Los Angeles County
Department of Regional Planning

Planning for the Challenges Ahead

Richard J. Bruckner
Director

DATE: September 2, 2010

TO: Wayne Rew, Chair
Pat Modugno, Vice Chair
Esther L. Valadez, Commissioner
Leslie G. Bellamy, Commissioner
Harold Helsley, Commissioner

FROM: pkt for Sam Dea
Samuel Z. Dea, Supervising Regional Planner
Special Projects Section

SUBJECT: PROJECT NO. R2009-02239-(5)
AV SOLAR RANCH ONE, LLC
VESTING TENTATTIVE TRACT MAP NO. 071035
CONDITIONAL USE PERMIT NO. 200900026
ENVIRONMENTAL ASSESSMENT NO. 200900027
AGENDA ITEM NO. 7

Attached are supplemental materials received pertaining to the above referenced item. Included are additional comment letters from the public received since the June 30, 2010 public hearing date and responses to Planning Commission's directives received at the June 30 public hearing.

Below is a brief summary of the June 30 public hearing and direction the Commission provided to staff and the applicant for continuation of the hearing on September 15, 2010.

JUNE 30, 2010 PUBLIC HEARING

At the June 30, 2010 public hearing, the applicant and two persons testified in favor of the project and two persons testified with concerns regarding the request. Approximately 25 members of the public were present at the public hearing (plus representatives of the applicant). The Regional Planning Commission directed staff and the applicant to further address the following issues:

- Clarify and provide the possibility of capturing rainwater and washwater runoff
- Provide decommissioning financial assurances
- Provide a cost/benefit comparison of undergrounding versus above ground transmission line installations
- Require fencing to be of a suitable color to blend with the surrounding terrain
- Clarify and provide numbers of tracking solar panels and fixed tilt solar panels proposed
- Verify and provide the current market rate per kilowatt hour for purchase of electrical power
- Provide potential high-value mitigation sites for the required 450 acres of off-site mitigation land
- Clarify night lighting requirements and proposal
- Verify and provide the Federal funding critical timeline requirements
- Clarify the status of the comment letter submitted by the Antelope Acres Town Council

There being no further testimony or discussion, the Regional Planning Commission voted 4-0 to continue the public hearing to September 15, 2010, to provide time for staff and the applicant to provide the additional items requested and to prepare the Final EIR and Findings and Conditions for final action on the requested Conditional Use Permit ("CUP") and Vesting Tentative Tract Map ("VTTM"). Commissioners Bellamy, Rew, Helsley, and Modugno were present. Commissioner Valadez was absent.

STAFF RESPONSES TO THE COMMISSION'S DIRECTIVES

Clarify and Provide the Possibility Of Capturing Rainwater and Washwater Runoff

The applicant indicated that the spacing of solar panel arrays is proposed to be designed in such a way as to maximize rainwater and washwater infiltration into the ground. Water storage tanks are required to be inspected every five years and would only be flushed on an as-needed basis. In the event they are required to be flushed, the flushed water would be put to beneficial use such as for washwater or on-site infiltration into the ground.

Provide Decommissioning Financial Assurances

The conditions of approval require financial assurances for decommissioning of the project as part of a comprehensive Decommissioning Plan required prior to issuance of any building permits (See CUP Condition Nos. 20, 21, and 22).

Provide a Cost/Benefit Comparison Of Undergrounding Versus Above Ground Transmission Line Installations

Attached is a cost comparison of underground and above ground transmission lines provided by the applicant. The analysis includes a comparison of both low voltage (34 kV) and high voltage (230 kV) underground and above ground transmission line installations. The applicant's analysis is followed by copies of e-mail correspondence with the Department of Public Works ("DPW") regarding DPW staff review and validation of the applicant's cost comparisons. The applicant's analysis refers to the full length of the high voltage transmission line proposed, including a two-mile portion located in Kern County. The Kern County portion of the high voltage transmission line is proposed to be above ground, consequently, the cost of undergrounding would be based only on the portion of the high voltage line, 2.25 miles in length, located in the Los Angeles County. All low voltage transmission lines, 3.0 miles in length, would be located within Los Angeles County.

Require Fencing to be of a Suitable Color to Blend with the Surrounding Terrain

The conditions of approval require that all project fencing shall be of a neutral color blending with the surrounding terrain. Additionally, project fencing along both the north and south sides of SR 138 (Avenue D) is proposed to be screened by native drought-tolerant plantings (See CUP Condition No. 23.l).

Clarify and Provide the Numbers of Tracking Solar Panels and Fixed Tilt Solar Panels Proposed

The applicant has determined that a combination of tilt tracker, horizontal tracker, and/or fixed tilt solar panel arrays will be used and that the precise mix of panel arrays will be determined as the project is constructed and the specific need for each type of panel array is determined. The Environmental Impact Report for this project analyzed the potential for any combination of tilt tracker, horizontal tracker, or fixed tilt solar panel arrays. Mitigation requires that the first 1,000 feet on either side of SR 138 (Avenue D) use panels with a maximum height of 10 feet to limit visual intrusion for motorists using SR 138 (Avenue D).

Verify and Provide the Current Market Rate Per Kilowatt Hour for Purchase of Electrical Power
Attached is a table provided by the applicant showing the California Public Utility Commission's 2008 market price referents. AV Solar Ranch 1 has a purchase and power agreement with Pacific Gas and Electric Company for a 25-year term expected to begin in 2013. The subject power price is fixed for the 25-year term.

Provide Potential High-Value Mitigation Sites for the Required 450 Acres of Offsite Mitigation Land
The applicant indicated that properties located south of the project site are being considered as potential mitigation land sites.

Clarify Night Lighting Requirements and Proposed Night Lighting
The conditions of approval require that any night lighting required by utility regulations would be shielded and aimed downward and not result in lighting spillover. On-site equipment structures and the electrical substation shall use either motion sensor or manual switch lighting, and the main access gate, operations building doorways, and parking areas shall use either light sensor or motion sensor lighting for security purposes (See Draft CUP Condition No. 23.m).

Verify and Provide the Federal Funding Critical Timeline Requirements
The applicant has indicated that the project may be eligible for three funding sources: 1) Federal Treasury Tax Grant requires that projects such as physical improvements like permanent access roads, foundations, and structures must start construction by December 31, 2010; 2) A Federal loan guarantee for projects utilizing innovative technology requires that projects must start construction by September, 2011; and 3) A Federal loan guarantee for projects not required to use innovative technology requires that projects must start construction by September, 2011.

Clarify the Status of the Comment Letter Submitted by the Antelope Acres Town Council
Staff discussed with the President of Antelope Acres Town Council the letter dated March 23, 2009, submitted by the Town Council President to County planning staff and included in the public record for the public hearing held on June 30, 2010. The President informed staff that the unanimous vote in support of the project as indicated in the letter was an accurate representation of the Council at that time. Staff requested that either oral or written testimony be provided at the continued hearing to clarify the Town Council's response at the present time.

STAFF RECOMMENDATION
The following recommendation is made prior to close of the public hearing and is subject to change based upon testimony and/or documentary evidence presented at the public hearing. If the Commission finds the request satisfies the conditional use permit burden of proof requirements and the requirements for a vesting tentative tract map, then staff recommends **APPROVAL** of Conditional Use Permit No. 200900026 and Vesting Tentative Tract Map No. 071035 subject to the attached mitigation monitoring program and conditions of approval.

