

AGENDA ITEM: 2.

DATE: 03-21-11

STAFF REPORT

**ZONE CHANGE NO. 10-03 AND
CONDITIONAL USE PERMIT NO. 10-23**

DATE: March 21, 2011

TO: Lancaster Planning Commission

FROM: Planning Department

APPLICANT: Sunlight Partners

LOCATION: 20± gross acres at the northwest corner of 40th Street East and Avenue K-8

- REQUEST:
1. Rezoning of property from SRR (Semi-Rural Residential) to RR-2.5 (Rural Residential, one dwelling unit per 2.5 acres)
 2. Construction of a 1.5 MW photovoltaic solar electric generating facility in the Rural Residential 2.5 (RR-2.5) Zone

RECOMMENDATION:

1. Adopt Resolution No. 11-03 recommending to the City Council approval of Zone Change No. 10-03.
2. Adopt Resolution No. 11-04 approving Conditional Use Permit No. 10-23. The approval of CUP No. 10-23 is not valid until the effective date of Zone Change No. 10-03.

BACKGROUND: On February 28, 2011, the Planning Commission continued the hearing on Zone Change No. 10-03 and Conditional Use Permit No. 10-23, to the March 21, 2011, Planning Commission meeting, to allow the applicant time to work with the Engineering Department on the road improvement conditions.

GENERAL PLAN DESIGNATION, EXISTING ZONING AND LAND USE: The existing General Plan designation and the existing and proposed zoning for the subject location are as follows. The project site is currently vacant.

	<u>GENERAL PLAN</u>	<u>ZONING</u>
EXISTING	NU	SRR
PROPOSED	NU	RR-2.5

The General Plan designation, zoning, and land use of the surrounding properties are as follows:

	<u>GENERAL PLAN</u>	<u>ZONING</u>	<u>LAND USE</u>
NORTH	NU	SRR	Vacant
EAST	NU	RR-2.5	Agricultural/Ranching Operations
SOUTH	NU	RR-1	Single Family Residences
WEST	NU	SRR	Vacant

PUBLIC IMPROVEMENTS: The site is bounded to the east by 40th Street East, and to the south by Avenue K-8. Avenue K-8 is unimproved and 40th Street East is improved, with one travel lane in each direction. No roadways are located to the north or west of the site.

ENVIRONMENTAL REVIEW: Review of pertinent environmental documents has disclosed no significant adverse impacts from the proposed project after mitigation measures have been applied. Potential effects are discussed more fully in the attached Initial Study. The Initial Study prepared for the proposed project was sent to the State Clearinghouse (SCH# 2010121034) for public review. This 30-day public review period ended on January 10, 2011. Based on this information, staff has determined that a Mitigated Negative Declaration is warranted. Notice of Intent to prepare a Mitigated Negative Declaration has been legally advertised.

Effective January 1, 1991, applicants whose projects have the potential to result in the loss of fish, wildlife, or habitat through urbanization and/or land use conversion are required to pay filing fees as set forth under Section 711.4 of the Fish and Game Code. Pursuant to Section 21089(b) of the Public Resources Code, the approval of a project is not valid, and no development right is vested, until such fees are paid.

LEGAL NOTICE: Notice of Public Hearing was mailed to all property owners within a 1,500-foot radius of the project, posted in three places, posted on the subject property, and noticed in a newspaper of general circulation per prescribed procedure.

ANALYSIS: The applicant, Sunlight Partners, is requesting a conditional use permit for the construction and operation of a photovoltaic (PV) solar electric energy generating facility in the Rural Residential Zone. The proposed project consists of rows of PV panels on single axis trackers which would generate approximately 1.5 megawatts (MW) of electricity. According to Section 17.080.70.DD of the Lancaster Municipal Code, a conditional use permit is required for the construction and operation of a solar plant in the Rural Residential Zone.

The City of Lancaster has determined that the development and use of alternative energy is beneficial to the community, and this determination is evident in the decisions made by the City Council. The City Council has implemented several solar and wind energy programs/ordinances, is

working to install solar panels on City facilities and has moved to become a provider of solar generated electricity to local school districts. Additionally, the City's General Plan has several objectives/policies pertaining to alternative energy. These objectives/policies address the need to develop new sources of energy, as well as reduce energy consumption. The proposed project is consistent with the City's goals as addressed in Policy 3.6.6, "Consider and promote the use of alternative energy such as wind energy and solar energy" and Specific Action 3.6.6(a), "Work with utility companies and private enterprises in their efforts to incorporate alternative energy resources including...solar energy".

The project site is currently vacant and zoned SRR. However, the City's zoning code does not permit the development of commercial-style solar energy facilities under the current SRR zoning; therefore, rezoning of the site to RR-2.5 is necessary to allow the project to move forward.

The proposed project would operate year-round, producing a total of 1.5 MW of renewable electric power during daytime hours. Power generated by the proposed project would be sold to Southern California Edison. The proposed project consists of rows of photovoltaic panels on single axis trackers with three inverters in the middle of the project site. These photovoltaic panels would convert sunlight directly into electrical energy without the use of heat transfer fluid or cooling water. The project would tie into the transmission lines that run along 40th Street East. A chain-link fence would surround the project site and a 10-foot landscaped planter would be provided between the fence and property line to screen the development from the surrounding uses. Access to the project site would be provided via a gate on 40th Street East.

Irrevocable offers of dedication would be provided for both Avenue K-8 and 37th Street East. Avenue K-8 would be dedicated at 42 feet from the centerline, and 37th Street East would be dedicated at 32 feet from the centerline.

The proposed project has the potential to impact views from the surrounding roads and nearby residences. The photovoltaic panels are low profile with a maximum height of approximately eight (8) feet. While the views of the project site would change, the development would not impede long-range views. Additionally, the project site would be fenced and landscaped around the entire perimeter.

Construction of the proposed project would generate noise, which has the potential to impact surrounding land uses. Mitigation measures are required which would reduce noise impacts to a less than significant level. Minimal amounts of noise would be generated by the operation of the proposed project and only during routine maintenance as the panels and tracking system are silent. Most of the time the facility would be remotely operated and no noise would be generated.

Additional environmental impacts could be generated during construction of the proposed project with respect to biological resources and geology/soils. The construction of the proposed project has the potential to impact burrowing owls during vegetation removal and grading operations. The applicant is required to conduct a pre-construction burrowing owl survey prior to the issuance of any permits. In the event burrowing owls are encountered on the project site during the survey, the applicant shall coordinate with the California Department of Fish and Game to determine the appropriate procedures/mitigation. Therefore, potential impacts would be less than significant. The

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applicant is also required to prepare and implement a dust control plan in accordance with AVAQMD Rule 403 which would ensure that impacts from dust during construction are minimal.

Therefore, staff is recommending that the Commission approve the zone change and conditional use permit subject to the proposed conditions, based on the site having sufficient area to accommodate the proposed development, adequate access and services being available for the use, and the lack of significant adverse effects on the surrounding area.

