

RESOLUTION OF AMENDMENT

Maricopa County Board of Supervisors

Eye to the Future 2020, Maricopa County Comprehensive Plan

Resolution Amending the Maricopa County Comprehensive Plan

Case Number: CPA2009023

Hyder Solar Energy 1

September 14, 2011

BE IT RESOLVED by the Maricopa County Board of Supervisors as follows:

WHEREAS, Maricopa County adopted its Comprehensive Plan in accordance with Title 11, Section 806 of the Arizona Revised Statutes to help bring about coordinated physical development consistent with the present and future needs of Maricopa County; and

WHEREAS, Eye to the Future 2020, the Maricopa County Comprehensive Plan, recognizes the importance of having a comprehensive plan amendment process so that this plan can be responsive and flexible to meet the changing conditions of Maricopa County; and

WHEREAS, Maricopa County has an approved process where specific criteria is used to determine when comprehensive plan amendments are necessary, how comprehensive plan amendments are to be processed, and at what point comprehensive plan amendments can be presented at a public hearing by the Board of Supervisors, upon recommendation by the Planning and Zoning Commission; and

WHEREAS, Case number CPA2009023 meets the requirements for a comprehensive plan amendment and was processed according to the approved Maricopa County Comprehensive Plan Amendment Guidelines, including all public hearing notification requirements; and

WHEREAS, Title 11, Section 824 of the Arizona Revised Statutes requires that amendments to the Comprehensive Plan be approved by resolution of the Board of Supervisors; and

WHEREAS, the Maricopa County Board of Supervisors has carefully considered this comprehensive plan amendment application, has held a public hearing regarding this comprehensive plan amendment application, and finds that this comprehensive plan amendment constitutes an overall improvement to the Maricopa County Comprehensive Plan and to Maricopa County in general.

NOW, THEREFORE BE IT RESOLVED that the comprehensive plan amendment application for case number CPA2009023, is hereby approved this 14th day of September 2011.

Chairman Date

Attest:

Clerk of the Board Date

Director, Date
Planning and Development Department



Report to the Planning and Zoning Commission

Prepared by the Maricopa County Planning and Development Department

Case:	CPA2009023 – Hyder Solar 1
Meeting Date:	August 18, 2011
Agenda Item:	4
Supervisor District:	5
<hr/>	
Applicant:	Hyder Solar Energy, LLC
Owner:	VKBJ Land Investments Hyder 1518, LLC
Request:	Comprehensive Plan Amendment (CPA) to change the land use designation from Rural Development Area to Industrial
Site Location:	Approx. ½- mi. N of Hyder Rd. and approx. ¾-mi. W. of 571 st Ave.
Site Size:	Approx. 96 ac.
Density:	N/A
County Island Status:	N/A
County Plan:	Rural Development Area
Municipal Plan:	N/A
Municipal Comments:	N/A
Support/Opposition:	None known
Recommendation:	Approve with stipulations

Project Summary:

1. This comprehensive plan amendment is a request to change the land use designation to Industrial to allow development of a solar electric generation facility. The applicant will also be required to obtain a special use permit as part of the entitlement process. The applicant proposes to use the site, in conjunction with the parcel to the east, (CPA2009024) to operate a solar power plant utilizing photovoltaic (PV) technology. (See Figure 1.)
2. The site is undeveloped natural desert and land surrounding the project site is designated Rural Development Area and zoned Rural-190. The parcels to the north, east and south are undeveloped natural desert and the parcels to the west were previously used for agricultural production. There are no residences or subdivided land within one-half mile of the project site. The properties are not within the planning area of any city or town. (See Figure 2.)

Figure: 1.