SUGGESTED APPROVAL MOTION:

"I MOVE THAT THE PUBLIC HEARING BE CLOSED AND THAT THE REGIONAL PLANNING COMMISSION ADOPT THE ENVIRONMENTAL IMPACT REPORT, MMRP, and CEQA FINDINGS ASSOCIATED WITH CONDITIONAL USE PERMIT NO. 200900026 AND VESTING TENTATIVE TRACT MAP NO. 071035."

"I MOVE THAT THE REGIONAL PLANNING COMMISSION APPROVE CONDITIONAL USE PERMIT NO. 200900026 AND VESTING TENTATIVE TRACT MAP NO. 071035 WITH THE ATTACHED FINDINGS, CONDITIONS AND MITIGATION AND MONITORING PROGRAM."

Prepared by Kim K. Szalay, MPL, AICP, Principal Regional Planning Assistant
Reviewed by Samuel Z. Dea, Supervising Regional Planner

ATTACHMENTS
Final Environmental Impact Report Disk
Conditional Use Permit Findings
Vesting Tentative Tract Map Findings
Conditional Use Permit Conditions
Vesting Tentative Tract Map Conditions
CEQA Findings and MMRP
Applicant's Transmission Line Cost Comparison Analysis
Department of Public Works Transmission Line Cost Comparison E-mail Comments
Table of Market Price Referents for Cost per Kilowatt Hour
Additional Comment Letters Received Following First Public Hearing Date

SZD:KKS
9/02/10

CUP AND VTTM FINDINGS

FINDINGS AND ORDER OF THE REGIONAL PLANNING COMMISSION COUNTY OF LOS ANGELES

PROJECT NO. R2009-02239-(5)
CONDITIONAL USE PERMIT NO. 200900026
ENVIRONMENTAL ASSESSMENT NO. 200900027
HEARING DATES: JUNE 30, 2010 AND SEPTEMBER 15, 2010

SYNOPSIS

The applicant, AV Solar Ranch 1, LLC, requests Vesting Tentative Tract ("VTTM") No. 071035 to authorize a reversion to acreage from 147 lots to 1 lot on 790 acres in the A-2-5 (Heavy Agricultural-Five Acres Minimum Required Area) zone and Conditional Use Permit ("CUP") No. 200900026 to authorize construction, operation, and maintenance of a 230 megawatt 80,000-panel photovoltaic solar electric power generation facility on 2,093 gross acres (including the 790-acre VTTM site) and on-site grading in excess of 100,000 cubic yards in the A-2-5 (Heavy Agricultural – Five Acres Minimum Required Area) zone; and installation of 0.75 miles of onsite and 2.25 miles of offsite high voltage 230 kilovolt electricity transmission lines in the A-2-5 and A-1-2 (Light Agricultural-Two Acres Minimum Required Area) zones. The subject property to which the CUP applies includes 33 contiguous parcels including one reversion to acreage parcel proposed to be created by the VTTM.

PROCEEDINGS BEFORE THE REGIONAL PLANNING COMMISSION

June 30, 2010 Public Hearing

A duly noticed public hearing was held on June 30, 2010, before the Regional Planning Commission ("Commission"). Commissioners Bellamy, Rew, Helsley, and Modugno were present. Commissioner Valadez was absent. The applicant and two persons testified in favor of the project and two persons testified with concerns regarding the request. Approximately 25 members of the public were present at the public hearing plus the applicant's team of six persons. The Commission directed staff and the applicant to further address the following issues:

- Clarify and provide the possibility of capturing rainwater and washwater runoff
- Provide decommissioning financial assurances
- Provide a cost/benefit comparison of undergrounding versus above ground transmission line installations
- Require fencing to be of a suitable color to blend with the surrounding terrain
- Clarify and provide numbers of tracking solar panels and fixed tilt solar panels proposed
- Verify and provide the current market rate per kilowatt hour for purchase of electrical power
- Provide potential high-value mitigation sites for the required 450 acres of off-site mitigation land
- Clarify night lighting requirements and proposal
- Verify and provide the Federal funding critical timeline requirements

- Clarify the status of the comment letter submitted by the Antelope Acres Town Council

There being no further testimony or discussion, the Commission continued the public hearing to September 15, 2010, to provide time for staff and the applicant to provide the additional items requested and to prepare the Final Environmental Impact Report and Findings and Conditions for action on the requested CUP and VTTM.

September 15, 2010 Public Hearing
[Reserved for proceedings to be included following close of the public hearing.]

FINDINGS

1. The applicant is requesting a conditional use permit for construction, operation, and maintenance of a 230 megawatt 80,000-panel photovoltaic solar electric power generation facility on 2,093 gross acres (including the 790-acre property included in the VTTM) and on-site grading in excess of 100,000 cubic yards in the A-2-5 (Heavy Agricultural – Five Acres Minimum Required Area) zone; and installation of 0.75 miles of onsite and 2.25 miles of offsite high voltage 230 kilovolt electricity transmission lines in the A-2-5 and A-1-2 (Light Agricultural-Two Acres Minimum Required Area) zones.

2. All portions of the project are located within the following boundary extremes: north and south of SR 138 between 155th Street West to the east and 180th Street West to the west, and between West Avenue B-8 to the north and West Avenue E to the south. Not all properties located within these boundary extremes are within the Project area. Primary access is proposed to be located on 170th Street West approximately 0.6 miles north of SR 138 (Avenue D).

3. The subject property consists of 33 contiguous parcels on 2,093 acres, including one proposed 790-acre reversion to acreage parcel. The property is flat and gently sloping downward to the northeast. All parcels are vacant with the exception of an existing abandoned ranch house and appurtenant facilities located on a parcel adjacent to and south of SR 138 (Avenue D). All such facilities are proposed to be demolished.

4. The proposed 230-megawatt solar photovoltaic electric power generation facility includes approximately 80,000 photovoltaic panel arrays including optional use of sun-tracking or fixed, tilt or horizontal array units; associated electrical and distribution equipment including approximately 185 electrical equipment structures with the option to be unenclosed or enclosed; onsite unenclosed electricity substation; operations and maintenance building; a 230-kilovolt transmission line approximately 4.25 miles in length (approximately 2.25 miles within unincorporated Los Angeles County and 2 miles within Kern County) within the 170th Street West

public right of way in unincorporated Los Angeles County, and on private property and/or 170th Street West public right of way in Kern County, connecting to Southern California Edison proposed Whirlwind substation facilities in Kern County; undergrounding of all high-voltage transmission lines located within unincorporated Los Angeles County with the exception of two required above-ground crossings of the public right of way; onsite 34.5 kilovolt transmission line proposed within 170th Street West public right of way and private property; undergrounding all of the low-voltage transmission lines except as required to include one above ground crossing of the public right of way; a maximum of 180,000 cubic yards of balanced grading for flood control management; employee parking area; perimeter fencing; associated access roads; native landscaping screening north and south of SR 138 (Avenue D); new potable water well and use of existing well for non-potable uses; two above ground water tanks (approximately 10,000 and 100,000 gallons); construction of onsite septic and leach-field system; and demolition of all existing structures on-site including two residences, a mobile home, and accessory structures. The proposed project will require approximately 150 acre feet of water per year during construction of the project for a period not to exceed 38 months. On-going operation of the project will require approximately 12 acre feet per year of water supply, of which three acre feet per year are required to be potable.

5. The subject property is located within the N1 (Non Urban 1) land use designation in the Antelope Valley Areawide General Plan ("AVAGP"), a component of the Los Angeles Countywide General Plan.

