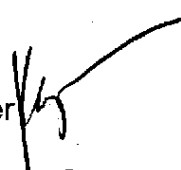




CITY OF PALM SPRINGS

DEPARTMENT OF PLANNING SERVICES

MEMORANDUM

Date: October 24, 2012
To: The Planning Commission
From: Ken Lyon, Associate Planner 
Subject: **Case 5.1277 CUP Whitewater Solar Farm Solar Project
Revised Conditions of Approval**

Attached is the full set of draft conditions of approval for the subject project. The conditions in your staff report packet were missing Engineering conditions. They are included in the copy attached under this cover.

Please also note the following recommendation from the City Engineer:

Note that there are existing 33-kilovolt overhead utility lines along the south and west property lines of the project site that are there for the existing wind energy turbines on the site and in the area. Because the area is rural and includes many wind energy turbines, staff is recommending that the undergrounding requirement in the City of Palm Springs Municipal Code be waived for this project.

In making a possible approval action on this project, the maker of the motion may choose to include this waiver of undergrounding of existing overhead line be included in the motion.

[Type text]

RESOLUTION NO. _____

EXHIBIT A

Case 5.1277 CUP
Whitewater Solar Farm 1, LLC. for a 3 MW Solar Energy Conversion System
At 58641 Tipton Road (APN 511-080-065)

October 24, 2012

CONDITIONS OF APPROVAL

Before final acceptance of the project, all conditions listed below shall be completed to the satisfaction of the City Engineer, the Director of Planning Services, the Director of Building and Safety, the Chief of Police, the Fire Chief or their designee, depending on which department recommended the condition.

Any agreements, easements or covenants required to be entered into shall be in a form approved by the City Attorney.

ADMINISTRATIVE CONDITIONS

- ADM 1. Project Description. This approval is for the project described per Case 5.1277 CUP; except as modified with the approved Mitigation Monitoring Program and the conditions below;
- ADM 2. Reference Documents. The site shall be developed and maintained in accordance with the approved plans, date stamped March 13, 2012, including site plans, architectural elevations, exterior materials and colors, landscaping, and grading on file in the Planning Division except as modified by the approved Mitigation Measures and conditions below.
- ADM 3. Conform to all Codes and Regulations. The project shall conform to the conditions contained herein, all applicable regulations of the Palm Springs Zoning Ordinance, Municipal Code, and any other City County, State and Federal Codes, ordinances, resolutions and laws that may apply.
- ADM 4. Minor Deviations. The Director of Planning or designee may approve minor deviations to the project description and approved plans in accordance with the provisions of the Palm Springs Zoning Code.
- ADM 5. Indemnification. The owner shall defend, indemnify, and hold harmless the City of Palm Springs, its agents, officers, and employees from any claim, action, or proceeding against the City of Palm Springs or its agents, officers or employees to attach, set aside, void or annul, an approval of the City of Palm Springs, its legislative body, advisory agencies, or administrative officers concerning Case 5.1277 CUP. The City of Palm Springs will promptly

notify the applicant of any such claim, action, or proceeding against the City of Palm Springs and the applicant will either undertake defense of the matter and pay the City's associated legal costs or will advance funds to pay for defense of the matter by the City Attorney. If the City of Palm Springs fails to promptly notify the applicant of any such claim, action or proceeding or fails to cooperate fully in the defense, the applicant shall not, thereafter, be responsible to defend, indemnify, or hold harmless the City of Palm Springs. Notwithstanding the foregoing, the City retains the right to settle or abandon the matter without the applicant's consent but should it do so, the City shall waive the indemnification herein, except, the City's decision to settle or abandon a matter following an adverse judgment or failure to appeal, shall not cause a waiver of the indemnification rights herein.

- ADM 6. Maintenance and Repair. The property owner(s) and successors and assignees in interest shall maintain and repair the improvements including and without limitation all structures, sidewalks, parking areas, landscape, irrigation, lighting, signs, walls, and fences between the curb and property line, in a first class condition, free from waste and debris, and in accordance with all applicable law, rules, ordinances and regulations of all federal, state, and local bodies and agencies having jurisdiction at the property owner's sole expense. This condition shall be included in the recorded covenant agreement for the property if required by the City.
- ADM 7. Time Limit on Approval. Approval of this Conditional Use Permit shall be valid for a period of two (2) years from the effective date of the approval. Once constructed, the Conditional Use Permit, provided the project has remained in compliance with all conditions of approval, does not have a time limit.
- ADM 8. Right to Appeal. Decisions of an administrative officer or agency of the City of Palm Springs may be appealed in accordance with Municipal Code Chapter 2.05.00. Permits will not be issued until the appeal period has concluded.
- ADM 9. Public Art Fees. This project shall be subject to Chapters 2.24 and 3.37 of the Municipal Code regarding public art. The project shall either provide public art or payment of an in lieu fee. In the case of the in-lieu fee, the fee shall be \$4,000 per net acre. (For purposes of calculating the fee, net acreage is defined as the land area inclusive of all photo voltaic panels, inverters, transformers and other equipment enclosures, and service roads). Should the public art be located on the project site, said location shall be reviewed and approved by the Director of Planning and Zoning and the Public Arts Commission, and the property owner shall enter into a recorded agreement to maintain the art work and protect the public rights of access and viewing.

- ADM 10. Park Development Fees. The developer shall dedicate land or pay a fee in lieu of a dedication, at the option of the City. The in-lieu fee shall be computed pursuant to Ordinance No. 1632, Section IV, by multiplying the area of park to be dedicated by the fair market value of the land being developed plus the cost to acquire and improve the property plus the fair share contribution, less any credit given by the City, as may be reasonably determined by the City based upon the formula contained in Ordinance No. 1632. In accordance with the Ordinance, the following areas or features shall not be eligible for private park credit: golf courses, yards, court areas, setbacks, development edges, slopes in hillside areas (unless the area includes a public trail) landscaped development entries, meandering streams, land held as open space for wildlife habitat, flood retention facilities and circulation improvements such as bicycle, hiking and equestrian trails (unless such systems are directly linked to the City's community-wide system and shown on the City's master plan).
- ADM 11. Conditional Use Permit Availability. The applicant shall provide a copy of this Conditional Use Permit to all buyers and potential buyers (conditional use permits only)

ENVIRONMENTAL ASSESSMENT CONDITIONS

- ENV 1. Coachella Valley Multiple-Species Habitat Conservation Plan (CVMSHCP) Local Development Mitigation Fee (LDMF) required. All projects within the City of Palm Springs, not within the Agua Caliente Band of Cahuilla Indians reservation are subject to payment of the CVMSHCP LDMF prior to the issuance of certificate of occupancy.
- ENV 2. CVMSHCP Whitewater River Conservation Area. The project requires 7.75 acres of "Take" to be authorized by the City Council of the City of Palm Springs from the Whitewater River Conservation Area, including Take for three (3) covered species, the process of sand transport and from the Whitewater River corridor itself. The project shall conform to all requirements of Section 4.4 "Avoidance, Minimization, and Mitigation Measures" and Section 4.5 "Land Use Adjacency Guidelines" of the MSHCP as outlined in the Final Report of the Joint Project Review dated August 16, 2012.
- ENV 3. California Fish & Game Fees Required. The project is required to pay a fish and game impact fee as defined in Section 711.4 of the California Fish and Game Code. This CFG impact fee plus an administrative fee for filing the action with the County Recorder shall be submitted by the applicant to the City in the form of a money order or a cashier's check payable to the Riverside County Clerk prior to the final City action on the project (either Planning Commission or City Council determination). This fee shall be submitted by the City to the County Clerk with the Notice of Determination.

Action on this application shall not be final until such fee is paid. The project may be eligible for exemption or refund of this fee by the California Department of Fish & Game. Applicants may apply for a refund by the CFG at www.dfg.ca.gov for more information.

- ENV 4. Mitigation Monitoring. The mitigation measures of the environmental assessment shall apply. The applicant shall submit a signed agreement that the mitigation measures outlined as part of the negative declaration or EIR will be included in the plans prior to Planning Commission consideration of the environmental assessment.
- ENV 5. Long Term Soil Stabilization and Dust Control. Those portions of the site that are to be graded, cleared, and grubbed of natural vegetation for the installation of the solar panel structures shall be provided with a long term soil stabilization program acceptable to the City of Palm Springs to control wind borne dust and particulates. This may be either an overlay of gravel at sizes of 3/4" or larger or other equivalent means as approved by the Dust Control Management Division of the City Public Works Department.
- ENV 6. Cultural Resource Survey Required. Prior to any ground disturbing activity, including clearing and grubbing, installation of utilities, and/or any construction related excavation, an Archaeologist qualified according to the Secretary of the Interior's Standards and Guidelines, shall be employed to survey the area for the presence of cultural resources identifiable on the ground surface.
- ENV 7. Cultural Resource Site Monitoring. There is a possibility of buried cultural or Native American tribal resources on the site. A Native American Monitor shall be present during all ground-disturbing activities. (check for duplication in engineering conditions)
- a). A Native American Monitor(s) shall be present during all ground disturbing activities including clearing and grubbing, excavation, burial of utilities, planting of rooted plants, etc. Contact the Agua Caliente Band of Cahuilla Indian Cultural Office for additional information on the use and availability of Cultural Resource Monitors. Should buried cultural deposits be encountered, the Monitor shall contact the Director of Planning. After consultation the Director shall have the authority to halt destructive construction and shall notify a Qualified Archaeologist to further investigate the site. If necessary, the Qualified Archaeologist shall prepare a treatment plan for submission to the State Historic Preservation Officer and Agua Caliente Cultural Resource Coordinator for approval.
 - b). Two copies of any cultural resource documentation generated in connection with this project, including reports of investigations, record search results and site records/updates shall be forwarded to the Tribal

Planning, Building, and Engineering Department and one copy to the City Planning Department prior to final inspection.

