

DOCKETED

Docket Number:	26-SPPE-01
Project Title:	RB Inyokern Data Center (RBIDC)
TN #:	271099
Document Title:	Appendix N Supplement - Section N4
Description:	Appendix Supplement — Data Response Set 1
Filer:	Kyle Mohr
Organization:	R&L Capital Inc
Submitter Role:	Applicant Representative
Submission Date:	6/29/2026 11:52:25 AM
Docketed Date:	6/29/2026

RB INYOKERN DATA CENTER

Application for Small Power Plant Exemption (SPPE)

Inyokern, Kern County, California

Docket Number – 26-SPPE-01

Appendix N Supplement - Section N.4.

**KERN COUNTY PLANNING
AND NATURAL RESOURCES DEPARTMENT**

**INSTRUCTIONS TO APPLICANT FILING
FOR GENERAL PLAN AMENDMENT
SPECIFIC PLAN ADOPTION OR AMENDMENT**

I. GENERAL INFORMATION

A request for a change in General or Specific Plan map code designation, or a change requested to any adopted Specific Plan or General Plan text or element, is a request to amend the official General Plan of Kern County. As such, a request for change in map code designation must meet certain procedural and legislative requirements in order for an application to be accepted and processed. For additional information pertaining to the processing of General/Specific Plan Amendments or the adoption of a Specific Plan, informational brochures are available upon request.

IMPORTANT - INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED

Prior to issuance of any development or use permit, the County shall make the finding -- based on information provided by the applicant, California Environmental Quality Act (CEQA) documents, and staff analysis -- that adequate public and/or private services and resources are available to serve the proposed project. The applicant and property owner shall assume full responsibility for costs incurred in service extensions and/or improvements that are required as a result of the proposed project. Lack of available public and/or private services or resources shall be grounds for denial of the project or reduction in size, density, or intensity otherwise indicated by this application.

A change in map code designation must comply with the provisions of (CEQA), and findings must be made and/or documents prepared signifying the degree of potential environmental impact of a proposed change in map code designation prior to the commencement of public hearing. The degree of potential environmental impact of a project will be determined by the Department after completing an Initial Study of the proposal. In addition to this application, information, materials, and filing fees may be required in order to conduct the CEQA Initial Study and prepare a CEQA document.

Upon completion of the CEQA document, the Department will prepare a staff report and recommendation on the change in map code designation. The Kern County Planning Commission will consider the request at a duly noticed and advertised public hearing. The Planning Commission's responsibility is to make a recommendation to the Kern County Board of Supervisors, after which another noticed and advertised public hearing is scheduled before the Board of Supervisors. The action of the Board of Supervisors is final. No item will be scheduled for public hearing before the Planning Commission or Board of Supervisors until the CEQA document is complete.

II. APPLICATION INSTRUCTIONS

Please complete the application in its entirety. **Please type or print all application information.**

1. **Plot Plan.** All applications must include a plot plan. The plot plan must meet the following minimum criteria:

The scale of the drawing and north point

The street address of the property and a vicinity map showing adjacent streets and other landmarks to assist in locating the property, distance and direction from the nearest road intersection, and any other identifying features

The location of all existing uses, structures, fences, signs, landscaping, and improvements

The location of all existing off street parking and loading facilities, including driveways, individual parking and loading zones, points of ingress and egress, median strips, and traffic islands

Any other information which the applicant or the Director of the Planning and Natural Resources Department deems necessary for proper consideration of the application

Note: Plot plans showing the future development of the site are not required but are recommended. Staff recognizes that plot plans may only be conceptual and will be subject to revisions and refinement as part of the development review process.

2. **Filing Fees.** A Preliminary Review flat fee is required. After the preliminary review has been completed, applicants will be notified of what additional fees are required before the application can be formally accepted as complete. The application for a General/Specific Plan Amendment or the preparation of a Specific Plan requires a minimum deposit. For large projects, a higher minimum deposit may be required. A minimum Initial Study preparation deposit is also normally required as most applications will require the preparation of an environmental document to satisfy the requirements of the California Environmental Quality Act. Additionally, both the County Engineering and Survey Services and Environmental Health Services Departments have fees associated with the processing of these applications. The final filing fee determination will be made as part of the preliminary review process. Since these type of applications are processed on a time-and-materials basis, a Cost Recovery Agreement form is also typically required. See the Land Development Services Fee Schedule for fee amounts and further information. <https://kemplanning.com/planning-fees/>

NOTE

Fees submitted are intended to defray the costs involved in preparing the project's documents, staff work and materials, private and public meeting costs, public hearing costs, and costs involved in production of adopted documents and actions. Normally a deposit to be held in trust will be required at the onset of the project development process. Actual total costs will have to be paid by the applicant prior to a public hearing on the matter. Should the amount of the fee retainer exceed actual costs, the unused portion will be refunded. The issuance of a receipt for filing fees signifies the start of the application process. Fees are subject to change without notice.

3. **Legal Description.** Submittal of a complete and accurate legal description is required. It is preferred that a copy be included as an electronic version in the Microsoft Word format.
4. **Other Materials or Data.** Photographs should be submitted of the affected property. The Department may require such other materials, data, or reports as are determined necessary to conduct an appropriate analysis of the project.
5. **Optional Materials.** The applicant may submit statements, letters, or petitions in support of the request. Any other studies, reports, or materials pertaining to the request may also be submitted by the applicant. Applicants are encouraged to submit a detailed written proposal describing the purpose of the General Plan or Specific Plan Amendment, including copies of any market or economic studies which have been performed in support of the request. The written proposal should also discuss the proposed methods of water supply and sewage disposal, anticipated road improvements, and any specific information available to the applicant which will affect the eventual development of the site.
6. **Processing Time.** Processing time is extremely variable for each request. Processing time is dependent upon the degree of complexity of each case, the adequacy of information provided by the applicant, and the type of CEQA document required for the proposal. An estimate of the time required to achieve a hearing date can be given by the Planning and Natural Resources Department after conclusion of the Initial Study. For applications for which a Negative Declaration or mitigated Negative Declaration will be prepared, the average processing time is between seven and eight months. For applications for which an Environmental Impact Report will be prepared, the average processing time is 18 to 20 months.
7. **Questions and Assistance.** The Staff of the Planning and Natural Resources Department is available during regular working hours to answer questions or provide assistance in the preparation of this application.

**APPLICATION FOR
GENERAL PLAN AMENDMENT
SPECIFIC PLAN ADOPTION OR AMENDMENT**

**KERN COUNTY PLANNING AND
NATURAL RESOURCES DEPARTMENT
2700 "M" Street, Suite 100
Bakersfield, CA 93301
(661) 862-8600**

IMPORTANT

**Before preparing this application, read completely the
"Instructions to Applicant Filing for General/Specific Plan Adoption or Amendment."**

SECTION A - APPLICANT

1. Name of Applicant: R & L Capital, Inc. Attn: Robbie Barker
 Mailing Address P.O. Box 907
 City Trona State CA Zip Code 93592
 Telephone: 760-264-5760 Fax: _____ Email rbarker@vwconstructionservices.com

2. Name of Individual Representative (if not same as above):
Patricia Newquist - Cornerstone Engineering
 Mailing Address 5509 Young Street
 City Bakersfield State CA Zip Code 93311
 Telephone: 661-333-7969 Fax: _____ Email pmn@cornerstoneeng.com

SECTION B - PROPERTY OWNER(S)

1. Name of Current Record Property Owner(s) (if not same as above):
Same as applicant
 Mailing Address _____
 City _____ State _____ Zip Code _____
 Telephone: _____ Fax: _____ Email _____

2. Approximate Date Interest in Property Was Acquired: April 2018

Month/Year

SECTION C – REQUEST

1. Existing Site Designation: M-2 / PD
2. Proposed Site Designation: M-2 / PD
3. Description of Proposed Project for Which Change of Designation Is Sought: Specific Plan Amendment to eliminate future secondary collector (90-ft ROW) created by the Inyokern Specific Plan
4. Description of Private or Public Basic Need Infrastructure Services Available to Site:
Sewage Disposal: Septic System or Inyokern CSD Sewer System
Domestic Water: Inyokern CSD and proposed private well
Site Access: SR 178
Other: _____

SECTION D - SITE LOCATION

1. Street Address of Site (if available): N/A
2. Description of Site Location: Vacant and undeveloped
3. Complete and Accurate Site Legal Description (attach additional pages as needed): See attached Plat depicting alignment. Legal Description can be provided if necessary
4. Assessor's Parcel Number(s): 084-010-43 and 084-010-48
5. Square Footage or Acreage of Site: _____
6. Present Land Use of Project Site: Vacant and undeveloped (M-2 PD)
7. Surrounding Land Uses:
North - undeveloped
East - undeveloped and I-395
South - Gas station and convenience store, SR 178
West - undeveloped and Brown Road

SECTION E - BASIS OR EXPLANATION OF NEED FOR PLAN

AMENDMENT

This amendment is needed to eliminate the future alignment of a 90-ft secondary collector created by the Inyokern Specific Plan. The future roadway cannot be constructed due to the existing development further north, and the Navy owned property and proposed use to the south of the site.

SECTION F - PROJECT DESCRIPTION

See Project Description attached

1. Number of floors of construction _____
2. Amount of off-street parking provided _____
3. Attach plans.
4. Proposed scheduling/project phasing _____

5. If residential, include the number of units, schedule of unit sizes, range of sale prices or rents, and type of household size expected _____

6. If commercial, indicate the type, whether neighborhood, city or regionally oriented, square footage of sales area, and loading facilities _____

7. If industrial, indicate type, estimated employment per shift, and loading facilities _____

8. If institutional, indicate the major function, estimated employment per shift, estimated occupancy, loading facilities, and community benefits to be derived from the project _____

9. If the project involves a variance, conditional use, or rezoning application, state this and indicate clearly why the application is required A CUP and LLA are required to allow for the construction and operation of a proposed Data Center and its associated infrastructure.

SECTION G - VERIFICATION STATEMENT

The California Legislature has passed a law that requires persons applying for development projects to review a listing of all hazardous waste sites. For a current list of the Hazardous Waste Sites, please go to the California Environmental Protection Agency website at: <http://www.calepa.ca.gov/SiteCleanup/CorteseList/>. If the site of your proposed development project is included on the list of hazardous waste sites, then it shall be so noted. Please note that if your proposed development project site is included on the Cortese list, the preparation of an environmental document will be required in conjunction with the project, per Section 65962.5. A copy of the law requiring this verification is attached for your reference. Please review the list of hazardous waste sites and sign the Verification Statement below.

(Review of list related to hazardous waste sites)

I, Robbie Barker, as applicant for a development project, have reviewed the lists of projects relating to hazardous wastes pursuant to Section 65962.5 of the California Government Code. The proposed site ~~(is)~~ (is not) included on the list. **(CIRCLE ONE)**

List (if applicable)

5/6/26

Date

Signature



SECTION H - APPLICANT CERTIFICATION

I hereby certify to the County of Kern that I, Robbie Barker, am the applicant for this request and that I have read and understand the instructions to applicant. I understand that this is a request to initiate a request for a change in map code designation only and does not constitute a commitment or opinion of the final resolution of this request. Fees submitted are application filing fees and are nonrefundable. All required attachments are appended to this application, and the attachments and information provided on this application are true and correct.

Signature of Applicant

Date

5/6/26

Signature of Property Owner of Record

Date

5/6/26

SECTION I - INDEMNIFICATION AGREEMENT

In consideration by the County of Kern of a permit for a land use approval project located at

APN's: 084-010-43, and -48

(address or general location)

I/We (identified below) agree to indemnify, defend, and hold harmless the County of Kern and its officers, agents, employees, departments, commissioners and boards ("County" herein) against any and all liability, claims, actions, causes of action or demands whatsoever against them, or any of them, before administrative or judicial tribunals of any kind whatsoever, in any way arising from, the Applicant's representations contained within this application, including without limitation any CEQA determination or any related development approvals or conditions, whether imposed by County or not, except for County's sole active negligence or willful misconduct.

This indemnification agreement does not prevent the Applicant or property owner from challenging any decision by County related to this project and the obligations of this condition apply regardless of whether any other permits or entitlements are issued.

County will promptly notify Applicant and property owner (if different than Applicant) of any such claim, action, or proceeding, falling under this condition within thirty days of actually receiving such claim. County, in its sole discretion, shall be allowed to choose the attorney or outside law firm to defend County at the sole cost and expense of the Applicant and/or property owner, jointly and severally, and County is not obligated to use any law firm or attorney chosen by another entity or party.

Applicant/Contact:

R & L Capital, Inc.

Print Name



Signature

5/6/26

Date

(If the applicant is not an individual, the corporation name goes under "Print Name", authorized signature below it, and complete below.)

By: Robbie Barker

Print Name

Title: CEO



IMPORTANT NOTE:

Original signatures of the applicant are required on this form for this application to be considered complete for processing.

OFFICE USE ONLY

GPA/SPA Case No. _____ Zone Map No. _____

Work Order No. _____

Affected Elements:

- | | | |
|---|--|--|
| ☐ 1. Land Use, Open Space, and | ☐ 2. Circulation | ☐ 3. Housing Conservation |
| ☐ 4. Safety and Seismic Safety | ☐ 5. Noise | ☐ 6. Scenic Highways |
| ☐ 7. Parks and Recreation | ☐ 8. Public Buildings | ☐ 9. Solid Waste Management |
| ☐ 10. Airport Master Plans | ☐ 11. Other _____ | |

FILING FEES

- A. GPA/SPA Change \$ _____
- B. EAF \$ _____
- C. _____ \$ _____
- D. _____ \$ _____

TOTAL \$ _____

Receipt No. _____

DESIGNATIONS

S.D. No. _____

G.P. Title _____

S.P. Title _____

Floodplain _____

Airport P.A. _____

ACCEPTANCE

By: _____ Date: _____

CEQA EVALUATION

☐ This application requires an Environmental Assessment Form (EAF).

☐ Categorically Exempt (Section _____).

☐ In accordance with Section 15061(b)(3), it can be seen with certainty that this proposal will not have an effect on the environment.

Basis for Finding: _____

65962.5. (a) The Department of Toxic Substances Control shall compile and update as appropriate, but at least annually, and shall submit to the Secretary for Environmental Protection, a list of all of the following:

- (1) All hazardous waste facilities subject to corrective action pursuant to Section 25187.5 of the Health and Safety Code.
- (2) All land designated as hazardous waste property or border zone property pursuant to former Article 11 (commencing with Section 25220) of Chapter 6.5 of Division 20 of the Health and Safety Code.
- (3) All information received by the Department of Toxic Substances Control pursuant to Section 25242 of the Health and Safety Code on hazardous waste disposals on public land.
- (4) All sites listed pursuant to Section 25356 of the Health and Safety Code.

(b) The State Department of Health Services shall compile and update as appropriate, but at least annually, and shall submit to the Secretary for Environmental Protection, a list of all public drinking water wells that contain detectable levels of organic contaminants and that are subject to water analysis pursuant to Section 116395 of the Health and Safety Code.

(c) The State Water Resources Control Board shall compile and update as appropriate, but at least annually, and shall submit to the Secretary for Environmental Protection, a list of all of the following:

(1) All underground storage tanks for which an unauthorized release report is filed pursuant to Section 25295 of the Health and Safety Code.

(2) All solid waste disposal facilities from which there is a migration of hazardous waste and for which a California regional water quality control board has notified the Department of Toxic Substances Control pursuant to subdivision (e) of Section 13273 of the Water Code.

(3) All cease and desist orders issued after January 1, 1986, pursuant to Section 13301 of the Water Code, and all cleanup or abatement orders issued after January 1, 1986, pursuant to Section 13304 of the Water Code, that concern the discharge of wastes that are hazardous materials.

(d) The local enforcement agency, as designated pursuant to Section 18051 of Title 14 of the California Code of Regulations, shall compile as appropriate, but at least annually, and shall submit to the Department of Resources Recycling and Recovery, a list of all solid waste disposal facilities from which there is a known migration of hazardous waste. The Department of Resources Recycling and Recovery shall compile the local lists into a statewide list, which shall be submitted to the Secretary for Environmental

Protection and shall be available to any person who requests the information.

(e) The Secretary for Environmental Protection shall consolidate the information submitted pursuant to this section and distribute it in a timely fashion to each city and county in which sites on the lists are located. The secretary shall distribute the information to any other person upon request. The secretary may charge a reasonable fee to persons requesting the information, other than cities, counties, or cities and counties, to cover the cost of developing, maintaining, and reproducing and distributing the information.

(f) Before a lead agency accepts as complete an application for any development project which will be used by any person, the applicant shall consult the lists sent to the appropriate city or county and shall submit a signed statement to the local agency indicating whether the project and any alternatives are located on a site that is included on any of the lists compiled pursuant to this section and shall specify any list. If the site is included on a list, and the list is not specified on the statement, the lead agency shall notify the applicant pursuant to Section 65943. The statement shall read as follows:

HAZARDOUS WASTE AND SUBSTANCES STATEMENT

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

Name of applicant:

Address:

Phone number:

Address of site (street name and number if available, and ZIP Code):

Local agency (city/county):

Assessor's book, page, and parcel number:

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

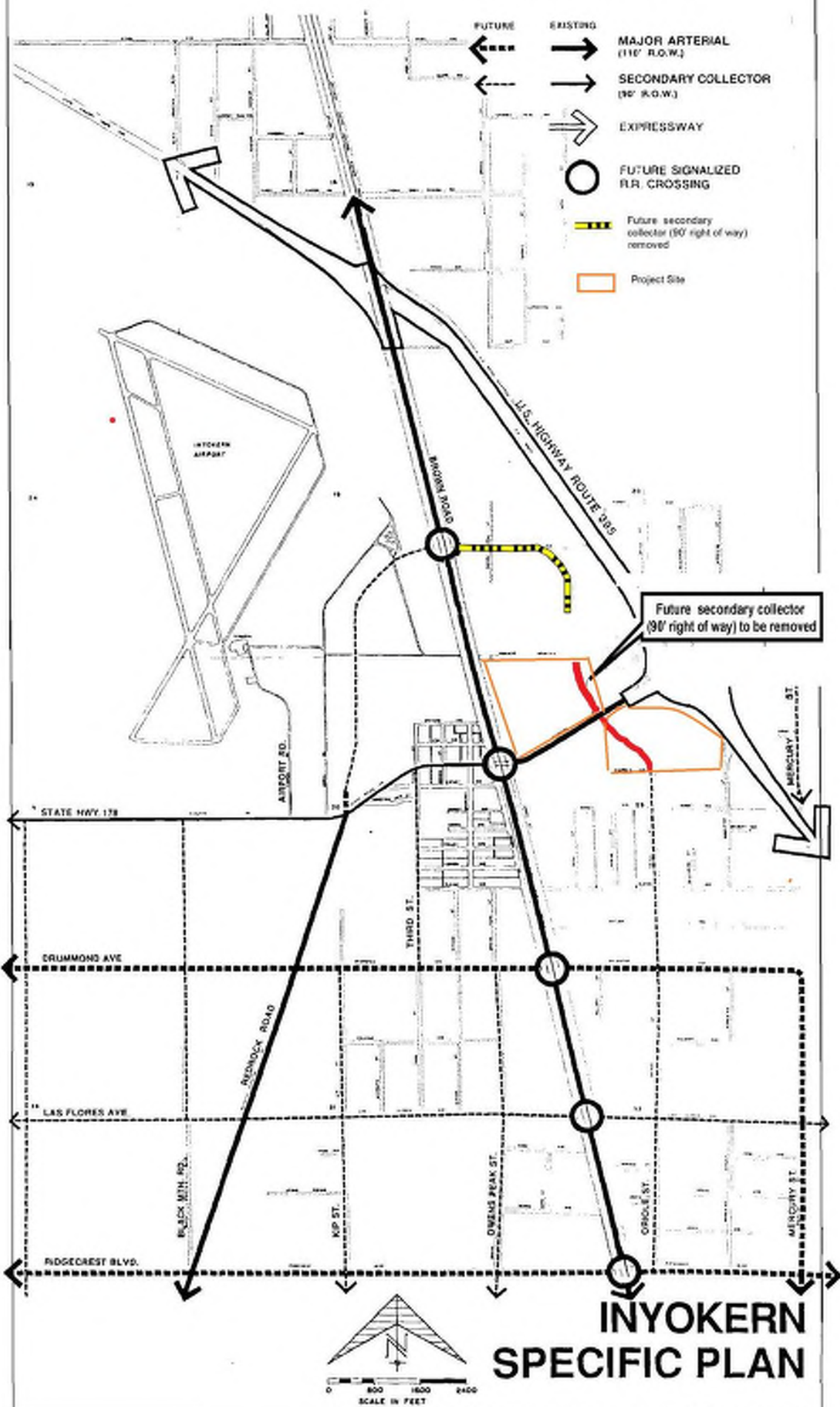
Regulatory identification number:

Date of list:

Applicant, Date

(g) The changes made to this section by the act amending this section, that takes effect January 1, 1992, apply only to projects for which applications have not been deemed complete on or before January 1, 1992, pursuant to Section 65943.

CIRCULATION



April 30, 2026

Kern County
Planning and Natural Resources
2700 "M" Street, Suite 100
Bakersfield, CA 93301

Attn: Craig M. Murphy, Director

Re: PLN25-00268 Change of Agent Representative

Dear Mr. Murphy,

This letter serves to inform you that we have changed representation of the RB Inyokern Data Center project to Cornerstone Engineering, Inc. We will provide a complete set of signed applications for the referenced PLN25-00268 project reflecting this change for the current applications which include a Specific Plan Amendment, Conditional Use Permit, and Lot Line Adjustment (LLA 28-25).

Thank you for your help in making this modification to your case records on our behalf.

Sincerely,



Robbie Barker
Chief Executive Officer
R&L Capital, Inc.

**KERN COUNTY PLANNING
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Patricia Newquist - Cornerstone Engineering
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SECTION B - PROPERTY OWNER(S)

1. Name of Current Record Property Owner(s) (if not same as above):
Same as applicant
 Mailing Address _____
 City _____ State _____ Zip Code _____
 Telephone: _____ Fax: _____ Email _____

2. Approximate Date Interest in Property Was Acquired: April 2018

Month/Year

SECTION C – REQUEST

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1. Street Address of Site (if available): N/A
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AMENDMENT

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See Project Description attached

1. Number of floors of construction _____
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(Review of list related to hazardous waste sites)

I, Robbie Barker, as applicant for a development project, have reviewed the lists of projects relating to hazardous wastes pursuant to Section 65962.5 of the California Government Code. The proposed site ~~(is)~~ (is not) included on the list. **(CIRCLE ONE)**

List (if applicable)

5/6/26

Date

Signature



SECTION H - APPLICANT CERTIFICATION

I hereby certify to the County of Kern that I, Robbie Barker, am the applicant for this request and that I have read and understand the instructions to applicant. I understand that this is a request to initiate a request for a change in map code designation only and does not constitute a commitment or opinion of the final resolution of this request. Fees submitted are application filing fees and are nonrefundable. All required attachments are appended to this application, and the attachments and information provided on this application are true and correct.

Signature of Applicant

Date

5/6/26

Signature of Property Owner of Record

Date

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APN's: 084-010-43, and -48

(address or general location)

I/We (identified below) agree to indemnify, defend, and hold harmless the County of Kern and its officers, agents, employees, departments, commissioners and boards ("County" herein) against any and all liability, claims, actions, causes of action or demands whatsoever against them, or any of them, before administrative or judicial tribunals of any kind whatsoever, in any way arising from, the Applicant's representations contained within this application, including without limitation any CEQA determination or any related development approvals or conditions, whether imposed by County or not, except for County's sole active negligence or willful misconduct.

This indemnification agreement does not prevent the Applicant or property owner from challenging any decision by County related to this project and the obligations of this condition apply regardless of whether any other permits or entitlements are issued.

County will promptly notify Applicant and property owner (if different than Applicant) of any such claim, action, or proceeding, falling under this condition within thirty days of actually receiving such claim. County, in its sole discretion, shall be allowed to choose the attorney or outside law firm to defend County at the sole cost and expense of the Applicant and/or property owner, jointly and severally, and County is not obligated to use any law firm or attorney chosen by another entity or party.

Applicant/Contact:

R & L Capital, Inc.

Print Name



Signature

5/6/26

Date

(If the applicant is not an individual, the corporation name goes under "Print Name", authorized signature below it, and complete below.)

By: Robbie Barker

Print Name

Title: CEO



IMPORTANT NOTE:

Original signatures of the applicant are required on this form for this application to be considered complete for processing.

OFFICE USE ONLY

GPA/SPA Case No. _____ Zone Map No. _____

Work Order No. _____

Affected Elements:

- | | | |
|---|--|--|
| ☐ 1. Land Use, Open Space, and | ☐ 2. Circulation | ☐ 3. Housing Conservation |
| ☐ 4. Safety and Seismic Safety | ☐ 5. Noise | ☐ 6. Scenic Highways |
| ☐ 7. Parks and Recreation | ☐ 8. Public Buildings | ☐ 9. Solid Waste Management |
| ☐ 10. Airport Master Plans | ☐ 11. Other _____ | |

FILING FEES

- A. GPA/SPA Change \$ _____
- B. EAF \$ _____
- C. _____ \$ _____
- D. _____ \$ _____

TOTAL \$ _____

Receipt No. _____

DESIGNATIONS

S.D. No. _____

G.P. Title _____

S.P. Title _____

Floodplain _____

Airport P.A. _____

ACCEPTANCE

By: _____ Date: _____

CEQA EVALUATION

☐ This application requires an Environmental Assessment Form (EAF).

☐ Categorically Exempt (Section _____).

☐ In accordance with Section 15061(b)(3), it can be seen with certainty that this proposal will not have an effect on the environment.

Basis for Finding: _____

65962.5. (a) The Department of Toxic Substances Control shall compile and update as appropriate, but at least annually, and shall submit to the Secretary for Environmental Protection, a list of all of the following:

- (1) All hazardous waste facilities subject to corrective action pursuant to Section 25187.5 of the Health and Safety Code.
- (2) All land designated as hazardous waste property or border zone property pursuant to former Article 11 (commencing with Section 25220) of Chapter 6.5 of Division 20 of the Health and Safety Code.
- (3) All information received by the Department of Toxic Substances Control pursuant to Section 25242 of the Health and Safety Code on hazardous waste disposals on public land.
- (4) All sites listed pursuant to Section 25356 of the Health and Safety Code.

(b) The State Department of Health Services shall compile and update as appropriate, but at least annually, and shall submit to the Secretary for Environmental Protection, a list of all public drinking water wells that contain detectable levels of organic contaminants and that are subject to water analysis pursuant to Section 116395 of the Health and Safety Code.

(c) The State Water Resources Control Board shall compile and update as appropriate, but at least annually, and shall submit to the Secretary for Environmental Protection, a list of all of the following:

(1) All underground storage tanks for which an unauthorized release report is filed pursuant to Section 25295 of the Health and Safety Code.

(2) All solid waste disposal facilities from which there is a migration of hazardous waste and for which a California regional water quality control board has notified the Department of Toxic Substances Control pursuant to subdivision (e) of Section 13273 of the Water Code.

(3) All cease and desist orders issued after January 1, 1986, pursuant to Section 13301 of the Water Code, and all cleanup or abatement orders issued after January 1, 1986, pursuant to Section 13304 of the Water Code, that concern the discharge of wastes that are hazardous materials.

(d) The local enforcement agency, as designated pursuant to Section 18051 of Title 14 of the California Code of Regulations, shall compile as appropriate, but at least annually, and shall submit to the Department of Resources Recycling and Recovery, a list of all solid waste disposal facilities from which there is a known migration of hazardous waste. The Department of Resources Recycling and Recovery shall compile the local lists into a statewide list, which shall be submitted to the Secretary for Environmental

Protection and shall be available to any person who requests the information.

(e) The Secretary for Environmental Protection shall consolidate the information submitted pursuant to this section and distribute it in a timely fashion to each city and county in which sites on the lists are located. The secretary shall distribute the information to any other person upon request. The secretary may charge a reasonable fee to persons requesting the information, other than cities, counties, or cities and counties, to cover the cost of developing, maintaining, and reproducing and distributing the information.

(f) Before a lead agency accepts as complete an application for any development project which will be used by any person, the applicant shall consult the lists sent to the appropriate city or county and shall submit a signed statement to the local agency indicating whether the project and any alternatives are located on a site that is included on any of the lists compiled pursuant to this section and shall specify any list. If the site is included on a list, and the list is not specified on the statement, the lead agency shall notify the applicant pursuant to Section 65943. The statement shall read as follows:

HAZARDOUS WASTE AND SUBSTANCES STATEMENT

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

Name of applicant:

Address:

Phone number:

Address of site (street name and number if available, and ZIP Code):

Local agency (city/county):

Assessor's book, page, and parcel number:

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

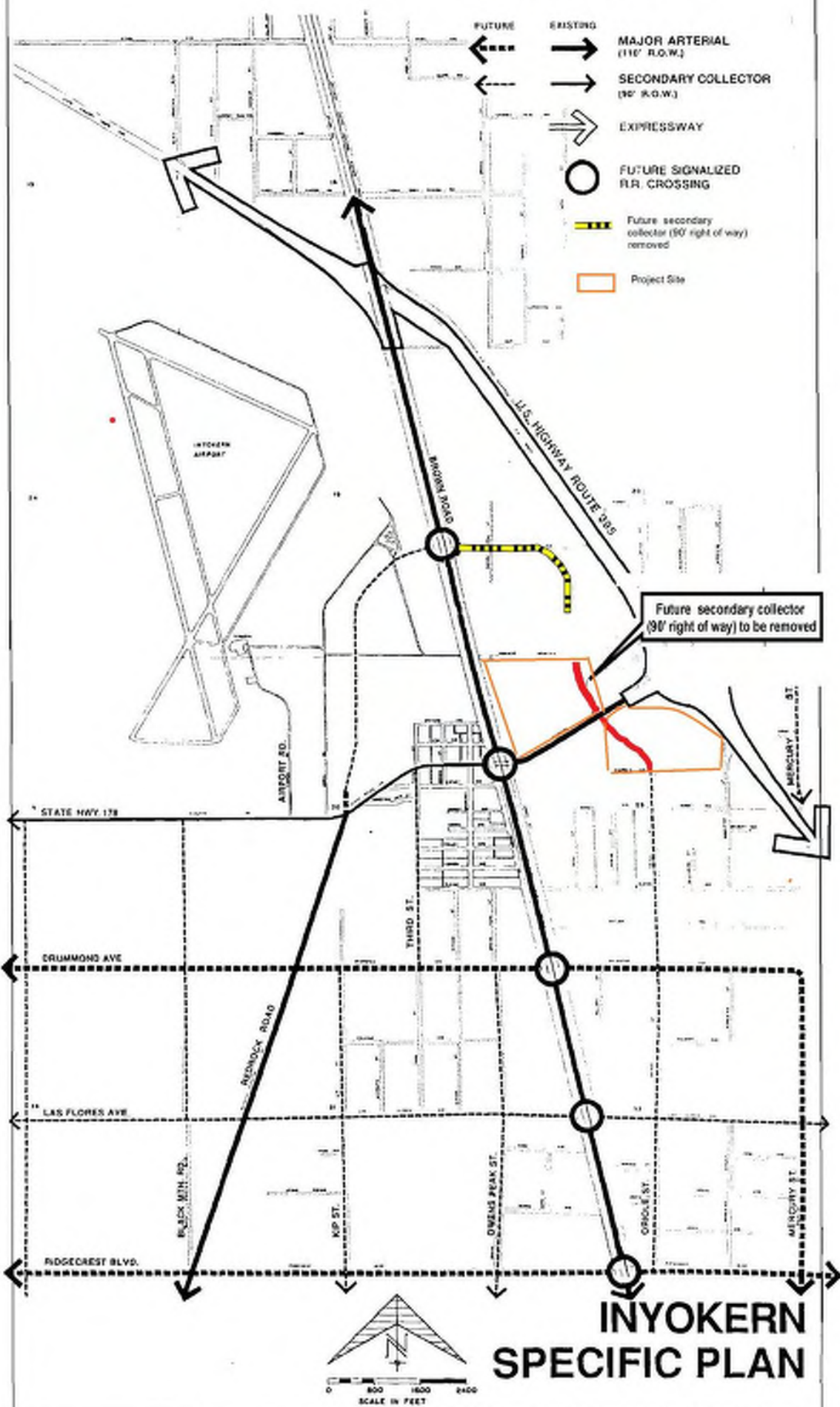
Regulatory identification number:

Date of list:

Applicant, Date

(g) The changes made to this section by the act amending this section, that takes effect January 1, 1992, apply only to projects for which applications have not been deemed complete on or before January 1, 1992, pursuant to Section 65943.

CIRCULATION



KERN COUNTY PLANNING AND NATURAL RESOURCES DEPARTMENT

INSTRUCTIONS TO APPLICANT FILING FOR CONDITIONAL USE PERMIT, PRECISE DEVELOPMENT PLAN, MODIFICATION, TEMPORARY EVENT PERMIT AND/OR VARIANCE

In order for the application to be processed, all questions on the application form must be answered and the application must be signed by the applicant. If an incomplete application is filed, it will be returned, which action can cause a delay in processing the case. When environmental processing (if required) has been completed, a date for public hearing will be selected and a staff report, containing a recommendation, will be prepared. A copy of the staff report will be mailed to the applicant a few days prior to the public hearing. The applicant or his representative will be required to attend the public hearing and should be prepared to comment on and answer questions about the application.

MATERIALS AND EXHIBITS REQUIRED

A. Environmental

- ☒ Provide a fully completed Environmental Assessment Form, typed or neatly completed in black ink.
- ☐ Environmental Assessment Form not required at this time.

B. Fees

- ☒ Submit Preliminary Review fees with application.
- ☐ Do not submit the application fees; you will be notified of the fees when the application and the Environmental Assessment Form has been reviewed and completed in conformance with State and local requirements. This step usually takes from a few days to several weeks, depending on the type of application.

C. Application

- ☒ (1) One completed copy of the application form, typed or neatly completed in black ink.
- ☒ (2) Two reproducible copies of a plot plan no larger than 11 inches by 17 inches in size, which shall include, but not necessarily be limited to, the following (if project is a Precise Development Plan see "Instructions for Preparation of a Precise Development (PD) Plan"):
- ☒ (a) The scale of the drawing and north point.
 - ☒ (b) The location of all existing and proposed uses, structures, fences, signs, landscaping, improvements, and distances between structures and property lines.
 - ☒ (c) The location of all off-street parking and loading facilities, including driveways, individual parking and loading zones, points of ingress and egress, median strips, and traffic islands.
 - ☒ (d) An elevation sketch of all proposed signs, fences, and structures, including dimensions and heights above ground.
- ☒ (3) One copy of floor plans and exterior elevations of all buildings, if applicable. (For mobilehomes, submit brochure, model, year, and photos of all four sides.)
- ☒ (4) Submit photos of project site.

APPLICATION FOR:

☒ **CONDITIONAL USE PERMIT** ☐ **PRECISE DEVELOPMENT PLAN**
☐ **MODIFICATION** ☐ **VARIANCE**
☐ **TEMPORARY EVENT PERMIT** ☐ **OTHER**

KERN COUNTY PLANNING AND NATURAL RESOURCES DEPARTMENT

2700 "M" Street, Suite 100
 Bakersfield, California 93301
 (661) 862-8600

Zone Classification: M-2 PD (Medium Industrial, Precise Development Combining)
 Request: Conditional Use Permit to allow an approx. 238,000 square foot Data Center in an M-2 (Medium Industrial) Zone District per Kern County Code 19.08.085.

SECTION A - APPLICANT

- Name of Applicant: R & L Capital, Inc. Attn: Robbie Barker
 Mailing Address P.O. Box 907
 City Trona State CA Zip Code 93592
 Telephone: 760-264-5760 Fax: _____ Email rbarker@vwconstructionservices.com
- Name of Individual Representative (if not same as above):
Patricia Newquist Cornerstone Engineering Inc.
 Mailing Address 5509 Young Street
 City Bakersfield State CA Zip Code 93311
 Telephone: 661-333-7969 Fax: _____ Email pmn@cornerstoneeng.com

SECTION B - PROPERTY OWNER(S)

- Name of Current Record Property Owner(s) (if not same as above):
Same as applicant
 Mailing Address _____
 City _____ State _____ Zip Code _____
 Telephone: _____ Fax: _____ Email _____
- Approximate Date Interest in Property Was Acquired: April 2018

Month/Year

SECTION C – PROJECT DESCRIPTION

Assessor's Parcel No.: 084-010-43, -44 and -45

Property Location: West Inyokern Road, aka SR 178 between Brown Road and I-395
(street address or general location)

Complete Legal Description of Property: Parcels 2, 3 and 4 (portion) of PM 4949, recorded on in April 19, 1979 in BK 29 of Parcel Maps, PG 142, in the Office of the Kern County Recorder

Method of Sewage Disposal Septic System or Inyokern CSD

Method of Water Supply Inyokern CSD and private well

Describe how site is currently developed Vacant and undeveloped

Describe how land is being used currently on parcels adjacent to the site:

North - Undeveloped

East - Undeveloped and I 395

South - Gas station and convenience store SR 178

West - Undeveloped and Brown Road

Explain Fully Reason for Request: Conditional Use Permit to allow the development of approx. 238,000 square foot Data Center in M-2 (Medium Industrial) Zone District pursuant to Kern County Code 19.08.085

SECTION D – VARIANCE APPLICATION ONLY STATEMENT OF JUSTIFICATION

Section 65906 of the State Planning Law requires that a VARIANCE from the terms of the Zoning Ordinance shall be granted only when, because of special circumstances applicable to the property, including size, shape, topography, location, or surroundings, the strict application of the Zoning Ordinance deprives such property of privileges enjoyed by other property in the vicinity and under identical zoning classification.

The Ordinance Code of Kern County requires that before a VARIANCE can be granted, the applicant show by statements, plans, and other evidence the following:

- A. That the variance granted shall be subject to such conditions as will assure that the adjustment thereby authorized shall not constitute a grant of special privilege inconsistent with the limitations upon other properties in the vicinity and one in which the subject property is situated.
N/A
-
-
-
-

- B. That special circumstances exist which are applicable to the subject property, including size, shape, topography, location, or surroundings, wherein the strict application of the Zoning Ordinance in question is found to deprive the subject property of privileges enjoyed by other property in the vicinity and under identical zone classification.

N/A

NOTE: Additional sheets may be attached if needed.

SECTION E - VERIFICATION STATEMENT

The California Legislature has passed a law that requires persons applying for development projects to review a listing of all hazardous waste sites. For a current list of the Hazardous Waste Sites, please go to the California Environmental Protection Agency website at: <http://www.calepa.ca.gov/SiteCleanup/CorteseList/>. If the site of your proposed development project is included on the list of hazardous waste sites, then it shall be so noted. Please note that if your proposed development project site is included on the Cortese list, the preparation of an environmental document will be required in conjunction with the project, per Section 65962.5. A copy of the law requiring this verification is attached for your reference. Please review the list of hazardous waste sites and sign the Verification Statement below.

(Review of list related to hazardous waste sites)

I, Robbie Barker, as applicant for a development project, have reviewed the lists of projects relating to hazardous wastes pursuant to Section 65962.5 of the California Government Code. The proposed site ~~is~~ (is not) included on the list. **(CIRCLE ONE)**

List (if applicable)

5/6/26

Date

Signature

SECTION F - APPLICANT CERTIFICATION

I certify that all statements are correct and that all accompanying documents and maps are accurate.

	<u>5/6/26</u>		<u>5/6/26</u>
Signature of Property Owner	Date	Signature of Applicant	Date

SECTION G - INDEMNIFICATION AGREEMENT

In consideration by the County of Kern of a permit for a land use approval project located at
West inyokern Road, aka SR 178 between Brown Road and I-395
(address or general location)

I/We (identified below) agree to indemnify, defend, and hold harmless the County of Kern and its officers, agents, employees, departments, commissioners and boards ("County" herein) against any and all liability, claims, actions, causes of action or demands whatsoever against them, or any of them, before administrative or judicial tribunals of any kind whatsoever, in any way arising from, the Applicant's representations contained within this application, including without limitation any CEQA determination or any related development approvals or conditions, whether imposed by County or not, except for County's sole active negligence or willful misconduct.

This indemnification agreement does not prevent the Applicant or property owner from challenging any decision by County related to this project and the obligations of this condition apply regardless of whether any other permits or entitlements are issued.

County will promptly notify Applicant and property owner (if different than Applicant) of any such claim, action, or proceeding, falling under this condition within thirty days of actually receiving such claim. County, in its sole discretion, shall be allowed to choose the attorney or outside law firm to defend County at the sole cost and expense of the Applicant and/or property owner, jointly and severally, and County is not obligated to use any law firm or attorney chosen by another entity or party.

Applicant/Contact:

R & L Capital, Inc.

Print Name



Signature

5/6/26

Date

(If the applicant is not an individual, the corporation name goes under "Print Name", authorized signature below it, and complete below.)

By: Robbie Barker

Print Name

Title: CEO

IMPORTANT NOTE:

Original signatures of the applicant are required on this form for this application to be considered complete for processing.

FOR OFFICE USE ONLY

Date Accepted: _____

Received By: _____

FEES

Case # _____

Map # _____ S.D. # _____

Case \$ _____

Floodplain _____

Zoning Ord. Sec. _____

Env'l _____

G.P/S.P _____

Element or Name _____

Other _____

_____ Consistent _____ Not Consistent

Reviewed By: _____

Other _____

Work Order # _____

ENVIRONMENTAL DATA

Total \$ _____

General Rule _____ Assessment Form _____

Exempt (Type and Section) _____

Recpt # _____

Reviewed By: _____

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(3) All information received by the Department of Toxic Substances Control pursuant to Section 25242 of the Health and Safety Code on hazardous waste disposals on public land.

(4) All sites listed pursuant to Section 25356 of the Health and Safety Code.

(b) The State Department of Health Services shall compile and update as appropriate, but at least annually, and shall submit to the Secretary for Environmental Protection, a list of all public drinking water wells that contain detectable levels of organic contaminants and that are subject to water analysis pursuant to Section 116395 of the Health and Safety Code.

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(3) All cease and desist orders issued after January 1, 1986, pursuant to Section 13301 of the Water Code, and all cleanup or abatement orders issued after January 1, 1986, pursuant to Section 13304 of the Water Code, that concern the discharge of wastes that are hazardous materials.

(d) The local enforcement agency, as designated pursuant to Section 18051 of Title 14 of the California Code of Regulations, shall compile as appropriate, but at least annually, and shall submit to the Department of Resources Recycling and Recovery, a list of all solid waste disposal facilities from which there is a known migration of hazardous waste. The Department of Resources Recycling and Recovery shall compile the local lists into a statewide list, which shall be submitted to the Secretary for Environmental Protection and shall be available to any person who requests the information.

(e) The Secretary for Environmental Protection shall consolidate the information submitted pursuant to this section and distribute it in a timely fashion to each city and county in which sites on the lists are located. The secretary shall distribute the information to any other person upon request. The secretary may charge a reasonable fee to persons requesting the information, other than cities, counties, or cities and counties, to cover the cost of developing, maintaining, and reproducing and distributing the information.

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HAZARDOUS WASTE AND SUBSTANCES STATEMENT

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

Name of applicant:

Address:

Phone number:

Address of site (street name and number if available, and ZIP Code):

Local agency (city/county):

Assessor's book, page, and parcel number:

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

Regulatory identification number:

(g) The changes made to this section by the act amending this section, that takes effect January 1, 1992, apply only to projects for which applications have not been deemed complete on or before January 1, 1992, pursuant to Section 65943.



Dear Applicant for Development Project:

PLN No: 25-0268

The California Legislature has passed a law that requires persons applying for development projects to review a listing of all hazardous waste sites. For a current list of the Hazardous Waste Sites, please go to the California Environmental Protection Agency website at: <http://www.calepa.ca.gov/SiteCleanup/CorteseList/>. If the site of your proposed development project is included on the list of hazardous waste sites, then it shall be so noted. Please note that if your proposed development project site is included on the Cortese list, the preparation of an environmental document will be required in conjunction with the project, per Section 65962.5. A copy of the law requiring this verification is attached for your reference.

VERIFICATION STATEMENT

(Review of list related to hazardous waste sites)

I, Robbie Barker, as applicant for a development project, have reviewed the lists of projects relating to hazardous wastes pursuant to Section 65962.5 of the California Government Code. The proposed site ~~(is)~~ (is not) included on the list.

List (if applicable)

5/6/26
Date


Signature

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Name of applicant:

Address:

Phone number:

Address of site (street name and number if available, and ZIP Code):

Local agency (city/county):

Assessor's book, page, and parcel number:

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

Regulatory identification number:

Date of list:

Applicant, Date

(g) The changes made to this section by the act amending this section, that takes effect January 1, 1992, apply only to projects for which applications have not been deemed complete on or before January 1, 1992, pursuant to Section 65943.

AGREEMENT FOR COST RECOVERY

KERN COUNTY PLANNING AND
NATURAL RESOURCES DEPARTMENT
2700 "M" Street, Suite 100, Bakersfield, CA 93301
(661) 862-8600

APPLICATION TYPE (Check the type of processing requested)

☒ ☐ ☐ Land Division ☐ ☒ ☐ ☐ Land Use ☐ ☐ ☐ Zone Change ☐ General Plan Amendment

APPLICANT INFORMATION

Work Order No. _____

Applicant Name R & L Capital, Inc.

Primary Telephone 760-264-5760 Secondary Telephone _____

Mailing Address P.O. Box 907 City _____

Trona State CA Zip Code 93592

E-Mail Address rbarker@vwconstructionservices.com

Representative's Name Robbie Barker Telephone 760-264-5760

Mailing Address P.O. Box 907

City Trona State CA Zip Code 93592

E-Mail Address rbarker@vwconstructionservices.com

Property Owner's Name same as applicant Telephone _____

Mailing Address _____

City _____ State _____ Zip Code _____

E-Mail Address _____

PROPERTY INFORMATION

Assessor's Parcel Number(s) 084-010-43, -44, -45 and -48 Total Site Area 50 acres

Legal Description: Lot 's 2, 3 & 4 Block _____ Tract _____

(or) Section 29 Township 26S Range 39E (or) Parcel Map 4949

Site location (if no street address, describe first with name of road providing access to the site, then nearest roads, landmarks): West Inyokem Road, aka SR 178 between Brown Road and I-395

The application for the above-referenced project may generate processing costs in excess of the amount of the filing fee. We have found it necessary to implement the provision of the County fee ordinance that enables the Department to recover the full cost of processing an application, including staff time and materials cost.

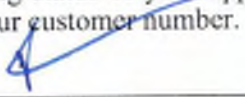
Before your application can be deemed complete, an initial payment in the amount of \$ 15,954 is required. Monthly invoices will be issued based on staff time and materials needed to process your application. You will be expected to pay these bills within 30 days of invoice date.

If the project requires the processing of an environmental document (EIR or Negative Declaration), an initial deposit of \$10,000 or \$5,000 will be required, and all time and materials will be billed against this deposit until it is expended, then monthly invoice billing will be issued with payment due within 30 days.

I Robbie Barker * (as the responsible party), agree that actual recorded costs plus overhead,
(please print)

incurred in the processing of this application will be paid to Kern County, c/o Kern County Planning and Natural Resources Department, 2700 "M" Street, Suite 100, Bakersfield, CA 93301. I understand that, in the event that my account is not paid within 30 days of the invoice date, processing will be suspended until such time that payment is made. In the event of default, I agree to pay all costs and expenses incurred by the County in securing performance of this obligation, including cost of suit and reasonable attorney's fee.

In order to implement the cost recovery provisions, please sign this statement indicating your agreement to the cost recovery procedure. The signed agreement is required for your application to be accepted for processing. If you have questions regarding your application, contact your case planner at (661) 862-8600. If you have questions regarding the billing status of your application, contact the accounting section at (661) 862-8870 and provide them with your customer number.

Responsible Party's Signature*  Date 5/6/26

Case File Numbers _____

ENVIRONMENTAL INFORMATION FORM

(To be completed by Applicant)

Date Filed May 2026**GENERAL INFORMATION**

1. Name and address of developer or project sponsor: R & L Capital, Inc. Attn: Robbie Barker
P.O. Box 907
Trona, CA 93592
2. Address of project: West inyokern Road, aka SR 178 between Brown Road and I-395

Assessor's Parcel Number: 084-010-43, -44, -45 and -48
3. Name, address, and telephone number of person to be contacted concerning this project:
Patricia Newquist, Cornerstone Engineering Inc.
5509 Young Street, Bakersfield, CA 93311 661-333-7969
4. Indicate number of the permit application for the project to which this form pertains:
PLN No. 25-0268
5. List and describe any other related permits and other public approvals required for this project, including those required by city, regional, state, and federal agencies:
Specific Plan Amendment and LLA
6. Existing Zoning Classification: M-2 (Medium Industrial)
7. Proposed use of site (project for which this form is filed): Development of an approx.
238,000 square foot Data Center

*******FOR OFFICE USE*******

Project Case Number or Name _____

Date Filed _____ Rec'd by _____ Recpt # _____

After completion of environmental document, forward file to _____

PROJECT DESCRIPTION

8. Site size: 50 acres
9. Square footage: 238,000
10. Number of floors of construction: 1
11. Amount of off-street parking provided: 155 spaces, 6 ADA (including 1 ADA Van), 25 EV spaces with 18 chargers installed
12. Attach plans, if available.
13. Proposed scheduling: 72 month construction timeline beginning 2027
14. Associated project: Specific Plan Amendment and Lot Line Adjustment
15. Anticipated incremental development: Construction is proposed in 3 phases, see Project Description
16. If residential, include the number of units, schedule of unit sizes, range of sale prices or rents, and type of household size expected: _____
17. If commercial, indicate the type, whether neighborhood, city or regionally oriented, square footage of sales area, and loading facilities: _____
18. If industrial, indicate type, estimated employment per shift, and loading facilities: _____
19. If institutional, indicate the major function, estimated employment per shift, estimated occupancy, loading facilities, and community benefits to be derived from the project: 10 employees per shift, with 3 shifts per day for a total of 30 employees per day
20. If the project involves a variance, conditional use, or rezoning application, state this and indicate clearly why the application is required: A CUP application is required to allow the development of a 238,000 square foot Data Center per Kern County Code 19.08.085.

Are the following items applicable to the project or its effects? Discuss below all items checked yes (attach additional sheets as necessary).

- | | Yes | No |
|--|-------------------------------------|-------------------------------------|
| 21. Change in existing features of any bays, tidelands, beaches, or hills, or substantial alteration of ground contours. | ☐ | ☒ |
| 22. Change in scenic views or vistas from existing residential areas or public lands or roads. | ☐ | ☒ |
| 23. Change in pattern, scale, or character of general area of project. | ☒ | ☐ |
| 24. Significant amounts of solid waste or litter. | ☐ | ☒ |
| 25. Change in dust, ash, smoke, fumes, or odors in vicinity. | ☐ | ☒ |
| 26. Change in ocean, bay, lake, stream, or groundwater quality or quantity, or alteration of existing drainage patterns. | ☐ | ☒ |

- | | | | |
|-----|--|--------------------------|-------------------------------------|
| 27. | Substantial change in existing noise or vibration levels in the vicinity. | ☐ | ☒ |
| 28. | Site on filled land or on slope of 10 percent or more. | ☐ | ☒ |
| 29. | Use of disposal of potentially hazardous materials, such as toxic substances, flammables, or explosives. | ☐ | ☒ |
| 30. | Substantial change in demand for municipal services (police, fire, water, sewage, etc.). | ☐ | ☒ |
| 31. | Substantially increase fossil fuel consumption (electricity, oil, natural gas, etc.). | ☐ | ☒ |
| 32. | Relationship to a larger project or series of projects. | ☐ | ☒ |

ENVIRONMENTAL SETTING

33. Describe the project site as it exists before the project, including information on topography, soil stability, plants and animals, and any cultural, historical, or scenic aspects. Describe any existing structures on the site and the use of the structures. Attach photographs of the site. Snapshots or polaroid photos will be accepted.
34. Describe the surrounding properties, including information on plants and animals and any cultural, historical, or scenic aspects. Indicate the type of land use (residential, commercial, etc.), intensity of land use (one-family, apartment houses, shops, department stores, etc.), and scale of development (height, frontage, setback, rear yard, etc.). Attach photographs of the vicinity. Snapshots or polaroid photos will be accepted.
35. Attach a completed fiscal impact form unless project consists of a parcel split of four or less parcels.

CERTIFICATION

I hereby certify that the statements furnished above and in the attached exhibits present the data and information required for this initial evaluation to the best of my ability, and that the facts, statements, and information presented are true and correct to the best of my knowledge and belief.

Date 5/1/26

Signature

For

Patricia Newquist
Cornerstone Engineering Inc.



Aerial Photo – Overall Site Location Google Earth 2023



Photo 1. Looking northwest from Hwy 178



Photo 2. Looking southwest from eastern boundary of site near US-395 / SR-178 interchange.



Photo 3. Looking northeast from SR-178 / Brown Road intersection towards project.



Photo 4. Looking east from Brown Road toward project



Photo 5. Looking southwest from US-395 off ramp toward SCE Point of Interconnection and associated transmission corridor.



Photo 6. Looking east along Graaf (dirt road) from Nadine (dirt road) located south of Hwy 178 toward SCE Point of Interconnection from utility access road.

Indemnification Agreement - Instructions

This Indemnification Agreement form has been given to you to fill out and must be executed and returned on time or before the approval of your project becomes void. The purpose of the agreement is to ensure that the property owner/s, who has/have benefitted from the recent decision to approve a land use proposal, will pay legal and associated County costs that may hereafter be incurred if the decision to approve your land use proposal is challenged in a court of law. In the event of a lawsuit, your attorney will work closely with the Office of County Counsel in defending the adequacy of the environmental document prepared for your project.

In order to ensure that this Indemnification Agreement is executed correctly, please follow the following instructions.

- (1) The agreement must be signed by all the current owners of record of the affected property. If Staff does not have sufficient information in the project file to document who the owners of record are, you may be requested to supply Staff with the latest grant deeds and/or a preliminary title report which clearly documents the legal ownership of the site.
- (2) If the property owner is a corporation, a resolution from the corporation's board of directors should be submitted which authorizes the filing of the Indemnification Agreement for this particular project and which clearly indicates who has the ability to execute the agreement on behalf of the corporation. A minimum of two (2) signatures are required.
- (3) If the property owner is a limited liability company, a copy of the company's Articles of Organization must be submitted which clearly indicate who has authority to execute the agreement on behalf of the company.
- (4) If the property owner is a General Partnership, verification is required to ensure that the signatory is currently a partner.
- (5) If the property owner is a Limited Partnership, a copy of the partnership agreement must be submitted which indicates who is designated as a general partner within the partnership. Only a general partner may sign the indemnification agreement.

Please complete this Indemnification Agreement and return it, together with the appropriate documentation, to the Staff planner who processed your request at your earliest possible convenience and, in no event, later than the date specified in your project approval. Failure to file a completed agreement by that date will nullify all approvals.

AGREEMENT

THIS AGREEMENT, made and entered into this _____ day of _____, 2____, by and between COUNTY OF KERN, a political subdivision of the State of California (hereinafter referred to as "COUNTY"), and R & L Capital, Inc. (hereinafter referred to as "OWNER");

WITNESSETH:

WHEREAS, in consideration of the COUNTY's approval of PLN 25-0268, Specific Plan Amendment, Conditional Use Permit, and Lot Line Adjustment

and the related CEQA approvals granted by COUNTY thereunder, ("the Project"), the OWNER desires to indemnify the COUNTY from liability or loss connected with the Project approvals herein;

NOW, THEREFORE, IT IS MUTUALLY AGREED between COUNTY and OWNER as follows:

1. The OWNER shall defend, indemnify, and hold harmless the COUNTY and its agents, officers, and employees from any claim, action, or proceeding against the COUNTY or its agents, officers, or employees to attack, set aside, void, or annul the Project or any prior or subsequent related development approvals or Project condition imposed by the COUNTY or any of its agencies, departments, commissions, agents, officers, or employees concerning the said Project, or to impose personal liability against such agents, officers, or employees resulting from their involvement in the Project, which claim, action, or proceeding is brought within the time period provided by law, including any claim for private attorney general fees claimed by or awarded to any party from COUNTY. To the extent that COUNTY uses any of its resources responding to such claim, action, or proceeding, OWNER will reimburse COUNTY upon demand. Such resources include, but are not limited to, staff time, court costs, County Counsel's time at their regular rate for external or non-County agencies, or any other direct or indirect cost associated with responding to the claim, action, or proceedings.

The OWNER'S obligations under this agreement shall apply regardless of whether any other permits or entitlements are issued. These obligations shall be binding on successors and assigns of the real property benefitted by approval of the project, and OWNER shall so obligate all transferees and assigns.

2. The COUNTY will promptly notify OWNER of any such claim, action, or proceeding and, if the COUNTY should fail to cooperate fully in the defense, the OWNER shall not thereafter be responsible to defend, indemnify, and hold harmless the COUNTY or its agents, officers, and employees pursuant to this condition.

3. The COUNTY may, within its unlimited discretion, participate in the defense of any such claim, action, or proceeding if the COUNTY defends the claim, action, or proceeding in good faith.

4. The OWNER shall not be required to pay or perform any settlement of such claim, action, or proceeding unless the settlement is approved in writing by OWNER.

5. All notices to OWNER under this Agreement shall be deemed valid and effective five (5) calendar days following deposit in the United States mail, postage prepaid, by certified and/or registered mail, addressed to:

R & L Capital, Inc. Attn: Robble Barker

P.O. Box 907

Trona, CA 93592

All notices to COUNTY under this Agreement shall be deemed valid and effective when personally served upon the Planning and Natural Resources Department Director or upon deposit in the United States mail, postage prepaid, by certified and/or registered mail, addressed to the Director, Kern County Planning and Natural Resources Department, 2700 "M" Street, Suite 100, Bakersfield, California 93301.

6. This Agreement represents the complete understanding between the parties with respect to matters set forth herein.

IN WITNESS WHEREOF, the parties hereto have duly caused this Agreement to be executed on the date hereinabove first written.

COUNTY OF KERN

By


"OWNER"

By

Director, Planning and Natural
Resources Department

"COUNTY"

APPROVED AS TO FORM:
Office of County Counsel

By

Deputy

Lorelei H. Oviatt, AICP, Director
2700 "M" Street, Suite 100
Bakersfield, CA 93301-2323
Phone: (661) 862-8600
Fax: (661) 862-8601 TTY Relay 1-800-735-2929
Email: planning@kerncounty.com
Web Address: <http://kernplanning.com/>



**PLANNING AND NATURAL
RESOURCES DEPARTMENT**

Planning
Community Development
Administrative Operations

RE: Declaration of Consultant Nondisclosure Agreement and Waiver by Project Applicant

Dear Applicant:

When preparing Environmental Impact Reports (EIRs) in accordance with the California Environmental Quality Act (CEQA), the Planning and Natural Resources Department allows the applicant to contract directly with consultants for necessary background studies, provided the environmental studies are factual and objectively prepared. The Department reviews consultant-prepared administrative draft environmental documents prior to public review to ensure that they are objective, factual, and conform to the Department's standards for EIR preparation. As the Lead Agency for CEQA, the Department relies on the information provided to be complete and accurate in its disclosure of baseline information and environmental effects. Section 15003(i) of the CEQA Guidelines requires that the County's CEQA document be adequate, complete, and a good-faith effort at full disclosure.

The Department is aware that confidentiality agreements are sometimes included by applicants in contracts with consultants for studies related to development projects particularly for work done prior to application and direct work on any draft EIR or related studies. These agreements can restrict the preparers of studies and documents from disclosing specified information to any third party without the permission of the applicant, which would be contrary to the Department's objective to prepare an environmental document that is complete and represents a good-faith effort at full disclosure.

Accordingly, the Department requires that every applicant involving an EIR complete and sign the attached Declaration of Consultant Nondisclosure Agreement and Waiver prior to the preparation and public circulation of the environmental document.

If you have any questions regarding this matter, please contact Department Staff in the Plan Development Division. Your compliance with this requirement is greatly appreciated.

Sincerely,

A handwritten signature in cursive script that reads "Lorelei H. Oviatt".

LORELEI H. OVIATT, AICP, Director
Kern County Planning and Natural
Resources Department

**KERN COUNTY PLANNING AND
NATURAL RESOURCES DEPARTMENT****Declaration of Consultant Agreement and Waiver**

(Application No. _____)

Pursuant to the County's authority under the Public Resources Code Section 21082.1, the County is required to circulate draft environmental documents that reflect its independent review as a Lead Agency. Accordingly, the County requires CEQA related information under the control of the project applicant and owner. The undersigned Owner and applicant for a discretionary land use or development approval ("project") involving a CEQA process on property described as 084-010-43, -44, -45 and -48 hereby affirms under penalty of perjury that they are not presently or during the past 12 month period were a party to any consultant agreements to study project related CEQA issues on the described property or any other property having any environmental connection with the project site, except as follows:

Cornerstone April 2026 (identify by agreement date and consultant).

Owner and applicant agree to promptly notify County of all future contracts of this type until final action on the project is taken by County. With respect to any such past or present agreement (or future agreement until final action on the project is taken by County), the undersigned hereby directs any such consultant to fully cooperate with Kern County officials by providing County with all baseline environmental conditions, potential environmental effects and impacts, potential mitigation measures, project alternatives and other information relevant to complying with CEQA in their possession pertaining to the above described property without regard to any non-disclosure covenants. The applicant further agrees that any and all such information becomes and remains part of permanent public records, subject to the Public Records Act, after receipt by the County.

A copy of this document shall have the same effect as an original.



(Signature of Applicant)

Date 5/6/26



(Signature of Owner, if different)

Date 5/6/26

DIRECTORS:

K. Fagan-Merrifield
D. Reynolds
T. Lee Hicks
C. Rogers

H. Gallier - General Manager
A. Aguil - Water Operator
T. Langin - Chief Wastewater Operator



P.O. Box 1418
1429 Broadway
Inyokern, CA 93527

Phone: (760) 377-4708
Phone: (760) 677-1003
Phone (760) 377-4708

April 2, 2026

R & L Capital, Inc.
Attn: Robbie Barker
82740 Trona Rd.
Trona, CA 93562

Re: Water and Sewer Service Will Serve

Project: RB Inyokern Data Center — APNs 084-010-43, 084-010-44, 084-010-45, 084-010-48

Location: Inyokern, CA

Dear Mr. Barker:

Inyokern Community Services District ("District") has reviewed the project description for water and sanitary sewer service to serve the above-referenced data center development project ("Project"). Subject to the conditions set forth herein, the District is providing this conditional will-serve letter regarding water and sewer service to the Project, based on the demand envelope identified in Section 1 and contingent upon compliance with all applicable California Energy Commission (CEC), Kern County, Indian Wells Valley Groundwater Authority, District, and other applicable regulatory agency rules, regulations, capacity fees, connection requirements, and environmental review obligations as further described below. For clarity, this letter does not guarantee service and does not constitute a CEQA determination or a fee lock unless expressly stated herein.

1. PROJECT DESCRIPTION

Project Name: RB Inyokern Data Center

Applicant / Developer: R & L Capital, Inc.

General Plan / Zoning: Industrial / M-2 PD

Proposed Use: Data Center

Total Site Area: Approx. 50 acres

Total Building Area (Gross): 238,000 sq. ft.

IT Load (Critical Power): Phase 1: 60 MW; Ultimate Build-Out: 99 MW

Cooling System Type: Conceptual Design- Hybrid dual chilled-water plant setup with air-cooled chillers plus adiabatic (tower) assist, feeding CRAH units in the IT suites, with liquid-assist capability for HPC racks

Planned Construction Start: April 2027

Estimated Occupancy: November 2028

Design Envelope. The water demand and wastewater flow estimates in this letter are based on the IT loads stated above and a Power Usage Effectiveness (PUE) of 1.41

(±10%). So long as the Project remains within ±10% of these parameters, the District's preliminary findings regarding system capacity and infrastructure herein shall remain applicable, subject to applicable law.

2. WATER SERVICE

2.1 Estimated Water Demand

Based on the Project description and supporting hydraulic calculations submitted by the Applicant, the District has estimated the following water demands:

Average Day Demand (ADD): Approx. 40,430 GPD (28.1 GPM)

Maximum Day Demand (MDD): Approx. 60,645 GPD

Peak Hour Demand (PHD): Approx. 101,075 GPD

Fire Flow Requirement: 3,000 GPM @ 20 psi residual

Fire Flow Duration: 4 hours minimum

Cooling Tower Makeup Water: Approx. 28,500 GPD (dominant demand driver)

Potable Domestic / Sanitary: Approx. 1,900 GPD

Irrigation / Landscaping: Approx. 500 GPD (recycled water preferred)

Demand estimates are preliminary and based on the MW of critical IT load identified in Section 1 with an assumed Power Usage Effectiveness (PUE) of 1.41 (±10%). Final demands shall be verified by Applicant's licensed civil engineer and confirmed by the District prior to issuance of a Water Service Agreement. If verified final demands remain within the Design Envelope in Section 1, no further capacity re-evaluation shall be required, subject to applicable law.

2.2 Meter and Service Requirements

The following meters and service connections are anticipated: (a) domestic potable service and (b) fire service. Applicant and District will determine meter sizes and locations during design review. If recycled water becomes available for irrigation and/or process, the Applicant will install separate metering and purple-pipe infrastructure per District standards.

3. SEWER SERVICE

3.1 Estimated Wastewater Flow

Average Dry Weather Flow (ADWF): Approx. 6,670 GPD

Peak Wet Weather Flow (PWWF): Approx. $2.5 \times$ ADWF for pipeline sizing

Primary Discharge Source: Sanitary / domestic (restrooms, break rooms, locker facilities)

Secondary Discharge Source: Cooling tower blowdown (requires pretreatment evaluation)

HVAC Condensate: Volume TBD at final engineering. This letter assumes primary routing of all sanitary wastewater to the District's collection system. If Applicant proposes to route any portion of the wastewater stream to an on-site industrial septic or other alternative disposal system, Applicant shall notify the District in writing and obtain District concurrence prior to permitting. This letter does not authorize partial service or split-routing arrangements without a separate written amendment.

3.2 Industrial Pretreatment

The District operates a publicly owned treatment works (POTW) subject to the pretreatment standards established under 40 C.F.R. Part 403 and state law. Cooling tower blowdown may contain concentrations of conductivity, total dissolved solids, corrosion inhibitors, and biocides that require evaluation. Applicant shall submit a Wastewater Characterization Report to the District no later than 120 days prior to issuance of the first building permit for the Project.

Within 45 days of receipt of a complete report, the District will provide interim numeric acceptance criteria (e.g., conductivity/TDS, phosphate/phosphonate, molybdate, biocide residuals, and any applicable metals) sufficient to support basis-of-design and permitting. The District will determine whether a Significant Industrial User (SIU) permit is required. Battery energy storage systems (BESS) present on site shall be

assessed for potential fluoride, lithium, and PFAS contributions to the waste stream. If the Applicant's blowdown meets the District's interim criteria and any SIU permit conditions, no additional pretreatment beyond the specified controls will be required.

4. SYSTEM CAPACITY AND INFRASTRUCTURE

The District has conducted a preliminary capacity review of its water distribution and wastewater collection systems in the vicinity of the Project. Based on currently available system data, the District has sufficient capacity to serve the Project subject to the following findings and conditions:

- **Water Supply:** The District has contracted and/or developed water supplies sufficient to serve the Project's projected demands within the District's planning horizon, subject to the conditions and conservation requirements stated herein.
- **Distribution System:** A water main extension is anticipated to provide adequate fire flow and domestic pressure to the Project site. All extensions shall be designed and constructed at Applicant's sole cost per District standards. If the District requests oversizing beyond Project need, the parties shall execute a reimbursement agreement as described in Section 5.6.
- **Wastewater Collection:** Existing trunk sewer facilities are preliminarily found to have sufficient capacity; however, upsizing of the lateral connection may be required based on final hydraulic modeling.
- **Water Storage:** Applicant may need to provide additional storage capacity; however, Applicant shall verify hydropneumatic or on-site pressure zone requirements with the District's Engineer. The District notes that Applicant proposes on-site water storage of approximately 388,000 gallons and a supplemental on-site well for emergency and fire suppression purposes. To the extent these private systems reduce demand on District facilities during peak periods, that reduction shall be reflected in the final hydraulic analysis, subject to District Engineer review and approval. The Applicant's private well and storage shall not be interconnected to the District's potable distribution system without prior District approval and cross-connection controls in compliance with CCR Title 17.
- **Treatment Capacity:** The District's treatment facility has available capacity to accept the Project's projected flows as of the date of this letter. Capacity reservations are subject to current Connection Fee agreements as further described in Section 6.
- **Fire Flow Coordination.** Upon receipt of 30% utility plans, the District will provide preliminary confirmation of required off-site main sizes/looping and any on-site storage or pumping needed to achieve 3,000 gpm at 20 psi for 4 hours, within 45 days.

5. CONDITIONS OF SERVICE

This Will Serve Letter is conditioned upon Applicant's full compliance with each of the following requirements. This letter does not constitute a binding service agreement, a vested right to service, or a commitment to waive any applicable fee or regulatory requirement.

5.1 Applications and Agreements.

- Execution of the District's standard Water Service Agreement and Sewer Service Agreement prior to commencement of construction.
- Submission and approval of complete water and sewer improvement plans prepared by a California-licensed civil engineer, stamped, and signed.
- Submittal of a Hydraulic Study / Water Demand Analysis consistent with District Engineering Design Standards. If verified demands remain within the Design Envelope, no additional capacity re-evaluation will be required, subject to applicable law.

5.2 Fees and Charges.

- Payment of all applicable Connection Fees (water and sewer capacity fees) at the rate in effect at the time of building permit issuance.
- Payment of plan check, inspection, and meter installation fees.

- Reimbursement to District for any oversized facilities constructed per District direction (reimbursement agreement to be executed separately).

All fees are subject to annual adjustment and are not locked by issuance of this letter. Notwithstanding the foregoing, upon execution of the Service Agreements and payment of 25% of Phase 1 capacity fees as estimated by the District in writing within 30 days of Service Agreement execution, the Phase 1 capacity fee rates shall be fixed for 18 months, with the balance due at building permit issuance.

5.3 Environmental Review

This letter does not constitute a CEQA determination. Service commitment is conditioned upon completion of CEQA review for the Project by the Lead Agency, including analysis of water supply impacts pursuant to Water Supply Assessment (WSA) requirements under Water Code §10910 et seq., if applicable. Should the Project trigger a WSA, Applicant shall provide written notice to the District no less than 120 days prior to the Lead Agency's public hearing to allow preparation of the assessment. Upon receipt of a complete WSA application and payment of applicable fees, the District will provide a draft WSA within 60 days, subject to statutory timelines. Service may be conditioned upon mitigation measures identified in the environmental review.

5.4 Water Conservation and Efficiency

- All plumbing fixtures and fittings shall comply with California's Building Standards Code (Title 24) water efficiency requirements.
- Cooling towers shall be equipped with conductivity controllers, side-stream filtration, and drift eliminators; minimum cycles of concentration of ≥ 5.0 (unless an alternative is approved by the District based on water chemistry and POTW criteria) are required.
- Applicant shall prepare and submit a Water Efficiency Plan for District review prior to issuance of building permits.
- A water audit shall be conducted and submitted to the District within 12 months of initial occupancy.

5.5 Additional Requirements

- Backflow prevention assemblies shall be installed and tested per California Code of Regulations Title 17.
- All on-site water and sewer facilities shall be constructed per District Standard Drawings and Specifications.
- Applicant shall execute a Developer's Agreement for construction of off-site infrastructure no later than 30 days prior to permit issuance.
- District inspection and observation rights shall be granted throughout construction.
- As-built drawings in PDF and DWG/GIS format shall be delivered to the District within 60 days of project completion.
- Applicant will implement spill containment and isolation measures to prevent any BESS-related discharges to the sanitary system and will identify sampling points for any required pretreatment monitoring.
- Applicant will coordinate pressure regulation/surge control devices where required to protect District systems, consistent with District standards.
- Prior to execution of a Water Service Agreement, Applicant will submit a statement identifying the source of water for the cooling tower, whether potable, recycled, or private.

Applicant shall obtain LAFCo annexation approval prior to commencement of construction, and service is conditioned upon such approval being obtained.

- Prior to commencement of construction, Applicant shall execute a separate Construction Water Service Agreement with the District for temporary construction water supply. Construction water rates and meter sizing shall be determined at that time. Construction water service is not guaranteed by this letter and is subject to District system availability.

5.6 Oversizing Reimbursement; Assignment; Design Envelope & Fee Lock

- (a) Oversizing Reimbursement. If the District requests facilities sized beyond the Project's needs, the parties shall execute a reimbursement agreement with a 10-year term using a pro-rata methodology (e.g., EDU/gpm) collected via connection fee surcharge on benefiting parcels.
- (b) Assignment. This letter and any subsequent service agreements may be assigned to Project affiliates, successors, or construction lenders upon 30 days' prior written notice to the District, provided the assignee assumes the Applicant's obligations herein in writing.
- (c) Design Envelope. As provided in Section 1, the District's findings remain applicable if verified demands remain within $\pm 10\%$ of the IT load/PUE envelope.
- (d) Fee Lock Option. As provided in Section 5.2, upon partial prepayment the Phase 1 capacity fee rates shall be fixed for 18 months.

6. LIMITATIONS AND DISCLAIMERS

This Will Serve Letter is valid for a period of 24 months from the date of this letter and may be extended once for 12 months upon written request and evidence of good-faith progress; such extension shall not be unreasonably withheld by the District's General Manager. This letter is non-transferable without prior written consent of the District. Consent to assignment under Section 5.6(b) shall not be unreasonably withheld, conditioned, or delayed. This letter is issued in reliance upon information provided by Applicant; any material change in Project scope, water demand, discharge characteristics, or phasing outside the Design Envelope may render this commitment null and void and require re-evaluation. The District reserves the right to impose additional conditions or modify this commitment in response to changes in water supply availability, regulatory requirements, or system capacity constraints. Nothing herein constitutes a guarantee of service or waiver of any applicable law, regulation, fee, or District policy.

This letter is issued solely in the District's capacity as a water and sewer service provider and does not constitute a water supply assessment under Water Code §10910 et seq. unless expressly prepared and adopted as such by the District's Board of Directors. The District is not a responsible or trustee agency under the Applicant's pending Small Power Plant Exemption (SPPE) Application before the California Energy Commission, and this letter shall not be construed as the District's participation in or approval of that proceeding.

7. NEXT STEPS

To proceed, Applicant should contact the District's Engineer to initiate the formal service application process. The District recommends scheduling a pre-application meeting to discuss phasing, infrastructure design, and fee estimates prior to plan preparation. Following the pre-application meeting, the Applicant will submit 30% utility plans for District review; the District will provide consolidated comments within 30 days. The parties will then target execution of the Service Agreements and any required Developer's Agreement no later than 30 days prior to building permit issuance. The District looks forward to working with the Applicant on this project. Questions regarding this letter should be directed to the Engineering Services Division at the contact information above.

Sincerely,



Holly Gallier
General Manager

Project Description

RB Inyokern Data Center

PLN25-0028

The RB Inyokern Data Center (“Project”) is a 99 MW power generating facility, within an approximately 238,000-square-foot, single-story data center campus located in the eastern high desert region of Inyokern and unincorporated area of Kern County, California. The proposed Project is situated on approximately 50-acre site comprising of Assessor’s Parcel Numbers (APNs) 084-010-43, 084-010-44, 084-010-45, and 084-010-48. The site is further described as being within Section 29, Township 26 South, Range 39 East, Mount Diablo Base and Meridian (MDB&M). The Project is situated near the northeast corner of State Route 178 (SR-178) and Brown Road and is located between Brown Road to the west and US Route 395 (US-395) to the east. Access to the site is from SR-178.

The following table depicts the existing acreage and zoning of the parcels.

Table 1.1:

APN	Acres	Zoning	Inyokern Specific Plan
084-010-43	19.18	M-2 PD	7.2/2.5 (Service Industrial/Flood Hazard)
084-010-44	20.55	M-2 PD	7.2/2.5 (Service Industrial/Flood Hazard)
084-010-45	20.15	M-2 PD	7.2/2.5 (Service Industrial/Flood Hazard)
084-010-48	23.28	M-2 PD	7.2/2.5 (Service Industrial/Flood Hazard)
Total	83.16		

The Project area is zoned M-2 PD (Medium Industrial, Precise Development Combining) under the Kern County Zoning Ordinance and is located within the Inyokern Specific Plan area. The Project site is currently vacant and undeveloped land. Project street addresses will be assigned during the building permit process and are not available at the time of this submittal.

Applications for a Conditional Use Permit (CUP), and Specific Plan Amendment (SPA) are presented to support the Project. Lot Line Adjustment (No. 28-25) is being processed concurrently to merge and subdivide the property for development on a single parcel.

In concurrence with these applications, a Small Power Plant Exemption (SPPE) application is being processed through the California Energy Commission (CEC) pursuant to Public Resources Code Section 25541 and Section 1934 et seq. of the CEC regulations. The design balances grid-fed reliability with diesel-based backup emergency power and is consistent with CEC requirements for a Small Power Plant Exemption under Title 20 CCR § 1934 et seq.

The CEC serves as Lead Agency under CEQA for this Project and will prepare the environmental analysis and CEQA determination covering the combined impacts of the data center campus and the emergency generating facility. Kern County retains land use decision-making

Project Description

RB Inyokern Data Center

PLN25-0028

authority over the data center campus improvements and associated site development, including this Conditional Use Permit, the Specific Plan Amendment, and the Lot Line Adjustment, and will utilize the CEC's CEQA document in its review of these entitlements.

The Project's confirmed 99 MW utility interconnection with Southern California Edison (SCE) is the primary Method of Service (MOS). The Project will not exceed the CEC's jurisdictional limits under Public Resources Code (PRC) §25541. The emergency generating facility will not export electricity to the transmission or distribution grid and will not operate as a merchant generating facility.

The Project consists of a hyperscale data center campus, a customer-owned electrical Point of Interconnection (POI), the existing SCE Substation, two SCE constructed 115 kV overhead sub transmission lines and associated SCE electrical infrastructure, cooling and water systems, a wastewater and stormwater retention basin, an on-site groundwater well for emergency water supply, and a 1 MW photovoltaic (PV) solar system installed on the rooftop and parking canopies of the data center campus to supply ancillary power for daytime electrical demand.

The Project's CEQA project boundary extends beyond the on-site APN's to include the offsite SCE electrical infrastructure required to serve the facility, consisting of: (1) two 115 kV overhead sub transmission line corridors between the existing Inyokern 115 kV Substation and the new Project substation (Route 1, approximately 8,000 linear feet; Route 2, approximately 4,000 linear feet); (2) a westward expansion of the existing Inyokern 115 kV Substation footprint (approximately 136 feet by 101 feet); and (3) two SCE-owned utility fiber optic routes (Path A, approximately 3,200 linear feet; Path B, approximately 8,250 linear feet). The SCE facilities traverse unincorporated Kern County on parcels not owned by the Applicant; an APN matrix and land ownership analysis for the SCE transmission corridors will be provided as a supplement to this Application upon finalization of SCE's route alignments and Real Properties rights analysis, consistent with SCE MOS174 (March 30, 2026).

Project Description

RB Inyokern Data Center

PLN25-0028

The following table depicts the proposed acreage of the finished project.

Table 1.2:

APN	Approximate Acreage	Project Use
084-010-43	13±	Data Center Campus and Supporting Improvements
084-010-44	13±	Data Center Campus and Supporting Improvements
084-010-45	13±	Data center campus and supporting improvements; rooftop and parking-canopy PV (ancillary, where feasible); potential related facilities/easements as applicable
084-010-48	11±	Project Point of Interconnection (POI) and customer-owned substation facilities/easement; on-site electrical infrastructure
SCE Routing	TBD	SCE-determined 115 kV overhead sub transmission line corridors, fiber optic routes, and related facilities from existing Inyokern Substation to Project POI; routing determined by SCE per MOS174 final engineering
Total	50±	

Note: Acreages are approximate

The Project proposes to develop an approximately 50-acre site with a 24/7 continuously operational 99 megawatts (MW) Tier III/IV hyperscale data center and associated infrastructure, including a new substation that interconnects to Southern California Edison's Inyokern Substation to the east of the data center facility. The data center would be approximately 238,000 square feet, single-story, with a maximum 30 feet height and would contain six modular data suites. The project utilizes dual-sided electrical and mechanical systems for concurrent maintainability, high energy efficiency and redundancy.

The Project site consists of four separate parcels (APN 084-010-43, -44, -45, and -48); a Lot Line Adjustment (LLA 28-25) has been requested to create a single parcel for the data center from APNs 084-010-43, -44 and -45. The new substation that interconnects to Southern California

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Edison's Inyokern Substation and an easement that would accommodate the interconnection from the point of interconnection to the project to the east.

Project Economic Benefits

The project presents the opportunity to bring economic benefits to the community as identified by the following points:

- Creating jobs for the region while being committed to building the project with local Kern County workers;
- 1,600 construction jobs will be provided during buildout; indirect and induced employment.
- \$250M+ total economic impact. Money is spent locally on labor, materials, and services;
- Union Workforce Commitment. Executed workforce commitment agreement with the State Building and Construction Trades Council of California, the Kern, Inyo, and Mono Counties Building and Construction Trades Council, and IBEW Local 47 – guaranteeing prevailing wages, apprenticeship utilization, and full benefits for every worker on the project;
- 30 – 60 Direct Permanent Jobs. Including high-tech facility operations and management;
- \$6M+ Annual Tax Revenue to local government, schools, and special districts. This revenue goes directly to funding road maintenance, water systems, fire protection, and public services across the Indian Wells Valley. Measurable improvements funded by the Project;
- Water Efficiency. The Project proposes to use 97- 98 % less water than traditional data centers by using a highly efficient hybrid cooling system that operates primarily on dry cooling, with evaporative assist only during peak temperatures. The result: an estimated 37-49 acre feet per year which is comparable to a small commercial user;
- Energy. The data center runs entirely on grid power. During normal operations, the facility produces zero emissions. The backup generators are strictly for emergency outages. The generators run less than 1 hour per month for mandatory testing and are equipped with hospital-grade emissions controls (SCR, DPF, and DEF systems); and,
- Environmental Analysis. The project submitted a comprehensive, 1,000+ page application document and supporting studies to the CEC (Docket 26-SPPE-01). Independent technical studies confirmed “less than significant” impacts across all 20 CEQA environmental categories including water, air quality and noise. The project is currently participating in the state's rigorous environmental review process. CEC, as the Lead Agency, will make a CEQA determination to be utilized by the County for

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the CUP and SPA.

Project Objectives

The Project has the following objectives, as identified by the project applicant:

- Develop a state-of-the-art data center large enough to meet the increased intensity of data processing, computational power, and energy demands from the projected growth of cloud computing and AI applications;
- Develop RBIDC on land that is currently zoned to permit a data center use at the subject location and that is approved by the County of Kern;
- Incorporate the most reliable and flexible form of backup electric generating technology into the RBIDC;
- Reliability. Design and use backup electric generation technology that is proven to be extremely reliable in case of an emergency loss of electricity from the utility;
- To achieve an overall reliability of equal to or greater than 99.982 percent availability at the critical load;
- To achieve the greatest extent feasible during natural disasters including earthquakes;
- The selected backup electric generation technology must have a proven built-in resiliency so if any backup unit fails due to external or internal failure, the system will have redundancy to continue to operate without interruption;
- To maintain power for a minimum of 24–72 hours during a utility outage;
- Commercial Availability and Feasibility. The selected backup electric generation technology has proven as an accepted industry standard for technology sufficient to receive commercial guarantees. It must be permitted and operational within a reasonable timeframe; and,
- Technical Feasibility. The selected backup electric generation technology must utilize systems that are compatible with one another.

Regional Setting

The project is located in the eastern high desert region of Kern County in the unincorporated community of Inyokern, approximately 9.4 miles south of Inyo County and 9.3 miles west of San Bernardino County. The project site is approximately 5.5 miles west of the City of Ridgecrest, 3 miles west of the community of Indian Wells, and 8 miles west of the China Lake Naval Air Weapons Station. Land uses in the project area are both industrial and residential, as well as some open space. Topography in the project area is relatively flat. The project area is primarily accessible, including emergency access, provided on SR-178 (West Inyokern Road).

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Surrounding Land Uses and Project Site Conditions

The project site is located on undeveloped privately owned land in the community of Inyokern. The project site is relatively flat and has an elevation that ranges from approximately 2,300 to 2,400 feet above mean sea level. Existing development in the project vicinity includes a gas station, convenience store, hardware store with outdoor storage and undeveloped land to the south, undeveloped land and solar facility to the north, undeveloped land to the east and North Brown Road and single-family residences to the west. Forest, parkland, and preserve areas in the vicinity of the project site include Sequoia and Kings Canyon National Park, and Sequoia National Forest approximately 20 miles northwest. The project site is not located with the boundaries of an adopted Habitat Conservation Plan. The nearest residence is a small rural residential tract approximately 0.30 miles east of SR-395 and 500 feet southwest of the project site. The community of Inyokern is located to the southwest of the project site and includes various single-family residences. Various scattered residences are also located east of the project site. The China Lake Naval Air Weapons Station, located approximately 8 miles east of the project site, has an existing utility scale solar facility.

The project would develop approximately 50 acres of property, consisting of private undeveloped land. The project site is not designated by the California Department of Conservation (DOC) as Prime Farmland, Farmland of Statewide Importance, or Unique Farmland. The DOC designates the project site as non-agricultural and natural vegetation, and semi-agricultural and rural commercial land. No lands within the project site are subject to a Williamson Act Land Use contract.

The project site is located within Flood Zone A (100-year flood zone) as defined on the Flood Insurance Rate Map (FIRM) issued by the Federal Emergency Management Agency (FEMA). This indicates the site has a 1 percent potential of annual flooding. There are no identified State-designated Alquist-Priolo Earthquake Fault Zones on the project site. The nearest active fault is the Little Lake Fault, which is located approximately 2.6 miles north-northeast of the project site. According to the Kern County ALUCP, the project site is located with Zone C of the Inyokern Airport influence area.

The Project would be served by the Kern County Sheriff's Office for law enforcement and public safety. The closest sheriff station is the Ridgecrest Substation, located approximately 15 miles southeast of the Project Site. The Kern County Fire Department (KCFD) provided fire protection and emergency medical and rescue services for the project area. The closest KCFD fire station is Station No. 83, located approximately 0.5 miles west of the project site at 6919 Monache Mountain Avenue in the community of Inyokern. The closest school to the project site is Inyokern Elementary School, located approximately 0.23 miles southwest of the project site. The closest

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hospital to the project site is the Ridgecrest Regional Hospital in the city of Ridgecrest, approximately 10 miles to the east.

Land Use and Zoning

Kern County General Plan and Inyokern Specific Plan

The project site is located within the unincorporated area of Inyokern, in Kern County and is within the administrative boundaries of the Inyokern Specific Plan. The Inyokern Specific Plan places the project site within map code designation of 7.2/2.5 (Service Industrial/Flood Hazard). **Table 1-3, Project Site and Surrounding Land Uses**, and **Figure 1-5, Existing General Plan and Inyokern Specific Plan Designations**, highlight the land uses for the project site and surrounding area.

The project requests a Specific Plan Amendment (SPA) to eliminate a 90-foot-wide future road reservation of a secondary collector that was created by the Inyokern Specific Plan. The reservation to the north of the Navy land has already eliminated a portion of the reservation. The reservation needs to be eliminated on the project site and the parcel where the proposed SCE substation will be constructed so no setbacks from that road reservation would be required. An exhibit showing the location of the proposed SPA and project site are included.

TABLE 1-3: PROJECT SITE AND SURROUNDING LAND USES

	Existing Land Use	Existing Land Use Designations	Existing Zoning Classifications
Project Site	Undeveloped, Undisturbed Land	<i>Inyokern Specific Plan:</i> 7.2/2.5 (Service Industrial/Flood Hazard)	M-2 PD (Medium Industrial, Precise Development Combining)
North	Undeveloped, Undisturbed Land and Solar Facility	<i>Inyokern Specific Plan:</i> 1.1/2.5 (State or Federal Land/Flood Hazard)	OS (Open Space)
South	Undeveloped Land, Gas Station Convenience Store, Hardware Store with Outdoor Storage	<i>Inyokern Specific Plan:</i> 7.2/2.5 (Service Industrial/Flood Hazard)	C-2 PD (General Commercial – Precise Development Combining)

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East	Undeveloped, Undisturbed Land	<i>Inyokern Specific Plan:</i> 7.2/2.5 (Service Industrial/Flood Hazard)	M-2 PD (Medium Industrial, Precise Development Combining)
West	North Brown Road and Single-Family Residences	<i>Inyokern Specific Plan:</i> 7.2/2.5 (Service Industrial/Flood Hazard)	C-H (Highway Commercial)

Kern County Zoning Ordinance

The entire project site is also subject to the provisions of the Kern County Zoning Ordinance. The Kern County Zoning Ordinance designates the project site as being within the M-2 (Medium Industrial) zone district. Pursuant to the Kern County Zoning Ordinance, the Planning Director may authorize the filing of a conditional use permit application to allow for the establishment of a use not expressly authorized as a permitted or conditionally permitted use in the M-2 Zoning District, subject to approval of a Conditional Use Permit (CUP).

The Kern County Zoning Ordinance includes structure height limitations that are designated by the U.S. military for sites occurring within the vicinity of a military flight zone. To ensure that projects within Kern County do not conflict with military flight test pathways, Kern County adopted an ordinance that restricts the height of structures within these pathways.

Proposed Project

The proposed project would include the development of a 99 MW data center campus and associated infrastructure, located on approximately 50 acres of privately owned land in the eastern high desert region of Kern County in the unincorporated community of Inyokern.

The following discretionary actions are required for the proposed development:

- Annexation Approval by Kern County Local Agency Formation Commission (LAFCo) into the Inyokern CSD
- Specific Plan Amendment- amendment to the Inyokern Specific Plan to eliminate future 90 foot secondary collector.
- Conditional Use Permit (CUP) for a use not listed pursuant to the Kern County Zoning Ordinance
- Lot Line Adjustment to create a single parcel for the data center from APNs 084-010-43, -44 and -45

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Associated infrastructure includes the following components:

General Infrastructure

- 238,000 square feet, 30 feet in height, data center facility
- 17,325 square feet administration office with offices, employee facilities and loading docks
- Internal one-way circulation roadway network, including curb, gutter and sidewalks
- Adequate parking on-site [155 9 feet x 20 feet, 6 ADA (including 1 ADA Van), 25 EV spaces (including 18 installed with EV chargers)]
- External security lighting features
- Landscaping, including trees to meet Kern County requirements
- An administration office that includes:

Water and sewer services provided by the Inyokern CSD and:

- Industrial septic system and on-site ground water well and water treatment system for backup water source
- Stormwater drainage system

Power Systems

- Emergency backup uninterruptible power system (UPS) that is supported by two areas of 20 3 MW diesel-fueled generators, with battery storage capacity.
- Six 100,000-gallon fuel storage tanks for renewable or low-sulfur diesel for generators with 72-hour capacity on-site storage
- Two switchgear yards
- New substation with 115 kV SCE feed, 2×60/80/100 MVA transformers (delta–wye)
- Rooftop and parking cover mounted solar panels

Cooling and Water Systems

- Primary water source is municipal (Inyokern CSD)
- Two 142,000 gallon and two 52,000-gallon water storage tanks for supplemental and fire suppression water supply

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- Hybrid (high and low temperature) cooling towers and chillers that utilize potable water provided by the Inyokern CSD
- Humidification system to manage data center and tower discharge
- Network of variable refrigerant flow (VRF) split-system air conditioners for office, loading zones, storage rooms and corridors

The components listed above are described in more detail below.

Data Center Suites

The data center facility is designed as a single, integrated building with supporting equipment distributed throughout the site in a dual-sided design pattern on the west and east sides of the data center suites. The primary data center building will include three main components: six data center suites, an administrative area and support facilities, such as power and water systems. The proposed single-story, 238,000 square foot data center would have a maximum height of 30 feet. The six suites are secure spaces that will house client servers and associated infrastructure, including corresponding electrical and UPS. The facility will include six modular 11.67 MW data halls (scalable build-out), with rack densities ranging from 10 kW to 50 kW to accommodate high-performance computing (HPC) and AI workloads.

Administration Office

The administration office component of the data center facility would have an approximate footprint of 17,325 square feet and include office spaces, two virtually compatible meeting rooms, two conference rooms, a storage room, a breakroom, restrooms and a receiving area and loading dock. The loading dock would primarily be used to receive deliveries for larger IT components, in the event of IT part failures. The data center would be continuously operational. The facility is designed for continuous 24/7 operations and is expected to be served by approximately 30 permanent operations staff across rotating shifts, with a total daily site population of approximately 100 to 115 persons including contractors, service personnel, and deliveries. The facility would receive approximately two to three deliveries per week.

Utilities

The project proponent is proposed to be annexed into the Inyokern Community Services District (Inyokern CSD or District) jurisdictional boundaries, to provide domestic and sewer services. The project site is currently located within the Sphere of Influence (SOI) of the CSD. Municipal water would be the primary water source for the project. An additional on-site well is proposed in the northeastern corner of the project site, and two water treatment facilities are proposed, one in the northwest corner of the project site and the other is proposed in the southeast area of the project site. The well and on-site water treatment facility will be maintained as

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redundant water supply measures consistent with the facility's Tier III/IV reliability design standard. The project will include four on-site storage tanks, two 142,000 gallon and two 52,000 gallon, with a combined capacity of 388,000 gallons which would be used in the event of a supply interruption from the Inyokern CSD water source and for emergency fire suppression. These systems are intended to reduce reliance on the municipal district during periods of peak demand or emergency conditions. Wastewater and sewage may be processed through the Inyokern CSD or an industrial on-site industrial septic system.

Fiber service will be provided by Onward via a redundant, carrier-diverse network with independent north and south routes and direct access to the Digital 395 fiber. The system includes 432 strands in three underground conduits, scalable from 1–100 Gbps, with ~6 ms RTT to Los Angeles. The fiber tie-in location is onsite, providing direct integration with the facility's network architecture.

The fire protection system will comply with the California Fire Code, NFPA 13, NFPA 20, and NFPA 75. The system includes a dedicated fire-water storage tank (60–90 minutes of required fire flow), dual electric and diesel fire pumps, and pre-action/double-interlock sprinklers. Seismic bracing will follow ASCE 7-16 and CBC requirements.

"Natural gas service feasibility has been evaluated at a screening level by PG&E, which indicated that the Project can be served from a nearby transmission main and that the requested load is feasible. Although natural gas service is available and was evaluated, it was not selected as the primary redundancy approach for the Project. Due to earthquake risk, the Applicant does not intend to rely on natural gas for IT-critical systems."

Interconnection to SCE Grid

The RBIDC Inyokern substation, located adjacent to the data center on APN 084-010-48, provides the primary electrical interface between Southern California Edison's 115 kV sub-transmission system, and the customer's 34.5 kV medium-voltage distribution network. Designed for high reliability and continuous maintainability, the substation forms the electrical backbone of the site's medium-voltage infrastructure and is located immediately adjacent to the SCE yard to ensure a short, stable interconnection.

A dedicated 115 kV tie line delivers power to the substation through high-voltage switching, isolation, and protection devices—including circuit breakers, disconnect switches, surge arresters, and metering transformers. These components establish the point of demarcation between the utility and customer systems while providing overvoltage protection, operational visibility, and safe switching during normal and contingency conditions.

The substation steps transmission-level voltage down to 34.5 kV using two 60/80/100 MVA power transformers configured in a dual-path arrangement. Each transformer features

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ONAN/ONAF/ONAF cooling, ± 10 percent load tap changer control, and a 12.5 percent nominal impedance, enabling precise voltage regulation and stable operation under varying load and system conditions. Transformer protection is delivered through advanced digital relays such as the SEL-487B, which provide differential protection, thermal monitoring, and fault isolation.

On the medium-voltage side, the transformers feed a 34.5 kV ring bus, implemented through interconnected MV switchgear sections and sectionalizing breakers. The ring configuration provides multiple sources of redundancy and allows any section of the bus or switchgear to be taken offline for maintenance without impacting service continuity. Line and feeder protection is delivered through SEL digital relays, including the SEL-411L for line differential protection and the SEL-787 for feeder and transformer backup protection. These protective zones are fiber-interconnected to ensure rapid, coordinated fault clearing.

Overall, the Inyokern substation provides a robust, resilient, and fully protected electrical interface that meets or exceeds utility interconnection standards, supports concurrent maintainability, and ensures stable voltage delivery from the 115 kV grid to the site's 34.5 kV medium-voltage distribution system.

Potential SCE Upgrades

Based on information from SCE, no upgrades are anticipated at the existing Inyokern Substation or Sawmill circuit to accommodate the project's interconnection. However, if upgrades are required in the future, the activity may include but is not limited to, upgrading the conductors of the existing Sawmill circuit. Other potential network facility modifications necessary to support the development of the project may include but are not limited to replacement of the transformer bank at the existing Inyokern Substation, replacement of an existing transducer with a bidirectional transducer, and addition of remote terminal unit points for the transducer.

Energy Demand

The total electrical demand for the facility will include the IT load, associated mechanical systems for heat rejection and cooling, lighting, building management and monitoring systems, and other general facility loads. Electrical loads on each redundant critical system will be continuously monitored through the Building Automation System (BAS). When any system reaches 90 percent of its nominal operating capacity, an alarm will automatically activate within the engineering operations center. Facility operations personnel will then coordinate with tenants to implement corrective measures and ensure that electrical demand remains within the design parameters of the facility. In aggregate, the six data halls are each designed to accommodate an IT equipment load of 10 to 12 megawatts (MW) and will result in an estimated 70 MW of IT equipment load and a total electrical load of approximately 99 MW.

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Uninterruptible Power System (UPS)

The proposed project would utilize an emergency backup Uninterruptible Power System (UPS) that is supported by the following infrastructure:

- two areas allocated to 20 3 MW diesel-fueled generators, for combined total of 40 generators
- six 100,000-gallon fuel storage tanks for renewable or low-sulfur diesel for generators with 72-hour capacity of on-site storage.
- two high-voltage switchgear yards with storage batteries

Diesel Generators

Backup power for the facility will be provided by 40 Caterpillar diesel-fired generators. All generators will be equipped with externally applied Johnson Matthey CompactSCRT aftertreatment, including Selective Catalytic Reduction (SCR), Diesel Exhaust Fluid (DEF) tanks, and Diesel Particulate Filters (DPF), achieving Tier 4 Final-equivalent emission levels at stack. The base engines are EPA Tier 2-certified for Emergency Stationary Applications; this Tier 2 base + external aftertreatment configuration is required to preserve NFPA 110 Level 1 backup reliability by avoiding EPA-mandated inducement shutdowns associated with factory-integrated Tier 4 Final engines, and qualifies as Best Available Control Technology (BACT) under Eastern Kern Air Pollution Control District (EKAPCD) requirements. Under standard emergency operation, when all generators are active, each unit will operate at no more than 80 percent of its peak rated capacity to ensure reliability and longevity.

Each generator will be supplied as an integrated package system containing both the prime mover and alternator, controlled by a dedicated programmable logic controller (PLC) located within the 480-volt main switchboard of the corresponding RBIDC building. Each generator will operate autonomously, with its own independent PLC designed to automatically initiate generator startup upon loss of utility power. Once utility service is restored and verified as stable, the PLC will transfer the load back to utility power and shut down the generator in a controlled sequence.

Each generator package will incorporate its SCR system and DEF storage tank within a compact enclosure. Generators will be installed within two secure generator yards, positioned on opposite sides of the main building to ensure load distribution and operational redundancy. All generators will be installed within secondary containment basins to mitigate potential environmental impacts in the event of fuel or fluid leakage.

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Fuel Storage

The backup generators will primarily operate on renewable diesel when available. When renewable diesel is not readily accessible, ultra-low sulfur diesel will be used as an alternative. Each generator will have built-in fuel tanks and connections to additional on-site fuel storage.

The six 100,000 gallon storage tanks will be double-walled with integrated leak detection systems or installed within secondary containment structures. Kern County Code Section 18.80.030(T) requires the Kern County Fire Marshal to approve the storage of flammable and combustible liquids in excess of 12,000 gallons per tank and an aggregate maximum of 48,000 gallons, when accessory to a permitted use in the M-2 Zoning District. The project has requested written approval from the Kern County Fire Marshal to store the proposed six 100,000 gallons of storage tanks, with an aggregate total of 600,000 gallons.

Combined, the generator and secondary fuel tanks will provide sufficient diesel storage to sustain 24 to 72 hours of continuous emergency operation at the data center's full electrical load under worst-case conditions.

Solar PV Generation

To help offset the proposed project's power consumption, there will be rooftop and parking cover mounted solar panels supported by a Battery Energy Storage System (BESS). The proposed project would utilize system blocks to convert solar energy directly to electrical power for export to the electrical grid. The proposed project would install PV modules that would be mounted on steel support posts that are pile driven into the ground and connected to inverters. The modules would be made of thin film material or polycrystalline silicon material covering the glass panes, which would be dark in color, highly absorptive, and have minimum reflectivity. The modules would be manufactured at an offsite location and transported to the project site.

Water Cooling Systems

The chiller plant will include both high-temperature and low-temperature water-cooled chillers, supported by the hybrid cooling chillers. The high-temperature chillers and cooling chillers will supply cooling water for both direct liquid cooling of IT racks and air cooling of the data halls. Cooling water will be distributed to coolant distribution units, which will transfer heat to technical water that is then circulated to the IT racks for direct liquid cooling. The low-temperature chillers and cooling towers will provide chilled water for air cooling in critical electrical rooms and other technology spaces.

Potable water provided by the Inyokern CSD will be used for cooling and irrigation, subject to applicable CSD service conditions, conservation requirements, and final engineering review.

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Both data halls and office areas will require minimal humidification. Although these systems consume less water than the cooling towers, they will still be connected to the same water treatment systems. The cooling chillers will generate some discharge, while the humidification system will produce a negligible amount. Cooling towers will operate at a minimum of 5.0 cycles of concentration, consistent with Inyokern CSD Will Serve Letter requirements, and discharge water will be managed in accordance with a customized water treatment plan.

Non-critical areas—such as administrative offices, loading zones, storage rooms, and corridors—will be conditioned using a network of variable refrigerant flow (VRF) split-system air conditioners. These systems will include roof-mounted condensing units and distributed fan coil units throughout the spaces.

Site Access and Lighting

Site access will be provided via a single primary entrance located on SR 178. Project boundaries will be fenced. A one-way asphalt road will loop around the project site with sidewalks, providing access for maintenance vehicles and building support operations. All road improvements would be completed per County code and regulations. Typical site access would be approximately 20 feet wide, accommodating a 56-foot turning radius in both directions. Additional turnouts will be developed at the two fuel storage tank buildings to allow for refueling.

Chain-link security fencing would be installed around the site perimeter and other areas requiring controlled access to restrict public access during construction and operations. The security fence would be between approximately 7 and 8 feet high. The fence posts would be set in concrete.

The project's lighting system would provide operation and maintenance personnel with illumination for both normal and emergency conditions. Lighting would be designed to provide the minimum illumination needed to achieve safety and security objectives. Lighting would be directed downward and shielded to focus illumination on the desired areas only and to avoid light spillage on adjacent properties. Light fixtures would be mounted at the entrance and each inverter station. Lighting would be no brighter than required to meet safety and security requirements, and lamp fixtures and lumens would be selected accordingly. All project lighting would be switched and without timer. All lighting at the proposed data center facilities would be designed to meet Kern County Zoning Ordinance Chapter 19.81- Outdoor Lighting- Dark Skies requirements.

Parking and Landscape

The project site will include adequate parking on-site, security lighting and adequate landscaping to meet Kern County requirements. The project provides 155 parking spaces, including covered parking and ADA compliant spaces. The parking lot includes the required

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number of trees landscaped in and around the parking lot, pursuant to Kern County Zoning Ordinance Section 19.82.090(I).

Stormwater Management

The project proposes the construction of multiple stormwater retention areas strategically located throughout the property. These retention basins are designed to manage stormwater runoff in compliance with statewide stormwater regulations under the California State Water Resources Control Board (SWRCB) and the National Pollutant Discharge Elimination System (NPDES) permit requirements, as well as local standards established by the Kern County Public Works Department and the Kern County Stormwater Management Program (SWMP).

Construction

Schedule and Workforce

Construction of the RBIDC will begin in 2027, following receipt of required permits and entitlements. The Project development and construction process encompasses approximately 48 months. Initial start-up and commissioning is anticipated to begin mid-2028, with full 99 MW power delivery to the site anticipated in 2029 per SCE Method of Service Study MOS174. Full-scale facility operations are anticipated to commence in 2031 upon completion of all data hall buildout and commissioning activities. Construction activities for the proposed project are generally organized into the following major categories:

1. Site preparation and infrastructure development,
2. Structural and building shell construction, and
3. Mechanical, electrical, and data hall systems installation, followed by commissioning and closeout.

Based on the construction schedule and equipment/workers analysis, the onsite construction workforce would peak at approximately 600 workers during periods of overlapping structural, mechanical, electrical, and interior buildout activities. The average daily workforce across the full construction period is expected to be approximately 300 personnel, consisting of trade workers, supervisory staff, subcontractor crews, inspection personnel, and construction management teams. Labor demand will vary over the course of the project, with the highest workforce levels occurring between structural steel erection, envelope completion, and MEP rough-in.

It is anticipated that the construction workforce would commute to the site each day from local communities and report to the designated construction staging yards prior to the beginning of each workday. Construction staff not drawn from the local labor pool would stay in local hotels in Inyokern or Ridgecrest, or other local communities. The area reserved for construction of a parking lot will be utilized for construction parking. It is anticipated that the

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employees would utilize State Route 178 as points of ingress/egress to the property and that, once on site, they would access various sections via the existing and improved network of dirt roads.

The proposed project would be constructed by several specialized construction contractors. Construction would primarily occur during daylight hours, Monday through Friday, between 7:00 a.m. and 6:00 p.m. Additional hours/days may be necessary to facilitate the schedule. Any construction work performed outside of the normal work schedule would be coordinated with the appropriate agencies and would conform to the Kern County Noise Ordinance (Chapter 8.36 of Kern County Code of Ordinances).

Construction of the proposed project would also include the creation of a one-way looped access road providing internal circulation and maintenance to all infrastructure components. In addition, the proposed project would require the installation of overhead electricity onsite and from the project site to the electrical interconnection point; electrical transformers; and laydown yards. Disturbed areas, temporary roadways, and equipment laydown sites that are not required as part of the ongoing operating of the facility would be restored. Staging areas would be required for material handling, temporary storage, and other staging activities. A 48-month (4-year) construction period is anticipated.

Site Grading and Earthwork

Initial construction activities, beginning in late Quarter 1 of 2027, will focus on site preparation, grading, and earthwork necessary to establish design elevations, drainage patterns, building pads, access routes, and subsurface utility corridors for the proposed data center facility. Site preparation will include vegetation removal, debris clearing, and establishment of safe working zones for personnel and equipment. Existing vegetation will be retained where it is feasible to reduce ground disturbance and minimize dust.

Dust-control measures will be implemented consistent with Kern County requirements, the Eastern Kern Air Pollution Control District (EKAPCD) Rule 402 and Rule 401, and the air-quality expectations of the CEC and SPPE process. Measures will include application of water using Tier 4 Final water trucks, installation of wind fencing, localized use of soil binders, and limiting conventional grading to areas required for building pads and utility installations.

Grading will establish the required finished elevations for structures, drainage networks, and internal circulation. Balanced grading will be implemented to the extent practicable to avoid importing or exporting of soils. Compaction of building pads and fire-access routes will follow project geotechnical recommendations. Temporary access roads, staging areas, and laydown zones will be constructed early using asphalt, compacted aggregate, or other stable materials capable of supporting construction and emergency vehicle loading, consistent with Kern County Fire Department access standards.

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Earthwork will also support installation of underground utilities, including stormwater conveyance, sanitary sewer, domestic and fire water lines, and electrical and communications conduit systems. Trenching and backfilling will be performed using Tier 4 Final-certified excavators, trenchers, and compaction equipment, consistent with California Air Resources Board (CARB) Off-Road Diesel Regulation requirements and CEC/SPPE emission-control expectations. All trenching will comply with Cal/OSHA excavation safety requirements.

All earth-disturbing activities will be conducted under a project-specific Storm Water Pollution Prevention Plan (SWPPP) prepared pursuant to the State Construction General Permit, incorporating BMPs from the California Stormwater BMP Handbook (Construction). Sediment and erosion control measures will be implemented throughout all grading phases to ensure compliance with State Water Resources Control Board (SWRCB) and CEC stormwater expectations.

Noise and vibration associated with grading equipment will comply with the Kern County Noise Ordinance (Chapter 8.36). Construction work will generally occur between 7:00 a.m. and 6:00 p.m., Monday through Friday, unless otherwise approved by Kern County or the CEC during SPPE oversight. Stationary equipment will be located away from noise-sensitive areas when feasible, and all machinery will be properly maintained, equipped with manufacturer-specified mufflers, and shut off when not in use, consistent with CEC/SPPE construction noise mitigation requirements.

Upon completion of rough and fine grading, compaction, and underground utility installation, which is contributed during the early portion of the overall construction schedule, the project will advance to foundation placement and vertical building construction. These activities include installation of footings and slabs, structural steel erection, enclosure of building shells, and subsequent installation of mechanical, electrical, and low-voltage systems. Post-grading construction is expected to begin immediately after pad preparation and trench backfill, allowing structural and systems integration to proceed without delay and under ongoing compliance with CEC, SPPE, CARB, and Kern County requirements.

Construction of the Project will require water primarily for dust suppression, soil compaction, utility trench backfill, paving support, equipment washdown, and general housekeeping activities. The overall construction water usage for dust control and site preparation is anticipated during construction to be approximately 27 to 34 acre-feet (approximately 9 to 11 million gallons) over the approximately 48-month construction period. Water use will be highest during initial earthwork and will decrease as construction progresses into structural and interior phases. The Project will use best-available water conservation practices and will utilize non-potable or reclaimed water whenever feasible.

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Estimated Water Demand

Construction water needs were estimated based on the construction schedule, equipment usage and personnel quantities.

Peak daily water use (during earthwork): up to 25,000 gallons/day

- Average daily water use (project-wide): 7,000–8,000 gallons/day
- Total construction water use: approximately 9–11 million gallons

These values reflect efficient water management, limit over-watering, and the use of soil binders to reduce water demand when appropriate. The project will implement water management and conservation efforts, such as, but not limited to:

- Operate water trucks only as needed for dust control and compaction
- Use reclaimed or non-potable water when available
- Apply water only to active work areas, avoiding overspray and runoff
- Use dust-control methods that reduce watering needs
- Maintain daily water-use logs to ensure compliance

Water Use by Phase

The table below outlines the water usage per phase of construction.

Table 1.4: Estimated Water Usage by Phase:

Phase	Duration	Estimated Water Usage
Earthwork	8 months	3–3.5 million gallons
Structural / Yard / Utilities / Paving	15–18 months	3–3.5 million gallons
MEP / Electrical / Interior / Commissioning	22+ months	2.5–4 million gallons

Combined, these values align with the overall estimated total of 9–11 million gallons.

A sanitary water supply would not be required during construction, as restroom facilities would be provided by portable units to be serviced by licensed providers.

Water needed for construction is expected to be provided from the Inyokern Community Services District or from an on-site well. The Inyokern Community Services District has issued an executed Will Serve Letter dated April 2, 2026 confirming sufficient water allocation and infrastructure capacity for construction and facility operations.

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Solid and Nonhazardous Waste

The project site would produce a small amount of solid waste from construction activities. This may include paper, wood, glass, plastics from packing material, waste lumber, insulation, scrap metal and concrete, empty nonhazardous containers and vegetation wastes. These wastes would be segregated for recycling. Non-recyclable waste would be placed in covered dumpsters and removed on a regular basis by a certified waste-handling contractor for disposal at a Class III landfill. Vegetation wastes generated by site clearing and grubbing would be chipped/mulched and spread on site or hauled offsite to an appropriate green waste facility. The closest Class III municipal landfill is the Ridgecrest Recycling and Sanitary Landfill (RSLF) which is located approximately 5.5 miles southeast of the project site. The Ridgecrest RSLF is an unlined, active public Class III sanitary landfill owned by the County of Kern and operated by the Kern County Public Works Department.

Hazardous Materials

The hazardous materials used for construction would be typical of most construction projects of this type. Materials would include small quantities of gasoline, diesel fuel, oils, lubricants, solvents, detergents, degreasers, paints, ethylene glycol, dust palliative, herbicides, and welding materials/supplies. A hazardous materials business plan would be provided to the Kern County Environmental Health Services Division/Hazardous Materials Section. The hazardous materials business plan would include a complete list of all materials used onsite and information regarding how the materials would be transported and in what form they would be used. This information would be recorded to maintain safety and prevent possible environmental contamination or worker exposure. During project construction, safety data sheets for all applicable materials present at the site would be made readily available to onsite personnel.

Hazardous Waste

Small quantities of hazardous waste would most likely be generated over the course of construction. These wastes may include waste paint, spent construction solvents, waste cleaners, waste oil, oily rags, waste batteries, and spent welding materials. Workers would be trained to properly identify and handle all hazardous materials. Hazardous waste would be either recycled or disposed of at a permitted and licensed treatment and/or disposal facility. All hazardous waste shipped offsite for recycling or disposal would be transported by a licensed and permitted hazardous waste hauler and disposed of at an approved location.

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Operation

Operations Water Use

During operation and maintenance of the proposed project, it is anticipated that water would be required primarily for direct liquid cooling of IT racks and air cooling of the data halls. A smaller portion would be required for domestic office and irrigation purposes. The Project will be served by a domestic water supply, with on-site storage tanks and a site well maintained as redundant measures to meet Tier III / IV reliability requirements. Total annual operational water usage is estimated at approximately 12 to 16 million gallons per year (MGY), with the majority allocated to direct liquid cooling and data hall air cooling, and smaller portions for domestic uses and irrigation. The Project's maximum estimated water demand is approximately 49.10 acre-feet per year (AFY), or 16 million gallons per year, representing approximately 0.185 percent of the projected available annual supply. Landscape irrigation is designed to achieve at least a 20 percent reduction below the Maximum Applied Water Allowance (MAWA), consistent with the California Model Water Efficient Landscape Ordinance.

Water required for proposed project operation would be provided from the Inyokern CSD and an on-site water well maintained as a redundant water supply measure consistent with the facility's Tier III/IV reliability design standard. The Inyokern CSD has issued an executed Will Serve Letter dated April 2, 2026 confirming sufficient water allocation, wastewater treatment capacity, and infrastructure capacity for construction and facility operations.

Solid and Nonhazardous Waste

The project site would also produce standard office waste. These materials would be collected and delivered back to the manufacturer for recycling. Trash would be disposed of by a local waste hauler service for disposal at a Class III landfill. The closest Class III municipal landfill is the Ridgecrest RSLF, which is located approximately 5.5 miles southeast of the project site. The Ridgecrest RSLF is an unlined, active public Class III sanitary landfill owned by the County of Kern and operated by the Kern County Public Works Department.

Hazardous Materials

Limited amounts of hazardous materials would be stored or used on the site during operations, which includes diesel fuel, gasoline and motor oil for vehicles, mineral oil to be sealed within the transformers and lead acid-based, and/or lithium-ion batteries for emergency backup. Fuels and lubricants used in operations would be subject to the Spill Prevention, Containment, and Countermeasure Plan (SPCCP) to be prepared for the proposed project. Appropriate spill containment and clean-up kits would be maintained during operation of the project.

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Hazardous Waste

The proposed project would produce a small amount of hazardous waste associated with maintenance activities, which could include defective or malfunctioning modules, electrical materials, unused paint, solvents, cleaners, waste oil, oily rags, and batteries. Most of these materials would be collected and delivered back to the manufacturer for recycling and any materials not recycled would be disposed of in accordance to applicable laws. Hazardous waste would be either recycled or disposed of at a permitted and licensed treatment and/or disposal facility. All hazardous waste shipped offsite for recycling or disposal would be transported by a licensed and permitted hazardous waste hauler and disposed of at an approved location.

Security and Lighting

The project site boundaries will be fenced with security fencing with a gated entrance. The project's outdoor lighting system would provide personnel with illumination for both normal and emergency conditions. Lighting would be designed to provide the minimum illumination needed to achieve safety and security objectives. Additionally, lighting would be directed downward and shielded to focus illumination on the desired areas only and to minimize light trespass in accordance with Kern County Zoning Ordinance Chapter 19.81- Outdoor Lighting-Dark Skies Requirements.

Entitlements Required

The anticipated approvals needed for the project include approval of annexation into the Inyokern CSD, which is initiated by the CSD's Board of Directors and approved by Kern County Local Agency Formation Commission (Kern LAFCo). adoption of Conditional Use Permits by Kern County Board of Supervisors. Construction and operation of the proposed data center energy facility may require additional State, local, and federal entitlements; as well as discretionary and ministerial actions and approvals listed below:

California Energy Commission

- Small Power Plant Exemption (SPPE) pursuant to Public Resources Code Section 25541 and 20 CCR §1934 et seq.; CEQA determination (all impacts less than significant with mitigation incorporated); and approval of Mitigation Monitoring and Reporting Program (MMRP)

Kern County

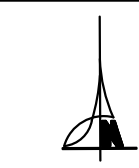
- Approval by the Kern County Board of Supervisors:
- Specific Plan Amendment- Amendment to the Inyokern Specific Plan to eliminate future road reservation

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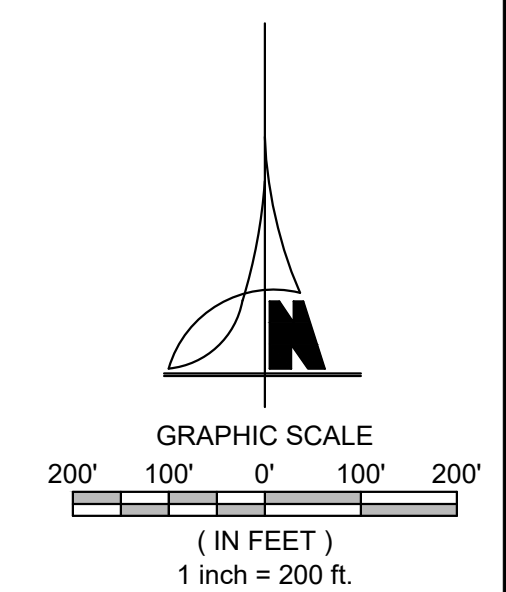
- Conditional Use Permit (CUP) for a use not listed in the M-2 district of the Kern County Zoning Ordinance
- Lot Line Adjustment
- Kern County construction, grading, building, septic, well and encroachment permits

Other Responsible Agency Entitlements

- Annexation approval by Kern LAFCo into the Inyokern CSD
- U.S. Fish and Wildlife Service Habitat Conservation Plan (if required)
- California Department of Fish and Wildlife (CDFW) Incidental Take Permit and Habitat Conservation Plan (if required)
- California State Water Resources Control Board – National Pollutant Discharge Elimination System Construction General Permit (if required)
- California Department of Transportation Right-of-Way Encroachment Permit, and Permit for Transport of Oversized Loads, if required
- Eastern Kern County Air Pollution Control District Authority to Construct/Permit to Operate/Fugitive Dust Control Plan

[illegible]

SCALE: 1" = 200'

[illegible]

DEVELOPMENT BY:
R & L CAPITAL, INC.
P.O. BOX 907
TRONA, CA 93592

INYOKERN DATA CENTER CUP X, ZONE MAP 47 INYOKERN, CALIFORNIA SITE MAP OVERVIEW

DESIGNER:	JEM
CHECKED BY:	CAW
DATE:	6/1/2026
DRAFTER	WS
SCALE:	AS SHOWN
COMP. NO:11600100_SITE_PLAN	
JOB NO.:	1160-01-00
SP-1.0	SHEET 1 OF 2



