CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
COLORADO RIVER BASIN REGION

FINDINGS OF FACT AND STATEMENT OF OVERRIDING CONSIDERATIONS OBERON RENEWABLE ENERGY PROJECT, RIVERSIDE COUNTY

A. INTRODUCTION

Pursuant to the California Environmental Quality Act (CEQA), these Findings of Fact and Statement of Overriding Considerations (Findings) supporting the issuance of this Certification are based on the information contained in the Final Environmental Impact Report (FEIR) for the Oberon Renewable Energy Project (Project), the Project *Mitigation Monitoring and Reporting Plan* (MMRP) and the application to the Colorado River Basin Regional Water Quality Control board (Regional Water Board). (Cal. Code Regs., tit. 14, §§ 15091, 15093 & 15096, subd. (h).) To prepare the Findings, the Regional Water Board has used the FEIR, the MMRP, and other relevant material in the administrative record. (Cal. Code Regs., tit. 14, § 15096, subd. (f).)

Role of the Findings

These Findings relate to the approval of the Project. The Regional Water Board is the CEQA Lead Agency for the Project. The Findings state the Regional Water Board's conclusions regarding the significance of the potential environmental impacts of the Project after all feasible mitigation measures have been adopted. CEQA requires agencies to identify mitigation measures that would avoid or substantially lessen a project's significant impacts or potential significant impacts if such measures are feasible. The mitigation measures identified in the FEIR mitigate the potential significant impacts of the Project, to the extent feasible, as described in the FEIR. All mitigation measures identified in the FEIR are incorporated as conditions of approval of the Project. By adopting the feasible mitigation measures listed in the FEIR as conditions of approval where appropriate, and by establishing a Mitigation Monitoring and Reporting Program (MMRP) to ensure implementation of all mitigation measures, the Regional Water Board will ensure the corresponding significant impacts are avoided or reduced to the maximum extent feasible. The Statement of Overriding Considerations explains the Regional Water Board's reasons for approving the Project, despite the fact that the Project will have significant and unavoidable impacts on the environment.

CEQA Finding Requirement

Prior to approving or carrying out a project for which an EIR has been certified which identifies one or more significant environmental effects, all public agencies must make one or more written findings for each of those significant impacts, accompanied by a brief explanation of the rationale for each finding. (Pub. Resources Code, § 21081, subd. (a); Cal. Code Regs., tit. 14, §§ 15091, subd. (a).)

As specified in the CEQA Guidelines, the possible findings are:

(1) Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment;

(2) Those changes or alterations are within the responsibility and jurisdiction of another public agency and have been, or can and should be, adopted by that other agency; or

(3) Specific economic, legal, social, technological, or other considerations, including considerations for the provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or alternatives identified in the EIR.

The Regional Water Board is the lead agency under CEQA for purposes of approving the Certification for the Project. To that end, the Findings provide the specific reasons supporting the Regional Water Board's decisions under CEQA as they relate to the issuance of the Certification Order. The Findings are supported by substantial evidence in the Regional Water Board's administrative record. (Cal. Code Regs., tit. 14, § 15091 subd. (b).) The Regional Water Board also is a Responsible Agency under CEQA with regard to its statutory responsibilities with regard to waters of the State.

The Project is entirely on federal land administered by the U.S. Bureau of Land Management (BLM) and the Regional Water Board's authority over the Project is limited. The Regional Water Board has no authority to approve the Project, *per se*. That authority rests with the BLM. For this project, the Regional Water Board's authority extends to considering a Waste Discharge Requirements (WDR) application for the discharge of dredged or fill materials to waters of the State. Issuing a permit under the State's Dredged or Fill WDRs Program is a discretionary action that requires the Regional Water Board to comply with CEQA in accordance with CEQA Guidelines Sections 15021 and 15040.

B. INCORPORATION BY REFERENCE

All Project impacts and mitigation measures are analyzed in greater detail in the Environmental Documents, which are incorporated herein by reference. The Environmental Documents and other relevant documents are available at: http://www.aspeneg.com/oberon-renewable-energy-project/

Documents are also available for inspection at:

Colorado River Basin RWQCB
Contact: Logan Raub
73-720 Fred Waring Drive, Suite 100
Palm Desert, CA 92260

Lake Tamarisk Branch Library
43880 Tamarisk Drive
Desert Center, CA 92239

Project mitigation measures and reporting responsibilities are summarized in the MMRP, which is incorporated herein by reference and included as Attachment B to the Regional Water Board's Resolutions.

C. ENVIRONMENTAL REVIEW

On December 14, 2021, the Regional Water Board, as lead agency, certified a FEIR (State Clearinghouse (SCH) No. 2021030426) for the Project in accordance with CEQA. Based on the administrative record, the Regional Water Board finds that no subsequent EIR or supplement to the EIR is necessary per the requirements of CEQA (Cal. Code Regs., tit. 14, §§ 15162 & § 15163)

Prior to reaching a decision on the issuance of Certification for the Project, the Regional Water Board has considered the environmental effects of the Project as shown in the Environmental Documents and the administrative record. (Cal. Code Regs., tit. 14, § 15096, subd. (f).) The EIR specifies mitigation measures for identified impacts, and a MMRP is in place to document the mitigation measures and how they are to be implemented. The Findings specified below are provided for each of those significant environmental impacts of the Project identified in the EIR, including those that are no subject to the Regional Water Board's jurisdiction. Section D addresses potentially significant impacts which cannot be avoided or substantially lessened to a less-than-significant level. Section E addresses potentially significant impacts which can be avoided or lessened to a less-than-significant level. In addition to individual impacts from the Project, the Regional Water Board also considered cumulative effects, as required by CEQA.

D. FINDINGS ON SIGNIFICANT AND UNAVOIDABLE IMPACTS WHICH CANNOT BE AVOIDED OR SUBSTANTIALLY LESSENED TO A LESS-THAN-SIGNIFICANT LEVEL.

This section addresses resource topics with potentially significant impacts which cannot be avoided or substantially lessened to a less-than-significant level. All mitigation measures cited by name and title in this section are listed in Attachment B (Mitigation Monitoring and Reporting Program), where the complete text of each measure is provided.

Resources topics for which the EIR evaluates impacts that are significant but for which mitigation measures are in place to reduce impacts to a less than significant level are discussed in Section E below.

Aesthetics.

Impact AES-3. In non-urbanized areas, would the project substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage points). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?

Degradation the visual character or quality of an area results from the introduction of noticeable visual contrast, which relates to spatial characteristics, visual scale, form,

line, color, and texture. Degradation also results from the visual dominance of a project and the blockage of views to higher value landscape features.

Findings. *Less than Significant with Mitigation During Construction, Significant and Unavoidable During Operation.* Construction activities could cause short-term direct and indirect aesthetic impacts from the visible presence of equipment, materials, vehicles, and workforce at the solar facilities and along the gen-tie right-of-way; from visible contrast associated with vegetation removal; from visible fugitive dust; from construction night lighting (on an occasional basis); and from increased vehicle traffic on roadways beyond the immediate project area (indirect effect). These effects would be temporary, ceasing at the end of construction.

During operation and maintenance, in the context of the existing landscape and as seen from foreground and middleground distances, the industrial forms of the solar facilities would exhibit high visual contrast primarily arising from the horizontal geometric form, dark color, and industrial character of the solar arrays. As a result, the project would constitute a visually co-dominant feature in the landscape. The project would attract the attention of the casual observer, and view blockage of higher value landscape features (e.g., valley floor and vegetation) would be moderate to high.

Rationale: During construction, impacts would be reduced to less than significant by implementation of mitigations measure MM-BIO-5 (Vegetation Resources Management Plan), MM AQ-1 (Fugitive Dust Control Plan), and MM AES-1 (Night Lighting Management Plan).

During operation and maintenance impacts would be reduced somewhat by implementation of Mitigation Measures MM AES-1 (Night Lighting Management Plan), MM AES-2 (Surface Treatment of Project Structures and Buildings), MM AES-3 (Project Design), and MM BIO-5 (Vegetation Resources Management Plan). However, the impact would remain Significant and Unavoidable.

Cumulative Impacts – Aesthetics

The Project, in combination with multiple existing and reasonably foreseeable local energy projects, would contribute to significant cumulative visual impacts when viewed by sensitive viewing populations along I-10 and SR-177, from nearby residences, from portions of Joshua Treen National Park, and in the surrounding mountains and wilderness. The impact contribution of the Project and the cumulative projects would be from the introduction of substantial visual contrast associated with discordant geometric patterns in the landscape; the introduction of large-scale, built facilities with a prominent industrial character; the creation of unnatural lines of demarcation in the valley floor landscape and inconsistent color contrasts; and from the addition of visible night lighting within the broader Chuckwalla Valley.

Implementation of Mitigation Measures MM AES-1 (Night Lighting Management Plan), MM AES-2 (Surface Treatment of Project Structures and Buildings), MM AES-3 (Project Design), and MM BIO-5 (Vegetation Resources Management Plan) would reduce the severity of the Project's contribution to the cumulative visual effects, though not to levels that would be less than significant.

Overriding Considerations: A statement of overriding considerations regarding the Project-specific and cumulative impacts on the existing visual character or quality of public views of the site and its surroundings is presented in Part G below.

Cultural Resources and Tribal Cultural Resources.

Impact CUL-1: The project would cause a substantial adverse change in the significance of a historical resource as defined in California Code of Regulations, Section 15064.5

Twenty-two resources eligible for the California Register of Historical Resources (CRHR) are considered historical resources under CEQA and are potentially subject to direct impacts from the Project. Thirty-eight CRHR-eligible resources are potentially subject to indirect effects from the Project. These include 29 prehistoric resources and 9 historic-era resources.

Findings: *Significant and Unavoidable Impacts during Construction and Operation*. Most impacts to historical resources (including prehistoric resources) would be avoided or would be reduced to a less than significant level with the implementation of mitigation measures. However, indirect impacts to pre-historic sites eligible for inclusion in the CRHR would remain significant and unavoidable even with mitigation. This is primarily because of the alteration of the viewshed through the development of large industrial-like facilities.

*Direct Effects – Solar Facility***.** Twenty-two CRHR-eligible resources are potentially subject to direct impacts from the solar facility. These include two prehistoric rock rings/cleared circles and 20 artifact scatters, which are eligible for the CRHR and are contributors to the Prehistoric Trails Network Cultural Landscape/Historic District (PTNCL). Direct impacts to these resources would be addressed by Mitigation Measures MM CUL-10 (Flag and Avoid) which would ensure avoidance of resources, MM CUL-11 (Reburial of Artifacts), which would provide for the reburial of artifacts from resources that cannot be avoided, and MM CUL-12 (Historic District), which would establish an historic district for prehistoric-era rock rings. In addition, two of resources are eligible the CRHR in their own right and are contributors to the Desert Training Center Cultural Landscape/Historic District (DTCCL). Only small portions of these two resources extend into the Project solar field. The destruction of these small portions would not cause a substantial adverse change in the significance of these historical resources.

Twenty World War II (WWII)-era archaeological sites are potentially subject to direct impacts from the solar facility. These resources are not eligible for the CRHR in their own right; however, these resources are contributors to the DTCCL.

Direct impacts to newly identified resources will be addressed by the implementation of Mitigation Measures MM CUL-1 through MM CUL-9, which would reduce these impacts to less than significant levels. These mitigation measures are:

- MM CUL-1 (Retain a Cultural Resources Specialist)
- MM CUL-2 (Prepare and Implement a Plan for Archaeological Monitoring, Tribal Participation, Post-Review Discovery, and Unanticipated Effects)

- MM CUL-3 (Develop and Implement Cultural Resources Environmental Awareness Training)
- MM CUL-4 (Archaeological Monitoring)
- MM CUL-5 (Native American Monitoring)
- MM CUL-6 (Post-Review Discovery and Unanticipated Effects)
- MM CUL-7 (Cultural Resources Monitoring Report and Cultural Resources Report (CRR))
- MM CUL-8 (Long-Term Management Plan)
- MM CUL-9 (Inadvertent Discovery of Human Remains)

Indirect Effects – Solar Facility. Thirty-eight CRHR-eligible resources are potentially subject to indirect effects from the solar facility. These include 29 prehistoric resources and 9 historic-era resources.

Four sensitive prehistoric resources eligible for the CRHR are present in the area: the North Chuckwalla Petroglyph National Register District; the North Chuckwalla Mountains Quarry District; Coco-Maricopa Trail segments C and D; and Alligator Rock. In addition, 13 rock rings/cleared circles and 10 artifact scatters in the area would avoid direct effects but would be subject to indirect effects.

Project solar arrays would be a prominent addition to the viewshed of these resources. For these resources, setting is a significant element of resource integrity and the Project will create a significant visual intrusion. In addition, during AB 52 consultation, tribes indicated that these Tribal Cultural Resources would be subject to indirect effects from the Project. Indirect effects to these resources would be addressed to a degree by Mitigation Measure MM TCR-1 (Traditional Knowledge Workshops), which would ensure that tribal groups affiliated with the Project area have the opportunity to learn about the resources present in the vicinity.

Three historic-era resources eligible for the CRHR are present in the area: the Desert Center Café and Associated Structures and Buildings; the Ragsdale House, and the 18th Ordinance Battalion Campsite. In addition, linear resources Highway 60/70 and Rice Road/State Route 177 as well as the Desert Center Town Dump, 496th Medium Ordnance Company Camp. These resources are not within the Project boundary, and are therefore not subject to direct effects, but they would potentially be subject to indirect effects.

The solar field would introduce a dominant visual intrusion to Highway 60/70, Rice Road/ State Route 177, Desert Center Café and Associated Structures and Buildings,18th Ordinance Battalion Campsite, 496th Medium Ordnance Company Camp, the Desert Training Center (including 36 one- to two-person foxholes and 7 mechanically dug fighting positions), and three military tank maneuver areas with thousands of tracks and associated artifact scatters. However, Project components would add in-kind intrusions to an already highly developed and modified setting along the I-10 corridor that crosses the valley floor, and which is limited in scenic value. Therefore, the Project would not cause an adverse change in the significance of these resources through an indirect effect and no mitigation is necessary.

The Ragsdale House has been determined to be eligible for the CRHR due to its association with the productive life of an important historical figure and for exhibiting architectural merits. Visual integrity is not an important element for eligibility for these criteria. Therefore, the Project would not cause an adverse change in the significance of this resource. As such these resources are not subject to indirect effects from the construction of the Project, and no mitigation is necessary.

The Desert Center Town Dump has been determined eligible for the CRHR due to its information potential. Visual integrity is not an important element for eligibility for this criterion. Therefore, the Project would not cause an adverse change in the significance of this resource and no mitigation is necessary.

Direct Effects – Gen-tie Line. Eight resources eligible for the CRHR are potentially subject to direct effects from the gen-tie line. Of these no historical resources would be directly affected because the Applicant has agreed to avoid four prehistoric rock rings/cleared circles and three prehistoric artifact scatters in and adjacent to the gen-tie line right of way (ROW). In addition, the segment of Highway 60/70 would be easily spanned by lines. To ensure avoidance of prehistoric resources, potential direct impacts to the prehistoric resources would be addressed by Mitigation Measures MM CUL-10 (Flag and Avoid), MM CUL-11 (Reburial of Artifacts), and MM CUL-12 (Historic District for Prehistoric Rock Rings). Four WWII-era archaeological sites are potentially subject to direct effects from the gen-tie line. These resources are not eligible for the CRHR in their own right, so are not subject to direct impacts. However, the four WWII-era resources are contributors to the DTCCL.

Indirect Effects – Gen-tie Line. The 38 CRHR-eligible resources that are potentially subject to indirect effects from the solar facility also would be subject to indirect effects from the gen-tie line. The gen-tie line would be visible from the 27 sensitive prehistoric resources. Project components would be a prominent addition within the viewshed of the resources resulting in indirect effects from the Project. Indirect effects to these resources would be addressed by Mitigation Measure MM TCR-1 (Traditional Knowledge Workshops), which would ensure that tribal groups affiliated with the Project area have the opportunity to learn about the resources present in the vicinity. However, the impact would remain significant and unavoidable.

As discussed previously, for the nine historic-era resources the gen-tie line components would add in-kind intrusions to an already highly developed and modified setting along the I-10 corridor. As such, these resources are not subject to indirect effects from the construction of the Project and no mitigation is necessary.

Rationale: Impacts to historic-era resources eligible for the CRHR would be less than significant with implementation of Mitigation Measures MM CUL 1 through MM CUL 13. Implementation of Mitigation Measures MM CUL-10, MM CUL-11, MM CUL-12, and MM TCR-1 would reduce the impact of the Project on prehistoric resources; however, the direct, indirect, and cumulative impacts to prehistoric-era CRHR-eligible resources would remain significant. Therefore, overriding considerations would need to be identified.

Impact TCR-1. The project would cause adverse change in the significance of a Tribal Cultural Resource determined by the Lead Agency.

Tribal cultural resources are considered under both Cultural Resources and under Tribal Cultural Resources. Tribal members are considered to be knowledgeable about these resources and are consulted regarding them and impacts to them.

Findings: *Significant and Unavoidable Impacts during Construction and Operation.* As explained for Impact CUL-1 above, the direct and indirect impacts of solar facility and gen-tie construction, operation, and decommissioning would cause adverse change to tribal cultural resources, resulting in significant and unavoidable impacts.

Rationale: Implementation of Mitigation Measures MM CUL-1 through MM CUL-13 generally, and specifically Mitigation Measures MM CUL-10, MM CUL-11, MM CUL-12 and MM TCR-1, would reduce the impact of the Project on Tribal Cultural Resources. However, the direct, indirect and cumulative impacts to these resources would remain significant. Therefore, overriding considerations would need to be identified.

Impact TCR-2. The project would cause adverse change in the significance of a Tribal Cultural Resource eligible for or listed on the CRHR or in a local register of historical resources as defined in Public Resources Code section 5020.1(k).

As discussed under Impact CUL-1, impacts would occur to Tribal Cultural Resources from development and operation of the Project, particularly with regard to the viewshed of the affected resources.

Findings: *Significant and Unavoidable Impacts during Construction and Operation.* As explained under Impact CUL-1 above, solar facility and gen-tie construction, operation, and decommissioning could create significant unavoidable direct and indirect impacts to Tribal Cultural Resources listed or eligible for listing on the CRHR.

Rationale: Implementation of Mitigation Measures MM CUL-1 through MM CUL-13, and specifically MM CUL-10, MM CUL-11, MM CUL-12 and MM TCR-1 would reduce the impact of the project on Tribal Cultural Resources; however, the direct, indirect and cumulative impacts to these resources would remain significant.

Cumulative Impacts – Cultural Resources and Tribal Cultural Resources.

The effects of the Project, when combined with impacts from past, present, and reasonably foreseeable projects, contribute to the cumulatively considerable adverse impacts to two cultural landscapes/historic districts.

A total of 24 CRHR-eligible resources are potentially subject to direct effects from the Project. In addition, 24 WWII-era archaeological sites are potentially subject to direct effects. These resources are not eligible for the CRHR; however, they are contributors to the DTCCL. The destruction of ineligible contributors as a result of the project contributes in a small but measurable way to the destruction of the DTCCL as a whole. Cumulative impacts to the DTCCL would be addressed through Mitigation Measure MM CUL-13 (DTC/C-AMA Supplemental Resource Documentation). With implementation of MM CUL-13, the Project would not result in a considerable contribution to cumulative effects on these WWII-era resources.

All of the prehistoric resources are eligible in their own right for the CRHR and are contributors to the PTNCL. The destruction of these resources as a result of the Project

would contribute in a small but measurable way to the destruction of the PTNCL as a whole. Cumulative impacts to the PTNCL are addressed through Mitigation Measures MM CUL-11 (Reburial of Artifacts), MM CUL-12 (Historic District for Prehistoric Rock Rings,) and MM TCR-1 (Traditional Knowledge Workshops). Implementation of MM CUL-11, MM CUL-12 and MM TCR-1 would reduce the contribution of the project, but the cumulative impact would remain significant and unavoidable.

Four sensitive prehistoric resources eligible for the CRHR could be indirectly affected. These include North Chuckwalla Petroglyph National Register District, the North Chuckwalla Mountains Quarry District, Coco-Maricopa Trail segments C and D, and Alligator Rock. In addition, 29 prehistoric resources will be subject to indirect effects. All of these resources are contributors to the PTNCL. The addition of more industrial components to the Chuckwalla Valley contributes in a small but measurable way to a visual intrusion upon the setting of the PTNCL, a defining characteristic of the resource. This visual intrusion compromises the integrity of the resource. Cumulative impacts to the PTNCL as a result of visual intrusion would be addressed with implementation of Mitigation Measures MM CUL-11 (Reburial of Artifacts), MM CUL-12 (Historic District for Prehistoric Rock Rings), and MM TCR-1 (Traditional Knowledge Workshops). Implementation of these measures would reduce the contribution of the Project but the cumulative impact would remain significant and unavoidable.

Other past, present, and future projects would contribute similar effects. The Project would result in a cumulatively considerable contribution to a significant cumulative impact to the PTNCL as a result of visual intrusion.

Overriding Considerations: A statement of overriding considerations regarding the Project-specific and cumulative impacts on historic and prehistoric cultural and tribal cultural resources is presented in Part G below.

E. SIGNIFICANT IMPACTS THAT ARE AVOIDED OR THAT ARE REDUCED TO A LESS-THAN-SIGNIFICANT LEVEL BY MITIGATION MEASURES INCORPORATED INTO, OR REQUIRED AS A CONDITION OF APPROVAL OF, THE PROJECT

This section addresses potentially significant impacts which can be avoided or that can be reduced to a less-than-significant level through means identified in the EIR and MMRP, including Mitigation Measures (MMs), Applicant Proposed Measures (APMs), and Conservation and Management Actions (CMAs) from the BLM's Desert Renewable Energy and Conservation Plan (DRECP) and Land Use Amendment (LUPA). Individual Project impacts and cumulative impacts are both addressed. All mitigation measures cited by name and title in this section are listed in Attachment B (Mitigation Monitoring and Reporting Program), where the complete text of each measure is provided.

The Regional Water Board reviewed and evaluated the significant and potentially significant individual and cumulative Project impacts. The MMs, APMs, and CMAs discussed in the FEIR were adopted to reduce and minimize Project impacts. The Regional Water Board finds that these measures for to address significant and potentially significant individual Project impacts as identified in the FEIR, including the measures proposed by the Applicant and set forth in the MMRP, and the conditions in the Certification to be adequate to reduce individual and cumulative impacts to less-

than-significant levels in most instances. Where impacts are significant and unavoidable, a Statement of Overriding Considerations is provided in Section G.

Aesthetics.

Impact AES-1. Would the project have a substantial adverse effect on a scenic vista?

A scenic vista is generally considered to be what is seen from a specific viewpoint or viewing location (often an elevated overlook) that provides expansive views of a highly valued landscape. Scenic vistas are frequently officially designated by public agencies and are often signed and accessible.

Findings: *No Impact*. Although there are expansive views of the Project area and surrounding landscape from the I-10 and SR-177 travel corridors and other local roads, nearby residences, and other recreational destinations (e.g., Desert Lily Sanctuary and Alligator Rock ACECs), there are no Riverside County designated or community recognized scenic vistas in the Project area. Therefore, the project would not result in an aesthetic impact under this criterion

Rationale: There are no designated scenic overlooks in the Project vicinity. The Project is adjacent to an existing interstate highway and in the vicinity of other existing solar projects.

Impact AES-2. Would the project substantially damage scenic resources including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?

There are no State Designated Scenic Highways in the project area; therefore, the Project is not within a state scenic highway.

Findings: *No Impact*. The Project would not result in an aesthetic impact under this criterion

Rationale: In the absence of a state scenic highway there is not impact under this criterion.

Impact AES-3. In non-urbanized areas, would the project substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage points). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?

See Section D above.

Impact AES-4. Would the project create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area?

The Project site is in an area noted for its nighttime sky viewing. Night lighting has the potential to diminish that experience. Daytime glare from solar panels and other reflective surfaces can be a visual nuisance.

Findings: *Less than Significant with Mitigation – Night Lighting*. Any construction that might occur at night and require temporary lighting would be limited and short term. Project operation would require nighttime lighting for safety and security. Mitigation measure MM AES-1 (Night Lighting Management) would reduce off-site lighting impacts by restricting lighting to areas required for safety, security, and operation. Security lights would be motion sensitive, and all lighting would be shielded and directed downward to minimize the potential for glare or spillover onto adjacent properties. These measures would minimize the amount of lighting potentially visible to viewers of the site at night.

The Project area is highly valued in terms of the quality of its nighttime skies. This is attributable to the scarce and scattered nature of existing light sources in the surrounding area and the prevalence of federally administered land, including Joshua Tree National Park (JTNP), which limits opportunities for development. JTNP, which is approximately 4.5 miles to the west and 6.5 miles to the north of the project, is known for its significant Dark Sky resource. It is estimated that the contribution of the Project's lighting to sky glow would be minor. Permanent lighting would not be required for the PV panel arrays, operational lighting would be confined to a small portion of the Project site that contains O&M facilities and the switchyard and is unlikely to be out of character with other existing lighting sources found scattered throughout the Chuckwalla Valley. Mitigation measure MM AES-1 (Night Lighting Management Plan) includes standards that light intensity must be the minimum necessary to ensure worker safety and facility security, that direct lighting not illuminate the nighttime sky, and that Project night lighting does not adversely affect the dark sky viewing program at JTNP. MM AES-1 requires Plan review and approval by the National Park Service (NPS) Night Sky Program Manager. This review would ensure that the Project meets the stricter night lighting specifications of the NPS Night Sky Viewing Program. Because the impacts associated with nighttime lighting would be limited in nature and reduced by Mitigation Measure MM AES-1, the night lighting impact is considered significant but mitigable.

