AGENDA ITEM: _	4.
DATE:	09-19-11

STAFF REPORT

CONDITIONAL USE PERMIT NO. 11-02

DATE: September 19, 2011

TO: Lancaster Planning Commission

FROM: Planning Department

APPLICANT: Absolutely Solar, Inc.

LOCATION: 17.74± gross acres on the east side of 90th Street West between

Avenue K-8 and Avenue K-12

REQUEST: Construction of a 3.4 megawatt (MW) photovoltaic solar electric

generating facility in the Rural Residential 2.5 (RR-2.5) Zone

RECOMMENDATION: Adopt Resolution No. 11-14 approving Conditional Use Permit No. 11-02.

<u>BACKGROUND</u>: There have been no prior hearings before the Planning Commission or City Council concerning this property.

GENERAL PLAN DESIGNATION, EXISTING ZONING AND LAND USE: The subject location is designated NU (Non-Urban Residential) by the General Plan and zoned RR-2.5 (Rural Residential, one dwelling per 2.5 acres) and is currently vacant. The General Plan designation, zoning, and land use of the surrounding properties are as follows:

	GENERAL PLAN	<u>ZONING</u>	<u>LAND USE</u>
NORTH	NU	RR-2.5	Vacant
EAST	NU	RR-2.5	SCE's High Voltage Transmission Lines
SOUTH	NU	RR-2.5	Vacant/Single Family Residences/Orchards/Dirt Bike Track
WEST	NU	RR-2.5	Vacant

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<u>PUBLIC IMPROVEMENTS</u>: The site is bounded to the west by 90th Street West, to the north by Avenue K-8, and to the south by Avenue K-12. Avenue K-8 and Avenue K-12 are unimproved dirt roads. 90th Street West is improved with one travel lane in each direction. No roadways are located to the east of the project site.

<u>ENVIRONMENTAL REVIEW</u>: 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# 2011081043) for public review. This 30-day public review period ended on September 12, 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.

<u>LEGAL NOTICE</u>: 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.

<u>ANALYSIS:</u> The applicant, Absolutely Solar, Inc., is requesting a conditional use permit for the construction and operation of a photovoltaic (PV) solar electric energy generating facility in a Rural Residential Zone. The proposed project consists of rows of PV panels on single axis trackers which would generate approximately 3.4 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 electric generating facility in a 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, has installed solar panels on City facilities and has moved to become a provider of solar generated electricity to local school districts and other entities. 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 RR-2.5. The proposed project would operate year-

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round, producing a total of 3.4 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. These photovoltaic panels would convert sunlight directly into electrical energy without the use of heat transfer fluid or cooling water. Two solar equipment structures and transformers would be located in the center of the project site along the main access road. The project would tie into the transmission lines that run along 90th Street West. 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. This landscaped area would be placed along the entire perimeter of the project site except along the eastern boundary adjacent to Southern California Edison's (SCE's) high voltage transmission lines. Access to the project site would be provided via a gate on 90th Street West.

Irrevocable offers of dedication would be provided for Avenue K-8, Avenue K-12, and 87th Street West. Avenue K-8 would be dedicated at 42 feet from the centerline and 87th Street West, and Avenue K-12 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 around the entire perimeter, and 10-feet of landscaping would be provided except on the eastern boundary adjacent to SCE's high voltage transmission lines.

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, geology/soils, and hazards/hazardous materials. The construction of the proposed project has the potential to impact nesting birds and burrowing owls during vegetation removal and grading operations. The applicant is required to conduct a preconstruction nesting bird and burrowing owl surveys prior to the issuance of any permits. In the event that either nesting birds or 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 applicant is 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. Additionally, while water wells were not identified during the Phase I Environmental Site Assessment site survey, the project site was previously utilized for agricultural purposes (i.e., orchards). It is possible that water wells exist on the project site. A mitigation measure has been included, which requires that any wells discovered on the property be properly closed in accordance

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with all existing rules and regulations if they are not going to be utilized for the operation of the proposed project. Therefore, impacts associated with all environmental resources would be less than significant.

Therefore, staff is recommending that the Commission approve the 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.

