

engineer's estimate of decommissioning cost shall be renewed no less than every five years by a Professional Engineer registered in the State of Arizona, and a copy of each renewed estimate shall be provided to the County Engineer for review and approval. The decommissioning bond shall be adjusted in accordance with the renewed cost estimate within 30 days after approval by the County Engineer.

- 7) Prior to construction, a Traffic Impact Analysis (TIA) shall be completed per Yuma County Public Works Volume 4, Section 4.5; covering expected construction period, and it shall be completed in accordance with Section 204 of the Arizona Department of Transportation's traffic engineering guidelines and processes (TGP), which analysis shall address: A) projected daily average traffic volumes, peak morning, and afternoon hourly traffic volumes for privately-owned vehicles during construction along with any variations anticipated during construction; B) volumes, weights, and maximum lengths for trucks; C) directional analysis of the traffic; D) a queuing analysis according to the TGP; and, E) any recommendations for mitigations measures. Yuma County will manage and solicit bids. The Developer shall construct all required improvements recommended by the TIA.
- 8) The Special Use Permit shall be valid for a period not to exceed thirty (30) years from the date of approval by the Board of Supervisors.



November 17, 2023

Mr. Javier Barraza  
Yuma County  
2351 W. 26th Street  
Yuma, AZ 85364

Electronically submitted to: [Javier.Barraza@yumacountyaz.gov](mailto:Javier.Barraza@yumacountyaz.gov)

**RE: Yuma County Special Use Permit No. 23-17 - Evelution Energy Solar**

Dear Mr. Barraza:

The Arizona Game and Fish Department (Department) appreciates the opportunity to review Yuma County Special Use Permit (SUP) Case No. 23-17. The Department understands that this request is to allow a solar power generating facility and associated equipment on a 154.0 acre parcel zoned Rural Area-40 acre minimum. The project site is located on the northwest corner of Avenue 47 ½ E and Old Highway 80, in Tacna, Arizona, and is currently undeveloped Sonoran desert scrub habitat. The Department also understands that this will be adjacent to the approved SUP 22-08 which will allow for the construction of a cobalt sulfate production and EV battery recycling facility.

Under Title 17 of the Arizona Revised Statutes, the Department, by and through the Arizona Game and Fish Commission, has jurisdictional authority and public trust responsibilities to conserve and protect the state fish and wildlife resources. In addition, the Department manages threatened and endangered species through authorities of Section 6 of the Endangered Species Act and the Department's Section 10(a)(1)(A) permit. It is the mission of the Department to conserve and protect Arizona's diverse fish and wildlife resources and manage for safe, compatible outdoor recreation opportunities for current and future generations.

The Department recognizes the importance of planning efforts to develop renewable energy locations that contribute to regional and state economic growth needs and would like to work closely with the applicant and Yuma County during the planning and development of this facility. The Department recognizes that appropriate coordination, proper planning, and voluntary implementation of best management practices allow projects to be developed that avoid, minimize, or offset potential impacts to wildlife and recreational access during development and operation of the facilities. For your consideration, the Department provides the following comments based on the agency's statutory authorities, public trust responsibilities, and special expertise related to wildlife resources and recreation.

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**azgfd.gov | 928.342.0091**

**YUMA OFFICE: 9140 E. 28TH ST., YUMA AZ 85365**

**GOVERNOR: KATIE HOBBS COMMISSIONERS: CHAIRMAN TODD G. GEILER, PRESCOTT | CLAY HERNANDEZ, TUCSON | MARSHA PETRIE SUE, SCOTTSDALE  
JEFF BUCHANAN, PATAGONIA | JAMES E. GOUGHNOUR, PAYSON DIRECTOR: TY E. GRAY DEPUTY DIRECTOR: TOM P. FINLEY**

Arizona has recently seen an increase in the number of proposed and in-development renewable energy generation projects and associated infrastructure. Although each of these projects individually may have a minimal impact on the broader landscape, these projects cumulatively could result in loss of habitat, impact wildlife movements, and affect wildlife-related recreation. Additionally, long-term effects to wildlife can extend several kilometers beyond the footprint of a solar project area ([Sawyer et al. 2022<sup>1</sup>](#)). It is important to consider all potential cumulative effects and to evaluate this project in association with other projects in the area. Department staff are available to assist in identifying potential cumulative impacts to wildlife and associated voluntary conservation measures that can be implemented for the project. The Department offers the following recommendations to reduce potential impacts to wildlife and habitat; additional information can be found in [Guidelines for Solar Development in Arizona<sup>2</sup>](#):

- The federally endangered Sonoran pronghorn could occur in the project area and adjacent lands. Sonoran pronghorn have specific habitat requirements based on their life history and survival strategy. If pronghorn are detected during project activities, please notify the [U.S. Fish and Wildlife Service<sup>3</sup>](#) (USFWS) and the Department's Sonoran Pronghorn Program Lead ([rgardner@azgfd.gov](mailto:rgardner@azgfd.gov)) as soon as possible.
- The western burrowing owl, a special status species that is regulated under the Migratory Bird Treaty Act (MBTA), has the potential to occur in the project area. The Department recommends conducting occupancy surveys for this species following guidelines in [Burrowing Owl Project Clearance Guidance for Landowners<sup>4</sup>](#). Please note that the survey should be conducted by a surveyor who is certified by the Department or has similar training and qualifications. If an active burrowing owl burrow is detected, please contact the Department and the USFWS for direction, in accordance with the guidelines.
- Burrowing mammals could occur within the project area and could be influenced by construction activities and by loss of habitat. Surveys for these species are recommended to determine their presence and to inform pre-construction activities. Department staff are available to assist in identifying suitable conservation measures, such as one-way enclosures on burrows that allow wildlife to exit the burrows and disperse to adjacent lands in advance of construction.

Finally, the Department offers the following general recommendations to reduce potential impacts to wildlife and habitat during construction and operation of the facility:

- A variety of other species, including Species of Greatest Conservation Need, have the potential to occur within the project area. If wildlife are encountered during project activities, the Department recommends moving them out of harm's way, no more than 0.25 mile outside the project boundary within similar habitat.
- If trenching or digging of large holes is necessary, the Department recommends trenching/digging and backfilling crews be close together to minimize the amount of open holes at any given time. Where trenches or holes cannot be back-filled immediately,

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<sup>1</sup> <https://esajournals.onlinelibrary.wiley.com/doi/10.1002/fee.2498>

<sup>2</sup> <https://s3.amazonaws.com/azgfd-portal-wordpress/PortalImages/files/wildlife/planningFor/wildlifeFriendlyGuidelines/FinalSolarGuidelines03122010.pdf>

<sup>3</sup> <https://www.fws.gov/office/arizona-ecological-services/contact-us>

<sup>4</sup> [https://s3.amazonaws.com/azgfd-portal-wordpress/PortalImages/files/wildlife/nongame/eagles/BurrowingOwlClearanceProtocol\\_2009.pdf](https://s3.amazonaws.com/azgfd-portal-wordpress/PortalImages/files/wildlife/nongame/eagles/BurrowingOwlClearanceProtocol_2009.pdf)

the Department recommends escape ramps be constructed in each hole and at least every 90 meters in trenches. Escape ramps can be short lateral trenches or wooden planks sloping to the surface. The Department recommends that slopes be less than 45 degrees (1:1) and trenches and holes that have been left open be inspected to remove animals prior to backfilling.

