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# HARQUAHALA SUN

MAJOR COMPREHENSIVE PLAN AMENDMENT  
PROJECT NARRATIVE  
CPA2021007

8-4-2021

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**A. EXECUTIVE SUMMARY**

HV Sunrise, LLC, (hereafter, “Applicant”) on behalf of the property owners, Kawala One, LLC and CV Harquahala, LLC, is requesting a major Comprehensive Plan Amendment (CPA) of the Vision 2030 Comprehensive Plan to change the land use designation of ±704.68 acres from Rural Development Area to Utilities. The CPA request will be accompanied by a subsequent zone change request to rezone the underlying parcels from RU-43 to the IND-2 Zone. The CPA will affect the land use designation of the following six (6) underlying parcels: Parcel ID Nos.: 506-29-001, 506-29-002, 506-29-022A, 506-29-022B, 506-29-023C, & 506-29-023D.

The Applicant proposes to construct, operate, and maintain a 150-MWac hybrid solar photovoltaic (PV) and battery power plant and associated infrastructure for the Harquahala Sun Project (Project).

The Project will include approximately 400,000 solar modules mounted on single axis trackers, inverters to convert direct current into grid-compatible alternating current, transformers to increase the voltage of the electricity generated, a 500 kV utility substation, battery energy storage system, and one or more small buildings to house telecommunication equipment. The Project will interconnect to the transmission grid at the Arizona Public Service (APS) Delaney Substation.

Off-site supporting improvements, infrastructure, and/or uses include a 200-foot-wide gen-tie route corridor that extends approximately 4 miles through a combination of private land, land owned by Flood Control District of Maricopa County (FCDMC), Maricopa County Department of Transportation (MCDOT), Arizona State Land Department (ASLD), and land administered by the Bureau of Land Management (BLM).

The proposed CPA in support of the ±704.68-acre Project will not adversely impact the planning area in part nor portion. Approval of the proposed CPA, subsequent rezone (Zone Change case number Z2021111), and associated development plans (Plan of Development case number Z2021110) for the proposed Project will not generate undue nor unmitigated impacts to the following areas of consideration identified in the Comprehensive Plan, which include, but are not specifically limited to: land use; public transportation system improvements; drainage and/or stormwater management; environmental considerations (air & water quality, potable water & wastewater treatment), areas of geologic concern, hazard, and/or significance; plant and wildlife habitat/migration environs and/or patterns; aviation and military installation operations and flight paths/patterns; economic growth; growth areas; open space, water resources; energy; and/or the cost of development.

Issues relating to these are addressed by the required reports, plans, and analysis submitted in support of the CPA and subsequent rezone application.

**I. ON-SITE AND REGIONAL LOCATION**

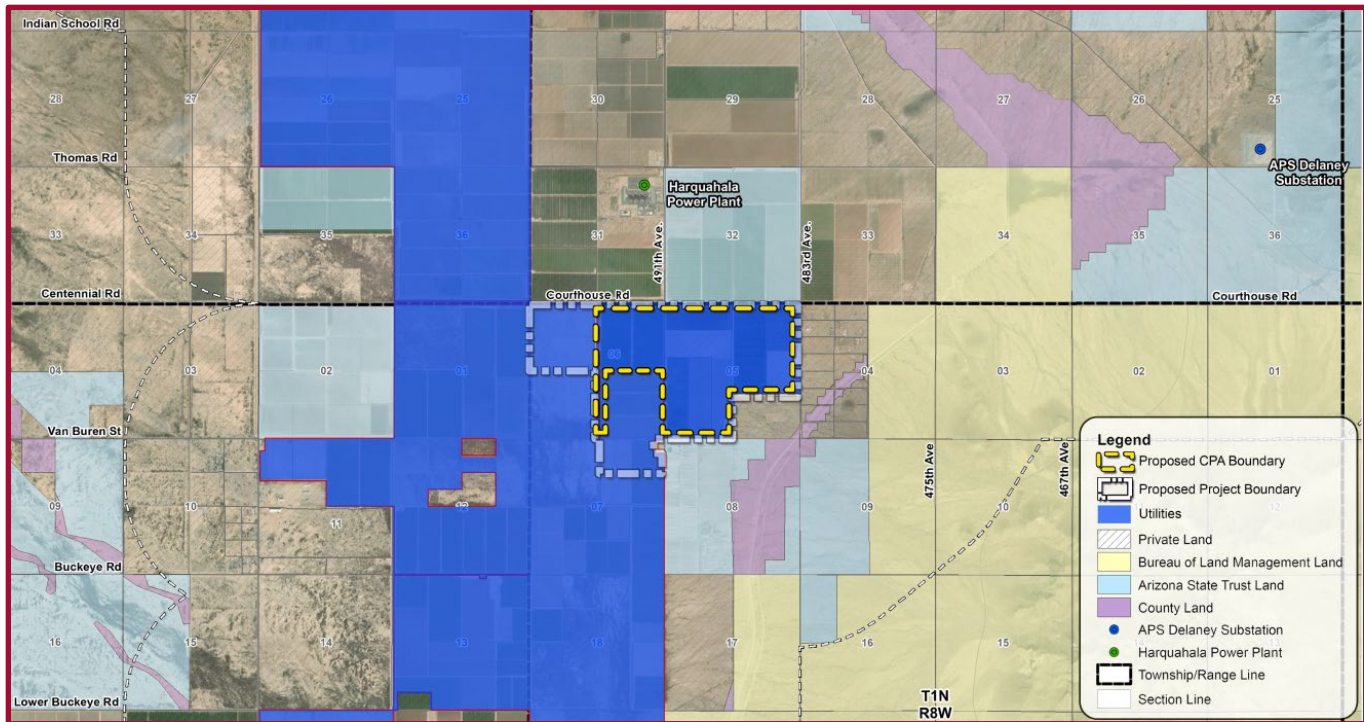
The proposed Project is located northwest of Saddle Mountain, east of Granite Mountain, and northeast of the Eagle Tail Mountains in Section 6, Township 1 North, Range 8 West, and Section 5, Township 1 North, Range 8 West. The site is approximately 20 miles west of the City of Buckeye, Arizona in unincorporated Maricopa County, Arizona with parcels lying southwest and southeast of the intersections of N. 491<sup>st</sup> Ave and W. Courthouse Road. The Project area is bound on the north by W. Courthouse Road and on the south by an unimproved segment of Van Buren Street right-of-way (ROW) located at the west line of the east one-half of Section 6, Township 1 North, Range 8 West.



The CPA is inclusive of six (6) parcels identified below which are held under two separate ownerships. The cumulative area of the property included in the CPA request is  $\pm 704.68$  acres. The subject properties are currently used for irrigated agricultural uses. Property considered under this CPA include:

PARCEL NO. (APN)	OWNER	ACREAGE ( $\pm$ AC)	ZONING	LOCATION
506-29-001	CV HARQUAHALA LLC	158.28	RU-43	S5 T1N R8W
506-29-002	CV HARQUAHALA LLC	59.98	RU-43	S5 T1N R8W
506-29-022A	CV HARQUAHALA LLC	253.76	RU-43	S5 T1N R8W
506-29-022B	CV HARQUAHALA LLC	66.40	RU-43	S5 T1N R8W
*506-29-023C & 506-29-023D	KAWELA ONE LLC	166.26	RU-43	S6 T1N R8W
<b>Cumulative CPA Area Acreage:</b>		<b><math>\pm 704.68</math></b>		
(*) Parcels were conveyed together by special warranty deed dated 11/19/2010 at Recording no. 20101014589 in the records of the Maricopa County Recorder. These parcels have been legally described as a single parcel; however, the parcels are depicted separately by the Maricopa County Assessor.				





## II. CPA SIZE AND DESCRIPTION OF LAND USE TYPES BY ACREAGES

The CPA request is inclusive of six (6) parcels totaling  $\pm 704.68$  acres in the RU-43 zone district which is intended to conserve and protect farms and other open land uses, foster orderly growth in rural and agricultural areas, to prevent urban and agricultural land use conflicts, and to encourage sustainable development. The zone district has a maximum residential density 1DU/acre. Principal permitted uses in the RU-43 district include both farming and non-farming related residential uses, farms, and recreational and institutional uses.

