



City of Desert Hot Springs

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Notice of Preparation of a Draft Supplemental Environmental Impact Report for the Desert Hot Springs Wind Energy Repowering Project

Date: August 20, 2018
To: State Agencies, Responsible Agencies, Local and Public Agencies, and Interested Parties
From: City of Desert Hot Springs
Subject: Notice of Preparation (NOP) of a Draft Supplemental Environmental Impact Report (EIR)

Pursuant to Section 21166 of the California Environmental Quality Act (CEQA) (Public Resources Code 21000–21189) and Section 15163 of the CEQA Guidelines (California Code of Regulations, Title 14, Division 6, Chapter 3, Sections 15000– 15387), the City of Desert Hot Springs (City) will prepare a Draft Supplemental EIR (Draft SEIR) for the Desert Hot Springs Wind Energy Repowering Project (Project).

Project Overview

The Project involves the decommissioning of approximately 69 existing wind turbines, the construction and operation of up to four new wind turbines generally located within and adjacent to existing footprints of the current wind turbines, and the future decommissioning of the new wind turbines at the end of their useful life. The majority of the Project, including the construction and operation of the new wind turbines, would occur on privately owned lands located within jurisdictional boundaries of the City; ancillary components of the Project—specifically a segment of the existing access road and electrical interconnection—will traverse adjacent off-site land under the jurisdiction of the County of Riverside. In accordance with CEQA Guidelines Section 15367, the City is the Lead Agency with principal responsibility to consider the Project for approval.

Purpose of this Notice of Preparation (NOP)

The City is soliciting input regarding the scope and content of the environmental information to be included in the Draft SEIR, which is germane to your agency's statutory responsibilities in connection with the Project. Your agency may need to use the Draft SEIR when considering permitting or other required approvals that you may issue for the Project.

The project description, location, and environmental issues to be addressed in the Draft SEIR are described in the following paragraphs. Because of time limits mandated by state law, your scoping comments are requested at the earliest possible date, but not later than 30 days after

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publication of this notice. Please send responses by email or regular mail to the City contact and address below. Please make sure to identify the name and phone number of a contact person at your agency or organization.

If you are interested in providing comments, please direct all correspondence to:

Benjamin Torres, Associate Planner
City of Desert Hot Springs
65950 Pierson Boulevard
Desert Hot Springs, California 92240
E-mail: btorres@cityofdhs.org

Project Location

The approximately 160-acre Project site is bordered by undeveloped land to the north, south, and west, and Municipal Water District (MWD) facilities to the east. Downtown Desert Hot Springs is located approximately 6 miles east of the Project site, and the Interstate (I-) 10/State Route (SR-) 62 interchange is located approximately 2.2 miles to the south. Primary access to the Project site would continue to be provided via an existing private access off Windhaven Road. The Project site consists of the Assessor's Parcel Number (APN) 667-160-001 (Figure 1).

Project Background

In 1985, the County of Riverside approved the Wind Energy Conversion System (WECS) 20 Wind Park project on the same Project site, which was proposed by Energy Unlimited Inc. (EUI), for the development of 128 65-kilowatt (kW) wind turbines. At one time, the WECS 20 Wind Park facility included 73 wind turbines, although 4 of these turbines have since been decommissioned. The Project site, including the WECS 20 Wind Park facility, was annexed into the City in 1994.

The City received applications from EUI in 2000 to install eight new wind turbines within the existing WECS 20 Wind Park facility. The Conditional Use Permit and accompanying variances were approved by the City in January 2001. Construction of the eight turbines had not commenced by the time the permits expired 2 years after issuance. In 2003, EUI applied with the City to have the permits reapproved. In 2009, the City certified the Revised Commercial WECS 20 Permit Project Final EIR (WECS 20 FEIR) evaluating the potentially significant environmental impacts of the previously proposed eight-turbine project.

The potentially significant environmental impacts identified in the WECS 20 FEIR were determined to be less than significant or were reduced to a level considered less than significant through the adoption of mitigation measures that would avoid or substantially reduce impacts. No significant and unavoidable impacts were identified to occur in the WECS 20 FEIR.

As of this date, the project described and analyzed in the WECS 20 FEIR has not been implemented.

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Project Description

The Project as now proposed would produce up to approximately 17 megawatts (MW) of wind energy and would consist of up to four new wind turbines with a range of approximately 2.0 MW to 4.2 MW in nameplate capacity per turbine. In addition to the new wind turbines, the Project includes the following primary components:

- Decommissioning of approximately 69 existing wind turbines and the appropriate ancillary equipment.
- Connection to an existing substation (located on APN 516-030-014) through either a new underground or overhead collection line system (or combination, thereof) or a new connection to an existing overhead Southern California Edison 12-kilovolt collection line system.
- Installation of one new temporary and one new permanent meteorological tower, each up to 309 feet tall.
- Decommissioning of the new wind turbines at the end of their useful life

Proposed Wind Turbines

Since wind turbine technology is continually improving, and the cost and availability of specific types of turbines vary from year to year, representative turbines for the Project include up to four wind turbines ranging from 2.0 MW to 4.2 MW in nameplate capacity per turbine. Turbines would consist of tubular steel towers with an estimated rotor diameter of up to 384 feet and a total height (turbine base to top of turbine blade in the 12:00 position) of up to 493 feet.

All turbines would be three-bladed, upwind, horizontal-axis wind turbines. Each wind turbine would be mounted on a concrete pedestal supported by a permanent concrete foundation. Each wind turbine would have a turbine rotor and nacelle mounted on top of its tubular steel tower.

The turbines would be grouped in a single row and connected by an underground or overhead electrical cable system. Turbines would be arranged in the row in accordance with applicable industry siting recommendations for optimum energy production and minimal land disturbance.