- Artificial lighting could impair the ability of nocturnal animals to navigate (e.g., owls, migratory birds, bats, and other nocturnal mammals) and may affect wildlife behavior and populations ([Davies et. al. 2013](#)<sup>5</sup>). The Department recommends using only the minimum amount of light needed for safety. If feasible, narrow spectrum lighting is wildlife-friendly and should be used as often as possible to minimize the number of species affected by lighting. It is also beneficial that all lighting is shielded, canted, or cut to minimize the amount of upward shining light.
- The Department's [Wildlife Compatible Fencing Guidelines](#)<sup>6</sup> provide information on how fencing impacts wildlife, ways to design fencing to prevent wildlife entanglement and impalement, and to ensure wildlife movement is not restricted. Department personnel are available as resources to help determine appropriate fencing design and layout that will achieve its objective while reducing impact on wildlife, such as leaving a 6–8-inch gap between the ground surface and bottom of the fence to allow for smaller wildlife species to move freely through the area and make use of any habitat within the project boundary.
- The Department encourages the use of non-reflective coatings on the solar panels, which can reduce the appearance of the array as a body of water and reduce the attraction of birds to the site.
- If new transmission lines will be constructed for this project, the Department recommends following standards established by the Avian Power Line Interaction Committee (APLIC) for new powerlines, which can be found in [Suggested Practices for Avian Protection on Power Lines: The State of the Art in 2006](#)<sup>7</sup> and [Reduced Avian Collisions with Power Lines: The State of the Art in 2012](#)<sup>8</sup>. Birds of prey, such as raptors, owls, vultures, and eagles, are vulnerable to powerline strikes and electrocution during construction and operation of transmission lines; power poles can also serve as perches for birds of prey. Tuk Jacobson, the Department's Raptor Coordinator, can provide further information on specific design features and best management practices; he can be contacted at [raptors@azgfd.gov](mailto:raptors@azgfd.gov) or 623-236-7575.
- Because proposed ground disturbance will exceed 0.25 acres in areas with native vegetation, please ensure the project complies with [Arizona Native Plant Law](#)<sup>9</sup> regulations. A Native Plant Inventory may need to be conducted to identify, record, and coordinate plant salvage efforts for species that are Protected under the Arizona Native Plant Law.
- The Department recommends conducting minimal grading in the project area and, to the extent possible, retaining habitat features underneath the panels, including vegetation and

<sup>5</sup> <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC3657119>

<sup>6</sup> [https://s3.amazonaws.com/azgfd-portal-wordpress/PortalImages/files/wildlife/planningFor/wildlifeFriendlyGuidelines/110125\\_AGFD\\_fencing\\_guidelines.pdf](https://s3.amazonaws.com/azgfd-portal-wordpress/PortalImages/files/wildlife/planningFor/wildlifeFriendlyGuidelines/110125_AGFD_fencing_guidelines.pdf)

<sup>7</sup> [https://www.aplic.org/uploads/files/2643/SuggestedPractices2006\(LR-2\).pdf](https://www.aplic.org/uploads/files/2643/SuggestedPractices2006(LR-2).pdf)

<sup>8</sup> [https://www.aplic.org/uploads/files/15518/Reducing\\_Avian\\_Collisions\\_2012watermarkLR.pdf](https://www.aplic.org/uploads/files/15518/Reducing_Avian_Collisions_2012watermarkLR.pdf)

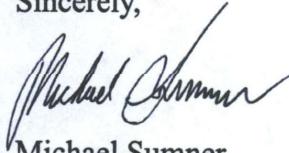
<sup>9</sup> <https://agriculture.az.gov/plantsproduce/native-plants>

soils. The topography in the majority of the site is flat and would require minimal trimming of shrubs and existing vegetation to install the panels. Keeping the existing soil and root structures intact would serve to minimize erosional run-off and help reduce biodiversity loss within the site ([Grotsky and Hernandez 2020](#)<sup>10</sup>).

- To minimize the potential introduction or spread of exotic invasive species, including aquatic and terrestrial plants, animals, insects, and pathogens, the Department encourages taking precautions to wash and/or decontaminate equipment before entering and leaving the site. See the [Arizona Department of Agriculture website](#)<sup>11</sup> for a list of prohibited and restricted noxious weeds and the [Arizona Native Plant Society](#)<sup>12</sup> for recommendations on how to control them. To view a list of documented invasive species or to report invasive species in or near the project area, visit [iMapInvasives](#)<sup>13</sup>, which is a national cloud-based application for tracking and managing invasive species.
- The Department recommends revegetating disturbed areas with native drought-tolerant species that represent the natural surrounding landscape. Landscaping with native plants can help support wildlife and pollinator species in the area while reducing dust and erosion. In addition, the applicable land management agencies should be consulted regarding guidelines for revegetation efforts.

Thank you for the opportunity to provide input on SUP 23-17. For further coordination, please contact Teigan Williams at [tstruck@azgfd.gov](mailto:tstruck@azgfd.gov) or (928) 341-4069.

Sincerely,



Michael Sumner  
Regional Supervisor, Region IV

cc: Luke Thompson – Habitat, Evaluation, and Lands Branch Chief  
Ginger Ritter – Project Evaluation Program Supervisor  
Tyler Williford – Habitat, Evaluation, and Lands Program Manager, Region IV

AZGFD #M23-11073059

<sup>10</sup> <https://www.nature.com/articles/s41893-020-0574-x>

<sup>11</sup> <https://agriculture.az.gov/pestspest-control/agriculture-pests/noxious-weeds>

<sup>12</sup> <https://aznps.com/invas>

<sup>13</sup> <https://imap.natureserve.org/imap/services/page/map.html>

# Arizona Environmental Online Review Tool Report



## *Arizona Game and Fish Department Mission*

*To conserve Arizona's diverse wildlife resources and manage for safe, compatible outdoor recreation opportunities for current and future generations.*

### **Project Name:**

Evelution Energy Solar

### **Project Description:**

A special use permit request for a solar power generating facility and associated equipment on a parcel 154.0 gross acres in size located on the northwest corner of Ave 47 1/2 E and Old Highway 80 in Tacna, Arizona. This will be next to the proposed Cobalt Sulfate Production facility.

### **Project Type:**

Energy Storage/Production/Transfer, Energy Production (generation), photovoltaic solar facility (new)

### **Contact Person:**

Teigan Williams

### **Organization:**

Arizona Game and Fish Department

### **On Behalf Of:**

OTHER

### **Project ID:**

HGIS-20694

***Please review the entire report for project type and/or species recommendations for the location information entered. Please retain a copy for future reference.***

**Disclaimer:**

1. This Environmental Review is based on the project study area that was entered. The report must be updated if the project study area, location, or the type of project changes.
2. This is a preliminary environmental screening tool. It is not a substitute for the potential knowledge gained by having a biologist conduct a field survey of the project area. This review is also not intended to replace environmental consultation (including federal consultation under the Endangered Species Act), land use permitting, or the Departments review of site-specific projects.
3. The Departments Heritage Data Management System (HDMS) data is not intended to include potential distribution of special status species. Arizona is large and diverse with plants, animals, and environmental conditions that are ever changing. Consequently, many areas may contain species that biologists do not know about or species previously noted in a particular area may no longer occur there. HDMS data contains information about species occurrences that have actually been reported to the Department. Not all of Arizona has been surveyed for special status species, and surveys that have been conducted have varied greatly in scope and intensity. Such surveys may reveal previously undocumented population of species of special concern.
4. Arizona Wildlife Conservation Strategy (AWCS), specifically Species of Greatest Conservation Need (SGCN), represent potential species distribution models for the State of Arizona which are subject to ongoing change, modification and refinement. The status of a wildlife resource can change quickly, and the availability of new data will necessitate a refined assessment.