6. The subject property is zoned A-2-5 (Heavy Agricultural – Five Acre Minimum Required Area).

7. Six Certificates of Compliance have been issued on various lots on the subject property to certify compliance with the Subdivision Map Act. The subject property is comprised of a total of 179 lots. After proposed reversion to acreage of the 147 lots to one lot, the property would be comprised of 33 lots.

8. Surrounding land uses within a 500-foot radius of the property include vacant parcels and Joshua Tree Woodland Habitat Significant Ecological Area ("SEA") No. 60 adjacent to the north and east, and vacant parcels to the south and west. Joshua Tree Woodland Habitat SEA No. 57 is located nearby to the southeast of the project site. The project provides undeveloped land buffers to the SEA's and does not disturb or intrude into the SEA's. Nearby property owners within a 1,000-foot radius of the project boundaries were notified by mail regarding the project.

9. The surrounding areas within a 500-foot radius of the property are zoned A-1-2 and A-2-5 to the north and west, A-1-2, A-2-2 (Heavy Agricultural – Two Acre Minimum Required Area), and A-2-5 to the south and east.

10. The proposed project is consistent with the applicable goals and policies of the County of Los Angeles Countywide General Plan ("General Plan") as follows:

    a. Policy No. 2 of the Conservation and Open Space Element is as follows: "Support the conservation of energy and encourage the development and utilization of new energy sources including geothermal, thermal waste, solar, wind and ocean-related sources" (General Plan, Pg. II-26). The project is consistent with this policy by proposing development of solar energy production facilities.

    b. Policy No. 3 of the Conservation and Open Space Element specifically promotes solar energy: "Promote the use of solar energy to the maximum extent possible" (General Plan, Pg. II-26). The project is a utility-scale solar project proposing 230-megawatts of solar electricity generation and is consistent with this policy.

    c. Policy No. II-15 of the Conservation and Open Space Element Recommended Action Plan provides the following guidance: "Support stronger tax and cost-saving incentives to encourage greater use of alternative energy sources such as solar energy and wind power" (General Plan, Pg. VIII-39). The project proposes to use potential Federal stimulus funding, Federal loan guarantees, and State Public Utilities Commission authorized cost recovery mechanisms in the event the project qualifies for subject funding opportunities.

11. The proposed project is consistent with the applicable goals and policies of the AVAGP and the N1 (Non-Urban 1) land use designation in the AVAGP. The project meets the definition of a "utility installation" referenced in the listing of non-urban non-residential land uses allowed in remote areas designated Non-Urban 1 (AVAGP, Pg. VI-5). The project is consistent with policies of the Plan as follows:

    a. Policy No. 18: "Direct future growth away from areas exhibiting high environmental sensitivity to land use development unless appropriate mitigating measures can be implemented" (AVAGP, pg. V-3). The project uses previously disturbed and previously farmed land and avoids SEA's in the vicinity. Additional project design features and mitigation measures have been incorporated and required to further protect and preserve surrounding habitat in the Antelope Valley. An existing on-site juvenile Joshua Tree recruitment area is avoided by the project.

    b. Policy No. 19: "Minimize disruption and degradation of the environment as land use development occurs, integrating land uses so that they are compatible with natural environmental systems" (AVAGP, pg. V-3). The project retains natural drainage, limits grading to maintain the topography of the existing site, and provides permeable fencing for retaining animal movement throughout the

property. Proposed vegetated swales and limited vegetation retained under and around panels provides partial integration of the site with existing habitat.

c. Policy No. 40: "Encourage efficient utilization of resources in the allocation of land to various uses, and incorporate energy conservation measures into the design and implementation of public and private projects" (AVAGP, pg. V-6). The project uses materials with an estimated lifespan of 25-30 years, makes little impact on public infrastructure, limits land disturbance, and provides public benefits through generation of renewable energy. The proposed operations building will be constructed in compliance with green building requirements of the County Green Building Ordinance.

d. Policy No. 65: "Encourage the locating of new power distribution networks, communication lines, and other service network facilities underground in urban areas. Transmission lines should be located underground where feasible" (AVAGP, pg. V-9). Though not located in an urban area, the project site is subject to long-range planning for the Antelope Valley that envisions minimal visual intrusion by avoiding proliferation of above ground transmission lines and their related support poles. Therefore, to be consistent with this policy, the on-site low voltage and the on-site and off-site high voltage transmission lines will be undergounded, with the exception of three required above-ground crossings in the unincorporated County area within the public right of way including one point of connection at the Kern County border, in order to minimize visual intrusion and to avoid proliferation of above-ground transmission lines.

e. Policy No. 66: "Maintain a long-range program for the underground relocation of overhead power distribution facilities, telephone lines, and other utility services in urban areas" (AVAGP, pg. V-9). Many potential applications for renewable energy projects require long-term planning for solar and wind project transmission line installations in the Antelope Valley. Although not located within an urban area, the project site is subject to long-range planning efforts for future development in the area. Therefore, to be consistent with this policy, the project will include the undergrounding of both the low and high voltage transmission lines both on and off the project site within the unincorporated County area with the exception of one required above ground crossing of the public right of way and one above-ground point of connection at the Kern County border.

f. Policy No. 69: "Protect significant vegetation such as the Joshua Tree" (AVAGP, pg. V-9). The project proposes to avoid development in the nearby Joshua Tree Woodlands SEA No. 60, and the project avoids removal of, or, encroachment upon, mature and younger Joshua Trees located on the site.

g. Policy No. 70: "Encourage planting of street trees in urban portions of the Antelope Valley" (AVAGP, pg. V-9). Naturally-placed native vegetation, including Joshua Trees, is proposed for screening along the north and south sides of SR 138. The project also proposes to provide for additional planting and maintenance of street trees and landscaping in nearby areas of the Antelope Valley that may include urbanizing areas.

h. Policy No. 71: "Encourage and support local efforts to attract new industry to the Antelope Valley. While the aero-space and other government related industries should continue to remain as major employment generators, emphasis should also be given to attracting other types of employers" (AVAGP, pg. V-10). The project is a large-scale renewable energy project that would provide additional employment opportunities and introduce new industry opportunities in the growing renewable energy sector within the Antelope Valley.

i. Policy No. 101: "Develop and use groundwater sources to their safe yield limits" (AVAGP, pg. V-13). During the 38-month construction period proposed, a maximum of 150 acre feet of water per year may be used for project construction activities. The project proposes to limit use of groundwater to a maximum of 12 acre feet per year during project operations. Long-term operation of the project requires occasional cleaning of the solar panel surfaces in order to maximize electricity production. Existing wells with projected adequate yield are proposed to be used for non-potable washwater and other non-potable uses. A new well is proposed to provide for necessary potable water to supply the operations and maintenance facility and construction workers. The project provides adequate water supply.

j. Policy No. 114: "As an interim policy, pending construction of regional drainage facilities, require installation of appropriate systems and facilities to retain the increase in storm runoff due to development on the project site or equivalent mitigating measures" (AVAGP, pg. V-14). The project proposes retaining natural permeable ground surfaces and providing drainage swales in addition to retaining natural flow and volumes through the primary drainages on the site.

k. Policy No. 135: "Encourage development to utilize and enhance natural topographic features, thus establishing harmony between the natural and man-made environment" (AVAGP, pg. V-17). Natural drainages are being maintained by the project to retain natural flows of storm waters, and additional buffering of the main drainage course is proposed to provide for animal movement and ongoing habitat. Permeable fencing is also proposed to enable additional movement for small and moderate sized wildlife. The project proposes to preserve 100 acres onsite as natural open space.