Respectfully submitted,

Jocelyn Swain, Associate Planner - Environmental

cc: Applicant
Engineer

RESOLUTION NO. 11-03

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LANCASTER, CALIFORNIA, RECOMMENDING TO THE CITY COUNCIL APPROVAL OF AN AMENDMENT TO THE ADOPTED ZONING PLAN FOR THE CITY, KNOWN AS ZONE CHANGE NO. 10-03

WHEREAS, pursuant to Section 17.24.040. of the Lancaster Municipal Code the applicant has requested the Planning Commission to consider a change to the zoning designation on the subject property from SRR (Semi-Rural Residential) to RR-2.5 (Rural Residential, one dwelling unit per 2.5 acres); and

WHEREAS, notice of intention to consider the zone change of the subject property was given as required in Section 17.24.110 of the Zoning Ordinance and Section 65854 and 65905 of the Government Code of the State of California; and

WHEREAS, staff has performed necessary investigations, prepared a written report, and recommended that the zone change request be approved; and

WHEREAS, a public notice was provided as required by law and a public hearing on the zone change request was held on March 21, 2011; and

WHEREAS, this Commission hereby certifies that it has reviewed and considered the information in the Mitigated Negative Declaration prepared for the proposed project in compliance with the California Environmental Quality Act and the State Guidelines for the Implementation of the California Environmental Quality Act prior to taking action; and

WHEREAS, this Commission hereby finds, pursuant to Section 21082.1 of the Public Resource Code, that the Mitigated Negative Declaration prepared for the proposed project reflects the independent judgment of the City of Lancaster; and

WHEREAS, this Commission hereby finds that the Initial Study determine that the proposed project could have a significant effect on the environment; however, there will not be a significant effect in this case with the implementation of mitigation measures as detailed in Exhibit "A"; and

WHEREAS, this Commission, based on the evidence contained in the record, hereby makes the following findings in support of the approval of Zone Change No. 10-03, and recommends that the City Council adopt them:

1. The proposed Zone Change from SRR to RR-2.5 will be consistent with the existing General Plan land use designation of NU.
2. Modified conditions warrant a revision in the zoning for the subject property which would allow the development of a photovoltaic electric generating facility.

3. A need for the proposed zone classification of RR-2.5 exists within such area in order to allow for the development of a small scale solar energy development that can tie directly into existing utility lines.
4. The particular property under consideration is a proper location for said zone classification within such area, because it is surrounded by similar semi-rural and rural zoning and is served by adequate public access and necessary services.
5. Placement of the proposed RR-2.5 residential zone at such location will be in the interest of public health, safety and general welfare and in conformity with good zoning practices, because adequate services, access, and electrical infrastructure exist to accommodate the proposed type of development, and the zoning designation will not result in the development of incompatible uses.

NOW, THEREFORE, BE IT RESOLVED:

This Commission hereby recommends to the City Council approval of Zone Change No. 10-03 through the adoption of the attached ordinance to rezone the subject property from SRR to RR-2.5.

PASSED, APPROVED and ADOPTED this 21st day of March 2011, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

JAMES D. VOSE, Chairman
Lancaster Planning Commission

ATTEST:

BRIAN S. LUDICKE, Planning Director
City of Lancaster

ORDINANCE NO.

AN ORDINANCE OF THE CITY OF LANCASTER,
CALIFORNIA, AMENDING THE CITY ZONING PLAN
FOR 20± ACRES AT THE NORTHWEST CORNER OF 40TH
STREET EAST AND AVENUE K-8 KNOWN AS ZONE
CHANGE NO. 10-03

WHEREAS, pursuant to Section 17.24.060 of the Municipal Code, a request has been filed by Sunlight Partners, to change the zoning designation on 20.00± acres of land located at the northwest corner of 40th Street East and Avenue K-8 from SRR (Semi-Rural Residential) to RR-2.5 (rural residential, one dwelling unit per 2.5 acres); and

WHEREAS, notice of intention to consider the zone change of the subject property was given as required in Section 17.24.110. of the Municipal Code and Section 65854 and 65905 of the Government Code of the State of California; and

WHEREAS, staff has performed necessary investigations, prepared a written report, and recommended that the zone change request be approved; and

WHEREAS, public hearings on the zone change request were held before the Planning Commission on March 21, 2011; and

WHEREAS, the Planning Commission reviewed and approved the Initial Study/Mitigated Negative Declaration prepared for the proposed project in compliance with the California Environmental Quality Act and the State Guidelines for the Implementation of the California Environmental Quality Act prior to taking action; and

WHEREAS, the Planning Commission adopted the mitigation measures contained in Exhibit “A”; and

WHEREAS, the City Council hereby makes the following findings in support of the Ordinance:

1. The proposed Zone Change from SRR to RR-2.5 will be consistent with the existing General Plan land use designation of NU.
2. Modified conditions warrant a revision in the zoning for the subject property which would allow the development of a photovoltaic electric generating facility.
3. A need for the proposed zone classification of RR-2.5 exists within such area in order to allow for the development of a small scale solar energy development that can tie directly into the existing utility lines.
4. The particular property under consideration is a proper location for said zone classification within such area, because it is surrounded by similar semi-rural and rural zoning and is served by adequate public access and necessary services.

5. Placement of the proposed RR-2.5 residential zone at such location will be in the interest of public health, safety and general welfare and in conformity with good zoning practices, because adequate services, access, and electrical infrastructure exist to accommodate the proposed type of development, and the zoning designation will not result in the development of incompatible uses.

THE CITY COUNCIL OF THE CITY OF LANCASTER, CALIFORNIA, DOES HEREBY ORDAIN AS FOLLOWS:

Section 1. That the subject property is reclassified from SRR to RR-2.5.

Section 2. That the City Clerk shall certify to the passage of this Ordinance and will see that it is published and posted in the manner required by law.

I, Geri K. Bryan, CMC, City Clerk of the City of Lancaster, do hereby certify that the foregoing ordinance was regularly introduced and placed upon its first reading on the ____ day of _____, 2011, and placed upon its second reading and adoption at a regular meeting of the City Council on the ____ day of _____, 2011, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

ATTEST:

APPROVED:

GERI K. BRYAN, CMC
City Clerk
City of Lancaster

R. REX PARRIS
Mayor
City of Lancaster

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CERTIFICATION OF ORDINANCE
CITY COUNCIL

I, _____, _____ City of Lancaster, California,
do hereby certify that this is a true and correct copy of the original Ordinance No. _____, for
which the original is on file in my office.

WITNESS MY HAND AND THE SEAL OF THE CITY OF LANCASTER, on this _____
day of the _____, _____.

(seal)

RESOLUTION NO. 11-04

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LANCASTER, CALIFORNIA, APPROVING CONDITIONAL USE PERMIT NO. 10-23

WHEREAS, a conditional use permit has been requested by Sunlight Partners, to allow construction of a 1.5 MW photovoltaic solar electric generating facility in the Rural Residential 2.5 Zone; and

WHEREAS, an application for the above-described conditional use permit has been filed pursuant to the regulations contained in Article I of Chapter 17.32 and Chapter 17.42 of the Lancaster Municipal Code; and

WHEREAS, a notice of intention to consider the granting of a Conditional Use Permit has been given as required in Article V of Chapter 17.32 of the Lancaster Municipal Code and in Section 65905 of the Government Code of the State of California; and

WHEREAS, staff has performed necessary investigations, prepared a written report, and recommended approval of this conditional use application, subject to conditions; and

WHEREAS, this Commission hereby certifies that it has reviewed and considered the information in the Mitigated Negative Declaration prepared for the proposed project in compliance with the California Environmental Quality Act and the State Guidelines for the Implementation of the California Environmental Quality Act prior to taking action; and

WHEREAS, this Commission hereby finds, pursuant to Section 21082.1 of the Public Resource Code, that the Mitigated Negative Declaration prepared for the proposed project reflects the independent judgment of the City of Lancaster; and

WHEREAS, this Commission hereby finds that the Initial Study determined that the proposed project could have a significant effect on the environment; however, there will not be a significant effect in this case with the implementation of mitigation measures as detailed in Exhibit "A"; and

WHEREAS, public notice was provided as required by law and a public hearing was held on March 21, 2011; and

WHEREAS, this Commission hereby adopts the following findings in support of approval of this application:

1. The proposed use would be located on 20± acres at the northwest corner of 40th Street East and Avenue K-8 and will be in conformance with the General Plan land use designation of Non-Urban Residential.
2. The proposed project is 1.5-megawatt photovoltaic solar electric generation facility with a conditional use permit, which is consistent with General Plan Policy 3.6.6 that states, "consider and promote the use of alternative energy such as wind energy and solar energy."