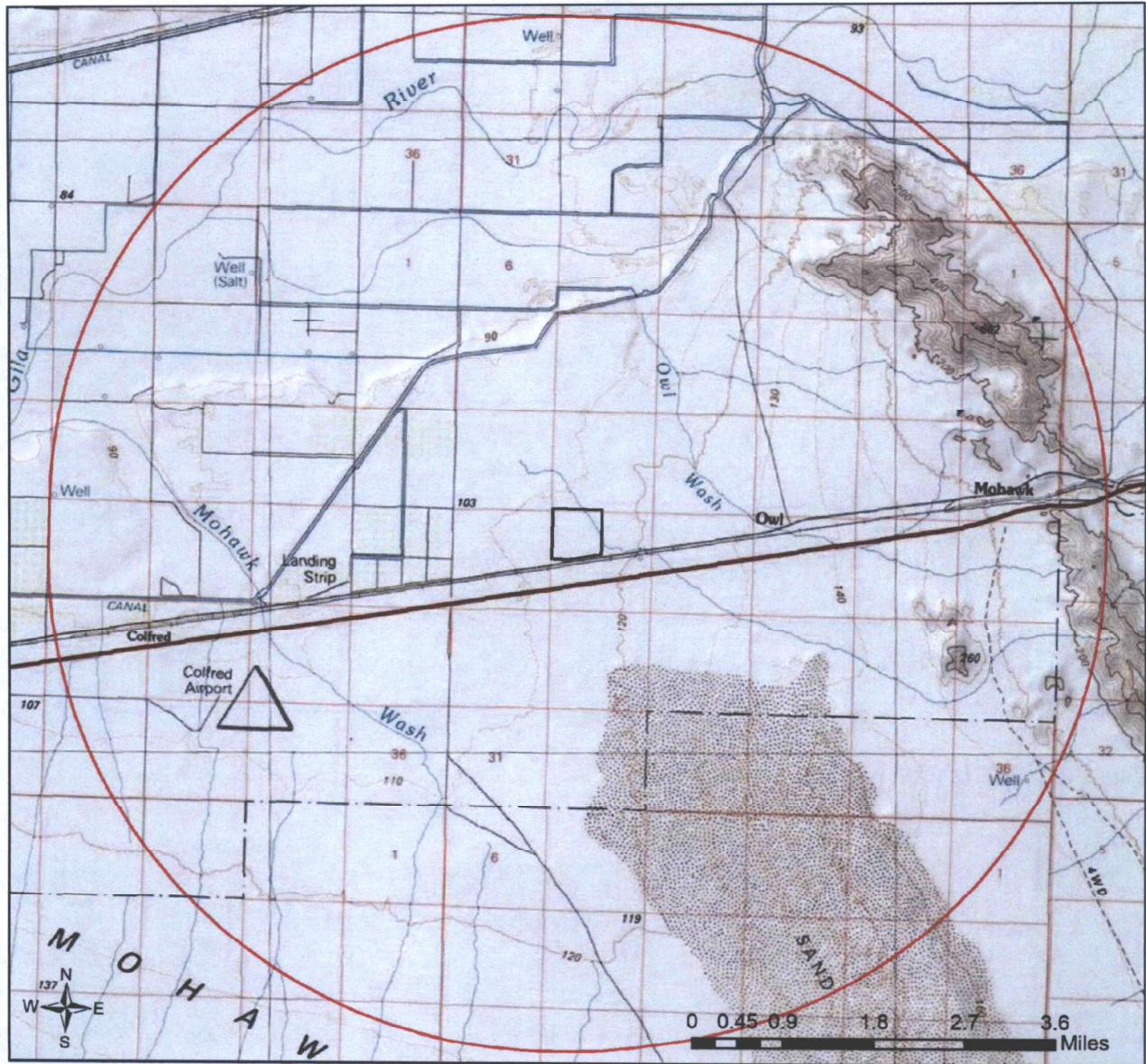
**Locations Accuracy Disclaimer:**

Project locations are assumed to be both precise and accurate for the purposes of environmental review. The creator/owner of the Project Review Report is solely responsible for the project location and thus the correctness of the Project Review Report content.

**Recommendations Disclaimer:**

1. The Department is interested in the conservation of all fish and wildlife resources, including those species listed in this report and those that may have not been documented within the project vicinity as well as other game and nongame wildlife.
2. Recommendations have been made by the Department, under authority of Arizona Revised Statutes Title 5 (Amusements and Sports), 17 (Game and Fish), and 28 (Transportation).
3. Potential impacts to fish and wildlife resources may be minimized or avoided by the recommendations generated from information submitted for your proposed project. These recommendations are preliminary in scope, designed to provide early considerations on all species of wildlife.
4. Making this information directly available does not substitute for the Department's review of project proposals, and should not decrease our opportunity to review and evaluate additional project information and/or new project proposals.
5. Further coordination with the Department requires the submittal of this Environmental Review Report with a cover letter and project plans or documentation that includes project narrative, acreage to be impacted, how construction or project activity(s) are to be accomplished, and project locality information (including site map). Once AGFD had received the information, please allow 30 days for completion of project reviews. Send requests to:  
**Project Evaluation Program, Habitat Branch**  
**Arizona Game and Fish Department**  
**5000 West Carefree Highway**  
**Phoenix, Arizona 85086-5000**  
**Phone Number: (623) 236-7600**  
**Fax Number: (623) 236-7366**  
**Or**  
[PEP@azgfd.gov](mailto:PEP@azgfd.gov)
6. Coordination may also be necessary under the National Environmental Policy Act (NEPA) and/or Endangered Species Act (ESA). Site specific recommendations may be proposed during further NEPA/ESA analysis or through coordination with affected agencies