Less than Significant with Mitigation – Daytime Glare. Glare impacts from project solar panels would be substantially less than that associated with alternative solar technologies using focused or reflected sunlight because PV panels are less reflective. Any glare that results from Project facilities (other than the solar panels) and the high-voltage gen-tie line would be reduced by applying Mitigation Measure MM AES-2 (Surface Treatment of Project Structures and Buildings), which requires that the gen-tie facilities be finished with non-specular and non-reflective material and that the insulators to be non-reflective and non-refractive. Building and structure paints and finishes would be selected to blend with the landscape. These measures would prevent glare or reduce glare from structural surfaces to minimal levels that would not be noticeable or distracting to potential viewers.

Rationale: Mitigation measures applicable to the Project require management of lighting and treatment of surfaces to minimize adverse effects of light and glare from lighting and Project surfaces.

Impact AES-5. Would project construction or the presence of project components result in an inconsistency with local regulations, plans, and standards applicable to the protection of visual resources?

The Project is on BLM land and is not subject to local regulations, plans, and standards with regard to visual resources. However, local requirements were reviewed.

Findings: *Consistent with a Minor Exceptions*. The Project would be subject to federal regulatory plans, policies, and standards applicable to the protection of aesthetics. Local regulatory plans, policies, and standards were reviewed for informational purposes. As identified in the FEIR, the Project would be consistent with local requirements with some exceptions.

Rationale:

The Project's inconsistences with the specified Riverside County General Plan Land Use Element Policies are not considered significant given the absence of scenic resources on the project site, the project's consistency with the applicable BLM Visual Resource Management objective, the renewable energy development and energy infrastructure trends already established in the Chuckwalla Valley, and the visual consistency of the project features with other solar generation and electric transmission facilities in the immediate project area. Effective implementation of mitigation measures would mitigate the project's visible contrast associated with night lighting and glare during construction and operation and would help to ensure the Oberon Project's consistency with Riverside County General.

Cumulative Impacts – Aesthetics

See Section D above.

Air Quality.

Impact AQ-1: Would the project conflict with or obstruct implementation of the applicable air quality plan?

The Project would have a significant impact if it conflicted with or obstructed implementation of the applicable air quality plan for the region.

Findings: *Less than Significant*. All construction and operational activities would comply with South Coast Air Quality Management District's (SCAQMD's) Rule 402 and 403, which prevent nuisance and regulate fugitive dust emissions. The Project would also conform to the federal and state Clean Air Act requirements by complying with the rules and regulations that are contained in the air quality plan. During operations, up to 10 full-time employees might be at the site during periods of site maintenance. Neither construction nor operational activities would conflict with the applicable air quality plan.

Rationale: By complying with SCQQMD's Rule 402 and 403 the Project would create less than significant impacts.

Impact AQ-2: Would the project result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?

The Project site is in an area designated as non-attainment for state-level ozone and PM10 standards. Emissions during the construction phase would include criteria air

pollutants that could exceed quantitative thresholds for ozone precursors or PM10 would represent a cumulatively considerable net increase of nonattainment pollutants. Emissions exceeding the quantitative thresholds could contribute to existing or projected violations of the ambient air quality standards.

Findings: *Less than Significant with Mitigation During Construction*. Construction would generate emissions at the Project site and off-site along roadways. Construction emissions would be caused by exhaust from vehicles and equipment and fugitive dust/particulate matter from ground-disturbing activities and travel on unpaved surfaces and on paved roads. To minimize the amount of fugitive dust from unpaved surfaces and emissions from other ground-disturbing activities during the site preparation period, all construction activity would be required to comply with local air district rules regarding dust control (including SCAQMD Rule 403). Diesel and gasoline-powered construction equipment would be classified as portable or as mobile sources (off-road equipment), and these sources are subject to statewide registration and fleet requirements. During construction, implementation of Mitigation Measures MM AQ-1 (Fugitive Dust Control Plan) and MM AQ-2 (Control On-Site Off-Road Equipment Emissions) would reduce impacts to a less than significant level.

Less than Significant During Operations. Operations would require periodic visits to the Project site by a limited number of workers. Emissions during O&M would be minor due to the limited number of workers, and O&M emissions would not exceed the SCAQMD thresholds.

Rationale: The Project would be required to comply with SCAQMD Rules and with project-specific mitigation measures. This would ensure that impacts are less than significant.

Impact AQ-3: Would the project expose sensitive receptors to substantial pollutant concentrations?

Construction activities would result in locally increased concentrations of construction-related emissions, including criteria air pollutants, diesel particulate matter, and other toxic air contaminants, which could cause increased health risk and hazards near the site.

Findings: *Less than Significant with Mitigation*. Construction-related emissions sources would be spread across the work areas within the site and off site, and construction-phase emissions would cease after an approximately 15- to 20-month duration of work. The SCAQMD recommends using Localized Significance Thresholds (LTS) for determining near-field impacts as a result of criteria air pollutant emissions from a small development site (up to 5 acres). LSTs were used as a proxy for the Project, which would occupy approximately 2,700 acres within an overall 5,000-acre site. Implementation of Mitigation Measures MM AQ-1 (Fugitive Dust Control Plan) and MM AQ-2 (Control On-Site Off-Road Equipment Emissions) would reduce impacts to a less than significant level. Maximum daily construction emissions with mitigation would not exceed the recommended LSTs for NOx, CO, or PM2.5 for receptors located 100 meters or more from the site boundaries. Because the controls in the mitigation focus on the types of sources that occur on site, the portion of mitigated PM10 emissions attributable to on-

site sources would not exceed the LST for PM10 for receptors located 100 meters from the site. Because on-site construction emissions of criteria air pollutants would be below the LSTs, project construction would not be likely to locally exceed the ambient air quality standards.

The nearest sensitive receptors would be more than 330 feet (100 meters) away from project construction activities, and the Lake Tamarisk community would be more than 2,000 feet (610 meters) from project construction activities. With mitigation to reduce construction dust (MM AQ-1) and reduce engine exhaust emissions (MM AQ-2), construction emissions would not expose sensitive receptors to substantial pollutant concentrations of criteria air pollutants, and the incremental health effects of criteria pollutants would be less than significant.

With regard to toxic air contaminants such as diesel particulate matter (DPM), construction emissions would occur at variable rates during the short-term construction period across an area of approximately 2,700 acres, rather than as a steady rate of emissions from a single location. Concentrations of mobile source DPM emissions are greatly reduced by distance, such that a separation of 1,000 feet normally allows sensitive land uses to avoid high levels of DPM concentrations. The nearest construction sources of DPM would be approximately 500 feet away from occupied residences, and most construction emissions would occur more than 1,000 feet away from all sensitive receptors. Therefore, there would be little potential to expose sensitive receptors to substantial pollutant concentrations of carcinogenic DPM. The impact of localized ground level concentrations and incremental health effects of toxic air contaminants would not be significant with mitigation to reduce construction dust (MM AQ-1) and reduce engine exhaust emissions (MM AQ-2).

An additional consideration is the effect of the Project on a Class I area under the federal Clean Air Act. The Joshua Tree National Park (JTNP) Class I area is 5 miles northeast of the nearest Project parcel. Ambient air quality impacts of the Project, including increased concentrations of airborne dust, including PM10 and PM2.5, and NOx emissions, could impact visibility. However, the sources of emissions during construction would occur near the ground level, where dust would have a limited ability to notably affect distant vistas, and emissions would be widely dispersed across the Project site. The near-ground release and intermittent nature of construction sources ensures that the concentration near the JTNP would be much lower than near the Project site. Additionally, all cumulative projects are anticipated to avoid visible plumes and control dust as required by SCAQMD Rule 401 and Rule 403. Projects subject to the CEQA process would also implement additional mitigation measures where needed to control dust. Controlling construction emissions as required by local rules and regulations and through mitigation measures identified above ensures that users of the JTNP would not experience substantial concentrations of pollutants, and the impact to visibility would be less than significant.

There would be limited on-site activity during operations and maintenance that could create emissions that would exceed SCAQMD standards or expose sensitive receptor to substantial pollutant concentrations.

Rationale: Compliance with SCAQMD Rules and implementation of the required mitigation measures would ensure that air quality impacts are less than significant. The period of highest potential impact would be during construction, which would be disbursed over 2,700 acres with a 5,000-acre site and would cease at the end of the construction period. Potential receptors are sufficiently distant from the project to not be significantly affected.

Impact AQ-4: Would the project result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?

Odors and other emission emanating from or resulting from a project can adversely affect nearby populations.

Findings: *No Impact*. There is not a substantial number of people near the site or in the vicinity. Emissions would be controlled during construction by the implementation of applicable SCAQMD Rules and the Project required mitigation measures.

Rationale: Emissions would be controlled by implementation of the SCAQMD Rules and project mitigation measures. The closest residence or inhabitable dwelling would be approximately 500 feet from on-site activities. This would result in no impact to a substantial number of people.

Cumulative Impacts – Air Quality

Less than Significant with Mitigation. Construction-phase emissions related to the Project may occur concurrently with other cumulative projects in the larger Mojave Desert Air Basin and could contribute to the adverse effects of other cumulative projects to result in a cumulative significant impact to air quality. The incremental contribution of the Project to the cumulative impact would be reduced by implementing MM AQ-1 (Fugitive Dust Control Plan) and MM AQ-2 (Control On-Site Off-Road Equipment Emissions). Because construction-related criteria air pollutant emissions would be mitigated and would cease after construction, within an approximately 15- to 20-month duration of work, the construction emissions would not cause substantial long-term cumulative impacts. The incremental contribution of the proposed project to the cumulative air quality impact would be reduced to the extent feasible during construction and would not be cumulatively considerable.

Biological Resources.

Impact BIO-1: Would the project have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?

Construction and operation of the Project could adversely affect special status plant and/or animal species directly or by modifying their habitat. Adverse effects could result from such activities as mowing, grubbing, trimming, grading, and compaction. Altered hydrology could affect habitats. Dust accumulation could affect special-status plants. Equipment could crush animals and burrows.

Findings: *Less than Significant with Mitigation*.

Vegetation and habitat. The Project would permanently impact native habitats by removing or substantially altering the soils and vegetation on approximately 2,760 acres. Permanent impacts to natural habitats would include vegetation removal and soil disturbance in creosote bush scrub, desert dry wash woodland, and desert pavement. All affected habitats may support certain special-status plants or animals. The principal indirect impact to native habitat is the potential introduction of invasive weeds which could degrade plant and wildlife habitat on the site and beyond the site boundaries if the weeds spread. Without mitigation, the loss of natural habitat on the Project site would significantly affect special-status wildlife on the site or vicinity. Impacts would be minimized by implementing mitigation measures (MMs), listed below with the full text provided in Attachment B, MMRP.

MM BIO-1 (Biological Monitoring) would require monitoring and reporting to ensure compliance with all biological resource measures, including avoidance and minimization of habitat impacts. MM BIO-2 (Worker Environmental Awareness Training) would require training of on-site workers to require avoidance and minimization of impacts to special-status species and their habitat. MM BIO-3 (Minimization of Vegetation and Habitat Impacts) would require clear demarcation of work areas and limitation of activities within those areas, to minimize adverse effects to habitat. MM BIO-4 (Integrated Weed Management Plan) would require an IWMP to prevent introductions or infestations of invasive weeds, and control or eradicate any infestations that may occur. MM BIO-5 (Vegetation Resources Management Plan) would require revegetation of temporarily disturbed areas to minimize dust and erosion, to minimize their effects to habitat. MM BIO-6a (Compensation for Natural Habitat Impacts) and CMA LUPA-BIO-COMP-1 require permanent protection of comparable off-site habitat to offset the project's impacts to native habitat and designated critical habitat. The compensation lands identified are much higher quality habitat than the designated critical habitat on the Project site. The mitigation package would compensate at a ratio of 5:1, which would result in a large amount of this higher quality habitat being preserved off site.

Special-status plants. The project would not affect state or federally listed threatened or endangered plants; however, four special-status plants were observed on the Project site: creosote bush rings; Emory's crucifixion thorn; desert unicorn-plant; and spiny abrojo. The creosote bush rings are less than 5 meters in diameter and, per DRECP CMA LUPA-BIO-SVF-3, rings larger than 5 meters are to be avoided. Desert unicorn-plant and spiny abrojo are watch list species without additional reasons for conservation concern. Emory's crucifixion thorn is primarily in the western portion of the project areas with some occurrences avoided because of the avoidance of desert dry wash woodland in the project footprint. Impacts to Emory's crucifixion thorn could be locally significant. MM BIO-7 (Emory's Crucifixion Thorn Mitigation) would mitigate this potential impact by horticultural propagation and off-site introduction.

Special-status wildlife. Impacts to special-status wildlife are discussed below and are minimized and avoided by implementation of MM BIO-8 (Wildlife Protection), which identifies numerous requirements to minimize or avoid wildlife injury such as site inspec-

tions, ramps to ensure escape from excavations, prevention of attractants such as trash or water, hazardous material avoidance, and vehicle speed limits.

- *Couch's spadefoot toad*. Couch's spadefoot toad was not observed during surveys, but eight areas were identified as potential breeding habitat where water may accumulate after rainfall. While suitable breeding habitat has not yet been detected at the Project site, impacts to Couch's spadefoot toad, if present, may include direct loss of habitat, mortality from crushing or vehicle collision, or increased predation by opportunistic predators. MMs would minimize adverse impacts to native vegetation and habitat and offset the permanent habitat loss through off-site habitat compensation. MM BIO-8 (Wildlife Protection) would minimize mortality and injury with implementation of pre-construction surveys, vehicle speed limits, and measures to prevent entrapment and release entrapped wildlife.
- *Mojave fringe-toed lizard*. The project would not cause substantial loss of dune, sandfield, sandy desert wash, or sand transport corridors; impacts to Mojave fringe-toed lizard, if any, would be loss of a few isolated individuals.
- *Desert tortoise*. As a state and federally listed threatened species, take (such as injury or mortality, as well as handling of a desert tortoise) may only be authorized through consultation with the USFWS and CDFW. A desert tortoise on the Project site during construction or O&M would be vulnerable to impacts such as mortality or injury due to vehicle collision, crushing by site preparation equipment, or increased predation by opportunistic predators such as common ravens that may be attracted to the Project site. If project activities cause injury or mortality to a desert tortoise, this would be a significant adverse impact. If the site is a part of a desert tortoise's home range, land use conversion could reduce local habitat availability. MMs previously discussed would minimize adverse impacts to native vegetation and desert tortoise habitat and offset the permanent habitat loss through off-site habitat compensation. MM BIO-8 (Wildlife Protection) would minimize mortality and injury to desert tortoise. MM BIO-9 (Desert Tortoise Protection) would minimize impacts to and avoid lethal take of desert tortoise during construction and O&M. MM BIO-9 requires pre-construction clearance surveys and monitoring, exclusion, or translocation of desert tortoises from active work areas, vehicle inspections to prevent any potential fatality or injury of desert tortoise, and implementation of a Raven Management Plan.
- *Desert tortoise critical habitat.* The southern portion of the Project site partially overlaps the Chuckwalla Desert Tortoise Critical Habitat Unit (CHU). Approximately 589 acres of critical habitat would be affected. The critical habitat boundaries within the Project site follow section lines rather than natural habitat features or dispersal barriers (e.g., the I-10 freeway). Due to its location north of the freeway, this critical habitat land is partially isolated from the remainder of the CHU by the I-10 freeway. Its long-term function as critical habitat is compromised by its proximity to existing development. And its location within a DRECP designated Development Focus Area further compromises its future habitat value. MM BIO-6a (Compensation for Desert Dry Wash Woodland and Desert

Pavement Impacts), MM BIO-6b (Compensation for Desert Tortoise Habitat Impacts), and CMA LUPA-BIO-COMP-1 require offset of project impacts to vegetation with permanent protection of comparable off-site habitat. The compensation lands within mitigation package are much higher quality habitat than the designated critical habitat on the Project site.

- *Native and special-status birds.* Native birds are protected under the California Fish and Game Code and federal Migratory Bird Treaty Act (MBTA). Bird nests including eggs and nestlings are vulnerable to construction activities that may disrupt nesting behavior or damage nests, birds, or eggs. Mitigation measures MM BIO-1 through BIO-6b, previously described, would minimize adverse impacts to native vegetation and offset the permanent habitat loss through off-site habitat compensation.MM BIO-8 (Wildlife Protection) would minimize impacts to nesting birds through requirements to minimize or avoid wildlife injury, such as site inspections, prevention of attractants such as trash or water, hazardous material avoidance, and vehicle speed limits. MM BIO-10 requires a Bird and Bat Conservation Strategy (BBCS) that will identify potential hazards to birds and bats during construction and O&M, and specify measures to recognize, minimize, and avoid these hazards. The Project would also comply with CMA LUPA-BIO-17 which requires a BBCS. Together these measures would effectively minimize adverse impacts to native birds.

  Structures that have been empirically demonstrated to result in elevated collision risk at various types of facilities (e.g., tall buildings, communication towers, wind turbines, or concentrating solar thermal towers) would not be required for the Project, which consists of low height PV arrays. For taller structures, such as the shared gen-tie, the Project will be designed to be raptor-safe in accordance with Avian Power Line Interaction Committee (APLIC) guidelines and best management practices. MM BIO-11 (Gen-tie Lines) requires mechanisms to visually warn birds be placed on gen-tie lines at regular intervals to prevent birds from colliding with the lines. Gen-tie lines will maintain sufficient distance between all conductors and grounded components to prevent potential for electrocution of the largest birds. While bird fatalities may be expected to occur due to collisions with project facilities and equipment, the risk of significant impact to avian populations is minimal. Birds and bats may collide with the overhead lines, including the gen-tie transmission line. The predicted mortality value for the gen-tie line is 300 bird fatalities per year. Impacts would be minimized or offset by MM BIO-1 through BIO-12, previously described.

  There is no suitable nesting habitat on or near the Project site for the four federally listed riparian bird species known from the vicinity (western yellow-billed cuckoo, southwestern willow flycatcher, least Bell's vireo, and Ridgway's rail); therefore, there would be no direct or indirect effects to nests, nest success, or nesting habitat. No Gila woodpecker observations were made during surveys, and there is a low probability that they may nest in desert wash woodland habitat on or near the project site. The Project site provides potential migration season foraging habitat for Swainson's hawk and one was incidentally observed during surveys. The site is outside the nesting range. Loss of foraging habitat would be

mitigated and offset through MM BIO-6a (Compensation for Desert Dry Wash Woodland and Desert Pavement Impacts) and MM BIO-6b (Compensation for Desert Tortoise Habitat Impacts), which require compensation for permanent impacts to native vegetation and habitat. Impacts due to potential collision and electrocution are discussed below under Protected Birds and Bats, and would be minimized with implementation of MM BIO-10 and MM BIO-11 (Gen-tie Lines).

- *Burrowing owl.* Burrowing owls, burrows, and sign have been observed at the Project site and suitable habitat is present. Potential direct project impacts to burrowing owls include mechanical crushing of individuals or burrows by vehicles and construction equipment, habitat loss, and noise and disturbance to surrounding habitat. MMs BIO-1 through BIO-6, listed above, would minimize adverse impacts to native vegetation and offset the permanent habitat loss through off-site habitat compensation. MMs BIO-8 (Wildlife Protection), BIO-10 (Bird and Bat Conservation Strategy), and BIO-12 (Burrowing Owl Avoidance and Relocation) would prevent or minimize potential injury to burrowing owl by identifying occupied burrows and safely excluding the owls through passive relocation. These measures are expected to effectively avoid lethal take of burrowing owls by excluding them from the project area or if active nests are present, by avoiding disturbance in surrounding buffer areas.

- *Golden eagle.* Golden eagles are protected under federal law as well as the MBTA and California Fish and Game Code. The Project site does not provide suitable golden eagle nesting habitat. However, the site provides suitable foraging habitat, and is within potential foraging distance of known golden eagle nesting territories. Golden eagles may be at risk of collision with gen-tie lines due to their large size. Foraging habitat loss may affect golden eagles during nesting, winter, or migratory seasons. Impacts to golden eagle foraging habitat would be offset through MM BIO-6a (Compensation for Desert Dry Wash Woodland and Desert Pavement Impacts) and MM BIO-6b (Compensation for Desert Tortoise Habitat Impacts), which would require protection of off-site compensation lands to mitigate impacts to vegetation and habitat, including golden eagle foraging habitat. Additionally, MM BIO-10 (Bird and Bat Conservation Strategy) would require preparation and implementation of an overall strategy to avoid, minimize, or mitigate the Project's impacts to birds and bats, including golden eagles through gen-tie design, operations monitoring and, if necessary, implementation of adaptive measures to further reduce effects.

- *Other Special-Status Raptors***.** Several other special-status raptors have been reported on or near the Project site or are likely to occur in the area seasonally. Impacts to raptor foraging habitat would be offset through MM BIO-6a (Compensation for Desert Dry Wash Woodland and Desert Pavement Impacts) and MM BIO-6b (Compensation for Desert Tortoise Habitat Impacts), which require compensation for permanent impacts to native vegetation and habitat.

- *Special-Status Passerine Birds.* The desert vegetation and adjacent mountains provide foraging, cover, or breeding habitat for resident and migratory special-status birds. Potential impacts to these species would be the same as those

described for other nesting or migratory birds. These impacts can be mitigated through MM BIO-6a (Compensation for Desert Dry Wash Woodland and Desert Pavement Impacts) and MM BIO-6b (Compensation for Desert Tortoise Habitat Impacts), which require compensation for impacts to native habitats, and MM BIO-10 (Bird and Bat Conservation Strategy), which would require pre-construction nest surveys, and protection of active nests throughout the nesting season.

Desert kit fox and American badger. Active and inactive desert kit fox burrows have been observed on the Project site. Suitable habitat for American badgers is located throughout the Project site and burrows that could be used by them are present; however, no badgers or definitive sign were observed. Potential direct impacts to American badger and desert kit fox include mechanical crushing of individuals or burrows by vehicles and construction equipment, habitat loss, and noise and disturbance to surrounding habitat. Exclusion or security fencing could entrap desert kit foxes or badgers in the construction area. MM BIO-1 through MM BIO-6, noted above, would minimize adverse impacts to native vegetation and offset the permanent habitat loss through off-site habitat compensation. MM BIO-8 (Wildlife Protection) and MM BIO-13 (Desert Kit Fox and American Badger Relocation) would prevent or minimize potential injury to desert kit fox and American badger. MM BIO-8 identifies practices and requirements to prevent or minimize wildlife injury and mortality, and MM BIO-12 specifies details for pre-construction surveys, exclusion of animals from dens, passive relocation from the site, and avoidance of natal dens.

Burro deer. Nearby active agricultural areas provide a water source for burro deer. Additionally, desert dry wash woodland habitat may provide seasonal foraging or cover habitat for burro deer. Potential impacts of the Project could include loss of habitat and restriction of movement to water sources. Burro deer are expected to avoid project-related disturbance during construction and O&M, and no special measures are necessary to exclude them from work areas. MMs BIO-1 through BIO-6, listed above, would minimize adverse impacts to native vegetation, including burro deer habitat, and offset the permanent habitat loss through off-site habitat compensation. Potential impacts to burro deer movement are addressed under Impact BIO-4, below.

Special-status bats. Several special-status bats could use the Project site for foraging, but only minimal suitable roosting habitat is available. Project construction could adversely impact special-status bats through the elimination of desert shrubland foraging habitat. Common bats and special-status bats may roost in desert dry wash woodland habitat on the site, which would be mostly avoided. Ongoing studies have shown that bats are susceptible to collisions with moving structures such as wind turbines, but infrequently collide with stationary structures. Bat carcasses were rarely detected at utility-scale PV solar energy facilities that have been monitored. It is anticipated very few bat fatalities will occur during the life of the project based on the absent to very low bat fatalities discovered at regional projects. MM BIO-1 through MM BIO-6 would minimize adverse impacts to native vegetation and habitat and offset the permanent habitat loss through off-site habitat compensation. MM BIO-8 (Wildlife Protection) includes a condition to inspect structures prior to demolition and remove wildlife or allow wildlife to escape. MM BIO-10 (Bird and Bat Conservation Strategy) would require

additional pre-construction surveys and wildlife exclusion or scheduling of tree removal outside the bat maternal roosting season.

Rationale: Mitigation measures MM BIO-1 through MM BIO-13, noted above and detailed in Attachment B, would be implemented during construction and operations, as appropriate. These measures include: monitoring, worker training, design, and seasonal restriction requirements, pre-construction surveys; acquisition of compensation lands; implementation of weed and vegetation management plans; installation of exclusion fencing; selective relocations; and similar specific measures to avoid or reduce impacts to habitat, plants, and wildlife. Collectively, these measures ensure that impacts to biological resources would be less than significant with mitigation.

Impact BIO-2: Would the project have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?

Desert dry wash woodland is a sensitive habitat type as identified in the Northern and Easter Colorado Desert Coordinated Management Plan (NECO Plan) and DRECP and has a State rarity rank of S4. It is a riparian community characteristic of regional episodic hydrologic systems of the regional desert. Desert pavement, a unique habitat type with a State rarity rank of S4, was identified on the Project site; however, it is not considered sensitive. No other sensitive natural communities are found on the Project site.

Findings: *Less than Significant with Mitigation*. Construction of the Project would mostly avoid desert dry wash woodland in accordance with CMA LUPA-BIO-RIPWET-1 which requires avoidance of desert dry wash woodland with a 200-foot setback except for minor incursions. The project would impact approximately 81.2 acres of desert dry wash woodland habitat. Impacts to desert dry wash woodland would be minimized by MM BIO-1 through MM BIO-6, described under Impact BIO-1 above. Notably, MM BIO-6a (Compensation for Desert Dry Wash Woodland and Desert Pavement Impacts) and MM BIO-6b (Compensation for Desert Tortoise Habitat Impacts) identify the compensation ratio for desert dry wash woodland habitat is 5:1, due to its regional significance, productivity, and importance to wildlife. This is consistent with CMA LUPA-BIO-COMP-1. Together, this series of mitigation measures would minimize adverse impacts to desert dry wash woodland and offset the permanent loss through off-site habitat compensation.

