon Solar	Desert Center	Intersect Power	Operational	2,600	500-MW solar photovoltaic and 500-MW battery storage facility that connects to Red Bluff Substation via a new 500-kV transmission line. Approved under DRECP.	Yes – new past/present project
15	Easley I-III	North of I-10, near Lake Tamarisk and Desert Center	Intersect Power	Approved by BLM	3,700	400 MW of solar and 650 MW of battery storage. Project would connect to the Oberon gen-tie line and share infrastructure with nearby projects.	Yes– new past/present project
16	Sapphire Solar Project	Adjacent to Easley project, north of Desert Center	EDF Renewables	Proposed	2,000	Utility-scale solar and storage project anticipated to generate and store up to 117 MW of renewable energy, expected to share transmission with the Desert Harvest Solar Project.	Yes – new past/present project
17	Desert Quartzite Solar	East of Desert Center	Desert Quartzite LLC (EDF Renewables)	Operational	3,770	A 450-MW solar PV facility with a project substation, access road, and transmission line, all located on BLM land.	Yes – was identified in the Final EIR as a “probable future project” (ID: E) and is now a past/present project

ID	Project Name; Agency ID	Location	Ownership	Status	Acres	Project Description	Addition or Change Since 2019 Final EIR?
18	Crimson Solar	South of I-10, 8 miles southwest of Blythe	Sonoran West Solar Holdings, LLC (Recurrent Energy)	Operational	2,500	350-MW solar PV project located on BLM land, includes 350 MW of battery storage. The project connects to the SCE Colorado River Substation.	Yes – was identified in the Final EIR as a “probable future project” (ID: F) and is now a past/present project
19	Palen Solar Project	East of Desert Center, along I-10	EDF Renewables	Operational	3,100	A 450-MW solar PV project with 200 MW of battery storage project located 11 miles east of Desert Center on BLM land. Includes a 6-mile gen-tie line into the Red Bluff Substation.	Yes– new past/present project
20	Desert Harvest Solar Project I-II	North of Desert Center	EDF Renewables	Operational	1,208	A 150-MW solar PV project located immediately south of the Desert Sunlight project. 35 MW of battery storage. The gen-tie route parallels the existing Desert Sunlight line to interconnect with the existing SCE Red Bluff Substation.	Yes – was identified in the Final EIR as a “probable future project” (ID: H) and is now a past/present project
21	Ten West Link Transmission Line	From the Colorado River Substation in Blythe, California west to Tonopah, Arizona	Abengoa Transmission & Infrastructure, LLC, and Starwood Energy Group Global	Operational	N/A	500-kV transmission line from Tonopah, Arizona to Blythe, California. Spans approximately 125 miles, under control of the California Independent System Operator and supports interconnection of over 3,000 MW of renewable energy.	Yes - was identified in the Final EIR as a “probable future project” (no ID assigned) and is now a past/present project
22	Blythe Mesa Solar Project (Athos III)	Near Blythe	Renewable Resources Group (Applicant) now Intersect Power	Operational	3,600	224 MW of solar, 112-MW battery storage, and 230-kV gen-tie line.	Yes – was identified in the Final EIR as a “probable future project” (ID: G) and is now a past/present project
23	Victory Pass Solar Project (includes DC 50 Solar Project)	East of Desert Center	Clearway Energy Group	Operational	1,800	A 200-MW solar PV project and 200-MW energy storage facility in the Chuckwalla Valley.	Yes – was identified in the Final EIR as a “probable future project” (ID: L) and is now a past/present project
24	Arica Solar Project	East of Desert Center	Clearway Energy Group	Operational	2,000	265-MW solar PV project with 200 MW of battery storage. Project interconnects with the SCE Red Bluff Substation.	Yes – was identified in the Final EIR as a “probable future project” (ID: K) and is now a past/present project

EIR = Environmental Impact Report; I-10 = Interstate 10; BLM = United States Bureau of Land Management; DOE = United States Department of Energy; USFS = United States Forest Service; MW = megawatt; PV = photovoltaic; kV = kilovolt; SCE = Southern California Edison
 Source: County of Riverside 2024a and 2025b

Table 2 Probable Future Projects in the Project Area

ID	Project Name; Agency ID	Location	Ownership	Status	Acres	Project Description	Addition or Change Since 2019 Final EIR?
A	Desert Southwest Transmission Line	118 miles primarily parallel to the Devers–Palo Verde 500-kV line	Imperial Irrigation District	Final EIR/Environmental Impact Statement prepared in 2005, approved by the BLM in 2006	N/A	118-mile, 500-kV transmission line from a new substation/switching station near the Blythe Energy Project to the existing Devers Substation located approximately 10 miles north of Palm Springs.	No
B	Palo Verde Mesa Solar Project	East of Blythe in the, near the Neighbors Boulevard	Renewable Resources Group	Approved by Riverside County in August 2017	3,250	A 465-MW PV solar plant on 50 parcels Gen-tie line is approximately 11.8 miles to the Colorado River Substation.	No
C	Eagle Mountain Pumped Storage Project	Eagle Mountain iron ore mine, north of Desert Center	Eagle Crest Energy Company	Federal Energy Regulatory Commission License issued June 2014. Project approved by BLM in August 2018.	90	1,300-MW pumped storage project designed to store off-peak energy to use during peak hours. The captured off-peak energy would be used to pump water to an upper reservoir, and the water would be released to a lower reservoir through an underground electrical generating facility.	No
E	Lycan Solar Project	West of Blythe, south of I-10	EDF Renewables	Entering review by BLM. Plan of Development filed with the BLM (CACA No. 105849522)	6,912	An up to 600-MW PV solar plant and energy storage system with an approximately 12-mile long gen-tie to interconnect with the existing SCE Red Bluff Substation.	Yes – new probable future project
F	Calypso I Solar Project	West of Blythe, south of I-10	EDF Renewables	Under BLM review (CACA 059319)	3,271	300-MW solar PV project on BLM-administered land that would connect to the Colorado River Substation.	Yes – new probable future project

ID	Project Name; Agency ID	Location	Ownership	Status	Acres	Project Description	Addition or Change Since 2019 Final EIR?
D	Calypso II Solar Project	Southwest of Blythe, south of I-10	EDF Renewables	Under BLM review (CACA No. 059320)	2,133	300-MW solar PV project on BLM-administered land that would connect to the Colorado River Substation.	Yes – new probable future project
E	Redonda	Desert Center	Clearway Energy Group	Under BLM review (CACA No. 059387)	3,483	250-MW solar PV project that would connect into the Arica and Victory Pass Substation.	Yes – new probable future project
F	Skybridge Energy	North of I-10	N/A	Conditional Use Permit Application filed with Riverside County in 2022	133	50-MW solar PV facility to support 50-MW generation.	Yes – new probable future project
G	Clearway Jupiter solar application (CACA No. 56477)	East of Desert Center	Clearway Energy Group	SF299 form submitted to BLM in October 2014	1,800	A solar PV project located on 1,800 acres of land administered by BLM. Project would use single-access tracking and would interconnect with the SCE Red Bluff Substation.	No
H	(eligible) Renewable Energy Development Program	Riverside County ¹	Riverside County	In process	N/A	In 2014, the County initiated the RED Planning program with funding from the Energy Commission to encourage renewable energy resource development at the General Plan level, including a General Plan Amendment.	No
I	Paradise Valley Development - Specific Plan No. 339	Approximately 30 miles west of Desert Center (8 miles east of city of Coachella)	GLC Enterprises, LLC	Under environmental review - Notice of Preparation of a Draft EIR published in October 2015	5,000 (development footprint is 1,800 acres)	Project is a Specific Plan that would define and provide development standards and implementation measures for the planning community, or new town, of Paradise Valley. The project would develop approximately 1,800 acres of an approximately 5,000-acre site, providing for 8,500 residential units, about 1.38 million square feet of non-residential land uses (commercial office, retail, hotels, light industrial, and public facilities) and 110 acres of recreational trails and parks.	No

EIR = Environmental Impact Report; kV = kilovolt; BLM = United States Bureau of Land Management; PV = photovoltaic; MW = megawatt; I-10 = Interstate 10; SCE = Southern California Edison

Source: County of Riverside 2019, 2024a, and 2025b; BLM 2025; Clearway Energy Group 2025; EDF Renewables 2025

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3.1 Aesthetics

	Where was Impact Analyzed in the EIR?	Do Proposed Changes Require Major Revisions to the EIR?	Do New Circumstances Require Major Revisions to the EIR?	Any New Information of Substantial Importance Resulting in New or Substantially More Severe Significant Impacts?	Do EIR Mitigation Measures Address and/or Resolve Impacts?	
Would the project:						
a.	Have a substantial adverse effect on a scenic vista?	Page 3.2-12	No	No	No	N/A
b.	Substantially damage scenic resources, including but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	Page 3.2-12	No	No	No	N/A
c.	In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from a publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?	Pages 3.2-15 to 3.2-27	No	No	No	Yes
d.	Create a new source of substantial light or glare that would adversely affect daytime or nighttime views in the area?	Pages 3.2-27 to 3.2-29	No	No	No	Yes
e.	Result in the creation of an aesthetically offensive site open to public view?	Pages 3.2-30 to 3.2-31				
f.	Interfere with nighttime use of the Mt. Palomar Observatory, as protected through Riverside County Ordinance No. 655?	Page 3.2-12	No	No	No	N/A

		Where was Impact Analyzed in the EIR?	Do Proposed Changes Require Major Revisions to the EIR?	Do New Circumstances Require Major Revisions to the EIR?	Any New Information of Substantial Importance Resulting in New or Substantially More Severe Significant Impacts?	Do EIR Mitigation Measures Address and/or Resolve Impacts?
g.	Expose residential property to unacceptable light levels?	Pages 3.2-31 to 3.2-32	No	No	No	Yes
h.	Result in an inconsistency with regulatory plans, policies, and standards applicable to the protection of aesthetics?	Pages 3.2-32 to 3.2-35	No	No	No	Yes
i.	Result in a short-term and/or long-term aesthetic effects resulting from increased visual contrast (decommissioning-phase only)?	Page 3.2-36	No	No	No	Yes

Summary of Final EIR Impacts Assessment

The Final EIR determined the solar facility (including the proposed BESS component) would result in significant and unavoidable impacts related to visual changes in the immediate foreground from a portion of SR-177 located immediately adjacent to Parcel Group C, even with mitigation incorporated because the Project would introduce visually dominant industrial features with high visual contrast into a predominantly natural-appearing, rural desert landscape lacking such features. The Final EIR determined all other impacts to aesthetics would be less than significant with mitigation incorporated because construction and decommissioning activities would be temporary, the solar arrays would low-profile, long-term light and glare generated by O&M of the Project would be minimal, and views of the Project site from public vantage points would be limited. The Final EIR determined cumulative impacts related to aesthetic resources could occur as a result of the cumulative projects in the aggregate, particularly in combination with other existing and foreseeable renewable energy projects in the Chuckwalla Valley, and the Project would result in a cumulatively considerable contribution to these impacts that would be significant and unavoidable (County of Riverside 2019).

Current Assessment of Impacts

a. *Would the project have a substantial adverse effect on a scenic vista?*

The three sites proposed for development of the BESS component remain entirely within the area evaluated in the Final EIR and continue to not be located in an area designated by the Riverside County General Plan as an important visual resource (County of Riverside 2024b). In addition, there continue to be no scenic vistas in the Project area. Therefore, as determined in the Final EIR, the Project would continue to have **no impact** on scenic vistas.

- b. *Would the project substantially damage scenic resources, including but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?*

The three sites proposed for development of the BESS component remain entirely within the area evaluated in the Final EIR, and there continue to be no scenic resources within the three BESS sites or designated state scenic highways in the Project area. Impacts to views from I-10, which has been identified by the County as eligible for designation as a scenic corridor, are addressed under threshold 3.1(c). Therefore, as determined in the Final EIR, the Project would continue to have **no impact** on state scenic highways.

- c. *Would the project, in non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from a publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?*

Construction/Decommissioning

Construction and decommissioning activities associated with the proposed BESS component remain within the parameters of the construction and decommissioning activities contemplated in the Final EIR for the solar facility. As discussed in the Final EIR, the temporary presence of equipment, materials, and workforce during construction and decommissioning would result in short-term direct and indirect aesthetic impacts from the visible presence of equipment, materials, vehicles, and workforce at the Project site, from visible contrast associated with vegetation removal; from visible fugitive dust; from construction night lighting (on an occasional basis); and from increased vehicle traffic on roadways beyond the immediate Project area (indirect effect). Construction activities for the proposed BESS component and associated increased vehicle traffic would be temporary in nature and would not result in a substantial long-term visual effect.

However, areas of ground surface disturbance and vegetation removal (which can be characterized by high color, line, and texture contrasts) could remain visible from various vantage points for an extended period after the conclusion of construction and decommissioning activities, and grading activities and vehicle travel on unpaved surfaces could generate short-term dust clouds, which could cause moderate levels of visual contrast and moderate overall visual change, as well as be visually distracting. Implementation of the same mitigation measures identified in the Final EIR would continue to be required for the proposed BESS component, including Mitigation Measure BIO-5 (Vegetation Resources Management Plan), which involves replacement of most vegetation removed during ground disturbance, and Mitigation Measure AQ-1 (Fugitive Dust Control), which reduces particulate matter emissions through dust suppression practices. Therefore, as described in the Final EIR, Project construction and decommissioning would still not substantially degrade the existing visual character or quality of public views of the site and its surroundings with implementation of Mitigation Measures BIO-5 and AQ-1, and this impact would remain **less than significant with mitigation incorporated**, as described in the Final EIR.

Operation

The three sites proposed for development of the BESS component remain entirely within the area evaluated in the Final EIR. The Project area, including the three BESS sites, continue to be within a rural desert landscape. As described in the Final EIR, public views of the Project area were evaluated from multiple publicly accessible vantage points, including Key Observation Points (KOPs) and Linear

Viewpoints (LVPs) along I-10 and SR-177. The three BESS sites are situated within the same visual context as the previously analyzed solar facility, and the proposed BESS component would not introduce new or substantially different visual elements beyond those considered in the Final EIR. Each battery enclosure would measure approximately 25 feet in length, approximately 6 feet in width, and up to approximately 9.5 feet in height. While the length and width of the proposed battery enclosures are consistent with those evaluated in the Final EIR, the proposed height would be increased by approximately one foot over the 8.5-foot height analyzed previously. However, because of the distance between the nearest BESS site and SR-177 (approximately 600 feet), the one-foot height increase would not result in a substantial change to the visual profile of the BESS or overall Project nor would it alter the visibility or dominance of views of the Project from public viewpoints as compared to what was evaluated in the Final EIR. Therefore, the one-foot height increase would not result in a new significant impact to visual character and quality or a substantial increase in the severity of the significant impacts to visual character and quality previously analyzed in the Final EIR.

At KOPs 1 (eastbound I-10), 2 (northbound SR-177), 3 (Lake Tamarisk Desert Resort), 5 (Northbound Sr-177 [North]), and 6 (Corn Springs Road), the solar facility was found to result in low to moderate visual contrast, with the Project appearing as a visually subordinate to co-dominant feature in the landscape. These impacts were determined to be adverse but less than significant due to partial screening by vegetation, the low profile of the arrays, and the presence of existing infrastructure. At KOP 4 (Northbound SR-177 [South]), the Project was found to be visually dominant in the immediate foreground, resulting in a significant and unavoidable impact; however, this impact was limited to a short segment of SR-177 adjacent to Parcel Group C. While BESS Site #2 is located within Parcel Group C, the proposed BESS component would not expand the area of visual impact identified in the Final EIR because it would be sited within the previously evaluated footprint and would not introduce new or substantially more prominent visual elements. In particular, due to the distance between BESS Site #2 and SR-177 (approximately 600 feet), the one-foot height increase in the battery enclosures, as compared to what was considered in the Final EIR, would not result in a substantial change to the visual profile of BESS Site #2 nor would it alter the visibility or dominance of views of the Project from this viewpoint as compared to what was evaluated in the Final EIR.

The LVP analysis concluded that views from I-10 would not be significantly impacted under CEQA because the Project would not appear visually dominant from either direction of travel. Along SR-177, significant visual impacts were limited to a short segment of northbound and southbound travel near Parcel Group C, similar to the results of the KOP analysis. Although BESS Site #2 is located within Parcel Group C, the proposed BESS component would not increase the amount of affected travel distance, view duration, or percentage of total affected views along SR-177 because 1) it falls entirely within the area already analyzed in the Final EIR and 2) the one-foot height increase in the battery enclosures, as compared to what was considered in the Final EIR, would not result in a substantial change to the visual profile of BESS Site #2, as discussed above. The other two BESS sites are also located within the previously evaluated area and would not alter the extent or intensity of visual impacts along I-10 or SR-177.

The proposed BESS component would be subject to the same mitigation measures identified in the Final EIR, including surface treatments, design strategies, and vegetation retention, which would reduce the visual contrast associated with the visually discordant structural features and industrial character, in particular as viewed along SR-177 in the vicinity of Parcel Group C where significant impacts were identified. Mitigation Measure AES-2 (Surface Treatment of Project Structures and Buildings) would require that the surfaces of permanent structures be treated with colors and

finishes that blend with the surrounding desert landscape to minimize visual intrusion and glare. Mitigation Measure AES-3 (Project Design) would incorporate design strategies such as minimizing land disturbance, using natural landforms for screening, and aligning structures with the landscape's existing form, line, and texture to reduce visibility. Mitigation Measure AES-4 (Retention of Roadside Vegetation) would preserve a minimum 50-foot buffer of natural vegetation along SR-177 to maintain visual screening and reduce the visibility of Project features from the roadway. Therefore, as described in the Final EIR, the Project would still substantially degrade the existing visual character or quality of public views of the Project site and its surroundings in limited areas adjacent to SR-177 even with implementation of Mitigation Measures AES-2 through AES-4, and this impact would remain **significant and unavoidable**, as described in the Final EIR.

- d. *Would the project create a new source of substantial light or glare that would adversely affect daytime or nighttime views in the area?*

Visible Night Lighting

The three sites proposed for development of the BESS component remain entirely within the area evaluated in the Final EIR and continue to be located in an area that is highly valued in terms of the quality of its nighttime skies. As discussed further under threshold 3.1(f), the three BESS sites are outside of the area of sensitivity for the Mt. Palomar Observatory and would therefore not interfere with nighttime use of the observatory. Construction and decommissioning of the proposed BESS component would typically occur during the daytime, but some construction or decommissioning work may be scheduled at night to minimize disruptions to the solar facility or to ensure worker safety during periods of extreme heat. Such night work would be noticed and scheduled in accordance with the existing permits and County rules and regulations. Nighttime lighting required for worker safety during BESS construction activities would be temporary. As described in the Final EIR, solar facility operations, including operation of the proposed BESS component, would require on-site nighttime lighting for safety and security, but the BESS component itself would not require new, continuous lighting. The proposed BESS component includes installation of motion sensitive, directional lighting to maintain safety and security, which would be shielded and directed downward to minimize the potential for glare or spillover onto adjacent properties. Exterior lighting would be required to comply with current Title 24 regulations from the State of California and would be coordinated with the California Department of Transportation to comply with exterior lighting regulations along I-10, if required. Lighting would also comply with County Ordinance 655 (Regulating Light Pollution) and County Ordinance 915 (Regulating Outdoor Lighting).

As described in the Final EIR, any light source in the desert contributes to ambient light pollution, and all light sources are adversely cumulative in terms of the impacts on Dark Sky observation areas associated with Joshua Tree National Park. In particular, portions of the Pinto Basin have direct lines-of-sight to portions of the Project site. Nevertheless, as discussed in the Final EIR, the contribution of the Project's lighting elements to skyglow would be minor, especially in comparison to other existing light sources (e.g., street lamps, commercial/service land uses, the Desert Center Airport, motorists, widely scattered homesteads). Because permanent lighting required for the proposed BESS component would be confined to motion sensitive lighting that is shielded and directed downward, the proposed BESS component does not include permanent lighting beyond what was analyzed in the Final EIR. Implementation of Mitigation Measure AES-1 (Night Lighting Management Plan) would continue to be required for the proposed BESS component and requires that light intensity be the minimum necessary for worker safety and facility security, that direct lighting not illuminate the nighttime sky, and that Project night lighting not adversely affect the dark

sky viewing program at Joshua Tree National Park. Therefore, as described in the Final EIR, the Project would still not create a new source of substantial light that would adversely affect daytime or nighttime views in the area with implementation of Mitigation Measure AES-1, and this impact would remain **less than significant with mitigation incorporated**, as described in the Final EIR.

Daytime Glare

As described in the Final EIR, daytime glare from the Project facilities could adversely affect travelers on I-10 and SR-177, residences at Desert Center and Lake Tamarisk, and users of nearby designated wilderness and Areas of Critical Environmental Concern. The Final EIR indicated that the photovoltaic arrays associated with the solar facility would have the greatest potential to create daytime glare, but that no flight path receptors would be impacted by glare and glare impacts to ground-level receptors would be limited to receptors along SR-177 for 1,274 minutes of the year and to receptors along I-10 for 52 minutes of the year, between January to mid-February and mid-October to December. The battery enclosures included in the proposed BESS component could contribute incrementally to the daytime glare from the existing solar facility. However, the proposed BESS component remains within the scope of the facilities and associated levels of glare analyzed in the Final EIR, and the one-foot height increase in the battery enclosures as compared to what was evaluated in the Final EIR would not result in a substantial change to the level of glare produced by these facilities, especially given the distance between the nearest BESS site and SR-177 (approximately 600 feet). Therefore, as described in the Final EIR, the Project would still not create a new source of substantial glare that would adversely affect daytime views in the area, and this impact would remain **less than significant**. In addition, as indicated in the Final EIR, implementation of Mitigation Measure AES-2 (Surface Treatment of Project Structures and Buildings) would continue to be required for the proposed BESS component to further minimize the potential for daytime glare through the application of surface treatments to all major permanent structures and buildings to minimize visual contrast and glare by using non-reflective finishes and colors that blend with the surrounding landscape, subject to agency review and approval. Mitigation Measure AES-4 (Retention of Roadside Vegetation) would also continue to be required for the proposed BESS component to further minimize the potential for daytime glare by reducing the visible contrast associated with daytime structural glare through retention of roadside vegetation along SR-177, which would limit the visibility of the proposed BESS component.

e. *Would the project result in the creation of an aesthetically offensive site open to public view?*

Construction/Decommissioning

The three sites proposed for development of the BESS component remain entirely within the area evaluated in the Final EIR. Construction and decommissioning of the three BESS sites would result in temporary visual impacts due to the presence of construction equipment, materials, and workers. These activities would also involve ground disturbance and vegetation removal within the three BESS sites, which would generate dust emissions from grading, excavation and soil movement as well lighting for nighttime safety. As concluded in the Final EIR, these temporary conditions could be aesthetically offensive when viewed from public vantage points. However, implementation of Mitigation Measure BIO-5 (Vegetation Resources Management Plan), Mitigation Measure AQ-1 (Fugitive Dust Control Plan), Mitigation Measure AES-1 (Night Lighting Management Plan), and Mitigation Measure AES-4 (Retention of Roadside Vegetation) would continue to be required for the BESS component to reduce the severity of these temporary impacts to a less-than-significant level through replacement of most vegetation removed during ground disturbance, dust suppression

practices, minimization of nighttime lighting, and retention of roadside vegetation along SR-177. Therefore, as described in the Final EIR, Project construction and decommissioning would still not create an aesthetically offensive site open to public view with implementation of Mitigation Measures BIO-5, AQ-1, AES-1, and AES-4, and this impact would remain **less than significant with mitigation incorporated**, as described in the Final EIR.

Operation

As described in the Final EIR, once constructed, the Project would alter the existing visual character from a natural desert setting to that of an industrial, solar energy facility and would include night lighting that would be visible from nearby public vantage points. Because the three sites proposed for the development of the BESS component remain entirely within the existing solar facility, the proposed BESS component would not further contribute to the change from a natural desert setting to that of a solar facility, and the contribution of the proposed BESS component to night lighting impacts would be limited to motion-sensitive lighting. Nevertheless, as determined in the Final EIR, the long-term visual change associated with the solar facility (including the proposed BESS component) could cause the Project site to appear aesthetically offensive to the public. Implementation of Mitigation Measure AES-1 (Night Lighting Management Plan), Mitigation Measure AES-2 (Surface Treatment of Project Structures and Buildings), Mitigation Measure AES-3 (Project Design), and Mitigation Measure AES-4 (Retention of Roadside Vegetation) would continue to be required for the BESS component to reduce the severity of these impacts to the extent feasible through minimization of nighttime lighting, surface treatments on permanent structures to minimize visual intrusion and glare, visibility reduction strategies, and retention of roadside vegetation along SR-177. Nevertheless, as described in the Final EIR, the Project would still create an aesthetically offensive site open to public view specifically along the portion of SR-177 located immediately adjacent to Parcel Group C even with implementation of Mitigation Measures AES-1 through AES-4, and this impact would remain **significant and unavoidable**, as described in the Final EIR.

f. Would the project interfere with nighttime use of the Mt. Palomar Observatory, as protected through Riverside County Ordinance No. 655?

The three sites proposed for development of the BESS continue to be located entirely within the area evaluated in the Final EIR, approximately 89 miles east of the Mt. Palomar Observatory and outside the distance to the Observatory's areas of sensitivity (Zone A at a 15-mile radius and Zone B at a 45-mile radius from the Observatory) (County of Riverside 1988). As described in the Final EIR, the Project, including the BESS, is expected to use some nighttime lighting during construction, O&M, and decommissioning. However, such uses are anticipated to be minimal, and based on the distance between the three BESS sites and the Observatory, the Project would continue to result in **no impact** to the Mt. Palomar Observatory, as described in the Final EIR.

g. Would the project expose residential property to unacceptable light levels?

The three sites proposed for development of the BESS component remain entirely within the area evaluated in the Final EIR. BESS Site 1 and BESS Site 2 are near residential properties and would be visible in the distance from the nearest residences, including the Green Acres mobile park located approximately 200 feet northwest of BESS Site 2. As described in the Final EIR, and discussed above, the construction, O&M, and eventual decommissioning of the Project (including the proposed BESS component) would require limited lighting, and the Project would be designed to provide the minimum illumination required to achieve safety and security objectives. In addition, during

construction and eventual decommissioning activities, all lighting would be directed downward and shielded to focus illumination on the desired areas only and avoid light spillage onto adjacent property, and permanent, continuous lighting would be confined to a small portion of the existing solar facility (outside the three BESS sites) that contains O&M facilities and the switchyard. Implementation of Mitigation Measure AES-1 (Night Lighting Management Plan) would continue to be required for the proposed BESS component and requires that light intensity be the minimum necessary for worker safety and facility security and that direct lighting not illuminate the nighttime sky. Therefore, as described in the Final EIR, the Project would still not expose residential property to unacceptable light levels with implementation of Mitigation Measure AES-1, and this impact would remain **less than significant with mitigation incorporated**.

h. Would the project construction, operation, or decommissioning result in an inconsistency with regulatory plans, policies, and standards applicable to the protection of aesthetics?

The three sites proposed for development of the BESS component remain entirely within the area evaluated in the Final EIR, and construction and decommissioning activities associated with the proposed BESS component remain within the parameters of the construction and decommissioning activities contemplated in the Final EIR for the solar facility. There have been no substantial changes in the proposed BESS component as compared to what was analyzed in the Final EIR for the solar facility (which includes the BESS component) that would change the consistency of the Project with regulatory plans, policies, and standards applicable to the protection of aesthetics, in particular the Riverside County General Plan Land Use and Multi-Purpose Open Space Elements and the Desert Center Area Plan. This consistency analysis is outlined in Table 3.2-4 of the Final EIR.

Although the Desert Center Area Plan was updated in 2021 and the Riverside County General Plan was updated in 2024, following certification of the Final EIR in 2019, there have not been any substantial changes to the policies applicable to visual character, lighting, scenic highway protection, scenic resources, or open space preservation; the proposed BESS component; or overall Project that would change the conclusions of the consistency analysis, as included in the Final EIR (County of Riverside 2021 and 2024). In particular, the one-foot height increase in the battery enclosures as compared to what was evaluated in the Final EIR would not affect the Project's consistency with regulatory plans, policies, and standards applicable to the protection of aesthetics because it would not result in a substantial change to the visual profile of the BESS sites or overall Project nor would it alter the visibility or dominance of views of the Project from public viewpoints as compared to what was evaluated in the Final EIR, as discussed under threshold 3.1(c). Implementation of Mitigation Measure AES-1 (Night Lighting Management Plan), Mitigation Measure AES-2 (Surface Treatment of Project Structures and Buildings), and Mitigation Measure AES-4 (Retention of Roadside Vegetation) would continue to be required for the BESS component to reduce these impacts to a less-than-significant level through minimization of nighttime lighting, surface treatments on permanent structures to minimize visual intrusion and glare, and retention of roadside vegetation along SR-177. Therefore, as described in the Final EIR, Project construction, operation, or decommissioning would still not result in an inconsistency with regulatory plans, policies, and standards applicable to the protection of aesthetics with implementation of Mitigation Measures AES-1, AES-2, and AES-4, and this impact would remain **less than significant with mitigation incorporated**.

i. Would the project decommissioning result in a short-term and/or long-term aesthetic effects resulting from increased visual contrast?

As described in the Final EIR, the proposed BESS component would be decommissioned at the end of its useful life, which would involve the removal of above-ground and buried infrastructure,

grading, and site restoration. These activities would result in temporary visual impacts due to the presence of equipment, materials, and increased vehicle activity, similar to those described for the construction of the proposed BESS component. Following removal of BESS components, the three BESS sites would be restored in accordance with a Decommissioning and Site Reclamation Plan, which would be updated prior to decommissioning and implemented in compliance with applicable federal, state, and local regulations in effect at that time (CUP180001 Condition of Approval 080 - Planning 8). As indicated in the Final EIR, visual recovery in desert environments is typically slow due to the limited success of revegetation efforts, and disturbed areas may exhibit prolonged contrast with surrounding undisturbed lands. Although Mitigation Measure BIO-5 (Vegetation Resources Management Plan) would continue to be required for the proposed BESS component to promote revegetation of temporarily disturbed areas, salvage and replant native cacti and yucca species, and stabilize soils, the long-term visual impacts associated with decommissioning would remain **significant and unavoidable**, as described in the Final EIR.

Cumulative Impacts

The geographic extent for cumulative aesthetic effects consists of the I-10 corridor, the greater Chuckwalla Valley, and the Project-facing slopes and ridges of the surrounding mountains and is based primarily on the natural boundaries of the affected resource where direct effects would occur (i.e., shared viewsheds). The geographic scope also considers the indirect effect of the perceived industrialization of the I-10 corridor, which is associated with the proliferation of energy facilities across the landscape visible to travelers on I-10. The cumulative scenario includes numerous existing and proposed solar facilities, transmission lines, substations, and other infrastructure that contribute to the industrialization of the landscape, including many of the cumulative projects identified in Table 1 and Table 2 under *Cumulative Projects* in Section 3, *Impacts Analysis*. As indicated in the Final EIR, if all the projects in the cumulative scenario were implemented, they could substantially degrade the visual character and general scenic appeal of the existing landscape, resulting in the conversion of a relatively undeveloped desert landscape into a more industrialized appearance and a cumulative impact to aesthetic resources when viewed by sensitive viewing populations along I-10 and SR-177, from nearby residences, and in the surrounding mountains and wilderness.

The three sites proposed for development of the BESS component remain entirely within the area evaluated in the Final EIR, and as detailed above, the project-level impacts of the proposed BESS component pertaining to aesthetics would remain the same as those described in the Final EIR. Although the proposed BESS component would introduce additional infrastructure and built features into the landscape, it would be visually consistent with the existing and planned solar infrastructure in the area. The proposed BESS component would not introduce new types of visual elements or increase the scale of development substantially different than what was previously analyzed in the Final EIR. In particular, the one-foot height increase in the battery enclosures as compared to what was evaluated in the Final EIR would not affect the Project's contribution to cumulative aesthetic impacts because it would not result in a substantial change to the visual profile of the BESS sites or overall Project nor would it alter the visibility or dominance of views of the Project from public viewpoints as compared to what was evaluated in the Final EIR, as discussed under threshold 3.1(c). Therefore, the proposed BESS component would not change the conclusions of the Final EIR regarding the Project's contribution to cumulative aesthetic impacts. As described in the Final EIR, the Project's contribution to cumulative aesthetics impacts would remain cumulatively considerable and would continue to be significant and unavoidable, even with implementation of

Mitigation Measures AES-1 through AES-4 and BIO-5, in particular for sensitive viewing populations along I-10 and SR-177, from nearby residences, and in the surrounding mountains and wilderness.

Effects and Mitigation Measures

There are no substantial changes in the Project, substantial changes in the circumstances under which the Project is undertaken, or new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the Final EIR was certified, that indicate the Project would result in new significant environmental effects or a substantial increase in the severity of previously identified significant effects with regard to aesthetic resources. In addition, there is no new information indicating there are mitigation measures or alternatives previously found not to be feasible that are now feasible and would substantially reduce one or more significant environmental effects of the Project or indicating there are mitigation measures or alternatives which are considerably different from those analyzed in the Final EIR that would substantially reduce one or more significant environmental effects of the Project. Impacts to aesthetic resources would remain consistent with those described in the Final EIR, and no new mitigation measures would be required.

Conclusion

The FEIR determined that impacts related to visual changes would remain significant and unavoidable, despite the incorporation of mitigation measures. Based upon the analysis contained herein, the proposed BESS component would not involve new significant environmental effects or a substantial increase in the severity of those effects and therefore does not meet any of the conditions requiring preparation of a subsequent EIR.

Significant and Unavoidable Impact (Same as Final EIR)

3.2 Agriculture and Forestry Resources

	Where was Impact Analyzed in the EIR?	Do Proposed Changes Require Major Revisions to the EIR?	Do New Circumstances Require Major Revisions to the EIR?	Any New Information of Substantial Importance Resulting in New or Substantially More Severe Significant Impacts?	Do EIR Mitigation Measures Address and/or Resolve Impacts?
Would the project:					
a. Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	Page 3.3-5	No	No	No	N/A
b. Conflict with existing zoning for agricultural use or a Williamson Act contract?	Pages 3.3-6 to 3.3-7	No	No	No	N/A
c. Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code Section 12220(g)); timberland (as defined by Public Resources Code Section 4526); or timberland zoned Timberland Production (as defined by Government Code Section 51104(g))?	Page 3.3-5	No	No	No	N/A
d. Result in the loss of forest land or conversion of forest land to non-forest use?	Page 3.3-6	No	No	No	N/A
e. Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use or conversion of forest land to non-forest use?	Pages 3.3-7 to 3.3-9	No	No	No	N/A

		Where was Impact Analyzed in the EIR?	Do Proposed Changes Require Major Revisions to the EIR?	Do New Circumstances Require Major Revisions to the EIR?	Any New Information of Substantial Importance Resulting in New or Substantially More Severe Significant Impacts?	Do EIR Mitigation Measures Address and/or Resolve Impacts?
f.	Cause development of non-agricultural uses within 300 feet of agriculturally zoned property (Ordinance No. 625, "Right-to-Farm")?	Page 3.3-9	No	No	No	N/A
g.	Conflict with land within a Riverside County Agricultural Preserve?	Page 3.3-6	No	No	No	N/A

Summary of Final EIR Impacts Assessment

The Final EIR determined the solar facility (including the proposed BESS component) would result in less-than-significant impacts to agriculture and forestry resources because:

- The solar facility is not located on lands designated as Prime Farmland, Unique Farmland, Farmland of Statewide Importance, forest land, or timberland;
- The solar facility is not located on or near a County–designated agricultural preserve
- The solar facility would not introduce a non-agricultural use that is sensitive to or incompatible with nearby agricultural operations;
- Less than 10 acres of land zoned for agricultural uses would be converted to non-agricultural use and the proposed solar facility would be consistent with the Agricultural zoning with issuance of a CUP; and
- The majority of farming soil within the Project site would be left undisturbed and available for crop cultivation at the end of the Project’s life.

The Final EIR also determined the solar facility (including the proposed BESS component) would not result in a cumulatively considerable contribution to the cumulative impact to agricultural resources that could occur as a result of the cumulative projects in the aggregate (County of Riverside 2019).

Current Assessment of Impacts

- a. *Would the project convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?*

These three sites still do not contain lands designated as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (California Department of Conservation 2022). Therefore, **no impact** would occur, as described in the Final EIR.

- b. *Would the project conflict with existing zoning for agricultural use or a Williamson Act contract?*

The three sites proposed for development of the BESS component would be constructed on land zoned by the County as Controlled Development Area (W-2-10), which permits agricultural uses and, with the CUP and Substantial Conformance Determination issued for the Project, allows the uses included in the Project (including the proposed BESS component). The three sites are still not subject to a Williamson Act contract (County of Riverside 2025a). As indicated in the Final EIR, with issuance of a conditional use permit, the proposed BESS component is consistent with existing zoning for the three sites and would not conflict with existing zoning for agricultural use. In addition, as detailed in the Final EIR, at the end of the Project's useful life, the solar facility (including the proposed BESS component) would be decommissioned and dismantled and the site restored to its pre-solar facility conditions, or such condition as appropriate in accordance with County policy at the time of decommissioning. Following removal of Project components and decommissioning, the BESS sites would be available for conversion back to agricultural use. Therefore, impacts would remain **less than significant**, as described in the Final EIR.

- c. *Would the project conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code Section 12220(g)); timberland (as defined by Public Resources Code Section 4526); or timberland zoned Timberland Production (as defined by Government Code Section 51104(g))?*

The three sites proposed for development of the BESS component remain entirely within the area evaluated in the Final EIR. There continues to be no forest lands or timberlands in the vicinity of the three sites (County of Riverside 2021); therefore, the Project (including the proposed BESS component) would still not conflict with existing zoning for, or cause rezoning of, forest land, timberland, or timberland zoned Timberland Production. **No impact** would occur, as described in the Final EIR.

- d. *Would the project result in the loss of forest land or conversion of forest land to non-forest use?*

The three sites proposed for development of the BESS component remain entirely within the area evaluated in the Final EIR. These three sites continue to be located on land zoned as Controlled Development Area (W-2-10) and are not located on land zoned specifically as either forest land or timberland. Although timber production is an allowable activity within the W-2-10 zone (provided a CUP has been granted), the three sites proposed for development of the BESS component would not be used for timber production, and the sites are not forested. In addition, the land surrounding the sites is not considered timberland because the land is not located in a Timberland Production Zone (County of Riverside 2021). Overall, the three sites proposed for development of the BESS component continue to not meet the definition of "forest land;" therefore, development of the BESS component would not result in the loss of forest land or conversion of forest land to non-forest use. Therefore, **no impact** would occur, as described in the Final EIR.

- e. *Would the project involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use or conversion of forest land to non-forest use?*

The proposed use of land zoned as W-2-10 for non-agricultural use would not result in the conversion of existing adjacent farmland to non-agricultural use. The nearest area of active agricultural land is approximately 0.3 mile northeast of the BESS Site 1; thus, the three sites

proposed for development of the BESS component are at least 100 feet from active agricultural operations, which is the distance indicated in the Final EIR at which potential indirect effects due to increased ambient air temperatures could occur. In addition, construction and operation of the proposed BESS component would otherwise not change potential indirect effects to nearby agricultural land due to air pollutant emissions from vehicles, water used for construction-related dust control and operations, drainage, shading of adjacent lands, or restrictions on pesticide use. Furthermore, the proposed BESS component would not introduce a non-agricultural use that is sensitive to or incompatible with nearby agricultural operations. Therefore, as described in the Final EIR, impacts related to the conversion of Farmland to non-agricultural use or conversion of forest land to non-forest use would remain **less than significant**, as described in the Final EIR.

f. Would the project cause development of non-agricultural uses within 300 feet of agriculturally zoned property (Ordinance No. 625, “Right-to-Farm”)?

The intent of Riverside County Ordinance No. 625, the “Right to Farm” Ordinance, is to reduce the loss of agricultural resources in Riverside County by limiting the circumstances under which agricultural operations may be deemed to constitute a nuisance. Nothing in the ordinance is to be construed to limit the right of any owner of real property to request that the County consider a change in the zoning classification.

Refer to Thresholds 3.2(b) and 3.2(e) regarding impacts from the construction, O&M, and decommissioning of the proposed BESS component; as discussed therein, the proposed BESS component would result in development of non-agricultural uses within 300 feet of agriculturally zoned property (including the A-1 zone, which is identified by Ordinance No. 625 as land zoned for primarily agricultural purposes), but would not result in significant impacts due to the location of non-agricultural use in proximity to agricultural use. The proposed BESS component would not create use conflicts with agricultural uses or otherwise interfere with use of agriculturally-zoned property adjacent to the three sites. Under County Ordinance No. 625, the proposed BESS component would not lead to the loss of agricultural resources in Riverside County because it would not cause existing agricultural uses on nearby lands to be considered a nuisance. Agricultural activities and their related impacts within the vicinity of the three sites would have no effect on the construction, O&M, or decommissioning of the proposed BESS component.

In addition, the proposed BESS component would not result in incompatible uses within a County Agricultural Preserve and would comply with Ordinance No. 509 because no aspect of the proposed BESS component would cross or impact agricultural preserves (see threshold 3.2[g] below). Therefore, as described in the Final EIR, impacts related to development of non-agricultural uses within 300 feet of agriculturally zoned properties would remain **less than significant**, as described in the Final EIR.

g. Would the project conflict with land within a Riverside County Agricultural Preserve?

The three sites proposed for development of the BESS component remain entirely within the area evaluated in the Final EIR. These three sites continue to not be located on a County–designated agricultural preserve (County of Riverside 2025a). Therefore, the Project (including the proposed BESS component) would continue to not conflict with land within a County Agricultural Preserve and **no impact** would occur, as described in the Final EIR.

Cumulative Impacts

The geographic scope for cumulative agriculture and forestry resource impacts includes the Desert Center area (County of Riverside 2019). Most of the parcels in the Project area, and the Desert Center area as a whole, have been previously disturbed and are or were used for agriculture, particularly jojoba farming. Cumulative impacts to agriculture and forestry resources could result from the continued conversion of land currently utilized for agricultural production to urban and other land uses. As detailed in the Final EIR, the conversion of agricultural lands, and specifically Farmland, in Riverside County from cumulative projects could result in a cumulative impact.

Implementation of the proposed BESS component, in combination with other projects in the Desert Center area, could result in the use of land zoned for agricultural uses for non-agricultural uses or cause development of non-agricultural uses within 300 feet of agriculturally-zoned property. However, with the issuance of a CUP, developments under the cumulative scenario constitute allowed uses within Agricultural zones that have been found to be consistent with zoning. As detailed above, the proposed BESS component would not involve other changes in the existing environment that may result in the conversion of other agricultural lands to non-agricultural uses. In addition, the proposed BESS component would not convert any Important Farmland to non-agricultural uses. Lastly, after the solar facility (including the proposed BESS component) is decommissioned and dismantled, the Project site would be restored to its pre-Project conditions, or such condition as appropriate in accordance with Mitigation Measure AES-3 and Condition of Approval Planning-8 (as identified in the 2025 Substantial Conformance Determination) and would be available to return to agricultural uses. Therefore, the proposed BESS component's contribution to the cumulative impact to agricultural resources would not be cumulatively considerable.

Effects and Mitigation Measures

There are no substantial changes in the Project, substantial changes in the circumstances under which the Project is undertaken, or new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the Final EIR was certified, that indicate the Project would result in new significant environmental effects or a substantial increase in the severity of previously identified significant effects with regard to agriculture and forestry resources. In addition, there is no new information indicating there are mitigation measures or alternatives previously found not to be feasible that are now feasible and would substantially reduce one or more significant environmental effects of the Project or indicating there are mitigation measures or alternatives which are considerably different from those analyzed in the Final EIR that would substantially reduce one or more significant environmental effects of the Project. Impacts to agriculture and forestry resources would remain consistent with those described in the Final EIR, and no new mitigation measures would be required.

Conclusion

The FEIR determined that impacts related to agriculture and forestry resources would be less-than-significant. Based upon the analysis contained herein, the proposed BESS component would not involve new significant environmental effects or a substantial increase in the severity of those effects and therefore does not meet any of the conditions requiring preparation of a subsequent EIR.

Less than Significant Impact (Same as Final EIR)

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3.3 Air Quality

	Where was Impact Analyzed in the EIR?	Do Proposed Changes Require Major Revisions to the EIR?	Do New Circumstances Require Major Revisions to the EIR?	Any New Information of Substantial Importance Resulting in New or Substantially More Severe Significant Impacts?	Do EIR Mitigation Measures Address and/or Resolve Impacts?
Would the project:					
a. Conflict with or obstruct implementation of the applicable air quality plan?	Page 3.4-9	No	No	No	N/A
b. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?	Pages 3.4-9 to 3.4-14	No	No	No	Yes
c. Expose sensitive receptors to substantial pollutant concentrations?	Pages 3.4-14 to 3.4-16	No	No	No	N/A
d. Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?	Page 3.4-17	No	No	No	N/A
e. Expose sensitive receptors that are located within one mile of the Project site to substantial point source emissions?	Pages 3.4-14 to 3.4-16	No	No	No	N/A
f. Involve the construction of a sensitive receptor located within one mile of an existing substantial point source emitter?	Page 3.4-7	No	No	No	N/A

Summary of Final EIR Impacts Assessment

The Final EIR determined the solar facility (including the proposed BESS component) would result in less-than-significant impacts to air quality with mitigation incorporated because 1) the Project would be consistent with the applicable Air Quality Management Plan (AQMP); 2) construction-related criteria air pollutant emissions would be reduced below South Coast Air Quality Management District (SCAQMD) thresholds with implementation of mitigation measures, including

a Fugitive Dust Control Plan, use of Tier 4 off-road equipment, and a Construction Activity Management Plan; 3) operational-phase criteria air pollutant emissions would not exceed SCAQMD thresholds; 4) toxic air contaminant (TAC) emissions during Project construction would not exceed SCAQMD health risk thresholds; 5) the Project would not expose sensitive receptors to substantial concentrations of localized criteria air pollutant emissions, Valley Fever fungal spores, or dust; and 6) the Project would not generate odors or other emissions affecting a substantial number of people. The Final EIR also determined the solar facility (including the proposed BESS component) would not result in a cumulatively considerable contribution to cumulative air quality impacts that could occur as a result of the cumulative projects in the aggregate (County of Riverside 2019).

Current Assessment of Impacts

a. Would the project conflict with or obstruct implementation of the applicable air quality plan?

Since certification of the Final EIR in 2019, SCAQMD adopted its 2022 AQMP, which builds on the measures already in place from the 2016 AQMP in effect at the time of the Final EIR and includes a variety of additional strategies such as regulation, accelerated deployment of available cleaner technology, best management practices, co-benefits from existing programs, incentives, and other Clean Air Act measures to meet the 8-hour ozone standard (SCAQMD 2022). The Final EIR determined the solar facility (including the proposed BESS component) would not conflict with the 2016 AQMP because it would not induce permanent population growth or construction activity beyond the projections on which the AQMP is based. Similarly, the proposed BESS component also would not conflict with the 2022 AQMP because the construction and decommissioning workforce would be temporary and no additional permanent staff would be required for operation beyond those already employed at the Project site to operate the solar facility. Therefore, the BESS component would continue to not conflict with or obstruct implementation of the applicable air quality plan, and the impact would remain **less than significant**, as described in the Final EIR.

b. Would the project result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?

The proposed BESS component is located in the Mojave Desert Air Basin (MDAB) in an area under the jurisdiction of SCAQMD. The Riverside County portion of the MDAB is designated as non-attainment for the state ambient air quality standards for ozone and particulate matter measuring 10 microns or less in diameter (PM₁₀) and attainment or unclassified for all other federal and state ambient air quality standards (California Air Resources Board [CARB] 2023). Construction-phase criteria air pollutant emissions associated with the proposed BESS component were quantified and analyzed in the Final EIR as part of the overall solar facility. Emissions were determined to exceed SCAQMD regional significance thresholds, and implementation of Mitigation Measures AQ-1 through AQ-4 was required to reduce emissions below the thresholds.

Construction and decommissioning activities associated with the proposed BESS component remain within the parameters of the construction and decommissioning activities contemplated in the Final EIR for the solar facility. Because the BESS would be constructed on a small portion of the overall Project site, separately from the rest of the completed solar facility, maximum daily criteria air pollutant emissions during construction of the BESS component would be lower than those estimated in the Final EIR for the overall solar facility. Implementation of the same mitigation measures identified in the Final EIR would continue to be required for the proposed BESS component, including Mitigation Measure AQ-1 (Fugitive Dust Control Plan), which reduces

particulate matter emissions through dust suppression practices; Mitigation Measure AQ-2 (Control On-Site Off-Road Equipment Emissions), which requires the use of Tier 4 off-road diesel equipment; Mitigation Measure AQ-3 (Require Newer Vehicles for On-Road Vendor and Hauling Trucks), which limits emissions from on-road vehicles; and Mitigation Measure AQ-4 (Construction Activity Management Plan), which requires scheduling of construction activities to avoid peak emissions. Furthermore, the O&M activities for the proposed BESS component remain the same as those described in the Final EIR for solar facility. As indicated in the Final EIR, operational-phase criteria air pollutant emissions would not exceed SCAQMD regional significance thresholds. Therefore, as described in the Final EIR, the Project would still not result in a cumulatively considerable net increase of criteria pollutants for which the Project region is non-attainment under an applicable federal or state ambient air quality standard with implementation of Mitigation Measures AQ-1 through AQ-4, and this impact would remain **less than significant with mitigation incorporated**, as described in the Final EIR.

- c. *Would the project expose sensitive receptors to substantial pollutant concentrations?*
- e. *Would the project expose sensitive receptors that are located within one mile of the Project site to substantial point source emissions?*

Land uses that are sensitive to air pollution are: residences, schools, daycare centers, playgrounds and medical facilities. As described in the Final EIR, there are scattered residences near the solar facility boundary along Highway 177/Rice Road. The nearest sensitive receptors to the BESS sites are the residences of the Green Acres Mobile Park, which are approximately 200 feet northwest of the nearest BESS site (Site 2). This distance is greater than the distance to the nearest sensitive receptor for the overall Project site as identified in the Final EIR, which evaluated impacts to the nearest residence less than 100 feet from the Project boundary. As described in the Final EIR, potential localized air quality impacts to sensitive receptors would be most influenced by on-site construction-phase emissions associated with the solar facility (including the BESS component). Sources of construction-phase and decommissioning-phase emissions for the BESS component would be temporary, limited in scale (approximately 31 acres) compared to the overall Project site, localized to the three BESS sites, and dispersed given the three BESS sites are non-contiguous.

In addition, localized construction-phase criteria air pollutant and TAC emissions associated with the proposed BESS component were quantified and analyzed in the Final EIR as part of the overall solar facility. Emissions were determined to not exceed SCAQMD thresholds for localized criteria air pollutant emissions and health risk. Construction and decommissioning activities associated with the proposed BESS component remain within the parameters of the construction and decommissioning activities contemplated in the Final EIR for the solar facility. However, because the BESS would be constructed separately from the rest of the solar facility, which has been completed, on a small portion of the overall Project site, maximum daily localized emissions of criteria air pollutants and TACs during construction of the BESS component would be lower than those estimated in the Final EIR for the overall solar facility and would remain below applicable SCAQMD thresholds. Dust generation and the mobilization of Valley Fever fungal spores during construction and decommissioning of the BESS component would similarly be lower than that anticipated in the Final EIR for the overall solar facility and would thus remain less than significant. Furthermore, the O&M activities for the proposed BESS component would remain the same as those described in the Final EIR for solar facility. The BESS would be electrically powered; therefore, only minimal air pollutant emissions would be generated by the occasional use of maintenance vehicles and equipment, which would be subject to mandatory regulatory controls that would further minimize dust and equipment emission. As indicated in the Final EIR, O&M associated with the solar facility

(including the proposed BESS component) would not expose sensitive receptors to substantial concentrations of air pollutant emissions. Therefore, as described in the Final EIR, the Project would still not expose sensitive receptors, including those within one mile of the three BESS sites, to substantial pollutant concentrations, and this impact would remain **less than significant**.

d. Would the project result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?

As described in the Final EIR, the Project (including the proposed BESS component) does not include any notable sources of odorous emissions. Potential odors as a result of equipment exhaust during construction and decommissioning would be minimal based on the mandatory use of ultra-low sulfur diesel fuel. Given the BESS units would be electrically powered, O&M of the BESS would generate negligible odors and other emissions from the use of equipment and vehicles for routine maintenance, repair, and inspection. The BESS units themselves would not generate odors. Furthermore, as described in the Final EIR, mandatory regulatory controls would minimize and avoid impacts from dust emissions and off-road equipment so that O&M emissions would not result in substantial concentrations of any air pollutants. Therefore, as described in the Final EIR, the Project would still not generate other emissions, such as those leading to odors, that would adversely affect a substantial number of people, and impacts would remain **less than significant**.

f. Would the project involve the construction of a sensitive receptor located within one mile of an existing substantial point source emitter?

As described in the Final EIR, the Project continues to not include construction of a sensitive receptor within one mile of an existing, substantial point source emitter. Therefore, **no impact** would occur.

Cumulative Impacts

The geographic scope for cumulative air quality impacts includes consideration of regional air emissions across the MDAB, which encompasses the Project area and is managed by the SCAQMD in the vicinity of the Project site and the Mojave Desert Air Quality Management District. The MDAB is designated nonattainment for ozone and PM₁₀ under the state ambient air quality standards (CARB 2023). Cumulative impacts to air quality could result from the combined air pollutant emissions of construction and operational activities from multiple renewable energy and infrastructure projects in the Desert Center area. As discussed in the Final EIR, air pollutant emissions from cumulative projects within the MDAB could contribute to regional air quality degradation, particularly for ozone precursors and particulate matter.

Implementation of the proposed BESS component, in combination with other projects in the MDAB, would result in short-term construction emissions from equipment and vehicle use. However, the BESS construction footprint is limited to approximately 31 acres, and emissions would be substantially lower than those of the overall solar facility analyzed in the Final EIR. The BESS component would be required to implement the same mitigation measures identified in the Final EIR (Mitigation Measures AQ-1 through AQ-4), including dust control, use of Tier 4 equipment, and construction activity management. These measures would reduce Project-level emissions below SCAQMD thresholds. During operation, the BESS would be electrically powered and require only minimal maintenance activities, resulting in negligible emissions. Pursuant to SCAQMD (1993) guidance, if a project's mass regional emissions or localized emissions do not exceed the applicable SCAQMD thresholds, then the project's criteria pollutant emissions would not be cumulatively

considerable. Therefore, the Project's contribution to cumulative air quality impacts would remain not cumulatively considerable.

Effects and Mitigation Measures

There are no substantial changes in the Project, substantial changes in the circumstances under which the Project is undertaken, or new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the Final EIR was certified, that indicate the Project would result in new significant environmental effects or a substantial increase in the severity of previously identified significant effects with regard to air quality. In addition, there is no new information indicating there are mitigation measures or alternatives previously found not to be feasible that are now feasible and would substantially reduce one or more significant environmental effects of the Project or indicating there are mitigation measures or alternatives which are considerably different from those analyzed in the Final EIR that would substantially reduce one or more significant environmental effects of the Project. Impacts to air quality would remain consistent with those described in the Final EIR, and no new mitigation measures would be required. Mitigation Measures AQ-1 through AQ-4 would continue to be required.

Conclusion

The FEIR determined that impacts related to air quality would be less than significant with mitigation incorporated. Based upon the analysis contained herein, the proposed BESS component would not involve new significant environmental effects or a substantial increase in the severity of those effects and therefore does not meet any of the conditions requiring preparation of a subsequent EIR.

Less than Significant Impact with Mitigation Incorporated (Same as Final EIR)

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3.4 Biological Resources

	Where was Impact Analyzed in the EIR?	Do Proposed Changes Require Major Revisions to the EIR?	Do New Circumstances Require Major Revisions to the EIR?	Any New Information Resulting in New or Substantially More Severe Significant Impacts?	Do EIR Mitigation Measures Address and/or Resolve Impacts?	
Would the project:						
a.	Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	Pages 3.5-19 to 3.5-29	No	No	No	Yes
b.	Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	Page 3.5-30	No	No	No	Yes
c.	Have a substantial adverse effect on federal protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marshes, vernal pools, and coastal areas) or any State-protected jurisdictional areas not subject to regulation under Section 404 of the Clean Water Act through direct removal, filling, hydrological interruption, or other means?	Pages 3.5-30 to 3.5-32	No	No	No	Yes

	Where was Impact Analyzed in the EIR?	Do Proposed Changes Require Major Revisions to the EIR?	Do New Circumstances Require Major Revisions to the EIR?	Any New Information Resulting in New or Substantially More Severe Significant Impacts?	Do EIR Mitigation Measures Address and/or Resolve Impacts?
d. Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	Pages 3.5-32 to 3.5-33	No	No	No	Yes
e. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	Page 3.5-33	No	No	No	Yes
f. Substantially reduce the habitat of a fish or wildlife species; cause a fish or wildlife population to drop below self-sustaining levels; threaten to eliminate a plant or animal community; or substantially reduce the number or restrict the range of an endangered, rare, or threatened species?	Pages 3.5-19 to 3.5-29 and 3.5-33 to 3.5-34	No	No	No	Yes
g. Have a substantial adverse effect, either directly or through habitat modifications, on any endangered, or threatened species, as listed in Title 14 of the California Code of Regulations (Sections 670.2 or 670.5) or in Title 50, Code of Federal Regulations (Sections 17.11 or 17.12)?	Pages 3.5-19 to 3.5-29	No	No	No	Yes
h. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	Pages 3.5-18	No	No	No	N/A

Summary of Final EIR Impacts Assessment

The Final EIR determined the solar facility (including the proposed BESS component) would result in less-than-significant impacts to biological resources with mitigation incorporated because:

- The Project would permanently impact 395.5 acres of natural habitats and may affect special-status species, including Emory's crucifixion thorn, desert tortoise, desert kit fox, American badger, burrowing owl, and native birds and bats, and impacts to these habitats and species would be reduced to a less-than-significant level with implementation of Mitigation Measures BIO-1 through BIO-14.
- The Project would eliminate approximately 92.4 acres of desert dry wash woodland, and impacts to this sensitive habitat type would be reduced to a less-than-significant level with implementation of Mitigation Measures BIO-1 through BIO-6.
- Project construction would affect State-protected jurisdictional waters found along the ephemeral washes and within the desert dry wash woodlands on Project site, and impacts would be reduced to a less-than-significant level with implementation of Mitigation Measures BIO-1 through BIO-6 and BIO-15.
- The Project would further interrupt potential wildlife movement routes through an area already compromised by the existing pattern of land use, and wildlife nursery sites may be found throughout the Project site, but these impacts would be reduced to a less-than-significant level with implementation of Mitigation Measures BIO-1 through BIO-6 and BIO-8 through BIO-14.
- The Project would impact special-status species, sensitive habitats, and waters of the State that are protected by Riverside County General Plan provisions, but impacts would be reduced to a less-than-significant level with implementation of Mitigation Measures BIO-1 through BIO-6 and BIO-8 through BIO-15.
- Most of the Project site consists of anthropogenically disturbed land such that wildlife species would not be substantially affected, and impacts would be reduced with implementation of Mitigation Measures BIO-1 through BIO-6 and BIO-8 through BIO-15.

The Final EIR also determined the Project was not subject to an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan and thus would not have an impact on them.

The Final EIR also determined that, with incorporation of Mitigation Measures BIO-1 through BIO-15, the solar facility (including the proposed BESS component) would not result in a cumulatively considerable contribution to cumulative impacts to biological resources that could occur as a result of the cumulative projects in the aggregate (County of Riverside 2019).

Current Assessment of Impacts

- a. *Would the project have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?*
- f. *Would the project substantially reduce the habitat of a fish or wildlife species; cause a fish or wildlife population to drop below self-sustaining levels; threaten to eliminate a plant or animal community; or substantially reduce the number or restrict the range of an endangered, rare, or threatened species?*
- g. *Would the project have a substantial adverse effect, either directly or through habitat modifications, on any endangered, or threatened species, as listed in Title 14 of the California Code of Regulations (Sections 670.2 or 670.5) or in Title 50, Code of Federal Regulations (Sections 17.11 or 17.12)?*

The three sites proposed for development of the BESS component remain entirely within the area evaluated in the Final EIR, specifically within Parcel Groups C and F. At the time of the Final EIR, Parcel Group C was mapped as fallow agriculture, developed/disturbed area, and recovering creosote bush scrub, and Parcel Group F was mapped as creosote bush scrub, desert dry wash woodland, and desert pavement. Special-status wildlife observations in anthropogenic land uses (including disturbed/recovering vegetation) on Parcel C during the surveys conducted in the spring of 2018 included an American badger carcass and burrow complex, and one western burrowing owl burrow with sign. The Final EIR also indicated Parcel Group F contains suitable habitat for special-status plants including Emory's crucifixion thorn (*Castela emoryi*), jackass clover (*wislizenia refracta*), glandular ditaxis (*Ditaxis claryana*), California ditaxis (*Ditaxis serrata* var. *californica*), and Utah milvine (*Cynanchum utahense*); however, no jackass clover, glandular ditaxis, California ditaxis, and Utah milvine were observed on site during the surveys conducted in the spring of 2018. Special-status wildlife observations in natural vegetation and habitat types on Parcel Group F included inactive desert tortoise (*Gopherus agassazi*) burrows, two active and one inactive desert kit fox (*Vulpes macrotis arsipus*) burrows, American badger (*Taxidea taxus*) dig, and one western burrowing owl (*Athene cunicularia hypugaea*) burrow. In addition, the Final EIR noted special-status bats may forage on or near Project site, and special-status birds may forage or nest on-site.

Since certification of the Final EIR in 2019, the existing solar facility, with the exception of the BESS, was constructed and completed in July 2022. BESS Site 2 was fully graded with vegetation removed, and the majority of BESS Site 3 was graded and cleared of vegetation as well. BESS Site 1, which is comprised of recovering creosote bush scrub, has not yet been graded or cleared, and a small portion of BESS Site 3 comprised of desert dry wash woodland remains undisturbed. Security fencing is already in place around two of the three BESS sites, and new wildlife and security fencing consistent with that installed for the remainder of the solar facility would be installed at BESS Site 1. The proposed BESS component would not introduce new or substantially different facilities beyond those considered in the Final EIR for the battery or flywheel storage system. Therefore, construction, O&M, and decommissioning of the proposed BESS component on the three BESS sites could result in impacts to special-status species that are within the nature and magnitude of impacts analyzed and mitigated for the Project in the Final EIR.

In addition, when the Final EIR was certified in 2019, western burrowing owl was a California Department of Fish and Wildlife Species of Special Concern. On October 15, 2024, the California Fish

and Game Commission made the decision to name western burrowing owl as a candidate for listing under the California Endangered Species Act. Nevertheless, impacts to this species associated with the Project (including the proposed BESS component) were disclosed in the Final EIR with implementation of Mitigation Measures BIO-1 through BIO-6, BIO-8, BIO-12, and BIO-13 required to reduce impacts to a less-than-significant level by avoiding take of burrowing owls through exclusion from the Project area and by avoiding disturbance of active nests (if present) through the establishment of avoidance buffers. Therefore, while the legal status of burrowing owl in California has changed since publication of the Final EIR, the nature and extent of the Project's potential impacts on burrowing owl as analyzed in the Final EIR have not changed. Accordingly, the change in listing status of western burrowing owl since publication of the Final EIR does not constitute a substantial change in circumstances or new information of substantial importance that could result in a new significant environmental impact or a substantial increase in the severity of a previously identified significant environmental impact. Furthermore, recent site visits at the BESS sites were conducted to check for occupied burrowing owl burrows on April 17, 2024 and July 9, 2025, as described in Appendix A, and no occupied burrow or burrowing owl sign were observed.

Because there are no new habitat types within the three BESS sites and no potential for additional special-status species to occur beyond those identified in the Final EIR, the impacts of the proposed BESS component to special-status species would be the same as those described in the Final EIR. Implementation of Mitigation Measure BIO-1 through BIO-13 and Mitigation Measure BIO-15 would continue to be required for the proposed BESS component.² Mitigation Measure BIO-1 (Biological Monitoring) would require monitoring and reporting to ensure compliance with all biological resource measures, including avoidance and minimization of habitat impacts. Mitigation Measure BIO-2 (Worker Environmental Awareness Training) would require training of on-site workers to require avoidance of and minimization of impacts to special-status species and their habitat. Mitigation Measure BIO-3 (Minimization of Vegetation and Habitat Impacts) would require clear demarcation of work areas and limitation of activities within those areas, to minimize adverse effects to habitat. Mitigation Measure BIO-4 (Integrated Weed Management Plan) would require an Integrated Weed Management Plan to prevent introductions or infestations of invasive weeds, and control or eradicate any infestations that may occur. Mitigation Measure BIO-5 (Vegetation Resources Management Plan) would require revegetation of temporarily disturbed areas to minimize dust and erosion, to minimize their effects to habitat, and Mitigation Measure BIO-6 (Compensation for Natural Habitat Impacts) would require permanent protection of off-site natural habitat to offset the Project's impacts to natural habitats on the Project site. Together, this series of mitigation measures would minimize adverse impacts to native vegetation and offset any permanent loss through off-site habitat compensation. Notably, Mitigation Measure BIO-6 was implemented in its entirety during construction of the existing solar facility, including mitigation to offset the loss of all desert dry wash woodland within BESS Site 3 even though this site has not yet been disturbed.

Mitigation Measure BIO-7 (Emory's Crucifixion Thorn Mitigation) would mitigate potential impacts to Emory's crucifixion thorn by either avoiding the plants or through horticultural propagation and off-site introduction. Mitigation Measures BIO-8 (Wildlife Protection) and Mitigation Measures BIO-9 (Desert Tortoise Protection) would prohibit take of desert tortoise, and Mitigation Measure BIO-10 (Desert Kit Fox and American Badger Relocation) requires pre-construction surveys, exclusion of animals from dens, passive relocation from the site, and avoidance of natal dens. Mitigation

² Mitigation Measure BIO-14 (Gen-tie Lines) would continue to be required for the overall Project but not for the proposed BESS component because it is specific to the gen-tie line.

