# Appendix A: Scoping Summary Report

# SCOPING SUMMARY REPORT

# Savira Solar Project

## Notice of Preparation

Prepared for:

Riverside County Planning Department

Prepared by:

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Submittal Date:

June 2025

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# 1. Overview of CEQA Scoping Process

The environmental review of the Savira Solar Project (Project) is being conducted the County of Riverside as the State lead agency under the California Environmental Quality Act (CEQA) (Public Resources Code section 21000 et seq.). This report discusses the scoping process that was conducted for the County of Riverside. The County held a 30-day public scoping period consistent with CEQA requirements that provided an opportunity for the public and agencies to provide comments on the environmental review of the Project. This scoping report documents the CEQA scoping process and summarizes the scoping comments received for the Project. Specifically, this report describes the scoping events and activities and summarizes the oral and written comments submitted in response to the public release of the County of Riverside's Notice of Preparation (NOP). This report provides the range of issues provided in the public comments that will be considered in the preparation of the Environmental Impact Report (EIR). The lead agency will use the comments received during the scoping period to:

1. Identify key issues to focus the analysis in the environmental document.
2. Identify reasonable alternatives to the Project.
3. Analyze environmental impacts of the Project and alternatives.
4. Identify ways to avoid or reduce environmental impacts.

## 1.1 Introduction and Summary of the Project

Savira Renewables, LLC (Applicant), a wholly owned subsidiary of Clearway Energy Group LLC, proposes to construct the Savira Solar Project (Project), a utility-scale solar photovoltaic (PV) power-generation and energy storage facility, along with associated transmission infrastructure, to generate and deliver electrical power generated from a renewable energy source to the statewide electricity transmission grid.

The Project site is located on approximately 535 acres in eastern Riverside County, 8.5 miles east of the town of Desert Center, California. The Project would generate up to approximately 150 megawatts (MW) of renewable energy via arrays of solar PV panels and store up to approximately 250 MWs of energy via a battery energy storage system (BESS). Additional facilities would include an operations and maintenance (O&M) building, a 230-kilovolt (kV) project substation, an approximately 1.8-mile-long generation-interconnection (gen-tie) line, and access driveways. From the Project substation, the electrical power generated would be transmitted via a new high voltage 230 kV gen-tie line to by carried on an existing gen-tie line from the Arica/Victory Pass substation to the Southern California Edison (SCE) 230 kV Red Bluff substation, which would require some substation upgrades. The Project would include linear facility routes. The following linear facilities would be located on adjacent land administered by the U.S. Department of Interior, Bureau of Land Management (BLM), Palm

Springs-South Coast Field Office within land allocated as a Development Focus Area (DFA) for solar, wind, and geothermal projects by the Desert Renewable Energy Conservation Plan (DRECP). The DRECP Final Environmental Impact Statement (EIS) was approved by a Record of Decision (ROD) signed on September 14, 2016 (BLM 2016a).

- A new approximately 1.5-mile-long high voltage (230 kV) gen-tie line .
- Use of the existing 3-mile-long Arica/Victory Pass gen-tie line from the existing Arica/Victory Pass Substation to the existing SCE Red Bluff Substation.
- A new approximately 0.3-mile-long medium voltage (34.5 kV) collection line segment and associated access road .
- Use of approximately 4 miles of existing access roads.

The Project's gen-tie consists of approximately 1.8 miles of newly constructed line and use of approximately 3 miles of existing line; all but approximately 0.3 miles of the gen-tie would be on BLM land. The Project's collection line network would include an approximately 0.3 miles long segment on BLM land to connect the Project's non-contiguous private parcels. The access road would use approximately 4.0 miles of existing (i.e., already disturbed) BLM roads.

The commercial operation date (COD) for the Project is anticipated to be in 2028. The Project would operate for a minimum of 40 years. At the end of its useful life, the Project would be decommissioned and the land returned to its pre-Project conditions. A decommissioning bond would ensure that the Project would be properly decommissioned.

## 1.2 Summary of CEQA Scoping Process

The CEQA scoping process provides government agencies, organizations, and members of the public the opportunity to identify environmental issues and alternatives for consideration in the EIR. The scoping process and results are an initial step in the environmental review process. As required by Section 15082 of the CEQA Guidelines (14 CCR 15000 et seq.), the County of Riverside issued an NOP on March 24, 2025, that summarized the Project, stated the County's intention to prepare an EIR, and requested comments from interested parties. Appendix A includes the NOP for the Project. The NOP was mailed to approximately 12 contacts and emailed to approximately 70 contacts on the Project distribution list, including 10 tribes and tribal agencies. The NOP was filed with the State Clearinghouse and the County Clerk and posted on the County of Riverside's webpage. During the comment period, the County held one public scoping meeting on Monday March 31, 2025. A newspaper notice was published on March 11, 2025 in the Press Enterprise announcing the NOP and the public scoping meeting. The NOP also included information regarding this scoping meeting. The public scoping meeting was held in-person and virtually, at the Riverside County Planning Department. Remote participation was made available through the online web-based platform, Zoom. This meeting took place at approximately 3:00pm. The County provided a presentation explaining the Project, CEQA process, the County's role throughout this process, and public participation opportunities (Appendix C). There were no attendees present or online. The 30-day comment

period began on March 24, 2025 and ended on April 22, 2025. In total, 5 different entities submitted comment letters: 3 from a federal, state, and local agencies; 1 from organizations and businesses; and 1 from the Native American Heritage Commission (see Table 1). These letters have been included in this scoping report in Appendix D. The comments identified in these letters will be considered in the drafting of the EIR.

## 1.3 Agencies, Organizations, and Person Providing Scoping Comments

Federal, state, and local agencies; a tribal agency; organizations; and members of the public provided oral and written comments during the scoping period. Table 1 presents the agencies, organizations, and individuals that provided written comments during the scoping process in chronological order as well as the individuals that presented oral comments at the scoping meeting.

**Table 1 Comments Received During Public Scoping**

| Commenter | Date |
|---|---|
| **Agencies** | |
| Riverside County Department of Waste Resources | March 13, 2025 |
| South Coast Air Quality Management District | April 10, 2025 |
| California Department of Fish and Wildlife | April 22, 2025 |
| **Tribal Agencies** | |
| Native American Heritage Commission | March 13, 2025 |
| **Organizations** | |
| Defenders of Wildlife | April 22, 2025 |

# 2. Summary of the Scoping Comments

This section summarizes the written comments received from the public and agencies during the scoping period for the Project. A total of 5 scoping comments were received during the scoping period, as listed in Table 1. Scoping concerns are summarized below.

### Native American Heritage Commission

- Requests the Project complies with SB 18 and AB 52

### South Coast Air Quality Management District

- Recommends using South Coast Air Quality Management District's (SCAQMD's) CEQA Air Quality Handbook and website as guidance when preparing the air quality and greenhouse gas analyses.

- Recommends using the California Emissions Estimator Model (CalEEMod) land use emissions software to estimate pollutant emissions.
- Requests identifying any potential adverse air quality impacts that could occur from all phases of the Project and all air pollutant sources related to the Project.
- Provides several resources to assist with identifying potential air quality mitigation measures.

**California Department of Fish and Wildlife**

- Recommends that the Draft EIR include a complete assessment of the flora and fauna within and adjacent to the Project footprint, with particular emphasis on identifying rare, threatened, endangered, and other sensitive species and their associated habitats.
- Recommends species-specific surveys for sensitive species that the Project footprint has the potential to support, including but not limited to Western Burrowing Owl (Athene cunicularia hypugaea), Mojave Desert Tortoise (Gopherus agassizii), American Badger (Taxidea taxus), Desert kit fox (Vulpes macrotis arsipus) and Bats
- Recommends the development of a Bird and Bat Conservation Strategy (BBCS)
- Requests providing a thorough discussion of the direct, indirect, and cumulative impacts expected to adversely affect biological resources as a result of the Project (including the plan's land use designations, policies and programs).
- Recommends the Draft EIR describe and analyze a range of reasonable alternatives to the Project that are potentially feasible, would "feasibly attain most of the basic objectives of the Project," and would avoid or substantially lessen any of the Project's significant effects (CEQA Guidelines § 15126.6[a]).
- Request the EIR identify mitigation measures and alternatives that are appropriate and adequate to avoid or minimize potential impacts, to the extent feasible.
- Recommends that a California Endangered Species Act (CESA) incidental take permit (ITP) be obtained if the Project has the potential to result in take of a state-listed species, such as desert tortoise which have the potential to occur on site, either through construction or over the life of the project.
- Recommends, to facilitate the issuance of a Lake and Streambed Alteration Agreement, if needed, that the DEIR should fully identify the potential impacts to the lake, stream, or riparian resources, and provide adequate avoidance, mitigation, and monitoring reporting commitments.
- Recommends that the DEIR include an analysis of impacts to wildlife from Project-related construction noise, and appropriate avoidance, minimization, and mitigation measures that will reduce impacts to less than significant.
- Recommends that the DEIR include lighting design specifications for all artificial nighttime lighting that will be used by the Project, an analysis of the direct and indirect impacts of artificial nighttime lighting on biological resources, and

appropriate avoidance, minimization, and mitigation measures that will reduce impacts to less than significant.
- Commented that the Project should report any special status species and natural communities detected during Project surveys to the CNDDB.
- The Project would have an impact on fish and/or wildlife, and therefore filing fees are necessary. They state that the fees are payable upon filing of the Notice of Determination (NOD) by the lead agency.

**Riverside County Department of Waste Resources**
- Requests that the EIR consider quantitatively analyzing potential solid waste impact and discuss feasible mitigation programs/regulatory compliance
- Provides information on surrounding landfills that could be used.
- Recommends measures to help reduce the Project's anticipated solid waste impacts and enhance efforts to comply with the State's mandate (AB 75) of 50% solid waste diversion from landfilling.

**Defenders of Wildlife**
- Requests that the EIR consider the potential for sensitive species and habitats, adherence to agency-approved species-specific protocols, and identification of appropriate avoidance, minimization and mitigation measures.
- Requests consultations with wildlife agencies early in the planning processed
- Requests analyzing the impacts with the permanent conversion of land use, as well as cumulative impacts.

# 3. Summary of Future Steps in the Environmental Review Process

The next steps in the environmental review process will be the filing of a Notice of Completion (NOC) with the State Clearinghouse to begin the public review period (Public Resources Code [PRC], Section 21161) for the Draft EIR. Pursuant to PRC section 21092.3 and State CEQA Guidelines Section 15087(c), a notice of availability of the Draft EIR will also be posted in the Riverside County Clerk's office.

Organizations and interested members of the public will be invited to comment on the information presented in the Draft EIR during the 45-day public review period. All significant environmental issues raised in comments received during the public review period for the Draft EIR will be responded to in the Final EIR.

Following consideration of the comments received during the Draft EIR comment period, the Final EIR will be prepared and circulated per CEQA requirements and will include responses to all comments that raise significant environmental issues. Consideration of the Final EIR and requested Project approvals by the County Board of Supervisors is anticipated in late 2025.

The Final EIR will include comments received on the Draft EIR and responses to those comments, along with any modifications to the Draft EIR. In addition, CEQA Guidelines section 15097 requires that public agencies adopt a program for monitoring mitigation measures that reduce or eliminate significant impacts on the environment. Accordingly, a Mitigation Monitoring and Reporting Program (MMRP) will be prepared for the Project and included as part of the Final EIR.

The County Board of Supervisors will consider all comments on the Draft EIR before deciding whether to certify the Final EIR and make a decision whether or not to approve the Project.

## Attachment A: Notice of Preparation

RIVERSIDE COUNTY
PLANNING DEPARTMENT

*John Hildebrand*
*Planning Director*

# COUNTY OF RIVERSIDE – NOTICE OF PREPARATION OF A DRAFT ENVIRONMENTAL IMPACT REPORT & SCOPING MEETING

**DATE**: March 10, 2025

**TO**: Responsible and Trustee Agencies, Interested Organizations, and Individuals

**PROJECT CASE NO./TITLE**: Savira Solar Project - Draft Environmental Impact Report Conditional Use Permit (CUP) No. 240027/Development Agreement No. 2400008

**PROJECT LOCATION**: The Savira Solar Project (Savira or Project) is located in Riverside County, north of Interstate 10 (I-10) and approximately 8.5 miles east of the town of Desert Center, CA (*Figure 1, Project Location*). The Project consists of 6 parcels on private land (totaling ~535 acres). The solar energy generated by the Project would be transmitted via a new, approximately 2-mile-long, 230 kV generation interconnection tie (gen-tie) line to the existing Arica and Victory Pass substation, where it would be carried on the existing approximate 3-mile 230 kV Arica/Victory Pass gen-tie to interconnect to the regional transmission grid at the existing Southern California Edison (SCE) Red Bluff Substation.

Regional access to the Project site is provided from the Corn Springs exit off I-10. This exit leads to BLM open route DC950 and then to open route DC511. To reach the northern portion of the site, usage of BLM open route DC505 is also proposed. Project-related roads for direct access to the site would include a perimeter road and interior solar field access ways.

The Assessor's Parcel Numbers (APNs) of which are listed on the attached sheet titled "Assessor's Parcels for Project Site CUP240027 Savira Solar Project." (*Figure 2, Project Location and Parcels*)

**PROJECT DESCRIPTION**: Savira Renewables, LLC ("Applicant"), a wholly owned indirect subsidiary of Clearway Energy Group LLC, proposes to construct the Savira Solar Project, a utility-scale solar photovoltaic (PV) electrical generating and storage facility and associated infrastructure to generate and deliver renewable electricity to the statewide electricity transmission grid.

The Project would generate up to approximately 150 megawatts (MW) of renewable energy via arrays of solar PV panels. Project facilities include an Operations and Maintenance (O&M) building, a Project substation, and up to approximately 250 MW Battery Energy Storage System (BESS), and access driveways. The Savira Solar Project would include a 230 kilovolt (kV) substation. From there, the solar energy generated by the Project would be transmitted via the new approximately 2-mile-long, 230 kV gen-tie line.

The Commercial Operation Date (COD) of the Project is anticipated in 2028. The Project would operate for a minimum of 40 years. At the end of its useful life, the Project would be decommissioned and the land returned to its pre-Project conditions. Revegetation would be conducted in accordance with an approved Decommissioning and Revegetation Plan, and revegetation success would depend on the climatic conditions in the area at the time of decommissioning.

The Applicant is seeking a minimum 40-year CUP (CUP240027) for the construction, operation, and decommissioning of the proposed solar and battery facility and gen-tie line. Ancillary permits, including grading

and construction permits, and certificates of occupancy, are anticipated from the County. These permits and approvals are local ministerial actions that will follow California Environmental Quality Act (CEQA) compliance.

Pursuant to CEQA, notice is given to responsible and interested agencies that the Riverside County Planning Department plans to oversee the preparation of an Environmental Impact Report (EIR) for the above-described Project. The purpose of this notice is to solicit guidance from Responsible and Trustee Agencies, Interested Organizations, and Individuals as to the scope and content of the environmental information to be included in the EIR. In accordance with the time limits mandated by State law, information in that regard should be submitted to this office as soon as possible, but **not later than thirty (30) days** after receiving notice. The public review period is from **March 24 to April 22, 2025**.

| | | |
|---|---|---|
| **LEAD AGENCY:** | County of Riverside<br>TLMA Planning Department<br>4080 Lemon Street, 12th Floor<br>Riverside, California 92501 | Contact Person: Elizabeth Mora-Rodriguez<br>Phone Number: (951) 955-3024<br>Email: emorarodriguez@rivco.org<br>Website: https://planning.rctlma.org/ |
| **APPLICANT:** | Savira Renewables, LLC<br>c/o Clearway Energy Group<br>100 California Street, Suite 400<br>San Francisco, CA 94111 | Contact Person: Deandra Cass<br>Phone Number:(760) 717-5574<br>Email: deandra.cass@clearwayenergy.com |

**SCOPE OF ANALYSIS:** The County of Riverside has determined that an EIR shall be prepared to address the potentially significant impacts of the proposed Project. The proposed Project would have the potential to result in significant impacts under the following topic areas and therefore, a detailed analysis of the following topic areas will thus be included in the forthcoming EIR:

- Aesthetics/Visual Resources/Reflection
- Agricultural Resources
- Air Quality
- Biological Resources
- Cultural Resources and Tribal Cultural Resources
- Energy
- Geology and Soils
- Greenhouse Gas Emissions
- Hazards and Hazardous Materials
- Hydrology and Water Quality
- Land Use and Planning
- Mineral Resources
- Noise
- Paleontological Resources
- Population and Housing and Socioeconomics
- Public Services and Utilities/Service Systems
- Recreation
- Traffic and Transportation
- Wildfire

**PUBLIC SCOPING MEETING:** A scoping session has been scheduled in order to bring together and resolve concerns of affected federal, State, and local agencies, the proponent of the proposed Project, and other interested persons, as well as inform the public of the nature and extent of the proposed Project, and to provide an opportunity to identify the range of actions, alternatives, mitigation measures, and significant effects to be analyzed in depth in the EIR and help eliminate from detailed study issues found not to be

important. The scoping session is not a public hearing on the merit of the proposed Project and NO DECISION on the Project will be made. Public testimony is limited to identifying issues regarding the Project and potential environmental impacts. The Project proponent will not be required to provide an immediate response to any concerns raised. The Project proponent will be requested to address concerns expressed at the scoping session through revisions to the proposed Project and/or completion of a Final EIR prior to the formal public hearing on the proposed Project. Mailed notice of public hearing will be provided to anyone requesting such notification.

**SAVIRA SOLAR PROJECT SCOPING MEETING DETAILS:**

| | |
|---|---|
| **Date:** | **March 31, 2025** |
| **Time:** | **1:30 P.M. or as soon as possible thereafter** |
| **Location:** | **Riverside County Planning Department 4080 Lemon Street, 1st Floor, Board Chambers, Riverside, California 92501** |

Information on how to participate in the meeting will be available on the Planning Department website at: https://planning.rctlma.org/public-hearings. For information regarding this project please contact Project Planner **Elizabeth Mora-Rodriguez** at **(951) 955-3024** or email at emorarodriguez@rivco.org, or go to the Riverside County Planning Department's Planning Department Director's Hearing agenda web page at https://planning.rctlma.org/directors-hearings

For electronic documents and information related to the Notice of Preparation, please view the project webpage below or email the Project Planner at emorarodriguez@rivco.org who will send a link via email:

https://tinyurl.com/mtynfc74 and/or https://planning.rctlma.org/environmental-notices-ceqa

Please send all written correspondence to:

RIVERSIDE COUNTY PLANNING DEPARTMENT
Attn: Elizabeth Mora-Rodriguez, Project Planner
PO Box 1409; Riverside, CA 92502-1409
emorarodriguez@rivco.org

If you have any questions, please contact **Elizabeth Mora-Rodriguez** at **(951) 955-3024** or by email at emorarodriguez@rivco.org.

Sincerely,

RIVERSIDE COUNTY PLANNING DEPARTMENT

Elizabeth Mora-Rodriguez
Project Planner for Savira Solar Project

# Savira Solar Project

| Assessor's Parcels for Project Site (CUP 240027/ DA 2400008) |
| --- |
| **Private Land Parcels** |
| 811190004 |
| 811231004 |
| 811231003 |
| 811231001 |
| 811231008 |
| 811190005 |

**NOTICE OF PREPARATION**
**ATTACHMENT A**
**SAVIRA SOLAR PROJECT**

# A. Description of the Proposed Project

## Project Location

The Savira Solar Project is located on private land in Riverside County, north of Interstate 10 (I-10) and approximately 8.5 miles east of the town of Desert Center, CA. Nearby land uses include existing or developing solar facilities, transmission lines, and fallow and active agriculture. The Riverside County land use designation of the Project area is Open Space: Rural (OS: RUR) and has a zoning classification of Controlled Development Areas, 10-Acre Minimum (W-2-10). The surrounding area north of the I-10 comprises lands managed by the federal Bureau of Land Management (BLM) that have been designated as development focus areas, much of which have been developed with existing solar projects.

Nearby existing solar projects include the Arica Solar Project, located north of the Proposed Project, and Victory Pass Solar Project, which is located west of the Proposed Project. The solar energy generated by the Project would be transmitted via a new approximately 2-mile-long, 230 kilovolt (kV) generation interconnection tie (gen-tie) line to the existing Arica and Victory Pass substation, where it would be carried on the existing approximate 3-mile-long 230 kV Arica/Victory Pass gen-tie to interconnect to the regional transmission grid at the existing Southern California Edison (SCE) Red Bluff Substation.