Rationale: Mitigation measures MM BIO-1 through MM BIO-6 require: biological monitoring; worker environmental training; minimization for vegetation and habitat impacts; weed management; vegetation management; restoration of temporarily disturbed areas; and compensation for natural habitat impacts. Collectively, these measures would reduce impacts to riparian habitat or other sensitive natural communities to a less than significant level with mitigation. Together, this series of mitigation measures would minimize adverse impacts to desert dry wash woodland and offset the permanent loss through off-site habitat compensation.

Impact BIO-3: Would the project have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool,

coastal, etc.) through direct removal, filling, hydrological interruption, or other means?

No wetlands would be affected by the Project, and the Project site is not subject to federal regulation due to its location within the Ford Dry Lake watershed, which is an intrastate basin not identified as jurisdictional waters of the U.S.

Findings: *Less than Significant with Mitigation*. Except for minor incursions, construction of the Project would avoid much of the desert dry wash woodland on the Project site. However, state-regulated jurisdictional waters found along the ephemeral washes would be affected. Impacts to State jurisdictional streambeds would require the Applicant to obtain a Lake and Streambed Alteration Agreement (LSAA) from the CDFW. For the Project, Regional Water Board jurisdiction includes approximately 54.6 acres of unvegetated ephemeral dry wash measured to the ordinary highwater mark; CDFE jurisdictional waters include 64.9 acres of unvegetated ephemeral dry wash measured bank-to-bank and 71.5 acres of desert dry wash woodland.

State jurisdictional waters on the site include native desert dry wash woodland habitat, addressed in detail under Impact BIO-2, and unvegetated ephemeral washes crossing creosote bush scrub. Active channels where the project is situated show sign of frequent avulsion (changes in flow direction following surface water flow events) due to patterns of brief, intense surface water flow, resulting in a network of active and inactive (abandoned) channels. Two wetland areas were identified in the project area, both of which are created by adjacent agricultural activities using artificial water sources and berms.

The site is relatively flat and grading would be minimal. The Project may divert some flows at security fencing and may require detention basins, but overall there will be no substantial alterations to the existing surface hydrology. Water and sediment would be conveyed downslope, across the site, by sheet flow or within channels after site preparation and construction. However, surface flow patterns, velocities, and sediment loads may be altered throughout the site by solar panel foundations, access roads, and other features. Potential impacts to the unvegetated washes could include increased siltation, fluvial transport of silts or pollutants off site through the ephemeral channels, or altered flows causing downstream erosion or elimination of natural transport of sands and water to downstream habitat areas. These impacts would be addressed by MM BIO-1 through MM BIO-6 described under Impact BIO-1, and by MM BIO-14 (Streambed and Watershed Protection), which requires a series of Best Management Practices (BMPs) to prevent or minimize adverse effects to streambed function and off-site habitats and would require the Applicant obtain a LSAA from the CDFW prior to initiating construction in jurisdictional waters of the State.

Rationale: The site is relatively flat and, in combination, Mitigation Measures MM BIO-1 through MM BIO-6 and MM BIO-14 will minimize or prevent adverse effects to waters of the State.

Impact BIO-4: Would the project interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?

Wildlife movement in the vicinity of the Project is compromised by existing solar projects and the I-10 freeway. Project facilities would further interrupt potential wildlife movement routes through the area.

Findings: *Less than Significant with Mitigation.* The southeastern portion of the Project site is within a multiple-species linkage area identified in the DRECP. The Project's development footprint mostly avoids this area. This linkage area also overlaps the adjacent Athos, Arica, and Victory Pass Solar Project sites. The Athos Project is located on private lands administered by Riverside County and is under construction. The proposed Arica and Victory Pass Projects would be located on BLM lands and are under environmental review. Projects on BLM land are subject to DRECP CMAs and therefore would avoid or minimize development in desert dry wash woodland vegetation and leave a portion of the multiple-species linkage area open to wildlife movement. Development within the linkage area would reduce the available wildlife movement habitat for many species, including desert tortoise and burro deer. The Project would include a wildlife-friendly fencing design for a portion of the project fenceline around desert dry wash woodland, providing a gap along the bottom of the fence that would allow small wildlife, including desert tortoise and desert kit fox, to pass through. Revegetated areas within the wildlife-friendly fence would provide some marginal habitat to support movement within and through the site.

The Project site is located adjacent to the I-10 freeway and development of the site may impede wildlife movement in the vicinity of the five nearby I-10 freeway under crossings that allow surface water flows and wildlife movement. Open space between the Project site and the freeway would be allow terrestrial wildlife to access the under crossings.

The USFWS identifies conservation of the smaller-scale habitat accessibility within the I-10 corridor between Cactus City and Desert Center as essential. Mitigation measures MM BIO-6a (Compensation for Desert Dry Wash Woodland and Desert Pavement Impacts) and MM BIO-6b (Compensation for Desert Tortoise Habitat Impacts) would require acquisition and management of comparable off-site vegetation and habitat in perpetuity to offset the permanent loss of natural vegetation and habitat on the Project site and incorporates the USFWS focus area between Desert Center and Cactus City to the extent feasible. This measure would offset the Project's impacts to wildlife movement habitat.

Wildlife "nursery sites" such as bird nests or suitable breeding habit for other species may be found throughout the Project site. MM BIO-1 through MM BIO-6 would minimize and offset habitat impacts for common wildlife and special-status species, and MM BIO-8 through BIO-13 would prevent or offset adverse effects to special-status wildlife nesting or breeding sites by requiring specific pre-construction surveys, passive translocation of certain species away from the area, avoidance of buffer areas while bird nests are active, and other related requirements.

Gen-tie construction activities could dissuade wildlife from approaching construction areas due to noise and disturbance. This effect would be temporary (limited to the construction phase). Once completed, the gen-tie lines would have minimal effects on terrestrial wildlife movement. However, the gen-tie towers and conductors would present a collision hazard for birds. As discussed in Impact BIO-1, Mitigation Measure MM

BIO-10 (Bird and Bat Conservation Strategy) would require pre-construction surveys to identify active bird nests, and avoidance of disturbance or disruption nesting behavior, as well as O&M monitoring for bird mortality and implementation of an adaptive management framework if mortality thresholds are exceeded. MM BIO-11 (Gen-tie Lines) would require mechanisms to visually warn birds with permanent markers or bird flight diverters; avoid or minimize use of guy wires; and maintain sufficient distance between all conductors and grounded components to prevent electrocution. These measures would effectively minimize impacts to wildlife movement across the proposed gen-tie routes.

Rationale: Project facilities will occupy a little over half of the Project site (2,700 acres out of 5,000 acres). Access to and between culverts under the I-10 freeway will remain open, and open space areas between the Project site and the freeway will allow for terrestrial wildlife to access the under crossings. Wildlife-friendly fencing for a portion of the fenceline around desert dry wash woodland will allow small wildlife, including desert tortoise and desert kit fox, to pass through. Exclusion fencing during construction will reduce potential wildlife mortality. The Project layout is designed to minimize impacts to desert dry wash woodland, an important habitat and movement pathway. Mitigation measure requirements include the acquisition of conservation lands at a 5:1 ratio to compensate for impacts to wildlife and habitat. The Project design and the implementation of Mitigation Measures MM BIO-1 through MM BIO-14 and any other conditions imposed by BLM, USFWS, and/or CDFW will result in less than significant impacts with mitigation.

Impact BIO-5: Would the project conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?

The Project is entirely on federal land and is not subject to local policies and ordinances. However, to comply with CEQA and for informational purposes, the policies were reviewed and considered.

Findings: *Less than Significant with Mitigation*. Riverside County policies direct permanent preservation of important open space lands, compliance with the Multipurpose Open Space Element of the General Plan, protection of environmental resources, cooperation with resource agencies for the voluntary protection or restoration of significant habitats, and preservation of multi-species habitat resources. The Project, including the mitigation measures identified in the FEIR, are consistent with the County's overall conservation objectives.

The solar facilities and gen-tie lines would impact biological resources protected by the General Plan provisions, including special-status plants and animals, sensitive habitats, and waters of the State, as described under Impacts BIO-1 through BIO-4. Without mitigation, these impacts could result in significant impacts to biological resources. Mitigation measures MM BIO-1 through MM BIO-14 would assure consistency with local policies.

Rationale: The Project is entirely on federal land and not subject to local regulations and policies. However, implementation of Mitigation Measures MM BIO-1 through MM BIO-14 result in the Project not being in conflict with local ordinances and policies.

Cumulative Impacts – Biological Resources.

Less than Significant with Mitigation. Cumulative effects for biological resources apply to both plant and wildlife species and consider distribution, habitat availability, designated critical habitat, local rarity or commonness, and likely responses to a projects' effects for each species. The Project could contribute to cumulative effects to biological resources with the initiation of on-site activities and continuing throughout the O&M phase, through final decommissioning. As the number of solar projects and other development increase and land use changes occur in the region, the cumulative impacts to biological resources, such as habitat loss also increase. The analysis of cumulative effects considered the current and foreseeable future projects as identified in the FEIR. This analysis presumed that Mitigation Measures MM BIO-1 through BIO-14 would be implemented. Impacts from individual projects include construction, operation, and decommissioning. These timeframe for these activities will vary by project and may or may not overlap.

Vegetation and habitat. Construction-related impacts of the cumulative projects would temporarily increase noise and activities, dust, and other habitat disturbances throughout the region. Longer-term land use conversion would contribute to reduced habitat availability and increased habitat fragmentation. The effects of the Project would contribute incrementally to the cumulative significant impacts to vegetation and habitat. The loss of natural habitats that would result from the project would be offset by protecting compensation lands off site and by the areas conserved under the DRECP. Under the DRECP, Areas of Critical Environmental Concern (ACECs) and California Desert National Conservation Lands were protected as part of the overall goal of the DRECP to advance federal and state natural resource conservation goals

Sensitive Habitat and Jurisdictional Waters of the State. The Project would affect desert dry wash woodland. It would also affect unvegetated ephemeral dry wash, which meets criteria as jurisdictional waters of the State. Many of the cumulative projects in the region would have qualitatively similar impacts to desert dry wash woodland and unvegetated ephemeral dry wash due to the nature of the area and the large washes that cross it. This would result in a significant cumulative impact. The effects of the Project would contribute incrementally to the cumulative impacts to sensitive habitat and jurisdictional waters of the State, but this incremental contribution would not be considerable because the Project has been designed to minimize impacts to sensitive habitat by avoiding most of the desert dry wash woodland, as required under DRECP CMAs, and because mitigation measures identified under Impact BIO-4 and BIO-5 would reduce the impacts so that residual effects would be minimal.

Special-status plants. The Project could affect special status plants identified under Impact BIO-1. No threatened or endangered plants were identified on the site. Individual Emory's crucifixion-thorn would be affected in seven locations, and several additional more widespread special-status plants could be affected. The past, present, and future projects in the region would have similar or greater impacts to special-status plants which would result in a cumulatively significant impact to regional special-status plants. The contribution of the Project itself would not be considerable because of the limited number of special-status plants on site, mitigation for impacts to Emory's crucifixion

thorn, and because mitigation measures identified under Impact BIO-1 would reduce the impacts so that residual effects would be minimal.

Desert tortoise. Suitable habitat is present throughout the southern portion of the Project area. Most of the past, present, and foreseeable future projects in the vicinity would impact desert tortoise habitat and many of them could directly affect desert tortoises. Due to the number and size of the cumulative projects they would result in a cumulatively significant impact. Mitigation measures identified in the FEIR would prevent lethal take of desert tortoise and offset impacts to its habitat. These measures would reduce the impacts so that residual effects to desert tortoise would be minimal and the incremental contribution of the Project to the cumulative impacts to desert tortoise would not be considerable because no lethal take would occur, and habitat loss would be offset.

Native birds, including special-status passerine birds. Migratory birds are expected to occur throughout the area during construction and O&M. Land use conversion for the Project and any of the cumulative projects would result in habitat loss and degradation, displacement, decreased foraging activities, potential disruption or failure of nesting, increased predation, and/or mortality. Taken together, the projects would result in a cumulatively significant impact for native birds. The Project's impacts would be mitigated through implementation of mitigation measure MM BIO-1 through MM BIO-14. The incremental contribution of the Project to the cumulative impacts to native bird habitat, nesting success, and mortality would not be considerable with implementation of these measures.

Burrowing owl. Potential impacts of the solar facilities to burrowing owl include habitat loss or degradation and possible injury or mortality if they are present. Other projects in the vicinity include several transmission lines and solar energy projects with similar habitat for burrowing owl. Effects of the other projects would be similar to potential effects of the Project. Together these projects would result in significant impact to habitat loss and mortality to burrowing owls. The incremental contribution of the Project to the cumulative impacts to burrowing owls, including habitat, construction-related mortality, or collision morality, would not be considerable because mitigation measures would be implemented.

Special-status raptors, including golden eagle. No special-status raptors (except burrowing owl, above) are expected to nest on the Project site. However, the site provides suitable seasonal or year-round foraging habitat for several raptor species and is within potential foraging distance of known golden eagle nesting territories. Several raptors are likely to forage infrequently on the solar facility site at any time of year, including winter and migration seasons. Effects of the other projects in the vicinity would be similar to potential effects of the Project. Cumulatively, these projects could result in significant impact due to habitat loss. The incremental contribution of the Project to the cumulative impacts to special-status raptors, including habitat and collision morality, would not be considerable because native habitat loss would be offset and potential collision would be mitigated.

Desert kit fox and American badger. Active desert kit fox burrows and potential American badger burrows occur on the Project site. Both species could use native

habitats, wherever prey animals may be present. Both species are expected to occur on the cumulative project sites and loss of the habitat and prey species could result in a significant cumulative impact. Mitigation measures identified under Impact BIO-1 would offset habitat loss for both species and prevent or minimize wildlife injury and mortality and require pre-construction surveys to exclude both species from work sites. The incremental contribution of the Project to the cumulative impacts to these species would not be considerable.

Burro deer. The principal potential impacts to burro deer would be reduced access to dependable irrigation water at agricultural sites. Burro deer are expected to occur on the cumulative projects and loss of the habitat and access to water sources could result in a significant cumulative impact. Mitigation measures identified under Impact BIO-1 and BIO-4 would offset habitat loss and wildlife movement habitat. The incremental contribution of the Project to the cumulative impacts to burro deer would not be considerable because no take would occur, and movement habitat loss would be offset.

Special-status bats. Construction of the Project could adversely impact special-status bats through the loss of some desert shrubland foraging habitat or potential loss of roost sites in desert dry wash woodland habitat. Mitigation measures identified under Impact BIO-1 would minimize and offset habitat loss and require actions to minimize or avoid impacts. These measures are expected to effectively minimize potential impacts to special-status bats and to offset habitat loss. Cumulative projects in the region would also eliminate desert shrubland foraging habitat and result in the loss of roost sites, a significant cumulative impact to special-status bats. The incremental contribution of the Project to the cumulative impacts to special-status bats, including habitat loss and collision morality, would not be considerable because native habitat loss would be offset and potential collision with gen-tie lines would be mitigated.

Wildlife movement. Cumulative impacts for wildlife movement considered projects within 5 miles of the Project that could impact the multi-species linkage area which links the Palen–McCoy Mountains to the northeast and the Chocolate Mountains to the southwest. Together with the other solar projects in the surrounding area, wildlife movement in the vicinity of the Project would be inhibited. Portions of the multi-species linkage and desert dry wash woodland on the site would be avoided, leaving several narrow corridors that connect to the I-10 under crossings. An additional portion of the linkage east of the Project would remain undeveloped. Although the Project site overlaps with the multi-species linkage area, the site is within a DFA. Undeveloped lands would remain in the ACECs that surround the Project, which, in combination with avoidance of desert dry wash woodland, would allow for limited wildlife movement through and around the Project and would retain access the I-10 crossings. Therefore, cumulative contribution of the Project to impacts on wildlife movement would be less than significant.

Local policies and ordinances. All existing projects in the region underwent environmental review and were approved by federal or local agencies. During that review, the agencies reviewed the applicable polices and ensured the projects complied or required a land use plan amendment or conditional use permit. The BLM is reviewing

the Project to ensure they are consistent with the applicable BLM policies and plans. Cumulative impacts to policies and ordinances would be less than significant.

Cultural Resources and Tribal Cultural Resources

Impact CUL-1. The project would cause a substantial adverse change in the significance of a historical resource as defined in California Code of Regulations, Section 15064.5.

See Section D above.

Impact CUL-2 The project would cause a substantial adverse change in the significance of a unique archaeological resource pursuant to California Code of Regulations, Section 15064.5.

Archaeological sites have the potential to be disturbed by excavation and other ground disturbance and by vehicle traffic.

Findings: *Less than Significant with Mitigation.* The direct and indirect impacts of solar and energy storage facility and gen-tie construction, operation, and decommissioning to unique archaeological resources could create significant impacts. No unique archaeological resources have been identified to date, therefore, adverse impacts are not anticipated; however, mitigation may be required should unique archaeological resources be identified.

Rationale: Implementation of Mitigation Measures MM CUL-1 through MM CUL-13 and MM TCR-1 would mitigate impacts should unique archaeological resources be identified. This impact would be less than significant with implementation of mitigation.

Impact CUL-3. The project would disturb any human remains, including those interred outside of formal cemeteries.

Human remains are protected by law, which also identifies how they are to be treated if encountered.

Findings: *Less than Significant with Mitigation.* The direct and indirect impacts of solar facility and gen-tie construction, operation, and decommissioning, to human remains could reveal and disturb unknown human remains. Adverse impacts are not anticipated because no human remains have been identified to date; however, mitigation provide by MM CUL-9 (Inadvertent Discover of Human Remains) may be required should they be identified.

Rationale: Implementation of Mitigation Measure MM CUL-9 would mitigate the impact to human remains. This impact would be less than significant with implementation of mitigation.

Impact TCR-1. The project would cause adverse change in the significance of a Tribal Cultural Resource determined by the Lead Agency.

See Section D above.

Impact TCR-2. The project would cause adverse change in the significance of a Tribal Cultural Resource eligible for or listed on the CRHR or in a local register of historical resources as defined in Public Resources Code section 5020.1(k).

See Section D above.

Cumulative Impacts – Cultural Resources and Tribal Cultural Resources.

See Section D above.

Energy

Impact E-1. Would the project result in a potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources during project construction or operation?

Project construction is anticipated to last approximately 15 to 20 months. During construction, motorized equipment and vehicles would consume energy resources in the form of fossil fuels. Additionally, construction would require the manufacture and delivery of new equipment and materials, which would also require energy use.

Findings: *Less than Significant with Mitigation*. Energy used during project construction would be reduced by air quality measures (see, Air Quality above) that minimize unnecessary use of construction equipment so that activity levels are not wasteful; for example, by requiring equipment to be properly maintained and limiting construction equipment idling.

Rationale: Although construction would require the temporary use of energy resources, the Project would not result in significant environmental impacts due to wasteful, inefficient, or unnecessary consumption of energy resources. Construction impacts would be less than significant with implementation of Air Quality Mitigation Measure MM AQ-2 which includes limits on equipment idling. During operations, up to 10 permanent staff could perform daily visual inspections, maintenance, and minor repairs. Operation and maintenance would result in minimal energy use due to the small workforce needed and the limited number of vehicles required to commute to the site and transport materials and to maintain the facility.

Impact E-2. Would the project conflict with or obstruct a state or local plan for renewable energy or energy efficiency?]

The Project would generate up to 500 MW of renewable energy which would assist the State in achieving its energy objectives under Senate Bill 100 and 350 and greenhouse gas emissions reduction goals under AB 32.

Findings: *No Impact*. The Project would be located on land allocated as the Riverside East Solar Energy Zone in the BLM's Western Solar Program and as a DFA under the DRECP. The Project would be consistent with federal goals for the construction of renewable energy infrastructure and generation of renewable energy and would make the best use of public lands to generate, store, and transmit affordable renewable solar electricity for distribution to the State.

Rationale: The Project would directly support federal, state, and local plans for renewable energy development. Beneficial impacts related to state or local plans for renewable energy or energy efficiency would occur, and the project would not conflict with or obstruct a state or local plan for renewable energy.

Cumulative Impacts – Energy

Cumulative projects in eastern Riverside County have the potential to utilize energy resources temporarily or permanently or have the potential to conflict with plans and policies related to increasing renewable energy and energy efficiency. Construction of the Project would not result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources. Energy used in development of the Project and other renewable energy projects would result in the increased the availability of renewable energy, thus reducing the use of fossil fuel for electrical generation by conventional power plants. Most of the cumulative projects in the region would be renewable energy project and would contribute renewable energy to the California electrical transmission system, reducing the State's overall reliance on fossil fuels. The Project and most of the cumulative projects would have a beneficial cumulative contribution related to directly supporting federal, state, and local plans for renewable energy development.

Geology, Soils, and Mineral Resources

Impact GS-1. Would the project directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:

- ***Strong seismic ground shaking? (Impact GS-1a)***

Seismic ground shaking (earthquakes) have the potential to damage or destroy structures and result in loss, injury, or death.

Findings: *Less than Significant*. Although no known active or potentially active faults underlie the area, seismically induced ground shaking along the active faults in the general region could occur. Ground shaking at the site could result in damage to project structures and equipment, which could result in adverse effects if not designed and engineered appropriately. Potential impacts from ground shaking would be reduced through compliance with applicable regulations and standards, and established engineering practices. Seismic design of the substation would be per the current IEEE 693 "Recommended Practices for Seismic Design of Substations." This would minimize any potential impacts related to secondary seismic effects during operation and maintenance activities. Compliance with existing regulatory requirements and implementation of geotechnical design recommendations in the project's final engineering design would reduce impacts of seismically induced ground shaking to less than significant.

Rationale: A geotechnical investigation and report would be required and would include recommendations regarding geotechnical and engineering design. Existing regulatory requirements and implementation of geotechnical design recommendations reduce the risk of seismically induced ground shaking causing damage, injury, or death.

- ***Seismic-related ground failure, including liquefaction? (Impact GS-1b)***

Liquefaction occurs when loose, water-saturated sediments lose strength and fail during strong ground shaking. Liquefaction usually occurs in areas with young, saturated unconsolidated sediments with groundwater levels of 50 feet or less.

Findings: *Less than Significant*. The Project may be subject to moderate to strong ground shaking. Although the County of Riverside has mapped the Project area as having primarily moderate susceptibility to liquefaction, groundwater levels in the project area are expected to be greater than 70 feet below ground surface resulting in low potential for liquefaction. Additionally, the solar facilities, gen-tie line, and associated structures would be designed in compliance with applicable regulations and standards, geotechnical recommendations, and established engineering procedures. The impact of seismic-related ground failure including liquefaction that would result in substantial adverse effects due to liquefaction is less than significant

Rationale: The depth to groundwater and the use the applicable regulations and standards for Project design and construction greatly limit the risk of substantial adverse effects such as loss, injury, or death from liquefaction.

Impact GS-2. Would the project result in substantial soil erosion or the loss of topsoil?

Most of the site has nearly level to gently sloping topography and no mass grading would be required; however, some areas of the solar site would be impacted by some form of ground disturbance, including mowing, grubbing, minor grading, compaction, and excavation. Some of the locations where facilities and arrays would be located would require light grubbing for leveling and trenching.

Findings: *Less than Significant with Mitigation*. Construction activities would expose soil and increase the potential for wind and water erosion. Ground disturbance for project construction could also disturb approximately 71 acres of desert pavement. Disturbed soils and desert pavement can cause or accelerate erosion and increase sediment in stormwater runoff to ephemeral streams and playa lakes, causing increased turbidity and sedimentation. Construction of the gen-tie line would have similar erosion impacts. The increase in erosion due to project construction would result in a significant impact without mitigation. Mitigation measure MM AQ-1 (Fugitive Dust Control Plan) would require a fugitive dust abatement plan that would mitigate the dust emissions during construction. The Applicant has prepared a Dust Control Plan that includes identification of sources of fugitive dust that are anticipated to occur during construction, identifies Best Available Control Measures (BACMs) implemented during construction to reduce fugitive dust emissions, and identifies contingency control measures implemented if the BACMs are not adequately controlling fugitive dust. Mitigation measure MM HWQ-1 (Drainage Erosion and Sedimentation Control Plan [DESCP]) would ensure proper protection of water quality and soil resources, address exposed soil treatments in the solar fields for both road and non-road surfaces, and identify all monitoring and maintenance activities. Mitigation measure MM HWQ-4 (Project Drainage Plan) would require hydrologic assessment of flood discharges and would show how they would be conveyed through or around the site and ensure that erosion does not leave the site and impact adjacent landowners or nearby water features such as ephemeral streams and playas. Additionally, Mitigation Measure MM

BIO-5 (Vegetation Resources Management Plan) would require revegetation of disturbed areas. Thereby reducing the potential for soil erosion in areas of disturbed desert pavement during Project operation, and Mitigation Measure MM BIO-6 (Compensation for Natural Habitat Impacts) which would require a 1:1 acre compensation for impacts to desert pavement. With implementation of the mitigation measures, impacts related to soil erosion would be less than significant. In addition, the Applicant has committed to preparing a SWPPP that would also include BMPs that would reduce potential erosion.

