PROJECT OVERVIEW

1. Project Description

The proposed Ordinances (Attachments 1 and 2) are for two Renewable Energy Development Agreements (REDAs), each covering separate, but contiguous geographic regions of the Project property, to construct a 500 MW photovoltaic solar energy facility (the "Project") (Attachments 3 and 4). The Project would be located on approximately 2,400 acres comprising 144 parcels of land which are privately owned by the Mary Lee Wiley Living Trust, Section 20, LLC, and Mary Jane Christensen, individually, within the Charleston View Solar Energy Development Area, or SEDA, in the community of Charleston View, Inyo County. The Project would be subject to two separate power purchase agreements (each a PPA) and therefore, two separate REDAs, one for each region/PPA area, are proposed. Environmental review pursuant to CEQA assesses the whole of the Project and includes the impacts of both of the two geographic Project regions. The Project (as further described in the Plan of Development or POD) (attached as Exhibit C to the REDAs) includes the following primary components in Inyo County:

• Main solar energy generation area, which includes 734,000 solar panels (number of panels subject to change with further design but will remain within the footprint of the developed area described in the Plan of Development (Attachment 5) and analyzed as part of the environmental review of the Project) (Site Plan Attachment 6).

• Power conversion systems including inverters and medium voltage transformers

• Medium voltage underground electrical collection system from the Power Conversion Stations (PCS) to the input of the main power transformers that will be located at the substation facility

• High voltage substation

• Gen-tie line*

• An Operation and maintenance (O&M) facility

• Power plant control and monitoring system and communications network

• Site security and fencing

• Access and interior access roads

• Stormwater/sediment retention areas**

*An approximately 9-mile long 230 kilovolt (kV) generation tie-in line (gen-tie) will be constructed, of which approximately 0.4 miles would be located on private land adjacent to the Project in Inyo County, with the remaining 8.5-miles located on land managed by the Bureau of Land Management (BLM) in Nye and Clark Counties, Nevada. The gen-tie line would connect to the existing GridLiance West-owned 230/500kV Trout Canyon substation.

**Stormwater runoff and sediment generated within the solar development area will flow and be captured along the western edge of the development area through 21 stormwater/sediment retention basins collectively covering approximately 20 acres of land. This will contain sediment and allow for water percolation into the ground as required by the Stormwater Pollution Prevention Plan (SWPPP). Graded areas would be allowed to revegetate following the construction phase.

The Project site is located on land designated by the County's General Plan as a Solar Energy Development Area, or SEDA, more specifically, the Eastern Solar Energy Group – Charleston View SEDA. (Eight different SEDAs were designated as potential areas for solar energy development in the County's 2015 Renewable Energy General Plan Amendment (REGPA), which underwent extensive public review and comment as well as environmental review pursuant to the REGPA Program Environmental Impact Report (PEIR). The REGPA can be found at: https://www.inyocounty.us/sites/default/files/2020-04/FinalREGPA33015.pdf
The PEIR can be found at:
https://www.inyocounty.us/services/planning-department/environmental-reviews)

In or around 2012, the County Board of Supervisors requested that planning staff prepare for renewable energy projects in the county. This was in response to an intensive push by the Federal Government and the State of California to develop renewable energy facilities. Also, during this time, the California Energy Commission had a permit application for a concentrating solar power (a.k.a. power tower) project in Charleston View (the application was ultimately withdrawn). The Board had the foresight to direct Inyo County staff to prepare for interest in renewable energy development in the county (given its prime solar energy development potential) - instead of just waiting for that development to happen with no parameters in place. The REGPA was prepared, analyzed and adopted over the next three years in order to limit both the amount and type of renewable energy development that may occur in the county and to reasonably regulate those projects which may be developed. This has prevented and will continue to prevent Inyo County from experiencing massive amounts of solar energy development like some neighboring counties - Bonanza Peak Solar is the first utility scale project in Inyo County.

The Charleston View SEDA can be characterized as undeveloped, vacant, open space with some disturbance from roads, abandoned vehicles, and miscellaneous junk piles. The northeast side of the SEDA borders the State of Nevada and most of the surrounding Charleston View area is undeveloped land with scattered residential development, with ad hoc RV living areas and miscellaneous storage/junk sites throughout.

The Project would have a 50-year Project lifetime commencing when building and grading permits are granted by the County, or six months following approval of the REDAs, whichever occurs first. Upon Project decommissioning, the Project site would be reclaimed in accordance with an approved decommissioning and reclamation plan.

2. Proposed Renewable Energy Development Agreements

The California Constitution, Government Code sections 65864 through 65869.5 and Title 20 of the Inyo County Code authorize the Board of Supervisors to enter into agreements with property owners/developers governing the use and development of property (development agreements or DAs). In general, DAs function as development approvals, often taking the place of a use permit or other type of land use approval. By utilizing a DA, the local jurisdiction may obtain public benefits that would not be available under traditional permitting systems, while exercising flexibility in accomplishing the goals set forth in the County General Plan. In exchange, DAs provide certainty to project applicants regarding the rules that will apply to their project by freezing (or "vesting") the development regulations that are in place at the time the project is approved. Accordingly, existing rules apply to the project (with exceptions for health and safety, taxes and similar matters) and there are no changes or surprises.

Section 21.08.100 of the Inyo County Code addresses the use of DAs in the context of renewable energy projects (called renewable energy development agreements or REDAs) and provides that REDAs are to be processed in the same manner as a development agreement under Title 20, except that the Board of Supervisors is the approval authority and county agency under CEQA, while the Planning Commission's role is limited to holding a public hearing at which input may be provided. The Planning Commission held a public hearing on the REDAs on September 23, 2026, and all public comments received at that hearing are included as an attachment to this staff report (Attachment 7).

As mentioned, two REDAs are proposed for Board approval, which are attached to this staff report (Attachments 3 and 4). The first REDA covers what is referred to as "Region I" of the Project, which encompasses approximately 80% of the land area utilized for the Project. The second REDA covers the remaining 20% of the land area to be developed with solar panels ("Region II"). The substation and O&M facilities are located within the Project footprint and will be shared amongst the two REDAs. Each proposed REDA includes various contractual terms (such as process and grounds for termination, amendment, indemnification, etc.) and five Exhibits. Exhibits A and B to each REDA describe and depict the geographic area covered, Exhibit C is the Plan of Development for the Project, Exhibit D sets forth the terms and conditions of approval, and Exhibit E lists the current development standards applicable to the Project.

The REDAs also include a provision that if they should be terminated or portions struck down by a court (other than Exhibits C and D), then Exhibits C and D would remain in effect and serve as a Renewable Energy Permit for the Project, provided that the applicant meets certain requirements, including continued implementation of the community contributions and benefits discussed below.

3. Community Contributions and Benefits The following public and community benefits have been agreed upon by the applicant and would be required by the REDAs if approved by the Board:

A. Firehouse Construction and Equipment. Prior to approval of building or grading permits for Region I of the Project, the applicant would provide Inyo County with $2,000,000 to be used by the Southern Inyo Fire Protection District to construct a firehouse and purchase firefighting equipment. These funds would be held by Inyo County until such time as the Fire District is prepared to approve and move forward with firehouse development, and the County and the District enter into an agreement governing the disbursement of funds.

B. Charleston View Community Plan and Road Signage. Prior to approval of building or grading permits for Region II of the Project, the applicant would provide $500,000 to the County to fund a CEQA compliant Environmental Impact Report to finalize the Charleston View Community Plan and to provide local road signs. Any funds left over would be held by the County for the future maintenance costs of the firehouse and fire equipment.

C. Payment of Property Taxes (or an in Lieu Fee). Existing State law provides a property tax exclusion for solar facilities. This exclusion sunsets on January 1, 2027. Accordingly, the Project's solar facilities would be subject to property taxes -- given its 2029 estimated completion date. However, should a similar exclusion from property taxes be enacted in the future, the applicant agrees to pay a fee in lieu of property taxes equal to the amount of property tax excluded.