# Evelution Energy Solar USA Topo Basemap With Locator Map



- Buffered Project Boundary
- Project Boundary

Project Size (acres): 153.54

Lat/Long (DD): 32.7196 / -113.8290

County(s): Yuma

AGFD Region(s): Yuma

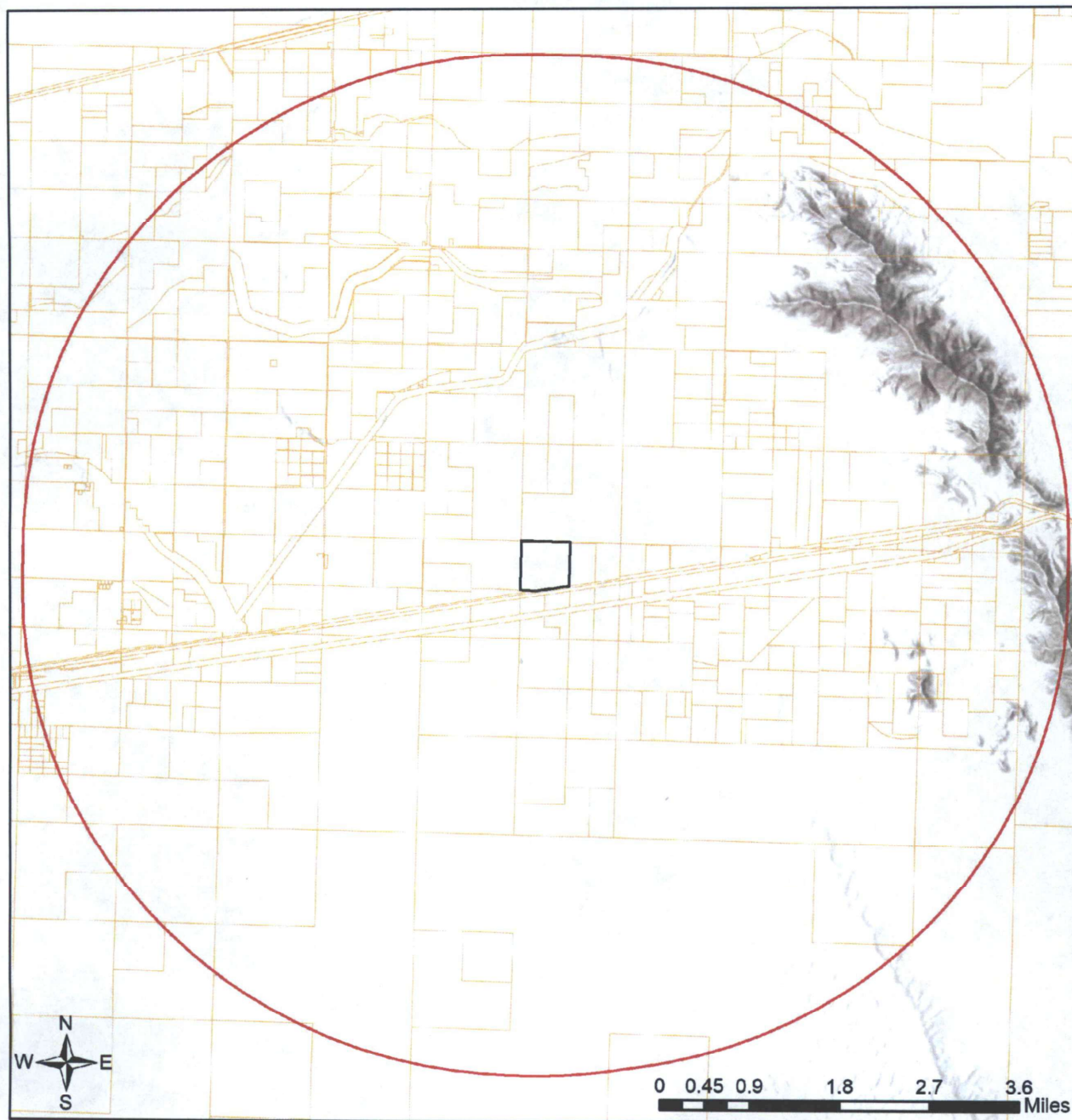
Township/Range(s): T8S, R15W




USGS Quad(s): MOHAWK

Sources: Esri, Airbus DS, USGS, NGA, NASA, CGIAR, N Robinson, NCEAS, NLS, OS, NMA, Geodatastyrelsen, Rijkswaterstaat, GSA, Geoland, FEMA, Intermap and the GIS user community



### Evelution Energy Solar Web Map As Submitted By User

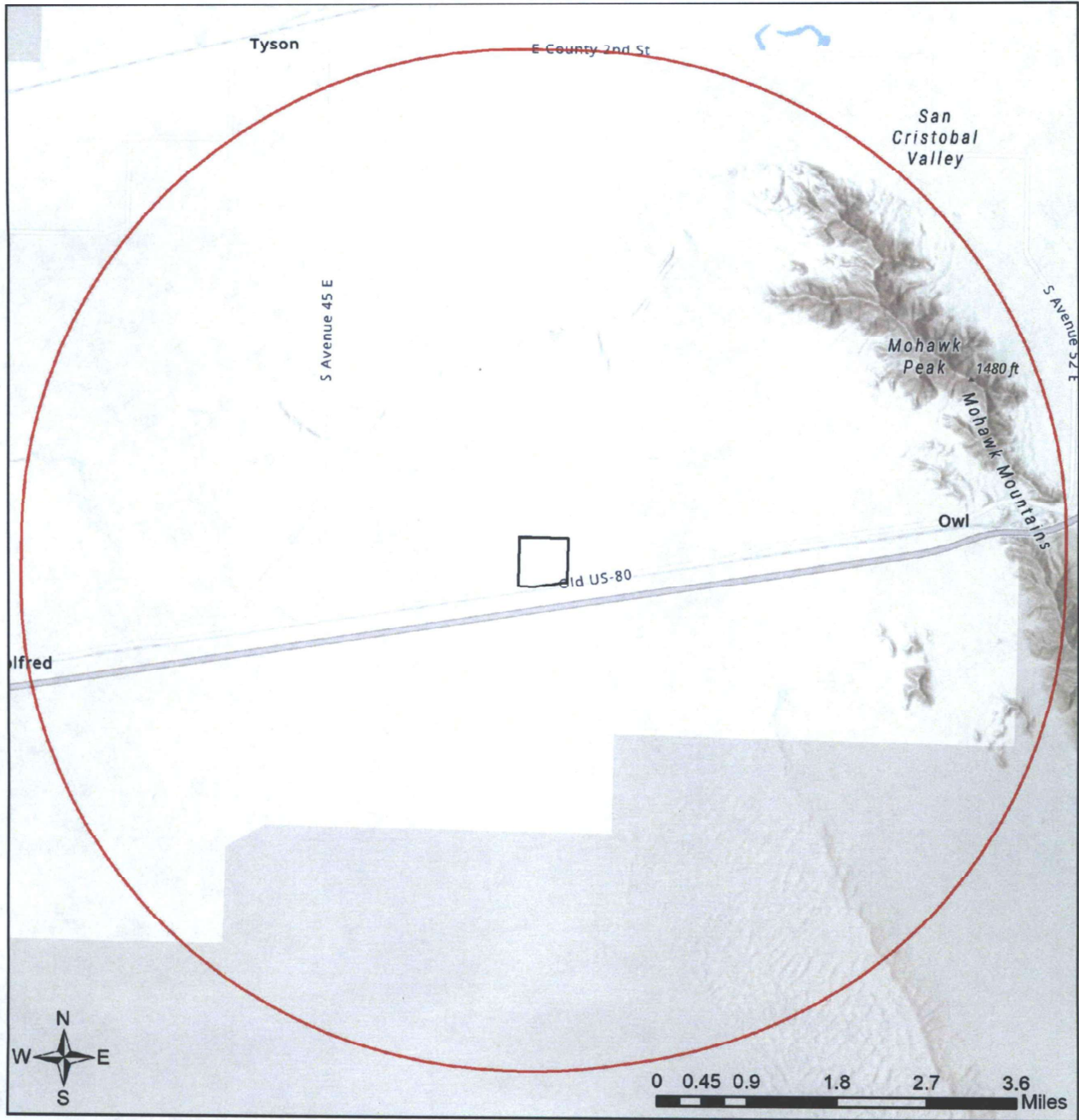


-  id\_yuma
-  Buffered Project Boundary
-  Project Boundary

Project Size (acres): 153.54  
Lat/Long (DD): 32.7196 / -113.8290  
County(s): Yuma  
AGFD Region(s): Yuma  
Township/Range(s): T8S, R15W  
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## Evelution Energy Solar Important Areas