PLANNING DEPARTMENT CONDITIONS

- PLN 1. Outdoor Lighting Conformance. Exterior lighting plans, including a photometric site plan showing the project's conformance with Section 93.21.00 Outdoor Lighting Standards of the Palm Springs Zoning ordinance, shall be submitted for approval by the Department of Planning prior to issuance of a building permit. Manufacturer's cut sheets of all exterior lighting on the building and in the landscaping shall be included. If lights are proposed to be mounted on buildings, down-lights shall be utilized. No lighting of hillsides is permitted.
- PLN 2. Sign Applications Required. No signs are approved by this action. Separate approval and permits shall be required for all signs in accordance with Zoning Ordinance Section 93.20.00.
- PLN 3. Flat Roof Requirements. Roof materials on flat roofs must conform to California Title 24 thermal standards for "Cool Roofs". Such roofs must have a minimum initial thermal emittance of 0.75 and minimum initial solar reflectance of 0.70. Only matte (non-specular) roofing is allowed in colors such as off-white, beige or tan.
- PLN 4. Screen Roof-mounted Equipment. All roof mounted mechanical equipment shall be screened per the requirements of Section 93.03.00 of the Zoning Ordinance.
- PLN 5. Exterior Alarms & Audio Systems. No sirens, outside paging or any type of signalization will be permitted, except approved alarm systems.
- PLN 6. Outside Storage Prohibited. No outside storage of any kind shall be permitted except as approved as a part of the proposed plan.
- PLN 7. No off-site Parking. Vehicles associated with the operation of the proposed development including company vehicles or employees vehicles shall not be permitted to park off the proposed building site unless a parking management plan has been approved.
- PLN 8. (add any additional conditions imposed by the Planning Commission or City Council here)

POLICE DEPARTMENT CONDITIONS

- POL 1. Developer shall comply with Section II of Chapter 8.04 "Building Security Codes" of the Palm Springs Municipal Code.

BUILDING DEPARTMENT CONDITIONS

BLD 1. Prior to any construction on-site, all appropriate permits must be secured.

ENGINEERING DEPARTMENT CONDITIONS

Before final acceptance of the project, all conditions listed below shall be completed to the satisfaction of the City Engineer.

GENERAL

ENG 1. The applicant shall provide proof of legal access to the project site from a public roadway.

STREETS

ENG 2. Any improvements within the public right-of-way require a City of Palm Springs Encroachment Permit.

ON-SITE CONSTRUCTION PHASE

ENG 3. The on-site perimeter access roads shall be a minimum of 20 feet wide and be accessible to fire apparatus weighing up to 73,000 pounds in accordance with the fire code.

ENG 4. Construction, use, and maintenance of the all of the proposed on-site access roads shall comply with the Chapter 8.50 (Fugitive Dust Control) of the Palm Springs Municipal Code.

ENG 5. Construct turn-around areas meeting the requirements of the Fire Marshall and City Engineer, at each of the project entries.

ENG 6. Construct a minimum 20 feet wide, 6 inch concrete driveway at the project entry off Whitewater Canyon Road (which is a 50 feet wide access and drainage easement) at the west property line on the project site, unless otherwise approved by the City Engineer. The access shall be gated and locked; and lock box key provided to the Fire Department for emergency access.

GRADING

ENG 7. The applicant shall employ an environmental consultant whose responsibility shall be to monitor the applicant's compliance with all required mitigation measures associated with the project on behalf of the City Engineer. The environmental consultant shall work independently of the applicant, and shall report to the City Engineer to identify measures satisfied in accordance with

the Mitigated Negative Declaration adopted for the project. All applicable mitigation measures shall be satisfied prior to issuance of a grading permit, or shall be satisfied during the course of construction, (as the case may be), as determined by the City Engineer upon recommendation by the environmental consultant.

ENG 8. Submit a Rough Grading Plan prepared by a California registered civil engineer to the Engineering Division for review and approval.

a) A Fugitive Dust Control Plan shall be prepared by the applicant and/or its grading contractor and submitted to the Engineering Division for review and approval. The applicant and/or its grading contractor shall be required to comply with Chapter 8.50 of the City of Palm Springs Municipal Code, and shall be required to utilize one or more "Coachella Valley Best Available Control Measures" as identified in the Coachella Valley Fugitive Dust Control Handbook for each fugitive dust source such that the applicable performance standards are met. The applicant's or its contractor's Fugitive Dust Control Plan shall be prepared by staff that has completed the South Coast Air Quality Management District (AQMD) Coachella Valley Fugitive Dust Control Class. The applicant and/or its grading contractor shall provide the Engineering Division with current and valid Certificate(s) of Completion from AQMD for staff that have completed the required training. For information on attending a Fugitive Dust Control Class and information on the Coachella Valley Fugitive Dust Control Handbook and related "PM10" Dust Control issues, please contact AQMD at (909) 396-3752, or at <http://www.AQMD.gov>. A Fugitive Dust Control Plan, in conformance with the Coachella Valley Fugitive Dust Control Handbook, shall be submitted to and approved by the Engineering Division prior to approval of the Precise Grading and Paving plan.

b) The first submittal of the Rough Grading Plan shall include the following information: a copy of final approved conformed copy of Conditions of Approval; a copy of a final approved conformed copy of the Site Plan; a copy of current Title Report; a copy of Soils Report; a copy of the associated Hydraulics Study/Report; and a copy of the associated Final Project-Specific Water Quality Management Plan.

ENG 9. In accordance with the mitigation measure AQ-1 included in the Mitigated Negative Declaration adopted for the project: Applicant shall do *periodic watering via water trucks to minimize any visible dust emissions and take actions to prevent the tracking of bulk material onto public roads. Any project-related spills or tracking of bulk material onto public surfaces should be cleaned within 24 hours.*

ENG 10. Prior to issuance of a Grading Permit, the applicant shall obtain written approval to proceed with construction from the Agua Caliente Band of

Cahuilla Indians, Tribal Historic Preservation Officer or Tribal Archaeologist. The applicant shall contact the Tribal Historic Preservation Officer or the Tribal Archaeologist at (760) 699-6800, to determine their requirements, if any, associated with grading or other construction. The applicant is advised to contact the Tribal Historic Preservation Officer or Tribal Archaeologist as early as possible. If required, it is the responsibility of the applicant to coordinate scheduling of Tribal monitors during grading or other construction, and to arrange payment of any required fees associated with Tribal monitoring.

- ENG 11. This project is located within a desert tortoise habitat area. In accordance with the United States Fish & Wildlife Service (USFWS) Permit and the Coachella Valley Multiple Species Habitat Conservation Plan (CVMSHCP) Permit Condition No. 45, the applicant shall conduct a desert tortoise clearance survey to allow for the potential salvage of adult tortoises, in accordance with the USFWS protocol, prior to issuance of Grading Permit. For more information, contact the Coachella Valley Association of Governments at (760) 346-1127 or go to the website: <http://www.cvmshcp.org/Final%20USFWS%20Permit.htm>. A copy of the results of the desert tortoise clearance survey shall be provided to the City prior to issuance of grading permit.
- ENG 12. In accordance with an approved PM-10 Dust Control Plan, temporary dust control perimeter fencing shall be installed at the limits of grading and/or disturbed areas. Fencing shall have screening that is tan in color; green screening will not be allowed. Perimeter fencing shall be installed after issuance of Grading Permit, and immediately prior to commencement of grading operations.
- ENG 13. Temporary dust control perimeter fence screening shall be appropriately maintained, as required by the City Engineer. Cuts (vents) made into the perimeter fence screening shall not be allowed. Perimeter fencing shall be adequately anchored into the ground to resist wind loading.
- ENG 14. Within 10 days of ceasing all construction activity and when construction activities are not scheduled to occur for at least 30 days, the disturbed areas on-site shall be permanently stabilized, in accordance with Palm Springs Municipal Code Section 8.50.022. Following stabilization of all disturbed areas, temporary dust control perimeter fencing shall be removed, as required by the City Engineer.
- ENG 15. The applicant shall obtain all required environmental permits (i.e. Section 401 Water Quality Certification, Section 404 Permit, and Section 1602 Streambed Alteration Agreement) required for temporary or permanent construction within the Whitewater Wash. The applicant shall provide copies of required permits prior to approval of grading plans. Alternatively, the applicant shall provide a copy of a determination from the U.S. Army Corps of Engineers that

the project does not impact waters of the U.S., and a letter from the California Department of Fish and Game authorizing construction of the project without an agreement.

- ENG 16. A Notice of Intent (NOI) to comply with the California General Construction Stormwater Permit (Water Quality Order 2009-0009-DWQ as modified September 2, 2009) is required for the proposed development via the California Regional Water Quality Control Board online SMARTS system. A copy of the executed letter issuing a Waste Discharge Identification (WDID) number shall be provided to the City Engineer prior to issuance of a grading or building permit.
- ENG 17. Projects causing soil disturbance of one acre or more, must comply with the General Permit for Stormwater Discharges Associated with Construction Activity and shall prepare and implement a stormwater pollution prevention plan (SWPPP). As of September 4, 2012, all SWPPPs shall include a post-construction management plan (including Best Management Practices) in accordance with the current Construction General Permit. The project applicant shall cause the approved final project-specific Water Quality Management Plan to be incorporated by reference or attached to the project's SWPPP as the Post-Construction Management Plan. A copy of the up-to-date SWPPP shall be kept at the project site and be available for review upon request.
- ENG 18. In accordance with City of Palm Springs Municipal Code, Section 8.50.022 (h), the applicant shall post with the City a cash bond of two thousand dollars (\$2,000.00) per disturbed acre at the time of issuance of grading permit for mitigation measures for erosion/blowsand relating to this property and development.
- ENG 19. A Geotechnical/Soils Report prepared by a California registered Geotechnical Engineer shall be required for and incorporated as an integral part of the grading plan for the proposed development. A copy of the Geotechnical/Soils Report shall be submitted to the Engineering Division with the first submittal of a grading plan.
- ENG 20. The applicant shall provide all necessary geotechnical/soils inspections and testing in accordance with the Geotechnical/Soils Report prepared for the project. All backfill, compaction, and other earthwork shown on the approved grading plan shall be certified by a California registered geotechnical or civil engineer, certifying that all grading was performed in accordance with the Geotechnical/Soils Report prepared for the project. Documentation of all compaction and other soils testing are to be provided. The City will not "final" the project until the required certification is provided to the City Engineer.

- ENG 21. The applicant shall provide pad elevation certifications for all structure pads in conformance with the approved grading plan, to the Engineering Division prior to construction of any structure foundation.
- ENG 22. In cooperation with the Riverside County Agricultural Commissioner and the California Department of Food and Agriculture Red Imported Fire Ant Project, applicants for grading permits involving a grading plan and involving the export of soil will be required to present a clearance document from a Department of Food and Agriculture representative in the form of an approved "Notification of Intent To Move Soil From or Within Quarantined Areas of Orange, Riverside, and Los Angeles Counties" (RIFA Form CA-1) prior to approval of the Grading Plan. The California Department of Food and Agriculture office is located at 73-710 Fred Waring Drive, Palm Desert (Phone: 760-776-8208).