D. Maximization of Sales and Use Tax. The applicant agrees to take steps to ensure that sales and use taxes associated with the Project are allocated to Inyo County to the maximum extent allowed by law.

4. Mitigation Parcels

The applicant will offset impacts to biological resources by permanently conserving two adjacent off-site mitigation areas known as Kingston View and Campito Peak totaling at least 2,400 acres and consistent with the mitigation requirements established by the PEIR and California Department of Fish and Wildlife and U.S. Fish and Wildlife Service during Project Permitting (Attachment 8 Kingston View and Campito Map). - The Bonanza Peak Energy Project Mitigation Summary can be found as Appendix V of the CEQA Addendum at: https://www.inyocounty.us/sites/default/files/2026-11/App%20V_Mitigation%20Summary.pdf. The required mitigation acreage was determined using agency-approved mitigation methodologies that considered habitat type, habitat quality, and species occurrence, resulting in a mitigation package sufficient to compensate for the approximately 2,400-acres of Project impacts and their preservation through deed restriction as a condition of project approval.

The Kingston View mitigation parcels (Assessor Parcel Numbers: 048-120-09, 048-170-02, 048-170-56, 048-190-02, 048-170-51 and 048-170-47) total approximately 1,859-acres. Kingston View contains high quality desert tortoise habitat and supports desert tortoise densities higher than the Project area, as well as documented live burrowing owls with abundant suitable burrows and prey. The site also contains waters of the State similar to those affected by the Project, habitat for

LeConte's thrasher, native plant communities that support the special-status plant species present in the Project area, and connectivity to a large network of protected desert lands.

Because Kingston View only comprises 1,859-acres and the solar development area comprises approximately 2,400-acres, the applicant has identified an approximately 2,000-acre property immediately south of Kingston View called Campito Peak. The applicant plans to secure 600-acres at the Campito Peak property under an Option to Purchase Agreement. Biological surveys are underway to identify the approximately 600-acres of Campito Peak that would provide the greatest ecological value for the special-status species and aquatic resources being mitigated in conformance with the PEIR's biological mitigation measures and with USFWS and CDFW requirements. Habitat quality, contiguity, and regional connectivity are among the selection factors. Together with Kingston View, the selected acreage will form a contiguous block of conserved high-quality habitat that will mitigate for Project impacts consistent with the biological mitigation measures established by the PEIR prepared in conjunction with the County's REGPA.

5. Potential Alternative Uses on the Project Site and Mitigation Land

The approximately 2,400-acre solar development area is comprised of 144 parcels of land, and the Kingston View and Campito Peak mitigation areas will be comprised of approximately 2,400 acres (the "Mitigation Land"). All are zoned Open Space. Based on current County Zoning and State Housing Law, each of the 144 Project area parcels could have one single-family home and one accessory dwelling unit, for a total of two housing units on each parcel (i.e., 288 housing units). In addition, the Mitigation Land could be subdivided into up to 60 lots consistent with the 40-acre minimum parcel size in the Open Space Zone, which could support up to 120 additional housing units. As described below, such residential development would require significantly more water, result in greater ground disturbance and cause additional impacts beyond those resulting from the Project. By eliminating this development, the Project will preserve the water table (in perpetuity for the Mitigation Land and for 50 years on the Project site) and eliminate future water consumption in excess of the amount needed for Project construction, operations and decommissioning, which is significantly less than would be utilized for the potential alternative uses of the property. This is discussed in more detail below.

6. Tribal Consultation

Tribal consultation pursuant to AB52 is not required for an Addendum. County staff did, however, send Tribal consultation invitations to the Tribes on its AB52 contact list and the Pahrump Valley Paiute Tribe in Pahrump Nevada. These Tribes included: Big Pine Paiute Tribe of the Owens Valley, Bishop Paiute Tribe, Fort Independence Indian Community of Paiutes, Lone Pine Paiute-Shoshone Tribe, Timbisha Shoshone Tribe, Twenty-Nine Palms Band of Mission Indians, Cabazon Band of Mission Indians, Torres Martinez Desert Cahuilla Indians, and Kern Valley Indian Community.

One Tribe, the Twenty-Nine Palms Band of Mission Indians, requested consultation. Staff made four attempts to schedule consultation with the Tribe, on January 21, February 7, March 31, and April 9, 2025; however, the Tribe did not respond to these follow-up efforts and consultation did not occur. No other Tribes responded to the County's outreach.

STAFF ANALYSIS

FINDINGS

1. General Plan Consistency

In March of 2015 the County Board of Supervisors approved the REGPA that established General Plan Policies and land use designations for several types of onsite use or commercial sales and export use types, of renewable energy solar photovoltaic facilities. These include:

- Utility Scale Renewable Energy Solar Facility (more than 20 megawatts)

A renewable energy solar facility that produces more than 20 megawatts (MW) of electricity for off-site use, consumption and/or sale, including all equipment and accessory structures related to the facility, including but not limited to PV panels, mounting posts, substations, electrical infrastructure, transmission lines, operations and maintenance buildings, appurtenant energy storage facilities and other accessory structures.

- Commercial Scale Renewable Energy Solar Facility (20 megawatts or less)

A renewable energy solar facility that produces 20 MW or less of electricity for off-site use, consumption and/or sale.

- Community Scale Renewable Energy Solar Facility (36 acres or less)

A renewable energy solar facility that uses renewable solar resources to generate energy for specific community's use and located near the community it serves.

- Small Scale Renewable Energy Solar Facility

A facility that uses renewable solar resources to generate energy for onsite use such as rooftop or ground mounted PV panels.

Policy LU-1.17 Utility Scale

The Bonanza Peak Solar Project proposal falls into the Utility Scale Renewable Energy Solar Facility category. It will generate 500 MW of electricity on approximately 2,400 acres. Potential social, economic, visual and environmental impacts from the project have been avoided, minimized, and mitigated to an acceptable level consistent with CEQA as described in the Addendum to the PEIR prepared for the County's REGPA, supporting documents to the Addendum, this staff report, and additional materials in the County's file, and as such is compliant with the County General Plan, which requires that all impacts be avoided, minimized, and

mitigated to an acceptable level. A matrix showing the application of each of these mitigation measures to the Project is attached.

Other General Plan policies were developed for renewable solar energy projects in the REGPA and the Project is also consistent with these General Plan policies as follows:

• Policy GOV-2.3: Public Involvement: The County shall provide the opportunity for the public to engage in the planning process at the onset of any renewable energy solar facility project and for all other large or potentially controversial projects applied for in the County.

The County provided an opportunity for early public involvement by holding presentations regarding the proposed project on October 9, 2024, at St. Therese Mission Catholic Church in Charleston View. Subsequent public meetings and presentations were held on December 3, 2024, November 4, 2025, and July 1, 2026. The presentations provided information about the proposed project and gave the public an opportunity to ask questions, provide comments, and discuss the project with County representatives.

• Policy GOV-2.4: The County shall require that renewable energy solar facility developers notify local residents and/or landowners by direct mailings or other appropriate means announcing projects at the time an application is submitted.

The applicant, Bonanza Peak Solar, conducted public outreach beginning in April 2024, when outreach letters introducing the proposed project were mailed directly to local residents and property owners. The applicant continued its outreach efforts throughout the project review process by participating in multiple public meetings and community outreach events. Additional outreach included presentations and discussions before the Inyo County Board of Supervisors on October 9, 2024, and December 3, 2024. Outreach continued in 2025, including a November 4 Board of Supervisors meeting in Tecopa and a November 4 community meeting in Charleston View held in coordination with the Southern Inyo Fire Protection District (SIFPD). In July 2026, Bonanza Peak Solar conducted an additional community outreach Open House in Charleston View to provide project information, answer questions, receive community input, and discuss issues of concern to local residents. A hearing to obtain additional public comment was held before the Inyo County Planning Commission on September 23, 2026, in Independence, CA. These outreach efforts provided the public, residents and property owners with multiple opportunities throughout the planning process to receive information regarding the proposed project, ask questions, and provide comments and documentation of these efforts can be found at: https://www.inyocounty.us/services/planning-department/bonanza-peak-renewable-energy-project.