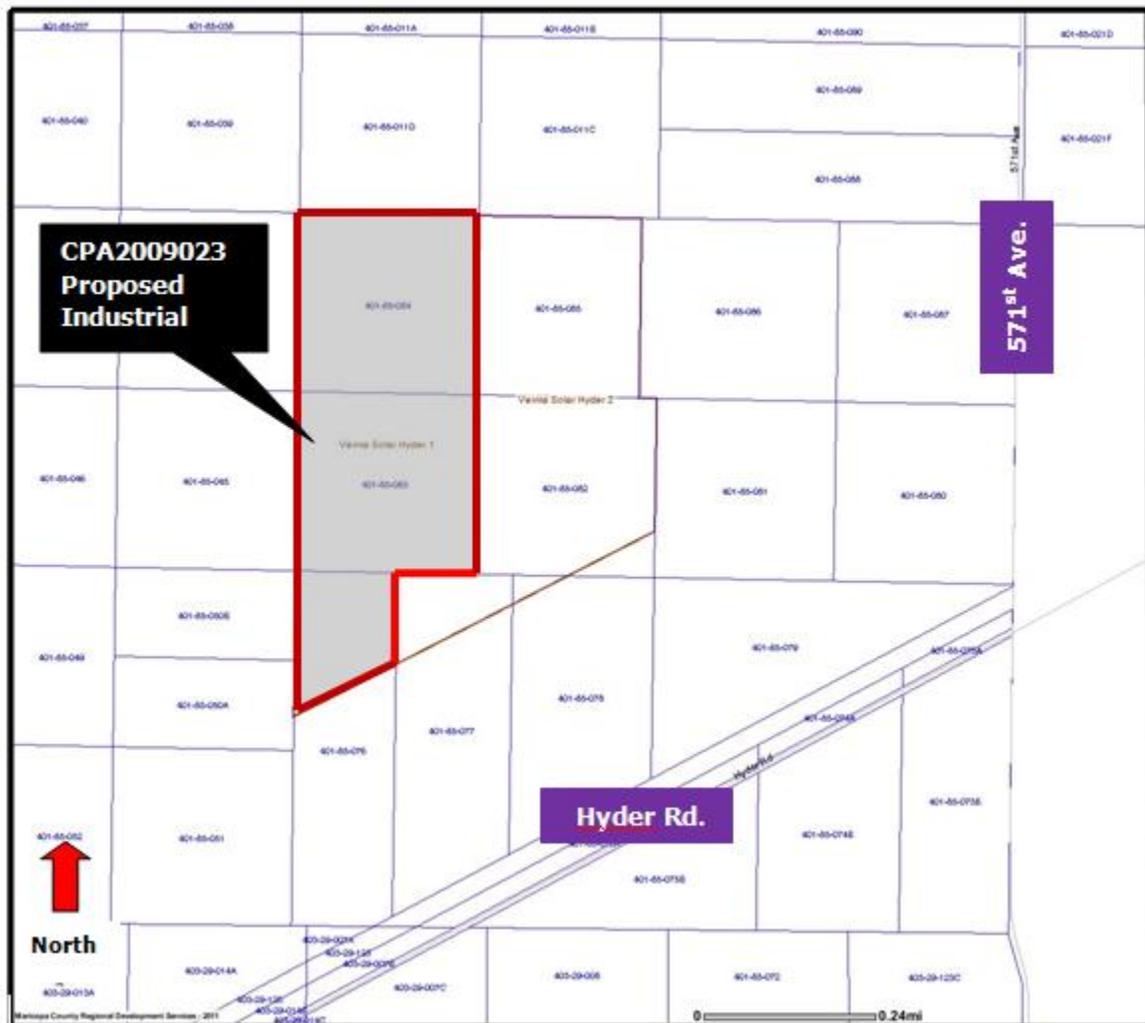
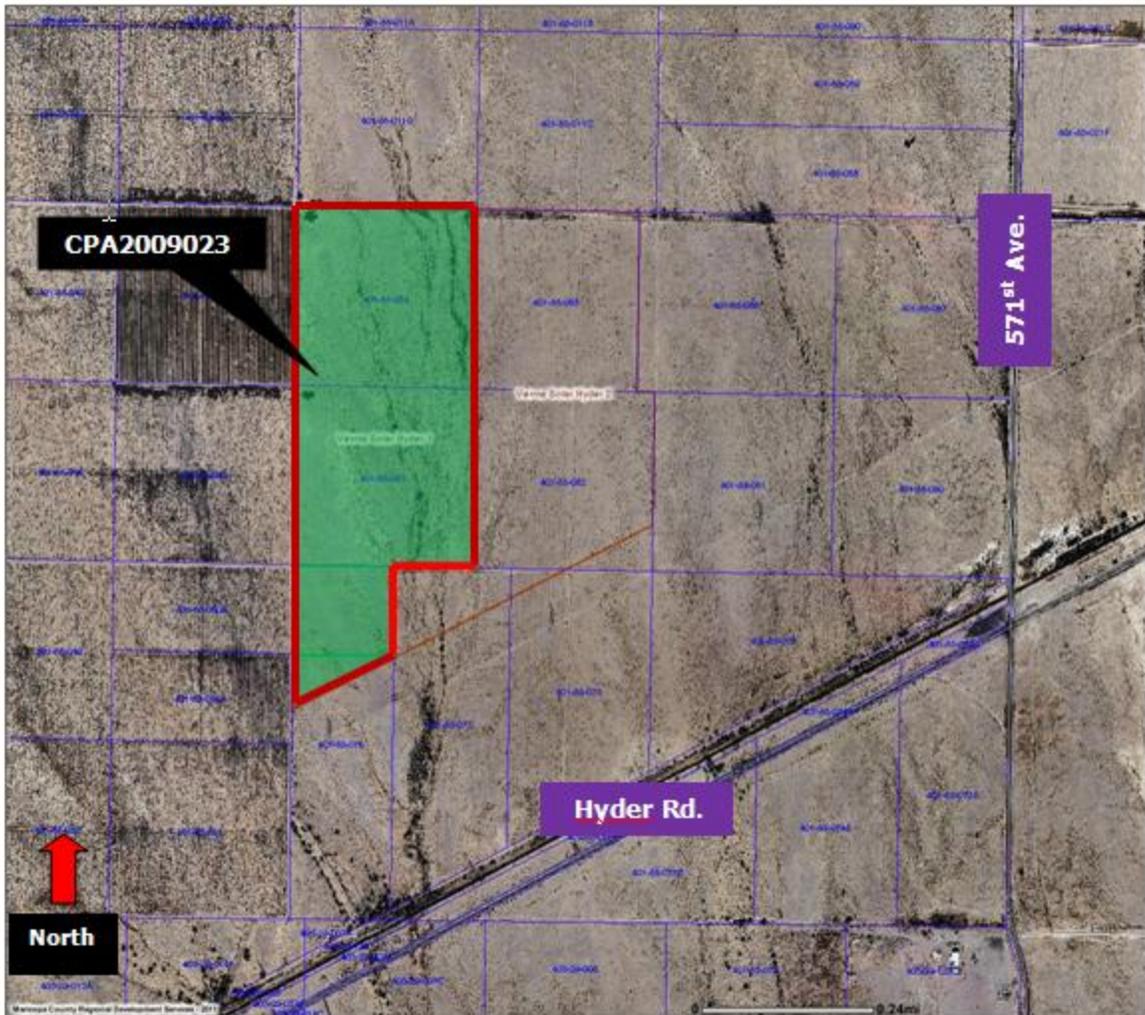


Figure: 2.



3. The narrative asserts that the proposed development meets the Comprehensive Plan Amendment criteria in the following manner:

Whether the amendment constitutes an overall improvement to the Comprehensive Plan and is not solely for the good or benefit of a particular landowner or owners at a particular point in time.