The entire solar facility site is located within the County of Riverside's jurisdiction. The 230 kV gen-tie line and access road from the I-10 Corn Springs exit would be located on BLM-administered public lands.

## Project Description

The proposed Project is located on approximately 535 acres of private land in Riverside County east of Desert Center, California (*see Figure 1 for Project Location, Figure 2 for Project Location and Parcels and Figure 3, Project Location and Surrounding Solar Projects*). The Project would generate up to approximately 150 megawatts (MW) of renewable energy via arrays of solar photovoltaic (PV) panels. Project facilities include an Operations and Maintenance (O&M) building, a Project substation, and up to approximately 250 MW Battery Energy Storage System (BESS), and access driveways. The Savira Solar Project would include a 230 kV substation. From there, the solar energy generated by the Project would be transmitted via the new approximately 2-mile-long, 230 kV gen-tie line.

The proposed Project would consist of the following major components:

- **Solar and Energy Storage Facility (535 acres of private land)**
    - Solar array field
    - A power conditioning system (PCS)
    - 34.5kV interior collection power lines
    - Onsite substation yard and associated equipment
    - Operations and Maintenance building
    - Permanent lighting
    - Meteorological (MET) stations
    - 250 MW Battery energy storage system (BESS)

- Perimeter fencing
- Access Road Improvements

- **New 230 kV Gen-tie Line**

## Applicant's Project Objectives

The Applicant's purpose of the Project is to generate, store, and transmit renewable energy to the statewide wholesale electricity grid. The Applicant's identified Project objectives are:

- Establish a PV renewable energy power-generation facility of a sufficient size and configuration to produce up to approximately 150 MW of electricity in a cost-competitive manner;
- Establish an energy storage system of sufficient size and configuration to store up to approximately 250 MW of electricity for at least four-hour discharge in a cost-competitive manner;
- Assist California load-serving entities in meeting their obligations under California's Renewable Portfolio Standard (RPS) Program and energy generation goals under the Clean Energy and Pollution Reduction Act of 2015 (Senate Bill 350) and the 100 Percent Clean Energy Act of 2018 (Senate Bill 100), as well as greenhouse gas (GHG) emissions reduction goals of the California Global Warming Solutions Act of 2006 (AB 32), as amended by Senate Bill 32 in 2016;
- Assist California load-serving entities in meeting their obligations under CPUC's Energy Storage Framework and Design Program;
- Enhance California's fossil-free resource adequacy capabilities and help to solve California's "duck curve" power production problem by installing battery energy storage capacity;
- Minimize environmental impacts and land disturbance associated with solar energy development by siting the facility on relatively flat, contiguous lands with high solar insolation, in close proximity to established utility corridors, existing transmission lines with available capacity to facilitate interconnection, and road access;
- Conform with the Desert Renewable Energy Conservation Plan, including Conservation Management Actions, on BLM-administered land;
- Bring living-wage jobs to Riverside County; and
- Bring sales tax revenues to Riverside County by establishing a point of sale in the County for the procurement of most major project services and equipment.

## Land Use Considerations

The solar facility site is located within the County of Riverside's jurisdiction. The Riverside County land use designation of the Project area is Open Space: Rural (OS: RUR) and has a zoning classification of Controlled Development Areas, 10-Acre Minimum (W-2-10). The Applicant would enter into a Development Agreement with the County of Riverside, which would set forth the rights and responsibilities of each party with respect to Project construction, operation, and decommissioning.

After leaving the solar facility, the 230 kV gen-tie line would traverse BLM-administered public lands within the Riverside East Solar Energy Zone (SEZ) of BLM's Western Solar Plan, and within the Desert Renewable Energy Conservation Plan (DRECP) Development Focus Area (DFA), which amends the California Desert Conservation Area (CDCA) Plan. A portion of the gen-tie line would also be sited within the Section 368 Federal Energy Corridor as established by the Westwide Energy Corridor Final Programmatic Environmental Impact Statement (PEIS) and Record of Decision. The Applicant is working with the BLM to ensure the Project has a right-of-way for use of the BLM access road and to construct and operate the gen-tie.

## Project Components

The Project would consist of two major components: a PV solar power and energy storage facility and a 230 kV generation tie (gen-tie) transmission line. The fenced-in renewable energy facility site would occupy approximately 535 acres on privately-owned land. The renewable energy facility sites would include a solar array field, a system of interior collection power lines, inverters, substation, an O&M building, and several interior access roads. The gen-tie line would be approximately 2 miles and would be located within a Right-of-Way (ROW) on federal lands managed by the BLM, Palm Springs-South Coast Field Office.

## Solar Arrays

The Project would utilize high-efficiency commercially available solar PV modules that are Underwriters Laboratory (UL)-listed or approved by another nationally recognized testing laboratory. Commercial PV modules are typically 77 inches long by 39 inches wide but could be as long as 96 inches. Materials commonly used for solar PV modules include monocrystalline silicon, polycrystalline silicon, amorphous silicon, and copper indium selenide/sulfide. While many PV modules are not considered hazardous waste, some may contain cadmium, arsenic, copper, and selenium, which are considered toxic materials. The Project would use PV modules mounted on single-axis, horizontal tracker mounting systems. The PV modules would likely be composed of bifacial panels, which can passively absorb light, including energy reflected from the ground surface, from either side of the module. While traditional panels generally use polycrystalline materials, bifacial panels use monocrystalline cells. Both types can have antireflective coating added to reduce glare. Mounted PV modules, inverters, and transformers would be combined to form array blocks.

The vertical support legs for the tracker mounting system would consist of driven posts (wide flange I-beam) approximately 6 to 8 inches across and 6 to 12 feet deep. Posts in some areas of the solar array may need to be deeper depending on hydrologic conditions or other soils constraints.

With a horizontal tracker mounting system, the PV modules are arranged in arrays of north-south oriented rows, and drive motors rotate the PV modules on a single axis from east to west to follow the sun throughout the day. The rows are typically spaced approximately 12 feet (4 meters) to 20 feet (6 meters) apart. In this type of system, a given row ranges from approximately 140 feet (43 meters) to 4000 feet (1220 meters) long and each is powered by a low-voltage solar-powered drive motor. The motor and accompanying actuator are mounted to one of the driven posts on which the PV modules are mounted and do not require a separate foundation. The top edge of each panel when in the most vertical position is approximately 12 to 15 feet off the ground.

## Meteorological Stations

Meteorological stations may be installed in the solar development area to monitor solar radiation and wind speed and communicate with the tracker units. Monitoring would allow for the trackers to rotate to a stow position to reduce the potential for damage during high wind activity. The meteorological stations would typically not exceed 12-15 feet in height.

## DC Collection System to AC Transformers

The PV modules would convert solar energy (i.e., sunlight) into direct current (DC) electricity, and one or more combiner boxes would be installed in each array block to collect the DC electricity from PV modules. A Power Conditioning System (PCS), which is made up of inverters and medium-voltage transformers as well as other electrical equipment, would convert the DC electricity generated by the solar arrays and collected at the combiner box into alternating current (AC) electricity. Each PCS would serve approximately four array blocks. Each inverter may also be coupled with a battery with the capacity to store energy produced. From the inverter or battery, power is then passed through transformers to convert the low-voltage output from the inverters to high voltage (34.5 kV AC) that is suitable for exporting onto the electricity distribution network. Each PCS also would contain communication equipment to communicate with the tracker units to control operation and

detect anomalous conditions. All electrical equipment would be housed in protective containers, typically 10 feet wide by 20 feet long, on concrete or pier-mounted equipment pads.

## 34.5 kV AC Collection System

A 34.5 kV AC collection system would convey electricity from the PCSs to the on-site substation. Photovoltaic cells (PVCs) located along each 34.5 kV collector line circuit and would aggregate AC power from PCSs for transmission to the Project substation. The cables from the medium-voltage transformers to the PVCs would be installed either underground or overhead. If underground, they would be installed using 35 kV-rated medium-voltage cables listed for direct buried applications. Underground 34.5 kV cables would be installed to comply with the minimum burial depth in accordance with the National Electrical Code, either directly in the ground (minimum 36-inch depth) or within a prefabricated duct bank system (minimum 24-inch depth). Overhead 34.5 kV collector lines would be installed as double-circuit lines on wood or steel poles with cross-arms and post insulators (typical of medium voltage installations in electric distribution systems). Collector line poles are typically 30 to up to 75 feet tall. The collector system cables would be installed in a linear arrangement generally following the array blocks.

## On-site Substation/Switching Station

One on-site substation would be developed within the Project site within an approximately 2-acre graded area (90,000 square feet). At the onsite substation, the low voltage 34.5 kV AC collection system would be stepped up to a 230 kV gen-tie line. The substation would be constructed based on applicable electrical safety codes. The substation would be separately fenced and grounded to provide increased security and protection around the medium- and high-voltage electrical equipment. The substation area would include a transformer containment area, a microwave tower, a control house, and several transformers. Containment measures for all substation equipment would be provided in accordance with Environmental Protection Agency 40 Code of Federal Regulations (CFR) Part 112 and all applicable codes required by the Local, State, and Federal governing authorities.

The transformer containment area would be lined with an impermeable membrane covered with gravel and would include a drain with a valve that would remain closed under normal conditions. Transformers would be provided with secondary oil containment equal to 110 percent of the volume of oil present in the transformer in addition to the volume of rainwater for a 25-year, 24-hour rainfall event. All other equipment in the substation would be placed on foundations of concrete or equivalent engineered substrate per engineering specifications. The remaining area within the substation fence would be covered in aggregate, road base, or other appropriate materials to minimize dust and disturbance.

## Off-site 230 kV Gen-Tie Line and Grid Connection

After leaving the on-site project substation, power would be conveyed approximately 2 miles via a new 230 kV gen-tie line to the existing Arica/Victory Pass substation. The existing off-site Arica/Victory Pass Substation is an operational substation at the Arica and Victory Pass Solar facilities, located on BLM-land. New gen-tie poles would be constructed on BLM-managed land and would follow existing lines to the extent possible to convey power from the project substation. The gen-tie from the project will terminate at an existing dead-end structure within the Arica/Victory Pass Substation. Gen-tie poles would be approximately 400-900 feet apart and will likely be steel monopole structures approximately 100 to 150 feet in height. The proposed gen-tie would be of similar construction and specifications to the existing gen-tie line running from Arica/Victory Pass Substation to the point of interconnection at the Red Bluff Substation.

At the Arica/Victory Pass substation, power from the Project would be combined with generation from the Arica/Victory Pass facilities, then transmitted approximately 3 miles on the existing circuit to the existing Red Bluff substation owned by SCE. Relaying and communication improvements at the Arica/Victory Pass substation would be required. No new pole construction would be required beyond the Arica/Victory Pass

substation. The appropriate permit approvals would be obtained from BLM for construction and operation of the Project's off-site gen-tie line.

No expansion is necessary for the SCE Red Bluff Substation, and any improvements would be limited to the existing footprint.

## Energy Storage

The Project would include an up to 250 MW BESS. The BESS is expected to either be located adjacent to the Project substation or distributed throughout the solar array blocks at the PCS equipment pads or tracker rows. If centrally located, the BESS would be located on up to approximately 15 acres. All batteries would be fully enclosed in the manufacturer's battery container. Subject to final design, the containers would be approximately 8 feet wide by 4 feet long by 10 feet high, with approximately 6.5 feet of clearance on all sides. The BESS area would require a slight slope to facilitate sheet flow, and the battery containers would be surrounded by gravel. The foundations for the battery containers are expected to be driven steel I-beam piles.

## Operations and Maintenance Facility

The Project may include an O&M area occupying up to 1 acre consisting of a permanent O&M building that would house administrative, operation, and maintenance equipment, and personnel and would include an adjacent gravel or compacted dirt parking area. Additional components of the O&M area could include a laydown and storage area, a warehouse, trash containers, water storage tanks (for potable water and potentially for fire protection), and a septic field. The O&M area would be equipped with exterior lighting. Lighting would be shielded and downward facing to avoid light spillage beyond the Project site. The O&M building would also include communication equipment and a storage and equipment area. It would contain offices, toilets, and other features necessary for usage on a daily basis. The design and construction of this building would be consistent with applicable county building standards.

## Site Security and Fencing

The solar field and support facilities perimeter would be secured with chain-link metal-fabric security fencing along with desert tortoise exclusion fencing. Controlled access gates would be located at the site's entrance and would include desert tortoise guards or other methods to exclude desert tortoise. The perimeter fence would be an approximately 6- to 7-foot-high chain-link fence, installed on posts, with three-strand barbed-wire at the top and with grounding where needed. The perimeter security fence would have permanent tortoise exclusion fencing incorporated and trenched into the ground if needed. Permanent tortoise exclusion fence material will be galvanized 1-inch by 2-inch vertical wire mesh fence, extending at least 2 feet above the ground and 12 inches into the ground. Design would follow the current recommendations for fence specifications established by the US Fish and Wildlife Service (USFWS). Breakaway fencing may need to be used at drainages.

Additional interior fencing would be included around the on-site substation and BESS, if in a centralized configuration.

## Site Access and Roads

Regional access to the Project site is provided from the Corn Springs exit off I-10. This exit leads to BLM open route DC950 and then to open route DC511. To reach the northern portion of the site, usage of BLM open route DC505 is also proposed. While these routes were used during construction of the Palen Solar Project and Arica and Victory Pass Solar projects, some improvements would likely be needed to provide access for the Project site. Improvements could include removing vegetation to meet the required width of road, contour grading to level and compact the road, low water crossings to stabilize the road in areas where it crosses desert washes or other stabilization in excessively sandy areas, and potentially some use of gravel or other stabilizing material. Project-related roads for direct access to the site would include a perimeter road and interior solar field access ways.

Within the solar field, new interior roads would be built to provide vehicle access ways to the solar equipment (i.e., PV modules, inverters, transformers) for O&M activities. These access ways would be approximately 20 feet wide and spaced approximately every 1,320 feet across the solar field. The existing surface area would be graded and compacted using on-site materials to facilitate use by two-wheel-drive vehicles. The access ways would connect to the perimeter road at each end.

Where internal access ways cross drainages, cutoff walls and fill material may be needed to stabilize the road crossings.

## Wastewater Facilities

Wastewater generated during construction would include sanitary waste from portable toilets. The waste from portable toilets would be collected by a contracted sanitary disposal service and transported to a licensed disposal facility. During operations, a septic system or leech field may be required for facilities at the O&M building. The leach field, if needed, would be located near the O&M building and connected to it by a sewer line. The final design would depend on site-specific information such as soil percolation, contours, and anticipated use and would follow all State and federal guidelines regarding design.

## Lighting, Facility Power, and Communication Lines

Permanent lighting would be provided within the substation(s), around O&M building, around the BESS (if centralized), and at the Project site entry gate. Substation yard lighting and lighting within the O&M building and BESS, would be controlled by a switch and/or timer and would be off unless needed. Exterior lights at the substation yard, O&M building, and BESS would be low lighting controlled by a switch or sensor to allow O&M personnel to reach the infrastructure safely at night, if needed. Both the low lighting and yard or interior lighting for facilities and associated infrastructure would be shielded to keep light downward and within the boundaries of the Project site and at the minimum intensity necessary for the intended use. Night lighting would be controlled or reduced using directed lighting, sensors, shielding, and/or reduced lumen intensity.

The O&M facility, monitoring systems, and lighting would likely be powered by bringing in a permanent SCE distribution line for backup power. Alternatively, solar power, with a minimum 12-hour battery storage unit and a 250 to 300 kVA diesel generator could be used as backup. For a new permanent distribution line, new poles may need to be constructed, to be determined by SCE and the available distribution grid. New communication lines, such as fiber optic or similar, may also be necessary. Communication lines would be installed either underground or overhead based on the location of the closest connection point, available distribution lines, and other site specifics.

## General Construction Process

The Project is anticipated to be constructed in a single phase. Construction would include the major activities of pre-construction work, including geotechnical investigations, site surveying and staking, desert tortoise fencing and clearance, followed by mobilization, construction grading and site preparation, installation of drainage and erosion controls, PV panel/tracker assembly, solar field construction, and then testing and commissioning. Some aspects of construction may be initiated off site, including pre-fabrication activities specific to the site along with main power transformer construction that is specific to the site. Some aspects of construction would need to be coordinated with other entities, such as the commissioning of the gen-tie into the Red Bluff substation and any ROW crossing.

## Site Preparation

1. Land Surveying and Staking - A licensed professional land surveyor would conduct a land survey of the Project to stake/flag the Project boundaries, work areas (permanent and short-term use), cut and fill zones, access roads, structures, and offsets. Survey and staking would continue through the initial construction stages as the site is graded and prepared for facility installation to mark

locations of foundations, piers, gen-tie structures and other site structures as necessary for construction. Staking/flagging would be maintained until final cleanup and/or reclamation is complete, after which all survey staking would be removed. Staking and flagging is typically performed using wood lathe and colored flagging.

2. Clearance Surveys and Fencing - After project staking, desert tortoise exclusionary fencing would be installed, if required. Fencing is typically installed prior to the desert tortoise clearance periods. Permanent security and tortoise fencing could be trenched simultaneous or temporary tortoise fencing could be installed first and later be attached to the permanent security fencing. Biological and other monitors would clear the fencing locations of any sensitive species, including desert tortoise, prior to fence installation. Fence construction crews may use a drive and crush technique along the fence line to reduce ground disturbance or may require grading of the fence line. Once fencing is installed, desert tortoise clearance surveys would be performed. Clearance surveys would follow the appropriate USFWS protocol.

3. Mobilization and Establishment of Temporary Facilities for Construction - Temporary construction workspace, laydown, and mobilization areas would be established after tortoise clearance. The Project construction contractor would develop a temporary construction mobilization and laydown area at the location of the O&M building or other centralized location(s) that would include temporary construction trailers with administrative offices, construction worker parking, temporary water service, temporary construction power services, and tool sheds and containers as well as a laydown area for construction equipment and material delivery and storage and parking. This area would be up to 5 acres in addition to the O&M area and anticipated to be adjacent to it. Areas adjacent to the permanent access roads could be used for temporary laydown as the solar field is developed, allowing for the O&M building and facilities to be constructed adjacent to the roads. Other laydown yards may be established along roads throughout the facility. These facilities would typically be approximately 2 acres in size, and up to 10 yards may be needed. As part of site preparation activities, temporary perimeter erosion and sediment control measures would be installed prior to significant ground disturbing activities. Specific best-management-practices will be identified as design progresses.

4. Site Clearing, Grading, and Excavation - Additional environmental clearance surveys would be performed at the Project site prior to commencement of construction activities, as needed, such as nesting bird surveys during the applicable season.

   The level of site disturbance has not been determined for the Project. Under typical construction methods for a solar site, the Project site is cleared and grubbed of vegetation using a drive and crush method. While grading is limited to areas that specifically require no slope, such as the substation, the bulk of the site would be disturbed.

   Initial site preparation involving vegetation clearing, grubbing, and grading would use excavators, graders, scrapers, dump trucks, back-hoes, compactors, loaders, pick-ups trucks, water pulls/trucks, and maintenance trucks. Most of the site clearing efforts would be completed within several months of commencement of construction activities. Other clearing would be ongoing throughout construction and could include excavation and backfill for foundations, underground wiring, duct banks, and associated facilities.

   Site clearing and grading would occur after the perimeter erosion and sediment control measures have been installed. Excavation activities include trenching for the installation of electrical collection systems, communication lines, and structural foundations. Clearing, grading, and excavations are required for the perimeter fencing, gates, tortoise guards, substation area preparation, and laydown yard preparation. The civil design site plan would contain details for the grading and drainage design of the overall site.

5. Gravel, Aggregate, and Concrete - Concrete would be poured in place for equipment and building foundations, fence footing, and miscellaneous small pads. Concrete would be brought on site from the nearest feasible provider. The surface of the O&M parking lot would be paved, graveled, or otherwise compacted, and substation areas would be gravel. Gravel/aggregate may also be used for the road systems, where approved and needed, to ensure low water crossings.