Based on the outreach efforts by the County and the applicant, several changes to the project have been made. The applicant began with a proposal to include a Battery Energy Storage System (BESS) with the project. This would allow for excess energy produced during the day to be stored on site for discharge during peak demand and night times. During several of the first public

outreach meetings, community members and the Southern Inyo Fire Protection District (SIFPD) had serious concerns and many comments about the dangers of having battery storage at the project site, because the batteries include concentrations of lithium. If they were to catch on fire, they would burn very hot and could not be put out. Based on these concerns and comments, the applicant eliminated the BESS from the project.

At later public outreach meetings, concerns about groundwater depletion in the area were discussed. Community members are very concerned about the initial amount of water that will be used during construction and its potential to impact their groundwater wells. During the approximately 18-months of construction, it is estimated that up to 1,094 acre-feet (AF) will be used, and up to 729 AF of water will be required for decommissioning at the end of the Project's 50-year life, as discussed further below. Once building is completed, about 0.014 AF of water will be used annually, resulting in a total of 0.68 AF of water use for the rest of the life of the project, approximately 48.5 years. In response to this concern, the applicant will provide a voluntary groundwater monitoring program (VGMP) during construction. This will allow the residents of the Charleston View community within a half-mile radius of a project well to have their wells monitored during project construction. Provisions for remedy if groundwater levels drop below pre-construction levels will also be included. The completion of this plan in detail is included as a condition of approval. The plan is not mitigation as required by CEQA but rather is provided as a service by the applicant, since the significance standard under CEQA is tied to sustainable management of the groundwater basin, as opposed to localized effects on neighboring wells. See the discussion below accompanying WR-3.7 for information related to sustainable management of the groundwater basin (Attachment 9, Hydrographic Basin Summary and Groundwater Management Plan) .

• Policy LU-1.20: The County does not support new transmission in or through Inyo County above what is necessary for the megawatt cap placed on each Solar Development Group.

Transmission for the Bonanza Peak project will only convey the 500MW of electricity that will be generated by the project, consistent with the 500MW cap for the Eastern Solar Energy Group.

• Policy LU-1.21: The County does not support renewable energy solar development projects other than those that use PV technologies.

The Bonanza Peak project is a solar photovoltaic ("PV") electric generation facility.

• Policy ED-4.4: Offset the Cost to the County for Service Provision. Renewable energy solar facility development shall be required to provide the means to offset the costs to the County, including but not limited to, the cost of infrastructure improvements and County services, and lost economic development potential. Economic impacts from renewable energy solar facility development identified by the County shall be mitigated or offset.

Memos were sent out to the departments of: Agriculture, Road, Building and Safety, Environmental Health, Water, Health and Human Services, Information Services, Solid Waste,

Public Works, Southern Inyo Fire Protection District (SIFPD) and Inyo County Sheriff requesting information regarding possible additional costs for county services resulting from the project. The Sheriff stated her office has limited resources in the Charleston View area and suggested that the applicant include a security plan as part of the Project, which is included as a condition of approval. In addition, the Auditor and Assessor noted the need to secure sales and use and property taxes from the Project to the maximum extent allowed by law. Provisions to ensure this were included in the REDAs as described above. No other additional costs were identified.

• Policy ED-4.5: Employ and Train Local Labor. The County shall encourage renewable energy solar facility developers to employ the local labor force during development and for long-term facility maintenance and provide educational and training opportunities, as practicable.

The applicant will ensure that the contractors they hire to construct the project announce job opportunities to the local community.

• Policy ED-4.6: Compensation to Local Communities. The County shall encourage renewable solar energy developers to provide compensation in the form of reduced rates for communities impacted by development.

Utility-Scale Solar electricity is generated by independent developers who sell it directly to major utilities through long-term power purchase agreements. This wholesale power is then transmitted across the grid to serve residential and commercial customers and cannot be sold directly or given directly to consumers. The applicant is satisfying this policy by providing $2,500,000 to the County to be used to construct a firehouse and purchase firefighting equipment, fund a CEQA compliant Environmental Impact Report to finalize the Charleston View Community Plan and pay for local road signs. Any funds left over will go into an account held by the County for maintenance of the firehouse and firefighting equipment. Additionally, generation of renewable solar power offsets conventional generation during the daylight hours to enable extension of super off peak and off peak rates into the higher demand periods of the day. By providing this level of compensation to the community of Charleston View the project is in substantial conformance with ED-4.6.

• Policy ED-4.7: Provide Transient Housing. The County shall encourage renewable solar energy developers to help provide transient housing during the construction of solar energy facilities to minimize impacts to tourist accommodations.

Most of the workforce for the Project will come from Pahrump and Las Vegas Nevada as well as from the local area. No transient worker housing will be required for the project as most of the workers will be from nearby and will commute into the project site from their homes or in housing provided by the construction contractor outside of Charleston View. The Project is conditioned upon no transient housing or camping being developed in the Project area without prior discretionary approval since the Project's housing needs are covered without it and due to lack of infrastructure in Charleston View to cover transient housing or camping options.

• Policy AG-1.3: Conversion of Agricultural Land. Discourage conversions of productive agricultural lands for urban development and encourage avoidance of the use of productive agricultural lands for renewable energy solar facility development.

No productive agricultural land will be affected by the Bonanza Peak project as there is currently no active agricultural use in the Project area.

• Policy CUL-1.6: Protect Cultural Resources. The County shall require renewable energy solar facility developers recognize the Old Spanish Trail (OST) as a cultural resource and ensure that it and its immediate surroundings in the Charleston View SEDA are preserved and protected.

The Bonanza Peak project will not affect the Old Spanish National Historic Trail (OSNHT) cultural resource. As specifically analyzed in the Addendum (Appendices C and H of the Addendum found at: https://www.inyocounty.us/services/planning-department/bonanza-peak-renewable-energy-project) to the PEIR prepared for the REGPA, the OSNHT is not located within or within approximately 1.5 miles of the closest point of the proposed Project footprint, nor will the Project affect the area's viewshed surrounding it. The Project's cultural resources investigation provides a Project-specific analysis of the Bonanza Peak Project site. The initial December 2025 Cultural Resources Assessment and the revised September 3, 2026 assessment document Project-specific background research, California Historical Resources Information System records searches, review of prior studies and historical sources, intensive pedestrian surveys, resource recordation and evaluation, and subsequent Extended Phase I archaeological testing. The revised assessment also analyzed the OSNHT using current National Park Service alignment information. That information places the documented OSNHT alignment outside the Project's Developed Area and South of the Old Spanish Trail, approximately 1.5 miles from the planned solar photovoltaic facility (all of which is located north of the Old Spanish Trail, while the OSNHT passes to the south). The Project-specific investigations did not identify a listed or formally designated OSNHT segment within the Project Study Area. Based on the documented alignment, the distance and intervening development, the absence of anticipated direct disturbance to that alignment, and the results of the cultural and visual analyses, the Project is not expected to result in an impact to the OSNHT.

• Goal MER-2: Avoid, Minimize, Mitigate. Ensure that renewable energy solar facility development is conducted appropriately to avoid, minimize, or mitigate the impacts from such development on the social, economic, visual, and environmental resources of the County.

The Project was initially proposed at the Kingston View mitigation site. Upon discovering the high quality biological resources in the area, it was relocated to the current Project area. Additional bio resource data for the general vicinity of the Project was obtained and showed a greater abundance of tortoises to the northeast. The Project was then shifted to the southwest to avoid this area. Further, initially, an approximately 1.4-mile access road was proposed, but through project design this area was relocated and reduced to just ~0.25 miles to reduce dust generation (and water use). Dust suppressants will be used, as feasible, to further reduce water need for dust suppression. The

Project has been prepared pursuant to the PEIR certified for the REGPA and an Addendum to that PEIR which reviewed and analyzed potential Project-specific impacts to social, economic, visual, and environmental resources. This analysis found that the Project would have less than significant impacts.