Supervisory Control and Data Acquisition System

Each wind turbine would be connected to an off-site Supervisory Control and Data Acquisition (SCADA) system. The SCADA system would allow for controlling and monitoring individual wind turbines, as well as the Project as a whole, from a central operations center. If problems occur, the SCADA system could send signals to a cell phone, tablet, computer, or other personal communication device to alert operations staff. The SCADA system would also be connected to the California Independent System Operator and SCE.

The Project would use wind turbines designed with several levels of built-in safety measures to comply with Occupational Safety and Health Administration and American National Standards

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Institute requirements. Personnel located at an off-site operations and maintenance facility would monitor the wind turbines with the SCADA system.

Safety and Security

The wind turbines would be equipped with a Federal Aviation Administration (FAA)-compliant lightning rod atop the nacelle. The anemometer, wind vane, other sensitive parts in the nacelle, and the controller are protected from noise or surge spikes due to lightning strike by an upgraded shielded protection system. Each of the blades would also have shielding to protect the blades from damage caused by lightning. The turbine-mounted protection would be tied to a bare copper grounding cable installed around the foundation for lightning and electrical protection.

The turbine system would be equipped with arc flash detection sensors, optical technology to detect the presence of the initial arc flash, over-current limiting devices, and either thermal circuit breakers or traditional fuses.

Installation of the wind turbines would be required to comply with FAA Advisory Circular 70/7460-1L Change 1, Obstruction Lighting/Marking, requirements. The Project Applicant will file Form 7460-1, Notification of Proposed Construction or Alteration, with the FAA prior to constructing the wind turbines. To ensure safety to both air traffic and operations and maintenance personnel on the ground, the FAA would determine the appropriate lighting required for the wind turbines and the appropriate exterior finish for the turbines and towers for daylight marking.

During the construction phase, access roads would have gates or signs installed for safety reasons, as necessary, to control public access to the Project site. Adaptive management based on results of resource-specific field surveys would be implemented to protect environmental resources to the extent feasible.

Meteorological Towers

The Project would include installation of one new permanent and one new temporary meteorological tower, each up to 309 feet tall. The permanent meteorological tower would consist of a free-standing, lattice structure that contains meteorological instruments such as anemometers to measure wind speed in order to maximize the operating efficiency of the Project. This tower would include FAA obstruction lighting.

The temporary meteorological tower would be temporarily installed at one of the four turbine sites prior to construction of the wind turbine. It would be used to obtain wind data for site calibration related to the power curve testing process for the wind turbines. Although this meteorological tower may require FAA obstruction lighting, it will only be installed for a short period of time and would be dismantled and removed prior to turbine erection.

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Access Roads

Where feasible, the existing network of permanent access roads would be retained and reused for the new wind turbines. In addition to the existing roads, permanent access and maintenance roads would be constructed to provide access and circulation within the Project. These access roads will consist of approximately 16-foot-wide permanent roads to provide access to each wind turbine and ancillary equipment. These same permanent access roads would be used during construction, although the width of these roads may be temporarily increased to up to approximately 36 feet wide to accommodate cranes and larger construction equipment.

Access roads will consist of compacted native material but may also require approximately 4 to 6 inches of aggregate and/or geosynthetic material to provide the soil strength needed for construction. The disturbed areas outside the final roadway width would be graded and compacted for use during construction and then decompacted and stabilized at the conclusion of construction. A new permanent access road layout will incorporate applicable federal and local standards regarding internal road design and circulation, particularly those provisions related to emergency vehicle access.

Temporary Laydown and Parking

An approximately 2-acre temporary laydown and staging area would be used for construction parking and as a temporary laydown yard to stage wind turbine components, construction equipment, and construction materials. Steel construction containers would be used to securely store specialized equipment. This area would be located strategically within the Project area to optimize construction activities while also minimizing off-site visual impacts to the extent feasible. After construction, all temporary disturbances and construction containers associated with the temporary laydown and parking area would be removed, and these areas would be restored.

Construction and Phasing

The Project Applicant has not yet finalized the construction schedule for the Project. However, it is tentatively anticipated that the Project construction would last approximately 13 months. Construction of the Project would consist of the following basic phases:

- Existing Turbine Decommissioning (first phase)
- Mobilization/Laydown
- Site Prep/Grading
- Collection Lines
- Access Roads
- Foundations Pouring/Curing
- New Turbine Install
- Existing Turbine Decommissioning (second phase)

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The decommissioning stage of the Project consists of dismantling and removing the existing wind turbine generators, removing turbine access roads not required for the Project, and removing the existing overhead collection line and poles, if elected not to re-use them.

An approximately 200-foot by 300-foot temporary work area for each wind turbine site would be used for the crane pad, equipment laydown, and other construction-related needs. Within this temporary work area, a crane pad is required for supporting the large tower erection crane. The crane pad will consist of a compacted native soil or compacted aggregate base gravel area. The topsoil from the crane pads, if any, would be used at adjacent locations during restoration activities. Upon completion of construction, gravel with a minimum approximately 12-foot width would be placed around each approximately 18-foot-diameter reinforced-concrete turbine pedestal to provide truck access. The balance of the cleared area would be revegetated.

To support the construction crane for turbine erection, a compacted-soil crane pad with a maximum slope of 1.0% is required. The construction crane pad will not have an asphalt surface, and underlying soils would be compacted to provide a soil-bearing capacity designed to provide a stable foundation for the crane. In locations where this is not feasible, a different type of crane mat would be used to stabilize the crane.

The Project's complete electrical collector system would consist of a network of circuits that would collect and deliver electricity from each of the wind turbine generators to an existing substation located outside the Project boundary to the south-southwest. The collector system typically includes three-phase conductor wires, fiber-optic cable, and a copper ground-conductor wire.