Measure BIO-11 (Wildlife Water Source) would offset potential impacts to burro deer from the loss of an irrigation water source through access improvement to existing sources, removal of invasive tamarisk (or saltcedar) to improve surface flow, or provision of an alternative water source as a replacement or supplement to existing sources. Mitigation Measure BIO-12 (Bird and Bat Conservation Strategy) would minimize potential effects by identifying and avoiding active nests and roosts. Mitigation Measure BIO-13 (Burrowing Owl Avoidance and Relocation) would prevent or minimize potential injury to burrowing owl by identifying occupied burrows and implementation of avoidance buffers for active nests.³ Mitigation Measure BIO-15 (Streambed and Watershed Protection) would require a series of Best Management Practices (BMPs) to prevent or minimize adverse effects to streambed function and off-site habitats and would require the Project Applicant to obtain a Lake and Streambed Authorization Agreement (LSAA) from the California Department of Fish and Wildlife prior to initiating construction in jurisdictional waters of the State. Notably, pursuant to Mitigation Measure BIO-15, an LSAA was previously obtained by the Project applicant from the California Department of Fish and Wildlife for the entirety of the solar facility (including the proposed BESS component) with the corresponding mitigation implemented in full. The existing LSAA has been extended and will remain valid during construction of the proposed BESS component.

Therefore, as described in the Final EIR, the Project would still not result in substantial adverse effects to special-status species with implementation of Mitigation Measures BIO-1 through BIO-15, and this impact would remain **less than significant with mitigation incorporated**

b. Would the project have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?

The three sites proposed for development of the BESS component remain entirely within the area evaluated in the Final EIR. Since certification of the Final EIR in 2019, the existing solar facility, with the exception of the BESS, was constructed and completed in July 2022. BESS Site 2 was fully graded with vegetation removed, and the majority of BESS Site 3 was graded and cleared of vegetation as well. BESS Site 1, which is comprised of recovering creosote bush scrub, has not yet been graded or cleared, and a small portion of BESS Site 3 comprised of desert dry wash woodland remains undisturbed. Desert dry wash woodland is the riparian vegetation of regional episodic hydrologic systems of the regional desert and is identified in the Northern and Eastern Colorado Desert Coordinated Management Plan and Desert Renewable Energy Conservation as a sensitive habitat type (BLM 2002 and Conservation Biology Institute 2025). Implementation of Mitigation Measures BIO-1 through BIO-6 (described under threshold 3.4[a]) would continue to be required for the proposed BESS component to reduce impacts to desert dry wash woodland. Notably, Mitigation Measure BIO-6 (Compensation for Natural Habitat Impacts) was implemented in its entirety during construction of the existing solar facility, including mitigation to offset the loss of all desert dry wash woodland within BESS Site 3. Therefore, impacts to riparian habitat and sensitive natural communities would remain **less than significant with mitigation incorporated**, as described in the Final EIR.

³ Passive relocation of burrowing owls, as included in Mitigation Measure BIO-13, would not occur without receipt of an Incidental Take Permit from the California Department of Fish and Wildlife, which is not anticipated will be necessary at this time.

- c. *Would the project have a substantial adverse effect on federal protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marshes, vernal pools, and coastal areas) or any State-protected jurisdictional areas not subject to regulation under Section 404 of the Clean Water Act through direct removal, filling, hydrological interruption, or other means?*

The three sites proposed for development of the BESS component remain entirely within the area evaluated in the Final EIR. Since certification of the Final EIR in 2019, the existing solar facility, with the exception of the BESS, was constructed and completed in July 2022. BESS Site 2 was fully graded with vegetation removed, and the majority of BESS Site 3 was graded and cleared of vegetation as well. BESS Site 1, which is comprised of recovering creosote bush scrub, has not yet been graded or cleared, and a small portion of BESS Site 3 comprised of desert dry wash woodland remains undisturbed. Impacts to the desert dry wash woodland are addressed under threshold 3.4(b), and this discussion focuses on impacts to unvegetated washes crossing creosote bush scrub or anthropogenically disturbed areas.

As discussed in the Final EIR, the solar facility, including the proposed BESS component, does not include diversion channels, detention basins, or other substantial alterations to the existing surface hydrology. Water and sediment would be conveyed downslope, across the site, by sheet flow or within channels after construction of the proposed BESS component. However, surface flow patterns, velocities, and sediment loads may be altered throughout the site by battery enclosures, access roads, and other features of the proposed BESS component. Potential impacts to unvegetated washes that may be present within the portions of BESS sites not graded and cleared during construction of the existing solar facility could include increased siltation caused by construction and eventual decommissioning of the BESS component, fluvial transport of silts or pollutants off-site via the ephemeral channels, or altered flows causing downstream erosion or eliminating natural transport of sands and water to downstream habitat areas. Implementation of Mitigation Measures BIO-1 through BIO-6 and BIO-15, described under threshold 3.4(a), would continue to be required for the proposed BESS component. Notably, pursuant to Mitigation Measure BIO-15, an LSAA was previously obtained by the Project applicant from the California Department of Fish and Wildlife for the entirety of the solar facility (including the proposed BESS component) with the corresponding mitigation implemented in full. The existing LSAA has been extended and will remain valid during construction of the proposed BESS component. Therefore, impacts to federal protected wetlands and State-protected jurisdictional areas would remain **less than significant with mitigation incorporated**, as described in the Final EIR.

- d. *Would the project interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?*

As indicated in the Final EIR, wildlife movement through the area was already compromised at the time of the Final EIR by existing patterns of land use, and such movement was further disrupted during construction of the existing solar facility, which was completed in July 2022 (with the exception of the BESS). The proposed BESS component would not introduce new or substantially different facilities beyond those considered in the Final EIR for the battery or flywheel storage system. The three sites proposed for development of the BESS component remain entirely within the area evaluated in the Final EIR (specifically Parcel Groups C and F), and security fencing is already in place around two of the three BESS sites. New wildlife and security fencing consistent with that installed for the remainder of the solar facility would be installed at BESS Site 1.

The eastern portion of Parcel Group F remains within a potential multiple-species linkage route identified in the Desert Renewable Energy Conservation (Conservation Biology Institute 2025), but this area is outside of the three BESS sites. Implementation of Mitigation Measure BIO-6 (Compensation for Natural Habitat Impacts) would continue to be required for the proposed BESS component to offset impacts to wildlife movement habitat and would require acquisition and management of off-site vegetation and habitat in perpetuity to offset the permanent loss of natural vegetation and habitat on the Project site and incorporates the United States Fish and Wildlife focus area between Desert Center and Cactus City. This mitigation measure was implemented in its entirety during construction of the existing solar facility, including mitigation to offset the loss of all off-site vegetation and habitat remaining within the BESS sites.

Wildlife “nursery sites” such as bird nests or suitable breeding habit for other species may be found within native habitat present within the two of the three BESS sites. BESS Site 2 was fully graded with vegetation removed during construction of the existing solar facility, and the majority of BESS Site 3 was graded and cleared of vegetation as well. BESS Site 1, which is comprised of recovering creosote bush scrub, has not yet been graded or cleared, and a small portion of BESS Site 3 comprised of desert dry wash woodland remains undisturbed. Nevertheless, implementation of Mitigation Measures BIO-1 through BIO-6 and BIO-8 to BIO-13, described under threshold 3.4(a), would continue to be required for the proposed BESS component to minimize and offset habitat impacts for common wildlife and special-status species to prevent or offset adverse effects to special-status wildlife nesting or breeding sites by requiring specific pre-construction surveys, passive translocation of certain species away from the area, avoidance of buffer areas while bird nests are active, and other related requirements. Therefore, as described in the Final EIR, with implementation of Mitigation Measures BIO-1 through BIO-6 and BIO-8 to BIO-13, the Project would still not interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites, and impacts would remain **less than significant with mitigation incorporated**.

e. Would the project conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?

As indicated in the Final EIR, the solar facility (including the proposed BESS component) would impact biological resources protected by Riverside County General Plan provisions, including special-status plants and animals, sensitive habitats, and waters of the State, as described under thresholds 3.4(a) through 3.4(d). However, as discussed under the preceding thresholds, the proposed BESS component would result in similar impacts that are within the nature and magnitude of impacts analyzed and mitigated for the Project in the Final EIR, though limited to the three BESS sites. Implementation of Mitigation Measure BIO-1 through BIO-13 and Mitigation Measure BIO-15, described under threshold 3.4(a) would continue to be required for the proposed BESS component⁴ to achieve consistency with local policies protecting biological resources. Therefore, as described in the Final EIR, the Project would still not conflict with local policies and ordinances protecting biological resources, and impacts would remain **less than significant with mitigation incorporated**.

⁴ Mitigation Measure BIO-14 (Gen-tie Lines) would continue to be required for the overall Project but not for the proposed BESS component because it is specific to the gen-tie line.

- f. *Would the project substantially reduce the habitat of a fish or wildlife species; cause a fish or wildlife population to drop below self-sustaining levels; or threaten to eliminate a plant or animal community (common species)?*

As indicated in the Final EIR, the Project (including the proposed BESS component) could reduce habitat availability for common species through mortality or injury and could eliminate or reduce the availability of natural habitats or communities. The three sites proposed for development of the BESS component remain entirely within the area evaluated in the Final EIR (specifically Parcel Groups C and F). Since certification of the Final EIR in 2019, the existing solar facility, with the exception of the BESS, was constructed and completed in July 2022. BESS Site 2 was fully graded with vegetation removed, and the majority of BESS Site 3 was graded and cleared of vegetation as well. BESS Site 1, which is comprised of recovering creosote bush scrub, has not yet been graded or cleared, and a small portion of BESS Site 3 comprised of desert dry wash woodland remains undisturbed. Security fencing is also already in place around two of the three BESS sites. As noted in the Final EIR, the loss of largely disturbed habitat would not substantially reduce the habitat of a wildlife species, cause a wildlife population to drop below self-sustaining levels, or threaten to eliminate a plant or animal community, and take of common wildlife species would be limited. The proposed BESS component would not introduce new or substantially different facilities beyond those considered in the Final EIR for the battery or flywheel storage system. Therefore, construction, O&M, and decommissioning of the proposed BESS component on the three BESS sites could result in impacts to common wildlife species that are within the nature and magnitude of impacts analyzed and mitigated for the Project in the Final EIR. Implementation of Mitigation Measure BIO-1 through BIO-13 and Mitigation Measure BIO-15, described under threshold 3.4(a) would continue to be required for the proposed BESS component⁵ and would contribute to avoidance and minimization of impacts to common wildlife species. Therefore, as described in the Final EIR, the Project would still not substantially reduce the habitat of a common fish or wildlife species; cause a common fish or wildlife population to drop below self-sustaining levels; or threaten to eliminate a common plant or animal community, and impacts would remain **less than significant with mitigation incorporated**.

- h. *Would the project conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?*

The Project site continues to not be within an area covered by an adopted Habitat Conservation Plan; Natural Community Conservation Plan; or other approved local, regional, or State habitat conservation plan (California Department of Fish and Wildlife 2023). Therefore, the Project would continue to result in **no impact** related to these plans, as described in the Final EIR.

Cumulative Impacts

The geographic scope for cumulative impacts to biological resources includes the desert portion of Riverside County (Palm Springs to the Colorado River) because it consists of similar habitat areas and encompasses the home ranges of species such as those that would be directly or indirectly affected by the proposed Project (County of Riverside 2019). This area has experienced increasing development pressure from renewable energy and infrastructure projects, contributing to cumulative effects on habitat loss.

⁵ Mitigation Measure BIO-14 (Gen-tie Lines) would continue to be required for the overall Project but not for the proposed BESS component because it is specific to the gen-tie line.

Implementation of the proposed BESS component, when considered in combination with past, present, and reasonably foreseeable projects, would contribute to cumulative impacts related to long-term land use conversion resulting in reduced habitat availability and increased habitat fragmentation and the associated impacts to special-status plants, special-status species, sensitive habitat, and waters of the State. As detailed above, the project-level impacts of the proposed BESS component to biological resources would remain the same as those described in the Final EIR. Therefore, the proposed BESS component would not change the conclusions of the Final EIR regarding the Project's contribution to cumulative biological resources impacts. With implementation of Mitigation Measures BIO-1 through BIO-15, the residual net loss of habitat for special-status species, sensitive habitats, and jurisdictional waters of the State resulting from the Project (including the proposed BESS component) would continue to not make a material difference to the scope, nature, or extent of these cumulative impacts, and the Project would not result in a cumulatively considerable contribution to cumulative impacts to biological resources.

Effects and Mitigation Measures

There are no substantial changes in the Project, substantial changes in the circumstances under which the Project is undertaken, or new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the Final EIR was certified, that indicate the Project would result in new significant environmental effects or a substantial increase in the severity of previously identified significant effects with regard to biological resources. In addition, there is no new information indicating there are mitigation measures or alternatives previously found not to be feasible that are now feasible and would substantially reduce one or more significant environmental effects of the Project or indicating there are mitigation measures or alternatives which are considerably different from those analyzed in the Final EIR that would substantially reduce one or more significant environmental effects of the Project. Impacts to biological resources would remain consistent with those described in the Final EIR, and no new mitigation measures would be required.

Conclusion

The FEIR determined that impacts related to biological resources would be less than significant with mitigation incorporated. Based upon the analysis contained herein, the proposed BESS component would not involve new significant environmental effects or a substantial increase in the severity of those effects and therefore does not meet any of the conditions requiring preparation of a subsequent EIR.

Less than Significant Impact with Mitigation Incorporated (Same as Final EIR)

3.5 Cultural Resources and Tribal Cultural Resources

	Where was Impact Analyzed in the EIR?	Do Proposed Changes Require Major Revisions to the EIR?	Do New Circumstances Require Major Revisions to the EIR?	Any New Information of Substantial Importance Resulting in New or Substantially More Severe Significant Impacts?	Do EIR Mitigation Measures Address and/or Resolve Impacts?	
Would the project:						
a.	Alter or destroy an historic site?	Pages 3.6-31 to 3.6-33	No	No	No	Yes
b.	Cause a substantial adverse change in the significance of a historical resource as defined in California Code of Regulations, Section 15064.5?	Pages 3.6-31 to 3.6-33	No	No	No	Yes
c.	Alter or destroy an archaeological site?	Pages 3.6-31 to 3.6-33	No	No	No	Yes
d.	Cause a substantial adverse change in the significance of an archaeological resource pursuant to California Code of Regulations, Section 15064.5?	Page 3.6-34	No	No	No	Yes
e.	Disturb any human remains, including those interred outside of formal cemeteries?	Page 3.6-34	No	No	No	Yes
f.	Restrict existing religious or sacred uses within the potential impact area?	Pages 3.6-34 to 3.6-35	No	No	No	Yes

	Where was Impact Analyzed in the EIR?	Do Proposed Changes Require Major Revisions to the EIR?	Do New Circumstances Require Major Revisions to the EIR?	Any New Information of Substantial Importance Resulting in New or Substantially More Severe Significant Impacts?	Do EIR Mitigation Measures Address and/or Resolve Impacts?
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Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in a Public Resources Code Section 21074 as either a site, feature, place, or cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:

g.	Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code Section 5020.1(k)?	Page 3.6-35	No	No	No	
h.	A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1?	Page 3.6-35	No	No	No	Yes

Summary of Final EIR Impacts Assessment

The Final EIR determined the solar facility (including the proposed BESS component) would result in less-than-significant impacts to cultural resources and tribal cultural resources with mitigation incorporated because:

- The Project site contains cultural resources eligible for the California Register of Historical Resources, cultural resources that contribute to the Desert Training Center Cultural Landscape, and World War II-era archaeological sites;
- Visual changes introduced during operation would be in-kind with existing development and would not compromise the integrity of cultural landscapes; and
- Construction would involve ground-disturbing activities that could affect previously unidentified subsurface archaeological resources, human remains, religious or sacred uses, and tribal cultural resources.

The Final EIR also determined that, with mitigation incorporated, the solar facility (including the proposed BESS component) would not result in a cumulatively considerable contribution to the cumulative impact to cultural resources and tribal cultural resources that could occur as a result of the cumulative projects in the aggregate with the exception of the Project’s cumulatively

considerable contribution to significant cumulative impacts to the Prehistoric Trails Network Cultural Landscape/Historic District, which would remain significant and unavoidable (County of Riverside 2019).

Current Assessment of Impacts

- a. *Would the project alter or destroy an historic site?*
- b. *Would the project cause a substantial adverse change in the significance of a historical resource as defined in California Code of Regulations, Section 15064.5?*
- c. *Would the project alter or destroy an archaeological site?*

Direct Effects

The three sites proposed for development of the BESS component remain entirely within the area evaluated in the Final EIR, which the Final EIR indicates contains four cultural resources eligible for the California Register of Historical Resources as well as six World War II-era archaeological sites that are contributors to the Desert Training Center Cultural Landscape/Historic District. The three BESS sites are within Parcel Groups C and F. The Final EIR indicates Parcel Group F contains two of the cultural resources eligible for the California Register of Historical Resources – a military site with 36 foxholes and seven gun emplacements (AE-3752-064H) and three military tank maneuver loci with thousands of tank tracks and associated artifact scatters (AE-3752-200H). Parcel Group F also contains two of the World War II-era archaeological sites that are contributors to the Desert Training Center Cultural Landscape/Historic District – a historical artifact scatter of paper target and wood (AE-3752-065H) and a historical artifact scatter (P-33-019471/CA-RIV-9910H). No cultural resources eligible for the California Register of Historical Resources were identified on Parcel Group C in the Final EIR.

Implementation of Mitigation Measures CUL-1 through CUL-13 would continue to be required for the proposed BESS component to reduce impacts to less-than-significant levels through retention of a Project archaeologist (CUL-1), preparation of a Cultural Resources Monitoring Plan (CUL-2), retention of an archaeological monitor (CUL-3) and Native American monitor (CUL-4), a tribal cultural sensitivity training (CUL-5), protocols for the discovery of unanticipated resources (CUL-6), artifact disposition (CUL-7), a monitoring report (CUL-8), temporary fencing and avoidance of three resources (CUL-9), a journal article that addresses the loss of data potential for a historic road segment and artifact scatter AE-3752-106H (CUL-10), a Desert Training Center Summary Report that addresses the loss of data potential from contributing resources (CUL-11), a Prehistoric Trails Summary Report (CUL-12), and archival and field studies for historic-era resources (CUL-13). Notably, Mitigation Measure CUL-1 through CUL-9 were implemented during construction of the solar facility with submittal of a Cultural Resources Monitoring Report to the County in September 2023 and temporary fencing installed around eight known cultural resources during solar facility construction (subsequently removed in October 2022) (Rincon Consultants, Inc. 2023). These mitigation measures would be similarly implemented during construction of the proposed BESS component. Mitigation Measures CUL-10 through CUL-12 were also fully implemented with reports submitted to the County between August 2022 and January 2023. The archival and field studies for historic-era resources required by Mitigation Measure CUL-13 were also completed prior to the start of construction of the solar facility and submitted to the County.

Therefore, as described in the Final EIR, the Project would still not directly alter or destroy historic or archaeological sites or directly cause a substantial adverse change in the significance of a

historical resource as defined in California Code of Regulations, Section 15064.5, with implementation of Mitigation Measures CUL-1 through CUL-13, and this impact would remain **less than significant with mitigation incorporated**.

Indirect Effects

The proposed BESS component would introduce BESS infrastructure in an area that currently contains existing renewable energy facilities. The BESS component would be located within a distant viewshed of the North Chuckwalla Petroglyph National Register District, Coco-Maricopa Trail, and CA-RIV-1515, all of which are identified in the Final EIR as sensitive archaeological resources and contributors to the Prehistoric Trails Network Cultural Landscape. As detailed further in Section 3.1, *Aesthetics*, the proposed BESS component would not introduce new or substantially different visual elements beyond those considered in the Final EIR. In particular, the one-foot height increase in the battery enclosures, as compared to what was analyzed in the Final EIR, would not result in a substantial change to the visual profile of the BESS or its potential to result in indirect effects to these archaeological resources due to their substantial distance from the Project site.

Implementation of Mitigation Measure AES-1 (Night Lighting Management Plan), Mitigation Measure AES-2 (Surface Treatment of Project Structures and Buildings), and Mitigation Measure AES-4 (Retention of Roadside Vegetation) would continue to be required for the proposed BESS component to reduce impacts to less-than-significant levels through minimization of nighttime lighting, surface treatments on permanent structures to minimize visual intrusion and glare, and retention of roadside vegetation along SR-177. Therefore, as described in the Final EIR, the Project would still not indirectly alter or destroy historic or archaeological sites or indirectly cause a substantial adverse change in the significance of a historical resource as defined in California Code of Regulations, Section 15064.5, with implementation of Mitigation Measures AES-1, AES-2, and AES-4, and this impact would remain **less than significant with mitigation incorporated**.

d. Would the project cause a substantial adverse change in the significance of an archaeological resource pursuant to California Code of Regulations, Section 15064.5?

As indicated in the Final EIR, adverse impacts to unique archaeological resources are not anticipated during construction, O&M, and decommissioning of the solar facility (including the proposed BESS component) because none have been identified. However, as noted in the Final EIR, implementation of mitigation may be required if archaeological resources are identified during ground-disturbing activities associated with construction and decommissioning. The potential for discoveries of such resources remains given that a number of archaeological resources were discovered during construction of the solar facility, including within BESS Sites 1 and 3 and in close proximity to BESS Site 2. The Cultural Resources Monitoring Report submitted to the County in September 2023 indicates six historical sites, one prehistoric site, 90 prehistoric isolate discoveries, and 396 historical isolates were discovered during the archaeological and Native American monitoring conducted pursuant to Mitigation Measures CUL-3 and CUL-4. The prehistoric site was comprised of six Tizon brownware ceramic sherds, and the six historical sites were comprised of can, refuse, and bottle scatters; a hearth feature; a military identification dog tag; unexploded ordnance; and spent bullet shells. Of these sites, only one of the historical sites (P-33-029551/CA-RIV-013200) was recommended eligible for the National Register of Historic Places and California Register of Historical Resources as a contributing element of the Desert Training Center Cultural Landscape/Historic District. A majority of the historical isolates consisted of non-diagnostic rusted cans and metal fragments. Prehistoric isolates include stone tools, ceramic sherd fragments, and items identified by consulting tribes as ceremonial. Isolates are typically ineligible for NRHP and

CRHR listing because their data potential is exhausted during the initial documentation. Therefore, each of the 90 prehistoric isolates identified during monitoring was recommended ineligible for the National Register of Historic Places and California Register of Historical Resources. The identified historic-period resources and isolates were also deemed to lack significant data potential and could not be tied conclusively to the Desert Training Center Cultural Landscape. Based on Rincon Consultants, Inc.'s analysis, these resources and isolated did appear to yield a pattern indicative of a greater level of historical activity in certain zones within the Project site (Rincon Consultants, Inc. 2023). The discovery of cultural resources during construction activities in desert regions like the Chuckwalla Valley is typical given that shifting sands often cover over resources that were previously deposited at the surface such that they are not visible during pedestrian surveys conducted during the CEQA process.

Because construction and decommissioning of the proposed BESS component would also involve ground-disturbing activities in areas with the potential for discoveries of archaeological resources, implementation of Mitigation Measures CUL-1 through CUL-13 and AES-1 through AES-4 would continue to be required for the proposed BESS component to reduce impacts to less-than-significant levels in the event of an unanticipated discovery of a unique archaeological resource. Most of these mitigation measures are described under threshold 3.5(c). In addition, Mitigation Measure AES-3 (Project Design) involves incorporating design strategies such as minimizing land disturbance, using natural landforms for screening, and aligning structures with the landscape's existing form, line, and texture to reduce visibility. The discovery of additional archaeological resources during construction of the solar facility does not constitute a change in circumstances or new information of substantial importance that was not known and could not have been known with the exercise of reasonable diligence at the time the Final EIR was certified indicating the BESS component would result in a new significant impact to archaeological resources beyond the impacts already disclosed in the Final EIR. The discovery of additional cultural resources during archaeological and Native American monitoring of solar facility construction, including one eligible historic-period site, is typical during construction activities in desert regions like the Chuckwalla Valley and was anticipated in the Final EIR with mitigation imposed to appropriately address such circumstances (e.g., Mitigation Measures CUL-6 and CUL-7). Therefore, as described in the Final EIR, the Project would still not cause a substantial adverse change in the significance of an archaeological resource as defined in California Code of Regulations, Section 15064.5, with implementation of Mitigation Measures CUL-1 through CUL-13 and AES-1 through AES-4, and this impact would remain **less than significant with mitigation incorporated**.

e. *Would the project disturb any human remains, including those interred outside of formal cemeteries?*

The three sites proposed for development of the BESS component remain entirely within the area evaluated in the Final EIR. As discussed in the Final EIR, no human remains have been found within the Project site, including the three BESS sites. However, as noted in the Final EIR, implementation of mitigation may be required if human remains are identified during ground-disturbing activities associated with construction and decommissioning. Because construction and decommissioning of the proposed BESS component would also involve ground-disturbing activities, implementation of Mitigation Measures CUL-1 through CUL-9, CUL-12 and AES-1 through AES-4 (described under thresholds 3.5[c] and 3.5[d]) would continue to be required for the proposed BESS component to reduce impacts to less-than-significant levels in the event of an unanticipated discovery of human remains. Therefore, as described in the Final EIR, with implementation of Mitigation Measures CUL-

1 through CUL-9, CUL-12, and AES-1 through AES-4, impacts to human remains would remain **less than significant with mitigation incorporated.**

f. Would the project restrict existing religious or sacred uses within the potential impact area?

The three sites proposed for development of the BESS component remain entirely within the area evaluated in the Final EIR. As discussed in the Final EIR, no existing religious or sacred uses have been identified within the three BESS sites. However, as noted in the Final EIR, implementation of mitigation may be required if religious or sacred uses are identified during ground-disturbing activities associated with construction and decommissioning. Because construction and decommissioning of the proposed BESS component would also involve ground-disturbing activities, implementation of Mitigation Measures CUL-1 through CUL-9, CUL-12, and AES-1 through AES-4 (described under thresholds 3.5[c] and 3.5[d]) would continue to be required for the proposed BESS component to reduce impacts to less-than-significant levels in the event existing or sacred uses within the BESS sites are identified. Therefore, as described in the Final EIR, with implementation of Mitigation Measures CUL-1 through CUL-9, CUL-12, and AES-1 through AES-4, the Project would not restrict existing religious or sacred uses within the potential impact area, and impacts would remain **less than significant with mitigation incorporated.**

Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in a Public Resources Code Section 21074 as either a site, feature, place, or cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:

g. Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code Section 5020.1(k)?

The three sites proposed for development of the BESS component remain entirely within the area evaluated in the Final EIR. As discussed in the Final EIR, no tribal cultural resources eligible for listing in the California Register of Historical Resources or in a local register of historical resources have been identified within the three BESS sites. However, as noted in the Final EIR, implementation of mitigation may be required if such resources are identified during ground-disturbing activities associated with construction and decommissioning. Because construction and decommissioning of the proposed BESS component would also involve ground-disturbing activities, implementation of Mitigation Measures CUL-1 through CUL-9, CUL-12, and AES-1 through AES-4 (described under thresholds 3.5[c] and 3.5[d]) would continue to be required for the proposed BESS component to reduce impacts to less-than-significant levels in the event tribal cultural resources eligible for listing in the California Register of Historical Resources or in a local register of historical resources are identified within the BESS sites. Therefore, as described in the Final EIR, with implementation of Mitigation Measures CUL-1 through CUL-9, CUL-12, and AES-1 through AES-4, the Project would not cause a substantial adverse change in the significance of a tribal cultural resource eligible for listing in the California Register of Historical Resources or in a local register of historical resources, and impacts would remain **less than significant with mitigation incorporated.**

Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in a Public Resources Code Section 21074 as either a site, feature, place, or cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:

- h. A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe?*

The three sites proposed for development of the BESS component remain entirely within the area evaluated in the Final EIR. As discussed in the Final EIR, no tribal cultural resources have been identified within the three BESS sites by the County or through tribal consultation conducted for the Final EIR. However, as noted in the Final EIR, implementation of mitigation may be required if such resources are identified during ground-disturbing activities associated with construction and decommissioning. Because construction and decommissioning of the proposed BESS component would also involve ground-disturbing activities, implementation of Mitigation Measures CUL-1 through CUL-9, CUL-12, and AES-1 through AES-4 (described under thresholds 3.5[c] and 3.5[d]) would continue to be required for the proposed BESS component to reduce impacts to less-than-significant levels in the event tribal cultural resources determined significant by the County are identified within the BESS sites. Therefore, as described in the Final EIR, with implementation of Mitigation Measures CUL-1 through CUL-9, CUL-12, and AES-1 through AES-4, the Project would not cause a substantial adverse change in the significance of a tribal cultural resource determined significant by the County, and impacts would remain **less than significant with mitigation incorporated**.

Cumulative Impacts

The geographic scope for cumulative impacts to cultural resources and tribal cultural resources consists of a two-mile strip centered on I-10 in eastern Riverside County (County of Riverside 2019). This area has experienced increasing development pressure from renewable energy and infrastructure projects, contributing to cumulative effects on both prehistoric and historical cultural landscapes, and the Final EIR indicated that approximately 44 percent of the cultural resources that are estimated to have originally existed in the cumulative analysis study area have been or will be destroyed as the result of cumulative development. Since the adoption of the Final EIR in 2019, additional projects have been planned for development in the Project area (outlined in Table 1 and Table 2 under *Cumulative Projects* in Section 3, *Impacts Analysis*), which would result in further disturbance/destruction of cultural resources such that the cumulative impact identified in the Final EIR would remain significant.

As described in the Final EIR, construction of the solar facility (including the proposed BESS component), when considered in combination with past, present, and reasonably foreseeable projects, would contribute to a significant cumulative impact on two cultural landscapes: the Desert Training Center Cultural Landscape and the Prehistoric Trails Network Cultural Landscape.

Ground disturbance associated with implementation of the proposed BESS component has the potential to inadvertently damage or destroy cultural resources, some of which contribute to the Desert Training Center Cultural Landscape, within the three BESS sites. The destruction of both eligible and ineligible contributors would contribute in a small but measurable way to the degradation of the Desert Training Center Cultural Landscape. However, Mitigation Measure CUL-11

(Desert Center DTC/C-AMA Summary Report and District DPR Form) was implemented and completed in January 2023 to document and contextualize these resources, thereby reducing the contribution of the solar facility (including the proposed BESS component) to this cumulative impact. Therefore, as indicated in the Final EIR, with implementation of Mitigation Measure CUL-11, the Project would continue to not result in a cumulatively considerable contribution to cumulative impacts to these World War II-era resources.

The proposed BESS component would be located within a distant viewshed of the North Chuckwalla Petroglyph National Register District, Coco-Maricopa Trail, and CA-RIV-1515, all of which are identified as sensitive archaeological resources and contributors to the Prehistoric Trails Network Cultural Landscape. The addition of industrial-scale infrastructure in the Chuckwalla Valley, including the proposed BESS component, would result in visual intrusions that affect the setting of the Prehistoric Trails Network Cultural Landscape and compromise this landscape's integrity. Mitigation Measure CUL-12 (Prehistoric Trails Summary Report) was completed in January 2023 to document and contextualize these resources and reduce the severity of the contribution of the Project (including the proposed BESS component) to these impacts. Nevertheless, as described in the Final EIR, the Project's contribution to this cumulative impact related to visual intrusion on the Prehistoric Trails Network Cultural Landscape would remain cumulatively considerable even with mitigation incorporated and therefore significant and unavoidable.

Effects and Mitigation Measures

There are no substantial changes in the Project, substantial changes in the circumstances under which the Project is undertaken, or new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the Final EIR was certified, that indicate the Project would result in new significant environmental effects or a substantial increase in the severity of previously identified significant effects with regard to cultural resources and tribal cultural resources. In addition, there is no new information indicating there are mitigation measures or alternatives previously found not to be feasible that are now feasible and would substantially reduce one or more significant environmental effects of the Project or indicating there are mitigation measures or alternatives which are considerably different from those analyzed in the Final EIR that would substantially reduce one or more significant environmental effects of the Project. Impacts to cultural resources and tribal cultural resources would remain consistent with those described in the Final EIR, and no new mitigation measures would be required.

Conclusion

The FEIR determined that Project-level impacts related to cultural resources and tribal cultural resources would be less than significant with mitigation incorporated. However, the FEIR determined that the Project's contribution to cumulative impact to prehistoric trails network cultural landscape would remain significant and unavoidable, despite the incorporation of mitigation measures. Based upon the analysis contained herein, the proposed BESS component would not involve new significant environmental effects or a substantial increase in the severity of those effects and therefore does not meet any of the conditions requiring preparation of a subsequent EIR.

Project-Level: Less than Significant Impact with Mitigation Incorporated (Same as Final EIR)

Contribution to Cumulative Impact to Prehistoric Trails Network Cultural Landscape: Significant and Unavoidable (Same as Final EIR)

3.6 Geology, Soils, and Mineral Resources

	Where was Impact Analyzed in the EIR?	Do Proposed Changes Require Major Revisions to the EIR?	Do New Circumstances Require Major Revisions to the EIR?	Any New Information of Substantial Importance Resulting in New or Substantially More Severe Significant Impacts?	Do EIR Mitigation Measures Address and/or Resolve Impacts?
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Would the project:

a. Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:					
1. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault?	Pages 3.7-7 to 3.7-8	No	No	No	N/A
2. Strong seismic ground shaking?	Pages 3.7-7 to 3.7-8	No	No	No	N/A
3. Seismic-related ground failure, including liquefaction?	Pages 3.7-7 to 3.7-8	No	No	No	N/A
4. Landslides?	Pages 3.7-7 to 3.7-8	No	No	No	N/A
b. Result in substantial soil erosion or the loss of topsoil?	Pages 3.7-8 to 3.7-9	No	No	No	Yes
c. Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse?	Pages 3.7-9 to 3.7-10	No	No	No	N/A

		Where was Impact Analyzed in the EIR?	Do Proposed Changes Require Major Revisions to the EIR?	Do New Circumstances Require Major Revisions to the EIR?	Any New Information of Substantial Importance Resulting in New or Substantially More Severe Significant Impacts?	Do EIR Mitigation Measures Address and/or Resolve Impacts?
d.	Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?	Page 3.7-10	No	No	No	N/A
e.	Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	Pages 3.7-10 to 3.7-11	No	No	No	N/A
f.	Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	Page 3.7-11	No	No	No	N/A
g.	Change topography or ground surface relief features?	Pages 3.7-8 to 3.7-9	No	No	No	Yes
h.	Result in grading that affects or negates subsurface sewage disposal systems?	Pages 3.7-10 to 3.7-11	No	No	No	N/A
i.	Change deposition, siltation or erosion that may modify the channel of a river or stream or the bed of a lake?	Pages 3.7-8 to 3.7-9	No	No	No	Yes
j.	Result in an increase in water erosion either on- or off-site?	Pages 3.7-8 to 3.7-9	No	No	No	Yes
k.	Result in an increase in wind erosion and blowsand from the project either on or off site?	Pages 3.7-8 to 3.7-9	No	No	No	Yes

		Where was Impact Analyzed in the EIR?	Do Proposed Changes Require Major Revisions to the EIR?	Do New Circumstances Require Major Revisions to the EIR?	Any New Information of Substantial Importance Resulting in New or Substantially More Severe Significant Impacts?	Do EIR Mitigation Measures Address and/or Resolve Impacts?
i.	Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	Page 3.7-6	No	No	No	N/A
m.	Create cut or fill slopes greater than 2:1 or higher than 10 feet?	Page 3.7-6	No	No	No	N/A
n.	Be an incompatible land use located adjacent to a State classified or designated area of existing surface mine?	Page 3.7-6	No	No	No	N/A
o.	Expose people or property to hazards from proposed, existing or abandoned quarries or mines?	Page 3.7-6	No	No	No	N/A
p.	Be subject to geologic hazards, such as seiche, mudflow, or volcanic hazard?	Page 3.7-7	No	No	No	N/A

Summary of Final EIR Impacts Assessment

The Final EIR determined the solar facility (including the proposed BESS component) would result in less-than-significant impacts to geology, soils, and mineral resources with mitigation incorporated because 1) the Project site is not within a fault zone, has low liquefaction and landslide risk, and is not underlain by expansive soils; 2) construction of the Project would follow geotechnical recommendations and applicable codes; 3) erosion would be minimized through mitigation measures and BMPs; 4) the Project would not require septic tanks or alternative wastewater disposal systems; and 5) the Project site is not a known mineral resource area and is not near mining hazards (County of Riverside 2019). The Final EIR determined cumulative impacts related to geology, erosion, and mineral resources would be less than significant, and the solar facility (including the proposed BESS component) would not result in a cumulatively considerable contribution to cumulative impacts to sand migration that could occur as a result of the cumulative projects in the aggregate (County of Riverside 2019).

Current Assessment of Impacts

- a. *Would the project directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:*
 - a.1 *Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault?*
 - a.2 *Strong seismic ground shaking?*
 - a.3 *Seismic-related ground failure, including liquefaction?*
 - a.4 *Landslides?*

The three sites proposed for development of the BESS component remain entirely within the area evaluated in the Final EIR. These three sites continue to not be located within an Alquist-Priolo Special Study Zone or a fault zone (California Department of Conservation 2025); therefore, the risk of a rupture of a known fault at the site and any resulting adverse effects is low. Construction of the BESS component would be required to follow regulatory requirements regarding building construction and would follow the recommendations of a geotechnical expert. In addition, the eventual decommissioning of the BESS would involve removal of equipment and restoration of the three sites in accordance with applicable regulatory requirements which would not introduce new or increased risks to fault rupture. Therefore, impacts related to fault rupture would remain **less than significant**, as described in the Final EIR.

Although no known active or potentially active faults underlie the three BESS sites, strong ground shaking along active faults in the region could occur, especially as the peak ground acceleration for the site could result in strong shaking. This could result in damage to the proposed BESS, which could result in adverse effects if not designed and engineered appropriately. Potential impacts to the BESS related to ground shaking would be reduced through compliance with State and local regulations and standards, and established engineering procedures. The BESS would be designed in accordance with the County Building Code and the most recent iteration of the California Building Code and would be consistent with the recommendations outlined in the Geotechnical Report prepared for the solar facility (which includes the BESS component). As noted in the Geotechnical Report, a geotechnical engineering firm would review the final design plans and specifications for the BESS to provide comments. With adherence to existing regulatory requirements and with implementation of the existing geotechnical recommendations, impacts related to strong seismic ground shaking would remain **less than significant**, as described in the Final EIR.

The three sites proposed for development of the BESS component continue to be located within a moderate liquefaction zone, as described in the Final EIR and mapped by the County (County of Riverside 2023a). Based on the anticipated depth to groundwater (70 feet below the ground surface) and subsurface conditions encountered on-site, the Geotechnical Report prepared for the solar facility, which includes the BESS component, concluded the potential for liquefaction at the sites is considered low. Therefore, impacts related to liquefaction would remain **less than significant**, as described in the Final EIR.

The three sites proposed for development of the BESS component continue to be located within an area with a gentle slope, as described in the Final EIR, and landslide hazard risk is considered low (County of Riverside 2021). Therefore, impacts related to landslides would remain **less than significant**, as described in the Final EIR.

- b. *Would the project result in substantial soil erosion or the loss of topsoil?*
- g. *Would the project change topography or ground surface relief features?*
- i. *Would the project change deposition, siltation or erosion that may modify the channel of a river or stream or the bed of a lake?*
- j. *Would the project result in an increase in water erosion either on- or off-site?*
- k. *Would the project result in an increase in wind erosion and blowsand from the project either on or off site?*

As described in the Final EIR, the three sites proposed for development of the BESS component contain nearly level to gently-sloping topography. Construction of the BESS component would require ground disturbance during site preparation and grading, and during excavation prior to installation of the buried electrical grid. These ground-disturbing activities would expose soil and increase the potential for wind and water erosion. Decommissioning of the BESS component would involve similar ground-disturbing activities, including the removal of the buried components. These activities would also temporarily expose soil and increase the potential for wind and water erosion. The three BESS sites are not proposed on areas identified by the Final EIR to contain dune sands susceptible to wind erosion, such as Parcel Groups A and G. Nevertheless, disturbed soils accelerate erosion and increase sediment in stormwater runoff to receiving waters, causing increased turbidity and sedimentation. As concluded in the Final EIR, the increase in erosion would constitute a potentially significant impact, and implementation of Mitigation Measures AQ-1 (Fugitive Dust Control Plan), HWQ-1 (Drainage Erosion and Sedimentation Control Plan [DESCP]), and HWQ-4 (Project Drainage Plan) would be required during construction and the eventual

missioning of the BESS to reduce impacts to a less-than-significant level. Mitigation Measure AQ-1 would require a fugitive dust abatement plan that would mitigate dust emissions during construction by implementing a suite of effective dust control practices, such as using soil stabilizers or watering exposed areas. Mitigation Measure HWQ-1 would achieve proper protection of water quality and soil resources, address exposed soil treatments, and identify all monitoring and maintenance activities. Mitigation Measure HWQ-4 would require hydrologic assessment of flood discharges and would show how they would be conveyed through or around the site and minimize erosion that could leave the site and impact adjacent landowners or nearby water features. In addition, the Stormwater Pollution Prevention Plan (SWPPP) required by the National Pollutant Discharge Elimination System (NPDES) Statewide Construction General Permit (Construction General Permit; Order No. 2022-0057-DWQ) would also include BMPs that would reduce potential erosion. As described in the Final EIR, construction- and decommissioning-phase impacts related to erosion would remain **less than significant with mitigation incorporated**.

Operation of the BESS component would include routine inspection, testing, and maintenance activities. Operation and maintenance activities would not alter the drainage patterns on-site and would not lead to a substantial increase in erosion or loss of topsoil. No heavy equipment use is anticipated during normal operation activities. Therefore, O&M impacts would remain **less than significant**, as described in the Final EIR.

- c. *Would the project be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse?*

The three sites proposed for development of the BESS component remain entirely within the area evaluated in the Final EIR. The three sites continue to be located in an area that has low landslide and lateral spreading hazards due to the gentle slope and a low to moderate liquefaction potential. However, the three sites are susceptible to subsidence, as described in the Final EIR. The sites were tested and shown to have moderate collapse potential when saturated; however, the Geotechnical Report prepared for the solar facility (which includes the BESS component) states that based on the actual site conditions, the samples may have been disturbed prior to testing.

Overall, the three BESS sites have a low to moderate risk of becoming unstable and resulting in geologic impacts. Design of the BESS would take into consideration the results and recommendations provided in the Geotechnical Report including for any seismic concerns, and as noted in the report, a geotechnical engineering firm would review the final design plans and specifications to provide comments. With adherence to existing regulatory requirements (as discussed under threshold 3.7[a]) and with implementation of the existing geotechnical recommendations, impacts related to geologic and soil instability would remain **less than significant**, as described in the Final EIR.

- d. *Would the project be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?*

The three sites proposed for development of the BESS component remain entirely within the area evaluated in the Final EIR. Soils within these three sites are still not considered expansive due to their non-plastic nature. Therefore, construction, O&M, and decommissioning of the BESS component would have low direct or indirect risk to life and property due to expansive soils, and impacts would remain **less than significant**, as described in the Final EIR.

- e. *Would the project have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?*

- h. *Would the project result in grading that affects or negates subsurface sewage disposal systems?*

Construction, O&M, and decommissioning of the BESS would neither generate additional wastewater demand beyond that analyzed in the Final EIR for the solar facility (which includes the BESS component), nor require the need for a new septic tank or alternative wastewater disposal system. A new septic system was installed during construction of the existing solar facility and would not be modified by the proposed BESS component. Therefore, construction activities associated with the BESS component, including grading and excavation, would not substantially affect the ability of on-site soils to adequately support existing septic systems. Impacts would remain **less than significant**, as described in the Final EIR.

- f. *Would the project result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?*

The three sites proposed for development of the BESS component remain entirely within the area evaluated in the Final EIR. The three sites are still not delineated as a locally important mineral

resource recovery site and are still not used for mineral production or under a claim, lease, or permit for the production of locatable, leasable, or saleable mineral or mineral materials. The three BESS sites continue to be located within Mineral Resource Zone 4, defined as an area where there is not enough information available to determine the presence or absence of mineral deposits (County of Riverside 2021). As such, construction, O&M, and decommissioning of the BESS component would not result in the loss of availability of a known mineral resource of value to the region or residents of the state.

The three BESS sites are underlain by sand and gravel which could potentially be used as a mineral resource. Use of these three sites would not appreciably reduce or restrict the availability of sand and gravel resources from outside the sites. Any potential on-site sand and gravel resources would become available again following the decommissioning of the BESS component. Therefore, impacts would remain **less than significant**, as described in the Final EIR.

l. Would the project result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?

The three sites proposed for development of the BESS component remain entirely within the area evaluated in the Final EIR. The three sites are still not located on a locally important mineral recovery site (California Department of Conservation 2015). Therefore, **no impact** would occur, as described in the Final EIR.

m. Would the project create cut or fill slopes greater than 2:1 or higher than 10 feet?

Construction, O&M, and decommissioning of the BESS would not require cut or fill slopes greater than 2:1 or higher than 10 feet. Therefore, **no impact** would occur, as described in the Final EIR.

n. Would the project be an incompatible land use located adjacent to a State classified or designated area of existing surface mine?

The three sites proposed for development of the BESS component remain entirely within the area evaluated in the Final EIR. The three sites are still not located adjacent to an existing surface mine. Therefore, **no impact** would occur, as described in the Final EIR.

o. Would the project expose people or property to hazards from proposed, existing or abandoned quarries or mines?

The three sites proposed for development of the BESS component remain entirely within the area evaluated in the Final EIR. The three sites are still not located adjacent to a proposed, existing, or abandoned mine or quarry. Therefore, **no impact** would occur, as described in the Final EIR.

p. Would the project be subject to geologic hazards, such as seiche, mudflow, or volcanic hazard?

The three sites proposed for development of the BESS component remain entirely within the area evaluated in the Final EIR. The three sites are still not located near these geologic hazards because they are not near a lake or enclosed water body (seiche), sloped areas (mudflow), or volcanoes (volcanic hazards). Therefore, **no impact** would occur, as described in the Final EIR.

Cumulative Impacts

The three sites proposed for development of the BESS component remain entirely within the area evaluated in the Final EIR, and as detailed above, the impacts of the proposed BESS component

pertaining to geology, soils, and mineral resources would remain the same as those described in the Final EIR.

The BESS component would not substantially alter the cumulative impacts to geology, soils, and mineral resources identified in the Final EIR. The geographic extent for the consideration of cumulative effects to geology and soils is a 1,000-foot buffer around the three sites. The buffer size corresponds with impacts resulting from geologic hazards being localized in nature, despite geologic hazards, such as seismic events, being felt for great distances. Impacts resulting from erosion and sand transport are also localized in nature and unlikely to extend beyond the actual sites unless an extreme event results in substantial downstream/downwind erosion for soil or sand. The geographic area considered for impacts to sand transport is the Palen Lake sand migration zone because primary sources of aeolian sands for the Palen Lake sand migration zone include the sand migration system along the western flank of the Coxcomb Mountains and alluvial washes moving northward from the Chuckwalla Mountains. The geographic extent for cumulative analysis pertaining to mineral resources is the three BESS sites.

Geologic hazards would be site-specific impacts for the BESS component and past, present, and reasonably foreseeable development projects. While geologic risks could impact the BESS component, it would be unlikely to be destroyed in a manner that would combine with the seismic impacts to adjacent projects and cause injury to a nearby person. Therefore, as described in the Final EIR, cumulative impacts related to geologic hazards would remain less than significant.

The BESS component is adjacent to other large solar projects that require substantial ground disturbance. While each project's soil disturbance could result in off-site water and wind erosion, each project has or would undergo an environmental review under the National Environmental Policy Act and/or CEQA and would be required to abide by existing regulations such that they would have a DESCP, Drainage Plan, and SWPPP that would reduce wind and water erosion and minimize the amount leaving each project's site. Because minimal wind and water erosion would leave the three BESS sites, it would not combine with the erosion from nearby projects and would not combine to create a cumulatively significant impact due to erosion. Therefore, as described in the Final EIR, cumulative impacts related to erosion would remain less than significant.

The three BESS sites are not located within Parcel Groups A or G, which were identified in the Final EIR as being located within geomorphic zones of sand transport importance, and therefore would not change the conclusions of the Final EIR as they pertain to cumulative impacts to sand transport. As described in the Final EIR, the Project would still not have a cumulatively considerable contribution to cumulative impacts related to sand transport.

The three BESS sites are not currently used for mineral production, nor are they under claim, lease, or permit for the production of locatable, leasable, or salable minerals. The BESS component would have a negligible and temporary effect on the availability of sand and gravel resources, and no significant impact on the availability of geothermal or other mineral resources. Therefore, as described in the Final EIR, no cumulative impacts to mineral resources would occur.

Effects and Mitigation Measures

There are no substantial changes in the Project, substantial changes in the circumstances under which the Project is undertaken, or new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the Final EIR was certified, that indicate the Project would result in new significant environmental effects or a substantial increase in the severity of previously identified significant effects with regard

to geology, soils, and mineral resources. In addition, there is no new information indicating there are mitigation measures or alternatives previously found not to be feasible that are now feasible and would substantially reduce one or more significant environmental effects of the Project or indicating there are mitigation measures or alternatives which are considerably different from those analyzed in the Final EIR that would substantially reduce one or more significant environmental effects of the Project. Impacts to geology, soils, and mineral resources would remain consistent with those described in the Final EIR, and no new mitigation measures would be required.

Conclusion

The FEIR determined that impacts related to geology, soils, and mineral resources would be less than significant with mitigation incorporated. Based upon the analysis contained herein, the proposed BESS component would not involve new significant environmental effects or a substantial increase in the severity of those effects and therefore does not meet any of the conditions requiring preparation of a subsequent EIR.

Less than Significant Impact with Mitigation Incorporated (Same as Final EIR)

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3.7 Greenhouse Gas Emissions

	Where was Impact Analyzed in the EIR?	Do Proposed Changes Require Major Revisions to the EIR?	Do New Circumstances Require Major Revisions to the EIR?	Any New Information of Substantial Importance Resulting in New or Substantially More Severe Significant Impacts?	Do EIR Mitigation Measures Address and/or Resolve Impacts?
Would the project:					
a. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	Page 3.8-4 to 3.8-6	No	No	No	N/A
b. Conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	Page 3.8-6 to 3.8-7	No	No	No	N/A

Summary of Final EIR Impacts Assessment

The Final EIR determined the solar facility (including the proposed BESS component) would result in less-than-significant impacts related to greenhouse gas (GHG) emissions because 1) construction and operation of the Project would result in a net decrease in GHG emissions because of the GHG emissions offset through the production of renewable energy and 2) the Project would not conflict with applicable GHG reduction plans, policies, or regulations while also facilitating compliance with the State Renewables Portfolio Standard. The Final EIR also determined the solar facility (including the proposed BESS component) would not result in a cumulatively considerable contribution to cumulative impacts to GHG emissions that could occur as a result of the cumulative projects in the aggregate (County of Riverside 2019).

Current Assessment of Impacts

- a. *Would the project generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?*

The proposed BESS component of the solar facility would result in temporary GHG emissions during construction and eventual decommissioning, primarily from fossil-fuel combustion in construction equipment and vehicles, as well as from the disturbance of soils and vegetation that naturally sequester carbon. Construction-phase and O&M GHG emissions associated with the proposed BESS component were quantified and analyzed in the Final EIR as part of the overall solar facility. As detailed in the Final EIR, total GHG emissions from construction and O&M of the overall solar facility were estimated at approximately 1,965 metric tons of carbon dioxide equivalent (MTCO₂e) per year when amortized over a 30-year period. Additionally, the loss of carbon sequestration due to land use conversion was estimated at 14,830 MTCO₂e per year. However, the Final EIR anticipated the

solar facility (including the BESS component) would generate over 1.2 million megawatt-hours of renewable electricity annually, displacing fossil-fuel-based electricity generation and avoiding approximately 450,000 MTCO₂e per year. As such, the Project would result in a net reduction of approximately 433,205 MTCO₂e annually. The estimated net decrease in GHG emissions was expected to be achieved regardless of whether the BESS component was implemented. There have been no changes in the BESS component, changes in circumstances, or new information that would affect the Project's estimated GHG emissions. Therefore, this impact would remain **less than significant**, as described in the Final EIR.

b. Would the project conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases?

The proposed BESS component would enhance the integration of intermittent renewable energy into the statewide grid, thereby improving grid reliability and reducing reliance on fossil-fuel-based electricity generation. As described in the Final EIR and under threshold 3.7(a) above, the Project (including the proposed BESS component) would result in a net reduction of approximately 433,205 MTCO₂e per year due to the displacement of GHG emissions from conventional power sources. Other Project activities related to construction and operation would either be exempt from or required to comply with CARB rules and regulations to reduce GHG emissions and would have no other potential to conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing GHG emissions. As indicated in the Final EIR, the Project would support California's long-term climate goals to reduce GHG emissions established under Assembly Bill 32, Senate Bill 32, and the Renewables Portfolio Standard. In addition, the Project would directly facilitate implementation of Assembly Bill 1279 and the 2022 Climate Change Scoping Plan (CARB 2022), both enacted/adopted after certification of the 2019 EIR, which indicate the State's policy is to reduce statewide GHG emissions at least 85 percent below 1990 levels and achieve carbon neutrality (i.e., net zero GHG emissions) no later than 2045. Therefore, as determined in the Final EIR, the Project would contribute to the continued reduction of GHG emissions in California's power supply. The Project would continue to not conflict with any applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of GHG, and this impact would remain **less than significant**, as described in the Final EIR.

Cumulative Impacts

The geographic scope for cumulative GHG impacts includes the global atmosphere because GHG emissions contribute to climate change regardless of their point of origin. As described in the Final EIR, Project construction, O&M, and eventual decommissioning (including for the proposed BESS component) would produce minor GHG emissions; however, the Project would result in a long-term net reduction of GHGs and would support California's climate goals to reduce GHG emissions. The BESS component would enhance the solar facility's ability to store and dispatch renewable energy, thereby reducing reliance on fossil-fuel based generation, and would not introduce new sources of GHG emissions beyond those already analyzed in the Final EIR. Therefore, the Project's contribution to cumulative GHG impacts would remain not cumulatively considerable.

Effects and Mitigation Measures

There are no substantial changes in the Project, substantial changes in the circumstances under which the Project is undertaken, or new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the Final EIR was certified, that indicate the Project would result in new significant environmental

effects or a substantial increase in the severity of previously identified significant effects with regard to GHG emissions. In addition, there is no new information indicating there are mitigation measures or alternatives previously found not to be feasible that are now feasible and would substantially reduce one or more significant environmental effects of the Project or indicating there are mitigation measures or alternatives which are considerably different from those analyzed in the Final EIR that would substantially reduce one or more significant environmental effects of the Project. Impacts to GHG emissions would remain consistent with those described in the Final EIR, and no new mitigation measures would be required.

Conclusion

The FEIR determined that impacts related to greenhouse gas emissions would be less than significant. Based upon the analysis contained herein, the proposed BESS component would not involve new significant environmental effects or a substantial increase in the severity of those effects and therefore does not meet any of the conditions requiring preparation of a subsequent EIR.

Less than Significant Impact (Same as Final EIR)

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3.8 Hazards, Hazardous Materials and Wildfire

	Where was Impact Analyzed in the EIR?	Do Proposed Changes Require Major Revisions to the EIR?	Do New Circumstances Require Major Revisions to the EIR?	Any New Information of Substantial Importance Resulting in New or Substantially More Severe Significant Impacts?	Do EIR Mitigation Measures Address and/or Resolve Impacts?	
Would the project:						
a.	Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	Pages 3.9-9 to 3.9-11	No	No	No	Yes
b.	Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	Pages 3.9-11 to 3.9-12	No	No	No	Yes
c.	Be located on a site which is included on a list of hazardous material sites compiled pursuant to Government Code Section 65962.5 and, as a result, would create a significant hazard to the public or the environment?	Pages 3.9-12	No	No	No	Yes
d.	For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, result in a safety hazard or excessive noise for people residing or working in the project area?	Pages 3.9-13 to 3.9-14	No	No	No	N/A

	Where was Impact Analyzed in the EIR?	Do Proposed Changes Require Major Revisions to the EIR?	Do New Circumstances Require Major Revisions to the EIR?	Any New Information of Substantial Importance Resulting in New or Substantially More Severe Significant Impacts?	Do EIR Mitigation Measures Address and/or Resolve Impacts?
e. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	Pages 3.9-14 to 3.9-15	No	No	No	N/A
f. Expose people or structures, either directly or indirectly, to a significant risk of loss, injury, or death involving wildland fires?					
g. Require review by the Airport Land Use Commission?	Pages 3.9-13 to 3.9-14	No	No	No	N/A
h. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within 0.25 mile of an existing or proposed school?	Pages 3.9-7 to 3.9-8	No	No	No	N/A
i. If located in or near state responsibility areas, lands classified as very high fire hazard severity zones, or other fire areas that may be designated by the fire chief:					
(i) Substantially impair an adopted emergency response plan or emergency evacuation plan?	Page 3.9-15 to 3.9-16	No	No	No	Yes
(ii) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?					

	Where was Impact Analyzed in the EIR?	Do Proposed Changes Require Major Revisions to the EIR?	Do New Circumstances Require Major Revisions to the EIR?	Any New Information of Substantial Importance Resulting in New or Substantially More Severe Significant Impacts?	Do EIR Mitigation Measures Address and/or Resolve Impacts?
(iii) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?					
(iv) Expose people or structures to significant risks, including downslopes or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?					
j. Result in an inconsistency with an Airport Master Plan?	Page 3.9-8	No	No	No	N/A

Summary of Final EIR Impacts Assessment

The Final EIR determined the solar facility (including the proposed BESS component) would result in less-than-significant impacts related to hazards, hazardous materials, and wildfire with mitigation incorporated because 1) the Project would manage hazardous materials (e.g., fuels, greases, herbicides) under a Hazardous Materials Management Plan and in compliance with applicable federal, state, and local regulations; 2) although potential environmental contaminants were identified on-site, implementation of mitigation measures, such as soil investigations, worker training, unexploded ordnance protocols, and hazardous materials removal, would reduce these impacts to less-than-significant levels; and 3) the Project would not be located in or near areas classified as very high fire hazard severity zones and would not substantially impair emergency response or evacuation plans. The Final EIR also determined no cumulative impacts related to hazards, hazardous materials, and wildfire would occur (County of Riverside 2019).

Current Assessment of Impacts

- a. *Would the project create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?*

Construction/Decommissioning

Construction and decommissioning activities associated with the proposed BESS component remain within the scope of activities evaluated in the Final EIR. As discussed in the Final EIR, construction and decommissioning of the solar facility (including the proposed BESS component) would involve the limited use of hazardous materials such as fuels and lubricants required for fueling and maintaining construction equipment. These materials would be stored on site for the duration of construction and decommissioning activities in aboveground tanks or storage sheds. All fuel storage would occur in locked containers within a fenced and secure staging area. Spill prevention measures and secondary containment would be implemented where warranted, and the Project-specific Hazardous Materials Business Plan would be updated prior to the commencement of construction activities, and the storage procedures for regulated materials required for the construction and decommissioning of the BESS would be dictated by the updated plan. Trucks and construction vehicles would be serviced off-site, and all hazardous materials would be handled in accordance with federal, state, and county regulations. No extremely hazardous substances, as defined under 40 CFR Part 355, are anticipated to be produced, used, stored, or disposed of during construction or decommissioning of the BESS. Safety Data Sheets would be made available to on-site personnel. Waste generated from construction and decommissioning activities would be sorted on-site and transported to appropriate facilities based on waste type. Recyclable materials would be sent to designated recycling centers, nonhazardous non-recyclable waste would be disposed of at approved municipal or county landfills, and hazardous or electronic waste would be transported to licensed hazardous waste handling or electronic recycling facilities. All contractors and workers would receive training on proper waste sorting procedures, designated recycling storage areas, and best practices for minimizing landfill disposal. Waste and landfill facilities that would be utilized during the construction and decommissioning of the proposed BESS are further discussed in Section 3.14, *Public Services and Utilities*. The proposed BESS component would not require the transport, use, or disposal of hazardous materials or waste beyond what was evaluated in the Final EIR. Therefore, as described in the Final EIR, with compliance with applicable state and federal regulations, impacts related to these potential hazards would remain **less than significant**.

During construction of the proposed BESS component, herbicides may be applied to control weed growth. Use of herbicides would occur in accordance with all recommended application procedures as identified on product labels as well as under the direct supervision of a licensed Certified Pesticide Applicator. Therefore, as described in the Final EIR, impacts related to the application of herbicides during construction would remain **less than significant**.

As concluded in the Final EIR, a Phase I Environmental Site Assessment identified several potential environmental contaminants across the solar facility site, including munitions and explosives of concern, unexploded ordnance, residual agricultural chemicals, stained soils, potential underground and aboveground storage tanks, and materials containing lead-based paint and asbestos. These findings indicated that construction and decommissioning activities for the solar facility (including the proposed BESS component) could pose risks to workers and site personnel if not properly managed. The three sites proposed for development of the BESS component remain entirely within the area evaluated in the Final EIR, and construction and decommissioning of the proposed BESS

component would involve ground-disturbing activities similar to those described in the Final EIR, which could mobilize these contaminations.

Pursuant to Mitigation Measure HAZ-1 (Soil Investigation) included in the Final EIR, Rincon Consultants, Inc. conducted a Phase II soil investigation in May 2020 within Parcel Groups A, B, and C (which includes BESS Sites 1 and 2). The soil investigation involved advancing 23 soil borings to a total depth of 2.5 feet below ground surface. Soil samples were collected from each boring at depths of 0.0 to 0.5 feet below ground surface and 2.0 to 2.5 feet below ground surface .

The soil samples were analyzed for organochlorine pesticides and arsenic. The soil analytical results were compared to the San Francisco Bay Regional Water Quality Control Board (RWQCB) Environmental Screening Levels⁶ for construction worker soil direct contact and compared to the typical background concentration ranges in California soil established by the Kearney Foundation (University of California Kearney Foundation 1996). Based on the results of the Phase II soil investigation, organochlorine pesticides, arsenic, and selenium were either not detected, detected below their respective construction worker Environmental Screening Levels, and/or within their typical background concentration range for metals. Therefore, no additional assessment with regard to former agricultural usage of Parcel Groups A or C was deemed necessary, and no subsequent corrective action was performed.

A geophysical survey conducted for Parcel Group B was unable to confirm the presence or absence of an underground storage tank at the location where a pipe was observed protruding from the ground (Rincon Consultants, Inc. 2020). However, the three BESS sites would not be located within Parcel Group B; therefore, no further investigation or mitigation regarding the underground storage tank is applicable to the proposed BESS component.

Implementation of Mitigation Measure HAZ-2 (Worker Environmental Awareness Program), Mitigation Measure HAZ-3 (Unexploded Ordnance Identification, Training and Reporting Plan), and Mitigation Measure HAZ-4 (Pre-demolition Surveys and Appropriate Hazardous Materials Removal) would continue to be required for the proposed BESS component to reduce these impacts to a less-than-significant level. Mitigation Measure HAZ-2 requires environmental health and safety training to reduce construction risks to workers. Mitigation Measure HAZ-3 involves training all workers in the recognition, avoidance, and reporting of military waste debris, and Mitigation Measure HAZ-4 involves surveys and appropriate removal of any lead-based paint and asbestos to eliminate risk to workers. Therefore, as described in the Final EIR, with implementation of Mitigation Measures HAZ-1 through HAZ-4, Project construction and decommissioning would continue to not create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials, and impacts would remain **less than significant with mitigation incorporated**.

Operation

During O&M, the BESS component would involve the use and storage of hazardous materials consistent with those described in the Final EIR. Routine O&M activities that would employ the use of hazardous materials include vegetation and pest management, equipment testing, and occasional repairs. As described in the Final EIR, hazardous materials used during O&M may include consumer-sized containers of oils, greases, paints, solvents, and small quantities of diesel fuel and gasoline for service vehicles and generators. Dielectric insulating oil would be used in electrical equipment, and oil-containing components would be installed with spill containment systems. Secondary

⁶ While published by the San Francisco Bay RWQCB, the Environmental Screening Levels are applied as a standard industry practice across all nine RWQCB regions, including the Colorado River Basin region where the Project site is located.

containment would be employed where warranted, such as where diesel-fueled backup pumps are used for fire protection. Herbicides and pesticides used for vegetation and pest management would be applied in accordance with product labeling and regulatory requirements. In addition, the BESS technology would be designed so that battery units would not degrade to the point of needing to be routinely replaced during the Project lifetime. However, if removal of defective batteries from the Project site is required during operations, this material would be classified mostly as universal waste under the California Department of Toxic Substances Control regulations and guidance (2025a), which is defined as hazardous wastes that are widely produced by households and many different types of businesses. Transportation of lithium-ion batteries is subject to 49 CFR 171-180. These regulations include requirements for prevention of a dangerous evolution of heat; prevention of short circuits; prevention of damage to the terminals; and require that no battery comes in contact with other batteries or conductive materials. Therefore, as described in the Final EIR, Project O&M would continue to not create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials, and impacts would remain **less than significant**.

While impacts would remain less than significant as described in the Final EIR, additional mitigation measures have been proposed by the Project Applicant and are being imposed by the County to further reduce these less-than-significant impacts and ensure the enforceability of current best management practices and industry standards. These mitigation measures are outlined under *Effects and Mitigation Measures*. Notably, Mitigation Measure HAZ-11 (Project Operations and Maintenance Safety and Health Program) requires the Project owner to implement a comprehensive Operations and Maintenance Safety and Health Program to enhance worker safety and emergency preparedness, and Mitigation Measure HAZ-14 (Hazardous Materials Business Plan and Spill Prevention Control and Countermeasure Plan) requires the preparation and implementation of a Hazardous Materials Business Plan and a Spill Prevention Control and Countermeasure Plan to ensure safe handling and response protocols for hazardous materials during operations. Both plans would be subject to review and approval by the County prior to the start of BESS operation.

b. Would the project create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?

As described in the Final EIR and discussed under threshold 3.8(a), construction, O&M, and decommissioning of the solar facility (including the proposed BESS component) would involve the use of hazardous materials such as fuels and greases, which could result in the accidental release of these materials if not properly managed. The proposed BESS component would involve the use and storage of hazardous materials consistent with those described in the Final EIR. These materials would be stored in secure, temporary staging areas and managed in accordance with a Hazardous Materials Business Plan, which would be updated prior to the commencement of construction activities. The proposed BESS component would be required to adhere to the updated storage procedures outlined therein. Spill prevention measures and secondary containment would be implemented where warranted. In addition, a SWPPP or equivalent document would be prepared by an engineer or erosion control specialist and implemented prior to and during construction. The SWPPP would include BMPs to reduce potential impacts related to stormwater runoff control, concrete waste management, erosion, and dust suppression. Implementation of Mitigation Measure HAZ-2 (Worker Environmental Awareness Program), described under threshold 3.8(a) would continue to be required for the proposed BESS component to reduce the potential for accidental

releases of hazardous materials and achieve compliance with applicable health and safety regulations.