• Policy MER-2.1: Encourage Small Scale Solar. The County shall continue to encourage small-scale renewable energy solar facilities, such as rooftop and ground-mounted solar; commercial scale; and community scale renewable energy solar facilities that serve specific communities.

County Planning and Building and Safety staff continue to encourage small-scale solar development by expediting the non-discretionary permitting process as much as possible.

• Policy MER-2.2: Solar Energy Development Areas (SEDA). The County shall maintain a Land Use Diagram of areas where utility scale and commercial scale solar facilities may be appropriate.

The REGPA and SEDA maps can be found at: https://www.inyocounty.us/sites/default/files/2026-09/FinalREGPA33015.pdf.

• Policy MER-2.3: SEDA Land Inventory. As illustrated on Table 3-1, of the REGPA the total acreage that may be developed for utility and commercial scale renewable energy solar facilities within each SEDA is capped; and, the amount of megawatts that may be generated within each Solar Energy Group is capped (small scale and community scale solar energy facilities are excluded from the caps).

The Charleston View SEDA as part of the Eastern Solar Energy Group is capped at 500MW and allows utilization of not more than 2,400 acres for the Project . The project REDA applications have been prepared and submitted to meet the maximum allowances for the Charleston View SEDA and Solar Energy Group. This project effectively concentrates all of the allowed amounts of megawatts and acreage in the SEDA in one area and will prevent the possibility of any additional solar energy development in Charleston View as well as Sandy Valley (also located in the Eastern Solar Energy Group), in addition to preserving the Kingston View and Campito Peak parcels.

• Policy MER-2.6: Avoid, Minimize, or Mitigate Impacts. The County shall work with renewable energy solar developers and other agencies to avoid, minimize, or mitigate impacts to the social, economic, visual, and environmental resources of the County from renewable energy solar facility development.

The Project has been prepared pursuant to the PEIR created for the REGPA and an Addendum thereto which reviewed and analyzed potential impacts to social, economic, visual, and environmental resources. All were found to have less than significant impacts with or (with respect to some impacts, without) mitigation.

• Policy MER-2.7: Dust Control. The County shall work with renewable energy solar developers to ensure that dust creation during the construction and operations of a renewable energy solar facility are avoided to the extent practicable.

The applicant will follow all construction best practices, including watering to control dust during construction and by minimizing access routes and grading through careful project design with this in mind as provided in the Conditions of Approval. See further response included in the discussion of Policy MER-2.

• Policy MER-2.8: Reclamation Planning. The County shall work with renewable energy solar facility developers to provide and implement a reclamation plan to return the site of each project to pre-project conditions or another appropriate state (i.e., native, reuse, etc.). The reclamation plan shall include financial assurances, such as bonding, for the cost of decommissioning, reclaiming and re-vegetating (if required) each renewable energy solar facility including removal of all equipment and accessory structures related to the facility, including but not limited to PV panels, mounting posts, substations, electrical infrastructure, transmission lines, operations and maintenance buildings, appurtenant energy storage facilities and other accessory structures.

The applicant has submitted a reclamation plan which is attached (Attachment 10) and will submit, prior to the issuance of building/grading permits, financial assurances to be carried out at the end of the life of the Project that meet the requirements of MER-2.8 including: a detailed strategy for removing all solar panels and appurtenant structures and to bring the project area back into the open space character as found prior to the project; financial assurance mechanism corresponding to the reclamation plan that covers all implementation costs at current prices; annual inspections of the project site; updates to the decommissioning plan that are found necessary based on the annual inspections, with corresponding updates to financial assurances based on the current Consumer Price Index; and that annual project site inspection costs related to staff time and travel will be paid annually at the time of inspection. This is included as a condition of approval.

• Policy MER-2.9: Renewable Energy Solar Facility Development along the Los Angeles Aqueduct. The County shall encourage the use of land over and along the Los Angeles Aqueduct for renewable energy solar facility development. These areas may not be included in the SEDA but are subject to the Western Solar Energy Group cap on the total megawatts that may be produced with the Western Solar Energy Group.

N/A. The Project is not located along the Los Angeles Aqueduct.

• Policy MER-2.10: Protect Vegetation. The County shall require that renewable energy solar facility developers use mowing and/or other methods that do not include ground scraping during the construction and/or operation of solar facility developments (access roads and infrastructure are excluded from this requirement).

The Project does not include grading beyond that required for buildings; interior project roads (access and service roads); temporary construction facilities (lay down, staging, storage and

drainage retention areas); and gen-tie transmission structures (light grading). All the area dedicated to the solar arrays will be mowed, and post holes will be augured for the construction of the solar panel posts. No vegetation scraping or grading is included. This is included as a condition of approval for the Project. Additionally, the applicant has prepared a Project-specific Habitat Restoration, Revegetation, and Weed Management Plan that has been approved by the California Department of Fish and Wildlife and the U.S. Fish and Wildlife Service.

• Policy WR-3.5: Sustainable Renewable Energy Solar Development. The County shall require renewable energy solar facility development to incorporate measures to minimize water consumption and use of potable water and encourage the use of re-claimed water and/or practices that do not require water during construction, the life of the facility, and during reclamation.

A hydrology and water quality assessment and water supply assessment were prepared for the project Addendum. It found no significant impacts from the project (Appendix M can be found at https://www.inyocounty.us/services/planning-department/bonanza-peak-renewable-energy-project) (an update was also prepared and can be found as Attachment 9). The applicant will complete a groundwater monitoring and contingency plan to address the possibility of localized impacts to nearby wells during construction. This is included as a condition of approval for the project. Additionally, the applicant has agreed to not undertake panel washing during normal project operation so as to reduce operational water demand. For construction, the applicant has designed the project to reduce the length of access routes to ensure grading and off-road travel and thereby necessary dust suppression requirements are minimized. The applicant will also utilize best management practices to minimize construction water demand.

• Policy WR-3.6: Sustainable Water Practices.

Renewable energy solar facility development proposed in the Laws and Sandy Valley SEDAs shall be required to show that the proposed project will be water sustainable.

N/A, the Project is not within the Laws or Sandy Valley SEDAs.

• Policy WR-3.7: Charleston View. Projects proposed in Charleston View shall be water sustainable and shall require project applicants to purchase and retire water rights along the same flow path for the water that will be used for the project (construction and maintenance) at a minimum of a 1 to 1 ratio.

The Addendum (including Appendices M and N) found that the hydrology impacts of the Project on the groundwater basin would be less than significant based on its analysis of the Project's water demand, current basin recharge rates, and historical information on the changes to the basin. The analysis concluded that local water supplies would be able to meet Project demand without negative impacts on the basin or significant down-watershed impacts. The Project will eliminate future development in the mitigation areas and postpone any residential development at the project site during its entire operational life. Therefore, the Project is water sustainable as required by the Policy.

The owner/developer will prepare and execute deed restrictions on the Kingston View mitigation parcels, which includes Assessor Parcel Numbers: 048-120-09, 048-170-02, 048-170-56, 048-190-02, 048-170-51 and 048-170-47, which totals 1,859 acres. The owner/developer will do the same with respect to an additional 600 acres of mitigation land in the Campito Peak mitigation area. Both properties overlie the same basin from which the Project will produce groundwater for construction, operation and decommissioning, and are in the same flow path as the Project site (generally east to west from the Nevada Border towards the Nopah Range).

Generally, property overlying a groundwater basin has an "overlying right" to produce water from the basin for use on the property. The only limit on the production is that which can be put to reasonable and beneficial use. The deed restrictions on the mitigation parcels shall be recorded, shall run with the land, shall disallow the use or export of groundwater from these parcels in perpetuity, and will limit groundwater production to water required for environmental mitigation. Because these restrictions are permanent while the Project's water demand is limited to its 50-year life, the water retired continues to accrue after the Project is decommissioned. As explained below, severely restricting exercise of the mitigation parcels' overlying water rights will retire water rights along the same flow path, well in excess of a 1:1 ratio compared to the Project's water demand.

The Project proposes the use of 1,094 AF for the 18-months of construction and 0.68 AF total for the remaining 48.5-years the project is in use (0.014 AFY). While decommissioning will not take place until the end of the life of the project, and thereby any estimate of decommissioning water is speculative, for purposes of this analysis, the County assumes that decommissioning will require the same daily water demand as construction, which is approximately 729 AFY (based on the 12 month decommissioning time frame). This is a grand total of approximately 1,824 AF over the 50-year life of the Project. These are inherently conservative estimates as the construction and decommissioning water demands assume 24 hours per day, 7 days per week production from the Project's groundwater wells. Generally, that is not anticipated as the water demand is only generated by construction activities, which are limited by the Conditions of Approval to daylight hours Monday through Saturday.

The Project site itself is already subdivided into numerous small lots. The approximately 2,400-acre Project area encompasses 144 parcels, all zoned Open Space. Based on current County zoning and State housing law, each of these parcels could be developed with one single-family home and one accessory dwelling unit, for a total of 288 housing units. According to UC Agriculture and Natural Resources, the average California household uses between 0.5 and 1 AF per year. At the lower end (0.5 AFY), build-out of the Project area would use approximately 144 AFY, or 7,200 AF over 50 years; at 1 AFY, it would use approximately 288 AFY, or 14,400 AF over 50 years, and that demand would continue thereafter. Notably, these residential estimates account only for ongoing household use and do not include the additional water that would be required to construct the homes, roads and associated infrastructure. By comparison, the Project's total life-of-project demand of approximately 1,824 AF is a small fraction (roughly one-fourth to one-eighth) of the water that residential development of the Project site would require.

Similarly, the Kingston View and Campito Peak mitigation areas will total 2,400 acres. Based on the current zoning and General Plan designations, that land could be subdivided into 60, 40-acre residential lots. The full potential of 60 residential lots, with one single-family home and one accessory dwelling unit each, would result in 120 housing units. At the lower end (0.5 AFY), this would result in 60 AFY, or 3,000 AF over the 50-year life of the Project and continuing thereafter, which is more than one and a half times the Project's total life-of-project demand of approximately 1,824 AF (i.e., more than a 1 to 1 ratio). Assuming 1 AFY for each dwelling unit, the annual use would be 120 AFY, or 6,000 AF over the 50-year life of the Project and continuing thereafter, more than three times the Project's demand. As with the Project site, these figures do not account for water needed to construct such residential development.

If the mitigation land was used for agriculture based on what is in the general area, it would likely be alfalfa farms. Based on a report from UC Davis, water use for alfalfa is from 2.5 - 6.5 AFY depending on the climate. The Charleston View area would likely be at the higher end due to its dry climate. Even at the low end of 2.5 AF per year, however, this would be about 6,000 AF per year, for a total of 300,000 AF over the 50-year life of the Project.

In these examples, residential use of the mitigation property would exceed the Project's demand by approximately 1,176 to 4,176 AF (with residential build-out of the Project site exceeding the Project's water demand by approximately 5,376 to 12,576 AF), and agriculture/alfalfa farming would exceed it at approximately a 164 to 1 ratio. The purchase and restriction of groundwater use on the Project site and on the mitigation parcels, except for environmental mitigation, has the effect of retiring a much greater amount of water than would be used by the Project (i.e., significantly more than a 1 to 1 ratio). It is therefore consistent with WR-3.7. This is included as a condition of approval for the project.

Furthermore, although not required by the Policy WR-3.7, the applicant is implementing a groundwater monitoring plan to monitor the aquifer and nearby private wells for any effects of any project water use to ensure there are no impacts on available water supply. This is included as a condition of approval for the project.

• Policy VIS-1.8: Renewable Energy Solar Development, Light and Glare, Night Skies. The County shall encourage siting, orientation and screening to avoid, minimize or mitigate significant changes to the visual environment from renewable energy solar facility development during construction and operations, including avoiding or minimizing light and glare, and impacts inconsistent with Death Valley National Park's International Night Skies designation.

The Project's proposed solar panels are designed to have anti-glare properties. All lighting included on the Project site will be subject to the County's outdoor light ordinance. This is included as a condition of approval for the Project. Additionally, the applicant is preparing an Avian and Bat Protection Plan,[A3] which includes a measure requiring facility lighting to be designed, installed,

and maintained to direct light downward onto the Project site and minimize light spillover into adjacent wildlife habitat. The Avian and Bat Protection Plan has been submitted to the California Department of Fish and Wildlife and U.S. Fish and Wildlife Service; both agencies have provided comments, and the applicant is currently addressing their comments for final approval. No comments on the proposed lighting measure were received.

• Policy VIS-1.9: Economic Impacts from lost Visual Resources. The County shall balance renewable energy solar facility development opportunities with the potential loss of tourist-based economic opportunities from impacts to visual resources.

The community of Charleston View currently has very little in the way of tourist-based commercial activities. There is one unpermitted off-road vehicle rental business and many unpermitted short-term rentals in Charleston View. Most travelers in Charleston View are traveling through to get to Las Vegas, Death Valley National Park and the Dumont Dunes off-road vehicle area. Visual resources affecting such travelers would be to the surrounding mountains. As part of the CEQA review of the Project visual simulations (which can be found in Appendix C of the Addendum available at: https://www.inyocounty.us/services/planning-department/bonanza-peak-renewable-energy-project) were prepared to evaluate the views from various locations along the Old Spanish Trail Highway (the route through Charleston View) and found that the Project would not degrade the existing character or quality of public views of the site or surroundings. No loss of potential tourist-based economic opportunity is expected.

• Policy VIS-1.10: Old Spanish Trail (OST). Provide for setbacks, siting, orientation, screening and buffers, on a project-by-project basis, to avoid impacts to views of the Old Spanish Trail located in the Charleston View SEDA.

The project will not affect the views of or to the Old Spanish National Historic Trail (OSNHT or OST) based on visual simulations (found in Appendix C of the Addendum), and no viewsheds to the OSNHT will be blocked by the project. The Cultural Resources Report also reviewed historical information related to the OSNHT in Charleston View and more specifically in the SEDA and found there were no formally designated OSNHT segments within the Project area, and that the trail's alignment runs 1.5 miles from the planned development area (see additional discussion above under CUL-1.6).

2. Consistency with Inyo County Code/Applicable Zoning

The Project is consistent with Inyo County Code Title 21 "Renewable Energy Development", including Section 21.16 "General Provisions for Renewable Energy Development", which aims to "support and encourage the responsible development of its solar and wind resources to generate and transmit clean, renewable electric energy while protecting the health, safety and welfare of its citizens and its environment, including its public trust resources" (21.04.030). A reclamation plan that meets the requirements of 21.20.030 has been submitted and conditions of approval require that financial assurances meeting the requirements of 21.20.040 will be provided prior to the

issuance of building/grading permits. Additionally, there is substantial evidence in the record demonstrating that, through the imposition of mitigation measures, the approval of a reclamation plan, the receipt of adequate financial assurances, and by other conditions agreed upon by the applicant or incorporated into the determination or imposed upon the Project, the health, safety and welfare of the county's citizens, the County's environment, including its public trust resources, and the County's financial well-being, have been adequately safeguarded (21.20.070).

The Project is also consistent with Title 18 “Zoning”.

Specifically, section 18.12.050 establishes a 50-foot default setback within the OS zone, which may be modified for conditional uses. The Project area includes 144 parcels. Accordingly, if the 50-foot default setback were applied to the interior of the Project, the result would be the creation of 100-foot-wide strips of undevelopable land between each interior lot, making the Project less efficient while utilizing essentially the same overall footprint and area of disturbance. Accordingly, a modification of that requirement for interior setbacks is justified for the Project, which is a conditional use as defined in section 18.06.185, and has been authorized in the approval documents. During Project review, staff additionally noted that section 21.20.020 also allows the Board or the Planning Commission to apply development standards or procedures to renewable energy projects that deviate from those set forth in Title 18 where appropriate.

3. Reclamation Plan Summary and Financial Assurance Estimates

Inyo County Code Title 21 requires a reclamation plan and financial assurance for the facilities in the County. The applicant has provided a Decommissioning and Reclamation Plan prepared by Stantec Consulting Services Inc., which is attached. Decommissioning will be triggered either at the end of the power purchase agreement, if the site is no longer producing energy, or expiration of the regulatory permits. It would begin within 12 months after the Project stops operating and is expected to be finished within 6 to 12 months of the decommissioning start date. The work includes removing the solar modules, trackers, steel piles, inverter/transformer stations, aboveground cabling, perimeter fencing, gravel roads, and stormwater basins, as well as destroying the groundwater wells under County permit requirements (i.e. decommissioning or capping as agreed by the landowner and County). Below ground collection lines would be left in place. Materials would be resold or recycled to the extent practicable, and remaining materials would go to licensed facilities for disposal in accordance with state and federal law. Disturbed areas would then be decompacted to 18 inches, re-graded to preconstruction contours, and hand-broadcast or hydroseeded with a native, non-irrigated seed mix. A qualified biologist or botanist would monitor the site for at least five years, with the goal of restoring vegetative cover to at least 50 percent of pre-Project levels. If that goal is not met, a contingency plan of creosote bush transplanting would be carried out.

The Applicant will provide a financial guarantee covering the approved net decommissioning cost, currently estimated at $3,294,932 including a 20 percent contingency and a watering contingency. The form and amount must be acceptable to the Board of Supervisors, County Counsel, and the Land Use Services Director, and the guarantee will be reviewed as often as annually and adjusted to keep it sufficient.

4. Environmental Review

The County prepared a PEIR in conjunction with the adoption of the Renewable Energy General Plan Amendment (REGPA) in 2015, which designated the Project site as part of the Charleston View SEDA. The PEIR can be found at https://www.inyocounty.us/services/planning-department/bonanza-peak-renewable-energy-project. Under CEQA Guidelines Section 15168(c), if the lead agency determines that the circumstances set forth in CEQA Guidelines Section 15162 are not present, the Project is consistent with the County's zoning and General Plan, and other conditions are satisfied as listed in that section, no subsequent EIR shall be prepared. An Initial Study was prepared in consideration of the PEIR for the REGPA to evaluate the appropriate level of environmental review. It was determined that an Addendum to the PEIR for the REGPA was appropriate. The Addendum documents that none of the circumstances listed in CEQA Guidelines Section 15162 requiring preparation of a subsequent EIR are present. The Addendum, attached, includes specific surveys, analyses and studies as set forth in the Mitigation, Monitoring and Reporting Program (MMRP) established by the PEIR for the REGPA. The MMRP is attached and the specific surveys, analyses and technical studies (Addendum Appendices A-S) are located at https://www.inyocounty.us/services/planning-department/bonanza-peak-renewable-energy-project. Based on this Project-specific analysis, there are no substantial changes to the project, no substantial changes in the circumstances under which it is undertaken, and no new information of substantial importance that would result in new significant effects or a substantial increase in the severity of previously identified significant effects. The Project therefore does not trigger the need for supplemental or subsequent review under CEQA Guidelines Sections 15162 or 15163, as none of the conditions set forth in those sections are present, and this determination is supported by substantial evidence in the record (MMRP check list with respect to the Addendum is included as Attachment 11 and a Refinements Justification Memo as Attachment 12).

The Project is also exempt from further environmental review under CEQA Guidelines Section 15183. Under Section 15183, a project that is consistent with the development density established by general plan policies for which an EIR was certified does not require additional environmental review except for project-specific significant effects which are peculiar to the project or its site. The Project falls squarely within the development contemplated by the REGPA: it is located within the designated Charleston View SEDA and does not exceed the 500 MW cap for the Eastern Solar Energy Group or the 2,400-acre development limit for the SEDA. Here, there are no project-specific significant effects, no effects which are peculiar to the Project or its site, and no new or more severe significant effects than what was discussed in the PEIR for the REGPA. Further, pursuant to Section 15183(f), to the extent any effects could be considered peculiar to the Project,

they are substantially mitigated by the uniformly applied development policies and standards of the General Plan and Title 21 of the Inyo County Code, including the reclamation, financial assurance, and water-sustainability requirements discussed in this report.

CONDITIONS OF APPROVAL: Exhibit D - REDA 2026-01 and REDA 2026-02

1. **Hold Harmless**
   The owner/developer shall defend with counsel acceptable to Inyo County, indemnify, and hold harmless Inyo County and its agents, officers, and employees from any claim, action or proceeding against the County or its agents, officers, or employees to attack, set aside, void, or annul an approval of the County, its advisory agencies, its appeals board, or legislative body concerning REDA 2026-02/Bonanza Peak Solar II, LLC, including all associated environmental review. The County shall promptly notify the owner/developer of any such claim, action, or proceeding and shall cooperate fully in the defense. The County reserves the right to prepare its own defense with counsel of its choosing, at the County's sole cost and expense.

2. **Project Term**
   Renewable Energy Development Agreement 2026/02 allows for a 50-year project lifetime commencing with issuance of building permits from Inyo County or six months after project approval, whichever occurs first.

3. **Compliance with Applicable Law**
   The owner/developer shall conform to all applicable provisions of the Inyo County General Plan, County Code and State law and regulations, including the California Building and Health and Safety Codes and CUPA (Certified Unified Program Agency). Failure to comply may result in the termination of REDA 2026-02 subject to and in accordance with the termination provisions, including notice and cure provisions, of REDA 2026-02.

4. **Compliance with other Affected Agencies**
   Prior to issuance of grading or building permits, the owner/developer shall obtain all required permits and approvals from applicable agencies, which may include but not be limited to Great Basin Unified Air Pollution Control District, Lahontan Regional Water Quality Control Board, the Bureau of Land Management; US Fish and Wildlife; and the California Department of Fish and Wildlife.

5. **Decommissioning Plan and Financial Assurance**
   As per section 21.20.030 and 21.20.040 of the Inyo County Code, the owner/developer has submitted a staff approved decommissioning plan.

- A financial assurance mechanism that covers all current costs to implement reclamation under the decommissioning plan shall be prepared and submitted to the County prior to the issuance of building or grading permits.

- Upon reasonable notice from the County, the owner/developer shall submit to an annual inspection of the project site and any updates to the decommissioning plan with corresponding updates to financial assurance based on the Consumer Price Index shall also be included.

- Reasonable, actual, and documented annual project site inspection costs related to staff time and travel will be paid annually when presented to the owner/developer.

Failure to comply with the financial assurance requirements may result in the termination of REDA 2026-02 subject to and in accordance with the termination provisions, including notice and cure provisions, of that agreement.

6. **Compliance with PEIR, Addendum and all PEIR MMRP Requirements.**
The project shall comply with all applicable mitigation measures identified in the Addendum and PEIR in compliance with the PEIR MMRP requirements. Failure to comply may result in the suspension or termination of REDA 2026-02.

7. **Sales and Use Taxes**
The developer shall undertake specified actions in contracting for construction of the project so as to allocate sales and use taxes paid in connection with project construction to the County to the maximum extent provided by law. For all contracts meeting the qualifying threshold for California Department of Tax and Fee Administration ("CDTFA") jobsite registration, the developer shall include language in its construction contracts, and require all contractors to include language in their subcontracts, identifying the jobsite within unincorporated Inyo County as a place of business of the contractor or subcontractor and place of sale of fixtures furnished and installed by the contractor or subcontractor and requiring its construction contractor and subcontractors to allocate sales and use taxes to the County, to the maximum extent provided by law, in its CDTFA filings and permits.