l. Policy No. 140: "Promote air quality that is compatible with health, well-being, and enjoyment of life. The public nuisance, property and vegetative damage, and deterioration of aesthetic qualities that result from air pollution contaminants should be prevented to the greatest degree possible" (AVAGP, pg. V-17). The project proposes to stage limited construction grading and construction over a 38-month period, and to use other standard dust control measures in order to limit the extent of air pollution from fugitive dust during construction of the project. Operation of the project proposes retaining native vegetation and re-vegetating to the greatest extent feasible while in compliance with fire control clearance requirements. By providing a utility scale solar project, the project is facilitating the use of clean, renewable energy, which in turn helps to reduce emissions from other types of energy sources, thereby promoting improved air quality.

m. Policy No. 141: "Prohibit the harvesting of Joshua or Juniper trees for fuel purposes or for transplantation out of their normal habitat area" (AVAGP, pg. V-18). The project avoids the nearby Joshua Tree Woodlands SEA and proposes to avoid development in and removal of young Joshua Trees from an existing Joshua Tree recruitment area located onsite.

n. Policy No. 217: "Promote use of alternative energy sources (including solar and wind) for heating and cooling" (AVAGP, pg. V-26). The project aims to produce 230-megawatts of photovoltaic solar electric power for use in California to assist meeting renewable energy needs and mandates.

12. The project is consistent with the AVAGP Guidelines for Non-Residential Uses in Non-Urban Areas (Pages VI-24, 25) as follows:

a. Location. The project is consistent with location guidelines of the Plan. The proposed project is located on previously disturbed land surrounded by vacant properties and agricultural uses in the general vicinity. Proposed operations are relatively passive similar to existing surrounding uses. Existing primary roadways will be retained for maintaining existing circulation patterns in the area. Existing utilities, other public services, and infrastructure are available to the project. The project provides native landscaping and open space buffering along SR 138 as visual mitigation for public passersby. The relatively flat topography, distance from known active faults, and previously farmed and disturbed property, make the location suitable for the proposed photovoltaic solar electricity generation development.

b. Access. The project primary access is consistent with access guidelines of the Plan. The project proposes primary access approximately one half mile north of SR 138 on 170th Street West. This location prevents the hazards associated with higher speeds on SR 138 if access were to be taken from the highway.

Transport of materials during construction of the project largely avoids existing residential communities.

c. Design. The proposed design of the project is consistent with design guidelines of the Plan. The first 1,000 feet of solar panels installed adjacent to SR 138 are proposed to be of the low-profile horizontal or low-profile fixed tilt variety to maximize views to the Tehachapi Mountains to the north and other vistas to the south from the highway. Additionally, native drought-tolerant shrubs, Joshua Trees, and grasses are proposed to screen the frontages of solar panel development along SR 138 on both the north and south sides of the right-of-way. As natural a placement of plantings as possible and temporary drip systems to establish the plantings are proposed. Perimeter fencing that is colored to minimize visual intrusion will be provided for security and safety purposes. No outdoor advertising and minimal security lighting shielded downward to avoid light spillover is proposed, which will minimize visual impacts to neighboring properties and wildlife.

13. The subject property is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping and other development features prescribed in Title 22 of the County Code as required in order to integrate the project with the uses in the surrounding area given that the project complies with all applicable development standards of the A-2-5 (Heavy Agricultural-Five Acres Minimum Required Area) zone. Section 22.24.150 of the County Code, Uses Subject to Permits, lists the following use as permitted provided a conditional use permit is approved, "Electric distribution substations, electric transmission substations and generating plants, including microwave facilities used in conjunction with any one thereof." The proposed project is a photovoltaic solar electric power generation plant with distribution substation and transmission lines and complies with the following regulations of Title 22 of the County Zoning Ordinance as follows:

a. Section 22.24.170.A Front, Side and Rear Yard Requirements. A minimum set back of 20 feet for front yard, five feet for side yard and corner side yard, 10 feet for reversed corner side yard, and 15 feet for rear yard is required. The project exceeds requirements by providing a minimum set back of 50 feet from the property line throughout property. Specific designated areas provide additional set back, buffering, or other dedicated spaces as indicated on the site plans. The project complies with yard setback requirements.

b. Section 22.48.160 Fences and Walls. Depending on the location within the property, three and one half to six feet in height is the maximum fence height permitted per County Code. The project proposes perimeter fencing eight feet in height for project security and safety purposes. The applicant is seeking a yard modification to allow the fence to be a uniform eight feet in height around

the entire perimeter of the project site. The Commission supports this request and believes it to be appropriate for the use and the location. The project complies with fencing requirements, as proposed to be modified pursuant to the yard modification process.

c. Chapter 22.52 Part 7 Outside Storage. Part 7 requires that all outside storage open to view from the exterior boundary of a lot or parcel of land upon which it is conducted shall be enclosed by a solid wall or fence. This requirement would not apply to temporary material staging areas and temporary outdoor worker shelters used during construction. For the purposes of this project, temporary staging areas, temporary outdoor worker shelters, and a temporary cement batching plant are defined as areas used for construction and the use of which are not to exceed project build out or 38 months from the start of construction, whichever occurs first. The project does not propose permanent outside storage for on-going operations. The project complies with operational outside storage requirements.

d. Chapter 22.52 Part 11 Industrial Use and Handicapped Parking. Either one space per two employees or one space per 500 square feet is required to meet industrial use standard parking requirements. One handicapped space per 40 standard spaces is required. The project proposes a 20,000 square-foot operations and maintenance building requiring 40 standard parking spaces including at least one of which is a handicapped parking space. The project complies with parking requirements.

e. Chapter 22.52 Part 20 Green Building Requirements. County Green Building Standards for energy conservation, indoor and outdoor water conservation, demolition recycling, and LEED Silver or equivalent building construction apply to the project for self-contained non-warehouse portions of the proposed 20,000 square-foot operations and maintenance building, demolition of existing buildings, landscape watering, and wash water operations. Tree planting requirements require modification. The project proposed meets or exceeds Green Building standards including modification of tree planting requirements as allowed by the County Code for certain circumstances. The proposed 20,000 square-foot operations and maintenance building is located on a single 790-acre lot. Compliance with the Green Building Ordinance would require the planting of 10,324 trees. The applicant requests a waiver or modification by the Director of Public Works for the number of trees required. In lieu of the tree planting requirement, the applicant proposes to plant native drought-tolerant shrubs, a limited number of Joshua trees, and numerous native grasses in as natural a pattern as possible within 10-feet of property frontage along SR 138 on both the north and south sides of the highway for the length of the subject property. A drip system would initially be used to establish the native plantings. These plantings would also serve as screening of the project components

located closest to the highway. Additionally, in lieu of the total number of required onsite tree plantings, the applicant proposes to offer payment to the County for additional tree plantings and provision for landscaping maintenance along public rights of way in the Antelope Valley vicinity. The Commission supports the proposed alternative measures. The Director of Public Works has granted the modification to the Green Building ordinance requested and accepted the alternative measures. The project complies with Green Building standards as modified.

f. Chapter 22.52 Part 21 Drought-Tolerant Landscaping. Requirements for drought-tolerant landscaping include use of County-authorized drought-tolerant plant lists, minimum required percentages of drought-tolerant plantings, limitations on the amount of turf, and efficient watering management. The project proposed complies with Drought-Tolerant Landscaping requirements.

g. Chapter 22.52 Part 22 Low-Impact Development (LID). This part of the County Zoning Ordinance references Title 12 Chapter 12.84 for Low Impact Development Standards. These standards are designed to limit hydro-modification impacts to natural drainage systems and to manage excess volume from each lot upon which development is occurring so as to be infiltrated at the lot level or alternatively to sub-regional facilities. The project proposes to sustain the primary natural drainage course running through the site from southwest to northeast and to provide numerous vegetated swales throughout the development area to infiltrate runoff to the satisfaction of the Department of Public Works. The project complies with LID requirements.

14. The project on the subject property will not adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area, and will not be materially detrimental to the use, enjoyment or valuation of property of other persons located in the vicinity of the site, and will not jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare because the project is compatible with the surrounding neighborhood and land uses. Aerial photography of the 2,093-acre project site provides imagery indicating grading/plowing over the majority of the site many years previously. This is evidenced by a previously farmed orchard and other disturbed land underlying the re-established plants including desert shrubs, seasonal wildflowers, other native and non-native grasses, a number of juvenile Joshua Trees at a northerly portion of the site, and bare soil. Recycled use of previously disturbed land is preferred for development compared to use of pristine undisturbed native lands. The passive operation of a photovoltaic solar field provides a compatible "neighbor" to two SEA's, one to the north/northeast and one to the south, on which no additional development is likely to occur. Fencing permeable to small and moderate sized animals, a minimum 100-foot wide drainage and wildlife movement area, native plants and Joshua trees screening low-profile solar panels located along SR 138,

and recommended undergrounding of transmission lines, together enable the project to be compatible with the surrounding area. Additionally, the majority of other adjacent properties within a 500-foot radius of the site are vacant and not currently developed. The project is compatible with existing land uses.

15. The proposed site is adequately served by highways or streets of sufficient width and improved as necessary to carry the kind and quantity of traffic such use would generate and by other public or private service facilities as are required. During construction, truck traffic will increase in the area, though not a significant impact. During operations, traffic generated by the relatively passive solar project operations is minimal. Project conditions and mitigation measures require street pavement conditions to be documented by the applicant prior to and after construction and to make fair-share payment for any repair and/or reconstruction required to 170th Street West to the satisfaction of the Department of Public Works.

16. Although the applicant originally proposed above ground transmission lines, the Environmental Impact Report for the project analyzed both the above ground and the underground placement of the 34.5 kilvolt and 230 kilovolt transmission lines and concluded that neither the above ground nor the underground transmission lines would result in significant environmental impacts. In order to minimize visual intrusion and minimize the proliferation of above ground transmission lines as well as to ensure compliance with the applicable provisions of the Countywide General Plan and the AVAGP, the Commission determined that the undergrounding of both the on-site and off-site transmission lines within the unincorporated County area is required, with the exception of three required above ground public right of way crossings including one above ground point of connection at the Kern County border.

17. An Initial Study was prepared for this Project in compliance with the California Environmental Quality Act (Public Resources Code Section 21000 et. seq.) ("CEQA"), the State CEQA Guidelines, and the Environmental Document Reporting Procedures and Guidelines of the County of Los Angeles. The Initial Study identified potentially significant effects on the environment. Based on the Initial Study, a Draft Environmental Impact Report ("DEIR") was prepared for this project. The public comment period for the DEIR began on June 16, 2010 and ended on July 30, 2010 (45 days). After the public comment period ended, a Final Environmental Impact Report ("FEIR") was prepared with response to comments received during the public comment period. Mitigation measures are necessary in order to ensure the proposed project will not have a significant effect on the environment, and such measures have been included in the Mitigation Monitoring and Reporting Program ("MMRP").

18. Potential significant impacts that were analyzed in the EIR include geotechnical hazards, flood hazards, fire hazards, water quality, air quality, biological resources,

cultural and paleontological resources, visual qualities, traffic and access, fire protection services, sheriff services, utility services, environmental safety, land use, and global climate change. Agricultural resources and noise were also analyzed even though the Initial Study did not identify them as potential impacts. Change of character and growth inducing impacts were analyzed as other considerations for analysis in the EIR. The EIR concludes that all of these potential impacts were determined to be either less than significant without further mitigation (fire protection services, sheriff services, utility services, and global climate change), or, can be mitigated to a level of less than significant with further mitigation (geotechnical hazards, flood hazards, fire hazards, water quality, air quality, biological resources, cultural resources, agricultural resources, visual qualities, traffic and access, environmental safety, land use, noise, and change of character).

19. The technical and engineering aspects of the project have been resolved to the satisfaction of the Los Angeles County Departments of Public Works, Fire, Parks and Recreation, Public Health, and Regional Planning.

20. Pursuant to the provisions of Sections 22.60.174 and 22.60.175 of the County Code, the community was appropriately notified of the public hearing by mail, newspaper and property posting. Additionally, the project was noticed and case materials were available on the County Department of Regional Planning website and at libraries located in the Antelope Valley vicinity. A total of 471 hearing notices were mailed to property owners within a 1,000-foot radius of the project boundaries and to other interested parties on May 24, 2010, and the DEIR Notice of Completion was mailed to the same owners and other parties on June 14, 2010. Newspaper notices were posted in the Antelope Valley Press and La Opinion and on the site on May 27, 2010. The Notice of Completion was posted in the same papers and on the site on June 16, 2010.

21. Approximately six (6) items of written correspondence in support of the Project were received including support for developing additional renewable energy generation facilities and creating jobs including "green" jobs. Proponents in favor included, but are not limited to, the Governor of California, Arnold Schwarznegger, State Assemblyman, Thirty-Sixth District, Steve Knight, the City Manager of Lancaster, CA, the Antelope Acres Town Council, the Lancaster and Rosamond Chambers of Commerce president and C.E.O., and the president of the Antelope Valley Board of Trade.

22. Four (4) items of written correspondence expressing concerns about the Project were received, including concerns about loss of agricultural and open space lands, concerns about project proximity to other existing private properties and possible negative effect on property values, potential night lighting spillover, potential impacts to Joshua trees, amount of earth moving proposed, fencing type, and

drainage and stormwater management. Proponents with concerns about the project included certain attendees of a meeting with the Association of Rural Town Councils and other private citizens.

23. Two (2) items of written correspondence inquiring about the location of their property in relationship to the subject property were received by Planning staff.

24. To assure continued compatibility between the use of the subject property allowed by this grant and surrounding land uses, the Regional Planning Commission determines that it is necessary to limit the term of the grant to thirty (30) years.

25. The location of the documents and other materials constituting the record of proceedings upon which the Commission's decision is based in this matter is at the Los Angeles County Department of Regional Planning, 13th Floor, Hall of Records, 320 West Temple Street, Los Angeles, CA 90012. The custodian of such documents and materials shall be the Section Head of the Special Projects Section, Los Angeles County Department of Regional Planning.

BASED ON THE FOREGOING, THE REGIONAL PLANNING COMMISSION CONCLUDES:

A. The use is consistent with the adopted general plan for the area; and

B. The requested use at the location proposed will not adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area, and not be materially detrimental to the use, enjoyment or valuation of property of other persons located in the vicinity of the site, and will not jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare; and

C. The proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping and other development features prescribed in Title 22 of the County Code or as is otherwise required in order to integrate said use with the uses in the surrounding area; and

D. The proposed site is adequately served by highways or streets of sufficient width and improved as necessary to carry the kind and quantity of traffic such use would generate and by other public or private service facilities as are required.

AND, THEREFORE, the information submitted by the applicant and presented at the hearing substantiates the required findings for a conditional use permit as set forth in Section 22.56.90 of the Los Angeles County Code (Zoning Ordinance).

REGIONAL PLANNING COMMISSION ACTION

1. After consideration of the attached EIR and MMRP together with any comments received during the public review process, the Commission finds on the basis of the whole record before the Commission that there will be no significant impacts to the environment. After review and consideration of the EIR, the Regional Planning Commission certifies that the EIR has been completed in compliance with the California Environmental Quality Act and the State and County guidelines related thereto, and that the document reflects the independent judgment and analysis of the Commission, and determines that the significant adverse effects of the project, as described in the EIR, have been reduced to an acceptable level.

2. The MMRP for the proposed project incorporated in the EIR, is approved and adopted, and, pursuant to Section 21081.6 of the Public Resources Code, the Commission finds that the MMRP is adequately designed to ensure compliance with the mitigation measures during project implementation.

3. In view of the findings of fact and conclusions presented above, Conditional Use Permit No. R200900026 is **APPROVED** subject to the attached conditions.

VOTE:

Concurring:

Dissenting:

Abstaining:

Absent:

Action Date:

c: Each Commissioner, Commission Services, BOS 5th District, Zoning Enforcement, Building and Safety

SZD:KKS
9/01/10

FINDINGS OF THE
REGIONAL PLANNING COMMISSION
OF THE COUNTY OF LOS ANGELES
PROJECT NO. R2009-02239-(5)
VESTING TENTATIVE TRACT MAP NO. 071035

1. The Los Angeles County Regional Planning Commission ("Commission") conducted a duly noticed public hearing on the matter of Vesting Tentative Tract Map No. 071035 ("VTTM") on June 30, 2010 and September 15, 2010. VTTM No. 071035 was heard concurrently with Conditional Use Permit ("CUP") No. 200900026.

2. VTTM No. 071035 is a proposal for a reversion to acreage from 147 lots to 1 lot on 790 acres in the A-2-5 (Heavy Agricultural-Five Acres Minimum Required Area) zone.

3. CUP No. 200900026 is a related request to authorize construction, operation, and maintenance of a 230 megawatt 80,000-panel photovoltaic solar electric power generation facility on 2,093 gross acres (including the 790-acre property included in the VTTM) and on-site grading in excess of 100,000 cubic yards in the A-2-5 (Heavy Agricultural – Five Acres Minimum Required Area) zone; and installation of 0.75 miles of onsite and 2.25 miles of offsite high voltage 230 kilovolt electricity transmission lines in the A-2-5 and A-1-2 (Light Agricultural-Two Acres Minimum Required Area) zones.

4. All portions of the Project site ("Project") covered by the CUP are located within the following boundary extremes: north and south of State Route 138 (Avenue D) between 155th Street West to the east and 180th Street West to the west, and between West Avenue B-8 to the north and West Avenue E to the south as depicted on the CUP Exhibit "A". Not all properties within these boundary extremes are within the Project. The portion of the Project comprising the VTTM property is bordered by Avenue C to the north, 155th Street West to the east, State Route 138 (Avenue D) to the south, and 170th Street West to the west as depicted on the VTTM. The Project is located within the Antelope Valley West Zoned District.

5. The subject property is 790 acres in size and currently vacant. It has an "L" shape on primarily flat terrain.

6. Primary access is proposed to be located on 170th Street West approximately 0.6 miles north of State Route 138 (Avenue D).

7. The applicant's VTTM, dated March 01, 2010, depicts the underlying 147 unimproved lots, generally five acres in lot area each and rectangular or square in shape on 790 acres. The subdivided lots were created by Tract No. 34457 approved by the Los Angeles County Board of Supervisors on November 24, 1987. The applicant proposes to revert the 147 lots back to one lot for use by the proposed photovoltaic solar power generation facility within the 2,093-acre Project site as proposed in the associated conditional use permit request.

8. The applicant's site plan, labeled Exhibit "A" in CUP No. 200900026 includes the 790-acre reversion to acreage site within the entire 2,093-acre Project site. The Exhibit "A" depicts a 230-megawatt solar photovoltaic electric power generation facility includes

approximately 80,000 photovoltaic panel arrays including optional use of sun-tracking or fixed, tilt or horizontal array units; associated electrical and distribution equipment including approximately 185 electrical equipment structures with the option to be unenclosed or enclosed; onsite unenclosed electricity substation; operations and maintenance building; a 230-kilovolt transmission line approximately 4.25 miles in length (approximately 2.25 miles within unincorporated Los Angeles County and 2 miles within Kern County) within the 170th Street West public right of way in unincorporated Los Angeles County, and on private property and/or 170th Street West public right of way in Kern County, connecting to Southern California Edison proposed Whirlwind substation facilities in Kern County; undergrounding of all high-voltage transmission lines located within unincorporated Los Angeles County with the exception of two required above-ground crossings of the public right of way; onsite 34.5 kilovolt transmission line proposed within 170th Street West public right of way and private property; undergrounding all of the low-voltage transmission lines except as required to include one above ground crossing of the public right of way; a maximum of 180,000 cubic yards of balanced grading for flood control management; employee parking area; perimeter fencing; associated access roads; native landscaping screening north and south of SR 138 (Avenue D); new potable water well and use of existing well for non-potable uses; two above ground water tanks (approximately 10,000 and 100,000 gallons); construction of onsite septic and leach-field system; and demolition of all existing structures on-site including two residences, a mobile home, and accessory structures. The proposed project will require approximately 150 acre feet of water per year during construction of the project for a period not to exceed 38 months. On-going operation of the project will require approximately 12 acre feet per year of water supply, of which three acre feet per year are required to be potable.

9. The subject 790-acre VTTM property is depicted within the N1 (Non-Urban 1) land use category of the Antelope Valley Areawide General Plan ("Area Plan") Land Use Policy Map. The Area Plan is a component of the Los Angeles Countywide General Plan ("General Plan").

10. The property included in the VTTM is currently zoned A-2-5. The existing A-2-5 zoning was created by Ordinance No. 7086 establishing the Antelope Valley West Zoned District on January 15, 1957.

11. Six Certificates of Compliance have been issued on various lots on the subject property to certify compliance with the Subdivision Map Act. The subject property is comprised of a total of 179 lots. After proposed reversion to acreage of the 147 lots to one lot, the property would be comprised of 33 lots.

12. Surrounding land uses within a 500-foot radius of the property included in the VTTM include vacant parcels and Joshua Tree Woodland Habitat Significant Ecological Area

("SEA") No. 60 to the north and east, and vacant parcels within the proposed Project area to the south and west.

13. The surrounding areas within a 500-foot radius of the property included in the VTTM are zoned A-1-2 (Light Agricultural – Two Acre Minimum Required Area) to the north, A-2-5 and A-2-2 (Heavy Agricultural – Two Acre Minimum Required Area) to the east and A-2-5 to the south and west.

14. Approximately six (6) items of written correspondence in support of the Project were received including support for developing additional renewable energy generation facilities and creating jobs including "green" jobs. Proponents in favor included, but are not limited to, the Governor of California, Arnold Schwarznegger, State Assemblyman, Thirty-Sixth District, Steve Knight, the City Manager of Lancaster, CA, the Antelope Acres Town Council, the Lancaster and Rosamond Chambers of Commerce president and C.E.O., and the president of the Antelope Valley Board of Trade.

15. Four (4) items of written correspondence from the public expressing concerns about the Project were received, including concerns about loss of agricultural and open space lands, concerns about project proximity to other existing private properties and possible negative effect on property values, potential night lighting spillover, potential impacts to Joshua trees, amount of earth moving proposed, fencing type, and drainage and stormwater management. Proponents with concerns about the project included certain attendees of a meeting with the Association of Rural Town Councils (ARTC) and other private citizens as summarized in an e-mail correspondence from the President of the ARTC.

16. Two (2) items of written correspondence inquiring about the location of their property in relationship to the subject property were received by Planning staff.

17. A duly noticed public hearing was held on June 30, 2010 before the Regional Planning Commission. Commissioners Bellamy, Rew, Helsley, and Modugno were present. Commissioner Valadez was absent. The Commission heard a presentation of the Project by staff and testimony from the applicant. The applicant and two persons testified in favor of the project and two persons testified with concerns regarding the Project. Approximately 25 members of the public were present at the public hearing plus the applicant and the applicant's consultant team. The Regional Planning Commission directed staff and the applicant to further address the following issues:

    - Clarify and provide the possibility of capturing rainwater and washwater runoff
    - Provide decommissioning financial assurances
    - Provide a cost/benefit comparison of undergrounding versus above ground transmission line installations

- Require fencing to be of a suitable color to blend with the surrounding terrain
- Clarify and provide numbers of tracking solar panels and fixed tilt solar panels proposed
- Verify and provide the current market rate per kilowatt hour for purchase of electrical power
- Provide potential high-value mitigation sites for the required 450 acres of offsite mitigation land
- Clarify night lighting requirements and proposal
- Verify and provide the Federal funding critical timeline requirements

There being no further testimony or discussion, the Regional Planning Commission voted 4-0 to continue the public hearing to September 15, 2010 to provide time for staff and the applicant to provide the additional items requested and to prepare Findings and Conditions for final action on the requested CUP and VTTM.

18. [Reserved for summary of proceedings on September 15, 2010 continued public hearing.]

19. The reversion to acreage land division is consistent with the goals and policies of the General Plan and the N-1 (Non-Urban 1) land use designation and goals and policies of the Area Plan. The project meets the definition of a "utility installation" referenced in the listing of non-urban non-residential land uses allowed in remote areas designated Non-Urban 1 (Antelope Valley Areawide General Plan, Pg. VI-5). The subject VTTM portion of the project is a reversion to acreage from 147 lots to one 790-acre lot for use as part of the solar utility installation proposed.

20. The Project is consistent with the proposed A-2-5 zone, as the proposed development meets the design standards of the zone and the proposed uses are allowed within the zone subject to a conditional use permit. Section 22.24.140 of the Los Angeles County Zoning Ordinance permits "Electric distribution substations, electric transmission substations and generating plants, including microwave facilities used in conjunction with any one thereof" and "Grading projects, on-site" when a conditional use permit has been obtained. The VTTM would allow the consolidation of smaller lots in order to develop a large scale solar electricity generating facility.

21. The proposed Project is required to comply with the development standards of the A-2 zone pursuant to Section 22.24.170 of the County Code, except as otherwise modified by the CUP.

22. The technical and engineering aspects of the project have been resolved to the satisfaction of the Los Angeles County Departments of Public Works, Fire, Parks and Recreation, Public Health, and Regional Planning.

23. Compatibility with surrounding land uses will be ensured through the related conditions of the CUP.

24. The proposed reversion to acreage and the provisions for its design and improvement are consistent with the goals and policies of the General Plan and Area Plan.

25. The housing and employment needs of the region were considered and balanced against the public service needs of local residents and available fiscal and environmental resources when the project was determined to be consistent with the General Plan and Area Plan.

26. The reversion to acreage site is physically suitable for the density and type of development proposed, since it has access to a County-maintained street and will be served by an on-site septic system and water well with sufficient capacity to meet domestic and fire protection needs. No residential units are proposed.

27. The design of the reversion to acreage will not cause serious public health problems, since sewage disposal, storm drainage, fire protection, and geological and soils factors are addressed in the Project CUP conditions of approval and MMRP.

28. As the reversion to acreage parcel is proposed to be at least five acres in size, no improvements are required.

29. The design of the reversion to acreage will not directly cause substantial environmental damage or substantial and avoidable injury to fish or wildlife or their habitat. The Project impacts have been analyzed within the context of the overall Project and its design in the associated Environmental Impact Report and Mitigation and Monitoring Program.

30. The design of the subdivision provides, to the extent feasible, for future passive or natural heating or cooling opportunities therein. The majority of the Project development is comprised of open air solar panels and associated electrical equipment. Underground transmission lines are designed to use thermal concrete providing necessary dispersion of heat.

31. The reversion to acreage and development of the property in the manner set forth on this map will not unreasonably interfere with the free and complete exercise of public entity and/or public utility rights-of-way and/or easements within this map, since the design and development as set forth in the conditions of approval and shown on the vesting tentative tract map provide adequate protection for any such easements.

32. Pursuant to Article 3.5 of the Subdivision Map Act, the proposed reversion to acreage does not contain or front upon any public waterway, river, stream, coastline, shoreline, lake or reservoir.

33. Pursuant to Chapter 6 Article 1 Section 66499.16 of the Subdivision Map Act, the subdivided real property is reverted to acreage since dedications or offers of dedication to be vacated or abandoned by the reversion to acreage are unnecessary for present or prospective public purposes and the subdivider has consented to reversion as documented in the Project application and associated materials filed.

34. This tract map has been submitted as a "vesting" tentative tract map. As such, it is subject to the provisions of Sections 21.38.010 through 21.38.080 of the County Code.

35. An Initial Study was prepared for this Project in compliance with the California Environmental Quality Act (Public Resources Code Section 21000 et. seq.) ("CEQA"), the State CEQA Guidelines, and the Environmental Document Reporting Procedures and Guidelines of the County of Los Angeles. The Initial Study identified potentially significant effects on the environment. Based on the Initial Study, a Draft Environmental Impact Report ("DEIR") was prepared for this project. The public comment period for the DEIR began on June 16, 2010 and ended on July 30, 2010 (45 days). After the public comment period ended, a Final Environmental Impact Report ("FEIR") was prepared with response to comments received during the public comment period. Mitigation measures are necessary in order to ensure the proposed project will not have a significant effect on the environment, and such measures have been included in the Mitigation Monitoring and Reporting Program ("MMRP").

36. After consideration of the attached Environmental Impact Report ("EIR") and MMRP together with any comments received during the public review process, the Commission finds on the basis of the whole record before the Commission that there will be no significant impacts to the environment. Potential significant impacts that were analyzed in the EIR include geotechnical hazards, flood hazards, fire hazards, water quality, air quality, biological resources, cultural and paleontological resources, visual qualities, traffic and access, fire protection services, sheriff services, utility services, environmental safety, land use, and global climate change. Agricultural resources and noise were also analyzed even though the Initial Study did not identify them as potential impacts. Change of character and growth inducing impacts were analyzed as other considerations for analysis in the EIR. The EIR concludes that all of these potential impacts were determined to be either less than significant without further mitigation (fire protection services, sheriff services, utility services, and global climate change), or, can be mitigated to a level of less than significant with further mitigation (geotechnical hazards, flood hazards, fire hazards, water quality, air quality, biological resources, cultural resources, agricultural resources, visual qualities, traffic and access, environmental safety, land use, noise, and change of character).

37. This project has not been determined by the California Department of Fish and Game ("CDFG") to have "no effect" on fish and wildlife resources. Therefore, the project is not exempt from CDFG fees pursuant to Section 711.4 of the California Fish and Game Fee.