The battery enclosures included in the proposed BESS component would house lithium-ion batteries, in addition to supporting electrical power, and not introduce infrastructure beyond what was evaluated in the Final EIR. The proposed BESS component would not introduce new types of hazardous materials or substantially increase the quantities used beyond those evaluated in the Final EIR. The primary hazard associated with BESS batteries that would constitute a reasonably foreseeable upset and accident condition is fire (American Chemical Society 2022). In general, the off-nominal conditions⁷ that can cause the occurrence of hazard events with BESS batteries can be categorized into electrical, mechanical, and environmental types. The most common electrical hazards are over-charge, over-discharge, and external and internal short circuits. Environmental hazards include off-nominal conditions, such as temperatures beyond the manufacturer's recommended range. Other environmental hazard causes include floods and rain entering the batteries. Mechanical hazards include vibration, shock, and impact encountered under transportation conditions. Battery enclosures would be installed on steel pile foundations and equipped with fire protection systems and thermal management AHUs designed to prevent, detect, and suppress fire hazards associated with lithium-ion BESS. Each battery enclosure would include a side-mounted AHU that would regulate internal temperatures to prevent overheating, with auxiliary transformers supplying dedicated power to the AHU to ensure continuous cooling in the event of a power outage. The spacing between enclosures would be based on full-scale fire testing to prevent fire propagation between units.

Each BESS unit would include a fire protection system specifically designed to prevent, detect, and address fire-related hazards associated with lithium-ion batteries and would include active and passive fire prevention measures such as automatic fire suppression, smoke and heat detectors, gas detection systems, and deflagration venting or explosion prevention systems, which would be verified through pre-operational inspections conducted by the County Fire Department. Passive measures would include system design features such as thermal insulation, spacing between enclosures, and deflagration panels to safely relieve pressure in the event of a gas buildup. Active measures would include a fire alarm system, combustible gas detection, and an active venting mechanism to prevent gas accumulation inside the enclosure. The fire alarm system would be designed, built, and tested to comply with NFPA 72. Its primary function would be to detect the initial signs of off-gassing, such as the presence of combustible gases or fire before a significant volume of gases is released. Upon detection, the system would activate and trigger the opening of deflagration panels to rapidly release pressure from a potential deflagration, without compromising the integrity of the enclosure. These systems would be supported by a Battery Management System that monitors and disconnects the system under abnormal conditions, such as excessive cell temperature, over-voltage, under-voltage, or excessive current. In addition, a Site Emergency Plan would be implemented to ensure that personnel are trained and informed to respond appropriately in the event of an alarm or fire. The BESS would be constructed and operated in accordance with applicable safety standards, including the CFC (Chapter 12, §1206), NFPA 855, UL 9540, UL 9540A, UL 1973, and UL 1741. These measures ensure fire-safe construction practices, adequate water supply, proper spacing of BESS units, and emergency protocols for fire, explosion, or equipment damage. Furthermore, each of the three BESS sites would include first responder panels, where plant personnel, as well as emergency responders, can monitor container and system conditions.

⁷ Off-nominal conditions are conditions that are not as planned or forecast.

Each site would also include a water storage tank sized in coordination with the applicable standards and County requirements.

Large-scale fire testing has been conducted on the BESS containers to be used for the proposed BESS component. This critical safety validation tool verifies that BESS installations are designed and operated to minimize the risks of fire, explosion, and toxic exposure to people, property, and the environment. In addition, a product-level hazard mitigation analysis has been performed for the BESS containers, which would be utilized and consulted by the Project owner during final design and by the County during the design review and approval process, which would include review of the system configuration and fire protection measures by the County Fire Department prior to building permit issuance.

Numerous regulations would also govern the construction, O&M, and decommissioning of the proposed BESS component. These include requirements for the components that comprise the systems; the installation of the systems; the enclosures within which the systems are contained; hazard detection systems; fire protection systems; temperature and venting components; and operator training to evaluate for and respond to hazards. Together, compliance with existing regulations and the proposed design of the BESS would minimize the potential for reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment during O&M of the proposed BESS component to create a significant hazard to the public or the environment.

The proposed BESS component is part of the solar facility evaluated in the Final EIR, and the potential hazards associated with a BESS were known at the time of the Final EIR. By 2014, the safety risks associated with lithium-ion BESS, including thermal runaway, cascading cell failures, and the release of flammable gases, were documented and actively being addressed through federal research and safety planning (United States Department of Energy 2014). Known risks associated with lithium-ion BESS were being minimized through engineering controls (such as thermal management and AHUs), fire suppression strategies, and standardized safety validation protocols, such as UL9540A testing to evaluate thermal runaway and fire propagation at the cell, module, and system levels (UL LLC 2019). In addition, national standards such as NFPA 855 were updated to require explosion control measures for lithium-ion BESS installations (United States Department of Energy 2024). By 2019, California had also initiated state-level efforts to support the safe deployment of energy storage technologies. The California Energy Commission's Electric Program Investment Charge was established in 2012 and funded research projects focused on improving the safety, performance, and integration of BESS. These efforts are documented in the *Distributed Energy Resources Integration Research Roadmap* (California Energy Commission 2021), which outlined the California Energy Commission's funded research conducted prior to 2019 that addressed hazards associated with BESS. This research contributed to a regulatory and technical framework that anticipated the deployment of lithium-ion BESS and incorporated safety considerations into early-stage design, permitting, and operational planning, prior to certification of the Final EIR in 2019.

Furthermore, numerous BESS fires had occurred throughout the country and across the world prior to certification of the Final EIR, including at the Kahuku Wind Farm in Hawaii in 2012, at Port Angeles in Washington in 2013, and at the McMicken BESS in Surprise, Arizona in 2019 (Hawaii News Now 2012; Peninsula Daily News 2013; Arizona Public Service 2020). Accordingly, there is no new information of substantial importance that was not known and could not have been known with the exercise of reasonable diligence at the time the Final EIR was certified regarding the potential hazards associated with a BESS.

In light of the above discussion, with implementation of Mitigation Measure HAZ-2, the Project would continue to not create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment, and impacts would remain **less than significant with mitigation incorporated**.

While impacts would remain less than significant with implementation of the mitigation measures described in the Final EIR, additional mitigation measures have been proposed by the Project Applicant and are being imposed by the County to further reduce these less-than-significant impacts and ensure the enforceability of current best management practices and industry standards. These mitigation measures are outlined below under *Effects and Mitigation Measures*. Notably, Mitigation Measure HAZ-5 (Fire Management and Prevention Plan) would require preparation and implementation of a Fire Management and Prevention Plan during BESS construction to safeguard personnel and property by ensuring fire-safe construction practices, control of ignition and fuel sources, and maintenance of accessible and compliant firefighting equipment.

Mitigation Measure HAZ-6 (Hazard Mitigation Analysis) would require identification of any additional fire protection water supply or storage tanks needed to support fire suppression beyond those already in place at the existing solar facility.

Mitigation Measure HAZ-7 (Fire Inspection) would require a fire inspection to verify adequate access roads, water supply, fire suppression systems, and proper spacing of BESS units.

Mitigation Measure HAZ-8 (Emergency Operations Plan) would require preparation of a plan to address safe shutdown procedures, alarm response, and emergency protocols for fire, explosion, or equipment damage.

Mitigation Measure HAZ-9 (Regulatory Compliance) would require design of the proposed BESS to comply with the CFC (Chapter 12, § 1206), NFPA 855, UL 9540, UL 9540A, UL 1973, and UL 1741. The Fire Management and Prevention Plan, Hazard Mitigation Analysis, Fire Inspection, Emergency Operations Plan, and regulatory compliance measures would all require review and approval by the County Fire Department and/or Fire Marshall prior to the start of either construction or operation of the BESS.

Furthermore, Mitigation Measure HAZ-11 (Project Operations and Maintenance Safety and Health Program) would require the Project owner to submit a comprehensive safety and health program to the County prior to the start of BESS commissioning, including an Operation Injury and Illness Prevention Plan, an Operations Emergency Action Plan, an Operations Emergency Response Plan, a Hazardous Materials Management Program, a Fire Prevention Plan, a Fire Protection System Impairment Program, and a Personal Protective Equipment Program.

Mitigation Measure HAZ-12 (NFPA 855: Standard for the Installation of Stationary Energy Storage Systems) would require adherence to all applicable provisions of the latest version of NFPA 855 as the minimum level of safety for the BESS, with all recommended provisions interpreted as mandatory and the more restrictive standard applied where conflicts exist. The County would verify compliance with this measure during the plan check/building permit process.

Mitigation Measure HAZ-13 (BESS Safety Provisions) would require implementation of additional BESS safety measures to achieve safe operating conditions, which would be verified by the County during plan check approval.

Lastly, Mitigation Measure HAZ-14 (Hazardous Materials Business Plan and Spill Prevention Control and Countermeasure Plan) would require the Project owner to prepare and submit both a

Hazardous Materials Business Plan and a Spill Prevention Control and Countermeasure Plan to the County for review and approval prior to the start of BESS operation.

- c. *Would the project be located on a site which is included on a list of hazardous material sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?*

The three sites proposed for development of the BESS component remain entirely within the area evaluated in the Final EIR. The BESS sites continue to not be identified on the California Department of Toxic Substances and Control EnviroStor database (California Department of Toxic Substances Control 2025). However, as described in the Final EIR, the Phase I report identified potentially toxic substances located on the site that could constitute a potentially significant impact to the public or the environment, and implementation of Mitigation Measures HAZ-1 through HAZ-4 (described under threshold 3.8[a]) would be required during construction and decommissioning of the proposed BESS component to reduce impacts to a less-than-significant level. Therefore, as described in the Final EIR, impacts related to hazardous materials sites would remain **less than significant with mitigation incorporated**.

- d. *For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?*
- f. *Would the project require review by the Airport Land Use Commission?*

The three sites proposed for development of the BESS component remain entirely within the area evaluated in the Final EIR. The three sites continue to be located within approximately two miles of the Desert Center Airport, which was previously subject to the Riverside County Airport Land Use Compatibility Plan. However, the airport is no longer included in the Riverside County Airport Land Use Compatibility Plan because it was acquired by Chuckwalla Valley Raceway in 2004. BESS Site 1 would be located within 5,000 feet of this airport, which is considered Compatibility Zone E for an airport. Compatibility Zone E is defined as the area wherein 10 to 15 percent of near-airport accidents occur and where concern for risks applies to uses for which potential consequences are severe (e.g., very-high intensity activities in a confined area). For uses in Compatibility Zone E, Riverside County Airport Land Use Commission review is required for the construction of objects greater than 100 feet tall. As described in the Final EIR, this review is not required because the Desert Center Airport is no longer part of the Riverside County Airport Land Use Compatibility Plan and does not have an influence area. Furthermore, the proposed battery enclosures would be approximately 9.5 feet tall, which is substantially below the 100-foot threshold requiring Land Use Commission review. As described in Section 3.1, *Aesthetics*, the proposed BESS component does not include components that would generate substantial light or glare that could affect airport operations. In addition, the proposed BESS component would not result in new significant impacts or substantially more severe significant noise impacts beyond those described in the Final EIR that could result in excessive noise for people residing or working in the Project area, as evaluated in Section 3.11, *Noise*.

With respect to fire risk near the Desert Center Airport, the BESS sites would be designed and operated in accordance with applicable safety standards, including the CFC (Chapter 12, § 1206), NFPA 855, UL 9540, UL 9540A, UL 1973, and UL 1741. As discussed under threshold 3.8(b), compliance with existing regulations and the proposed design of the BESS would minimize the potential for incidents of fire to occur and for any such incidents to present a significant hazard to

the public. In addition, the proposed BESS component is part of the solar facility evaluated in the Final EIR, and the potential hazards associated with a BESS were known at the time of the Final EIR. There are neither changes in this component of the Project nor its circumstances, and no new information of substantial importance that was not known and could not have been known with the exercise of reasonable diligence at the time the Final EIR was certified. Therefore, the proposed BESS component would not result in a new significant impact or substantially increase the severity of a previously identified significant impact related to fire risk in proximity to an airport beyond the less-than-significant impact disclosed in the Final EIR.

In light of the above discussion, the Project would continue to not result in a safety hazard or excessive noise for people residing or working in the Project area, and impacts would remain **less than significant**, as described in the Final EIR. While impacts would remain less than significant as described in the Final EIR, additional mitigation measures have been proposed by the Project Applicant and are being imposed by the County to further reduce these less-than-significant impacts and ensure the enforceability of current best management practices and industry standards. These mitigation measures are described under threshold 3.8(b) and outlined below under *Effects and Mitigation Measures*.

e. Would the project impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?

The three sites proposed for development of the BESS component remain entirely within the area evaluated in the Final EIR and continue to be located in a remote area. Access to the BESS sites would continue to be provided from SR-177 with appropriate detours in the event road closures are needed, consistent with the access routes analyzed in the Final EIR. One new driveway from an existing private access road would be constructed to provide access to BESS Site 1; otherwise, the proposed BESS component would utilize the same network of new and improved access roads as the solar facility. As indicated in the Final EIR, construction, O&M, and decommissioning of the BESS sites would not require temporary lane closures that could restrict the movements of emergency vehicles. The sites would include controlled access points for ingress and egress, consistent with the solar facility design, and would allow for emergency vehicle access throughout the BESS sites. As required by the County's conditions of approval (CUP180001 Condition of Approval 060 – Fire), access roads would be provided from the main road and within 150 feet of all BESS units and would be a minimum of 24 feet wide with an all-weather driving surface capable of supporting 80,000 pounds in compliance with County fire standards (Riverside County Fire Department 2024). Once operational, access through secured gates would be maintained. Therefore, as concluded in the Final EIR, the Project would continue to not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan, and impacts would remain **less than significant**.

f. Would the project expose people or structures, either directly or indirectly, to a significant risk of loss, injury, or death involving wildland fires?

The three sites proposed for development of the BESS component remain entirely within the area evaluated in the Final EIR. These sites continue to not be located within or near State Responsibility Areas or lands classified as Very High Fire Hazard Severity Zones. According to the California Department of Forestry and Fire Protection (2025), all three of the BESS sites are within the Local Responsibility Area; BESS Site 2 is located entirely within an area classified as a Moderate Fire Hazard Severity Zone, while BESS Sites 1 and 3 are located partially within areas classified as a Moderate Fire Hazard Severity Zone in the Local Responsibility Area. (The remainder of BESS Sites 1

and 3 are unclassified.) In addition, the sites are not located within any other fire areas designated by the fire chief (County of Riverside 2021). The nearest State Responsibility Area to the Project site is located approximately 60 miles west of the Project boundary, west of Rancho Mirage, and the nearest Very High Fire Hazard Severity Zone is approximately 63 miles to the west, near Pinyon Crest (California Department of Forestry and Fire Protection 2025). The Project site vicinity continues to consist of active and fallow agricultural land and some open space, with minimal native or ruderal vegetation.

During construction and decommissioning of the proposed BESS component, defensible space would be maintained around work areas, and fire prevention measures such as portable extinguishers and fire-safe work practices would be implemented. In addition, implementation of Mitigation Measure HAZ-2 (Worker Environmental Awareness Program), described under threshold 3.8(a) would continue to be required for the proposed BESS component and would involve training all on-site personnel in emergency responses and hazardous materials handling.

The battery enclosures included in the proposed BESS component would house lithium ion batteries, in addition to supporting electrical power, and not introduce infrastructure beyond what was evaluated in the Final EIR. Battery enclosures would be installed on pile foundations and equipped with fire protection systems and thermal management AHUs. The primary hazard associated with BESS batteries is fire (American Chemical Society 2022). However, as discussed under threshold 3.8(b), compliance with existing regulations and the proposed design of the BESS would minimize the potential for incidents of fire to occur and for any such incidents to present a significant hazard to the public. In addition, the proposed BESS component is part of the solar facility evaluated in the Final EIR, and the potential wildland fire risks associated with a BESS were known at the time of the Final EIR. There are neither changes in this component of the Project nor its circumstances, and no new information of substantial importance that was not known and could not have been known with the exercise of reasonable diligence at the time the Final EIR was certified. There are neither changes in this component of the Project nor its circumstances, and no new information of substantial importance that was not known and could not have been known with the exercise of reasonable diligence at the time the Final EIR was certified. Therefore, the proposed BESS component would not result in a new significant impact or substantially increase the severity of a previously identified significant impact related to wildland fire risk beyond the impact disclosed in the Final EIR. Therefore, as described in the Final EIR, with implementation of Mitigation Measure HAZ-2, the Project would still not expose people or structures, either directly or indirectly, to a significant risk of loss, injury, or death involving wildland fires, and impacts would remain **less than significant with mitigation incorporated**.

While impacts would remain less than significant with implementation of Mitigation Measures HAZ-2 as described in the Final EIR, additional mitigation measures have been proposed by the Project Applicant and are being imposed by the County to further reduce these less-than-significant impacts and ensure the enforceability of current best management practices and industry standards. These mitigation measures are described under threshold 3.8(b) and outlined below under *Effects and Mitigation Measures*.

h. Would the project emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within 0.25 mile of an existing or proposed school?

The three sites proposed for development of the BESS component remain entirely within the area evaluated in the Final EIR. There are still no existing or planned schools located within 0.25 mile of the solar facility, including the three BESS sites. Therefore, the Project would continue to not emit

hazardous emissions or require the handling of hazardous or acutely hazardous materials, substances, or waste within 0.25 mile of a school, and **no impact** would occur, as described in the Final EIR.

- i. *If located in or near state responsibility areas, lands classified as very high fire hazard severity zones, or other fire areas that may be designated by the fire chief, would the project:*
 - (i) *Substantially impair an adopted emergency response plan or emergency evacuation plan?*
 - (ii) *Due to slope, prevailing winds, and other factors, exacerbate wildfire risks and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?*
 - (iii) *Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?*
 - (iv) *Expose people or structures to significant risks, including downslopes or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?*

The three sites proposed for development of the BESS component remain entirely within the area evaluated in the Final EIR. These sites continue to not be located within or near State Responsibility Areas or lands classified as Very High Fire Hazard Severity Zones. According to the California Department of Forestry and Fire Protection (2025), all three of the BESS sites are within the Local Responsibility Area; BESS Site 2 is located entirely within an area classified as a Moderate Fire Hazard Severity Zone, while BESS Sites 1 and 3 are located partially within the area classified as a Moderate Fire Hazard Severity Zone. In addition, the sites are not located within any other fire areas designated by the fire chief (County of Riverside 2021). The nearest State Responsibility Area to the Project site is located approximately 60 miles west of the Project boundary, west of Rancho Mirage, and the nearest Very High Fire Hazard Severity Zone is approximately 63 miles to the west, near Pinyon Crest (California Department of Forestry and Fire Protection 2025). Therefore, the Project would continue to be located outside State Responsibility Areas and lands classified as Very High Fire Hazard Severity Zones, and the Project would continue to result in **no impact** related to wildfire. Impacts related to wildland fires are discussed under threshold 3.8(f).

- j. *Would the project result in an inconsistency with an Airport Master Plan?*

The three sites proposed for development of the BESS component remain entirely within the area evaluated in the Final EIR. As described in the Final EIR, the Desert Center Airport is a private airport purchased by the Chuckwalla Valley Raceway in 2004; therefore, it is no longer part of the Airport Master Plan. The Desert Center Airport continues to not be a part of the Airport Master Plan. As such, the Project would still result in **no impact**, as described in the Final EIR.

Cumulative Impacts

The geographic extent for cumulative impacts related to hazards, hazardous materials, and wildfire is the area extending one mile from the boundary of the Project site. This extent is based on the American Society for Testing and Materials standard search distance for hazardous materials. The cumulative scenario includes numerous existing and proposed solar energy facilities, transmission lines, substations, and related infrastructure that contribute to the hazards, hazardous materials, and wildfire impacts, including many projects identified in Table 1 and Table 2 under *Cumulative Projects* in Section 3, *Impacts Analysis*.

The three sites proposed for development of the BESS component remain entirely within the area evaluated in the Final EIR, and as detailed above, the project-level impacts of the proposed BESS component pertaining to hazards, hazardous materials, and wildfire would remain the same as those described in the Final EIR. The proposed BESS component would not introduce new or greater types of hazards, hazardous materials, or wildfire risks as compared to what was evaluated in the Final EIR. Implementation of Mitigation Measure HAZ-1 (Soil Investigation), Mitigation Measure HAZ-2 (Worker Environmental Awareness Program), Mitigation Measure HAZ-3 (Unexploded Ordnance Identification, Training and Reporting Plan), and Mitigation Measure HAZ-4 (Pre-demolition Surveys and Appropriate Hazardous Materials Removal), along with compliance with applicable federal, State, and local regulations, would continue to be required for the proposed BESS component and would continue to be effective in the cumulative impacts context. Other cumulative projects in the vicinity would be required to comply with all such regulations as well. Therefore, as indicated in the Final EIR, compliance with existing law, regulations, policies, and project-specific mitigation measures would ensure that cumulative impacts associated with hazards, hazardous materials, and wildfire from the cumulative projects within the geographic scope of analysis would be less than significant.

Effects and Mitigation Measures

There are no substantial changes in the Project, substantial changes in the circumstances under which the Project is undertaken, or new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the Final EIR was certified, that indicate the Project would result in new significant environmental effects or a substantial increase in the severity of previously identified significant effects with regard to hazards, hazardous materials, and wildfire. In addition, there is no new information indicating there are mitigation measures or alternatives previously found not to be feasible that are now feasible and would substantially reduce one or more significant environmental effects of the Project or indicating there are mitigation measures or alternatives which are considerably different from those analyzed in the Final EIR that would substantially reduce one or more significant environmental effects of the Project.

While impacts related to hazards, hazardous materials, and wildfire would remain less than significant as described in the Final EIR, the following additional mitigation measures are being proposed by the Project Applicant and imposed by the County to further reduce the less-than-significant impacts and ensure the enforceability of current best management practices and industry standards. These mitigation measures do not trigger the need for a subsequent or supplemental EIR under CEQA because 1) no new significant environmental impacts or substantially more severe significant environmental impacts have been identified and 2) the Project Applicant has agreed to adopt these mitigation measures.

MM HAZ-5 Fire Management and Prevention Plan

A Fire Management and Prevention Plan would be prepared for the BESS construction phase. The plan would include measures to safeguard human life, prevent personnel injury, preserve property, and minimize downtime due to fire or explosion. Specific focus would be given to fire-safe construction, reduction of ignition sources, control of fuel sources, availability of water, and proper maintenance of firefighting systems. The plan would be subject to review and approval by the County Fire Department.

Standard defensible space requirements would be maintained surrounding any welding or digging operations. Fire extinguishers and other portable fire-fighting equipment would be available on site. These fire extinguishers would be maintained for the full construction duration in accordance with local and federal Occupational Safety and Health Administration (OSHA) requirements. Locations of portable fire extinguishers would include, but not be limited to, office spaces, hot work areas, flammable storage areas, and mobile equipment such as work trucks and other vehicles. Fire-fighting equipment would be accessible and marked conspicuously. Portable equipment would be routinely inspected, as required by all applicable and federal, state, and local laws, ordinances, regulations, and standards, and replaced immediately if defective or needing charge.

MM HAZ-6 Hazard Mitigation Analysis

As required by the County's conditions of approval for the Substantial Conformance Determination, a Hazard Mitigation Analysis would be completed to identify any required fire protection water supply and/or fire water storage tanks required for fire protection, in addition to those already present at the existing solar facility.

MM HAZ-7 Fire Inspection

As required by the County's conditions of approval for the Substantial Conformance Determination, a fire inspection would be conducted by the County Fire Department and/or Fire Marshal prior to the BESS being placed on site, which would consist of verifying the following:

- All required fire access roads.
- Any required fire water tanks, fire water systems, or hydrants.
- Proper size and spacing of the units.
- Functional testing of any fire alarm system (including smoke detectors, heat detectors, or gas detection systems). The function of all initiating devices and alarms shall match the sequence of operations on the approved Fire Alarm plans.
- Verification of any required deflagration venting systems or explosion prevention systems. Required ventilation rates for combustible concentration reduction systems designed in accordance with NFPA 69 shall be verified.
- Automatic fire suppression systems installed pursuant to the approved plans.
- Signage installed pursuant to the approved plans.

MM HAZ-8 Emergency Operations Plan

As required by the County's conditions of approval of the Project's CUP as modified by its April 2025 Substantial Conformance Determination, an Emergency Operations Plan, including but not limited to the following required components, will be prepared for the BESS:

- Procedures for safe shutdown, de-energizing, or isolation of equipment and systems under emergency conditions to reduce the risk of fire, electric shock, and personal injuries, and for safe start-up following cessation of emergency conditions.
- Procedures for inspection and testing of associated alarms, interlocks, and controls.
- Procedures to be followed in response to notifications of system alarms or out-of-range conditions that could signify potentially dangerous conditions, including shutting down equipment, summoning service or repair personnel, and providing agreed-upon notification to fire department personnel, if required.

- Emergency procedures to be followed in case of fire, explosion, release of liquids or vapors, damage to critical moving parts, or other potentially dangerous conditions.
- Response considerations similar to a safety data sheet that would address response safety concerns and extinguishment when a safety data sheet is not required.
- Procedures for dealing with Energy Storage System equipment damaged in a fire or other emergency event, including contact information for personnel qualified to safely remove damaged Energy Storage System equipment from the facility.
- Other procedures as determined necessary by the Authority Having Jurisdiction to provide for the safety of occupants and emergency responders.
- Procedures and schedules for conducting drills of these procedures.

MM HAZ-9 Regulatory Compliance

The BESS would be required to comply with all applicable fire safety standards, including the current California Fire Code (CFC), which governs the code requirements to minimize the risk of fire and life safety hazards specific to BESS used for load shedding, load sharing and other grid services (CFC, chapter 12 § 1206). As required by the County's conditions of approval for the Substantial Conformance Determination, the BESS would comply with NFPA 855, Underwriters Laboratory (UL) 9540, UL 9540A, UL 1973, and UL 1741, which are nationally recognized fire and electrical safety standards that address system design, installation, thermal runaway testing, battery performance, and inverter safety. Prior to energization, the BESS would be subject to inspection and approval by the County Fire Department and/or Fire Marshal.

MM HAZ-10 Project Construction Health and Safety Program

Prior to the start of construction, the Project owner shall submit to the County a copy of the Project Construction Health and Safety Program containing the following, for review and approval:

- A Construction Personal Protective Equipment Program;
- A Construction Injury and Illness Prevention Program;
- A Construction Emergency Action Plan that fulfills the requirements of California Public Utilities Code 761.3 section (g);
- A Fire Management and Prevention Plan (pursuant to Mitigation Measures HAZ-5) that includes methods of access for emergency responders through locked gates.

MM HAZ-11 Project Operations and Maintenance Safety and Health Program

Prior to the start of commissioning, the Project owner shall submit to the County a copy of the Project Operations and Maintenance Safety and Health Program containing the following items, for review and approval:

- An Operation Injury and Illness Prevention Plan.
- An Operations Emergency Action Plan that that fulfills the requirements of California Public Utilities Code 761.3 section (g).
- A Hazardous Materials Management Program.
- A Fire Prevention Plan (CCR, tit. 8, § 3221) that includes methods of access for emergency responders through locked gates.
- A Fire Protection System Impairment Program.

- A Personal Protective Equipment Program (CCR, tit.8, §§ 3401-3411).

MM HAZ-12 NFPA 855: Standard for the Installation of Stationary Energy Storage Systems

The Project owner shall adhere to all applicable provisions of the latest version of NFPA 855: Standard for the Installation of Stationary Energy Storage Systems, as the minimum level of safety for the BESS. The Project owner shall interpret and adhere to all applicable NFPA 855 recommended provisions and actions stating “should” as “shall.” In any situations where both NFPA 855 and the state or local laws, ordinances, regulations, and standards have application, the more restrictive shall apply. The Project owner shall provide all system specifications and design drawings to the County for review and comment during the plan check/building permit process.

MM HAZ-13 BESS Safety Provisions

Prior to the start of construction, the Project owner shall complete the following for BESS facility and provide all information required below (with the exception of item [i] to the County for review and plan check approval:

- a. Require that the lithium-ion batteries be shipped from the factory to the Project site at a maximum of 30 percent State of Charge (SOC);
- b. Provide fire lanes around the BESS areas that are wide enough to allow for fire engine access;
- c. Provide at least two gates into the BESS facility wide enough for emergency access;
- d. Place water storage tanks at each BESS area that meet volume requirements specified by applicable codes and the County;
- e. Install closed-circuit television (CCTV) cameras with Pan, Tilt, Zoom (PTZ), and low-light capability that cover the entire area of the BESS;
- f. Establish a Command and Control Protocol for staff to perform emergency duties and responsibilities during the detection, initiation, and escalation of a BESS fire;
- g. Establish remote telemetry and CCTV viewing in a Command and Control Center located at a safe distance from the BESS facility for an Incident Commander to use;
- h. Establish an annual joint training program with the County that includes table-top exercises for a BESS fire;
- i. Prepare a Root Cause analysis of any incident at the BESS facility (including but not limited to fire, malfunction, leak, or thermal runaway of any cell, module, or unit) and submit to the County if requested
- j. Consult with the County in preparing the fire protection system specifications and drawings for the Operations and Maintenance Building to ensure an adequate water supply for the fire suppression systems for the BESS facility; and
- k. Implement the final provisions of CPUC GO 167-C.

MM HAZ-14 Hazardous Materials Business Plan and Spill Prevention Control and Countermeasure Plan

The Project owner shall prepare a Hazardous Materials Business Plan and a Spill Prevention Control and Countermeasure Plan and provide these plans to the County for review and approval prior to the start of BESS operation.

Conclusion

The FEIR determined that impacts related to hazards, hazardous materials, and wildfire would be less than significant with mitigation incorporated. Based upon the analysis contained herein, the proposed BESS component would not involve new significant environmental effects or a substantial increase in the severity of those effects and therefore does not meet any of the conditions requiring preparation of a subsequent EIR.

Less than Significant Impact with Mitigation Incorporated (Same as Final EIR)

3.9 Hydrology and Water Quality

	Where was Impact Analyzed in the EIR?	Do Proposed Changes Require Major Revisions to the EIR?	Do New Circumstances Require Major Revisions to the EIR?	Any New Information of Substantial Importance Resulting in New or Substantially More Severe Significant Impacts?	Do EIR Mitigation Measures Address and/or Resolve Impacts?	
Would the project:						
a.	Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	Page 3.10-13 to 3.10-15	No	No	No	Yes
b.	Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	Page 3.10-15 to 3.10-16	No	No	No	Yes
c.	Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:					
(i)	Result in substantial erosion or siltation on- or off-site	Page 3.10-16 to 3.10-17	No	No	No	Yes
(ii)	Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site	Page 3.10-17 to 3.10-18	No	No	No	Yes

					Any New Information of Substantial Importance Resulting in New or Substantially More Severe Significant Impacts?	
(iii)	Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff	Page 3.10-18 to 3.10-19	No	No	No	Yes
(iv)	Impede or redirect flood flows?	Page 3.10-19 to 3.10-20	No	No	No	N/A
d.	Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	Page 3.10-13 to 3.10-15	No	No	No	Yes
e.	Cause changes in absorption rates or the rate and amount of surface runoff?	Page 3.10-17 to 3.10-18	No	No	No	Yes
f.	Cause changes in the amount of surface water in any water body?	Page 3.10-16 to 3.10-18	No	No	No	Yes
g.	Substantially degrade water quality?	Page 3.10-13 to 3.10-15	No	No	No	Yes
h.	Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam? (See impact c)	Page 3.10-12	No	No	No	Yes
i.	In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	Page 3.10-12	No	No	No	N/A

		Where was Impact Analyzed in the EIR?	Do Proposed Changes Require Major Revisions to the EIR?	Do New Circumstances Require Major Revisions to the EIR?	Any New Information of Substantial Importance Resulting in New or Substantially More Severe Significant Impacts?	Do EIR Mitigation Measures Address and/or Resolve Impacts?
j.	Include new or retrofitted Stormwater Treatment Control BMPs (e.g., water quality treatment basins, constructed treatment wetlands), the operation of which could result in significant environmental effects (i.e., increased vectors and/or odors)?	Pages 3.10-12 to 3.10-13	No	No	No	N/A

Summary of Final EIR Impacts Assessment

The Final EIR determined the solar facility (including the proposed BESS component) would result in less-than-significant impacts to hydrology and water quality with mitigation incorporated because 1) the Project avoids mass grading and limits the introduction of new impervious surfaces, thereby minimizing changes to natural drainage patterns; 2) groundwater use during construction, O&M, and decommissioning would be minimal relative to the safe yield of the Chuckwalla Valley Groundwater Basin and mitigation measures would be implemented to protect against potential overdraft; and 3) mitigation measures would be implemented to effectively control erosion, sedimentation, flood risk, and water quality degradation. The Final EIR also determined the solar facility (including the proposed BESS component) would not result in a cumulatively considerable contribution to cumulative impacts to hydrology and water quality that could occur as a result of the cumulative projects in the aggregate (County of Riverside 2019).

Current Assessment of Impacts

- a. *Would the project violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?*
- d. *Would the project conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?*
- g. *Would the project substantially degrade water quality?*

The three sites proposed for the development of the BESS component remain entirely within the area evaluated in the Final EIR and in an area overseen by the Colorado River Basin RWQCB. The Colorado River Basin RWQCB’s water quality standards and objectives include maintaining water quality through erosion control, pollutant containment, and stormwater management (Colorado River Basin RWQCB 2019).

Surface Water Quality

Impacts to surface water could occur as a result of soil disturbance during construction and decommissioning activities, potential increases in erosion and associated sediment loads in adjacent washes, and accidental spills of hazardous materials. Construction and decommissioning of the proposed BESS component remains within the scope of construction and decommissioning activities analyzed in the Final EIR and would primarily involve site grading and trenching for installation and future removal of underground conduits. As described in the Final EIR, construction and decommissioning activities could result in soil erosion and degraded water quality through increased turbidity and sediment deposition into local streams. Construction, O&M, and eventual decommissioning of the BESS would involve the use of small amounts of hazardous materials, such as fuels and greases, to fuel and service construction equipment. These materials would be stored in temporary, aboveground storage tanks within the BESS sites. As described in the Final EIR, accidental spills or disposal of harmful materials used during construction could wash into and pollute surface waters or groundwater, thereby impacting downstream beneficial uses. However, there are no perennial streams in the Chuckwalla Valley; the nearest intermittent surface stream to the three BESS sites is located approximately 2,000 feet east of BESS Site 3 (County of Riverside 2023b). Furthermore, groundwater is well below the maximum depth of excavation, thereby reducing the likelihood that potential hazardous materials spills could migrate into groundwater during construction or decommissioning. During O&M, the BESS would operate as a closed system with no discharges, and routine maintenance would be integrated into the solar facility's existing O&M activities. However, as described in the Final EIR, there would be regulated hazardous materials stored on site during O&M, including within the enclosed and sealed BESS containers. The eventual decommissioning would follow a regulated Decommissioning and Site Reclamation Plan (CUP180001 Condition of Approval 080 – Planning 8) to achieve proper waste handling.

As described in the Final EIR, existing state and federal water quality regulations, including the SWPPP required under the Construction General Permit, require compliance with water quality standards and waste discharge standards during construction, O&M, and decommissioning. However, a large portion of the solar facility, including the three BESS sites, is susceptible to flooding at depths up to 6 feet. Given the potential for flooding within the solar facility (including the three BESS sites), there is potential for erosion and sedimentation as a result of the proposed ground disturbance and installation of structures that could lead to potential water quality impacts during operation of the BESS. Implementation of Mitigation Measure HWQ-1 (DESCP) would continue to be required for the proposed BESS component to reduce impacts related to surface water quality to a less-than-significant level. Mitigation Measure HWQ-1 would achieve proper protection of water quality and soil resources by requiring implementation of erosion control measures and appropriate monitoring and maintenance of all BMPs. Therefore, impacts related to surface water quality would remain **less than significant with mitigation incorporated**, as described in the Final EIR.

Groundwater Quality

Groundwater quality impacts could occur during construction of the proposed BESS component if contaminated or hazardous materials used during construction were to be released and migrate to the groundwater table. As discussed in the Final EIR, with adherence to the Hazardous Materials Business Plan and the SWPPP required by the Construction General Permit, the potential for such impacts to groundwater quality are low. In addition, the proposed BESS component would not change the potential use of an existing septic disposal system associated with the overall solar facility and therefore would not change the impact conclusions of the Final EIR regarding groundwater quality, which were determined to be potentially significant. Implementation of

Mitigation Measure HWQ-2 (Septic System Rehabilitation), which addresses potential impacts associated with use of the existing septic system, would continue to be required for the Project but is not specifically applicable to the proposed BESS component. A new septic system was installed during construction of the solar facility to support its operational need, and the proposed BESS component would not modify this system. Therefore, impacts related to groundwater quality would remain **less than significant with mitigation incorporated**, as described in the Final EIR.

b. Would the project substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?

As described in the Final EIR, the Project site continues to be located within the Chuckwalla Valley Groundwater Basin, a very low priority basin under the Sustainable Groundwater Management Act with no adopted sustainability plan (California Department of Water Resources 2020). Furthermore, current vertical displacement data for the basin indicates there continues to be no downward trend, which implies that the Chuckwalla Valley Groundwater Basin is not experiencing significant long-term depletion (California Department of Water Resources 2024). The proposed BESS component would require up to 10 acre-feet of water for construction over an approximately 15-month period. The Final EIR estimated operational water usage for the solar facility, including the proposed BESS component) at approximately 15 to 40 acre-feet per year; however, metered operational usage has been less than 1 acre-foot per year. Therefore, the water required for BESS construction would be less than one year's worth of estimated operational water use and would be well within estimated operational water usage when combined with water demand for O&M of the existing solar facility.

Decommissioning activities would require similar or less water use than construction, which would also fall within the operational water use estimate included in the Final EIR. Water would be sourced from existing on-site or nearby wells or trucked from off-site suppliers, consistent with the water supply approach analyzed in the Final EIR. The Final EIR indicated the estimated volumes of water use would be nominal in comparison to the estimated surplus of the Chuckwalla Valley Groundwater Basin. The Chuckwalla Valley Groundwater Basin continues to be a very low priority basin under the Sustainable Groundwater Management Act (California Department of Water Resources 2020). Furthermore, current vertical displacement data for the basin indicates there continues to be no downward trend, which implies that the Chuckwalla Valley Groundwater Basin is not experiencing significant long-term depletion (California Department of Water Resources 2024).

The proposed BESS component also would not increase impervious surfaces beyond those analyzed in the Final EIR and would not require water during O&M beyond incidental use for maintenance. Implementation of Mitigation Measure HWQ-3, which addresses potential impacts to the Colorado River and the adjacent Palo Verde Mesa Groundwater Basin, would continue to be required for the Project but is not specifically applicable to the proposed BESS component. Therefore, impacts related to groundwater supplies and recharge would remain **less than significant with mitigation incorporated**, as described in the Final EIR.

c. *Would the project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:*

i. *Result in substantial erosion or siltation on- or off-site?*

f. *Would the project cause changes in the amount of surface water in any water body* ⁸

The three sites proposed for the development of the BESS component remain entirely within the area evaluated in the Final EIR, and the proposed BESS component would not increase impervious surfaces beyond those analyzed in the Final EIR. As detailed in the Final EIR, construction activities associated with the proposed BESS component resulting in soil disturbance, such as site preparation, grading, and excavation would temporarily expose soil and increase the potential for erosion or siltation. Construction activities would follow a proposed grading plan designed to minimize the volume of earth movement. Decommissioning would involve the dismantling and removal of equipment, with activities similar to but less intensive than those during construction. As described in the Final EIR, erosion control measures, including compliance with a SWPPP consistent with the Clean Water Act and the California Construction General Permit, and County requirements to preserve natural drainage patterns would be implemented. During O&M, the BESS would be maintained by a small team conducting routine inspections and vegetation management, resulting in minimal ground disturbance. In addition, while the introduction of impervious surfaces could incrementally increase the rate and frequency of runoff, thereby elevating erosion potential, the overall increase in impervious area would be minor and within the increase analyzed in the Final EIR. Implementation of Mitigation Measure HWQ-1 (DESCP) would continue to be required to reduce impacts related to erosion and siltation to a less-than-significant level. Mitigation Measure HWQ-1 would achieve proper protection of water quality and soil resources by requiring implementation of erosion control measures and appropriate monitoring and maintenance of all BMPs. Therefore, as described in the Final EIR, these impacts would remain **less than significant with mitigation incorporated**.

c. *Would the project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:*

ii. *Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?*

e. *Cause changes in absorption rates or the rate and amount of surface runoff?*

f. *Cause changes in the amount of surface water in any water body?*

The three sites proposed for the development of the BESS component remain entirely within the area evaluated in the Final EIR, and the proposed BESS component would not increase impervious surfaces beyond those analyzed in the Final EIR. As described in the Final EIR, there is a minor potential for the solar facility, including the BESS component, to increase the magnitude and frequency of runoff rates through the addition of impervious surfaces and alteration of ground surface characteristics through grading and vegetation removal. However, as described in the Final

⁸ This significance threshold was addressed under two impact analyses (Impacts HWQ-3 and HWQ-4) alongside other thresholds in the Final EIR. For consistency, the threshold is addressed in this Addendum in the same two impact analyses alongside the same sets of thresholds.

EIR, the increase in runoff is expected to be minimal. On-site stormwater retention basins would be installed to manage increased runoff if required by County standards based on post-construction hydrology. Implementation of Mitigation Measures HWQ-1 (DESCP) and HWQ-4 (Project Drainage Plan) would continue to be required for the Project, including the proposed BESS component, to reduce impacts related to flooding on and off site to a less-than-significant level. Mitigation Measure HWQ-1 would achieve proper protection of water quality and soil resources by requiring implementation of erosion control measures and appropriate monitoring and maintenance of all BMPs. Mitigation Measure HWQ-4 requires a hydrologic assessment of flood discharges to demonstrate how flows would be conveyed through or around the site, minimizing erosion and preventing off-site impacts to adjacent landowners or nearby water features. A hydrologic assessment was completed for the overall solar facility, and to fully satisfy Mitigation Measure HWQ-4, an updated assessment specific to the three BESS sites is currently under preparation. Therefore, as described in the Final EIR, these impacts would remain **less than significant with mitigation incorporated**.

- c. *Would the project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:*
- iii. *Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?*

The three sites proposed for the development of the BESS component remain entirely within the area evaluated in the Final EIR, and the proposed BESS component would not increase impervious surfaces beyond those analyzed in the Final EIR. There continue to be no existing or planned stormwater drainage systems at or downstream of the Project site, and as described in the Final EIR, there is a minor potential for the solar facility, including the proposed BESS component, to increase the magnitude and frequency of runoff rates through the addition of impervious surfaces and alteration of ground surface characteristics through grading and vegetation removal. Implementation of Mitigation Measures HWQ-1 (DESCP) and HWQ-4 (Project Drainage Plan) would continue to be required for the Project, including the proposed BESS component, to reduce impacts related to stormwater drainage to a less-than-significant level. Mitigation Measure HWQ-1 would achieve proper protection of water quality and soil resources by requiring implementation of erosion control measures and appropriate monitoring and maintenance of all BMPs. Mitigation Measure HWQ-4 would require hydrologic assessment of flood discharges and would show how they would be conveyed through or around the site and minimize erosion that could leave the site and impact adjacent landowners or nearby water features. Therefore, as described in the Final EIR, this impact would remain **less than significant with mitigation incorporated**.

- c. *Would the project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:*
- iv. *Impede or redirect flood flows?*
- h. *Would the project expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?*

The three sites proposed for the development of the BESS component remain entirely within the area evaluated in the Final EIR. As described in the Final EIR, fencing could potentially redirect flood

flows if not properly designed. Security fencing is already in place around two of the three BESS sites (Sites 2 and 3); therefore, additional fencing required for the BESS component would be limited to Site 1, and such fencing was analyzed in the Final EIR. Implementation of Mitigation Measures HWQ-4 (Project Drainage Plan) and HWQ-5 (Flood Protection) would continue to be required for the Project, including the proposed BESS component, to reduce impacts related to flood flows to a less-than-significant level. Mitigation Measure HWQ-4 would require hydrologic assessment of flood discharges and would show how they would be conveyed through or around the site and minimize erosion that could leave the site and impact adjacent landowners or nearby water features. Mitigation Measure HWQ-4 would require all BESS structures to be elevated above flood levels. Specifically, all electrical enclosures would be installed at least 12 inches above the 100-year flood elevation to achieve compliance with applicable flood protection standards. Therefore, as described in the Final EIR, this impact would remain **less than significant with mitigation incorporated**.

i. In flood hazard, tsunami, or seiche zones, would the project risk release of pollutants due to project inundation?

The three sites proposed for the development of the BESS component remain entirely within the area evaluated in the Final EIR. There is still no body of water in the area that could produce a tsunami or seiche. Although there could be sediment transported by floods that could impact the BESS sites, the sites are on flat terrain at least 1.5 miles from the nearest mountain slopes (i.e., the Coxcomb and Chuckwalla mountains) that could potentially produce a mudflow or Project inundation. Therefore, as described in the Final EIR, **no impact** related to the release of pollutants due to Project inundation would occur.

j. Would the project include new or retrofitted Stormwater Treatment Control BMPs (e.g., water quality treatment basins, constructed treatment wetlands), the operation of which could result in significant environmental effects (i.e., increased vectors and/or odors)?

The proposed BESS component continues to not include new or retrofitted Stormwater Treatment Control BMPs, consistent with what was indicated in the Final EIR. Therefore, as described in the Final EIR, **no impact** related to Stormwater Treatment Control BMPs would occur.

Cumulative Impacts

The geographic scope for cumulative hydrology and water quality impacts consists of the Chuckwalla Valley Hydrologic Unit, which drains to the Palen and Ford Dry Lakes and encompasses the Project site, including the three sites proposed for the development of the BESS component. Cumulative impacts to hydrology and water quality could result from overlapping construction schedules, increased impervious surfaces, and regional groundwater use from the proposed BESS component and other existing, proposed, and reasonably foreseeable projects. However, as indicated in the Final EIR, all cumulative projects would be subject to similar measures as the proposed Project to achieve compliance with County, state, and federal regulations pertaining to water quality as well as related mitigation measures developed through the CEQA process. Therefore, cumulative impacts to water quality would remain less than significant, as described in the Final EIR.

As discussed under threshold 3.9(c)(i), the proposed BESS component remains within the extent and nature of the grading activities and drainage pattern alterations evaluated in the Final EIR (which were determined to be minimal). As such, the contribution of the proposed BESS component to cumulative impacts to drainage patterns would remain less than significant, as indicated in the Final

EIR, and implementation of Mitigation Measures HWQ-1, HWQ-2, HWQ-4, and HWQ-5 would further reduce the contribution of the proposed BESS component to this cumulative impact.

As discussed under thresholds 3.9(b) and 3.9(f), the proposed BESS component remains within the extent and nature of groundwater demand evaluated in the Final EIR for construction, O&M, and decommissioning activities. Therefore, as described in the Final EIR, cumulative impacts to groundwater supplies would remain less than significant, and implementation of Mitigation Measure HWQ-3 for the overall Project would further reduce the Project's contribution to this cumulative impact.

Effects and Mitigation Measures

There are no substantial changes in the Project, substantial changes in the circumstances under which the Project is undertaken, or new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the Final EIR was certified, that indicate the Project would result in new significant environmental effects or a substantial increase in the severity of previously identified significant effects with regard to hydrology and water quality. In addition, there is no new information indicating there are mitigation measures or alternatives previously found not to be feasible that are now feasible and would substantially reduce one or more significant environmental effects of the Project or indicating there are mitigation measures or alternatives which are considerably different from those analyzed in the Final EIR that would substantially reduce one or more significant environmental effects of the Project. Impacts to hydrology and water quality would remain consistent with those described in the Final EIR, and no new mitigation measures would be required.

Conclusion

The FEIR determined that impacts related to hydrology and water quality would be less than significant with mitigation incorporated. Based upon the analysis contained herein, the proposed BESS component would not involve new significant environmental effects or a substantial increase in the severity of those effects and therefore does not meet any of the conditions requiring preparation of a subsequent EIR.

Less than Significant Impact with Mitigation Incorporated (Same as Final EIR)

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3.10 Land Use and Planning

	Where was Impact Analyzed in the EIR?	Do Proposed Changes Require Major Revisions to the EIR?	Do New Circumstances Require Major Revisions to the EIR?	Any New Information of Substantial Importance Resulting in New or Substantially More Severe Significant Impacts?	Do EIR Mitigation Measures Address and/or Resolve Impacts?
Would the project:					
a. Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	Page 3.11-8 to 3.11-12	No	No	No	N/A
b. Result in a substantial alteration of the present or planned land use of an area?	Page 3.11-8 to 3.11-12	No	No	No	N/A
c. Be inconsistent with the site's existing or proposed zoning?	Page 3.11-8 to 3.11-12	No	No	No	N/A
d. Be incompatible with existing surrounding zoning?	Page 3.11-8 to 3.11-12	No	No	No	N/A
e. Be incompatible with existing and planned surrounding land uses?	Page 3.11-8 to 3.11-12	No	No	No	N/A
f. Be inconsistent with the land use designations and policies of the General Plan (including those of any applicable specific plan)?	Page 3.11-8 to 3.11-12	No	No	No	N/A
g. Physically divide an established community?	Page 3.11-7	No	No	No	N/A
h. Affect land use within a city sphere of influence and/or within adjacent city or county boundaries?	Page 3.11-7	No	No	No	N/A
i. Disrupt or divide the physical arrangement of an established community (including a low-income or minority community)?	Page 3.11-7	No	No	No	N/A

Summary of Final EIR Impacts Assessment

The Final EIR determined the solar facility (including the proposed BESS component) would result in less-than-significant impacts related to land use and planning because 1) the Project would be consistent with applicable land use plans, policies, and regulations, including the Riverside County General Plan, Desert Center Area Plan, California Desert Conservation Area Plan (1980 as amended), and County ordinances; and 2) the Project would not result in a substantial alteration of existing or planned land uses, nor would it be incompatible with surrounding land uses or zoning. The Final EIR also determined the solar facility (including the proposed BESS component) would not result in a cumulatively considerable contribution to cumulative impacts to land use that could occur as a result of the cumulative projects in the aggregate (County of Riverside 2019).

Current Assessment of Impacts

- a. *Would the project cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?*
- b. *Would the project result in a substantial alteration of the present or planned land use of an area?*
- c. *Would the project be inconsistent with the site's existing or proposed zoning?*
- d. *Would the project be incompatible with existing surrounding zoning?*
- e. *Would the project be incompatible with existing and planned surrounding land uses?*
- f. *Would the project be inconsistent with the land use designations and policies of the General Plan (including those of any applicable specific plan)?*

The three sites proposed for the development of the BESS component remain entirely within the area evaluated in the Final EIR and continue to be zoned W-2-10 (Controlled Development Area) (County of Riverside 2025). As described in the Final EIR, this zoning permits the development of renewable energy facilities on parcels of 10 acres or more with issuance of a CUP (County of Riverside 2023c). There have been no changes in the proposed BESS component as compared to what was analyzed in the Final EIR for the solar facility (which includes the BESS component) that would change the consistency of the Project with the Riverside County General Plan Land Use and Multi-Purpose Open Space Elements, the Desert Center Area Plan, and applicable Riverside County Zoning Ordinance regulations under the approved CUP and variance. This consistency analysis is outlined in Table 3.11-1 of the Final EIR. Although the Desert Center Area Plan was updated in 2021 and the Riverside County General Plan was updated in 2024, following certification of the Final EIR in 2019, there have not been any substantial changes to the policies applicable to the proposed BESS component or overall Project that would change the conclusions of the land use plan consistency analysis included in the Final EIR (County of Riverside 2021 and 2024). The three sites remain entirely on private land and are therefore not subject to federal policies, regulations, and goals. However, the three sites are adjacent to BLM administered lands designated as Development Focus Areas under the Desert Renewable Energy Conservation Plan, which encourages renewable energy development (BLM 2016). The proposed BESS component would be located within the existing solar facility and would not substantially alter the present or planned land use of the area, nor would it be incompatible with surrounding uses, which include other solar facilities, agricultural land, and undeveloped desert. Therefore, as described in the Final EIR, **no impact** related to land use and zoning conflicts and compatibility would occur.

g. Would the project physically divide an established community?

As described in the Final EIR, the three sites proposed for the development of the BESS component would not divide an established community because the three sites continue to be located on individual, undeveloped parcels that would not interrupt the existing use of the area. As concluded in the Final EIR, **no impact** would occur.

h. Would the project affect land use within a city sphere of influence and/or within adjacent city or county boundaries?

As described in the Final EIR, the proposed BESS component would continue to be located only within the unincorporated community of Desert Center and therefore would not impact a city sphere of influence or adjacent city or county boundaries. As concluded in the Final EIR, **no impact** would occur.

i. Would the project disrupt or divide the physical arrangement of an established community (including a low-income or minority community)?

As described in the Final EIR, the proposed BESS component would still not disrupt or divide the physical arrangement of an established community because the three sites proposed for the development of the BESS are located on individual, undeveloped parcels that would not divide a community. As concluded in the Final EIR, **no impact** would occur.

Cumulative Impacts

The geographic scope for evaluating cumulative land use impacts includes eastern Riverside County, based on jurisdictional boundaries within which the impacts of land use decisions could combine to result in cumulative impacts. This area encompasses both private and public lands, including those managed by the BLM and designated as Development Focus Areas under the Desert Renewable Energy Conservation Plan. The timeframe for cumulative impacts includes both short-term construction and decommissioning periods and long-term O&M phases, which may extend over 40 years. Within this region, cumulative land use changes are primarily driven by the transition from agricultural or undeveloped desert land to utility-scale renewable energy uses. As described in the Final EIR, the Desert Center Area Plan did not anticipate the potential development of multiple solar projects within or adjacent to the plan area. If many of the projects were built, they could conflict with the goals of the Desert Center Area Plan and result in the loss of open space, which the Area Plan and the General Plan strive to preserve, thereby resulting in a cumulative land use impact.

As described under threshold 3.10(a), there have been no changes in the proposed BESS component as compared to what was analyzed in the Final EIR for the solar facility (which includes the BESS component) that would change the consistency of the Project with the Riverside County General Plan Land Use and Multi-Purpose Open Space Elements, the Desert Center Area Plan, and applicable Riverside County Zoning Ordinance regulations under the approved CUP and variance. The BESS would not introduce new land uses or expand the Project site boundary. In April 2025, the County issued a Substantial Conformance approval, confirming the specific location of the proposed 402.3 MW BESS within the existing Project boundaries. Therefore, as described in the Final EIR, the proposed BESS component would not result in a cumulatively considerable contribution to cumulative land use impacts.

Effects and Mitigation Measures

There are no substantial changes in the Project, substantial changes in the circumstances under which the Project is undertaken, or new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the Final EIR was certified, that indicate the Project would result in new significant environmental effects or a substantial increase in the severity of previously identified significant effects with regard to land use and planning. In addition, there is no new information indicating there are mitigation measures or alternatives previously found not to be feasible that are now feasible and would substantially reduce one or more significant environmental effects of the Project or indicating there are mitigation measures or alternatives which are considerably different from those analyzed in the Final EIR that would substantially reduce one or more significant environmental effects of the Project. Impacts to land use and planning would remain consistent with those described in the Final EIR, and no new mitigation measures would be required.

Conclusion

The FEIR determined that there would be no impact related to land use and planning. Based upon the analysis contained herein, the proposed BESS component would not involve new significant environmental effects or a substantial increase in the severity of those effects and therefore does not meet any of the conditions requiring preparation of a subsequent EIR.

No Impact (Same as Final EIR)

3.11 Noise

	Where was Impact Analyzed in the EIR?	Do Proposed Changes Require Major Revisions to the EIR?	Do New Circumstances Require Major Revisions to the EIR?	Any New Information of Substantial Importance Resulting in New or Substantially More Severe Significant Impacts?	Do EIR Mitigation Measures Address and/or Resolve Impacts?
Would the project:					
a. Result in the generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	Pages 3.12-8 to 3.12-15	No	No	No	Yes
b. Results in the generation of excessive ground-borne vibration or ground-borne noise levels?	Pages 3.12-15 to 3.12-16	No	No	No	N/A
c. Result in impacts from railroad noise?	Pages 3.12-7	No	No	No	N/A
d. Result in impacts from highway noise?	Pages 3.12-7	No	No	No	Yes
e. Result in impacts from other noise?	Pages 3.12-7	No	No	No	N/A
f. For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within 2 miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	Page 3.12-7	No	No	No	N/A

Summary of Final EIR Impacts Assessment

The Final EIR determined the solar facility (including the proposed BESS component) would result in less-than-significant impacts related to noise with mitigation incorporated because 1) construction and operational noise levels, including those from inverters, transformers, and optional battery cooling systems, would not exceed applicable thresholds with implementation of mitigation measures, and 2) ground-borne vibration levels from construction activities such as pile driving

would attenuate below significance thresholds at the nearest sensitive receptors. The Final EIR also determined that the solar facility (including the proposed BESS component) would not result in a cumulatively considerable contribution to cumulative noise impacts that could occur as a result of the cumulative projects in the aggregate and that no cumulative ground-borne vibration impact would occur (County of Riverside 2019).

Current Assessment of Impacts

- a. *Would the project result in generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?*

Construction/Decommissioning

The three sites proposed for development of the BESS component remain entirely within the area evaluated in the Final EIR and continue to be located in a setting characterized by low ambient noise levels, estimated at approximately 43 dBA equivalent continuous sound pressure level (L_{eq}) during daytime hours in the Final EIR. Construction of the proposed BESS component would occur over a 15-month period and would involve activities such as site preparation, installation of BESS infrastructure, and commissioning. These activities would require the use of construction equipment including trucks, excavators, and impact pile drivers, which are capable of generating both intermittent and continuous noise along staging areas, work zones, and access roads. Decommissioning of the proposed BESS component would involve similar, though less intensive, activities and use of construction equipment over a shorter duration. Construction and decommissioning activities associated with the proposed BESS component remain within the parameters of the construction and decommissioning activities contemplated in the Final EIR for the solar facility.

As described in the Final EIR, construction and decommissioning of the solar facility (including the proposed BESS component) would result in a temporary increase in ambient noise levels in the Project site vicinity. Construction and decommissioning related noise would be variable and intermittent, depending on the specific activities occurring on a given day, and would attenuate with distance from the source. The highest noise levels would result from the use of impact pile drivers, with maximum intermittent noise levels reaching up to 94 dBA at 50 feet. Other construction activities, excluding pile driving, would generate noise levels up to 84 dBA at the same distance. Because similar types of activities and equipment would be utilized during construction and decommissioning of the proposed BESS component as compared to those evaluated in the Final EIR for the solar facility, construction-phase noise levels would be similar to those analyzed in the Final EIR. In addition, the closest residence to the three BESS sites is located approximately 200 feet from BESS Site 2. This distance is greater than the distance to the nearest sensitive receptor for the overall Project as identified in the Final EIR, which evaluated impacts to the nearest residence less than 100 feet from the Project site.

As described in the Final EIR, construction and decommissioning of the proposed BESS component would also generate off-site noise due to traffic, primarily from commuting workers and material deliveries. Peak noise levels from passing trucks and vehicles would be similar to those estimated in the Final EIR for the solar facility and would range from 70 to 75 dBA L_{eq} at 50 feet and would be concentrated along access routes such as SR-177. Construction activities for the BESS would require a peak workforce of no more than 50 individuals, which would not increase the overall peak labor demand of 530 workers analyzed in the Final EIR, and decommissioning of the BESS would require a

workforce similar in type but smaller in scale than construction. Therefore, the proposed BESS component would not generate an increase in off-site traffic noise beyond that analyzed in the Final EIR, which was determined to not exceed 3 dBA and thus not considered substantial.

As indicated in Section 2, *Background and Project Description*, construction activities would typically occur Monday through Friday between the hours of 6:00 a.m. and 6:00 p.m. during the months of June through September and between the hours of 7:00 a.m. and 6:00 p.m. during the months of October through May, in compliance with the Riverside County Ordinance No. 847 (Regulating Noise in Riverside County). Nevertheless, as noted in the Final EIR, the Noise Element of the Riverside County General Plan includes no threshold noise levels (in terms of dBA) for temporary construction, but policies require implementation of acceptable practices to minimize the effects of adverse construction noise (County of Riverside 2015). Implementation of Mitigation Measure N-1 (Construction Restrictions), Mitigation Measure N-2 (Public Notification Process), and Mitigation Measure N-3 (Noise Complaint Process) would continue to be required for the proposed BESS component to reduce noise generated during its construction and eventual decommissioning. Mitigation Measure N-1 would limit construction hours and require implementation of noise-reducing practices such as equipment mufflers and strategic staging of equipment away from sensitive receptors. Mitigation Measure N-2 would require notification of all nearby residents of the commencement of construction activities, and Mitigation Measure N-3 would require documentation, investigation, evaluation, and resolution of noise complaints. As concluded in the Final EIR, with implementation of the identified mitigation measures, construction and decommissioning of the Project (including the proposed BESS component) would still not generate a substantial temporary increase in ambient noise levels in the vicinity of the Project site, and impacts would remain **less than significant with mitigation incorporated**.

Operation and Maintenance

As indicated in the Final EIR, the AHUs and PCSs would be the primary sources of noise associated with the proposed BESS component. As indicated in Section 2, *Background and Project Description*, when operating at maximum capacity, the AHUs would generate a noise level of less than 75 dBA at a distance of one meter, which equates to approximately 65 dBA at 10 feet. This noise level is lower than the noise level of 81 dBA at 10 feet that was assumed in the Final EIR for air conditioning units associated with the BESS. The noise generated for the PCS would be less than 60 dB at a distance of one meter, which equates to approximately 40 dBA at 10 meters. This noise level is also lower than the noise level of 66 dBA at 10 meters that was assumed in the Final EIR for the PCS associated with the BESS. The battery enclosures themselves would continue to be operationally silent, as assumed in the Final EIR. In addition, no additional permanent staff would be required for O&M of the BESS component beyond those already employed at the Project site to operate the solar facility. As such, the proposed BESS component would not increase O&M-related traffic (and its associated noise levels) beyond what was estimated in the Final EIR for the existing solar facility. Additional sources of noise generated during O&M of the BESS would include the use of vehicles for vegetation treatment, and movement of equipment and personnel within the BESS sites. These activities would generate intermittent noise that would not generate adverse off-site noise impacts, as concluded in the Final EIR. Therefore, noise levels generated by O&M of the proposed BESS component would be within the scope of what was previously analyzed in the Final EIR.

The applicable standards in the Riverside County Noise Ordinance (Chapter 9.52.040 and also Section 4 of Ordinance No. 847) limits noise sources from causing excessive exterior noise on any nearby occupied property, requiring that noise levels at any receiving land use that is a low-density "Rural Community" not exceed 55 dBA during daytime hours (7:00 a.m. to 10:00 p.m.) or 45 dBA

during nighttime hours (10:00 p.m. to 7:00 a.m.). The proposed BESS component would be required to comply with the stationary source noise standards of the Noise Ordinance. As determined in the Final EIR, the resulting O&M noise levels from the solar facility, including the proposed BESS component, would be less than the most-stringent property line standard of 55 dBA for daytime noise and 45 dBA for nighttime noise with the implementation of Mitigation Measure N-4 (Noise Restrictions). Mitigation Measure N-4 (Noise Restrictions) would continue to be required for the proposed BESS component and includes implementation of noise reduction measures to prevent stationary noise sources from exceeding an average of 43 dBA L_{eq} at or near inhabited dwellings. As concluded in the Final EIR, with implementation of Mitigation Measure N-4, O&M of the Project (including the proposed BESS component) would still not generate a substantial permanent increase in ambient noise levels in the vicinity of the Project site, and impacts would remain **less than significant with mitigation incorporated.**

b. Would the project result in the generation of excessive ground-borne vibration or ground-borne noise levels?

Construction/Decommissioning

The three sites proposed for the development of the BESS component remain entirely within the area evaluated in the Final EIR. Construction and decommissioning of the proposed BESS component would involve activities that would generate ground-borne vibration and ground-borne noise levels. Decommissioning of the proposed BESS component would involve similar, though less intensive, activities and use of construction equipment over a shorter duration. Construction and decommissioning activities associated with the proposed BESS component remain within the parameters of the construction and decommissioning activities contemplated in the Final EIR for the solar facility.

The primary source of ground-vibration during construction and decommissioning would result from the use of impact or pile drivers to install foundations and grounding systems during construction. As described in the Final EIR, the use of an impact pile driver within 100 feet of structures could result in vibration that is perceptible and potentially annoying. The analysis for the Final EIR concluded the upper range of ground borne vibration from an impact pile driver could exceed 1.5 inches per second (in/sec) peak particle velocity (PPV) near the source, but at a distance of 100 feet, the level would attenuate to 0.19 in/sec PPV, which is below the County's vibration threshold for adverse human reactions of 0.20 in/sec PPV (County of Riverside 2015).

The nearest residence to the BESS sites is located approximately 200 feet northwest of BESS Site 2; therefore, vibration levels generated at this residence during construction and decommissioning of the proposed BESS component would be even lower than those estimated in the Final EIR for the overall solar facility. Other construction activities that would be required for the proposed BESS component include grading and excavation. These activities would create lower levels of vibration and would not have the potential to create annoyance at distances of 50 feet or more from the equipment's use, as determined in the Final EIR. Construction activities would typically occur Monday through Friday between the hours of 6:00 a.m. and 6:00 p.m. during the months of June through September and between the hours of 7:00 a.m. and 6:00 p.m. during the months of October through May, in compliance with Riverside County Ordinance No. 847. Some construction work may also be scheduled at night to minimize disruptions to the operating solar facility or to ensure worker safety during periods of extreme heat. Such night work would be noticed and scheduled in accordance with the Project's existing permits and County rules and regulations. Therefore, as described in the Final EIR, construction and decommissioning of the Project (including

the proposed BESS component) would continue to not generate excessive ground-borne vibration or ground-borne noise levels, and impacts would remain **less than significant**.

Operation and Maintenance

O&M of the three BESS sites would not generate perceptible levels of ground borne vibration. The battery enclosures and associated infrastructure would be stationary and would not include moving components that would generate vibration. Therefore, as described in the Final EIR, O&M of the Project (including the proposed BESS component) would continue to not generate excessive ground-borne vibration or ground-borne noise levels, and impacts would remain **less than significant**.