## III. ROADS/TRANSPORTATION SYSTEMS SERVING THE PROPOSED PROJECT

The roadway network serving the proposed Project from the I-10 corridor includes the I-10/Salome Highway interchange that connects Salome Hwy to Harquahala Valley Rd and 491<sup>st</sup> Ave southerly to W. Courthouse Rd. The site can be accessed from the I-10/ Salome Highway interchange. Salome Highway provides connections to both Harquahala Valley Road and 491<sup>st</sup> Ave which both extend southerly to W. Courthouse Road. Primary access to the site is from the adjacent W. Courthouse Road on the northern site boundary and 491<sup>st</sup> Ave that intersects W. Courthouse Road and extends southerly into the overall development area. There are a number of smaller, existing roads, both named and unnamed, that traverse the Project site, which are anticipated to be used and improved for construction and ongoing operations of the Project. Site access will be identified with the zone change and plan of development applications. Final access locations will be determined in accordance with access management policies and permitting requirements of Maricopa County.

Properties within the Project area are located along the southern ROW of W. Courthouse Road at the southwest intersections of W. Courthouse Road and 483<sup>rd</sup>, 487<sup>th</sup>, and 491<sup>st</sup> Aves. Van Buren Street on the southern boundary is an existing unimproved agricultural road (within existing County ROW). There are currently no identified public or private plans to make public improvements to Van Buren Street.

The Maricopa County Department of Transportation has requested ROW dedications/preservations along the following alignments:

*ROW Dedication Requests (measured as half-width of ROW from centerline):*

- W. Courthouse Road: 65' dedication of 130' ROW
- 491<sup>st</sup> Avenue: 55' dedication of 110' ROW

*ROW Preservation Requests (measured as half-width of ROW from centerline):*

- 483<sup>rd</sup> Avenue: 65' preservation of 130' ROW
- 487<sup>th</sup> Avenue 40' preservation of 80' ROW
- 495<sup>th</sup> Avenue: 40' preservation of 80' ROW
- Roosevelt Street: 40' preservation of 80' ROW
- W. Van Buren Street: 55' preservation of 110' ROW

There would be no significant increase in traffic during the operational life of the Project that would require road improvements. There would be a relatively minor increase in the level of traffic during the approximately 12 months required for Project construction. This increased traffic is expected to be fewer than 100 trips during single peak morning and evening hours, primarily for the delivery of equipment and supplies and the commuting of the construction workforce. A traffic impact statement will be completed as part of the zone change process associated with the Project. The Applicant has agreed to financial responsibility for repair of roads used during construction, including bonding for such work, so that there is not public expenditure for transportation infrastructure associated with the Project.

#### IV. SUITABILITY WITH SURROUNDING LAND USES

The surrounding area is characterized by active and passive agricultural land uses, natural gas-powered electric generation facilities, solar powered electric generation facilities, and native desert lands. The dominant private land use within the area surrounding the current CPA is solar generation facilities, which occurs on parcels or combinations of parcels totaling several hundred to thousands of acres in irregular configurations. Other surrounding land uses include publicly owned and managed Local, State, and Federal Lands. These include lands controlled by the Maricopa Flood Control District, Arizona State Land Trust, and Bureau of Land Management. Other surrounding land uses include vacant and active agricultural uses with limited residential development. One concentration of residential development is within the Rose View Estates (RVE) development area. Other than RVE, there is limited, and sparse distribution of privately owned parcels used for residential purposes within the surrounding area.

The Rose View Estates (RVE) and Rose View Estates Unit 2 (RVE2) Subdivisions, platted in 1964, are located east of 481<sup>st</sup> Street which forms the eastern edge (3,636.14 feet/0.647 miles) of the proposed CPA and solar Project area. These subdivisions contain 244 lots zoned RU-43 (173 lots), R-5 (65 lots), and C-3 (6 lots). Only 28 lots have been developed for residential use. Considerations for buffering and screening of the Project and mitigation of construction and operational visual impacts will be addressed in greater detail at the rezone and plan of development submittals. Four (4) residences are located within 500 feet of the development boundary. Eleven (11) residences are located within 501 feet to 1000 feet of the proposed solar development within the R-5 zone. The remaining 13 residences are located greater than 1,000 feet from the eastern CPA/Solar Project boundary. After 56 years, the subdivision currently has an 11.5% buildout and is unlikely that any substantial residential development will occur within the subdivisions that will be negatively impacted by the proposed solar project. Property owners and residents will be notified of the project and efforts will be made to identify concerns over

visual impacts and incorporate effective mitigation and screening of the site against the residential boundaries.

Considerations for buffering and screening of the Project and mitigation of visual impacts during construction and operational activities. Screening and mitigation of visual impacts will be addressed in greater detail at the rezone and plan of development submittals.

Site parcels will be enclosed by perimeter security fencing located along the project boundaries and the Courthouse Rd, 483<sup>rd</sup> Ave, 487<sup>th</sup> Ave, 491<sup>st</sup> Ave, and 499<sup>th</sup> Ave rights of way. No fencing will impede or otherwise enclose existing roads within the project boundaries.

The proposed Utility land use contemplated by the Harquahala Sun CPA is compatible with similar approved and implemented solar Projects within an approximately 4-mile radius of the site. Associated facilities within this radius include approved CPA's for Utility (solar) land uses, PV solar generation facilities, utility corridors, transmission lines and a utility substation.

The parcels surrounding the CPA boundary have been subject to several CPA approvals by the BOS, that include the following solar and storage generation Projects: Harquahala 160, Almeria Solar, Sun Valley North, Sun Valley South, Harquahala (Generation Facility), Papago, and Harquahala Solar Project.

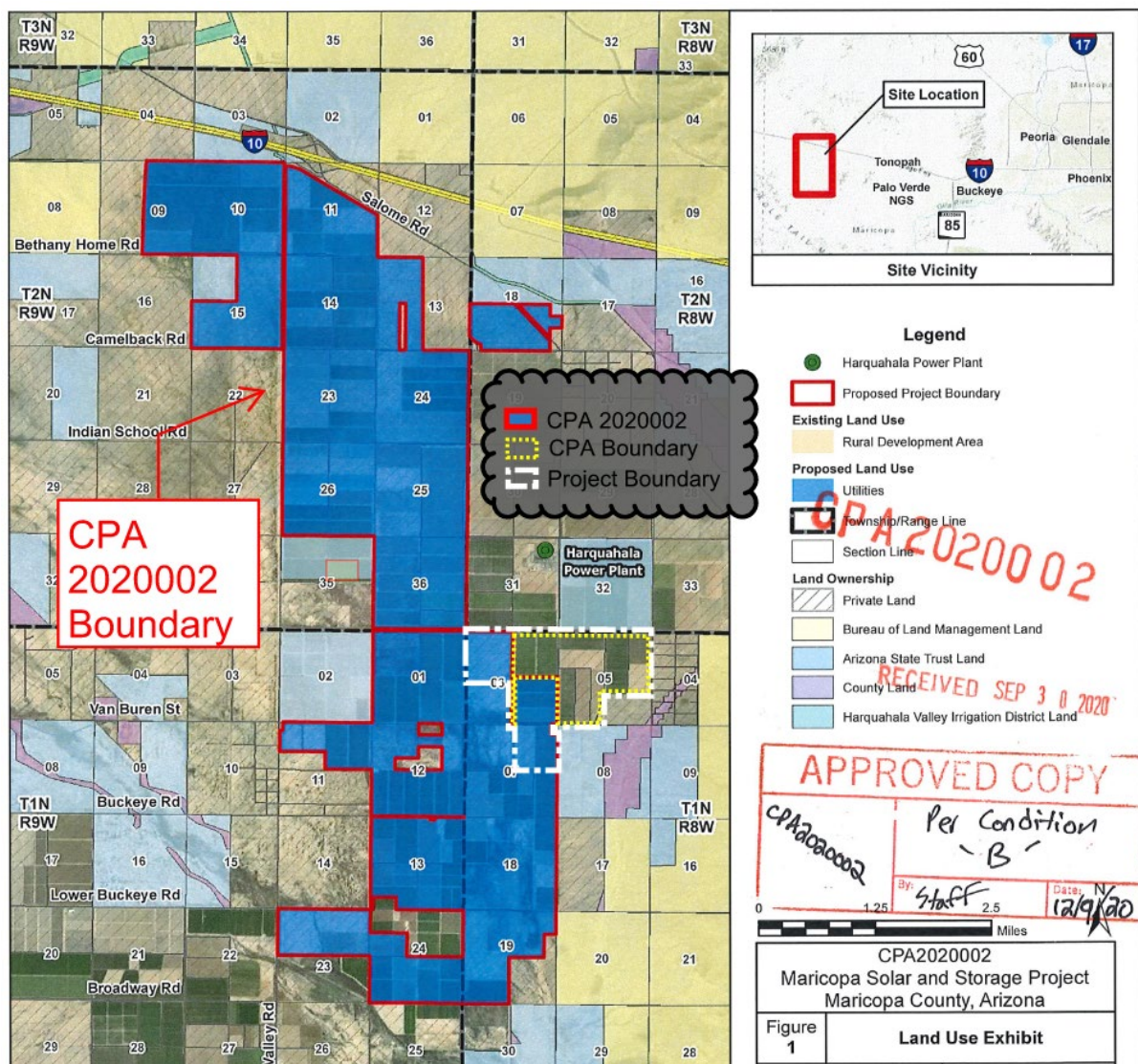
The Maricopa County Board of Supervisors (BOS) approved a CPA for the 'Harquahala Solar Project' (File No. CPA 20111002), November 17, 2011 for a 3,514-acre area for future development as a PV Solar powered generation facility. This CPA was not implemented through requisite rezoning and approval of a plan of development and was subsequently expired. The current CPA parcels were included in the previous BOS approval. Approval of the 2011 CPA included findings that the Project was appropriately sited among other similar facilities; the Project was in substantial conformance with the goals of policies of the Comprehensive Plan in effect at the time of review and approval, and that, subject to the terms/conditions of approval, the Project represented appropriate long term land use planning in the subject region and in Maricopa County as a whole. The current CPA area is approximately 25-percent of the previous land area and remains consistent with the general findings of conformance with the comprehensive plan and amendment criteria, as amended.