Prior to a contractor's or subcontractor's commencement of work on the project, the developer shall deliver to the County a list identifying each contractor and subcontractor holding a contract meeting the threshold for CDTFA jobsite registration, including: (a) business name and contact information for the individual most knowledgeable about sales/use tax reporting for the Project; (b) scope of work and confirmation that the contract value meets the threshold stated above; and (c) CDTFA account number and, when issued, a copy of any sub-permit issued specific to the Project jobsite. Developer shall update this list within 30 days of any change, including the addition of any such contractor or subcontractor.

The developer shall deliver to the County copies of all sales and use tax returns filed with CDTFA by developer, its contractors, and subcontractors that relate to the Project, within 30 days of filing. Returns may be redacted to protect proprietary or competitively sensitive information, provided that redacted returns are accompanied by sufficient supplemental evidence for the County to confirm compliance with this condition.

8. **Property Tax Cooperation**

Developer shall promptly comply with all applicable property tax reporting requirements and with written requests for assessment information issued by the County Assessor pursuant to applicable law, including information reasonably necessary for the Assessor to determine Excluded Value under Section 10(a)(iii) of the Renewable Energy Development Agreement (REDA).

Without limiting the foregoing, upon written request of the Assessor made pursuant to Revenue and Taxation Code Section 441(d), Developer shall furnish to the Assessor, within thirty (30) days after receipt of such request, (a) a copy of Developer's most recent annual financial statements (audited, if audited financial statements are prepared for Developer), and (b) a copy of each power purchase agreement then in effect for the Project, including any amendments, which the Assessor may request not more than once in any calendar year. Developer shall not refuse or delay compliance with a request for such information under Section 441(d) on the ground that all or any portion of the Project is, or is asserted by Developer to be, eligible for exclusion from assessment or taxation; provided that nothing in this sentence limits the dispute-resolution or reservation-of-rights provisions of this Condition. All information furnished under this Condition shall be provided directly to the Assessor, shall be deemed furnished pursuant to Revenue and Taxation Code Section 441, and shall be held confidential and used solely for assessment purposes in accordance with Revenue and Taxation Code Sections 408 and 451.

Developer's compliance with this Condition shall be determined exclusively under applicable property tax law, and any dispute regarding the scope or timing of a request, the classification or valuation of property, or the applicability of an exclusion, exemption, or other assessment rule shall be resolved through the procedures provided by property tax law, except that any dispute regarding the Excluded Value shall be resolved as provided in Section 10(a)(iii) of the Agreement.

No failure or alleged failure to comply with this Condition shall constitute a default of or under the Agreement (including under Section 19(a)(ii)), a basis for termination of the Agreement or of the REP, or grounds for withholding, suspending, conditioning, or revoking any project land use entitlement. Except as expressly provided in Section 10(a)(iii) of the Agreement, nothing in this Condition constitutes an admission regarding

the value, classification, ownership, situs, or taxable status of any property, binds or directs the Assessor in the performance of any statutory duty, or waives any assessment appeal, refund claim, or other remedy available to Developer.

9. Mitigation Land

The owner/developer shall prepare and record deed restrictions on the Kingston View mitigation parcels with Assessor Parcel Numbers: 048-120-09, 048-170-02, 048-170-56, 048-190-02, 048-170-51 and 048-170-47 and on that 600 (or more) acres of the 2000-acre Campito Peak Property located immediately south of Kingston View which is selected by owner/developer and CDFW as mitigation land. The deed restrictions shall disallow or have the effect of disallowing, the use of groundwater on these parcels in perpetuity, except for water used for projects related to the mitigation being conducted. The foregoing is to meet the requirements of General Plan Policy WR-3.7.

10. Groundwater Monitoring and Contingency Plan

The owner/developer shall provide a voluntary groundwater monitoring plan (VGMP) that adequately monitors any participating residential well within a half-mile radius of the project production wells during the construction phase. The VGMP shall be prepared by a CA-licensed hydrogeologist. Participation will be voluntary and is not a requirement by the County. Participating wells must have installed and working flow meters. Any well owner participating in the program will be provided with the water level data for their well in real time (if present) and on a monthly, time-weighted average basis, as prescribed in the VGMP, and shall agree to hold the County harmless. The VGMP shall include the following at a minimum:

- Description of measurement equipment to be employed
- Routine monitoring (Daily for the first week, then weekly for week 2-4, then monthly or as determined to be necessary after that for the duration of construction) to capture well data
- Participants will be provided with copies of the weekly and monthly reporting documentation that will also be provided to the County
- A contingency plan with adequate recovery means and methods if water levels in participant wells drop below a threshold as a result of construction water extraction, based on pre-construction trends.

The hydrologist shall provide monitoring reports upon the request of the county during the construction phase. At the conclusion of the VGMP, the owner/developer shall submit a complete monitoring log with data and hydrographs in a summarized conclusion of the results.

Prior to the issuance of building permits, the VGMP shall be provided to the County for review and approval. The VGMP shall be effective during the construction phase in which

groundwater is in high usage. Water shall not be used for washing or rinsing panels once the Project is in operation.

11. Transient Housing

No employee housing shall be permitted on the project site. No employee camping shall be permitted on or off the project site.

12. Construction Activities

Construction activities associated with the Project shall be limited to Monday through Friday between the hours of 6:00 a.m. and 7:00 p.m., and Saturday between the hours of 8:00 a.m. and 5:00 p.m. No construction activities shall occur on Sundays or legal holidays.

13. Security

The owner/developer shall provide on-site security during construction and operation, as necessary to prevent trespass, vandalism, and unauthorized access.

14. Traffic Control and Dust Management

The owner/developer shall provide and implement or cause its contractor to provide and implement an approved traffic control plan and dust suppression measures during construction, including implementation of construction best practices for dust control and posted speed limits within the project site and along approved haul routes, prior to the issuance of building permits. Maintenance of Zircon Road from the northern boundary of Tecopa Springs Rd. (aka Old Spanish Trail Highway) to the boundary of developer's project shall be the responsibility of the owner/developer during the life of the project.

15. Old Spanish Trail Highway

Any damage caused by the Bonanza Peak Solar project to Old Spanish Trail Highway during construction and/or the life of the project shall be fixed in accordance with the policies and procedures of the Inyo County Road Department.

16. Lighting

The Project shall be subject to the County's Outdoor Lighting Ordinance Section 18.74 of the ICC and the Avian and Bat Protection Plan approved by the California Department of Fish and Wildlife and the U.S. Fish and Wildlife Service during construction and for the life of the project.

17. Waste Management Plan

Prior to issuance of grading or building permits, the owner/developer or its contractor shall submit a Construction Waste Management Plan for review and approval by the County Building and Safety Department.

18. Emergency Response Plan

Prior to issuance of grading or building permits, the owner/developer or its contractor shall submit an Emergency Response Plan for review by the County and applicable emergency service providers including, but not necessarily limited to, the Southern Inyo Fire Protection District.

19. Employ and Train Local Labor

Owner/developer shall make good faith efforts to recruit and hire qualified workers from within Inyo County and surrounding communities. Such efforts shall include local job postings, coordination with local workforce development agencies, and outreach to local residents regarding employment opportunities associated with the Project, in compliance with General Plan Policy ED-4.5.

20. Notification of local Native American Tribes

Per ICC, Section 9.52, Disturbance of Archaeological, Paleontological and Historical Features, the owner/developer shall notify a representative from local Native American tribes in the event human remains are uncovered and shall comply with all local, state and federal laws in the event that native artifacts or human remains are found.

21. Project Regions

Building and grading permits shall be applied for and issued for the entirety of the Region under REDA 2026-02 and not for a portion of the Region. If this Agreement terminates and Exhibits C and D survive as a Renewable Energy Permit under Section 5(b), and the use provided by REDA 2026-02 is not commenced within two (2) years of the date of such termination, the Renewable Energy Permit will become void unless the developer timely applies for and obtains an extension. Commencement shall be considered to include the submission of applications for required permits and approvals.

22. Compliance with Plan of Development and Project Description

The development shall conform to the Plan of Development and Project Description relied upon for review under CEQA. This includes, but is not limited to, maintaining total groundwater extraction on/from the Property at or below the quantity described in the Plan of Development and analyzed in the Addendum. The owner/developer shall monitor all groundwater extraction, and report amounts to the County upon request. Notwithstanding the foregoing, a modification of the boundary between Region I and Region II may be approved by the Planning Department or other County decision maker as authorized by Section 5(d) of REDA 2026-01. Any other modification to the Project as described in the Plan of Development shall be reviewed in accordance with Sections 5(c), 6 and 11 of REDA 2026-01 and subject to environmental review as required by law. Any modification so reviewed and approved shall be deemed authorized and approved pursuant to this condition.

In the event of termination or invalidation of REDA 2026-02 and survival of Exhibits C and D as an REP, the Planning Director shall determine, consistent with Inyo County Code Section 18.81.130(A)(1), whether a proposed modification is in substantial conformance with the Plan of Development. A modification shall be determined to be in substantial conformance, and may be approved by the Planning Director without public notice or hearing, if the Planning Director finds that the modification (i) is minor when considered in light of the Project as a whole; (ii) does not conflict with any mitigation measure or condition of approval applicable to the Project; and (iii) does not constitute an increase in the electric generating or transmission capacity of the facility by ten percent or more per Inyo County Code Section 21.08.050 or any successor provision, provided that total capacity does not exceed the limits set forth in the Inyo County General Plan. Substantially conforming modifications include, without limitation, changes in equipment type, manufacturer or technology, and adjustments to the layout, location or dimensions of arrays, internal roads, fencing, the substation, the operations and maintenance facilities or the generation-tie line within the Project site. The Planning Director shall act on a request for a substantial conformance determination within forty-five (45) days after receipt of a complete request and shall provide the owner/developer with written confirmation of the determination. Any modification that the Planning Director determines is not in substantial conformance with the Plan of Development and Project Description shall be subject to review and action pursuant to the Inyo County Code then in effect, provided that the scope of such review shall be limited to the modification requested and shall not reopen any provisions of the Project's approvals not affected by the modification.

Pursuant to Sections 18.12.050 and 21.20.020 of the Inyo County Code, the setbacks applicable to the Project shall be those shown in the Plan of Development, which are hereby established as the development standards for the Project in lieu of the setback standards set forth in Section 18.12.050(D), (E) and (F) of the Inyo County Code. This condition shall survive the termination or invalidation of REDA 2026-02 and shall continue to apply to the Project for so long as Exhibits C and D remain in effect as an REP.

COMMENTS

Throughout the Bonanza Peak Solar Project, the applicant and staff have provided the opportunity for and taken public comments. Several recurring comments have been expressed and are addressed here:

1. The County should have prepared a new EIR for the project instead of an Addendum to the PEIR prepared for the REGPA.

   The County prepared a PEIR in conjunction with the adoption of the Renewable Energy General Plan Amendment (REGPA), which designated the Project property for solar development. Under CEQA Guidelines Section 15168(c), if the lead agency determines that

the circumstances set forth in CEQA Guidelines Section 15162 are not present, the Project is consistent with the County's zoning and General Plan, and other conditions are satisfied as listed in that section, no subsequent EIR shall be prepared. The Addendum demonstrates that none of the circumstances listed in CEQA Guidelines Section 15162 requiring preparation of a subsequent EIR are present. The Addendum includes specific surveys, analyses and studies as required by the Mitigation, Monitoring and Reporting Program (MMRP) established by the PEIR for the REGPA. Based on this Project-specific analysis, there are no substantial changes to the Project, no substantial changes in the circumstances under which the Project is undertaken, and no new information of substantial importance that would result in new significant effects or a substantial increase in the severity of previously identified significant effects. The Project therefore does not trigger the need for supplemental or subsequent review under CEQA Guidelines Sections 15162 or 15163, as none of the conditions set forth in those sections are present. This determination is supported by substantial evidence in the record and there is no legal basis to be found in CEQA to require a whole new EIR under these circumstances.

2. The Old Spanish Historic Trail (OSHT) is impacted by the project and should be treated as a corridor. Commentors during the preparation of the PEIR for the REGPA and again during the preparation for the Addendum commented that there is a trail that branches off the main line of the OSHT to a spring located to the north. This belief is memorialized in a study prepared by The Old Spanish Trail Association in April 2012. The commentor also believes that the OSHT should be evaluated as a corridor and not a linear feature (this did not include a proposed width or other geographic parameters).

   The Bonanza Peak Solar project is completely located on private property that has many modern dirt tracks created by people recreating in the project area with four-wheel drive vehicles, motorcycles, etc. The cultural resources report prepared for the Addendum which includes: records searches, reviews of documents prepared for past project proposals and current foot surveys, found that the OSHT is located approximately 1.5-miles south of the project area as depicted on the "official" OSHT map from the National Park Service. The records, studies and surveys (past and present) prepared for the Addendum evaluating the OSHT were unable to substantiate that there is an additional branch of OSHT that runs to the north, creating an additional trail section or cause a corridor effect (Addendum, Appendix H – Non Confidential Cultural Resources Assessment). They also found that the project would not affect the enjoyment of the trail by spoiling views to it from the Old Spanish Trail Highway (a county road), or for people walking on the OSHT as they would not be able to see the project from the trail (Addendum, Appendix C – Visual Simulations). Because a different path or area for the OSHT was not substantiated, staff has relied on the information and mapping prepared by the National Park Service as the baseline for the OSHT.

3. Cumulative Effects regarding groundwater have not been addressed.

   The project area (Charleston View SEDA) was adequately evaluated for Cumulative Effects by the PEIR prepared for the 2015 REGPA. However, since the project is in a shared groundwater basin (Pahrump Valley) that extends into the State of Nevada, Nevada development becomes part of the extensive historic and current groundwater evaluations that have been prepared for the project (Addendum Appendices, M and N Hydrology and Water Quality Study and Water Supply Assessment). These show that there is adequate water for the project with de minimis impact to the groundwater basin. As stated in the Hydrographic Basin Summary and Groundwater Management Plan, Attachment 9, in Section 2.3:

   "The October 19, 2026, Water Supply Assessment performed by ERM (Appendix N to the Addendum) concluded that the groundwater basin contains sufficient water to sustain the Project, and the Project will have minimal impact on the long-term groundwater basin supply or groundwater-dependent surface water features. Specifically, the ERM study found that proposed Project withdrawals during the 18-month construction phase of the Project (a maximum of 729 AFY or 1094 AF total) represented approximately 8.2% of the lowest data point of estimated local recharge and inflow of 8,872 AFY. No information obtained since the date of that report, including the analysis in this technical memorandum, undermine this previously performed analysis". Following the 18-month construction phase, annual water usage is limited to .014 AFY.

ATTACHMENTS

1. Ordinance REDA 2026-01 Bonanza Peak Solar Region I
2. Ordinance REDA 2026-02 Bonanza Peak Solar Region II
3. REDA 2026-01 Bonanza Peak Solar Region I
4. REDA 2026-02 Bonanza Peak Solar Region II
5. Plan of Development
6. Site Plan
7. Comments received for Planning Commission hearing September 23, 2026
8. Kingston View and Campito Map
9. Hydrographic Basin Summary and Groundwater Management Plan_2026
10. Reclamation Plan
11. Mitigation Monitoring and Reporting Plan Check List
12. Mitigation Monitoring and Reporting Plan Refinements and Justifications

*All other referenced materials are located on the Planning Department webpage under the Bonanza Peak Renewable Energy Project heading as referenced within this staff report.