- c. *Would the project result in impacts from railroad noise?*
- d. *Would the project result in impacts from highway noise?*
- e. *Would the project result in impacts from other noise?*

The proposed BESS component continues to not include siting new noise-sensitive receptors near any existing railroad, highway or other noise source, and the proposed BESS component would not cause any change in railroad noise. Therefore, as described in the Final EIR, the Project would continue to result in **no impacts** related to railroad noise. The changes in noise levels due to Project equipment permanently installed at the three BESS sites and the changes in noise levels due to Project traffic on highways are discussed under threshold 3.11(a).

- f. *Would the project be located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, and expose people residing or working in the project area to excessive noise levels?*

The three sites proposed for the development of the BESS component remain entirely within the area evaluated in the Final EIR. As described in the Final EIR, there continue to be two private airstrips in the general Project vicinity, and the three BESS sites remain outside the airfield properties. The Desert Center Airport is a private airstrip adjacent to the solar facility (approximately 0.5 mile away from the nearest BESS site), and the Eagle Mountain Airstrip is about 6.5 miles northwest of the solar facility. As discussed in the Final EIR, the County's 2004 Airport Land Use Compatibility maps indicate portions of the Project site (including BESS Site 1) are within 5,000 feet of the runway and are therefore within the Airport Influence Area (from Appendix L-1 of the General Plan). However, because the proposed Project still does not include noise-sensitive uses, the airport/land use noise compatibility criteria remain inapplicable. Therefore, the Project would continue to result in **no impact** regarding airport-related noise, as described in the Final EIR.

Cumulative Impacts

The geographic scope for cumulative noise and vibration impacts is generally localized and includes the area within approximately 0.5 mile of the Project site for noise and within approximately 200 feet of the Project site for vibration. The cumulative scenario includes numerous existing and proposed solar facilities, transmission lines, substations, and other infrastructure that contribute to the noise and vibration impacts of the Desert Center area, including many of the cumulative projects identified in Table 1 and Table 2 under *Cumulative Projects* in Section 3, *Impacts Analysis*.

The three sites proposed for development of the BESS component remain entirely within the area evaluated in the Final EIR. As described above, construction and decommissioning of the BESS component would involve temporary noise-generating activities, including the use of trucks,

excavators, and impact pile drivers. These activities would occur over a 15-month period and would be limited to daytime hours in accordance with the Riverside County Noise Ordinance. Noise generated during O&M would be minimal and limited to occasional vehicle access and low-level equipment operation. Although other cumulative projects may involve similar construction activities, the potential for overlapping noise impacts would be limited to areas where construction occurs concurrently and within 0.5 mile of the three BESS sites. Given the temporary and intermittent nature of construction noise, and the spatial separation between most cumulative projects, the potential for additive or synergistic noise impacts remains low. Furthermore, all cumulative projects would be subject to environmental review and required to comply with applicable local noise standards, including the Riverside County Noise Ordinance. Implementation of Mitigation Measures N-1 through N-4, described under thresholds 3.11(a) and 3.11(b), would continue to apply to the proposed BESS component and would minimize noise levels generated during construction, O&M, and decommissioning. Therefore, as concluded in the Final EIR, the Project would continue to not result in a cumulatively considerable contribution to cumulative noise impacts with mitigation incorporated.

Cumulative ground-borne vibration impacts would only occur if construction activities involving heavy equipment or pile driving were to take place within 200 feet of the three BESS sites. While some cumulative project boundaries may fall within this distance, they are not located near existing sensitive receptors. Therefore, as indicated in the Final EIR, cumulative vibration impacts would remain less than significant.

Effects and Mitigation Measures

There are no substantial changes in the Project, substantial changes in the circumstances under which the Project is undertaken, or new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the Final EIR was certified, that indicate the Project would result in new significant environmental effects or a substantial increase in the severity of previously identified significant effects with regard to noise. In addition, there is no new information indicating there are mitigation measures or alternatives previously found not to be feasible that are now feasible and would substantially reduce one or more significant environmental effects of the Project or indicating there are mitigation measures or alternatives which are considerably different from those analyzed in the Final EIR that would substantially reduce one or more significant environmental effects of the Project. Impacts to noise would remain consistent with those described in the Final EIR, and no new mitigation measures would be required.

Conclusion

The FEIR determined that impacts related to noise would be less than significant with mitigation incorporated. Based upon the analysis contained herein, the proposed BESS component would not involve new significant environmental effects or a substantial increase in the severity of those effects and therefore does not meet any of the conditions requiring preparation of a subsequent EIR.

Less than Significant Impact with Mitigation Incorporated (Same as Final EIR)

3.12 Paleontological Resources

	Where was Impact Analyzed in the EIR?	Do Proposed Changes Require Major Revisions to the EIR?	Do New Circumstances Require Major Revisions to the EIR?	Any New Information of Substantial Importance Resulting in New or More Severe Significant Impacts?	Do EIR Mitigation Measures Address and/or Resolve Impacts?
Would the project:					
a. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	Page 3.13-13 to 3.13-14	No	No	No	Yes

Summary of Final EIR Impacts Assessment

The Final EIR determined the solar facility (including the proposed BESS component) would result in less-than-significant impacts to paleontological resources with mitigation incorporated because 1) the probability of encountering paleontological resources at the surface is low but the probability increases substantially as depth below ground surface increases; 2) Project construction would introduce the presence of larger numbers of people in the Project site vicinity who may engage in unauthorized collection of fossils and other paleontological resources; and 3) mitigation would reduce potentially significant impacts through retention of a qualified Project Paleontologist, paleontological monitoring during ground-disturbing activities in areas of high sensitivity, paleontological awareness training for all construction personnel, and implementation of procedures to address unanticipated discoveries.. The Final EIR also determined the solar facility (including the proposed BESS component) would not result in a cumulatively considerable contribution to cumulative impacts to paleontological resources that could occur as a result of the cumulative projects in the aggregate (County of Riverside 2019).

Current Assessment of Impacts

- a. *Would the project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?*

The three sites proposed for development of the BESS component remain entirely within the area evaluated in the Final EIR. As described in the Final EIR, the Project area is underlain by sediments and geologic units with high paleontological sensitivity, which are known to produce significant fossils. Geologic trenching and paleontological surveys conducted for the Project in support of the Final EIR did not identify significant fossils at the surface; however, the presence of subsurface geologic units (Pleistocene-age formations) with high paleontological sensitivity was identified. Therefore, the probability of encountering paleontological resources on the ground surface is considered low, but the probability increases substantially as depth increases. The proposed BESS component would involve the same general types of ground-disturbing activities during construction, O&M, and eventual decommissioning analyzed in the Final EIR for the solar facility, which could directly or indirectly impact paleontological resources. However, the foundation type for the battery enclosures is now proposed to be steel pile foundations with a maximum ground

disturbance depth of approximately 15 feet instead of the concrete foundations evaluated in the Final EIR, which would require ground disturbance to a depth of approximately one to two feet. Nevertheless, the Final EIR evaluated the impacts of ground disturbance to a depth of approximately 20 feet or more for the overall solar facility, and the potential to encounter paleontological resources during ground-disturbing activities at depth remains. Therefore, the increased depth of ground disturbance associated with the proposed BESS component is within the range of ground disturbance evaluated in the Final EIR and would not result in a new significant impact to paleontological resources or a substantial increase in the severity of the significant impacts to paleontological resources previously analyzed in the Final EIR.

Implementation of Mitigation Measures PAL-1 (Project Paleontologist), which requires retention of appropriately qualified professionals to direct the paleontological mitigation; Mitigation Measure PAL-2 (Paleontological Resource Impact Mitigation Program), which requires the preparation and implementation of a Paleontological Resources Impact Mitigation Program; Mitigation Measure PAL-3 (Paleontological Monitoring), which requires full-time monitoring during ground disturbance in sensitive areas; Mitigation Measure PAL-4 (Paleontological Awareness Training), which requires implementation of a worker awareness training; and Mitigation Measure PAL-5 (Paleontological Monitoring Report Requirement), which requires proper documentation and curation of any fossil discoveries, would continue to be required for the proposed BESS component. Therefore, as described in the Final EIR, the proposed BESS component would still not directly or indirectly destroy a unique paleontological resource or site or unique geologic feature, and this impact would remain **less than significant with mitigation incorporated**, as described in the Final EIR.

Cumulative Impacts

The geographic scope for cumulative paleontological impacts consists of eastern Riverside County, where multiple renewable energy projects are proposed or under development on similar geologic units. Together these potential direct and indirect impacts associated with development in the cumulative scenario could result in a cumulative impact to paleontological resources. As discussed under threshold 3.12(a), the proposed BESS component remains entirely within the area evaluated in the Final EIR and within the extent and nature of paleontological resources impacts disclosed in the Final EIR for the solar facility. Therefore, with implementation of Mitigation Measures PAL-1 through PAL-5, the proposed BESS component would still not result in a cumulatively considerable contribution to significant paleontological resources impacts.

Effects and Mitigation Measures

There are no substantial changes in the Project, substantial changes in the circumstances under which the Project is undertaken, or new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the Final EIR was certified, that indicate the Project would result in new significant environmental effects or a substantial increase in the severity of previously identified significant effects with regard to paleontological resources. In addition, there is no new information indicating there are mitigation measures or alternatives previously found not to be feasible that are now feasible and would substantially reduce one or more significant environmental effects of the Project or indicating there are mitigation measures or alternatives which are considerably different from those analyzed in the Final EIR that would substantially reduce one or more significant environmental effects of the Project. Impacts to paleontological resources would remain consistent with those described in the Final EIR, and no new mitigation measures would be required.

Conclusion

The FEIR determined that impacts related to paleontological resources would be less than significant with mitigation incorporated. Based upon the analysis contained herein, the proposed BESS component would not involve new significant environmental effects or a substantial increase in the severity of those effects and therefore does not meet any of the conditions requiring preparation of a subsequent EIR.

Less than Significant Impact with Mitigation Incorporated (Same as Final EIR)

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3.13 Population and Housing

	Where was Impact Analyzed in the EIR?	Do Proposed Changes Require Major Revisions to the EIR?	Do New Circumstances Require Major Revisions to the EIR?	Any New Information of Substantial Importance Resulting in New or Substantially More Severe Significant Impacts?	Do EIR Mitigation Measures Address and/or Resolve Impacts?
Would the project:					
a. Induce substantial unplanned population growth in an area, either directly (e.g., by proposing new homes and businesses) or indirectly (e.g., through extension of roads or other infrastructure)?	Page 3.14-3 to 3.14-6	No	No	No	N/A
b. Cumulatively exceed official regional or local population projections?	Page 3.14-5 to 3.14-6	No	No	No	N/A
c. Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	Page 3.14-2 to 3.14-3	No	No	No	N/A
d. Create a demand for additional housing, particularly housing affordable to households earning 80% or less of the County's median income?	Page 3.14-3	No	No	No	N/A
e. Affect a County Redevelopment Project Area?	Page 3.14-3	No	No	No	N/A

Summary of Final EIR Impacts Assessment

The Final EIR determined the solar facility (including the proposed BESS component) would result in less-than-significant impacts to population and housing because 1) the solar facility does not include the construction of residences or the creation of substantial employment opportunities and 2) the solar facility does not require substantial removal of existing housing, nor would it cause displacement necessitating construction of replacement housing elsewhere. The Final EIR also determined the solar facility (including the proposed BESS component) would not result in a cumulatively significant impact to population and housing that could occur as a result of the cumulative projects in the aggregate (County of Riverside 2019).

Current Assessment of Impacts

- a. *Would the project induce substantial unplanned population growth in an area, either directly (e.g., by proposing new homes and businesses) or indirectly (e.g., through extension of roads or other infrastructure)?*

The solar facility, including the proposed BESS component, does not include a residential component, nor does it include the extension of infrastructure that would induce substantial population growth. As indicated in the Final EIR, the construction workforce is anticipated to be sourced locally, and the temporary nature of construction activities associated with the proposed BESS component would not generate a demand for additional housing. As described in the Final EIR, there are sufficient vacant housing units within local communities to support anticipated temporary construction workers to the extent that they are not drawn from local communities. Since the Final EIR was certified, the overall number of vacant housing units in Riverside and San Bernardino counties increased by over 5,800 units combined between 2019 and 2025. This continued availability of housing, particularly in the broader regional context, indicates that there is sufficient capacity to accommodate temporary construction workers for the BESS component without placing additional pressure on local housing markets (California Department of Finance 2025). O&M of the BESS Sites would be integrated into the existing O&M program for the solar facility, which is performed by approximately 9 employees. Decommissioning would require a workforce similar in type but smaller in scale than construction and would also be temporary. Therefore, the BESS component would not directly or indirectly induce substantial population growth, and impacts would remain **less than significant**, as described in the Final EIR.

- b. *Would the project cumulatively exceed official regional or local population projections?*

The proposed BESS component would be constructed and operated within the same Project footprint and timeframe as the regional and local population projections considered in the Final EIR. It would not require a substantial increase in construction labor or long-term operational staffing beyond what was previously analyzed. As such, the proposed BESS component would not result in a cumulative regional or local population increase.

As described in the Final EIR, the geographic scope of the cumulative impacts analysis includes populated areas within a two-hour worker commute distance of the Project site near Desert Center, extending into Riverside and San Bernardino Counties. While short-term cumulative impacts to population and housing could occur during construction and decommissioning due to overlapping labor demands, the Final EIR concluded that vacancy rates in the area are moderately high and that sufficient temporary housing options are available to accommodate non-local labor. The BESS component would involve a peak construction workforce of approximately 50 workers during the most labor-intensive phase (installation), with fewer workers during site preparation (up to 25) and commissioning (up to 20). This workforce demand is well within the previously analyzed peak labor demand of approximately 530 workers in the Final EIR. Furthermore, the solar facility, including the BESS component, would not induce permanent population growth or generate long-term housing demand. Operational workforce needs remain minimal and would not contribute to a substantial increase in population. Decommissioning would require a workforce similar in type but smaller in scale than construction, which would also be temporary. Given the current availability of housing units and the limited additional demand associated with the BESS component, there would be **no significant cumulative impact** to population growth or housing demand that would exceed regional or local projections.

- c. *Would the project displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?*

The three sites proposed for development of the BESS component would be constructed entirely within the previously approved solar facility footprint and would not displace substantial numbers of existing people or housing. No new areas of disturbance would be introduced. The three sites proposed for development of the BESS component do not contain occupied housing or residential communities. Given that the BESS component remains within the boundaries evaluated in the Final EIR, there are no new circumstances or new information indicating that effects would differ substantially from those indicated in the Final EIR. As described in the Final EIR, there would be **no impact** given the BESS component would not displace any existing people or housing, and no replacement housing would be required.

- d. *Would the project create a demand for additional housing, particularly housing affordable to households earning 80% of less of the County's median income?*

The three sites proposed for development of the BESS component would not create a demand for additional housing due to the temporary nature of construction activities and the nominal workforce required during operation. Construction of the BESS is anticipated to occur over approximately 15 months, with a peak workforce of no more than 50 individuals that are expected to commute from nearby Riverside and San Bernardino Counties. Operational staffing would be minimal and integrated into the existing solar facility workforce. No new or expanded uses would be introduced beyond those already anticipated in the Final EIR, and the BESS would not result in long-term housing demand, including affordable housing. Decommissioning would require a workforce similar in type but smaller in scale than construction, which would also be temporary. As determined in the Final EIR, the solar facility, including the BESS component, would have **no impact** on additional or affordable housing in the County.

- e. *Would the project affect the County Redevelopment Project Area?*

The three sites proposed for development of the BESS component would be located entirely within the footprint of the solar facility as analyzed in the Final EIR. As was the case in 2019 as indicated in the Final EIR, the Project site and its immediate vicinity are not currently located within a County Redevelopment Project Area (County of Riverside 2025). Therefore, the BESS component would not affect any designated redevelopment areas and **no impact** would occur, as described in the Final EIR.

Cumulative Impacts

The geographic scope for cumulative population and housing impacts includes Desert Center and surrounding communities within a two-hour commute of the Project site, extending into the counties of Riverside and San Bernardino. As described in the Final EIR, this region contains sufficient housing stock and labor availability to support temporary construction and long-term operational needs associated with renewable energy development. As discussed in the Final EIR, cumulative impacts to population and housing would remain **less than significant**.

Cumulative impacts to population and housing could result from overlapping construction schedules of multiple projects, leading to temporary increases in labor demand and short-term housing needs. However, the BESS component would not increase the peak or average construction workforce beyond what was previously analyzed in the Final EIR. Furthermore, the region continues to have sufficient housing stock to support temporary construction activities without placing additional

strain on local resources (California Department of Finance 2025). Therefore, the BESS component would not result in increased demand for housing or public services beyond what was previously evaluated, and there are no new circumstances or new information indicating effects would differ substantially from those described for the solar facility, including the BESS component, in the Final EIR. Cumulative population and housing impacts would continue to be **less than significant**, as described in the Final EIR.

Effects and Mitigation Measures

There are no substantial changes in the Project, substantial changes in the circumstances under which the Project is undertaken, or new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the Final EIR was certified, that indicate the Project would result in new significant environmental effects or a substantial increase in the severity of previously identified significant effects with regard to population and housing. In addition, there is no new information indicating there are mitigation measures or alternatives previously found not to be feasible that are now feasible and would substantially reduce one or more significant environmental effects of the Project or indicating there are mitigation measures or alternatives which are considerably different from those analyzed in the Final EIR that would substantially reduce one or more significant environmental effects of the Project. Impacts to population and housing would remain consistent with those described in the Final EIR, and no new mitigation measures would be required.

Conclusion

The FEIR determined that impacts related to population and housing would be less-than-significant. Based upon the analysis contained herein, the proposed BESS component would not involve new significant environmental effects or a substantial increase in the severity of those effects and therefore does not meet any of the conditions requiring preparation of a subsequent EIR.

Less than Significant Impact (Same as Final EIR)

3.14 Public Service and Utilities

	Where was Impact Analyzed in the EIR?	Do Proposed Changes Require Major Revisions to the EIR?	Do New Circumstances Require Major Revisions to the EIR?	Any New Information of Substantial Importance Resulting in New or More Severe Significant Impacts?	Do EIR Mitigation Measures Address and/or Resolve Impacts?
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Would the project:

- a. Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, or the need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:

	Page 3.15-5 to 3.15-8	No	No	No	N/A
1. Fire protection;	Page 3.15-6	No	No	No	N/A
2. Police protection;	Page 3.15-6 to 3.15-7	No	No	No	N/A
3. Schools;	Page 3.15-7	No	No	No	N/A
4. Parks; or	Page 3.15-7	No	No	No	N/A
5. Other public facilities?	Page 3.15-8	No	No	No	N/A

- b. Require or result in the relocation or construction of new or expanded water, wastewater treatment, or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental issues?

	Page 3.15-8 to 3.15 9	No	No	No	N/A
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	Where was Impact Analyzed in the EIR?	Do Proposed Changes Require Major Revisions to the EIR?	Do New Circumstances Require Major Revisions to the EIR?	Any New Information of Substantial Importance Resulting in New or Substantially More Severe Significant Impacts?	Do EIR Mitigation Measures Address and/or Resolve Impacts?
c. Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?	Page 3.15-9 to 3.15-10	No	No	No	N/A
d. Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	Page 3.15-10	No	No	No	N/A
e. Comply with federal, state, and local management and reduction statuses and regulations related to solid waste?	Page 3.15-10	No	No	No	N/A
f. Result in substantial adverse impacts associated with the provision of new or physically altered governmental facilities; and/or result in the need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service rations, response times or other performance objectives for any of the public services, which include:	Page 3.15-5 to 3.15-8	No	No	No	N/A
1. Sherrif Services	Page 3.15-6 to 3.15-7	No	No	No	N/A
2. Libraries; or	Page 3.15-8	No	No	No	N/A
3. Health Services?	Page 3.15-8	No	No	No	N/A

		Where was Impact Analyzed in the EIR?	Do Proposed Changes Require Major Revisions to the EIR?	Do New Circumstances Require Major Revisions to the EIR?	Any New Information of Substantial Importance Resulting in New or Substantially More Severe Significant Impacts?	Do EIR Mitigation Measures Address and/or Resolve Impacts?
g.	Not comply with federal, state and local statutes and regulations related to solid wastes including the County Integrated Waste Management Plan?	Page 3.15-10	No	No	No	N/A
h.	Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	Page 3.15-5	No	No	No	N/A
i.	Result in construction of new facilities or the expansion of the existing following facilities: <ol style="list-style-type: none"> 1. Electricity; 2. Natural gas; 3. Communications systems; 4. Stormwater drainage; 5. Street lighting; 6. Maintenance of public facilities (including roads) or 7. Other governmental services? 	Page 3.15-5	No	No	No	N/A
j.	Conflict with any adopted energy conservation plans?	Page 3.15-5	No	No	No	N/A

Summary of Final EIR Impacts Assessment

The Final EIR determined the solar facility (including the proposed BESS component) would result in less-than-significant impacts to public services and utilities because 1) the Project would not induce substantial population growth that would require new or expanded public facilities; 2) the Project would not require connection to public sewer systems, natural gas infrastructure, or off-site utility expansions beyond those included in the Project itself; and 3) solid waste, water use, and emergency service needs associated with the Project would be minimal and adequately served by existing regional capacity and service providers. The Final EIR also determined the solar facility (including the proposed BESS component) would not result in a cumulatively considerable

contribution to cumulative impacts to public service and utilities that could occur as a result of the cumulative projects in the aggregate (County of Riverside 2019).

Current Assessment of Impacts

- a. *Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, or the need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services, which include: fire protection, police protection, schools, parks, or other public facilities?*
- f. *Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, or the need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services, which include: sheriff services, libraries, or health services?*

Construction of the proposed BESS component is anticipated to require a peak workforce of up to 50 individuals, and decommissioning activities would require a similar or slightly smaller workforce. This workforce would be drawn from the same regional labor pool identified in the Final EIR and would not increase the overall peak labor demand of 530 workers previously analyzed. During O&M, the BESS would be monitored and maintained by the existing solar facility operations team, which consists of approximately nine employees. No additional permanent staff would be required. As such, the proposed BESS component would not induce substantial population growth or result in increased demand for public services such as schools, parks, libraries, or health services. See Section 3.13, *Population and Housing*, for more discussion regarding population growth as a result of the Project.

The three BESS sites would be located entirely within the previously approved Project footprint, and fire protection services would continue to be provided by the Riverside County Fire Department. As described in the Final EIR, the Project area is not located within a designated high or very high fire hazard severity zone. The BESS component would comply with applicable fire safety standards, including the CFC, NFPA 855, and the County conditions of approval. As discussed under threshold 3.8(b), compliance with existing regulations and the proposed design of the BESS would minimize the potential for incidents of fire to occur and for any such incidents to present a significant hazard to the public. In addition, the proposed BESS component is part of the solar facility evaluated in the Final EIR, and the potential fire risks associated with a BESS were known at the time of the Final EIR. There are neither changes in this component of the Project or its circumstances nor new information of substantial importance that was not known and could not have been known with the exercise of reasonable diligence at the time the Final EIR was certified. Therefore, the proposed BESS component would not result in a new significant impact or substantially increase the severity of a previously identified significant impact related to fire protection services beyond the less-than-significant impact disclosed in the Final EIR.

As indicated in the Final EIR, during construction and decommissioning of the proposed BESS component, on-site security would control ingress and egress of personnel and vehicles, perform fire and security watch during off hours, and perform security badge administration, all of which

would minimize potential demand for increased police protection or sheriff services. The proposed BESS component includes security measures such as fencing, controlled access, and motion-activated lighting, which would minimize the need for police protection or sheriff services during operation. The proposed BESS component is part of the solar facility evaluated in the Final EIR, and there are neither changes in this component of the Project or its circumstances nor new information of substantial importance that was not known and could not have been known with the exercise of reasonable diligence at the time the Final EIR was certified indicating the BESS component would result in a new significant impact to police protection services beyond the less-than-significant impact disclosed in the Final EIR.

Therefore, the Project would still not result in the need for new or physically altered governmental facilities to maintain acceptable service ratios, response times, or other performance objectives, and this impact would remain **less than significant**, as described in the Final EIR. While impacts would remain less than significant, additional mitigation measures have been proposed by the Project Applicant and are being imposed by the County to further reduce the less-than-significant impacts to fire protection services and ensure the enforceability of current best management practices and industry standards. These mitigation measures are described under threshold 3.8(b) and under *Effects and Mitigation Measures* below.

b. Would the project require or result in the relocation or construction of new or expanded water, wastewater treatment, or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental issues?

The proposed BESS component would not require the construction or expansion of additional off-site utility infrastructure. As described in the Final EIR, the Project, including the proposed BESS component, would not be connected to a public sewer system, would not use natural gas, and would rely on portable sanitation facilities during construction. The proposed BESS component would require up to 10 acre-feet of water for construction. The EIR estimated operational water usage at 15 to 40 acre-feet per year, whereas metered operational usage has been less than 1 acre-foot per year. Therefore, the water required for BESS construction would be less than one year's worth of estimated operational water use. Decommissioning activities are anticipated to require similar or less water than construction. The proposed BESS component would not require water during O&M beyond incidental use for maintenance. This demand would be met through existing wells or trucked sources, consistent with the approach described in the Final EIR. Electrical interconnection would occur via underground MV cables routed to existing on-site substations, and no new off-site transmission infrastructure would be required beyond that already installed as part of the 220 kV gen-tie transmission line included in the Project.

Stormwater drainage would be managed in compliance with the SWPPP required by the Construction General Permit, and on-site stormwater retention basins would be installed to manage increased runoff if required by County standards based on post-construction hydrology. Therefore, impacts related to the relocation and construction of new or expanded water, wastewater treatment, or storm water drainage, electric power, natural gas, or telecommunications facilities would remain **less than significant**, as described in the Final EIR.

- c. *Would the project have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?*

As described in the Final EIR, the solar facility (including the proposed BESS component) would require up to 500 acre-feet of water during construction and up to 40 acre-feet annually during O&M, primarily for dust suppression and panel washing. The proposed BESS component would require up to 10 acre-feet of water for construction over an approximately 15-month period. The Final EIR estimated operational water usage for the solar facility, including the proposed BESS component) at approximately 15 to 40 acre-feet per year; however, metered operational usage has been less than 1 acre-foot per year. Therefore, the water required for BESS construction would be less than one year's worth of estimated operational water use and would be well within estimated operational water usage when combined with water demand for O&M of the existing solar facility. Decommissioning activities would require similar or less water use than construction, which would also fall within the operational water use estimate included in the Final EIR.

Water would be sourced from existing on-site or nearby wells or trucked from off-site suppliers, consistent with the water supply approach analyzed in the Final EIR. The Final EIR indicated the estimated volumes of water use would be nominal in comparison to the estimated surplus of the Chuckwalla Valley Groundwater Basin. The Chuckwalla Valley Groundwater Basin continues to be a very low priority basin under the Sustainable Groundwater Management Act (California Department of Water Resources 2020). Furthermore, current vertical displacement data for the basin indicates there continues to be no downward trend, which implies that the Chuckwalla Valley Groundwater Basin is not experiencing significant long-term depletion (California Department of Water Resources 2024). The proposed BESS component would not require water during O&M beyond incidental use for maintenance. Given the limited and temporary nature of water use, and the availability of existing sources, the proposed BESS component would still not result in insufficient water supplies during normal, dry, or multiple dry years. Therefore, impacts related to water supplies would remain **less than significant**, as described in the Final EIR.

- d. *Would the project generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?*
- e. *Would the project comply with federal, state, and local management and reduction statuses and regulations related to solid waste?*
- g. *Would the project not comply with federal, state and local statutes and regulations related to solid wastes including the County Integrated Waste Management Plan?*

As indicated in the Final EIR, the proposed BESS component would generate solid waste during construction, including packaging materials, scrap metals, wood pallets, and limited quantities of hazardous materials and electronic waste. The proposed BESS component would be required to comply with the provisions of the California Green Building Standards Code regarding waste diversion, and all waste materials would be sorted on-site, with recyclable and compostable materials separated and transported to appropriate facilities. Non-recyclable waste would be disposed of at permitted landfills, including the Desert Center and Blythe Sanitary Landfills. The Desert Center landfill has an estimated closure date of August 2107, and the Blythe Sanitary Landfill has an estimated closure date of 2052, indicating both landfills have sufficient capacity to accommodate the waste disposal needs of the BESS (California Department of Resources Recycling and Recovery 2019 and 2023). During O&M, the BESS would not generate solid waste beyond that generated by O&M of the existing solar facility. Decommissioning would follow applicable waste

management regulations with hazardous and electronic waste transported to hazardous waste handling facilities. Therefore, impacts related to solid waste would remain **less than significant**, as described in the Final EIR.

h. Would the project result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?

As discussed in the Final EIR, the solar facility, including the BESS component, would not be connected to a public sewer system. Therefore, as described in the Final EIR, the Project would not require a determination by a wastewater treatment provider regarding an adequate capacity to serve the Project's projected demand in addition to the provider's existing commitments during construction, O&M, and decommissioning, and **no impact** would occur.

i. Would the project result in construction of new facilities or the expansion of the existing facilities: electricity, natural gas, communications systems, stormwater drainage, street lighting, maintenance of public facilities (including roads) or other governmental services?

The proposed BESS component would contribute to the overall Project's net benefit of generating renewable energy that would contribute to regional electricity supply. Electrical interconnection would occur via underground MV cables routed to existing on-site substations, and no new off-site transmission infrastructure would be required beyond that already installed as part of the 220 kV gen-tie transmission line included in the Project. The proposed BESS component would not require a natural gas connection and would not require expansion of existing or new street lighting, storm water drainage, or other public facilities, including roads. Therefore, as described in the Final EIR, **no impact** related to the construction or expansion of electricity, natural gas, communications systems, stormwater drainage, street lighting, public facilities (including roads), or other governmental services would occur.

j. Would the project conflict with any adopted energy conservation plans?

The solar facility, including the BESS component, would support the integration of renewable energy into the statewide grid and enhance grid reliability by storing and dispatching electricity as needed. This function directly supports the goals of the California Renewables Portfolio Standard and other state energy conservation and decarbonization initiatives. Therefore, as described in the Final EIR, the Project would still not conflict with any adopted energy conservation plans, and a **beneficial impact** would occur.

Cumulative Impacts

The geographic scope for cumulative impacts to public services and utilities is defined in the Final EIR as the service areas of providers serving the Project, including fire protection, law enforcement, emergency medical services, solid waste disposal, and utility infrastructure. This scope is appropriate because the direct and indirect demands on these services could be additive across overlapping construction and operational timelines of regional projects. As indicated in the Final EIR, cumulative impacts to public services and utilities would be significant due to increased demand generated by existing and future development.

Construction of the BESS component may coincide with other present and reasonably foreseeable projects in the region. However, the three sites proposed for the development of the BESS component would be constructed within the existing solar facility footprint. The construction

activities for the BESS would require a peak workforce of no more than 50 individuals, which would not increase the overall peak labor demand of 530 workers analyzed in the Final EIR. Furthermore, no additional O&M staff would be required for the proposed BESS component beyond those already in place for the existing solar facility. Therefore, as described in the Final EIR, the Project would continue to not result in a cumulatively considerable contribution to cumulative impacts to fire protection, law enforcement, emergency medical services, schools, and public libraries.

As described in the Final EIR, the solar facility and BESS component would not generate wastewater or require connection to a public sewer system and therefore would not contribute to cumulative impacts to wastewater treatment infrastructure. Water use for construction of the proposed BESS component is estimated at approximately 10 acre-feet, well within the 15 to 40 acre-feet estimated for O&M of the overall solar facility (currently using less than one acre-foot-per-year of water), would be nominal in comparison to the estimated surplus of the Chuckwalla Valley Groundwater Basin (a very low priority basin), and would be limited to the temporary construction and decommissioning periods. The incremental contribution of the BESS to regional solid waste volumes would also be minor and temporary, limited to the construction and decommissioning periods. The BESS component would not require the construction or expansion of off-site utility infrastructure, including electricity, natural gas, telecommunications, or stormwater drainage systems. Therefore, as described in the Final EIR, the Project would continue to not result in a cumulatively considerable contribution to cumulative impacts to water supply and utilities.

Effects and Mitigation Measures

There are no substantial changes in the Project, substantial changes in the circumstances under which the Project is undertaken, or new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the Final EIR was certified, that indicate the Project would result in new significant environmental effects or a substantial increase in the severity of previously identified significant effects with regard to public services and utilities. In addition, there is no new information indicating there are mitigation measures or alternatives previously found not to be feasible that are now feasible and would substantially reduce one or more significant environmental effects of the Project or indicating there are mitigation measures or alternatives which are considerably different from those analyzed in the Final EIR that would substantially reduce one or more significant environmental effects of the Project. Impacts to public services and utilities would remain consistent with those described in the Final EIR, and no new mitigation measures would be required.

While impacts to public services and utilities would remain less than significant as described in the Final EIR, additional mitigation measures outlined under *Hazards, Hazardous Materials, and Wildfire* are being proposed by the Project Applicant and imposed by the County to further reduce the less-than-significant impacts to fire protection services and ensure the enforceability of current best management practices and industry standards. These mitigation measures do not trigger the need for a subsequent or supplemental EIR under CEQA because 1) no new significant environmental impacts or substantially more severe significant environmental impacts have been identified and 2) the Project Applicant has agreed to adopt these mitigation measures.

Conclusion

The FEIR determined that impacts related to public services and utilities would be less-than-significant. Based upon the analysis contained herein, the proposed BESS component would not involve new significant environmental effects or a substantial increase in the severity of those

effects and therefore does not meet any of the conditions requiring preparation of a subsequent EIR.

Less than Significant Impact (Same as Final EIR)

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3.15 Recreation

	Where was Impact Analyzed in the EIR?	Do Proposed Changes Require Major Revisions to the EIR?	Do New Circumstances Require Major Revisions to the EIR?	Any New Information of Substantial Importance Resulting in New or Substantially More Severe Significant Impacts?	Do EIR Mitigation Measures Address and/or Resolve Impacts?
Would the project:					
a. Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	Page 3.16-8	No	No	No	N/A
b. Include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	Pages 3.16-7 to 3.16-8	No	No	No	N/A
c. Be located within a Community Service Area (CSA) or recreation and park district with a Community Parks and Recreation Plan (Quimby fees)?	Page 3.16-8	No	No	No	N/A

Summary of Final EIR Impacts Assessment

The Final EIR determined the solar facility (including the proposed BESS component) would result in less-than-significant impacts to recreation because 1) the solar facility is located entirely on private land that was either previously used for agriculture or undeveloped desert and 2) the solar facility does not include recreational facilities or require the construction or expansion of recreational facilities. The Final EIR also determined the solar facility (including the proposed BESS component) would not result in a cumulative impact to recreation resources that could occur as a result of the cumulative projects in the aggregate (County of Riverside 2019).

Current Assessment of Impacts

- a. *Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?*

The three sites proposed for development of the BESS component remain entirely within the area evaluated in the Final EIR. These three sites continue to be located entirely on private land

previously used for agriculture or undeveloped desert that do not support recreational facilities. A review of current land use confirms that no new recreational facilities have been developed in the Desert Center area since the 2019 Final EIR was certified. In 2025, the Chuckwalla National Monument was designated and is now formally recognized as a recreational area. The monument designation does not introduce new developed recreational facilities that would be subjected to increased use or physical deterioration as a result of the solar facility, including the proposed BESS component.

As indicated in the Final EIR, potential indirect impacts to recreational users of nearby specially designated lands—such as the Special Recreation Management Area, wilderness areas, Areas of Critical Environmental Concern, Joshua Tree National Park, and the Chuckwalla National Monument—may occur due to construction and decommissioning related noise, fugitive dust, and vehicle movement associated with installation and eventual removal of the proposed BESS component. Fugitive dust would be minimized through adherence to Mitigation Measure AQ-1, Fugitive Dust Control Plan, which includes regular watering, speed limits on unpaved roads, and suspension of earthmoving activities during high winds. These measures are designed to reduce particulate matter emissions and minimize off-site dust transport, thereby reducing potential impacts to nearby recreational users. As described in the Final EIR, visual changes at the site during operation may affect visitors seeking a natural setting by affecting perceptions of solitude, naturalness, and unconfined recreation. Night lighting is expected to be minimal, directed downward, fully shielded, and subject to Mitigation Measures AES-1, Night Lighting Management Plan, to preserve dark sky conditions. There are no new circumstances or new information indicating effects would differ substantially from those described for the solar facility (including the proposed BESS component) in the Final EIR. While the solar facility (including the proposed BESS component) would result in indirect impacts to recreation, it is still not anticipated that the Project would result in a significant change in use of the nearby recreation facilities that would increase the use of other regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated. Associated indirect impacts are further addressed in Section 3.2, *Aesthetics*, Section 3.3, *Air Quality*, Section 3.11, *Noise*, and Section 3.16, *Traffic and Transportation*. Therefore, impacts would remain **less than significant**, as described in the Final EIR.

b. Would the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?

The solar facility (including the proposed BESS component) still does not include recreational facilities nor require their construction or expansion. Therefore, **no impact** would occur, as described in the Final EIR.

c. Would the project be located within a Community Service Area (CSA) or recreation and park district with a Community Parks and Recreation Plan (Quimby fees)?

The three sites proposed for development of the BESS component remain entirely within the area evaluated in the Final EIR. These three sites continue to be located entirely on private land previously used for agriculture or undeveloped desert that are not within a CSA or recreation and park district. Therefore, **no impact** would occur, as described in the Final EIR.

Cumulative Impacts

The geographic scope for cumulative recreation impacts is defined in the Final EIR as the 20-mile area around the perimeter of the solar facility. This area includes surrounding BLM lands, wilderness areas, Areas of Critical Environmental Concerns, Special Recreation Management Areas, and portions of Joshua Tree National Park, as well as some of the proposed or current cumulative projects included in Table 1 and Table 2 under *Cumulative Projects* in Section 3, *Impacts Analysis*. This scope is appropriate because the direct and indirect impacts to recreation would be additive within this area in that they could result in direct loss of recreation and indirect impacts from multiple projects, including visual, noise, and access-related effects.

In 2025, the Chuckwalla National Monument was designated, encompassing several previously identified Areas of Critical Environmental Concerns, wilderness areas, and the Chuckwalla Special Recreation Management Area. While this designation postdates the 2019 Final EIR, it does not constitute new substantial information under CEQA, as the lands included in the monument were already recognized for their recreational and conservation value and were analyzed accordingly in the Final EIR. The monument continues to support dispersed recreational uses such as hiking, camping, and sightseeing, and does not introduce new developed recreational facilities that would be subject to increased use or deterioration as a result of the solar facility including the BESS component.

As described in the Final EIR, the solar facility, including the BESS component, is located entirely on private land previously used for agriculture or undeveloped desert and does not support recreational use. The BESS component would not result in the direct loss of recreational land or facilities. Indirect impacts such as visual change, dust, and noise would be minimized through adherence to applicable mitigation measures, including AQ-1 (Fugitive Dust Control Plan) and AES-1 (Night Lighting Management Plan). Therefore, the cumulative impacts of the BESS component will not differ significantly from those analyzed in the Final EIR.

Therefore, the cumulative impact to recreation from the BESS component, in combination with other past, present, and reasonably foreseeable projects, would remain less than significant and consistent with the conclusions of the Final EIR.

Effects and Mitigation Measures

There are no substantial changes in the Project, substantial changes in the circumstances under which the Project is undertaken, or new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the Final EIR was certified, that indicate the Project would result in new significant environmental effects or a substantial increase in the severity of previously identified significant effects with regard to recreation. In addition, there is no new information indicating there are mitigation measures or alternatives previously found not to be feasible that are now feasible and would substantially reduce one or more significant environmental effects of the Project or indicating there are mitigation measures or alternatives which are considerably different from those analyzed in the Final EIR that would substantially reduce one or more significant environmental effects of the Project. Impacts to recreation would remain consistent with those described in the Final EIR, and no new mitigation measures would be required.

Conclusion

The FEIR determined that impacts related to recreation would be less-than-significant. Based upon the analysis contained herein, the proposed BESS component would not involve new significant environmental effects or a substantial increase in the severity of those effects and therefore does not meet any of the conditions requiring preparation of a subsequent EIR.

Less than Significant Impact (Same as Final EIR)

3.16 Traffic and Transportation

	Where was Impact Analyzed in the EIR?	Do Proposed Changes Require Major Revisions to the EIR?	Do New Circumstances Require Major Revisions to the EIR?	Any New Information of Substantial Importance Resulting in New or More Severe Significant Impacts?	Do EIR Mitigation Measures Address and/or Resolve Impacts?	
Would the project:						
a.	Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?	Pages 3.17-11 to 3.17-13	No	No	No	Yes
b.	Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible use (e.g., farm equipment)?	Pages 3.17-15 to 3.17-16	No	No	No	Yes
c.	Result in inadequate emergency access?	Page 3.17-16	No	No	No	Yes
d.	Conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?	Page 3.17-17	No	No	No	Yes
e.	Conflict with an applicable congestion management program, including, but not limited to, level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?	Page 3.17-14	No	No	No	Yes
f.	Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	Pages 3.17-14 to 3.17-15	No	No	No	Yes

		Where was Impact Analyzed in the EIR?	Do Proposed Changes Require Major Revisions to the EIR?	Do New Circumstances Require Major Revisions to the EIR?	Any New Information of Substantial Importance Resulting in New or Substantially More Severe Significant Impacts?	Do EIR Mitigation Measures Address and/or Resolve Impacts?
g.	Cause an effect, or a need for new or altered maintenance of roads?	Pages 3.17-15 to 3.17-16	No	No	No	Yes
h.	Cause an effect upon circulation during the project's construction?	Pages 3.17-11 to 3.17-13	No	No	No	Yes
i.	Affect bike trails?	Page 3.17-17	No	No	No	Yes
j.	Alter waterborne, rail, or air traffic?	Page 3.7-10	No	No	No	N/A

Summary of Final EIR Impacts Assessment

The Final EIR determined the Project would result in less-than-significant impacts to traffic and transportation with mitigation incorporated because 1) construction-related traffic impacts, including temporary congestion at key intersections such as the I-10 westbound ramp at SR-177, would be effectively mitigated through implementation of a Construction Traffic Control Plan (Mitigation Measure TRA-1), which includes temporary signalization, geometry changes, and coordination with Caltrans and the County; 2) operational-phase traffic impacts would be minimal, with only approximately 30 daily trips expected, primarily from maintenance staff, resulting in negligible effects on roadway performance; 3) the Project would not significantly affect public transit, pedestrian, or bicycle facilities or pose aviation safety risks, provided Federal Aviation Administration (FAA) recommendations are followed (Mitigation Measure TRA-2); and 4) any potential roadway damage from construction activities would be repaired to pre-Project conditions (Mitigation Measure TRA-3). The Final EIR also determined the Project would not result in a cumulatively considerable contribution impact to cumulative impacts related to traffic and transportation with mitigation incorporated that could occur as a result of the cumulative projects in the aggregate (County of Riverside 2019).

Current Assessment of Impacts

- a. *Would the project conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities*
- h. *Would the project cause an effect upon circulation during the project's construction?*

The three sites proposed for development of the BESS component remain entirely within the area evaluated in the Final EIR. Construction activities associated with the proposed BESS component remain within the parameters of the construction activities contemplated in the Final EIR for the solar facility. However, because the BESS would be constructed separately from the rest of the solar

facility, which has been completed, on a small portion of the overall Project site, maximum daily vehicle trips during construction of the BESS component would be lower than those estimated in the Final EIR for the overall solar facility. Construction-related traffic for the three sites would be minimal compared to the original solar facility buildout, with a peak workforce of up to approximately 50 workers who would primarily use existing access roads, supplemented by one new driveway, to access the three BESS sites (as compared to the peak workforce of approximately 530 workers evaluated in the Final EIR). Decommissioning of the BESS would require a workforce similar in type but smaller in scale than construction and would also be temporary. The proposed BESS component would not introduce new or expanded access routes beyond those already evaluated in the Final EIR. The proposed BESS component also would not require changes to public transit routes or pedestrian/bicycle infrastructure, and no new off-site roadways are proposed. Furthermore, the O&M activities for the proposed BESS component would remain the same as those described in the Final EIR for the solar facility. Implementation of Mitigation Measure TRA-1 (Construction Traffic Control Plan) would continue to be required to reduce temporary construction traffic impacts to a less-than-significant level and includes coordination with Caltrans and the County, installation of signage, and scheduling of deliveries to avoid peak traffic hours. Therefore, as described in the Final EIR, Project impacts to the circulation system would remain **less than significant with mitigation incorporated**.

- e. *Would the project conflict with an applicable congestion management program, including, but not limited to, level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?*

The Riverside County Congestion Management Program (CMP) requires designated roadways such as I-10 and SR-177 to operate at Level of Service E or better. The construction activities associated with the proposed BESS component remain within the parameters of the construction activities contemplated in the Final EIR for the solar facility. However, because the BESS would be constructed separately from the rest of the solar facility, which has been completed, on a small portion of the overall Project site, maximum daily vehicle trips during construction of the BESS component would be lower than those estimated in the Final EIR for the overall solar facility. Construction-related traffic for the three sites would be minimal compared to the original solar facility buildout, with a peak workforce of up to approximately 50 workers who would primarily use existing access roads, supplemented by one new driveway, to access the three BESS sites (as compared to the peak workforce of approximately 530 workers evaluated in the Final EIR). Decommissioning of the BESS would require a workforce similar in type but smaller in scale than construction and would also be temporary. Furthermore, the O&M activities for the proposed BESS component would remain the same as those described in the Final EIR for solar facility. Implementation of Mitigation Measure TRA-1 (Construction Traffic Control Plan) would continue to be required to reduce temporary construction traffic impacts to a less-than-significant level and includes coordination with Caltrans and the County, installation of signage, and scheduling of deliveries to avoid peak traffic hours. With implementation of Mitigation Measure TRA-1, traffic operations on designated CMP roadways such as I-10 and SR-177 would remain at or above the required Level of Service E, as discussed in the Final EIR. Therefore, as described in the Final EIR, Project impacts to the congestion management program would remain **less than significant with mitigation incorporated**.

- f. Would the project result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?*

The three sites proposed for development of the BESS component remain entirely within the area evaluated in the Final EIR, and the proposed BESS component does not include any structures exceeding 200 feet in height, which is the threshold that would trigger FAA Part 77 obstruction evaluation. Therefore, no aviation lighting or additional FAA review is required based on structure height. Although the BESS sites are located less than one mile from the privately owned Desert Center Airport, the proposed BESS component would not interfere with its operations or affect air traffic patterns. The three sites continue to not be located within special-use military airspace or designated low-level military flight paths, as indicated in the Final EIR (California Governor's Office of Land Use and Climate Innovation 2025). Implementation of Mitigation Measure TRA-2 (Comply with FAA 7460-1 Determination Recommendations), which ensures that any necessary FAA filings are completed and that all FAA-recommended safety measures are incorporated into the final Project design, would continue to be required for the Project but is not specifically applicable to the proposed BESS component. Therefore, Project impacts to air traffic patterns would remain **less than significant with mitigation incorporated**, as described in the Final EIR.

- b. Would the project substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible use (e.g., farm equipment)?*
- g. Would the project cause an effect, or a need for new or altered maintenance of roads?*

The three sites proposed for development of the BESS component remain entirely within the area evaluated in the Final EIR. Construction and decommissioning activities associated with the proposed BESS component remain within the parameters of the construction and decommissioning activities contemplated in the Final EIR for the solar facility. Construction traffic for the proposed BESS component would primarily access the site via I-10 and SR-177, using existing local roadways and private site entrances. The overall solar facility, including the three BESS sites, is characterized by flat topography and roadways with relatively straight horizontal alignment and good visibility in all directions, minimizing the potential for hazardous driving conditions. All new internal roads would be private and designed to meet applicable safety standards. During construction, all truck drivers would be required to comply with California Vehicle Code regulations related to vehicle size, weight, and load, as well as the safe operation and transport of materials. The types of vehicles used, including passenger vehicles and heavy trucks, are consistent with those already permitted on local and regional roadways. Therefore, no new geometric hazards or incompatible uses would be introduced.

As indicated in the Final EIR, the movement of heavy trucks and equipment on roadways providing access to work areas for the proposed BESS component could potentially result in damage to road surfaces, shoulders, curbs, sidewalks, signs, and light standards. Implementation of Mitigation Measures TRA-1 (Construction Traffic Control Plan) and TRA-3 (Repair Roadways and Transportation Facilities Damaged by Construction Activities) would continue to be required to reduce construction-phase impacts related to transportation hazards and road conditions to a less-than-significant level. Mitigation Measure TRA-1 requires preparation of a traffic control plan that includes coordination with Caltrans and the County and provisions for signage, detours, and safe movement of vehicles, pedestrians, and bicycles, and Mitigation Measure TRA-3 requires damage to road surfaces, shoulders, or signage caused by construction vehicles to be repaired. The O&M activities for the proposed BESS component would remain the same as those described in the Final

EIR for solar facility. Therefore, as described in the Final EIR, Project impacts to transportation hazards and road conditions would remain **less than significant with mitigation incorporated**.

c. Would the project result in inadequate emergency access?

The construction and decommissioning phases of the proposed BESS component are not expected to require any temporary lane closures of public, off-site roadways that could restrict the movement of emergency vehicles. As described in the Final EIR, the solar facility (including the proposed BESS component) would have controlled access points for ingress and egress into the site, allowing emergency vehicle access into and through the site. O&M of the proposed BESS component is not anticipated to require any temporary lane closures that could restrict emergency vehicle movement. Therefore, as described in the Final EIR, impacts to emergency access would remain **less than significant**.

d. Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?

CEQA Guidelines Section 15064.3(b) focuses on vehicle miles traveled (VMT) as the metric for evaluating transportation impacts. Construction and decommissioning of the proposed BESS component would result in temporary traffic trips, including worker commutes and truck deliveries. While some construction/decommissioning workers may seek temporary housing near the site, the overall number of trips would be limited and short-term. Given the remote location, a qualitative VMT analysis is appropriate under CEQA Guidelines Section 15064.3(b)(3), consistent with the approach utilized in the Final EIR. Since certification of the Final EIR in 2019, the County and Caltrans have published guidance on evaluating VMT impacts under CEQA. The County's guidance does not require an evaluation of VMT impacts during construction/decommissioning (County of Riverside 2020). Caltrans' (2020a) *Transportation Analysis under CEQA, First Edition* guidance document indicates that a qualitative analysis of construction-phase VMT impacts is generally appropriate and that construction VMT analysis is typically only necessary for large projects or projects located a considerable distance from urbanized areas. The guidance also states that vehicle trips related to construction activities are temporary and the associated VMT is generally minor and limited to construction equipment and personnel with no long-term trip generation.

As indicated in the Final EIR, due to the remote location of the three BESS sites, many construction and decommissioning truck trips may require high VMT to access the site. However, all construction/decommissioning-related truck trips would be temporary and only in volumes necessary to deliver equipment and materials to the site. Upon completion of the approximately 15-month construction period, all truck trips and worker commute trips would cease. Furthermore, the proposed BESS component would not involve large-scale construction activities that would have the potential to result in substantial increases in regional VMT because a relatively low volume of daily trips is anticipated. In addition, the proposed BESS component would not require lane closures that could result in out-of-direction travel as travelers attempt to avoid the construction area. Therefore, based on the Caltrans guidance, the proposed BESS component would not generate substantial VMT during construction. In addition, VMT generated during construction of the proposed BESS component would be further reduced through implementation of Mitigation Measure TRA-1 (Construction Traffic Control Plan), which would include provisions to encourage ridesharing among construction and decommissioning workers. Once operational, the BESS would be operated and maintained by the existing workforce employed for O&M of the overall solar facility; therefore, operational VMT impacts would remain the same as those described in the Final EIR. Therefore, as

indicated in the Final EIR, the Project would continue to not conflict or be inconsistent with CEQA Guidelines Section 15064.3(b), and impacts would remain **less than significant**.

i. Would the project affect bike trails?

The proposed BESS component would not affect bike trails, given no designated bicycle facilities exist within the Project area and no new public roadways or closures are proposed (Caltrans 2020b). Therefore, as indicated in the Final EIR, the Project would continue to not affect bike trails, and impacts would remain **less than significant**.

j. Would the project alter waterborne, rail, or air traffic?

As described in the Final EIR, there is neither waterborne traffic nor rail lines in the vicinity of the solar facility, including the three sites proposed for the development of the BESS component, and the proposed BESS component would not utilize waterborne traffic or affect rail transport. While the solar facility is adjacent to the privately owned Desert Center Airport, the Project would not require use of the airport or impact the use of the airport. Air traffic patterns are addressed further under threshold 3.16(f). As indicated in the Final EIR, the Project would result in **no impact** to waterborne, rail, or air traffic.

Cumulative Impacts

The geographic scope for cumulative traffic and transportation impacts includes the study roadways and intersections evaluated in the Final EIR, including I-10, SR-177, and local access roads in the Desert Center area (County of Riverside 2019). These routes represent the primary corridors for construction and O&M traffic associated with the Project and other nearby renewable energy developments. For aviation safety, the geographic scope extends to a 20,000-foot radius from the Project site, which reflects the area where potential impacts to the Desert Center Airport could occur. Cumulative impacts could result from overlapping construction schedules that increase traffic volumes, VMT, or wear on transportation infrastructure, or from the introduction of structures that interfere with navigable airspace.

The proposed BESS component, in combination with other projects in the Desert Center area, could contribute to cumulative traffic impacts during construction. However, the number of trips and VMT associated with construction and O&M of the proposed BESS component would be within those estimated in the Final EIR for the overall solar facility; therefore, the conclusions of the Final EIR regarding cumulative impacts to transportation and traffic would remain the same. The Project's contribution to cumulative impacts to the circulation system, increased transportation hazards, damaged roads, and VMT would continue to not be cumulatively considerable with implementation of Mitigation Measures TRA-1 through TRA-3, and cumulative impacts related to the Desert Center Airport, lane closures, and public transportation would remain less than significant.

Effects and Mitigation Measures

There are no substantial changes in the Project, substantial changes in the circumstances under which the Project is undertaken, or new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the Final EIR was certified, that indicate the Project would result in new significant environmental effects or a substantial increase in the severity of previously identified significant effects with regard to traffic and transportation. In addition, there is no new information indicating there are mitigation measures or alternatives previously found not to be feasible that are now feasible and would

substantially reduce one or more significant environmental effects of the Project or indicating there are mitigation measures or alternatives which are considerably different from those analyzed in the Final EIR that would substantially reduce one or more significant environmental effects of the Project. Impacts to traffic and transportation would remain consistent with those described in the Final EIR, and no new mitigation measures would be required.

Conclusion

The FEIR determined that impacts related to traffic and transportation would be less than significant with mitigation incorporated. Based upon the analysis contained herein, the proposed BESS component would not involve new significant environmental effects or a substantial increase in the severity of those effects and therefore does not meet any of the conditions requiring preparation of a subsequent EIR.

Less than Significant Impact with Mitigation Incorporated (Same as Final EIR)

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3.17 Energy

	Where was Impact Analyzed in the EIR?	Do Proposed Changes Require Major Revisions to the EIR?	Do New Circumstances Require Major Revisions to the EIR?	Any New Information of Substantial Importance Resulting in New or Substantially More Severe Significant Impacts?	Do EIR Mitigation Measures Address and/or Resolve Impacts?
Would the project:					
a. Result in a potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?	Pages 3.18-2 to 3.18-3	No	No	No	N/A
b. Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	Page 3.18-3	No	No	No	N/A

Summary of Final EIR Impacts Assessment

The Final EIR determined the solar facility (including the proposed BESS component) would result in less-than-significant impacts to energy resources because 1) energy use during construction would be minimized through BMPs and mitigation measures that reduce equipment idling, encourage carpooling, and manage construction activity efficiently; and 2) operational energy use would be minimal and offset by the generation of up to 500 MW of renewable energy, thereby reducing reliance on fossil fuels. The Final EIR also determined the solar facility (including the proposed BESS component) would result in a beneficial contribution to cumulative impacts to energy resources by directly supporting federal, state, and local plans for renewable energy development that could occur as a result of the cumulative projects in the aggregate (County of Riverside 2019).

Current Assessment of Impacts

- a. *Would the project result in a potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?*

Construction of the proposed BESS component would require the consumption of energy resources, including fossil-fuel (diesel and gasoline) powered construction equipment and vehicles. Construction activities would include site preparation (grading, compacting, and foundation installation), installation of battery enclosures and PCS, trenching and conduit installation for electrical interconnection, and commissioning activities involving auxiliary power and testing. Decommissioning would involve similar activities and equipment to construction, at a lower intensity. Construction, O&M, and decommissioning activities associated with the proposed BESS

component remain within the parameters of the construction, O&M, and decommissioning activities contemplated in the Final EIR for the solar facility. Therefore, as described in the Final EIR, the proposed BESS component would not result in potentially significant environmental impacts due to the wasteful, inefficient, or unnecessary consumption of energy resources, and impacts would remain **less than significant**. In addition, energy use during construction, O&M, and decommissioning of the proposed BESS component would be further reduced through implementation of Mitigation Measure AQ-2 (Control On-Site Off-Road Equipment Emissions) to reduce fuel consumption and emissions from heavy equipment; Mitigation Measure AQ-3 (Require Newer Vehicles for On-Road Vendor and Hauling Trucks) to ensure efficient fuel use and lower emissions from transport vehicles; Mitigation Measure AQ-4 (Construction Activity Management Plan) to coordinate construction phasing and minimize unnecessary equipment use; Mitigation Measure N-1 (Construction Restrictions) to limit construction hours and reduce energy use during off-peak periods; and Mitigation Measure TRA-1 (Construction Traffic Control Plan) to reduce idling and improve traffic flow.

b. Would the project conflict with or obstruct a state or local plan for renewable energy or energy efficiency?

The proposed BESS component would provide up to 402.3 MW of storage capacity across the three sites within the existing solar facility, which would further enhance the Project's ability to support grid reliability and renewable energy integration by storing solar energy for dispatch during periods of peak demand or low solar generation. As described in the Final EIR, critical objectives of the Project are to assist with achieving renewable energy generation goals under Senate Bills 100 and 350, as well as the GHG reduction goals of Assembly Bill 32. In addition, the Project would directly facilitate implementation of the renewable energy and energy efficiency elements of Assembly Bill 1279 and the 2022 Climate Change Scoping Plan (CARB 2022), both enacted/adopted after certification of the 2019 EIR, which indicate the State's policy is to reduce statewide GHG emissions at least 85 percent below 1990 levels and achieve carbon neutrality (i.e., net zero GHG emissions) no later than 2045. Therefore, the proposed BESS component would directly support federal, state, and local plans for renewable energy development. As described in the Final EIR, **beneficial impacts** related to state or local plans for renewable energy or energy efficiency would occur.

Cumulative Impacts

The geographic scope for cumulative energy impacts includes all the cumulative projects identified in Table 1 and Table 2 under *Cumulative Projects* in Section 3, *Impacts Analysis*. This geographic scope was selected because all cumulative projects have the potential to temporarily or permanently utilize energy resources or have the potential to conflict with plans and policies related to increasing renewable energy and energy efficiency. Implementation of the proposed BESS component, in combination with other projects in the Desert Center area, could result in cumulative energy use during construction. However, the proposed BESS component would involve similar construction and O&M activities as those analyzed in the Final EIR, including site preparation, equipment installation, and commissioning and would be subject to the same BMPs and regulatory compliance measures that would minimize energy consumption. Therefore, the contribution of the Project to cumulative energy impacts would remain not cumulatively considerable.

Effects and Mitigation Measures

There are no substantial changes in the Project, substantial changes in the circumstances under which the Project is undertaken, or new information of substantial importance, which was not

known and could not have been known with the exercise of reasonable diligence at the time the Final EIR was certified, that indicate the Project would result in new significant environmental effects or a substantial increase in the severity of previously identified significant effects with regard to energy. In addition, there is no new information indicating there are mitigation measures or alternatives previously found not to be feasible that are now feasible and would substantially reduce one or more significant environmental effects of the Project or indicating there are mitigation measures or alternatives which are considerably different from those analyzed in the Final EIR that would substantially reduce one or more significant environmental effects of the Project. Impacts to energy would remain consistent with those described in the Final EIR, and no new mitigation measures would be required.

Conclusion

The FEIR determined that impacts related to energy resources would be less than significant. Based upon the analysis contained herein, the proposed BESS component would not involve new significant environmental effects or a substantial increase in the severity of those effects and therefore does not meet any of the conditions requiring preparation of a subsequent EIR.

Less than Significant Impact (Same as Final EIR)

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4 Alternatives

Section 5, *Comparison of Alternatives*, of the Final EIR analyzed the following three Project alternatives:

- **Alternative 1 (No Project Alternative)** involved not constructing the solar generating facility and associated infrastructure as well as what would be reasonably expected to occur in the foreseeable future if the Project was not approved and did not take place.
- **Alternative 2 (Reduced Footprint Alternative)** involved eliminating the development of Parcel Groups D and F, thereby reducing the size of the solar facility by 387 acres, reducing solar energy generation by 50 MW (to 450 MW total) with up to 450 MW of integrated energy storage capacity, and relocating one on-site substation and related facilities.
- **Alternative 3 (Gen-Tie Segment #1 Alternative Route Option)** involved siting on-site substation SS1 approximately 0.2 mile east of its proposed location on Parcel Group A, which would then re-route Gen-Tie Segment #1 to exit SS1 and head due south onto BLM-administered land for approximately 0.25 mile before turning southeast for almost 0.3 mile and south for 0.15 mile to enter private land. On private land, the alternative route would turn due west and travel 0.45 mile to rejoin Gen-Tie Segment #1. This alternative route would be approximately 0.65 mile longer as compared to what was included for this segment in the proposed Project.

In addition, as detailed in Section 2, *Description of the Proposed Project and Alternatives*, of the Final EIR, the following six alternatives were considered but eliminated from further evaluation:

- The **Federal Land Alternative** involved siting the Project entirely on BLM-managed lands within the Riverside East Solar Energy Zone of BLM's Western Solar Plan and within a Desert Renewable Energy Conservation Plan development focus area. The Final EIR determined this alternative was likely to have more severe biological, cultural, and visual resource impacts because it would likely be located on undisturbed lands. In addition, this alternative was deemed potentially infeasible because much of the land within the development focus area and developable areas of the Riverside East Solar Energy Zone is in use, proposed for other solar energy projects, or within mountainous areas.
- The **Private Land Alternative** involved developing the solar facility on other private lands elsewhere, which was considered speculative and infeasible based on the number of landowners whose agreement would be required to assemble a project site of comparable size. In addition, the Final EIR determined another site would likely have environmental impacts equal to or greater than the Project site.
- The **Reduced Footprint Alternative (Remove Parcel Group A)** involved removing Parcel Group A from the Project site, which would reduce the solar facility site acreage by 966 acres, reduce solar energy generation by 50 MW, eliminate one on-site substation and related facilities, and eliminate Gen-Tie Segment #1 (2.5 miles of transmission line). This alternative was initially developed to address technical feasibility concerns with the placement of the proposed solar facility in an area of potential flooding, which were resolved, and a different Reduced Footprint Alternative that would provide greater environmental benefits (i.e., Alternative 2) was evaluated in the Final EIR instead.

- The **Alternative Solar Technologies Alternative** involved the use of other types of solar technologies, such as solar power towers, solar parabolic troughs, and distributed solar, in the solar facility rather than photovoltaic electrical generation, all of which were deemed infeasible in the Final EIR.
- The **Alternative Renewable Energy Technologies Alternative** involved developing other kinds of renewable energy sources, such as wind, geothermal, biomass, tidal, and wave power technologies, which were deemed technically and economically infeasible because they were outside the Project Applicant’s area of expertise and many were not suited for the Project site.
- The **Conservation and Demand-Side Management Alternative** involved the use of conservation and demand-side management to reduce electricity demand rather than constructing the proposed Project to supply such demand using renewable energy. This alternative was deemed infeasible because the fundamental purpose of the Project was to create renewable generation resources to help California utilities achieve their renewable generation goals. In addition, such strategies were outside the County and Project Applicant’s control and likely would not be sufficient to address all of California’s energy needs. As such, the Final EIR determined this alternative to be remote or speculative.
- The **Underground Gen-Tie Alternative** involved installation of the gen-tie line completely underground instead of overhead to reduce potential impacts to birds. The Final EIR indicated this alternative would increase environmental impacts to almost all issue areas without reducing any of the Project impacts to a less-than-significant level.

As indicated in Section 2, *Background and Project Description*, of this Addendum, construction of a 450 MW solar facility, with the exception of the BESS, was completed in July 2022, and construction of the gen-tie line was completed in July 2021. These Project components are currently operational. Construction of the BESS component is proposed to occur entirely within the boundaries of the existing solar facility. Both the Federal Land Alternative and Private Land Alternative remain infeasible for the reasons discussed above and in the Final EIR. In addition, construction of the proposed BESS component on BLM land or on other private lands outside the Project site would require the construction of additional transmission infrastructure to convey renewable electricity to and from the BESS, which was not contemplated in the Final EIR and would likely result in greater environmental impacts than those evaluated in the Final EIR and this Addendum. These three BESS sites are located within Parcel Groups C and F; therefore, re-consideration of the Reduced Footprint Alternative (Remove Parcel Group A) is not necessary because development of this parcel is complete. Because construction of the photovoltaic solar facility is complete and the proposed BESS component would not affect the type of renewable energy contemplated by the Project, re-consideration of the Alternative Solar Technologies and Alternative Renewable Energy Technologies alternatives is also not necessary. Re-consideration of the Underground Gen-Tie Alternative is not warranted because this Project component has been completed.

Finally, the Conservation and Demand-Side Management Alternative remains infeasible for the reasons discussed above and in the Final EIR. While conservation and demand-side management measures may help manage the magnitude and timing of demands on the electricity grid, such measures remain insufficient to address California utilities’ renewable generation goals mandated under the Renewables Portfolio Standard and the State’s GHG reduction goals. The California Energy Commission indicated in 2025 that California is projected to need 52,000 MW of energy storage capacity by 2045 to meet electricity demand with only 15,763 MW of energy storage capacity currently online and an additional 8,600 MW planned to come online by the end of 2027 (California Energy Commission 2025). In addition, CARB’s 2022 Scoping Plan recognizes that “decarbonizing the

electricity sector is a crucial pillar of this Scoping Plan [that] depends on both using energy more efficiently and replacing fossil-fueled generation with renewable and zero carbon resources, including solar, wind, energy storage, geothermal, biomass, and hydroelectric power” (CARB 2022). The proposed BESS component is in direct furtherance of these established State objectives, which recognize that energy storage is necessary to meet California’s current and future energy needs. Therefore, the Conservation and Demand-Side Management Alternative remains remote and speculative, as indicated in the Final EIR.

