Consistency Assessment with General Plan Policies and Objectives

In regard to project for six Conditional Use Permits (P201700679) to construct and operate a 650MW photovoltaic solar power generating facility, including 450MW of battery storage, phased over the 3,500-acre project site; with Major Variances to exceed the height limit and allow transmission structures and lines at a maximum of 159 feet; Tentative Parcel Map 20083 (P201900243) to consolidate the 51 existing parcels into 15 parcels (APN: 0515-011-03, -14, -15; 0515-021-06, -07; 0515-041-22, -28; 0515-051-03, -04, -07, -09, -14, -15, -16, -17, -19, -22, -23, -24, -25, -31, -36, -38; and 0515-061-02) (Project), the following serves as the Project's consistency assessment with the County of San Bernardino's General Plan Policies and Objectives:

GOAL LU 1. The County will have a compatible and harmonious arrangement of land uses by providing a type and mix of functionally well-integrated land uses that are fiscally viable and meet general social and economic needs of the residents.

> ***Consistent.*** *The Project is compatible and harmonious with surrounding properties and land uses. The Project provides an important source of clean and renewable energy.*

Policy LU 1.1. Develop a well-integrated mix of residential, commercial, industrial, and public uses that meet the social and economic needs of the residents in the three geographic regions of the County: Valley, Mountain, and Desert.

> ***Consistent.*** *The Project is in the Desert region and provides an important source of clean and renewable energy, compatible with surrounding land uses.*

GOAL LU 4. The unincorporated communities within the County will be sufficiently served by industrial land uses.

> ***Consistent.*** *The Project provides an important source of clean and renewable energy.*

Policy LU 4.1.Protect areas best suited for industrial activity by virtue of their location and other criteria from residential and other incompatible uses.

> ***Consistent.*** *The Project is properly sited adjacent to existing energy infrastructure and is compatible with surrounding land uses.*

GOAL D/LU 3. Ensure that commercial and industrial development within the region is compatible with the rural desert character and meets the needs of local residents.

> ***Consistent.*** *The Project proposes energy infrastructure adjacent to existing energy infrastructure, compatible with surrounding land uses. The Project will provide an important source of clean and renewable energy.*

RE Policy 2.1: Support solar energy generation, solar water heating, wind energy and bioenergy systems that are consistent with the orientation, siting and environmental compatibility policies of the General Plan.

> ***Consistent.*** *The proposed Project design is consistent with the County's Solar Ordinance (an ordinance amending Chapter 84.29, Renewable Energy Generation Facilities) and Renewable Energy and Conservation Element (August 8, 2017). The Project would preserve the character of the Project area and surrounding communities and avoid the loss of the qualities that contribute to the local economy. The Project would use existing transmission infrastructure adjacent to the existing Coolwater Generating Station, a recently retired natural gas-fired power plant. The Project site contains existing industrial and utility uses and is adjacent to the Sunray Solar Project. The site is traversed by the LADWP high voltage transmission corridor of approximately 1,000 feet in width and is near several high-voltage substations and transmission lines owned by Southern California Edison. The Project is designed to minimize impacts to surrounding properties by including measures such as setbacks, fencing and impact minimization measures (e.g., dust control during construction).*

RE 2.1.1: Utilize renewable energy development standards in the [San Bernardino County] Development Code (Development Code) to minimize impacts on surrounding properties.

> ***Consistent.*** *The proposed Project design is consistent with the County's Solar Ordinance (an ordinance amending Chapter 84.29, Renewable Energy Generation Facilities) and Renewable Energy and Conservation Element (August 8, 2017). The Project would preserve the character of the Project area and surrounding communities and avoid the loss of the qualities that contribute to the local economy. The Project would use existing transmission infrastructure adjacent to the existing Coolwater Generating Station, a recently retired natural gas-fired power plant. The Project site contains existing industrial and utility uses and is adjacent to the Sunray Solar Project. The site is traversed by the LADWP high voltage transmission corridor of approximately 1,000 feet in width and is near several high-voltage substations and transmission lines owned by Southern California Edison. The Project is designed to minimize impacts to surrounding properties by including measures such as setbacks, fencing and impact minimization measures (e.g., dust control during construction).*

RE Policy 2.2: Promote use of energy storage technologies that are appropriate for the character of the proposed location

> ***Consistent.*** *As the first project of its type within the County, the Project includes up to 450 MW of battery storage.*

RE 2.2.1: Encourage onsite energy storage with RE generation facilities, consistent with County Development Code requirements.