The narrative states that the project is an appropriate use for this location because it will benefit the people of Arizona and Maricopa County through additional construction employment, tax revenues, increased reliability of the regional electrical system, and operational jobs.

Whether the amendment will adversely impact all or a portion of the planning area by:

- A. *Altering acceptable land use patterns to the detriment of the plan.*

The narrative states that the development is proposed in an area that is secluded behind already existing large scale overhead transmission electrical lines, the Union Pacific Railroad line, and is nearly ½-mile from Hyder Road. Although this project would deviate from the current land use, it will not alter neighboring land uses nor will it have a negative impact.

- B. *Requiring public expenditures for larger and more expensive public improvements to roads, sewer, or water systems than are needed to support planned land uses.*

The narrative states that this project would not be dependent upon the County for water, sewer or other utilities, facilities or services, except for law enforcement through the Sheriff's Office. It would not necessitate additional public utilities, facilities and services, thus this project has no demand on these nonexistent facilities. The positive economic and fiscal benefits of this development would help support public infrastructure.

- C. *Adversely impacting planned uses because of increased traffic.*

The narrative states that storage and parking would exist during construction, but that the area required to serve those needs would decrease as the project nears completion. Upon termination of construction, the only vehicles that would visit this site are for maintenance purposes. At most there would be two vehicles on the property at any time. The narrative asserts that considering the few trips generated by these maintenance personnel, the impact to existing traffic would be minimal.

- D. *Affecting the livability of the area or the health or safety of present and future residents.*

The narrative states that the livability, public health and safety are top priorities and will continue to be such throughout the duration of the project. The property would be contained by a barrier (fence, wall, or otherwise) to enhance security. The property would be screened by bushes, trees or other landscape. The narrative adds that the location of the site is approximately ½ mile from Hyder Rd.

- E. *Adversely impacting the natural environment or scenic quality of the area in contradiction to the plan.*

The narrative states that there would be no significant environmental concerns with the proposed development. An environmental survey conducted on this property shows that there are no hazardous features of any significance that would adversely affect the environment. The narrative also notes that the current condition of the property would not require any cleanup nor would the developer discharge, dispose or release environmental toxins, refuse, or waste.

Whether the amendment is consistent with the overall intent of the Comprehensive Plan.

It is the applicant's position that the proposed solar facility would not negatively impact existing transportation infrastructure, the natural environment including water resources, or properties immediately adjacent or within general proximity of this project. Further, the narrative asserts that the amendment to the comprehensive plan would be consistent with the county's intent that the comprehensive plan be "responsive to the changing conditions, technologies, and development innovations."

4. The narrative also states that the proposed development would meet many of the goals and objectives of the comprehensive plan in the following manner:

Land Use Goal L1: Promote efficient land development that is compatible with adjacent land uses, is well integrated with the transportation system, and is sensitive to the natural environment.

The narrative states that although the proposed land use is not directly equivalent to the current designation, the project would not propose changes to the existing transportation system adjacent to the property, nor have a negative impact on the environment.

Land Use Objective L7: Ensure the provision of adequate public facilities.

The narrative states that the proposed amendment would provide public resources in the form of public facilities that would supply additional renewable energy facilities for the western areas of the county.

Land Use Objective L8.4: Encourage and support innovative technological operations and facilities.

The narrative states that this use would support innovative technological operations and facilities in the form of solar energy generation facilities. The project would provide increased employment, both temporary and long term, that is closer to local residents.

Environment & Environmental Effects Objective E3: Promote the appreciation and preservation of significant archeological and historic resources within the framework of state and federal laws, regulations and guidelines.

The narrative states that the project would not propose any improvements or use of hazardous materials that would negatively affect the natural or cultural environment. Also, a cultural resources survey will be undertaken to confirm that there are no existing archeological or historic conditions that might be affected.

Public Participation Summary:

5. The applicant posted the property and notified all property owners within 300 feet of the subject site in accordance with the Maricopa County's Public Participation Guidelines. The final plan indicates that there has been no negative public response to

the Hyder Solar 1 project. Staff has not received any known support or opposition as of the writing of this report.

Existing On-Site and Adjacent Zoning / Land Use:

- 6. On-site: Rural-190 / Undisturbed natural desert
- North: Rural-190 / Undisturbed natural desert
- East: Rural-190 / Undisturbed natural desert
- South: Rural-190 / Undisturbed natural desert
- West: Rural-190 / Retired agricultural land

Utilities and Services:

- 7. Water: None
- Wastewater: None
- School District: Sentinel #71
- Fire: None

Outstanding Concerns from Reviewing Agencies:

- 8. N/A

Staff Analysis:

- 9. Staff believes that solar energy generating facilities are well suited to rural areas requiring large amounts of relatively flat land. Many areas in the county have little or no adjacent development that might be affected by such a use. The development of renewable energy generating facilities in appropriate locations of the county are encouraged if it can be demonstrated that they will have minimal impact to the built environment and can co-exist with the natural environment. Staff believes this project meets these criteria.
- 10. Staff agrees that this project will generate short term construction jobs for installation of the PV panels and related equipment, however, contrary to the applicant's narrative, staff believes long term job generation will be minimal since the use only requires nominal maintenance as noted in the applicant's narrative. Further, staff does not believe that the use ensures the provision of adequate public facilities. This use is generating electrical power which is a private commodity and not a public facility.
- 11. Staff agrees that this photovoltaic solar energy generation facility is a unique land use and considered an interim, albeit long term, use of the land. Additionally, the special use permit application that will follow is considered use specific and a temporary entitlement. Further, PV solar electric generation requires minimal water use except for periodic cleaning and maintenance of the arrays.
- 12. Staff also believes the proposed amendment will not require additional public expenditures for larger and more expensive infrastructure since the developer will be responsible for all improvements to roads and any necessary infrastructure. Staff

believes the request will not adversely impact existing uses because traffic to and from this site should be minimal (except during the construction period) and not affect adjacent land uses.