Res	pectfully	sub/	mitted.
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Jocelyn Swain, Associate Planner - Environmental

cc: **Applicant** Engineer

RESOLUTION NO. 11-14

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LANCASTER, CALIFORNIA, APPROVING CONDITIONAL USE PERMIT NO. 11-02

WHEREAS, a conditional use permit has been requested by Absolutely Solar, Inc., to allow the construction and operation of a 3.4 MW photovoltaic solar electric generating facility on approximately 17.74± gross acres located on the east side of 90th Street West between Avenue K-8 and Avenue K-12 in the Rural Residential 2.5 Zone as shown on the attached site plan; 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 intent 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 September 19, 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 17.74± acres on the east side of 90th Street West between Avenue K-8 and Avenue K-12 and will be in conformance with the General Plan land use designation of Non-Urban Residential.

- 2. The proposed project is 3.4-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 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 90th Street West 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

PC Resolution No. 11-14 Conditional Use Permit No. 11-02 September 19, 2011 Page 3

mitigation measures as 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. 11-02, subject to the conditions attached hereto and incorporated herein.

PASSED, APPROVED and ADOPTED this 19th day of September 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. 11-14 CONDITIONAL USE PERMIT NO. 11-02 CONDITIONS LIST September 19, 2011

GENERAL ADVISORY

- 1. All standard conditions as set forth in Planning Commission Resolution No. 10-23 shall apply, except Condition Nos. 47, 48, and 49.
- 2. 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.
- 3. Per the direction of the Planning Director, no unscreened outdoor storage of any kind would be allowed on the site.
- 4. 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.
- 5. The applicant shall provide restroom facilities for use by maintenance staff.

ADDITIONAL CONDITIONS

- 6. 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
 - Avenue K-12 at 32 feet from centerline
 - 87th Street West at 32 feet from centerline
- 7. Per the direction of the Planning Director, the applicant shall install a 10-foot wide landscaped planter along the perimeter of the project site for screening purposes, except along the eastern boundary adjacent to Southern California Edison's high voltage transmission line.
- 8. 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

9. A pre-construction nesting bird survey shall be conducted within 30 days prior to the start of construction/ground disturbing activities. If nesting birds are encountered, all work in the

Conditions List Attachment to PC Resolution No. 11-14 Conditional Use Permit No. 11-02 September 19, 2011 Page 2

- area shall cease until either the young birds have fledged or the appropriate permits are obtained from the California Department of Fish and Game.
- 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. A Dust Control Plan in accordance with Antelope Valley Air Quality Management District (AVAQMD) Rule 403 shall be submitted prior to the start of grading/construction activities.
- 12. In the event that a well is discovered and will not be utilized by the proposed project, the applicant shall abandon the well in accordance with all existing rules/regulations. Proof of proper abandonment (closure) shall be submitted to the City.
- 13. 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.
- 14. 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.
- 15. Electrically powered equipment shall be used instead of pneumatic or internal combustion powered equipment, where feasible.
- 16. Material stockpiles and mobile equipment staging, parking, and maintenance areas shall be located as far away as practicable from noise-sensitive receptors.
- 17. The use of noise-producing signals, including horns, whistles, alarms, and bells, shall be for safety warning purposes only.
- 18. No project-related public address or music system shall be audible at any adjacent receptor.
- 19. 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.