3. The requested use at the location proposed will not:
 - a. Adversely affect the health, peace, comfort, or welfare of persons living in the surrounding area because the proposed use will be screened from the surrounding residential uses by landscaping and the panels and trackers are silent.
 - b. Be materially detrimental to the use, enjoyment, or valuation of property of other persons located in the vicinity of the site because City development standards will be met and adequate parking is provided. The proposed panels are a maximum height of 8 feet, which are under the maximum height regulations of the Rural Residential zones and are designed with adequate setbacks from the adjacent street.
 - c. Jeopardize, endanger or otherwise constitute a menace to the public health, safety, or general welfare because adequate sewer, water, drainage, and improvements will be part of the project.
4. The the proposed use will not adversely affect nearby residents because the proposed use would be screened by landscaping, the maximum height of the panels are 8 feet, the panels and trackers are not noise generators, and there is limited vehicle traffic that would occur once construction has been completed.
5. The proposed site is adequate in size and shape to accommodate the photovoltaic solar electric generation facility, landscaping, and other development features prescribed in the Zoning Ordinance or as otherwise required in order to integrate said use with the use in the surrounding areas.
6. The proposed site is adequately served:
 - a. By 40th Street East which is of sufficient width and improved as necessary to carry the anticipated daily vehicle trips such use would generate; and
 - b. By other public and private service facilities, including sewer, water, fire, and police services as required.
7. The proposed use will not result in a significant effect on the environment because all potential impacts have been found to be less than significant with the inclusion of mitigation measures are noted in the environmental review section of the staff report prepared for this project.

NOW, THEREFORE, BE IT RESOLVED:

1. This Commission hereby approves the Mitigated Negative Declaration prepared for this project with the finding that although the proposed Conditional Use Permit could have a significant effect on the environment, there will not be a significant effect on the environment after mitigation measures have been applied to the project.
2. This Commission hereby adopts the Mitigation Monitoring Program, Exhibit "A".
3. This Commission hereby approves Conditional Use Permit No. 10-23, subject to the conditions attached hereto and incorporated herein.

PASSED, APPROVED and ADOPTED this 21th day of March 2011, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

JAMES D. VOSE, Chairman
Lancaster Planning Commission

ATTEST:

BRIAN S. LUDICKE, Planning Director
City of Lancaster

**ATTACHMENT TO PC RESOLUTION NO. 11-04
CONDITIONAL USE PERMIT NO. 10-23
CONDITIONS LIST
March 21, 2011**

GENERAL ADVISORY

1. All standard conditions as set forth in Planning Commission Resolution No. 10-23 shall apply, except Condition Nos. 13, 14 17-19, 22, 27, 30, 40 (modified by Condition No. 2) 42, and 47, 48, and 49.
2. The approval of Conditional Use Permit 10-23 does not become valid until the effective date of Zone Change 10-03, and will not be effective until the applicant has executed and returned to the Planning Department an authorized acceptance of the conditions of approval applicable to said permit. (Modification of Standard Condition No. 40.)
3. Applicant shall comply with the requirements of California Sales and Use Tax Regulation 1699, subpart (h), Regulation 1699.6 and Regulation 1802, subparts (c) and (d), respectively and shall cooperate with the City regarding their direct and indirect purchases and leases to ensure compliance with the above sections, including, if necessary, the formation and use of buying companies and the direct reporting of purchases of over \$500,000.
4. Per the direction of the Planning Director, no unscreened outdoor storage of any kind would be allowed on the site.
5. Per the direction of the Planning Director, barbed wire is acceptable on the top of the fence to provide site security, but not razor wire.
6. The applicant shall provide restroom facilities for use by maintenance staff.

ADDITIONAL CONDITIONS

7. Per the direction of the Director of Public Works, grant an irrevocable offer of dedication for the following streets:
 - Avenue K-8 at 42 feet from centerline
 - 37th Street East at 32 feet from centerline
8. Per the direction of the Planning Director, the applicant shall install landscaping along the perimeter of the project site for screening purposes.
9. Per the direction of the Director of Public Works, any public street surfaces damaged by construction traffic shall be restored to its pre-existing condition.

MITIGATION MEASURES

10. A pre-construction burrowing owl survey shall be conducted within 30 days prior to the start of construction/ground disturbing activities. If burrowing owls or sign thereof are discovered during the survey, the applicant shall contact the Department of Fish and Game to determine the appropriate mitigation/management requirements for the species.
11. Construction operations shall not occur between 8 p.m. and 7 a.m. on weekdays or Saturday or at any time on Sunday. The hours of any construction-related activities shall be restricted to periods and days permitted by local ordinance.
12. The on-site construction supervisor shall have the responsibility and authority to receive and resolve noise complaints. A clear appeal process to the owner shall be established prior to construction commencement that will allow for resolution of noise problems that cannot be immediately solved by the site supervisor.
13. Electrically powered equipment shall be used instead of pneumatic or internal combustion powered equipment, where feasible.
14. Material stockpiles and mobile equipment staging, parking, and maintenance areas shall be located as far away as practicable from noise-sensitive receptors.
15. The use of noise-producing signals, including horns, whistles, alarms, and bells, shall be for safety warning purposes only.
16. No project-related public address or music system shall be audible at any adjacent receptor.
17. All noise producing construction equipment and vehicles using internal combustion engines shall be equipped with mufflers, air-inlet silencers where appropriate, and any other shrouds, shields, or other noise-reducing features in good operating condition that meet or exceed original factory specification. Mobile or fixed "package equipment" (e.g., arc-welders, air compressors, etc.) shall be equipped with shrouds and noise control features that are readily available for the type of equipment.

Mit. / Cond. No.	Mitigation Measure/ Conditions of Approval	Monitoring Milestone (Frequency)	Method of Verification	Party Responsible for Monitoring	VERIFICATION OF COMPLIANCE		
					Initials	Date	Remarks
BIOLOGICAL RESOURCES							
1.	A pre-construction burrowing owl survey shall be conducted within 30 days prior to the start of construction/ground disturbing activities. If burrowing owls or sign thereof are discovered during the survey, the applicant shall contact the Department of Fish and Game to determine the appropriate mitigation/management requirements for the species.	Prior to vegetation removal, grubbing, grading, stockpile, or construction, the City must receive a report from a biologist advising that the site is free of burrowing owls.	Prior to final approval of grading plan, issuance of a stockpile permit, or any ground disturbing activities.	Planning Department responsible for reviewing report.			
NOISE							
2.	Construction operations shall not occur between 8 p.m. and 7 a.m. on weekdays or Saturday or at any time on Sunday. The hours of any construction-related activities shall be restricted to periods and days permitted by local ordinance.	During construction	Field inspection	Building and Safety			
3.	The on-site construction supervisor shall have the responsibility and authority to receive and resolve noise complaints. A clear appeal process to the owner shall be established prior to construction commencement that will allow for resolution of noise problems that cannot be immediately solved by the site supervisor.	During construction	Field inspection	Building and Safety			
4.	Electrically powered equipment shall be used instead of pneumatic or internal combustion powered equipment, where feasible.	During construction	Field inspection	Building and Safety			
5.	Material stockpiles and mobile equipment staging, parking, and maintenance areas shall be located as far away as practicable from noise-sensitive receptors.	During construction	Field inspection	Building and Safety			