There is an existing overhead collection system within the Project boundary that is being used by the existing wind energy facility. The Project may either use all of this existing system to deliver electricity into the substation or use a portion of this system in conjunction with a new overhead or underground collector system (or combination, thereof). Alternatively, it could install an entirely new overhead or underground collector system (or combination, thereof). An approximately 24-foot-wide temporary disturbance would be required along the installation path for portions of the new collector system that may be installed below grade. This system would follow new and existing Project access roads to the extent possible in order to minimize the temporarily disturbed areas associated with the installation. The underground system would be placed within an approximately 48-inch-deep and, at a minimum, 12-inch-wide cable trench generally located along the length of the turbine access roads. Any topsoil would be stripped and set aside as trenching occurred, and then it would be replaced as the uppermost layer during backfill.

For portions of a new collector system that may be installed overhead and requiring new poles, new poles would be installed along its path every approximately 180 feet, depending on terrain and design requirements. Augers would be used to bore the holes that the poles would be placed into and backfilled and compacted as necessary.

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Project Approvals

The following discretionary actions would be required to implement the Project. This list is preliminary and may not be comprehensive:

- Conditional Use Permit (CUP No. 01-18)
- Variance (VAR No. 01-18)
- Regional Water Quality Control Board Section 401 Water Quality Certification
- California Department Fish and Wildlife Streambed Alteration Agreement

Environmental Review

Potential Environmental Effects

Pursuant to Section 21166 of CEQA and Section 15163(a) of the CEQA Guidelines, the City may choose to prepare a supplement to an EIR rather than a subsequent EIR if (1) any of the conditions described in Section 15162 would require the preparation of a subsequent EIR, and (2) only minor additions or changes would be necessary to make the previous EIR adequately apply to the project in the changed situation. In addition, pursuant to Section 15163(b), the supplement to the EIR need contain only the information necessary to make the previous EIR adequate for the project as revised. Thus, the City will focus the Draft SEIR's analysis on the potential of the Project to result in new or more severe environmental impacts compared with those impacts disclosed in the 2009 WECS 20 FEIR. As such, the City will address the following resource areas, as identified in the current version of the CEQA Guidelines' Appendix G Environmental Checklist, in individual environmental impact analysis chapters within the Draft SEIR:

- Aesthetics
- Air Quality
- Biological Resources
- Cultural and Tribal Cultural Resources
- Greenhouse Gas Emissions
- Noise

The following are brief descriptions of probable environmental effects for each of the resource areas topics listed above.

Aesthetics

Implementation of the Project would allow for turbine heights up to 493 feet tall, which is taller than those turbine heights analyzed in the WECS 20 FEIR. The Project would construct four fewer new turbines compared to the previous project analyzed in the WECS 20 FEIR. In addition, the Project would decommission and remove all of the 69 existing older on-site

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turbines, which is approximately 53 more than what was analyzed in the WECS 20 FEIR. However, due to the increase in new turbine heights, potential changes to visual resources-related impacts as disclosed in the WECS 20 FEIR will be addressed in Draft SEIR.

Air Quality and Greenhouse Gas Emissions

Due to the changes proposed, Project implementation will generate air and greenhouse gas (GHG) emissions during the short-term construction phase (dust and vehicle emissions) and, to a lesser extent, during the long-term operational phase (vehicle emissions from operations and maintenance-related trips). Both construction and operational emissions will be required to comply with South Coast Air Quality Management District regulations, as well as other applicable federal, state, and regional requirements. As such, potential changes to air quality and GHG emissions-related impacts as disclosed in the WECS 20 FEIR will be addressed in Draft SEIR.

Biological and Cultural/Tribal Cultural Resources

The change in the number of new turbines compared with the previous project analyzed in the WECS 20 FEIR, as well as the change in the number of existing turbines to be decommissioned, will result in a change in both temporary and permanent footprint that will be affected by Project construction and operations. This change in impacted footprint could result in an increase (or decrease) in the amount of Project activities that need to occur within areas that are potentially sensitive for biological and/or cultural/tribal cultural resources. In addition, the WECS 20 FEIR did not take into account that portions of the existing site access road traverse jurisdictional waters of the United States and state. Further, since certification of the WECS 20 FEIR, the City has become a signatory to the Coachella Valley Multiple Species Habitat Conservation Plan. Therefore, potential changes to biological and cultural/tribal cultural resources-related impacts as disclosed in the WECS 20 FEIR will be addressed in Draft SEIR.

Noise

As previously discussed, implementation of the Project would allow for taller turbine heights than those turbine heights analyzed in the WECS 20 FEIR. In addition, the Project would construct fewer new turbines compared to the previous project analyzed in the WECS 20 FEIR and would decommission and remove all of the 69 existing older on-site turbines, which is far more than what was analyzed in the WECS 20 FEIR. Each of these proposed changes will need to be further analyzed in order to ensure that no new or more severe noise effects would occur as a result of the Project. As such, potential changes to noise-related impacts as disclosed in the WECS 20 FEIR will be addressed in Draft SEIR.

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Effects That Would Not Change

Because of proposed changes between the previous project and the current Project, it is anticipated that many of the impact conclusions presented in the WECS 20 EIR would not change. As a result, the City is proposing to “focus out” the following resource areas and will address these topics in Draft SEIR to a lesser extent compared with those areas listed above (albeit still supported by substantive evidence, if and where applicable):