> ***Consistent.*** *As the first project of its type within the County, the Project includes up to 450 MW of battery storage.*

RE 2.2.2: Encourage and allow energy storage facilities as an accessory component of RE generation facilities.

> ***Consistent.*** *As the first project of its type within the County, the Project includes up to 450 MW of battery storage.*

RE Goal 4: The County will establish a new era of sustainable energy production and consumption in the context of sound resource conservation and renewable energy development practices that reduce greenhouse gases and dependency on fossil fuels.

> ***Consistent.*** *The Project would assist in achieving the State's Renewable Portfolio Standard (RPS) and greenhouse gas emissions reduction objectives by developing and constructing California RPS-qualified solar power generation. The Project would contribute to the County's greenhouse reduction goals by reducing the need for fossil fuel use for energy generation.*

RE Objective 4.1: The County will continue its efforts to meet or exceed State Greenhouse Gas reduction goals, by encouraging renewable energy development that will be compatible with the natural environment and the integrity of unincorporated communities.

> ***Consistent.*** *The Project would assist in achieving the State's Renewable Portfolio Standard (RPS) and greenhouse gas emissions reduction objectives by developing and constructing California RPS-qualified solar power generation. The Project would contribute to the County's greenhouse reduction goals by reducing the need for fossil fuel use for energy generation.*

RE Policy 4.1: Apply standards to the design, siting, and operation of all renewable energy facilities that protect the environment, including sensitive biological resources, air quality, water supply and quality, cultural, archaeological, paleontological and scenic resources.

> ***Consistent.*** *The site has been previously disturbed by former industrial or agricultural activities. Prior surveys have documented that the Project area includes mostly marginal habitat for sensitive species due to previous disturbance and that cultural and scenic resources can be avoided.*

RE 4.1.1: Consult with Native American tribes in the identification, evaluation, and treatment of cultural resources and in the preparation and implementation of measures required to identify, evaluate, protect, and manage cultural resources.

> ***Consistent.*** *In compliance with AB 52, the County of San Bernardino distributed letters to applicable tribes that had previously requested to be notified of future projects proposed by the County, notifying each tribe of the opportunity to consult with the County regarding the proposed project. Tribal consultation efforts remained ongoing; refer to Section 3.5 of the Environmental Impact Report (EIR), Cultural Resources.*

RE 4.1.2: RE development applications shall be subject to thorough environmental review, including consideration of water consumption, before being permitted.

> ***Consistent.*** *The County has prepared a draft Water Supply Assessment (WSA) and EIR analyzing the Project, including water consumption; refer to EIR, Section 3.9 Hydrology and Water Quality, and 3.13 Utilities and Service Systems.*

RE Policy 4.2: Ensure that renewable energy facilities do not disrupt, degrade, or alter the local hydrology and hydrogeology.

> ***Consistent.*** *The Project is designed to avoid significant hydrology and hydrogeology impacts. Jurisdictional waters surveys have been completed and show that aquatic resources will be avoided. Minimal paving is proposed. Site drainage is designed to follow the natural drainage pattern. Project facilities will not prevent storm water flow. Retention basins will mitigate any potential increases in runoff.*

RE Policy 4.2.1: Require a groundwater impact assessment that evaluates the short and long-term impacts to groundwater usage.

> ***Consistent.*** *The County has prepared a draft WSA evaluating short and long-term impacts to groundwater, which demonstrates there is adequate groundwater to serve the Project through construction, operation, and decommissioning, and other anticipated users.*

RE Policy 4.3: Require construction and operation of all renewable energy facilities to minimize negative effects and optimize benefits to unincorporated communities.

Consistent. *The Project will be a positive economic stimulus locally in the form of job creation and associated spending during construction and operation, and to San Bernardino County in the form of property taxes and fee revenues. The Project is designed to minimize aesthetic, water consumption and air quality impacts.*

RE 4.3.1: Define measures required to minimize ground disturbance, soil erosion, flooding, and blowing of sand and dust, with appropriate enforcement mechanisms in the Development Code.

Consistent. *Minimal site grading is proposed for the majority of the site. The Project will apply dust control measures in compliance with Mojave Desert Air Quality Management District regulations, including using water trucks to apply water and/or dust palliatives to minimize the production of visible dust emissions in areas where grading occurs, within the staging areas, and on any unpaved roads used during Project construction and will employ other required mitigation measures to minimize ground disturbance, soil erosion and flooding; refer to EIR, Section 3.6 Geology and Soils, and Section 3.9 Hydrology and Water Quality.*

RE 4.3.2: Require operators to track and report energy production and other benefits cited in a project proposal, in addition to tracking efforts to avoid and minimize negative impacts.

Consistent. *The County will adopt a Mitigation Monitoring and Reporting Program that will track compliance with mitigation measures to minimize negative impacts and any conditions of approval requiring the tracking and reporting of energy production.*

RE 4.3.3: Give preference to the utilization of existing infrastructure to minimize the need for additional transmission development.

Consistent. *The Project is designed to include the use of existing transmission and access infrastructure in the area developed in part for the retired Coolwater Generating Station. The Project will deliver its electrical output to two existing substations owned and operated by SCE.*

RE 4.3.4: Establish inspection protocols and programs to ensure that RE facilities are constructed, operated, and eventually decommissioned consistent with the requirements of the San Bernardino County Code, and in a manner that will not be detrimental to the public health, safety, or welfare.

Consistent. *The County will conduct inspections are required to ensure compliance with the Conditional Use Permit(s). Decommissioning would comply with applicable requirements including the requirements of Development Code Section 84.29.060.*

RE Policy 4.4: Encourage siting, construction and screening of RE generation facilities to avoid, minimize or mitigate significant changes to the visual environment including minimizing light and

glare.

> ***Consistent.*** *A Visual Impact Analysis has been prepared for the Project by HDR (see Appendix B-1). The Project would use solar panels that have a low profile, thereby minimizing visual impacts. The panels are specially designed with anti-reflective coatings that absorb as much of the sun's energy as possible, to maximize efficiency and to not be a substantial source of glare.*
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> *Nighttime lighting impacts would be minimized by including only small lighting features that are equipped with on/off switches or motion detectors. The lighting impacts from such fixtures would be similar to those of domestic fixtures on local homes.*

RE 4.4.1: Reduce visual impacts through a combination of minimized reflective surfaces, context-sensitive color treatments, nature-oriented geometry, minimized vegetation clearing under and around arrays, conservation of pre-existing native plants, replanting of native plants as appropriate, maintenance of natural landscapes around the edges of facility complexes, and lighting design to minimize night-sky impacts, including attraction of and impact to nocturnal migratory birds.

> ***Consistent.*** *A Visual Impact Analysis has been prepared for the Project by HDR (see EIR, Appendix B-1). The project would use solar panels that have a low profile, thereby minimizing visual impacts. The panels are specially designed with anti-reflective coatings that absorb as much of the sun's energy as possible, to maximize efficiency and to not be a substantial source of glare.*
>
> *Nighttime lighting impacts would be minimized by including only small lighting features that are equipped with on/off switches or motion detectors. The lighting impacts from such fixtures would be similar to those of domestic fixtures on local homes.*

RE Policy 4.5: Require RE generation facility developers to provide and implement a decommissioning plan that provides for reclamation of the site to a condition at least as good as that which existed before the lands were disturbed or another appropriate end use that is stable (i.e. with interim vegetative cover), prevents nuisance, and is readily adaptable for alternative land uses. Decommissioning plans shall:

> ***Consistent.*** *Decommissioning would comply with applicable regulations including the requirements of Development Code Section 84.29.060. The Development Code requires a decommissioning plan that includes a cost estimate of the decommissioning and site restoration work and which provides for an inspection after all decommissioning and site restoration has been completed.*

RE 4.5.1: Include a cost estimate of the decommissioning and site restoration work for the purpose of providing a bond to guarantee completion of decommissioning.

> ***Consistent.*** *Decommissioning would comply with applicable regulations including the*

requirements of Development Code Section 84.29.060. The Development Code requires a decommissioning plan that includes a cost estimate of the decommissioning and site restoration work and which provides for an inspection after all decommissioning and site restoration has been completed.

RE 4.5.2: Provide for an inspection after all decommissioning and site restoration work to ensure that the work has been completed to the standards required by the County, prior to release of the decommissioning bond.

Consistent. *Decommissioning would comply with applicable regulations including the requirements of Development Code Section 84.29.060. The Development Code requires a decommissioning plan that includes a cost estimate of the decommissioning and site restoration work and which provides for an inspection after all decommissioning and site restoration has been completed.*

RE 4.5.3: Require any structures created during construction to be decommissioned and all material recycled to the greatest extent possible.

Consistent. *The majority of components used to construct the proposed system are recyclable. Solar panels typically consist of silicon, glass, and an aluminum frame. Tracking systems typically consist of steel and concrete, in addition to motors and control systems. All of these materials can be recycled.*

Numerous recyclers for the various materials to be used on the Project site operate in San Bernardino and Riverside Counties. Metal, scrap equipment, and parts that do not have free-flowing oil can be sent for salvage. Equipment containing any free-flowing oil would be managed as waste and would require evaluation. Oil and lubricants removed from equipment would be managed as used oil, which is a hazardous waste in California. Decommissioning would comply with federal, state, and local standards and all regulations that exist when the project is shut down, including the requirements of Development Code Section 84.29.060.

RE 4.5.4: Require all material recovered during decommissioning and site restoration work of a renewable energy facility, including the renewable energy technology itself, to be reused or recycled to the greatest extent possible.

Consistent. *The majority of components used to construct the proposed system are recyclable. Solar panels typically consist of silicon, glass, and an aluminum frame. Tracking systems typically consist of steel and concrete, in addition to motors and control systems. All of these materials can be recycled.*

Numerous recyclers for the various materials to be used on the Project site operate in San Bernardino and Riverside Counties. Metal, scrap equipment, and parts that do not have free-flowing oil can be sent for salvage. Equipment containing any free-flowing oil would be managed as waste and would require evaluation. Oil and lubricants removed

from equipment would be managed as used oil, which is a hazardous waste in California. Decommissioning would comply with federal, state, and local standards and all regulations that exist when the project is shut down, including the requirements of Development Code Section 84.29.060.

RE Policy 4.6: Require all recyclable electronic and/or toxic materials to be recycled in accordance with the requirements of the Basel Convention or comparable standard.

Consistent. *The majority of components used to construct the proposed system are recyclable. Solar panels typically consist of silicon, glass, and an aluminum frame. Tracking systems typically consist of steel and concrete, in addition to motors and control systems. All of these materials can be recycled.*

Numerous recyclers for the various materials to be used on the Project site operate in San Bernardino and Riverside Counties. Metal, scrap equipment, and parts that do not have free-flowing oil can be sent for salvage. Equipment containing any free-flowing oil would be managed as waste and would require evaluation. Oil and lubricants removed from equipment would be managed as used oil, which is a hazardous waste in California. Decommissioning would comply with federal, state, and local standards and all regulations that exist when the project is shut down, including the requirements of Development Code Section 84.29.060.

RE Policy 4.7: RE project site selection and site design shall be guided by the following priorities relative to habitat conservation and mitigation:

- Avoid sensitive habitat, including wildlife corridors, during site selection and project design.
- Where necessary and feasible, conduct mitigation on-site.

  When on-site habitat mitigation is not possible or adequate, establish mitigation off-site in an area designated for habitat conservation.

Consistent. *General vegetation mapping, identification of all observed plant and animal species, a habitat assessment for special-status species, and an assessment for potential federally regulated waters of the U.S. and state-regulated streambed have been conducted and a Biological Resources Technical Report for the project has been prepared by HDR (see EIR, Appendix E-1). The Project is designed to minimize impacts to these resources; refer to EIR, Section 3.4 Biological Resources.*

RE Policy 4.8: Encourage mitigation for RE generation facility projects to locate habitat conservation offsets on public lands where suitable habitat is available.

Consistent. *No required habitat conservation offsets have been identified in the EIR.*

RE 4.8.1: Collaborate with appropriate state and federal agencies to facilitate mitigation/habitat conservation activities on public lands.

Consistent. *No required habitat conservation offsets have been identified in the EIR.*

RE Policy 4.9: Encourage RE facility developers to design projects in ways that provide sanctuary (i.e., a safe place to nest, breed and/or feed) for native bees, butterflies and birds where feasible and appropriate, according to expert recommendations.

Consistent. *The Project is designed to minimize impacts to potential habitat and associated native vegetation. Planting native vegetation that may provide benefits to native bees, butterflies, and birds is incorporated into the Project design where feasible and appropriate.*

RE Goal 5: Renewable energy facilities will be located in areas that meet County standards, local values, community needs and environmental and cultural resource protection priorities.

Consistent. *The site and design meets County standards, preserves the character of the Project area and surrounding communities, and protects environmental and cultural resources.*

RE Objective 5.2: Utility-oriented RE facilities will be subject to site selection criteria consistent with County priorities expressed in this Element.

Consistent. *The site and design meets County standards, preserves the character of the Project area and surrounding communities, and protects environmental and cultural resources.*

RE Policy 5.1: Encourage the siting of RE generation facilities on disturbed or degraded sites in proximity to necessary transmission infrastructure.

Consistent. *The Project is designed to include the use of existing transmission and access infrastructure in the area formerly utilized by the retired Coolwater Generating Station.*

RE 5.1.2: Siting of community-oriented and utility-oriented RE generation facilities will conform to applicable standards set forth in the Development Code.

Consistent. *See above. The Project will comply with all Development Code requirements.*

RE Policy 5.2: Utility-oriented RE generation projects on private land in the unincorporated County will be limited to the site-types below, in addition to meeting criteria established herein and in the Development Code:

i. Private lands adjacent to the federal Development Focus Areas supported by the Board of Supervisors that meet siting criteria and development standards

ii. Waste Disposal Sites
iii. Mining Sites (operating and reclaimed)
iv. Fallow, degraded and unviable agricultural lands
v. Airports (existing and abandoned or adaptively re-used)
vi. Brownfields
vii. California Department of Toxic Substance Control Cleanup Program Sites
viii. Resource Conservation and Recovery Act Sites
ix. Sites within or adjacent to electric transmission and utility distribution corridors
x. Industrial zones proven to not conflict with economic development needs
xi. Other sites proven by a detailed suitability analysis to reflect the significantly disturbed nature or conditions of those listed above.

Consistent. *The Project site is located on private lands adjacent to Development Focus Areas and is composed of degraded agricultural and fallow lands with significant previous disturbance and close to existing high voltage electrical infrastructure which it intends to utilize. The solar Project is not a permanent use and therefore, once the solar Project is decommissioned, the site can be returned to uses such as agriculture. Long-term viability of agriculture in this area is uncertain due to groundwater supply constraints.*

RE Policy 5.3: Collaborate with utilities and RE generation facility developers to encourage collocation of transmission and intertie facilities.

Consistent. *The Project is located close to existing high voltage electrical infrastructure.*

RE Policy 5.4: Utility-oriented RE generation facilities will be required to meet a higher standard of evaluation for appropriate site selection due to its size and distance from population centers.

Consistent. *The Project has been evaluated in accordance with the policies of the Renewable Energy Element and is appropriately sited and designed to be away from population centers.*

RE 5.4.2: Encourage utility-oriented RE generation to occur in the five DRECP Development Focus Areas (DFAs) that were supported by the Board of Supervisors on February 17, 2016, Resolution No. 2016-20 and on adjacent private lands.

Consistent. *This Project is located adjacent to appropriate Development Focus Areas.*

RE Policy 5.6: Consult Native American tribes early in the site selection process, with joint evaluation of a Phase 1 Cultural Resources Analysis prior to approval of a site for utility-oriented RE generation.

Consistent. *The Cultural Resources Inventory prepared by HDR (see EIR, Appendix F-*

1) has been provided by the County to Native American Tribes.

RE Policy 5.7: Support renewable energy projects that are compatible with protection of the scenic and recreational assets that define San Bernardino County for its residents and make it a destination for tourists.

Consistent. *The site is in close proximity to existing infrastructure historically used for the Coolwater Generating Station, and other industrial and transportation uses. The Visual Impact Analysis prepared by HDR (see EIR, Appendix B-1) determined that the Project would have a limited potential to adversely impact the destination for tourists. Although the Project would be constructed on some lands that are currently in agricultural production, the solar Project would not be a permanent use and in the future, the facility may be decommissioned and the affected lands could be returned to agricultural or other uses.*

RE 5.7.1: Site RE generation facilities in a manner that will avoid, minimize or substantially mitigate adverse impacts to sensitive habitats, cultural resources, surrounding land uses, and scenic viewsheds.

Consistent. *The site is in close proximity to existing infrastructure historically used for the Coolwater Generating Station, and other industrial and transportation uses. The Visual Impact Analysis prepared by HDR (see EIR, Appendix B-1) determined that the Project would have a limited potential to adversely impact the destination for tourists. Although the Project would be constructed on some lands that are currently in agricultural production, the solar Project would not be a permanent use and in the future, the facility may be decommissioned and the affected lands could be returned to agricultural or other uses.*

RE Policy 5.8: Discourage conversion of productive or viable prime agricultural lands to RE generation facilities.

Consistent. *The site is in close proximity to existing infrastructure historically used for the Coolwater Generating Station, and other industrial and transportation uses. The Visual Impact Analysis prepared by HDR (see EIR, Appendix B-1) determined that the Project would have a limited potential to adversely impact the destination for tourists. Although the Project would be constructed on some lands that are currently in agricultural production, the solar Project would not be a permanent use and in the future, the facility may be decommissioned and the affected lands could be returned to agricultural or other uses.*