Mit. / Cond. No.	Mitigation Measure/ Conditions of Approval	Monitoring Milestone (Frequency)	Method of Verification	Party Responsible for Monitoring	VERIFICATION OF COMPLIANCE		
					Initials	Date	Remarks
6.	The use of noise-producing signals, including horns, whistles, alarms, and bells, shall be for safety warning purposes only.	During construction	Field inspection	Building and Safety			
7.	No project-related public address or music system shall be audible at any adjacent receptor.	During construction	Field inspection	Building and Safety			
8.	All noise producing construction equipment and vehicles using internal combustion engines shall be equipped with mufflers, air-inlet silencers where appropriate, and any other shrouds, shields, or other noise-reducing features in good operating conditions that meet or exceed original factory specification. Mobile or fixed "package equipment" (e.g., arc-welders, air compressors, etc.) shall be equipped with shrouds and noise control features that are readily available for the type of equipment.	During construction	Field inspection	Building and Safety			

CITY OF LANCASTER
INITIAL STUDY

1. Project title and File Number: Conditional Use Permit 10-23
Zone Change 10-03
Vinam-1 9011 Site Solar Project
2. Lead agency name and address: City of Lancaster
Planning Department
44933 Fern Avenue
Lancaster, California 93534
3. Contact person and phone number: Jocelyn Swain
(661) 723-6100
4. Applicant name and address: Sunlight Partners
Mark Roberts
4215 East McDowell Road
Mesa, AZ 85215
5. Location: 20± acres at the northwest corner of 40th Street East and Avenue K-8
6. General Plan designation: Non-Urban Residential (NU)
7. Zoning: Current – Semi Rural Residential (SRR); Proposed – RR-2.5 (Rural Residential, minimum lot size 2.5 acres)
8. Description of project: The proposed project consists of the construction and operation of a 1.5 megawatt photovoltaic (PV) solar electric generating facility. The proposed project consists of rows of photovoltaic panels on single axis trackers with three inverters in the middle of the project site. These photovoltaic panels convert sunlight directly into electrical energy without the use of heat transfer fluid or cooling water. The project would tie into the transmission lines that run along 40th Street East. A chain-link fence would surround the project site and a 10-foot landscaped area would be provided between the fence and property line to screen the development from the surrounding uses. Access to the project site would be provided via a gate on 40th Street East.
9. Surrounding land uses and setting: The area surrounding the project site is predominantly vacant land consisting of a mix of residential uses, agricultural uses and vacant land. The property to the north and west of the project site is vacant. The property to the east appears to consist of agricultural/ranching uses. The property to the south consists of a handful of single family residences. Two large residential subdivisions exist in the area: one approximately 0.5 miles to the west of the project site and one approximately 1 mile north of the project site. Additionally, the Lancaster Soccer Center is located 0.5 miles to the southwest.

The property to the north and west of the project site is designated Non-Urban Residential (NU) and zoned SRR (Semi- Rural Residential, minimum half acre lot size [20,000 square feet]). The property to the south is designed NU and zoned RR-1 (Rural Residential, minimum lot size 1 acre). The property to the east is designated NU and zoned RR-2.5 (Rural Residential, minimum lot size 2.5 acres).

10. Other public agencies whose approval is required (e.g. permits, financing approval, or participation agreement.)

Approvals from other public agencies for the proposed project include, but are not limited to, the following:

- Southern California Edison (connection to transmission lines/substation)
- Antelope Valley Air Quality Management District (approval of dust control plan)

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

- | | | |
|---|---|---|
| <input type="checkbox"/> Aesthetics | <input type="checkbox"/> Agriculture and Forest Resources | <input type="checkbox"/> Air Quality |
| <input type="checkbox"/> Biological Resources | <input type="checkbox"/> Cultural Resources | <input type="checkbox"/> Geology/Soils |
| <input type="checkbox"/> Greenhouse Gas Emissions | <input type="checkbox"/> Hazards & Hazardous Materials | <input type="checkbox"/> Hydrology/Water Quality |
| <input type="checkbox"/> Land Use/Planning | <input type="checkbox"/> Mineral Resources | <input type="checkbox"/> Noise |
| <input type="checkbox"/> Population/Housing | <input type="checkbox"/> Public Services | <input type="checkbox"/> Recreation |
| <input type="checkbox"/> Transportation/Traffic | <input type="checkbox"/> Utilities/Service Systems | <input type="checkbox"/> Mandatory Findings of Significance |

DETERMINATION - On the basis of this initial evaluation:

I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared:

I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.

I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.

I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in a earlier EIR or NEGATIVE DECLARATION pursuant to applicant standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Jocelyn Swain

Jocelyn Swain, Associate Planner - Environmental

12/9/10

Date

EVALUATION OF ENVIRONMENTAL IMPACTS:

- 1) A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
- 2) All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
- 3) Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.
- 4) "Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant (mitigation measures from Section XVII, "Earlier Analyses," may be cross-referenced).
- 5) Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:
 - a) Earlier Analysis Used. Identify and state where they are available for review.
 - b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
 - c) Mitigation measures. For effects that are "Less than Significant with Mitigation Measures Incorporated", describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
- 6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.

- 7) Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
- 8) This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to project's environmental effects in whatever format is selected.
- 9) The explanation of each issue should identify:
 - a) the significance criteria or threshold, if any, used to evaluate each question; and
 - b) the mitigation measure identified, if any, to reduce the impact to less than significant.

	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
I. <u>AESTHETICS</u> -- Would the project:				
a) Have a substantial adverse effect on a scenic vista?				X
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?				X
c) Substantially degrade the existing visual character or quality of the site and its surroundings?			X	
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?			X	
II. <u>AGRICULTURE AND FOREST RESOURCES:</u> In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and the forest carbon measurement methodology provided in the Forest Protocols adopted by the California Air Resources Board. Would the project:				

	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?				X
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?				X
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code Section 12220(g)) or timberland (as defined in Public Resources Code Section 4526)?				X
d) Result in the loss of forest land or conversion of forest land to non-forest use?				X
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use or conversion of forest land to non-forest use?				X
III. <u>AIR QUALITY</u> -- Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:				
a) Conflict with or obstruct implementation of the applicable Air Quality Plan?				X
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?			X	

	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?			X	
d) Expose sensitive receptors to substantial pollutant concentrations?			X	
e) Create objectionable odors affecting a substantial number of people?			X	
IV. <u>BIOLOGICAL RESOURCES</u> -- Would the project:				
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?		X		
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?				X

	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?				X
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?				X
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?				X
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?				X
V. <u>CULTURAL RESOURCES</u> -- Would the project:				
a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?			X	
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?				X
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?				X
d) Disturb any human remains, including those interred outside of formal cemeteries?				X

	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
VI. <u>GEOLOGY AND SOILS</u> -- Would the project:				
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.				X
ii) Strong seismic ground shaking?			X	
iii) Seismic-related ground failure, including liquefaction?				X
iv) Landslides?				X
b) Result in substantial soil erosion or the loss of topsoil?		X		
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?				X
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?			X	
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for disposal of waste water?				X

	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
VII. GREENHOUSE GAS EMISSIONS -- Would the project:				
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?			X	
b) Conflict with any applicable plan, policy or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases?			X	
VIII. HAZARDS AND HAZARDOUS MATERIALS -- Would the project:				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?			X	
b) Create a significant hazard to the public or the environment through reasonably fore-seeable upset and accident conditions involving the release of hazardous materials into the environment?			X	
c) Emit hazardous emissions or handle hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?				X
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code §65962.5 and, as a result, would it create a significant hazard to the public or the environment?			X	
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?				X

	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?				X
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?				X
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?			X	
<u>IX. HYDROLOGY AND WATER QUALITY</u> –				
Would the project:				
a) Violate any water quality standards or waste discharge requirements?			X	
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?			X	
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in substantial erosion or siltation on- or off-site?			X	

	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on-or off-site?			X	
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems?			X	
f) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate map or other flood hazard delineation map?				X
g) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?				X
h) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?				X
i) Inundation by seiche, tsunami, or mudflow?				X
X. <u>LAND USE AND PLANNING</u> -- Would the project:				
a) Physically divide an established community?				X
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?			X	

	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
c) Conflict with any applicable habitat conservation plan or natural communities conservation plan?				X
XI. <u>MINERAL RESOURCES</u> – Would the project:				
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?				X
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan?				X
XII <u>NOISE</u> -- Would the project result in:				
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?		X		
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?		X		
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?			X	
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?		X		
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?			X	

	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?			X	
XIII. POPULATION AND HOUSING -- Would the project:				
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?				X
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?				X
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?				X
XIV. PUBLIC SERVICES				
Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
Fire protection?			X	
Police protection?			X	
Schools?				X
Parks?			X	

	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
Other public facilities?				X
XV. <u>RECREATION</u> --				
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?				X
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?				X
XVI. <u>TRANSPORTATION/TRAFFIC</u> -- Would the project:				
a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?			X	
b) Conflict with an applicable congestion management program, including, but not limited to, level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?				X
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?				X

	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?				X
e) Result in inadequate emergency access?				X
f) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?				X
<u>XVII. UTILITIES AND SERVICE SYSTEMS</u> --				
Would the project:				
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?			X	
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?				X
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?			X	
d) Have sufficient water supplies available to serve the project from existing resources, or are new or expanded entitlements needed?			X	
e) Have a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?				X

	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?			X	
g) Comply with federal, state, and local statutes and regulations related to solid waste?			X	
XVII. MANDATORY FINDINGS OF SIGNIFICANCE --				
a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?		X		
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?			X	
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?		X		

DISCUSSION OF ENVIRONMENTAL CHECKLIST

I. a. Distance views of one scenic area are available from the roadways and area surrounding the project site as identified by the General Plan (LMEA Figure 12-1). These scenic views include views of the Foothill Area (Scenic Area 1). Additionally views of the mountains and some agricultural/desert areas are available from the project site. With implementation of the proposed project the available views of the identified scenic resources would not change and would continue to be available from the

streets and the surrounding area. Therefore, no impacts to scenic vistas would occur as a result of the proposed project.

b. The proposed project would not remove any scenic resources such as buildings (historic or otherwise) or rock outcroppings. Additionally, the project site is not located in the vicinity of any State Scenic Highways. Therefore, no impacts would occur.

c. The proposed project would change the visual character of the project site in that it would replace an old agricultural field with a small scale PV solar farm. While this would change the character of the existing site, the proposed project would be compatible with the surrounding land uses due to the small scale. Additionally, the development would include perimeter fencing and landscaping to screen it from view. Therefore, impacts would be less than significant.

d. The proposed project may create new sources of lighting. The area currently has minimal amounts of ambient lighting primarily generated by the surrounding residential uses. The proposed project may include security and perimeter lighting. This lighting would be shielded and focused downward onto the project site. No sources of glare are anticipated from the project site as PV panels are designed to absorb sunlight, not reflect it. No structures are proposed on the project site. Therefore, light and glare impacts would be less than significant.

II. a-b. The project site was utilized in the past for farming operations. However, the project site is not currently utilized for agricultural production. The project site is not listed as Prime Farmland, Unique Farmland or Farmland of Statewide Importance. It is listed as Other Lands. There are no Williamson Act contracts associated with the project site or the immediately surrounding area and the proposed project would not result in the conversion of agricultural land to non-agricultural land. Therefore, no impacts to agricultural resources would occur.

c-d. According to the City of Lancaster's General Plan, there are no forests or timberlands located within the City of Lancaster. Therefore, the proposed project would not result in the rezoning of forest or timberland and would not cause the loss of forest land or the conversion of forest land to non-forest land. Therefore, no impacts would occur.

e. The project site is not currently utilized for agricultural production and contains no forests or timberland. The proposed project would not result in other changes in the existing environment that could result in the conversion of farmland to non-agricultural use or the conversion of forest land to non-forest uses. Therefore, no impacts would occur.

III. a. Development proposed under the City's General Plan would not create air emissions that exceed the Air Quality Management Plan (GPEIR pgs 5.5-21 to 5.5-22). The proposed project consists of the construction and operation of a photovoltaic solar generating facility. The project site is currently zoned Semi-Rural Residential which allows for the development of single family residential uses on half acre lots but does not allow for the construction of solar facilities. The applicant is seeking a zone change for the project site to RR-2.5 (Rural Residential, one dwelling unit per 2.5 acres) which would allow for the construction of the solar facility with a conditional use permit (CUP). This is a substantially less intensive use than single family residences. Therefore, any air emissions generated by the proposed project have already been accounted for and the proposed project would not conflict with or obstruct the implementation of the Air Quality Management Plan and no impacts would occur.

b. Construction of the proposed project would generate emissions associated with grading, use of heavy equipment, construction worker vehicles, etc. However, these are not anticipated to exceed the construction emission thresholds established by the Antelope Valley Air Quality Management District due to the size and type of the project. Therefore, construction emissions are less than significant.

The proposed project would generate approximately 1-2 vehicle trips per week for maintenance purposes. Operation of the project would be done remotely and the solar panels do not generate air emissions. Vehicle trips associated with the proposed project would generate emissions; however, due to the minimal number of vehicle trips per week, these emissions would not be sufficient to create or significantly contribute towards violations of the air quality standards. Therefore, emissions associated with the operation of the proposed project would be less than significant.

c. The proposed project, in conjunction with other development as allowed by the General Plan, would result in a cumulative increase of pollutants. However, since the emissions associated with the construction and operation of the proposed project are less than significant, its contribution would not be cumulatively considerable. Impacts would be less than significant.

d. The closest sensitive receptors are the single family residences immediately south and the single family residential subdivisions located a quarter mile and half mile west and north of the project site, respectively. Based upon the amount of traffic expected to be generated by the proposed project, no significant traffic impacts would be anticipated. Additionally, it is not anticipated that the air emissions from construction or operation of the proposed project would exceed the thresholds established by the AVAQMD. Therefore, substantial pollutant concentrations would not occur and impacts would be less than significant.

e. Construction and operation of the proposed project is not anticipated to produce significant objectionable odors. Construction equipment may generate some odors, but these odors would be similar to those produced by vehicles traveling on 40th Street East. Most objectionable odors are typically associated with industrial projects involving the use of chemicals, solvents, petroleum products and other strong smelling elements used in manufacturing processes, as well as sewage treatment facilities and landfills. These types of uses are not part of the proposed project. The proposed project would not generate any odors as it is a photovoltaic solar generating facility and odorous chemicals would be utilized. Therefore, impacts would be less than significant.

IV. a. A biological resources survey was conducted for the proposed project by RCA Associates, LLC, and documented in a report entitled "General Biological Resources Assessment including Focused Surveys for Desert Tortoise and Burrowing Owl, and Habitat Assessment for Mohave Ground Squirrel" and dated September 2, 2010. A survey of the project site was conducted on September 1, 2010. As part of the survey, the site and adjoining lands were evaluated for the presence of native habitats which may support populations of sensitive species.

The entire site has been disturbed by past agricultural activities. Some revegetation has occurred but has been limited to a few yellow-green matchweed (*Gutierrezia sarothrae*), Russian thistle (*Salsola tragus*) and burrobush (*Franseria dumosa*) shrubs. Other plants that were present include erodium, schismus; brome grasses (*Brome sp.*) and ricegrass. No sensitive plant species were observed on the project site.

Ravens, song sparrows, sage sparrows, mourning doves, Anna's hummingbird and horned larks were the only wildlife observed on the project site during the surveys. No evidence of special status species was

observed on the project site. The project site does not provide suitable habitat for desert tortoise and no burrows, scat, etc., was found. Mohave ground squirrels were not observed and are not expected on the project site for the following reasons: 1) habitat is very disturbed with very poor shrub diversity; 2) lack of sufficient forage plants; 3) habitat connectivity is absent; and 4) lack of recent records in the immediate area. Therefore, no impacts to desert tortoise or Mohave ground squirrel would occur.

Swainson's Hawks were not observed and are not expected to inhabit the project site given the absence of any suitable nesting trees. Therefore, no impacts would occur.

No evidence of burrowing owls was found during the survey of the project site and no suitable burrows were identified on the project site. However, it is possible that burrowing owls could occupy the project site prior to the start of construction activities. Therefore, the following mitigation measure is required to ensure impacts to burrowing owls are less than significant

1. A pre-construction burrowing owl survey shall be conducted within 30 days prior to the start of construction/ground disturbing activities. If burrowing owls or sign thereof are discovered during the survey, the applicant shall contact the California Department of Fish and Game to determine the appropriate mitigation/management requirements for the species.

- b. The project site does not contain any riparian habitat or other sensitive natural communities identified in local or regional plans, policies, regulations, or by the California Department of Fish and Game or the U.S. Fish and Wildlife Service. Therefore, no impacts would occur.

- c. There are no federally protected wetlands on the project site as defined by Section 404 of the Clean Water Act. Therefore, no impacts would occur.

- d. The project site is not part of an established migratory wildlife corridor. Therefore, no impacts would occur.

- e-f. The project site is not located within an area designated under an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or State habitat conservation plan. Additionally, there are no local policies or ordinances protecting biological resources which are applicable to this site. Therefore, no impacts would occur.

- V.
 - a-d. A cultural resources survey was conducted for the project site by Applied EarthWorks, Inc., and documented in a report entitled "Phase I Cultural Resources Investigation for the Sunlight Partners Solar Project: VINAM-1 9011, 19.2 acres for APN 3170-009-011, City of Lancaster, Los Angeles County, California" and dated October 2010. An intensive pedestrian survey was performed on September 10, 2010. The project site was surveyed by walking 15 meter parallel spaced transects across the site.

The survey of the project site identified one historic-period farmstead. The site consists of an abandoned farmstead dating to the early or mid-twentieth century. The site contains the ruins of a few ancillary structures (including two foundation slabs, irrigation standpipes and a well pump house) as well as domestic trees, fence lines and fallow agricultural fields. A refuse deposit was located near the northeast corner of the fence line which contained primarily modern refuse (e.g., cans, plastic, building materials) and one paneled medicine bottle fragment from the 1930s or earlier. This site does not meet Criteria 1, 2, 3, or 4 of the California Register of Historic Places for listing. Therefore, impacts would be less than

significant. Development of the project site would not directly or indirectly destroy a unique paleontological resource, site, or geologic feature. No human remains, including those interred outside of formal cemeteries, were discovered on the site. Therefore, no impacts to cultural resources would occur. However, in the event that cultural resources are encountered during the course of construction activities, all work shall cease until a qualified archaeologist determines the proper disposition of the resource.

VI. a. The project site is not identified as being in or in proximity to a fault rupture zone (LMEA Figure 2-5) and the site is not identified as being subject to liquefaction (SSHZ Map). According to the Seismic Hazard Evaluation of the Lancaster East and West Quadrangles, the project site may be subject to intense seismic shaking (LMEA pg. 2-16). However, the proposed project would be constructed in accordance with the seismic requirements of the Uniform Building Code (UBC) as adopted by the City, which would render any potential impacts to less than significant levels. The site is generally level and is not subject to landslides (SSHZ Map).

b. The project site is rated as moderate for soil erosion (USDA SCS Maps) when cultivated or cleared of vegetation. However, there remains a potential for water and wind erosion during construction. The project would be required, under the provisions of Lancaster Municipal Code (LMC) Chapter 8.16, to adequately wet to seal the soil to prevent wind erosion. Water erosion controls must be provided as part of the project grading plan to be reviewed and approved by the City's Engineering Division. These provisions, which are a part of the project, would ensure impacts from soil erosion are less than significant.

c. The project site is not known to be within an area subject to fissuring, sinkholes (LMEA Figure 2-3) or liquefaction (SSHZ Maps) or any other form of geologic unit or soil instability. Therefore, no impacts would occur.

d. The soil on the project site is characterized by a low shrink-swell potential (LMEA Figure 2-3), which is not an expansive soil as defined in Table 18-1-B of the Uniform Building Code. A soils report on the property within the project site shall be submitted to the City by the project developer prior to grading of the property and the recommendations of the report shall be incorporated into the development of the property. Therefore, impacts would be less than significant.

e. No sewer or septic connections are proposed as part of the project. The proposed project is a solar field and there are no structures that would be occupied. Most activities with respect to operation of the proposed project would be conducted remotely. Therefore, no impacts would occur.

VII. a-b. The proposed project involves the construction and operation of a 1.5 MW photovoltaic electric generating facility which would tie directly into the Southern California Edison transmission line running along 40th Street East. As discussed in Item III.b, the proposed project would generate air emissions during construction activities, some of which may be greenhouse gases. These emissions are anticipated to be less than the thresholds established by the Antelope Valley Air Quality Management District and would not prevent the State from reaching its greenhouse gas reduction targets. Operation of the proposed project would generate minimal amounts of emissions, primarily from vehicles when site maintenance is required. The actual photovoltaic facility would not generate emissions during operation and would therefore help to reduce the amount of greenhouse gases emitted during the production of electricity in Southern California. Therefore, impacts would be less than significant.

The proposed project would be in compliance with the greenhouse gas goals and policies identified in the City of Lancaster's General Plan (pgs 2-19 to 2-24). Therefore, impacts with respect to conflicts with an agency's plan, policies, or regulations would be less than significant.

VIII. a-b. The proposed project consists of the construction and operation of a 1.5 MW photovoltaic solar farm on approximately 20 acres. The proposed project would use minimal amounts of hazardous materials (typical construction materials) during construction. During operation, some hazardous materials may be utilized during maintenance activities. These materials would be used in accordance with all applicable rules and regulations. The proposed project is not located along a hazardous waste transportation corridor (LMEA Figure 9.1-14). The project site is currently vacant except for the remains of a former agricultural homestead. These remains would be removed from the site during construction but would not expose individual or the environment to asbestos containing materials, lead-based paint or other such materials. Therefore, impacts would be less than significant.

c. The project site is not located within a quarter mile of an existing or proposed school. The closest school site is Tierra Bonita South, approximately 1 mile west of the project site. Therefore, no impacts would occur.

d. A Phase I Environmental Site Assessment was prepared for the proposed project by Westech Company and the findings are documented in a report entitled "Hazardous Materials Site Assessment/Phase I VINAM-1 9011 Site, 43215 40th Street East, Lancaster, California 93535", dated November 2010.