#### EXISTING SURROUNDING SOLAR (UTILITY) LAND USE APPROVALS

Project	Location (Township/Range)
Harquahala 160	(T2N R9W)
Harquahala Solar Project	(T1N R8W; T2N R9W)
Almeria Solar	T2N R8W
Sun Valley North	T2N R8W
Sun Valley South	T2N R8W
Harquahala (Generation Facility)	T2N R8W
Harquahala Solar Project	T1N R8W
*Maricopa Solar and Storage Project	T1N R8W; T1N R9W; T2N R8W; T2N R9W
Areva Solar AZ II	T2N R7W
Papago Solar	T2N R8W
Tonopah Photovoltaic	T2N R8W



The BOS recently approved the Maricopa Solar and Storage Project CPA2020002 (Maricopa Solar) to change the land use of 11,260 acres from Rural Development Area to Utilities. This CPA boundaries are contiguous and congruent with the Harquahala Sun CPA boundaries. Approximately ±314 AC of property approved under the Maricopa Solar CPA will be included in the Harquahala Sun Project boundaries and will be incorporated as such in the subsequent Zone Change (Z2021111) and Plan of Development (Z2021110) applications.





BLM is the lead federal agency for NEPA compliance. A Biological Evaluation (BE) was submitted to the Bureau of Land Management (BLM) on July 13, 2021 for review. In preparation for BLM coordination, the U.S. Fish and Wildlife Service (USFWS) Information for Planning and Consultation (IPaC) system was accessed March 21, 2021 (Consultation Code 02EAAZ00-2021-SLI-0639) and the Arizona Game and Fish Department (AGFD) Online Environmental Review Tool (OERT) was accessed on February 12, 2021 (HGIS-12827). BLM is actively leading coordinating with AGFD, SHPO, & USFWS.

**B. WHETHER THE AMENDMENT (OR CONDITION MODIFICATION) 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.**

Per the **Vision 2030, Maricopa County Comprehensive Plan (2016)**, Master Plan Amendments should improve the county's overall condition and not undermine the plan's core principles. The Plan recognizes the need to redesignate land uses in response to changing market conditions and to address the increasing demands of growth to the public infrastructure needs, specifically energy generation and consumption demands within the local economy.

As stated, and reinforced in the Plan, the supply of energy is essential to the region's transportation and manufacturing sectors. Energy resources significantly impact economic development by contributing to the region's overall attractiveness on basic and corresponding non-basic employment, primary and secondary employment sectors and markets, and research and development within existing and emerging markets and industries. Additionally, energy availability and even surplus opportunities function as an incubator for innovations within all segments of the local, regional, and state economy.

The Project is anticipated to generate up to 240 jobs in the construction, contracting, administrative, and Project management fields during the construction and implementation phase. Operation of the site will employ approximately 5 full time employees daily. Routine maintenance activities will require up to 15 part-time or seasonal employees and up to 20 employees for equipment repair and replacement as needed.

A power purchase agreement (PPA) has been executed with an Arizona corporate entity for energy from Harquahala Sun. The Project is scheduled to deliver energy by December 31st, 2022. The Applicant has a Facility Study with APS to interconnect the Generation Facility to APS's 500-kV Delaney Switchyard. The final execution of the Generator Interconnection Agreement is anticipated to occur in June 2021.

The Project benefits the County and greater region within the state by providing additional renewable energy resources, battery storage for local energy reliability and resiliency, and directly supports Arizona corporations that seek competitively priced renewable energy. Local Projects like Harquahala Sun will provide construction jobs, long term technical careers, and uses local engineering and development contractors in Maricopa County.

The Plan is intended to promote and incentivize the production and delivery of renewable energy resources that meet and otherwise support consumption needs of existing and emerging markets which benefit the regional and state economies and tax bases. The availability of sustainable, renewable, and economically efficient energy and the resulting cost savings, both immediate and over time, creates opportunity for reinvestment of public and private capital back into the local and regional economy.

The Plan identifies the County's potential to be a "global leader in renewable energy research and development, especially with respect to solar energy" because the region's environment is considered "one of the most productive spots in the world for both photovoltaic and concentrated solar energy generation." In response to these conditions, the County has taken a proactive approach to attracting and realizing the economic and environmental benefits of solar research and development by its regulation and approval of utility scale solar developments.

The proposed Harquahala Sun Project is in direct support of this stated goal, the implementation of which is evidenced by the current approved CPA and rezoning of property within the current Project vicinity for solar Projects. The need for this Project is established by growing demand for renewable energy as evidenced by APS's request for proposals to supply renewable energy and by Arizona's Renewable Portfolio Standard (RPS), which set renewable energy portfolio standards for investor-owned utilities at 45% by 2030 and 100% by 2050.

Approval of the Project strengthens the overall energy production output within Maricopa County. The increased local production over time will create energy surplus within the market resulting in a reduction of cost and consumption by additional sectors of the local and regional economy. Project approval facilitates a larger Regional share of renewable energy generation activities within the national production mix thereby promoting energy independence throughout related national industries and markets.

### **C. THE AMENDMENT WILL NOT ADVERSELY IMPACT ALL OR A PORTION OF THE PLANNING AREA BY:**

***\*EACH CRITERION IS ADDRESSED SEPARATELY WITH THE CRITERIA LISTED AND GENERAL RESPONSES TO THE CRITERIA CITED AS SUBHEADINGS IN THE PROCEEDING SUBSECTIONS BELOW:***

#### ***I. ALTERING ACCEPTABLE LAND USE PATTERNS TO THE DETRIMENT OF THE PLAN.***

The proposed CPA will not alter the acceptable land use patterns in the planning area in an adverse manner to the detriment of the plan. The proposed change in land use is consistent with existing approved utility land use patterns and subsequent zone change requests. Previous land use approvals should not be construed to imply future precedents, nor obligate future Board of Supervisor decisions. However, the infrastructure investment and development within this portion of the planning area make the Project site a more suitable and logical location for future development of solar powered generation. The single Renewable Energy Strategy in the Plan promotes/encourages the "[attraction] of solar and other alternative energy research and development to Maricopa County." Approval of the CPA is consistent with this strategy and the utility pattern that has been established in the Project area by recent BOS approvals in favor of large-scale solar powered generation facilities in the Project area. Previous CPAs and zoning actions in support of the following solar Projects surrounding the site, inclusive of the approved unimplemented 2011 CPA approval (CPA 2011002) which included the area under consideration.