Operation and maintenance activities would include daily operations and routine maintenance activities. These activities would not alter the drainage patterns on site and would not lead to a substantial increase in erosion or loss of topsoil. No heavy equipment use is anticipated during normal operation activities. Vehicles would be limited to use existing roads and travel paths and would not result in additional ground disturbance. Mitigation measure MM AQ-1 (Fugitive Dust Control Plan) restricts vehicular access during O&M to established unpaved travel paths and ensure the paths remain stabilized and Mitigation Measure MM HWQ-4 (Project Drainage Plan) requires a Project Drainage Plan that shows how water would traverse the project without altering drainage patterns and leading to erosion or loss of topsoil. With implementation of the mitigation measures impacts related to soil erosion during project operation and maintenance would be less than significant.

Rationale: While project construction would require various amounts of ground disturbance, mitigation measures imposed on the Project for both construction and operations and maintenance would reduce impacts to a less than significant level. Applicable measures include MM AQ-1, MM BIO-1, MM BIO-6, MM HWQ-1, and MM HWQ-4, and address fugitive dust, vegetation restoration, limitations on drive routes, and impacts to drainages, drainage erosion and sediment control.

Impact GS-3. Would the project be located on geologic units or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse?

The Project site is in an area that has a low landslide and lateral spreading hazard due to the gentle slope and a low liquefaction potential. However, the site is in an area susceptible to subsidence.

Findings: *Less than Significant.* Documented historic subsidence has occurred in Riverside County. However, there are no areas of documented current or historic subsidence in or near to the Project area. During the 1980s and 1990s when regional groundwater extraction was at its historic maximum in the area in support of agricultural activities, no localized or regional subsidence was documented. Therefore, the potential for local or regional ground subsidence resulting groundwater extraction is considered to be very low and less than significant. Given the geologic setting of the region, the Project site is unlikely to become unstable as a result subsidence caused by the Project and result in collapse. The impact would be less than significant. Compliance with existing regulatory requirements and implementation of the geotechnical

recommendations of the required geotechnical investigation and report in project design would reduce impacts related to unstable geologic units or soil to less than significant.

Rationale: Overall, the project area has a low risk of becoming unstable and resulting in geologic impacts. The project facilities would be designed in compliance with all applicable federal, state, and local regulations and industry standards, and established engineering procedures. A geotechnical investigation and report would be required by the BLM and would include recommendations regarding geotechnical and engineering design.

Impact GS-4. Would the project be located on expansive soil, as defined in Table 18 1 B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?

Expansive soils are characterized by their ability to undergo significant volume change (shrink and swell) due to variation in soil moisture content. Changes in soil moisture could result from several factors, including rainfall, landscape irrigation, utility leakage, and/or perched groundwater.

Findings: *Less than Significant*. Expansive soils are typically very fine grained with a high to very high percentage of clay. Soils with moderate to high shrink-swell potential would be classified as expansive soils. The soils in the Project area contain high percentages of sand and have a low potential to be expansive. Therefore, the potential for expansive soils to create direct or indirect risks to life or property are less than significant.

Rationale: Expansive soils are not present at the Project site.

Impact GS-5. Would the project have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?

Construction and decommissioning would require several hundred temporary employees. Sanitary waste would be addressed by the use of portable toilets.

Findings: *Less than Significant*. Above ground portable sanitary waste facilities would be used during construction and decommissioning activities, with waste transported to an authorized sanitary waste facility by the vendor. During operations, the O&M facility would include restroom facilities for on-site personnel and wastewater would be generated. A septic system and leach field would be located in the vicinity of the O&M building to serve the sanitary wastewater treatment needs. Soils in the Project area are somewhat excessively drained and contain high percentages of sand. Percolation testing and design of the septic system would be conducted to meet applicable septic system requirements. The impact would be less than significant.

Rationale: Construction would require the use of portable sanitary facilities with waste trucked to an authorized facility for disposal. The O&M workforce would be small, resulting in a limited need for sanitary waste disposal. On site facilities for septic disposal would be sized to accommodate the anticipated need.

Impact MR-1. Would the project result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?

No known mineral sites or mines are located on the Project site and it is not under a claim, lease, or permit for the production of locatable, leasable, or saleable mineral or mineral materials.

Findings: *Less than Significant*. The site is located within an mineral resource zone mapped as MRZ 4 (areas of no known mineral occurrences), where there is not enough information available to determine the presence or absence of mineral deposits. As such the Project would not result in the loss of availability of a known mineral resource of value to the region or residents of the state. Construction and operation of the Project would restrict mineral exploration on this land for the life of the Project, but it would not change the mineral content of the area. The Project site is underlain by alluvial materials that may contain aggregate resources and a former borrow pit is located within the Project boundary; however, use of the site as a solar facility would not appreciably reduce or restrict the availability of aggregate resources from outside the Project area. The use of the Project site would result in a less than significant impact to known mineral resources.

Rationale: Mineral resources are not known to be present at the site. Any potential on-site aggregate resources would become available again following decommissioning of the Project and would, therefore, not be lost.

Cumulative Impacts – Geology, Soils, and Mineral Resources

The Project would have no impact related to fault rupture, landslides, seismically induced landslides, or locally important mineral resource recovery sites, therefore, they could not contribute to cumulative impacts for these topics. Geologic hazards would be site-specific impacts for the Project and each of the past, present, and reasonably foreseeable development projects in the area. While the geologic and seismic hazards could impact the Project's infrastructure, it would be unlikely to be damaged or destroyed in a manner that would combine with the geologic and seismic impacts to the adjacent projects and cause injury to a nearby person. As such, the geologic and seismic impacts would not combine to result in a cumulatively significant geologic impact.

With respect to soil resources and the potential for erosion and loss of topsoil, impacts to soil erosion triggered by Project construction and operation could combine with the effects of construction and operation of other projects if they were adjacent to each other, for example if they contributed sediments to the same waterways. The Project is adjacent to several large solar projects that are either approved or proposed and they would require substantial ground disturbance. While each project's soil disturbance could result in off-site water and wind erosion, the projects have or will undergo an environmental review under NEPA and/or CEQA and would be required to abide by existing regulations and Applicant commitments such that they would have a DESCP, Drainage Plan, and SWPPP, and plans to stabilize and/or revegetate disturbed areas that that would reduce wind and water erosion and minimize its potential to leave its Project site. The nearby Athos Project started construction in January 2021, so the ground disturbance portion of the construction is likely to be complete or almost complete

prior to the construction of the Oberon Project. Additionally, the Oberon Project is subject to the same regulations, have a SWPPP, and have mitigation measures for dust control, a DESCP, and a Drainage Plan (MM AQ-1, MM HWQ-1, and MM HWQ-4, respectively) to reduce wind and water erosion and prevent soil from leaving the site. Because wind and water erosion of disturbed soil would be minimized by implementation of plans required by regulations and mitigation measures, it would not combine with the erosion from nearby projects and would not combine to create a cumulatively significant impact due to erosion.

Greenhouse Gas Emissions

Impact GHG-1: Would the project generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?

The Project would cause GHG emissions due to construction activities and during operation. Operation of the solar generating station would produce electricity from renewable energy resources that would displace the need to produce electricity from conventional (fossil-fueled) resources.

Findings: *Less than Significant*. Construction, operations, and eventual decommissioning activities would cause GHG emissions as a result of fossil-fuel combustion in the engines of construction equipment and the vehicles carrying construction materials and workers to and from the site. Diesel fuel or gasoline is used in mobilizing the heavy-duty construction equipment, site development and preparation, facility construction, and roadway construction, and eventual decommissioning. Construction would result in ground disturbance that would disturb soils and remove some vegetation that naturally provide carbon uptake.

The renewable power produced by the Project would displace power produced by carbon-based fuels that would otherwise be used to meet electricity demand. The power displaced is incremental power provided by generators elsewhere on the grid, typically from natural gas power plants. The Project would produce overall about 1.277 million megawatt-hours (MWh) each year for delivery to California's end-users. The electricity produced by the Project would displace fuel-burning by California's flexible natural gas–fired resources or electricity otherwise imported to California. The Project's production of renewable power would avoid approximately 484,000 MT of CO_2 each year that could otherwise be emitted by fuel-burning generators. This impact of GHG emissions from the Project would be less than significant, and no mitigation is required

Rationale: The combined direct and indirect effects of the emissions quantified indicates that a net GHG reduction would occur as a result of implementing the Project, by avoiding around 467,000 MTCO2e annually.

Impact GHG-2: Would the project conflict with any applicable plan, policy or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases?

California has established statewide renewable energy goals to reduce GHG emissions.

Findings: *Less than Significant*. The Project would contribute to California's ability to supply renewable energy to end-use customers and to achieve statewide renewable energy goals. By replacing fossil fuel generation with renewable generation, GHG emissions are reduced. The renewable energy targets in California's Renewable Portfolio Standard (RPS) Program support the State's overall approach to achieving GHG reduction goals. The current RPS was signed into law in 2018 with Senate Bill 100 (SB 100), which established the goals of 50 percent renewable energy resources by 2026 and 60 percent renewable energy resources by 2030. SB 100 also sets a target for California to achieve a GHG-free energy supply by December 31, 2045.

The strategy for achieving the GHG reductions is set forth by the CARB Climate Change Scoping Plan. Overall, the electricity produced by the Project would contribute to continuing GHG reductions in California's power supply. Because the Project would use renewable energy resources to produce electricity, the avoided GHG emissions would be consistent with and would not conflict with the California's GHG emissions reduction targets and the Climate Change Scoping Plan that relies on achieving the RPS targets.

Activities related to construction and operation of the Project would either be exempt from or would be required to comply with CARB rules and regulations to reduce GHG emissions and would cause no other potential conflict with any applicable plan, policy, or regulation adopted for the purpose of reducing GHG emissions. As the total GHG emissions generated during construction and operation of the Project would be considerably less than the amount of GHG emissions avoided, The Project would not conflict with any applicable GHG management plan, policy, or regulation. This impact would be less than significant.

Rationale: The Project would not conflict with GHG plans and would provide make a positive contribution to the reduction of GHG emissions by providing electricity from a renewable energy source rather than a fossil fuel energy source.

Cumulative Impacts – Greenhouse Gas Emissions

GHG emissions are by their nature inherently a cumulative concern with a cumulatively global scope. No single project would result in a substantial change in climate. However, the Project would result in a long-term net reduction of GHG emissions and would not conflict with GHG reduction goals. The Project-specific incremental impact on GHG emissions would be positive.

Hazards and Hazardous Materials

Impact HAZ 1. Would the project create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?

Limited quantities of hazardous materials are routinely used in the construction and operation of solar projects.

Findings: *Less than Significant with Mitigation*. No extremely hazardous substances (i.e., those governed pursuant to Title 40, Part 335 of the Code of Federal Regulations) are anticipated to be produced, used, stored, transported, or disposed of as a result of

project construction. Hazardous substances would include fuels and greases to fuel and service construction equipment and small quantities of chemicals required for construction. Such substances may be stored in temporary aboveground storage tanks or sheds located on the site. The small quantities of chemicals to be stored at the site during construction would be stored in their appropriate containers in an enclosed and secured location such as portable outdoor hazardous materials storage cabinets. If quantities exceed regulatory thresholds, the Project would ensure that storage is undertaken in compliance with the SPCC Rule and a Hazardous Materials Business Plan (HMBP), which would be developed prior to construction.

The use, storage, transport, and disposal of hazardous materials used in construction of the facility would be carried out in accordance with current applicable regulations and the Project-specific Hazardous Materials Management Plan (HMMP).

None of the panels being considered for use in the Project contain materials that are classified as hazardous wastes. The chemicals within PV modules are highly stable and would not be available for release to or interaction with the environment.

Throughout construction, waste materials would be sorted on-site and transported to appropriate licensed waste management facilities. Hazardous waste and electronic waste would not be placed in a landfill but would be transported to a hazardous waste handling facility (e.g., electronic-waste recycling). All contractors and workers would be educated about waste sorting, appropriate recycling storage areas, and how to reduce landfill waste. The Applicant would develop an Environmental Inspection and Compliance Monitoring program and plan for construction and operation of the Project and designate a Project Environmental Manager to oversee the plan. Implementation of these procedures and plans and compliance with applicable local, state, and federal regulations would minimize the risk of damage or injury from use, disposal, and transport of hazardous materials to less than significant levels.

Any use of herbicides would occur in accordance with all recommended application procedures as identified on product labels. If herbicides or pesticides are required, they would be BLM-approved herbicides to control weed populations. The process for treatments would be characterized in a Pesticide Use Proposal that would be approved by the BLM. Weed management also would be performed in accordance with an approved Weed Management Plan. The plan would comply with existing BLM plans and permits. The Project would not contain a residential or commercial component that would potentially expose people to pesticides or herbicides and their use would follow the BLM-approved Pesticide Use Proposal; as a result, application of herbicides during construction would have a less than significant impact.

The Project site is within the historic World War II DTC/CAMA training camp/maneuver area where military exercises were conducted, including practice artillery fire, weapons training, and land mine placement and removal. During construction, maintenance, and decommissioning activities associated with the Project, ground disturbance could unearth unexploded World War II-era ordnance (UXO) and munitions and explosives of concern (MEC) the detonation of which would pose a safety risk to the workers. Implementation of Mitigation Measure MM HAZ-1 (UXO Identification, Training and Reporting Plan)

would formalize UXO training, investigation, removal, and disposal to ensure that potential UXO impacts would be less than significant.

Construction of the project could encounter previously documented and un-documented hazardous materials sites within the area. The Applicant would be required to implement Mitigation Measure MM HAZ-2 (Worker Environmental Awareness Program [WEAP]) which addresses hazardous materials handling and disposal training and information.

During operation and maintenance of the Project, small quantities of a variety of hazardous materials would be transported to the site and used and stored on-site for miscellaneous, general maintenance activities. Chemicals would be stored in appropriate chemical storage facilities. Hazardous materials would be transported, stored, and disposed of as required by the HMMP. Bulk chemicals are not expected to be used on site; chemicals would be stored in smaller returnable delivery containers. Waste lubricating oil would be recovered and recycled by a waste oil recycling contractor. Small quantities of diesel fuel and gasoline may also be used and stored at the facility for use in off-road service vehicles and generators. Preparation and compliance with the required SPCC and HMBP, if necessary, implementation of the HMMP, and compliance with applicable state and federal regulations would minimize the risk of damage or injury from use, disposal, and transport of hazardous materials to less than significant levels during the project's operation and maintenance.

Decommissioning impacts are anticipated to be similar to those occurring during construction as described above. The actual impacts would depend on the proposed decommissioning action and final use of the site.

Rationale: The Applicant is required to develop and implement multiple plans that address the handling, identification, and treatment of any hazardous materials likely to be found on site or used on site. Compliance with the plans required by mitigation measures and with existing laws and regulations ensure this impact is less than significant.

Impact HAZ 2. Would the project create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?

The release of hazardous materials from upset or accident conditions could pose a significant hazard to the public or the environment. Construction of the Project would involve the use of small amounts of hazardous materials. Improper handling and storage of these hazardous materials could result in the accidental release if not managed appropriately.

Findings: *Less than Significant with Mitigation*. The small quantities of chemicals to be stored at the project during construction would be stored in their appropriate containers in an enclosed and secured location such as portable outdoor hazardous materials storage cabinets. All hazardous materials would be kept in segregated storage with secondary containment as necessary. The portable chemical storage cabinets may be moved to different locations around the site as construction activity locations shift. The chemical storage area would not be located immediately adjacent to any drainage. The required SWPPP would include a list of potential pollutants (i.e., hazardous materials,

fugitive dust, sediment, concrete waste), identify fueling areas, and include best management practices (BMP) to prevent and limit pollutants from reaching stormwater runoff.

Spill response plans would be developed prior to project construction and operation, and personnel would be made aware of the procedures for spill cleanup and the procedures for reporting a spill. Spill cleanup materials and equipment appropriate to the type and quantity of chemicals and petroleum products expected would be located on-site and personnel shall be made aware of their location. The Project would implement the project SWPPP, spill response plans, the HMMP, and would comply with all applicable local, state, and federal regulations to reduce the potential that spills or leaks of hazardous materials would occur. The implementation of Mitigation Measure MM HAZ-2 (Worker Environmental Awareness Program) would further ensure that any impact from accidental releases of hazardous materials into the environment would be less than significant by providing further detail regarding worker training on site-specific spill prevention, emergency response, and safe material handling.

Valley Fever (coccidioidomycosis) is considered endemic in California and Coccidioides fungus are present in the arid desert regions of California, including Riverside County. There is a potential that construction activities such as grading, excavation, and construction vehicle traffic, could loosen and stir up soil containing Coccidioides fungus spores, exposing workers and the public to contracting Valley Fever. Construction activities for the project would be subject to stringent dust control requirements (including SCAQMD Rules 402 and 403). Implementation of Mitigation Measures MM AQ-1 (Fugitive Dust Control Plan) and MM HAZ-2, (Worker Environmental Awareness Program) would reduce the potential for workers and the public to contract Valley Fever.

If regulatory thresholds are exceeded for storage of hazardous materials, a SPCC would be implemented during operations, as required. BMPs would be employed in the use and storage of all hazardous materials within the project, including the use of containment systems in appropriate locations. Appropriately sized and supplied spill containment kits would be maintained on-site in the O&M area, and the project's employees would be trained on spill prevention, response, and containment procedures. The chemical storage area would not be located immediately adjacent to any drainage. In addition, an HMBP and an associated emergency response plan and inventory would be prepared and implemented. Therefore, there would be a less than significant impact due to the use, storage, and disposal of the small amounts of hazardous materials anticipated to be used during project operation.

The Project would include operation an energy storage system. This may include an up to 500 MW Battery Energy Storage System (BESS) that would consist of batteries housed in storage containers. Potential hazards related to the BESS could include fire, gaseous build up, explosion, and hazardous materials. The BESS would be designed, constructed, and operated in accordance with applicable industry best practices and regulatory requirements, including, but not limited to, National Fire Protection Association 855 (Standard for the Installation of Stationary Energy Storage Systems) and Section 1206 of the California Fire Code and if applicable, certified to UL 9540. The configuration of the safety system would contain a safety system that would be triggered automatically

when the system senses abnormal conditions and/or imminent fire danger. If applicable, the BESS would be tested to UL 9540A, which would confirm that the system would self-extinguish without active fire-fighting measures. Additionally, Mitigation Measure MM FIRE-1 (Fire Safety) would require components specific to fire response and safety at the BESS be included in a Fire Management and Prevention Plan for the project. Implementation and compliance with these design and safety regulations and MM FIRE-1 would reduce the impact to less than significant.

Rationale: The Applicant is required to develop and implement multiple plans that address the handling, identification, and treatment of any hazardous materials likely to be found on site or used on site. Dust suppression is required, which reduces the risk of Valley Fever. Compliance with the plans required by mitigation measures and with existing laws and regulations ensure this impact is less than significant.

Impact HAZ 3. Would the project be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code § 65962.5 and, as a result, would it create a significant hazard to the public or the environment?

No known hazardous material or environmentally contaminated sites have been identified at the site according to EnviroStor and GeoTracker, as of 2021.

Findings: *Less than Significant with Mitigation*. While no contaminated sites are known to be present at the Project site, the site is within the historic limits of WWII DTC/CAMA, where maneuvers included weapons training, firing exercises, and laying out and removing landmine fields. Therefore, there is a potential to encounter UXO, MEC, or MD during construction. Implementation of Mitigation Measure MM HAZ-1 (UXO Identification, Training, and Reporting Plan) would formalize UXO training, investigation, removal, and disposal to ensure that potential UXO impacts would be less than significant.

Rationale: The Project site does not include any know hazardous materials sites. The potential risk of encountering unexploded ordnance and other dangerous military materials is addressed by worker training under MM HAZ-1.

Impact HAZ 4. Would the project be located within 2 miles of a public use airport and result in a safety hazard or excessive noise for people residing or working in the project area.

Noise generated by an airport can create excessive noise and a safety hazard for local residents or workers in the vicinity.

Findings: *Less than Significant*. The Project is within 2 miles of the Desert Center Airport, which is now owned by the Chuckwalla Valley Raceway. None of the Project's elements would be located within 5,000 feet of Desert Center Airport. The only components of the solar facility that would be potentially over 100 feet tall are the gen-tie line structures, which would be on average 120 feet tall, with a maximum height of 200 feet. The gen-tie line structures would be approximately 3 miles south of the single east-west trending runway. The closest project element would be over 6,000 feet away. The owners of the airport, Chuckwalla Valley Raceway, are aware of the Project and would coordinate any landings at the airport including advising any planes as to the

potential nearby structures. Impacts to the airport due to the project structures are less than significant.

Glare is considered under Aesthetics Impact AES-4, above. The Project would not create adverse impacts from reflection and glare with the implementation of Mitigation Measure MM AES-2 (Surface Treatment of Project Structures and Buildings).

With respect to fire risks near the Desert Center Airport due to the Project, the solar facility would be designed and constructed to industry safety design standards to reduce the risk of electrical fires at the site. A Fire Prevention Plan would be prepared in consultation with the Riverside County Fire Department and BLM to reduce the risk of an electrical fire on-site. Any impacts due to fire risk would therefore be less than significant.

The Project would not include residential or commercials uses that would be affected by operations at the Desert Center Airport on those occasions when it is in use. Overall, any impacts to the safety for people residing or working in the project area would be less than significant.

Rationale: The Desert Center Airport is used infrequently and is approximately 1.25 miles from the nearest project elements. Few people would be present at the Project during operations. The risk posed by the airport to people working at the Project site is low.

Impact HAZ 5. Would the project impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?

Impairment or interference with emergency response plans or evacuation plans could adversely affect persons needing emergency services or needing to evacuate an area.

Findings: *Less than Significant*. The Project site is in a remote area with few residences in the vicinity. Access to the site would be provided from existing public roads via access gates during both construction and operations. Construction of the solar facility is not expected to require any temporary lane closures that could restrict the movements of emergency vehicles or impair an emergency evacuation. Short-term road closures may be required for gen-tie conductor stringing, which would be short term and would be suspended in event of an emergency. The proposed gen-tie line would be co-located with other existing and proposed high-voltage transmission lines and would not introduce a new obstruction that would adversely impact fire suppression efforts. The Project would result in less than significant impacts related to implementation of or physical interference with an adopted emergency response plan or emergency evacuation plan.

Rationale: The region around the Project is sparcely populated. Public roads would be closed only as needed for short term construction activities that could be suspended in an emergency.

Impact HAZ 6. Would the project expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?

Wildland fires poses a risk to people and structures.

Findings: *Less than Significant with Mitigation*. The Project is located within an area of moderate fire severity, as determined by CAL FIRE. The site consists of undeveloped open space, with minimal native or ruderal vegetation. The solar facility would be designed and constructed to industry safety design standards and Riverside County Building and Safety Department requirements to reduce the risk of electrical fires at the site. Solar arrays are fire-resistant, as they are constructed largely out of steel, glass, aluminum, or components housed within steel enclosures. Substation equipment and inverters will be sited on concrete foundations and inverters would be housed in steel and concrete equipment enclosures, minimizing the risk of electrical sparks that could ignite a fire if there were equipment failure. In the event of a fire, the complete facility alternating current (AC) power system could be shut down, and each power block could be isolated and shut down individually.

The BESS would be designed and constructed based on all applicable design, safety, and fires standards for the installation of energy storage systems. A fire safety system would be provided within each on-site battery enclosure. Mitigation measure MM FIRE-1 requires components specific to fire response and safety at the BESS be included in the proposed Fire Management and Prevention Plan for the Project.

A written emergency response plan (ERP) would be developed and implemented by the Applicant. A Fire Management and Prevention Plan (FMPP) would be prepared for construction, operation, and decommissioning of the facility. Compliance with all applicable wildland fire management plans and policies established by CAL FIRE, BLM, and the Riverside County Fire Department and implementation of a WEAP, under Mitigation Measure MM HAZ-2 (WEAP), would further reduce wildfire risks to less than significant levels.

Additional fire protection measures would include: sprinkler systems in the O&M building; a fire suppression system in the facility control room at the O&M building; and portable carbon dioxide (CO2) fire extinguishers mounted at the power conversion system units. The project would have a Project Fire Plan in place for construction and operation. This plan would comply with applicable BLM and Riverside County regulations and would be coordinated with the Riverside County Fire Department. Mitigation measure MM FIRE-1 (Fire Safety) specifies information and training required by the Fire Plan.

Overall, the construction, operation, and maintenance of the Project would result in a minimal increased risk of wildfires in the area. Implementation of a WEAP, as required under Mitigation Measure MM HAZ-2, would further reduce wildfire risks to less than significant levels. Accordingly, the Project is not expected to expose people or structures, directly or indirectly, to a significant risk of loss, injury, or death involving wildland fires. Impacts would be less than significant with mitigation.

Rationale: Project design, installation of required fire suppression systems, personnel training, and implementation of plans required by mitigation measures would make the risk of exposure of people or structures to wildfire less than significant.

Cumulative Impacts – Hazards and Hazardous Materials

The cumulative effect of transport, use, and disposal of hazardous materials during construction would be limited to the areas where concurrent construction is occurring or where roads are being used for concurrent construction traffic. Operation and maintenance of the Project, including the proposed substations, shared switchyard, and O&M buildings, would involve periodic and routine transport, use, and disposal of minor amounts of hazardous materials, primarily petroleum products (fuels and lubricating oils) and motor vehicle fuel. The implementation of Mitigation Measure MM HAZ-2 (Worker Environmental Awareness Program) and agency regulations that address the handling of hazardous materials would ensure that the Project would not create a significant hazard to the public or the environment related to the handling or accidental release of hazardous materials. Past, present, and reasonably foreseeable future projects are also subject to existing agency regulations that address the handling and accidental release of hazardous materials and all of the solar projects would have their own WEAPs for construction and operations. Therefore, existing regulations would ensure that the combined effects to hazards and hazardous materials from the cumulative projects within the geographic scope of analysis would not be considered cumulatively significant.