## Facility Construction

1. **PV Solar Array Assembly and Construction -** Within each area designated for PV equipment, the solar field would be constructed by array, with materials for each row of PV modules staged next to that row within each array. PV array construction would generally follow a consecutive sequence:

    - Prepare trenches for underground feeder line cable.
    - Install underground feeder line cable.
    - Backfill trenches.
    - Install steel foundation posts and tracker structures.
    - Install PV modules.
    - Install concrete footings for inverters and transformers.
    - Install inverter and transformer equipment.
    - Perform electrical terminations.
    - Inspect, test and commission equipment

    Cable trenches would be used to provide underground connection of Project equipment. Trenches would contain electrical conductors for generated power and fiber optic cables for equipment communication. The feeder lines would be installed in a trench approximately 8 inches (20 centimeters) wide and 30 inches (76 centimeters) deep. The assembled solar equipment would be installed on steel posts to which steel tracker structures would be attached. The depth to which the posts would be buried would depend on site-specific geotechnical work, potential scour, and other engineering considerations and would vary throughout the site, likely from 7 feet to 15 feet. The height of the posts would depend on site-specific geotechnical work, depth of flood level, and other engineering considerations and could vary throughout the site but would typically be 4 to 12 feet. Trucks would be used to transport the PV modules to the solar field, and skid steers (lightweight tracked vehicles) would be used to place the modules into the rows. A small mobile crane may be used to assist construction workers in setting the solar modules on the driven steel posts. Final solar field assembly would require skid steers, small cranes, tractors, and rubber-tired forklifts.

2. **Substation Construction**

    Construction of the on-site substation(s) would be initiated with grading, foundation excavation, installation of grounding grid and underground conduit, backfilling, and compaction. Concrete foundations and containment systems would then be installed followed by electrical structural equipment, including lightning protection. Underground conduit would be placed 36 to 42 inches below ground, depending on the NEC code. High voltage transformer(s), breakers, and other equipment enclosures would be installed on foundations. Fencing would be installed around the entire substation site. Underground and overhead cabling would be installed and terminated with inspection, testing, and commissioning of equipment conducted at energization per the Interconnection Agreement. Additional drainage systems would be constructed as needed and

approved.

3. **BESS Construction**

   BESS construction would follow a similar process to PV solar array construction:

   - Prepare trenches for underground feeder line cable.
   - Install underground feeder line cable.
   - Backfill trenches.
   - Install BESS foundations, either steel foundation piles or graveled pads.
   - Install BESS containers.
   - Install concrete footings for inverters and transformers.
   - Install inverter and transformer equipment.
   - Perform electrical terminations.
   - Inspect, test and commission equipment.

   The energy storage facility must be nearly level; therefore, the proposed BESS area would be cleared and graded. Site preparation also would include construction of drainage components to capture and direct stormwater flow around the BESS facility. Once the foundations are in place for the BESS, the batteries, inverters, and other electrical equipment would be mounted and installed.

## Construction Water Use and Dust Control

A total of approximately 250 acre-feet of water is estimated to be needed for Project construction, primarily for dust control. The construction water use estimate is based on the median water use of other solar power plant installations in the Desert Center region. Water would either be pumped from a new, on-site well(s) or trucked in from an off-site source.

## Construction Waste Management

Construction waste would be managed in accordance with applicable State and local regulations. Light trash items that could be blown away in the wind easily and food would be placed in closed containers with lids.

Limited quantities of hazardous wastes would be generated from construction activities, such as waste hydraulic fluids and lubricating oils from leaks and maintenance activities and the associated oil-soaked materials (i.e., rags, sorbents, and filters). Used hydraulic fluids and lubricating oils would be recycled when possible. The oil-containing solids would be managed as hazardous waste and sent to an approved off-site disposal facility in accordance with applicable policies.

The Spill Prevention and Emergency Response Plan and Hazardous Materials and Waste Management Plan would be implemented during construction of the Project. Contractor personnel would be properly trained to control and clean up any spills. Industry BMPs would be used to prevent spills; however, should any spills occur, they would be cleaned up completely, quickly, safely and reported to the appropriate authorities as required in accordance with the construction Stormwater Pollution Prevention Plan (SWPPP) or similar. Fuel, oil, and hydraulic fluid used in on-site vehicles and equipment would be transferred directly from a service truck to construction equipment and would be stored on site in accordance with the Hazardous Materials and Waste Management Plan and the Spill Prevention and Emergency Response Plan. Should fueling or maintenance occur on site, it would be done in a designated area that includes secondary containment located away from washes or drainages or, should refueling be needed in the field due to the nature of some larger construction vehicles, it would be completed with secondary containment. It is possible that fuel tanks would be stored on

site during construction. Each tank would contain between 500 and 1,000 gallons of fuel. These tanks would be utilized for the construction period only and removed from site once construction is complete.

Service personnel and construction contractors would follow standard operating procedures for filling and servicing construction equipment and vehicles to reduce the potential for incidents involving hazardous materials. Batteries would be used during construction in vehicles and equipment. As with any other commercial vehicle, spent batteries would be recycled and/or disposed of at an appropriate facility. All measures required in the SWPPP or equivalent, Spill Prevention and Emergency Response Plan, and Hazardous Materials and Waste Management Plan would be implemented.

## Construction Workforce, Schedule, Equipment and Materials Workforce

The on-site construction workforce would consist of laborers, craftsmen, supervisory personnel, support personnel, and construction management personnel. The on-site construction workforce is anticipated to be an average of approximately 200 construction workers including laborers, craftsmen, supervisory personnel, support personnel, construction management, and delivery drivers. Most construction staff and workers would commute daily to the jobsite from within Riverside and San Bernardino counties.

## Construction Hours

Construction generally would occur during daylight hours and may occur 7 days a week. Additional hours may be necessary due to weather, to make up schedule deficiencies, or to complete critical construction activities. For instance, during hot weather, it may be necessary to start work earlier (e.g., at 5:00 a.m.) to avoid work during high ambient temperatures. Construction would require some night-time activity for installation, service or electrical connection, inspection, and testing activities, but this would occur rarely.

## Equipment and Materials

Materials would be delivered to the site during construction periodically throughout the day via trucks. Material deliveries would avoid rush hour. Signage would be placed on the delivery route from the Corn Springs exit off I-10 directing delivery traffic to the Project site. Once delivered to the site, construction equipment would be used on site for the construction phase and transported off site when no longer needed for construction.

## Operation and Maintenance Activities

The facility would operate 7 days a week using automated facility controls and monitoring systems with supervisory control and data acquisition (SCADA) control systems. The Project would directly employ approximately 10 people during operations. This workforce would include administrative and management personnel, operators, and security and maintenance personnel. Most operations staff would be located off site, with site visits occurring daily for security, maintenance, and repairs. To maintain power-generation performance, PV array cleaning, maintenance repairs, troubleshooting, and testing may occur up to 24 hours per day (including nighttime).

A plant operation and maintenance program typical of a project this size would be implemented and would primarily include equipment inspections. During the first year of operation, the frequency of inspections would be increased to address settling and electrical termination torque values (e.g., for year one, inspections shown as semi-annually are performed quarterly, inspections shown as annual are performed semi-annually). At designated intervals, approximately every 10 to 15 years, major equipment maintenance would be performed. Operation and maintenance procedures would be consistent with industry standard practices for maintaining the useful life of plant components.

Normal BESS operations include regular augmentation to maintain capacity while batteries degrade. Augmentation activities include delivery of new BESS containers and installation. Battery container foundations for augmentation batteries would be installed during the construction period, therefore, no new ground

disturbance would be required during operations. Depending on the specific battery technology and design, augmentation is anticipated to start as soon as the second year of operations and occur as often as once per year.

One panel cleaning is anticipated per year. Cleaning would occur utilizing power washers carried by small trucks or the best available technology at the time that minimizes trips and water usage. Other cleaning methods that utilize new technology could be used as long as methods would not involve the transporting of a substantial amount of water and the methods would not result in significant runoff of water or any other substance from panel surfaces.

Up to 20 acre-feet of water per year is estimated to be needed for Project operation and maintenance. The operational water use estimate is based on the median water use of other solar power plant installations in the desert areas of California. Actual water use varies widely at different facilities depending on weather, soil, and vegetation conditions. Operations water could be trucked to the site or accessed from an on-site well. A water storage tank would be constructed if required per County or Fire Department coordination for fire safety purposes.

Operation and maintenance would require the use of vehicles and equipment, including crane trucks for minor equipment maintenance. Pick-up trucks would be in periodic use on the site. No heavy equipment beyond rubber tire water trucks would be used during normal plant operation. Vehicle traffic to the Project site during operation and maintenance would be minimal, at less than 10 round-trips per day under normal operational conditions.

## Decommissioning

The Project has an anticipated operational life of more than 40 years. At the end of the Project's operational term, the applicant may either determine that the Project should be decommissioned and deconstructed or seek an extension of its CUP. All decommissioning and restoration activities would adhere to the requirements of the appropriate governing authorities and in accordance with all applicable federal, State, and County regulations. Because the PV arrays' supporting equipment would sit on the surface of the land, the land would be largely unaltered from its natural state when the arrays are removed after Project decommissioning. Clearway would work with the County to put an agreement in place to ensure the decommissioning of the Project after its productive lifetime. The Project would use best management practices to ensure the collection and recycling of materials and to avoid the potential for modules and batteries to be disposed of as municipal waste.

# B. Environmental Topics to be Addressed

## Introduction

The County of Riverside has determined that an Environmental Impact Report (EIR) shall be prepared to address the potential significant impacts of the proposed Savira Solar Project. The EIR will involve research, analysis, and study of the following environmental topics:

- Aesthetics/Visual Resources/Reflection
- Agricultural Resources
- Air Quality
- Biological Resources
- Cultural Resources and Tribal Cultural Resources
- Energy
- Geology and Soils
- Greenhouse Gas Emissions
- Hazards and Hazardous Materials
- Hydrology and Water Quality
- Land Use and Planning
- Mineral Resources
- Noise
- Paleontological Resources
- Population and Housing and Socioeconomics
- Public Services and Utilities/Service Systems
- Recreation
- Traffic and Transportation
- Wildfire

The EIR will include all topical areas of content required by the California Environmental Quality Act (CEQA), including cumulative impacts, alternatives to the proposed Project, and growth-inducing impacts. For each resource topic, environmental impacts relating to construction, operations, and decommissioning phases of the Project will be identified. However, the level of analysis to be included may vary based on the complexity of the issues, public and agency input to this Notice of Preparation (NOP), and/or refinements to the Project description that may occur subsequent to the publication of this NOP. For impacts that are significant, mitigation measures will be proposed to alleviate or avoid the significant impact(s).

## Aesthetics/Visual Resources/Reflection

Placement of PV solar panels, the transmission line, and other Project facilities may alter the views of the Project area. Potential visual impacts of this Project on sensitive receptors and scenic resources will be further evaluated in the EIR, including consideration of construction of other solar projects in the surrounding Project area. Photo simulations of the proposed Project from key observation points will be provided to assist in the evaluation. The EIR will also analyze the possible impacts of reflection of the sun off the solar modules and nighttime lighting of portions of the solar facility.

## Agricultural and Forestry Resources

The potential impact on the potential impact of converting agricultural lands to non-agricultural will be evaluated in the EIR.

## Air Quality

The proposed Project site is located in the Mojave Desert Air Basin (MDAB), and air emissions are regulated by the South Coast Air Quality Management District. The Riverside County portion of the MDAB is designated as nonattainment for the State ozone and particulate matter under 10 micrometers in diameter (PM10)

standards. The EIR will address consistency with regional and local air quality plans and evaluate and quantify the short-term and long-term sources of air pollutants generated by the Project, including mobile, stationary, and area source emissions.

## Biological Resources

A biological resources assessment will be provided to evaluate the Project's effects on the area's vegetation communities, wildlife habitats, wildlife movement, wetlands and waters, habitat conservation plans/protection ordinances, and sensitive and/or listed species.

## Cultural Resources and Tribal Cultural Resources

Cultural and tribal cultural resource effects will be analyzed in the EIR, including a query of the Northwest Information Center of the California Historical Resources Information System, analysis of sacred lands identified through consultation with the Native American Heritage Commission, and consultation with Native Americans and other interested parties (e.g., local historical societies). The evaluation will also address the potential impacts to historic resources.

## Energy

The EIR will examine the potential for wasteful, inefficient, or unnecessary consumption of energy resources during Project construction or operation and the Project's consistency with state or local plans for renewable energy.

## Geology and Soils

The EIR will assess soil and geologic conditions of the Project area and address hazards related to seismic activity, including the potential for liquefaction, ground shaking, soil failure, soil stability, and erosion potential.

## Greenhouse Gas Emissions

The EIR will address the potential construction- and operation-related impacts relative to greenhouse gas emissions.

## Hazards and Hazardous Materials

The EIR will evaluate the presence of hazards or hazardous conditions that could affect construction and operation of the Project, including the location of nearby or on-site hazardous waste sites included on State or federal databases, airport and airstrip hazard zones, emergency response routes, and wildfire hazards.

## Hydrology and Water Quality

The EIR will include an analysis of existing drainage systems and will evaluate potential impacts to water resources.

## Land Use and Planning

The proposed Project may affect the use of the project properties. The EIR will evaluate potential environmental effects to land use that include compatibility with existing and proposed local zoning and consistency with land use plans, policies, or regulations of the applicable jurisdictions, which include the Riverside County General Plan.

## Mineral Resources

The EIR will address potential impacts, including loss of availability, to any known mineral resources in the Project area.

## Noise

The EIR will determine noise levels due to construction and operation of the proposed Project and will evaluate impacts for consistency with applicable laws, regulations, ordinances, and guidelines.

## Paleontological Resources

The EIR will address the occurrence of and potential impacts to paleontological (fossil) resources.

## Population and Housing and Socioeconomics

The EIR will address the short- and long-term population and housing impacts that would result from the construction workforce. These effects could include physical and service-related changes within area communities associated with demand for temporary housing.

## Public Services and Utilities/Service Systems

With the accommodation of the construction workforce, there may be a temporarily increased demand for public services and utilities, including community facilities and schools, and an increased need for police and fire protection services. The EIR will evaluate the potential for impacts on these public services.

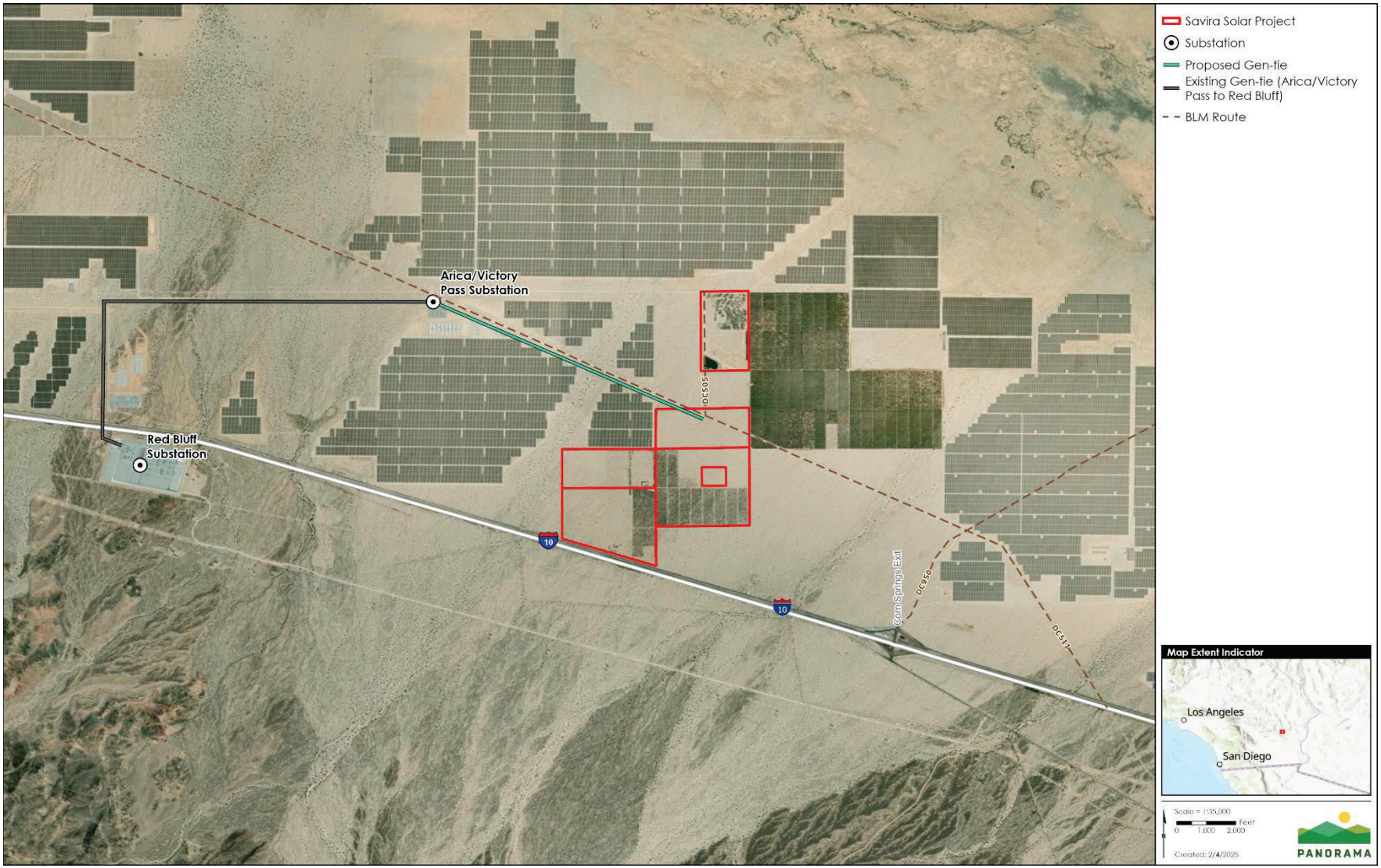
## Traffic and Circulation

The EIR will include a traffic study that evaluates changes in circulation that could result from the proposed Project, focusing on effects during Project construction.

## Wildfire

The EIR will address whether construction, operation, or decommissioning of the Project would impact emergency response, exacerbate wildfire risk, and/or expose people or structures to significant risk due to wildfires and/or post-fire effects.

**Figure 1 Project Location**



## Figure 2 Project Location and Parcels

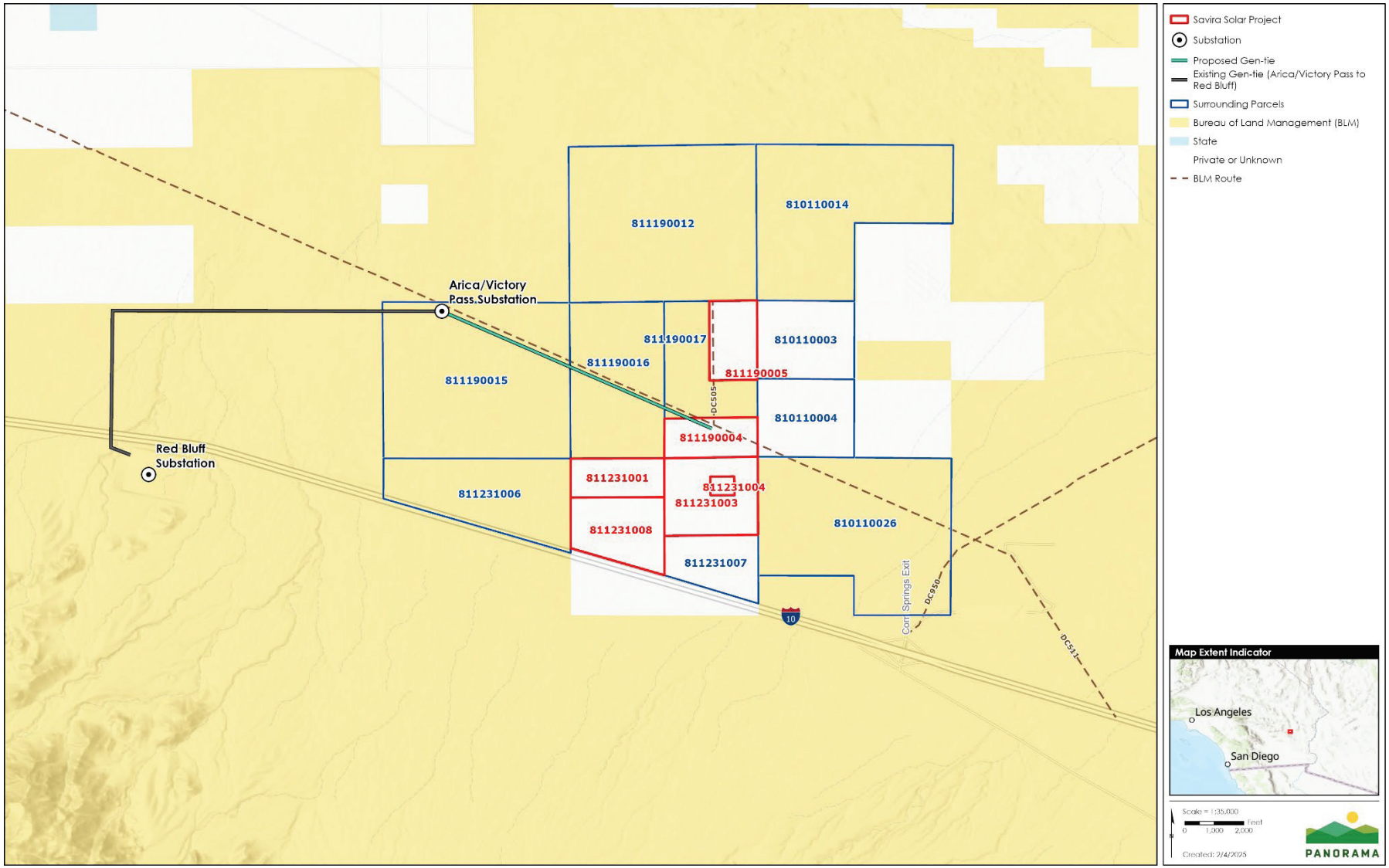
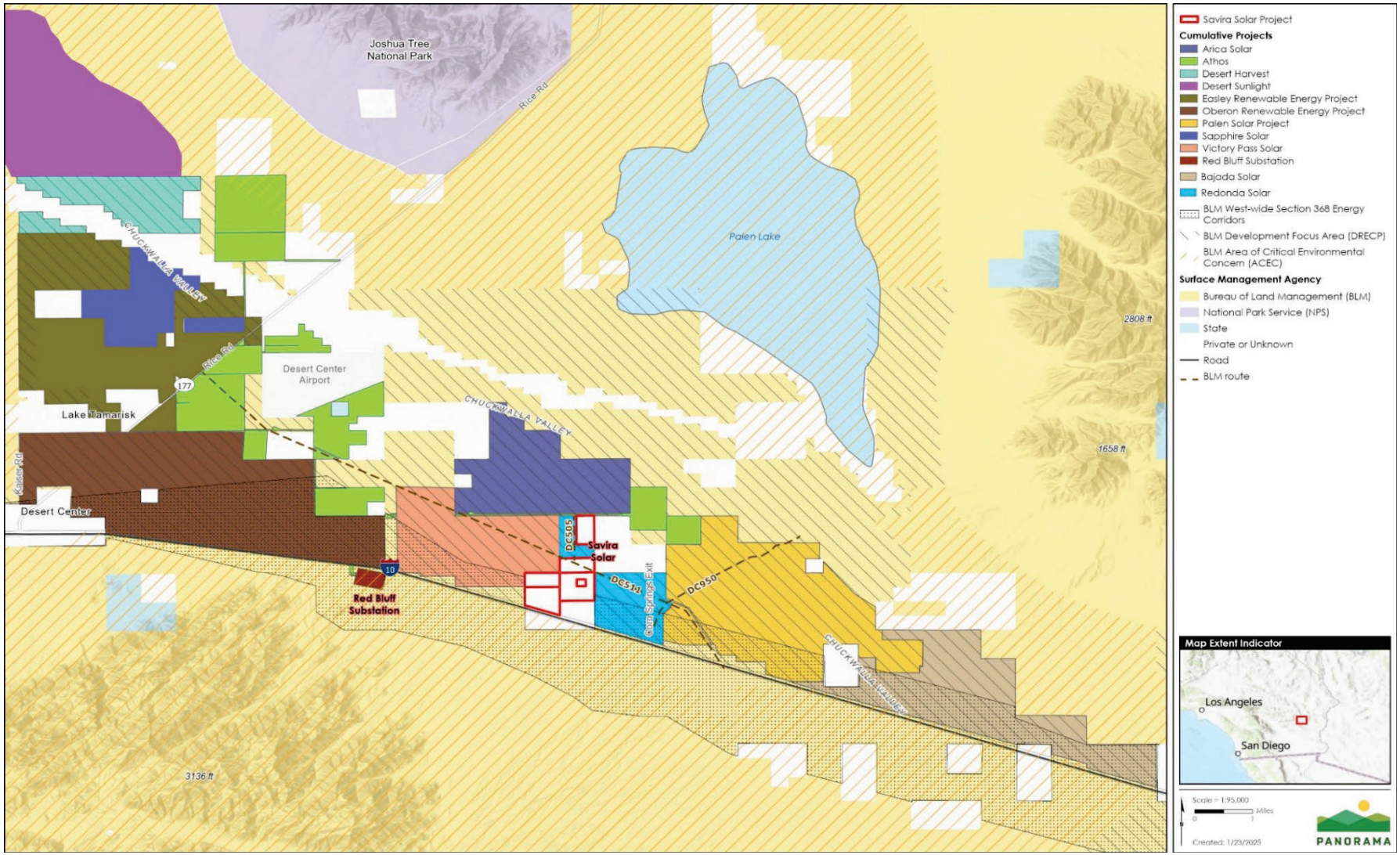


**Figure 3 Project Location and Surrounding Solar Projects**



## Attachment B: Newspaper Ads - Scoping Meeting Announcement and Publication Affidavits

Column

# INTERIM AD DRAFT

This is the proof of your ad scheduled to run in **The Press-Enterprise** on the dates indicated below.
If changes are needed, please contact us prior to deadline at **(951) 368-9229**.

Notice ID: QbFEtihDmHTdvBsUusFE | **Proof Updated: Mar. 06, 2025 at 12:14pm PST**
Notice Name: March 31, 2025 CUP240027 Scoping Session

| FILER | FILING FOR |
|---|---|
| roxanne ruiz<br>roxruiz@rivco.org<br>(951) 955-6184 | The Press-Enterprise |

**Columns Wide:** 3 **Ad Class:** Legals

| | |
|---|---|
| 03/11/2025: County Notices | 822.07 |

| | |
|---|---|
| Subtotal | $822.07 |
| Tax % | 0 |
| **Total** | **$822.07** |

See Proof on Next Page

**NOTICE OF SCOPING SESSION**

A **SCOPING SESSION** has been scheduled, pursuant to Riverside County Land Use Ordinance No. 348, before the **RIVERSIDE COUNTY DIRECTOR'S HEARING** to solicit public comments as to the scope and content of the environmental information to be included in the Environmental Impact Report (EIR), and to inform the public of the nature and extent of the proposed project described below, and to provide an opportunity to identify the range of actions, alternatives, mitigation measures, and significant effects to be analyzed in depth in the EIR.

**SCOPING SESSION FOR ENVIRONMENTAL IMPACT REPORT FOR CONDITIONAL USE PERMIT NO. 240027 AND DEVELOPMENT AGREEMENT NO. 2400008 (SAVIRA SOLAR PROJECT)** – Applicant: Clearway Energy c/o Deandra Cass – Fourth Supervisorial District – Chuckwalla Zoning Area – Desert Center Area Plan – Open Space: Rural (OS: RUR) – Location: North of Interstate 10 Freeway, south of State Highway 62/Desert Center Rice Road, east of U.S. Route 95, and west of State Highway 177/ Rice Road/Aqueduct Road – 534.4 Gross Acres – Zoning: Controlled Development Areas Minimum 10 Acre (W-2-10) – **REQUEST**: Conditional Use Permit No. 240027 and Development Agreement No. 2400008 is a proposal to establish, develop and construct the Savira Solar Project that will consist of a utility-scale solar photovoltaic (PV) electrical generating and storage facility generating up to approximately 150 megawatts (MW) of renewable energy and include an Operations and Maintenance (O&M) facility, a 230 kV project substation, an approximate 250 MW Battery Energy Storage System (BESS) that will transmit solar energy via a new approximately 2-mile-long, 230 kV generation interconnection tie (gen-tie) line to the existing Arica and Victory Pass substation, where it would be carried on the existing approximate 3-mile 230 kV Arica/Victory Pass gen-tie to interconnect to the regional transmission grid at the existing Southern California Edison (SCE) Red Bluff Substation. The Project applicant is seeking a minimum of 40-year CUP. – APNs: 811-231-004, -003, and -001; 811-190-004, -005; and 811-231-008. – Related Cases: PAR240030.

| | |
|---|---|
| TIME OF HEARING: | 1:30 pm or as soon as possible thereafter |
| DATE OF HEARING: | **MARCH 31, 2025** |
| PLACE OF HEARING: | RIVERSIDE COUNTY ADMINISTRATIVE CENTER BOARD CHAMBERS, 1st FLOOR 4080 LEMON STREET, RIVERSIDE, CA 92501 |

This meeting will be conducted by teleconference and at the place of hearing, as listed above. Information on how to request to speak remotely is available on the Planning Department website at: at https://bit.ly/RivCoPlanningCommission . For further information regarding this project, please contact Project Planner, Elizabeth Mora at (951) 955-3024 or email at Emorarodriguez@rivco.org.

The Scoping Session is **NOT** a public hearing on the merit of the proposed project and **NO DECISION** on the project will be made. **PUBLIC TESTIMONY** is limited to identifying issues regarding the project and potential environmental impacts. The project proponent will not be required to provide an immediate response to any concerns raised. The project proponent will be requested to address any concerns expressed at the Scoping Session, through revisions to the proposed project and/or completion of a Final Environmental Impact Report, prior to the formal public hearing on the proposed project. Mailed notice of the public hearing will be provided to anyone requesting such notification. Any person wishing to provide comments regarding the environmental report may submit their comments in writing by mail or email, or by phone between the date of this notice and place noted above. All comments received prior to and during the scoping meeting will be submitted for review and retained for official record.

Please send all written correspondence to:
RIVERSIDE COUNTY PLANNING DEPARTMENT
Attn: Elizabeth Mora
P.O. Box 1409, Riverside, CA 92502-1409
**The Press-Enterprise**
**Published: 3/11/25**

## Attachment C: Scoping Meeting Presentation

# Scoping Session for EIR

## Savira Solar Project

**AGENDA ITEM NO. 5.1**

Conditional Use Permit No. 240027

Development Agreement No. 2400008

Elizabeth Mora-Rodriguez
Senior Planner, TLMA – Planning Department

# Purpose of CEQA

**The California Environmental Quality Act (CEQA) of 1970 was enacted to address concerns about environmental quality in the state. CEQA outlines the procedures to ensure that agencies complete an environmental analysis and disclose to the public potential environmental impacts of a proposed project.**

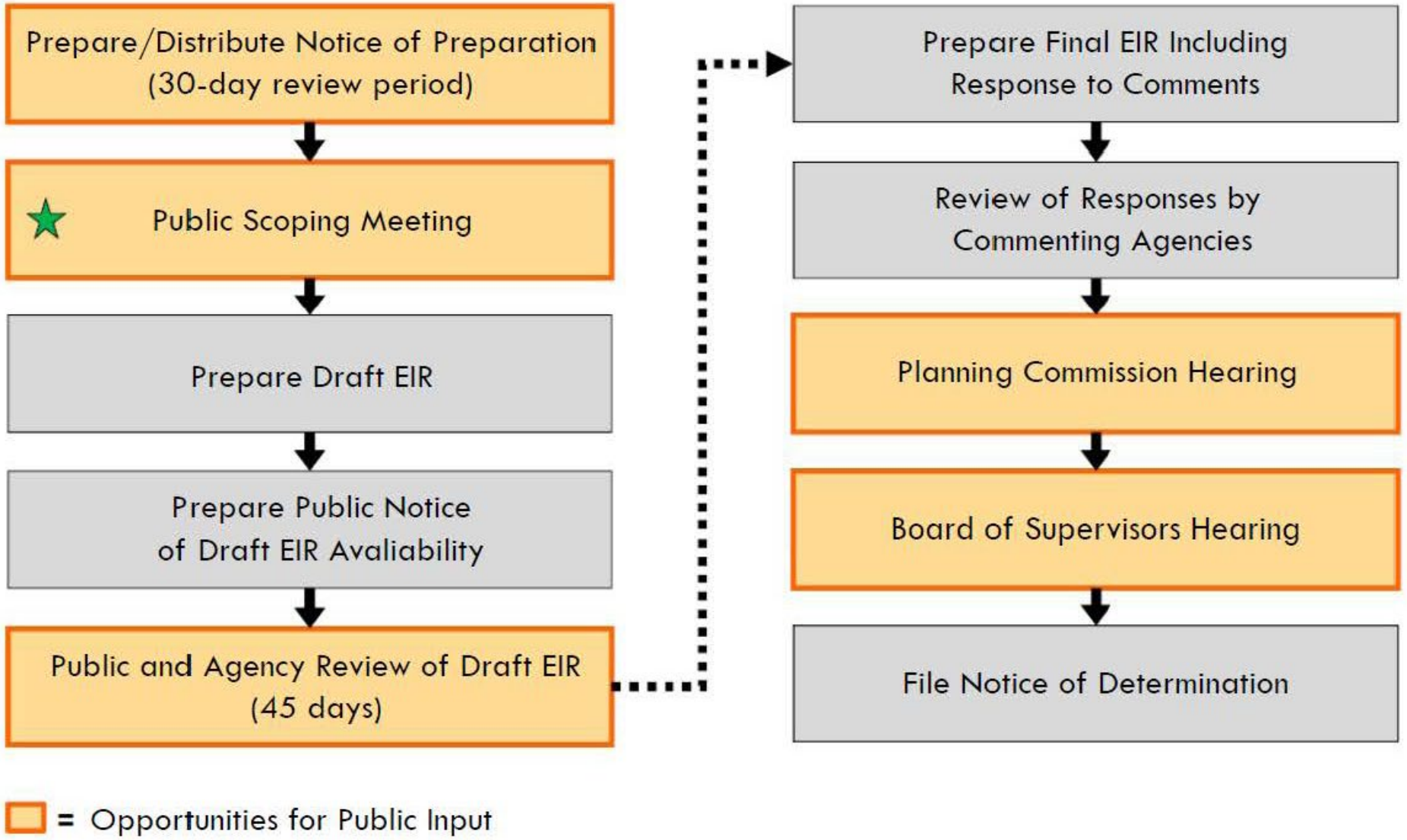
**The purpose of CEQA is to:**

1) ***Inform agencies and the public about the potential, significant environmental effects of a proposed project.***
2) ***Identify the ways that potential impacts can be avoided or significantly reduced.***
3) ***Prevent significant, unavoidable impacts to the environment by requiring changes to the project or use of mitigation measures.***
4) ***Disclose to the public the reasons why an agency approved the project even if significant environmental effects would result.***

# Purpose of an EIR

- An Environmental Impact Report (EIR) shares information with the public regarding a project's potential impacts
- Identifies mitigation and ways to avoid/reduce impacts
- Analyzes alternatives to the proposed project
- Fosters interagency coordination and public review
- Provides opportunity for public input
- Provides a comprehensive environmental document that serves as a guiding tool for decision makers
- Does not analyze if a project is "good" or bad"

# EIR Process


Prepare/Distribute Notice of Preparation (30-day review period)
Public Scoping Meeting
Prepare Draft EIR
Prepare Public Notice of Draft EIR Avaliability
Public and Agency Review of Draft EIR (45 days)
Prepare Final EIR Including Response to Comments
Review of Responses by Commenting Agencies
Planning Commission Hearing
Board of Supervisors Hearing
File Notice of Determination
= Opportunities for Public Input

# Purpose of the NOP

- The Notice of Preparation (NOP) notifies responsible agencies and other interested parties that an EIR will be prepared
- Solicits input regarding the scope, focus, and content of the upcoming EIR
- Distributed for a 30-day public review and comment period
- March 24, 2025 – April 22, 2025

# Purpose of Scoping Session

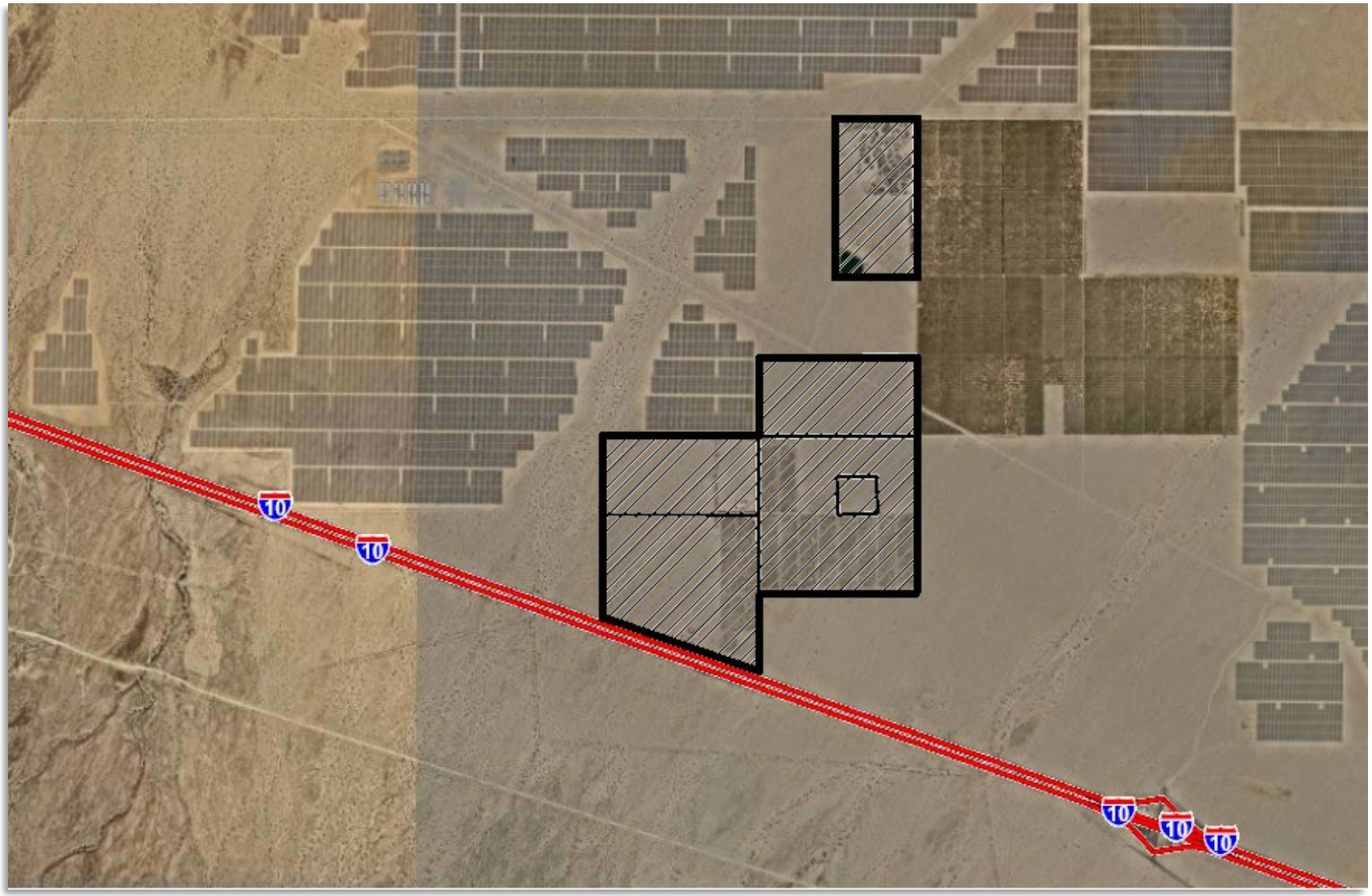
- Provide information regarding the proposed project
- Provide an opportunity for public input
- Determine the scope, focus, and content of the upcoming EIR

# CEQA Topics

Topics to be covered in EIR

- Aesthetics/Visual Resources/Reflection
- Agricultural Resources
- Air Quality
- Biological Resources
- Cultural Resources & Tribal Cultural Resources
- Energy
- Geology and Soils
- Greenhouse Gas Emissions
- Hazards and Hazardous Materials
- Hydrology and Water Quality
- Land Use and Planning
- Mineral Resources
- Noise
- Paleontological Resources
- Population & Housing & Socioeconomics
- Public Services & Utilities/Service Systems
- Recreation
- Traffic and Transportation
- Wildfire
- Land Use and Planning

# Project Location



# Project Background

- Consist of 6 vacant undeveloped parcels, +/- 535 gross acres.
- CUP and DA was submitted on November 4, 2024.
- DAC initially reviewed on December 19, 2024.
- Potential impacts would result from the proposed Project.

  Therefore, an Environmental Impact Report will be prepared.

# Project Description

The Savira Solar Project (CUP240027 and DA2400008):

- A utility-scale solar photovoltaic (PV) electrical generating and storage facility generating up to approximately 150 MW of renewable energy, and include an O&M facility, a 230kV substation, an approximate 250 MW BESS that will transmit solar energy via a new approximately 2-mile-long, 230kV gen-tie to the existing Arica & Victory Pass substation, where it would be carried on the existing approximate 3-mile 230 kV Arica/Victory Pass gen-tie to interconnect to the regional transmission grid at the existing SCE Red Bluff Substation.
- The DA between the applicant and County that will be inline with the County's solar power plant program and grants vesting rights to develop the Project.
- Commercial Operation Date is anticipated in 2028 with a Project operating timeframe of a minimum of 40 years.

# NOP Comments

- Written comments to the NOP may be submitted by 5:00 PM April 22, 2025, via:
  - ❑ Mail: Elizabeth Mora-Rodriguez, Senior Planner
    Riverside County Planning
    4080 Lemon Street, 12th Floor
    Riverside, CA 92501
  - ❑ Email: EmoraRodriguez@RIVCO.ORG
- If you require additional information please contact Elizabeth Mora-Rodriguez, Project Planner, at (951) 955-3024.

## Attachment D: Written Scoping Comments Received During Scoping Period

RIVERSIDE COUNTY
DEPARTMENT OF
WASTE RESOURCES

*Andy Cortez, General Manager-Chief Engineer*

**SENT VIA EMAIL ONLY**
emorarodriguez@rivco.org

March 13, 2025

Elizabeth Mora-Rodriguez, Project Planner
Riverside County Planning Department (County)
4080 Lemon St. 12th Floor
P.O. Box 1409
Riverside, CA 92501

**RE: Notice of Preparation (NOP)** of the Draft Environmental Impact Report (DEIR) for the **Savira Solar Project Conditional Use Permit (CUP) No. 240027/Development Agreement No. 2400008**

Dear Elizabeth Mora-Rodriguez,

The Riverside County Department of Waste Resources (RCDWR) has reviewed the NOP of the DEIR for the proposed Savira Solar Project. The project is located in Riverside County, north of Interstate 10 and is 8.5 miles east of the town of Desert Center, CA The Project consists of 6 parcels on private land (totaling ~535 acres). The solar energy generated by the Project would be transmitted via a new 2-mile-long 230 kV generation interconnection tie line to the existing Arica and Victory Pass substation, where it would be carried on the existing approximate 3-mile 230 kV Arica/Victory Pass gen-tie to interconnect to the regional transmission grid at the existing Southern California Edison (SCE) Red Bluff Substation. Regional access to the Project site is provided from the Corn Springs exit off I-10. Project-related roads for direct access to the site would include a perimeter road and interior solar field access ways.

Savira Renewables, LLC an indirect subsidiary of Clearway Energy Group LLC, proposes to construct the Savira Solar Project, a utility-scale solar photovoltaic (PV) electrical generating and storage facility and associated infrastructure to generate and deliver renewable electricity to the statewide electricity transmission grid. The Project would generate up to approximately 150 megawatts (MW) of renewable energy via arrays of solar PV panels. Project facilities include an Operations and Maintenance (O&M) building, a Project substation, and up to approximately 250 MW Battery Energy Storage System (BESS), and access driveways. The Commercial Operation Date (COD) of the Project is anticipated in 2028. The Project would operate for a minimum of 40 years. At the end of its useful life, the Project would be decommissioned and the land returned to its pre-Project conditions. Revegetation would be conducted in accordance with an approved Decommissioning and Revegetation Plan. The Applicant is seeking a 40-year CUP (CUP240027) for the construction, operation, and decommissioning of the proposed solar and battery facility and gen-tie line. Ancillary permits, including grading and construction permits, and certificates of occupancy, are anticipated from the County. These permits and approvals are local ministerial actions that will follow California Environmental Quality Act (CEQA) compliance.

The RCDWR offers the following comments for consideration while preparing the Project's DEIR:

1. Construction of future development may generate a substantial quantity of construction and demolition (C&D) waste. Should a large quantity of C&D waste, that is unable to be recycled, be brought to a County landfill for disposal, it could exceed the landfill's daily permitted capacity, thus a violation of state regulations.[1] To assess potential waste impacts, the DEIR should consider quantitatively analyzing this potential solid waste impact and discuss feasible mitigation programs/regulatory compliance.

   Note: CalRecycle's website may be helpful to determine the Project's waste generation: https://www2.calrecycle.ca.gov/WasteCharacterization/General/Rates

2. The following information can be useful in the analysis of the anticipated solid waste impacts:

   a) Solid waste generated within the Project area is collected by CR&R Inc. (CR&R), with the bulk of recyclable waste and green waste delivered to the Perris Transfer Station for processing. The facility is located at 1706 Goetz Road in the city of Perris.

   b) The waste hauler may utilize the Blythe, and/or the Oasis Landfill for disposal. Descriptions of the local landfills are provided below:

      Blythe Landfill:

      The Blythe Landfill is located at 1000 Midland Road, Blythe CA 92225. The landfill is owned and operated by the RCDWR. The landfill property encompasses approximately 365-acres, of which 78.1 acres are permitted for waste disposal. The site has an estimated total capacity of approximately 2.4 million tons. The landfill is currently permitted to receive a maximum of 400 tons per day of refuse, and as of January 1, 2025, had a remaining capacity of approximately 1.41 million tons. It is estimated that the remaining disposal capacity will last until approximately 2052. During 2024, the Blythe Landfill accepted a daily average volume of 87 tons, for a period total of approximately 23,381 tons.

      Oasis Landfill:

      The Oasis Landfill is located in an unincorporated area of Riverside County at 84-505 84th Avenue, Oasis, CA. The landfill is owned by Riverside County and operated by the RCDWR. The landfill is currently open once a week (Wednesdays) and the landfill property encompasses approximately 165.36 acres, of which 23.3 acres encompass the current landfill disposal area. The landfill is currently permitted to receive 400 tpd of MSW for disposal and 50 tpd for beneficial reuse. The site has an estimated total capacity of approximately 0.32 million tons. As of January 1, 2025, the landfill has an estimated remaining refuse capacity of 47,567 tons. The current landfill remaining disposal capacity is estimated to last, at a minimum, until landfill closure in the year 2055. During 2024, the

[1] Title 40, Vol. 41 C.F.R § 243.203 *et seq*. (1976).

Oasis Landfill accepted a daily average volume of 12 tons and a period total of approximately 623 tons.[8]

El Sobrante Landfill:

The El Sobrante Landfill is located east of Interstate 15 and Temescal Canyon Road to the south of the City of Corona and Cajalco Road at 10910 Dawson Canyon Road. The landfill is owned and operated by USA Waste of California, a subsidiary of Waste Management, Inc., and encompasses 1,322 acres, of which 645 acres are permitted for landfill operation. The El Sobrante Landfill has a total disposal capacity of approximately 209.9 million cubic yards and can receive up to 70,000 tons per week (tpw) of refuse. USA Waste must allot at least 28,000 tpw for County refuse. The landfill's permit allows a maximum of 16,054 tons per day (tpd) of waste to be accepted into the landfill, due to the limits on vehicle trips. If needed, 5,000 tpd must be reserved for County waste, leaving the maximum commitment of Non-County waste at 11,054 tpd. Per the 2023 Annual Report, the landfill had a remaining in-County disposal capacity of approximately 47.2 million tons. [2] In 2024, the El Sobrante Landfill accepted a daily average of 10,557 tons with a period total of approximately 3,251,611 tons. The landfill is expected to reach capacity in approximately 2059.

Lamb Canyon Landfill:

The Lamb Canyon Landfill is located between the City of Beaumont and City of San Jacinto at 16411 Lamb Canyon Road (State Route 79), south of Interstate 10 and north of Highway 74. The landfill is owned and operated by Riverside County. The landfill property encompasses approximately 1,189 acres, of which 703.4 acres encompass the current landfill permit area. Of the 703.4-acre landfill permit area, approximately 144.6 acres are permitted for waste disposal. The landfill is currently permitted to receive 5,000 tpd of MSW for disposal and 500 tpd for beneficial reuse. The site has an estimated total disposal capacity of approximately 21.1 million tons.[3] As of January 1, 2025 (beginning of day), the landfill has a total remaining capacity of approximately 6.1 million tons.[4] The current landfill remaining disposal capacity is estimated to last, at a minimum, until approximately 2032.[5] From January 2024 to December 2024, the Lamb Canyon Landfill accepted a daily average of 1,973 tons with a period total of approximately 607,583 tons. Landfill expansion potential exists at the Lamb Canyon Landfill site.

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[8] SiteInfo 2024 (Jan 1 – December 31) Daily Landfill Total Tonnage and Total Traffic By Site

[2] 2023 El Sobrante Landfill Annual Report- Based on 117,960,158 tons remaining capacity (40% for in-county waste).

[3] GASB 18_ 2024 – Engineering Estimate for total landfill capacity

[4] GASB 18 2024 & SiteInfo

[5] SWFP # 33-AA-0007

Badlands Landfill:

The Badlands Landfill is located northeast of the City of Moreno Valley at 31125 Ironwood Avenue and accessed from State Highway 60 at Theodore Avenue. The landfill is owned and operated by Riverside County. The existing landfill encompasses 1,168.3 acres, with a total disturbance area of 278 acres, of which 150 acres are for refuse disposal. Landfill expansion potential exists at the Badlands Landfill site. Under the 2022 Solid Waste Facility Permit (SWFP), the permitted disturbance area increases from 278 acres to 811 acres, and the refuse disposal area increases from 150 acres to 409 (in multiple stages). The landfill is currently permitted to receive 5,000 tpd of MSW for disposal and 300 tpd for beneficial reuse. The site has an estimated total capacity of approximately 68.6 million tons.[6] As of January 1, 2025 (beginning of day), the landfill had a total remaining disposal capacity of approximately 48.9 million tons.[7] Under the 2022 SWFP, the landfill would have a remaining disposal capacity estimated to last, at a minimum, until approximately 2059.[8] From January 2024 to December 2024, the Badlands Landfill accepted a daily average of 3,003 tons with a period total of approximately 924,862 tons.

3. Additionally, you may wish to consider incorporating the following measures to help reduce the Project's anticipated solid waste impacts and enhance efforts to comply with the State's mandate (AB 75) of 50% solid waste diversion from landfilling [9]:

- The use of mulch and/or compost in the development and maintenance of landscaped areas within the project boundaries is recommended. Recycle green waste through either onsite composting of grass, i.e., leaving the grass clippings on the lawn, or sending separated green waste to a composting facility.
- Consider xeriscaping and the use of drought tolerant low maintenance vegetation in all landscaped areas of the project.
- Hazardous materials are not accepted at the Riverside County landfills. Any hazardous wastes, including paint, used during construction must be properly disposed of at a licensed facility in accordance with local, state and federal regulations. For further information regarding the determination, transport, and disposal of hazardous waste, please contact the Riverside County Department of Health, Environmental Protection and Oversight Division, at 1.888.722.4234.
- To address solid waste impacts and help the County comply with AB 939 (Integrated Waste Management Act) and the California Green Building Standards, through diverting solid waste from landfill disposal, a Waste Recycling Plan (WRP) shall be submitted to the Riverside County Department of Waste Resources for review and approval prior to construction. At a minimum, the WRP must identify the materials (i.e., concrete, asphalt, wood, etc.) that will be generated by construction and

[6] SWFP # 33-AA-0006
[7] GASB_18_2024 & SiteInfo
[8] SWFP # 33-AA-0006
[9] A.B. 75, Chapter 764, 1999-2000 Strom-Martin, (Cal. 1999).

development, the projected amounts, the measures/methods that will be taken to recycle, reuse, and/or reduce the amount of materials, the facilities and/or haulers that will be utilized, and the targeted recycling or reduction rate. During project construction, the project site shall have, at a minimum, two (2) bins: one for waste disposal and the other for the recycling of Construction and Demolition (C&D) materials. Additional bins are encouraged to be used for further source separation of C&D recyclable materials. Accurate record-keeping (receipts) for recycling of C&D recyclable materials and solid waste disposal must be kept. After the project is completed, a Waste Reporting Form and evidence (i.e., receipts or other types of verification) shall be submitted demonstrating project compliance with the approved WRP.

- Demonstrate compliance with SB 1383 which establishes regulations to reduce organics waste disposal and went into effect on January 1, 2022.[10] This law establishes methane emissions reduction targets in a statewide effort to reduce emissions of short-lived climate pollutants caused by organics waste disposal.

Thank you for allowing us the opportunity to comment on the NOP. Please continue to provide us with Project updates and any CEQA documentation as the project progresses. Please email me at alimitchell@rivco.org if you have any questions regarding the above comments.

Sincerely,

Aliah Mitchell

Aliah Mitchell
Assistant Planner

Cc: Kinika Hesterly, RCDWR

DM# 351057

[10] S.B 1383, Chapter 395, 2015-2016 Lara, (Cal. 2016).

State of California – Natural Resources Agency
DEPARTMENT OF FISH AND WILDLIFE
Inland Deserts Region
3602 Inland Empire Boulevard, Suite C-220
Ontario, CA 91764
www.wildlife.ca.gov

***GAVIN NEWSOM, Governor***
***CHARLTON H. BONHAM, Director***

April 22, 2025
*Sent via email*

Elizabeth Mora-Rodriguez
Project Planner
County of Riverside Planning Department
4080 Lemon Street, 12th Floor
Riverside, CA 92501
EMoraRodriguez@Rivco.org

Subject: Notice of Preparation of a Draft Environmental Impact Report
Savira Solar Project
State Clearinghouse No. 2025030499

Dear Ms. Mora-Rodriguez:

The California Department of Fish and Wildlife (CDFW) received a Notice of Preparation (NOP) from the County of Riverside Planning Department (County) for the Savira Solar Project (Project) pursuant the California Environmental Quality Act (CEQA) and CEQA Guidelines.[1]

Thank you for the opportunity to provide comments and recommendations regarding those activities involved in the Project that may affect California fish and wildlife. Likewise, we appreciate the opportunity to provide comments regarding those aspects of the Project that CDFW, by law, may be required to carry out or approve through the exercise of its own regulatory authority under the Fish and Game Code.

**CDFW ROLE**

CDFW is California's Trustee Agency for fish and wildlife resources and holds those resources in trust by statute for all the people of the State. (Fish & G. Code, §§ 711.7, subd. (a) & 1802; Pub. Resources Code, § 21070; CEQA Guidelines § 15386, subd. (a).) CDFW, in its trustee capacity, has jurisdiction over the conservation, protection, and management of fish, wildlife, native plants, and habitat necessary for biologically sustainable populations of those species. (*Id.*, § 1802.) Similarly, for purposes of CEQA, CDFW is charged by law to provide, as available, biological expertise during public agency environmental review efforts, focusing specifically on projects and related activities that have the potential to adversely affect fish and wildlife resources.

[1] CEQA is codified in the California Public Resources Code in section 21000 et seq. The "CEQA Guidelines" are found in Title 14 of the California Code of Regulations, commencing with section 15000.

CDFW is also submitting comments as a Responsible Agency under CEQA. (Pub. Resources Code, § 21069; CEQA Guidelines, § 15381.) CDFW expects that it may need to exercise regulatory authority as provided by the Fish and Game Code. As proposed, for example, the Project may be subject to CDFW's lake and streambed alteration regulatory authority. (Fish & G. Code, § 1600 et seq.) Likewise, to the extent implementation of the Project as proposed may result in "take" as defined by State law of any species protected under the California Endangered Species Act (CESA) (Fish & G. Code, § 2050 et seq.), the Project proponent may seek related take authorization as provided by the Fish and Game Code.

## PROJECT DESCRIPTION SUMMARY

The Project will include the construction and operation of 150 megawatts (MW) of solar photovoltaic (PV) facility, a 250 MW battery energy storage system (BESS), a 230 kilovolt (kV) substation, a 230 kV generation tie (gen-tie) transmission line, an operations and maintenance building (O&M), and access roads. The solar energy generated by the Project would be transmitted via the proposed 2-mile-long gen-tie line to the existing Arica and Victory Pass substation, where it would be carried along the existing Arica and Victory Pass gen-tie line and interconnect to the regional transmission grid at the Southern California Edition Red Bluff Substation.

The proposed Project is located in the County of Riverside, north of Interstate 10 and approximately 8.5 miles east of the town of Desert Center. The Project site consists of 6 parcels of private land, totaling approximately 535 acres. The Project site encompasses Accessor's Parcel Number (APN) 811190004, 811231004, 811231003, 811231001, 811231008, and 811190005. The proposed PV facility, BESS, substation, and O&M building is located within County of Riverside. The proposed gen-tie line and access roads would be located on BLM-administered land.

## COMMENTS AND RECOMMENDATIONS

CDFW offers the comments and recommendations below to assist the County in adequately identifying and/or mitigating the Project's significant, or potentially significant, direct and indirect impacts on fish and wildlife (biological) resources.

CDFW recommends that the forthcoming (Draft Environmental Impact Report) DEIR address the following:

### Assessment of Biological Resources

Section 15125(c) of the CEQA Guidelines states that knowledge of the regional setting of a project is critical to the assessment of environmental impacts and that special emphasis should be placed on environmental resources that are rare or unique to the region. To enable CDFW staff to adequately review and comment on the project, the

DEIR should include a complete assessment of the flora and fauna within and adjacent to the Project footprint, with particular emphasis on identifying rare, threatened, endangered, and other sensitive species and their associated habitats.

The CDFW recommends that the DEIR specifically include:

1. An assessment of the various habitat types located within the project footprint, and a map that identifies the location of each habitat type. CDFW recommends that floristic, alliance- and/or association-based mapping and assessment be completed following *The Manual of California Vegetation*, second edition (Sawyer et al. 2009). Adjoining habitat areas should also be included in this assessment where site activities could lead to direct or indirect impacts offsite. Habitat mapping at the alliance level will help establish baseline vegetation conditions.

2. A general biological inventory of the fish, amphibian, reptile, bird, and mammal species that are present or have the potential to be present within each habitat type onsite and within adjacent areas that could be affected by the project. CDFW's California Natural Diversity Database (CNDDB) should be queried to obtain current information on any previously reported sensitive species and habitat, including Significant Natural Areas identified under Fish and Game Code section 1930 et seq., in the vicinity of the proposed Project. See https://wildlife.ca.gov/Data/CNDDB/Maps-and-Data.

   Please note that CDFW's CNDDB is not exhaustive in terms of the data it houses, nor is it an absence database. CDFW recommends that it be used as a starting point in gathering information about the *potential presence* of species within the general area of the project site.

3. A complete, *recent* inventory of rare, threatened, endangered, and other sensitive species located within the Project footprint and within offsite areas with the potential to be affected, including California Species of Special Concern (SSC) and California Fully Protected Species (Fish & G. Code, § 3511). Species to be addressed should include all those which meet the CEQA definition (CEQA Guidelines § 15380). The inventory should address seasonal variations in use of the Project area and should not be limited to resident species. Focused species-specific surveys, completed by a qualified biologist and conducted at the appropriate time of year and time of day when the sensitive species are active or otherwise identifiable, should inform the environmental baseline of the Project site. Acceptable species-specific survey procedures should be developed in consultation with CDFW and the U.S. Fish and Wildlife Service, where necessary. Note that CDFW generally considers biological field assessments for wildlife to be valid for a one-year period, and assessments for rare plants may be considered valid for a period of up to three years. Some aspects of the proposed Project may warrant periodic updated surveys for certain sensitive

taxa, particularly if the Project is proposed to occur over a protracted time frame, or in phases, or if surveys are completed during periods of drought.

A SSC is a species, subspecies, or distinct population of an animal native to California that currently satisfies one or more of the following (not necessarily mutually exclusive) criteria:

- is extirpated from the State or, in the case of birds, is extirpated in its primary season or breeding role;
- is listed under the federal Endangered Species Act (ESA), but not CESA-listed as threatened, or endangered;
- meets the State definition of threatened or endangered but has not formally been listed;
- is experiencing, or formerly experienced, serious (noncyclical) population declines or range retractions (not reversed) that, if continued or resumed, could qualify it for State threatened or endangered status;
- and/or has naturally small populations exhibiting high susceptibility to risk from any factor(s), that if realized, could lead to declines that would qualify it for CESA threatened or endangered status.

Fully protected species may not be taken or possessed at any time and no licenses or permits may be issued for their take except as follows:

- Take is for necessary scientific research;
- Efforts to recover a fully protected, endangered, or threatened species;
- Live capture and relocation of a bird species for the protection of livestock;
- They are a covered species whose conservation and management is provided for in a Natural Community Conservation Plan (Fish & G. Code, §§ 3511, 4700, 5050, & 5515); or
- Specified types of infrastructure projects eligible for an incidental take permit (see Fish & G. Code § 2081.15).

CDFW recommends species-specific surveys for sensitive species that the Project footprint has the potential to support, including but not limited to:

<u>Western Burrowing Owl (*Athene cunicularia hypugaea*)</u>

The Project site has the potential to provide suitable foraging and/or nesting habitat for western burrowing owl (burrowing owl). On October 10, 2024, the Fish and Game Commission determined that burrowing owl warrants protection as a candidate species under the California Endangered Species Act (Fish & G. Code, § 2050 et seq.). During the candidacy period, burrowing owl will be afforded the same protection as threatened and endangered species under CESA. If Project activities, including burrow exclusion and closure, could result in take, appropriate CESA

authorization (i.e., Incidental Take Permit under Fish and Game Code section 2081b) should be obtained prior to commencement of Project activities.

Take of individual burrowing owls and their nests is defined by Fish and Game Code section 86, and prohibited by sections 3503, 3503.5 and 3513. Take is defined in Fish and Game Code section 86 as "hunt, pursue, catch, capture or kill, or attempt to hunt, pursue, catch, capture or kill."

For the purposes of CEQA review, CDFW recommends that the County follow the recommendations and guidelines provided in the *Staff Report on Burrowing Owl Mitigation* (Department of Fish and Game, March 2012); available for download from CDFW's website: https://www.wildlife.ca.gov/conservation/survey-protocols. The Staff Report on Burrowing Owl Mitigation specifies three steps for project impact evaluations:

a. A habitat assessment;
b. Surveys; and
c. An impact assessment

CDFW recommends breeding and non-breeding surveys for the species be conducted on the Project site to establish the environmental baseline of resident and migratory individuals, and map all burrows with live individuals and/or sign.

As stated in the Staff Report on Burrowing Owl Mitigation, the three progressive steps are effective in evaluating whether a project will result in impacts to burrowing owls, and the information gained from the steps will inform any subsequent avoidance, minimization, and mitigation measures. Habitat assessments are conducted to evaluate the likelihood that a site supports burrowing owl. Burrowing owl surveys provide information needed to determine the potential effects of proposed projects and activities on burrowing owls, and to avoid take in accordance with Fish and Game Code sections 86, 3503, and 3503.5. Impact assessments evaluate the extent to which burrowing owls and their habitat may be impacted, directly or indirectly, on and within a reasonable distance of a proposed CEQA project activity.

Within the 2012 Staff Report, the minimum habitat replacement recommendation was purposely excluded as it was shown to serve as a default, replacing any site-specific analysis and discounting the wide variation in natal area, home range, foraging area, and other factors influencing burrowing owls and burrowing owl population persistence in a particular area. It hypothesized that mitigation for permanent impacts to nesting, occupied, and satellite burrows and burrowing owl habitat should be on, adjacent or proximate to the impact site where possible and where habitat is sufficient to support burrowing owls present. If mitigation occurs

offsite, it should include (a) permanent conservation of similar vegetation communities (grassland, scrublands, desert, urban, and agriculture) to provide for burrowing owl nesting, foraging, wintering, and dispersal (i.e., during breeding and non-breeding seasons) comparable to or better than that of the impact area, and (b) be sufficiently large acreage with the presence of fossorial mammals. Furthermore, the report noted that suitable mitigation lands should be based on a comparison of the habitat attributes of the impacted and conserved lands, including but not limited to: type and structure of habitat being impacted or conserved; density of burrowing owls in impacted and conserved habitat; and significance of impacted or conserved habitat to the species range-wide. CDFW recommends consultation prior to obtaining mitigation lands for the species. In addition, the DEIR shall propose mitigation for the permanent loss of burrowing owl habitat; see number 4 under the Mitigation Measures for Project Impacts to Biological Resources section in this letter (page 13).

Mojave Desert Tortoise (*Gopherus agassizii*)

The Project site occurs within the range of Mojave desert tortoise (*Gopherus agassizii*), a state-listed threatened, candidate endangered species and a federally listed threatened species. The Project has the potential to result in permanent and temporary loss, degradation and impacts to Mojave desert tortoise and their habitat. CDFW recommends the County complete protocol level surveys over all areas (i.e., 100 percent coverage) proposed to be directly or indirectly affected by the Project, using qualified biologists and following the USFWS Desert Tortoise Field Manual, accessible here: https://www.fws.gov/media/desert-tortoise-field-manual. To reduce the likelihood of nonconcurrence with proposed surveys, methodology, and qualifications of biologists, CDFW recommends working with the USFWS and CDFW concurrently to ensure a consistent and adequate approach.

If Mojave desert tortoise are found within the Project area during surveys or construction activities, and complete avoidance is not possible, CDFW strongly recommends the County require the Project Proponent to acquire a CESA ITP prior to any vegetation- or ground-disturbing activities and require compensatory mitigation appropriate for impact to a CESA-listed species. Any take of Mojave desert tortoise without take authorization would be a violation of Fish and Game Code section 2080.

American Badger (*Taxidea taxus*)

The Project occurs within the range of the American badger, a SSC. CDFW recommends the Project complete surveys for American badger over the Project area proposed to be directly or indirectly affected by the Project activities and that the results of such surveys be included in the DEIR, along with avoidance, minimization, and mitigation measures, if appropriate.

If American badger are found, or have the potential to occupy the Project site, CDFW recommends the County require species specific mitigation to offset impacts and avoidance, minimization and monitoring measures aimed at avoiding direct impacts to American badger be incorporated into the DEIR. Avoidance and minimization measures should include procedures used to classify identified dens as inactive dens, active and potentially active dens, and active natal dens, and methods utilized to quantify and locate animals that would need to be avoided or passively relocated, and the burrows or burrow complexes that would need to be collapsed to prevent re-occupancy. The measures should also include detailed monitoring requirements and methods of exclusion/passive relocation to be conducted, and methods and timing of den excavation.

Desert kit fox (*Vulpes macrotis arsipus*)

The Project occurs within the range of desert kit fox, a protected species pursuant to Title 14 of the California Code of Regulations Section 460, which prohibits the take of the species at any time. CDFW recommends surveys be conducted over all areas proposed to be directly or indirectly affected by the Project to determine presence/absence and numbers of desert kit fox, and that this information be included in the DEIR.

If desert kit fox is found, or have the potential to occupy the Project site, CDFW recommends the County require species-specific mitigation to offset impacts and avoidance, minimization, and monitoring measures aimed at avoiding direct impacts to the desert kit fox be incorporated into the DEIR. Avoidance and minimization measures should include procedures used to classify identified dens as inactive dens, active and potentially active dens, and active natal dens, and methods utilized to quantify and locate single or paired animals that would need to be avoided or passively relocated, and the burrows or burrow complexes that would need to be collapsed to prevent re-occupancy. The measures should also include detailed monitoring requirements and methods of exclusion/passive relocation to be conducted, and methods and timing of den excavation.

Bats

The Project site and adjacent parcels have the potential to provide suitable roosting (day, night, and maternal) and foraging habitat for several bat species (collectively, bats), including but not limited to:

- pallid bat (*Antrozous pallidus*) (SSC)
- Townsend's big-eared bat (*Corynorhinus townsendii*) (SSC)
- western mastiff bat (*Eumops perotis*) (SSC)
- western red bat (*Lasiurus blossevillii*) (SSC)
- western yellow bat (*Lasiurus xanthinus*) (SSC)

- hoary bat (*Lasiurus cinereus*) (SSC)
- California myotis (*Myotis californicus*)
- Arizona myotis (*Myotis occultus*) (SSC)
- Cave myotis (*Myotis velifer*) (SSC)
- Yuma myotis (*Myotis yumanensis*) (SSC)
- Pocketed free-tailed bat (*Myctinopops ferosaccus*) (SSC)

Project construction and activities may result in direct and indirect impacts to bats. Direct impacts include removal of structures or vegetation occupied by roosting bats. This could result in injury or mortality to bats as well as loss of roosting habitat. Indirect impacts to bats and roosts could result from increased noise disturbances, human activity, dust, vegetation clearing, ground-disturbing activities (e.g., staging, mobilizing, pile driving, excavating, and grading), and vibrations caused by heavy equipment.

Bats are considered non-game mammals and are afforded protection by State law from take and/or harassment (Fish & G. Code, § 4150; Cal. Code of Regs, § 251.1). Several bat species are considered SSC.

The DEIR should include results of specific surveys for bats for the Project area proposed to be directly or indirectly affected by Project activities and the results of the surveys included in the DEIR, along with avoidance, minimization and mitigation measures, if appropriate. These surveys should occur during each season of the year to document seasonal use and be supplemented with full spectrum acoustic monitoring throughout the year. CDFW recommends if active hibernacula or day roosts are identified in the work area or within 500 feet of the work area, they be avoided to the extent feasible. For maternity roosts, Project construction should only occur between October 1 and February 28, outside of the maternity roosting season when young bats are present but are not yet ready to fly out of the roost (March 1 to September 30). Maternity roosts shall not be evicted, excluded, removed, or otherwise disturbed.

<u>Bird and Bat Conservation Strategy</u>

CDFW recommends the development of a Bird and Bat Conservation Strategy (BBCS) that includes the following:

- Describe baseline conditions for bird and bat species present within the Project site and gen-tie line corridor, including results of site-specific surveys. CDFW recommends baseline conditions for bird species be established through avian point count surveys with the following methodology:

a. Perform two surveys to detect early migrants (end of March) and later migrants (middle to end of May).

b. Pick representative habitats and space the surveys to sample and view the most area possible.

c. For passerines, conduct the survey for 10 minutes at each point, and each point location should be 100-200 meters in radius.

d. For raptors, conduct the survey for 2-4 hours at each point, and each point location should be 800 meters in radius.

e. For golden eagle, conduct nest surveys within 2 miles of the Project site, following U.S. Fish and Wildlife Service (USFWS) protocol, accessible here: https://www.fws.gov/media/interim-golden-eagle-inventory-and-monitoring-protocols. If nests are found within 2 miles, CDFW suggests consultation with USFWS regarding a disturbance permit.

- Assess potential risk to bird and bat species based on the proposed activities, including all potential risks identified in the DEIR.

- Specify conservation measures that will be employed to avoid, minimize, and/or mitigate any potential adverse effects to these species. Specifically, to minimize the potential for avian electrocutions and collisions with above ground lines, wires, fences, etc., and the BBCS shall include, but not be limited to, the following measures:

    a. Project design guidelines consistent with the Avian Power Line Interaction Committee's (APLIC's) Suggested Practices for Avian Protection On Power Lines (2006; "Electrocution Manual") and Reducing Avian Collisions with Power Lines (2012; "Collision Manual") to the maximum extent feasible. Where APLIC suggested design guidelines are not feasible, the BCS shall explain why and what alternatives have been considered to achieve the electrocution and/or collision reduction objectives.

    b. The latest monitoring, detection, and avoidance measures applicable to BESS and gen-tie projects.

    c. Describe the incidental bird and bat mortality and injury monitoring and reporting that will take place during construction.

d. Describe the post-construction avian and bat mortality monitoring and reporting of the deaths and injuries from collisions with facility features such as, but not limited to the BESS, fence and gen-tie line.

e. The study design shall be reviewed and approved by the BLM and CDFW in coordination with USFWS.

f. Specify the process for using the monitoring data to inform an adaptive management program that would avoid and minimize Project-related avian and bat impacts.

g. Specify the conservation measures that would be implemented if found necessary through the adaptive management program. Such measures could potentially include efforts to make project features visible to birds.

h. Post-construction mortality monitoring and reporting shall be required for a minimum of two years, including the following project components: BESS (a minimum of 40% survey coverage per year), perimeter fencing (100% survey coverage per year), and the gen-tie line (a minimum of 50% survey coverage per year).

4. A thorough, recent, floristic-based assessment of special status plants and natural communities, following CDFW's *Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Natural Communities* (see https://www.wildlife.ca.gov/Conservation/Plants and Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Sensitive Natural Communities). Please note, the survey protocols state botanical field surveys should be conducted in the field at the times of year when plants will be both evident and identifiable which is usually during flowering or fruiting (CDFW, 2018). The botanical field survey visits should be spaced throughout the growing season to accurately determine what plants exist in the Project area (CDFW, 2018). This usually involves multiple visits to the Project area (e.g., in early, mid, and late-season) to capture the floristic diversity at a level necessary to determine if special status plants are present (CDFW, 2018).

5. Information on the regional setting that is critical to an assessment of environmental impacts, with special emphasis on resources that are rare or unique to the region (CEQA Guidelines § 15125[c]).

6. A full accounting of all open space and mitigation/conservation lands within and adjacent to the Project.

**Analysis of Direct, Indirect, and Cumulative Impacts to Biological Resources**

The DEIR should provide a thorough discussion of the direct, indirect, and cumulative impacts expected to adversely affect biological resources as a result of the Project (including the plan's land use designations, policies and programs). To ensure that Project impacts to biological resources are fully analyzed, the following information should be included in the DEIR:

1. A discussion of potential impacts from lighting, noise, human activity (e.g., recreation), defensible space, and wildlife-human interactions created by zoning of development projects or other project activities adjacent to natural areas, exotic and/or invasive species, and drainage. The latter subject should address Project-related changes on drainage patterns and water quality within, upstream, and downstream of the Project site, including: volume, velocity, and frequency of existing and post-Project surface flows; polluted runoff; soil erosion and/or sedimentation in streams and water bodies; and post-Project fate of runoff from the Project site.

2. A discussion of potential indirect Project impacts on biological resources, including resources in areas adjacent to the project footprint, such as nearby public lands (e.g., National Forests, State Parks, etc.), open space, adjacent natural habitats, riparian ecosystems, wildlife corridors, and any designated and/or proposed reserve or mitigation lands (e.g., flat-tailed horned lizard management/research areas, preserved lands associated with a Natural Community Conservation Plan, or other conserved lands).

   Please note that the Project area could support significant biological resources and contains habitat connections, providing for wildlife movement across the broader landscape, sustaining both transitory and permanent wildlife populations. CDFW encourages project design that avoids and preserves onsite features that contribute to habitat connectivity. The DEIR should include a discussion of both direct and indirect impacts to wildlife movement and connectivity, including maintenance of wildlife corridor/movement areas to adjacent undisturbed habitats.

3. An evaluation of impacts to adjacent open space lands from both the construction of the Project and any long-term operational and maintenance needs.

4. A cumulative effects analysis developed as described under CEQA Guidelines section 15130. The DEIR should analyze the cumulative effects of the plan's land use designations, policies and programs on the environment. Please include all potential direct and indirect Project related impacts to riparian areas, wetlands, vernal pools, alluvial fan habitats, wildlife corridors or wildlife movement areas, aquatic habitats, sensitive species and other sensitive habitats, open lands, open space, and adjacent natural habitats in the cumulative effects analysis. General and specific

plans, as well as past, present, and anticipated future projects, should be analyzed relative to their impacts on similar plant communities and wildlife habitats.

**Alternatives Analysis**

CDFW recommends the DEIR describe and analyze a range of reasonable alternatives to the Project that are potentially feasible, would "feasibly attain most of the basic objectives of the Project," and would avoid or substantially lessen any of the Project's significant effects (CEQA Guidelines § 15126.6[a]). The alternatives analysis should also evaluate a "no project" alternative (CEQA Guidelines § 15126.6[e]). The No Project alternative should evaluate how the changing environment, such as climate change and drought, may affect the community if a new or revised general plan were not adopted.

**Mitigation Measures for Project Impacts to Biological Resources**

The DEIR should identify mitigation measures and alternatives that are appropriate and adequate to avoid or minimize potential impacts, to the extent feasible. The County should assess all direct, indirect, and cumulative impacts that are expected to occur as a result of the implementation of the Project and its long-term operation and maintenance. When proposing measures to avoid, minimize, or mitigate impacts, CDFW recommends consideration of the following:

1. *Fully Protected Species*: Fully protected species, such as golden eagle (*Aquila chrysaetos*), may not be taken or possessed at any time, except when authorized by CDFW through the issuance of an ITP for solar photovoltaic and associated electric transmission projects, as outlined in Fish & Game Code section 2081.15(b)(5). Any take of golden eagle without take authorization would be a violation of Fish and Game Code section 3511.

   Project activities described in the DEIR should generally be designed to completely avoid any fully protected species that have the potential to be present within or adjacent to the Project area. CDFW also recommends that the DEIR fully analyze potential adverse impacts to fully protected species due to habitat modification, loss of foraging habitat, and/or interruption of migratory and breeding behaviors. CDFW recommends that County include in the analysis how appropriate avoidance measures will reduce indirect impacts to fully protected species.

2. *Sensitive Plant Communities*: CDFW considers sensitive plant communities to be imperiled habitats having both local and regional significance. Plant communities, alliances, and associations with a statewide ranking of S-1, S-2, S-3, and S-4 should be considered sensitive and declining at the local and regional level. These ranks can be obtained by querying the CNDDB and are included in *The Manual of California Vegetation* (Sawyer et al. 2009). The Project area could support desert plant communities that have annual and short-lived perennial plants as major floristic

components. The DEIR should include measures to fully avoid and otherwise protect sensitive plant communities from Project-related direct and indirect impacts.

3. *California Species of Special Concern*: As previously stated, SSC status applies to animals generally not listed under the ESA or CESA, but which nonetheless are declining at a rate that could result in listing, or historically occurred in low numbers and known threats to their persistence currently exist. SSCs should be considered during the environmental review process. SSCs have the potential or have been documented to occur within or adjacent to the Project area, including, but not limited to: loggerhead shrike (*Lanius ludovicianus*), horned lark (*Eremophila alpestris*), prairie falcons (*Falco mexicanus*), and American badger (*Taxidea taxus*).

4. *Mitigation*: CDFW considers adverse project-related impacts to sensitive species and habitats to be significant to both local and regional ecosystems, and the DEIR should include mitigation measures for adverse project-related impacts to these resources. Mitigation measures should emphasize avoidance and reduction of project impacts. For unavoidable impacts, onsite habitat restoration and/or enhancement, and preservation should be evaluated and discussed in detail. Where habitat preservation is not available onsite, offsite land acquisition, management, and preservation should be evaluated and discussed in detail.

   The DEIR should include measures to perpetually protect the targeted habitat values within mitigation areas from direct and indirect adverse impacts in order to meet mitigation objectives to offset project-induced qualitative and quantitative losses of biological values. Specific issues that should be addressed include restrictions on access, proposed land dedications, long-term monitoring and management programs, control of illegal dumping, water pollution, increased human intrusion, etc.

   If sensitive species and/or their habitat may be impacted from the Project, CDFW recommends the inclusion of specific mitigation in the DEIR. CEQA Guidelines section 15126.4, subdivision (a)(1)(8) states that formulation of feasible mitigation measures should not be deferred until some future date. The Court of Appeal in *San Joaquin Raptor Rescue Center* v. *County* of *Merced* (2007) 149 Cal.App.4th 645 struck down mitigation measures which required formulating management plans developed in consultation with State and Federal wildlife agencies after Project approval. Courts have also repeatedly not supported conclusions that impacts are mitigable when essential studies, and therefore impact assessments, are incomplete *(Sundstrom* v. *County* of *Mendocino* (1988) 202 Cal. App. 3d. 296; *Gentry* v. *City* of *Murrieta (1995)* 36 Cal. App. 4th 1359; *Endangered Habitat League, Inc.* v. *County* of *Orange* (2005) 131 Cal. App. 4th 777).

   CDFW recommends that the DEIR specify mitigation that is roughly proportional to the level of impacts, in accordance with the provisions of CEQA (CEQA Guidelines,

§§ 15126.4(a)(4)(B), 15064, 15065, and 16355). The mitigation should provide long-term conservation value for the suite of species and habitat being impacted by the Project. Furthermore, in order for mitigation measures to be effective, they need to be specific, enforceable, and feasible actions that will improve environmental conditions.

The DEIR shall propose mitigation for the permanent loss of desert tortoise and burrowing owl habitat. For burrowing owl, the mitigation lands may require habitat enhancements including enhancement or expansion of burrows for breeding, shelter and dispersal opportunity, and removal or control of population stressors.

Permanent protection of mitigation land for sensitive species impacted by the Project shall be through a conservation easement deeded to a nonprofit conservation organization or public agency with a conservation mission, with development and implementation of a mitigation land management plan to address long-term ecological sustainability and maintenance of the site for the species, and funding for the maintenance and management of mitigation land through the establishment of a long-term funding mechanism such as an endowment. The ratio of acquisition to loss must in most cases exceed 1:1 for any species, particularly burrowing owl. The ratio should be higher for rarer species, particularly for those that occupy irreplaceable habitats.

5. *Habitat Revegetation/Restoration Plans*: Plans for restoration and revegetation should be prepared by persons with expertise in southern California ecosystems and native plant restoration techniques. Plans should identify the assumptions used to develop the proposed restoration strategy. Each plan should include, at a minimum: (a) the location of restoration sites and assessment of appropriate reference sites; (b) the plant species to be used, sources of local propagules, container sizes, and seeding rates; (c) a schematic depicting the mitigation area; (d) a local seed and cuttings and planting schedule; (e) a description of the irrigation methodology; (f) measures to control exotic vegetation on site; (g) specific success criteria; (h) a detailed monitoring program; (i) contingency measures should the success criteria not be met; and (j) identification of the party responsible for meeting the success criteria and providing for conservation of the mitigation site in perpetuity. Monitoring of restoration areas should extend across a sufficient time frame to ensure that the new habitat is established, self-sustaining, and capable of surviving drought.

   CDFW recommends that local onsite propagules from the Project area and nearby vicinity be collected and used for restoration purposes. Onsite seed collection should be initiated in advance of project impacts in order to accumulate sufficient propagule material for subsequent use in future years. Onsite vegetation mapping at the alliance and/or association level should be used to develop appropriate restoration goals and local plant palettes. Reference areas should be identified to help guide

restoration efforts. Specific restoration plans should be developed for various project components as appropriate.

Restoration objectives should include protecting special habitat elements or re-creating them in areas affected by the Project; examples could include retention of woody material, logs, snags, rocks, and brush piles.

6. *Nesting Birds and Migratory Bird Treaty Act:* Please note that it is the Project proponent's responsibility to comply with all applicable laws related to nesting birds and birds of prey. Fish and Game Code sections 3503, 3503.5, and 3513 afford protective measures as follows: Fish and Game Code section 3503 makes it unlawful to take, possess, or needlessly destroy the nest or eggs of any bird, except as otherwise provided by Fish and Game Code or any regulation made pursuant thereto. Fish and Game Code section 3503.5 makes it unlawful to take, possess, or destroy any birds in the orders Falconiformes or Strigiformes (birds-of-prey) to take, possess, or destroy the nest or eggs of any such bird except as otherwise provided by Fish and Game Code or any regulation adopted pursuant thereto. Fish and Game Code section 3513 makes it unlawful to take or possess any migratory nongame bird except as provided by the rules and regulations adopted by the Secretary of the Interior under provisions of the Migratory Bird Treaty Act of 1918, as amended (16 U.S.C. § 703 et seq.).

   CDFW recommends that the DEIR include the results of avian surveys, as well as specific avoidance and minimization measures to ensure that impacts to nesting birds do not occur. Project-specific avoidance and minimization measures may include, but not be limited to: project phasing and timing (e.g., conducting work outside the peak nesting season), monitoring of project-related noise (where applicable), sound walls, and buffers, where appropriate. The DEIR should also include specific avoidance and minimization measures that will be implemented should a nest be located within the project site. If pre-construction surveys are proposed in the DEIR, the CDFW recommends that they be required no more than three (3) days prior to vegetation clearing or ground disturbance activities, as instances of nesting could be missed if surveys are conducted sooner. CDFW recommends that disturbance of occupied nests of migratory birds and raptors within the Project site and surrounding area be avoided any time birds are nesting on-site. CDFW therefore recommends the completion of nesting bird surveys *regardless of the time of year* to ensure compliance with all applicable laws pertaining to nesting and migratory birds.

7. *Moving out of Harm's Way:* To avoid direct mortality to any non-listed terrestrial wildlife, CDFW recommends that the lead agency condition the DEIR to require that a CDFW-approved qualified biologist be retained to be onsite prior to and during all ground- and habitat-disturbing activities to inspect the Project area prior to any

Project activities. Any individuals found shall not be harassed and shall be allowed to leave the Project area unharmed. If needed, a qualified biologist may guide, handle, or capture an individual non-listed, non-fully protected wildlife species to move it to a nearby safe location within nearby refugium, or it shall be allowed to leave the Project site of its own volition. Capture methods may include hand, dip net, lizard lasso, snake tongs and snake hook. If the wildlife species is discovered or is caught in any pits, ditches, or other types of excavations, the qualified biologist shall release it into the most suitable habitat near the site of capture. Movement of wildlife out of harm's way should be limited to only those individuals that would otherwise by injured or killed, and individuals should be moved only as far a necessary to ensure their safety (i.e., CDFW does not recommend relocation to other areas). Only biologists with appropriate authorization by CDFW shall move CESA-listed species. Furthermore, it should be noted that the temporary relocation of onsite wildlife does not constitute effective mitigation for the purposes of offsetting Project impacts associated with habitat loss.

8. *Translocation of Species*: CDFW generally does not support the use of relocation, salvage, and/or transplantation as mitigation for impacts to rare, threatened, or endangered species as studies have shown that these efforts are experimental in nature and largely unsuccessful, and should be considered a minimization measure.

**California Endangered Species Act**

CDFW is responsible for ensuring appropriate conservation of fish and wildlife resources including threatened, endangered, and/or candidate plant and animal species, pursuant to CESA. CDFW recommends that a CESA Incidental Take Permit (ITP) be obtained if the Project has the potential to result in "take" (California Fish and Game Code Section 86 defines "take" as "hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture, or kill") of CESA-listed species, either through construction or over the life of the project. It is the policy of CESA to conserve, protect, enhance, and restore CESA-listed species and their habitats.

CDFW encourages early consultation, as significant modification to the proposed Project and avoidance, minimization, and mitigation measures may be necessary to obtain a CESA ITP. CDFW must comply with CEQA for issuance of a CESA ITP. CDFW therefore recommends that the DEIR addresses all Project impacts to listed species and specify a mitigation monitoring and reporting program that will meet the requirements of CESA.

Based on review of CNDDB and Biogeographic Information and Observation System (BIOS), and/or knowledge of the project site/vicinity/general area, CDFW is aware that the following CESA-listed species have the potential to occur onsite/have previously been reported onsite: western burrowing owl (*Athene cunicularia hypugaea*).

**CDFW Lake and Streambed Alteration Program**

Based on review of material submitted with the NOP and review of aerial photography, areas subject to Fish and Game Code section 1602 are present on site. Depending on how the Project is designed and constructed, it is likely that the Project applicant will need to notify CDFW per Fish and Game Code section 1602. Fish and Game Code section 1602 requires an entity to notify CDFW prior to commencing any activity that may do one or more of the following: Substantially divert or obstruct the natural flow of any river, stream or lake; Substantially change or use any material from the bed, channel or bank of any river, stream, or lake; or Deposit debris, waste or other materials that could pass into any river, stream or lake. Please note that "any river, stream or lake" includes those that are episodic (i.e., those that are dry for periods of time) as well as those that are perennial (i.e., those that flow year-round). This includes ephemeral streams, desert washes, and watercourses with a subsurface flow.

Upon receipt of a complete notification, CDFW determines if the proposed Project activities may substantially adversely affect existing fish and wildlife resources and whether a Lake and Streambed Alteration (LSA) Agreement is required. An LSA Agreement includes measures necessary to protect existing fish and wildlife resources. CDFW may suggest ways to modify your Project that would eliminate or reduce harmful impacts to fish and wildlife resources.

CDFW's issuance of an LSA Agreement is a "project" subject to CEQA (see Pub. Resources Code 21065). To facilitate issuance of an LSA Agreement, if necessary, the DEIR should fully identify the potential impacts to the lake, stream, or riparian resources, and provide adequate avoidance, mitigation, and monitoring and reporting commitments. Early consultation with CDFW is recommended, since modification of the proposed Project may be required to avoid or reduce impacts to fish and wildlife resources. To submit a Lake or Streambed Alteration notification package, please go to https://wildlife.ca.gov/Conservation/Environmental-Review/EPIMS.

**ADDITIONAL COMMENTS AND RECOMMENDATIONS**

**Construction Noise**

Project-related construction has the potential to generate a substantial temporary or permanent increase in ambient noise levels in the vicinity of the Project. CDFW recommends that the DEIR include an analysis of impacts to wildlife from Project-related construction noise, and appropriate avoidance, minimization, and mitigation measures that will reduce impacts to less than significant.

Construction may result in substantial noise through road use, equipment, and other Project-related activities. This may adversely affect wildlife species in several ways as wildlife responses to noise can occur at exposure levels of only 55 to 60 dB (Barber et

al. 2009). Anthropogenic noise can disrupt the communication of many wildlife species including frogs, birds, and bats (Sun and Narins, 2005; Patricelli and Blickley, 2006; Gillam and McCracken, 2007; Slabbekoorn and Ripmeester, 2008). Noise can also affect predator-prey relationships as many nocturnal animals such as bats and owls primarily use auditory cures (i.e., hearing) to hunt. Additionally, many prey species increase their vigilance behavior when exposed to noise because they need to rely more on visual detection of predators when auditory cues may be masked by noise (Rabin et al. 2006; Quinn et al. 2017). Noise has also been shown to reduce the density of nesting birds (Francis et al. 2009) and cause increased stress that results in decreased immune responses (Kight and Swaddle, 2011). The County should include measures in the DEIR to ensure the following: restricting the use of equipment to hours least likely to disrupt wildlife (e.g., not at night or in early morning); restricting the use of generators except for temporary use in emergencies; ensure the use of noise suppression devices such as mufflers or enclosure for generators; and sounds generated from any means must be below the 55-60 dB range within 50-feet from the source.

**Artificial Nighttime Lighting**

The Project will introduce new sources of artificial lighting. CDFW recommends that the DEIR include lighting design specifications for all artificial nighttime lighting that will be used by the Project, an analysis of the direct and indirect impacts of artificial nighttime lighting on biological resources, and appropriate avoidance, minimization, and mitigation measures that will reduce impacts to less than significant. The direct and indirect impacts of artificial nighttime lighting on biological resources including migratory birds that fly at night, bats, and other nocturnal and crepuscular wildlife should be analyzed, and appropriate avoidance and minimization measures should be included in the DEIR.

Artificial nighttime lighting often results in light pollution, which has the potential to significantly and adversely affect fish and wildlife. Artificial lighting alters ecological processes including, but not limited to, the temporal niches of species; the repair and recovery of physiological function; the measurement of time through interference with the detection of circadian and lunar and seasonal cycles; the detection of resources and natural enemies; and navigation (Gatson et al. 2013). Many species use photoperiod cues for communication (e.g., bird song (Miller, 2006)), determining when to begin foraging (Stone et al. 2009, behavioral thermoregulation (Beiswenger, 1977), and migration (Longcore and Rich, 2004). Phototaxis, a phenomenon that results in attraction and movement towards light, can disorient, entrap, and temporarily blind wildlife species that experience it. The County should include measures in the DEIR to ensure the following: eliminate all nonessential lighting throughout the Project area; avoid or limit the use of artificial light during the hours of dawn and dusk when many wildlife species are most active; lighting for Project activities is fully shielded, cast downward, reduced in intensity to the greatest extent, and does not result in spill over onto other properties or upward into the night sky (see the International Dark-Sky

Association standards at http://darksky.org/); the use of LED lighting with a correlated color temperature of 3,000 Kelvins or less; proper disposal of hazardous waste; and recycling of lighting that contains toxic compounds with a qualified recycler.

**ENVIRONMENTAL DATA**

CEQA requires that information developed in environmental impact reports and negative declarations be incorporated into a database which may be used to make subsequent or supplemental environmental determinations. (Pub. Resources Code, § 21003, subd. (e).) Accordingly, please report any special status species and natural communities detected during Project surveys to the California Natural Diversity Database (CNDDB). Information can be submitted online or via completion of the CNDDB field survey form at the following link: https://wildlife.ca.gov/Data/CNDDB/Submitting-Data. The types of information reported to CNDDB can be found at the following link: https://wildlife.ca.gov/Data/CNDDB/Plants-and-Animals.

**FILING FEES**

The Project, as proposed, would have an impact on fish and/or wildlife, and assessment of filing fees is necessary. Fees are payable upon filing of the Notice of Determination by the Lead Agency and serve to help defray the cost of environmental review by CDFW. Payment of the fee is required in order for the underlying project approval to be operative, vested, and final. (Cal. Code Regs, tit. 14, § 753.5; Fish & G. Code, § 711.4; Pub. Resources Code, § 21089.).

**CONCLUSION**

CDFW appreciates the opportunity to comment on the NOP of a DEIR for the Savira Solar Project (SCH No. 2025030499) and recommends that the County address CDFW's comments and concerns in the forthcoming DEIR. Questions regarding this letter or further coordination should be directed to Lily Mu, Senior Environmental Scientist (Specialist), at Lily.Mu@wildlife.ca.gov or (909) 544-2521.

Sincerely,

DocuSigned by:
Brandy Wood
4D7592534O8941E...

Brandy Wood
Environmental Program Manager

ec: Office of Planning and Research, State Clearinghouse, Sacramento
state.clearinghouse@opr.ca.gov

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STATE OF CALIFORNIA Gavin Newsom, Governor

# NATIVE AMERICAN HERITAGE COMMISSION

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March 13, 2025

Elizabeth Mora-Rodriguez
Riverside County Planning Department
4080 Lemon Street
12th Floor
Riverside CA 92501

**Re: 2025030499 Savira Solar Project, Riverside County**

Dear Ms. Mora-Rodriguez:

The Native American Heritage Commission (NAHC) has received the Notice of Preparation (NOP), Draft Environmental Impact Report (DEIR) or Early Consultation for the project referenced above. The California Environmental Quality Act (CEQA) (Pub. Resources Code §21000 et seq.), specifically Public Resources Code §21084.1, states that a project that may cause a substantial adverse change in the significance of a historical resource, is a project that may have a significant effect on the environment. (Pub. Resources Code § 21084.1; Cal. Code Regs., tit.14, §15064.5 (b) (CEQA Guidelines §15064.5 (b)). If there is substantial evidence, in light of the whole record before a lead agency, that a project may have a significant effect on the environment, an Environmental Impact Report (EIR) shall be prepared. (Pub. Resources Code §21080 (d); Cal. Code Regs., tit. 14, § 5064 subd.(a)(1) (CEQA Guidelines §15064 (a)(1)). In order to determine whether a project will cause a substantial adverse change in the significance of a historical resource, a lead agency will need to determine whether there are historical resources within the area of potential effect (APE).

CEQA was amended significantly in 2014. Assembly Bill 52 (Gatto, Chapter 532, Statutes of 2014) (AB 52) amended CEQA to create a separate category of cultural resources, "tribal cultural resources" (Pub. Resources Code §21074) and provides that a project with an effect that may cause a substantial adverse change in the significance of a tribal cultural resource is a project that may have a significant effect on the environment. (Pub. Resources Code §21084.2). Public agencies shall, when feasible, avoid damaging effects to any tribal cultural resource. (Pub. Resources Code §21084.3 (a)). **AB 52 applies to any project for which a notice of preparation, a notice of negative declaration, or a mitigated negative declaration is filed on or after July 1, 2015.** If your project involves the adoption of or amendment to a general plan or a specific plan, or the designation or proposed designation of open space, on or after March 1, 2005, it may also be subject to Senate Bill 18 (Burton, Chapter 905, Statutes of 2004) (SB 18). **Both SB 18 and AB 52 have tribal consultation requirements.** If your project is also subject to the federal National Environmental Policy Act (42 U.S.C. § 4321 et seq.) (NEPA), the tribal consultation requirements of Section 106 of the National Historic Preservation Act of 1966 (154 U.S.C. 300101, 36 C.F.R. §800 et seq.) may also apply.

The NAHC recommends consultation with California Native American tribes that are traditionally and culturally affiliated with the geographic area of your proposed project as early as possible in order to avoid inadvertent discoveries of Native American human remains and best protect tribal cultural resources. Below is a brief summary of portions of AB 52 and SB 18 as well as the NAHC's recommendations for conducting cultural resources assessments.

**Consult your legal counsel about compliance with AB 52 and SB 18 as well as compliance with any other applicable laws.**

AB 52

AB 52 has added to CEQA the additional requirements listed below, along with many other requirements:

**1.** Fourteen Day Period to Provide Notice of Completion of an Application/Decision to Undertake a Project: Within fourteen (14) days of determining that an application for a project is complete or of a decision by a public agency to undertake a project, a lead agency shall provide formal notification to a designated contact of, or tribal representative of, traditionally and culturally affiliated California Native American tribes that have requested notice, to be accomplished by at least one written notice that includes:

- **a.** A brief description of the project.
- **b.** The lead agency contact information.
- **c.** Notification that the California Native American tribe has 30 days to request consultation. (Pub. Resources Code §21080.3.1 (d)).
- **d.** A "California Native American tribe" is defined as a Native American tribe located in California that is on the contact list maintained by the NAHC for the purposes of Chapter 905 of Statutes of 2004 (SB 18). (Pub. Resources Code §21073).

**2.** Begin Consultation Within 30 Days of Receiving a Tribe's Request for Consultation and Before Releasing a Negative Declaration, Mitigated Negative Declaration, or Environmental Impact Report: A lead agency shall begin the consultation process within 30 days of receiving a request for consultation from a California Native American tribe that is traditionally and culturally affiliated with the geographic area of the proposed project. (Pub. Resources Code §21080.3.1, subds. (d) and (e)) and prior to the release of a negative declaration, mitigated negative declaration or Environmental Impact Report. (Pub. Resources Code §21080.3.1(b)).

- **a.** For purposes of AB 52, "consultation shall have the same meaning as provided in Gov. Code §65352.4 (SB 18). (Pub. Resources Code §21080.3.1 (b)).

**3.** Mandatory Topics of Consultation If Requested by a Tribe: The following topics of consultation, if a tribe requests to discuss them, are mandatory topics of consultation:

- **a.** Alternatives to the project.
- **b.** Recommended mitigation measures.
- **c.** Significant effects. (Pub. Resources Code §21080.3.2 (a)).

**4.** Discretionary Topics of Consultation: The following topics are discretionary topics of consultation:

- **a.** Type of environmental review necessary.
- **b.** Significance of the tribal cultural resources.
- **c.** Significance of the project's impacts on tribal cultural resources.
- **d.** If necessary, project alternatives or appropriate measures for preservation or mitigation that the tribe may recommend to the lead agency. (Pub. Resources Code §21080.3.2 (a)).

**5.** Confidentiality of Information Submitted by a Tribe During the Environmental Review Process: With some exceptions, any information, including but not limited to, the location, description, and use of tribal cultural resources submitted by a California Native American tribe during the environmental review process shall not be included in the environmental document or otherwise disclosed by the lead agency or any other public agency to the public, consistent with Government Code §6254 (r) and §6254.10. Any information submitted by a California Native American tribe during the consultation or environmental review process shall be published in a confidential appendix to the environmental document unless the tribe that provided the information consents, in writing, to the disclosure of some or all of the information to the public. (Pub. Resources Code §21082.3 (c)(1)).

**6.** Discussion of Impacts to Tribal Cultural Resources in the Environmental Document: If a project may have a significant impact on a tribal cultural resource, the lead agency's environmental document shall discuss both of the following:

- **a.** Whether the proposed project has a significant impact on an identified tribal cultural resource.
- **b.** Whether feasible alternatives or mitigation measures, including those measures that may be agreed to pursuant to Public Resources Code §21082.3, subdivision (a), avoid or substantially lessen the impact on the identified tribal cultural resource. (Pub. Resources Code §21082.3 (b)).

**7.** Conclusion of Consultation: Consultation with a tribe shall be considered concluded when either of the following occurs:

**a.** The parties agree to measures to mitigate or avoid a significant effect, if a significant effect exists, on a tribal cultural resource; or

**b.** A party, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached. (Pub. Resources Code §21080.3.2 (b)).

**8.** Recommending Mitigation Measures Agreed Upon in Consultation in the Environmental Document: Any mitigation measures agreed upon in the consultation conducted pursuant to Public Resources Code §21080.3.2 shall be recommended for inclusion in the environmental document and in an adopted mitigation monitoring and reporting program, if determined to avoid or lessen the impact pursuant to Public Resources Code §21082.3, subdivision (b), paragraph 2, and shall be fully enforceable. (Pub. Resources Code §21082.3 (a)).

**9.** Required Consideration of Feasible Mitigation: If mitigation measures recommended by the staff of the lead agency as a result of the consultation process are not included in the environmental document or if there are no agreed upon mitigation measures at the conclusion of consultation, or if consultation does not occur, and if substantial evidence demonstrates that a project will cause a significant effect to a tribal cultural resource, the lead agency shall consider feasible mitigation pursuant to Public Resources Code §21084.3 (b). (Pub. Resources Code §21082.3 (e)).

**10.** Examples of Mitigation Measures That, If Feasible, May Be Considered to Avoid or Minimize Significant Adverse Impacts to Tribal Cultural Resources:

**a.** Avoidance and preservation of the resources in place, including, but not limited to:

**i.** Planning and construction to avoid the resources and protect the cultural and natural context.

**ii.** Planning greenspace, parks, or other open space, to incorporate the resources with culturally appropriate protection and management criteria.

**b.** Treating the resource with culturally appropriate dignity, taking into account the tribal cultural values and meaning of the resource, including, but not limited to, the following:

**i.** Protecting the cultural character and integrity of the resource.

**ii.** Protecting the traditional use of the resource.

**iii.** Protecting the confidentiality of the resource.

**c.** Permanent conservation easements or other interests in real property, with culturally appropriate management criteria for the purposes of preserving or utilizing the resources or places.

**d.** Protecting the resource. (Pub. Resource Code §21084.3 (b)).

**e.** Please note that a federally recognized California Native American tribe or a non-federally recognized California Native American tribe that is on the contact list maintained by the NAHC to protect a California prehistoric, archaeological, cultural, spiritual, or ceremonial place may acquire and hold conservation easements if the conservation easement is voluntarily conveyed. (Civ. Code §815.3 (c)).

**f.** Please note that it is the policy of the state that Native American remains and associated grave artifacts shall be repatriated. (Pub. Resources Code §5097.991).

**11.** Prerequisites for Certifying an Environmental Impact Report or Adopting a Mitigated Negative Declaration or Negative Declaration with a Significant Impact on an Identified Tribal Cultural Resource: An Environmental Impact Report may not be certified, nor may a mitigated negative declaration or a negative declaration be adopted unless one of the following occurs:

**a.** The consultation process between the tribes and the lead agency has occurred as provided in Public Resources Code §21080.3.1 and §21080.3.2 and concluded pursuant to Public Resources Code §21080.3.2.

**b.** The tribe that requested consultation failed to provide comments to the lead agency or otherwise failed to engage in the consultation process.

**c.** The lead agency provided notice of the project to the tribe in compliance with Public Resources Code §21080.3.1 (d) and the tribe failed to request consultation within 30 days. (Pub. Resources Code §21082.3 (d)).

The NAHC's PowerPoint presentation titled, "Tribal Consultation Under AB 52: Requirements and Best Practices" may be found online at: http://nahc.ca.gov/wp-content/uploads/2015/10/AB52TribalConsultation_CalEPAPDF.pdf

SB 18

SB 18 applies to local governments and requires local governments to contact, provide notice to, refer plans to, and consult with tribes prior to the adoption or amendment of a general plan or a specific plan, or the designation of open space. (Gov. Code §65352.3). Local governments should consult the Governor's Office of Planning and Research's "Tribal Consultation Guidelines," which can be found online at: https://www.opr.ca.gov/docs/09_14_05_Updated_Guidelines_922.pdf.

Some of SB 18's provisions include:

1. Tribal Consultation: If a local government considers a proposal to adopt or amend a general plan or a specific plan, or to designate open space it is required to contact the appropriate tribes identified by the NAHC by requesting a "Tribal Consultation List." If a tribe, once contacted, requests consultation the local government must consult with the tribe on the plan proposal. **A tribe has 90 days from the date of receipt of notification to request consultation unless a shorter timeframe has been agreed to by the tribe.** (Gov. Code §65352.3 (a)(2)).
2. No Statutory Time Limit on SB 18 Tribal Consultation. There is no statutory time limit on SB 18 tribal consultation.
3. Confidentiality: Consistent with the guidelines developed and adopted by the Office of Planning and Research pursuant to Gov. Code §65040.2, the city or county shall protect the confidentiality of the information concerning the specific identity, location, character, and use of places, features and objects described in Public Resources Code §5097.9 and §5097.993 that are within the city's or county's jurisdiction. (Gov. Code §65352.3 (b)).
4. Conclusion of SB 18 Tribal Consultation: Consultation should be concluded at the point in which:
    a. The parties to the consultation come to a mutual agreement concerning the appropriate measures for preservation or mitigation; or
    b. Either the local government or the tribe, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached concerning the appropriate measures of preservation or mitigation. (Tribal Consultation Guidelines, Governor's Office of Planning and Research (2005) at p. 18).

Agencies should be aware that neither AB 52 nor SB 18 precludes agencies from initiating tribal consultation with tribes that are traditionally and culturally affiliated with their jurisdictions before the timeframes provided in AB 52 and SB 18. For that reason, we urge you to continue to request Native American Tribal Contact Lists and "Sacred Lands File" searches from the NAHC. The request forms can be found online at: http://nahc.ca.gov/resources/forms/.

NAHC Recommendations for Cultural Resources Assessments

To adequately assess the existence and significance of tribal cultural resources and plan for avoidance, preservation in place, or barring both, mitigation of project-related impacts to tribal cultural resources, the NAHC recommends the following actions:

1. Contact the appropriate regional California Historical Research Information System (CHRIS) Center (https://ohp.parks.ca.gov/?page_id=30331) for an archaeological records search. The records search will determine:
    a. If part or all of the APE has been previously surveyed for cultural resources.
    b. If any known cultural resources have already been recorded on or adjacent to the APE.
    c. If the probability is low, moderate, or high that cultural resources are located in the APE.
    d. If a survey is required to determine whether previously unrecorded cultural resources are present.

2. If an archaeological inventory survey is required, the final stage is the preparation of a professional report detailing the findings and recommendations of the records search and field survey.
    a. The final report containing site forms, site significance, and mitigation measures should be submitted immediately to the planning department. All information regarding site locations, Native American human remains, and associated funerary objects should be in a separate confidential addendum and not be made available for public disclosure.

**b.** The final written report should be submitted within 3 months after work has been completed to the appropriate regional CHRIS center.

**3.** Contact the NAHC for:

**a.** A Sacred Lands File search. Remember that tribes do not always record their sacred sites in the Sacred Lands File, nor are they required to do so. A Sacred Lands File search is not a substitute for consultation with tribes that are traditionally and culturally affiliated with the geographic area of the project's APE.

**b.** A Native American Tribal Consultation List of appropriate tribes for consultation concerning the project site and to assist in planning for avoidance, preservation in place, or, failing both, mitigation measures.

**4.** Remember that the lack of surface evidence of archaeological resources (including tribal cultural resources) does not preclude their subsurface existence.

**a.** Lead agencies should include in their mitigation and monitoring reporting program plan provisions for the identification and evaluation of inadvertently discovered archaeological resources per Cal. Code Regs., tit. 14, §15064.5(f) (CEQA Guidelines §15064.5(f)). In areas of identified archaeological sensitivity, a certified archaeologist and a culturally affiliated Native American with knowledge of cultural resources should monitor all ground-disturbing activities.

**b.** Lead agencies should include in their mitigation and monitoring reporting program plans provisions for the disposition of recovered cultural items that are not burial associated in consultation with culturally affiliated Native Americans.

**c.** Lead agencies should include in their mitigation and monitoring reporting program plans provisions for the treatment and disposition of inadvertently discovered Native American human remains. Health and Safety Code §7050.5, Public Resources Code §5097.98, and Cal. Code Regs., tit. 14, §15064.5, subdivisions (d) and (e) (CEQA Guidelines §15064.5, subds. (d) and (e)) address the processes to be followed in the event of an inadvertent discovery of any Native American human remains and associated grave goods in a location other than a dedicated cemetery.

If you have any questions or need additional information, please contact me at my email address: Andrew.Green@NAHC.ca.gov.

Sincerely,

Andrew Green

Andrew Green
Cultural Resources Analyst

cc: State Clearinghouse

**California Program Office**
P.O. Box 401, Folsom, California 95763
www.defenders.org

April 22, 2025

Elizabeth Mora-Rodriguez
Riverside County Planning Department
4080 Lemon Street, 12th Floor
Riverside, California 92501
Delivered via email to: EMoraRodriguez@rivco.org

Re: Notice of Preparation of a Draft Environmental Impact Report – Savira Solar Project (SCH 2025030499)

Dear Ms. Mora-Rodriguez,

Thank you for the opportunity to provide comments in response to the Notice of Preparation (NOP) of a Draft Environmental Impact Report (DEIR) for the proposed Savira Solar Project (Project). Defenders of Wildlife (Defenders) is dedicated to protecting all wild animals and plants in their natural communities and has nearly 2.1 million members and supporters in the United States, with more than 311,000 residing in California.

Defenders strongly supports renewable energy generation. A low-carbon energy future is critical for California's economy, communities and environment. Achieving this future—and how we achieve it—is critical for protecting California's internationally treasured wildlife, landscapes, and diverse habitats. We believe transitioning to a renewable energy future need not exacerbate the ongoing extinction crisis by thoughtfully planning projects while protecting habitats critical to species.

The proposed Project is a solar photovoltaic facility that would generate up to 150 MW of renewable energy and includes an estimated 250 MW Battery Energy Storage System. The energy generated would be transmitted via a new 230 kV gen-tie line that would be approximately 2 miles long located on land managed by the Bureau of Land Management (BLM). The proposed Project would be sited on six parcels of privately owned land in Riverside County, totaling approximately 535 acres. It is located north of Interstate 10 and approximately 8.5 miles east of the town of Desert Center.

**Comments**
We offer the following comments on the scope of the DEIR for the proposed Project.

**Project Objectives**
One of the stated objectives of the proposed Project is to "[m]inimize environmental impacts and land disturbance associated with solar energy development by siting the facility on relatively flat, contiguous lands with high solar insolation, in close proximity to established utility corridors, existing transmission lines with available capacity to facilitate interconnection, and road access." A "Smart from the Start" approach to renewable energy project siting and development emphasizes the selection of project sites that prioritize minimizing environmental impacts and land disturbance.[1] This minimizes potential Project impacts on special-status species and their habitat. Defenders appreciates the prioritization of minimizing environmental impacts and land disturbance, and we encourage the continued development of projects with objectives that prioritizes least conflict siting.

**Special-Status Species**
The proposed Project site may provide habitat to several special-status wildlife species, including but not limited to the following:[2]

| Common Name | Scientific Name | Status |
|---|---|---|
| Burrowing owl | *Athene cunicularia* | State Species of Special Concern and Candidate Species for State Endangered or Threatened |
| Crotch's bumble bee | *Bombus crotchii* | Candidate Species for State Endangered |
| Desert tortoise | *Gopherus agassizii* | Federal Threatened and State Endangered |
| Loggerhead shrike | *Lanius ludovicianus* | State Species of Special Concern |
| Swainson's hawk | *Buteo swainsoni* | State Threatened |

Considering the potential for sensitive species and habitats to be located on the Project site, the biological resources surveys must adhere to wildlife agency-approved species-specific protocols and must identify the appropriate avoidance, minimization and mitigation measures based on survey results. We recommend consultation with the responsible trustee wildlife agencies to determine the scope and appropriate protocols for

[1] Defenders of Wildlife. *Smart From the Start: Responsible Renewable Energy Development in the Southern San Joaquin Valley*. 2012. Washington, D.C.
[2] California Natural Diversity Database. Accessed 04.02.2025. https://wildlife.ca.gov/Data/CNDDB/Maps-and-Data

the biological surveys. Species-specific surveys should cover 100 percent of the Project area and adjacent habitat within wildlife agency-recommended survey buffers. If special-status species are observed, we recommend consultation with the California Department of Fish and Wildlife (CDFW) and the US Fish and Wildlife Service (USFWS) to establish the recommended impact avoidance, minimization, and mitigation measures, including compensatory mitigation and the need to obtain an Incidental Take Permit (ITP).

If habitat management lands are deemed necessary due to survey results, such lands must contain suitable habitat for the species and be managed in perpetuity by a qualified conservation organization, as defined by CA Civil Code Section 815.3. Alternatively, credits could be purchased in a CDFW-approved mitigation bank.

**Agency Coordination**

It is in the applicant's best interest to consult with the appropriate wildlife agencies early and often, as this could reduce costs associated with delays due to inadequate surveys, establishing mitigation measures or obtaining an ITP. We strongly recommend coordinating with the appropriate agencies as early as possible to help identify appropriate survey guidelines and avoidance, minimization and mitigation measures, rather than waiting until they are deemed required. Defenders also recommends close coordination with BLM in identifying and analyzing the potential impacts of the Project on BLM lands to ensure appropriate avoidance, minimization and mitigation to any adverse impacts.

**Permanent Conversion**

The NOP states that “[a]t the end of its useful life, the Project would be decommissioned and the land returned to its pre-project conditions.” California and the United States have and will continue to have an ever-growing demand for renewable energy for the electrification of the residential, commercial, industrial, transportation and data processing sectors. Generation and storage projects such as the Savira Solar Project will be in demand far into the future and can reasonably be expected to be "repowered" with newer technologies rather than reverting to any pre-project conditions. That, coupled with the interconnection investment to the site, virtually guarantees the project site will remain in some form of quasi-industrial use. The DEIR analysis must recognize the permanent nature of this conversion of land use and base the impact analysis accordingly.

**Cumulative Impacts**

The ever-increasing large-scale renewable energy footprint within the California desert is significantly impacting biological resources in the region. Despite this ongoing renewable energy development, adequate cumulative impact analysis is consistently absent from EIRs prepared for new energy projects. We request the DEIR comprehensively analyze the direct and indirect cumulative impacts of past, present, and reasonably foreseeable activities that adversely impact the region's biological resources. These reasonably foreseeable development projects should not be limited to clean energy development exclusively but

encompass all types of development. This analysis must include, but not be limited to, the cumulative impacts on special-status species such as burrowing owl, desert tortoise and Swainson's hawk. The analysis must also include the cumulative impacts to habitat connectivity and provide mitigation measures. Furthermore, we request the analysis include a detailed map of existing and planned solar energy development within the remaining habitat for special-status species.

**Conclusion**

Thank you once again for the opportunity to provide scoping comments on the proposed Savira Solar Project and for considering our comments. Defenders looks forward to reviewing the environmental documentation for the Project and requests to be notified when it is available. Please feel free to contact me with any questions.

Respectfully submitted,

Sophia Markowska

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Defenders of Wildlife
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South Coast
Air Quality Management District
21865 Copley Drive, Diamond Bar, CA 91765-4178
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SENT VIA E-MAIL:
emorarodriguez@rivco.org
Elizabeth Mora-Rodriguez, Project Planner
County of Riverside, TLMA Planning Department
4080 Lemon Street, 12th Floor
Riverside, CA 92501 04/10/2025

**Notice of Preparation of a Draft Environmental Impact Report for the Savira Solar Project (Proposed Project) (SCH No.: 2025030499)**

South Coast Air Quality Management District (South Coast AQMD) staff appreciate the opportunity to comment on the above-mentioned document. Our comments are recommendations on the analysis of potential air quality impacts from the Proposed Project that should be included in the Draft Environmental Impact Report (EIR). Please send a copy of the Draft EIR upon its completion and public release directly to South Coast AQMD as copies of the Draft EIR submitted to the State Clearinghouse are not forwarded. **In addition, please send all appendices and technical documents related to the air quality, health risk, and greenhouse gas analyses (electronic versions of all emission calculation spreadsheets, air quality modeling, and health risk assessment input and output files, not PDF files). Any delays in providing all supporting documentation for our review will require additional review time beyond the end of the comment period.**

## CEQA Air Quality Analysis

South Coast AQMD staff recommends that the Lead Agency use South Coast AQMD's CEQA Air Quality Handbook and website[1] as guidance when preparing the air quality and greenhouse gas analyses. It is also recommended that the Lead Agency use the CalEEMod[2] land use emissions software, which can estimate pollutant emissions from typical land use development and is the only software model maintained by the California Air Pollution Control Officers Association.

South Coast AQMD has developed both regional and localized significance thresholds. South Coast AQMD staff recommends that the Lead Agency quantify criteria pollutant emissions and compare the emissions to South Coast AQMD's air quality significance thresholds[3] and localized significance thresholds (LSTs)[4] to determine the Proposed Project's air quality impacts. The

[1] South Coast AQMD's CEQA Air Quality Handbook and other resources for preparing air quality analyses can be found at http://www.aqmd.gov/home/rules-compliance/ceqa/air-quality-analysis-handbook.
[2] CalEEMod is available free of charge at www.caleemod.com.
[3] South Coast AQMD's air quality significance thresholds can be found at: https://www.aqmd.gov/docs/default-source/ceqa/handbook/south-coast-aqmd-air-quality-significance-thresholds.pdf
[4] South Coast AQMD's guidance for performing a localized air quality analysis can be found at: http://www.aqmd.gov/home/regulations/ceqa/air-quality-analysis-handbook/localized-significance-thresholds.

localized analysis can be conducted by either using the LST screening tables or performing dispersion modeling.

Lead Agency should identify any potential adverse air quality impacts that could occur from all phases of the Proposed Project and all air pollutant sources related to the Proposed Project. Air quality impacts from both construction (including demolition, if any) and operations should be calculated. Construction-related air quality impacts typically include but are not limited to, emissions from the use of heavy-duty equipment from grading, earth-loading/unloading, paving, architectural coatings, off-road mobile sources (e.g., heavy-duty construction equipment) and on-road mobile sources (e.g., construction worker vehicle trips, material transport trips, and hauling trips). Operation-related air quality impacts may include but are not limited to, emissions from stationary sources (e.g., boilers and air pollution control devices), area sources (e.g., solvents and coatings), and vehicular trips (e.g., on- and off-road tailpipe emissions and entrained dust). Air quality impacts from indirect sources, such as sources that generate or attract vehicular trips, should be included in the analysis. Furthermore, emissions from the overlapping construction and operational activities should be combined and compared to South Coast AQMD's air quality significance thresholds for ***operation*** to determine the level of significance.

If the Proposed Project generates diesel emissions from long-term construction or attracts diesel-fueled vehicular trips, especially heavy-duty diesel-fueled vehicles, it is recommended that the Lead Agency perform a mobile source health risk assessment.[5]

Also, if implementation of the Proposed Project would require the use of new stationary and portable sources, including but not limited to emergency generators, fire water pumps, boilers, spray booths, etc., one or more air permits from South Coast AQMD will be required, and the role of South Coast AQMD would change from a Commenting Agency to a Responsible Agency under CEQA. The assumptions in the air quality analysis in the EIR will be the basis for evaluating the air permit(s) under CEQA and imposing permit conditions and limits. Questions about air permit requirements should be directed to South Coast AQMD's Engineering and Permitting staff at (909) 396-3385.

In addition, if air permits are required and the South Coast AQMD is identified as a CEQA Responsible Agency in the EIR, per CEQA Guidelines Sections15086, the Lead Agency is required to consult with South Coast AQMD. CEQA Guidelines Section 15096 sets forth specific procedures for a Responsible Agency, including making a decision on the adequacy of the CEQA document for use as part of evaluating the applications for air permits. For these reasons, the EIR should include a discussion about any new stationary and portable equipment requiring South Coast AQMD air permits and identify South Coast AQMD as a Responsible Agency for the Proposed Project, if applicable.

**Mitigation Measures**

In the event that the Proposed Project results in significant adverse air quality impacts, CEQA requires that all feasible mitigation measures that go beyond what is required by law be utilized to minimize these impacts. Any impacts resulting from mitigation measures must also be

[5] South Coast AQMD's guidance for performing a mobile source health risk assessment can be found at: http://www.aqmd.gov/home/regulations/ceqa/air-quality-analysis-handbook/mobile-source-toxics-analysis.

analyzed. Several resources to assist the Lead Agency with identifying potential mitigation measures for the Proposed Project include South Coast AQMD's CEQA Air Quality Handbook,[6] South Coast AQMD's Mitigation Monitoring and Reporting Plan for the 2022 Air Quality Management Plan,[7] and Southern California Association of Government's Mitigation Monitoring and Reporting Plan for the 2020-2045 Regional Transportation Plan/Sustainable Communities Strategy.[8]

South Coast AQMD staff is available to work with the Lead Agency to ensure that air quality, greenhouse gas, and health risk impacts from the Proposed Project are accurately evaluated and mitigated where feasible. If you have any questions regarding this letter, please contact Danica Nguyen, Air Quality Specialist, at dnguyen1@aqmd.gov.

Sincerely,

*Sam Wang*

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Planning, Rule Development & Implementation

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RVC250312-06
Control Number

[6] https://www.aqmd.gov/home/rules-compliance/ceqa/air-quality-analysis-handbook
[7] South Coast AQMD's 2022 Air Quality Management Plan can be found at: http://www.aqmd.gov/home/air-quality/clean-air-plans/air-quality-mgt-plan (Chapter 4 - Control Strategy and Implementation).
[8] Southern California Association of Governments' 2020-2045 RTP/SCS can be found at: https://www.connectsocal.org/Documents/PEIR/certified/Exhibit-A_ConnectSoCal_PEIR.pdf.