Increasing the County's investment (in terms of land use planning) in local solar powered generation facilities and infrastructure has a long-term tangible impact of lowering costs of energy production, delivery, and consumption. This goal is achieved in part by increasing local/regional energy production/generation. The increased supply has a proportionate impact on the accessibility of the resource and encourages integration of applied uses and transitions away from reliance on outdated

and inefficient modes of energy generation and transmission creating efficiencies in these areas. Increased supply and efficiencies will promote increased integration into the market for various sectors of the economy (housing, manufacturing, transportation, etc.).

The CPA to change the land use from Rural Development Area to Utility to accommodate the proposed solar facility is in substantial conformance with renewable energy policies identified in the Plan, addressed in the Energy Goal and Policy Considerations in Section D of this report.

## **II. REQUIRING PUBLIC EXPENDITURES FOR LARGER AND MORE EXPENSIVE INFRASTRUCTURE.**

No public expenditures for infrastructure improvements are proposed in support of the proposed Project. Improvements for adjacent access roads will be borne solely at the expense of the developer proportionate to the impacts placed on the transportation network. Any public or private electric transmission infrastructure improvement costs needed in support of the Project will be borne solely by the developer.

## **III. REQUIRING PUBLIC IMPROVEMENTS TO ROADS, SEWER, OR WATER SYSTEMS THAT ARE NEEDED TO SUPPORT THE PLANNED LAND USES.**

The amendment will not adversely impact the planning area by requiring public improvements to roads, sewer, or water system needed to support the planned land uses. The provision of these services will be the responsibility of the developer in a manner that does not detract or negatively impact the availability, delivery, and/or use of existing services within the planning area. All costs for public improvements or services necessary to support the planned development will be borne solely by the developer.

The Maricopa County Department of Transportation has requested ROW dedication or preservation of the section and mid-section line ROW alignments adjacent to and through the site that include:

### *ROW Dedication Requests (measured as half-width of ROW from centerline):*

- W. Courthouse Road: 65' dedication of 130' ROW
- 491<sup>st</sup> Avenue: 55' dedication of 110' ROW

### *ROW Preservation Requests (measured as half-width of ROW from centerline):*

- 483<sup>rd</sup> Avenue: 65' preservation of 130' ROW
- 487<sup>th</sup> Avenue 40' preservation of 80' ROW
- 495<sup>th</sup> Avenue: 40' preservation of 80' ROW
- Roosevelt Street: 40' preservation of 80' ROW
- W. Van Buren Street: 55' preservation of 110' ROW

Potential additional section line alignments and/or extensions of unimproved segments will require 55' and 40' half width right-of-way dedications, per the Maricopa County Zoning Ordinance Section 1105, unless otherwise reduced during TAC review.

Final dedication, preservation, alignments, terminations, and vacations of unneeded ROW will be determined in negotiation with MCDOT with input from the TAC review of the CPA, zone change, and plan of development, and may be subject to negotiated terms of a development agreement. Additional



offsite improvements and any additional right-of-way needed will be determined by MCDOT Traffic Design and MCDOT Permits based on submittal of a TIA/TIS with subsequent zone change and plan of development review.

Construction is anticipated to occur within a 12-18-month period. Impacts during construction phase/period is limited to equipment/materials delivery and construction worker traffic, with a Projected increase of less than 100 average daily trips (ADT) on surrounding roadway network.

The applicant will maintain ongoing coordination with MCDOT to identify ROW dedication, preservation, and improvements needs throughout the entitlement process (CPA, Rezone, & Plan of Development) as well as construction and operational phases of the Project.

Required financial assurances for construction traffic improvements, longer term improvements, and maintenance for the operational impacts will be addressed during the zone change and plan of development submittal and review.

It is anticipated the Project would not connect to any existing sewer system. Personnel who are on-site to perform module washing (up to four times per year) would be provided with portable restrooms serviced by a licensed provider. Construction staff would also utilize portable restrooms serviced by a licensed provider.

Options for construction and operational water needs is currently under examination by the applicant, and none of these options would require improvements to public water systems.

The Project is anticipated to require approximately 210 acre-feet of water over the construction period. This water will be sourced from an on-site well, a nearby well, or delivered from the Harquahala Valley Irrigation District. Neither water storage tanks nor holding ponds are expected to be needed or placed within the adjacent Courthouse Rd., 483<sup>rd</sup> Ave, 487<sup>th</sup> Ave, or 491<sup>st</sup> Ave ROW. During the O&M phase, up to approximately 10 acre-feet of water would be required per year for module washing and maintenance. The Project will be consistent with Maricopa County's water and wastewater treatment programs during all phases of the development.

Underground wet/dry utility service or transmission lines within adjacent right-of-way will be solely at the developer's expense. Required on-site water and wastewater service and/or treatment for construction, operations, and maintenance, activities will be the sole financial burden of the developer. Required services and the developer's plan of provision will meet County and State requirements for water and on-site wastewater disposal criteria, permitting, and monitoring standards.

#### **IV. ADVERSELY IMPACTING PLANNED USES BECAUSE OF INCREASED TRAFFIC.**

Existing and planned uses surrounding the site which are dependent on the surrounding transportation system are not anticipated to be impacted due to increased traffic. Planned uses on-site will not be adversely impacted due to increased traffic. Increased traffic will be limited to construction and implementation activities associated with this Project and not from others. It is not anticipated that surrounding approved, but not yet implemented solar utility Projects will begin construction activities at the same time as the Harquahala Sun Project. During the construction period less than 100 additional

ADT are expected; therefore, per the MCDOT Traffic Impact Study Manual, a traffic statement will be required for the proposed site. A traffic impact statement will be provided in support of the necessary zone change and plan of development application and review process. A traffic statement is a scaled down and simplified version of the traffic impact study and is intended for smaller Projects that will have lesser impacts on existing traffic as compared to the larger type developments. At that time, a clearer Projection of traffic impacts will be available which will consider construction and operational ADT, construction haul routes, necessary ROW dedications, and road improvements.

**V. AFFECTING THE LIVABILITY OF THE AREA OR HEALTH OR SAFETY OF PRESENT AND FUTURE RESIDENTS.**

The CPA will not adversely affect the liveability of the area or health or safety of present and future residents of the area. As previously discussed, there are relatively few residences in the area. Site preparation, construction, or operation will not include any hazardous activities, materials, processes, or outputs. Noise impacts would be limited construction activities during specified construction hours. Fugitive dust control will be achieved during construction and operational periods by implementation of proper grading and erosion control measures, BMP's to include appropriate dust control and mitigation of dust on unpaved roads. Standard operational activities conform to applicable noise ordinances. Fire hazard and wildfire mitigation will be addressed with the plan of development. The CPA will not result in undue or unmitigated social, visual, traffic, air quality, water quality, or other impacts which may have a disproportionate affecting the livability of the area.

**VI. ADVERSELY IMPACTING THE NATURAL ENVIRONMENT OR SCENIC QUALITY OF THE AREA IN CONTRADICTION TO THE PLAN.**

The Project is not anticipated to generate adverse impacts to the natural environment or the scenic quality of the area. Preliminary site investigations have not identified any significant, unique, or critical wildlife habitats, endangered and/or protected flora/fauna species, or significant cultural resources within the Project area. As discussed in the transportation sections, no major offsite road or transportation network improvements are required to support the Project. Dust control measures will be provided to protect air quality during construction activities. Ground disturbing activities may also require dust mitigation, erosion control BMPs, and select soils stabilization or enhancement where existing erosion is encountered to maintain compliance with local, state, and federal air and water quality standards.

The site is predominately flat and will require little to no grading for access, PV pedestals, or supporting accessory equipment or storage structures. Construction activities will implement accepted BMP's for solar PV facility development, which include minimum ground disturbance and non-disturbance of existing low-lying vegetation and vegetation for erosion control purposes. Vegetation may require mowing to heights approved by the fire district or other environmental agencies to maintain appropriate levels of fire mitigation and erosion control.

The site will have minor visual impacts to surrounding areas and properties. The site will be screened with a minimum 6-foot opaque fence to provide optimal screening effect, where required to provide adequate visual relief and screening against existing residential uses. Details of proposed screening

wall will be provided with subsequent zone change and plan of development applications and finalized through coordination and input from residents and impacted property owners.