Construction of the Project could encounter previously un-documented hazardous materials sites within the area. Given the past military use of the area, the Project would be required to implement an UXO Identification, Training, and Reporting Plan which addresses the identification and treatment of UXO and munitions debris and a WEAP which addresses hazardous materials handling and disposal training and information. All of the cumulative projects planned in the area would also be located on former military land with a history of UXO and munitions debris and would also likely require an UXO Identification, Training and Reporting Plan and a WEAP and/or similar measures to minimize impacts to minimize impacts on and off the site. Because of the history of UXO in this area, the projects collectively could help reduce the overall impacts due to UXO hazards once they are operational and have potentially cleared areas of UXO hazards. Under cumulative conditions, implementation of the project in conjunction with development of other projects in the area is not anticipated to present a cumulatively significant impact to public health and safety of residents or workers.

Construction of the project could result in mobilization of Coccidioides fungus spores in airborne dust, which could expose workers and the public to contracting Valley Fever. Implementation of stringent dust control regulations, Mitigation Measures MM HAZ-2 (Worker Environmental Awareness Program) and MM AQ-1 (Fugitive Dust Control Plan) minimizes the risk of workers or the public contracting Valley Fever. Past, present, and reasonably foreseeable future projects are also subject to existing agency regulations that address fugitive dust and would likely have similar mitigation to prepare a fugitive dust control plan; therefore, existing regulations and mitigation would ensure that the combined effects related to contracting Valley Fever from the cumulative projects within the geographic scope of analysis would not be considered cumulatively significant.

The Project and other cumulative solar projects would all involve the storage, use, disposal, and transportation of hazardous materials to varying degrees during construction and operation. Impacts from these activities would not result in a cumulatively significant impact because the storage, use, disposal, and transportation of

hazardous materials are extensively regulated by various federal, state, and local laws, regulations, and policies. It is foreseeable that the Project and other cumulative projects would implement and comply with these existing hazardous materials laws, regulations, and policies.

Construction and operation of the Project could introduce a risk of wildland fire through accidental ignition of the sparse native vegetation. The Project would be required to comply with applicable federal, state, and Riverside County requirements relating to fire safety and fire hazards, the Fire Management and Prevention Plan, and Mitigation Measures MM FIRE-1 and MM HAZ-2, minimizing the risk of wildland fire occurring. In addition, projects in the cumulative scenario would similarly be required to comply with fire safety and fire hazard guidelines and policies and therefore, the related project impacts would not be considered cumulatively significant. In addition, the Project would result in cumulatively insignificant impacts related to impairment of the implementation of or physical interference with an adopted emergency response plan or emergency evacuation plan because no aspect of the Project would interfere with emergency response.

Hydrology and Water Quality

Impact HWQ-1. Would the project violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?

Violation of water quality standards or discharge requirements could degrade water quality, impairing its use. Construction of the Project does not include extensive grading and ground disturbing activities, but would require excavation and grading for access roads, buildings, substation, and other features. Disturbance of soil during construction could result in soil erosion and lowered water quality through increased turbidity and sediment deposition into local ephemeral streams. Downstream beneficial uses could be adversely affected through violation of RWQCB water quality standards and objectives for suspended solids, total dissolved solids, sediment, and turbidity.

Findings: *Less than Significant with Mitigation.* Accidental spills or disposal of harmful materials used during construction of the Project could wash into and pollute surface waters or groundwater. Materials that could contaminate the construction area or spill or leak include diesel fuel, gasoline, lubrication oil, cement slurry, hydraulic fluid, anti-freeze, transmission fluid, lubricating grease, and other fluids. Downstream beneficial uses for ephemeral streams could be adversely affected through violation of RWQCB water quality objectives for toxicity and chemical constituents. Likely downstream beneficial uses in the project area include Groundwater Recharge (GWR) and Wildlife Habitat (WILD).

The dry nature of most of the surface streams is such that should harmful material spills occur during construction, these could easily be cleaned up prior to surface water being contaminated. The use, storage, transport, and disposal of hazardous materials used in construction of the facility would be carried out in accordance with federal, state, and county regulations and the Project's Hazardous Materials Management Plan (HMMP).

The Applicant has committed to development and adherence to an SWPPP or SWPPP-equivalent document, which will require best management practices to: prevent and control erosion and siltation during construction; prevent, contain, and mitigate accidental spills during construction; and prevent violation of water quality objectives or damaging beneficial uses identified in the water quality control plan.

Potential threats to surface water quality during operation and maintenance activities include potential increases in erosion and associated sediment loads to adjacent or downstream washes, and accidental spills of hydrocarbon fuels, greases, and other materials associated with operation of equipment on site. The project will include electrical transformers, an electrical substation, an operations and maintenance building, and battery storage systems. There would be regulated hazardous materials on site. If spilled or otherwise accidentally released these materials could have the potential to contaminate surface or groundwater. A HMMP has been prepared, and if determined necessary based on regulatory thresholds, a HMBP, and site-specific SPCC would be developed; hazardous materials would be subject to regulatory requirements.

Alterations to site topography due to the site preparation would affect both RWQCB and CDFW jurisdictional waters of the State. Approximately 54.6 acres of RWQCB jurisdictional waters consisting of unvegetated ephemeral dry washes would potentially be impacted by Project construction and surface alterations. Streambeds on the site classified as CDFW waters of the State consist of 64.9 acres of unvegetated ephemeral dry wash and 71.5 acres of desert dry wash woodland.

Surface flow patterns would be affected by alteration to jurisdictional waters of the State (unvegetated ephemeral dry washes and desert dry wash woodland) on the site which could result in increased siltation or downstream erosion. The Project would avoid most desert dry wash woodland in accordance with CMA LUPA-BIO-RIPWET-1. Changes to streambeds classified as RWQCB and CDFW jurisdictional waters of the State by the Project would require the Applicant to obtain a LSAA from the CDFW and a WDR permit from the Colorado River Basin RWQCB. The LSAA and WDR may require compensatory mitigation for impacts to waters of the State. Impacts related to surface water degradation due to alterations to waters of the State would be minimized or prevented through compliance with CDFW and RWQCB regulations and permits and implementation of MM BIO-6 (Compensation for Natural Habitat Impacts), MM BIO-14 (Streambed and Watershed Protection), MM HWQ-1 (Drainage Erosion and Sedimentation Control Plan (DESCP)), and MM HWQ-4 (Project Drainage Plan).

Decommissioning of the Project is expected to result in adverse impacts related to water resources similar to construction impacts. The BLM approved Closure, Decommissioning, and Reclamation Plan would ensure public health and safety, environmental protection and compliance with all applicable laws, ordinances, regulations, and standards, including those related to water quality.

Existing State and federal water quality regulations, including the proposed SWPPP, are intended to ensure that water quality standards and waste discharge standards not be violated during construction or operations. However, portions of the site could be subject to flooding at depths of up to 1 foot. Although mass grading is not proposed, some ground

disturbance is expected, and some of the solar panels and proposed other structures would be placed in areas that are subject to flooding, creating a potential for erosion and sedimentation leading to potential water quality impacts during operations. Mitigation measure MM HWQ-1 requires the development of a Drainage Erosion and Sedimentation Plan that would address and mitigate erosion impacts during construction and operations. With Mitigation Measure MM HWQ-1 in place, this impact is less than significant.

Groundwater quality impacts could occur during construction if contaminated or hazardous materials used during construction were to be released and allowed to migrate to the groundwater table. With adherence to the HMMP and SWPPP, the potential for such impacts to groundwater quality is low.

During operations, the Project would produce sanitary wastewater from the O&M building, which would be treated and disposed at the site using a septic system and leach field. The Riverside County Department of Environmental Health has permit and design requirements for wastewater treatment system design, including requirements for percolation, vertical distance from the groundwater table, and setbacks from the nearest groundwater well. The use and application of septic fields is an established practice as a method of wastewater treatment and disposal. Construction and design of the Project's septic system would be subject to the Department of Environmental Health permit and design requirements and would have a less-than-significant impact to groundwater quality.

Rationale: The development and implementation of required plans for the management of hazardous materials, surface runoff, and sediment as well as requirements imposed by BLM, CDFW, the RWQCB, and Riverside County ensure that the Project does not violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality.

Impact HWQ-2. Would the project substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?

The project's water needs would be met by use of groundwater pumped from on- or off-site wells. All water needs would be met by groundwater from the Chuckwalla Valley Groundwater Basin (CVGB). Construction-period water use is expected to be 700 acre-feet (af) total and would be used primarily for dust control and soil compaction, with minor amounts for sanitary and other purposes. The average annual water use during operations is estimated to be up to 40 acre-feet per year (afy) for an assumed 30 years of operation. Water use during operations would be primarily for panel washing, restrooms, and general maintenance activities.

Findings: *Less than Significant with Mitigation*. A Water Supply Assessment (WSA) has been prepared by the Applicant that concluded the Project's use of water would be well below the estimated CVGB annual calculated surplus of 2,390 af and the additive 32-year surplus for the life of the project using the CDWR groundwater storage estimates. Dry year scenarios for the Project water use indicate a short-term recoverable deficit for a worst case single dry year and a minimal deficit of 0.2 to 0.6 percent of the basin storage over the life of the project for a worst case multiple dry year scenario. Under

average conditions the Project alone would not cause nor contribute to a groundwater deficit and would contribute only a minimal amount to a deficit over the lifetime of the Project in a multi-year drought scenario, nor would it impact the sustainable groundwater management of the basin. However, as described in the WSA and the FEIR, there is substantial uncertainty regarding the baseline groundwater budget. Using NPS estimates of baseline recharge, the CVGB is already in overdraft. Assuming NPS estimates, the Project's operations would contribute about 1.4 percent to the groundwater overdraft after the 30-year life of the project. Although the Project may result in a deficit in the CVGB, the projected worst-case scenario would not be a substantial increase to a deficit in the basin and would not be a substantial increase in groundwater use compared to current groundwater use presented in the WSA.

One concern is that project-related groundwater use could affect the adjacent Palo Verde Mesa Groundwater Basin (PVMGB) by inducing flows from the Colorado River into that basin. Any resulting use of Colorado River water without an entitlement would be illegal. However, given the distance of the project from the Colorado River, and the pumping elevation, the Project would not likely result in direct impacts to the PVMGB, and wells drawing groundwater for the Project's use would not induce flow from the Colorado River. Because of uncertainty regarding an induced flow from the Colorado River, Mitigation Measure MM HWQ-2 (Mitigation of Impacts to the Palo Verde Mesa [PVMGB] Groundwater Basin) is required to reduce the possibility of impacts related to Colorado River water.

An additional concern is that the Project's groundwater use would cause drawdown in the immediate vicinity of the well(s) used to produce groundwater for the Project. This drawdown may have the potential to adversely affect nearby wells by lowering localized water levels such that the wells' operational capability would be affected, pumping rates decline, or pumping and operation costs increase. Implementation of Mitigation Measure MM HWQ-3, which includes the development and implementation of a Groundwater Monitoring, Reporting, and Mitigation Plan (GMRMP) prior to the onset of groundwater pumping for the Project, would provide a detailed methodology for monitoring site groundwater levels and comparisons for levels within the basin, including identification of the closest private wells to the Project site. If monitoring identifies an adverse effect on nearby wells, cessation or reduction of pumping, and/or compensation for equipment, other well improvements, or for increased costs for affected nearby wells would be required to mitigate the impact.

With Mitigation Measures MM HWQ-2 and MM HWQ-3 in place, the Project would not substantially decrease groundwater supplies or interfere substantially with groundwater recharge such sustainable groundwater management of the basin would be impeded.

Rationale: Mitigation measures and permit requirement imposed on the Project would ensure that a substantial decrease in water supply does not occur and that the project does not substantially interfere with groundwater recharge. This would ensure that the Project does not impede management of the basin. Locally, mitigation measures would require monitoring to ensure nearby wells are not adversely affected and, if so, that appropriate compensatory action is taken.

Impact HWQ-3. Would the project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:

- ***Impact HWQ-3a. Result in substantial erosion or siltation on or off site***

Earthwork for project construction would require the use of heavy machinery for vegetation grubbing, grading, and installation of roads, solar fields, transmission facilities, the O&M building, the substation, the energy storage systems, and other facilities. Construction of these facilities would involve the use of tractors, bulldozers, graders, trucks, and various other types of heavy equipment, and would involve minor changes to on-site topography.

Findings: *Less than Significant with Mitigation*. Construction activities would loosen existing surface soils and sediments, increasing the potential for erosion during storm events, along with associated effects such as increased downstream sediment yields from on-site disturbed areas. Increased impervious areas could also lead to erosion by increasing the rate and frequency of runoff to areas adjacent to the impervious areas.

Grading effects that could lead to soil disturbance will be reduced by the proposed grading design that includes mowing and rolling of vegetation over large areas as opposed to major grading. It is therefore anticipated that existing drainage patterns will not be substantially altered. Although significant grading or ground disturbing activities will not occur, parts of the solar facility would be impacted by some form of ground disturbance from compaction, excavation, or grading. There would be some light grubbing for leveling and trenching. Any access roads that would be required but not already existing would be grubbed, graded, and compacted, resulting in minimal disturbance to topography. Impervious groundcover would be limited to foundations for the proposed solar panels (if needed), foundations for the transmission structures, the O&M building, energy storage system, and the substation, and compacted roads and parking areas.

Because of the proposed plan of minimal grading, alteration of the existing drainage pattern and any associated erosion or siltation, should be minimal. The Applicant's layout of solar panels and other facilities (pending final design) would largely maintain existing hydrologic patterns with respect to runoff, avoiding washes, stream beds, and stream banks, where feasible. This includes avoiding the largest washes that cross the site from south to north which correspond to the designed desert dry wash woodland setbacks. However, the site plans are not yet final, and there remains a potential for minor alteration of drainage patterns and the potential for erosion. Drainage alterations could occur through diversions by the proposed security fences, placement of structures in drainage areas, or grading to control high flow concentrations.

Alternation to drainages/streambeds mapped as unvegetated ephemeral dry washes and desert dry wash woodland and classified as RWQCB and CDFW jurisdictional waters of the State may occur as part of the Project. Changes and alterations to these washes could change the flow patterns across the site and result in increased flow velocities, increased erosion, and increased downstream siltation. Alterations to the RWQCB and CDFW jurisdictional waters would require the Applicant to obtain a LSAA from the CDFW and a WDR permit from the Colorado River Basin RWQCB. The LSAA

and WDR may require compensatory mitigation for impacts to waters of the State. Impacts related to surface water degradation due to alterations to waters of the State would be minimized or prevented through compliance with CDFW and RWQCB regulations and permits and implementation of Mitigation Measures MM BIO-6 (Compensation for Natural Habitat Impacts), MM BIO-14 (Streambed and Watershed Protection), MM HWQ-1 (Drainage Erosion and Sedimentation Control Plan [DESCP]), and MM HWQ-4 (Project Drainage Plan).

Erosion protection management would be required by a SWPPP that the Applicant has committed to preparing. Compliance with these measures is generally sufficient to reduce erosion impacts to a minimum. A DESCP is proposed in Mitigation Measure MM HWQ-1 to further address potential project-related water erosion impacts. With mitigation implemented and adherence to CDFW and RWQCB permit requirements, impacts erosion and siltation on- and off-site would be less than significant.

Rationale: The Project would not substantially alter the existing drainage pattern of the site. Project design, layout, and construction methods, along with adherence to required mitigation measure requirements and resource agency permit requirements would ensure that erosion and siltation impacts are less than significant.

- ***Impact HWQ-3b. Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on or off site.***

There is a minor potential for the Project to increase the magnitude and frequency of runoff rates through the construction of impervious areas and by altering the ground surface characteristics through grading and removal of vegetation.

Findings: *Less than Significant with Mitigation*. Impervious areas for Project facilities will be minimal and limited to the foundations for the proposed solar panels (if needed), foundations for the transmission structures, buildings, energy storage system, and substation. The parking area and roadways will be compacted, which will increase the runoff potential. Together, these features are anticipated to be only a small portion of the 5,000-acre site. Additionally, the Project plans to leave drainage patterns relatively intact. Therefore, the increase in runoff is expected to be minimal, though an impact potential remains. Depending on final engineering analysis of post-construction hydrology, retention basins may be necessary to reduce increased discharges created by the Project.

Alteration of the existing drainage pattern should be minimal because of the minimal grading proposed. Some alterations could occur through diversions by the security fences, which could become barriers to flow by the accumulation of debris, in which case substantial diversions of off-site sheet flow could occur. Security fencing with desert tortoise fencing along the bottom would enclose the developed portions of the facility site. Portions of the security fence would leave a 6- to 8-inch gap between the lower fence margin (rail or mesh) and the ground to allow for passage of desert tortoise. Structures placed in drainage areas, or grading to control high flow concentrations, could also lead to flow diversions which could adversely affect the flood potential within or outside the property. The Project plans to maintain natural drainage to the maximum extent possible.

Although minimal alteration of drainage patterns is expected, the final site plans are not yet complete, and there remains a potential for the Project to cause flooding either of adjacent property or within the site itself. Mitigation measure MM HWQ-1 requires the development of a DESCP which would address erosion-related impacts. Mitigation measure MM HWQ-4 (Project Drainage Plan) requires a Project drainage report and plan to address on-site flooding and the potential for the Project to induce flooding on adjacent property. With MMHWQ-1 and MM HWQ-4 in place, Impact HWQ-3b would be less than significant.

Rationale: Impervious surfaces within the overall 5,000-acre site would be relatively limited and scattered, consisting of foundations for certain facilities and compacted areas for roads and parking. Desert tortoise passage fencing, located near areas of desert dry wash woodland, would leave a 6- to 8-inch gap at the bottom of the fencing which would also accommodate runoff flows. Cattle fencing would be installed along segments of one BLM Open Route it traverses desert dry wash woodland areas; this wire fencing would not impede flows. If indicated by the drainage study, detention basins will be installed. Implementation of required mitigation measures would ensure that the Project does not substantially increase the rate or amount of surface runoff in a manner which would result in flooding on or off site.

- ***Impact 3c. Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff.***

There are no existing or planned stormwater drainage systems at or downstream of the Project site. Drainage in the area and downstream of the Project consists of natural desert with natural watercourses.

Findings: *Less than Significant with Mitigation*. Some increase in runoff potential is possible due to increased impervious area and compacted roadway surfaces, but a large increase is not anticipated due to the small amount of new impervious area and compacted roadways. Any increase in runoff would be addressed in the DESCP (MM HWQ-1) and detention regulations. With Mitigation Measures MM HWQ-1 (Drainage Erosion and Sedimentation Control Plan [DESCP]) and MM HWQ-4 (Project Drainage Plan) in place, this potential impact from runoff would be less than significant.

Rationale: No existing or planned stormwater drainage systems are downstream from the site. Limited amounts of hazardous materials will be stored in lockers on the site. As described for Hazards and Hazardous Materials above, mitigation measures will ensure the proper storage of these materials. Given the limited amount of hazardous materials and their containment, no substantial sources of polluted runoff would occur.

- ***Impact 3d. Impede or redirect flood flows?***

Impeded or redirected flood flows can result in inundation of parts of the Project property or adjacent properties not otherwise flooded.

Findings: *Less than Significant with Mitigation*. The Project will include perimeter security fencing around facilities which, if clogged with debris normally carried by natural flood

flows in the desert, could divert flood flows and substantially increase the flood potential within the Project property or on other properties.

The flood depths are minor for the Project, with depth estimated at up to 1 foot across portions of the site. Mitigation measure MM HWQ-4 (Project Drainage Plan) will ensure that fence-related diversions of flow would be less than significant by creating fence openings sufficient to allow pass-through flow in places where there are no demonstrable existing flood diversions.

Portions of the Project would be subject to flooding with depths up to 1 foot. Any structures placed in those areas would be subject to flood damage. The solar panels will be on posts/piles and at least 4 feet above the ground and would be above the anticipated flood depth but would be subject to scour as the flood flows pass the support posts. The substation yard location option in the southeastern project area is located in an area that would also be subject to flooding of approximately 1 foot; the proposed central substation/BESS location is not in an area mapped as prone to flooding. The O&M building could be subject to flooding, as well as the inverters, internal power lines, telecommunications system, and access roads. The internal power lines would be protected from flooding by burying or being installed on poles, but if on poles could be subject to flood-related scour. The gen-tie would have similar potential for flood-related scour if structures were placed near flood zones. The substation yard location option structures, O&M buildings and other features could be subject to flood damage. Mitigation measures MM HWQ-1 (Drainage Erosion and Sedimentation Control Plan [DESCP]) and MM HWQ-4 (Project Drainage Plan) would ensure that the site design include consideration of flood flows. Mitigation measure MM HWQ-5 (Flood Protection) is proposed to ensure that all structures are protected from flooding and flood-related scour.

Rationale: Required mitigation measures require an assessment of flood potential and appropriate design to avoid flooding and flood-related scour.

Cumulative Impacts – Hydrology and Water Quality

Surface Water and Water Quality

The project is in the Chuckwalla Hydrologic Unit which drains entirely to the Palen and Ford Dry Lakes. There is no natural outlet for this flow to other hydrologic units. Therefore, the area for cumulative hydrology and water quality analysis is confined to this hydrologic unit. The majority (81 percent) of the groundwater basin is BLM-administered land, with an additional 7 percent in NPS and State land. Twelve percent of the groundwater basin overlays undefined/private land of which a portion is the Athos solar project which would also use groundwater during construction. The private land in and around Desert Center and the associated water use is primarily for private use or some small amounts of agriculture.

Cumulative impacts to hydrology and water quality include the impacts of the Project together with those likely to occur from other existing, proposed, and reasonably foreseeable projects, many of which are similar solar power projects. These cumulative projects have the potential to contribute to cumulative hydrologic and water quality impacts in the Chuckwalla Valley Hydrologic Unit. These cumulative projects have the

potential to introduce new or exacerbate existing pollutant generation associated with construction and operation. These projects could contribute to increased runoff due to increases in impervious surfaces. All cumulative projects are crossed by watercourses that could generate flooding, with similar flooding impacts as described for the Project.

All foreseeable future projects in the Chuckwalla Valley Hydrologic Unit would be subject to similar measures as the Project when obtaining the required permits that implement compliance with state and federal clean water regulations and Riverside County floodplain development regulations. As all projects would go through an environmental review process, they would be subject to similar mitigation measures as those applicable to water quality impacts for the Project. Many of the projects in the vicinity do or would likely avoid major drainages that cross their sites. Because the Project is in a similar hydrologic setting and most of the cumulative projects are similar projects, individual project impacts are expected to be reduced to less than significant through compliance with regulations and mitigation. Therefore, the combined effects to water quality from the cumulative projects within the geographic scope would not be considered cumulatively significant and the Project would not have a considerable contribution to the cumulative impact on surface water and water quality.

Groundwater

A cumulative groundwater analysis has been performed in the WSA which considers the entire CVGB. Existing, proposed, and reasonably foreseeable projects that were considered in the cumulative groundwater analysis are: Arica Solar Project, Victory Pass Solar Project, Palen Solar PV Project, Desert Sunlight Solar Farm, Red Bluff Substation, Eagle Mountain Gen-tie line, Eagle Mountain Pumped Storage Project, Desert Harvest Solar PV Project, and Athos Renewable Energy Project. There is no other foreseeable residential, recreational, or industrial development that would increase the groundwater use. The WSA shows that the Project contributes a little less than two percent of the total cumulative operational extractions long-term and would have little effect on the rate of groundwater use or recovery. The Eagle Mountain Pumped Storage Project would use nearly 10 times the operational groundwater of all other cumulative projects combined.

With the Project and the cumulative projects in place, there would be an initial groundwater overdraft of up to 11,527.5 af in the year 2024. The CVGB would then begin to slowly recover. By the end of the 30-year period of analysis, the cumulative groundwater deficit would be approximately 6,896.2 af (approximately 0.05 percent of total CVGB storage). Without the Project and all other cumulative projects in place, there would be a surplus of 81,260 af at the end of the 30-year period (Approximately 0.5 percent of total CVGB storage). Under this scenario, though there would be an initial overdraft of approximately 0.05 percent of total CVGB storage, cumulative water use would be slightly less than the current CVGB surplus, meaning the cumulative impact would be less than significant.

The same analysis using NPS infiltration and underflow estimates would result in a total cumulative deficit of about 315,446 af (2.1 percent of total storage), to which the Project would contribute about 0.6 percent, or 1,900 af. Using these inflow estimates, the CVGB would not recover the overdraft within the 30-year period, with or without the Project.

Although this would be an impact, the small percentage of cumulative deficit is not substantial considering the amount of groundwater available in storage so would not be considered cumulatively significant.

Like the Project, many of the cumulative projects may install or use existing wells on or near each project site, drawing directly from the CVGB. All the cumulative projects listed would overlap for some period during operation and it is possible that some projects could overlap in construction and/or decommissioning timing. In this case, groundwater withdrawal could combine from these projects such that cumulatively they would cause local CVGB groundwater levels to decline. Lowered groundwater levels due to pumping to supply water for the cumulative projects and Project could combine to cumulatively impact pumping rates and capability in other nearby wells, a potentially significant cumulative impact. Mitigation measure MM HWQ-3 would require the development and implementation of a Groundwater Monitoring, Reporting, and Mitigation Plan prior to the onset of construction of the Project that would result in implementation of measures to mitigate any adverse effects on nearby wells. This would reduce the Project's incremental contribution to a less-than-significant level because it would ensure that all project-related impacts would be reversed through cessation or reduction of pumping or would be compensated for through equipment other well improvements or offset of increased costs for continued groundwater pumping at affected wells.

Land Use and Planning

Impact LU-1. Would the project cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?

This impact considers both the use of the land and the existing rights and potential conflicts with the Project.

