

NOTICE OF EXEMPTION

TO:
 Office of Planning & Research (OPR) County of Riverside County Clerk
P.O. Box 3044 2724 Gateway Dr.
Sacramento, CA 95812-3044 Riverside, CA 92502-1409

FROM: County of Riverside
4080 Lemon St.
Riverside, CA 92501

Project Title/Case No.: Memorandum of Understanding ("MOU") Between the County of Riverside and Eagle Crest Energy Company for the FERC-Licensed Eagle Mountain Pumped Storage Facility

Project Location: The unincorporated area of Riverside County, including area shown on attached map

Project Description: The MOU memorializes the County's and Eagle Crest Energy Company's ("Eagle Crest") agreement to cooperate and work together and for Eagle Crest to provide community benefit funding to the County of Riverside ("County"), as set forth in Exhibit B to the MOU, for currently unidentified community benefit programs, and for Eagle Crest to generally utilize County processes for permits and to generally follow the parameters of County and State requirements where not contrary to the Federal Energy Regulatory Commission's ("FERC") previously approved license for the construction and operation of a hydroelectric project at Eagle Mountain.

Name of Public Agency Approving Project: County of Riverside
Project Applicant & Address: County of Riverside

Exempt Status: (Check one)

- | | |
|--|---|
| <input type="checkbox"/> Ministerial (Sec. 21080(b)(1); 15268) | <input type="checkbox"/> Categorical Exemption () |
| <input type="checkbox"/> Declared Emergency (Sec. 21080(b)(3); 15269(a)) | <input type="checkbox"/> Statutory Exemption (_____) |
| <input checked="" type="checkbox"/> Not a Project | <input checked="" type="checkbox"/> Other: <u>15061(b)(3)</u> |

Reasons why project is exempt: The MOU is not a project under from the California Environmental Quality Act (CEQA) and is exempt from CEQA pursuant to State CEQA Guidelines sections 15061(b)(3), in that it can be seen with certainty that there is no possibility that the MOU may have a significant effect on the environment. The MOU merely sets forth an agreement for Eagle Crest to pay for County staff time when processing future applications consistent with Eagle Crest's previously approved FERC license and for Eagle Crest to generally utilize County administrative procedures and requirements for processing permits and projects when reviewing Eagle Crest's future applications under its FERC license, where such requirements do not conflict with the FERC license and despite the general Federal preemption applicable to the hydroelectric project as previously approved. The MOU also merely sets forth future community benefits payments and other payments to be made by Eagle Crest to the County upon reaching specified milestones, but no actions or projects have been identified that the payments will fund, making any environmental review at this point purely speculative. If a project is identified in the future that such payments will fully or partially fund, appropriate CEQA compliance with be evaluated at that time.

Melissa Cushman
County Contact Person

951-955-6300
Phone Number



Signature

Supervising Deputy County Counsel

Title

May 6, 2025

Date

FOR COUNTY CLERK'S USE ONLY