The solar arrays will extend to an approximate 10-foot vertical height (typical) when panels are nearly vertical during sunrise and sunset. The site is adjacent to a future utility use (solar farm) to the west and northwest, vacant agricultural land adjacent to the north, separated by Courthouse Road (120-foot ROW); unimplemented utility use (solar farm) to the northeast; the Rose View Estates residential development to the east separated by 483<sup>rd</sup> Ave (60-foot ROW); and a commercial nursery on agricultural exempt land to the south. One residence is located within 60 feet of the site opposite the 483<sup>rd</sup> Avenue frontage. Most residences within this subdivision are more than 300 feet away from the Project area's eastern most boundary.

The Project will utilize photovoltaic (PV) modules to generate electricity. PV technology is the most water-efficient solar generation technology available. The application recognizes that the proposed site receives a high degree of solar radiation and that water supplies in the vicinity are limited. The Project straddles the Phoenix Active Management Area and the **Harquahala Irrigation Non-expansion Area**, and Applicant understands the limitations and restrictions imposed by each of these designations. The Project will implement water conservation measures while utilizing water-efficient technology. PV technology use the least amount of water of any utility-scale solar energy design. The Project's water-conscious design and implementation is consistent with the applicable water goals and policies of the Comprehensive Plan.

No adverse or otherwise unmitigated impacts to the natural environment or scenic quality of the area are anticipated. The Project will be consistent with previous approvals for similar facilities located adjacent and nearby the current site.

The site will be surveyed prior to construction activities to identify plant/vegetation species which are protected by the Arizona Department of Agriculture under the Arizona Native Plant Law. Protected plant life and/or vegetation will be relocated or otherwise salvaged. All activities associated with the removal, relocation, or sale of protected plants/vegetation will comply with the notice requirements of Title 3, Chapter 3, Title II, of the Arizona Administrative Code.

Additional detailed analysis of environmental impacts will occur with pending zone change and plan of development submittals. Any identified impacts will be evaluated together with Planning and other staff within affected local, state, federal regulatory agencies and corresponding County departments and agencies, and participating stakeholders to identify appropriate mitigation strategies and/or other acceptable offsetting measures. The Project will maintain compliance with applicable Maricopa County Air Quality Department permitting and operational standards, including conformance with U.S. Environmental Protection Agency (EPA), and Arizona Department of Environmental Quality.



**D. WHETHER THE AMENDMENT IS CONSISTENT WITH OVERALL INTENT OF THE COMPREHENSIVE PLAN:**

The *County's Vision 2030 Comprehensive Plan* places emphasis on the value and desire for Maricopa County to become a global leader in renewable energy. More specifically Maricopa County notably states encouraging solar energy development as an important goal, within the Economic Growth Policy 10, Energy Goal 2, Energy Policy 6, and Water Resources Policy 5. The County's strategy to boost renewable energy development is specified below:

**Renewable Energy**

Maricopa County has the potential to be a global leader in renewable energy research and development, especially with respect to solar energy. Maricopa County is one of the most productive spots in the world for both photovoltaic and concentrated solar energy generation. Many companies have already discovered this potential, evidenced by the large number of utility-scale plants being planned in unincorporated areas. Because of the economic and environmental benefits Maricopa County supports state and local efforts to attract solar research and development to this region.

*Strategies – Attract solar and other alternative energy research and development to Maricopa County*

The project is consistent with overall intent and spirit of the *County's Vision 2030 Comprehensive Plan*. Additionally, the project is in line with the County's strategy to support solar generation industry's development. The project would create employment opportunities for many experienced professionals in the County and therefore supplement and benefit the local, County, state, and regional economy.

As mentioned previously the project is not anticipated to generate adverse impacts to the natural environment or the scenic quality of the area. Preliminary site investigations have not identified any significant, unique, or critical wildlife habitats, endangered and/or protected flora/fauna species, or significant cultural resources within the Project area. Once completed the project's generation of solar electricity could also result in improved air quality through the reduction of emissions from other electrical generating solutions currently used.

In summary, the project is in alignment with the County's goals and future vision. Approval of this application to facilitate the development of solar energy generation in close proximity to existing electrical infrastructure in addition to proximity to existing and planned solar generation facilities would further the implementation of the County's strategic priorities to become a global leader in renewable energy. This project supports One of the County's Core Principles and benefits the County's strategic priorities identified in the Comprehensive Plan as discussed in the following section.

# **E. THE EXTENT TO WHICH THE AMENDMENT IS CONSISTENT WITH THE SPECIFIC GOALS AND POLICIES CONTAINED WITHIN THE PLAN.**

LAND USE GOALS AND POLICIES	
COMP PLAN ELEMENT (GOALS/POLICIES)	CPA CONSISTENCY/JUSTIFICATION
<b>Land Use Goal #1:</b> <i>Achieve balanced and efficient development patterns.</i>	Approval of the CPA is consistent with the existing and approved utility solar powered generation land uses in the sub region of the County. The site is located in a region within unincorporated County surrounded by similar solar generation utility facilities with nearby utility/transmission corridors, overhead high voltage power lines, and the APS Delaney Substation. This CPA is located within the boundaries of the previously approved Harquahala Solar Project (CPA 2011002, approved 12-14-2011) in support of a 3,514 AC CPA. This CPA remains consistent with the previously approved, unimplemented CPA.
<b>Land Use Goal #2:</b> <i>Provide regional leadership on land use issues.</i>	An identified energy strategy in the Plan is to “Attract solar and other alternative energy research and development to Maricopa County.” Approval of the CPA is demonstrative of the County’s implementation of this land use goal in support of the cited energy strategy.
<b>Land Use Policy #7:</b> <i>Maricopa County supports coordinating land use and infrastructure planning with state agencies, counties, and municipalities.</i>	Approval of the CPA and subsequent zone change and plan of development require ongoing coordination with local, state, and federal agencies to ensure protections of public services, utilities, infrastructure, and natural resources. This coordination will also ensure these are available and adequate to meet current and future demands of development. The coordination includes considerations for the provision as well as protection of natural resources and public services including, but not limited to, water resources (ground/surface water supplies), flora and fauna impacts, air and water quality, and stormwater impacts, open spaces, buffering and screening, and transportation facilities and rights-of-way.
<b>Land Use Policy #22:</b> <i>Maricopa County supports reducing the impacts of new development on environmentally sensitive areas, including native flora and fauna habitat and corridors.</i>	The Project boundary does not include environmentally sensitive areas requiring avoidance or mitigation. Initial environmental studies have not identified any flora or fauna species requiring special mitigation or preservation. All development activities will remain compliant with applicable environmental regulations requiring flora/fauna habitat and/or environmental protection or relocation. Ongoing coordination with local, state, and federal environmental and natural resource agencies throughout the Project life cycle to ensure regulatory compliance with applicable environmental policies, protocols, and regulations.

TRANSPORTATION GOALS AND POLICY CONSIDERATIONS	
COMP PLAN ELEMENT (GOALS/POLICIES)	CPA CONSISTENCY/JUSTIFICATION
<b>Transportation Goal #1:</b> <i>Promote and protect public health through a safe transportation system.</i>	A TIS will be submitted with the zone change/plan of development application to evaluate existing conditions of roadways impacted by the proposed development during construction and operation. The Project will be responsible for ROW dedication from its respective boundaries to comply with the Maricopa County Transportation Plan and road/ROW dedication standards of the County. Exceptions will be negotiated with MCDOT and authorized by the MC BOS and may require specific development agreements to memorialize terms of negotiated dedications, preservation, and/or and deferments or exemptions.
<b>Transportation Goal #2:</b> <i>Contribute to a safe, seamless and effective transportation system.</i>	The Project will support a safe, seamless, and effective transportation system by dedicating and/or preserving required ROW in support of future road alignments as coordinated with MCDOT in a manner consistent with Departmental planning objectives and the Maricopa County Transportation Plan.
<b>Transportation Goal #3:</b> <i>Coordinate land use decisions with transportation investments to help the county exercise sound financial management and build the county's fiscal strength.</i>	All transportation improvements required to support the planned use or any expansion thereof will be borne solely by the developer, subject to all required agreements, financial assurances and/or performance bonds.
<b>Transportation Policy #11:</b> <i>Maricopa County supports National Ambient Air Quality Standards (NAAQS) compliance.</i>	The Project will maintain compliance with National Ambient Air Quality Standards throughout development phases. Operation of the Project will result in lower overall emissions
<b>Transportation Policy #12:</b> <i>Maricopa County supports improving low volume dirt roads as directed by its PM-10 Dust Abatement Program.</i>	The Project will maintain compliance with the permitting and operational standards of the Maricopa County Air Quality Department dust control requirements as governed by activities regulated by a dust control permit or Rule 310.01.