MITIGATION MONITORING PLAN (Exhibit A) Conditional Use Permit (CUP) 11-02

Mit./	Mitigation Measure/	Monitoring Milestone Method of	Party Responsible	VERIFICATION OF COMPLIANCE		ATION OF COMPLIANCE	
Cond. No.	Conditions of Approval	(Frequency)	Verification	for Monitoring	Initials	Date	Remarks
BIOLOGI	CAL RESOURCES						
1.	A pre-construction nesting bird survey shall be conducted within 30 days prior to the start of construction/ground disturbing activities. If nesting birds are encountered, all work in the area shall cease until either the young birds have fledged or the appropriate permits are obtained from the California Department of Fish and Game.	removal, grubbing, grading, stockpile, or construction, the City	Prior to final approval of grading plan, issuance of a stockpile permit, or any ground disturbing activities.	Planning Department responsible for reviewing report.			
2.	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.	removal, grubbing,	Prior to final approval of grading plan, issuance of a stockpile permit, or any ground disturbing activities.	Planning Department responsible for reviewing report.			
GEOLOG	Y AND SOILS						
3.	A Dust Control Plan in accordance with Antelope Valley Air Quality Management District (AVAQMD) Rule 403 shall be submitted prior to the start of grading/construction activities.	Prior to vegetation removal, grubbing, grading, stockpile, or construction, the City must receive a copy of the Dust Control Plan.	Prior to final approval of grading plan, issuance of a stockpile permit, or any ground disturbing activities.	Planning Department/ Engineering responsible for reviewing report.			
HAZARD	S AND HAZARDOUS MATERIALS						
4.	In the event that a well is discovered and will not be utilized by the proposed project, the applicant shall abandon the well in accordance with all existing rules and regulations. Proof of proper abandonment (closure) shall be submitted to the City.	The City must receive a report from a closure letter from the appropriate agency for each well that is abandoned.	Prior to completion of construction activities	Planning Department responsible for reviewing closure letter(s).			



MITIGATION MONITORING PLAN (Exhibit A) Conditional Use Permit (CUP) 11-02

Mit. /	Mitigation Measure/	Monitoring Milestone Method o	Method of	f Party Responsible		VERIFICATION OF COMP	
Cond. No.	Conditions of Approval	(Frequency)	Verification	for Monitoring	Initials	Date	Remarks
NOISE							
5.	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			
6.	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			
7.	Electrically powered equipment shall be used instead of pneumatic or internal combustion powered equipment, where feasible.	During construction	Field inspection	Building and Safety			
8.	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			
9.	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			
10.	No project-related public address or music system shall be audible at any adjacent receptor.	During construction	Field inspection	Building and Safety			
11.	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-	During construction	Field inspection	Building and Safety			



MITIGATION MONITORING PLAN (Exhibit A) Conditional Use Permit (CUP) 11-02

Mit. / Cond.	Mitigation Measure/	Monitoring Milestone	Method of	Party Responsible for Monitoring	VERIFICATION OF COMPLIANCE			
No.	Conditions of Approval	(Frequency)	Verification		Initials	Date	Remarks	
	welders, air compressors, etc.) shall be equipped with shrouds and noise control features that are readily available for the type of equipment.							

1. Project title and File Number: Conditional Use Permit 11-02

Absolutely Solar

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: Absolutely Solar, Inc.

Peter Weich

2146 Lemoyne Street

Los Angeles, California 90026

5. Location: 17.74± acres located east of 90th Street West between Avenue K-8 and Avenue K-12

6. General Plan designation: Non-Urban Residential (NU)

7. Zoning: RR-2.5 (rural residential, one dwelling unit per 2.5 acre lot)

- 8. Description of project: The proposed project consists of the construction and operation of a 3.4 megawatt (MW) photovoltaic (PV) solar electric generating facility. The proposed project consists of rows of photovoltaic panels on single axis trackers. These photovoltaic panels convert sunlight directly into electrical energy without the use of heat transfer fluid or cooling water. Two covered patio-type structures are located in the center portion of the project site and contain the solar equipment and transformers. These structures would not be occupied. A 20-foot wide perimeter road would be provided around the entire site. 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 area. However, no landscaping would be provided on the eastern perimeter of the project site adjacent to Southern California Edison's high voltage transmission line. Access to the project site would be provided via a gate on 90th Street West.
- 9. Surrounding land uses and setting: The area surrounding the project site is predominantly vacant land with some residential and agricultural uses. The project contains the remnants of two orchards. The property to the north and west is vacant. The property to the east of the site is developed Southern California Edison's high voltage transmission line. The property to the south of the project site contains several single family residences, active and inactive orchards and an area that appears to have been graded for off-road vehicles/dirt bikes. Several single family homes/ranches appear to be scattered in the vicinity of the project site. The aqueduct is located approximately 1 mile to the south of the site.

The property to the north, south, east, and west of the project site is designated Non-Urban Residential (NU) and zoned RR-2.5 (Rural Residential, minimum lot size 2.5 acres). The property to the southwest is designated and zoned as Specific Plan.

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.

	Aesthetics		Agriculture and Forest Resources		Air Quality		
	Biological Resources		Cultural Resources		Geology/Soils		
	Greenhouse Gas Emissions		Hazards & Hazardous Materials		Hydrology/Water Quality		
	Land Use/Planning		Mineral Resources		Noise		
	Population/Housing	<u></u>	Public Services		Recreation		
	Transportation/Traffic		Utilities/Service Systems		Mandatory Findings of Significance		
DETERM	IINATION - On the basis	of this in	itial evaluation:				
	I find that the proposed and a NEGATIVE DEC			ignificant ef	fect on the environment,		
X		ificant ef to by t	fect in this case becaus he project proponent	se revisions	fect on the environment, in the project have been ΓΙGATED NEGATIVE		
	I find that the proposed ENVIRONMENTAL IN		_	nt effect on	the environment, and an		
	significant unless mitigadequately analyzed in a been addressed by mitig	ated" imp an earlier gation mea IENTAL	act on the environment document pursuant to a sures based on the earl IMPACT REPORT is 1	t, but at leas applicable le lier analysis	t impact" or "potentially st one effect 1) has been gal standards, and 2) has as described on attached tit must analyze only the		
I find that although the proposed project could have a significant effect on the environment of the proposed all potentially significant effects (a) have been analyzed adequately in a early or NEGATIVE DECLARATION pursuant to applicant standards, and (b) have been an or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, in revisions or mitigation measures that are imposed upon the proposed project, nothing is required.							
Jacob S.	OU Decen	Environn	nantal D	augus	St 10, 2011		

Rev. 2 3/18/10

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.
- 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?				Х
c) Substantially degrade the existing visual character or quality of the site and its surroundings?			Х	
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?			Х	
II. AGRICULTURE AND FOREST RESOURCES: 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.	AIR QUALITY 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?				Х
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?			-	Х
V.	CULTURAL RESOURCES 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?			1	Х
d)	Disturb any human remains, including those interred outside of formal cemeteries?				Х

		Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
VI	. GEOLOGY AND SOILS 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?			Х	
	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 onor 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?			Х	
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?				Х

	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
VII. <u>GREENHOUSE GAS EMISSIONS</u> Would the project:				
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	·		Х	
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	
IX.	HYDROLOGY AND WATER QUALITY — 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?			Х	
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?				Х
i)	Inundation by seiche, tsunami, or mudflow?				X
X.	LAND USE AND PLANNING 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. MINERAL RESOURCES – 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 NOISE 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
XII	I. <u>POPULATION AND HOUSING</u> 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	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	

			Less	.	
		Potentially Significant Impact	Than Significant With Mitigation	Less Than Significant Impact	No Impact
	Other public facilities?				X
XV.	RECREATION		:		
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.	TRANSPORTATION/TRAFFIC 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)?				Х
XV	II. <u>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?			Х	
d)	Have sufficient water supplies available to serve the project from existing resources, or are new or expanded entitlements needed?			Х	
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

f)	Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
g)	Comply with federal, state, and local statutes and regulations related to solid waste?			X	
XVI	I. 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. Views of three scenic areas are available from the roadways and areas surrounding the project site as identified by the General Plan (LMEA Figure 12-1). These scenic vistas include views of the Foothill Area (Scenic Area 1), Little Buttes (Scenic Area 2), and Quartz Hill (Scenic Area 3). The Antelope Valley California Poppy Reserve is also distantly visible to the northwest of the project site. Views of the valley are available from the roadway immediately adjacent to the project site.

Additionally, 90th Street West has been designated by the City's General Plan as a Scenic Route from Avenue K (approximately .5 miles north of the project site) to north of the Los Angeles/Kern County Line. 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 surrounding areas. The change in the project site would be visible; however, the project site would be fenced and screened with trees along the perimeter of the project site, with the exception of the eastern perimeter along the high voltage transmission line. The eastern perimeter would be fenced but no landscaping would be provided. The height of the PV panels would be approximately 8 feet which is substantially lower than the height of single family homes which could be built on the project site. The height of the development would not impede views of the valley or scenic resources when traveling on 90th Street West. Therefore, impacts would be less than significant.