A site visit was conducted to the project site on September 21, 2010 with a follow up visit in October 2010. The project site is vacant with an old metal shed with a broken transformer located on the eastern boundary of the property along 40th Street East. Scattered litter and debris is located throughout the project site. The vegetation on the site did not appear distressed and there was no stained soil. No evidence of hazardous materials was present on the project site. All debris would be removed from the project site prior to grading and disposed of in accordance with all applicable regulations. Therefore, impacts would be less than significant.

In addition to the site visit, a regulatory data base search was conducted for the project site and the surrounding area by EDR. Neither the project site nor the adjoining properties were identified in any regulatory database. Therefore, the site is not included on a list of hazardous material sites compiled pursuant to Government Code Section 65962.5 and thus no significant hazardous impacts to the public or the environment would result from the project.

e-f. The project site is not located within the boundaries of an airport land use plant. Air Force Plant 42 is located approximately 1.5 miles south of the project site. According to the Air Force Plant 42, Air Installation Compatible Use Zone Study, the project site is not located within overflight zone. It is also not located within the clear zone or accident potential zone of the runways. Construction and maintenance workers would not be subjected to safety hazards from the airport as a result of working in the project area. Therefore, no impacts would occur.

g. The only paved road adjacent to the project site is 40th Street East, which has not been designated as an evacuation route. Additionally, the traffic that would be generated by the proposed project is not sufficient to cause impacts at any of the area intersections. Therefore, the proposed project

would not impact or physically block any identified routes and would not interfere with any adopted emergency response plan. No impacts are anticipated.

h. The property surrounding the project site is predominantly undeveloped (see Surrounding Land Use description on page 1). It is possible that these lands could be subject to a grass fire. However, the project site is located within the boundaries of Fire Station No. 135, located at 1846 East Avenue K-4. Therefore, impacts from wildland fires would be less than significant.

IX. a. The project site is not located in an area with an open body of water or watercourse and is not in an aquifer recharge area. Additionally, the proposed development would be required to comply with all applicable provisions of the National Pollutant Discharge Elimination System (NPDES) program. The NPDES program establishes a comprehensive storm water quality program to manage urban storm water and minimize pollution of the environment to the maximum extent practicable. The reduction of pollutants in urban storm water discharge through the use of structural and nonstructural Best Management Practices (BMPs) is one of the primary objectives of the water quality regulations. BMPs that are typically used to manage runoff water quality include controlling roadway and parking lot contaminants by installing oil and grease separators at storm drain inlets, cleaning parking lots on a regular basis, incorporating peak-flow reduction and infiltration features (grass swales, infiltration trenches, and grass filter strips) into landscaping and implementing educational programs. The proposed project would incorporate appropriate BMPs as applicable, as determined by the City of Lancaster Department of Public Works. Therefore, impacts would be less than significant.

The proposed project involves the construction and operation of a PV solar generating facility. This facility would not utilize regulated quantities of hazardous materials and would not be tied into the public sewer system or septic system. As such, the proposed project does not have the potential to introduce industrial discharge into a public water system and potentially violate water quality standards to waste discharge requirements. Therefore, impacts would be less than significant.

b. The proposed project would utilize existing wells located on site or trucked in water to provide water for the occasional washing of the PV panels. Washing would occur approximately twice a year. No employees would be located on site. During site maintenance employees would bring drinking water with them and restroom facilities would be provided on-site. However, the site would not be tied to a public water, sewer or septic system. Additionally, as indicated in IX.a, the proposed project would not impact any groundwater recharge areas. Therefore, the proposed project would not deplete groundwater supplies or interfere with groundwater recharge and impacts would be less than significant.

c-e. Development of the proposed project would increase the amount of surface runoff as a result of impervious surfaces associated with some portions of the facility. Most of the project site would be developed with PV panels mounted on single-axis tracking systems on steel support structures. The site would be graded to accommodate the support structures but would not be paved, leaving the site in a pervious condition. Additionally, the proposed project would be designed to accept current flows entering the property and to handle any additional incremental runoff from the site. Therefore, impacts from drainage and runoff would be less than significant.

f-g. The project site is designated X-shaded per the Flood Insurance Rate Map (FIRM) Panel No. 060672 (2008). This designation is outside of the 100-year flood zone, but within the boundaries of the 500 year flood zone. No housing or occupied structures are proposed as part of this development.

Therefore, no flooding impacts would occur as a result of placing housing or structures on the project site.

h. The project site does not contain and is not downstream from a dam or levee. Therefore, no impacts would occur from flooding as a result of the failure of a dam/levee.

i. The project site is not located within a coastal zone. Therefore, tsunamis are not a potential hazard. The project site is relatively flat and does not contain any enclosed bodies of water and is not located in close proximity to any other large bodies of water. Therefore, the proposed project would not be subject to inundation by seiches or mudflows. No impact would occur.

X. a. The proposed project is not of the scale or nature that could physically divide an established community. The proposed project consists of the construction and operation of a photovoltaic solar generating facility. The area surrounding the project site is predominantly vacant with a couple of single family residences to the south and agricultural uses (e.g., ranch) to the east. Access to the proposed project would be from 40th Street East. No new roadways would be constructed. The proposed project would not block a public street, trail, or other access route or result in a physical barrier that would divide the community. Therefore, no impacts would occur.

b. The project site is currently zoned Semi-Rural Residential (SRR) which does not allow for solar generating facilities. However, the applicant has requested a Zone Change (ZC) to change the zoning to RR-2.5 (Rural Residential, minimum lot size 2.5 acres). Solar facilities are a permitted use with a Conditional Use Permit in this zone. Additionally, the proposed project would be in compliance with the City-adopted UBC (see Item VI.a) and erosion control requirements (Item VI.b). With approval of the ZC, the proposed project would be in compliance with all applicable plans and impacts would be less than significant.

c. As noted under Item IV.e-f., the project site is not subject to and would not conflict with a habitat conservation plan or natural communities conservation plan. Therefore, no impacts would occur.

XI. a-b. The project site does not contain any current mining or recovery operations for mineral resources and no such activities have occurred on the project site in the past. According to the LMEA (Figure 2-4 and page 2-8), the project site is designated as Mineral Reserve Zone 3 (contains potential but presently unproven resources). However, it is not considered likely that the Lancaster area has large, valuable mineral and aggregate deposits. Therefore, no impacts to mineral resources would occur.

XII. a-b, d. The City's General Plan (Table 3-1) establishes an outdoor maximum CNEL of 65 dBA for rural and residential uses. The current noise level in the area is approximately 54.6 dBA on 40th Street East between Avenue K and Avenue L (LMEA Table 8-11). Construction activities associated with earth-moving equipment and other construction equipment would temporarily increase noise levels for the adjacent land uses. These noise levels would fluctuate depending on construction activity, type, and duration. In order to ensure that noise levels at the neighboring land uses stay at a less than significant level, the following mitigation measures are required. Within incorporation of these mitigation measures, impacts would be less than significant.

2. Construction operations shall not occur between 8 p.m. and 7 a.m. on weekdays or Saturday or at any time on Sunday. The hours of any construction-related activities shall be restricted to periods and days permitted by local ordinance.