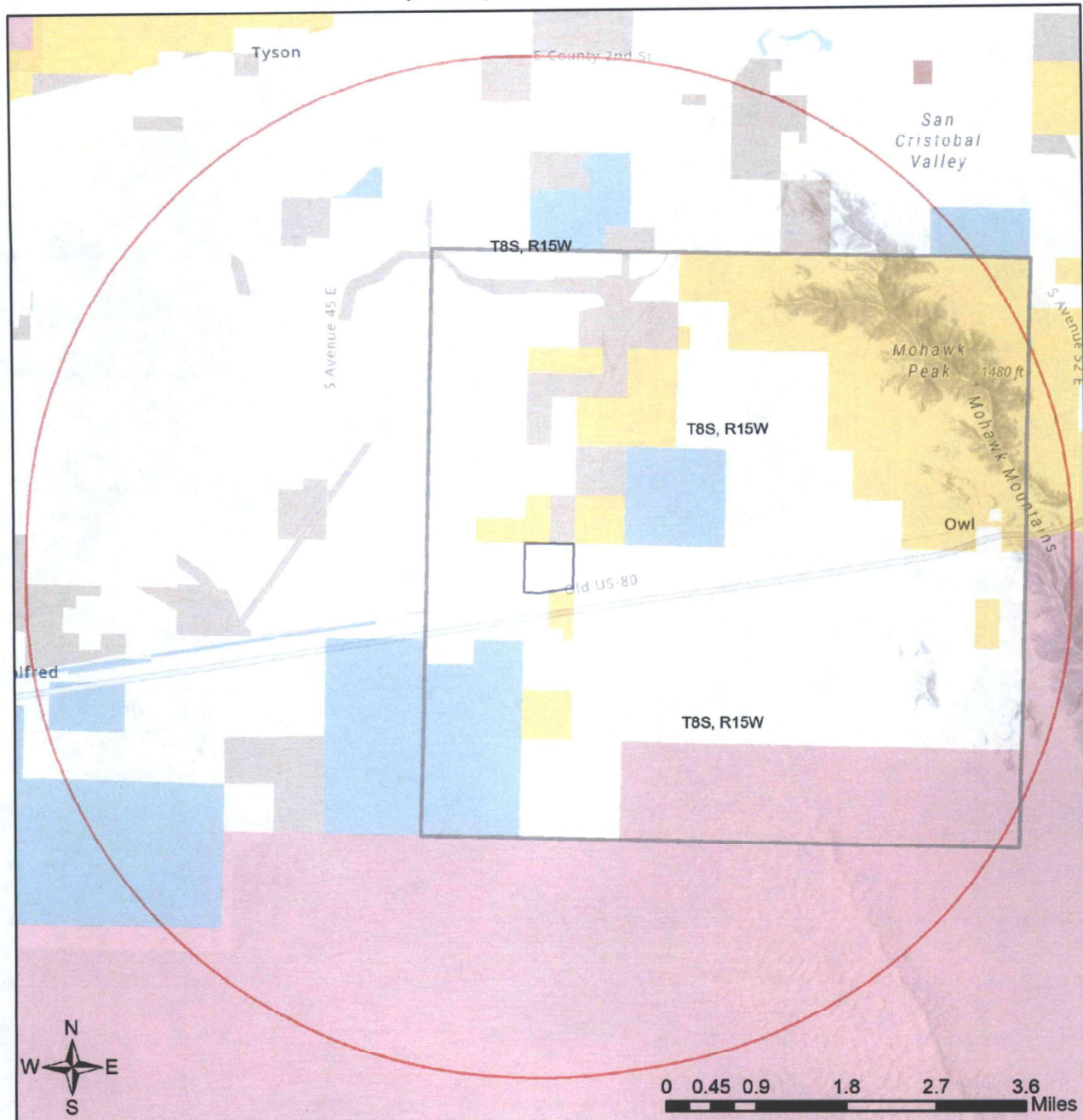


- Buffered Project Boundary
- Project Boundary
- Important Bird Areas
- Critical Habitat
- Pinal County Riparian
- Important Connectivity Zones
- Wildlife Connectivity

Project Size (acres): 153.54  
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Sources: Esri, Airbus DS, USGS, NGA, NASA, CGIAR, N Robinson, NCEAS, NLS, OS, NMA, Geodatastyrelsen, Rijkswaterstaat, GSA, Geoland, FEMA, Intermap and the GIS user community  
 Sources: Esri, HERE, Garmin, FAO, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community

## Evelution Energy Solar Township/Ranges and Land Ownership



- |   |   |
|---|---|
| <span style="border: 1px solid red; display: inline-block; width: 15px; height: 10px; margin-right: 5px;"></span> Buffered Project Boundary                         | <span style="background-color: lightblue; border: 1px solid black; display: inline-block; width: 15px; height: 10px; margin-right: 5px;"></span> National Park/Mon.   |
| <span style="border: 1px solid black; display: inline-block; width: 15px; height: 10px; margin-right: 5px;"></span> Project Boundary                                | Private   |
| <span style="background-color: #a52a2a; border: 1px solid black; display: inline-block; width: 15px; height: 10px; margin-right: 5px;"></span> AZ Game & Fish Dept. | <span style="background-color: #808080; border: 1px solid black; display: inline-block; width: 15px; height: 10px; margin-right: 5px;"></span> State & Regional Parks |
| <span style="background-color: yellow; border: 1px solid black; display: inline-block; width: 15px; height: 10px; margin-right: 5px;"></span> BLM                   | <span style="background-color: lightblue; border: 1px solid black; display: inline-block; width: 15px; height: 10px; margin-right: 5px;"></span> State Trust          |
| <span style="background-color: #d3d3d3; border: 1px solid black; display: inline-block; width: 15px; height: 10px; margin-right: 5px;"></span> BOR                  | <span style="background-color: #c0c0c0; border: 1px solid black; display: inline-block; width: 15px; height: 10px; margin-right: 5px;"></span> US Forest Service      |
| <span style="background-color: #ffa500; border: 1px solid black; display: inline-block; width: 15px; height: 10px; margin-right: 5px;"></span> Indian Res.          | <span style="background-color: #008080; border: 1px solid black; display: inline-block; width: 15px; height: 10px; margin-right: 5px;"></span> Wildlife Area/Refuge   |
| <span style="background-color: #ffb6c1; border: 1px solid black; display: inline-block; width: 15px; height: 10px; margin-right: 5px;"></span> Military             | <span style="border: 1px solid black; display: inline-block; width: 15px; height: 10px; margin-right: 5px;"></span> Township/Ranges                                   |
| <span style="background-color: #006400; border: 1px solid black; display: inline-block; width: 15px; height: 10px; margin-right: 5px;"></span> Mixed/Other          |   |

Project Size (acres): 153.54  
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Sources: Esri, Airbus DS, USGS, NGA, NASA, CGIAR, N Robinson, NCEAS, NLS, OS, NMA, Geodatastyrelsen, Rijkswaterstaat, GSA, Geoland, FEMA, Intermap and the GIS user community  
 Sources: Esri, HERE, Garmin, FAO, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community

**Special Status Species Documented within 5 Miles of Project Vicinity**

Scientific Name	Common Name	FWS	USFS	BLM	NPL	SGCN
<i>Ammospermophilus harrisi</i>	Harris' Antelope Squirrel					2
<i>Amphispiza bilineata</i>	Black-throated Sparrow					2
<i>Antilocapra americana sonoriensis</i>	Sonoran Pronghorn	LE,XN		S		1
<i>Auriparus flaviceps</i>	Verdin					2
<b>Bat Colony</b>						
<i>Calypte costae</i>	Costa's Hummingbird					2
<i>Chionactis annulata</i>	Resplendent Shovel-nosed Snake					
<i>Crotalus pyrrhus</i>	Speckled Rattlesnake					2
<i>Crotaphytus nebrius</i>	Sonoran Collared Lizard					2
<i>Eremophila alpestris</i>	Horned Lark					2
<i>Falco peregrinus anatum</i>	American Peregrine Falcon	SC	S	S		1
<i>Lanius ludovicianus</i>	Loggerhead Shrike	SC				2
<i>Macrotus californicus</i>	California Leaf-nosed Bat	SC		S		2
<i>Palafoxia arida var. gigantea</i>	Giant Spanish Needles	SC				
<i>Phrynosoma goodei</i>	Goode's Horned Lizard					2
<i>Rallus obsoletus yumanensis</i>	Yuma Ridgway's Rail	LE		S		1
<i>Stephanomeria exigua ssp. exigua</i>	Small Wirelettuce			S		
<i>Toxostoma lecontei</i>	LeConte's Thrasher			S		2
<i>Uma thurmanae</i>	Mohawk Dunes Fringe-toad Lizard			S		2

Note: Status code definitions can be found at <https://www.azgfd.com/wildlife-conservation/on-the-ground-conservation/state-wildlife-action-plan/state-wildlife-action-plan-status-definitions/>.