- b. The proposed project would not remove any scenic resources such as buildings (historic or otherwise) or rock outcroppings. Some trees would be removed from the project site. Trees along the perimeter of the project site may be retained and incorporated into the 10-foot perimeter landscaping. Additionally, the project site is not located in the vicinity of any State Scenic Highways. Therefore, impacts would be less than significant.
- c. The proposed project would change the visual character of the project site in that it would replace old agricultural fields (orchards) with a photovoltaic solar electric generating facility. While this would change the character of the existing site, the proposed project would be compatible with other energy-related uses in the area including Southern California Edison's high voltage transmission line immediately east of the project site. The proposed project would also include fencing and perimeter landscaping to screen the project site from view. Therefore, impacts would be less than significant.
- d. The proposed project would create new sources of lighting. The area currently has minimal amounts of ambient lighting primarily from the surrounding single family residences and the lighting on the transmission towers. The proposed project would generate light predominantly from security and perimeter lighting. This lighting would be shielded and focused downward onto the project site. No sources of glare are anticipated on the project site as photovoltaic panels are designed to absorb sunlight, not reflect it. Structures on the project site would be constructed from non-reflective materials to the extent possible. Therefore, light and glare impacts would be less than significant.
- II. a. The California Department of Conservation, Division of Land Resource Protection, Farmland Mapping and Monitoring Program (FMMP), tracks and categorizes land with respect to agricultural resources. Land is designated as one of the following and each has a specific definition: Prime Farmland, Farmland of Statewide Importance, Unique Farmland, Farmland of Local Importance, Grazing Land, Urban and Built-Up Land, and Other Land.

The Los Angeles County Farmland Map was last published in 2008 and was updated in 2010, but has not currently been released. On the 2008 map, the project site was designated as Grazing Land. Grazing Land is defined as "land on which the existing vegetation is suited to the grazing of livestock." (CDC 2004) As the project site is not designated as farmland of importance by the State nor is it currently utilized for agricultural purposes, no impacts to agricultural resources would occur.

b. The project site is zoned as RR-2.5 (rural residential, minimum lot size 2.5 acres) which allows for agricultural uses. However, the site is not currently utilized for agricultural purposes and does

not have a Williamson Act contract. The proposed project is for a photovoltaic solar generating facility and would not interfere with agricultural uses in the area. Therefore, no impacts would occur.

- c-d. According to the City'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 proposed project is consistent with the General Plan and Zoning Code. Therefore, the project itself would not conflict with or obstruct 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 no 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 would be 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 located to the south of the project site. 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 the 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 90th Street West. 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. Operation of the proposed project would not generate any odors as it is a solar field and no 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, APN 3378-026-001, Conditional Use Permit for Solar Farm, Lancaster, California" and dated March 17, 2011. Surveys of the project site were conducted on March 9 and 10. The project site has been previously disturbed for agricultural activities in the past and currently supports a disturbed/fallow grass community with trees (probably almond) along the southern and western boundaries. Plant species observed on the project site included the following: yellow-green matchweed (Gutierrezia sarothrae), Russian thistle (Salsola tragus), burrowbush (Franseria dumosa), almond trees² (Prunus sp.), erodium (Erodium texanum), schismus (Schismus barbatus), brome grass (Bromus sp.), and California poppy (Eschscholzia californica). No sensitive plants were identified on the project site.

The project site was also surveyed for wildlife species of special concern including burrowing owl, desert tortoise, and Mohave ground squirrel. Suitable habitat for desert tortoise and Mohave ground squirrel is not present on the project site for these species. Additionally, sign of these species was not observed. Therefore, no impacts with respect to these species would occur.

No burrowing owls or sign thereof were observed on the project site during the surveys. However, suitable habitat exists on-site for burrowing owls making it possible that burrowing owls could move onto the site prior to the start of any project activities. Additionally, trees are located on project site which could provide habitat for nesting birds. Therefore, the following mitigation measures are required in order to ensure that potential impacts to biological resources remain less than significant.