13. Staff believes that the proposed use will not affect the livability of the area or the health or safety of present users and/or future residents. While this solar energy generation facility use will be higher intensity than the present use, it is in a relatively isolated and remote location. Staff also believes this amendment is consistent with the overall intent of the plan and with the goals and objectives contained in the County's Comprehensive Plan.

Recommendation:

14. Staff recommends the Commission motion for **approval** with stipulations 'a' – 'g' of **CPA2009023** for the following reasons:

- The request for an Industrial land use designation is compatible with adjacent uses because the proposed PV solar energy generation facility will have no detrimental impact to the surrounding area.
- There is no known opposition to the request.
- Reviewing agencies have no objections.
- This request meets the evaluation criteria identified in the Maricopa County Comprehensive Plan Amendment guidelines.

Provided the following stipulations are met:

- a. Development and use of the site shall comply with the narrative report entitled, "Comprehensive Plan Amendment Narrative Report For "Hyder Solar Energy 1", including all exhibits dated June, 2011, and stamped received July 5, 2011, except as modified by the following stipulations.
- b. If a Special Use Permit for Hyder Solar Energy 1 has not been approved by the Board of Supervisors within three (3) years from the date of comprehensive plan amendment approval, this comprehensive plan amendment will be null and void.
- c. The land use designation of 'Industrial' approved as part of case CPA2009023 shall be subject to the time limits set forth in the subsequent Special Use Permit, and shall revert to the previous 'Rural Development Area' land use upon Special Use Permit expiration.
- d. The granting of this change in use of the property has been at the request of the applicant, with the consent of the landowner. The granting of this approval is temporary and allows the property to enjoy uses in excess of those permitted by the zoning existing on the date of application, subject to conditions and

stipulations. In the event of the failure to comply with any condition or stipulation, and at the time of expiration of the Comprehensive Plan Amendment, the property shall revert to the land use designation that existed on the date of application. It is, therefore, stipulated and agreed that either revocation due to the failure to comply with any conditions or stipulations, or the expiration of the Comprehensive Plan Amendment, does not reduce any rights that existed on the date of application to use, divide, sell or possess the property and that there would be no diminution in value of the property from the value it held on the date of application due to such revocation or expiration of the Comprehensive Plan Amendment. The Comprehensive Plan Amendment enhances the value of the property above its value as of the date the Comprehensive Plan Amendment is granted and reverting to the prior land use designation results in the same value of the property as if the Comprehensive Plan Amendment had never been granted.

e. That the following Drainage Administration stipulations shall apply:

1. All development and engineering design shall be in conformance with the Drainage Regulation and current engineering policies, standards and best practices at the time of application for construction.
2. Drainage review of planning and/or zoning cases is for conceptual design only and does not represent final design approval nor shall it entitle applicants to future designs that are not in conformance with the Drainage Regulation and design policies and standards.

f. That the following Sheriff's Office stipulations shall apply:

Prior to approval of the subsequent Special Use Permit, the applicant shall demonstrate the following design aspects.

1. That adequate lighting be installed for nighttime security.
2. That a sign at the mail entrance be installed indicating the owners/operators immediate 24/7 emergency contact information.

g. That the following State Historic Preservation Office stipulation shall apply:

1. Prior to issuance of any building permits, the applicant shall inspect the project site for cultural resources in a manner consistent with that outlined in the June 16, 2011 memorandum from Mr. James Cogswell of the State Historic Preservation Office.

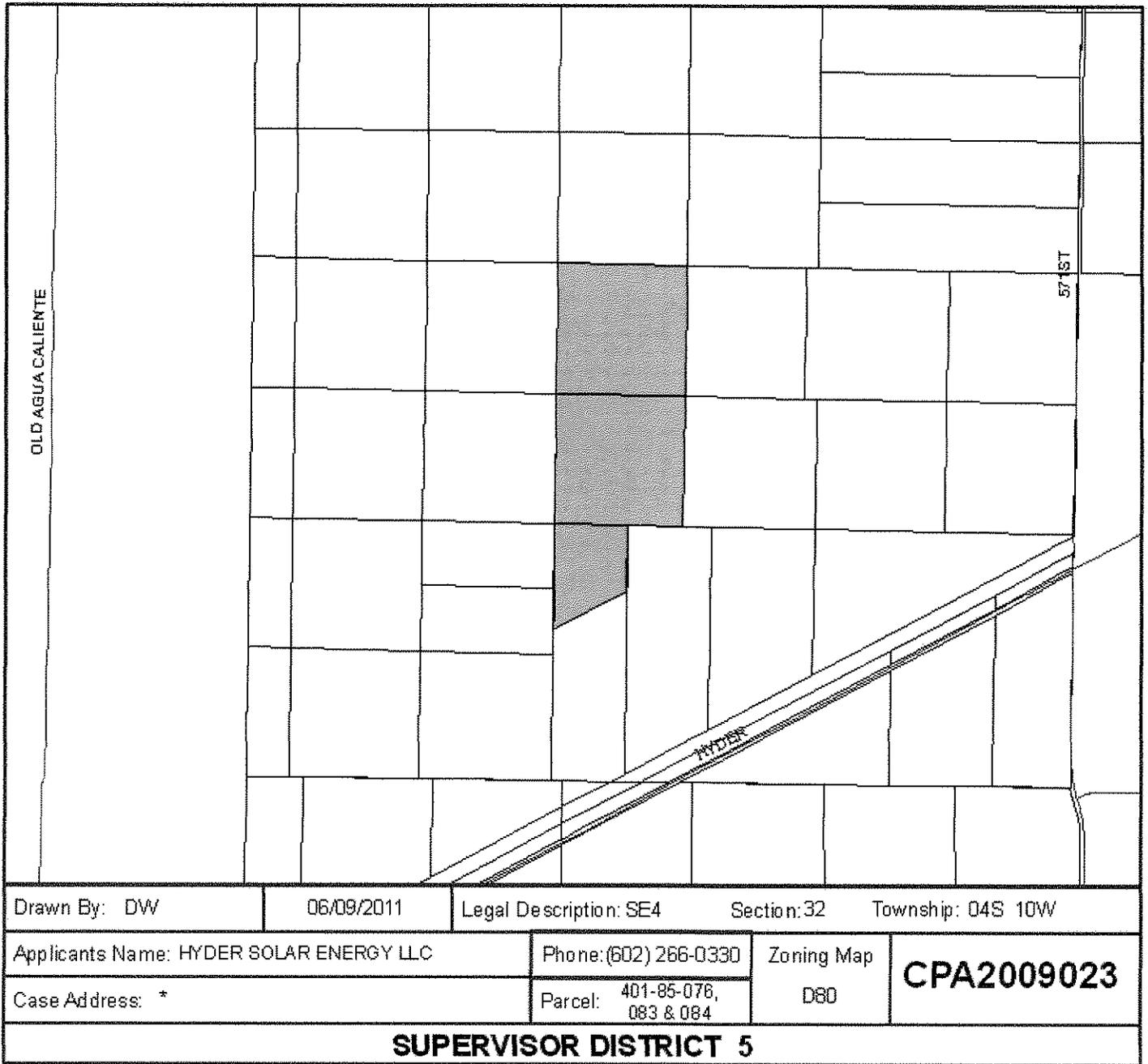
Presented by:
Reviewed by:

John R. Verdugo, AICP, Senior Planner
Matthew Holm, AICP, Comprehensive Planning Supervisor

Attachments: Case Map (1 page)
Vicinity Map (1 page)
1st Routing Memo (1 page)
MCDOT comments (1 page)
MCESD comments (1 page)
FCDMC comments (1 page)
MCDEM comments (1 page)
MCISO comments (1 page)
AZ Game & Fish comments (2 pages)
SHPO comments (1 page)
ADOT comments (1 page)

Enclosure: Bound narrative report

MARICOPA COUNTY, ARIZONA



REQUEST:

**VERMA SOLAR HYDER 1
LAND USE CHANGE FROM RURAL
DEVELOPMENT AREA TO INDUSTRIAL.
(95.69 ACRES)**

Legend

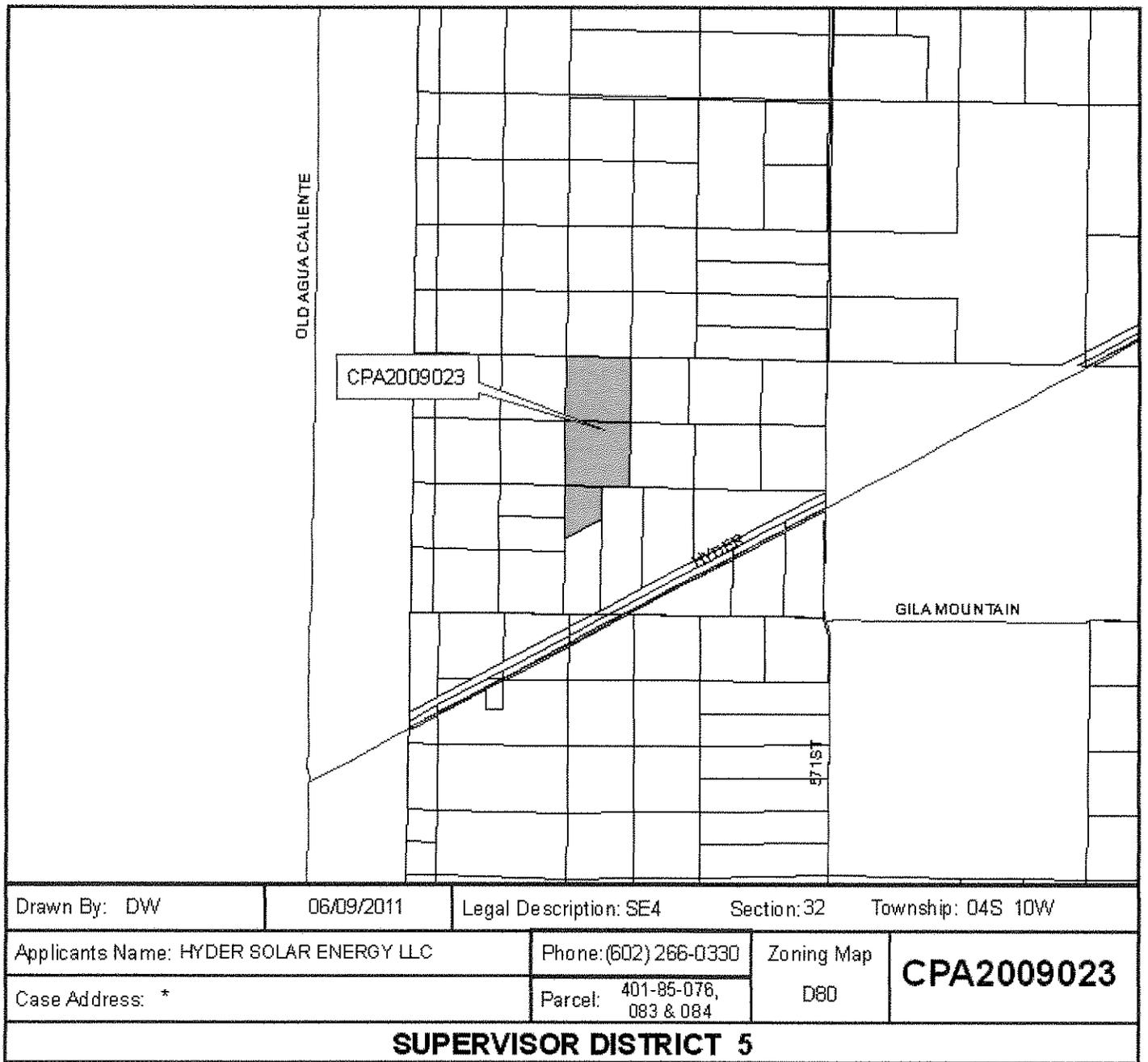
— Streets

▭ Parcels



1" = 1,500'