ENVIRONMENTAL GOAL AND POLICY CONSIDERATIONS	
COMP PLAN ELEMENT (GOALS/POLICIES)	CPA CONSISTENCY/JUSTIFICATION
<b>Environment Goal #1:</b> <i>Provide regional leadership to promote all aspects of regional environmental quality.</i>	Approval of the CPA supports improved air quality by decreasing emissions that result from electricity produced by fossil fuels. Transitioning from coal-powered plants to solar powered plants significantly decreases carbon dioxide emissions and eliminates sulfur, nitrous oxides, and mercury emissions generated by conventional electric generation facilities. The Project footprint requires significantly less disturbance and disruption to existing flora and fauna species than power generation activities conducted within conventional structures (brick/mortar type facilities). Reports, plans, and permits to identify areas of concern, demonstrate proposed methods of mitigation and compliance, and identify compliance with environmental performance criteria will be provided for all on-site and off-site Project activities and phases. The County demonstrates its leadership in regional environmental quality by authorizing the CPA in conformance with local, state, and federal environmental permits, regulations, and policies throughout the Project's lifecycle (entitlements, implementation, and operational activities).
<b>Environment Policy #3:</b> <i>To help protect water quality Maricopa County supports compliance with its Drinking Water program and its Water and Wastewater Treatment program.</i>	The Project as proposed is consistent with and will maintain compliance with Maricopa County Drinking and Wastewater Treatment program including water supply of the Maricopa County Environmental Health Code.
<b>Environment Policy #4:</b> <i>Maricopa County supports innovative Project design and development techniques that protect and mitigate damage to important plant and animal habitat and migration corridors.</i>	The Project will be designed to minimize, avoid, and/or mitigate negative impacts to flora and fauna habitat and wildlife migration corridors during implementation and operational activities. Comments from the AZGAFD will be addressed in a manner consistent with the intent of this policy, which may include preservation and/or relocation of impacted flora and/or fauna species. Best management practices will be employed to address flora/fauna impacts.
<b>Environment Policy #5:</b> <i>As directed by SHPO and Arizona Game and Fish Department, Maricopa County supports cultural resource and biological surveys being completed – and needed mitigation measures established – prior to new development.</i>	Cultural and biological reporting and surveys as required by the State Historic Preservation Office and Arizona Game and Fish Department will be submitted with the zone change and plan of development application to identify sensitive areas requiring protection, preservation, and/or mitigation of impacts to respective natural, biologic, and/or cultural resources. Mitigation identified by these or by the respective agency's staff or other guidance documents will be adhered to during implementation, and operation of the use.

ECONOMIC GROWTH GOAL AND POLICY CONSIDERATIONS	
COMP PLAN ELEMENT (GOALS/POLICIES)	CPA CONSISTENCY/JUSTIFICATION
<b>Economic Growth Goal #1:</b> <i>Contribute to an effective Regional economy.</i>	The physical development of the site will employ hundreds of specialized construction and skilled trade workers and laborers from unincorporated areas and incorporated municipalities within Maricopa County. Construction activities will generate employment opportunities for qualified workers over a 12 to 18-month construction period which is anticipated to occur from early 2022 through the end of 2022. Local businesses including, but not limited to retail, food service, gas station/convenience, and hospitality businesses will be supported by workers commuting to the site or lodging near the site for short/long terms during their respective periods of construction activities. No construction camps or on-site housing are proposed during the implementation (construction) phase of the Project. No on-site security or maintenance housing is proposed during the operational phase of this development.
<b>Economic Growth Policy #5:</b> <i>Maricopa County supports programs that attract a variety of Basic Sector industry clusters that have long-term, stable growth prospects.</i>	
<b>Economic Growth Policy #10:</b> <i>Maricopa County supports leveraging its solar resource potential to attract solar-related industries and alternative energy research and development.</i>	More accessible energy sources will attract energy dependent employment sectors to the region and allow existing basic sector industries to reinvest energy savings into expansions, research and development, and retrofitting activities to increase productivity in response to growing demands and competition in the regional and national share of their respective industries. Increasing the supply of locally generated renewable energy increases the attractiveness of the region on the demand for technological innovations to meet the demand for additional skilled and specialized workers. There will also be an increase in the demand for specialized workers to respond to changes and innovations in the solar powered generation industry and in the development of spin off applications in the manufacturing, transportation, and research/development industries.

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GROWTH AREAS GOAL AND POLICY CONSIDERATIONS	
COMP PLAN ELEMENT (GOALS/POLICIES)	CPA CONSISTENCY/JUSTIFICATION
<b><i>Growth Areas Goal #1:</i></b> <i>Achieve orderly urban growth that is fiscally and environmentally responsible, protects public health and safety and promotes sensible annexation patterns.</i>	The Project is located adjacent to and near existing and approved generation facilities and has convenient access to existing electrical infrastructure, major transmission corridors, and a major electrical substation. Proximity to existing transmission lines, corridors, and easements reduces the applicant's expenditures to utilize existing infrastructure and to obtain necessary easements to interconnect to the electrical grid. Construction and operational activities will maintain compliance with applicable environmental criteria, regulations, and permitting to ensure protection of biologic and natural resources.
<b><i>Growth Areas Policy #1:</i></b> <i>Maricopa County supports consistent implementation of its urban growth area except in the noted instances.</i>	The proposed Project is considered an industrial land use requiring large amounts of land to operate that do not require a corresponding level of urban services and infrastructure and can be located in rural remote areas. As the plan recommends, this land use is acceptable outside the urban growth area. These uses could include electric generating facilities, proving grounds and test facilities, agriculturally oriented businesses, and other rural-type industrial uses on a case-by-case basis.

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WATER RESOURCES GOAL AND POLICY CONSIDERATIONS	
COMP PLAN ELEMENT (GOALS/POLICIES)	CPA CONSISTENCY/JUSTIFICATION
<b>Water Resources Goal #1:</b> <i>Promote and protect public health with a clean water supply.</i>	<p>The Project will utilize photovoltaic (PV) modules to generate electricity. PV technology is the most water-efficient solar generation technology available. The Applicant recognizes that the proposed site receives a high degree of solar radiation and that water supplies in the vicinity are limited. The Project will implement water conservation measures while utilizing water-efficient technology.</p>
<b>Water Resources Goal #2:</b> <i>Provide leadership to promote regional water quality and water use.</i>	
<b>Water Resources Goal #4:</b> <i>Increase water conservation.</i>	
<b>Water Resources Policy #2:</b> <i>Maricopa County supports water conservation techniques in the planning and design of new development.</i>	<p>The Project will include a comprehensive Water Conservation Plan with established BMPs for water conservation. Drinking water will be delivered by truck. If a local well is required for water use, such well will comply with local and state permitting, operations, monitoring, and recharge requirements. The Project's water-conscious design and implementation is consistent with the applicable water goals and policies of the Comprehensive Plan.</p>
<b>Water Resources Policy #4:</b> <i>Maricopa County supports compliance with its Drinking Water and Wastewater Treatment Programs.</i>	
<b>Water Resources Policy #5:</b> <i>Maricopa County supports low water use solar electric generating technologies.</i>	<p>The Project will maintain compliance with Maricopa County's wastewater treatment programs during the construction activity period. The Project as proposed will not have wastewater demands or discharge. A septic system will be used if an O&amp;M building is required. Alternatively, portable restroom facilities will be provided for employee use during the implementation and operational phases.</p>
<b>Water Resources Policy #7:</b> <i>Maricopa County supports low water use and drought tolerant landscaping.</i>	
	<p>If landscape treatments are required to provide visual buffering, they will be selected from drought tolerant xeric species which will require low water use to establish and maintain.</p>
	<p>The Arizona Department of Water Resources has been notified of this CPA request and may provide comments. No specific renewable water resources are planned for use during construction phases of the project.</p>

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ENERGY GOAL AND POLICY CONSIDERATIONS	
COMP PLAN ELEMENT (GOALS/POLICIES)	CPA CONSISTENCY/JUSTIFICATION
<b>Energy Goal #1:</b> <i>Provide leadership to promote regional environmental quality.</i>	Approval of the Project has a long-term environmental impact of improving air quality by reducing emissions associated with conventional electric energy generation. The County has adopted environmental performance standards intended to preserve and sustain biologic, cultural, and environmental resources of the region which are evidence of the County's regional leadership role in the promotion of environmental quality.
<b>Energy Goal #2:</b> <i>Make Maricopa County a leader in alternative energy research and development.</i>	Approval of the Project provides the opportunity to implement, test, and evaluate the efficiencies of the most current PV solar generation equipment and battery energy storage systems. Evaluation of their operational performance is key to the research and development of more efficient equipment and related processes. An operational facility provides opportunities to implement advances in the associated technologies over the life of the Project. Approval of the facility provides opportunities to test storage systems in response to increasing demands for the use of stored energy.
<b>Energy Policy #6:</b> <i>Maricopa County supports being a responsible leader in alternative energy research and development.</i>	Approval of the Project will be reflective of the Maricopa County Board of Supervisor's regional and statewide leadership in the attraction, promotion, and delivery of renewable energy resources and infrastructure.

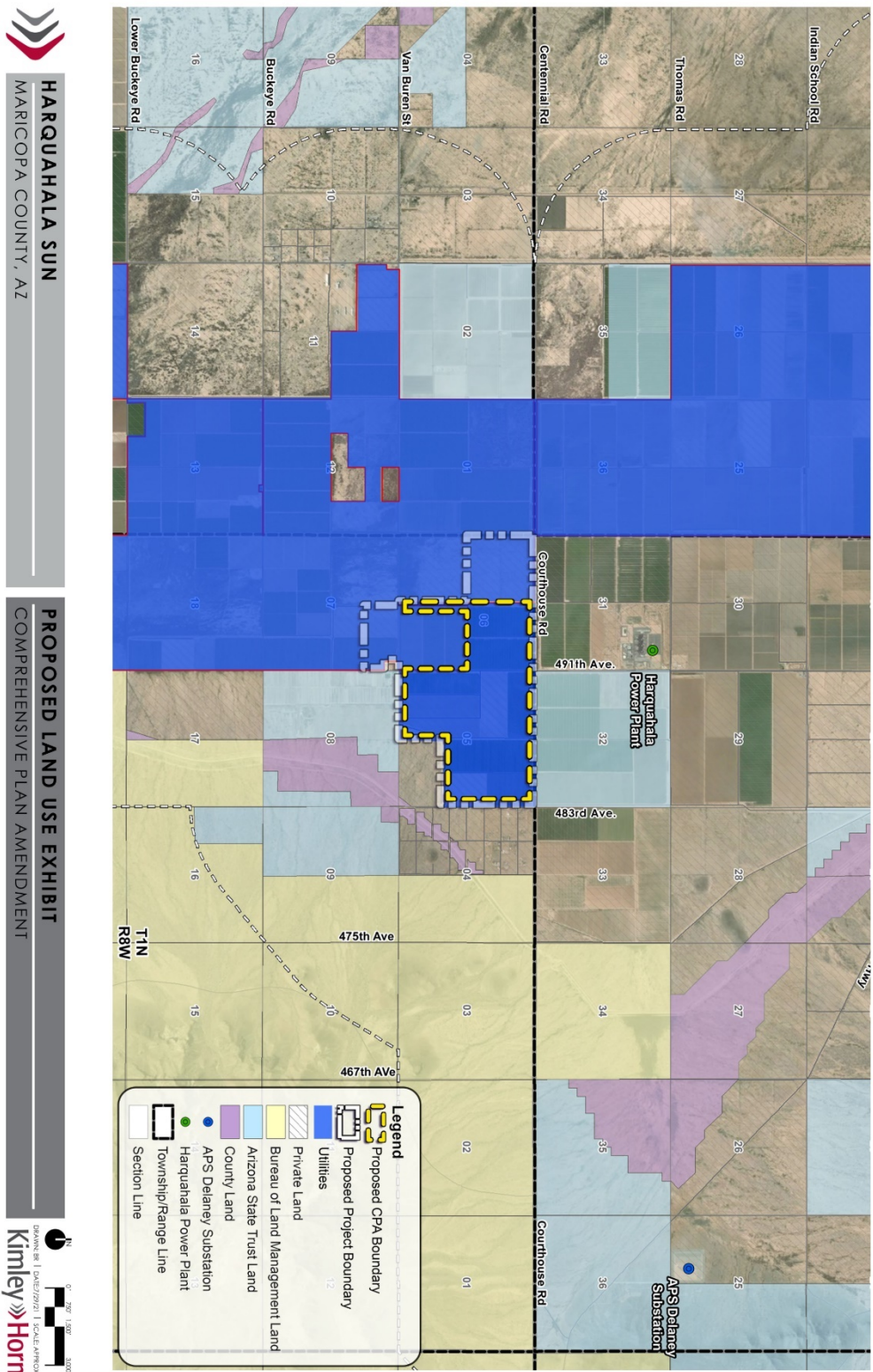
COST OF DEVELOPMENT GOAL AND POLICY CONSIDERATIONS	
COMP PLAN ELEMENT (GOALS/POLICIES)	CPA CONSISTENCY/JUSTIFICATION
<b>Cost of Development Goal #2:</b> <i>New development pays its proper and reasonable share of the costs of new infrastructure, services and other public improvements.</i>	All Project costs, including, but not limited to, on-site improvements, gentle line infrastructure and connections, collection lines, off-site road improvements, and water and wastewater treatment service, shall be borne solely by the applicant.
<b>Cost of Development Policy #2:</b> <i>Maricopa County supports recouping the costs of its products and services without unfairly burdening those most in need of its products and services.</i>	All development costs will be borne solely by the developer, including, but not limited to, applicable fees for service, impact fees, performance bonds and sureties, and property taxes.

OPEN SPACE GOAL AND POLICY CONSIDERATIONS	
COMP PLAN ELEMENT (GOALS/POLICIES)	CPA CONSISTENCY/JUSTIFICATION
<b>Open Space Goal #2:</b> Protect and expand the regional park system proportionately with population growth.	
<b>Open Space Policy #2:</b> Maricopa County supports dedication and improvement of trail right-of-way within new development, including the Maricopa Trail, the Maricopa County Regional Trail System, and wildlife linkages.	All Project costs, including, but not limited to, on-site improvements, gentle line infrastructure and connections, collection lines, off-site road improvements, and water and wastewater treatment service, shall be borne solely by the applicant.
<b>Open Space Goal #1:</b> Provide regional leadership to promote environmental quality, including the preservation of open, natural park and recreation lands.	Reduction of emissions in support of increased air quality, water usage for energy production, consumption (including extraction and transport of inputs for use in energy production promoted by Solar Generation activities) has net positive impacts to environmental quality in terms of air quality

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**F. COMPREHENSIVE PLAN AMENDMENT MAP EXHIBIT**

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**G. COMPREHENSIVE PLAN AMENDMENT LEGAL DESCRIPTIONS EXHIBITS**

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**LEGAL DESCRIPTION - PARCEL 506-29-001 (158.28 AC)**

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE COUNTY OF MARICOPA, STATE OF ARIZONA, AND IS DESCRIBED AS FOLLOWS:

LOTS 1 AND 2 AND THE SOUTH HALF OF THE NORTHEAST QUARTER OF SECTION 5, TOWNSHIP 1 NORTH, RANGE 8 WEST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA;

EXCEPT THE NORTH 33 FEET THEREOF; AND

EXCEPT 50% OF ALL MINERALS, MINERAL RIGHTS, OIL, OIL RIGHTS, NATURAL GAS, NATURAL GAS RIGHTS AND OTHER HYDROCARBON AND HYDROCARBON RIGHTS, BY WHATSOEVER NAME KNOWN, GEOTHERMAL HOT WATER OR STEAM, ROCK, SAND AND GRAVEL AS RESERVED IN DEED RECORDED AS DOCKET 11672, PAGE 363, RECORDS OF MARICOPA COUNTY, ARIZONA.