3. The on-site construction supervisor shall have the responsibility and authority to receive and resolve noise complaints. A clear appeal process to the owner shall be established prior to construction commencement that will allow for resolution of noise problems that cannot be immediately solved by the site supervisor.
4. Electrically powered equipment shall be used instead of pneumatic or internal combustion powered equipment, where feasible.
5. Material stockpiles and mobile equipment staging, parking, and maintenance areas shall be located as far away a practicable from noise-sensitive receptors.
6. The use of noise-producing signals, including horns, whistles, alarms, and bells, shall be for safety warning purposes only.
7. No project-related public address or music system shall be audible at any adjacent receptor.
8. All noise producing construction equipment and vehicles using internal combustion engines shall be equipped with mufflers, air-inlet silencers where appropriate, and any other shrouds, shields, or other noise-reducing features in good operating condition that meet or exceed original factory specification. Mobile or fixed "package" equipment (e.g., arc-welders, air compressors) shall be equipped with shrouds and noise control features that are readily available for the type of equipment.

c. Operation of the proposed project would generate very minimal noise levels. The photovoltaic solar generating facility would generate electricity with PV panels mounted on very slow moving, silently-rotating single-axis trackers. Periodic maintenance would primarily consist of cleaning the photovoltaic panels, as necessary, and vegetation removal. These activities would occur as needed and most operational activities would occur remotely. Because of the passive nature of the on-site operations, the likelihood of noise disturbance at the neighboring receptors is small. Therefore, noise impacts would be less than significant.

e-f. The project site is located approximately 1.5 miles of Air Force Plant 42. However, the project site is not located within an overflight zone. Once the project is constructed, individuals will not be on the project site often. Most of the operations would occur remotely. Occasional maintenance of the panels and property (washing, vegetation removal, etc) would occur. Therefore, individuals would not experience excessive noise levels from airport operations (also see Item VIII.e-f). Therefore, impacts would be less than significant.

XIII. a. The proposed project consists of the construction and operation of a photovoltaic solar electricity generating facility which would not directly or indirectly induce substantial population growth. The construction of the proposed project is anticipated to employ a handful of individuals, most of whom would come from the local area. Operation of the proposed project would occur remotely with occasional maintenance needs being handled by one or two people. While the facility would generate additional power to go into the grid, it would be helping to achieve the State mandates regarding renewable energy. Therefore, no impacts would occur.

b-c. The project site is currently vacant. No housing or people would be displaced necessitating the construction of replacement housing elsewhere. Therefore, no impacts would occur.

XIV. The proposed project would incrementally increase the need for fire and police services; however, the site is within the current service area of both these agencies and the additional time and cost to service the project site is minimal. The project would not induce substantial population growth and, therefore, would not substantially increase demand on parks or other public facilities. Thus, impacts would be less than significant.

Development of the proposed project would not result in an incremental increase in population, and no increase in the number of students in either the Antelope Valley Union High School District or the Eastside Union School District. Therefore, no impacts to schools would occur.

XV. a-b. The proposed project involves the construction and operation of a photovoltaic solar electricity generating facility. As discussed in Item XVI.a, it is anticipated that a handful of construction workers would be present on the project site at one time. These workers are expected to come from the local area and would not create an additional demand on recreational facilities. Once the proposed project is operational, most of the operations would be handled remotely and would not generate employees who would potentially be utilizing recreational facilities. Therefore, no impacts to recreational facilities would occur and no construction of new facilities would be necessary.

XVI. a. The proposed project would generate construction traffic in the form of worker vehicles and delivery trucks. These trips would only occur during construction and would most likely occur at off-peak hours of the day. Adequate access to the project site exists to handle the trips that construction would generate. The proposed project would be operated remotely for the most part. Occasional facility maintenance would be required and it is anticipated that at most 1 to 2 trips per week would occur. This number of trips would not impact the surrounding street system. Improvements that have been identified as conditions of project approval and implementation of these improvements would ensure that impacts are less than significant.

b. There are no county congestion management agency designated roads or highways in the vicinity of the project site. No impacts would occur.

c. The project site does not contain any aviation related uses and the proposed project would not include the development of any aviation related uses. The proposed project is a photovoltaic project and the panels are designed to absorb light, not reflect it. Therefore, the proposed project would not interfere with small aircraft flying overhead. Thus, the proposed project would not have an impact on air traffic patterns.

d. 40th Street East would be reconstructed adjacent to the project site as part of the proposed project. No hazardous conditions would be created by these improvements. Therefore, no impacts would occur.

e. The proposed project would have adequate emergency access from 40th Street East. Interior circulation would be provided in accordance with the requirements of the Los Angeles County Fire Department; therefore, no impacts would occur.

f. The proposed project does not conflict with or impede any of the General Plan policies or specific actions related to alternative modes of transportation (Lancaster General Plan pgs. 5-18 to 5-24). Therefore, no impacts would occur.

XVII. a. The proposed project would not generate any wastewater that would be disposed of in a sewer or septic system. Some wastewater would be generated from the occasional washing of the solar panels. This water would be disposed of on-site in accordance with any requirements of the Regional Water Quality Control Board. As no hazardous materials would be utilized on-site, the wastewater is not expected to exceed any established standards. Therefore, impacts would be less than significant.

b. Minimal amounts of wastewater would be generated by the occasional washing of the solar panels. This wastewater would be disposed of on-site. The site would not be connected to the sanitary sewer system and there would be no septic-system on-site. Therefore, no construction of new water or wastewater facilities would be required and no impacts would occur.

c. See Items IX.c and IX.d.

d. The proposed project has minimal needs for water as there will be no employees routinely on the site and no structures which would be occupied by individuals are proposed. The only water needs the project has are for the occasional washing of the solar panels. This water will come either existing on-site wells or will be trucked in. No new or expanded entitlements would be necessary. Therefore, impacts would be less than significant.

e. See Item XVII.b.

f-g. The proposed project would generate solid waste during construction which would contribute to an overall impact on landfill services (GPEIR pgs 5.13-25 to 5.13-28 and 5.13-31); although the project's contribution would be minimal. During operation of the solar farm, no solid waste would be generated; therefore, no trash collection services would be necessary and impacts would be less than significant.

XVIIIa. Less than significant with mitigation. Ref. Items I, III, IV, V, VIII, X, and XVII.

b. The proposed project does not have any impacts that are individually limited, but cumulatively considerable. Ref. Items III, XII, and XVI.

c. Less than significant with mitigation. Ref. Items III, VI, VIII, IX, XII, XIII, XIV, XV, XVI, and XVII.

List of Referenced Documents and Available Locations*:

BRR:	General Biological Resources Assessment including Focused Surveys for Desert Tortoise and Burrowing Owl, and Habitat Assessment for Mohave Ground Squirrel, RCA Associates, LLC, September 2, 2010	PD
CRS:	Phase I Cultural Resources Investigation for the Sunlight Partners Solar Project: VINAM-1 9011, 19.2 acres for APN 3170-009-011, City of Lancaster, Los Angeles County, California, Applied Earthworks, Inc., October 2010	PD
ESA:	Hazardous Materials Site Assessment/Phase I, VINAM-1 9011 Site, 43215 40 th Street East, Lancaster, California 93535, Westech Company, November 2010	PD
	Lancaster, California, Tetra Tech EC, Inc., October 1, 2010	PD
FIRM:	Flood Insurance Rate Map	PW
GPEIR:	Lancaster General Plan Environmental Impact Report	PD
ITE:	Institute of Transportation Engineers Trip Generation Manual, 8 th Edition	PW
LGP:	Lancaster General Plan	PD
LMC:	Lancaster Municipal Code	PD
LMEA:	Lancaster Master Environmental Assessment	PD
SSHZ:	State Seismic Hazard Zone Maps	PD
USGS:	United States Geological Survey Maps	PD
USDA SCS:	United States Department of Agriculture Soil Conservation Service Maps	PD

- * PD: Planning Department
- PW: Department of Public Works
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