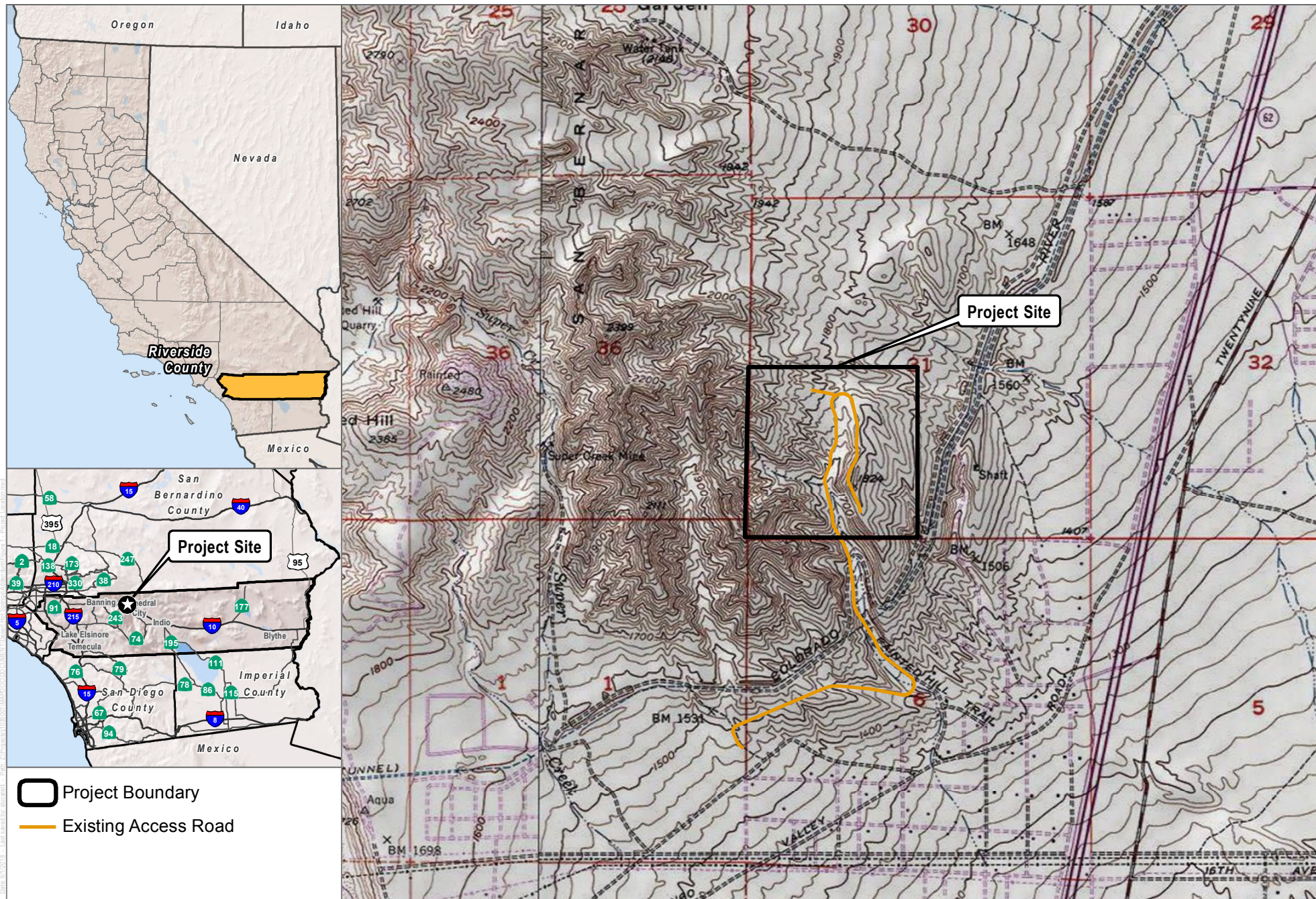
- Agriculture and Forestry Resources
- Geology/Soils
- Hazards/Hazardous Materials
- Hydrology/Water Quality
- Land Use/Planning
- Mineral Resources
- Population/Housing
- Public Services
- Recreation
- Transportation/Traffic
- Utilities/Service Systems

Scoping Meeting

A public scoping meeting will be held on September 13, 2018, at 2:00 p.m., at:

Carl May Community Center
11711 West Drive
Desert Hot Springs, California 92240

At this meeting, agencies, organizations, and the public will be able to review the Project and provide comments on the scope of the environmental review process.



SOURCE: NAIP 2016

DUDEK



0 1,000 2,000 Feet

FIGURE 1

Project Location

Desert Hot Springs Wind Energy Repowering Project



United States Department of the Interior

FISH AND WILDLIFE SERVICE

Ecological Services
Palm Springs Fish and Wildlife Office
777 East Tahquitz Canyon Way, Suite 208
Palm Springs, California 92262



In Reply Refer To:
FWS-ERIV-18B0332-18CPA0353

September 18, 2018
Sent by email

Mr. Benjamin Torres
Associate Planner
City of Desert Hot Springs
65950 Pierson Boulevard
Desert Hot Springs, California 92240

Subject: Notice of Preparation of a Draft Supplemental Environmental Impact Report;
Desert Hot Springs Wind Energy Repowering Project, Riverside County, California

Dear Mr. Torres:

The U.S. Fish and Wildlife Service (Service) has reviewed the Notice of Preparation (NOP) of a Draft Supplemental Environmental Impact Report, dated August 20, 2018, for the Desert Hot Springs Wind Energy Repowering Project (Project). The proposed Project, located in the San Gorgonio Wind Resource Area in eastern Riverside County, California includes the removal of 69 existing 65-kilowatt (kW) wind turbines with 4 larger 2.0 – 4.2 megawatt (MW) turbines.

In January 2001, the City of Desert Hot Springs finalized an Environmental Impact Report and approved a Conditional Use Permit to remove the existing lower wattage turbines and replace them with eight larger turbines generating between 2.0 and 4.2 MW of nameplate capacity per turbine. The 2001 project also included a gen-tie connection to an existing substation and a 309-foot tall new meteorological tower. The current draft Supplemental Environmental Impact Report is to evaluate the changes to the 2001 approved and permitted project. These changes include reducing the number of new turbines from eight to four. The new turbines would consist of tubular steel towers with an estimated rotor diameter of up to 384 feet and a total height of up to 493 feet.

The revised Project occurs within the Coachella Valley Multiple Species Conservation Plan (CVMSHCP) area, west of Highway 62 in the city of Desert Hot Springs. Per Section 7.3.1 of that plan, new ground disturbance associated with repowering of wind energy facilities is a Covered Activity and adverse effects to Covered Species from construction are addressed; however, adverse effects to Covered Species from operation of wind facilities are not covered (see Section 7.3.1 of the CVMSHCP).

We offer the following comments on the NOP as they relate to potential impacts on public trust resources. The primary concern and mandate of the Service is the conservation, protection, and enhancement of fish and wildlife resources and their habitats for the continuing benefit of the

American people. The Service has legal responsibility for the welfare of migratory birds, anadromous fish, and threatened or endangered animals and plants listed under the Endangered Species Act of 1973 (Act), as amended (16 U.S.C. 1531 *et seq.*). The comments provided herein are based on the information provided in your NOP letter, our knowledge of sensitive and declining wildlife resources, and our participation in regional renewable energy conservation planning efforts.

We offer the following comments and recommendations to help avoid and minimize adverse impacts to public trust resources, specifically migratory birds and golden eagles (*Aquila chrysaetos*). Golden eagles, which are not a Covered Species under the CVMSHCP, occur near the Project site along the foothills of the San Jacinto mountain range. We are aware of two recent eagle fatalities that likely resulted from collision impacts at wind farms near Cabazon, California, approximately seven miles southwest of the Project.

Replacement of several smaller wind turbines with fewer, but significantly taller, wind turbines may result in an increase in air space hazardous to birds. As illustrated in the table below (based on information we gathered on the Internet at <https://en.wind-turbine-models.com/> on August 30, 2018), at most repowered wind projects the total amount of hazardous air space, or rotor-swept area, increases at the project site, and for that reason we believe the impacts to avian species may be greater with larger, taller turbines.

Turbine type	Number of turbines	Blade length (meters)	Hub height (meters)	Rated Power*	RSA (square meters)	Project Total Hazardous Air Space/RSA (square meters)
Example: Kenetech KCS56	380	7.2	20	100 kW	247	93,860
Example: GE 2.75 MW	45	200	123	2.75 MW	7,854	353,430

*Measurements of rated power are in kilowatts (kW) or megawatts (MW).

We are concerned that installation of new turbines of higher maximum height and larger rotor-swept area will result in greater adverse impacts to birds, including raptors and golden eagles. Based on recent golden eagle mortalities in the area, we recommend the Project proponent develop an Eagle Conservation Plan (ECP) and work with the Service to determine if an eagle take permit under the Bald and Golden Eagle Act (16 U.S.C. 668-668d) is necessary. Service guidance on development of an ECP (Service 2013) is available on the Internet at <http://www.fws.gov/migratorybirds/pdf/management/eagleconservationplanguidance.pdf>.

To document the Project's measures to minimize impacts to other birds and raptor populations, we recommend the project applicant also prepare a Bird and Bat Conservation Strategy (BBCS) in accordance with the Service's Wind Energy Guidelines (Service 2012) (available on the Internet at http://www.fws.gov/ecological-services/es-library/pdfs/WEG_final.pdf). We recommend the BBCS include systematic post-construction mortality monitoring, including searcher efficiency and carcass persistence trials, and adaptive management measures as necessary to address avian impacts.

The Service's Wind Energy Guidelines help wind energy project developers avoid and minimize impacts of land-based wind projects on wildlife and their habitats. The goal of the voluntary guidelines is smart siting, design, and operation. The guidelines also assist developers in identifying species of concern that may be affected by operation of their project, including migratory birds, bats, and golden eagles. It is unclear from the information provided in the NOP letter if the Project developer has considered these guidelines to site, design, and operate the repowering of the Project to reduce potential avian fatalities. The Service is available to help the Project applicant make informed decisions in siting, constructing, and operating the facility to reduce collision impacts, and to ensure the BBCS includes a robust systematic mortality-monitoring component as the basis for adaptive management to ensure potential adverse effects to birds are evaluated and minimized.

We appreciate the opportunity to provide comments on the NOP of a draft Supplemental Environmental Impact Report. We have enclosed specific recommendations to further assist in avoidance and minimization of impacts to public trust resources. Should you have any questions regarding these comments, or if we can assist in developing a BBCS, please contact Felicia Sirchia at (760-322-2070, extension 405 or Thomas Dietsch at 760-431-9440, extension 214)

Sincerely,

For Kennon A. Corey
Assistant Field Supervisor

Enclosure

cc: Charles Land, CDFW

References Cited

[Service] U.S. Fish and Wildlife Service. 2012. U.S. Fish and Wildlife Service Land-Based Wind Energy Guidelines. Department of the Interior. Washington, DC. Available on the Internet as of September 17, 2018. https://www.fws.gov/ecological-services/es-library/pdfs/WEG_final.pdf

[Service] Fish and Wildlife Service. 2013. Eagle Conservation Plan Guidance, Module 1 – Land-based Wind Energy. Version 2. Division of Migratory Bird Management. Washington, DC. Available on the Internet as of September 17, 2018. www.fws.gov/migratorybirds/pdf/management/eagleconservationplanguidance.pdf

Enclosure

U.S. Fish and Wildlife Service
Avoidance and Minimization Recommendations on the Notice of Preparation
for the Desert Hot Springs Wind Repowering Project

Avian Recommendations

1. Prepare and implement a Bird and Bat Conservation Strategy (BBCS) in consultation with the County of Riverside, California Department of Fish and Wildlife (CDFW), and the Service for review and comment. The BBCS will include the following:
 - A description and assessment of the existing habitat, risk characterization, and avian risk minimization measures.
 - A statistically robust, systematic avian and bat mortality and injury monitoring program to: (1) estimate annual mortality by taxa and season using appropriate models and appropriate estimators (this estimate should include mortality associated with all features of the project that are likely to result in injury and mortality – e.g., turbines, gen-ties); (2) identify collision and other mortality during diurnal and nocturnal times of the day; and (3) assess the spatial distribution and abundance of mortalities [species composition (including rare and sensitive species), abundance, and distribution] on the project site.
 - An adaptive management and decision-making framework for reviewing, characterizing, and responding to monitoring results.
 - Specific conservation measures and/or programs to avoid, minimize, reduce, or eliminate avian and bat injury or mortality over time and evaluation of the applicability and effectiveness of those measures using results from the monitoring program.