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**LEGAL DESCRIPTION - PARCEL 506-29-002 (59.98 AC)**

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE COUNTY OF MARICOPA, STATE OF ARIZONA, AND IS DESCRIBED AS FOLLOWS:

THAT PORTION OF SECTION 5, TOWNSHIP 1 NORTH, RANGE 8 WEST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID SECTION 5;

THENCE SOUTH 00 DEGREES 35 MINUTES 46 SECONDS WEST, ALONG THE EAST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 5, A DISTANCE OF 2645.56 FEET TO THE EAST QUARTER CORNER OF SAID SECTION 5;

THENCE CONTINUING ALONG SAID LINE SOUTH 00 DEGREES 35 MINUTES 47 SECONDS WEST, A DISTANCE OF 990.67 FEET TO A POINT ON THE NORTH LINE OF THE SOUTH 1650.00 FEET;

THENCE ALONG SAID LINE, NORTH 89 DEGREES 38 MINUTES 58 SECONDS WEST, A DISTANCE OF 2639.89 FEET TO THE WEST LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 5;

THENCE ALONG SAID LINE, NORTH 00 DEGREES 33 MINUTES 24 SECONDS EAST, A DISTANCE OF 989.44 FEET TO THE NORTHWEST CORNER OF THE SOUTHEAST QUARTER OF SAID SECTION 5;

THENCE NORTH 00 DEGREES 33 MINUTES 23 SECONDS EAST, ALONG THE WEST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 5, A DISTANCE OF 2642.23 FEET TO THE NORTH QUARTER CORNER OF SAID SECTION 5;

THENCE ALONG THE NORTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 5, SOUTH 89 DEGREES 44 MINUTES 53 SECONDS EAST, A DISTANCE OF 2642.44 FEET TO THE POINT OF BEGINNING;

EXCEPT THAT PORTION LYING WITHIN THE NORTHEAST QUARTER OF SAID SECTION 5;

EXCEPT 50% OF ALL MINERALS, MINERAL RIGHTS, OIL, OIL RIGHTS, NATURAL GAS, NATURAL GAS RIGHTS AND OTHER HYDROCARBON AND HYDROCARBON RIGHTS, BY WHATSOEVER NAME KNOWN, GEOTHERMAL HOT WATER OR STEAM, ROCK, SAND AND GRAVEL AS RESERVED IN DEED RECORDED AS DOCKET 11672, PAGE 363, RECORDS OF MARICOPA COUNTY, ARIZONA.

**LEGAL DESCRIPTION - PARCEL 506-29-022A (253.76 AC)**

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE COUNTY OF MARICOPA, STATE OF ARIZONA, AND IS DESCRIBED AS FOLLOWS:

THAT PORTION OF SECTION 5, TOWNSHIP 1 NORTH, RANGE 8 WEST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF SAID SECTION 5;

THENCE ALONG THE WEST LINE OF SECTION 5, NORTH 00 DEGREES 30 MINUTES 41 SECONDS EAST, A DISTANCE OF 4185.00 FEET;

THENCE LEAVING SAID LINE, SOUTH 89 DEGREES 42 MINUTES 15 SECONDS EAST, A DISTANCE OF 2641.14 FEET TO THE NORTH-SOUTH MID SECTION LINE;

THENCE ALONG SAID LINE, SOUTH 00 DEGREES 33 MINUTES 23 SECONDS WEST, A DISTANCE OF 1546.74 FEET TO THE NORTH-SOUTH MID-SECTION LINE OF SAID SECTION 5;

THENCE CONTINUING ALONG SAID LINE, SOUTH 00 DEGREES 33 MINUTES 23 SECONDS WEST, A DISTANCE OF 2639.45 FEET TO THE SOUTH QUARTER CORNER OF SAID SECTION 5;

THENCE ALONG THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 5, NORTH 89 DEGREES 40 MINUTES 43 SECONDS WEST, A DISTANCE OF 2637.85 FEET TO THE POINT OF BEGINNING;

EXCEPT 50% OF ALL MINERALS, MINERAL RIGHTS, OIL, OIL RIGHTS, NATURAL GAS, NATURAL GAS RIGHTS AND OTHER HYDROCARBON AND HYDROCARBON RIGHTS, BY WHATSOEVER NAME KNOWN, GEOTHERMAL HOT WATER OR STEAM, ROCK, SAND AND GRAVEL AS RESERVED IN DEED RECORDED AS DOCKET 11672, PAGE 363, RECORDS OF MARICOPA COUNTY, ARIZONA.



**LEGAL DESCRIPTION - PARCEL 506-29-022B (66.40 AC)**

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE COUNTY OF MARICOPA, STATE OF ARIZONA, AND IS DESCRIBED AS FOLLOWS:

THAT PORTION OF SECTION 5, TOWNSHIP 1 NORTH, RANGE 8 WEST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID SECTION 5;

THENCE SOUTH 89 DEGREES 44 MINUTES 02 SECONDS EAST, ALONG THE NORTH LINE OF SAID SECTION 5, A DISTANCE OF 2642.01 FEET TO THE NORTH QUARTER CORNER OF SAID SECTION 5;

THENCE ALONG THE NORTH-SOUTH MID SECTION LINE, SOUTH 00 DEGREES 33 MINUTES 23 SECONDS WEST, A DISTANCE OF 1095.49 FEET;

THENCE LEAVING SAID LINE, NORTH 89 DEGREES 42 MINUTES 15 SECONDS WEST, A DISTANCE OF 2641.14 FEET TO THE WEST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 5;

THENCE ALONG SAID LINE, NORTH 00 DEGREES 30 MINUTES 41 SECONDS EAST, A DISTANCE OF 1094.12 FEET TO THE POINT OF BEGINNING;

EXCEPT 50% OF ALL MINERALS, MINERAL RIGHTS, OIL, OIL RIGHTS, NATURAL GAS, NATURAL GAS RIGHTS AND OTHER HYDROCARBON AND HYDROCARBON RIGHTS, BY WHATSOEVER NAME KNOWN, GEOTHERMAL HOT WATER OR STEAM, ROCK, SAND AND GRAVEL AS RESERVED IN DEED RECORDED MAY 12, 1976 AS DOCKET 11672, PAGE 363, RECORDS OF MARICOPA COUNTY, ARIZONA.

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**LEGAL DESCRIPTION - PARCELS 506-29-023C & 506-29-023D (166.26 AC)****Owner: KAWELA ONE**

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE COUNTY OF MARICOPA, STATE OF ARIZONA, AND IS DESCRIBED AS FOLLOWS:

PARCEL NO. 1:

LOTS 1 AND 2; THE SOUTH HALF OF THE NORTHEAST QUARTER; AND THE WEST 126.00 FEET OF THE SOUTHEAST QUARTER OF SECTION 6, TOWNSHIP 1 NORTH, RANGE 8 WEST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA;

EXCEPT THE SOUTH 25 FEET THEREOF; AND

EXCEPT THE WEST 126 FEET OF SAID SOUTH 25 FEET OF SAID NORTHEAST QUARTER THEREOF; AND

EXCEPT 50% OF ALL MINERALS, MINERAL RIGHTS, OIL, OIL RIGHTS, NATURAL GAS, NATURAL GAS RIGHTS AND OTHER HYDROCARBON AND HYDROCARBON RIGHTS, BY WHATSOEVER NAME KNOWN, GEOTHERMAL HOT WATER OR STEAM, ROCK, SAND AND GRAVEL AS RESERVED IN DEED RECORDED IN DOCKET 11672, PAGE 363 RECORDS OF MARICOPA COUNTY, ARIZONA.

PARCEL NO. 2:

AN EASEMENT FOR ROADWAY FOR INGRESS AND EGRESS AS CREATED BY INSTRUMENT RECORDED IN DOCUMENT NO. 95-0464234, RECORDS OF MARICOPA COUNTY, ARIZONA, OVER THE SOUTH 25.00 FEET OF THE NORTHEAST QUARTER OF SECTION 6, TOWNSHIP 1 NORTH, RANGE 8 WEST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA; EXCEPT THE WEST 126.00 FEET THEREOF.