MARICOPA COUNTY, ARIZONA



REQUEST:

**VERMA SOLAR HYDER 1
LAND USE CHANGE FROM RURAL
DEVELOPMENT AREA TO INDUSTRIAL.
(95.69 ACRES)**

Legend

— Streets

▭ Parcels



1" = 3,000'



Maricopa County

Planning & Development Department

John R. Verdugo, AICP
501 North 44th Street, Suite 200
Phoenix, Arizona 85008
Phone: (602) 506-8520
Fax: (602) 506-3711
www.maricopa.gov/planning

TO: Distribution Listed Below
FROM: John R. Verdugo, AICP, Senior Planner
DATE: June 2, 2011

SUBJECT: CPA 2009023 & CPA2009024 **Revised** Comprehensive Plan Amendments - Hyder Solar Energy 1 & 2

Enclosed is the following application material related to the above referenced case:

1. Revised Narrative reports, including revised applications, revised land use plans

A technical advisory committee (TAC) meeting will be held to discuss this case on **Tuesday, June 21, 2011 at 1:45 P.M.** at the Maricopa County Planning and Development Department. Please note our office is now located at 501 North 44th Street, Suite 200, in Phoenix.

You or your authorized representative are invited to attend this TAC meeting and to prepare and submit written comments and recommendations regarding this amendment request. If you are unable to attend, please submit your written comments and recommendations to me prior to the June 21st TAC meeting. If you have any questions regarding this meeting, please feel free to contact me at (602) 506-8520, or via email at <mailto:johnverdugo@mail.maricopa.gov>

DISTRIBUTION

- Gerald Toscano, MCDOT(memo only)
- Wes Shoner, Memo only(memo only)
- Drainage Admin. (memo only)
- Terri Hogan, Current Planning (memo only)
- Kathy Mendoza, FCD (memo only)
- Graphics (memo only)
- John Padilla, MCDEM
- Ian Thompson, MCSO
- Rick Creakman, Library Dist.
- Kristen Mohamed, Parks
- AZ State Land Dept.
- ADWR
- ADOT - Yuma
- AZ Game & Fish
- ADEQ
- SHPO
- State Fire Marshall
- AZ Dept. Commerce
- AZ Atty. General
- AZ Office Homeland Security
- MAG
- Luke AFB
- Sentinal #71 School District
- Applicant -Josh Fields



Maricopa County

Public Works

ENGINEERING DIVISION INTEROFFICE MEMORANDUM

DATE: January 5, 2010

TO: John R. Verdugo,
Maricopa County Department of Planning and Development

FROM: Gerald J. Toscano, P.E., Engineering *DJT*

SUBJECT: CPA 2009-23

As requested, the Department of Transportation has reviewed a revised plan for the proposed development covered by CPA 2009-23 received on December 11, 2009.

We have no objections to the approval of this request.

GJT:jag

MCDOT 01-05-2010 CPA 2009-23



Maricopa County
Environmental Services
Department
Water and Waste Management
Division

Subdivision Infrastructure &
Planning Program
1001 N. Central Avenue #150
Phoenix, Arizona 85004
Phone: (602) 506-1058
Fax: (602) 506-5813
TDD 602 506 6704

DATE: December 15, 2009

TO : John Verdugo, Planning & Development Dept.
Senior Planner

FROM: Wesley A. Shoner, P.E.
Engineering Program Supervisor

SUBJECT: Verma Solar Hyder 1 Comprehensive Plan Amendment; CPA200923

The Maricopa County Environmental Services Department (MCESD) has reviewed documents received from the Maricopa County Planning and Development Department for the above referenced project. This project requests a Comprehensive Plan Amendment (CPA) to the existing area plan. The facility is a proposed photovoltaic solar energy facility that would be constructed on a 90-acre parcel located near 571st Avenue and Hyder Road, in the vicinity of Gila Bend. The amendment requests that the land use category be changed from Rural Density to Industrial. The submitted plans states that water usage will be low and that no water supply will be provided. MCESD does not agree with this statement. No information was provided on whether any onsite facilities for the employees will be provided.

This facility is adjacent to the west to the similar proposed Verma Hyder 2 solar facility.

This project is relatively small geographically when compared with the other submitted solar energy projects. Many of these are requiring thousands of acres of land. MCESD believes that a source of water for onsite uses must be specified prior to final project approvals. Onsite solutions for wastewater for the employees must also be addressed. However, MCESD will defer these questions to the parallel Special Use Permit (Z2009112) process.

Based on the above, MCESD **raised no objection** to this project to the Planning & Development Department in Permits Plus on December 15, 2009 and can support the amendment with the following stipulations:

Stipulations: None

It should be noted that several other Maricopa County agencies must review and recommend approval of this project. Final approval authority for this project rests with the Maricopa County Board of Supervisors.



Flood Control District

of Maricopa County

INTEROFFICE MEMORANDUM

Date: June 2, 2011

To: Darren V. Gerard, AICP, Deputy Director
Maricopa County Planning & Development Department

Attn: John Verdugo, AICP, Senior Planner, Comprehensive Planning Division

From: Cliff DeVlieg, CFM, Hydrologist, Floodplain Mgmt. & Services Division

Via: Kelli A. Sertich, AICP, CFM, Floodplain Mgmt. & Services Division Manager

Subject: CPA 2009-023 (Comprehensive Plan Amendment for Hyder Solar Energy I)
(Solar Energy Facility approx. ½ mile north of Hyder Road & ½ mile west of 571st Avenue)
(Floodplain Review – Plans and submittals dated May 31, 2011)

The subject property is not within a delineated 100-year (one percent chance) floodplain. The proposed use would not be in conflict with any existing or proposed Flood Control District projects. We have no objections to the subject request; however, other County ordinances will need to be complied with.

The applicant should be aware that we have not conducted a major stormwater management study/plan in this area. Should the applicant have a question regarding this area, they should contact Doug Williams of our office at (602) 506-8743.

Other details of this plan have not been reviewed, nor have we determined whether this development meets current drainage design standards, but rather we rely on the expertise at the Planning & Development Department to provide such review. Any comments that we provide, or information contained herein relates to the interaction of this project with District-managed floodplains and projects, or special problems or concerns that we may be aware of in this general vicinity within the Flood Control District's scope of jurisdiction.

If you have any questions, please contact me at (602) 506-0282.

CLD/ag

Copy to: Michael Norris, P.E., Drainage Engineering Supervisor, MCP&D
Gerald Toscano, P.E., MCDOT



Maricopa County
Department of Emergency Management

RECEIVED JUN 20 2011

5630 East McDowell Road
Phoenix, Arizona 85008-3403
Phone: (602) 273-1411
Fax: (602) 275-1638
TT: (602) 244-1638

DATE: June 8, 2011
TO: John R. Verdugo, AICP, Senior Planner
FROM: Pete Weaver, Director *(PW)*
THROUGH: John Padilla, Emergency Planner *J.P.*
RE: Hyder Solar Energy 1 & 2, Case # CPA 2009023 & CPA 2009024

The Maricopa County Department of Emergency Management has reviewed the documents provided by the Maricopa County Planning and Development Department for the above referenced project. We have no comments related to this project at this time.

If you have any questions regarding our comments, please contact John Padilla at (602) 273-1411.

MARICOPA COUNTY SHERIFF'S OFFICE

Memorandum



Joseph M. Arpaio, Sheriff

To: Bill Knight
Deputy Chief
Human Resources/Compliance Bureau

From: Ofc. Charles Grimes A4659
Project Coordinator
Maintenance & Construction
Division

Subject: Special Use Permit
CPA 2009023 Hyder Solar Energy 1
District II

Date: 06/20/2011

John Verdugo, Senior Planner at the Maricopa County Planning and Development Department sent me the submittal for a Comprehensive Plan Amendment for approval from rural development to industrial land use for a solar energy generating facility. Property is generally located Hyder Road and 571st Ave. Geographically, this particular development is located approximately 64 miles from the Sheriff's Office District II office on 920 E Van Buren, Avondale, AZ. 85323.

The subject property is a 95.69 acre parcel currently a Rural Comprehensive Plan use designation. Permitted land uses associated consist of agricultural and single family residential. This CPA seeks to revise this existing rural land use designation on the property to the industrial category. The applicant is requesting that the approval of this proposed amendment be stipulated for the development of solar energy projects and associated facilities, this application requests a Major CPA to change the site's land use from Rural to Industrial.

As far as I can ascertain from the information provided in CPA 2009023 report there should be no immediate impact to the Sheriff's Office.

However, because a patrol deputy may receive a call for service during the night hours, I would recommend that the developer provide:

1. Adequate lighting be installed for nighttime security.
2. That a sign at the main entrance be installed indicating the owner/operators immediate 24/7 emergency contact information.

If you concur with these comments, please forward the attached information to:

John Verdugo, Program Manager
Maricopa County
Planning and Development Department
501 North 44th Street, Suite 200
Phoenix, Arizona 85008
Maricopa County

*OK
OFFICE FREEMAN
6-21-11*

RECEIVED

JUN 21 2011



THE STATE OF ARIZONA
GAME AND FISH DEPARTMENT

5000 W. CAREFREE HIGHWAY
PHOENIX, AZ 85086-5000
(602) 942-3000 • WWW.AZGFD.GOV

REGION IV, 9140 E. 28TH ST., YUMA, AZ 85365

GOV. JR

JANICE K. BREWER

COMMISSIONERS

CHAIRMAN, ROBERT R. WOODHOUSE, ROLL

NORMAN W. FREEMAN, CHINO VALLEY

JACK F. HUSTED, SPRINGVILLE

J.W. HARRIS, TUCSON

ROBERT E. MANSELL, WINSLOW

DIRECTOR

LARRY D. VOYLES

DEPUTY DIRECTORS

GARY R. HOVATTER

BOB BROSCHEID



June 15, 2011

Mr. John Verdugo
Maricopa County
Planning and Development Department
501 N. 44th St. Suite 100
Phoenix, AZ 85008

**Re: Case CPA 2009023 and CPA 2009024 Major Comprehensive Plan Amendments
Hyder Solar Energy 1 and 2**

Dear Mr. Verdugo:

The Arizona Game and Fish Department (Department) has reviewed the above-referenced Major Comprehensive Plan Amendments (CPA) for Hyder Solar Generating Facilities 1 and 2. The Department understands the amendment would allow construction and operation of a solar photo-voltaic generating facility on 95.69 acres for facility 1 and 85.41 acres in the Hyder Valley. The following comments are provided for your consideration.