WATER QUALITY MANAGEMENT PLAN

- ENG 23. This project will be required to install measures in accordance with applicable National Pollution Discharge Elimination System (NPDES) Best Management Practices (BMP's) included as part of the NPDES Permit issued for the Whitewater River Region from the Colorado River Basin Regional Water Quality Control Board (RWQCB). The applicant is advised that installation of BMP's, including mechanical or other means for pre-treating contaminated stormwater runoff and non-stormwater runoff, will be required by regulations imposed by the RWQCB. It shall be the applicant's responsibility to design and install appropriate BMP's, in accordance with the NPDES Permit, that effectively intercept and pre-treat contaminated stormwater runoff and non-stormwater runoff from the project site, prior to release to the City's municipal separate storm sewer system ("MS4"), to the satisfaction of the City Engineer and the RWQCB. Such measures shall be designed and installed on-site; and provisions for perpetual maintenance of the measures shall be provided to the satisfaction of the City Engineer.
- ENG 24. A Final Project-Specific Water Quality Management Plan (WQMP) shall be submitted to and approved by the City Engineer prior to issuance of a grading or building permit. The WQMP shall address the implementation of operational Best Management Practices (BMP's) necessary to accommodate nuisance water and storm water runoff from the site. Direct release of nuisance water to the adjacent property or public streets is prohibited. Construction of operational BMP's shall be incorporated into the Precise Grading and Paving Plan.
- ENG 25. Prior to issuance of any grading or building permits, the property owner shall record a "Covenant and Agreement" with the County-Clerk Recorder or other instrument on a standardized form to inform future property owners of the requirement to implement the approved Final Project-Specific WQMP. Other

alternative instruments for requiring implementation of the approved Final Project-Specific WQMP include: requiring the implementation of the Final Project-Specific WQMP in Property Owner Association Covenants, Conditions, and Restrictions (CC&R's); formation of Landscape, Lighting and Maintenance Districts, Assessment Districts or Community Service Areas responsible for implementing the Final Project-Specific WQMP; or equivalent. Alternative instruments must be approved by the City Engineer prior to the issuance of any grading or building permits.

- ENG 26. Prior to issuance of "final" approval by City, the applicant shall: (a) demonstrate that all structural BMP's have been constructed and installed in conformance with approved plans and specifications; (b) demonstrate that applicant is prepared to implement all non-structural BMP's included in the approved Final Project-Specific WQMP, conditions of approval, or grading/building permit conditions; and (c) demonstrate that an adequate number of copies of the approved Final Project-Specific WQMP are available for the future owners (where applicable).

DRAINAGE

- ENG 27. In accordance with the mitigation measure HWQ-1 included in the Mitigated Negative Declaration adopted for the project: *The footprint of the solar arrays will be small and will not significantly change the drainage patterns as the site will remain almost completely pervious. A Preliminary On-site Drainage Study, as well as a Preliminary Flood Hazard Assessment Report must be completed and approved by the City prior to project entitlement; a HEC-RAS analysis, a scour analysis along the Whitewater River within the project site limits, and establishment of the Base Flood Elevation and the limits of the 100-year floodway and floodplain along the Whitewater River, shall be included and established in the Flood Hazard Assessment Report. For most of the site, the drainage pattern for a 100-year storm is sheet flow, which is expected to be impacted little by the development. There are no water resources on the site and no blueline streams or other drainage channels are present within the area where the solar facilities will be located. The Whitewater River is located about 500 feet east of the site; however, the project is not expected to impact the water quality of this river.*
- ENG 28. All stormwater runoff passing through the site shall be accepted and conveyed across the property in a manner acceptable to the City Engineer. For all stormwater runoff falling on the site, two berms on the east edge of the project area may be constructed for additional protection, although not specifically required by the Flood Hazard Assessment Report completed by Barr Engineering. Any other facilities approved by the City Engineer, shall be required to contain the increased stormwater runoff generated by the development of the property, as described in the Preliminary Hydrology and Hydraulic Study for that parcel identified by Assessor's Parcel No. 522-080-

065, prepared by Lamda Engineering and Development, as revised in September, 2012. Final sizing of all on-site storm drainage improvements shall be determined in the final hydrology study and approved by the City Engineer. Provisions for on-site retention of increased stormwater runoff shall be required.

- ENG 29. The project shall comply with provisions of Chapter 8.68 "Flood Damage Prevention" of the Palm Springs Municipal Code, Section 8.68.170 "Standards of Construction", section (a) "Anchoring". In accordance with the Code, all structures shall be constructed with foundations adequately anchored to withstand the maximum total scour potential during the 100-year storm.
- ENG 30. The project shall comply with provisions of Chapter 8.68 "Flood Damage Prevention" of the Palm Springs Municipal Code, Section 8.68.170 "Standards of Construction", section (c)(2) "Non Residential Construction". In accordance with the Code, all mechanical and electrical equipment shall be elevated a minimum of 2 feet above the base flood elevation (BFE); because there is no BFE shown at this location, the BFE shall be determined as shown under Municipal Code Section 83.68.140(c). Natural grade shall be determined as the average grade of native soils surrounding each foundation, not including gravel fill placed around the foundation.
- ENG 31. There shall be no structures or obstructions installed on the project site at the Whitewater Wash that could impede the flow of the Whitewater Wash.
- ENG 32. Construct all necessary on-site storm drain improvements, including but not limited to two berms on the east edges of the project area or other facilities, as described in a Final Hydrology and Hydraulic Study for that parcel identified by Assessor's Parcel No. 522-080-065, prepared by Lamda Engineering and Development, reviewed and approved by the City Engineer.
- ENG 33. All on-site storm drain systems shall be privately maintained.

GENERAL

- ENG 34. All proposed utility lines shall be installed underground.
- ENG 35. All existing utilities shall be shown on the improvement plans required for the project. The existing and proposed service laterals shall be shown from the main line to the property line.
- ENG 36. Upon approval of any improvement plan by the City Engineer, the improvement plan shall be provided to the City in digital format, consisting of a DWG (AutoCAD 2004 drawing file), DXF (AutoCAD ASCII drawing exchange file), and PDF (Adobe Acrobat 6.0 or greater) formats. Variation of

the type and format of the digital data to be submitted to the City may be authorized, upon prior approval of the City Engineer.

- ENG 37. The original improvement plans prepared for the proposed development and approved by the City Engineer shall be documented with record drawing "as-built" information and returned to the Engineering Division prior to issuance of a "final" approval by City. Any modifications or changes to approved improvement plans shall be submitted to the City Engineer for approval prior to construction.
- ENG 38. Nothing shall be constructed or planted in the corner cut-off area of any intersection or driveway which does or will exceed the height required to maintain an appropriate sight distance per City of Palm Springs Zoning Code Section 93.02.00, D.
- ENG 39. This property is subject to the Coachella Valley Multiple Species Habitat Conservation Plan Local Development Mitigation fee (CVMSHCP-LDMF). The LDMF shall be paid prior to issuance of Building Permit.
- a. The project site is located within the Whitewater Floodplain Conservation Area and Required Measure 3 and Required Measure 4 are applicable to this site.
 - b. The project site is located adjacent to the Highway 111/Interstate 10 Conservation Area and Required Measure 1 is applicable to this site.
 - c. The project site is located in a Notification Area for Desert Tortoise and Permit Condition No. 45 is applicable to this site.

TRAFFIC

- ENG 40. Construction signing, lighting and barricading shall be provided during all phases of construction as required by City Standards or as directed by the City Engineer. As a minimum, all construction signing, lighting and barricading shall be in accordance with Part 6 "Temporary Traffic Control" of the California Manual on Uniform Traffic Control Devices for Streets and Highways, dated January 13, 2012, or subsequent editions in force at the time of construction.

FIRE DEPARTMENT CONDITIONS

- FID 1. These conditions are subject to final plan check and review. Initial fire department conditions have been determined on the site plan dated and received on 03/26/12. Additional requirements may be required at that time based on revisions to site plans.

- FID 2. Fire Department Conditions were based on the 2010 California Fire Code. Four complete sets of plans for fire alarm and fire protection systems must be submitted at time of the building plan submittal.
- FID 3. Access During Construction (CFC 503): Access for firefighting equipment shall be provided to the immediate job site at the start of construction and maintained until all construction is complete. Fire apparatus access roads shall have an unobstructed width of not less than 20 feet and an unobstructed vertical clearance of not less than 13'6". Fire Department access roads shall have an all weather driving surface and support a minimum weight of 73,000 lbs.
- FID 4. Buildings and Facilities (CFC 503.1.1): Approved fire apparatus access roads shall be provided for every facility, building or portion of a building hereafter constructed or moved into or within the jurisdiction. The fire apparatus access road shall comply with the requirements of this section and shall extend to within 150 feet (45 720 mm) of all portions of the facility and all portions of the exterior walls of the first story of the building as measured by an approved route around the exterior of the building or facility.
- FID 5. Fire Department Access: Minimum width of 24' Fire Department Access Roads shall be provided and maintained in accordance with (Sections 503 CFC) along the perimeter and interior roadways.
- FID 6. Surface (CFC 503.2.3): Fire apparatus access roads shall be designed and maintained to support the imposed loads of fire apparatus (73,000 lbs. GVW) and shall be surfaced so as to provide all-weather driving capabilities.
- FID 7. Premises Identification (CFC 505.1): New and existing buildings shall have approved address numbers, building numbers or approved building identification placed in a position that is plainly legible and visible from the street or road fronting the property. These numbers shall contrast with their background. Address numbers shall be Arabic numerals or alphabet letters. Numbers shall be a minimum of 4" high with a minimum stroke width of 0.5".
- FID 8. Turning radius (CFC 503.2.4): The required turning radius of a fire apparatus access road shall be determined by the fire code official. Fire access road turns and corners shall be designed with a minimum inner radius of 25 feet and an outer radius of 43 feet. Radius must be concentric.
- FID 9. Security Gates (CFC 503.6): The installation of security gates across a fire apparatus access road shall be approved by the fire chief. Where security gates are installed, they shall have an approved means of emergency operation. The security gates and the emergency operation shall be maintained at all times. Approved security gates shall be a minimum of 14 feet in unobstructed drive width on each side with gate in open position. Secured automated vehicle gates or entries shall utilize approved Knox

access switches as required by the fire code official. Secured non-automated vehicle gates or entries shall utilize an approved padlock or chain (maximum link or lock shackle size of ¼ inch) when required by the fire code official.

- FID 10. Key Box Required to be Installed (CFC 506.1): Where access to or within a structure or an area is restricted because of secured openings or where immediate access is necessary for life-saving or fire-fighting purposes, the fire code official is authorized to require a key box to be installed in an approved location.
- FID 11. Location of Knox boxes: A Knox box shall be installed at every locked gate. Boxes shall be mounted at 5 feet above grade. Show location of boxes on plan elevation views. Show requirement in plan notes.