**Special Areas Documented that Intersect with Project Footprint as Drawn**

Scientific Name	Common Name	FWS	USFS	BLM	NPL	SGCN
Mohawks	Conservation Opportunity Area					

Note: Status code definitions can be found at <https://www.azgfd.com/wildlife-conservation/on-the-ground-conservation/state-wildlife-action-plan/state-wildlife-action-plan-status-definitions/>.

**Species of Greatest Conservation Need Predicted that Intersect with Project Footprint as Drawn, based on Predicted Range Models**

Scientific Name	Common Name	FWS	USFS	BLM	NPL	SGCN
<i>Ammospermophilus harrisi</i>	Harris' Antelope Squirrel					
<i>Antilocapra americana sonoriensis</i>	Sonoran Pronghorn	LE,XN		S		1
<i>Artemisospiza nevadensis</i>	Sagebrush Sparrow					
<i>Athene cucularia hypugaea</i>	Western Burrowing Owl	SC	S	S		2
<i>Auriparus flaviceps</i>	Verdin					2
<i>Buteo regalis</i>	Ferruginous Hawk	SC		S		2
<i>Buteo swainsoni</i>	Swainson's Hawk					2
<i>Calypte costae</i>	Costa's Hummingbird					2

**Species of Greatest Conservation Need Predicted that Intersect with Project Footprint as Drawn, based on Predicted Range Models**

Scientific Name	Common Name	FWS	USFS	BLM	NPL	SGCN
Chaetodipus baileyi	Bailey's Pocket Mouse					2
Crotaphytus nebrius	Sonoran Collared Lizard					2
Falco mexicanus	Prairie Falcon					2
Falco peregrinus anatum	American Peregrine Falcon					2
Falco sparverius	American Kestrel					2
Incilius alvarius	Sonoran Desert Toad					2
Lanius ludovicianus	Loggerhead Shrike	SC				2
Melanerpes uropygialis	Gila Woodpecker					2
Melospiza lincolnii	Lincoln's Sparrow					2
Myotis velifer	Cave Myotis	SC		S		2
Myotis yumanensis	Yuma Myotis	SC				2
Nyctinomops femorosaccus	Pocketed Free-tailed Bat					2
Passerculus sandwichensis	Savannah Sparrow					2
Perognathus amplus	Arizona Pocket Mouse					2
Phrynosoma goodei	Goode's Horned Lizard					2
Spizella breweri	Brewer's Sparrow					2
Tadarida brasiliensis	Brazilian Free-tailed Bat					2
Toxostoma lecontei	LeConte's Thrasher				S	2
Uma thurmanae	Mohawk Dunes Fringe-toad Lizard					2

**Species of Economic and Recreation Importance Predicted that Intersect with Project Footprint as Drawn**

Scientific Name	Common Name	FWS	USFS	BLM	NPL	SGCN
Callipepla gambelii	Gambel's Quail					
Puma concolor	Mountain Lion					
Zenaida asiatica	White-winged Dove					
Zenaida macroura	Mourning Dove					

**Project Type: Energy Storage/Production/Transfer, Energy Production (generation), photovoltaic solar facility (new)**

**Project Type Recommendations:**

During the planning stages of your project, please consider the local or regional needs of wildlife in regards to movement, connectivity, and access to habitat needs. Loss of this permeability prevents wildlife from accessing resources, finding mates, reduces gene flow, prevents wildlife from re-colonizing areas where local extirpations may have occurred, and ultimately prevents wildlife from contributing to ecosystem functions, such as pollination, seed dispersal, control of prey numbers, and resistance to invasive species. In many cases, streams and washes provide natural movement corridors for wildlife and should be maintained in their natural state. Uplands also support a large diversity of species, and should be contained within important wildlife movement corridors. In addition, maintaining biodiversity and ecosystem functions can be facilitated through improving designs of structures, fences, roadways, and culverts to promote passage for a variety of wildlife. Guidelines for many of these can be found

at: <https://www.azgfd.com/wildlife-conservation/planning-for-wildlife/planning-for-wildlife-wildlife-friendly-guidelines/>.

Consider impacts of outdoor lighting on wildlife and develop measures or alternatives that can be taken to increase human safety while minimizing potential impacts to wildlife. Conduct wildlife surveys to determine species within project area, and evaluate proposed activities based on species biology and natural history to determine if artificial lighting may disrupt behavior patterns or habitat use. Use only the minimum amount of light needed for safety. Narrow spectrum bulbs should be used as often as possible to lower the range of species affected by lighting. All lighting should be shielded, canted, or cut to ensure that light reaches only areas needing illumination.

Minimize the potential introduction or spread of exotic invasive species, including aquatic and terrestrial plants, animals, insects and pathogens. Precautions should be taken to wash and/or decontaminate all equipment utilized in the project activities before entering and leaving the site. See the Arizona Department of Agriculture website for a list of prohibited and restricted noxious weeds at <https://www.invasivespeciesinfo.gov/unitedstates/az.shtml> and the Arizona Native Plant Society <https://aznps.com/invas> for recommendations on how to control. To view a list of documented invasive species or to report invasive species in or near your project area visit iMapInvasives - a national cloud-based application for tracking and managing invasive species at <https://imap.natureserve.org/imap/services/page/map.html>.

- To build a list: zoom to your area of interest, use the identify/measure tool to draw a polygon around your area of interest, and select "See What's Here" for a list of reported species. To export the list, you must have an account and be logged in. You can then use the export tool to draw a boundary and export the records in a csv file.

Minimization and mitigation of impacts to wildlife and fish species due to changes in water quality, quantity, chemistry, temperature, and alteration to flow regimes (timing, magnitude, duration, and frequency of floods) should be evaluated. Minimize impacts to springs, in-stream flow, and consider irrigation improvements to decrease water use. If dredging is a project component, consider timing of the project in order to minimize impacts to spawning fish and other aquatic species (include spawning seasons), and to reduce spread of exotic invasive species. We recommend early direct coordination with Project Evaluation Program for projects that could impact water resources, wetlands, streams, springs, and/or riparian habitats.

The Department recommends that wildlife surveys are conducted to determine if noise-sensitive species occur within the project area. Avoidance or minimization measures could include conducting project activities outside of breeding seasons.

For any powerlines built, proper design and construction of the transmission line is necessary to prevent or minimize risk of electrocution of raptors, owls, vultures, and golden or bald eagles, which are protected under state and federal laws. Limit project activities during the breeding season for birds, generally March through late August, depending on species in the local area (raptors breed in early February through May). Conduct avian surveys to determine bird species that may be utilizing the area and develop a plan to avoid disturbance during the nesting season. For underground powerlines, trenches should be covered or back-filled as soon as possible. Incorporate escape ramps in ditches or fencing along the perimeter to deter small mammals and herpetofauna (snakes, lizards, tortoise) from entering ditches. In addition, indirect affects to wildlife due to construction (timing of activity, clearing of rights-of-way, associated bridges and culverts, affects to wetlands, fences) should also be considered and mitigated.