- 1. A pre-construction nesting bird survey shall be conducted within 30 days prior to the start of construction/ground disturbing activities. If nesting birds are encountered, all work in the area shall cease until either the young birds have fledged or the appropriate permits are obtained from the California Department of Fish and Game.
- 2. 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.

¹ The wrong APN was utilized on the cover of the report. However, the report covers the project site which is APNs 3248-018-013, -014, -015, -026, -027, and -028.

² The biological report refers to the trees as almond trees. The cultural report refers to them as olive trees.

- 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 Compass Rose Archaeological, Inc., and documented in a report entitled "Phase I Cultural Resources Investigation: Lancaster Solar Farm (Assessor's Parcel #3248-018-013, -014, -015, -025, -026, -027, and -028), 90th Street West, Lancaster, California" and dated May 2011. A pedestrian survey of the project site was conducted on February 23, 2011 with transects not exceeding 10 meters.

A series of structural elements related to farming or ranching were found across the southern half of the project site. These included six small concrete pads, the remains of at least five wood sill structures that included portions of collapsed wood framed walls or fallen roofs, a wooden tank support, and piles of concrete rubble. One of the concrete pads supported a small, upright metal pump tank and a nearby pad supported an electrical conduit. Approximately 20 upright wooden posts made from recycled railroad ties and utility poles, with wire fencing material attached dotted the property.

No prehistoric cultural remains or potential historic properties were encountered during the field survey. The structural remains found during the field survey appear to correspond with several shown on the 1995 USGS 7.5' Del Sur Quadrangle and the location of the pump tank matches the depiction of the well indicated on the same quadrangle. The observed structural remains appear to be related to the growing, harvesting, and initial processing of olives. No remains meet any of the criteria for listing. Therefore, no impacts to prehistoric or historic resources would occur.

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 project 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). 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 a less than significant level. The project site is generally level and is not subject to landslides (SSHZ).

Liquefaction is a phenomenon in which the strength and stiffness of a soil is reduced by earthquake shaking or other events. This phenomenon occurs in saturated soils that undergo intense seismic shaking typically associated with an earthquake. There are three specific conditions that need to be in place for liquefaction to occur: loose granular soils, shallow groundwater (usually less than 50 feet below the ground surface) and intense seismic shaking. In February 2005, the California Geologic Survey updated

the Seismic Hazards Zone Maps for Lancaster (SSHZ). Based on these maps, the project site is not located in an area at risk for liquefaction. No impacts would occur.

- b. The project site is rated as having a moderate risk 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 proposed project would be required, under the provisions of the Lancaster Municipal Code (LMC) Chapter 8.16, to adequately wet or seal the soil to prevent wind erosion. Additionally, the following mitigation measure shall be required to control dust/wind erosion.
 - 3. A Dust Control Plan in accordance with Antelope Valley Air Quality Management District (AVAQMD) Rule 403 shall be submitted prior to the start of grading/construction activities.

Water erosion controls must be provided as part of the proposed project grading plan to be reviewed and approved by the City's Engineering Division. These provisions, which are a part of the project, would reduce any impacts to less than significant levels.

- c. Subsidence is the sinking of the soil caused by the extraction of water, petroleum, etc. Subsidence can result in geologic hazards known as fissures. Fissures are typically associated with faults or groundwater withdrawal, which results in the cracking of the ground surface. According to Figure 2-3 of the City of Lancaster's Master Environmental Assessment, the closest sinkholes and fissures to the project site are located at Avenue I/55th Street West and Avenue G/50th Street West. These are approximately 2-3 miles northeast of the project site. The project site is not known to be within an area subject to fissuring, sinkholes, or subsidence (LMEA Figure 2-3) or any other form of geologic unit or soil instability. For a discussion of potential impacts regarding liquefaction, please refer to Item VI.a. 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 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 proposed project. The proposed project is a photovoltaic solar generating facility and there are no structures on the site that would be occupied. A covered "patio" area is proposed to shield some of the equipment. Most activities with respect to operation of the proposed project would be conducted remotely. A portable restroom facility would be provided on-site for workers during maintenance activities. Therefore, no impacts would occur.
- VII. a-b. The proposed project involves the construction and operation of a 3.4 MW photovoltaic solar energy generating facility which would tie into existing transmission lines. 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 production of electricity in Southern California. Therefore, impacts would be less than significant.