END OF CONDITIONS

**NOTICE OF INTENT TO ADOPT
A MITIGATED NEGATIVE DECLARATION**

**AES Solar Power, LLC
Mountain View Solar Project**

LEAD AGENCY: City of Palm Springs
3200 East Tahquitz Way
Palm Springs, California 92262

CONTACT PERSON: Ken Lyon, Associate Planner (760) 323-8245

PROJECT TITLE: Case 5.1277 CUP
An application by Whitewater Solar Farm 1, LLC. for a Conditional Use Permit (CUP) for the installation and operation of a 3 megawatt solar energy conversion system (SECS) on 18 acres of an approximately 108-acre parcel at 58641 Tipton Road (APN 511-080-065), Zone: Open Space (0-5) and Watercourse (W), Section 14/T3/R3.

PROJECT DESCRIPTION: Whitewater Solar Farm 1, LLC (Applicant) is proposing to construct and operate a 3 MW solar power facility. The proposed project would be co-located on the site with existing wind energy conversion turbines. The photovoltaic solar energy conversion systems would cover 18 acres of an approximately 108-acre site. The project includes ancillary equipment such as inverters, transformers, and related equipment to be located in several pre-fabricated steel cabinet structures distributed across the site.

FINDINGS/DETERMINATION: The City has reviewed and considered the proposed project and has determined that the project will not have significant adverse impacts. The City hereby prepares and proposes to adopt a Mitigated Negative Declaration for this project.

PUBLIC REVIEW PERIOD: A 30-day public review period for the Draft Mitigated Negative Declaration will commence at 8:00 am on June 13, 2012 and end on July 12, 2012 at 5:00 p.m. for interested individuals and public agencies to submit written comments on the document. Any written comments on the Mitigated Negative Declaration must be received at the above address within the public review period. In addition, you may email comments to the following address: Ken.Lyon@palmsprings-ca.gov. Copies of the Mitigated Negative Declaration and Initial Study are available for review at the above address and at the City library.

PUBLIC MEETING: This matter has been tentatively set for public hearing for the Planning Commission meeting on Wednesday July 25, 2012.

**CALIFORNIA ENVIRONMENTAL QUALITY ACT
INITIAL STUDY**

**3 MW AC SOLAR P.V. PROJECT
APN 522-080-065**

Palm Springs, California

Submitted to:

**City of Palm Springs
Planning Services
3200 East Tahquitz Canyon Way
Palm Springs, California 92262**

Submitted by:

**SYBAC Photovoltaics, LLC
41856 Ivy Street, Suite 210
Murrieta, CA 92562
(951) 461-7555**

Prepared by:

**RCA Associates, LLC
15555 Main Street, #D4-235
Hesperia, CA 92345**

May 2012

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PLANNING SERVICES

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CEQA Environmental Checklist

PROJECT DESCRIPTION AND BACKGROUND

| | |
|--|--|
| Project Title: | 3 MW Solar P.V. Project |
| Lead agency name and address: | City of Palm Springs Planning Services 3200 E. Tahquitz Canyon Way Palm Springs, CA 92262 |
| Contact person and phone number: | Ken Lyon, Planner City of Palm Springs Planning Services (760) 323-8245 |
| Project Location: | Palm Springs, California Riverside County, California A portion of Section 14, Township 3 South, Range 3 East, S.B.B. & M |
| Project sponsor's name and address: | SYBAC Photovoltaics 41856 Ivy Street, Suite 210 Murrieta, CA 92562 (951) 461-7555 |
| General plan description: | Open Space Desert Watercourse |
| Zoning: | Open Space Desert Watercourse |
| Description of project: (Describe the whole action involved, including but not limited to later phases of the project, and any secondary, support, or off-site features necessary for its implementation.) | Solar Project which will have a combined generating capacity of 3.145 megawatts (MWDC) and will be located on a 12-acre parcel which is currently utilized for generating electrical power via wind turbines. |
| Surrounding land uses and setting; briefly describe the project's surroundings: | The proposed solar project would be located on a parcel which currently is utilized for generating electrical power via wind turbines. Additional wind turbines are located to the north and east. Vacant lands are located to the south and west and Interstate 10 is located to the north. |
| Other public agencies whose approval is required (e.g. permits, financial approval, consultations, or participation agreements): | U.S. Army Corps of Engineers, Palm Springs Public Works, Palm Springs Fire Department; Palm Springs Building and Safety, California Regional Water Quality Control Board, California Department of Fish and Game, US Fish and Wildlife Service, and Coachella Valley Multiple Species Habitat Conservation Plan. |

GENERAL AREA DESCRIPTION

The proposed project site is located within Riverside County in an area under the jurisdictional authority of the City of Palm Springs, California. The property is currently being utilized for

generation of energy via the use of wind turbines which are located directly north of where the proposed Whitewater East and Whitewater West solar facilities is proposed.

DESCRIPTION OF PROJECT:

The proposed Solar Generating Facility (Whitewater East and Whitewater West) will have a combined generating capacity of 3 megawatts (MW) located on a total of approximately 9.6-acres of land that is currently being utilized for generating electrical power via wind turbines. For further site information, see Appendix A for location maps, site photographs, and site plans. The proposed solar project would operate year-round producing electric power during the daytime hours. Construction would take about three months following receipt of all applicable permits. No permanent on-site operations & maintenance facilities would be constructed on the property, and no portions of the site will be paved.

The project will employ photovoltaic (PV) modules that convert sunlight directly into electrical energy without the use of heat transfer fluid or cooling water. There will be an array of 350 mounting tables for each system. Each table will utilize four 4" x 4" steel tubing which will be driven into the ground for a depth of 4'-6". Cabling to and from the inverters, switchboards, switchgear, and transformers will be buried at a maximum depth of three feet along the west side of the solar arrays. The transformer and switchgear used to support the solar P.V. system will be mounted on concrete pads with a maximum area 15' long x 8' wide with a maximum depth of two feet. Three 3'-6" wide x 12' long x 2' deep concrete pads to support the inverters will be placed along the side of the arrays. The solar panels that will be utilized will be Phono Solar 2140w Model number PS-240P-2OU or equivalent Phono Solar modules. There will be 8,400 modules for each site for a total of 16,800 modules. Project construction will consist of three phases including (1) site preparation; (2) Solar system installation and testing, and (3) site cleanup. The specific activities associated with these three phases are summarized below:

Site Preparation: The staging areas will be initially cleared and graded as necessary and the existing access roads will be improved to appropriate construction standards to allow for the movement of heavy construction vehicles. The staging area will include construction offices, a first aid station, temporary buildings, worker parking, truck loading and unloading facilities, and an area for assembling the solar array equipment. Access for firefighting equipment shall be provided to the immediate job site at the start of construction and maintained until all construction is complete. Fire apparatus access roads shall have an unobstructed width of not less than 20 feet and an unobstructed vertical clearance of not less than 13'6". Fire Department access roads shall have an all-weather driving surface and support a minimum weight of 73,000 lbs. Flagging will be utilized to denote the location of buried electrical lines, array locations, and the location of various facilities. The site will be fenced with a security fence (i.e., chain-link) and at least two gates will be installed. Initial erosion and sedimentation best management practices will be installed and water truck reloading stations will be established for dust control.

PV Installation and Testing: Installation of the solar system will require earthwork, grading, and erosion control. Plant substations will be constructed and the modules, supports, and associated electrical equipment will be installed. The mounting and support structures will be constructed of steel/concrete and the design will be finalized pending final analysis of the soil and scour conditions during the 100-year storm event. Concrete used for the footings, foundations, pads, and substation equipment will be produced at an off-site location by a local provider and transported to the site via truck. The final specifications for the concrete will be determined during detailed design engineering; however, production will meet applicable building codes. Waste generated during the construction phase will be non-hazardous and will include cardboard, wood pallets, copper wire, scrap steel, common trash, and wooden wire spools. No hazardous materials will be generated during the construction phase; although, construction equipment will contain various hazardous substances such as hydraulic oil, diesel fuel, grease, lubricants,

solvents, adhesives, paints, and other petroleum based products. No permanent buildings will be constructed on the property.

Site Cleanup: Once construction has been completed, site cleanup will occur including the removal of construction wastes and materials from the site, which will be disposed of legally at a local waste disposal or transfer site. The project proponent will implement "best management practices" during the construction phases. The construction of the project through commencement of commercial operations will require approximately 9 to 12 months. Approximately 30 workers will be required during peak construction and will include both full-time and part-time workers.

No staff will be present on the site during the operational phase and the site will be monitored remotely. Regular on-site visits will be conducted for security, maintenance, and system monitoring. Planned maintenance of the solar modules and systems will be conducted during the evening and site maintenance (e.g., mowing of grasses and shrubs) will be conducted during the daylight hours. The solar panels will be washed twice yearly. The proponent does not anticipate requesting any variances from the City at the present time.

SURROUNDING LAND USES AND SETTING:

The site is located south of Interstate 10 in Section 14, Township 3 South, Range 3 East in Palm Springs, California. The site currently supports wind turbines directly north of the proposed solar facilities as depicted in the attached figures (Appendix A). There are no structures within the areas proposed for the Whitewater East and Whitewater West facilities, and there are no single-family dwellings within one mile of the area. Elevations range from approximately 1,175 to 1,280 feet (MSL).

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The environmental factors checked below would be potentially affected by this project. Please see the checklist beginning on page 3 for additional information.

| | | | | | |
|-------------------------------------|--------------------------|--------------------------|---------------------------------|--------------------------|------------------------------------|
| <input type="checkbox"/> | Aesthetics | <input type="checkbox"/> | Agriculture and Forestry | <input type="checkbox"/> | Air Quality |
| <input checked="" type="checkbox"/> | Biological Resources | <input type="checkbox"/> | Cultural Resources | <input type="checkbox"/> | Geology/Soils |
| <input type="checkbox"/> | Greenhouse Gas Emissions | <input type="checkbox"/> | Hazards and Hazardous Materials | <input type="checkbox"/> | Hydrology/Water Quality |
| <input type="checkbox"/> | Land Use/Planning | <input type="checkbox"/> | Mineral Resources | <input type="checkbox"/> | Noise |
| <input type="checkbox"/> | Population/Housing | <input type="checkbox"/> | Public Services | <input type="checkbox"/> | Recreation |
| <input type="checkbox"/> | Transportation/Traffic | <input type="checkbox"/> | Utilities/Service Systems | <input type="checkbox"/> | Mandatory Findings of Significance |

DETERMINATION:

On the basis of this initial evaluation:

| | |
|-------------------------------------|--|
| <input type="checkbox"/> | I find that the proposed project could not have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared. |
| <input checked="" type="checkbox"/> | I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared. |
| <input type="checkbox"/> | I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required. |
| <input type="checkbox"/> | I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed. |
| <input type="checkbox"/> | I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION , including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required. |

| | |
|----------------------|--------------|
| Signature: | Date: |
| Printed Name: | For: |