Based on the project type entered, coordination with State Historic Preservation Office may be required (<https://azstateparks.com/>).

Based on the project type entered, coordination with U.S. Fish and Wildlife Service (Migratory Bird Treaty Act) may be required (<https://www.fws.gov/office/arizona-ecological-services>).

Vegetation restoration projects (including treatments of invasive or exotic species) should have a completed site-evaluation plan (identifying environmental conditions necessary to re-establish native vegetation), a revegetation plan (species, density, method of establishment), a short and long-term monitoring plan, including adaptive management guidelines to address needs for replacement vegetation.

**The Department requests further coordination to provide project/species specific recommendations, please contact Project Evaluation Program directly at [PEP@azgfd.gov](mailto:PEP@azgfd.gov).**

**Project Location and/or Species Recommendations:**

Analysis indicates that your project is located in the vicinity of an identified Conservation Opportunity Area (COA). While there are many areas in Arizona that present abundant conservation opportunities, COAs are specific areas on the landscape that the Department identified as having the greatest potential for conservation efforts. COAs were identified using species and habitat data, the presence of unique landscape features, and Departmental expertise. COAs range in size, scope, and focal species and/or habitats and are strictly a non-regulatory conservation tool for the public and our conservation partners to consider. For more information regarding this particular COA near your project area and the Department's suggestions for potential conservation efforts, please visit the COA profile at <https://awcs.azgfd.com/conservation-opportunity-areas>.

HDMS records indicate that one or more **Listed, Proposed, or Candidate** species or **Critical Habitat** (Designated or Proposed) have been documented in the vicinity of your project. The Endangered Species Act (ESA) gives the US Fish and Wildlife Service (USFWS) regulatory authority over all federally listed species. Please contact USFWS Ecological Services Offices at <https://www.fws.gov/office/arizona-ecological-services> or:

**Phoenix Main Office**  
9828 North 31st Avenue #C3  
Phoenix, AZ 85051-2517  
Phone: 602-242-0210  
Fax: 602-242-2513

**Tucson Sub-Office**  
201 N. Bonita Suite 141  
Tucson, AZ 85745  
Phone: 520-670-6144  
Fax: 520-670-6155

**Flagstaff Sub-Office**  
SW Forest Science Complex  
2500 S. Pine Knoll Dr.  
Flagstaff, AZ 86001  
Phone: 928-556-2157  
Fax: 928-556-2121

### Senior Planner 2023 Deadlines

01/

BOARD OF SUPERVISORS

Meeting Date

Monday, February 5, 2024

	2/5/2024	Due	Check Off
AQ Air Forms to Planning Director	28	Monday, January 8, 2024	
Newspaper ad due to The Sun	26	Wednesday, January 10, 2024	
Receive draft PZ Minutes	26	Wednesday, January 10, 2024	
Air Forms submitted to BOS office	20	Tuesday, January 16, 2024	
Legal ad published in The Sun	19	Wednesday, January 17, 2024	
Property Posted	17	Friday, January 19, 2024	
Applicant letters mailed	10	Friday, January 26, 2024	
Prepare for meeting	5	Wednesday, January 31, 2024	
Transmittal info to Applicant/Agent	4	Friday, February 9, 2024	
File to EA for Scanning	4	Friday, February 9, 2024	

NEED MINUTES

BOS

FEB-05



**Yuma County, Arizona**  
**DEPARTMENT OF DEVELOPMENT SERVICES**  
 2351 West 26<sup>th</sup> Street, Yuma, Arizona 85364  
 Phone: (928) 817-5000  
 Fax: (928) 817-5020

CERTIFIED MAIL

January 23, 2024

**EVELUTION ENERGY CORP**  
**17680 LAS REPOLAS, SUITE 160**  
**RANCHO SANTA FE, CA 92067**

**RE: Special Use Permit Case No. 23-17**

Dear Applicant,

The Yuma County Board of Supervisors will hear the above-mentioned case on **Monday, February 05, 2024 at 9:00 a.m. MST**. The location of the public hearing is 198 S. Main Street, Yuma, Arizona in the BOS Auditorium.

Failure of the applicant or his representative to appear at this meeting may result in the request being continued. A continuance will require the applicant to pay additional fees before the request can be scheduled for future a public hearing date.

If the representative has not submitted written authorization from the property owner, then authorization must be submitted to the staff before the meeting.

A copy of the planner's staff report is attached for your review. If you have any questions, please feel free to contact me at **(928) 817-5150** or by email at **Javier.Barraza@yumacountyaz.gov**.

Sincerely,

**Javier Barraza, Senior Planner**  
 Planning and Zoning Division

cc: Case File

<b>U.S. Postal Service™</b> <b>CERTIFIED MAIL® RECEIPT</b> <i>Domestic Mail Only</i>	
For delivery information, visit our website at <a href="http://www.usps.com">www.usps.com</a> ®.	
<b>OFFICIAL USE</b>	
Certified Mail Fee \$ _____ Extra Services & Fees (check box, add fee as appropriate) <input type="checkbox"/> Return Receipt (hardcopy) \$ _____ <input type="checkbox"/> Return Receipt (electronic) \$ _____ <input type="checkbox"/> Certified Mail Restricted Delivery \$ _____ <input type="checkbox"/> Adult Signature Required \$ _____ <input type="checkbox"/> Adult Signature Restricted Delivery \$ _____ Postage \$ _____ <b>Total Postage and Fees</b> \$ _____ Sent To Street and Apt. No., or PO Box No. _____ City, State, ZIP+4® _____	Postmark Here 
PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions	

7015 1520 0000 651 6946

The Yuma County Planning and Zoning Commission met in a regular session on December 19, 2023. The meeting was held in Aldrich Auditorium at 2351 West 26<sup>th</sup> Street, Yuma, Arizona.

**CALL TO ORDER:** At 5:00 p.m. Chairman Rosales convened the Planning and Zoning Commission meeting. Commissioners present were: A-J Mosqueda, Ron Rice, Tim Bowers, Jim Allen, Danny Bryant, Matias Rosales, Scott Mulhern, Bobbie McDermott and Ron Van Why. Commissioner Gary Black was absent. Others present were: Planning Director Maggie Castro, AICP; Senior Planner Javier Barraza; Senior Planner Jesus Carrillo; Deputy County Attorney Minda Davy; Land Development Engineer Arturo Alvarez and PZ Commission Administrative Specialist Amber Kelly.

**PLEDGE OF ALLEGIANCE:** Chairman Rosales led the Pledge of Allegiance.

**ITEM No. 3: Approval of Planning and Zoning Commission regular meeting minutes of November 28, 2023.**

**MOTION (VAN WHY/MOSQUEDA):** Approve as presented.

**VOICE VOTE:** Mosqueda- Aye; Rice- AYE; Bowers- AYE; Allen- AYE; Bryant- AYE; Rosales- AYE; Mulhern- AYE; McDermott- AYE; Van Why- AYE. The motion carried 9-0.

**ITEM No. 4: Special Use Permit Case No. 23-17: Evelution Energy LLC requests a special use permit per Section 601.03(T) of the Yuma County Zoning Ordinance to allow a solar power generating facility and associated equipment on a parcel 154.0 gross acres in size zoned Rural Area-40 acre minimum (RA-40), Assessor's Parcel Number 188-20-001, located on the northwest corner of the alignment of Avenue 47½ E and Old Highway 80, Tacna, Arizona.**

Senior Planner Javier Barraza presented the staff report for Special Use Permit Case No. 23-17 recommending approval subject to the following Operational and Performance Conditions:

**Performance Condition.**

1. Within 60 days of the Board of Supervisors approval, the owner or applicant must provide the following documents:
  - a. A.R.S. § 12-1134 waiver.
  - b. Recorded infrastructure disclosure statement.
  - c. Record Agricultural disclosure statement.