The Department notes that the proposed project site consists of agricultural land, is surrounded by agriculture lands and is near Hyder Road and railroad tracks. The area is not considered high quality wildlife habitat. The project is not in an identified wildlife movement corridor. For these reasons the Department does not anticipate significant impacts to wildlife resulting from the approval of this project.

The Department notes that ground clearing creates opportunities for the establishment of noxious weeds and invasive species. The Department recommends the development of an Adaptive Weed Management Plan to control weeds. Further information may be found at <http://www.azgfd.gov/hgis/documents/FinalSolarGuidelines03122010.pdf>.

The Department has developed guidelines to assist solar energy developers design their project to minimize impacts to wildlife. The guidelines may be found at <http://www.azgfd.gov/hgis/documents/FinalSolarGuidelines03122010.pdf>.

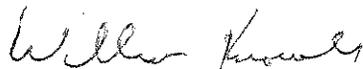
Thank you for the opportunity to provide comments on these CPAs. We look forward to continued communications with Hyder Solar Energy and Maricopa County regarding the project permitting process. Please contact me at 928-341-4047 if you have any questions, or would like to further discuss our concerns and recommendations.

John Verdugo

June 15, 2011

2

Sincerely,



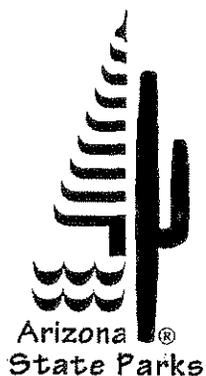
William Knowles

Habitat Specialist, Region IV

cc: Josh Avey, Chief, Habitat Branch
Laura Canaca, PEP Supervisor, Habitat Branch
Leonard Ordway, Assistant Director, Field Operations Division
Troy Smith, Habitat Program Manager, Region IV
Ginger Ritter, Project Evaluation Specialist, Habitat Branch

AGFD #M11-06081608

In reply, refer to SHPO-2011-0757(92262)



June 16, 2011

John Verdugo
Maricopa County Planning and Development Department
501 North 44th Street, Suite 200
Phoenix, AZ 85008

Re: CPA 2009023 and CPA 2009024; Hyder Solar Energy 1 and 2

Dear Mr. Verdugo:

Thank you for submitting information to this office concerning the above-referenced comprehensive plan amendments. I have conducted a preliminary review of the subject property using the online cultural resources database AZSITE, and I note that the property is identified as privately owned and that no cultural resource survey has been conducted of the property. I recommend that a cultural resource survey be conducted of the subject property by a qualified archaeologist and that a report on this survey be submitted to this office for review and comment.

If human burials are encountered during development of the Hyder 1 and 2 solar fields, they are subject to Arizona State Law ARS 41-865 and must be treated appropriately. Furthermore, if there are state or federal agencies involved in this project, such as for permitting, licensing, or funding, those agencies and this office will need to be consulted further in conformity with the Arizona State Historic Preservation Act or the National Historic Preservation Act, as appropriate. This consultation should be conducted prior to any ground-disturbing activities, and ideally as soon as possible in the planning process.

I appreciate your continued cooperation with this office in support of historic preservation in Maricopa County. If you or Hyder Solar Energy staff have any questions or concerns, please feel free to contact me at 602/542-7142, or email me at jcogswell@azstateparks.gov.

Sincerely,

James Cogswell
Planner-Archaeologist
State Historic Preservation Office

Janice K. Brewer
Governor

State Parks
Board Members

Chair
Tracey Westerhausen
Phoenix

Walter D. Armer, Jr.
Vail

Reese Woodling
Tucson

Larry Landry
Phoenix

Alan Everett
Sedona

William C. Scalzo
Phoenix

Marla Baier
State Land
Commissioner

Renée E. Bahl
Executive Director

Arizona State Parks
1300 W. Washington
Phoenix, AZ 85007

Tel & TTY: 602.542.4174
AZStateParks.com

800.285.3703 from
(520 & 928) area codes

General Fax:
602.542.4180

Director's Office Fax:
602.542.4188

**ARIZONA DEPARTMENT OF TRANSPORTATION
YUMA DISTRICT OFFICE
2243 EAST GILA RIDGE ROAD
YUMA, ARIZONA 85365
PHONE: (928) 317-2100 – FAX: (928) 317-2107**

July 6, 2011

To: John R. Verdugo
Maricopa County Planning
501 North 44th Street, Suite 200
Phoenix, AZ 85008

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From: Gerry Ramirez
Yuma District office

Re: Hyder Solar Energy Project 1&2

The department reviewed the comprehensive plan amendment for the above referenced project and has the following comments.

ADOT Yuma District's Requested Information -

ADOT follows local development in order to assure that development adjacent to state highway routes follows the agency's encroachment permit process when direct access to the state highway system is involved. We also comment on development that does not require an encroachment permit, but which can affect the state highway system. In the case of the construction of large commercial or industrial projects, traffic may adversely affect Interstate traffic and the department needs the results of a traffic study to assess any effects and to identify any necessary mitigation measures.

ADOT requests that the applicant complete a traffic study. Such a study would provide both ADOT and the County an opportunity to review and comment on the project's effects on traffic along the state highway system and local roads. This study would not need to be a full-blown traffic impact analysis meeting all the criteria in Section 240 of the Department's traffic engineering policies, guidelines, and procedures (PGP). All we need for this study are projected daily average traffic volumes, peak morning and afternoon hourly traffic volumes for privately-owned vehicles during construction along with any variations anticipated during the construction period; volumes, weights, and maximum lengths for trucks; directional analysis of the traffic; a queuing analysis according to the PGP; and recommendations for mitigations measures, if any.

The traffic study would allow ADOT and the county to identify any road improvements needed to maintain safe and efficient traffic flow during the construction period.