The avian and bat mortality and injury monitoring program should include:

- At least 2 years of onsite monitoring to systematically survey representative locations within the facility, at a level that will produce statistically robust data. The monitoring effort will account and correct for potential spatial bias and allow for the extrapolation of survey results to non-surveyed areas within the site boundary and to tailor the survey interval seasonally based on carcass removal rates.
- Statistically robust carcass removal and searcher efficiency trials pre and post construction to document the extent to which avian or bat carcasses remain over time (hours/days) and how well searchers can detect carcasses within the project area. The results from these trials will be used to adjust the survey frequency and to improve mortality estimates to reflect bias from carcass removal rates and searcher efficiency.

- Accepted statistical methods from the peer-reviewed literature to generate facility estimates of potential post-construction avian and bat impacts based on the observed number of injury/fatality detections during standardized monitoring.
- Handling and reporting requirements according to applicable State or Federal permits.
- Development of an injured bird response plan that delineates care and curation of any and all injured birds, and funding for rehabilitation centers for the care and treatment, and eventual release or permanent storage of injured birds.



NATIVE AMERICAN HERITAGE COMMISSION

Cultural and Environmental Department
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August 31, 2018

Benjamin Torres
City of Desert Hot Springs
65-950 Pierson Boulevard
Desert Hot Springs, CA 92240

RE: SCH# 2005101120 Desert Hot Springs Wind Repowering Project, Riverside County

Dear Mr. Torres:

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

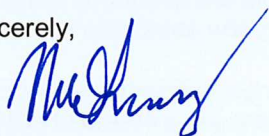
To adequately assess the existence and significance of tribal cultural resources and plan for avoidance, preservation in place, or barring both, mitigation of project-related impacts to tribal cultural resources, the NAHC recommends the following actions:

1. Contact the appropriate regional California Historical Research Information System (CHRIS) Center (http://ohp.parks.ca.gov/?page_id=1068) 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: Frank.Lienert@nahc.ca.gov.

Sincerely,

for 

Frank Lienert
Associate Governmental Program Analyst

cc: State Clearinghouse

Patrick Cruz

From: Rull, Paul <PRull@RIVCO.ORG>
Sent: Friday, August 24, 2018 9:05 AM
To: Benjamin Torres
Subject: NOP Desert Hot Springs Wind Repowering Project

Follow Up Flag: Follow up
Flag Status: Flagged

Good Morning Benjamin,

Thank you for transmitting the above reference project to ALUC for review. Please note that although the project is not located within an airport influence area, Countywide policy 1.5.3.e. states that ALUC review is required based on the extreme height of the structure:

1.5.3. *Major Land Use Actions:* The scope or character of certain *major land use actions*, as listed below, is such that their compatibility with airport activity is a potential concern.

Even though these actions may be basically consistent with the local general plan or specific plan, sufficient detail may not be known to enable a full airport compatibility evaluation at the time that the general plan or specific plan is reviewed. To enable better assessment of compliance with the compatibility criteria set forth herein, ALUC review of these actions may be warranted. The circumstances under which ALUC review of these actions is to be conducted are indicated in Policy 1.5.2 above.

(c) Regardless of location within Riverside County, any proposal for construction or alteration of a structure (including antennas) taller than 200 feet above the ground level at the site. (Such structures also require notification to the Federal Aviation Administration in accordance with Federal Aviation Regulations, Part 77, Paragraph 77.13(a)(1).)

In addition, review by the Federal Aviation Administration Obstruction Evaluation Service is also required. As a note, ALUC review cannot be completed until the FAA no hazard determination letter is issued.

If you have any questions, please feel free to contact me.

Paul Rull

ALUC Urban Regional Planner IV



Riverside County Airport Land Use Commission

4080 Lemon Street, 14th Floor

Riverside, Ca 92501

(951) 955-6893

(951) 955-5177 (fax)

PRULL@RIVCO.ORG

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County of Riverside California

Patrick Cruz

From: Jim Sullivan <jsullivan@cvag.org>
Sent: Thursday, August 30, 2018 8:50 AM
To: Benjamin Torres
Cc: Katie Barrows; 'Heather A. Pert'; 'Jenness McBride'
Subject: Joint Project Review for Desert Hot Springs Wind Energy Repowering Project

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Mr. Torres,

CVAG has received a Notice of Preparation of a Draft Environmental Impact Report for the Desert Hot Springs Wind Energy Repowering Project. This project is within a Conservation Area of the Coachella Valley Multiple Species Habitat Conservation Plan (CVMSHCP). As a Permittee under the CVMSHCP, Desert Hot Springs is required to submit the project for a Joint Project Review (JPR) before considering the project for approval.

Please contact me if you have any questions.



Jim Sullivan AICP
GIS Program Director
Coachella Valley Association of Governments
760-346-1127

SENT VIA USPS AND E-MAIL:

September 11, 2018

btorres@cityofdhs.org

Benjamin Torres, Associate Planner

City of Desert Hot Springs

65950 Pierson Boulevard

Desert Hot Springs, California 92240

**Notice of Preparation of a Draft Supplemental Environmental Impact Report for
the Proposed Desert Hot Springs Wind Energy Repowering Project**

The South Coast Air Quality Management District (SCAQMD) staff appreciates the opportunity to comment on the above-mentioned document. SCAQMD staff's comments are recommendations regarding the analysis of potential air quality impacts from the Proposed Project that should be included in the Draft Supplemental Environmental Impact Report (EIR). Please send SCAQMD a copy of the Draft Supplemental EIR upon its completion. Note that copies of the Draft Supplemental EIR that are submitted to the State Clearinghouse are not forwarded to SCAQMD. Please forward a copy of the Draft Supplemental EIR directly to SCAQMD at the address shown in the letterhead. **In addition, please send with the Draft Supplemental EIR all appendices or technical documents related to the air quality, health risk, and greenhouse gas analyses and electronic versions of all air quality modeling and health risk assessment files¹. These include emission calculation spreadsheets and modeling input and output files (not PDF files). Without all files and supporting documentation, SCAQMD staff will be unable to complete our review of the air quality analyses in a timely manner. Any delays in providing all supporting documentation will require additional time for review beyond the end of the comment period.**

Air Quality Analysis

SCAQMD adopted its California Environmental Quality Act (CEQA) Air Quality Handbook in 1993 to assist other public agencies with the preparation of air quality analyses. SCAQMD recommends that the Lead Agency use this Handbook as guidance when preparing its air quality analysis. Copies of the Handbook are available from SCAQMD's Subscription Services Department by calling (909) 396-3720. More guidance developed since this Handbook is also available on SCAQMD's website at: [http://www.aqmd.gov/home/regulations/ceqa/air-quality-analysis-handbook/ceqa-air-quality-handbook-\(1993\)](http://www.aqmd.gov/home/regulations/ceqa/air-quality-analysis-handbook/ceqa-air-quality-handbook-(1993)). SCAQMD staff also recommends that the Lead Agency use the CalEEMod land use emissions software. This software has recently been updated to incorporate up-to-date state and locally approved emission factors and methodologies for estimating pollutant emissions from typical land use development. CalEEMod is the only software model maintained by the California Air Pollution Control Officers Association (CAPCOA) and replaces the now outdated URBEMIS. This model is available free of charge at: www.caleemod.com.

SCAQMD has also developed both regional and localized significance thresholds. SCAQMD staff requests that the Lead Agency quantify criteria pollutant emissions and compare the results to

¹ Pursuant to the CEQA Guidelines Section 15174, the information contained in an EIR shall include summarized technical data, maps, plot plans, diagrams, and similar relevant information sufficient to permit full assessment of significant environmental impacts by reviewing agencies and members of the public. Placement of highly technical and specialized analysis and data in the body of an EIR should be avoided through inclusion of supporting information and analyses as appendices to the main body of the EIR. Appendices to the EIR may be prepared in volumes separate from the basic EIR document, but shall be readily available for public examination and shall be submitted to all clearinghouses which assist in public review.

SCAQMD's CEQA regional pollutant emissions significance thresholds to determine air quality impacts. SCAQMD's CEQA regional pollutant emissions significance thresholds can be found here: <http://www.aqmd.gov/docs/default-source/ceqa/handbook/scaqmd-air-quality-significance-thresholds.pdf>. In addition to analyzing regional air quality impacts, SCAQMD staff recommends calculating localized air quality impacts and comparing the results to localized significance thresholds (LSTs). LSTs can be used in addition to the recommended regional significance thresholds as a second indication of air quality impacts when preparing a CEQA document. Therefore, when preparing the air quality analysis for the Proposed Project, it is recommended that the Lead Agency perform a localized analysis by either using the LSTs developed by SCAQMD staff or performing dispersion modeling as necessary. 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>.

The 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). Operation-related air quality impacts may include, but are not limited to, emissions from stationary sources (e.g., boilers), 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.

In the event that the Proposed Project generates or attracts vehicular trips, especially heavy-duty diesel-fueled vehicles, it is recommended that the Lead Agency perform a mobile source health risk assessment. Guidance for performing a mobile source health risk assessment ("*Health Risk Assessment Guidance for Analyzing Cancer Risk from Mobile Source Diesel Idling Emissions for CEQA Air Quality Analysis*") can be found at: <http://www.aqmd.gov/home/regulations/ceqa/air-quality-analysis-handbook/mobile-source-toxics-analysis>. An analysis of all toxic air contaminant impacts due to the use of equipment potentially generating such air pollutants should also be included.

In addition, guidance on siting incompatible land uses (such as placing homes near freeways) can be found in the California Air Resources Board's *Air Quality and Land Use Handbook: A Community Health Perspective*, which can be found at: <http://www.arb.ca.gov/ch/handbook.pdf>. CARB's Land Use Handbook is a general reference guide for evaluating and reducing air pollution impacts associated with new projects that go through the land use decision-making process. Guidance² on strategies to reduce air pollution exposure near high-volume roadways can be found at: https://www.arb.ca.gov/ch/rd_technical_advisory_final.PDF.

Mitigation Measures

In the event that the Proposed Project generates significant adverse air quality impacts, CEQA requires that all feasible mitigation measures that go beyond what is required by law be utilized during project construction and operation to minimize these impacts. Pursuant to CEQA Guidelines Section 15126.4 (a)(1)(D), any impacts resulting from mitigation measures must also be discussed. Several resources are

² In April 2017, CARB published a technical advisory, *Strategies to Reduce Air Pollution Exposure Near High-Volume Roadways: Technical Advisory*, to supplement CARB's *Air Quality and Land Use Handbook: A Community Health Perspective*. This technical advisory is intended to provide information on strategies to reduce exposures to traffic emissions near high-volume roadways to assist land use planning and decision-making in order to protect public health and promote equity and environmental justice. The technical advisory is available at: <https://www.arb.ca.gov/ch/landuse.htm>.

available to assist the Lead Agency with identifying potential mitigation measures for the Proposed Project, including:

- Chapter 11 “Mitigating the Impact of a Project” of the SCAQMD *CEQA Air Quality Handbook*. SCAQMD’s CEQA web pages available here: <http://www.aqmd.gov/home/regulations/ceqa/air-quality-analysis-handbook/mitigation-measures-and-control-efficiencies>
- SCAQMD’s Rule 403 – Fugitive Dust, and the Implementation Handbook for controlling construction-related emissions and Rule 1403 – Asbestos Emissions from Demolition/Renovation Activities
- SCAQMD’s Mitigation Monitoring and Reporting Plan (MMRP) for the 2016 Air Quality Management Plan (2016 AQMP) available here (starting on page 86): <http://www.aqmd.gov/docs/default-source/Agendas/Governing-Board/2017/2017-mar3-035.pdf>
- CAPCOA’s *Quantifying Greenhouse Gas Mitigation Measures* available here: <http://www.capcoa.org/wp-content/uploads/2010/11/CAPCOA-Quantification-Report-9-14-Final.pdf>

Alternatives

In the event that the Proposed Project generates significant adverse air quality impacts, CEQA requires the consideration and discussion of alternatives to the project or its location which are capable of avoiding or substantially lessening any of the significant effects of the project. The discussion of a reasonable range of potentially feasible alternatives, including a “no project” alternative, is intended to foster informed decision-making and public participation. Pursuant to CEQA Guidelines Section 15126.6(d), the Draft Supplemental EIR shall include sufficient information about each alternative to allow meaningful evaluation, analysis, and comparison with the Proposed Project.

Permits

In the event that the Proposed Project requires a permit from SCAQMD, SCAQMD should be identified as a responsible agency for the Proposed Project. For more information on permits, please visit SCAQMD webpage at: <http://www.aqmd.gov/home/permits>. Questions on permits can be directed to SCAQMD’s Engineering and Permitting staff at (909) 396-3385.

Data Sources

SCAQMD rules and relevant air quality reports and data are available by calling SCAQMD’s Public Information Center at (909) 396-2039. Much of the information available through the Public Information Center is also available at SCAQMD’s webpage at: <http://www.aqmd.gov>.

SCAQMD staff is available to work with the Lead Agency to ensure that project air quality impacts are accurately evaluated and any significant impacts are mitigated where feasible. Please contact Alina Mullins, Assistant Air Quality Specialist, at amullins@aqmd.gov or (909) 396-2402, should you have any questions.

Sincerely,

Daniel Garcia

Daniel Garcia
Program Supervisor
Planning, Rule Development & Area Sources

DG/AM
RVC180821-07
Control Number



AUGUSTINE BAND OF CAHUILLA INDIANS

PO Box 846 84-481 Avenue 54 Coachella CA 92236

Telephone: (760) 398-4722

Fax (760) 369-7161

Tribal Chairperson: Amanda Vance

Tribal Vice-Chairperson: William Vance

Tribal Secretary: Victoria Martin

September 12, 2018

Benjamin Torres
City of Desert Hot Springs
65-950 Pierson Blvd.
Desert Hot Springs, CA 92240

Re: Notice of Preparation (NOP) of a Draft Supplement Environmental Impact Report (EIR)

Dear Mr. Torres-

Thank you for the opportunity to offer input concerning the development of the above-identified project. We appreciate your sensitivity to the cultural resources that may be impacted by your project, and the importance of these cultural resources to the Native American peoples that have occupied the land surrounding the area of your project for thousands of years. Unfortunately, increased development and lack of sensitivity to cultural resources has resulted in many significant cultural resources being destroyed or substantially altered and impacted. Your invitation to consult on this project is greatly appreciated.

At this time we are unaware of specific cultural resources that may be affected by the proposed project. We encourage you to contact other Native American Tribes and individuals within the immediate vicinity of the project site that may have specific information concerning cultural resources that may be located in the area. We also encourage you to contract with a monitor who is qualified in Native American cultural resources identification and who is able to be present on-site full-time during the pre-construction and construction phase of the project. Please notify us immediately should you discover any cultural resources during the development of this project.

Very truly yours,

Victoria Martin
Tribal Secretary

Patrick Cruz

From: Joan Taylor <palmcanyon@mac.com>
Sent: Monday, September 17, 2018 6:05 PM
To: Benjamin Torres
Subject: Desert Hot Springs Wind Project, NOP comments

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Mr Torres:

These comments are made on behalf of the Sierra Club.

First, thank you very much for responding to my request and emailing me the NOP notice for the SEIR re Desert Hot Springs Wind Repowering Project ("Project" hereinafter), since the NOP was not posted on the City website.

Second, the Sierra Club supports ramping up of renewable energy and the re-powering of older turbines in preference to developing new wind farms on undisturbed habitat. Generally, the terrestrial impacts (after the wide roads, etc are rehabilitated) are decreased. However, there will be different, and potentially increased, impacts to some avian species, and also to avian migration from modern turbines. That is a concern.

The San Gorgonio Pass is an avian migratory corridor, and the blades of the modern, much higher turbines spin at very high speeds at the tip. So, even though there will be fewer turbines, the potential for different and increased impacts to avian species and bats needs to be analyzed addressed in the SEIR.

In particular, this project appears to be on a hillside. The SEIR should fully address the greater avian impacts caused by turbines on ridge lines, and how these impacts can be avoided, minimized and mitigated.

Since there have been and will be a number of wind re-powering projects in the San Gorgonio Pass Wind Resource Area (SGP WRA), please address the cumulative impacts of this. The SEIR should also analyze the potential for coordinated monitoring and mitigation in the SGP WRA to better inform the design and operation of this and other projects — to ensure they are as environmentally benign as feasible, now and in the future.

Please confirm receipt of this email. Thank you for the opportunity to comment.

Very truly yours,

Joan Taylor, Chair
Calif/Nevada Desert Energy Committee
Sierra Club

1850 Smoke Tree Lane
Palm Springs, CA 92264