In light of the above discussion, there is no substantial evidence in the record indicating there is new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the Final EIR was certified, that shows that either 1) the alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the Project, but the Project proponents decline to adopt the alternative, or 2) alternatives that are considerably different from those analyzed in the Final EIR would substantially reduce one or more significant effects on the environment, but the Project proponents decline to adopt the alternative.

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5 Conclusion

As discussed in detail in the preceding sections, potential environmental impacts associated with the proposed BESS component are consistent with potential environmental impacts characterized and mitigated for in the certified Final EIR for the Athos Renewable Energy Project. A subsequent or supplemental EIR is not required because there is substantial evidence in the record indicating:

1. No substantial changes are proposed in the Project that will require major revisions of the previous EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects.
2. No substantial changes have occurred with respect to the circumstances under which the Project is undertaken which will require major revisions of the previous EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects.
3. There is no new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete, that shows any of the following:
 - A. The Project will have one or more significant effects not discussed in the previous EIR.
 - B. Significant effects previously examined will be substantially more severe than shown in the previous EIR.
 - C. Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the Project, but the Project proponents decline to adopt the mitigation measure or alternative.
 - D. Mitigation measures or alternatives that are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the Project proponents decline to adopt the mitigation measure or alternative.

Although several additional mitigation measures have been proposed by the Project Applicant and imposed by the County to further reduce the less-than-significant impacts related to hazards, hazardous materials, and wildfire identified in the Final EIR and ensure the enforceability of current best management practices and industry standards, these mitigation measures do not trigger the need for a subsequent or supplemental EIR under CEQA because 1) no new significant environmental impacts or substantially more severe significant environmental impacts have been identified and 2) the Project Applicant has agreed to adopt these mitigation measures.

Pursuant to CEQA Guidelines Section 15164(c), this Addendum will be included in the public record for the Project. Documents related to this Addendum will be available at the County Transportation and Land Management Planning Department at 4080 Lemon Street, Riverside, California 92501.

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Appendix A

Burrowing Owl Survey Report



July 18, 2025
Project No: 24-15691

Matt Stucky
SB Energy
1 Circle Star Way
San Carlos, California 94070

**Subject: Pre-construction Biological Survey Report
Athos Project Wildlife Fence Installation, Riverside County, California**

Dear SB Energy,

This memorandum documents the results of the biological pre-construction surveys completed for the installation of the battery energy storage system (BESS) component of the SB Energy (SBE) Athos II Solar Projects (Project). No special status species, active nests, or other sensitive biological resources were observed during this survey.

Background

The Athos I and Athos II Solar Projects are located near Desert Center within Riverside County, California. The solar facilities were completed and began operation in 2022, with planned BESS components to be installed at a later date included in initial project review including California Environmental Quality Act (CEQA). Parcels within Athos I and Athos II were reviewed for BESS development, with BESS components included in Athos I enclosed in already developed facilities. A parcel within the Athos II project boundary was reviewed for inclusion with the initial project but not developed at the time of construction of the photo-voltaic (PV) arrays and other project infrastructure.

The BESS 2 Area is an approximately 17.3 acres area of undeveloped desert scrub situated between PV arrays within the Athos II project boundary located southeast of Rice Road, along the northeast side of the Airport-Race Track Road. The Athos II Project is located on Parcel Groups A, B, and C (APNs 811142005, 811142006) of the site (Figure 1). The BESS 2 site would be situated within the existing IP Athos II permitted boundaries situated within parcel group C. (Figure 2).

SBE plans to develop the BESS 2 parcel beginning in Quarter 4 of 2025. The BESS 2 area was evaluated for the potential occurrence of special status wildlife species including burrowing owl (*Athene cunicularia*; BUOW). BUOW was previously considered a California Species of Special Concern (SSC) at the time of original project review, however it has since been proposed as a candidate for listing as endangered under the California Endangered Species Act (CESA) in October 2024. Given the candidacy status, Rincon biologists conducted preconstruction surveys for BUOW, their burrows, or other sign of occupancy within the Athos II BESS 2 area during 2024 and 2025.

Survey Methodology

Rincon conducted preliminary focused surveys throughout the Athos II BESS 2 project footprint plus a 100-foot buffer (survey area) as safety and access permitted. The biologists utilized a high-quality pair of binoculars and spotting scope to survey for individual burrowing owl, suitable burrows for burrowing owl or desert kit fox, and/ or sign of special status species including burrowing owl (e.g., track, scat, pellets, feathers, whitewash). Surveys were conducted by qualified biologists under conditions with



good visibility and likelihood of detecting BUOW or other special status species if present. Two surveys were conducted: one in 2024, and a second follow up survey in 2025. The first survey was conducted by Rincon Biologist, Amy Trost on April 17, 2024, with a subsequent survey being conducted by Rincon Biologist Jack Quinzon on July 9, 2025. The survey dates, times, and weather conditions are outlined in Table 1 below.

Table 1 Survey Dates, Times, and Conditions

Date	Surveyor	Time	Weather Conditions
April 17, 2024	Amy Trost; Biologist	0920-1035	79-85 F, WS: 0-3 MPH, 10-20% cloud cover, no precipitation, good visibility
July 9, 2025	Jack Quinzon, Assistant Project Manager – Natural Resources	0800-0900	100 F, WS: 3-6 MPH, 0% cloud cover, clear skies, no precipitation, good visibility

Survey Results

No BUOW, burrows, or signs of the species were observed within the survey area. The survey area consisted of creosote (*Larrea tridentata*) bush scrub with an understory of burrobush (*Ambrosia dumosa*), desert dandelion (*Malacothrix glabrata*), desert sunflower (*Geraea canescens*), milkweed (*Asclepias sp.*), and sand verbena (*Abronia villosa*). The site was moderately disturbed, with a gravel access road bisecting the lower third of the study area, heading southwest to northeast. Scattered cans and tire tracks were found throughout the study area.

Given the BESS 2 project site’s proximity to existing solar arrays, as well as Rice Road and the Airport-Race Track Road, this project site is not anticipated to become occupied by BUOW due to elevated levels of disturbance. No other sensitive biological resources such as active nests, or other special status species were identified within the survey area.

Please contact Rincon Consultants, Inc. with any questions about this notification or other matters related to our services for this Project.

Sincerely,

Ryan Wardle
Biologist/Project Manager

David Daitch, PhD
Vice President/ Principal Ecologist

Attachments

- Attachment 1 Figures
- Attachment 2 Site Photographs

Attachment 1

Figures

Figure 1 Project Location and Parcels

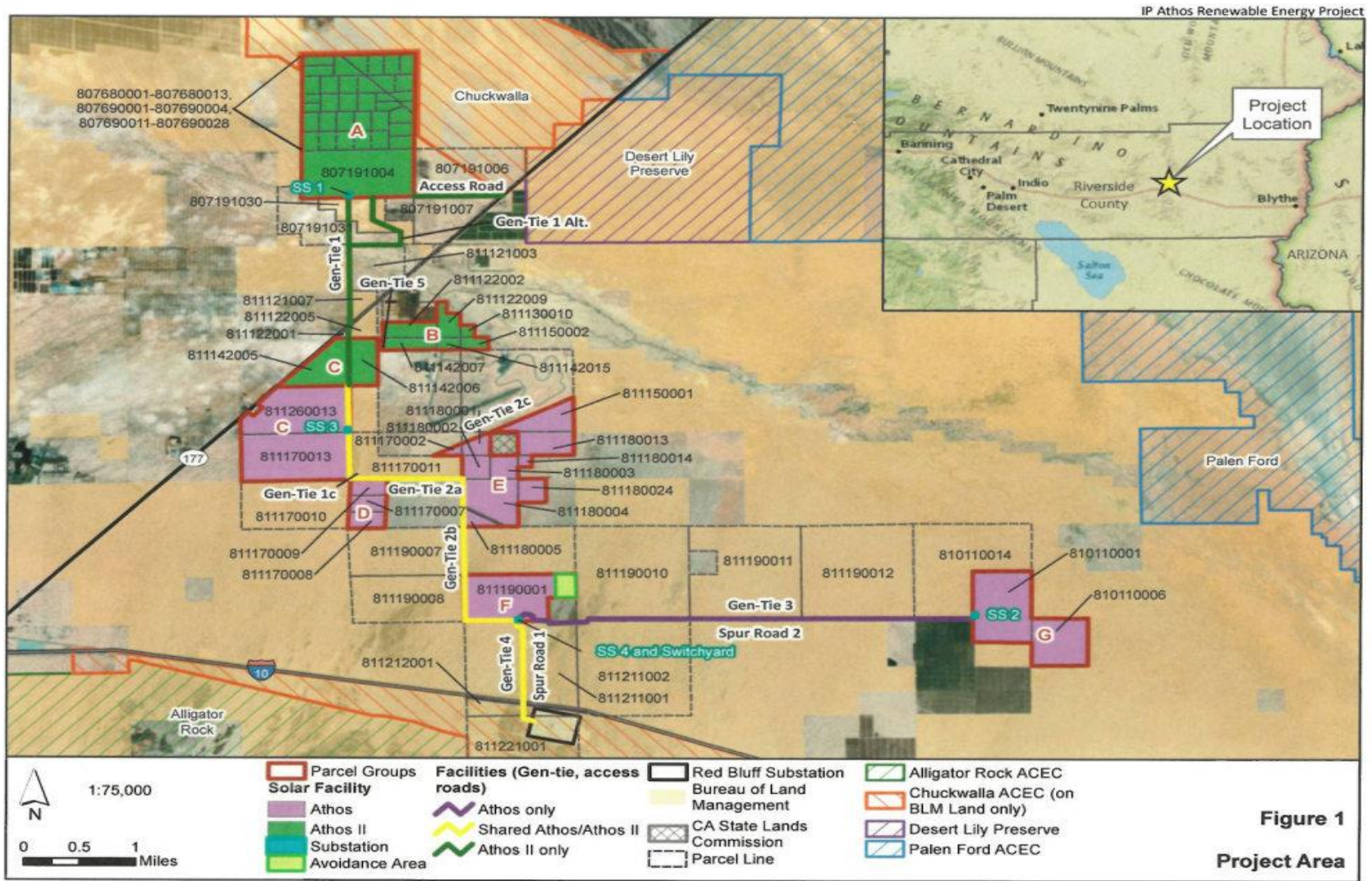
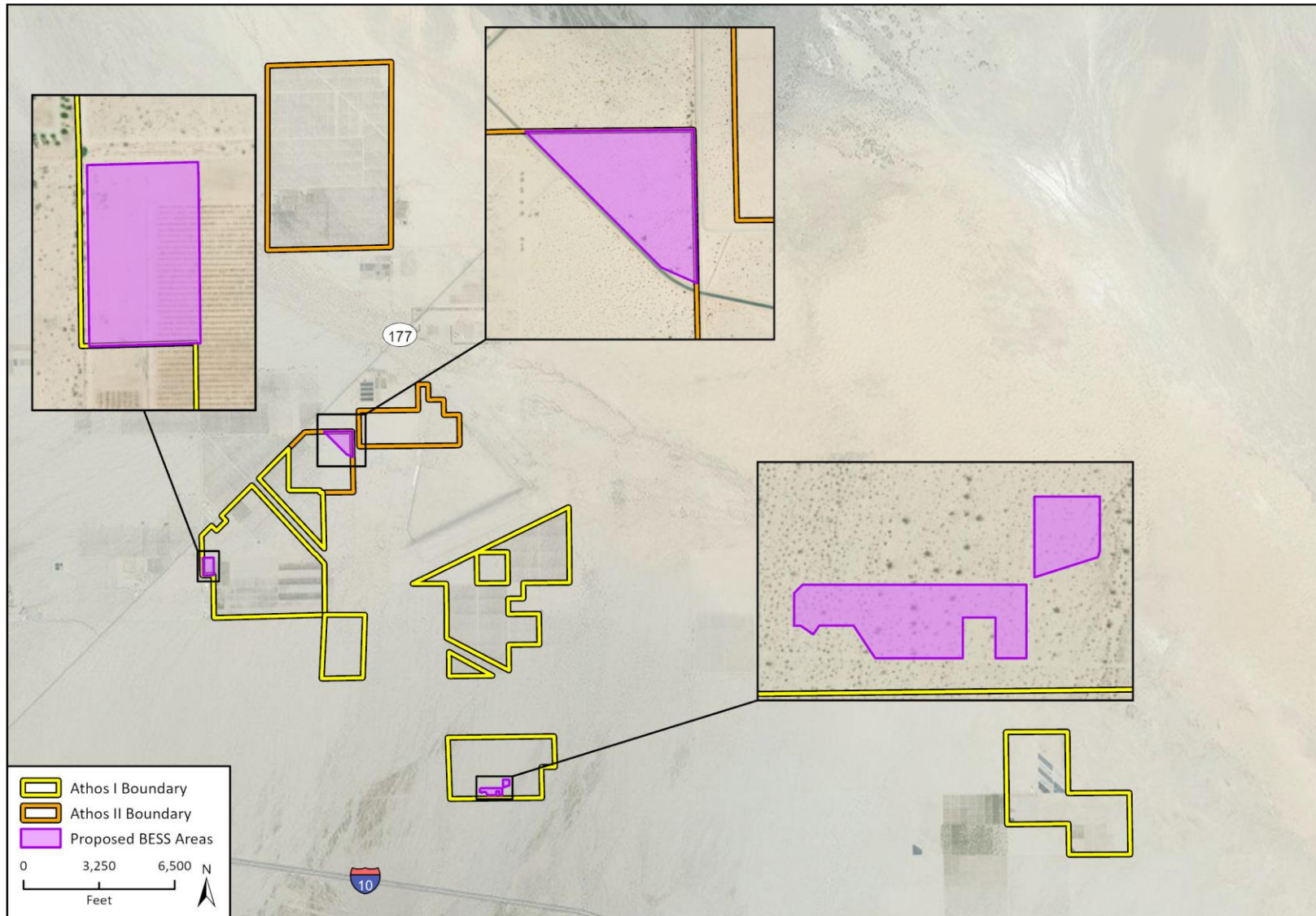


Figure 2 BESS Location



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24-15691.B10
Fig X Project Boundaries and Proposed BESS

Attachment 2

Site Photographs



Photograph 1. View of berm with small mammal burrows, facing NE. No special status species signs were present. April, 2024.



Photograph 2. View of creosote bush scrub habitat present within the study area, facing SE. April, 2024.



Photograph 3. Overview of the study area, facing E. Tire tracks indicate moderate disturbance. July, 2025.



Photograph 4. Creosote bush scrub vegetation with scattered cans seen throughout, facing SE. July, 2025.



**CALIFORNIA
ENERGY COMMISSION**



**CALIFORNIA
NATURAL
RESOURCES
AGENCY**

**California Energy Commission
October 8, 2025, Business Meeting
Backup Materials for SE US Development, LLC**

Attachment B: 2025 Updated MMRP prepared by the County of Riverside staff as Lead Agency

2019 Final EIR

Mitigation Monitoring and Reporting Program, as Adjusted for the Proposed BESS Component

Mitigation measures shown in red strike-out are either complete or not specifically applicable to the proposed BESS component.

Table O-1. Mitigation Monitoring and Reporting Program

Aesthetics

MITIGATION MEASURE **MM AES-1: Night Lighting Management Plan.** To the extent feasible, consistent with safety and security considerations, the Project owner shall design and install all permanent exterior lighting and all temporary construction lighting such that (a) lamps and reflectors are not visible from beyond the Project site, including any off-site security buffer areas; (b) lighting does not cause excessive reflected glare; (c) direct lighting does not illuminate the nighttime sky, except for required FAA aircraft safety lighting (which should be an on-demand, audio-visual warning system that is triggered by radar technology); (d) illumination of the Project and its immediate area is minimized, and (e) the plan complies with local policies and ordinances. The Project owner shall also consult with the NPS Night Sky Program Manager in the development of the Night Lighting Management Plan and comply with stricter standards for light intensity. All permanent light sources shall be below 3,500 Kelvin color temperature (warm white) and shall have cutoff angles not to exceed 45 degrees of nadir. The use of LED lighting with a Correlated Color Temperature (CCT) above 2,700 would introduce blue light into the environment that would have negative impacts on the night skies and wildlife of that area. If LED light bulbs are used, they will have a CCT of 2,700 or less. A CCT above 2,700 would increase blue light into the environment that would impact wildlife and visors and increase light pollution. All lights, temporary and permanent, are to be fully shielded such that the emission of light above the horizontal will be prevented. Prior to construction, the Applicant shall submit to Riverside County, BLM and NPS JTNP for review, and for approval by Riverside County, a Night Lighting Management Plan that includes the following:

- A. Location and direction of light fixtures shall take the lighting mitigation requirements into account;
- B. Lighting design shall consider setbacks of Project features from the site boundary to aid in satisfying the lighting mitigation requirements;
- C. Lighting shall incorporate fixture hoods/shielding, with light directed downward or toward the area to be illuminated;
- D. Light fixtures that are visible from beyond the Project boundary shall have cutoff angles that are sufficient to prevent lamps and reflectors from being visible beyond the Project boundary, except where necessary for security;
- E. All lighting shall be of minimum necessary brightness consistent with operational safety and security;
- F. Lights in high illumination areas not occupied on a continuous basis (such as maintenance platforms) shall have (in addition to hoods) switches, timer switches, or motion detectors so that the lights operate only when the area is occupied;
- G. Specification that LPS or amber LED lighting will be emphasized, and that white lighting (metal halide) would (a) only be used when necessitated by specific work tasks, (b) not be used for dusk-to-dawn lighting, and (c) would be less than 3500 Kelvin color temperature;
- H. Specification and map of all lamp locations, orientations, and intensities, including security, roadway, and task lighting;
- I. Specification of each light fixture and each light shield;
- J. Total estimated outdoor lighting footprint expressed as lumens or lumens per acre;
- K. Definition of the threshold for substantial contribution to light pollution in JTNP, in coordination with the Night Sky Program Manager (see below);
- L. Specifications on the use of portable truck-mounted lighting;
- M. Specification of motion sensors and other controls to be used, especially for security lighting;
- N. Surface treatment specification that will be employed to minimize glare and skyglow;
- O. Results of a Lumen Analysis (based on final lighting plans), in consultation with the NPS Night Sky Program Manager, in order to determine the extent of night lighting exposures in the surrounding NPS lands. If the lighting exposure on NPS lands exceeds the allowable threshold (which is to be determined in consultation with the NPS Night Sky Program Manager), additional control measures will be instituted to reduce the lighting exposures to levels below the action threshold; and
- P. Documentation that the necessary coordination with the NPS Night Sky Program Manager has occurred.

If the County does not respond to submittal of the draft Plan within 60 days, the Project owner may consider this a waiver of the County's authority to comment and the Plan may be considered approved.

Responsible Party	Project Owner
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Table O-1. Mitigation Monitoring and Reporting Program

Responsible Monitoring Party	Riverside County, BLM, and NPS JTNP
Monitoring Phase/Timing	Prior to construction
Verification Approval Party	Riverside County
MITIGATION MEASURE	<p>MM AES-2: Surface Treatment of Project Structures and Buildings. To the extent commercially feasible, the Project owner shall treat the surfaces of all non-temporary large Project structures and buildings (O&M building, inverters, electrical enclosures, gen-tie poles and conductors) visible to the public such that (a) their colors minimize visual intrusion and contrast by blending with (matching) the existing characteristic landscape colors; (b) their colors and finishes do not create excessive glare; and (c) their colors and finishes are consistent with local policies and ordinances. The transmission line conductors shall be non-specular and non-reflective, and the insulators shall be non-reflective and non-refractive.</p> <p>Following consultation with the Riverside County Visual Resources specialist (for solar and gen-tie facilities on non-BLM lands) and the BLM Visual Resources specialist (for gen-tie facilities on BLM lands) and other representatives as deemed necessary, the Project owner shall submit for the County's (for solar and gen-tie facilities on non-BLM lands) and BLM's (for gen-tie facilities on BLM lands) review and approval, a specific Surface Treatment Plan that will satisfy these requirements. The consultation would be in-field at the agencies' election, or desktop review if preferred by the agencies. The treatment plan shall include:</p> <ul style="list-style-type: none"> A. A description of the overall rationale for the proposed surface treatment, including the selection of the proposed color(s) and finishes based on the characteristic landscape. Colors will be fielded tested using the actual distances from the KOPs to the proposed structures, using the proposed colors painted on representative surfaces; B. A list of each major Project structure, building, tank, pipe, and wall; the transmission line towers and/or poles; and fencing, specifying the color(s) and finish proposed for each. Colors must be identified by vendor, name, and pantone number; or according to a universal designation system; C. One set of color brochures or color chips showing each proposed color and finish; D. A specific schedule for completion of the treatment; and E. A procedure to ensure proper treatment maintenance for the life of the Project. The Project owner shall not specify to the vendors the treatment of any buildings or structures treated during manufacture or perform the final treatment on any buildings or structures treated in the field, until the Project owner receives notification of approval of the treatment plan by Riverside County and the BLM (gen-tie only). Subsequent modifications to the treatment plan are prohibited without the County's and BLM's approval for components under their respective authorities; however, the project owner may consider the agencies' failure to respond to a request for review within 60 days an acceptance of the proposal.
Responsible Party	Project Owner
Responsible Monitoring Party	Riverside County and BLM
Monitoring Phase/Timing	Prior to construction
Verification Approval Party	Riverside County and BLM
MITIGATION MEASURE	<p>MM AES-3: Project Design. To the extent possible, the Project owner will use proper design fundamentals to reduce the visual contrast to the characteristic landscape. These include proper siting and location; reduction of visibility; repetition of form, line, color and texture of the landscape; and reduction of unnecessary disturbance. Design strategies to address these fundamentals will be based on the following factors:</p> <ul style="list-style-type: none"> ▪ <i>Vegetation Manipulation:</i> Retain as much of the existing vegetation as possible. Use existing vegetation to screen the development from public viewing. Use scalloped, irregular cleared edges to reduce line contrast. Use irregular clearing shapes to reduce form contrast. Feather and thin the edges of cleared areas and retain a representative mix of plant species and sizes. ▪ <i>Structures:</i> Minimize the number of structures and combine different activities in one structure. Use natural, self-weathering materials and chemical treatments on surfaces to reduce color contrast. Bury all or part of structures to the extent practical. Use natural appearing forms to complement the characteristic landscape. Screen the structure from view by using natural land forms and vegetation. Reduce the line contrast created by straight edges.

Table O-1. Mitigation Monitoring and Reporting Program

	<ul style="list-style-type: none"> ▪ <i>Linear Alignments:</i> Use existing topography to hide induced changes associated with roads, lines, and other linear features. Select alignments that follow landscape contours. Avoid fall-line cuts. Hug vegetation lines. ▪ <i>Reclamation and Restoration:</i> Reduce the amount of disturbed area and blend the disturbed areas into the characteristic landscape. Where feasible, replace soil, brush, rocks, and natural debris over disturbed area. Newly introduced plant species should be of a form, color, and texture that blends with the landscape.
Responsible Party	Project Owner
Responsible Monitoring Party	Riverside County and BLM
Monitoring Phase/Timing	Prior to and during construction
Verification Approval Party	Riverside County and BLM
MITIGATION MEASURE	MM AES-4: Retention of Roadside Vegetation. Retain SR-177 roadside vegetation along both directions of travel. Specifically, maintain a minimum 50-foot natural vegetation buffer as measured from the outer edge of the road shoulder along both northbound and southbound lanes for the purpose of providing visual screening of Project facilities and reducing visible contrast.
Responsible Party	Project Owner
Responsible Monitoring Party	Riverside County and BLM
Monitoring Phase/Timing	During construction
Verification Approval Party	Riverside County and BLM
Air Quality	
MITIGATION MEASURE	<p>MM AQ-1: Fugitive Dust Control Plan. The Project owner would prepare and implement a Fugitive Dust Control Plan to address fugitive dust emissions during Project construction, operation, maintenance, and decommissioning. The plan would include measures to minimize fugitive dust emissions from development of laydown and staging areas, site grading, vegetation management, and installing all Project facilities through post-construction cleanup. The Project owner would take every reasonable precaution to prevent all airborne fugitive dust plumes from leaving the Project site and to prevent visible particulate matter from being deposited upon public roadways. The plan would be subject to review and approval by the SCAQMD (Rule 403).</p> <p>The following measures would be included within the plan:</p> <ul style="list-style-type: none"> ▪ During construction, all unpaved roads, disturbed areas (e.g., areas of scraping, excavation, backfilling, grading, and compacting), and loose materials generated during construction activities shall be stabilized with a non-toxic soil stabilizer or soil weighting agent or watered two times daily or as frequently as necessary to minimize fugitive dust generation. Non-water-based soil stabilizers shall be as efficient as or more efficient for fugitive dust control than ARB-approved soil stabilizers and shall not increase any other environmental impacts, including loss of vegetation, adverse odors, or emissions of ozone precursor reactive organic gases (ROG) or volatile organic compounds (VOC). ▪ The main access roads through the site shall be either paved or stabilized using soil binders, or equivalent methods, to provide a stabilized surface that is similar for the purposes of dust control to paving, that may or may not include a crushed rock (gravel or similar material with fines removed) top layer, prior to initiating construction. Delivery, laydown, and staging areas for construction or O&M supplies shall be paved or treated prior to taking initial deliveries. ▪ Grading and earthwork activities, including vegetation removal, cut and fill movement, and soil compacting, shall be phased across the site to minimize the amount of exposed or disturbed area on any single day. ▪ No vehicle shall exceed 15 miles per hour on unpaved areas within the construction site, with the exception that vehicles may travel up to 25 miles per hour on stabilized unpaved roads as long as such speeds do not create visible dust emissions. ▪ Visible speed limit signs shall be posted at the construction site entrances. ▪ All construction equipment vehicle tires shall be inspected and washed as necessary to be cleaned free of dirt prior to entering paved roadways.

Table O-1. Mitigation Monitoring and Reporting Program

	<ul style="list-style-type: none"> ▪ All unpaved exits from the construction site shall be graveled or treated to prevent track-out onto public roadways. ▪ All paved roads within the construction site shall be swept daily or as needed (less during periods of precipitation) on days when construction activity occurs to prevent the accumulation of dirt and debris. ▪ At least the first 500 feet of any paved public roadway exiting the construction site or exiting other unpaved roads to access the construction site or staging areas shall be swept as needed when dirt or runoff resulting from the construction activities is visible on the paved public roadway.
Responsible Party	Project Owner
Responsible Monitoring Party	SCAQMD and Riverside County
Monitoring Phase/Timing	Prior to and during construction
Verification Approval Party	SCAQMD
MITIGATION MEASURE	<p>MM AQ-2: Control On-Site Off-Road Equipment Emissions. The Project owner, when entering into construction contracts or when procuring off-road equipment or vehicles for on-site construction or O&M activities, shall ensure that only new model year equipment or vehicles are obtained. The following measures would be included with contract or procurement specifications:</p> <ul style="list-style-type: none"> ▪ All construction diesel engines not registered under California Air Resources Board's Statewide Portable Equipment Registration Program, with a rating of 50 hp or higher shall meet the Tier 4 California Emission Standards for Off-Road Compression-Ignition Engines, as specified in California Code of Regulations, Title 13, section 2423(b)(1), unless a good faith effort demonstrates that such engine is not available for a particular item of equipment. In the event that a Tier 4 engine is not available for any off-road equipment larger than 100 hp, a Tier 3 engine shall be used or that equipment shall be equipped with retrofit controls to reduce exhaust emissions of nitrogen oxides (NOx) and diesel particulate matter (DPM) to no more than Tier 3 levels unless certified by the engine manufacturers that the use of such devices is not practical for specific engine types. ▪ All diesel-fueled engines used in the construction of the facility shall have clearly visible tags showing that the engine meets the standards of this measure. ▪ All equipment and trucks used in the construction or O&M of the facility shall be properly maintained and the engines tuned to the engine manufacturer's specifications. ▪ All diesel heavy construction equipment shall not idle for more than five minutes. Vehicles that need to idle as part of their normal operation (such as concrete trucks) are exempted from this requirement.
Responsible Party	Project Owner
Responsible Monitoring Party	Riverside County
Monitoring Phase/Timing	Prior to and during construction; during operations
Verification Approval Party	Riverside County
MITIGATION MEASURE	<p>MM AQ-3: Require Newer Vehicles for On-Road Vendor and Hauling Trucks. The Project owner, when entering into construction contracts or when selecting vendors, shall specify that vendors and haulers use model year 2010 and newer diesel haul trucks (e.g., for material delivery trucks, water trucks, and other hauling trucks). If 2010 model year or newer diesel trucks cannot be obtained, the Project owner shall specify that vendors and haulers use trucks that meet EPA 2007 model year NOx emissions control requirements.</p>
Responsible Party	Project Owner
Responsible Monitoring Party	Riverside County
Monitoring Phase/Timing	Prior to and during construction
Verification Approval Party	Riverside County

Table O-1. Mitigation Monitoring and Reporting Program

MITIGATION MEASURE	MM AQ-4: Construction Activity Management Plan. The Project owner shall prepare and implement a construction activity or phasing plan that requires construction contractors to schedule the overlapping activities of on-road motor vehicles and off-road equipment to avoid excessive daily emissions. The activity management plan shall reflect the ultimate design of the solar facility and gen-tie line development timing, and shall reflect the anticipated make-up of the construction equipment fleet and workforce. The plan would need to reflect dust control practices (Mitigation Measure AQ-1), off-road equipment engine standards (Mitigation Measure AQ-2), and use of newer vehicles for vendor and hauling trucks (Mitigation Measure AQ-3). The plan shall be submitted to the County and accepted by the County prior to the County issuing final permits.
Responsible Party	Project Owner
Responsible Monitoring Party	Riverside County
Monitoring Phase/Timing	Prior to and during construction
Verification Approval Party	Riverside County

Biological Resources

MITIGATION MEASURE	APM B-1: Wildlife Relocation. The Applicant will prepare and implement a Wildlife Relocation Plan (POD Appendix M) to ensure that special-status wildlife species, including (but not limited to) desert tortoise, burrowing owl, and desert kit fox, are safely avoided or relocated off the Project site prior to construction. The Wildlife Relocation Plan will conform to USFWS guidelines for desert tortoise surveys, avoidance, and relocation, and to CDFW guidelines for burrowing owl and desert kit fox passive relocation, including scheduling to avoid disturbance to natal dens or burrows. The Wildlife Relocation Plan will specify methodology for pre-construction clearance surveys on the proposed solar fields and gen-tie routes; monitoring or tracking special-status species, burrows, or dens that may be located during the surveys; construction of off-site artificial burrows if needed; avoidance to allow for wildlife to safely move out of harm's way, or methods for localized "out of harm's way" desert tortoise relocation; passive relocation methods for burrowing owl or desert kit fox; qualifications of field personnel who may handle desert tortoises; and follow-up monitoring of translocated animals.
Responsible Party	Project Owner
Responsible Monitoring Party	Riverside County and BLM
Monitoring Phase/Timing	Prior to and during construction
Verification Approval Party	Riverside County and BLM

MITIGATION MEASURE	<p>MM BIO-1: Biological Monitoring. The Applicant will assign a Lead Biologist as the primary point of contact for the lead and resource agencies regarding biological resources mitigation and compliance. For desert tortoise protection measures (BIO-9, below), the Lead Biologist will serve as the Field Contact Representative (FCR). The Applicant will provide the resume of the proposed Lead Biologist to the County (as appropriate) for concurrence prior to onset of ground-disturbing activities. The Lead Biologist will have demonstrated expertise with the biological resources within the Project area. The Lead Biologist duties will vary during the construction, O&M, and decommissioning phases. In general, the duties will include, but will not be limited to those listed below:</p> <ul style="list-style-type: none"> ▪ Regular, direct communication with representatives of Riverside County, and other agencies, as appropriate. ▪ Train and supervise additional Biological Monitors to ensure that all biological monitoring activities are completed properly and according to schedules. Monitoring will include inspections of any area or activity that may impact biological resources to ensure compliance with all mitigation measures for biological resources. ▪ Conduct or oversee Worker Environmental Awareness Program (WEAP) training (Mitigation Measure BIO-2). ▪ Conduct or oversee clearance surveys and monitoring duties as defined in all adopted mitigation measures. ▪ Halt any activities in any area if it is determined that the activity, if continued, would cause an unauthorized adverse impact to biological resources.
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Table O-1. Mitigation Monitoring and Reporting Program

- Clearly mark sensitive biological resource areas during construction, O&M, and decommissioning, and inspect these areas at appropriate intervals for compliance with regulatory terms and conditions.
- Conduct or oversee bi-weekly compliance inspections during ground disturbing construction activities. Inspections will include delineating limits of disturbance, fence construction activities, pre-construction clearance surveys; and initial clearing, grubbing, and grading.
- Inspect or oversee daily inspection of active construction or O&M activity areas where animals may have become trapped. At the end of each work day, either inspect installation of structures that prevent entrapment or allow escape during periods of construction inactivity. Periodically inspect areas with high vehicle activity (e.g., parking lots) for animals in harm's way and relocate them if necessary.
- During the operations phase of the Project, conduct quarterly compliance inspections (fencing condition, trash management, wildlife mortality logs, etc.); conduct weed monitoring and control (according to the Integrated Weed Management Plan).
- Immediately notify the Applicant, County, and resource agencies (as applicable) in writing of dead or injured special-status species, or of any non-compliance with biological mitigation measures or permit conditions.
- During construction, provide weekly verbal or written updates to Riverside County, and, for any information pertinent to state or federal permits, to the BLM or resource agencies.
- During construction and O&M, prepare and submit monthly and annual compliance reports, respectively.

Responsible Party	Project Owner
Responsible Monitoring Party	Riverside County and BLM
Monitoring Phase/Timing	Prior to ground disturbance; during construction and operations
Verification Approval Party	Riverside County

Table O-1. Mitigation Monitoring and Reporting Program

MITIGATION MEASURE	<p>MM BIO-2: Worker Environmental Awareness Training. The Lead Biologist will prepare and implement a Worker Environmental Awareness Program (WEAP). The Applicant will be responsible for ensuring that all workers at the site receive WEAP training prior to beginning work on the Project and throughout construction and operations. The WEAP will be available in English and Spanish. The Applicant will submit the WEAP to Riverside County for approval prior to implementation. If the County does not respond to submittal of the draft Plan within 60 days, the Project owner may consider this a waiver of the County's authority to comment and the Plan may be considered approved. The WEAP will:</p> <ul style="list-style-type: none"> ▪ Be developed by or in consultation with the Designated Biologist and consist of an on-site or training center presentation with supporting written material and electronic media, including photographs of protected species, available to all participants. ▪ Provide an explanation of the function of flagging that designates authorized work areas; specify the prohibition of soil disturbance or vehicle travel outside designated areas. ▪ Discuss general safety protocols such as vehicle speed limits, hazardous substance spill prevention and containment measures, and fire prevention and protection measures. ▪ Review mitigation and biological permit requirements. ▪ Explain the sensitivity of the vegetation and habitat within and adjacent to work areas, and proper identification of these resources. ▪ Discuss the federal and State Endangered Species Acts, Bald and Golden Eagle Protection Act, and the Migratory Bird Treaty Act and the consequences of non-compliance with these acts. ▪ Discuss the locations and types of sensitive biological resources on the Project site and adjacent areas and explain the reasons for protecting these resources. ▪ Inform participants that no snakes, other reptiles, birds, bats, or any other wildlife will be harmed or harassed. ▪ Place special emphasis on species that may occur on the Project site and/or gen-tie lines, including special-status plants, desert tortoise, Mojave fringe-toed lizard, burrowing owl, golden eagle, nesting birds, desert kit fox, American badger, and burro deer. ▪ Specify guidelines for avoiding rattlesnakes and reporting rattlesnake observations to ensure worker safety and avoid killing or injuring rattlesnakes. Wherever feasible, rattlesnakes should be safely removed from the work area using appropriate snake handling equipment, including a secure storage container for transport. ▪ Describe workers' responsibilities for avoiding the introduction of invasive weeds onto the Project site and surrounding areas, describe the Integrated Weed Management Plan. ▪ Provide contact information for the Lead Biologist and instructions for notification of any vehicle-wildlife collisions or dead or injured wildlife species encountered during Project-related activities; ▪ Include a training acknowledgment form to be signed by each worker indicating that they received training and will abide by the guidelines.
Responsible Party	Project Owner
Responsible Monitoring Party	Riverside County
Monitoring Phase/Timing	Prior to beginning work on the project and throughout construction and operations
Verification Approval Party	Riverside County

Table O-1. Mitigation Monitoring and Reporting Program

MITIGATION MEASURE	<p>MM BIO-3: Minimization of Vegetation and Habitat Impacts. Prior to ground-disturbing activities, work areas (including, but not limited to, staging areas, access roads, and sites for temporary placement of construction materials and spoils) will be delineated with construction fencing (e.g., the common orange vinyl material) or staking to clearly identify the limits of work and will be verified by the Lead Biologist. No paint or permanent discoloring agents shall be applied to rocks or vegetation (to indicate surveyor construction activity limits or for any other purpose). Fencing/staking will remain in place for the duration of construction. Spoils will be stockpiled in disturbed areas. All disturbances, vehicles, and equipment will be confined to the fenced/flagged areas.</p> <p>When feasible, construction activities will minimize soil and vegetation disturbance to minimize impacts to soil and root systems. Upon completion of construction activities in any given area, all unused materials, equipment, staking and flagging, and refuse shall be removed and properly disposed of, including wrapping material, cables, cords, wire, boxes, rope, broken equipment parts, twine, strapping, buckets, and metal or plastic containers. Any unused or leftover hazardous products shall be properly disposed of offsite.</p> <p>Hazardous materials will be handled and spills or leaks will be promptly corrected and cleaned up according to applicable requirements. Vehicles will be properly maintained to prevent spills or leaks. Hazardous materials, including motor oil, fuel, antifreeze, hydraulic fluid, grease, will not be allowed to enter drainage channels.</p>
Responsible Party	Project Owner
Responsible Monitoring Party	Riverside County
Monitoring Phase/Timing	Prior to ground disturbance and during construction
Verification Approval Party	Riverside County
MITIGATION MEASURE	<p>MM BIO-4: Integrated Weed Management Plan. The Applicant will prepare and implement an Integrated Weed Management Plan (IWMP) to minimize or prevent invasive weeds from infesting the site or spreading into surrounding habitat. Riverside County and the BLM (for gen-tie segments on BLM lands) must approve the plan. If the County does not respond to submittal of the draft IWMP within 60 days, the Project owner may consider this a waiver of the County’s authority to comment and the Plan may be considered approved. The IWMP will identify weed species occurring or potentially occurring in the Project area, means to prevent their introduction or spread (e.g., vehicle cleaning and inspections), monitoring methods to identify infestations, and timely implementation of manual or chemical (as appropriate) suppression and containment measures to control or eradicate invasive weeds. The IWMP will identify herbicides that may be used for control or eradication, and avoid herbicide use in or around any environmentally sensitive areas. The IWMP will also include a reporting schedule, to be implemented by the Lead Biologist.</p>
Responsible Party	Project Owner
Responsible Monitoring Party	Riverside County and BLM
Monitoring Phase/Timing	Prior to ground disturbance and during construction, operation, maintenance, and decommissioning
Verification Approval Party	Riverside County and BLM
MITIGATION MEASURE	<p>MM BIO-5: Vegetation Resources Management Plan. The Applicant will prepare and implement a Vegetation Resources Management Plan, to be reviewed and approved by Riverside County. If the County does not respond to submittal of the draft Plan within 60 days, the Project owner may consider this a waiver of the County’s authority to comment and the Plan may be considered approved. The goal will be to prevent further degradation of areas that may be temporarily disturbed by Project activities, but not to restore pre-disturbance habitat values (those impacts are mitigated through off-site compensation). The Vegetation Resources Management Plan will detail the methods to revegetate temporarily impacted sites; salvage cacti from the Project footprint; and long-term vegetation management within the solar facility during its operations.</p> <ul style="list-style-type: none"> ▪ <i>Revegetation of temporarily impacted sites.</i> The Plan will specify methods to prevent or minimize further site degradation; stabilize soils; maximize the likelihood of vegetation recovery over time (for areas supporting native vegetation); and minimize soil erosion, dust generation, and weed invasions. The nature of revegetation will differ according to each site, its pre-disturbance condition, and the nature of the construction disturbance (e.g., drive and crush, vs. blading). The Plan will include: (a) soil preparation measures, including locations of recontouring, decompacting, imprinting, or other treatments; (b) details for topsoil storage, as applicable; (c) plant material collection and acquisition guidelines, including guidelines for salvaging, storing, and handling plants from the Project site, as well as obtaining replacement plants

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	<p>from outside the Project area (plant materials will be limited to locally occurring native species from local sources); (d) a plan drawing or schematic depicting the temporary disturbance areas (drawing of “typical” gen-tie structure sites will be appropriate); (e) time of year that the planting or seeding will occur and the methodology of the planting; (f) a description of the irrigation, if used; (g) success criteria; and (h) a monitoring program to measure the success criteria, commensurate with the Plan’s goals, (i) contingency measures for failed revegetation efforts not meeting success criteria. For temporary disturbance on BLM lands, any specific BLM requirements would supersede this measure.</p> <ul style="list-style-type: none"> ▪ <i>Cactus Salvage</i>. In conformance with BLM policy, the Applicant will include salvaged or nursery stock yuccas (all species), and cacti (excluding cholla species, genus <i>Cylindropuntia</i>), in revegetation plans and implementation affecting BLM lands. The Plan will include methods to salvage and replant cacti and yucca, species found on the site; season for salvaging the plants; methods for salvage, storage, and re-planting them; locations for re-planting; and appropriate monitoring and success criteria for the salvage work. ▪ <i>Operations Phase On-Site Vegetation Management</i>: The Plan will include methods and scheduling for on-site vegetation management throughout the operations phase, describing mowing or other vegetation treatments to be implemented, disposal of mown material, and incorporating all applicable components of the Integrated Weed Management Plan, including any proposed herbicide usage.
Responsible Party	Project Owner
Responsible Monitoring Party	Riverside County and BLM
Monitoring Phase/Timing	Prior to ground disturbance and during construction and operation
Verification Approval Party	Riverside County
MITIGATION MEASURE	<p>MM BIO-6: Compensation for Natural Habitat Impacts on County-administered Land. The Applicant will acquire and protect, in perpetuity, compensation habitat to offset loss of natural habitat on County-administered lands on the Project site. No compensation would be required for impacts to anthropogenic land use or recovering areas. The acreages and ratios will be based upon final calculation of impacted acreage and thus would be less for the Reduced Project Alternative than the proposed Project. Acreages will be adjusted as appropriate for other alternatives or future modifications during implementation. To the extent that Sonoran creosote bush scrub may substantially recover from drive and crush site preparation, total impact acreage will be reduced.</p> <p>Compensation will be provided for impacts to the following resources, at the specified ratios (acres acquired and preserved to acres impacted):</p> <ul style="list-style-type: none"> ▪ Desert dry wash woodland: 3:1 ▪ Sonoran creosote bush scrub: 0.5:1 <p>Criteria for the acquisition, initial protection and habitat improvement, and long-term maintenance and management of compensation lands will include all the following: Provide habitat value that is comparable to the habitat impacted, taking into consideration soils, vegetation, topography, human-related disturbance, invasive species, wildlife movement opportunity, proximity to other protected lands, management feasibility, and other habitat values. The primary focus area for acquiring parcels to maintain/improve connectivity will be along the I-10 corridor between Desert Center and Cactus City with a priority on parcels that connect conserved lands on either side of the I-10 through large culverts or bridges. Mitigation may be “nested” or “layered,” to the extent that it meets habitat requirements for multiple species that will or may be impacted by the Project.</p> <p>The Applicant shall provide funding or bonding for the acquisition in fee title or in easement, initial habitat improvements and long-term maintenance and management of the compensation lands prior to construction activities on native habitat. Within 18 months of completing construction, the Applicant or an approved third party will prepare a Compensation Plan, identifying the proposed compensation lands, and specifying the land ownership, conservation easement terms, long-term management, and responsibility for funding or endowment. The Compensation Plan will be submitted for review and approval to Riverside County. The County will consult with CDFW or another land manager in its review of the Compensation Plan to ensure that the mitigation will support any permits and authorizations to be issued by CDFW.</p>
COMPLETED	
Responsible Party	Project Owner
Responsible Monitoring Party	Riverside County
Monitoring Phase/Timing	Prior to ground disturbance

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Verification Approval Party	Riverside County
MITIGATION MEASURE	<p>MM BIO-7: Emory’s Crucifixion Thorn Mitigation. The Applicant will mitigate impacts to Emory’s crucifixion thorn (CRPR 2) through one or a combination of the following strategies.</p> <ul style="list-style-type: none"> ▪ <i>Avoidance.</i> Project design will avoid at minimum 75 percent of the Emory’s crucifixion thorn occurrences within the Project boundaries or other work areas, including the gen-tie line, as identified in the BRTR and recorded in accompanying GPS data and will provide a minimum 100-foot buffer area surrounding each avoided occurrence, where no Project activities will take place. ▪ <i>Off-site compensation.</i> The Applicant will provide compensation lands consisting of occupied Emory’s crucifixion thorn habitat at a 1:1 ratio for any occupied habitat affected by the Project, according to the terms described in MM BIO-6 (Compensation for Natural Habitat Impacts). Occupied habitat will be calculated on the Project site and on the compensation lands as including each special status plant occurrence and a surrounding 100-foot buffer area. Off-site compensation will be incorporated into the Project’s Habitat Compensation Plan, for review and approval by Riverside County. Mitigation may be “nested” or “layered,” to the extent that it meets habitat requirements for multiple species that will or may be impacted by the Project. ▪ <i>Salvage.</i> The Applicant will consult with Rancho Santa Ana Botanic Garden (RSABG) regarding the success of salvage efforts for this species at the Desert Sunlight Solar Farm Project site. If the strategy has been shown to be feasible, then the Applicant will prepare and implement an Emory’s Crucifixion Thorn Salvage and Relocation Plan, to be reviewed and approved by Riverside County prior to disturbance of any occupied Emory’s crucifixion thorn habitat. Emory’s crucifixion thorn on private lands may also be subject to the provisions of the California Desert Native Plants Act. The Applicant will contract with RSABG or another entity with comparable experience and qualifications, to salvage at minimum 75 percent of Emory’s crucifixion thorn individuals from the proposed Project site and transfer them to a suitable off-site location. ▪ <i>Horticultural propagation and off-site introduction.</i> If salvage and relocation is not believed to be feasible for Emory’s crucifixion thorn, then the Applicant will consult with RSABG or another qualified entity, to develop and implement an appropriate experimental propagation and relocation strategy.
Responsible Party	Project Owner
Responsible Monitoring Party	Riverside County
Monitoring Phase/Timing	Prior to ground disturbance
Verification Approval Party	Riverside County
MITIGATION MEASURE	<p>MM BIO-8: Wildlife Protection. The Applicant shall undertake the following measures during construction and O&M to avoid or minimize impacts to wildlife. Implementation of all measures shall be subject to review and approval by Riverside County.</p> <ul style="list-style-type: none"> ▪ <i>Wildlife avoidance.</i> Wherever feasible, Project activities will avoid interference with wildlife (include ground-dwelling species, birds, bats) by allowing animals to escape from a work site prior to disturbance; conducting pre-construction surveys and exclusion measures for certain species as specified in other measures; checking existing structures (homes, trailers, etc.) for animals such as bats, barn owls, skunks, or snakes that may be present, and safely excluding them prior to removing the structures. ▪ <i>Minimize traffic impacts.</i> The Applicant will specify and enforce maximum vehicle speed limits as specified in the Traffic Control Plan, to minimize risk of wildlife collisions and fugitive dust. ▪ <i>Minimize lighting impacts.</i> Night lighting, when in use, shall be designed, installed, and maintained to prevent side casting of light towards surrounding fish or wildlife habitat. ▪ <i>Avoid use of toxic substances.</i> Soil bonding and weighting agents used for dust suppression on unpaved surfaces shall be non-toxic to wildlife and plants. ▪ <i>Minimize noise and vibration impacts.</i> The Applicant will conform to noise requirements specified in the noise analysis of this EIR to minimize noise to offsite habitat. ▪ <i>Water.</i> Potable and non-potable water sources such as tanks, ponds, and pipes shall be covered or otherwise secured to prevent animals (including birds) from entering. Prevention methods may include storing water within closed tanks or covering open tanks with 2-centimeter netting. Dust abatement will use the minimum amount of water on dirt roads and construction areas to meet safety and air quality standards. Water sources (e.g., hydrants, tanks, etc.) shall be checked periodically by biological monitors to ensure they do not create puddles.

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- *Trash.* All trash and food-related waste shall be contained in vehicles or covered trash containers inaccessible to ravens, coyotes, or other wildlife and removed from the site regularly.
- *Workers.* Workers shall not feed wildlife or bring pets to the Project site. Except for law enforcement personnel, no workers or visitors to the site shall bring firearms or weapons.
- *Wildlife netting or exclusion fencing.* The Applicant may install temporary or permanent netting or fencing around equipment, work areas, or Project facilities to prevent wildlife exposure to hazards such as toxic materials or vehicle strikes, or prevent birds from nesting on equipment or facilities. Bird deterrent netting will be maintained free of holes and will be deployed and secured on the equipment in a manner that, insofar as possible, prevents wildlife from becoming trapped inside the netted area or within the excess netting. The biological monitor will inspect netting (if installed) twice daily, at the beginning and close of each work day. The biological monitor will inspect exclusion fence (if installed) weekly.
- *Wildlife entrapment.* Project-related excavations shall be secured to prevent wildlife entry and entrapment. Holes and trenches shall be backfilled, securely covered, or fenced. Excavations that cannot be fully secured shall incorporate wildlife ramp or other means to allow trapped animals to escape. At the end of each work day, a biological monitor shall ensure that excavations have been secured or provided with appropriate means for wildlife escape.
- *All pipes or other construction materials or supplies* will be covered or capped in storage or laydown areas. No pipes or tubing will be left open either temporarily or permanently, except during use or installation. Any construction pipe, culvert, or other hollow materials will be inspected for wildlife before it is moved, buried, or capped.
- *Dead or injured wildlife* will be reported to CDFW or the local animal control agency, as appropriate (special-status species must be reported to CDFW). A biological monitor shall safely move the carcass out of the road or work area if needed and dispose of the animal as directed by the agency. If an animal is entrapped, a biological monitor shall free the animal if feasible, or work with construction crews to free it, in compliance with safety requirements, or work with animal control or CDFW to resolve the situation.
- *Pest control.* No anticoagulant rodenticides, such as Warfarin and related compounds (indandiones and hydroxycoumarins), may be used within the project site, on off-site project facilities and activities, or in support of any other project activities.

Responsible Party	Project Owner
Responsible Monitoring Party	Riverside County and CDFW
Monitoring Phase/Timing	During construction, operation, and maintenance
Verification Approval Party	Riverside County

MITIGATION MEASURE **MM BIO-9: Desert Tortoise Protection.** No desert tortoise may be handled or relocated without authorization from USFWS and CDFW. The Applicant may seek incidental take authorization from both agencies to handle or translocate desert tortoise. If incidental take authorization is obtained, then desert tortoises would be handled or translocated according to a Wildlife Relocation Plan, to be prepared as specified in APM B-1 (Wildlife Relocation), pending approval by both agencies. If incidental take authorization is not obtained, desert tortoises would not be handled or translocated.

The Applicant will employ a biologist who is qualified to conduct desert tortoise clearance surveys (qualified biologist), who will be on-site during all construction. Additionally, the Applicant will designate a Lead Biologist as the Field Contact Representative (FCR) for purposes of the desert tortoise protection measures identified below.

The qualified biologists may be the Project’s Lead Biologist, a biological monitor, or another individual. The qualified biologist’s qualifications will be subject to review and approval by Riverside County. Qualifications may include work as a compliance monitor on a project in desert tortoise habitat, work on desert tortoise trend plot or transect surveys, conducting surveys for desert tortoise, or other research or field work on desert tortoise. Attendance at a training course endorsed by the agencies (e.g., Desert Tortoise Council tortoise training workshop) is a supporting qualification.

The qualified biologist shall conduct pre-construction clearance surveys for each work area, watch for tortoises wandering into the construction areas, check under vehicles, and examine excavations and other potential pitfalls for entrapped animals. The qualified biologist will be responsible for overseeing compliance with desert tortoise protective measures and for coordination with the Project’s Lead Biologist/FCR (described below). The qualified biologist shall have the authority to halt all Project activities that are in violation of these measures or that may result in take of a desert tortoise. The qualified biologist will not handle

Table O-1. Mitigation Monitoring and Reporting Program

or relocate desert tortoises unless specifically authorized by the USFWS and CDFW. Any incident that is considered by the qualified biologist to be in noncompliance with these measures will be documented immediately by the qualified biologist.

The FCR will be responsible for overseeing compliance with desert tortoise protective measures and for coordination with resource agencies. The FCR will have the authority to halt any Project activities that may risk take of a desert tortoise or that may be inconsistent with adopted mitigation measures or permit conditions. Neither the FCR nor any other Project employee may bar or limit any communications between any Natural Resource Agency or The County of Riverside Environmental Programs Division and any Project biologist, biological monitor or contracted biologist. Upon notification by the qualified biologist or another biological monitor of any noncompliance the FCR will ensure that appropriate corrective action is taken. Corrective actions will be documented by the qualified biologist. The following incidents will require immediate cessation of any Project activities that could harm a desert tortoise: (1) location of a desert tortoise within a work area; (2) imminent threat of injury or death to a desert tortoise; (3) unauthorized handling of a desert tortoise, regardless of intent; (4) operation of construction equipment or vehicles outside a Project area cleared of desert tortoise, except on designated roads; and (5) conducting any construction activity without a biological monitor where one is required.

The Applicant will be responsible for implementing the following requirements, under direction by the qualified biologist and FCR where appropriate.

- *Preconstruction Clearance Survey.* Transects will be spaced 15 feet apart. Clearance will be considered complete after two successive 100-percent coverage surveys have been conducted without finding any desert tortoises. Clearance surveys must be conducted during the active season for desert tortoises (April through May or September through October). If a tortoise or an occupied tortoise burrow is located during clearance surveys, work activities will only proceed at the site and within a suitable buffer area after the tortoise has either moved away of its own accord, or if it has been translocated off the site under authorization by the USFWS and CDFW.
- *Worker Training:* The following specifications will be incorporated into the WEAP training, identified in Mitigation Measure BIO-2. Prior to the onset of construction activities, a desert tortoise education program will be presented by the FCR or qualified biologist to all personnel who will be present on Project work areas. Following the onset of construction, any new employee will be required to formally complete the tortoise education program prior to working on-site. At a minimum, the tortoise education program will cover the following topics:
 - A detailed description of the desert tortoise, including color photographs;
 - The distribution and general behavior of the desert tortoise;
 - Sensitivity of the species to human activities;
 - The protection the desert tortoise receives under the state and federal Endangered Species Acts, including prohibitions and penalties incurred for violation;
 - The protective measures being implemented to conserve the desert tortoise during construction activities; and
 - Procedures and a point of contact if a desert tortoise is observed on-site.
- *Construction phase tortoise exclusion fencing.* Prior to construction of solar facilities, temporary or permanent desert tortoise exclusion fencing will be installed around the work areas. The fence will adhere to USFWS design guidelines, where applicable. The qualified biologist will conduct a clearance survey before the tortoise fence is enclosed to ensure no tortoises are in the work area. Any potentially occupied burrows will be avoided until monitoring or field observations (e.g., with a motion-activated camera or fiber-optic mounted video camera) determines absence. If live tortoises or an occupied tortoise burrow are identified in the work area, tortoises shall be relocated under authorization by USFWS and CDFW or allowed to leave on their own accord before enclosing the fence. The fence shall be either continuously monitored prior to closure, or clearance surveys shall be repeated prior to closure after tortoises are removed. Once installed, exclusion fencing will be inspected at least monthly and following all rain events, and corrective action taken if needed to maintain it. Fencing around each work area will include a "cattle guard" or desert tortoise exclusion gate at each entry point. This gate will remain closed at all times, except when vehicles are entering or leaving the Project area. If it is deemed necessary to leave the gate open for extended periods of time (e.g., during high traffic periods), the gate may be left open as long as a qualified biologist is present to monitor for tortoise activity in the vicinity.
- *Unfenced work areas.* As an alternative to exclusion fencing, any work conducted in an area that is not fenced to exclude desert tortoises must be monitored by a qualified biologist who will stop work if a

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	<p>tortoise enters the work area. Work activities will only proceed at the site and within a suitable buffer area after the tortoise has either moved away of its own accord, or if it has been translocated off the site under authorization by the USFWS and CDFW. Work sites with potential hazards to desert tortoise (e.g., auger holes, steep-sided depressions) that are outside of the desert tortoise exclusion fencing will be fenced by installing exclusionary fencing, or not left unfilled overnight.</p> <ul style="list-style-type: none"> ▪ <i>Operation phase tortoise monitoring or exclusion.</i> At the Applicant’s discretion, and in consultation with resource agencies, permanent desert tortoise exclusion fencing may be installed around each solar facility site, or the Applicant may prepare and implement a monitoring and avoidance program to ensure no take of desert tortoise during O&M, while allowing wildlife (possibly including desert tortoise) to move through the facilities uninjured. ▪ <i>Tortoises under vehicles.</i> The ground beneath vehicles parked outside of desert tortoise exclusion fencing will be inspected immediately prior to the vehicle being moved. If a tortoise is found beneath a vehicle, the vehicle will not be moved until the desert tortoise leaves of its own accord. ▪ <i>Tortoises on roads.</i> If a tortoise is observed on or near the road accessing a work area, vehicles will stop to allow the tortoise to move off the road on its own. ▪ <i>Tortoise Observations.</i> Any time a tortoise is observed within or near a work site, Project work activities will only proceed at the site and within a suitable buffer area after the tortoise has either moved away of its own accord, or if it has been translocated off the site under authorization by the USFWS and CDFW. If a tortoise is observed outside of exclusion fencing, construction will stop and the tortoise shall be allowed to move out of the area on its own. If a tortoise or tortoise burrow is observed within the exclusion fencing, construction in the vicinity will stop, pending translocation of the tortoise or other action as authorized by USFWS and CDFW. ▪ <i>Dead or Injured Specimens.</i> Upon locating a dead or injured tortoise, the Applicant or its agent will immediately notify the Palm Springs Fish and Wildlife Office by telephone within three days of the finding. Written notification must be made within five days of the finding, both to the appropriate USFWS field office and to the USFWS’s Division of Law Enforcement. The information provided must include the date and time of the finding or incident (if known), location of the carcass or injured animal, a photograph, cause of death, if known, and other pertinent information.
Responsible Party	Project Owner
Responsible Monitoring Party	USFWS, CDFW, and Riverside County
Monitoring Phase/Timing	Prior to construction and during construction, operation, and maintenance
Verification Approval Party	USFWS, CDFW, and Riverside County
MITIGATION MEASURE	<p>MM BIO-10: Desert Kit Fox and American Badger Relocation. This measure supplements APM B-1 (Wildlife Relocation) by specifying further detail regarding desert kit fox and American badger avoidance and passive relocation. Under direction of the Lead Biologist, biological monitors shall conduct pre-construction surveys for desert kit fox and American badger no more than 30 days prior to initiation of construction activities. Surveys shall also consider the potential presence of dens within 100 feet of the Project boundary (including utility corridors and access roads) and shall be performed for each phase of construction. If dens are detected each den shall then be further classified as inactive, potentially active, or definitely active. Inactive dens directly impacted by construction activities shall be excavated by hand and backfilled to prevent reuse. Potentially active dens directly impacted by construction activities shall be monitored by the Biological Monitor for three consecutive nights using a tracking medium such as diatomaceous medium or fire clay and/or infrared camera stations at the entrance. If no tracks are observed in the tracking medium or no photos of the target species are captured after three nights, the den shall be excavated and backfilled by hand. If tracks are observed, dens shall be fitted with the one-way trap doors to encourage animals to move off-site. After 48 hours post installation, the den shall be excavated by hand and collapsed. Dens shall be collapsed prior to construction of the perimeter fence, to allow animals the opportunity to move off-site without impediment. If an active natal den is detected on the site, the CDFW shall be contacted within 24 hours. The course of action would depend on the age of the pups, location of the den site, status of the perimeter fence, and the pending construction activities proposed near the den. A 500-foot no disturbance buffer shall be maintained around all active dens. Alternatively, a designated biologist authorized by CDFW shall trap and remove animals from occupied dens and move them off-site into appropriate habitat. Additionally, the following measures are required to minimize the likelihood of distemper transmission:</p>

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	<ul style="list-style-type: none"> ▪ Any kit fox hazing activities that include the use of animal repellents such as coyote urine must be cleared through the CDFW prior to use; and ▪ Any documented kit fox mortality shall be reported to the CDFW within 24 hours of identification. If a dead kit fox is observed, it shall be retained and protected from scavengers until the CDFW determines if the collection of necropsy samples is justified.
Responsible Party	Project Owner
Responsible Monitoring Party	Riverside County and CDFW
Monitoring Phase/Timing	No more than 30 days prior to initiation of construction activities and during construction
Verification Approval Party	Riverside County and CDFW
MITIGATION MEASURE	MM BIO-11: Wildlife Water Source. The Applicant will coordinate with the County, BLM, CDFW, and USFWS to offset potential Project impacts to burro deer and other wildlife resulting from loss of existing irrigation water supplies at Parcel Group G. In coordination with the agencies, the Applicant will support replacement, repairs, maintenance, or monitoring of existing wildlife water sources in the Project vicinity; support access improvements to existing sources; support removal of invasive tamarisk (or saltcedar) from natural water sources (to improve surface flow); or provide an alternative water source as a replacement or supplement to existing sources.
COMPLETED	
Responsible Party	Project Owner
Responsible Monitoring Party	Riverside County, BLM, CDFW, and USFWS
Monitoring Phase/Timing	Prior to ground disturbance and during construction, operation, maintenance, and decommissioning
Verification Approval Party	Riverside County, BLM, CDFW, and USFWS
MITIGATION MEASURE	MM BIO-12: Bird and Bat Conservation Strategy (BBCS). The Applicant will prepare and implement a Bird and Bat Conservation Strategy to avoid or minimize take of migratory birds that may nest on the site or may be vulnerable to collision with Project components. The BBCS will identify potential hazards to birds during construction and O&M phases of the Project and specify measures to recognize, minimize, or avoid those hazards. The BBCS will articulate the Applicant's commitment to reduce risk to birds and bats. Over the course of construction and O&M, progress and challenges that are encountered may necessitate review or revision of the BBCS, on mutual agreement among the Applicant and County. The initial goals of the BBCS are to: <ul style="list-style-type: none"> ▪ Provide an organized and cost-effective framework for compliance with State and federal laws protecting birds ▪ Specify record keeping, reporting, and communication procedures to document compliance with the terms of the BBCS ▪ Foster a sense of stewardship with the Applicant and on-site staff <p>Construction. Pre-construction surveys for active nests will be conducted by one or more qualified biologists at the direction of the Project Lead Biologist. The biologists' qualifications will be subject to review and approval by Riverside County. Nest surveys will be conducted for all Project activities throughout the nesting season, identified here as beginning January 1 for raptors and hummingbirds and February 1 for other species, and continuing through August 15. Nest surveys will be completed at each work site no more than 7 days prior to initiation of site preparation or construction activities. Nest surveys will cover all work sites, including the solar facility and gen-tie, and adjacent off-site habitat areas of 1,200 feet for raptors and 250 feet for other species. If adjacent properties are not accessible to the field biologists, the off-site nest surveys may be conducted with binoculars.</p> <p>At each active nest, the qualified biologist will establish and mark a buffer area surrounding the nest where construction activities that could disrupt nesting behavior will be excluded. The BBCS may identify species-specific buffer distances or variable distances, depending on activity levels (e.g., driving past the nest to access work sites may be less disruptive than foundation construction). Alternately, buffer distances will be 1,200 feet for raptor nests and 250 feet for other species. The extent of nest protection will be based on proposed construction activities, species, human activities already underway when the nest is initiated (e.g., a house finch nest built in the eaves of an occupied structure would warrant less avoidance or protection than a loggerhead shrike nest build in native shrubland), topography, vegetation cover, and other factors. The avoidance and protection measures will remain in effect until the nest is no longer active.</p>

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	<p>If for any reason a bird nest must be removed during the nesting season, the Applicant or its agent will notify the CDFW and USFWS and retain written documentation of the correspondence. Nests would be removed only if they are inactive, or if an active nest presents a hazard.</p> <p>Operation and Maintenance. The BBCS will specify monitoring and conservation measures to be implemented by the Applicant to document bird mortality that may result from bird injury or mortality caused by collision with Project components, including gen-tie line collisions. The BBCS will include:</p> <ul style="list-style-type: none"> ▪ A statement of the Applicant's understanding of the importance of bird and bat safety and management's commitment to remain in compliance with relevant laws ▪ Documentation of conservation measures to be implemented through design and operations to minimize bird and bat fatalities at the solar facilities and gen-tie line ▪ Consistent, practical and up-to-date direction to O&M staff on how to avoid, reduce, and monitor bird and bat fatalities ▪ A 3-year O&M monitoring and reporting program for potential bird and bat fatalities ▪ Identification of fatality thresholds that, if surpassed, would trigger adaptive management measures such as changes to Project O&M ▪ An adaptive management framework to be applied if thresholds are surpassed
Responsible Party	Project Owner
Responsible Monitoring Party	Riverside County, CDFW, and USFWS
Monitoring Phase/Timing	Prior to construction and during construction, operation, and maintenance
Verification Approval Party	Riverside County
MITIGATION MEASURE	<p>MM BIO-13: Burrowing Owl Avoidance and Relocation: This measure supplements APM B-1 (Wildlife Relocation) by specifying further detail regarding burrowing owl. Burrowing owl protection and relocation will incorporate the following requirements:</p> <ul style="list-style-type: none"> ▪ Pre-construction surveys for burrowing owls, possible burrows, and sign of owls (e.g., pellets, feathers, white wash) will be conducted throughout each work area no more than 14 days prior to construction. ▪ Should any of the pre-construction surveys identify burrowing owl or active burrows within the solar facility, the Lead Biologist will coordinate with the Construction Contractor to implement avoidance and set-back distances. Disturbance of owls or occupied burrows during the breeding season (February 1 through August 31) will not be permitted. ▪ Any unoccupied suitable burrows within the solar facility footprint will be excavated and filled in under the supervision of the Lead Biologist prior to site preparation. ▪ The Plan will specify detailed methods for passive relocation of burrowing owls if needed and monitoring and management of the passive relocation including a three-year monitoring program.
Responsible Party	Project Owner
Responsible Monitoring Party	Riverside County
Monitoring Phase/Timing	Prior to construction
Verification Approval Party	Riverside County
MITIGATION MEASURE	<p>MM BIO-14: Gen-tie lines. Gen-tie line support structures and other facility structures shall be designed in compliance with current standards and practices to discourage their use by raptors for perching or nesting (e.g., by use of anti-perching devices). This design would also reduce the potential for increased predation of special-status species, such as the desert tortoise. Mechanisms to visually warn birds (permanent markers or bird flight diverters) shall be placed on gen-tie lines at regular intervals to prevent birds from colliding with the lines (APLIC, 2006). To the extent practicable, the use of guy wires shall be avoided because they pose a collision hazard for birds and bats. Necessary guy wires shall be clearly marked with bird flight diverters to reduce the probability of collision. Shield wires shall be marked with devices that have been scientifically tested and found to significantly reduce the potential for bird collisions. Gen-tie lines shall maintain sufficient distance between all conductors and grounded components to prevent potential for electrocution of the largest birds that may occur in the area (e.g., golden eagle and turkey vulture). They shall utilize non-specular conductors and non-reflective coatings on insulators.</p>

NOT APPLICABLE

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Responsible Party	Project Owner
Responsible Monitoring Party	Riverside County and BLM
Monitoring Phase/Timing	Prior to and during construction
Verification Approval Party	Riverside County and BLM

MITIGATION MEASURE **MM BIO-15: Streambed and Watershed Protection.** Prior to ground-disturbing activities in jurisdictional waters of the state, the Applicant will obtain a Streambed Alteration Agreement from the CDFW and applicable authorization (if any) from the Regional Water Quality Control Board. The Applicant will implement Best Management Practices (BMPs) identified below to minimize adverse impacts to streambeds and watersheds.

- Vehicles and equipment will not be operated in ponded or flowing water except as specified by resource agencies.
- The Applicant will minimize road building, construction activities, and vegetation clearing within ephemeral drainages to the extent feasible.
- The Applicant will prevent water containing mud, silt, or other pollutants from grading or other activities from entering ephemeral drainages or being placed in locations that may be subjected to high storm flows.
- Spoil sites will not be located within 30 feet from the boundaries of drainages or in locations that may be subjected to high storm flows, where spoils might be washed back into drainages.
- Raw cement/concrete or washings thereof, asphalt, paint or other coating material, oil or other petroleum products, or any other substances that could be hazardous to vegetation or wildlife resources, resulting from Project-related activities, will be prevented from contaminating the soil and/or entering ephemeral drainages. The Applicant shall ensure that safety precautions specified by this measure, as well as all other safety requirements of other measures and permit conditions are followed during all phases of the Project.
- When operations are completed, any excess materials or debris will be removed from the work area. No rubbish will be deposited within 150 feet of the high-water mark of any drainage during construction, operation, and decommissioning the Project.
- No equipment maintenance will occur within 150 feet of any category 3, 4, or 5 streambed or any streambed greater than 10 feet wide and no petroleum products or other pollutants from the equipment will be allowed to enter these areas or enter any off-site state-jurisdictional waters under any flow.
- With the exception of the drainage control system installed for the Project, the installation of bridges, culverts, or other structures will be such that water flow (velocity and low flow channel width) is not impaired. Bottoms of temporary culverts will be placed at or below stream channel grade.
- No broken concrete, debris, soil, silt, sand, bark, slash, sawdust, rubbish, or other organic or earthen material from any construction or associated activity of whatever nature will be allowed to enter into, or be placed where it may be washed by rainfall or runoff into, off-site state-jurisdictional waters.
- Stationary equipment such as motors, pumps, generators, and welders located within or adjacent to a drainage will be positioned over drip pans. Stationary heavy equipment will have suitable containment to handle a catastrophic spill/leak. Clean up equipment such as brooms, absorbent pads, and skimmers will be on site prior to the start of construction.
- The cleanup of all spills will begin immediately. Riverside County will be notified immediately by the Applicant of any spills and will be consulted regarding clean-up procedures.

Responsible Party	Project Owner
Responsible Monitoring Party	CDFW, RWQCB, Riverside County
Monitoring Phase/Timing	Prior to ground disturbance in jurisdictional waters of the state
Verification Approval Party	CDFW and RWQCB

Cultural Resources and Tribal Cultural Resources

MITIGATION MEASURE **MM CUL-1: Project Archaeologist.** Prior to issuance of grading permits: The applicant/developer shall provide evidence to the County of Riverside Planning Department that a County certified professional archaeologist (Project Archaeologist) has been contracted to implement a Cultural Resource Monitoring Program.

Table O-1. Mitigation Monitoring and Reporting Program

Responsible Party	Project Owner
Responsible Monitoring Party	Riverside County
Monitoring Phase/Timing	Prior to issuance of grading permits and during construction
Verification Approval Party	Riverside County
MITIGATION MEASURE	<p>MM CUL-2: Cultural Resource Monitoring Plan. Prior to issuance of grading permits: The applicant/ developer shall provide evidence to the County of Riverside Planning Department that a Cultural Resource Monitoring Plan has been developed with input from the consulting tribes that addresses the details of all activities and provides procedures that must be followed in order to reduce the impacts to cultural and historic resources to a level that is less than significant (except for the Project’s contribution to a significant cumulative impact to the PTNCL, which would remain significant after mitigation) as well as address potential impacts to undiscovered buried archaeological resources associated with this project. A fully executed copy of the contract and a wet-signed or DocuSigned (e-signature) copy of the Monitoring Plan shall be provided to the County Archaeologist to ensure compliance with this condition of approval.</p> <p>Working directly under the Project Archaeologist, an adequate number of qualified Archaeological Monitors shall be present to ensure that all earth moving activities are observed and shall be on-site during all grading activities for areas to be monitored including off-site improvements. Inspections shall vary based on the rate of excavation, the materials excavated, and the presence and abundance of artifacts and features. The frequency and location of inspections shall be determined by the Project Archaeologist.</p>
Responsible Party	Project Owner
Responsible Monitoring Party	Riverside County
Monitoring Phase/Timing	Prior to issuance of grading permits and during construction
Verification Approval Party	Riverside County
MITIGATION MEASURE	<p>MM CUL-3: Archaeological Monitor. Prior to issuance of grading permits: The applicant/developer shall provide evidence to the County of Riverside Planning Department that an adequate number of qualified archaeological monitors shall be onsite to ensure all earth moving activities are observed for areas being monitored. This includes all grubbing, grading and trenching onsite and for all offsite improvements. Inspections shall vary based on the rate of excavation, the materials excavated, and the presence and abundance of artifacts and features. The frequency and location of inspections shall be determined and directed by the Project Archaeologist.</p>
Responsible Party	Project Owner
Responsible Monitoring Party	Riverside County
Monitoring Phase/Timing	Prior to issuance of grading permits and during construction
Verification Approval Party	Riverside County
MITIGATION MEASURE	<p>MM CUL-4: Native American Monitor. Prior to the issuance of grading permits, the developer/permit applicant shall enter into an agreement with the consulting tribe(s) for at least one Native American Monitor. The Native American Monitor(s) shall be on-site during all initial ground disturbing activities and excavation of each portion of the project site including clearing, grubbing, tree removals, grading and trenching. In conjunction with the Archaeological Monitor(s), the Native American Monitor(s) shall have the authority to temporarily divert, redirect or halt the ground disturbance activities to allow identification, evaluation, and potential recovery of cultural resources. The developer/permit applicant shall submit a fully executed copy of the agreement to the County Archaeologist to ensure compliance with this condition of approval. Upon verification, the Archaeologist shall clear this condition. This agreement shall not modify any condition of approval or mitigation measure.</p>
Responsible Party	Project Owner
Responsible Monitoring Party	Native American Monitor(s)
Monitoring Phase/Timing	Prior to issuance of grading permits
Verification Approval Party	Riverside County

Table O-1. Mitigation Monitoring and Reporting Program

MITIGATION MEASURE	MM CUL-5: Tribal Cultural Sensitivity Training. Prior to ground disturbance, the developer/permit applicant shall enter into an agreement with the consulting tribe(s) to provide Cultural Sensitivity Training. A representative designated by the consulting Tribe(s) shall provide Cultural Sensitivity Training for all construction personnel. Training shall include a brief review of the cultural sensitivity of the Project and the surrounding area; what resources could potentially be identified during earthmoving activities; the protocols that apply in the event unanticipated cultural resources are identified, including who to contact and appropriate avoidance measures until the find(s) can be properly evaluated; and any other appropriate protocols. This is a mandatory training and all construction personnel must attend prior to beginning work on the project site. A copy of the agreement and a copy of the sign in sheet shall be submitted to the County Archaeologist to ensure compliance with this condition of approval. A record of attendance shall be available to the consulting tribes upon request.
Responsible Party	Project Owner
Responsible Monitoring Party	Consulting Tribe(s) Representative
Monitoring Phase/Timing	Prior to issuance of grading permits
Verification Approval Party	Riverside County
MITIGATION MEASURE	MM CUL-6: Discovery of Unanticipated Resources. In the event that previously unidentified potentially significant cultural resources are discovered, the Archaeological and/or Tribal Monitor(s) shall have the authority to divert or temporarily halt ground disturbance operations in the area of discovery to allow evaluation of potentially significant cultural resources. The Project Archaeologist, in consultation with the Tribal monitor, shall determine the significance of the discovered resources. The County Archaeologist must concur with the evaluation before construction activities shall be allowed to resume in the affected area. Further, before construction activities are allowed to resume in the affected area, the artifacts shall be recovered or if feasible, preserved in place if requested by the tribe(s), and features recorded using professional archaeological methods. The Project Archaeologist shall determine the amount of material to be recovered for an adequate artifact sample for analysis. Isolates and clearly non-significant deposits shall be minimally documented in the field and the monitored grading can proceed.
Responsible Party	Project Owner
Responsible Monitoring Party	Archaeological and/or Tribal Monitor(s), Riverside County
Monitoring Phase/Timing	During construction
Verification Approval Party	Riverside County
MITIGATION MEASURE	MM CUL-7: Artifact Disposition. Prior to Grading Permit Final Inspection, the landowner(s) shall relinquish ownership of all cultural resources that are unearthed on the Project property during any ground-disturbing activities, including previous investigations and/or Phase III data recovery. The final disposition of archaeological, historical, and paleontological resources recovered on state lands under the jurisdiction of the California State Lands Commission must be approved by the Commission. <i>Historic Resources</i> – all historic archaeological materials recovered during the archaeological investigations (this includes collections made during an earlier project, such as testing of archaeological sites that took place years ago), shall be curated at the Western Science Center, a Riverside County curation facility that meets State Resources Department Office of Historic Preservation Guidelines for the Curation of Archaeological Resources ensuring access and use pursuant to the Guidelines <i>Prehistoric Resources</i> – One of the following treatments shall be applied: a. Reburial of the resources on the Project property. The measures for reburial shall include, at least, the following: Measures to protect the reburial area from any future impacts. Reburial shall not occur until all required cataloguing, analysis and studies have been completed on the cultural resources, with an exception that sacred items, burial goods and Native American human remains are excluded. Any reburial processes shall be culturally appropriate. Listing of contents and location of the reburial shall be included in the confidential Phase IV Report. The Phase IV Report shall be filed with the County under a confidential cover and not subject to a Public Records Request. b. Curate the resources on the Project property. If reburial is not agreed upon by the Consulting Tribes then the resources shall be curated at a culturally appropriate manner at the Western Science Center, a Riverside County curation facility that meets State Resources Department Office of Historic Preservation Guidelines for the Curation of Archaeological Resources ensuring access and use pursuant to the

Table O-1. Mitigation Monitoring and Reporting Program

	Guidelines. The collection and associated records shall be transferred, including title, and are to be accompanied by payment of the fees necessary for permanent curation. Evidence of curation in the form of a letter from the curation facility stating that subject archaeological materials have been received and that all fees have been paid, shall be provided by the landowner to the County. There shall be no destructive or invasive testing on sacred items, burial goods and Native American human remains.
Responsible Party	Landowner(s)
Responsible Monitoring Party	Riverside County
Monitoring Phase/Timing	Prior to Grading Permit Final Inspection
Verification Approval Party	Riverside County
MITIGATION MEASURE	MM CUL-8: Monitoring Report. Prior to Grading Permit Final Inspection, a Phase IV Cultural Resources Monitoring Report shall be submitted that complies with the Riverside County Planning Department's requirements for such reports for all ground disturbing activities associated with this grading permit. The report shall follow the County of Riverside Planning Department Cultural Resources (Archaeological) Investigations Standard Scopes of Work posted on the TLMA website. The report shall include results of any feature relocation or residue analysis required as well as evidence of the required cultural sensitivity training for the construction staff held during the required pre-grade meeting and evidence that any artifacts have been treated in accordance to procedures stipulated in the Cultural Resources Management Plan. Consulting tribes shall have 30 days to review and comment on the draft Monitoring Report, upon request.
Responsible Party	Project Owner
Responsible Monitoring Party	Riverside County
Monitoring Phase/Timing	Prior to Grading Permit Final Inspection
Verification Approval Party	Riverside County
MITIGATION MEASURE	MM CUL-9: Temporary Fencing. Temporary fencing shall be required for the protection of cultural site(s) AE-3752-066H, P-33-018393/ CA-RIV-9481H and P-33-025150/ CA-RIV-12372H during any construction activities along the Gen-Tie lines. Prior to commencement of construction activities, the project archaeologist shall confirm the site boundaries and determine an adequate buffer for protection of the site(s). The applicant shall direct the installation of fencing under the supervision of the project archaeologist and Native American Monitor. The fencing shall be regularly checked to ensure that it remains in place and intact. The fencing can be removed only after construction activities have been completed.
Responsible Party	Project Owner
Responsible Monitoring Party	Archaeological and/or Tribal Monitor(s)
Monitoring Phase/Timing	Prior to and during construction activities along Gen-Tie lines
Verification Approval Party	Riverside County
MITIGATION MEASURE	MM CUL-10: Journal Article. Prior to Grading Permit Final Inspection, the Project owner shall retain a cultural resources specialist to prepare and submit for publication a journal article summarizing the results of research on AE-3752-066H (historic refuse dump), AE-3752-106H (historic road segment), and P-33-025150/CA-RIV-12372H (SR-177/Rice Road segment). The County Archaeologist shall review and approve the article prior to submission. The article shall be submitted to a local historical journal such as the Journal of the Riverside Historical Society.
COMPLETED	
Responsible Party	Project Owner
Responsible Monitoring Party	Riverside County Archaeologist
Monitoring Phase/Timing	After research on AE-3752-066H (historic refuse dump), AE-3752-106H (historic road segment), and P-33-025150/CA-RIV-12372H (SR 177/Rice Road segment)
Verification Approval Party	Riverside County

Table O-1. Mitigation Monitoring and Reporting Program

MITIGATION MEASURE **MM CUL-11: Desert Center DTC/C-AMA Summary Report and District DPR Form.** In order to address direct impacts to all DTC/C-AMA resources eligible for the CRHR as well as cumulative impacts to the DTCC and any contributor to the district, prior to ground disturbance, the Project owner shall retain cultural resources specialists with previous knowledge of the DTC/C-AMA. These specialists shall review and synthesize the information contained in DPR forms for DTC/C-AMA-associated resources in the Chuckwalla Valley. The results shall be summarized in a report and district DPR form, if appropriate, for the Desert Center vicinity. Some of the key resources shall include the Chuckwalla Valley Maneuver Area, the Desert Center Army Airfield, Desert Center Observer's Camp, 18th Ordnance Battalion Campsite, the Desert Center Small Arms Range, the Desert Center Supply Depot, and the Desert Center Evacuation Hospital. The report and DPR forms shall be submitted to the County for review prior to Grading Permit Final Inspection. After review and approval, the report and DPR forms shall be submitted to the California Historical Resources Information System Eastern Information Center within 30 days.

Responsible Party	Project Owner
Responsible Monitoring Party	Riverside County
Monitoring Phase/Timing	Prior to Grading Permit Final Inspection
Verification Approval Party	Riverside County

MITIGATION MEASURE **MM CUL-12: Prehistoric Trails Summary Report.** In order to address cumulative and indirect impacts to the Prehistoric Trails Network Cultural Landscape/Historic District (PTNCL) prior to ground disturbance, the Project owner shall retain cultural resources specialists with prior experience with prehistoric resources in the Blythe and/or Desert Center vicinity. These specialists shall synthesize the information contained in DPR forms and previously prepared artifacts and features in the Chuckwalla Valley. Ethnographic documentation and reports describing local landscapes will also be reviewed in the appropriate context. The results shall be summarized in a report and district DPR form, if appropriate, for the Desert Center vicinity. The report and DPR forms shall be submitted to the County for review and approval prior to Grading Permit Final Inspection. Within 30 days after County review and approval, the report and DPR forms shall be submitted to the California Historical Resources Information System Eastern Information Center.

Responsible Party	Project Owner
Responsible Monitoring Party	Riverside County
Monitoring Phase/Timing	Prior to Grading Permit Final Inspection
Verification Approval Party	Riverside County

MITIGATION MEASURE **MM CUL-13: Archival and Field Studies for Historic-Era Resources.** Prior to grading, the consultant shall conduct archival research to determine context and association with major historical themes for AE-3752-064H, which has been identified as a historical resource for purposes of CEQA, and for CA-RIV-9854H, -9857H, and -20572, which will be avoided by the Project but are still of interest to the County.

Responsible Party	Project Owner
Responsible Monitoring Party	Riverside County
Monitoring Phase/Timing	Prior to Grading Permit Final Inspection
Verification Approval Party	Riverside County

Hazards and Hazardous Materials

MITIGATION MEASURE **MM HAZ-1: Soil Investigation.** Prior to issuance of a grading permit, a Phase II soil investigation shall be prepared by a qualified environmental consultant to evaluate the potential for residual contaminants as recommended in the Phase I report (see Appendix K). The consultant shall be required to contain residual contaminants in exceedance of regulatory action levels that are determined by the consultant to represent a potential hazard to construction workers or future residents. The investigation shall be conducted in accordance with Riverside County Department of Environmental Health oversight.

Responsible Party	Project Owner
Responsible Monitoring Party	Riverside County Department of Environmental Health

Table O-1. Mitigation Monitoring and Reporting Program

Monitoring Phase/Timing	Prior to issuance of a grading permit
Verification Approval Party	Riverside County Department of Environmental Health
MITIGATION MEASURE	<p>MM HAZ-2: Worker Environmental Awareness Program. The Worker Environmental Awareness Program (WEAP) shall include a personal protective equipment (PPE) program, an Emergency Action Plan (EAP), and an Injury and Illness Prevention Program (IIPP) to address health and safety issues associated with normal and unusual (emergency) conditions. It will be reviewed by the County and BLM for their respective jurisdictions. Construction-related safety programs and procedures shall include a respiratory protection program, among other things. Construction would be undertaken sequentially in accordance with a Construction Plan that shall include the final design documents, work plan, health and safety plans, permits, Project schedule, and operation and maintenance manuals. Construction Plan documents shall relate at least to the following:</p> <ul style="list-style-type: none"> ▪ Environmental health and safety training (including, but not limited, to training on the hazards of Valley Fever, including the symptoms, proper work procedures, how to use PPE, and informing supervisor of suspected symptoms of work-related Valley Fever) ▪ Site security measures ▪ Site first aid training ▪ Construction testing (non-destructive examination, hydro, etc.) requirements ▪ Site fire protection and extinguisher maintenance, guidance, and documentation ▪ Furnishing and servicing of sanitary facilities records ▪ Trash collection and disposal schedule/records ▪ Disposal of hazardous materials and waste guidance in accordance with local, state, and federal regulations
Responsible Party	Project Owner
Responsible Monitoring Party	Riverside County and BLM
Monitoring Phase/Timing	During construction, operation, maintenance, and decommissioning
Verification Approval Party	Riverside County and BLM
MITIGATION MEASURE	<p>MM HAZ-3: UXO Identification, Training and Reporting Plan. Where ground disturbance work is involved, contractor(s) should be OSHA HAZWOPER-trained in accordance with standard 29CFR1910.120 and hold a current certification. The Applicant shall prepare a UXO Identification, Training and Reporting Plan to properly train all site workers in the recognition, avoidance and reporting of military waste debris and ordnance. The Applicant shall submit the plan to the County and BLM for review and approval for their respective jurisdictions prior to the start of construction. The plan shall contain, at a minimum, the following:</p> <ul style="list-style-type: none"> ▪ A description of the training program outline and materials, and the qualifications of the trainers; and ▪ Identification of available trained experts that will respond to notification of discovery of any ordnance (unexploded or not); and ▪ Work plan to recover and remove discovered ordnance, and complete additional field screening, possibly including geophysical surveys to investigate adjacent areas for surface, near surface or buried ordnance in all proposed land disturbance areas.
Responsible Party	Project Owner
Responsible Monitoring Party	Riverside County and BLM
Monitoring Phase/Timing	Prior to construction
Verification Approval Party	Riverside County and BLM
MITIGATION MEASURE	<p>MM HAZ-4: Pre-demolition surveys and appropriate hazardous materials removal. Prior to the removal of any structures, perform a survey for lead based paint and asbestos containing materials. If found, all lead based paint must be removed from the property prior to construction/demolition activities with the potential to disturb painted surfaces and disposed of in accordance with all applicable laws. If the activities would not disturb painted surfaces, the entire structure with lead base paint must be disposed of in accordance with all applicable laws. If found, all asbestos containing materials must be disposed of in accordance with all applicable laws.</p>

Table O-1. Mitigation Monitoring and Reporting Program

Responsible Party	Project Owner
Responsible Monitoring Party	Riverside County
Monitoring Phase/Timing	Prior to removal of any structures
Verification Approval Party	Riverside County

Hydrology and Water Quality

MITIGATION MEASURE **MM HWQ-1: Drainage Erosion and Sedimentation Control Plan (DESCP).** Prior to site mobilization, the Applicant shall submit to the County of Riverside a Drainage Erosion and Sedimentation Control Plan (DESCP) for managing storm water during Project construction and operations. The DESCSP must ensure proper protection of water quality and soil resources, address exposed soil treatments in the solar fields for both road and non-road surfaces, and identify all monitoring and maintenance activities. The plan must also cover all linear Project features such as the proposed gen-tie line for which the plan must also be reviewed by the BLM. The DESCSP shall contain, at minimum, the elements presented below that outline site management activities and erosion and sediment-control Best Management Practices (BMPs) to be implemented during site mobilization, excavation, construction, and post construction (operating) activities.

A. *Vicinity Map* – A map(s), at a minimum scale 1 inch to 500 feet, shall be provided indicating the location of all Project elements with depictions of all significant geographic features including swales, storm drains, drainage concentration points and sensitive areas.

B. *Site Delineation* – All areas subject to soil disturbance for the proposed Project shall be delineated showing boundary lines of all construction areas and the location of all existing and proposed structures and drainage facilities.

C. *Clearing and Grading Plans* – The DESCSP shall provide a delineation of all areas to be cleared of vegetation and areas to be preserved. The plan shall provide elevations, slopes, locations, and extent of all proposed grading as shown by contours, cross sections, or other means. The locations of any disposal areas, fills, or other special features shall also be shown. Existing and pro-posed topography shall be illustrated by tying in proposed contours with existing topography.

D. *Clearing and Grading Narrative* – The DESCSP shall include a table with the estimated quantities of material excavated or filled for the site and all Project elements, whether such excavation or fill is temporary or permanent, and the amount of such material to be imported or exported.

E. *Erosion Control* – The plan shall address exposed soil treatments to be used during construction and operation including specifically identifying all chemical-based dust palliatives, soil bonding, and weighting agents appropriate for use that would not cause adverse effects to vegetation. BMPs shall include measures designed to prevent wind and water erosion including application of chemical dust palliatives after rough grading to limit water use.

F. *Best Management Practices Plan* – The DESCSP shall identify on the topographic site map(s) the location of the site specific BMPs to be employed during each phase of construction (initial grading, Project element excavation and construction, and final grading/stabilization). BMPs shall include measures designed to control dust, stabilize construction access roads and entrances, and control storm water runoff and sediment transport.

G. *Best Management Practices Narrative* – The DESCSP shall show the location, timing, and maintenance schedule of all erosion- and sediment-control BMPs to be used prior to initial grading, during excavations and construction, final grading/stabilization, and operation. Separate BMP implementation schedules shall be provided for each Project element for each phase of construction. The maintenance schedule shall include post-construction maintenance of structural-control BMPs, or a statement provided about when such information would be available.

The DESCSP shall be prepared, stamped and sealed by a professional engineer or erosion control specialist. The DESCSP shall include copies of recommendations, conditions, and provisions from the County of Riverside and/or BLM.

Responsible Party	Project Owner
Responsible Monitoring Party	Riverside County and the BLM
Monitoring Phase/Timing	Prior to site mobilization
Verification Approval Party	Riverside County and the BLM

Table O-1. Mitigation Monitoring and Reporting Program

MITIGATION MEASURE	<p>MM HWQ-2: Septic System Rehabilitation. Before the start of construction, the Applicant shall submit to the County an evaluation of the existing septic system to ensure that the proposed use of the system is consistent with the existing use, and if necessary shall make modifications to the system to ensure that it would have capacity for any increased use without creating additional impacts to groundwater.</p>
Responsible Party	Project Owner
Responsible Monitoring Party	Riverside County
Monitoring Phase/Timing	Prior to construction
Verification Approval Party	Riverside County
MITIGATION MEASURE	<p>MM HWQ-3: Mitigation of Impacts to the Palo Verde Mesa (PVMGB) Groundwater Basin. If water for the Project is to be obtained from onsite wells, the Applicant shall develop a Colorado River Water Supply Plan (Plan) to monitor groundwater extractions and prevent, replace or mitigate Project impacts that deplete the PVMGB groundwater budget. The amount of PVMGB depletion requiring mitigation shall be equal to the amount of withdrawals from below the Colorado River Accounting Surface. The Plan shall identify measures that will be taken to replace water on an acre-foot to acre-foot basis, if the Project results in consumption of any water from within or below the Colorado River Accounting Surface, towards the purpose of ensuring that no allocated water from the Colorado River is consumed without entitlement to that water. The Plan shall be submitted to the United States Bureau of Reclamation for review and approval prior to the initiation of construction and is required to be implemented at any time during the life of the Project that groundwater withdrawals reach the Accounting Surface. No pumping of groundwater below the accounting surface shall occur without compensatory mitigation according to the approved plan. A copy of the Plan shall also be submitted to the Metropolitan Water District for review and comment.</p>
Responsible Party	Project Owner
Responsible Monitoring Party	United States Bureau of Reclamation and Riverside County
Monitoring Phase/Timing	Any time groundwater withdrawals will likely reach Accounting Surface during life of Project
Verification Approval Party	United States Bureau of Reclamation
MITIGATION MEASURE	<p>MM HWQ-4: Project Drainage Plan. The Project owner shall provide Riverside County with a drainage plan, for review and approval prior to construction, which includes the following information:</p> <ul style="list-style-type: none"> A. Hydrologic assessment of flood discharges affecting each parcel. B. A detailed onsite hydraulic analysis utilizing FLO-2D or similar two-dimensional hydraulic model acceptable to the Riverside County which models pre- and post-development flood conditions for the 10- and 100-year storm events. The post-development model must include all proposed Project features, contours, and drainage improvements. Graphical output must include depth and velocity mapping as well as mapping which graphically shows the changes in both parameters between the pre- and post-development conditions. C. The Drainage Plan shall show the location of all watercourses, drainage concentration points and drainage ditches as they enter, cross and exit the site. It shall include pre-development and post-development peak flow estimates. It shall include hydraulic calculations to determine flood conditions, floodplain limits, flood depths and velocities. It shall show the relationship of drainage and flood features to the features of the proposed Project, including buildings, fences, substations, access roads, culverts, linear features and panel supports, demonstrating adequate design to protect from flooding, erosion and scour, and to do so without adversely affecting adjacent property, inducing erosion or concentrating or diverting flows. D. The Plan shall show how drainage will be conveyed through the site without adversely affecting other property, either through increased flood hazard or increased potential for scour and erosion. No flow obstructing fences (chain link, block wall, etc.) shall be constructed perpendicular to existing drainage patterns. Proposed fencing shall allow runoff to traverse the project site unencumbered. E. The Plan shall include an assessment of existing diversion berms and channels around parcel perimeters and the magnitude and frequency of flood that would be diverted by these existing features, and the probable integrity of these features to withstand flows. It shall show how those that are on the Project site will be affected by Project grading. It shall include an assessment of flows approaching proposed perimeter fences, whether or not adjacent to existing berms, and make design recommendations to avoid diversion of flows by these fences. Design recommendations may include creating fence

Table O-1. Mitigation Monitoring and Reporting Program

	<p>openings large enough to allow the passage of debris-laden flows without the potential for diversions to other property.</p> <p>F. The Plan shall have detailed design of flood retention features necessary to avoid any increase in downstream flood peak flow rates.</p> <p>G. Drainage of Project Site Narrative – The Plan shall include a narrative of the measures necessary to protect the site and Project features from flooding, erosion and sedimentation, and measures taken to prevent Project-induced erosion and flooding of adjacent property.</p>
Responsible Party	Project Owner
Responsible Monitoring Party	Riverside County
Monitoring Phase/Timing	Prior to construction
Verification Approval Party	Riverside County
MITIGATION MEASURE	<p>MM HWQ-5: Flood Protection. Substations, the O&M Building, energy storage system, and all other Project buildings shall either be situated outside of the 100-year floodplain or sufficiently protected against dislodgement by flooding where placement outside the floodplain is not practical. Flood protection shall consist of elevating the structures on fill to at least the highest anticipated adjacent flood level per County requirements. Solar panels shall be situated at least one foot above the highest anticipated local flood level per County requirements. All structures using posts or poles for foundations, including transmission poles or towers, shall be designed to protect against substantial scour from the 100-year flood event. The Project must comply with Riverside County Ordinance No. 458 for projects within a Special Flood Hazard Area or floodplain: electrical, heating, ventilation, plumbing, and air conditioning equipment and other service facilities must be designed or located to prevent water from entering or accumulating within the components during flooding.</p>
Responsible Party	Project Owner
Responsible Monitoring Party	Riverside County
Monitoring Phase/Timing	Prior to final engineering
Verification Approval Party	Riverside County
Noise	
MITIGATION MEASURE	<p>MM N-1: Construction Restrictions. Heavy equipment operation and noisy construction work relating to any Project features shall be restricted to the times delineated below, unless a special permit has been issued by the County of Riverside:</p> <ul style="list-style-type: none"> ▪ June through September: 6 a.m. to 6 p.m. ▪ October through May: 7 a.m. to 6 p.m. <p>Haul truck engines and other engines powering fixed or mobile construction equipment shall be equipped with adequate mufflers. Haul trucks shall be operated in accordance with posted speed limits. Truck engine exhaust brake use shall be limited to emergencies.</p> <p>The construction contractor shall locate equipment staging in areas to create the greatest distance between construction-related noise sources and noise sensitive receivers nearest the Project site during Project construction. Where feasible, the construction contractor shall place all stationary construction equipment so that emitted noise is directed away from the noise sensitive receptors nearest the Project site. No music or electronically reinforced speech from construction workers shall be audible at noise-sensitive properties.</p>
Responsible Party	Project Owner
Responsible Monitoring Party	Riverside County
Monitoring Phase/Timing	During construction
Verification Approval Party	Riverside County

Table O-1. Mitigation Monitoring and Reporting Program

MITIGATION MEASURE	<p>MM N-2: Public Notification Process. At least 15 days prior to the start of ground disturbance, the Project owner shall notify all residents within one mile of the Project site and the linear facilities, by mail or by other effective means, of the commencement of Project construction. At the same time, the Project owner shall establish a telephone number for use by the public to report any undesirable noise conditions associated with the construction and operation of the Project. If the telephone is not staffed 24 hours a day, the Project owner shall include an automatic answering feature, with date and time stamp recording, to answer calls when the phone is unattended. This telephone number shall be posted at the Project site during construction where it is visible to passersby. This telephone number shall be maintained until the Project has been operational for at least one year.</p>
Responsible Party	Project Owner
Responsible Monitoring Party	Riverside County
Monitoring Phase/Timing	At least 15 days prior to ground disturbance
Verification Approval Party	Riverside County
MITIGATION MEASURE	<p>MM N-3: Noise Complaint Process. Throughout the construction and operation of the Project, the Project owner shall document, investigate, evaluate, and attempt to resolve all Project-related noise complaints. The Project owner or authorized agent shall:</p> <ol style="list-style-type: none"> 1. Use a Noise Complaint Resolution Form, or other documentation procedure acceptable to the County, to record and report the Project owner's response to resolving each noise complaint; 2. Attempt to contact the person(s) making the noise complaint within 24 hours; 3. Conduct an investigation to determine the source of noise in the complaint; 4. If the noise is Project-related, take all feasible measures to reduce the source of the noise; and 5. Submit a report to the County documenting the complaint and actions taken. The report shall include: a complaint summary, including the final results of noise reduction efforts and, if obtainable, a signed statement by the complainant stating that the noise problem has been resolved to the complainant's satisfaction.
Responsible Party	Project Owner
Responsible Monitoring Party	Riverside County
Monitoring Phase/Timing	During construction and operation
Verification Approval Party	Riverside County
MITIGATION MEASURE	<p>MM N-4: Noise Restrictions. The Project design and implementation shall include appropriate noise mitigation measures adequate to ensure that the operation of the Project will not cause the noise levels due to plant operation alone to exceed an average of 43 dBA Leq measured at or near an inhabited dwelling. No new pure-tone components shall be caused by the power inverters or transformers associated with the Project. No single piece of equipment shall be allowed to stand out as a source of noise that draws legitimate complaints.</p> <p>The Project design in site plans shall avoid placing stationary sources of noise within 800 feet of an inhabited dwelling. If the final design of the Project includes any battery or flywheel, air conditioner, inverter, transformer, substation or switchyard within 800 feet of an inhabited dwelling, then the following adaptive management measures shall be required:</p> <ol style="list-style-type: none"> A. When the Project first achieves a sustained output of 85% or greater of rated capacity, the Project owner shall conduct a 25-hour community noise survey by monitoring levels at locations of any affected inhabited dwelling, or at a closer location acceptable to the County. <p style="margin-left: 40px;">The measurement of power plant noise for the purposes of demonstrating compliance with this mitigation measure may alternatively be made at a location, acceptable to the County, closer to the plant (e.g., 100 feet from power inverters or transformers) and this measured level then mathematically extrapolated to determine the plant noise contribution at the affected dwelling.</p> B. If the results from the noise survey indicate that the power plant noise at the affected receptor site exceeds the above value during the above time period, mitigation measures shall be implemented to reduce noise to a level of compliance with this limit.
Responsible Party	Project Owner

Table O-1. Mitigation Monitoring and Reporting Program

Responsible Monitoring Party	Riverside County
Monitoring Phase/Timing	During project design and during operation
Verification Approval Party	Riverside County

Paleontological Resources

MITIGATION MEASURE **MM PAL-1: Project Paleontologist.** Prior to issuance of grading permits the applicant shall retain a qualified paleontologist (“Project Paleontologist”) approved by the County of Riverside to create and implement a Project-specific plan for monitoring site grading/earthmoving activities.

Responsible Party	Project Owner
Responsible Monitoring Party	Riverside County
Monitoring Phase/Timing	Prior to issuance of grading permits
Verification Approval Party	Riverside County

MITIGATION MEASURE **MM PAL-2: Paleontological Resource Impact Mitigation Program.** Prior to issuance of grading permits the Project Paleontologist retained shall prepare a Paleontological Resource Impact Mitigation Program (PRIMP). The PRIMP shall be submitted to the Riverside County Geologist for review and approval prior to issuance of a grading permit by the county. The project Owner may consider the PRIMP approved if the County’s Geologist does not respond within 60 days of submittal of the draft PRIMP. Information to be contained in the PRIMP, at a minimum and in addition to other industry standard and Society of Vertebrate Paleontology standards, are as follows:

- Description of the proposed site and planned grading operations.
- Description of the level of monitoring required for all earthmoving activities in the Project area.
- Identification (name) and qualifications of the qualified paleontological monitor to be employed for grading operations monitoring.
- Identification of personnel with authority and responsibility to temporarily halt or divert grading equipment to allow for recovery of large specimens.
- Direction for any fossil discoveries to be immediately reported to the property owner who in turn will immediately notify the Riverside County Geologist of the discovery.
- Means and methods to be employed by the paleontological monitor to quickly salvage fossils as they are unearthed to avoid construction delays.
- Sampling of sediments that are likely to contain the remains of small fossil invertebrates and vertebrates.
- Procedures and protocol for collecting and processing of samples and specimens.
- Fossil identification and curation procedures to be employed.
- Identification of the permanent repository to receive any recovered fossil material. The County of Riverside must be consulted on the repository or museum to receive the fossil material and a written agreement between the property owner/developer and the repository must be in place prior to site grading.
- All pertinent exhibits, maps and references.
- Procedures for reporting of findings.
- Identification and acknowledgement of the developer for the content of the PRIMP as well as acceptance of financial responsibility for monitoring, reporting and curation fees.

Responsible Party	Project Owner
Responsible Monitoring Party	Riverside County
Monitoring Phase/Timing	Prior to issuance of grading permits
Verification Approval Party	Riverside County

MITIGATION MEASURE **MM PAL-3: Paleontological Monitoring.** Full-time monitoring by a qualified paleontological monitor will take place during all ground disturbing activities in sediments classified as High or Undetermined sensitivity. The supervising paleontologist will have the authority to reduce monitoring once he/she determines the probability of encountering any additional fossils has dropped below an acceptable level.

Table O-1. Mitigation Monitoring and Reporting Program

Responsible Party	Project Owner
Responsible Monitoring Party	Riverside County
Monitoring Phase/Timing	During ground disturbing activities in sediments classified as High or Undetermined sensitivity
Verification Approval Party	Riverside County
MITIGATION MEASURE	MM PAL-4: Paleontological Awareness Training. Prior to ground disturbance, the developer/permit applicant shall enter into an agreement with the Project Paleontologist to provide Paleontological Awareness Training. A qualified paleontologist designated by the Project Paleontologist shall provide Paleontological Awareness Training for all construction personnel as a part of the Project's Worker Environmental Awareness Training. Training will include a brief review of the paleontological sensitivity of the Project and the surrounding area; what resources could potentially be identified during earthmoving activities; the protocols that apply in the event unanticipated paleontological resources are identified, including who to contact and appropriate avoidance measures until the find(s) can be properly evaluated; and any other appropriate protocols. This is a mandatory training and all construction personnel must attend prior to beginning work on the Project site. A copy of the agreement and a copy of the sign-in sheet shall be submitted to the County Paleontologist to ensure compliance with this condition of approval.
Responsible Party	Project Owner
Responsible Monitoring Party	Riverside County
Monitoring Phase/Timing	Prior to ground disturbance and during construction
Verification Approval Party	Riverside County
MITIGATION MEASURE	MM PAL-5: Paleontological Monitoring Report Requirement. The Applicant shall submit to the Riverside County Geologist one wet-signed copy of the Paleontological Monitoring Report prepared for site grading operations at the site. The report shall be certified by the professionally qualified Project Paleontologist responsible for the content of the report. The Project Paleontologist must be on Riverside County's Paleontology Consultant List. The report shall contain a discussion of findings made during all site grading activities and an appended itemized list of fossil specimens recovered during grading (if any) and proof of accession of fossil materials into the pre-approved museum or other repository. In addition, all appropriate fossil location information shall be submitted to the Western Information Center, the San Bernardino County Museum and the Los Angeles County Museum of Natural History, at a minimum, for incorporation into their Regional Locality Inventories.
Responsible Party	Project Owner
Responsible Monitoring Party	Riverside County
Monitoring Phase/Timing	After site grading operations
Verification Approval Party	Riverside County
Traffic and Transportation	
MITIGATION MEASURE	APM T-1: Public Easement Access. All designated public roadway easements directly impacted by the solar facility will remain open to the public during construction and operation as not to preclude access to nearby properties.
Responsible Party	Project Owner
Responsible Monitoring Party	Riverside County
Monitoring Phase/Timing	During construction and operations
Verification Approval Party	Riverside County
MITIGATION MEASURE	APM T-2: Alternative Routes. If any designated vehicle routes are temporarily impacted by Project activities, the Applicant will develop alternative routes to allow for continued vehicular access. Traffic Safety Coordinator(s) will oversee the installation of proper signage to ensure safe public use of open routes and other recreation opportunities on public lands in the Project area.
Responsible Party	Project Owner

Table O-1. Mitigation Monitoring and Reporting Program

Responsible Monitoring Party	Riverside County
Monitoring Phase/Timing	During construction
Verification Approval Party	Riverside County
MITIGATION MEASURE	<p>MM TRA-1: Construction Traffic Control Plan. Prior to the start of construction, the Project owner shall submit a Construction Traffic Control Plan for review and approval by Caltrans and Riverside County for affected roads and intersections that would be directly affected by the construction activities and/or would require permits and approvals. The Construction Traffic Control Plan shall include, but not be limited to:</p> <ul style="list-style-type: none"> ▪ If multiple construction projects occur at the same time and conditions at the intersection warrant, plans for installation of a temporary signal or use of manual intersection control during the construction period at the I-10 westbound ramp at SR-177. Additionally, if conditions warrant, geometry changes shall be considered in coordination with Caltrans and Riverside County, and implemented, if necessary, in addition to signalization at the I-10 westbound ramp and SR-177. These geometry changes should include a 50-foot westbound right turn pocket, as well as a southbound 50-foot right turn pocket. If manual intersection control is used in the morning peak hour, no manual intersection control is needed in the afternoon peak hour, and the southbound right turn pocket would likely not be needed. ▪ The locations and use of flaggers, warning signs, barricades, delineators, cones, arrow boards, etc., according to standard guidelines outlined in the Manual on Uniform Traffic Control Devices, the Standard Specifications for Public Works Construction, and/or the California Joint Utility Traffic Control Manual. ▪ The locations of all road or traffic lane segments that would need to be temporarily closed or disrupted due to construction activities. ▪ The locations where guard poles, netting, or similar means to protect transportation facilities for any construction or conductor installation work requiring the crossing of a local street, highway, or rail line are proposed. ▪ The use of continuous traffic breaks operated by the California Highway Patrol on state highways (if necessary). ▪ Additional methods to reduce temporary traffic delays to the maximum extent feasible during morning (7:00 a.m. to 9:00 a.m.) and afternoon (4:00 p.m. to 6:00 p.m.) peak traffic periods, or as directed in writing by the affected public agency in encroachment or other permits). This should also include feasible ways to avoid construction-related trips on I-10 and SR-177 during peak traffic periods. ▪ Plans to encourage or provide ridesharing opportunities for construction and operational workers. ▪ Plans to provide written notification to property owners and tenants at properties affected by access restrictions to inform them about the timing and duration of obstructions and to arrange for alternative access if necessary. The coordination shall occur at least one week prior to any blockages. ▪ Plans to coordinate in advance with emergency service providers to avoid restricting the movements of emergency vehicles. Police departments and fire departments shall be notified in advance by the Project owner of the proposed locations, nature, timing, and duration of any roadway disruptions, and shall be advised of any access restrictions that could impact their effectiveness. At locations where roads will be blocked, provisions shall be ready at all times to accommodate emergency vehicles, such as immediately stopping work for emergency vehicle passage, providing short detours, and developing alternate routes in conjunction with the public agencies. ▪ Provisions for ensuring detours or safe movement of local resident vehicles, pedestrians, and bicycles through all affected facilities. ▪ Define the method to maintaining close coordination, prior to and during construction, with Caltrans and Riverside County to minimize cumulative impacts of multiple simultaneous construction projects affecting shared portions of the circulation system. Coordination with adjacent development projects to spread work shifts into multiple hours (instead of peak hour) or the installation of additional temporary traffic signals or manual traffic control officers during peak hours to mitigate the temporary impacts.
Responsible Party	Project Owner
Responsible Monitoring Party	Caltrans and Riverside County
Monitoring Phase/Timing	Prior to and during construction
Verification Approval Party	Caltrans and Riverside County

Table O-1. Mitigation Monitoring and Reporting Program

MITIGATION MEASURE	<p>MM TRA-2: Comply with FAA 7460-1 Determination Recommendations. Pursuant to FAA guidelines, the Project owner shall submit FAA Form 7460-1, Notice of Proposed Construction or Alteration, to the Manager of the FAA Air Traffic Division for review and comment. These filings shall specify the heights and locations of all applicable gen-tie transmission structures and conductor wire spans, pursuant to final engineering, per the requirements of FAA Form 7460-1. The Project owner shall implement all recommended safety features or Project design changes recommended by the FAA through the FAA 7460-1 process.</p>
Responsible Party	Project Owner
Responsible Monitoring Party	Manager of the FAA Air Traffic Division
Monitoring Phase/Timing	Prior to construction
Verification Approval Party	Manager of the FAA Air Traffic Division
MITIGATION MEASURE	<p>MM TRA-3: Repair Roadways and Transportation Facilities Damaged by Construction Activities. If roadways, sidewalks, medians, curbs, shoulders, or other such transportation features are damaged by Project construction activities, as determined by the affected public agency, such damage shall be repaired and restored to their pre-Project condition by the Project owner. Prior to construction, the Project owner shall confer with Riverside County regarding the roads within 500 feet in each direction of Project access points (where heavy vehicles will leave public roads to reach Project sites); and Riverside County and Caltrans regarding the roads to be crossed by the proposed gen-tie line. At least 30 days prior to construction, or as requested by Riverside County or Caltrans, the Project owner shall photograph or video record all affected roadway segments and shall provide Riverside County and Caltrans with a copy of these images, if requested.</p> <p>At the end of major construction, the Project owner shall coordinate with each affected jurisdiction to confirm what repairs are required. Any damage demonstrable to the Project is to be repaired to the pre-construction condition within 60 days from the end of all construction, or on a schedule mutually agreed to by the Project owner and the affected jurisdiction. If multiple projects are using the transportation features, Athos will pay its fair share of the required repairs. The Project owner shall provide Riverside County and Caltrans (as applicable) proof when any necessary repairs have been completed.</p>
Responsible Party	Project Owner
Responsible Monitoring Party	Riverside County and Caltrans
Monitoring Phase/Timing	Prior to construction and at end of major construction
Verification Approval Party	Riverside County and Caltrans

NOT APPLICABLE

Supplemental Mitigation Monitoring and Reporting Program

Addendum to the Environmental Impact Report for the Athos Renewable Energy Project
(SCH #2018051021)

Supplemental Mitigation Monitoring and Reporting Program

Hazards, Hazardous Materials and Wildfire

MITIGATION MEASURE

MM HAZ-5: Fire Management and Prevention Plan.

A Fire Management and Prevention Plan shall be prepared for the Battery Energy Storage System (BESS) construction phase. The plan shall include measures to safeguard human life, prevent personnel injury, preserve property, and minimize downtime due to fire or explosion. Specific focus shall be given to fire-safe construction, reduction of ignition sources, control of fuel sources, availability of water, and proper maintenance of firefighting systems. The plan shall be subject to review and approval by the County Fire Department.

Standard defensible space requirements shall be maintained surrounding any welding or digging operations. Fire extinguishers and other portable fire-fighting equipment shall be available on site. These fire extinguishers shall be maintained for the full construction duration in accordance with local and federal Occupational Safety and Health Administration requirements. Locations of portable fire extinguishers shall include, but not be limited to, office spaces, hot work areas, flammable storage areas, and mobile equipment such as work trucks and other vehicles. Fire-fighting equipment shall be accessible and marked conspicuously. Portable equipment shall be routinely inspected, as required by all applicable and federal, state, and local laws, ordinances, regulations, and standards, and replaced immediately if defective or needing charge.

Responsible Party	Project Owner
Responsible Monitoring Party	Riverside County
Monitoring Phase/Timing	Prior to construction
Verification Approval Party	Riverside County

MITIGATION MEASURE

MM HAZ-6: Hazard Mitigation Analysis.

As required by the County's conditions of approval for the Substantial Conformance Determination, a Hazard Mitigation Analysis shall be completed to identify any required fire protection water supply and/or fire water storage tanks required for fire protection, in addition to those already present at the existing solar facility.

Responsible Party	Project Owner
Responsible Monitoring Party	Riverside County
Monitoring Phase/Timing	Prior to construction
Verification Approval Party	Riverside County

MITIGATION MEASURE

MM HAZ-7: Fire Inspection.

As required by the County's conditions of approval for the Substantial Conformance Determination, a fire inspection shall be conducted by the County Fire Department and/or Fire Marshal prior to the BESS being placed on site, which shall consist of verifying the following:

- All required fire access roads.
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Supplemental Mitigation Monitoring and Reporting Program

- Any required fire water tanks, fire water systems, or hydrants.
- Proper size and spacing of the units.
- Functional testing of any fire alarm system (including smoke detectors, heat detectors, or gas detection systems). The function of all initiating devices and alarms shall match the sequence of operations on the approved Fire Alarm plans.
- Verification of any required deflagration venting systems or explosion prevention systems. Required ventilation rates for combustible concentration reduction systems designed in accordance with National Fire Protection Association (NFPA) 69 shall be verified.
- Automatic fire suppression systems installed pursuant to the approved plans.
- Signage installed pursuant to the approved plans.

Responsible Party	Project Owner
Responsible Monitoring Party	Riverside County
Monitoring Phase/Timing	During construction and prior to operation
Verification Approval Party	Riverside County

MITIGATION MEASURE	<p>MM HAZ-8: Emergency Operations Plan. As required by the County’s conditions of approval of the Project’s Conditional Use Permit as modified by its April 2025 Substantial Conformance Determination, an Emergency Operations Plan, including but not limited to the following required components, will be prepared for the BESS:</p> <ul style="list-style-type: none"> ▪ Procedures for safe shutdown, de-energizing, or isolation of equipment and systems under emergency conditions to reduce the risk of fire, electric shock, and personal injuries, and for safe start-up following cessation of emergency conditions. ▪ Procedures for inspection and testing of associated alarms, interlocks, and controls. ▪ Procedures to be followed in response to notifications of system alarms or out-of-range conditions that could signify potentially dangerous conditions, including shutting down equipment, summoning service or repair personnel, and providing agreed-upon notification to fire department personnel, if required. ▪ Emergency procedures to be followed in case of fire, explosion, release of liquids or vapors, damage to critical moving parts, or other potentially dangerous conditions. ▪ Response considerations similar to a safety data sheet that shall address response safety concerns and extinguishment when a safety data sheet is not required. ▪ Procedures for dealing with Energy Storage System equipment damaged in a fire or other emergency event, including contact information for personnel qualified to safely remove damaged Energy Storage System equipment from the facility. ▪ Other procedures as determined necessary by the Authority Having Jurisdiction to provide for the safety of occupants and emergency responders.
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Supplemental Mitigation Monitoring and Reporting Program

- Procedures and schedules for conducting drills of these procedures.

Responsible Party	Project Owner
Responsible Monitoring Party	Riverside County
Monitoring Phase/Timing	Prior to operations
Verification Approval Party	Riverside County

MITIGATION MEASURE

MM HAZ-9: Regulatory Compliance.

The BESS shall be required to comply with all applicable fire safety standards, including the current California Fire Code (CFC), which governs the code requirements to minimize the risk of fire and life safety hazards specific to BESS used for load shedding, load sharing and other grid services (CFC, chapter 12 § 1206). As required by the County’s conditions of approval for the Substantial Conformance Determination, the BESS shall comply with NFPA 855, Underwriters Laboratory (UL) 9540, UL 9540A, UL 1973, and UL 1741, which are nationally recognized fire and electrical safety standards that address system design, installation, thermal runaway testing, battery performance, and inverter safety. Prior to energization, the BESS shall be subject to inspection and approval by the County Fire Department and/or Fire Marshal.

Responsible Party	Project Owner
Responsible Monitoring Party	Riverside County
Monitoring Phase/Timing	Pre-operation
Verification Approval Party	Riverside County

MITIGATION MEASURE

MM HAZ-10: Project Construction Health and Safety Program.

Prior to the start of construction, the Project owner shall submit to the County a copy of the Project Construction Health and Safety Program containing the following, for review and approval:

- A Construction Personal Protective Equipment Program;
- A Construction Injury and Illness Prevention Program;
- A Construction Emergency Action Plan that fulfills the requirements of California Public Utilities Code 761.3 section (g);
- A Fire Management and Prevention Plan (pursuant to Mitigation Measure HAZ-5) that includes methods of access for emergency responders through locked gates.

Responsible Party	Project Owner
Responsible Monitoring Party	Riverside County
Monitoring Phase/Timing	Prior to construction
Verification Approval Party	Riverside County

Supplemental Mitigation Monitoring and Reporting Program

MITIGATION MEASURE	<p>MM HAZ-11: Project Operations and Maintenance Safety and Health Program. Prior to the start of commissioning, the Project owner shall submit to the County a copy of the Project Operations and Maintenance Safety and Health Program containing the following items, for review and approval:</p> <ul style="list-style-type: none"> ▪ An Operation Injury and Illness Prevention Plan. ▪ An Operations Emergency Action Plan that fulfills the requirements of California Public Utilities Code 761.3 section (g). ▪ A Hazardous Materials Management Program. ▪ A Fire Prevention Plan (California Code of Regulations, tit. 8, § 3221) that includes methods of access for emergency responders through locked gates. ▪ A Fire Protection System Impairment Program. ▪ A Personal Protective Equipment Program (California Code of Regulations, tit.8, §§ 3401-3411).
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Responsible Party	Project Owner
Responsible Monitoring Party	Riverside County
Monitoring Phase/Timing	Prior to operations
Verification Approval Party	Riverside County

MITIGATION MEASURE	<p>MM HAZ-12: NFPA 855. Standard for the Installation of Stationary Energy Storage Systems. The Project owner shall adhere to all applicable provisions of the latest version of NFPA 855: Standard for the Installation of Stationary Energy Storage Systems, as the minimum level of safety for the BESS. The Project owner shall interpret and adhere to all applicable NFPA 855 recommended provisions and actions stating “should” as “shall.” In any situations where both NFPA 855 and the state or local laws, ordinances, regulations, and standards have application, the more restrictive shall apply. The Project owner shall provide all system specifications and design drawings to the County for review and comment during the plan check/building permit process.</p>
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Responsible Party	Project Owner
Responsible Monitoring Party	Riverside County
Monitoring Phase/Timing	Prior to construction
Verification Approval Party	Riverside County

Supplemental Mitigation Monitoring and Reporting Program

MITIGATION MEASURE

MM HAZ-13: BESS Safety Provisions.

Prior to the start of construction, the Project owner shall complete the following for BESS facility and provide all information required below (with the exception of item [i]) to the County for review and plan check approval:

- a. Require that the lithium-ion batteries be shipped from the factory to the Project site at a maximum of 30 percent State of Charge;
- b. Provide fire lanes around the BESS areas that are wide enough to allow for fire engine access;
- c. Provide at least two gates into the BESS facility wide enough for emergency access;
- d. Place water storage tanks at each BESS area that meet volume requirements specified by applicable codes and the County;
- e. Install closed-circuit television (CCTV) cameras with Pan, Tilt, Zoom (PTZ), and low-light capability that cover the entire area of the BESS;
- f. Establish a Command and Control Protocol for staff to perform emergency duties and responsibilities during the detection, initiation, and escalation of a BESS fire;
- g. Establish remote telemetry and CCTV viewing in a Command and Control Center located at a safe distance from the BESS facility for an Incident Commander to use;
- h. Establish an annual joint training program with the County that includes table-top exercises for a BESS fire;
- i. Prepare a Root Cause analysis of any incident at the BESS facility (including but not limited to fire, malfunction, leak, or thermal runaway of any cell, module, or unit) and submit to the County if requested
- j. Consult with the County in preparing the fire protection system specifications and drawings for the Operations and Maintenance Building to ensure an adequate water supply for the fire suppression systems for the BESS facility; and
- k. Implement the final provisions of California Public Utilities Commission General Order 167-C.

Responsible Party	Project Owner
Responsible Monitoring Party	Riverside County
Monitoring Phase/Timing	Prior to construction and throughout construction and operations
Verification Approval Party	Riverside County

Supplemental Mitigation Monitoring and Reporting Program

MITIGATION MEASURE	<p>MM HAZ-14: Hazardous Materials Business Plan. The Project owner shall prepare a Hazardous Materials Business Plan and obtain any and all clearances from the Hazardous Materials Management Branch (HMMB). Review and approval of these plans must be obtained prior to operation of the BESS.</p>
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Responsible Party	Project Owner
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Responsible Monitoring Party	Riverside County Department of Environmental Health HMMB
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Monitoring Phase/Timing	Prior to operations
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Verification Approval Party	Riverside County
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Conditions of Approval – Conditional Use Permit 180001

Athos Renewable Energy Project – Battery Energy Storage System Component

Conditions of Approval Compliance Tracking Table	
PRIOR TO GRADING PERMIT ISSUANCE	
ENVIRONMENTAL HEALTH	
060 - E Health. 1 ECP Clearance	
CONDITION OF APPROVAL	Prior to grading permit issuance, clearance from the Environmental Cleanup Program (ECP) is required. Environmental assessment and/or remediation of the leaking AST shall be completed prior to any grading permit issuance. Please contact the Environmental Cleanup Program for more details at (951) 955-8980.
Responsible Party	Project Owner
Responsible Monitoring Party	Riverside County Environmental Health
Verification Approval Party	Riverside County Environmental Health
060 - E Health. 2 Gen - Custom	
CONDITION OF APPROVAL	All abandoned wells must be properly destroyed under permit from Riverside County Department of Environmental Health prior to grading. Contact the Indio office at (760) 863-7570 for additional information.
Responsible Party	Project Owner
Responsible Monitoring Party	Riverside County Department of Environmental Health
Verification Approval Party	Riverside County Department of Environmental Health
FIRE	
060 - Fire. 1 Prior to Grading - Fire Access Site Plan	
CONDITION OF APPROVAL	The overall spacing of the BESS Units shall be based upon a full-scale fire testing to verify that the proposed spacing is sufficient to ensure that a fire will not propagate from one unit to the next. Minimum 24' width fire access roads designed as an all-weather driving surface and capable of supporting 80,000 shall be provided from the main road to and within 150' of all BESS Units.
Responsible Party	Project Owner
Responsible Monitoring Party	Riverside County Fire Department
Verification Approval Party	Riverside County Fire Department
060 - Fire. 2 Prior to Grading - Fire Protection Water Tank/System	
CONDITION OF APPROVAL	The Hazard Mitigation Analysis shall be completed and identify any required fire protection water supply and or fire water storage tanks required for fire protection.
Responsible Party	Project Owner
Responsible Monitoring Party	Riverside County Fire Department
Verification Approval Party	Riverside County Fire Department

Conditions of Approval Compliance Tracking Table

FLOOD

060 - Flood. 1 Elevate Finished Floor

CONDITION OF APPROVAL	The finished floor of new structures shall be constructed above the highest calculated water surface elevation per a District approved Hydrology and Hydraulics study. Any mobile home/premanufactured building shall be placed on a permanent foundation.
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Responsible Party	Project Owner
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Responsible Monitoring Party	Riverside County Flood Control and Water Conservation District
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Verification Approval Party	Riverside County Flood Control and Water Conservation District
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060 - Flood. 2 HWQ - Mitigation Measures

CONDITION OF APPROVAL	MM HWQ-5: Flood Protection. Substations, the O&M Building, energy storage system, and all other Project buildings shall either be situated outside of the 100-year floodplain or sufficiently protected against dislodgement by flooding where placement outside the floodplain is not practical. Flood protection shall consist of elevating the structures on fill to at least the highest anticipated adjacent flood level per County requirements. Solar panels shall be situated at least one foot above the highest anticipated local flood level per County requirements. All structures using posts or poles for foundations, including transmission poles or towers, shall be designed to protect against substantial scour from the 100-year flood event. The Project must comply with Riverside County Ordinance No. 458 for projects within a Special Flood Hazard Area or floodplain: electrical, heating, ventilation, plumbing, and air conditioning equipment and other service facilities must be designed or located to prevent water from entering or accumulating within the components during flooding.
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Responsible Party	Project Owner
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Responsible Monitoring Party	Riverside County Flood Control and Water Conservation District
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Verification Approval Party	Riverside County Flood Control and Water Conservation District
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060 - Flood. 3 Increased Runoff Mitigation

CONDITION OF APPROVAL	This project shall mitigate for adverse impacts of increased runoff that will be generated by this development. Calculations supporting the design of the mitigation feature(s) shall be submitted for review and approval prior to issuance of permits for this project. See the Advisory Notification Document for Increased Runoff Mitigation Criteria.
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Responsible Party	Project Owner
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Responsible Monitoring Party	Riverside County Flood Control and Water Conservation District
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Conditions of Approval Compliance Tracking Table	
Verification Approval Party	Riverside County Flood Control and Water Conservation District
060 - Flood. 4 Submit ORD. 458 Special Flood Hazard Area Study	
CONDITION OF APPROVAL	<p>CUP 180001 is located within a Special Flood Hazard Area (SFHA) as shown on the Public Flood Hazard Determination Interactive Map. The Developer must submit a floodplain analysis to determine potential impacts of the development to the SFHA. To provide for appropriate future administration of County Ordinance No. 458, the following items shall be submitted to the District for review and approval:</p> <ol style="list-style-type: none"> a. A floodplain analysis (including digital files) consisting of hydrologic and hydraulic calculations, cross sections, maps, reports, and other data prepared to the satisfaction of the District; b. Exhibits showing the pre-development and post-development SFHA limits; c. Georeferenced shapefiles or CAD files of the pre-development and post-development SFHA limits. <p>All hydrologic and hydraulic models, maps, and mapping data must be submitted electronically to the District for review and approval.</p>
Responsible Party	Project Owner
Responsible Monitoring Party	Riverside County Flood Control and Water Conservation District
Verification Approval Party	Riverside County Flood Control and Water Conservation District
060 - Flood. 5 Submit Plans	
CONDITION OF APPROVAL	<p>Submit storm drain plans, the hydrologic and hydraulic report, and reference material including but not limited to, street improvement plans, grading plans, utility plans, the approved tentative map or site plan, the final map and the environmental constraint sheet, the geotechnical soils report and environmental documents (CEQA, federal and state permits). The storm drain plans and the hydrologic and hydraulic report must receive District approval prior to the issuance of permits. All submittals shall be date stamped by the Engineer and include a Plan Check Application, Flood Control Deposit Based Fee Worksheet, and a plan check fee deposit.</p>
Responsible Party	Project Owner
Responsible Monitoring Party	Riverside County Flood Control and Water Conservation District
Verification Approval Party	Riverside County Flood Control and Water Conservation District

Conditions of Approval Compliance Tracking Table

PLANNING

060 - Planning. 1 Development Agreement

CONDITION OF APPROVAL	<p>In order to secure public health, safety, and welfare, this project shall be subject to the requirements of Board of Supervisors Policy Number B-29 (Solar Power Plant Policy). The applicant has proposed entering into a Development Agreement (DA No. 1900001) with the County. Board of Supervisors Policy No. B-29 states, "[N]o approval required by Ordinance Nos. 348 or 460 shall be given for a solar power plant unless the Board first approves a development agreement with the solar power plant owner and the development agreement is effective." County staff has reached an agreement with the applicant on the provisions of the development agreement that are consistent with Board of Supervisor Policy No. B-29. In the event it is determined that any provisions of DA No. 1900001 are inconsistent with Board of Supervisors Policy No. B-29, the provisions of DA No. 190001 shall control.</p> <p>No permits shall be issued until Development Agreement No. 1900001 has been approved and adopted by the Board of Supervisors and has been made effective.</p>
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Responsible Party	Project Owner
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Responsible Monitoring Party	Riverside County Planning Department
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Verification Approval Party	Riverside County Planning Department
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060 - Planning. 2 Fee Balance

CONDITION OF APPROVAL	<p>Prior to grading permit issuance, the Planning Department shall determine if the deposit-based fees for CUP180001S01 are in a negative balance. If so, any unpaid fees shall be paid by the land divider and/or the land divider's successor-in-interest.</p>
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Responsible Party	Project Owner
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Responsible Monitoring Party	Riverside County Planning Department
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Verification Approval Party	Riverside County Planning Department
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060 – Planning. 3 Planning review of grading permit(s)

CONDITION OF APPROVAL	<p>Prior to issuance of a grading permit, the Planning Department needs to review grading plans to compare to the approved substantial conformance (CUP180001S01) for BESS equipment and location.</p>
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Responsible Party	Project Owner
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Responsible Monitoring Party	Riverside County Planning Department
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Verification Approval Party	Riverside County Planning Department
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Conditions of Approval Compliance Tracking Table

060 Planning. 4 Use – Mitigation Measure AES-2

CONDITION OF APPROVAL

MM AES-2: Surface Treatment of Project Structures and Buildings. To the extent commercially feasible, the Project owner shall treat the surfaces of all non-temporary large Project structures and buildings (O&M building, inverters, electrical enclosures, gen-tie poles and conductors) visible to the public such that (a) their colors minimize visual intrusion and contrast by blending with (matching) the existing characteristic landscape colors; (b) their colors and finishes do not create excessive glare; and (c) their colors and finishes are consistent with local policies and ordinances. The transmission line conductors shall be nonspecular and non-reflective, and the insulators shall be non-reflective and non-refractive.

Following consultation with the Riverside County Visual Resources specialist (for solar and gen-tie facilities on non-BLM lands) and the BLM Visual Resources specialist (for gen-tie facilities on BLM lands) and other representatives as deemed necessary, the Project owner shall submit for the County's (for solar and gen-tie facilities on non-BLM lands) and BLM's (for gen-tie facilities on BLM lands) review and approval, a specific Surface Treatment Plan that will satisfy these requirements. The consultation would be in-field at the agencies' election, or desktop review if preferred by the agencies. The treatment plan shall include:

- a. A description of the overall rationale for the proposed surface treatment, including the selection of the proposed color(s) and finishes based on the characteristic landscape. Colors will be fielded tested using the actual distances from the KOPs to the proposed structures, using the proposed colors painted on representative surfaces;
- b. A list of each major Project structure, building, tank, pipe, and wall; the transmission line towers and/or poles; and fencing, specifying the color(s) and finish proposed for each. Colors must be identified by vendor, name, and pantone number; or according to a universal designation system;
- c. One set of color brochures or color chips showing each proposed color and finish;
- d. A specific schedule for completion of the treatment; and
- e. A procedure to ensure proper treatment maintenance for the life of the Project. The Project owner shall not specify to the vendors the treatment of any buildings or structures treated during manufacture or perform the final treatment on any buildings or structures treated in the field, until the Project owner receives notification of approval of the treatment plan by Riverside County and the BLM (gen-tie only). Subsequent modifications to the treatment plan are prohibited without the County's and BLM's approval for components under their respective authorities; however, the project owner may consider the agencies' failure to respond to a request for review within 60 days an acceptance of the proposal.

Conditions of Approval Compliance Tracking Table

(To extent feasible shall mean to the satisfaction of the Assistant TLMA Director, or their designated representative)

Responsible Party	Project Owner
Responsible Monitoring Party	Riverside County Planning Department
Verification Approval Party	Riverside County Planning Department

060 - Planning. 5 Use - Mitigation Measure AES-4

CONDITION OF APPROVAL	MM AES-4: Retention of Roadside Vegetation. Retain SR-177 roadside vegetation along both directions of travel. Specifically, maintain a minimum 50-foot natural vegetation buffer as measured from the outer edge of the road shoulder along both northbound and southbound lanes for the purpose of providing visual screening of Project facilities and reducing visible contrast.
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Responsible Party	Project Owner
Responsible Monitoring Party	Riverside County Planning Department
Verification Approval Party	Riverside County Planning Department

060 - Planning. 6 Use - Mitigation Measure Fugitive Dust Control Plan

CONDITION OF APPROVAL	MM AQ-1: Fugitive Dust Control Plan. The Project owner shall prepare and implement a Fugitive Dust Control Plan to address fugitive dust emissions during Project construction, operation, maintenance, and decommissioning. The plan would include measures to minimize fugitive dust emissions from development of laydown and staging areas, site grading, vegetation management, and installing all Project facilities through post-construction cleanup. The Project owner would take every reasonable precaution to prevent all airborne fugitive dust plumes from leaving the Project site and to prevent visible particulate matter from being deposited upon public roadways. The plan would be subject to review and approval by the SCAQMD (Rule 403).
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The following measures would be included within the plan:

- During construction, all unpaved roads, disturbed areas (e.g., areas of scraping, excavation, backfilling, grading, and compacting), and loose materials generated during construction activities shall be stabilized with a non-toxic soil stabilizer or soil weighting agent or watered two times daily or as frequently as necessary to minimize fugitive dust generation. Non-water-based soil stabilizers shall be as efficient as or more efficient for fugitive dust control than ARB-approved soil stabilizers and shall not increase any other environmental impacts, including loss of vegetation, adverse odors, or emissions of ozone precursor reactive organic gases (ROG) or volatile organic compounds (VOC).
- The main access roads through the site shall be either paved or stabilized using soil binders, or equivalent methods, to provide a stabilized surface that is similar for

Conditions of Approval Compliance Tracking Table

	<p>the purposes of dust control to paving, that may or may not include a crushed rock (gravel or similar material with fines removed) top layer, prior to initiating construction. Delivery, laydown, and staging areas for construction or O&M supplies shall be paved or treated prior to taking initial deliveries.</p> <ul style="list-style-type: none"> ▪ Grading and earthwork activities, including vegetation removal, cut and fill movement, and soil compacting, shall be phased across the site to minimize the amount of exposed or disturbed area on any single day. ▪ No vehicle shall exceed 15 miles per hour on unpaved areas within the construction site, with the exception that vehicles may travel up to 25 miles per hour on stabilized unpaved roads as long as such speeds do not create visible dust emissions. ▪ Visible speed limit signs shall be posted at the construction site entrances. ▪ All construction equipment vehicle tires shall be inspected and washed as necessary to be cleaned free of dirt prior to entering paved roadways. ▪ All unpaved exits from the construction site shall be graveled or treated to prevent track-out onto public roadways. ▪ All paved roads within the construction site shall be swept daily or as needed (less during periods of precipitation) on days when construction activity occurs to prevent the accumulation of dirt and debris. ▪ At least the first 500 feet of any paved public roadway exiting the construction site or exiting other unpaved roads to access the construction site or staging areas shall be swept as needed when dirt or runoff resulting from the construction activities is visible on the paved public roadway.
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Responsible Party	Project Owner
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Responsible Monitoring Party	Riverside County Planning Department / SCAQMD
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Verification Approval Party	Riverside County Planning Department / SCAQMD
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060 – Planning. 7 Use – Mitigation Measure

CONDITION OF APPROVAL	MM AES-4: Retention of Roadside Vegetation. Retain SR-177 roadside vegetation along both directions of travel. Specifically, maintain a minimum 50-foot natural vegetation buffer as measured from the outer edge of the road shoulder along both northbound and southbound lanes for the purpose of providing visual screening of Project facilities and reducing visible contrast.
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Responsible Party	Project Owner
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Responsible Monitoring Party	Riverside County Planning Department
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Verification Approval Party	Riverside County Planning Department
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Conditions of Approval Compliance Tracking Table

060 – Planning. 8 Use – Mitigation Measure

CONDITION OF APPROVAL	MM AQ-4: Construction Activity Management Plan. The Project owner shall prepare and implement a construction activity or phasing plan that requires construction contractors to schedule the overlapping activities of on-road motor vehicles and off-road equipment to avoid excessive daily emissions. The activity management plan shall reflect the ultimate design of the solar facility and gen-tie line development timing, and shall reflect the anticipated make-up of the construction equipment fleet and workforce. The plan would need to reflect dust control practices (Mitigation Measure AQ-1), off-road equipment engine standards (Mitigation Measure AQ-2), and use of newer vehicles for vendor and hauling trucks (Mitigation Measure AQ-3). The plan shall be submitted to the County and accepted by the County prior to the County issuing final permits
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Responsible Party	Project Owner
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Responsible Monitoring Party	Riverside County Planning Department
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Verification Approval Party	Riverside County Planning Department
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060 – Planning. 9 Use – Mitigation Measure

CONDITION OF APPROVAL	MM HAZ-1: Soil Investigation. Prior to issuance of a grading permit, a Phase II soil investigation shall be prepared by a qualified environmental consultant to evaluate the potential presence of residual contaminants as recommended in the Phase I report (see Appendix K). Any soils found to contain residual contaminants in exceedance of regulatory action levels that are determined by the consultant to represent a potential hazard to construction workers or future workers and visitors shall be removed from the site in accordance with Riverside County Department of Environmental Health oversight.
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Responsible Party	Project Owner
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Responsible Monitoring Party	Riverside County Planning Department
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Verification Approval Party	Riverside County Planning Department
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060 - Planning. 10 Use - Mitigation Monitoring

CONDITION OF APPROVAL	The permittee shall submit a written report to the Planning Director demonstrating compliance with conditions of approval and mitigation measures of this permit and CEQ180007, which must be satisfied prior to the issuance of a grading permit. The Planning Director may require inspection or monitoring to assure such compliance.
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Responsible Party	Permittee
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Responsible Monitoring Party	Riverside County Planning Department
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Verification Approval Party	Riverside County Planning Department
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Conditions of Approval Compliance Tracking Table	
PLANNING - CULTURAL	
060 - Planning-CUL. 1 MM CUL-1 Project Archaeologist	
CONDITION OF APPROVAL	Prior to issuance of grading permits: The applicant/developer shall provide evidence to the County of Riverside Planning Department that a County certified professional archaeologist (Project Archaeologist) has been contracted to implement a Cultural Resource Monitoring Program.
Responsible Party	Project Owner
Responsible Monitoring Party	Riverside County Planning Department
Verification Approval Party	Riverside County Planning Department
060 - Planning-CUL. 2 MM CUL-13 Archival and field studies	
CONDITION OF APPROVAL	Prior to grading, the consultant shall complete archival research to determine context and association with major historical themes to complete evaluations for CA-RIV-9854H, -9857H, -20572, and AE-3752-064H.
Responsible Party	Consultant
Responsible Monitoring Party	Riverside County Planning Department
Verification Approval Party	Riverside County Planning Department
060 - Planning-CUL. 3 MM CUL-2 Cultural Resource Monitoring Plan	
CONDITION OF APPROVAL	<p>Prior to issuance of grading permits: The applicant/developer shall provide evidence to the County of Riverside Planning Department that a Cultural Resource Monitoring Plan has been developed with input from the consulting tribes, that addresses the details of all activities and provides procedures that must be followed in order to reduce the impacts to cultural and historic resources to a level that is less than significant (except for the Project's contribution to a significant cumulative impact to the PTNCL, which would remain significant after mitigation) as well as address potential impacts to undiscovered buried archaeological resources associated with this project. A fully executed copy of the contract and a wet-signed or DocuSigned (e-signature) copy of the Monitoring Plan shall be provided to the County Archaeologist to ensure compliance with this condition of approval. Working directly under the Project Archaeologist, an adequate number of qualified Archaeological Monitors shall be present to ensure that all earth moving activities are observed and shall be on-site during all grading activities for areas to be monitored including off-site improvements. Inspections shall vary based on the rate of excavation, the materials excavated, and the presence and abundance of artifacts and features. The frequency and location of inspections shall be determined by the Project Archaeologist.</p> <p>The Cultural Resources Monitoring Plan shall include the following procedures: Flag and Avoid - If resources within the transmission line</p>

Conditions of Approval Compliance Tracking Table

	<p>corridor can be spanned rather than impacted, or in the event that new resources are discovered during construction where impacts can be reduced or avoided, the Project owner shall:</p> <ol style="list-style-type: none"> 1. Ensure that a Cultural Resource Specialist (CRS), alternate CRS, or other supervisory cultural resource field staff establish the boundary of each site, add a 10 meter-wide buffer around the periphery of each site boundary, and flag the resulting space in a conspicuous manner; 2. Ensure that a CRS enforces avoidance of the flagged areas during construction; 3. 3. Ensure, after completion of construction, boundary markings around each site and buffer are removed so as not to attract vandals.
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Responsible Party	Project Owner
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Responsible Monitoring Party	Riverside County Planning Department
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Verification Approval Party	Riverside County Planning Department
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060 - Planning-CUL. 4 MM CUL-3 Archaeological Monitor

CONDITION OF APPROVAL	<p>Prior to issuance of grading permits: The applicant/developer shall provide evidence to the County of Riverside Planning Department that an adequate number of qualified archaeological monitors shall be onsite to ensure all earth moving activities are observed for areas being monitored. This includes all grubbing, grading and trenching onsite and for all offsite improvements. Inspections shall vary based on the rate of excavation, the materials excavated, and the presence and abundance of artifacts and features. The frequency and location of inspections shall be determined and directed by the Project Archaeologist.</p>
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Responsible Party	Project Owner
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Responsible Monitoring Party	Riverside County Planning Department
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Verification Approval Party	Riverside County Planning Department
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060 - Planning-CUL. 5 MM CUL-4 Native American Monitor

CONDITION OF APPROVAL	<p>Prior to the issuance of grading permits, the developer/permit applicant shall enter into an agreement with the consulting tribe(s) for at least one Native American Monitor. The Native American Monitor(s) shall be on-site during all initial ground disturbing activities and excavation of each portion of the project site including clearing, grubbing, tree removals, grading and trenching. In conjunction with the Archaeological Monitor(s), the Native American Monitor(s) shall have the authority to temporarily divert, redirect or halt the ground disturbance activities to allow identification, evaluation, and potential recovery of cultural resources. The developer/permit applicant shall submit a fully executed copy of the agreement to the County Archaeologist to ensure compliance with this condition of approval. Upon verification, the Archaeologist shall clear this condition. This agreement shall not modify any condition of approval or mitigation measure.</p>
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Conditions of Approval Compliance Tracking Table

Responsible Party Project Owner

Responsible Monitoring Party Riverside County Planning Department

Verification Approval Party Riverside County Planning Department

060 - Planning-CUL. 6 MM CUL-5 Tribal Cultural Sensitivity Training

CONDITION OF APPROVAL Prior to ground disturbance, the developer/permit applicant shall enter into an agreement with the consulting tribe(s) to provide Cultural Sensitivity Training. A representative designated by the consulting Tribe(s) shall provide Cultural Sensitivity Training for all construction personnel. Training shall include a brief review of the cultural sensitivity of the Project and the surrounding area; what resources could potentially be identified during earthmoving activities; the protocols that apply in the event unanticipated cultural resources are identified, including who to contact and appropriate avoidance measures until the find(s) can be properly evaluated; and any other appropriate protocols. This is a mandatory training and all construction personnel must attend prior to beginning work on the project site. A copy of the agreement and a copy of the sign in sheet shall be submitted to the County Archaeologist to ensure compliance with this condition of approval. A record of attendance shall be available to the consulting tribes upon request.

Responsible Party Project Owner

Responsible Monitoring Party County Archaeologist

Verification Approval Party County Archaeologist

060 - Planning-CUL. 7 MM CUL-9 Temporary Fencing

CONDITION OF APPROVAL Temporary fencing shall be required for the protection of cultural site(s) AE-3752-066H, P-33-018393/ CA-RIV-9481H and P-33-025150/ CA-RIV-12372H during any construction activities along the Gen-Tie lines. Prior to commencement of construction activities the project archaeologist shall confirm the site boundaries and determine an adequate buffer for protection of the site(s). The applicant shall direct the installation of fencing under the supervision of the project archaeologist and Native American Monitor. The fencing can be removed only after construction activities have been completed.

Responsible Party Project Owner

Responsible Monitoring Party County Archaeologist

Verification Approval Party County Archaeologist

Conditions of Approval Compliance Tracking Table

PLANNING – ENVIRONMENTAL PROGRAMS DIVISION

060 - Planning-EPD. 1 30-Day Burrowing Owl Preconstruction Surveys - EPD

CONDITION OF APPROVAL Prior to issuance of a grading permit a qualified biologist shall conduct a preconstruction, presence/absence survey for burrowing owl, using an accepted protocol, and the results provided in writing to the Environmental Programs Department. If it is determined that the project site is occupied by the Burrowing Owl, take of “active” nests shall be avoided. However, when the Burrowing Owl is present, relocation outside of the nesting season (February 1 through August 31) by a qualified biologist shall be required. The County Biologist and Wildlife Agencies shall be consulted to determine appropriate type of relocation (active or passive) and translocation sites. A grading permit may be issued once the species has been relocated.

Responsible Party Project Owner

Responsible Monitoring Party Riverside County Environmental Programs Division

Verification Approval Party Riverside County Environmental Programs Division

060 – Planning-EPD. 2 BIO – Mitigation Measure

CONDITION OF APPROVAL MM BIO-7: Emory’s Crucifixion Thorn Mitigation. The Applicant will mitigate impacts to Emory’s crucifixion thorn (CRPR 2) through one or a combination of the following strategies.

- Avoidance: Project design will avoid at minimum 75 percent of the Emory’s crucifixion thorn occurrences within the Project boundaries or other work areas, including the gen-tie line, as identified in the BRTR and recorded in accompanying GPS data and will provide a minimum 100-foot buffer area surrounding each avoided occurrence, where no Project activities will take place.
- Off-site compensation: The Applicant will provide compensation lands consisting of occupied Emory’s crucifixion thorn habitat at a 1:1 ratio for any occupied habitat affected by the Project, according to the terms described in MM BIO-6 (Compensation for Natural Habitat Impacts). Occupied habitat will be calculated on the Project site and on the compensation lands as including each special status plant occurrence and a surrounding 100-foot buffer area. Off-site compensation will be incorporated into the Project’s Habitat Compensation Plan, for review and approval by Riverside County. Mitigation may be “nested” or “layered,” to the extent that it meets habitat requirements for multiple species that will or may be impacted by the Project.
- Salvage: The Applicant will consult with Rancho Santa Ana Botanic Garden (RSABG) regarding the success of salvage efforts for this species at the Desert Sunlight Solar Farm Project site. If the strategy has been shown to be feasible, then the Applicant will prepare and implement an Emory’s Crucifixion Thorn Salvage and Relocation Plan, to

Conditions of Approval Compliance Tracking Table	
	<p>be reviewed and approved by Riverside County prior to disturbance of any occupied Emory's crucifixion thorn habitat. Emory's crucifixion thorn on private lands may also be subject to the provisions of the California Desert Native Plants Act. The Applicant will contract with RSABG or another entity with comparable experience and qualifications, to salvage at minimum 75 percent of Emory's crucifixion thorn individuals from the proposed Project site and transfer them to a suitable off-site location.</p> <ul style="list-style-type: none"> ▪ Horticultural propagation and off-site introduction. If salvage and relocation is not believed to be feasible for Emory's crucifixion thorn, then the Applicant will consult with RSABG or another qualified entity, to develop and implement an appropriate experimental propagation and relocation strategy.
Responsible Party	Project Owner
Responsible Monitoring Party	Riverside County Environmental Programs Division
Verification Approval Party	Riverside County Environmental Programs Division
060 - Planning-EPD. 3 BIO - Mitigation Measure	
CONDITION OF APPROVAL	<p>MM BIO-4: Integrated Weed Management Plan. The Applicant will prepare and implement an Integrated Weed Management Plan (IWMP) to minimize or prevent invasive weeds from infesting the site or spreading into surrounding habitat. Riverside County and the BLM (for gen-tie segments on BLM lands) must approve the plan. If the County does not respond to submittal of the draft IWMP within 60 days, the Project owner may consider this a waiver of the County's authority to comment and the Plan may be considered approved.</p> <p>The IWMP will identify weed species occurring or potentially occurring in the Project area, means to prevent their introduction or spread (e.g., vehicle cleaning and inspections), monitoring methods to identify infestations, and timely implementation of manual or chemical (as appropriate) suppression and containment measures to control or eradicate invasive weeds. The IWMP will identify herbicides that may be used for control or eradication, and avoid herbicide use in or around any environmentally sensitive areas. The IWMP will also include a reporting schedule, to be implemented by the Lead Biologist.</p>
Responsible Party	Project Owner
Responsible Monitoring Party	Riverside County Environmental Programs Division
Verification Approval Party	Riverside County Environmental Programs Division

Conditions of Approval Compliance Tracking Table

060 - Planning-EPD. 4 BIO - Mitigation Measure

CONDITION OF APPROVAL

MM BIO-9: Desert Tortoise Protection. No desert tortoise may be handled or relocated without authorization from USFWS and CDFW. The Applicant may seek incidental take authorization from both agencies to handle or translocate desert tortoise. If incidental take authorization is obtained, then desert tortoises would be handled or translocated according to a Wildlife Relocation Plan, to be prepared as specified in APM B-1 (Wildlife Relocation), pending approval by both agencies. If incidental take authorization is not obtained, desert tortoises would not be handled or translocated.

The Applicant will employ a biologist who is qualified to conduct desert tortoise clearance surveys (qualified biologist), who will be on-site during all construction. Additionally, the Applicant will designate a Lead Biologist as the Field Contact Representative (FCR) for purposes of the desert tortoise protection measures.

The qualified biologists may be the Project's Lead Biologist, a biological monitor, or another individual. The qualified biologist's qualifications will be subject to review and approval by Riverside County. Qualifications may include work as a compliance monitor on a project in desert tortoise habitat, work on desert tortoise trend plot or transect surveys, conducting surveys for desert tortoise, or other research or field work on desert tortoise. Attendance at a training course endorsed by the agencies (e.g., Desert Tortoise Council tortoise training workshop) is a supporting qualification.

The qualified biologist shall conduct pre-construction clearance surveys for each work area, watch for tortoises wandering into the construction areas, check under vehicles, and examine excavations and other potential pitfalls for entrapped animals. The qualified biologist will be responsible for overseeing compliance with desert tortoise protective measures and for coordination with the Project's Lead Biologist/FCR (described below). The qualified biologist shall have the authority to halt all Project activities that are in violation of these measures or that may result in take of a desert tortoise. The qualified biologist will not handle or relocate desert tortoises unless specifically authorized by the USFWS and CDFW. Any incident that is considered by the qualified biologist to be in noncompliance with these measures will be documented immediately by the qualified biologist. The FCR will be responsible for overseeing compliance with desert tortoise protective measures and for coordination with resource agencies. The FCR will have the authority to halt any Project activities that may risk take of a desert tortoise or that may be inconsistent with adopted mitigation measures or permit conditions. Neither the FCR nor any other Project employee may bar or limit any communications between any Natural Resource Agency or The County of Riverside Environmental Programs Division and any Project biologist, biological monitor or contracted biologist. Upon notification by the qualified biologist or another biological monitor of any noncompliance the FCR will ensure that

Conditions of Approval Compliance Tracking Table

appropriate corrective action is taken. Corrective actions will be documented by the qualified biologist. The following incidents will require immediate cessation of any Project activities that could harm a desert tortoise: (1) location of a desert tortoise within a work area; (2) imminent threat of injury or death to a desert tortoise; (3) unauthorized handling of a desert tortoise, regardless of intent; (4) operation of construction equipment or vehicles outside a Project area cleared of desert tortoise, except on designated roads; and (5) conducting any construction activity without a biological monitor where one is required. The Applicant will be responsible for implementing the following requirements, under direction by the qualified biologist and FCR where appropriate.

- Preconstruction Clearance Survey. Transects will be spaced 15 feet apart. Clearance will be considered complete after two successive 100-percent coverage surveys have been conducted without finding any desert tortoises. Clearance surveys must be conducted during the active season for desert tortoises (April through May or September through October). If a tortoise or an occupied tortoise burrow is located during clearance surveys, work activities will only proceed at the site and within a suitable buffer area after the tortoise has either moved away of its own accord, or if it has been translocated off the site under authorization by the USFWS and CDFW.
 - Worker Training: The following specifications will be incorporated into the WEAP training, identified in Mitigation Measure BIO-2. Prior to the onset of construction activities, a desert tortoise education program will be presented by the FCR or qualified biologist to all personnel who will be present on Project work areas. Following the onset of construction, any new employee will be required to formally complete the tortoise education program prior to working on-site. At a minimum, the tortoise education program will cover the following topics:
 - A detailed description of the desert tortoise, including color photographs;
 - The distribution and general behavior of the desert tortoise;
 - Sensitivity of the species to human activities;
 - The protection the desert tortoise receives under the state and federal Endangered Species Acts, including prohibitions and penalties incurred for violation;
 - The protective measures being implemented to conserve the desert tortoise during construction activities; and
 - Procedures and a point of contact if a desert tortoise is observed on-site.
 - Construction phase tortoise exclusion fencing. Prior to construction of solar facilities, temporary or permanent desert tortoise exclusion fencing will be installed around the work areas. The fence will adhere to USFWS design guidelines, where applicable. The qualified biologist will
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Conditions of Approval Compliance Tracking Table

conduct a clearance survey before the tortoise fence is enclosed to ensure no tortoises are in the work area. Any potentially occupied burrows will be avoided until monitoring or field observations (e.g., with a motion-activated camera or fiber-optic mounted video camera) determines absence. If live tortoises or an occupied tortoise burrow are identified in the work area, tortoises shall be relocated under authorization by USFWS and CDFW or allowed to leave on their own accord before enclosing the fence. The fence shall be either continuously monitored prior to closure, or clearance surveys shall be repeated prior to closure after tortoises are removed. Once installed, exclusion fencing will be inspected at least monthly and following all rain events, and corrective action taken if needed to maintain it. Fencing around each work area will include a "cattle guard" or desert tortoise exclusion gate at each entry point. This gate will remain closed at all times, except when vehicles are entering or leaving the Project area. If it is deemed necessary to leave the gate open for extended periods of time (e.g., during high traffic periods), the gate may be left open as long as a qualified biologist is present to monitor for tortoise activity in the vicinity.

- Unfenced work areas. As an alternative to exclusion fencing, any work conducted in an area that is not fenced to exclude desert tortoises must be monitored by a qualified biologist who will stop work if a tortoise enters the work area. Work activities will only proceed at the site and within a suitable buffer area after the tortoise has either moved away of its own accord, or if it has been translocated off the site under authorization by the USFWS and CDFW. Work sites with potential hazards to desert tortoise (e.g., auger holes, steep-sided depressions) that are outside of the desert tortoise exclusion fencing will be fenced by installing exclusionary fencing, or not left unfilled overnight.
 - Operation phase tortoise monitoring or exclusion. At the Applicant's discretion, and in consultation with resource agencies, permanent desert tortoise exclusion fencing may be installed around each solar facility site, or the Applicant may prepare and implement a monitoring and avoidance program to ensure no take of desert tortoise during O&M, while allowing wildlife (possibly including desert tortoise) to move through the facilities uninjured.
 - Tortoises under vehicles. The ground beneath vehicles parked outside of desert tortoise exclusion fencing will be inspected immediately prior to the vehicle being moved. If a tortoise is found beneath a vehicle, the vehicle will not be moved until the desert tortoise leaves of its own accord.
 - Tortoises on roads. If a tortoise is observed on or near the road accessing a work area, vehicles will stop to allow the tortoise to move off the road on its own.
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Conditions of Approval Compliance Tracking Table

- Tortoise Observations. Any time a tortoise is observed within or near a work site, Project work activities will only proceed at the site and within a suitable buffer area after the tortoise has either moved away of its own accord, or if it has been translocated off the site under authorization by the USFWS and CDFW. If a tortoise is observed outside of exclusion fencing, construction will stop and the tortoise shall be allowed to move out of the area on its own. If a tortoise or tortoise burrow is observed within the exclusion fencing, construction in the vicinity will stop, pending translocation of the tortoise or other action as authorized by USFWS and CDFW.
- Dead or Injured Specimens. Upon locating a dead or injured tortoise, the Applicant or its agent will immediately notify the Palm Springs Fish and Wildlife Office by telephone within three days of the finding. Written notification must be made within five days of the finding, both to the appropriate USFWS field office and to the USFWS's Division of Law Enforcement. The information provided must include the date and time of the finding or incident (if known), location of the carcass or injured animal, a photograph, cause of death, if known, and other pertinent information.

Responsible Party	Project Owner
Responsible Monitoring Party	Riverside County Environmental Programs Division
Verification Approval Party	Riverside County Environmental Programs Division

060 - Planning-EPD. 5 BIO – Mitigation Measure

CONDITION OF APPROVAL	<p>MM BIO-1: Biological Monitoring</p> <p>The Applicant will assign a Lead Biologist as the primary point of contact for the lead and resource agencies regarding biological resources mitigation and compliance. For desert tortoise protection measures (BIO-9, below), the Lead Biologist will serve as the Field Contact Representative (FCR). The Applicant will provide the resume of the proposed Lead Biologist to the County (as appropriate) for concurrence prior to onset of ground-disturbing activities. The Lead Biologist will have demonstrated expertise with the biological resources within the Project area. The Lead Biologist duties will vary during the construction, O&M, and decommissioning phases. In general, the duties will include, but will not be limited to those listed below:</p> <ul style="list-style-type: none"> ▪ Regular, direct communication with representatives of Riverside County, and other agencies, as appropriate. ▪ Train and supervise additional Biological Monitors to ensure that all biological monitoring activities are completed properly and according to schedules. Monitoring will include inspections of any area or activity that may impact biological resources to ensure compliance with all mitigation measures for biological resources.
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Conditions of Approval Compliance Tracking Table

- Conduct or oversee Worker Environmental Awareness Program (WEAP) training (Mitigation Measure BIO-2).
- Conduct or oversee clearance surveys and monitoring duties as defined in all adopted mitigation measures.
- Halt any activities in any area if it is determined that the activity, if continued, would cause an unauthorized adverse impact to biological resources.
- Clearly mark sensitive biological resource areas during construction, O&M, and decommissioning, and inspect these areas at appropriate intervals for compliance with regulatory terms and conditions.
- Conduct or oversee bi-weekly compliance inspections during ground disturbing construction activities. Inspections will include delineating limits of disturbance, fence construction activities, pre-construction clearance surveys; and initial clearing, grubbing, and grading.
- Inspect or oversee daily inspection of active construction or O&M activity areas where animals may have become trapped. At the end of each work day, either inspect installation of structures that prevent entrapment or allow escape during periods of construction inactivity. Periodically inspect areas with high vehicle activity (e.g., parking lots) for animals in harm's way and relocate them if necessary.
- During the operations phase of the Project, conduct quarterly compliance inspections (fencing condition, trash management, wildlife mortality logs, etc.); conduct weed monitoring and control (according to the Integrated Weed Management Plan).
- Immediately notify the Applicant, County, and resource agencies (as applicable) in writing of dead or injured special-status species, or of any non-compliance with biological mitigation measures or permit conditions.
- During construction, provide weekly verbal or written updates to Riverside County, and, for any information pertinent to state or federal permits, to the BLM or resource agencies.
- During construction and O&M, prepare and submit monthly and annual compliance reports, respectively.

Responsible Party	Project Owner / Lead Biologist
Responsible Monitoring Party	Riverside County Environmental Programs Division
Verification Approval Party	Riverside County Environmental Programs Division

Conditions of Approval Compliance Tracking Table

060 - Planning-EPD. 6 BIO – Mitigation Measure

CONDITION OF APPROVAL

MM BIO-2: Worker Environmental Awareness Training. The Lead Biologist will prepare and implement a Worker Environmental Awareness Program (WEAP). The Applicant will be responsible for ensuring that all workers at the site receive WEAP training prior to beginning work on the Project and throughout construction and operations. The WEAP will be available in English and Spanish. The Applicant will submit the WEAP to Riverside County for approval prior to implementation. If the County does not respond to submittal of the draft Plan within 60 days, the Project owner may consider this a waiver of the County’s authority to comment and the Plan may be considered approved. The WEAP will:

- Be developed by or in consultation with the Designated Biologist and consist of an on-site or training center presentation with supporting written material and electronic media, including photographs of protected species, available to all participants.
- Provide an explanation of the function of flagging that designates authorized work areas; specify the prohibition of soil disturbance or vehicle travel outside designated areas.
- Discuss general safety protocols such as vehicle speed limits, hazardous substance spill prevention and containment measures, and fire prevention and protection measures.
- Review mitigation and biological permit requirements.
- Explain the sensitivity of the vegetation and habitat within and adjacent to work areas, and proper identification of these resources.
- Discuss the federal and State Endangered Species Acts, Bald and Golden Eagle Protection Act, and the Migratory Bird Treaty Act and the consequences of non-compliance with these acts.
- Discuss the locations and types of sensitive biological resources on the Project site and adjacent areas and explain the reasons for protecting these resources.
- Inform participants that no snakes, other reptiles, birds, bats, or any other wildlife will be harmed or harassed.
- Place special emphasis on species that may occur on the Project site and/or gen-tie lines, including special-status plants, desert tortoise, Mojave fringe-toed lizard, burrowing owl, golden eagle, nesting birds, desert kit fox, American badger, and burro deer.
- Specify guidelines for avoiding rattlesnakes and reporting rattlesnake observations to ensure worker safety and avoid killing or injuring rattlesnakes. Wherever feasible, rattlesnakes should be safely removed from the work area using appropriate snake handling equipment, including a secure storage container for transport.

Conditions of Approval Compliance Tracking Table

	<ul style="list-style-type: none"> ▪ Describe workers' responsibilities for avoiding the introduction of invasive weeds onto the Project site and surrounding areas, describe the Integrated Weed Management Plan. ▪ Provide contact information for the Lead Biologist and instructions for notification of any vehicle-wildlife collisions or dead or injured wildlife species encountered during Project-related activities. ▪ Include a training acknowledgment form to be signed by each worker indicating that they received training and will abide by the guidelines.
Responsible Party	Project Owner
Responsible Monitoring Party	Riverside County Environmental Programs Division
Verification Approval Party	Riverside County Environmental Programs Division

060 - Planning-EPD. 7: BIO – Mitigation Measure

CONDITION OF APPROVAL	<p>MM BIO-8: Wildlife Protection. The Applicant shall undertake the following measures during construction and O&M to avoid or minimize impacts to wildlife. Implementation of all measures shall be subject to review and approval by Riverside County.</p> <ul style="list-style-type: none"> ▪ Wildlife avoidance. Wherever feasible, Project activities will avoid interference with wildlife (include ground dwelling species, birds, bats) by allowing animals to escape from a work site prior to disturbance; conducting pre-construction surveys and exclusion measures for certain species as specified in other measures; checking existing structures (homes, trailers, etc.) for animals such as bats, barn owls, skunks, or snakes that may be present, and safely excluding them prior to removing the structures. ▪ Minimize traffic impacts. The Applicant will specify and enforce maximum vehicle speed limits as specified in the Traffic Control Plan, to minimize risk of wildlife collisions and fugitive dust. ▪ Minimize lighting impacts. Night lighting, when in use, shall be designed, installed, and maintained to prevent side casting of light towards surrounding fish or wildlife habitat. ▪ Avoid use of toxic substances. Soil bonding and weighting agents used for dust suppression on unpaved surfaces shall be non-toxic to wildlife and plants. ▪ Minimize noise and vibration impacts. The Applicant will conform to noise requirements specified in the noise analysis of this EIR to minimize noise to offsite habitat. ▪ Water. Potable and non-potable water sources such as tanks, ponds, and pipes shall be covered or otherwise secured to prevent animals (including birds) from entering. Prevention methods may include storing water within closed tanks or covering open tanks with 2-centimeter netting. Dust abatement will use the minimum amount of water on dirt roads and construction areas to meet safety and air quality standards. Water sources (e.g., hydrants,
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Conditions of Approval Compliance Tracking Table

tanks, etc.) shall be checked periodically by biological monitors to ensure they do not create puddles.

- Trash. All trash and food-related waste shall be contained in vehicles or covered trash containers inaccessible to ravens, coyotes, or other wildlife and removed from the site regularly.
 - Workers. Workers shall not feed wildlife or bring pets to the Project site. Except for law enforcement personnel, no workers or visitors to the site shall bring firearms or weapons.
 - Wildlife netting or exclusion fencing. The Applicant may install temporary or permanent netting or fencing around equipment, work areas, or Project facilities to prevent wildlife exposure to hazards such as toxic materials or vehicle strikes, or prevent birds from nesting on equipment or facilities. Bird deterrent netting will be maintained free of holes and will be deployed and secured on the equipment in a manner that, insofar as possible, prevents wildlife from becoming trapped inside the netted area or within the excess netting. The biological monitor will inspect netting (if installed) twice daily, at the beginning and close of each work day. The biological monitor will inspect exclusion fence (if installed) weekly.
 - Wildlife entrapment. Project-related excavations shall be secured to prevent wildlife entry and entrapment. Holes and trenches shall be backfilled, securely covered, or fenced. Excavations that cannot be fully secured shall incorporate wildlife ramp or other means to allow trapped animals to escape. At the end of each work day, a biological monitor shall ensure that excavations have been secured or provided with appropriate means for wildlife escape.
 - All pipes or other construction materials or supplies will be covered or capped in storage or laydown areas. No pipes or tubing will be left open either temporarily or permanently, except during use or installation. Any construction pipe, culvert, or other hollow materials will be inspected for wildlife before it is moved, buried, or capped.
 - Dead or injured wildlife will be reported to CDFW or the local animal control agency, as appropriate (special-status species must be reported to CDFW). A biological monitor shall safely move the carcass out of the road or work area if needed and dispose of the animal as directed by the agency. If an animal is entrapped, a biological monitor shall free the animal if feasible, or work with construction crews to free it, in compliance with safety requirements, or work with animal control or CDFW to resolve the situation.
 - Pest control. No anticoagulant rodenticides, such as Warfarin and related compounds (indandiones and hydroxycoumarins), may be used within the project site, on off-site project facilities and activities, or in support of any other project activities.
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Conditions of Approval Compliance Tracking Table

Responsible Party	Project Owner
Responsible Monitoring Party	Riverside County Environmental Programs Division
Verification Approval Party	Riverside County Environmental Programs Division

060 - Planning-EPD. 8 BIO - Mitigation Measure

CONDITION OF APPROVAL	<p>MM BIO-6: Compensation for Natural Habitat Impacts on County-administered Land</p> <p>Compensation for Natural Habitat Impacts on County-administered Land. The Applicant will acquire and protect, in perpetuity, compensation habitat to offset loss of natural habitat on County administered lands on the Project site. No compensation would be required for impacts to anthropogenic land use or recovering areas. The acreages and ratios will be based upon final calculation of impacted acreage and thus would be less for the Reduced Project Alternative than the proposed Project. Acreages will be adjusted as appropriate for other alternatives or future modifications during implementation. To the extent that Sonoran creosote bush scrub may substantially recover from drive and crush site preparation, total impact acreage will be reduced. Compensation will be provided for impacts to the following resources, at the specified ratios (acres acquired and preserved to acres impacted):</p> <ul style="list-style-type: none"> ▪ Desert dry wash woodland: 3:1 ▪ Sonoran creosote bush scrub: 0.5:1 <p>Criteria for the acquisition, initial protection and habitat improvement, and long-term maintenance and management of compensation lands will include all the following: Provide habitat value that is comparable to the habitat impacted, taking into consideration soils, vegetation, topography, human-related disturbance, invasive species, wildlife movement opportunity, proximity to other protected lands, management feasibility, and other habitat values. The primary focus area for acquiring parcels to maintain/improve connectivity will be along the I-10 corridor between Desert Center and Cactus City with a priority on parcels that connect conserved lands on either side of the I-10 through large culverts or bridges. Mitigation may be “nested” or “layered,” to the extent that it meets habitat requirements for multiple species that will or may be impacted by the Project. The Applicant shall provide funding or bonding for the acquisition in fee title or in easement, initial habitat improvements and long-term maintenance and management of the compensation lands prior to construction activities on native habitat. Within 18 months of completing construction, the Applicant or an approved third party will prepare a Compensation Plan, identifying the proposed compensation lands, and specifying the land ownership, conservation easement terms, long-term management, and responsibility for funding or endowment. The Compensation Plan will be submitted for review and approval to Riverside County. The County will consult with CDFW or another land manager in its review of the Compensation Plan to ensure that the mitigation</p>
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Conditions of Approval Compliance Tracking Table	
	will support any permits and authorizations to be issued by CDFW.
Responsible Party	Project Owner
Responsible Monitoring Party	Riverside County Environmental Programs Division
Verification Approval Party	Riverside County Environmental Programs Division
060 - Planning-EPD. 9 BIO – Mitigation Measure	
CONDITION OF APPROVAL	<p>MM BIO-5: Vegetation Resources Management Plan. The Applicant will prepare and implement a Vegetation Resources Management Plan, to be reviewed and approved by Riverside County. If the County does not respond to submittal of the draft Plan within 60 days, the Project owner may consider this a waiver of the County’s authority to comment and the Plan may be considered approved. The goal will be to prevent further degradation of areas that may be temporarily disturbed by Project activities, but not to restore predisturbance habitat values (those impacts are mitigated through off-site compensation). The Vegetation Resources Management Plan will detail the methods to revegetate temporarily impacted sites; salvage cacti from the Project footprint; and long-term vegetation management within the solar facility during its operations.</p> <ul style="list-style-type: none"> ▪ Revegetation of temporarily impacted sites. The Plan will specify methods to prevent or minimize further site degradation; stabilize soils; maximize the likelihood of vegetation recovery over time (for areas supporting native vegetation); and minimize soil erosion, dust generation, and weed invasions. The nature of revegetation will differ according to each site, its pre-disturbance condition, and the nature of the construction disturbance (e.g., drive and crush, vs. blading). The Plan will include: <ul style="list-style-type: none"> a) soil preparation measures, including locations of recontouring, decompacting, imprinting, or other treatments; b) details for topsoil storage, as applicable; c) plant material collection and acquisition guidelines, including guidelines for salvaging, storing, and handling plants from the Project site, as well as obtaining replacement plants from outside the Project area (plant materials will be limited to locally occurring native species from local sources); d) a plan drawing or schematic depicting the temporary disturbance areas (drawing of “typical” gen-tie structure sites will be appropriate); e) time of year that the planting or seeding will occur and the methodology of the planting; f) a description of the irrigation, if used; g) (success criteria; and h) a monitoring program to measure the success criteria, commensurate with the Plan’s goals,

Conditions of Approval Compliance Tracking Table

- i) contingency measures for failed revegetation efforts not meeting success criteria.

For temporary disturbance on BLM lands, any specific BLM requirements would supersede this measure.

- Cactus Salvage. In conformance with BLM policy, the Applicant will include salvaged or nursery stock yuccas (all species), and cacti (excluding cholla species, genus *Cylindropuntia*), in revegetation plans and implementation affecting BLM lands. The Plan will include methods to salvage and replant cacti and yucca, species found on the site; season for salvaging the plants; methods for salvage, storage, and re-planting them; locations for re-planting; and appropriate monitoring and success criteria for the salvage work.
- Operations Phase On-Site Vegetation Management: The Plan will include methods and scheduling for onsite vegetation management throughout the operations phase, describing mowing or other vegetation treatments to be implemented, disposal of mown material, and incorporating all applicable components of the Integrated Weed Management Plan, including any proposed herbicide usage.

Responsible Party	Project Owner
Responsible Monitoring Party	Riverside County Environmental Programs Division
Verification Approval Party	Riverside County Environmental Programs Division

060 - Planning-EPD. 10 BIO - Mitigation Measures

CONDITION OF APPROVAL	<p>MM BIO-15: Streambed and Watershed Protection. Prior to ground-disturbing activities in jurisdictional waters of the state, the Applicant will obtain a Streambed Alteration Agreement from the CDFW and applicable authorization (if any) from the Regional Water Quality Control Board. The Applicant will implement Best Management Practices (BMPs) identified below to minimize adverse impacts to streambeds and watersheds.</p> <ul style="list-style-type: none"> ▪ Vehicles and equipment will not be operated in ponded or flowing water except as specified by resource agencies. ▪ The Applicant will minimize road building, construction activities, and vegetation clearing within ephemeral drainages to the extent feasible. ▪ The Applicant will prevent water containing mud, silt, or other pollutants from grading or other activities from entering ephemeral drainages or being placed in locations that may be subjected to high storm flows. ▪ Spoil sites will not be located within 30 feet from the boundaries of drainages or in locations that may be subjected to high storm flows, where spoils might be washed back into drainages.
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Conditions of Approval Compliance Tracking Table

- Raw cement/concrete or washings thereof, asphalt, paint or other coating material, oil or other petroleum products, or any other substances that could be hazardous to vegetation or wildlife resources, resulting from Project-related activities, will be prevented from contaminating the soil and/or entering ephemeral drainages. The Applicant shall ensure that safety precautions specified by this measure, as well as all other safety requirements of other measures and permit conditions are followed during all phases of the Project
- When operations are completed, any excess materials or debris will be removed from the work area. No rubbish will be deposited within 150 feet of the high-water mark of any drainage during construction, operation, and decommissioning the Project.
- No equipment maintenance will occur within 150 feet of any category 3, 4, or 5 streambed or any streambed greater than 10 feet wide and no petroleum products or other pollutants from the equipment will be allowed to enter these areas or enter any off-site state-jurisdictional waters under any flow.
- With the exception of the drainage control system installed for the Project, the installation of bridges, culverts, or other structures will be such that water flow (velocity and low flow channel width) is not impaired. Bottoms of temporary culverts will be placed at or below stream channel grade.
- No broken concrete, debris, soil, silt, sand, bark, slash, sawdust, rubbish, or other organic or earthen material from any construction or associated activity of whatever nature will be allowed to enter into, or be placed where it may be washed by rainfall or runoff into, off-site state-jurisdictional waters.
- Stationary equipment such as motors, pumps, generators, and welders located within or adjacent to a drainage will be positioned over drip pans. Stationary heavy equipment will have suitable containment to handle a catastrophic spill/leak. Clean up equipment such as brooms, absorbent pads, and skimmers will be on site prior to the start of construction.
- The cleanup of all spills will begin immediately. Riverside County will be notified immediately by the Applicant of any spills and will be consulted regarding clean-up procedures.

Responsible Party	Project Owner
Responsible Monitoring Party	Riverside County Environmental Programs Division
Verification Approval Party	Riverside County Environmental Programs Division

Conditions of Approval Compliance Tracking Table

060 - Planning-EPD. 11 BIO - Mitigation Measures

CONDITION OF APPROVAL

MM BIO-12: Bird and Bat Conservation Strategy (BBCS)
The Applicant will prepare and implement a Bird and Bat Conservation Strategy to avoid or minimize take of migratory birds that may nest on the site or may be vulnerable to collision with Project components. The BBCS will identify potential hazards to birds during construction and O&M phases of the Project and specify measures to recognize, minimize, or avoid those hazards. The BBCS will articulate the Applicant's commitment to reduce risk to birds and bats. Over the course of construction and O&M, progress and challenges that are encountered may necessitate review or revision of the BBCS, on mutual agreement among the Applicant and County. The initial goals of the BBCS are to:

- Provide an organized and cost-effective framework for compliance with State and federal laws protecting birds
- Specify record keeping, reporting, and communication procedures to document compliance with the terms of the BBCS
- Foster a sense of stewardship with the Applicant and on-site staff Construction. Pre-construction surveys for active nests will be conducted by one or more qualified biologists at the direction of the Project Lead Biologist. The biologists' qualifications will be subject to review and approval by Riverside County. Nest surveys will be conducted for all Project activities throughout the nesting season, identified here as beginning January 1 for raptors and hummingbirds and February 1 for other species, and continuing through August 15. Nest surveys will be completed at each work site no more than 7 days prior to initiation of site preparation or construction activities. Nest surveys will cover all work sites, including the solar facility and gen-tie, and adjacent off-site habitat areas of 1,200 feet for raptors and 250 feet for other species. If adjacent properties are not accessible to the field biologists, the off-site nest surveys may be conducted with binoculars.

At each active nest, the qualified biologist will establish and mark a buffer area surrounding the nest where construction activities that could disrupt nesting behavior will be excluded. The BBCS may identify species specific buffer distances or variable distances, depending on activity levels (e.g., driving past the nest to access work sites may be less disruptive than foundation construction).

Alternately, buffer distances will be 1,200 feet for raptor nests and 250 feet for other species. The extent of nest protection will be based on proposed construction activities, species, human activities already underway when the nest is initiated (e.g., a house finch nest built in the eaves of an occupied structure would warrant less avoidance or protection than a loggerhead shrike nest build in native shrubland), topography, vegetation cover, and other factors. The avoidance and protection measures will

Conditions of Approval Compliance Tracking Table

remain in effect until the nest is no longer active. If for any reason a bird nest must be removed during the nesting season, the Applicant or its agent will notify the CDFW and USFWS and retain written documentation of the correspondence. Nests would be removed only if they are inactive, or if an active nest presents a hazard. Operation and Maintenance. The BBCS will specify monitoring and conservation measures to be implemented by the Applicant to document bird mortality that may result from bird injury or mortality caused by collision with Project components, including gen-tie line collisions. The BBCS will include:

- A statement of the Applicant’s understanding of the importance of bird and bat safety and management’s commitment to remain in compliance with relevant laws
- Documentation of conservation measures to be implemented through design and operations to minimize bird and bat fatalities at the solar facilities and gen-tie line
- Consistent, practical and up-to-date direction to O&M staff on how to avoid, reduce, and monitor bird and bat fatalities
- A 3-year O&M monitoring and reporting program for potential bird and bat fatalities
- Identification of fatality thresholds that, if surpassed, would trigger adaptive management measures such as changes to Project O&M
- An adaptive management framework to be applied if thresholds are surpassed.

Responsible Party Project Owner

Responsible Monitoring Party Riverside County Environmental Programs Division

Verification Approval Party Riverside County Environmental Programs Division

060 - Planning-EPD. 12 BIO - Mitigation Measures

CONDITION OF APPROVAL MM BIO-14: Gen-tie lines. Gen-tie line support structures and other facility structures shall be designed in compliance with current standards and practices to discourage their use by raptors for perching or nesting (e.g., by use of anti-perching devices). This design would also reduce the potential for increased predation of special-status species, such as the desert tortoise. Mechanisms to visually warn birds (permanent markers or bird flight diverters) shall be placed on gen-tie lines at regular intervals to prevent birds from colliding with the lines (APLIC, 2006). To the extent practicable, the use of guy wires shall be avoided because they pose a collision hazard for birds and bats. Necessary guy wires shall be clearly marked with bird flight diverters to reduce the probability of collision. Shield wires shall be marked with devices that have been scientifically tested and found to significantly reduce the potential for bird collisions. Gen-tie lines shall maintain sufficient distance between all conductors and grounded components to prevent potential for electrocution of the largest birds that may occur in the area (e.g., golden eagle and turkey vulture). They shall

Conditions of Approval Compliance Tracking Table

	utilize non-specular conductors and non-reflective coatings on insulators.
Responsible Party	Project Owner
Responsible Monitoring Party	Riverside County Environmental Programs Division
Verification Approval Party	Riverside County Environmental Programs Division

060 - Planning-EPD. 13 BIO - Mitigation Measures

CONDITION OF APPROVAL	<p>MM BIO-10: Desert Kit Fox and American Badger Relocation. Desert Kit Fox and American Badger Relocation. This measure supplements APM B-1 (Wildlife Relocation) by specifying further detail regarding desert kit fox and American badger avoidance and passive relocation. Under direction of the Lead Biologist, biological monitors shall conduct preconstruction surveys for desert kit fox and American badger no more than 30 days prior to initiation of construction activities. Surveys shall also consider the potential presence of dens within 100 feet of the Project boundary (including utility corridors and access roads) and shall be performed for each phase of construction. If dens are detected each den shall then be further classified as inactive, potentially active, or definitely active. Inactive dens directly impacted by construction activities shall be excavated by hand and backfilled to prevent reuse. Potentially active dens directly impacted by construction activities shall be monitored by the Biological Monitor for three consecutive nights using a tracking medium such as diatomaceous medium or fire clay and/or infrared camera stations at the entrance. If no tracks are observed in the tracking medium or no photos of the target species are captured after three nights, the den shall be excavated and backfilled by hand. If tracks are observed, dens shall be fitted with the one-way trap doors to encourage animals to move off-site. After 48 hours post installation, the den shall be excavated by hand and collapsed. Dens shall be collapsed prior to construction of the perimeter fence, to allow animals the opportunity to move off-site without impediment. If an active natal den is detected on the site, the CDFW shall be contacted within 24 hours. The course of action would depend on the age of the pups, location of the den site, status of the perimeter fence, and the pending construction activities proposed near the den. A 500-foot no disturbance buffer shall be maintained around all active dens. Alternatively, a designated biologist authorized by CDFW shall trap and remove animals from occupied dens and move them off-site into appropriate habitat. Additionally, the following measures are required to minimize the likelihood of distemper transmission:</p> <ul style="list-style-type: none"> ▪ Any kit fox hazing activities that include the use of animal repellents such as coyote urine must be cleared through the CDFW prior to use; and ▪ Any documented kit fox mortality shall be reported to the CDFW within 24 hours of identification. If a dead kit fox is observed, it shall be retained and protected from
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Conditions of Approval Compliance Tracking Table	
	scavengers until the CDFW determines if the collection of necropsy samples is justified.
Responsible Party	Project Owner
Responsible Monitoring Party	Riverside County Environmental Programs Division
Verification Approval Party	Riverside County Environmental Programs Division
060 - Planning-EPD. 14 BIO - Mitigation Measures	
CONDITION OF APPROVAL	MM BIO-3: Minimization of Vegetation and Habitat Impacts. Prior to ground-disturbing activities, work areas (including, but not limited to, staging areas, access roads, and sites for temporary placement of construction materials and spoils) will be delineated with construction fencing (e.g., the common orange vinyl material) or staking to clearly identify the limits of work and will be verified by the Lead Biologist. No paint or permanent discoloring agents shall be applied to rocks or vegetation (to indicate surveyor construction activity limits or for any other purpose). Fencing/staking will remain in place for the duration of construction. Spoils will be stockpiled in disturbed areas. All disturbances, vehicles, and equipment will be confined to the fenced/flagged areas. When feasible, construction activities will minimize soil and vegetation disturbance to minimize impacts to soil and root systems. Upon completion of construction activities in any given area, all unused materials, equipment, staking and flagging, and refuse shall be removed and properly disposed of, including wrapping material, cables, cords, wire, boxes, rope, broken equipment parts, twine, strapping, buckets, and metal or plastic containers. Any unused or leftover hazardous products shall be properly disposed of offsite. Hazardous materials will be handled and spills or leaks will be promptly corrected and cleaned up according to applicable requirements. Vehicles will be properly maintained to prevent spills or leaks. Hazardous materials, including motor oil, fuel, antifreeze, hydraulic fluid, grease, will not be allowed to enter drainage channels.
Responsible Party	Project Owner
Responsible Monitoring Party	Riverside County Environmental Programs Division
Verification Approval Party	Riverside County Environmental Programs Division
060 - Planning-EPD. 15 BIO - Mitigation Measures	
CONDITION OF APPROVAL	MM BIO-11: Wildlife Water Source. The Applicant will coordinate with the County, BLM, CDFW, and USFWS to offset potential Project impacts to burro deer and other wildlife resulting from loss of existing irrigation water supplies at Parcel Group G. In coordination with the agencies, the Applicant will support replacement, repairs, maintenance, or monitoring of existing wildlife water sources in the Project vicinity; support access improvements to existing sources; support removal of invasive tamarisk (or saltcedar) from natural water sources (to improve surface flow); or provide an alternative water source as a replacement or supplement to existing sources.

Conditions of Approval Compliance Tracking Table	
Responsible Party	Project Applicant
Responsible Monitoring Party	Riverside County Environmental Programs Division
Verification Approval Party	Riverside County Environmental Programs Division
060 - Planning-EPD. 16 BIO - Mitigation Measures	
CONDITION OF APPROVAL	<p>MM BIO-13: Burrowing Owl Avoidance and Relocation: This measure supplements APM B-1 (Wildlife Relocation) by specifying further detail regarding burrowing owl. Burrowing owl protection and relocation will incorporate the following requirements:</p> <ul style="list-style-type: none"> ▪ Pre-construction surveys for burrowing owls, possible burrows, and sign of owls (e.g., pellets, feathers, white wash) will be conducted throughout each work area no more than 14 days prior to construction. ▪ Should any of the pre-construction surveys identify burrowing owl or active burrows within the solar facility, the Lead Biologist will coordinate with the Construction Contractor to implement avoidance and set-back distances. Disturbance of owls or occupied burrows during the breeding season (February 1 through August 31) will not be permitted. ▪ Any unoccupied suitable burrows within the solar facility footprint will be excavated and filled in under the supervision of the Lead Biologist prior to site preparation. ▪ The Plan will specify detailed methods for passive relocation of burrowing owls if needed and monitoring and management of the passive relocation including a three-year monitoring program.
Responsible Party	Project Owner
Responsible Monitoring Party	Riverside County Environmental Programs Division
Verification Approval Party	Riverside County Environmental Programs Division
060 – Planning-EPD. 17 Construction Fencing - EPD	
CONDITION OF APPROVAL	<p>Prior to ground-disturbing activities, work areas (including, but not limited to, staging areas, access roads, and sites for temporary placement of construction materials and spoils) will be delineated with construction fencing (e.g., the common orange vinyl material) or staking to clearly identify the limits of work and will be verified by the Lead Biologist. No paint or permanent discoloring agents shall be applied to rocks or vegetation (to indicate surveyor construction activity limits or for any other purpose). Fencing/staking will remain in place for the duration of construction. Spoils will be stockpiled in disturbed areas. All disturbances, vehicles, and equipment will be confined to the fenced/flagged areas. Prior to issuance of a grading permit, the Lead Biologist shall prepare a document or memo confirming the installation of the construction fencing and/or staking.</p>
Responsible Party	Project Owner

Conditions of Approval Compliance Tracking Table	
Responsible Monitoring Party	Riverside County Environmental Programs Division
Verification Approval Party	Riverside County Environmental Programs Division
060 - Planning-EPD. 18 Integrated Weed Management Plan – EPD	
CONDITION OF APPROVAL	<p>Prior to issuance of a grading permit the Applicant will prepare and submit to Riverside County an Integrated Weed Management Plan (IWMP) to minimize or prevent invasive weeds from infesting the site or spreading into surrounding habitat. The IWMP will identify weed species occurring or potentially occurring in the Project area, means to prevent their introduction or spread (e.g., vehicle cleaning and inspections), monitoring methods to identify infestations, and timely implementation of manual or chemical (as appropriate) suppression and containment measures to control or eradicate invasive weeds. The IWMP will identify herbicides that may be used for control or eradication, and avoid herbicide use in or around any environmentally sensitive areas. The IWMP will also include a reporting schedule, to be implemented by the Lead Biologist.</p>
Responsible Party	Project Owner / Lead Biologist
Responsible Monitoring Party	Riverside County Environmental Programs Division
Verification Approval Party	Riverside County Environmental Programs Division
060 Planning-EPD. 19 MBTA Nesting Bird Surveys - EPD	
CONDITION OF APPROVAL	<p>Birds and their nests are protected by the Migratory Bird Treaty Act (MBTA) and California Department of Fish and Wildlife (CDFW) Codes. Since the project supports suitable nesting bird habitat, removal of vegetation or any other potential nesting bird habitat disturbances shall be conducted outside of the avian nesting season (February 1st through August 31st). If habitat must be cleared during the nesting season, a preconstruction nesting bird survey shall be conducted. The preconstruction nesting bird survey must be conducted by a biologist who holds a current MOU with the County of Riverside. If nesting activity is observed, appropriate avoidance measures shall be adopted to avoid any potential impacts to nesting birds. The nesting bird survey must be completed no more than 3 days prior to any ground disturbance. If ground disturbance does not begin within 3 days of the survey date a second survey must be conducted.</p> <p>Prior to issuance of a permit for rough grading, the project's consulting biologist shall prepare and submit a report, documenting the results of the survey, to EPD for review. In some cases EPD may also require a Monitoring and Avoidance Plan prior to the issuance of a rough grading permit.</p>
Responsible Party	Project Owner
Responsible Monitoring Party	Riverside County Environmental Programs Division
Verification Approval Party	Riverside County Environmental Programs Division

Conditions of Approval Compliance Tracking Table

060 – Planning-EPD.20 Preconstruction Desert Kit Fox and American Badger

CONDITION OF APPROVAL Prior to issuance of grading permits, pre-construction surveys for desert kit fox and American badger shall occur no more than 30 days prior to initiation of construction activities, and reports shall be submitted to the County of Riverside for review. Surveys shall also consider the potential presence of dens within 100 feet of the Project boundary (including utility corridors and access roads) and shall be performed for each phase of construction. If dens are detected each den shall then be further classified as inactive, potentially active, or definitely active. Inactive dens directly impacted by construction activities shall be excavated by hand and backfilled to prevent reuse. Potentially active dens directly impacted by construction activities shall be monitored by the Biological Monitor for three consecutive nights using a tracking medium such as diatomaceous medium or fire clay and/or infrared camera stations at the entrance. If no tracks are observed in the tracking medium or no photos of the target species are captured after three nights, the den shall be excavated and backfilled by hand. If tracks are observed, dens shall be fitted with the one-way trap doors to encourage animals to move off-site. After 48 hours post installation, the den shall be excavated by hand and collapsed. Dens shall be collapsed prior to construction of the perimeter fence, to allow animals the opportunity to move off-site without impediment. If an active natal den is detected on the site, the CDFW shall be contacted within 24 hours. The course of action would depend on the age of the pups, location of the den site, status of the perimeter fence, and the pending construction activities proposed near the den. A 500-foot no disturbance buffer shall be maintained around all active dens. Alternatively, a designated biologist authorized by CDFW shall trap and remove animals from occupied dens and move them off-site into appropriate habitat. Additionally, the following measures are required to minimize the likelihood of distemper transmission:

- Any kit fox hazing activities that include the use of animal repellents such as coyote urine must be cleared through the CDFW prior to use; and
- Any documented kit fox mortality shall be reported to the CDFW within 24 hours of identification. If a dead kit fox is observed, it shall be retained and protected from scavengers until the CDFW determines if the collection of necropsy samples is justified.

Responsible Party	Project Owner
Responsible Monitoring Party	Riverside County Environmental Programs Division
Verification Approval Party	Riverside County Environmental Programs Division

Conditions of Approval Compliance Tracking Table

060 - Planning-EPD. 21 Preconstruction Desert Tortoise Surveys - EPD

CONDITION OF APPROVAL Prior to issuance of a grading permit a qualified biologist approved by the County of Riverside shall conduct pre-construction clearance surveys for each work area, watch for tortoises wandering into the construction areas, check under vehicles, and examine excavations and other potential pitfalls for entrapped animals, and submit a survey report documenting these surveys. The qualified biologist will be responsible for overseeing compliance with desert tortoise protective measures and for coordination with the Project's Lead Biologist/FCR (described below). The qualified biologist shall have the authority to halt all Project activities that are in violation of these measures or that may result in take of a desert tortoise. The qualified biologist will not handle or relocate desert tortoises unless specifically authorized by the USFWS and CDFW. Any incident that is considered by the qualified biologist to be in noncompliance with these measures will be documented immediately by the qualified biologist.

Responsible Party Project Owner

Responsible Monitoring Party Riverside County Environmental Programs Division

Verification Approval Party Riverside County Environmental Programs Division

060 - Planning-EPD. 22 Streambed Alteration Permits - EPD

CONDITION OF APPROVAL Prior to issuance of grading permits, the applicant must provide documentation demonstrating that streambed permits have been applied for. This would include a Notification of Lake or Streambed Alteration was submitted to the California Department of Fish and Wildlife pursuant to Fish and Game Code section 1602. If CDFW determines that a Lake or Streambed Alteration Agreement is required as a result of the Notification process, the applicant shall provide the final Agreement documentation. A 401 Certification from Regional Water Quality Control Board shall also be applied for. If the agencies decide no permit is required, the applicant shall provide evidence of communication to that effect from the agencies.

Responsible Party Project Owner

Responsible Monitoring Party Riverside County Environmental Programs Division

Verification Approval Party Riverside County Environmental Programs Division

060 - Planning-EPD. 23 Vegetation Resources Management Plan - EPD

CONDITION OF APPROVAL Prior to issuance of a grading permit, the Applicant will prepare a Vegetation Resources Management Plan and submit it to be reviewed and approved by Riverside County. The goal will be to prevent further degradation of areas that may be temporarily disturbed by Project activities, but not to restore pre-disturbance habitat values (those impacts are mitigated through off-site compensation). The Vegetation Resources Management Plan will detail the methods to revegetate temporarily impacted sites; salvage cacti from the Project

Conditions of Approval Compliance Tracking Table

	footprint; and long-term vegetation management within the solar facility during its operations.
Responsible Party	Project Owner
Responsible Monitoring Party	Riverside County Environmental Programs Division
Verification Approval Party	Riverside County Environmental Programs Division

PLANNING – PALEONTOLOGICAL RESOURCES

060 - Planning-PAL. 1 PAL - Mitigation Measures

CONDITION OF APPROVAL	MM PAL-4: Paleontological Awareness Training. Prior to ground disturbance, the developer/permit applicant shall enter into an agreement with the Project Paleontologist to provide Paleontological Awareness Training. A qualified paleontologist designated by the Project Paleontologist shall provide Paleontological Awareness Training for all construction personnel as a part of the Project’s Worker Environmental Awareness Training. Training will include a brief review of the paleontological sensitivity of the Project and the surrounding area; what resources could potentially be identified during earthmoving activities; the protocols that apply in the event unanticipated paleontological resources are identified, including who to contact and appropriate avoidance measures until the find(s) can be properly evaluated; and any other appropriate protocols. This is a mandatory training and all construction personnel must attend prior to beginning work on the Project site. A copy of the agreement and a copy of the sign-in sheet shall be submitted to the County Paleontologist to ensure compliance with this condition of approval.
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Responsible Party	Project Owner
Responsible Monitoring Party	Riverside County Planning Department
Verification Approval Party	Riverside County Planning Department

060 - Planning-PAL. 2 PAL - Mitigation Measures

CONDITION OF APPROVAL	MM PAL-3: Paleontological Monitoring. Full-time monitoring by a qualified paleontological monitor will take place during all ground disturbing activities in sediments classified as High or Undetermined sensitivity. The supervising paleontologist will have the authority to reduce monitoring once he/she determines the probability of encountering any additional fossils has dropped below an acceptable level.
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Responsible Party	Project Owner
Responsible Monitoring Party	Riverside County Planning Department
Verification Approval Party	Riverside County Planning Department

Conditions of Approval Compliance Tracking Table

060 - Planning-PAL. 3 PAL - Mitigation Measures

CONDITION OF APPROVAL MM PAL-5: Paleontological Monitoring Report Requirement. The Applicant shall submit to the Riverside County Geologist one wet-signed copy of the Paleontological Monitoring Report prepared for site grading operations at the site. The report shall be certified by the professionally qualified Project Paleontologist responsible for the content of the report. The Project Paleontologist must be on Riverside County's Paleontology Consultant List. The report shall contain a discussion of findings made during all site grading activities and an appended itemized list of fossil specimens recovered during grading (if any) and proof of accession of fossil materials into the pre-approved museum or other repository. In addition, all appropriate fossil location information shall be submitted to the Western Information Center, the San Bernardino County Museum and the Los Angeles County Museum of Natural History, at a minimum, for incorporation into their Regional Locality Inventories.

Responsible Party Project Owner

Responsible Monitoring Party Riverside County Planning Department

Verification Approval Party Riverside County Planning Department

060 - Planning-PAL. 4 PAL - Mitigation Measures

CONDITION OF APPROVAL MM PAL-2: Paleontological Resource Impact Mitigation Program. Prior to issuance of grading permits the Project Paleontologist retained shall prepare a Paleontological Resource Impact Mitigation Program (PRIMP). The PRIMP shall be submitted to the Riverside County Geologist for review and approval prior to issuance of a grading permit by the county. The project Owner may consider the PRIMP approved if the County's Geologist does not respond within 60 days of submittal of the draft PRIMP. Information to be contained in the PRIMP, at a minimum and in addition to other industry standard and Society of Vertebrate Paleontology standards, are as follows:

- Description of the proposed site and planned grading operations.
- Description of the level of monitoring required for all earthmoving activities in the Project area.
- Identification (name) and qualifications of the qualified paleontological monitor to be employed for grading operations monitoring.
- Identification of personnel with authority and responsibility to temporarily halt or divert grading equipment to allow for recovery of large specimens.
- Direction for any fossil discoveries to be immediately reported to the property owner who in turn will immediately notify the Riverside County Geologist of the discovery.

Conditions of Approval Compliance Tracking Table

- Means and methods to be employed by the paleontological monitor to quickly salvage fossils as they are unearthed to avoid construction delays.
- Sampling of sediments that are likely to contain the remains of small fossil invertebrates and vertebrates.
- Procedures and protocol for collecting and processing of samples and specimens.
- Fossil identification and curation procedures to be employed.
- Identification of the permanent repository to receive any recovered fossil material. The County of Riverside must be consulted on the repository or museum to receive the fossil material and a written agreement between the property owner/developer and the repository must be in place prior to site grading.
- All pertinent exhibits, maps and references.
- Procedures for reporting of findings.
- Identification and acknowledgement of the developer for the content of the PRIMP as well as acceptance of financial responsibility for monitoring, reporting and curation fees.

Responsible Party	Project Owner
Responsible Monitoring Party	Riverside County Planning Department
Verification Approval Party	Riverside County Planning Department

060 - Planning-PAL. 5 PALEO PRIMP/MONITOR

CONDITION OF APPROVAL	<p>This site is mapped in the County’s General Plan as having a High potential for paleontological resources. Proposed project site grading/earthmoving activities could potentially impact this resource. HENCE:</p> <p>PRIOR TO ISSUANCE OF GRADING PERMITS:</p> <ol style="list-style-type: none"> 1. The applicant shall retain a qualified paleontologist approved by the County to create and implement a project-specific plan for monitoring site grading/earthmoving activities (project paleontologist). 2. The project paleontologist retained shall review the approved development plan and grading plan and conduct any pre-construction work necessary to render appropriate monitoring and mitigation requirements as appropriate. These requirements shall be documented by the project paleontologist in a Paleontological Resource Impact Mitigation Program (PRIMP). <p>This PRIMP shall be submitted to the County Geologist for approval prior to issuance of a Grading Permit. Information to be contained in the PRIMP, at a minimum and in addition to other industry standards and Society of Vertebrate Paleontology standards, are as follows:</p>
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Conditions of Approval Compliance Tracking Table

1. Description of the proposed site and planned grading operations.
2. Description of the level of monitoring required for all earth-moving activities in the project
3. Identification and qualifications of the qualified paleontological monitor to be employed for grading operations monitoring.
4. Identification of personnel with authority and responsibility to temporarily halt or divert grading equipment to allow for recovery of large specimens.
5. Direction for any fossil discoveries to be immediately reported to the property owner who in turn will immediately notify the County Geologist of the discovery.
6. Means and methods to be employed by the paleontological monitor to quickly salvage fossils as they are unearthed to avoid construction delays.
7. Sampling of sediments that are likely to contain the remains of small fossil invertebrates and vertebrates.
8. Procedures and protocol for collecting and processing of samples and specimens.
9. Fossil identification and curation procedures to be employed.
10. Identification of the permanent repository to receive any recovered fossil material. *Pursuant the County "SABER Policy", paleontological fossils found in the County should, by preference, be directed to the Western Science Center in the City of Hemet. A written agreement between the property owner/developer and the repository must be in place prior to site grading.
11. All pertinent exhibits, maps and references.
12. Procedures for reporting of findings.
13. Identification and acknowledgement of the developer for the content of the PRIMP as well as acceptance of financial responsibility for monitoring, reporting and curation fees. The property owner and/or applicant on whose land the paleontological fossils are discovered shall provide appropriate funding for monitoring, reporting, delivery and curating the fossils at the institution where the fossils will be placed, and will provide confirmation to the County that such funding has been paid to the institution.

All reports shall be signed by the project paleontologist and all other professionals responsible for the report's content (e.g. PG), as appropriate. One original signed copy of the report(s) shall be submitted to the County Geologist along with a copy of this condition and the grading plan for appropriate case processing and tracking. These documents should not be submitted to the project Planner, Plan Check staff, Land Use Counter or any other County office. In addition, the applicant shall submit proof of hiring (i.e. copy of executed contract, retainer agreement, etc.) a project paleontologist for the in-grading implementation of the PRIMP. Safeguard Artifacts Being Excavated in Riverside County (SABER)

This condition applies Mitigation Measure PAL-1.

Conditions of Approval Compliance Tracking Table	
Responsible Party	Project Owner
Responsible Monitoring Party	Riverside County Planning Department
Verification Approval Party	Riverside County Planning Department
TRANSPORTATION DEPARTMENT	
060 - Transportation. 1 EXISTING R-O-W/EASEMENTS	
CONDITION OF APPROVAL	Any existing right-of-way and/or easements that has been accepted or has been offered for dedication shall not be blocked, fenced or obstructed by solar panels or any solar equipment. Show all existing and proposed easements on the plans.
Responsible Party	Project Owner
Responsible Monitoring Party	Riverside County Transportation Department
Verification Approval Party	Riverside County Transportation Department
060 - Transportation. 2 GRADING –SOILS	
CONDITION OF APPROVAL	A soils report shall be required which provides detailed structural section recommendations for all primary and secondary access roads as well as all proposed County and Non-County Roads. All proposed access roads shall be designed in compliance with County fire standards and recommendations.
Responsible Party	Project Owner
Responsible Monitoring Party	Riverside County Transportation Department
Verification Approval Party	Riverside County Transportation Department
060 - Transportation. 3 GRADING STREET IMP PLANS	
CONDITION OF APPROVAL	Two sets of complete Street improvement plans (24x36) shall be submitted to the Transportation Department for review and final Mylar sets subsequently for the required clearance of the condition of approval prior to issuance of the grading permit. All work within the County public right-of-way shall require a County Encroachment permit from the Transportation Department and payment of all applicable encroachment permit fees. Street improvement plans shall include at a minimum: <ol style="list-style-type: none"> 1. Paved deceleration lanes and left hand turn pockets at all primary access points adjacent to Rice Road. 2. Paved driveways adjacent to Rice Road for a minimum distance of 100 feet to prevent tracking of dirt onto the Highway. 3. Paved intersection improvements at both Loma Verde Road and Orion Road, including right hand turning deceleration lanes, left hand turn pockets and pavement within the County roadway for a minimum distance of 100 feet to prevent tracking of dirt onto Rice Road. 4. Locations and details for all proposed utilities within the right-of-way.

Conditions of Approval Compliance Tracking Table

5. Grading and compaction of all access roads to a minimum width of 26 feet and placement of an all-weather road surface that complies with County Fire access requirements and the recommendations of an approved soils report prepared by a licensed geotechnical engineer. These improvements shall include:
 - a. Loma Verde Road from the intersection of Rice Road to the Intersection of Kiowa Road.
 - b. Kiowa Road from the intersection of Loma Verde Road to the intersection of Buffalo Run Road.
 - c. Orion Road/Comanche Trail from the intersection of Rice Road to the Northeast corner of Assessor Parcel Number 811-180-024

Responsible Party Project Owner

Responsible Monitoring Party Riverside County Transportation Department

Verification Approval Party Riverside County Transportation Department

060 - Transportation. 4 LOT MERGERS

CONDITION OF APPROVAL Lot mergers shall be recorded for adjacent and contiguous parcels as described below:

APNs 811-122-002 and 811-142-007 shall be merged and a 5 foot dedication to Rice Road shall be made along the entire property frontage as part of the lot merger. These merged lots shall require paved primary and secondary access driveways to prevent tracking of soil onto the highway. These lots will require a dedicated right hand deceleration lane and a left hand turn pocket to be constructed on Rice Road for the primary access driveway only.

APNs 811-142-005 and 811-260-013 and 811-170-013 shall be merged and a 5 foot dedication to Rice Road shall be made along the entire property frontage as part of the lot merger. These merged lots shall require paved primary and secondary access driveways to prevent tracking of soil onto the highway. These lots will require a dedicated right hand deceleration lane and a left hand turn pocket to be constructed on Rice Road for the primary access driveway only. These lots will also require a 30 foot dedication along the entire southern border for the future extension and protection of access rights to Orion Road and Comanche Trail.

APNs 811-170-009 and 811-170-008 and 811-170-007 shall be merged and a 30 foot dedication shall be required along the entire northern border for the future extension and protection of access rights to Orion Road and Comanche Trail. These merged lots shall require an all-weather access road within the dedicated right of way of Orion Road that is compliant with fire equipment fire access standards and based upon an approved soils report with structural section recommendations prepared by a licensed geotechnical engineer.

APNs 811-170-002 and 811-180-001 and 811-180-002 and 811-180-003 shall be merged and a 30 foot dedication shall be

Conditions of Approval Compliance Tracking Table

required along the entire southern border for the future extension and protection of access rights to Orion Road and Comanche Trail. These merged lots shall require an all-weather access road within the dedicated right of way of Orion Road that is compliant with fire equipment fire access standards and based upon an approved soils report with structural section recommendations prepared by a licensed geotechnical engineer.

APNs 811-180-004 and 811-180-024 shall be merged and a 30 foot dedication shall be required along the entire northern border for the future extension and protection of access rights to Orion Road and Comanche Trail. These merged lots shall require an all-weather access road within the dedicated right of way of Orion Road that is compliant with fire equipment fire access standards and based upon an approved soils report with structural section recommendations prepared by a licensed geotechnical engineer.

APNs 810-110-001 and 81-110-006 shall be merged. These merged lots shall require an all-weather access road within legal access corridors that is compliant with fire equipment fire access standards and based upon an approved soils report with structural section recommendations prepared by a licensed geotechnical engineer.

Responsible Party	Project Owner
Responsible Monitoring Party	Riverside County Transportation Department
Verification Approval Party	Riverside County Transportation Department

060 - Transportation. 5 PRIOR TO ROAD CONSTRUCT

CONDITION OF APPROVAL	Prior to road construction, survey monuments including centerline monuments, tie points, property corners and benchmarks shall be located and tied out and corner records filed with the County Surveyor pursuant to Section 8771 of the Business & Professions Code. Survey points destroyed during construction shall be reset, and a second corner record filed for those points prior to completion and acceptance of the improvements.
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Responsible Party	Project Owner
Responsible Monitoring Party	Riverside County Transportation Department
Verification Approval Party	Riverside County Transportation Department

Conditions of Approval Compliance Tracking Table	
060 - Transportation. 6 SUBMIT GRADING PLAN	
CONDITION OF APPROVAL	When you submit a grading plan to the Department of Building and Safety, two sets of the grading plan (24" X 36") shall be submitted to the Transportation Department for review and subsequently for the required clearance of the condition of approval prior to the issuance of a grading permit. Please note, if improvements within the road right-of-way are required per the conditions of approval, the grading clearance may be dependent on the submittal of street improvement plans, the opening of an IP account, and payment of the processing fee. Otherwise, please submit required grading plan to the Transportation Department.
Responsible Party	Project Owner
Responsible Monitoring Party	Riverside County Transportation Department
Verification Approval Party	Riverside County Transportation Department
060 - Transportation. 7 WATER QUALITY MGMT PLAN (WQMP)	
CONDITION OF APPROVAL	The developer may be required to submit a Water Quality Management Plan (WQMP) to Riverside County Flood Control & Water Conservation District and Riverside County Transportation Department for review and approval. Separate Water Quality Management Plans shall be required for each merged parcel area to be developed. Based on the plans as currently submitted, it appears that 7 separate WQMPs shall be required. At a minimum, all WQMPs shall address all additional flows generated by the development and provide for onsite storage of 100% of the additional flows projected in a 100 year 24 hour storm event.
Responsible Party	Project Owner
Responsible Monitoring Party	Riverside County Transportation Department
Verification Approval Party	Riverside County Transportation Department
TRN	
060 - TRN-Grade. 1 Drainage Design - Q100	
CONDITION OF APPROVAL	All onsite drainage facilities shall be designed to accommodate 100 year storm flows. A drainage report with hydrologic and hydraulic calculations shall be submitted to the Building and Safety Department for review and approval.
Responsible Party	Project Owner
Responsible Monitoring Party	Riverside County Building and Safety Department
Verification Approval Party	Riverside County Building and Safety Department
060 - TRN-Grade. 2 Drainage Easement(s)	
CONDITION OF APPROVAL	In instances where the grading plan proposes drainage facilities on adjacent offsite property, the owner/applicant shall provide a copy of the recorded drainage easement.
Responsible Party	Project Owner

Conditions of Approval Compliance Tracking Table	
Responsible Monitoring Party	Riverside County
Verification Approval Party	Riverside County
060 - TRN-Grade. 3 Notice of Intent	
CONDITION OF APPROVAL	Prior to issuance of a grading permit, sites indicating a disturbance of one acre or larger, the owner/applicant shall provide a Notice of Intent (NOI) 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 .
Responsible Party	Project Owner
Responsible Monitoring Party	Riverside County
Verification Approval Party	Riverside County

Conditions of Approval Compliance Tracking Table	
PRIOR TO FINAL GRADING INSPECTION	
PLANNING – CULTURAL RESOURCES	
070 - Planning-CUL. 1 MM CUL-10 Journal Article	
CONDITION OF APPROVAL	The consultant shall prepare and submit for publication a journal article summarizing the results of research on AE-3752-066H (historic refuse dump), AE-3752-106H (historic road segment), and P-33-025150/ CA-RIV-12372H (SR 177/Rice Road segment). The County Archaeologist shall review and approve the article prior to submission. The article shall be submitted to a local historical journal such as the Journal of the Riverside Historical Society.
Responsible Party	Consultant
Responsible Monitoring Party	County Archaeologist
Verification Approval Party	County Archaeologist
070 - Planning-CUL. 2 MM CUL-11 Desert Center DTC/C-AMA Summary Report	
CONDITION OF APPROVAL	In order to address direct impacts to all DTC/C-AMA resources eligible for the CRHR as well as cumulative impacts to the DTCCCL and any contributor to the district, prior to Grading Permit Final Inspection the Project owner shall retain cultural resources specialists with previous knowledge of the DTC/C-AMA. These specialists shall review and synthesize the information contained in DPR forms for DTC/C-AMA-associated resources in the Chuckwalla Valley. The results shall be summarized in a report and district DPR form, if appropriate, for the Desert Center vicinity. Some of the key resources shall include the Chuckwalla Valley Maneuver Area, the Desert Center Army Airfield, Desert Center Observer's Camp, 18th Ordnance Battalion Campsite, the Desert Center Small Arms Range, the Desert Center Supply Depot, and the Desert Center Evacuation Hospital. The report and DPR forms shall be submitted to the County for review. After review and approval the report and DPR forms shall be submitted to the California Historical Resources Information System Eastern Information Center.
Responsible Party	Project Owner
Responsible Monitoring Party	County Archaeologist
Verification Approval Party	County Archaeologist
070 - Planning-CUL. 3 MM CUL-12 Prehistoric Trails Summary Report	
CONDITION OF APPROVAL	In order to address cumulative and indirect impacts to the Prehistoric Trails Network Cultural Landscape/Historic District (PTNCL) prior to Grading Permit Final Inspection the Project owner shall retain cultural resources specialists with prior experience working with prehistoric resources in the Blythe and/or Desert Center vicinity. These specialists shall review and synthesize the information contained in DPR forms and previously prepared reports regarding prehistoric trails and associated artifacts and features in the Chuckwalla Valley. The

Conditions of Approval Compliance Tracking Table

	results shall be summarized in a report and district DPR form, if appropriate, for the Desert Center vicinity. After review and approval, the report and DPR forms shall be submitted to the California Historical Resources Information System Eastern Information Center.
Responsible Party	Project Owner
Responsible Monitoring Party	County Archaeologist
Verification Approval Party	County Archaeologist

070 - Planning-CUL. 4 MM CUL-7 Artifact Disposition

CONDITION OF APPROVAL

Prior to Grading Permit Final Inspection, the landowner(s) shall relinquish ownership of all cultural resources that are unearthed on the Project property during any ground-disturbing activities, including previous investigations and/or Phase III data recovery.

Historic Resources- all historic archaeological materials recovered during the archaeological investigations (this includes collections made during an earlier project, such as testing of archaeological sites that took place years ago), shall be curated at the Western Science Center, a Riverside County curation facility that meets State Resources Department Office of Historic Preservation Guidelines for the Curation of Archaeological Resources ensuring access and use pursuant to the Guidelines

Prehistoric Resources - One of the following treatments shall be applied:

- a. Reburial of the resources on the Project property. The measures for reburial shall include, at least, the following: Measures to protect the reburial area from any future impacts. Reburial shall not occur until all required cataloguing, analysis and studies have been completed on the cultural resources, with an exception that sacred items, burial goods and Native American human remains are excluded. Any reburial processes shall be culturally appropriate. Listing of contents and location of the reburial shall be included in the confidential Phase IV Report. The Phase IV Report shall be filed with the County under a confidential cover and not subject to a Public Records Request.
 - b. Curate the resources. If reburial is not agreed upon by the Consulting Tribes then the resources shall be curated at a culturally appropriate manner at the Western Science Center, a Riverside County curation facility that meets State Resources Department Office of Historic Preservation Guidelines for the Curation of Archaeological Resources ensuring access and use pursuant to the Guidelines. The collection and associated records shall be transferred, including title, and are to be accompanied by payment of the fees necessary for permanent curation. Evidence of curation in the form of a letter from the curation facility stating that subject archaeological
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Conditions of Approval Compliance Tracking Table	
	materials have been received and that all fees have been paid, shall be provided by the landowner to the County. There shall be no destructive or invasive testing on sacred items, burial goods and Native American human remains.
Responsible Party	Landowner(s)
Responsible Monitoring Party	County Archaeologist
Verification Approval Party	County Archaeologist
070 - Planning-CUL. 5 MM CUL-8 Monitoring Report	
CONDITION OF APPROVAL	Prior to Grading Permit Final Inspection, a Phase IV Cultural Resources Monitoring Report shall be submitted that complies with the Riverside County Planning Department's requirements for such reports for all ground disturbing activities associated with this grading permit. The report shall follow the County of Riverside Planning Department Cultural Resources (Archaeological) Investigations Standard Scopes of Work posted on the TLMA website. The report shall include results of any feature relocation or residue analysis required as well as evidence of the required cultural sensitivity training for the construction staff held during the required pre-grade meeting and evidence that any artifacts have been treated in accordance to procedures stipulated in the Cultural Resources Management Plan.
Responsible Party	Project Owner
Responsible Monitoring Party	County Archaeologist
Verification Approval Party	County Archaeologist

Conditions of Approval Compliance Tracking Table

PRIOR TO BUILDING PERMIT ISSUANCE

ENVIRONMENTAL HEALTH

080 - E Health. 1 E Health Clearance

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

Responsible Party Project Owner

Responsible Monitoring Party Riverside County Department of Environmental Health

Verification Approval Party Riverside County Department of Environmental Health

080 - E Health. 2 OWTS Plans

CONDITION OF APPROVAL A set of two detailed plans drawn to scale of the proposed subsurface sewage disposal system to include a floor plan/plumbing schedule to ensure proper septic tank sizing.

Responsible Party Project Owner

Responsible Monitoring Party Riverside County Department of Environmental Health

Verification Approval Party Riverside County Department of Environmental Health

080 - E Health. 3 Percolation Report

CONDITION OF APPROVAL A soil percolation report consistent with the Department's technical guidance manual is required.

Responsible Party Project Owner

Responsible Monitoring Party Riverside County Department of Environmental Health

Verification Approval Party Riverside County Department of Environmental Health

FIRE

080 - Fire. 1 Battery Energy Storage (BESS) Plan Submittal

CONDITION OF APPROVAL PLAN SUBMITTAL REQUIREMENTS

All plan submittals and revisions must be electronically submitted via the Riverside County PLUS portal at <https://rctlma.org/plus-online>.

Plans shall contain the following information and items:

1. Location and layout diagram of the room or area in which the ESS is to be installed. A detailed site plan shall indicate the locations of the fire access roads providing access to within 150 feet of the exterior of all ESS units and/or buildings. (See Riverside County Fire Department Guideline OFM-01A for additional details.)
2. Details on the hourly fire-resistance ratings of assemblies enclosing the ESS.
3. The quantities and types of ESS to be installed.
4. Manufacturer's specifications, ratings and listings of each ESS. A copy of the UL 9540 listing certification and the UL 9540A test report is required.
5. Description of energy (battery) management systems and their operation.

Conditions of Approval Compliance Tracking Table

6. Location and content of required signage.
 7. Details on fire suppression, smoke or fire detection, thermal management, ventilation, exhaust and deflagration venting systems, if provided.
 - a. A separate permit is required for a fire suppression system if provided.
 - b. A separate permit is required for a gas, smoke, or fire detection system if provided.
 - c. Calculations or modeling data to determine compliance with NFPA 68 and NFPA 69 for exhaust and deflagration venting systems when provided shall be submitted for review.
 8. Support arrangement associated with the installation, including any required seismic restraint.
 9. A commissioning plan complying with CFC Section 1207.2.1 shall include the following:
 - a. A narrative description of the activities that will be accomplished during each phase of commissioning, including the personnel intended to accomplish each of the activities.
 - b. A listing of the specific ESS and associated components, controls and safety-related devices to be tested, a description of the tests to be performed and the functions to be tested.
 - c. Conditions under which all testing will be performed, which are representative of the conditions during normal operation of the system.
 - d. Documentation of the owner's project requirements and the basis of design necessary to understand the installation and operation of the ESS.
 - e. Verification that required equipment and systems are installed in accordance with the approved plans and specifications.
 - f. Integrated testing for all fire and safety systems.
 - g. Testing for any required thermal management, ventilation or exhaust systems associated with the ESS installation.
 - h. Preparation and delivery of operation and maintenance documentation.
 - i. Training of facility operating and maintenance staff.
 - j. Identification and documentation of the requirements for maintaining system performance to meet the original design intent during the operation phase.
 - k. Identification and documentation of personnel who are qualified to service, maintain and decommission the ESS, and respond to incidents involving the ESS, including documentation that such service has been contracted for.
 - l. A decommissioning plan for removing the ESS from service, and from the facility in which it is located. The plan shall include details on providing a safe, orderly shutdown of energy storage and safety systems with notification to the code officials prior to the actual decommissioning of the system. The decommissioning
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Conditions of Approval Compliance Tracking Table

- plan shall include contingencies for removing an intact operational ESS from service, and for removing an ESS from service that has been damaged by a fire or other event.
10. A decommissioning plan complying with CFC Section 1207.2.3.
 11. A failure modes and effects analysis (FMEA) or other approved hazard mitigation analysis shall be provided in accordance with CFC Section 104.8.2 under any of the following conditions:
 - a. Where ESS technologies not specifically identified in CFC Table 1207.1 are provided.
 - b. More than one ESS technology is provided in a room or enclosed area where there is a potential for adverse interaction between technologies.
 - c. Where allowed as a basis for increasing maximum allowable quantities. See Section CFC 1207.5.2.
 - d. Where required for existing lithium-ion ESS systems that are not UL 9540 listed.
 - e. Where required for outdoor lithium-ion battery ESS systems exceeding 600 kWh.
 12. Where required elsewhere in CFC Section 1207, large-scale fire testing shall be conducted on a representative ESS in accordance with UL 9540A. The testing shall be conducted or witnessed and reported by an approved testing laboratory and show that a fire involving one ESS will not propagate to an adjacent ESS, and where installed within buildings, enclosed areas and walk-in units will be contained within the room, enclosed area or walk-in unit for a duration equal to the fire-resistance rating of the room separation specified in CFC Section 1207.7.4. The test report shall be provided to the fire code official for review and approval in accordance with CFC Section 104.8.2.
 13. An Emergency Operations Plan shall be provided which includes the following:
 - a. Procedures for safe shutdown, de-energizing, or isolation of equipment and systems under emergency conditions to reduce the risk of fire, electric shock, and personal injuries, and for safe start-up following cessation of emergency conditions.
 - b. Procedures for inspection and testing of associated alarms, interlocks, and controls.
 - c. Procedures to be followed in response to notifications of system alarms or out-of-range conditions that could signify potentially dangerous conditions, including shutting down equipment, summoning service or repair personnel, and providing agreed-upon notification to fire department personnel, if required.
 - d. Emergency procedures to be followed in case of fire, explosion, release of liquids or vapors, damage to critical moving parts, or other potentially dangerous conditions.
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Conditions of Approval Compliance Tracking Table

- e. Response considerations similar to a safety data sheet (SDS) that will address response safety concerns and extinguishment when an SDS is not required.
 - f. Procedures for dealing with ESS equipment damaged in a fire or other emergency event, including contact information for personnel qualified to safely remove damaged ESS equipment from the facility.
 - g. Other procedures as determined necessary by the AHJ to provide for the safety of occupants and emergency responders.
 - h. Procedures and schedules for conducting drills of these procedures.
14. Other Technical Reports as required by the Fire Code Official.

SITING AND LOCATION

ESS installations shall be in accordance with the 2022 California Fire Code and NFPA 855, subject to the approval of the Fire Code Official.

Additional setbacks and separation distances may be required by the Fire Code Official where a Hazard Mitigation Analysis (HMA) has been required for any of the following reasons:

1. Where ESS technologies not specifically identified in CFC Table 1207.1 are provided.
2. More than one ESS technology is provided in a room or enclosed area where there is a potential for adverse interaction between technologies.
3. Where allowed as a basis for increasing maximum allowable quantities in accordance with CFC Section 1207.5.2.
4. Where required by the Fire Code Official to address a potential hazard with an ESS installation that is not addressed by existing requirements.
5. Where required for existing lithium-ion ESS systems that are not UL 9540 listed.
6. Where required for outdoor lithium-ion battery ESS systems exceeding 600 kWh

Outdoor Utility-Scale ESS Installations may be required to provide additional setbacks and unit spacing when located adjacent to roadways and/or sensitive receptors, such as residential areas, care facilities (hospitals, nursing homes, etc.), and educational institutions, when determined by the Fire Code Official that a public safety hazard may exist pursuant to CFC Section 102.9.

FIRE CODE COMPLIANCE

A complete submittal will be required addressing all applicable code requirements of Section 1207 of the 2022 California Fire Code including, but not limited to:

1. CFC 1207.1.3 Construction documents.
 2. CFC 1207.1.4 Hazard mitigation analysis.
 3. CFC 1207.1.4.1 Fault condition.
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Conditions of Approval Compliance Tracking Table

4. CFC 1207.1.4.3 Additional protection measures.
5. CFC 1207.1.5 Large-scale fire test.
6. CFC 1207.2.1 Commissioning.
7. CFC 1207.2.2 Operation and maintenance.
8. CFC 1207.3.1 Energy storage system listings.
9. CFC 1207.3.2 Equipment listing.
10. CFC 1207.3.3 Utility interactive systems.
11. CFC 1207.3.4 Energy storage management system.
12. CFC 1207.3.5 Enclosures.
13. CFC 1207.4.1 Electrical disconnects.
14. CFC 1207.4.2 Working clearances.
15. CFC 1207.4.5 Vehicle impact protection.
16. CFC 1207.4.6 Combustible storage.
17. CFC 1207.4.7 Toxic and highly toxic gases.
18. CFC 1207.4.8 Signage.
19. CFC 1207.4.9 Security of installations.
20. CFC 1207.4.12 Walk-in units.
21. CFC 1207.5.1 Size and separation.
22. CFC 1207.5.2 Maximum allowable quantities.
23. CFC 1207.5.4 Fire detection.
24. CFC 1207.5.5 Fire suppression systems.
25. CFC 1207.5.6 Maximum enclosure size.
26. CFC 1207.5.7 Vegetation control.
27. CFC 1207.6 Electrochemical ESS technology specific protection.
28. CFC 1207.6.3 Explosion control.
29. CFC 1207.6.5 Thermal runaway.
30. CFC 1207.8 Outdoor installations.

Additional information may be required after the complete submittal.

Responsible Party	Project Owner
Responsible Monitoring Party	Riverside County Fire Department
Verification Approval Party	Riverside County Fire Department

080 - Fire. 2 Prior to Permit – BESS Fire Water and Access

CONDITION OF APPROVAL All required fire access roads and fire protection tanks/water systems shall be in place prior to issuance of any permit for the BESS.

Responsible Party	Project Owner
Responsible Monitoring Party	Riverside County Fire Department
Verification Approval Party	Riverside County Fire Department

Conditions of Approval Compliance Tracking Table	
FLOOD	
080 - Flood. 1 Submit Plans - Fencing	
CONDITION OF APPROVAL	The applicant has submitted a proposal for a “breakaway” security fence detailed on sheet C.400 of the Preliminary Site Plan. The District may accept this proposal. All security fencing within the floodplain shall extend their footings to the scour depth provided in a District approved Hydrology and Hydraulic Analysis. A note shall be added to the breakaway fencing detail stating that footing depth shall be extended to the maximum anticipated scour depth. It should be noted that the District may have further comments regarding the "breakaway" feature of the proposed security fencing.
Responsible Party	Project Owner
Responsible Monitoring Party	Riverside County Flood Control and Water Conservation District
Verification Approval Party	Riverside County Flood Control and Water Conservation District
080 - Flood. 2 Submit Plans	
CONDITION OF APPROVAL	Submit storm drain plans, the hydrologic and hydraulic report, and reference material including but not limited to, street improvement plans, grading plans, utility plans, the approved tentative map or site plan, the final map and the environmental constraint sheet, the geotechnical soils report and environmental documents (CEQA, federal and state permits). The storm drain plans and the hydrologic and hydraulic report must receive District approval prior to the issuance of permits. All submittals shall be date stamped by the Engineer and include a Plan Check Application, Flood Control Deposit Based Fee Worksheet, found on the District's website, and a plan check fee deposit.
Responsible Party	Project Owner
Responsible Monitoring Party	Riverside County Flood Control and Water Conservation District
Verification Approval Party	Riverside County Flood Control and Water Conservation District
PLANNING	
080 - Planning. 1 0080 PLANNING – INSTALLATION OF ELECTRIC	
CONDITION OF APPROVAL	This Plan was approved on or after 8-16-2018, and as such is subject to the Zoning Ordinance requirements at the time of approval. As a result of a settlement agreement between the Sierra Club et al. v. County of Riverside et al (Riverside County Superior Court Case No. RIC 1600159) all projects meeting the Electric Vehicle Parking and Charging Station Requirements are required to comply with the INSTALLATION of Electric Vehicle Parking and Charging Stations per Ordinance No. 348, Section 18.12.A.2.c.

Conditions of Approval Compliance Tracking Table

Responsible Party	Project Owner
Responsible Monitoring Party	Riverside County Planning Department
Verification Approval Party	Riverside County Planning Department

080 - Planning. 2 Development Agreement

CONDITION OF APPROVAL	<p>In order to secure public health, safety, and welfare, this project shall be subject to the requirements of Board of Supervisors Policy Number B-29 (Solar Power Plant Policy). The applicant has proposed entering into a Development Agreement (DA No. 1900001) with the County. Board of Supervisors Policy No. B-29 states, "[N]o approval required by Ordinance Nos. 348 or 460 shall be given for a solar power plant unless the Board first approves a development agreement with the solar power plant owner and the development agreement is effective." County staff has reached an agreement with the applicant on the provisions of the development agreement that are consistent with Board of Supervisor Policy No. B-29. In the event it is determined that any provisions of DA No. 1900001 are inconsistent with Board of Supervisors Policy No. B-29, the provisions of DA No. 190001 shall control.</p> <p>No permits shall be issued until Development Agreement No. 1900001 has been approved and adopted by the Board of Supervisors and has been made effective.</p>
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Responsible Party	Project Owner
Responsible Monitoring Party	Riverside County Planning Department
Verification Approval Party	Riverside County Planning Department

080 - Planning. 3 Fee Balance

CONDITION OF APPROVAL	<p>Prior to building permit issuance, the Planning Department shall determine if the deposit-based fees for CUP180001S01 are in a negative balance. If so, any unpaid fees shall be paid by the land divider and/or the land divider's successor-in-interest.</p>
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Responsible Party	Project Owner
Responsible Monitoring Party	Riverside County Planning Department
Verification Approval Party	Riverside County Planning Department

080 - Planning. 4 Planning review of building permit

CONDITION OF APPROVAL	<p>Prior to issuance of a building permit, Planning shall review the building plans for the BESS equipment and location as per CUP180001S01.</p>
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Responsible Party	Project Owner
Responsible Monitoring Party	Riverside County Planning Department
Verification Approval Party	Riverside County Planning Department

Conditions of Approval Compliance Tracking Table	
080 - Planning. 5 PLN - Bonding	
CONDITION OF APPROVAL	<p>Prior to the issuance of building permits, the developer/permit holder shall bond or provide another appropriate and sufficient security in a form acceptable to the County in the County's sole discretion to cover the costs of all foreign material removal and site restoration including but not limited to removal of foundations, towers, transformers, inverters and cables. The amount shall be as specified and agreed upon in an engineering estimate prepared by a California Registered Engineer and that has been reviewed and approved by the County. The bond shall be held for life of the permit, but may be released sooner by the Board of Supervisors upon approval of a final demolition and site restoration inspection by the Department of Building and Safety. Thereafter, and with no interruption in the bonding security of the project, bonds shall be renewed in five (5) year increments to include the expiration date of the permit(s) granted, as referenced herein. If the Planning Director determines, at any time during the term of the bond or other security, that the amount of the bond or other security has become insufficient, the permit holder shall increase the amount of the bond or other security within thirty (30) days after being notified that the amount is insufficient, but the required increase shall not exceed the increase in the U.S. Department of Labor Consumer Price Index for the Los Angeles-Long Beach Metropolitan Area.</p>
Responsible Party	Project Owner
Responsible Monitoring Party	Riverside County Department of Building and Safety
Verification Approval Party	Riverside County Department of Building and Safety
080 - Planning. 6 Successor Agency	
CONDITION OF APPROVAL	<p>Prior to the issuance of building permits for property currently owned by Chuckwalla Valley Associates, LLC (specifically, APNs 811-122-009, 811-130-010, 811-142-015, a portion of 811-150-002, and a portion of 811-142-016), the developer or property owner shall submit to the County written evidence demonstrating that all of the following have occurred: (1) the Board of the Successor Agency for the County of Riverside has amended or otherwise modified the October 24, 2006, Development and Disposition Agreement (DDA) for Desert Center Airport, as amended, to remove the Chuckwalla Valley Associates' approximately 77 acres of real property that is part of the area covered by CUP180001 from the legal description of the real property subject to the DDA or has otherwise modified the DDA to provide for solar development as an allowed use; (2) the Board of the Successor Agency has consented to the sale by Chuckwalla Valley Associates to the developer as provided in Section 24 of the DDA; (3) the Board of the Successor Agency has approved the documentation memorializing the terminated right to repurchase the subject property per Section 21(b)(i) of the DDA; (4) the County Oversight Board for the County of Riverside has approved the amendment or modification described above in (1) and the</p>

Conditions of Approval Compliance Tracking Table

	documentation memorializing the terminated right to repurchase described above in (3); and the California Department of Finance has approved the amendment or modification described above in (1) and the documentation memorializing the terminated right to repurchase described above in (3).
Responsible Party	Project Owner
Responsible Monitoring Party	Riverside County Planning Department
Verification Approval Party	Riverside County Planning Department

080 - Planning. 7 Use - Construction Restoration Plan Solar

CONDITION OF APPROVAL	Prior to Building permit issuance, a Construction Restoration Plan must be prepared by the applicant and approved by the Planning Department. The plan shall include a monitoring and compliance plan that establishes the monitoring requirements and thresholds for acceptable performance.
Responsible Party	Project Owner
Responsible Monitoring Party	Riverside County Planning Department
Verification Approval Party	Riverside County Planning Department

080 - Planning. 8 Use - Decommissioning and Site Reclamation Plan Solar

CONDITION OF APPROVAL	Prior to Building Permit Issuance, a Decommissioning and Site Reclamation Plan shall be developed by the applicant and approved by the Planning Department. The plan shall require that all aboveground and near-ground structures be removed. Some structures shall be removed only to a level below the ground surface that will allow reclamation/restoration. Topsoil from all decommissioning activities shall be salvaged and reapplied during final reclamation. The plan shall include provisions for monitoring and determining compliance with the plan.
Responsible Party	Project Owner
Responsible Monitoring Party	Riverside County Planning Department
Verification Approval Party	Riverside County Planning Department

080 - Planning. 9 Use - Lighting Plans Solar

CONDITION OF APPROVAL	Prior to Building Permit Issuance, a solar power plant lighting plan shall prepared by the applicant, and approved by the Planning Department, that documents how lighting will be designed and installed to minimize night-sky impacts during facility construction and operations. Lighting for facilities should not exceed the minimum number of lights and brightness required for safety and security and should not cause excessive reflected glare. Low-pressure sodium light sources should be used to reduce light pollution. Full cut-off luminaires should be used to minimize up lighting. Lights should be directed downward or toward the area to be illuminated. Light fixtures should not spill light beyond the project boundary. Lights in highly illuminated areas that are not occupied on a
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Conditions of Approval Compliance Tracking Table	
	continuous basis should have switches, timer switches, or motion detectors so that the lights operate only when the area is occupied. Where feasible, vehicle mounted lights should be used for night maintenance activities. Wherever feasible, consistent with safety and security, lighting should be kept off when not in use. The lighting plan should include a process for promptly addressing and mitigating complaints about potential lighting impacts.
Responsible Party	Project Owner
Responsible Monitoring Party	Riverside County Planning Department
Verification Approval Party	Riverside County Planning Department
080 - Planning. 10 Use - Mitigation Measure	
CONDITION OF APPROVAL	MM HWQ-2: Septic System Rehabilitation. Before the start of construction, the Applicant shall submit to the County an evaluation of the existing septic system to ensure that the proposed use of the system is consistent with the existing use, and if necessary shall make modifications to the system to ensure that it would have capacity for any increased use without creating additional impacts to groundwater.
Responsible Party	Project Owner
Responsible Monitoring Party	Riverside County Planning Department
Verification Approval Party	Riverside County Planning Department
080 - Planning. 11 Use - Mitigation Measure	
CONDITION OF APPROVAL	MM HWQ-4: Project Drainage Plan. The Project owner shall provide Riverside County with a drainage plan, for review and approval prior to construction, which includes the following information: <ol style="list-style-type: none"> a. A hydrologic assessment of flood discharges affecting each parcel. b. A detailed onsite hydraulic analysis utilizing FLO-2D or similar two-dimensional hydraulic model acceptable to the Riverside County which models pre- and post-development flood conditions for the 10- and 100-year storm events. The post-development model must include all proposed Project features, contours, and drainage improvements. Graphical output must include depth and velocity mapping as well as mapping which graphically shows the changes in both parameters between the pre- and post development conditions. c. The Drainage Plan shall show the location of all watercourses, drainage concentration points and drainage ditches as they enter, cross and exit the site. It shall include pre-development and post development peak flow estimates. It shall include hydraulic calculations to determine flood conditions, floodplain limits, flood depths and velocities. It shall show the relationship of drainage and flood features to the features of the proposed Project, including buildings, fences, substations, access roads,

Conditions of Approval Compliance Tracking Table

- culverts, linear features and panel supports, demonstrating adequate design to protect from flooding, erosion and scour, and to do so without adversely affecting adjacent property, inducing erosion or concentrating or diverting flows.
- d. The Plan shall show how drainage will be conveyed through the site without adversely affecting other property, either through increased flood hazard or increased potential for scour and erosion. No flow obstructing fences (chain link, block wall, etc.) shall be constructed perpendicular to existing drainage patterns. Proposed fencing shall allow runoff to traverse the project site unencumbered.
 - e. The Plan shall include an assessment of existing diversion berms and channels around parcel perimeters and the magnitude and frequency of flood that would be diverted by these existing features, and the probable integrity of these features to withstand flows. It shall show how those that are on the Project site will be affected by Project grading. It shall include an assessment of flows approaching proposed perimeter fences, whether or not adjacent to existing berms, and make design recommendations to avoid diversion of flows by these fences. Design recommendations may include creating fence openings large enough to allow the passage of debris-laden flows without the potential for diversions to other property.
 - f. The Plan shall have detailed design of flood retention features necessary to avoid any increase in downstream flood peak flow rates.
 - g. Drainage of Project Site Narrative – The Plan shall include a narrative of the measures necessary to protect the site and Project features from flooding, erosion and sedimentation, and measures taken to prevent Project-induced erosion and flooding of adjacent property.

Responsible Party	Project Owner
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Responsible Monitoring Party	Riverside County Planning Department
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Verification Approval Party	Riverside County Planning Department
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080 - Planning. 12 Use - Mitigation Measure

CONDITION OF APPROVAL	<p>MM HAZ-3: UXO Identification, Training and Reporting Plan. Where ground disturbance work is involved, contractor(s) should be OSHA HAZWOPER-trained in accordance with standard 29CFR1910.120 and hold a current certification. The Applicant shall prepare a UXO Identification, Training and Reporting Plan to properly train all site workers in the recognition, avoidance and reporting of military waste debris and ordnance. The Applicant shall submit the plan to the County and BLM for review and approval for their respective jurisdictions prior to the start of construction. The plan shall contain, at a minimum, the following:</p> <ul style="list-style-type: none"> ▪ A description of the training program outline and materials, and the qualifications of the trainers;
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Conditions of Approval Compliance Tracking Table	
	<ul style="list-style-type: none"> ▪ Identification of available trained experts that will respond to notification of discovery of any ordnance (unexploded or not); ▪ Work plan to recover and remove discovered ordnance, and complete additional field screening, possibly including geophysical surveys to investigate adjacent areas for surface, near surface or buried ordnance in all proposed land disturbance areas.
Responsible Party	Project Owner
Responsible Monitoring Party	Riverside County Planning Department
Verification Approval Party	Riverside County Planning Department
080 - Planning. 13 Use - Mitigation Measure	
CONDITION OF APPROVAL	<p>MM HAZ-2: Worker Environmental Awareness Program. The Worker Environmental Awareness Program (WEAP) shall include a personal protective equipment (PPE) program, an Emergency Action Plan (EAP), and an Injury and Illness Prevention Program (IIPP) to address health and safety issues associated with normal and unusual (emergency) conditions. It will be reviewed by the County and BLM for their respective jurisdictions. Construction-related safety programs and procedures shall include a respiratory protection program, among other things. Construction would be undertaken sequentially in accordance with a Construction Plan that shall include the final design documents, work plan, health and safety plans, permits, Project schedule, and operation and maintenance manuals. Construction Plan documents shall relate at least to the following:</p> <ul style="list-style-type: none"> ▪ Environmental health and safety training (including, but not limited, to training on the hazards of Valley Fever, including the symptoms, proper work procedures, how to use PPE, and informing supervisor of suspected symptoms of work-related Valley Fever) ▪ Site security measures ▪ Site first aid training ▪ Construction testing (non-destructive examination, hydro, etc.) requirements ▪ Site fire protection and extinguisher maintenance, guidance, and documentation ▪ Furnishing and servicing of sanitary facilities records ▪ Trash collection and disposal schedule/records ▪ Disposal of hazardous materials and waste guidance in accordance with local, state, and federal regulations
Responsible Party	Project Owner
Responsible Monitoring Party	Riverside County Planning Department
Verification Approval Party	Riverside County Planning Department

Conditions of Approval Compliance Tracking Table

080 - Planning. 14 Use - Mitigation Monitoring

CONDITION OF APPROVAL The permittee shall prepare and submit a written report to the Riverside County Planning Director demonstrating compliance with those conditions of approval and mitigation measures of this permit and CEQ180007 which must be satisfied prior to the issuance of a building permit. The Planning Director may require inspection or other monitoring to ensure such compliance.

Responsible Party Project Owner

Responsible Monitoring Party Riverside County Planning Department

Verification Approval Party Riverside County Planning Department

TRANSPORTATION

080 - Transportation. 1 CALTRANS ENCRCHMNT PRMT

CONDITION OF APPROVAL Prior to issuance of a building permit or any use allowed by this permit, and prior to doing any work within the State highway right-of-way, clearance and/or an encroachment permit must be obtained by the applicant from the District 08 Office of the State Department of Transportation in San Bernardino.

Responsible Party Project Owner

Responsible Monitoring Party Riverside County Transportation Department

Verification Approval Party Riverside County Transportation Department

080 - Transportation. 2 EVIDENCE/LEGAL ACCESS

CONDITION OF APPROVAL Provide evidence of legal access.

 Applicant shall demonstrate legal improved access to the site prior to commencing with any construction of buildings, solar panels or other structural features. This shall include at a minimum: verification of legal access to all portions of the proposed development, completion of all required dedications, completion of all required mergers, Tentative Tract Maps, etc.

Responsible Party Project Owner

Responsible Monitoring Party Riverside County Transportation Department

Verification Approval Party Riverside County Transportation Department

080 - Transportation. 3 EXISTING R-O-W/EASEMENTS

CONDITION OF APPROVAL Any existing right-of-way and/or easements that has been accepted or has been offered for dedication shall not be blocked, fenced or obstructed by solar panels or any solar equipment. Show all existing and proposed easements on the plans.

Responsible Party Project Owner

Responsible Monitoring Party Riverside County Transportation Department

Verification Approval Party Riverside County Transportation Department

Conditions of Approval Compliance Tracking Table

080 - Transportation. 4 MM TRA-1

CONDITION OF APPROVAL

MM TRA-1 Construction Traffic Control Plan.

Prior to the start of construction, IP Athos, LLC, shall submit a Construction Traffic Control Plan for review and approval by Caltrans and Riverside County for affected roads and intersections that would be directly affected by the construction activities and/or would require permits and approvals. The Construction Traffic Control Plan shall include, but not be limited to:

- If multiple construction projects occur at the same time and conditions at the intersection warrant, plans for installation of a temporary signal or use of manual intersection control during the construction period at the I-10 westbound ramp at SR-177. Additionally, if conditions warrant, geometry changes shall be considered in coordination with Caltrans and Riverside County, and implemented, if necessary, in addition to signalization at the I-10 westbound ramp and SR-177. These geometry changes should include a 50-foot westbound right turn pocket, as well as a southbound 50-foot right turn pocket. If manual intersection control is used in the morning peak hour, no manual intersection control is needed in the afternoon peak hour, and the southbound right turn pocket would likely not be needed.
 - The locations and use of flaggers, warning signs, barricades, delineators, cones, arrow boards, etc., according to standard guidelines outlined in the Manual on Uniform Traffic Control Devices, the Standard Specifications for Public Works Construction, and/or the California Joint Utility Traffic Control Manual.
 - The locations of all road or traffic lane segments that would need to be temporarily closed or disrupted due to construction activities.
 - The locations where guard poles, netting, or similar means to protect transportation facilities for any construction or conductor installation work requiring the crossing of a local street, highway, or rail line are proposed.
 - The use of continuous traffic breaks operated by the California Highway Patrol on state highways (if necessary).
 - Additional methods to reduce temporary traffic delays to the maximum extent feasible during morning (7:00 a.m. to 9:00 a.m.) and afternoon (4:00 p.m. to 6:00 p.m.) peak traffic periods, or as directed in writing by the affected public agency in encroachment or other permits). This should also include feasible ways to avoid construction-related trips on I-10 and SR-177 during peak traffic periods.
 - Plans to encourage or provide ridesharing opportunities for construction and operational workers.
 - Plans to provide written notification to property owners and tenants at properties affected by access restrictions to
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Conditions of Approval Compliance Tracking Table

	<p>inform them about the timing and duration of obstructions and to arrange for alternative access if necessary. The coordination shall occur at least one week prior to any blockages.</p> <ul style="list-style-type: none"> ▪ Plans to coordinate in advance with emergency service providers to avoid restricting the movements of emergency vehicles. Police departments and fire departments shall be notified in advance by IP Athos, LLC of the proposed locations, nature, timing, and duration of any roadway disruptions, and shall be advised of any access restrictions that could impact their effectiveness. At locations where roads will be blocked, provisions shall be ready at all times to accommodate emergency vehicles, such as immediately stopping work for emergency vehicle passage, providing short detours, and developing alternate routes in conjunction with the public agencies. ▪ Provisions for ensuring detours or safe movement of local resident vehicles, pedestrians, and bicycles through all affected facilities. ▪ Define the method to maintaining close coordination, prior to and during construction, with Caltrans and Riverside County to minimize cumulative impacts of multiple simultaneous construction projects affecting shared portions of the circulation system. Coordination with adjacent development projects to spread work shifts into multiple hours (instead of peak hour) or the installation of additional temporary traffic signals or manual traffic control officers during peak hours to mitigate the temporary impacts.
Responsible Party	Project Owner
Responsible Monitoring Party	Riverside County Transportation Department
Verification Approval Party	Riverside County Transportation Department
080 - Transportation. 5 MM TRA-2	
CONDITION OF APPROVAL	MM TRA-2 Comply with FAA 7460-1 Determination Recommendations. Pursuant to FAA guidelines, IP Athos, LLC, shall submit FAA Form 7460-1, Notice of Proposed Construction or Alteration, to the Manager of the FAA Air Traffic Division for review and comment. These filings shall specify the heights and locations of all applicable gen-tie transmission structures and conductor wire spans, pursuant to final engineering, per the requirements of FAA Form 7460-1. IP Athos, LLC, shall implement all recommended safety features or Project design changes recommended by the FAA through the FAA 7460-1 process.
Responsible Party	Project Owner
Responsible Monitoring Party	Riverside County Transportation Department
Verification Approval Party	Riverside County Transportation Department

Conditions of Approval Compliance Tracking Table

080 - Transportation. 6 MM TRA-3

CONDITION OF APPROVAL MM TRA-3 Repair Roadways and Transportation Facilities Damaged by Construction Activities.
 If roadways, sidewalks, medians, curbs, shoulders, or other such transportation features are damaged by Project construction activities, as determined by the affected public agency, such damage shall be repaired and restored to their pre-Project condition by Athos, LLC. Prior to construction, Athos, LLC shall confer with Riverside County regarding the roads within 500 feet in each direction of Project access points (where heavy vehicles will leave public roads to reach Project sites); and Riverside County and Caltrans regarding the roads to be crossed by the proposed gen-tie line. At least 30 days prior to construction, or as requested by Riverside County or Caltrans, Athos, LLC shall photograph or video record all affected roadway segments and shall provide Riverside County and Caltrans with a copy of these images, if requested.

 At the end of major construction, Athos, LLC shall coordinate with each affected jurisdiction to confirm what repairs are required. Any damage demonstrable to the Project is to be repaired to the pre-construction condition within 60 days from the end of all construction, or on a schedule mutually agreed to by Athos, LLC and the affected jurisdiction. If multiple projects are using the transportation features, Athos will pay its fair share of the required repairs. Athos, LLC shall provide Riverside County and Caltrans (as applicable) proof when any necessary repairs have been completed.

Responsible Party	Project Owner
Responsible Monitoring Party	Riverside County Transportation Department
Verification Approval Party	Riverside County Transportation Department

080 - Transportation. 7 R-O-W DEDICATION

CONDITION OF APPROVAL Sufficient public street right-of-way along State Highway 177 shall be conveyed for public use to provide for a 55-foot half-width right-of-way. Additional public street right-of-way along State Highway 177 shall be obtained and conveyed for public use to accommodate acceleration and deceleration lanes and to provide for left turn movement to the project site at the main entry(ies).

Responsible Party	Project Owner
Responsible Monitoring Party	Riverside County Transportation Department
Verification Approval Party	Riverside County Transportation Department

Conditions of Approval Compliance Tracking Table

WASTE RESOURCES

080 - Waste Resources. 1 080 - Waste Recycling Plan

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

Conditions of Approval Compliance Tracking Table	
PRIOR TO FINAL BUILDING INSPECTION	
ENVIRONMENTAL HEALTH	
090 - E Health. 1 E Health Clearance	
CONDITION OF APPROVAL	Prior to building permit final, clearance must be obtained from the Department of Environmental Health.
Responsible Party	Project Owner
Responsible Monitoring Party	Riverside County Department of Environmental Health
Verification Approval Party	Riverside County Department of Environmental Health
090 - E Health. 2 Hazmat Clearance	
CONDITION OF APPROVAL	Obtain clearance from the Hazardous Materials Management Division.
Responsible Party	Project Owner
Responsible Monitoring Party	Hazardous Materials Management Division
Verification Approval Party	Hazardous Materials Management Division
090 - E Health. 3 Individual Well Final	
CONDITION OF APPROVAL	Well final inspection to be conducted to ensure compliance with site location, bacteriological standards, nitrate, fluoride and total dissolved solids.
Responsible Party	Project Owner
Responsible Monitoring Party	Riverside County Department of Environmental Health
Verification Approval Party	Riverside County Department of Environmental Health
FIRE	
090 - Fire. 1 Prior to Final - BESS Testing and Inspection	
CONDITION OF APPROVAL	<p>TESTING AND INSPECTION</p> <p>During the commissioning process an ESS shall be evaluated for proper operation in accordance with the manufacturer's instructions and the commissioning plan prior to final approval. Systems that monitor and protect the ESS installation shall be inspected and tested in accordance with the manufacturer's instructions and the operation and maintenance manual. Inspection and testing records shall be maintained in the operation and maintenance manual.</p> <p>Prior to the ESS systems being placed onsite, a fire inspection shall be required to verify the following:</p> <ol style="list-style-type: none"> 1. Verification of all required fire access roads. 2. Verification of any required fire water tanks, fire water systems, or hydrants. <p>Prior to the ESS systems being placed online, a fire inspection shall be required to verify the following:</p> <ol style="list-style-type: none"> 1. Proper size and spacing of the units.

Conditions of Approval Compliance Tracking Table

2. Functional testing of any fire alarm system (including smoke detectors, heat detectors, or gas detection systems). The function of all initiating devices and alarms shall match the sequence of operations on the approved Fire Alarm plans.
3. Verification of any required deflagration venting systems or explosion prevention systems. Required ventilation rates for combustible concentration reduction systems designed in accordance with NFPA 69 shall be verified.
4. Automatic fire suppression systems shall be installed per the approved plans.
5. Signage shall be per the approved plans.

Responsible Party Project Owner

Responsible Monitoring Party Riverside County Fire Department

Verification Approval Party Riverside County Fire Department

FLOOD

090 - Flood. 1 HWQ - Mitigation Measures

CONDITION OF APPROVAL

MM HWQ-1: Drainage Erosion and Sedimentation Control Plan (DESCP). Prior to site mobilization, the Applicant shall submit to the County of Riverside a Drainage Erosion and Sedimentation Control Plan (DESCP) for managing storm water during Project construction and operations. The DESCPC must ensure proper protection of water quality and soil resources, address exposed soil treatments in the solar fields for both road and non-road surfaces, and identify all monitoring and maintenance activities. The plan must also cover all linear Project features such as the proposed gen-tie line for which the plan must also be reviewed by the BLM. The DESCPC shall contain, at minimum, the elements presented below that outline site management activities and erosion and sediment-control Best Management Practices (BMPs) to be implemented during site mobilization, excavation, construction, and post construction (operating) activities.

- a. Vicinity Map – A map(s), at a minimum scale 1 inch to 500 feet, shall be provided indicating the location of all Project elements with depictions of all significant geographic features including swales, storm drains, drainage concentration points and sensitive areas.
 - b. Site Delineation – All areas subject to soil disturbance for the proposed Project shall be delineated showing boundary lines of all construction areas and the location of all existing and proposed structures and drainage facilities.
 - c. Clearing and Grading Plans – The DESCPC shall provide a delineation of all areas to be cleared of vegetation and areas to be preserved. The plan shall provide elevations, slopes, locations, and extent of all proposed grading as shown by contours, cross sections, or other means. The locations of any disposal areas, fills, or other special features shall also be shown. Existing and proposed
-

Conditions of Approval Compliance Tracking Table

- topography shall be illustrated by tying in proposed contours with existing topography.
- d. Clearing and Grading Narrative – The DESCPC shall include a table with the estimated quantities of material excavated or filled for the site and all Project elements, whether such excavation or fill is temporary or permanent, and the amount of such material to be imported or exported.
 - e. Erosion Control – The plan shall address exposed soil treatments to be used during construction and operation including specifically identifying all chemical-based dust palliatives, soil bonding, and weighting agents appropriate for use that would not cause adverse effects to vegetation. BMPs shall include measures designed to prevent wind and water erosion including application of chemical dust palliatives after rough grading to limit water use.
 - f. Best Management Practices Plan – The DESCPC shall identify on the topographic site map(s) the location of the site specific BMPs to be employed during each phase of construction (initial grading, Project element excavation and construction, and final grading/stabilization). BMPs shall include measures designed to control dust, stabilize construction access roads and entrances, and control storm water runoff and sediment transport.
 - g. Best Management Practices Narrative – The DESCPC shall show the location, timing, and maintenance schedule of all erosion- and sediment-control BMPs to be used prior to initial grading, during excavations and construction, final grading/stabilization, and operation. Separate BMP implementation schedules shall be provided for each Project element for each phase of construction. The maintenance schedule shall include post-construction maintenance of structural-control BMPs, or a statement provided about when such information would be available. The DESCPC shall be prepared, stamped and sealed by a professional engineer or erosion control specialist. The DESCPC shall include copies of recommendations, conditions, and provisions from the County of Riverside and/or BLM.

This condition shall be satisfied by one of the following:
 Planning, Building and Safety, or Transportation.

Responsible Party	Project Owner
Responsible Monitoring Party	Riverside County Flood Control and Water Conservation District
Verification Approval Party	Riverside County Flood Control and Water Conservation District

Conditions of Approval Compliance Tracking Table

PLANNING	
090 - Planning. 1 AND – EIR MITIGATION MEASURES MONITORING AND	
CONDITION OF APPROVAL	Mitigation Monitoring and Reporting Program is attached in PLUS under documents. Prior to issuance of building permits, all applicable measures shall be satisfied.
Responsible Party	Project Owner
Responsible Monitoring Party	Riverside County Planning Department
Verification Approval Party	Riverside County Planning Department
090 - Planning. 2 Lighting	
CONDITION OF APPROVAL	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 requirements of Riverside County Ordinances and the Riverside County Comprehensive General Plan.
Responsible Party	Project Owner
Responsible Monitoring Party	Riverside County Building and Safety Department
Verification Approval Party	Riverside County Building and Safety Department
090 - Planning. 3 Use - Final Inspection	
CONDITION OF APPROVAL	Prior to final inspection, the developer/permit holder shall contact the Planning Department to conduct a final inspection.
Responsible Party	Project Owner
Responsible Monitoring Party	Riverside County Planning Department
Verification Approval Party	Riverside County Planning Department
090 - Planning. 4 Use - Mitigation Monitoring	
CONDITION OF APPROVAL	The permittee shall prepare and submit a written report to the Planning Department demonstrating compliance with all remaining conditions of approval and mitigation measures of this permit and CEQ180007. The Planning Director may require inspection or other monitoring to ensure such compliance.
Responsible Party	Project Owner
Responsible Monitoring Party	Riverside County Building and Safety Department
Verification Approval Party	Riverside County Building and Safety Department
090 - Planning. 5 WALL & FENCE LOCATIONS	
CONDITION OF APPROVAL	Wall and/or fence locations shall be in conformance with APPROVED EXHIBIT.
Responsible Party	Project Owner
Responsible Monitoring Party	Riverside County Planning Department
Verification Approval Party	Riverside County Planning Department

Conditions of Approval Compliance Tracking Table	
TRANSPORTATION	
090 - Transportation. 1 IMP PLANS	
CONDITION OF APPROVAL	<p>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.</p> <p>NOTE: Before you prepare the street improvement plan(s), please review the Street Improvement Plan Policies and Guidelines from the Transportation Department Web site: http://rctlma.org/trans</p>
Responsible Party	Project Owner
Responsible Monitoring Party	Riverside County Transportation Department
Verification Approval Party	Riverside County Transportation Department
090 - Transportation. 2 IMPROVEMENTS	
CONDITION OF APPROVAL	<p>Prior to final inspection, State Highway 177 shall be improved with acceleration and deceleration lanes, and left turn lane to the project site, as approved by the Transportation Department.</p> <p>Paved access roads shall be constructed with 26' of asphalt concrete pavement in accordance with County Standard No. 136 (Modified) with 0.33' of Class II Base and 0.25' of asphalt concrete, at a grade and alignment approved by the Transportation Department. Gravel surfaced all weather access roads shall comply with the engineering recommendations of an approved geotechnical report and comply with County Fire Department access requirements, at a grade and alignment approved by the Transportation Department.</p> <p>The applicant shall submit street improvement plans for the improvement of Loma Verde Road and Kiowa Road that shall include at a minimum:</p> <p>The southerly portion of Loma Verde Road shall be paved at the intersection of Loma Verde and Rice Road for a minimum distance of 100 feet north of Rice Road to prevent tracking of dirt onto Rice Road.</p> <p>Rice Road shall be improved to include a dedicated right hand deceleration lane and a left hand turn pocket at the intersection of Loma Verde Road.</p> <p>Loma Verde Road and Kiowa Road shall be improved to a minimum width of 26 feet with a structural section approved for emergency fire equipment access per an approved soils report and structural section recommendations prepared by a licensed geotechnical engineer.</p>
Responsible Party	Project Owner
Responsible Monitoring Party	Riverside County Transportation Department

Conditions of Approval Compliance Tracking Table

Verification Approval Party Riverside County Transportation Department

090 - Transportation. 3 R-O-W DEDICATION

CONDITION OF APPROVAL Sufficient public street right-of-way along State Highway 177 shall be conveyed for public use to provide for a 55-foot half-width right-of-way. Additional public street right-of-way along State Highway 177 shall be obtained and conveyed for public use to accommodate acceleration and deceleration lanes and to provide for left turn movement to the project site at the main entry(ies).

Responsible Party Project Owner

Responsible Monitoring Party Riverside County Transportation Department

Verification Approval Party Riverside County Transportation Department

090 - Transportation. 4 TRANS DEPT CLEARANCE REQD

CONDITION OF APPROVAL The applicant must obtain clearance from Riverside County Transportation Department. It may be necessary to speak directly with a Transportation Department representative in order to determine the exact requirements for their clearance.

Responsible Party Project Owner

Responsible Monitoring Party Riverside County Transportation Department

Verification Approval Party Riverside County Transportation Department

TRN

090 - TRN-Grade. 1 Precise Grade Approval

CONDITION OF APPROVAL 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.

Conditions of Approval Compliance Tracking Table	
	<p>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.</p> <p>Prior to release for building final, the applicant shall have met all precise grade requirements to obtain Building and Safety Department clearance.</p>
Responsible Party	Project Owner
Responsible Monitoring Party	Riverside County Building and Safety Department
Verification Approval Party	Riverside County Building and Safety Department
090 - TRN-Grade. 2 Required Grading Inspections	
CONDITION OF APPROVAL	<p>The developer / applicant shall be responsible for obtaining the following inspections required by Ordinance 457:</p> <ol style="list-style-type: none"> 1. Sub-grade inspection prior to base placement. 2. Base inspection prior to paving. 3. Precise grade inspection of entire permit area. <ol style="list-style-type: none"> a. Inspection of Final Paving b. Precise Grade Inspection c. Inspection of onsite storm drain facilities
Responsible Party	Project Owner
Responsible Monitoring Party	Riverside County Building and Safety Department
Verification Approval Party	Riverside County Building and Safety Planning Department
WASTE RESOURCES	
090 - Waste Resources. 1 Waste Reporting Form and Receipts	
CONDITION OF APPROVAL	<p>Prior to final building inspection, evidence (i.e., waste reporting form along with receipts or other types of verification) to demonstrate project compliance with the approved Waste Recycling Plan (WRP) shall be presented by the project proponent to the Planning Division of the Riverside County Department of Waste Resources. Receipts must clearly identify the amount of waste disposed and Construction and Demolition (C&D) materials recycled.</p>
Responsible Party	Project Owner
Responsible Monitoring Party	Riverside County Department of Waste Resources
Verification Approval Party	Riverside County Department of Waste Resources



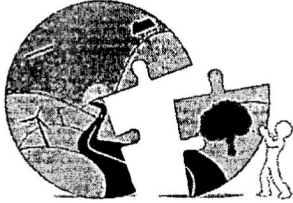
**CALIFORNIA
ENERGY COMMISSION**



**CALIFORNIA
NATURAL
RESOURCES
AGENCY**

**California Energy Commission
October 8, 2025, Business Meeting
Backup Materials for SE US Development, LLC**

Attachment C: 2025 Substantial Conformance determination approved by the County of Riverside staff



RIVERSIDE COUNTY PLANNING DEPARTMENT

John Hildebrand
Planning Director

NOTICE OF DETERMINATION

TO: Office of Planning and Research (OPR)
P.O. Box 3044
Sacramento, CA 95812-3044
 County of Riverside County Clerk

FROM: Riverside County Planning Department
 4080 Lemon Street, 12th Floor
P. O. Box 1409
Riverside, CA 92502-1409

38686 El Cerrito Road
Palm Desert, California 92211

SUBJECT: Filing of Notice of Determination ("NOD") in compliance with Section 21152 of the California Public Resources Code.

Conditional Use Permit No. 180001, Substantial Conformance No. 2 (CUP180001S02) / CEQ250009
Project Title/Case Numbers

Tim Wheeler
County Contact Person

951-955-6060
Phone Number

N/A
State Clearinghouse Number (if submitted to the State Clearinghouse)

SB Energy c/o Sean Mantucca
Project Applicant

3 Lagoon Drive, Unit: 280, Redwood City, CA 94065
Address

The Athos Project CUP180001S02 is located north of I-10 predominately along Rice Road (SR177), approximately four miles east and northeast of Desert Center in unincorporated Riverside County.
Project Location

Substantial Conformance No. 2 (CUP180001) is to finalize the location for three (3) battery energy storage systems (BESS) that were previously approved under the original entitlement for the Athos Renewable Energy Project (CUP180001). Additional mitigation measures from Addendum for BESS system installation added. No other changes or alternations to the original project are proposed under this substantial conformance.
Project Description

This is to advise that the Riverside County Planning Department, as the lead agency, has approved the above-referenced project on September 15, 2025, and has made the following determinations regarding that project:

1. The project (CUP180001) WILL have a significant effect on the environment as per EIR (CEQ180007 & CEQ250009). The above substantial conformance (CUP180001S02) will not have any further effect on the environment then what was previously analyzed under the original EIR (CEQ180007 & CEQ250009).
2. An Environmental Impact Report (CEQ180007); plus Addendum (CEQ250009) was prepared for the project (CUP180001) pursuant to the provisions of the California Environmental Quality Act. The above substantial conformance (CUP180001S02) will have **No Further Impact** then what was previously analyzed and determined under the original entitlements.
3. Mitigation measures WERE made a condition of the approval of the project as per the original entitlement (CUP180001) per EIR (CEQ180007 & CEQ250009) and brought forward into the substantial conformance (CUP180001S02).
4. A Mitigation Monitoring and Reporting Plan/Program WAS adopted for CUP180001. Said Mitigation Monitoring and Reporting Plan/Program was brought forward into the substantial conformance (CUP180001S02).
5. A statement of Overriding Considerations WAS adopted for CUP180001. Said Overriding Considerations was brought forward into the substantial conformance (CUP180001S02).
6. Findings were made pursuant to the provisions of CEQA.

This is to certify that the earlier EA, with comments, responses, and record of project approval is available to the general public at: Riverside County Planning Department, 4080 Lemon Street, 12th Floor, Riverside, CA 92501.

Tim Wheeler
Signature

Principal Planner
Title

September 15, 2025
Date

Date Received for Filing and Posting at OPR: _____
Please charge deposit fee case#: EIR (CEQ180007 / CEQ250009)

FOR COUNTY CLERK'S USE ONLY

FILED / POSTED

County of Riverside
Peter Aldana
Assessor-County Clerk-Recorder

E-202500824
09/17/2025 10:58 AM Fee: \$ 50.00
Page 1 of 1

Removed: _____ By: _____ Deputy