**Operational Conditions:**

1. The owner/operator shall maintain and make copies available to Yuma County, current copies of all permits and notices from submissions to any federal, state, or local regulatory authority.
2. The owner/operator shall employ a chief safety professional and provide a 24-hour emergency contact phone number.

3. The approval of the Special Use Permit is based on the site plan submitted by the applicant. Any change from the site plan will require approval by the Planning Director pursuant to the Yuma County Zoning Ordinance.
4. The applicant must install and maintain a security fence with a minimum of seven feet in height along the perimeter of the area of the installation of solar panel modules.
5. The applicant must install and maintain a sign warning of the high voltage associated with the solar farm at the entrance to the facility. The sign must also provide the emergency contact information.
6. Prior to construction, applicant must provide to the Planning Director evidence of a valid decommissioning bond; if not verifiable to the County's satisfaction, then, the applicant / SUP holder shall maintain a bond in the amount of the full decommissioning cost at the end of the anticipated life of the project, net of salvage value, as estimated by a Professional Engineer registered in the State of Arizona. Said bond shall be reviewed and approved as to form, substance and amount by the Yuma County Engineer. The engineer's estimate of decommissioning cost shall be renewed no less than every five years by a Professional Engineer registered in the State of Arizona, and a copy of each renewed estimate shall be provided to the County Engineer for review and approval. The decommissioning bond shall be adjusted in accordance with the renewed cost estimate within 30 days after approval by the County Engineer.
7. Prior to construction, a Traffic Impact Analysis (TIA) shall be completed per Yuma County Public Works Volume 4, Section 4.5; covering expected construction period, and it shall be completed in accordance with Section 204 of the Arizona Department of Transportation's traffic engineering guidelines and processes (TGP), which analysis shall address: A) projected daily average traffic volumes, peak morning, and afternoon hourly traffic volumes for privately-owned vehicles during construction along with any variations anticipated during construction; B) volumes, weights, and maximum lengths for trucks; C) directional analysis of the traffic; D) a queuing analysis according to the TGP; and, E) any recommendations for mitigations measures. Yuma County will manage and solicit bids. The Developer shall construct all required improvements recommended by the TIA.
8. The Special Use Permit shall be valid for a period not to exceed thirty (30) years from the date of approval by the Board of Supervisors.

Chairman Rosales opened the public hearing.

There being no one to come forward, Chairman Rosales closed the public hearing.

MOTION (VAN WHY/MCDERMOTT): Approve Special Use Permit Case No. 23-17 as presented by staff.

VOICE VOTE: Mosqueda- Aye; Rice- AYE; Bowers- AYE; Allen- AYE; Bryant- AYE; Rosales- AYE; Mulhern- AYE; McDermott- AYE; Van Why- AYE. The motion carried 9-0.

**ITEM No. 5: Special Use Permit Case No. 23-18: Mario and Angeline Garcia request a Special Use Permit per Section 602.03(E) of the Yuma County Zoning Ordinance to allow an accessory dwelling unit on a**

**REQUESTED BOARD ACTION; (continued)**

Legal Description: Section: 20 Township: 08S Range: 15W; NW4 Less Railroad and Highway 80 right-of-way of the Gila & Salt River Base & Meridian, Yuma County, Arizona

**SUMMARY; (continued)**

**CHRONOLOGY:**

- 11-06-2023 Application received
- 11-29-2023 Legal ad appears in the Yuma Daily Sun for the Planning Commission's public Hearing.
- 12-01-2023 Property posted for the Planning Commission's public hearing
- 12-01-2023 Public notice mailed to properties within 300 feet of the request, the City of Yuma and all relevant agencies/stakeholders
- 12-08-2023 Letter mailed informing applicant of item being placed on Planning Commission's public hearing agenda
- 12-08-2023 Staff report emailed to applicant and/or agent
- 12-19-2023 Planning Commission recommends approval
- 01-17-2024 Legal ad appears in the Yuma Daily Sun for the Board of Supervisors' public hearing
- 01-19-2024 Property posted for the Board of Supervisors' public hearing
- 01-26-2024 Letter mailed informing applicant of item being placed on the Board of Supervisors' agenda
- 02-05-2024 Board of Supervisors' hearing

**RECOMMENDATION:**

**Performance Condition.**

- 1) Within 60 days of the Board of Supervisors approval, the owner or applicant, must provide the following documents:
  - a) A.R.S. §12-1134 waiver.
  - b) Record an infrastructure disclosure statement
  - c) Record an Instrument Route-218 disclosure statement

**Operational Conditions.**

- 1) The owner/operator shall maintain and make copies available to Yuma County, current copies of all permits and notices from submissions to any federal, state, or local regulatory authority.
- 2) The owner/operator shall employ a chief safety professional and provide a 24-hour emergency contact phone number.
- 3) The approval of the Special Use Permit is based on the site plan submitted by the applicant. Any change from the site plan will require approval by the Planning Director pursuant to the Yuma County Zoning Ordinance.

- 4) The applicant must install and maintain a security fence with a minimum of seven feet in height along the perimeter of the area of the installation of solar panel modules.
- 5) The applicant must install and maintain a sign warning of the high voltage associated with the solar farm at the entrance to the facility. The sign must also provide the emergency contact information.
- 6) Prior to construction, applicant must provide to the Planning Director evidence of a valid decommissioning bond; if not verifiable to the County's satisfaction, then, the applicant / SUP holder shall maintain a bond in the amount of the full decommissioning cost at the end of the anticipated life of the project, net of salvage value, as estimated by a Professional Engineer registered in the State of Arizona. Said bond shall be reviewed and approved as to form, substance and amount by the Yuma County Engineer. The engineer's estimate of decommissioning cost shall be renewed no less than every five years by a Professional Engineer registered in the State of Arizona, and a copy of each renewed estimate shall be provided to the County Engineer for review and approval. The decommissioning bond shall be adjusted in accordance with the renewed cost estimate within 30 days after approval by the County Engineer.
- 7) Prior to construction, a Traffic Impact Analysis (TIA) shall be completed per Yuma County Public Works Volume 4, Section 4.5; covering expected construction period, and it shall be completed in accordance with Section 204 of the Arizona Department of Transportation's traffic engineering guidelines and processes (TGP), which analysis shall address: A) projected daily average traffic volumes, peak morning, and afternoon hourly traffic volumes for privately-owned vehicles during construction along with any variations anticipated during construction; B) volumes, weights, and maximum lengths for trucks; C) directional analysis of the traffic; D) a queuing analysis according to the TGP; and, E) any recommendations for mitigations measures. Yuma County will manage and solicit bids. The Developer shall construct all required improvements recommended by the TIA.
- 8) The Special Use Permit shall be valid for a period not to exceed thirty (30) years from the date of approval by the Board of Supervisors.

Property Owner(s) within 300 Feet (or more):

Property Owner(s): EVELUTION ENERGY CORP  
Mailing addresses 17880 LAS REPOLAS, SUITE 160  
SANTA FE, CA 92067

Owner Phone(s): 917-251-1126

Email address: NAVAID@EVELUTIONENERGY.COM

Agent:  
Mailing Address:

Phone:

Email address:

Special Use Permit Case #: SUP23-17

A.P.N.'s: 188-20-002

Hearing Date: December 19, 2023

Date Mailed: December 1, 2023

Properties within 300 feet: See attached mailing list: