ORDINANCE NO.

AN ORDINANCE OF THE BOARD OF SUPERVISORS
OF THE COUNTY OF INYO, STATE OF CALIFORNIA,
APPROVING RENEWABLE ENERGY
DEVELOPMENT AGREEMENT 2026-02 WITH BONANZA PEAK SOLAR II, LLC,
THE MARY LEE WILEY LIVING TRUST,
SECTION 20, LLC, AND MARY JANE CHRISTENSEN AND MAKING
RELATED FINDINGS UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT

WHEREAS, Inyo County (hereinafter "County") is authorized to enter into binding development agreements with persons having legal or equitable interests in real property for the development of such property, pursuant to Article 11, Section 7 of the California Constitution and Section 65864, et seq. of the Government Code; and

WHEREAS, County has adopted procedures and requirements for the consideration of development agreements, including renewable energy development agreements, (hereinafter "Procedures and Requirements") pursuant to Section 65865 of the Government Code and Title 20 and Section 21.08.100 of the Inyo County Code; and

WHEREAS, Bonanza Peak Solar II, LLC (hereinafter "Developer") will acquire the leasehold interest in the real property described in Renewable Energy Development Agreement ("REDA") 2026-02 and will enter into that REDA, and the Mary Lee Wiley Living Trust, Section 20, LLC and Mary Jane Christensen (hereinafter "Owners") have requested that County enter into REDA 2026-02, for the geographic region comprising the development of a 100 megawatt ("MW") solar energy facility on 502 acres of private land described in the REDA (hereinafter the "Property") within the Charleston View Solar Energy Development Area (hereinafter the "Project"), and proceedings have been taken in accordance with the Procedures and Requirements of the County regarding this request; and

WHEREAS, by electing to enter into REDA 2026-02, County shall bind future Boards of Supervisors of County by the obligations specified therein and limit the future exercise of certain governmental and proprietary powers of County; and

WHEREAS, the terms and conditions of REDA 2026-02 have undergone extensive review by County and the Board of Supervisors and have been found to be fair, just and reasonable; and

WHEREAS, the best interests of the citizens of Inyo County and the public health, safety and welfare will be served by entering into REDA 2026-02; and

WHEREAS, the Board certified the Programmatic Environmental Impact Report (the "PEIR") for the Inyo County Renewable Energy General Plan Amendment (the "REGPA") on March 24, 2015, an Addendum was prepared for the Project, including REDA 2026-02, pursuant to California Environmental Quality Act ("CEQA") Guidelines section 15164, the Project is consistent with the REGPA for which the PEIR was certified and qualifies for streamlined environmental review pursuant to CEQA Guidelines section 15183, and the Board considered the PEIR, the Addendum and CEQA Guidelines section 15183 before acting on REDA 2026-02; and

WHEREAS, REDA 2026-02 and the Project are consistent with the Inyo County General Plan based on substantial evidence in the record, including the staff report, and the Property lies within the Charleston View Solar Energy Development Area designated by the REGPA; and

WHEREAS, the Inyo County Planning Commission held a duly noticed public hearing on September 23, 2026, and the Board held a duly noticed public hearing on October 27, 2026, with notice given in accordance with Government Code sections 65090 and 65091; and

WHEREAS, all actions taken and approvals given by County have been duly taken or approved in accordance with all applicable legal requirements for notice, public hearings, findings, votes, and other procedural matters; and

WHEREAS, REDA 2026-02 will confer substantial private benefits on the Owners and the Developer by granting vested rights to develop the Property in accordance with the provisions of REDA 2026-02; and

WHEREAS, development of the Property in accordance with REDA 2026-02 will provide substantial benefits to County and will further important policies and goals of County on behalf of the community of Charleston View and the residents of Inyo County; and

WHEREAS, REDA 2026-02 will eliminate uncertainty in planning and provide for the orderly development of the Property, ensure progressive installation of necessary improvements, provide for public services appropriate to the development of the Project, and generally serve the purposes for which development agreements under Sections 65864, et seq. of the Government Code are intended; and

WHEREAS, the Owners and/or Developer have incurred and will in the future incur substantial costs in order to assure development of the Property in accordance with REDA 2026-02; and

WHEREAS, the Owners and/or Developer have incurred and will in the future incur substantial costs in excess of the generally applicable requirements in order to assure vesting of legal rights to develop the Property in accordance with REDA 2026-02.

Now, therefore, in light of the foregoing Recitals, which are hereby adopted as findings of the Board, and all evidence and testimony presented, the Board of Supervisors of the County of Inyo finds and ordains as follows:

Section 1. The Board hereby finds, pursuant to Government Code section 65867.5, that the provisions of REDA 2026-02, a copy of which is on file with the Clerk of the Board of Supervisors and incorporated herein by reference, are consistent with the Inyo County General Plan based on substantial evidence in the record, including the staff report. The Board further finds that the Property lies within the Charleston View Solar Energy Development Area designated by the REGPA and that there is no specific plan applicable to the Property.

Section 2. The Board finds pursuant to CEQA Guidelines sections 15168(c) and 15183 that the Project and REDA 2026-02 are within the scope of the program analyzed in the PEIR and that all applicable feasible mitigation measures identified in the PEIR are incorporated into the Project and the

mitigation monitoring and reporting program (MMRP) and will be undertaken. The Board further finds, pursuant to CEQA Guidelines section 15183, that the Project is consistent with the REGPA, a general plan amendment for which the PEIR was certified, and that the environmental effects of the Project that are not peculiar to the Project or its site have been addressed in the PEIR, and that any effects peculiar to the Project or its site have been examined in the Addendum and additional staff analysis. The Board has considered the PEIR prepared for the REGPA, the Addendum to the PEIR, and the additional staff analysis presented to the Board, and relies on the PEIR, the Addendum and the CEQA Guidelines section 15183 technical memorandum in approving REDA 2026-02. The Board finds, based on the whole record, that none of the conditions requiring preparation of a subsequent Environmental Impact Report ("EIR") under CEQA Guidelines section 15162, or a supplemental EIR under section 15163 or Public Resources Code section 21166, have occurred, and no subsequent or supplemental EIR is required for approval of the Project and REDA 2026-02. The Board hereby approves the Addendum. County staff is directed to file a Notice of Determination within five (5) working days after adoption of this ordinance.

Section 3. Pursuant to Government Code Section 65867.5, REDA 2026-02 among the County, Developer, and the Owners is hereby approved by ordinance as a development agreement for its respective geographic region of the Project. REDA 2026-02 shall not become operative unless and until (a) this ordinance has become effective under Section 4 and (b) REDA 2026-02 has been executed by the County and all other parties required to execute that REDA. Once operative, REDA 2026-02 shall be binding on the parties thereto and their successors in interest according to its terms, notwithstanding subsequent changes in County rules, to the extent provided in Government Code section 65865.4. The Chair of the Board of Supervisors is authorized to execute REDA 2026-02 after condition (a) has been satisfied and after all other required parties have executed the REDA.

Section 4. This ordinance need not be codified and shall take effect thirty (30) days after its adoption. Within fifteen (15) days from the adoption hereof, this ordinance shall be published at least once in a newspaper of general circulation printed and published in the County of Inyo, State of California, in accordance with Government Code section 25124. The Clerk of the Board is hereby instructed and ordered to publish this ordinance together with the names of the Board members voting for and against it.

Section 5. The Clerk of the Board shall cause REDA 2026-02 to be recorded with the Inyo County Recorder no later than ten (10) days after it has been executed by all parties, pursuant to Government Code section 65868.5.

Section 6. If any provision of this ordinance or its application to any person or circumstance is held invalid, the invalidity shall not affect other provisions or applications that can be given effect without the invalid provision or application.

Section 7. The Clerk of the Board is designated as the custodian of the documents and other materials constituting the record of proceedings for this ordinance and the approval of REDA 2026-02. The record is located at Inyo County Planning Department, 168 North Edwards Street, Independence, California 93526.

PASSED AND ADOPTED this _____ day of _____, 2026, by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

BOARD OF SUPERVISORS OF THE COUNTY OF INYO, STATE OF CALIFORNIA

By:_____
Trina Orrill, Chair

_____, 2026

ATTEST:

CLERK OF THE BOARD:

By:_____

APPROVED AS TO FORM

By: _____
JOHN-CARL VALLEJO
County Counsel