CEQA Environmental Checklist

This checklist identifies physical, biological, social and economic factors that might be affected by the proposed project. In many cases, background studies performed in connection with the project indicate no impacts will be associated with the proposed solar project. A NO IMPACT answer in the last column reflects this determination. Where there is a need for clarifying discussion, the discussion is included either following the applicable section of the checklist or is within the body of the environmental document itself. The words "significant" and "significance" used throughout the following checklist are related to CEQA, not NEPA, impacts. The questions in this form are in regards to the assessment of impacts and do not represent thresholds of significance.

| | Potentially Significant Impact | Less Than Significant with Mitigation | Less Than Significant Impact | No Impact |
|---|--------------------------------|---------------------------------------|-------------------------------------|-------------------------------------|
| I. AESTHETICS: Would the project: | | | | |
| a) Have a substantial adverse effect on a scenic vista | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Substantially degrade the existing visual character or quality of the site and its surroundings? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

The proposed project would not remove any scenic characteristics of the site as the vegetation which is present on the site is similar to that present throughout the area. The site does not support any critical habitats; however, the site is located within a Notification Area for the Desert Tortoise. In addition, there are several large wind turbines immediately north and adjacent to the areas where the two solar areas would be located. Any scenic vistas oriented at the sites would not be disturbed by the addition of the solar panels. The site is not widely appreciated for its aesthetic purposes so any change would be considered less than significant. The solar panels will be designed such that they are non-reflective and appear black to the eye; therefore, the amount of glare should be negligible. Motion-sensors will be utilized and no night-time lighting will be installed.

| | | | |
|--------------------------------|---------------------------------------|------------------------------|-----------|
| Potentially Significant Impact | Less Than Significant with Mitigation | Less Than Significant Impact | No Impact |
|--------------------------------|---------------------------------------|------------------------------|-----------|

II. AGRICULTURE AND FOREST RESOURCES: In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment Project; and the forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the project:

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Conflict with existing zoning for agricultural use, or a Williamson Act contract? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Result in the loss of forest land or conversion of forest land to non-forest use? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

The site is not currently used for any agricultural purposes. The proposed project is in a high desert area and will have no expected impact on agricultural or forest resources. Therefore, no mitigation is necessary.

III. AIR QUALITY: Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:

| | | | |
|--------------------------------|---------------------------------------|------------------------------|-----------|
| Potentially Significant Impact | Less Than Significant with Mitigation | Less Than Significant Impact | No Impact |
|--------------------------------|---------------------------------------|------------------------------|-----------|

- | | | | | |
|---|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| a) Conflict with or obstruct implementation of the applicable air quality plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c) 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 (including releasing emissions which exceed quantitative thresholds for ozone precursors)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

- d) Expose sensitive receptors to substantial pollutant concentrations?
- e) Create objectionable odors affecting a substantial number of people?

The proposed project is expected to have a minimal impact on the air quality of the area and will produce relatively few emissions during the construction phase and negligible emissions during operation. There will be no expected conflict or obstruction of any air quality plans. Most of the polluting emissions will be produced during the construction phase where several earthmovers, delivery trucks and personal vehicles will be used during the construction phase. These emissions will be in the form of exhaust and dust. The amount of exhaust is expected by this project to be negligible compared to the yearly exhaust levels of Riverside County. The total vehicle miles traveled directly related to the proposed project is not expected to exceed approximately 150,000 miles during the life of the project based on a maximum of 60 miles per day for worker vehicles and about 200 miles for delivery vehicles. The emissions associated with project vehicles is expected to be non-significant compared to the amount of exhaust emitted by the county on a yearly basis. Construction emissions can be expected to be equally negligible. However, in order to minimize what exhaust emissions are expected it is recommended that all vehicles be kept in good condition and not allowed to idle for extended periods of time and that all workers carpool to the site when possible.

During construction, dust will be produced by general activity onsite, especially earth moving activities. The Air Quality Management District Rule requires mitigation to reduce the amount of dust produced during construction periods. These mitigations include periodic watering via water trucks to minimize any visible fugitive dust emissions and taking actions to prevent the tracking of bulk material onto public roads. Any project-related spills or tracking of bulk material onto public surfaces should be cleaned within 24 hours. After construction, the amount of air pollutants are expected to be reduced considerably as photovoltaic energy production systems do not generate emissions that would cause reduction of air quality or produce objectionable odors. Only during occasional maintenance will any air pollutants be released, though at non-significant levels, mainly through maintenance or worker transportation vehicles. However, it is recommended that workers carpool when possible, and that maintenance vehicles be kept in good condition and not be allowed to idle for extended periods of time.

| | Potentially Significant Impact | Less Than Significant with Mitigation | Less Than Significant Impact | No Impact |
|--|--------------------------------|---------------------------------------|------------------------------|-------------------------------------|
| IV. BIOLOGICAL RESOURCES: Would the project: | | | | |
| a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| b) 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 Game or US Fish and Wildlife Service? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

- d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?
- e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?
- f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan.

Existing Conditions

The site supports a somewhat disturbed Sonoran creosote bush scrub community typical of this portion of the Mojave Desert. *Larrea tridentata* is the dominant perennial with white bursage (*Ambrosia dumosa*) the co-dominant. Dominant annuals included erodium (*Erodium texanum*), schismus (*Schismus barbatus*), buckwheat (*Eriogonum inflatum*), and brome grasses (*Bromus* sp.). All of the perennials and annuals were relatively evenly distributed throughout the property. Ravens (*Corvus corax*), white-crowned sparrows (*Zonotrichia leucophrys*), and mourning doves (*Zenaida macroura*) were the only birds seen during the January 24, 2012 biological investigations. Reptile diversity is limited in the region, although, a few side-blotched lizards (*Uta stansburiana*) and western whiptail lizards (*Cnemidophorus tigris*) were observed. No mammals were observed; however, mammals common to the area which may occur on the site include antelope ground squirrels (*Ammospermophilus leucurus*), Merriam's kangaroo rats (*Dipodomys merriami*), and jackrabbits (*Lepus californica*). Coyotes (*Canis latrans*) may also traverse the site. No distinct wildlife corridors were identified on the site or in the immediate surrounding area. The Whitewater River is located about 500 feet directly east of the site and runs throughout the year. No sensitive wildlife species were observed during the field surveys conducted on January 24, 2010; however, burrowing owls (*Athene cunicularia*) and northern red-diamond rattlesnakes (*Crotalus ruber ruber*) have been observed in the immediate area and could potentially occur on the site (SWCA Environmental Consultants, 2010). Both of these species are California Species of Special Concern. The site is located in a Notification Area for the Desert Tortoise.

Impacts and Mitigations

Installation of the proposed solar facilities will have a direct impact on potential habitat for the burrowing owl, desert tortoise, and the northern red-diamond rattlesnake. Based on the presence of these species, focused surveys for these species will be required by CDFG immediately prior to the start of ground clearing activities. If these species are observed within the areas where the solar facilities will be located, the project proponent will need to initiate consultations with CDFG and the Coachella Valley Association of Governments (in relation to the Coachella Valley Multiple Species Habitat Conservation Plan) to determine the mitigation measures which will need to be implemented to compensate for impacts to the species. Burrowing owls located within the project boundaries in areas that may be impacted by construction activity may require relocation. If so, passive relocation measures will be initiated in accordance with California Burrowing Owl Consortium-Burrowing Owl Mitigation Guidelines, and as outlined in the CVMSHCP. Passive relocation will involve the use of one-way doors on burrows to prevent owls from returning to burrows in impact areas, and all relocation activity will be conducted by a qualified biologist. Owls will be relocated to areas of the project site that are not impacted. If structures (wildlife burrows, standpipes, or other utilized elements) that have been recognized during pre-activity surveys as supporting either a nesting burrowing owl pair or resident owl are removed to accommodate the proposed project, these structures and burrows will be relocated or replaced on the project site. Relocated and replacement burrows will be established within the project site in accordance with accepted guidelines.

| | Potentially Significant Impact | Less Than Significant with Mitigation | Less Than Significant Impact | No Impact |
|--|--------------------------------|---------------------------------------|------------------------------|-----------|
|--|--------------------------------|---------------------------------------|------------------------------|-----------|

V. CULTURAL RESOURCES: Would the project:

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Disturb any human remains, including those interred outside of formal cemeteries? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

An archaeological records search at the San Bernardino Archaeological Information Center in Redlands, California, and the California State Historic Property Data File was conducted by SWCA for the area surrounding the project site (SWCA, 2010). The records search indicates that there is one historic archaeological site (WPP, 2) and one historic isolate (WPP-IS01) in the immediate surrounding area. However, both of these observations were located about 1,000 feet north of the area where the solar facilities would be located. Prior to issuance of a Grading Permit for the project, the Aqua Caliente Band of Cahuilla Indians will be given the opportunity to require cultural monitoring during construction at the site, if there is a possibility that tribal artifacts or remains may exist on the site.

VI. GEOLOGY AND SOILS: Would the project:

- | | | | | |
|--|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving: | | | | |
| i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| ii) Strong seismic ground shaking? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| iii) Seismic-related ground failure, including liquefaction? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| iv) Landslides? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Result in substantial soil erosion or the loss of topsoil? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

The proposed site, as with much of the state of California, is at risk of an earthquake event which would result in ground shaking. In the event that a strong earthquake occurs, liquefaction is not expected to occur since groundwater in the area of the site is relatively deep. In addition, the topography of the site is relatively flat and loss of topsoil during an earthquake will be minimal.

| | Potentially Significant Impact | Less Than Significant with Mitigation | Less Than Significant Impact | No Impact |
|--|--------------------------------|---------------------------------------|-------------------------------------|--------------------------|
| VII. GREENHOUSE GAS EMISSIONS: Would the project: | | | | |
| a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

This project, once fully built and operational, will provide a "clean" source of energy that will not emit greenhouse gases (GHG). The only major sources of greenhouse gas emissions that will be associated with the project are construction and maintenance vehicles. During construction, several pieces of heavy equipment will be used which emit a variety of GHGs, including carbon dioxide. It is recommended that the vehicles being used be kept in good condition and not allowed to idle for extended periods of time in order to minimize the amount of GHGs emitted. After construction, maintenance vehicles will be the primary source of GHGs. Again, it is recommended that any vehicles used during maintenance be kept in good condition and prevented from idling for extended periods of time. To further reduce GHG emissions, it also recommended workers carpool so that as few vehicles as possible are utilized. See the Air Quality section of this document for more information on air pollution.

| | Potentially Significant Impact | Less Than Significant with Mitigation | Less Than Significant Impact | No Impact |
|--|--------------------------------|---------------------------------------|-------------------------------------|-------------------------------------|
| VIII. HAZARDS AND HAZARDOUS MATERIALS: Would the project: | | | | |
| a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

- e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?
- f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?
- g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?
- h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?

Hazards, both material and otherwise, are possible during construction. The heavy machinery presents a possible physical and chemical hazard due to operation and any fuel, lubricants and/or hydraulics used by the machinery. It is recommended that the machinery be kept in good condition to prevent hazardous material leaks and all construction workers have proper safety training for working with or around heavy machinery. All other equipment containing potentially hazardous material should be kept in good condition and the operators have proper safety instruction/training and follow all manufacturer recommendations before use. All other hazardous material being brought and/or installed onsite should be treated with caution to ensure that any workers or the environment are not exposed. Any Hot work to be performed on-site; i.e., Welding, shall have a permit issued by the Palm Springs Fire Department.

The proposed project will contain little operational hazardous material or waste. These potentially hazardous materials include glycol-based coolant, lubricants for the tracking system, and any other moving parts. Both of these materials are mildly toxic and will not present a major risk to the handlers or the environment. However, it is recommended that concrete platforms supporting the inverters include a rim capable of containing the entire amount of coolant that will be used in the inverters in the event of a spill. Further caution should be taken to ensure that either of these materials are not spilled or introduced in other ways into the environment during maintenance. All other precautions recommended by the manufacturer should also be taken. Any unused materials should be stored in a proper offsite location. See the Utilities section of this document for information on hazardous material disposal.

The project site is not located near any private or public airports; therefore, the impact to local air traffic will be negligible due to the limited impact area and non-reflective nature of the solar panels.

The proposed project will not substantially increase the risk of wildfire in the site. It may, in fact reduce the wildfire risk due to the removal of the existing vegetation and the periodic trimming of any plant growth onsite, which will reduce the amount of combustible fuel. Compaction of the soil will also reduce the amount of plant growth which will further decrease the risk of wildfire on site. Other than an external source, the only risk of onsite wildfire ignition is due to electrical malfunctions. However, if the electrical equipment is installed properly and follows all state and City safety codes, the risk of onsite ignition is minimal.

| | | | |
|--------------------------------|---------------------------------------|------------------------------|-----------|
| Potentially Significant Impact | Less Than Significant with Mitigation | Less Than Significant Impact | No Impact |
|--------------------------------|---------------------------------------|------------------------------|-----------|

IX. HYDROLOGY AND WATER QUALITY: Would the project:

- a) Violate any water quality standards or waste discharge requirements?

- | | | | | |
|---|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| e) 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? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| f) Otherwise substantially degrade water quality? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| j) Inundation by seiche, tsunami, or mudflow | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

The footprint of the solar arrays will be small and will not significantly change the drainage patterns as the site will remain almost completely pervious. A preliminary On-site Drainage Study, as well as a Preliminary Flood Hazard Assessment Report must be completed and approved by the City prior to project entitlement; a HEC-RAS analysis, a scour analysis along the Whitewater River within the project site limits, and establishment of the Base Flood Elevation and the limits of the 100-year floodway and floodplain along the Whitewater River, shall be included and established in the Flood Hazard Assessment Report. For most of the site, the drainage pattern for a 100-year storm is sheet flow, which is expected to be impacted little by the development. There are no water resources on the site and no blue-line streams or other drainage channels are present within the area where the solar facilities will be located. The Whitewater River is located about 500 feet east of the site; however, the project is not expected to impact the water quality of this river.

Several pollutants of concern may potentially flow from the site during precipitation events. Nutrients and sediments are potential pollutants of concern due to the possibility of soil erosion on site during construction and other later soil disturbances. However, these pollutants are not expected to be significantly higher than historical levels after construction. Some debris from regular grass and shrub trimming is expected due to the amount of loose plant matter clippings though most of this debris will be trapped onsite. Metals, organic compounds, and oil and grease are other potential pollutants from the site. Most of these possible pollutant sources, including maintenance and construction vehicles, lubricants, inverters and metal components, will produce either temporary or non-significant levels of pollutants, assuming the vehicles are kept in good condition. The levels of pollutants in stormwater runoff from the site are not expected to be significant after construction.

| | | | |
|--------------------------------------|--|------------------------------------|-----------|
| Potentially Significant Impact | Less Than Significant with Mitigation | Less Than Significant Impact | No Impact |
|--------------------------------------|--|------------------------------------|-----------|

X. LAND USE AND PLANNING: Would the project:

- | | | | | |
|---|--------------------------|-------------------------------------|-------------------------------------|-------------------------------------|
| a) Physically divide an established community? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Conflict with any applicable habitat conservation plan or natural community conservation plan? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

The site is zoned open space desert watercourse. These zones allow solar energy production facilities subject to approval of a CUP. In addition, there are no existing single-family developments in the immediate area, and the nearest single-family dwellings are several miles to the east.

XI. MINERAL RESOURCES: Would the project:

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) 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? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

The proposed project will have no expected impact on mineral resources; therefore, no mitigation is necessary. Gravel may be needed on the site for interior road surfacing; however, the amount of gravel that will be utilized is expected to be minimal, and will likely come from an outside commercial source.

XII. NOISE: Would the project result in:

- | | | | | |
|---|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

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

No noise studies were conducted on the site; however, based on other studies done for projects in the general area, the ambient noise levels are expected to be between approximately 44 to 53 dB; however, levels may necessarily increase when high levels of traffic are present along Interstate 10 to the north. Furthermore, the existing wind turbines adjacent to the site generate noise levels of about 60 dB when the wind turbines are operating at full electrical output (Channel Islands Acoustics, 2010).

During the construction phase, the level of noise will increase in the area due to heavy machinery and other construction related activities, especially during the early stages of construction. After construction, occasional increases in noise levels may occur during site maintenance. Noise during operation will be less than significant as the project is expected to produce little or no noise. What noise is expected will be well below City noise standards and not significantly higher than current levels.

| | Potentially Significant Impact | Less Than Significant with Mitigation | Less Than Significant Impact | No Impact |
|---|--------------------------------|---------------------------------------|------------------------------|-------------------------------------|
| XIII. POPULATION AND HOUSING: Would the project: | | | | |
| a) Induce substantial 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)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

The proposed project will have no expected impact on population and housing and therefore no mitigation is necessary.

XIV. PUBLIC SERVICES:

a) 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:

| | | | | |
|--------------------|--------------------------|--------------------------|-------------------------------------|--------------------------|
| Fire protection? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Police protection? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

| | | | | |
|--------------------------|--------------------------|--------------------------|--------------------------|-------------------------------------|
| Schools? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| Parks? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| Other public facilities? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Fire protection will be provided by the Palm Springs Fire Department. The Fire District, in order to allow for proper fire service to the Site, will likely require regular trimming of the on-site vegetation to prevent fire hazards and compaction of the service road to allow 73,000 GVW fire truck access. Hammerheads may be required to allow easy access to the site by fire trucks. Policing will be provided by the City of Palm Springs. Police Department. In addition, the Police Chief may request the installation of infrared cameras and remote notification to provide security for the site, in addition to the installation of a chain-link fence.

| | Potentially Significant Impact | Less Than Significant with Mitigation | Less Than Significant Impact | No Impact |
|--|--------------------------------|---------------------------------------|------------------------------|-----------|
|--|--------------------------------|---------------------------------------|------------------------------|-----------|

XV. RECREATION:

| | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

The proposed project will have no expected impact on recreation and therefore no mitigation is necessary.

XVI. TRANSPORTATION/TRAFFIC: Would the project:

| | | | | |
|---|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) Result in inadequate emergency access? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| f) Conflict with adopted policies, plans or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

While there is no information currently available about traffic at the Site, it can be expected that traffic volumes and conditions may result in a 10-20% increase in road traffic along the access roads in the area due to an increase in the number of vehicles to and from the site during the construction phase and during the operational phase. However, this increase is not expected to create a significant difference in terms of impact on local traffic due to an existing low traffic volume along Tipton Road.

It is expected that during peak construction the number of vehicles entering and exiting the Site will be approximately 25-30 vehicles per day including about 4-8 delivery trucks. During the other periods of construction the number of vehicles is expected to be about 10 vehicles per day including up to 4 delivery trucks. Most of these vehicles are expected within a half-hour to one-hour time period each morning and in late afternoon. After construction has been completed, maintenance vehicles will arrive at the site several times a year for regular site maintenance. Maintenance traffic will enter the site from the north from Interstate 10 accessing the site via Tipton Road north of the site.

Due to the relative low volume of vehicles per day, anticipated arrival times and good sight distances along Tipton Road, any expected traffic impacts of this project will be minimal for both construction and operation. However, it is recommended that a "Trucks Entering Exiting" warning sign be installed in both directions along Tipton Road to alert drivers to potential delivery trucks and increased traffic moving on or offsite.

| | Potentially Significant Impact | Less Than Significant with Mitigation | Less Than Significant Impact | No Impact |
|---|--------------------------------|---------------------------------------|-------------------------------------|-------------------------------------|
| XVII. UTILITIES AND SERVICE SYSTEMS: Would the project: | | | | |
| a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| g) Comply with federal, state, and local statutes and regulations related to solid waste? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

Any water usage on site for activities such as cleaning will be minimal and brought in via water truck from an offsite source. The increase of impervious surface area will be minimal due to the small footprint of the project and therefore will have little increase in stormwater runoff. Any solid wastes are to be disposed at a proper waste disposal site in the general area. Trash dumpsters will be on site during construction, and solid waste should not be allowed to build up on site during construction or operation. Any hazardous waste shall be immediately transported to a waste collection facility in the area to be properly and legally disposed of during a scheduled appointment. Organic waste such as grass and shrub clippings shall be removed and disposed of legally.

| | Potentially Significant Impact | Less Than Significant with Mitigation | Less Than Significant Impact | No Impact |
|--|--------------------------------|---------------------------------------|-------------------------------------|-------------------------------------|
| XVIII. MANDATORY FINDINGS OF SIGNIFICANCE | | | | |
| a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

The proposed project will not have a significant impact on the quality of the environment, wildlife habitat area or community, or rare or endangered species. As described in the biological resource section of this document, mitigation measures will need to be taken to ensure that any potential impacts to sensitive wildlife species (e.g. burrowing owls, desert tortoise, and red-diamond rattlesnakes) which may occur due to the project are minimized through consultations with CDFG and the Coachella Valley Association of Governments (regarding the CVMSHCP) through implementation of approved measures. No other significant environmental degradations are expected during the construction or operation phases. Several similar solar power projects are being proposed for the region, and more can be expected if the solar projects are considered successful sources of clean and renewable energy. However, assuming each solar project implements mitigation measures to minimize impacts, no significant cumulative effects are expected to occur if this solar project is constructed. Considering all project designs and City and State guidelines and assuming that policies on construction and project operation safety are followed, the proposed project is not expected to have any significantly adverse environmental impacts; therefore, a negative declaration is proposed for the project.