VIII. a-b. The proposed project consists of the construction and operation of a 17.74-acre photovoltaic solar electric generating facility. The proposed project would use minimal amounts of hazardous materials (typical construction materials) during construction. During operation, the only hazardous materials that would be utilized is the insulating mineral oil in the transformers. Use of all materials would be in accordance with all applicable rules and regulations. The proposed project is not located along a hazardous materials/waste transportation corridor (LMEA Figure 9.1-4). The project site is predominantly vacant except for the remains of agricultural uses (see Item Va-d). These remains would be removed from the site during construction but would not expose individuals 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 sites are Quartz Hill High school approximately 3 miles east of the project site and Del Sur Elementary School located approximately 3 miles north of the project site. Therefore, no impacts would occur.
- d. A Phase I Environmental Site Assessment was prepared for the proposed project by Fran Akhavain. The findings of the study are documented in a report entitled "Phase I Environmental Property Assessment, 90th Street West Between K-8 and K-12, Lancaster, CA 93536, APN 3378-026-001" and dated March 18, 2011. As part of the environmental site assessment, a site visit was conducted on March 15, 2011. No hazardous materials/waste, stained soils, surface discolorations or unusual/suspicious conditions were observed. Trash and debris are scattered around the property that would be removed prior to construction of the proposed project. Additionally, the may be wells located on the property. In the event that wells are located on the property and they are not going to be utilized by the proposed project, the following mitigation measure is required. With incorporation of the identified mitigation measure, potential impacts would remain less than significant.
 - 4. In the event that a well is discovered and will not be utilized by the proposed project, the applicant shall abandon the well in accordance with all existing rules and regulations. Proof of proper abandonment (closure) shall be submitted to the City.

In addition to the site visit, a regulatory records review was conducted for the project site. The database search was conducted using publicly available regulatory records and detailed in the Environmental Record Search report dated March 14, 2011. The project site and property within standard distances of the project site were reviewed to identify adjacent and surrounding sites that might potentially impact the soil and/or groundwater conditions beneath the property. The project sites and the surrounding properties were not identified on any regulatory listings. Therefore, no impacts would occur.

e-f. The project site is not located within an airport land use plan or within two miles of a public airport, public use airport, or private airstrip. The closest airport is General William Fox Airfield, which is located approximately 4.5 miles north of the project site. Therefore, the proposed project would not result in a safety hazard for people working in the project area and no impacts would occur.

³ The wrong APN was utilized on the cover of the report. However, the report covers the project site which is APNs 3248-018-013, -014, -015, -026, -027, and -028.

- g. The only paved road in the vicinity of the project site is 90th Street West, which has been designated as an evacuation route in this area. However, traffic 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, though surrounding uses include SCE's high voltage transmission lines and some single family residences (see Surrounding Land Use Description). 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 84, located at 5030 West Avenue L-14, which would serve the project site in the event of a fire. 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 project would be required to comply with all applicable provisions of the National 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 education 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 or waste discharge requirements. Therefore, impacts would be less than significant.

- b. The proposed project would utilize on-site wells (if they still exist) 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. The remainder of the site would be paved. Additionally, the proposed project would

be designed to accept current flows entering the property and to handle any additional incremental runoff from the project site. Therefore, impacts from drainage and runoff would be less than significant.

- f-g. The project site is designated as Zone X per the Flood Insurance Rate Map (FIRM) Panel No. 060672 (2008). This designation is outside both the 100- and 500-year flood zones. Therefore, no flooding impacts would occur as a result of placing housing or structures 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 or 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 of a photovoltaic solar electric generating facility in an area that is designated as Non-Urban Residential (NU) with RR-2.5 (rural residential, minimum lot size 2.5 acres) zoning. The area surrounding the project site is predominantly vacant. Access to the project site would be from 90th Street West and 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 a community. Therefore, no impacts would occur.
- b. The proposed project is consistent with the City's General Plan and must be in conformance with the Lancaster Municipal Code. The proposed project will be in compliance with the City-adopted UBC (Item VI.a) and erosion control requirements (Item VI.b). Therefore, no impacts would occur.
- 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 53.7 dBA on Avenue K between 70th Street West and 60th Street West (the closest location with current noise data) (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.
 - 5. 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.

- 6. 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.
- 7. Electrically powered equipment shall be used instead of pneumatic or internal combustion powered equipment, where feasible.
- 8. Material stockpiles and mobile equipment staging, parking and maintenance areas shall be located as far away as practicable from noise-sensitive receptors.
- 9. The use of noise-producing signals, including horns, whistles, alarms, and bells shall be for safety warning purposes only.
- 10. No project-related public address or music system shall be audible at any adjacent receptor.
- 11. 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 specifications. 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.
- c. Operation of the proposed project would generate very minimal noise levels. The facility would generate electricity with panels mounted on very slow moving, silently-rotating single-axis trackers. Most of the facility operations would be conducted remotely. Periodic maintenance would consist primarily of cleaning the photovoltaic panels and replacements of parts, as necessary. Because of the passive nature of the on-site operations, the likelihood of noise disturbance at the neighboring residences is small. Therefore, noise impacts from operations would be less than significant.
- e-f. The project site is not in proximity to an airport or a frequent overflight area and would not experience noise from these sources (also see Item VIII.e-f). Therefore, no impacts would occur.
- 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 employee a handful of individuals, most of who 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 increase in population or result in an increase in the number of students in either the Antelope Valley Union High School District or the Westside 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 activities would generate. The proposed project would be operated remotely most of the time. Occasional facility maintenance would be required and it is anticipated that only a couple of trips a week would be required. This number of trips would not impact the surrounding street system. Therefore, impacts would be 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 solar electric generating facility 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. No roadway improvements are required as part of the proposed project and no hazardous conditions would be created by these improvements. Therefore, no impacts would occur.
- e. The proposed project would have adequate emergency access from 90th Street West. 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 (if available) 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-c. Other solar projects are undergoing review, have been approved or are under construction within the Antelope Valley. These projects, if constructed, would result in a large number of acres being converted to solar electric generating facilities which could generate cumulative impacts. Most of the impacts generated by these projects are site specific and generally do not influence the environmental impacts on another site (e.g., cultural resources, geology/soils, etc.). No other projects, solar or otherwise, are located within a mile of the project site.

Construction of the solar projects throughout the Antelope would lead to a cumulative loss of habitat for a variety of plants and animals. The project site contains suitable habitat for burrowing owls/nesting birds which would be lost as a result of implementing the proposed project. Mitigation measures have been identified to reduce these impacts to a less than significant level. As such, the proposed project's contribution to cumulative impacts with respect to biological resources would not be cumulatively considerable. Additionally, the City requires the payment of a biological impact fee to address the cumulative loss of biological resources within the Antelope Valley. This fee is put in to a separate account which is utilized to acquire conservation habitat.

Mitigation measures are required to reduce noise impacts to the nearby sensitive receptors. However, the proposed project is the only project in the area that would be impacting these receptors, so no cumulative impact would occur. All other mitigation measures that were identified are a statement of regulatory requirements (e.g., submittal of dust control plan, etc.). Therefore, impacts are less than significant and would not be cumulatively considerable.

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, March 17, 2011	PD
CRS:	Phase I Cultural Resources Investigation: Lancaster Solar Farm	
	(Assessor's Parcel #3248-018-013, -014, -015, -025, -026, -027	
	and -028), 90 th Street West, Lancaster, California, Compass	
	Rose Archaeological Inc., May 2011	PD
ESA:	Phase I Environmental Property Assessment, 90th Street West	
	Between K-8 and K-12, Lancaster, CA 93536, APN	
	3378-026-001, Fran Akhavain, March 18, 2011	PD
FIRM:	Flood Insurance Rate Map	PW
GPEIR:	Lancaster General Plan Environmental Impact Report	PD
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:

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