Findings: *Less than Significant*. The Project would be located entirely on BLM-administered land within a Development Focus Area (DFA). The DFA designation allows for development of renewable energy facilities and associated infrastructure including gen-tie lines without requiring a land-use plan amendment if the project complies with relevant DRECP CMAs. The Applicant is seeking a variance to the USFWS protocol and an exemption from BLM in the LUPA, as allowed in DRECP CMA LUPA-BIO-IFS-4, in order to comply with the CMA and perform clearance surveys outside of the desert tortoise activity window.

DRECP CMA LUPA-BIO-RIPWET-1 states that a 200-foot setback be established for Semi-Desert Wash Woodland/Scrub areas. The Applicant proposed a smaller set back. Because the project would not comply with a strict interpretation of all of the DRECP CMAs, the project would not be constructed without BLM either (1) issuing a project-specific LUPA, (2) the BLM State Director approving an alternative method of compliance with the applicable DRECP CMAs, or (3) BLM determining that certain BLM criteria that achieve the intent of the CMAs are met and thus a LUPA is not required.

For the Project, BLM has determined that a project-specific plan amendment to the CDCA, as amended, is not required. The DRECP CMAs are applied to mitigate project related impacts on specific resources. Several of these CMAs contain exemptions to

required setbacks or avoidance measures using terms such as “to the maximum extent practicable” or “except for minor incursions”. BLM’s evaluation of the CMAs indicates that not strictly adhering to the setback requirements, as well as direct impacts to microphyll woodland, could be considered by BLM in conformance with the land use plan provided certain criteria are met to maintain the intent of resource protection under the CMAs. BLM has determined that the project would meet these criteria.

Approximately 500 feet of the gen-tie line would be within an ACEC and would require ground disturbance for the transmission structure(s) but would remain within an existing designated utility corridor. There is no feasible route to interconnect with the Red Bluff Substation, which is located within the ACEC, without entering the ACEC. The proposed gen-tie line would parallel existing gen-tie lines to the extent feasible. The Project and the gen-tie line would be consistent with the CDCA as amended by the DRECP LUPA, and its CMAs for the ground disturbance within the ACEC. Since this land is specifically designated for development, such as the Project, there would be no conflicts with BLM land use, and the action would not conflict with federal policies, regulations, and goals. However, the BLM retains the discretion to deny renewable energy right-of-way applications based on site-specific issues and concerns, even in areas identified as DFAs.

If the Project is developed on this site, the land would not be available for other use opportunities that would otherwise be available during the life of the project. Project decommissioning at a future date would include removal of all facilities and reclamation of all disturbed areas. The land would then be available for other multiple uses. The Project would permanently affect some BLM designated open routes by closing them, while others would be left open. Closure of BLM open routes is being reviewed by the BLM in their NEPA document and is considered an implementation process, consistent with BLM regulations.

The Project is located on federal land and is not required to be consistent with local land use policies. As part of the permitting process, the Project’s developers would coordinate as appropriate with specific County Departments that may be impacted by the Project.

BLM grants, including the Project ROW grant, are subject to the valid existing right of others. Other valid existing rights pertain to collocated transmission lines, which do not conflict with the Project, as the shared transmission line ROWs would be managed to meet all applicable regulations. If there are other applications in the project area, the BLM retains the right to require common use of rights-of-way for compatible uses, including facilities or access routes and the right to change grants to protect public health or safety of the environment.

The BLM retains the right to issue other compatible ROWs within the boundary of the Project. The BLM would consider the potential effects prior to granting subsequent ROWs. Prior to ROW grant approval, the Applicant is required to coordinate with any legally existing ROWs or conflicting uses to ensure the project does not impact these uses. This includes coordinating the construction of the gen-tie lines with construction of other approved projects.

The Project would not conflict with applicable land use plans, policies, and regulations upon approval by BLM of either a LUPA to the CDCA, as amended, or approval of an alternative method of CMA compliance approved by the BLM California State Director, and it would not result in an alteration of the present or planned land use of the area. The project is not inconsistent or incompatible with the site's existing, proposed, or surrounding land uses. As a result, any impacts with the use of the land and other conflicts would be less than significant.

Rationale: Project development requires compliance with BLM plans, policies, and regulations. The BLM will determine compliance, including whether a LUPA is required or not or whether an alternative CMA compliance method is approved by the State Director. With any of those actions, the Project would be deemed consistent, and at present BLM has determined that a LUPA is not required.

Cumulative Impacts – Land Use and Planning

Implementation of the Project and other past, present, and reasonably foreseeable future projects, primarily solar development, would preclude the development of other future uses on the Project site over the lifetime of the project and could affect land use opportunities on lands within eastern Riverside County. Potential effects could include access conflicts, or conflicts with various gen-tie line routes connecting to the Red Bluff Substation.

Many solar and renewable energy projects have been proposed, approved, or constructed in the area, on both private and public land. Similar to the Project, some cumulative projects would also block or preclude access to recreational opportunities or preclude other types of multiple use (e.g., agriculture, mining, grazing, etc.). With appropriate permitting, each project would avoid impacts to land use. During the permitting of the cumulative projects, projects would be reviewed by the BLM and/or County to ensure there would be appropriate access and no direct conflicts. As part of its planning process, the BLM has set aside millions of acres for uses other than renewable development (including for recreation, mining, conservation, etc.) and has directed renewable development to DFAs. While Riverside County's Desert Center Area Plan did not anticipate the potential for multiple solar projects in the area, the County has recently approved nearby solar projects and has shown that it does not conflict with the County plans. Because each individual project must undergo review and because the agencies have identified the Desert Center area as one where renewable energy is acceptable, the Project in conjunction with the cumulative projects would not result in a cumulatively significant land use impact.

Noise

Impact N-1. Would the project result in generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?

Noise would be generated during construction of the Project. Heavy-duty construction equipment would be used on the site and in the surrounding area for transporting

equipment and materials by truck to the site. The predominant background noise at and near the Project site is from traffic on I-10.

Findings: *Less than Significant with Mitigation*. Construction of the Project is estimated to occur over an approximately 15- to 20-month period. Construction activities will include pre-construction surveys, establishing staging areas and access points, mobilizing construction equipment, crews, and materials, installing the PV arrays and other electric facilities, and stabilizing and restoring disturbed areas. The types of construction equipment used on the Project site would include trucks, light-duty vehicles, backhoes, loaders, excavators or trenchers, forklifts, cranes, compactors, and drill rigs or augers.

The activity likely to cause the highest noise levels will be installation of steel piles for supporting the PV module structures. Steel piles would be driven into the soil using pneumatic techniques, such as a hydraulic rock hammer attachment on the boom of a rubber-tired backhoe excavator. Maximum intermittent noise levels near steel pile installation activities maybe up to 90 dBA Lmax and 83 dBA Leq at 50 feet. For activities than pile installation, typical maximum intermittent noise levels near the equipment would vary up to 84 dBA Lmax and 81 dBA Leq at 50 feet.

The noise levels caused would be substantially lower when experienced at locations distant from the site boundaries. Because sound fades over distance, on-site noise would diminish over the additional distances separating noise sensitive receptors from the proposed activities. Construction noise levels would be 64 dBA Leq at the nearest occupied residences in Desert Center, which are within a mobile home park that would be approximately 500 feet (150 meters) from the nearest proposed construction. Construction noise levels would be no more than 52 dBA Leq at a distance of 2,000 feet, the distance to the Lake Tamarisk community.

The boundaries of the BLM Chuckwalla Special Recreation Management Area and Chuckwalla Desert Wildlife Management Area ACEC are approximately 500 feet from the nearest work activities. The portions of these recreational resources that would be nearest to construction noise are immediately south of I-10 and are separated from the Project site by the freeway. During times of the nearest work activities, construction noise would be comparable to the existing noise levels along I-10, which exceed 65 dBA Ldn for locations within approximately 350 feet of the I-10 centerline.

With respect to construction-related traffic noise, development activities would also cause noise away from the site, primarily due to trucks needed to deliver and remove materials and from the traffic of commuting workers. The peak noise levels associated with passing trucks and commuting worker vehicles would be approximately 70 to 75 dBA at 50 feet, and this noise would be concentrated along the site access roads, primarily SR-177 and BLM trails/roads near the site. Along SR-177 in the Desert Center area, construction-related traffic would increase daytime noise levels by 1 to 2 dBA over the baseline levels, to approximately 67 dBA Ldn within 100 feet of the traffic.

The construction-related traffic noise impacts would be limited to daytime conditions. The increase in day-night noise levels would not be substantial in comparison to the baseline noise along SR-177.

The Riverside County Noise Ordinance allows noise from construction activities, and designates this noise as exempt, when: (a) the construction project is located a quarter-mile or more from the nearest inhabited dwelling, or (b) when the construction project is located within a quarter-mile of an inhabited dwelling and the activities are limited to certain daytime hours. The closest occupied residences in Desert Center would be within a quarter-mile of Project construction traffic and on-site construction activities within the Project site.

The typical construction work schedule is expected to be from 7:00 a.m. to 7:00 p.m., Monday through Friday. The Riverside County Noise Ordinance allows construction noise to be exempt between the hours of 7:00 a.m. and 6:00 p.m. Therefore, the work schedule of the Project would need to adhere to the County exemption for construction noise where activities are within 0.25 miles of a sensitive receptor.

Implementation of Mitigation Measure MM N-1 (Construction Restrictions) will ensure that any construction activities within 0.25 miles of a sensitive receptor outside of the schedule of the Noise Ordinance (before 7:00 a.m/after 6:00 p.m.) would be limited to light-duty equipment and vehicles. Mitigation measures MM N-2 (Public Notification Process) and MM N-3 (Noise Complaint Process) ensure that residents nearest to the Project site boundaries and access roads are provided advance notification of potentially adverse noise conditions and provide a mechanism to resolve any complaints. With the mitigation measures, Project construction would not result in a substantial increase in noise levels in excess of standards established in the local general plan or noise ordinance or applicable standards of other agencies. The impact of construction noise relative to applicable community noise standards would be less than significant with mitigation.

Operations-related activities could cause minor levels of noise during such activities as general upkeep and maintenance, inspections, vegetation management, solar module washing, fire safety, and site security. The Project will include stationary sources of noise, including PV panel tracking system motors, the inverter-transformer stations that operate when the solar panels produce electricity in the daytime, BESS, and the 500 kV substation and gen-tie line.

The most prominent stationary source noise would be the pad-mounted inverter-transformer stations. The off-site noise levels produced by the individual inverters and transformers would depend on the final equipment selected and the ultimate locations of the individual inverter stations. The inverter-transformer stations would be centrally located within each 2 to 5 MW block of PV arrays. Auxiliary equipment for inverters-transformer stations may include cooling fans and pumps that operate depending on the internal temperature of the transformer cooling oil. The typical performance specification of a commercial or utility-scale inverter with cooling system and enclosure would achieve a design standard of 67 dBA at a distance of 32.8 feet (10 meters); with multiple units on each skid to achieve up to a 5,000 kilowatt output, the resultant noise level would be approximately 71 dBA at 50 feet and 45 dBA Leq at 1,000 feet from each inverter-transformer pad.

Within the solar field, other minor sources include tracker motors and mechanisms that allow the solar panels to tilt and track the path of the sun on a single axis throughout the

day. Tracker motors and actuators would not operate on a continuous basis or in unison. Each set of actuators would operate for a few seconds and then pause for five minutes before operating again. This process would occur only during daylight hours, with a return to the starting position at sunrise. Although final design would determine the actual specifications for the motors, based on similar projects, noise from each motor and actuator would be about 62 or 63 dBA at the source or a distance of 3.28 feet (1 meter). Noise levels from the tracker motors and inverters throughout the solar field would not be discernable in the background conditions at any locations over 2,000 feet from the edges of the solar field.

The dominant stationary sources of noise near the O&M building would be related to the heating, ventilation, and air conditioning units (HVAC), if necessary for the O&M building and the selected battery storage technology. The 500 kV substation would also include switching and transformer equipment with cooling fans and pumps. Typical cooling systems for battery storage, if necessary, could generate 81 dBA at a distance of 10 feet, which would not be discernable in the background conditions at any locations over 2,000 feet from the BESS equipment.

The Project would be operated by up to 10 permanent staff on the site at any one time. Occasional vehicular noise would also be caused by crews for ongoing facility maintenance and repairs and for module washing and security patrols. These activities would normally involve only a small crew, and the Project-related O&M traffic would be sporadic.

The applicable standards in the Noise Ordinance (Chapter 9.52.040 and Section 4 of Ordinance No. 847) limits noise sources from causing excessive exterior noise on any nearby occupied property. It ensures that noise levels at any receiving land use that is a low-density “Rural Community” shall not exceed 55 dBA Lmax during the daytime hours (7:00 a.m. to 10:00 p.m.) or 45 dBA during the nighttime hours (10:00 p.m. to 7:00 a.m.). The standards set forth in the Noise Element of the General Plan for stationary sources of noise are less stringent than these in the Noise Ordinance. All equipment within the Project site would be required to comply with the stationary source noise standards of the Noise Ordinance.

The solar generating facility would be primarily active and operational during daytime hours. However, the pad-mounted inverters-transformer stations’ cooling systems and the battery storage equipment could operate outside of daylight hours. The overall noise levels caused by these units would be subject to the 45 dBA Lmax standard of the Noise Ordinance that applies at the boundary of any nearby occupied property. No occupied properties or residences would be located within 2,000 feet of the proposed O&M building, BESS facilities, or 500 kV substation and gen-tie line. At the locations of the nearest occupied residences in Desert Center, the solar array and inverter-transformer stations would be the nearest stationary sources of noise within the overall site. The separation of the inverter-transformer stations and the boundaries of the nearest occupied properties would depend on the final site designs. Preliminary site designs indicate that each inverter-transformer pad would be approximately 450 feet away from any property boundary; for any residences within 1,000 feet of the final inverter-transformer station locations, the noise from this equipment could exceed the

noise standard of 45 dBA at night for any occupied "rural community." Mitigation measure MM N-4 (Noise Performance Standard) will ensure Project compliance with the Noise Ordinance for the residential receiving land uses nearest the final inverter-transformer station locations. The impact of operation-related noise with regard to applicable community noise standards would be less than significant with mitigation.

Rationale: Construction noise would occur primarily during daytime hours and would be exempt for regulations except when construction would occur outside of hours specified in the Noise Ordinance within 0.25 miles of an occupied residence. Applicable mitigation measures would limit construction within the time and distance specified in the ordinance. Noise during operations from various stationary sources would be attenuated by distance between the source and a sensitive receptor. As required by Mitigation Measure MM N-4 (Noise Performance Standard), the location of inverter-transformer stations would be required to be at distances from inhabited dwelling such that the noise levels from Project operation do not exceed Noise Ordinance standards at the dwelling.

Impact N-2. Would the project result in generation of excessive groundborne vibration or groundborne noise levels?

Vibration transmitted by the ground can damage structures and create noise. During construction, the impact or vibratory pile drivers used for installing steel piles would have the greatest radius of potential groundborne vibration impacts. When necessary to install piles near the Project site boundaries, use of hydraulic hammers for pile installation could result in vibration that is perceptible and potentially annoying, for occupants of structures within 100 feet of the source.

Findings: *Less than Significant*. The typical groundborne vibration from an impact pile driver could exceed 0.6 inches per second PPV near the source, but at 100 feet this level would attenuate to less than 0.1 in/sec, which is below the 0.20 in/sec level that indicates an adverse human reaction. Other construction activities would create lower levels of vibration and would not have the potential to create annoyance at 100 feet or more from the equipment in use. No occupied residential structures would be nearer than 500 feet of project facilities, and accordingly, no residences would experience annoying levels of construction vibration. Other routine construction would also be sufficiently far from the nearest residences to avoid causing a vibration annoyance. Project-related vibrations would not cause adverse physical effects to structures because no structures susceptible to damage are known to be nearby. When vibration levels are low enough to avoid causing an annoyance, they would be unlikely to cause structural damage. Impacts from vibration would be localized and temporary and, therefore, would not be excessive, resulting in a less than significant impact.

Operation of the solar facility would not involve any sources capable of generating perceptible levels of vibration in the surrounding area. There would be no permanent source or potential to change vibration levels, except during unscheduled maintenance or repair activities, which would be similar to construction activities. This impact would be less than significant.

Rationale: Construction equipment capable of generating groundborne vibrations would be used periodically during construction but would not be sufficiently close to occupied

structures to create an annoyance and not sufficiently close to any structures to cause damage. Operations would create even less vibration.

Impact N-3. For projects located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within 2 miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?

There are two private airstrips near the Project. The Desert Center Airport is a private airstrip approximately one mile from the Project site boundaries, and the Eagle Mountain Airstrip is about 8 miles northwest of the site. Both airstrips have very low use levels.

Findings: *Less than Significant.* The Project does not include noise-sensitive uses; therefore, no airport/land use noise compatibility criteria would apply. All features of the Project would be outside the airfield properties and would not expose any residential land uses to noise from aircraft. Because the Project would not expose people to noise from an airport or airstrip, this impact would be less than significant.

Rationale: Nearby airports are used infrequently, and the Project would not have residences that would be affected by aircraft noise.

Cumulative Impacts – Noise

The geographic scope for cumulative analysis of noise and vibration is generally localized. Noise sources attributable to cumulative projects may cause adverse effects within approximately one mile of a Project site including truck routes, but the region of greatest influence is typically within 0.5 miles from the boundary of a project. Similarly, vibration sources that typically occur with construction activity or vehicle traffic have a region of influence that is limited to approximately 200 feet.

The cumulative projects that occur in the geographic scope for noise and vibration include potential solar energy projects similar to the Project. The noise and vibration effects of the equipment used for construction of solar energy facilities would depend on the site-specific needs and schedules and may or may not overlap spatially and temporally with those of the Project.

Construction-phase noise impacts would be short-term and limited in nature, with construction activities for all cumulative projects normally being limited to the daytime. The duration of construction work for the Project would occur over an approximately 15- to 20-month period, and after that time, few notable permanent sources of noise would occur with the Project or the probable cumulative future projects.

Cumulative noise impacts would be reduced through compliance with local laws and regulations and implementation of typical mitigation to protect sensitive receptors from noise and to implement feasible noise controls that would be expected to be imposed as part of project review and approval. This means that all projects would need to comply with the local community noise standards, such as the Riverside County Noise Ordinance. Additional mitigation may be applied to the cumulative projects through environmental permitting. This would ensure that cumulative noise impacts during construction are less than cumulatively significant.

The only sources of noise associated with solar facility operations for the Project that could combine with the cumulative projects to result in a potential cumulative impact near sensitive receptors would be employee vehicles accessing the site. Given the limited number of employees during operations of the Project and the nearby cumulative projects, the cumulative operational noise impact would not be cumulatively significant.

Cumulative effects due to groundborne vibration would occur only if there were sources of the vibration within 200 feet of the boundaries of the Project and cumulative project sites. No existing residences occur near enough to the Project or the cumulative projects sites to experience cumulative vibration effects. The areas of potential overlap of cumulative project construction-related vibration would not be likely to create a cumulative vibration impact at any residences in the area of the Project, and no cumulative effects would be likely from groundborne vibration.

Paleontological Resources

Impact PR-1. Would the project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

Significant paleontological resources are fossils or assemblages of fossils that are unique, unusual, rare, uncommon, or diagnostically important. Direct impacts to paleontological resources may result from ground disturbance activities. Indirect impacts include the unauthorized collection of fossils and other paleontological resources.

Findings: *Less than Significant with Mitigation*. The BLM follows the Potential Fossil Yield Classification (PFYC) system that provides baseline guidance for assessing paleontological resources on BLM-administered land. The Quaternary alluvial sediments at the Project site have a Moderate Class 3 PFYC classification. Although the surficial geology of the Project site may have a low potential for fossil preservation, fossiliferous older Quaternary units may be encountered at depth. Approximately 2,401 acres of Quaternary alluvial sediments with a Moderate PFYC 3 underly the Project's development areas. Mass grading would not be conducted in these areas, with most of the solar area only mowed and grubbed. Ground disturbance associated with grading, excavation, and trenching could result in direct impacts to subsurface paleontologically sensitive geologic rock units; this could damage or destroy significant paleontological resources. Known sensitivity of some of the formations underlying the Project site necessitates the implementation mitigation measures to protect and document any finds. Mitigation measures MM PR-1 (Paleontological Resource Monitoring and Mitigation Plan (PRMP), MM PR-2 (Worker Environmental Awareness Program), MM PR-3 (Paleontological Monitoring and Fossil Recovery), and MM PR-4 (Paleontological Resources Monitoring Report) will require a PRMP, paleontological awareness training, paleontological monitoring where appropriate, and mitigation and monitoring reporting. With implementation of these measures, potential adverse impacts on paleontological resources within the Project area during construction and operation would be reduced to less than significant.

Indirect adverse effects include the potential for increased unauthorized collection of fossils and other paleontological resources resulting from increased number of people being on the site during construction. Implementation of Mitigation Measures MM PR-1

through MM PR-4, the low sensitivity of the surficial deposits, and the installation of fencing around the perimeter of the project facility during construction and operation, would minimize the potential for indirect impacts to paleontological resources by limiting unauthorized access to the site, putting in place a monitoring program to ensure fossil identification and recording during construction, and providing an educational program to workers so that paleontological resources are avoided or reported to qualified professionals.

Rationale: The sensitivity of the formations underlying the Project site is known and implementation of mitigation would ensure potential adverse direct and indirect impacts on paleontological resources within the Project area during construction and operation would be less than significant.

Cumulative Impacts – Paleontological Resources

Cumulative development in the Desert Center region has the potential to directly or indirectly destroy paleontological resources, particularly during earth disturbing activities such as grading and excavation. In addition, collection of fossil materials, dislodging of fossils from their preserved environment, and/or physical damage of fossil specimens could also adversely affect paleontological resources. Together these potential direct and indirect impacts associated with development in the cumulative scenario could result in a cumulatively significant impact to paleontological resources.

A significant cumulative impact would occur if the impacts of multiple projects combined to result in the loss of paleontological resources that could provide information about ancient life in the Chuckwalla Valley. The large amount of ground disturbance proposed from projects in this region is likely to result in some loss of fossil resources, particularly if ground disturbing projects do not implement measures to avoid or minimize impacts. This would result in a significant cumulative impact. The Project, as well as the other solar development projects eastern Riverside County, would be required to provide mitigation for any impacts to paleontological resources in accordance with provisions of CEQA, as well as with regulations currently implemented by the BLM, the PRP Act, and the proposed guidelines of the Society of Vertebrate Paleontology. Implementation of Mitigation Measures MM PR-1 through MM PR-4 would ensure that the Project would avoid and minimize impacts on paleontological resources to the maximum extent feasible. Therefore, the Project's incremental contribution to cumulative impacts for paleontological resources would not be cumulatively considerable.

Population and Housing

Impact PH-1. Would the project induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?

Project construction would occur over approximately 15 to 20 months. The construction workforce would consist of an average of about 320 employees with a maximum of approximately 530 employees during peak construction times. The construction workforce would likely be largely from Riverside, San Bernardino, and Imperial Counties.

Findings: *Less than Significant*. In 2020, the unemployment rate averaged 10.5 percent in Riverside County, 10.3 percent in San Bernardino County, and 17 percent in Imperial County. Based on the most recent unemployment rates and population size, it is anticipated that the majority of the construction and operation and maintenance workforce would come from the existing labor pool in these three counties.

Vacancy rates in the study area are high, ranging from about 11 percent to 60 percent. The Desert Center area has approximately 239 vacant units; Riverside County has approximately 856,124 vacant units; San Bernardino County has approximately 726,000 vacant units, and Imperial County has approximately 58,311 vacant units. There are sufficient vacant housing units within the region to support the number of construction workers that may elect to use temporary housing during the week. It is not anticipated that workers would migrate to Riverside, San Bernardino, or Imperial Counties from other localities. Therefore, the Project's workforce would not be considered a substantial sudden growth and would not pose a burden on surrounding communities. The Project would not cause a shortage in available housing for existing residents in these counties. It would not trigger the need for new housing and would not induce a substantial permanent growth in the regional population levels.

During project operation, up to ten workers would be part of the regular O&M workforce that would perform daily visual inspections and minor repairs. This operations workforce would require either 10 permanent staff members, or 2 permanent staff with 8 project operators who are located off site and would be on-call. The small number of operational staff would not substantially increase the population in Riverside, San Bernardino, and Imperial Counties. The O&M staff would not increase the local population, and vacancy rates within the study area indicate there is abundant available housing for any employees who may relocate into the area.

It is anticipated that decommissioning activities would require similar equipment and workforce as construction.

Overall, the Project's impact on population growth in the local area and demand for additional housing from construction, operation, and decommissioning would be less than significant.

Rationale: The available workforce and housing opportunities within commute distance of the Project would not result in a substantial unplanned population growth in the area.

Impact PH-2. Would the project displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?

The Project would be on vacant land and would not displace people or housing.

Findings: *No Impact*. There are no existing residences or buildings on the Project site. Construction and operation of the solar facility would occur within the Project's boundaries and would not result in the displacement of any existing housing or people. No replacement housing would be required as a result of construction and operation of the solar facility. As such, no impact would occur.

Cumulative Impacts – Housing and Population

The geographic scope of the cumulative impacts analysis includes populated areas within a two-hour worker commute distance of the project area at Desert Center. This area extends west to Riverside in Riverside County and into San Bernardino County. El Centro in Imperial County is approximately a two-hour commute as well. Blythe is less than an hour east of the project.

Short-term cumulative impacts to population and housing would occur during both construction and decommissioning, when construction schedules of multiple projects may overlap and create a demand for workers that may not be met by the local labor force, thereby inducing in-migration of non-local labor and their households. Because the operational workforce is small, no operational cumulative population and housing impacts would occur even when multiple projects overlap.

Construction of the Project could overlap with construction of the reasonably foreseeable future projects. It is unlikely that all the foreseeable future projects' construction would occur simultaneously because they are in different phases of planning, approval, and construction. Under the conservative assumption (i.e., worst-case scenario) that peak construction periods overlap for all reasonably foreseeable projects, there would be an increased demand for temporary housing in the cumulative area. The vacancy rates for housing units are moderately high (ranging from 11 percent to 60 percent) in the surrounding communities, and there are temporary housing options available as well. There is an ample supply of housing to accommodate workers drawn from outside the two-hour commute area. Therefore, cumulative impacts regarding housing are projected to be less than cumulatively significant.

Public Services and Utilities

Impact PSU-1. Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for any of the public services:

Construction workers and O&M staff are anticipated to be sourced from surrounding communities in Riverside, San Bernardino, and Imperial Counties. As such, construction and operation of the Project would not induce substantial permanent growth to the regional population levels to require new or altered governmental facilities. Decommissioning is anticipated to require a workforce similar to that required for construction.

- ***Fire protection?***

Findings: *Less than Significant with Mitigation*. The Project is not located within a designated area of very high or high fire hazard, according to Fire Hazard Severity Zones Mapping. In addition, no residential structures would be constructed as part of the Project.

During construction, there is a potential for fires from electrical sparks, combustion of fuel oil, hydraulic fluid, mineral oil, or insulating fluid at substations, or flammable liquids,

explosions, and over-heated equipment. The Project could result in an increase in demand for fire protection services above existing levels during construction. However, given the small population of Desert Center and the Project's proximity to the local fire station (Station 49 – approximately 0.1 miles away), the Project would not substantially increase demand for fire protection services or affect response times. The Project would not directly or indirectly cause a substantial population growth to generate a need for new or expanded fire protection facilities. Impacts would be less than significant, and no mitigation would be required.

Although the risk of wildfire at the Project site is low, fire prevention and safety measures would still be implemented. The Project would have a Fire Management and Prevention Plan to include measures to protect human life, prevent injury, preserve property, and minimize downtime due to fire or explosion. The Fire Management and Prevention Plan would be enhanced by Mitigation Measure MM FIRE-1 (Fire Safety Plan), which identifies specific elements that need to be included in the Fire Management and Prevention Plan. The Fire Plan would identify potential hazards and accident scenarios that have the potential to occur at the facility during construction. The Fire Plan would decrease the risk of fires and include fire response measures that employees would implement before emergency responders arrive on site.

Increases in long-term demand for fire protection services typically are associated with substantial permanent increases in population. Up to 530 workers at the peak, with an average of 320 daily workers, would be present on the site during the estimated 15 to 20-month construction period. It is anticipated that the construction workforce would be drawn from communities within Riverside, San Bernardino, and Imperial counties, and would not induce substantial growth even during the construction period such that the demand for fire protection services would increase, aside from that noted for activities taking place at the construction site. After construction, the up to 10 operation personnel would not contribute to a significant population increase resulting in an increase to the demand for fire protection services or require new or altered facilities. The Project would be required to coordinate directly with the Riverside County Fire Department (RCFD) regarding fire access and secondary access as required. Overall, the Project's impacts to the RCFD's ability to maintain acceptable service ratios, response times, or other performance objectives relating to technical rescue services would be less than significant with mitigation.

- ***Police protection?***

Findings: *Less than Significant*. The temporary presence of construction workers could increase demands on police services. Although an addition of up to 530 construction personnel would alter the current protection service ratio, because construction is not anticipated to permanently increase the local population, no new or expanded law enforcement facilities or increased staff levels within the Project's area would be required. In addition, during construction, temporary fencing would surround the Project to provide security, minimizing the potential need for assistance from the Riverside County Sheriff's Department or the California Highway Patrol.

Construction would generate truck and worker traffic along haul routes and at the project vicinity, which could temporarily increase the accident potential in these areas or

affect response times or other service performance over the construction period. The additional volume of traffic associated with construction workers commuting to the Project site during construction would be temporary and it is anticipated that personnel and equipment from the Sheriff's Department or the CHP would suffice to respond to incidents in the project area. Construction is not expected to adversely affect the CHP's ability to patrol the highways. Once operational, the Project would be secured by up to 6-foot-tall chain-link perimeter fencing topped with 1 foot of three-strand barbed wire. Off-site security personnel could be dispatched during nighttime hours or could be on site, depending on security risks and operating needs. Exterior lighting, controlled access gates, motion detectors, infrared security cameras, and/or similar technology would be installed to allow for remote monitoring of the site 24 hours a day, seven days a week. These measures would deter unlawful activities and minimize the potential need for the police assistance.

Overall, construction and operation of the Project would not result in the need for new or physically altered police or sheriff protection facilities to maintain acceptable service ratios, response times, or other performance objectives. Impacts would be less than significant.

- ***Schools?***

Findings: *Less than Significant*. Most construction works are expected to reside within commute distance of the Project site. There are sufficient vacant housing units within the nearby communities to support the number of construction workers who might move into the region, and the Project would not trigger the need for new housing. During operations, the 10 operation personnel would likely come from the local labor force and would not contribute to a significant population increase. The Project would not displace populations or existing housing and would not necessitate construction of replacement housing elsewhere. Therefore, the temporary addition of construction workers and permanent addition of operation personnel to the local population is not anticipated to increase school enrollment sufficiently to require new schools to be constructed or existing schools to be physically altered to allow for a project-related increase in enrollment, Impacts would be less than significant.

- ***Parks?***

Findings: *Less than Significant*. No local parks or regional parks are near the Project. Nearby lands administered by the BLM are used for recreation. The required construction workforce for the Project would be hired primarily from the available regional workforce. Any temporary in-migration that would increase the local population during construction would be limited and would not warrant the need for new or expanded parks and recreational facilities within the regional or local area. The in-migration and presence of construction workers in the area would be temporary and occur during the construction phase. It is anticipated that some of the workforce may temporarily seek housing near the Project and would commute home on weekends, and as such, is unlikely to use the recreation facilities to an extent that would require the provision of new or expanded park facilities. Although some workers may use recreational areas increased use would be minimal and/or temporary and would not contribute substantially to the physical deterioration of existing facilities. Less than significant impacts would occur.

- ***Other public facilities?***

Findings: *Less than Significant*. The RCFD would provide first responder emergency medical care to the Project site. The nearby RCFD fire station is staffed full-time, 24 hours, 7 days a week, with a minimum three-person crew, including paramedics. Once a patient is transported, local area hospitals are available to provide emergency medical care.

Although a high number of construction workers would be on site, local emergency medical facilities are expected to adequately handle any worksite accidents requiring medical attention. Minor injuries could be treated at Palo Verde Hospital in Blythe. Injuries resulting in significant trauma would be treated at the Desert Regional Medical Center in Palm Springs. If the coronavirus SARS-CoV-2 (COVID 19) epidemic is ongoing during the construction workers would follow strict protocols to reduce the potential for an outbreak. As of 2021, several solar construction projects in the Desert Center area are under construction during the COVID-19 pandemic and have been able to minimize the risk of transmission. Protocols would be established and incorporated into the construction planning to reduce outbreaks. Project construction and operation would not result in the need for new or physically altered hospital facilities or personnel or result in the increase in emergency responder staff levels within the project regional or local study area; impacts would be less than significant.

Although construction of the Project would temporarily increase the number of people in the Desert Center area, it would not permanently substantially increase the population. The permanent addition of 10 full-time staff and the operation and maintenance–related demands of the project would also not substantially increase the population. New or expanded library facilities within the area are not required, and impacts would be less than significant.

Rationale: Construction workers are anticipated to be drawn from local communities in a three-county area, with most commuting to the site. Neither construction nor operation of the Project would substantially increase the need for fire, police, or health services or for recreation facilities, schools, or libraries.

Impact PSU-2. Would the project require or result in the relocation or construction of new or expanded water, wastewater treatment or stormwater drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?

Findings: *Less than Significant*. The Project would not require or result in the relocation or construction of new water, wastewater treatment, or natural gas facilities during construction, operation, maintenance, and decommissioning because they would not be connected to a public water or sewer system and would not use natural gas.

External telecommunications connections to the Project's Supervisory Control and Data Acquisition (SCADA) system could be provided through wireless or hard-wired connections to locally available commercial service providers. As such, the Project would not require any substantial construction efforts regarding telecommunications

facilities and structures. No relocations of existing telecommunication structures would occur.

Most of the original grades and natural drainage features at the Project site would be maintained, and minimal storm drainage control features would be required. Storm drainage components would be constructed around the BESS facility to capture and direct stormwater flows away from the facility. As part of the Project, a SWPPP would be prepared by a qualified engineer or erosion control specialist and would be implemented before and during construction. The SWPPP would potential impacts related to erosion and surface water quality during construction activities and throughout the operational life of the Project. In addition, the SWPPP would include BMPs, which would include stormwater runoff quality control measures, concrete waste management, stormwater detention, watering for dust control, and construction of perimeter silt fences, as needed. The SWPPP and associated BMPs are not considered as mitigation and instead are implemented as part of the Project activities in compliance with State and federal regulations. The SWPPP and BMPs would ensure that the Project will not require or result in the construction of new stormwater drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects, and impacts would be less than significant.

Rationale: The Project will not require or result in the relocation or construction of new or expanded water, wastewater treatment, electric power, natural gas, or telecommunications facilities. Site stormwater will be managed on site to protect facilities, with stormwater flowing to existing nature drainageways.

Impact PSU-3. Would the project have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?

During construction of the solar facility and gen-tie line, it is anticipated that a total of up to 700 acre-feet of water would be used over the construction period for dust suppression, soil compaction, sanitation, and other purposes. The Project would use an estimated 40 acre-feet of water annually during its 35- to 50-year service life.

Findings: *Less than Significant*. Water requirements associated with construction would end with completion of the construction phase. Locally obtained well water would be sufficient to meet this short-term need. O&M water would be required for panel washing and maintenance and for substation restroom facilities. Water would also be used for fire safety and the implementation of BMPs and mitigation measures. Water used for restrooms would be directed to a septic system where it would infiltrate or evaporate. Wastewater from panel washing would be absorbed into the surrounding soil or would evaporate.

Water would be obtained from either an on-site or off-site groundwater well. The estimated volumes of water use would be nominal in comparison to the estimated groundwater basin surplus especially after construction. Given the minimal amount of water used during operations, there would be sufficient water supplies available to serve the Project and reasonably foreseeable future development during normal, dry, or multiple dry year scenarios. Impacts would be less than significant.

Rationale: Construction-period water use is short-term and water use during operations is minimal. There would be sufficient water under during normal, dry, or multiple dry year scenarios.

Impact PSU-4 Would the project generate solid waste in excess of state or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?

The Project would generate solid waste during construction, operation, maintenance, and decommissioning.

Findings: *Less than Significant with Mitigation*. Riverside County must comply with the California Green Building Standards Code, also known as CALGreen, which includes mandatory recycling.

Cut and fill associated with grading activities is anticipated to be limited; as such, import of soils and export of soils to a landfill is expected be minimal. Construction materials would be sorted on site during construction and transported to appropriate waste management facilities. Recyclable materials would be separated and stored until they could be transported to a designated recycling facility. Wooden construction waste (such as from wood pallets) would be sold, recycled, or chipped and composted. Other compostable materials, such as vegetation, might also be composted off site. Non-hazardous construction materials that cannot be reused or recycled would likely be disposed of at the municipal county landfills. Hazardous waste and electronic waste would be transported to a hazardous waste handling facility (e.g., electronic-waste recycling).

During operations, non-hazardous waste would be limited to office uses and include paper, aluminum, food, and plastic and would be recycled where possible or otherwise disposed of at the county municipal landfills. Solar panels are managed as “universal waste” and would need to be disposed of under the appropriate California standards applicable at the time of disposal.

During decommissioning at the end of the Project’s useful life, the infrastructure would be removed according to a BLM-approved Closure and Decommissioning Plan. A majority of project components would be suitable for recycling or reuse, and Project decommissioning would optimize salvage to the maximum extent possible in compliance with local, State, and federal laws and regulations in place at the time of decommissioning.

The nearest landfill to the Project is the Desert Center Sanitary Landfill (approximately 2.8 miles northwest), with a remaining capacity of approximately 127,414 cubic yards. The other nearest landfill is Blythe Sanitary Landfill (located approximately 39.4 miles east) which has over 3.8 million cubic yards of capacity remaining. It is estimated to operate until year 2107. The Project would comply with applicable federal, state, and local regulations related to solid waste, and sufficient capacity is anticipated at the nearest waste disposal sites. Overall, impacts related to solid waste would be less than significant.

Rationale: The Project is required to comply with federal, state, and local laws and regulations pertaining to the disposal of wastes and would recycle waste to the extent feasible. Sufficient capacity is available in the nearest landfills to accommodate Project waste.

Impact PSU-5. Would the project comply with federal, state, and local management and reduction statutes and regulations related to solid waste?

Findings: *Less than Significant*. As described for Impact PSU-4 above, construction and operation of the Project would comply with and attain the goals outlined in CALGreen Building Standards Code. Compliance would further the State's goals to minimize waste, increase recycling efforts, and reduce greenhouse gases. Waste reduction and recycling efforts would reduce the Project's impacts to the landfills in the area..

During operation, the relatively small number of permanent workers would generate minimal amounts of solid waste such that the waste would be adequately handled by existing waste management services and facilities. Disposal of wastes associated with construction and operation of the Project would be performed in accordance with local, State, and federal regulations, and excess materials and waste would be recycled or reused to the maximum extent practicable. As such, the project would comply with federal, state, and local management and reduction statutes and regulations related to solid waste, and no adverse impacts are anticipated. Impacts would be less than significant.

The Project and other projects in the cumulative scenario, together, could increase demand for public services and utilities in eastern Riverside County due to increases in workers within the area during construction. The Project could contribute to a significant cumulative impact to public services but not utilities because the Project and all cumulative projects would be required to comply with the same state and local requirements for waste diversion, recycling, and landfill capacity. The project's incremental solid waste-related impact during construction, operation, and decommissioning, when combined with the contributions of past, other present, and reasonably foreseeable future projects would not be cumulatively significant. The total volume of waste disposed at the Desert Center and Blythe Sanitary Landfills under the cumulative scenario is not expected to exceed the permitted capacity or result in a cumulatively significant impact.

Cumulative operational impacts to utilities would not be cumulatively considerable. The Project would use an on-site or off-site groundwater well and would not generate wastewater. There is no potential for the Project to contribute to cumulative impacts to water or wastewater systems.

- ***Fire Protection, Law Enforcement, and Health Services***

Construction of reasonably foreseeable future projects may overlap with construction of the Project. The other present and reasonably foreseeable cumulative projects that fall within the geographic scope for fire and law enforcement services are primarily made up of energy projects, including utility-scale solar and transmission projects. The greatest potential for fires and fire hazards requiring fire service would exist at the Project site during construction because the peak on-site workforce and variety of equipment could

create sparks or other potential fire hazards. The combined effects of the increased cumulative demand for fire, law enforcement, and emergency medical services from the cumulative projects within the geographic scope of analysis could result in a cumulatively significant impact. The implementation of Mitigation Measure MM FIRE-1 (Project Fire Plan) for the Project would reduce its demand for fire, law enforcement, and emergency medical services from construction, such that the residual demand would not exceed established service ratios or require new or physically altered facilities. The incremental effects of the Project would therefore be reduced to a level that is less than cumulatively considerable. The incremental effects of up to 10 permanent staff during operations would also not be cumulatively considerable because the very low number of workers would not exceed established service ratios or require new or physically altered facilities.

Cumulative operation and maintenance–related demand for public services including fire, hazardous materials handling, and medical resources and facilities related to the project would be less than the demands during construction and would not be cumulatively significant due to the low number of employees required to support projects in the cumulative scenario. No significant cumulative effect would result from operation of the Project.

At the end of the Project's operational project components would be decommissioned and dismantled; the site would be restored to its approximate pre-project conditions, including restoration of soil, revegetation, and mulching according to BLM-approved reclamation measures. Similar to construction, the greatest potential need for public services would be associated with fire hazards. Under cumulative conditions, implementation of the Project in conjunction with past, existing, and future projects is not anticipated to cause a demand on public services such that the construction of new or physical alteration of existing facilities would be required. The cumulative projects would temporarily increase the population in the region only during the construction and decommissioning phases, would include mitigation measures to reduce the need for public services, and would not require construction of new or physical alteration of existing facilities. Therefore, no significant adverse cumulative impact would result.

- ***Schools and Libraries***

Due to the temporary nature of construction, it is unlikely that any of the cumulative projects would result in a substantial number of workers and their families permanently relocating to the area. The majority of workers is anticipated to come from Riverside, San Bernardino, and Imperial counties. Any potential impact to school and libraries from the minimal number of operations personnel for each solar project would be negligible, especially as the workers would be sourced from local communities and would likely commute. There would be no significant cumulative impact to schools or public libraries.

Recreation

Impact REC-1. Would the project's construction or operation directly or indirectly disturb recreational users, reduce or block access to recreational areas, or change the character of a recreational area, diminishing its value?

Findings: *Less than Significant with Mitigation*. Recreational users of specially designated lands could be disturbed by noise, traffic, and dust associated with construction vehicles and activities during both initial construction and decommissioning. The Project site is immediately adjacent to I-10 and readily accessible via the freeway interchange at Desert Center. Construction effects may be apparent within the BLM Chuckwalla SRMA, wilderness areas, ACECs, and JTNP. However, visitation to these areas in the vicinity of the Project is low and they are not close to the Project site itself. JTNP, which is 6 miles away, has a much higher overall visitation, but these visits are concentrated in more accessible parts of the park.

Furthermore, temporary construction effects that could impact any recreational users in the nearby surrounding area would be reduced by implementation of Mitigation Measures MM AQ-1 (Fugitive Dust Control Plan) and MM N-2 (Public Notification Process). Impacts to recreational users would be less than significant.

Fencing of solar arrays and other project facilities would prevent OHV use and dispersed camping access on the Project site, including all or parts of the BLM open routes within the project area:

The blocked routes (identified as BLM open route DC 372, DC 425, DC 377, and DC 378) do not provide unique opportunities in the region, there are many other open routes for use in the area. As well, the routes are within an area defined by the BLM as a DFA under the DRECP LUPA and ROD, which anticipates that specific areas would become inaccessible for recreational use once solar projects are developed. Therefore, the impact of closure would be less than significant.

The Project is entirely on BLM-administered public land that is primarily undeveloped desert, with other solar projects, a substation, and transmission lines in the vicinity. This land is designated as a Development Focus Area and is bordered on the south by I-10, to the north by a separate solar project under construction, and to the east by the site of a proposed solar project. Additional existing solar projects are found to the north and east. There are no defined recreation areas within the Project's boundaries. As a result, the Project would cause no direct loss or change of character of existing designated recreational facilities, nor would its development result in the increased use of other designated recreational facilities.

During operation, the presence of the Project would present a visual change that could affect recreationists who are seeking a natural setting, in particular from wilderness areas or JTNP. Since 2010, the Desert Center area has been transformed by large active solar projects and new and existing transmission infrastructure. As a result, the modification of the region (from undisturbed desert to more energy development) occurred before the Project was proposed and views from nearby sensitive areas, such as wilderness, have already been modified. While the Project would add to the existing development in the area, the operational impacts of the Project would be less than significant.

As noted for Aesthetic Resources, the Project would control night lighting, but nighttime lighting could affect the nighttime experience for dispersed recreational users in nearby wilderness areas and JTNP. Because the impacts associated with nighttime lighting would be limited in nature and reduced with implementation of Mitigation Measure MM

AES-1 (Night Lighting Management Plan), the night lighting recreational impact on the dark sky and star gazing would be less than significant.

Rationale: There are no defined recreation areas within the Project's boundaries and the Project is located in a DFA with many other surrounding solar projects existing and proposed. Temporary construction effects that could impact any recreational users (e.g., air emissions, noise) in the nearby surrounding area and night lighting impacts during operation would be reduced by implementation of mitigation measures discussed under Air Quality, Noise, and Aesthetics.

Cumulative Impacts – Recreation

The geographic scope for cumulative recreation impacts is the Desert Center area. The direct and indirect impacts to recreation would be additive within this area in that they could result in direct loss of recreation and indirect impacts to the same resources. Within this area, there are multiple existing large solar projects and additional projects are under construction or proposed. While other existing or proposed types of projects would add to the cumulative impacts, the solar facilities would be the largest contributors.

Each existing or proposed solar project would result in similar impacts to recreation as those described for the Project, primarily loss of land that could be potentially used for passive recreation and the potential closure of open BLM routes and navigable washes. However, each project is located either on private land previously used for agriculture and not available to the public for recreation, or on BLM-administered land designated as a Development Focus Area under the DRECP LUPA. While some of the BLM land may no longer be available for recreation, the direct loss of recreational lands would be minimal compared with the land available for recreation (many millions of acres), including the Chuckwalla Special Recreation Management Area (SRMA) south of I-10. The BLM specifically protected recreation south of the I-10 because it includes the area of primary recreational interest.

If all the proposed solar projects in the area were developed, a cumulative loss of some local Desert Center OHV routes would occur, because both all projects would require some route closures. The cumulative loss of OHV routes by the Project in conjunction adjacent projects would be less than cumulatively significant because the routes impacted by the project do not lead to any specific recreation area and are minimally used.

If all the proposed solar projects were developed, they would result in approximately 20,000 acres of solar development in the Desert Center area. This amount of development would substantially change the region and the vistas from nearby recreational facilities, such as wilderness areas and the JTNP, that are valued for their solitude and isolation. Although minimal, the projects would also add visible night lighting within the broader Chuckwalla Valley. This may cause a reduction in visitation to nearby recreational areas due to this change, as visitors looking for isolated recreation opportunities may look elsewhere, causing an increase in visitation to other wilderness areas outside of Desert Center.

Cumulative temporary construction nuisance impacts (e.g., dust, noise) and operational night lighting that could affect the recreational experience would be reduced through compliance with local laws and regulations and implementation of typical mitigation to protect sensitive receptors and dark skies. Likewise, the incremental contribution of the Project to the cumulative impact would be reduced by implementing Mitigation Measures MM AES-1 (Night Lighting Management Plan), MM AQ-1 (Fugitive Dust Control Plan), and MM N-2 (Public Notification Process). Furthermore, since there is a large amount of wilderness and solitary recreational areas in eastern Riverside County and the California desert generally, it is unlikely that recreationists who choose another wilderness or solitary area outside of Desert Center would increase the use of these areas such that it would lead to or accelerate substantial physical deterioration of the region. Therefore, there would not be a significant cumulative impact from the Project under CEQA.

Traffic and Transportation

Impact TRA-1. Would the project conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?

Construction of the project would result in workers traveling to/from the site as well as deliveries of equipment and materials, generating vehicle trips to the area during the 15- to 20-month construction period. During operations, worker travel would be nominal.

Findings: *Less than Significant*. The estimated maximum addition of 1,240 daily trips (1,080 daily passenger vehicle commute trips and 160 truck delivery trips during construction) would temporarily increase traffic volumes on the I-10 and SR-177. Given the existing daily traffic on I-10 in the project area (28,000 vehicles), an additional 1,240 trips (4.4 percent increase in daily traffic volumes) would be noticeable but is considered less than significant. A temporary maximum increase of 160 daily truck trips would be a 1.6 percent increase in daily truck volumes on I-10 in the project area, which is considered less than significant.

For SR-177, the increase in daily traffic volumes during construction would be more substantial. Given the existing daily traffic on SR-177 in the project area (3,250 vehicles), an additional 1,240 trips (38 percent increase in daily traffic volumes) would be noticeable. However, a temporary maximum increase of 160 daily truck trips would be only a 6 percent increase in daily truck volumes on SR-177 in the project area, which is considered less than significant.

While the addition of temporary construction worker commute trips on SR-177 would significantly increase the amount of ADT compared to existing conditions (i.e., without the Project), the Project is not found to be inconsistent with applicable plans, ordinances, or policies establishing measures of overall effectiveness for the performance of the circulation system under Southern California Association of Governments Regional Transportation Plan (RTP), Caltrans, or Riverside County's General Plan Transportation Element. Therefore, while construction would result in a temporary 385 increase to average daily traffic (ADT) volume on SR-177, the project is considered to have a less than significant impact to applicable plans and policies. As well, most of the increased

traffic volume on SR-177 would occur near the I-10/SR-177 interchange, near the Project, and would not extend a great distance north on SR-177.

Operation and maintenance of the project is expected to generate 26 trips per day, which is considered a nominal increase to existing daily traffic volumes. Furthermore, all private access roads would be designed consistent with applicable County and other standards. Therefore, operation would not disrupt any transportation facilities and would result in less than significant impacts to an applicable plan, ordinance, or policy addressing the circulation system.

Traffic impacts during decommissioning are anticipated to be similar to those of the construction phase, as described above.

There are no designated pedestrian and bicycle paths in the vicinity. The only Palo Verde Valley Transit Agency public bus stop in the region is at Desert Center and I-10. Construction of the solar facilities is not expected to directly affect I-10. However, construction of the project gen-tie interconnection with the Red Bluff Substation would cross I-10. This crossing would require obtaining an encroachment permit from Caltrans, which would ensure the safe and continuous movements of vehicles on I-10. Therefore, the gen-tie crossing would have a less than significant impact to the Verde Valley Transit Agency route that uses I-10. Lastly, while the project would require large vehicle travel on I-10, this segment of freeway contains a large number of large truck movements under existing conditions. The addition of truck trips on I-10 during construction would not affect the Verde Valley Transit Agency route that uses I-10. Impacts during construction would be less than significant.

The Project is not located near office uses, employment centers, or existing/planned residential sites. Thus, there are no opportunities for alternative transportation to serve construction workers. While the Project would not be transit-friendly, it would not impact an applicable plan, ordinance, or policy establishing measures of effectiveness for public transportation facilities. Mitigation measure MM TRA-1 (Construction Traffic Carpool and Trip Reduction Plan) would encourage carpooling. Once constructed, maintenance activities would occur as needed at the solar facilities but are not expected to restrict transit, pedestrian, or bicycle movements. Impacts would be less than significant as they pertain to an applicable plan, ordinance, or policy related to alternative transportation.

Rationale: Existing roads have sufficient capacity to accommodate construction-related traffic. Given the remoteness of the Project site, efforts will be made to encourage car pooling of construction workers to reduce traffic and fuel consumption.

Impact TRA-2. Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?

This section of the CEQA Guidelines relates to vehicle miles travelled.

Findings: *Less than Significant with Mitigation*. Per CEQA Guidelines Section 15064.3(b.3), a qualitative Vehicle Miles Travelled (VMT) analysis of construction trips is appropriate. However, no known applicable VMT thresholds of significance for temporary construction trips that may indicate a significant impact are available.

The Project would result in traffic trips during construction. Truck trips associated with materials and equipment deliveries would likely come from within the Palm Springs, Blythe, and/or Riverside–San Bernardino area, with some specialized materials trips likely originating from the Ports of Long Beach and Los Angeles. Many workers needed for construction are expected to reside within a 60- to 90-minute drive time of the site or to temporarily relocated in the region. This assumption is based on observations regarding worker commute habits during construction monitoring efforts for recent similar renewable energy and transmission projects in the California desert. However, some construction workers may come from outside this commute area and seek temporary housing proximate to the work area. Due to the remote location of the Project, some construction truck trips may require high VMT to access the site; for example, it is 190 miles from the Port of Long Beach to Desert Center. All construction-related truck trips would be temporary and only in volumes necessary to deliver equipment and materials to the site. Upon completion of construction, all truck trips and worker commute trips related to construction would cease.

To ensure VMT is reduced to the extent feasible, Mitigation measure MM TRA-1 (Construction Traffic Carpool and Trip reduction Plan) requires the Applicant to prepare a Plan for review by affected jurisdictions, with the Plan providing means to encourage or provide ridesharing opportunities for construction workers and to reduce VMT whenever feasible. Therefore, while the Project would include temporary construction trips that may include high VMT, the project would seek to reduce VMT and is presumed to cause a less than significant transportation impact.

Operation and maintenance of the project would generate 26 daily vehicle trips, with the majority being passenger vehicles from O&M workers. Per Caltrans guidelines, projects that generate or attract fewer than 110 trips per day generally may be assumed to cause a less-than significant operation VMT impact.

With respect to a qualitative analysis for compliance with the Regional Comprehensive Plan and the Regional Transportation Plan, it is assumed permanent operational workers would either be located in, or seek permanent residence within, a 30-mile commute. Based on U.S. Census data for the area, approximately 28 percent of those residing within the area have a daily work commute ranging between 20 to 40 minutes in duration. Therefore, the estimated commute time and VMT for operational workers is within a reasonable range typical of the remote desert communities nearest the Project. Considering the remote location of the site, limited residential and public transit opportunities close to the site, and the low number of operations daily trips (26 daily trips), the operation of the Project is not considered to result in high VMTs that could adversely affect transit or transportation planning for the area. Therefore, operational-related trips would not affect existing transit uses or corridors and are presumed consistent with regional plans for reducing VMT and less than significant impacts would occur.

Impacts during decommissioning are anticipated to be similar to those of the construction phase. Any increase in VMT during decommissioning would be temporary. Therefore, impacts are considered less than significant.

Rationale: Workers would be encouraged to carpool, thus reducing VMT. The Project site is remote and the lack of alternative transportation modes requires vehicle use. The increase in VMT during construction would end in less than 2 years.

Impact TRA-3. Would the project substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?

Sharp curves and dangerous intersections created by a project or the presence of slow or large equipment on roads could increase hazardous conditions.

Findings: *Less than Significant with Mitigation*. Construction traffic would access the Project site from SR-177 at new access points. Due to the flat topography, both SR-177 and the proposed access points would have a relatively straight horizontal alignment with good visibility looking in all directions. All new internal site roads would be private. During construction, truck drivers would adhere to California Vehicle Code regulations pertaining to licensing, size, weight, and load of vehicles operated on highways and local roads; safe operation of vehicles; and the transport of any hazardous materials. Traffic on public freeways and roads would be of the same vehicle types (passenger vehicles and heavy trucks) that currently occur and are allowed. As the Project area does not include any pedestrian or bicycle facilities, hazard impacts from Project-related vehicle use of public roadways would be less than significant.

The movement of heavy trucks and equipment at the Project's access points from SR-177 could potentially result in damage to SR-177 road surfaces and shoulders. Additionally, the gen-tie crossing of I-10 would likely require the temporary installation of guard structures during conductor wire stringing to prevent the conductor from falling on the roadway. Mitigation measure MM TRA-2 (Repair Roadways and Transportation Facilities Damaged by Construction Activities) ensures any damage and deterioration attributed to the Project would be repaired. Hazard impacts from roadway damage demonstrable to the Project-related would be less than significant with mitigation.

During operations, average daily traffic volumes associated with the project would be 26 trips per day, with the majority being passenger vehicles. This amount of operational daily trips would have a negligible effect on public roadway safety and would not damage roadway surfaces. Less than significant roadway hazards would occur from project operation.

Decommissioning impacts are anticipated to be similar to those of the construction. The actual impacts would depend on the proposed decommissioning action and final use of the site.

Rationale: The flat topography of the area allows for connections between the Project and local roads to have clear lines of sight and to avoid introduction of sharp curves and dangerous intersections. Once delivered to the site, any slow moving or large equipment would not be on public roads and would not create hazardous conditions.

Impact TRA-4. Would the project result in inadequate emergency access?

Adequate emergency access to the site is important for fire, police, and medical emergency responses.

Findings: *Less than Significant*. Project construction is not expected to require any temporary roadway closures or other activities that could restrict the movements of emergency vehicles. The Project would have controlled access points for ingress and egress at the site, with all access designed to Riverside County standards that allow for adequate emergency vehicle access and movement. An emergency lock box would be installed at the Project site to allow emergency personnel to access the site in the event of an emergency. Riverside County Fire Department would review the access and determine its adequacy as part of project approval. Once operational, maintenance activities would not restrict emergency vehicle movements. As the solar facilities would be staffed, entrance into the site through closed gates would be available. Impacts from project operation would be less than significant.

Decommissioning impacts are anticipated to be similar to those of the construction phase. The actual impacts would depend on the proposed decommissioning action and final use of the site.

Rationale: Emergency responders to the Project would gain entry through locked gates by being let in by on-site personnel or through use of an emergency lock box to gain access.

Cumulative Impacts – Traffic and Transportation

The geographic scope of the cumulative analysis for the transportation and traffic vehicle trips analysis are the affected segments of I-10 and SR-77 that provide access to the Project and to cumulative projects in the vicinity. Cumulative projects would increase impacts only if they used the same roadway segments at the same time as the Project. Therefore, the cumulative projects considered for traffic and transportation include the Arica and Victory Pass Projects that are in environmental review; the Athos Project is anticipated to be operational between November 2021 and March 2022, before peak construction of the Oberon Project, which is expected to start in January 2022. While other cumulative projects may use the same segments of I-10 and SR-177, they are not expected to be constructed at the same time.

Project operations would result in negligible daily trips on study area roadways. Therefore, the cumulative impact analysis focused on traffic volumes generated during construction of the Project. Impact TRA-1 and Impact TRA-2 consider the Project's direct contribution on the affected circulation system and concluded that direct impacts would be less than significant, or less than significant with implementation of Mitigation measure MM TRA-1 (Construction Traffic Carpool and Trip Reduction Plan). Construction of the Arica and Victory Pass Projects, if it were to occur at the same time as the Project, would result in an increase in trips and VMT.

Because the Project is not found inconsistent with any applicable plans, ordinances, or policies establishing addressing the circulation system, such an impact would not be cumulative, as an inconsistency determination is project specific. The Project's cumulative contribution to VMT impacts would be reduced to less than cumulatively considerable because Mitigation Measures MM TRA-1 requires the Project to reduce VMT to the extent feasible during construction, which would minimize cumulative VMT impacts of multiple construction projects occurring at the same time. Furthermore, the

project's temporary increase VMT is not considered beyond what is typical for large construction projects in the rural desert area. Therefore, the Project is considered to have a less than significant cumulative contribution to VMT impacts.

Compliance with required Caltrans encroachment permits and Riverside County design standards would ensure the gen-tie crossing of I-10 and project access points on SR-177 do not result in cumulative impacts regarding the safe movement of vehicles, pedestrians, and bicycles. The Arica and Victory Pass Projects and any other cumulative projects would also be required to abide by regulations regarding roadway encroachment and access roads to reduce any potential impacts. Therefore, the Project's contribution would not be cumulatively significant.

Cumulatively significant impacts due to increased transportation hazards or damaged roads could occur if simultaneous construction activities resulted in significant volumes trips of heavy truck that affected safe use of a roadway or damaged transportation facility surfaces. Because there are few roadways in the Desert Center area, it is likely that cumulative projects would use the same roadway segments as the Project. If the Project, along with any cumulative projects, were to result in damage and deterioration to the same roadways, this could result in a cumulatively significant impact to the roadways. Mitigation measure MM TRA-2 (Repair Roadways and Transportation Facilities Damaged by Construction Activities) will ensure any damage and deterioration attributed to the Project is be repaired. This measure also includes considering if multiple projects are using the transportation features, then the Applicant would pay its fair share of the required repairs. With the incorporation of this measure, the Project would have a less than significant contribution to cumulative hazard impacts on transportation facilities.

Wildfire

Impact FIRE-1. Would the project substantially impair an adopted emergency response plan or emergency evacuation plan?

Emergency response and evacuation plans rely on unobstructed use of public roads.

Findings: *Less than Significant*. The Project would be in a remote area. Access to the project will be via Rice Road (SR-177) as well as along Orion Road to access the smaller northern project area. Construction of the Project would not require the construction of new roads (except roads internal to the Project site) and is not anticipated to require any temporary lane closures or obstructions that could restrict the movement of emergency vehicles. Operation and maintenance access would be via Rice Road and Orion Road and no permanent or temporary road closures would be needed for these activities that could restrict emergency vehicle movement. Public roads would not be unobstructed, and construction and operation of the solar facilities would not impair any emergency access routes. The Project would result in less-than significant impacts related to impairment of an adopted emergency response plan or emergency evacuation plan.

Construction of the gen-tie line structures would not obstruct any public rights-of-way. Spur roads would be required but would not be part of an emergency access or evacuation plan. New access or improved road construction is expected. The I-10

freeway would require short-term temporary lane closures during stringing of the wire across the highway to connect the gen-tie line to the SCE Red Bluff 500/200 kV Substation. These closures would be coordinated with CHP. Therefore, installation and operation of the gen-tie line would not restrict the movement of emergency vehicles and would not impair any adopted emergency response plan or emergency evacuation plan. Impacts would be less than significant.

Rationale: Emergency and evacuation routes in the area would use existing public roads. Unpaved roads internal to the project would not be used. Any land closures required by construction activities would be short-term and coordinated with appropriate authorities, including the CHP.

Impact FIRE-2. Would the project, due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?

According to the CAL FIRE FHSZ Viewer map and the County of Riverside General Plan Safety Element, the Project is not located in a high or very high FHSZ, and thus would not be in an area prone to wildfires.

Findings: *Less than Significant with Mitigation*. The Project is located in a remote, largely undeveloped area. The surrounding area includes active and fallow agricultural fields, the community of Lake Tamarisk, scattered residences, electrical transmission lines, and solar development. Due to the presence of sparce vegetation, the remote location of the Project site, and its desert setting, the potential for the Project to exacerbate wildfire risks and expose nearby residences to the hazards of wildfire is low.

Vegetation on the Project site is sparce; therefore, complete vegetation clearance would not be required. Prior to construction, vegetation would be disced under, mowed, mulched or composted, and retained on site within the solar fields. Vegetation would be cleared for construction of the drainage controls and facilities requiring concrete foundations. Reduction of vegetation would reduce the availability of flammable fuels around the Project site. Construction of the project would involve preparation, installation, and testing of electrical components such as cables, inverters, wiring, modules, and a transformer. Wires would be buried at a minimum of 18 inches below grade, minimizing the potential for faulty wiring to ignite a fire. All electric inverters and the transformer would be constructed on concrete foundations or steel skids and tested prior to use to ensure safe operations and avoid fire risks. Prior to wire setup, work areas would be cleared of vegetation to reduce the risk of ignition from any vehicles or equipment. Small quantities of hazardous chemicals such as fuels and greases would be stored at the site during construction. They would be stored in appropriate containers in an enclosed and secured location with secondary containment to prevent leakages and accidental fires.

Fire safety measures would be implemented as part of the Project. A Fire Management and Prevention Plan would be created for the Project and would include standards for construction and operation. The Plan would comply with applicable BLM and Riverside County regulations and would be developed in coordination with the BLM and the Riverside County Fire Department. Concerns with regard to wildfire include fire-safe

construction, reduction of ignition sources, control of fuel sources, availability of water, and proper maintenance of firefighting systems. Mitigation measure MM FIRE-1 (Fire Safety) specifies what elements would need to be included in the Fire Management and Prevention Plan. The Plan is to include, among other provisions, the requirements that: (1) Project electrical equipment will be energized only after the necessary inspection and approval; (2) Project staff will monitor fire risks during construction and operation to ensure that prompt measures are taken to mitigate identified risks; hot work and red flag warning restrictions will be observed. Implementation of MM FIRE-1 would ensure the impact is less than significant.

Operation of the solar facility would be limited to inspections and repairs and would not involve the handling, use, or production of flammable materials. The Project would be monitored by on-site O&M personnel and/or remotely. Security at the solar facility would be provided by a 6-foot-tall wire fence with one-foot barbed wire to prevent vandalism, damage, or theft of project components. An emergency lock box would be installed at the Project site to allow emergency personnel to access the site in the event of an emergency. As such, the Project would not exacerbate wildfire risks or expose workers and residents to pollutant concentrations from a wildfire or the uncontrolled spread of wildfire. With mitigation, construction and operation of the Project would have less than significant impacts with regard to wildfire.

The Project includes operation of an up to 500 MW energy storage system. This may be a battery-based system, or a flywheel or other technology. The energy storage system would be installed following all applicable design, safety, and fires standards for the installation of energy storage systems which include criteria for fire prevention and suppression, and Section 1206 of the California Fire Code. Implementation and compliance with these design and safety regulations and with Mitigation Measure MM FIRE-1 would reduce the impact from exposure of people to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire to less than significant.

The gen-tie transmission structures would be composed of lattice steel structures, steel H-frames, and monopole steel structures, and would not exacerbate fire risks due to the nonflammable nature of their foundations and material. The lack of substantial vegetation within the gen-tie corridor would pose a minimal wildfire risk during construction and operation of the gen-tie line. As such, construction and operation of the project's gen-tie line would result in less-than-significant impacts.

Rationale: The sparse vegetation at and near the Project site, the requirements to follow industry and manufacturer safety standards, and the implementation of a Fire Management and Prevention Plan reviewed by BLM and the RCFD make the risk of igniting or exacerbating a wildfire less than significant.

Impact FIRE-3. Would the project require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?

Prior to construction, vegetation in selected areas would be disced, mulched or composted, and retained on site. The reduced amount of already-sparse vegetation

would minimize the potential ignition of vegetation. Roads within the Project would provide firebreaks and access to a fire should one occur.

Findings: *Less than Significant*. Construction of the solar facility would result in the installation of infrastructure to support the generation, delivery, and storage of electricity. Although the solar facility is located in a remote desert setting and is not within a high or very high FHSZ, the electrical components could pose a small risk of fire if they become damaged or are tampered with. Electrical components that may pose a risk of fire include voltage transformers, batteries, substations, and the switchyard. Because these components are located in a sparsely vegetated and remote location away from densely populated areas, the potential for faulty electrical equipment to substantially exacerbate fire risks for populated areas is minimal. Additionally, assembly and installation of the electrical equipment would meet existing electrical and safety standards. Certified electricians and utility journeymen would be part of the construction workforce to ensure that all electrical equipment are assembled properly. The project substation would be secured with a barbed wire chain-link fence to comply with electrical codes and would include communication systems to comply with Federal Energy Regulatory Commission and California Independent System Operator/Utility monitoring and control requirements to ensure safe operation. If used, batteries would be housed in enclosed storage containers constructed on level cement or concrete foundations. The enclosures would contain any accidental fires and prevent them from spreading and causing further damage. The majority of the solar facility's equipment would consist of solar PV panels and their mounting systems, which would be assembled from noncombustible, nonflammable materials and the fire risk in PV systems is very low. The solar PV panels would not ignite a potential wildfire or exacerbate the spread of wildfires.

Regular O&M of the solar facility would involve daily visual inspections and maintenance when needed to address damage or deterioration of equipment. O&M activities would ensure that all equipment is in good working order, thereby minimizing accidents and potential fires. Additionally, fire safety measures would be implemented during operations, including having portable fire-fighting equipment available on site, as well as additional water for use at the O&M facility, sprinkler systems, a fire suppression system, and having portable carbon dioxide fire extinguishers mounted at the power conversion system units. These safety measures, along with the Project Fire Management and Prevention Plan, would provide safe operating conditions and fire response protocols to minimize the risk of wildfire. As such, construction and operation of the solar facility would have a less-than-significant impact regarding the installation of utilities that may exacerbate fire risk and result in temporary impacts.

During construction of the gen-tie line wire setup sites within this corridor would be cleared and graded to ensure enough clearance for large equipment used for the wire stringing operation. Removing potentially flammable materials and vegetation within the construction corridor would reduce the risk of wildfire during construction. The gen-tie transmission structures would be composed of lattice steel structures, steel H-frames, and monopole steel structures, and would not exacerbate fire risks due to the nonflammable nature of their foundations and constituent parts. Construction of the gen-tie transmission line and structures would use existing access roads where

feasible. The lack of substantial vegetation within the gen-tie corridor would create a minimal wildfire risk during construction and operation of the gen-tie line. As described previously, fire safety measures would be implemented to ensure that construction and operation of the project components, including the gen-tie line, are implemented in accordance with applicable fire protection and environmental, health, and safety requirements. As such, construction and operation of the project's gen-tie line would result in less-than-significant impacts.

Rationale: The sparse vegetation at and near the Project site and in the gen-tie route, the requirements to follow industry and manufacturer safety standards, and the implementation of a Fire Management and Prevention Plan reviewed by BLM and the RCFD make the risk of igniting or exacerbating a wildfire less than significant

Impact FIRE-4. Would the project expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes

Fires in steep terrain can lead to post-fire flooding and landslides.

Findings: *Less than Significant*. The solar facility and gen-tie line would be constructed and operated on nearly level ground and would require minimal grading prior to installation of the solar PV panels. Because the ground surface at the Project site is level and the fire risk is not high, even in the event of a fire the Project would not pose a significant risk of landslides, post-fire slope instability, or drainage changes. In the event of a wildfire, the project would also not expose a substantial population to risks associated with post-fire slope instability because the project is located in a remote area. As such, impacts regarding downslope or downstream flooding or landslides as a result of post-fire slope instability would be less than significant.

Rationale: The Project is on undeveloped BLM-administered public land that is on nearly level ground and in an area of low fire risk.

Cumulative Impacts – Wildfire

The Desert area has a sparsely vegetated landscape and a low potential to ignite and facilitate wildfires, therefore, the greatest potential for cumulative impacts relating to wildfire impacts would primarily be during the construction phase of projects. No incidents at solar projects in the Desert Center region are noted in the available CAL FIRE Incident Data (2013-2020). This supports the conclusion that the risk of wildfire in the region is low.

Projects in the cumulative scenario would be required to comply with fire hazard policies and include their own fire management plan. Therefore, the Project, in combination with the nearby solar projects, would not result in a cumulatively significant impact with regard to fire. In addition, the Project would not result in cumulatively significant impacts related to impairment of the implementation of or physical interference with an adopted emergency response plan or emergency evacuation plan because no aspect of the Project would interfere with emergency response.

F. MITIGATION MONITORING AND REPORTING PROGRAM

As noted in the discussion of Project impacts in Sections D and E above, mitigation measures have been imposed on the Project and the Mitigation Monitoring and Reporting Program (MMRP) for the Project (provided in Attachment B) will guide implementation of all Project mitigation measures. The MMRP lists the complete text of each Project mitigation measure. In addition, the MMRP identifies the responsible party for implementation of each measure (e.g., the project owner), the party responsible for monitoring (e.g., RWQCB, BLM), when monitoring would occur (e.g., before and/or during construction, during operation), and the party responsible for verification and approval (e.g., RWQCB, BLM, USFWS, CDFW).

G. STATEMENT OF OVERRIDING CONSIDERATIONS

As noted above in Section D (Findings of Significant and Unavoidable Impacts Which Cannot Be Avoided or Substantially Lessened to a Less-than-Significant Level), implementing the Project will result in significant impacts to the environment that cannot be avoided or substantially lessened with the application of feasible mitigation measures or feasible alternatives. This condition circumstance arises for four impacts: Impact AES-3 for Aesthetics and Impacts CUL-1, TCR-1, and TCR-2 for Cultural and Tribal Cultural Resources. Because there are significant and unavoidable impacts, the Regional Water Board provides this Statement of Overriding Considerations in compliance with CEQA (Pub. Resources Code, § 21081; Cal. Code Regs., tit. 14, §§ 15093 & 15096, subd. (h)).

The Regional Water Board has determined that changes have been required in, or incorporated into, the Project which avoid or substantially lessen environmental effects as identified in the Environmental Documents and described in Section E above to levels that are less than significant. However, for those Project impacts, including cumulative impacts, identified in Section D, all of the mitigation measures and Project alternatives set forth in the FEIR are either infeasible or fail to avoid or substantially lessen the Project-specific or cumulative environmental effects to a less than significant level. These environmental effects remain significant and unavoidable.

In accordance with section 15126.6 of the CEQA Guidelines, the FEIR identifies an environmentally superior alternative to the Project: the “Land Use Plan Compliant Alternative including implementation of the Prehistoric Resources/TCR Option.” This alternative would comply with existing CMA requirements, including a buffer setback from desert dry wash woodlands, and would have a smaller footprint than the Project, leading to less potential disturbance that could affect both biological and cultural and tribal cultural resources. In contrast to the Project, this alternative would use desert tortoise exclusion fencing instead of passage fencing around all solar panel development areas during both construction and operation. Additionally, the Project would have a comprehensive mitigation package of nearly 5,400 acres of high value habitat conserved. Impacts under this alternative would remain significant and unavoidable for both Aesthetic Resources and Cultural and Tribal Cultural Resources. The Regional Water Board finds that while this alternative would reduce somewhat the amount of disturbed land, based on the mitigation measures that apply to the Project to reduce or compensate

for impacts, the change in the amount of area affected would not result in a significant reduction in impacts overall. In addition, the Land Use Plan Compliant Alternative with Prehistoric Resources/TCR Option would produce 375 MW compared to 500 MW of renewable energy generation under the proposed Project. Implementation of the Prehistoric Resources/TCR Option would create construction challenges and further reduce the development footprint, which could further reduce the solar and battery storage facility's renewable energy output.

In the Regional Water Board's judgment, the Project and its benefits outweigh its project-specific and cumulative unavoidable significant impacts identified under Impact AES-3 for Aesthetics and Impacts CUL-1, TCR-1, and TCR-2 for Cultural and Tribal Cultural Resources. The statement below identifies the reasons why, in the Regional Water Board's judgment, the benefits outweigh these unavoidable significant impacts. Any one of these reasons is sufficient to justify approval of the Project.

The Regional Water Board recognizes the benefits of the Project, which outweigh the impacts of the Project. These benefits include:

- Contributing to achieving California's renewable energy generation goals under the Clean Energy and Pollution Reduction Act of 2015 (Senate Bill 350) and the 100 Percent Clean Energy Act of 2018 (Senate Bill 100) to achieve 60 percent of retail sales of electricity from eligible renewable energy resources by 2030 and 100 percent from eligible renewable energy resources and zero-carbon resources by 2045.
- Furthering the purpose of Secretarial Order 3285A1, establishing the development of environmentally responsible renewable energy as a priority for the Department of the Interior
- Enabling the interconnection of solar generation projects in the Desert Center region to the existing nearby SCE transmission grid; and
- Contributing to greenhouse gas (GHG) emissions reduction goals of the California Global Warming Solutions Act of 2006 (AB 32), as amended by Senate Bill 32 in 2016, by providing a renewable power source that reduces the need to rely on fossil-fueled generation sources elsewhere.
- Providing employment and benefits to a substantial construction workforce.
- Providing economic benefits to communities and businesses in the region.

Additionally, the BLM has designated the Project site and vicinity as a Development Focus Area in the DRECP LUPA. The Project site is near existing transmission lines that have available capacity and the area is suitable for renewable energy development based on high solar insolation. As well, significant industry commitment exists to develop the area for renewable energy project purposes, as evidenced by the number of existing and proposed renewable energy projects in the area. SCE has signed contracts with developers of renewable energy projects, the output of which can be delivered through the transmission capacity of the existing Red Bluff Substation.

The Regional Water Board has balanced these Project benefits against the unavoidable project-specific and cumulative impacts identified in the FEIR and has concluded that those impacts are outweighed by the Project benefits. These benefits are supported by substantial evidence in the record and are adequate to support these Findings and Statement of Overriding Considerations. Each benefit set forth above constitutes an overriding consideration warranting approval of the Project, independent of the other benefits, and despite each and every significant unavoidable impact.