REFERENCES

- California Department of Conservation Division of Land Resource Protection. 2008. Important Farmland Data Availability. California Department of Conservation. Sacramento, California. <http://www.conservation.ca.gov/DLRP/Pages/Index.aspx>
- Channel Islands Acoustics. July 2010. Noise Impact Analysis for Windpower Partners 1993 L.P., City of Palm Springs, Riverside, County.
- Google Inc. 2011 Google Earth. Mountain View, California
- SWCA Environmental Consultants, May 2010. Cultural Resources Survey for the Palm Springs Repower Wind Energy Project, Palm Springs, Riverside County, California.
- SWCA Environmental Consultants. July 2010. Biological Resources Assessment for the Palm Springs Repower Wind Energy Project.

APPENDIX A

Figures

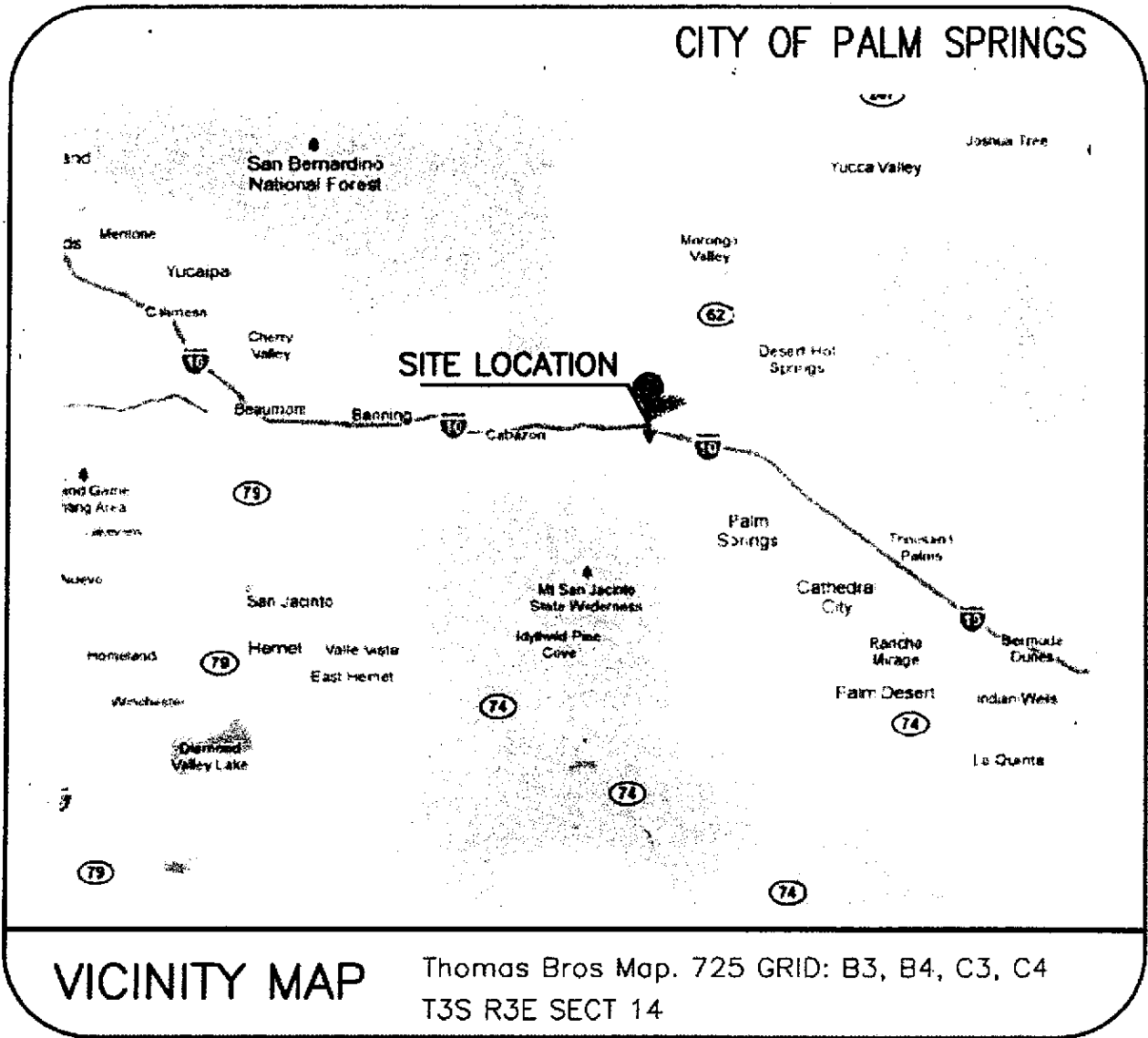


FIGURE 1

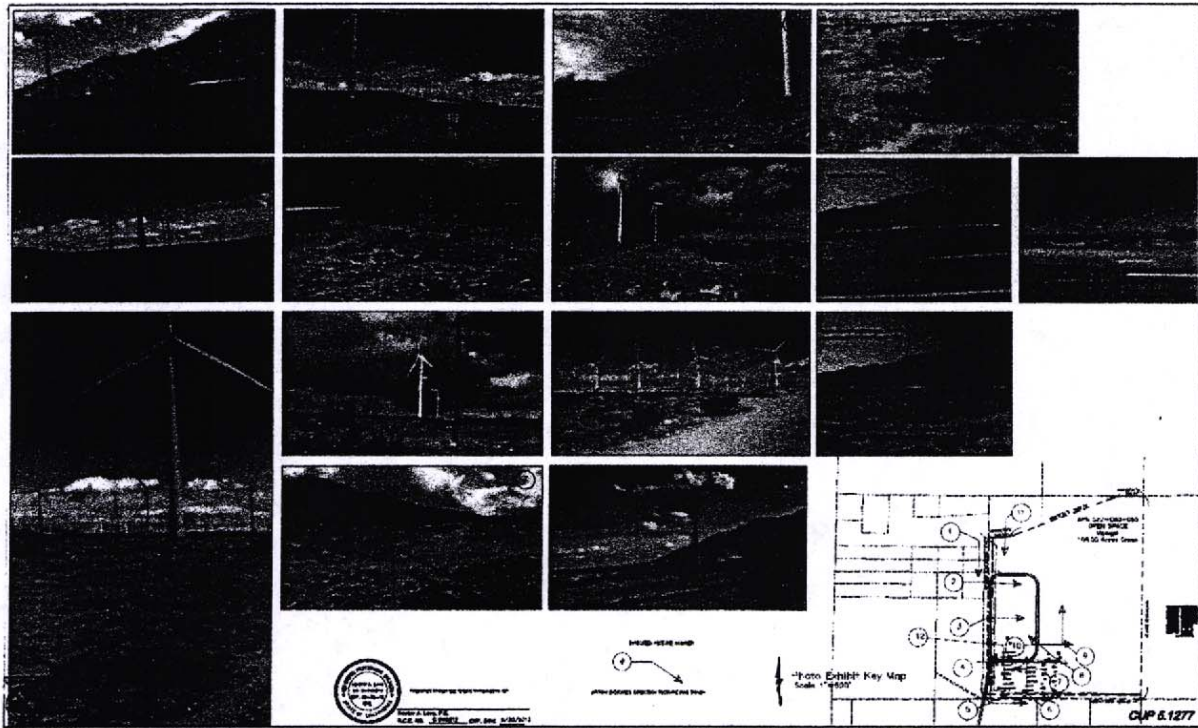


Figure 2
Photographs of Site



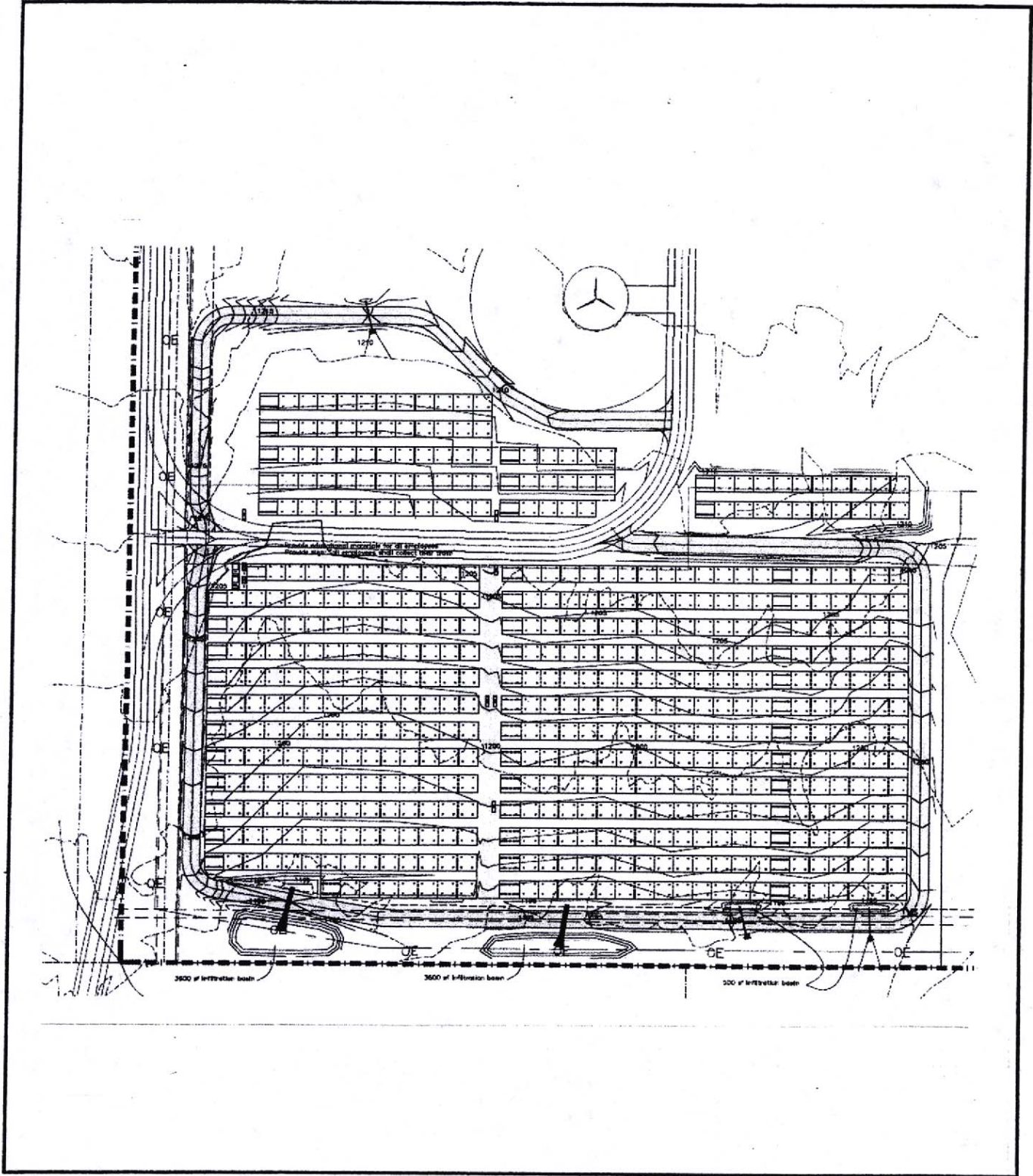
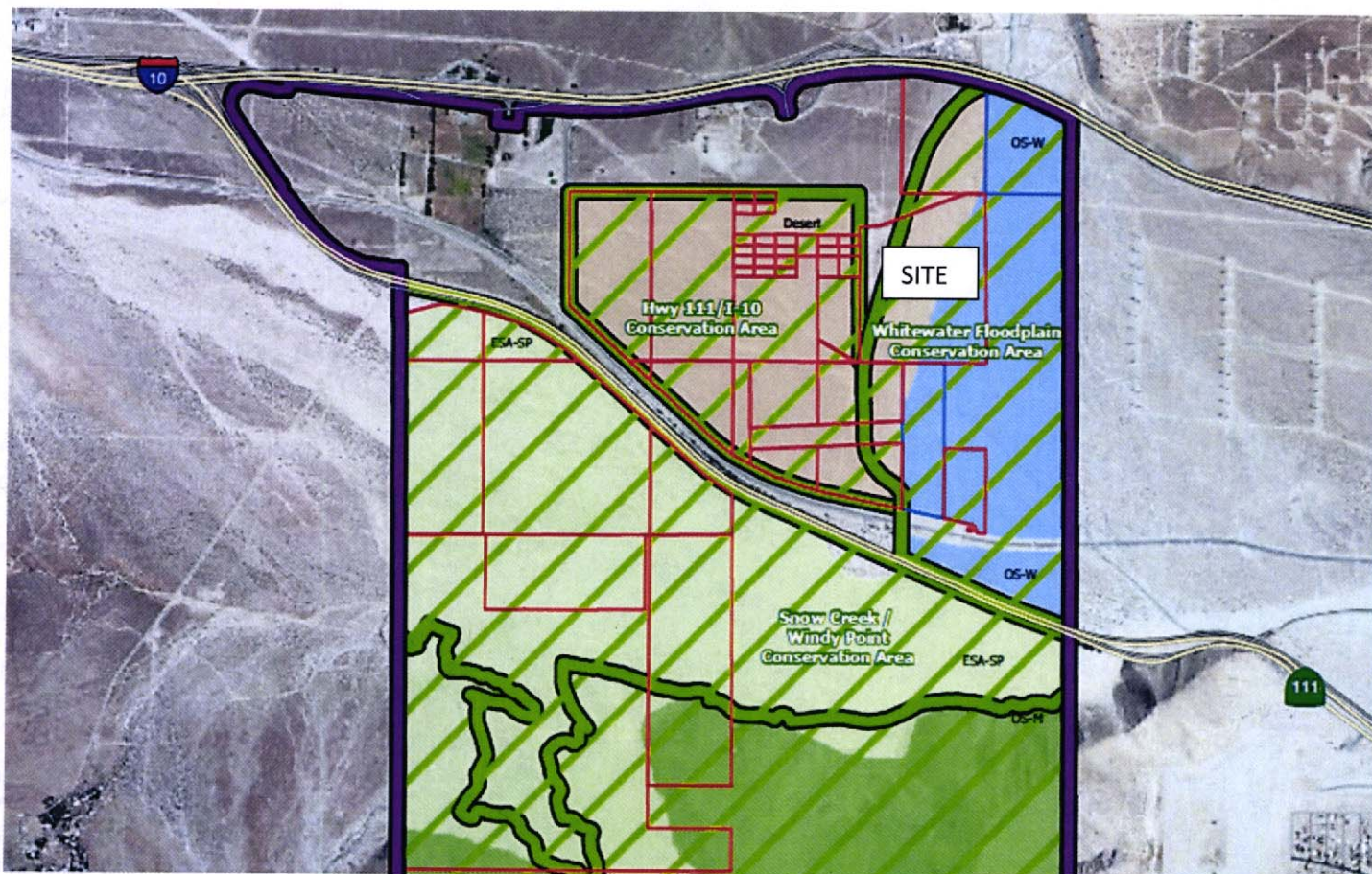


Figure 3

Whitewater Solar Park – 3 MW Solar Park





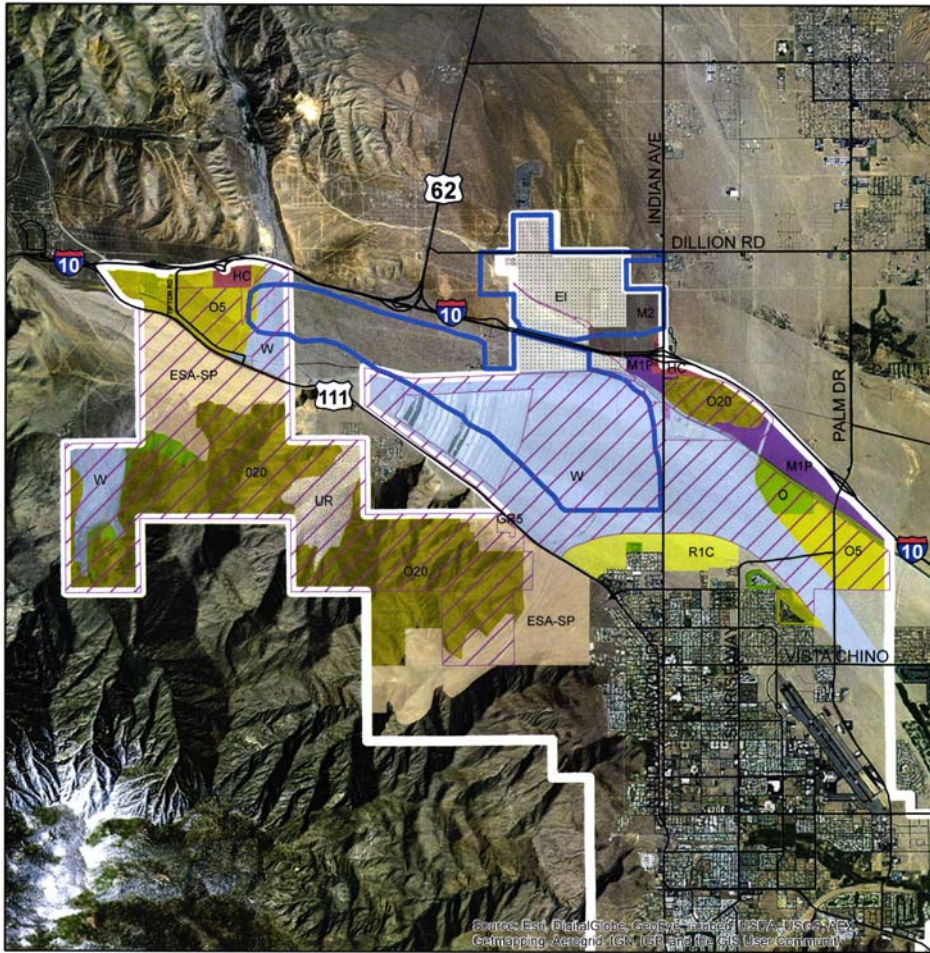
Partial Map of Palm Springs Showing Conservation Areas (green diagonal lines) and the subject parcel (labeled "SITE")

The above map shows a portion of the City of Palm Springs near the intersection of CA-111 and I-10. The subject parcel and other parcels are denoted with (red) lines and the various CVMSCHP conservation areas in the vicinity are denoted with the diagonal (green) lines. The bold green lines (outlined in thin black lines) are the boundaries of the various conservation areas. The blue area is Watercourse. The purple lines are the City limits.

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PLANNING & COMMUNITY DEVELOPMENT



Zoning and Multiple Species Plan within the Wind Energy Overlay Area of Palm Springs

Legend

- Major Roads
- Palm Springs City Boundary
- Multiple Species Plan Conservation Area
- Wind Energy Overlay

Zoning Classification

- EI - Energy-Industrial
- ESA - SP - Environmentally Sensitive Area-Specific Plan
- GR5 - Guest Ranch
- HC - Highway Commercial
- WM1P - M1P with Watercourse Prefix
- M2 - Manufacturing
- O - Open Land Uses
- O20 - Open Space 1du/20ac
- O5 - Open Space 1du/5ac
- M1P - Planned Research and Development Park
- R1C - Single Family (10,000 SF min lot)
- UR - Urban Reserve
- W - Watercourse



CVCC
Coachella Valley
Conservation Commission

June 4, 2013

c:\Projects\Zoning and Multiple Species Plan within the Wind Energy Overlay of Palm Springs.mxd

TABLE 1: Whitewater River Conservation Area- Summary of Proposed Take

| Conservation Objective | Current Acres of Authorized Disturbance (This is roughly 10% of the total habitat that exists. This is the acreage available for the City to “Take” and give to development) | Total Acres of Proposed Disturbance (Take) requested by the proposed project | Proposed Disturbance as a Percentage of Current Authorized Disturbance (Take) | Total Acres of New Conservation proposed by this project. | Remarks / Explanation |
|---|--|--|---|---|--|
| Coachella Valley Ground Squirrel – Core Habitat | 328 acres | 1 acre | 0.3% | 0 | The project proposes to use only 1 acre of Take from this species’ habitat |
| Palm Springs Pocket Mouse – Core Habitat | 347 acres | 7.75 acres | 2.2% | 0 | There would be 97.8% of the authorized Take for this species’ habitat remaining for the City to potentially allocate to other future development over the 75 year life of the MSHCP |
| Le Conte’s Thrasher – Other Conserved Habitat | 381 acres | 7.75 acres | 2.0% | 0 | There would be 98% of the authorized Take for this species habitat remaining for the City to potentially allocate to other future development over the 75 year life of the MSHCP |
| Sand Transport | 387 acres | 7.75 acres | 2.0% | 0 | There would be 98% of the authorized Take of the sand transport corridor remaining for the City to potentially allocate to other future development over the 75 year life of the MSHCP |
| Whitewater River Corridor | 90 acres | 7.75 acres | 8.6% | 0 | There would be 91.4% of the authorized Take of the Whitewater River Corridor remaining for the City to potentially allocate to future development over the 75 year life of the MSHCP. |