38. Approval of the VTTM is conditioned on the permittee's compliance with the attached Conditions of Approval.

39. The location of the documents and other materials constituting the record of proceedings upon which the Commission's decision is based in this matter is the Los Angeles County Department of Regional Planning, 13th Floor, Hall of Records, 320 West Temple Street, Los Angeles, California 90012. The custodian of such documents and materials shall be the Section Head of the Special Projects Section, Regional Planning.

THEREFORE, THE REGIONAL PLANNING COMMISSION:

1. After consideration of the attached EIR and MMRP together with any comments received during the public review process, the Commission finds on the basis of the whole record before the Commission that there will be no significant impacts to the environment. After review and consideration of the EIR, the Regional Planning Commission certifies that the EIR has been completed in compliance with the California Environmental Quality Act and the State and County guidelines related thereto, and that the document reflects the independent judgment and analysis of the Commission, and determines that the significant adverse effects of the project, as described in the EIR, have been reduced to an acceptable level.

2. The MMRP for the proposed project incorporated in the EIR, is approved and adopted, and, pursuant to Section 21081.6 of the Public Resources Code, the Commission finds that the MMRP is adequately designed to ensure compliance with the mitigation measures during project implementation.

3. In view of the findings of fact and conclusions presented above, Vesting Tentative Tract Map No. 071035 is **APPROVED** subject to the attached conditions, and recommendations of the Subdivision Committee.

SZD:KKS
9/01/10

CUP AND VTTM CONDITIONS

This grant authorizes the construction, operation, and maintenance of a 230 megawatt 80,000-panel photovoltaic electricity power generation facility on 2,093 gross acres; onsite grading in excess of 100,000 cubic yards; and installation of 0.75 miles of on-site and 2.25 miles of off-site high voltage 230 kilovolt electricity transmission lines in the A-2-5 (Heavy Agricultural-Five Acres Minimum Required Area) zone. The subject property is located near the intersection of State Route 138 (Avenue D) and 170th Street West in the Antelope Valley West Zoned District. This approval is subject to the following conditions:

1. Unless otherwise apparent from the context, the term "permittee" shall include the applicant and any other person, corporation or other entity making use of this grant.

2. This grant shall not be effective for any purpose until the permittee, and the owner of the subject property if other than the permittee, have filed at the office of the Department of Regional Planning their affidavit stating that they are aware of and agree to accept all of the conditions of this grant, and that the conditions of the grant have been recorded as required by Condition 7, and until all required monies have been paid pursuant to Condition numbers 9, 10 and 12. Notwithstanding the foregoing, this Condition (No. 2), and Condition numbers 3, 4, and 5 shall be effective immediately upon final approval of this grant by the County.

3. The permittee shall defend, indemnify, and hold harmless the County, its agents, officers, and employees from any claim, action, or proceeding against the County or its agents, officers, or employees to attack, set aside, void or annul this permit approval, which action is brought within the applicable time period of Government Code Section 65009. The County shall promptly notify the permittee of any claim, action, or proceeding and the County shall cooperate fully in the defense. If the County fails to promptly notify the permittee of any claim action or proceeding, or if the County fails to cooperate fully in the defense, the permittee shall not thereafter be responsible to defend, indemnify, or hold harmless the County.

4. In the event that any claim, action, or proceeding as described above is filed against the County, the permittee shall within ten days of the filing pay the Department of Regional Planning ("Regional Planning") an initial deposit of $5,000, from which actual costs shall be billed and deducted for the purpose of defraying the expenses involved in the department's cooperation in the defense, including but not limited to, depositions, testimony, and other assistance to permittee or permittee's counsel. The permittee shall also pay the following supplemental deposits, from which actual costs shall be billed and deducted:

    a. If during the litigation process, actual costs incurred reach 80 percent of the amount on deposit, the permittee shall deposit additional funds sufficient to bring the balance up to the amount of the initial deposit. There is no limit to the number of supplemental deposits that may be required prior to completion of the litigation.

b. At the sole discretion of the permittee, the amount of an initial or supplemental deposit may exceed the minimum amounts defined herein.

c. The cost for collection and duplication of records and other related documents will be paid by the permittee according to Los Angeles County Code Section 2.170.010.

5. This grant shall expire unless used within two (2) years after the recordation of the final map for Vesting Tentative Tract Map ("VTTM") No. 071035. In the event that VTTM No. 071035 should expire without recordation of a final map, this grant shall terminate upon the expiration of the VTTM. In the event of expiration of VTTM No. 071035 and expiration of this grant, the permittee is on notice that entitlement to the use of the property if the map expires without recordation shall be subject to the regulations then in effect.

6. If any provision of this grant is held or declared to be invalid, the permit shall be void and the privileges granted hereunder shall lapse.

7. Prior to the use of this grant, the property owner or permittee shall **record the terms and conditions of the grant in the office of the County Recorder.** In addition, upon any transfer or lease of the property during the term of this grant, the property owner or permittee shall promptly provide a copy of the grant and its conditions to the transferee or lessee of the subject property.

8. **This grant authorizes a 30-year term, and therefore, shall terminate on September 15, 2040**. Upon termination of this grant, the use of the property thereafter shall be subject to the regulations then in effect. If the permittee intends to continue operations after such date, a new Conditional Use Permit ("CUP") application shall be filed with Regional Planning at least six months prior to the termination date of this grant, whether or not any modification of the use is requested at that time.

9. The subject property shall be maintained and operated in full compliance with the conditions of this grant and any law, statute, ordinance, or other regulation applicable to any development or activity on the subject property. Failure of the permittee to cease any development or activity not in full compliance shall be a violation of these conditions. The permittee shall deposit with the County of Los Angeles within 60 days of permit approval the sum of **$3,000.00**. The deposit shall be placed in a performance fund, which shall be used exclusively to compensate Regional Planning for all expenses incurred while inspecting the premises to determine the permittee's compliance with the conditions of approval. The deposit provides for **fifteen (15) biennial (one every other year)** inspections.

   Inspections shall be made to ensure compliance with the conditions of this grant as well as adherence to development in accordance with the approved site plan on file. Inspections shall be unannounced. If additional inspections are required to

ensure compliance with the conditions of this grant, or if any inspection discloses that the subject property is being used in violation of any one of the conditions of this grant, the permittee shall be financially responsible and shall reimburse Regional Planning for all additional enforcement efforts necessary to bring the subject property into compliance. The amount charged for additional inspections shall be $200.00 per inspection, or the current recovery cost, whichever is greater.

10. Within three (3) days of the approval date of this grant, the permittee shall remit processing fees payable to the County of Los Angeles in connection with the filing and posting of a Notice of Determination ("NOD") for Project No. R2009-02239-(5), which includes VTTM No. 071035 and CUP No. 200900026 in compliance with Section 21152 of the Public Resources Code. Unless a Certificate of Exemption is issued by the California Department of Fish and Game pursuant to Section 711.4 of the Fish and Game Code, the following applicable fee is required, **$2,867.25** ($2,792.25 for an Environmental Impact Report plus $75.00 processing fee). No land use project subject to this requirement is final, vested or operative until the fee is paid.

11. The applicant shall comply with all mitigation measures identified in the Mitigation Monitoring and Reporting Program ("MMRP"), which is incorporated herein in its entirety by this reference.

12. The permittee shall deposit the sum of **$6,000.00** with Regional Planning within 60 days of permit approval in order to defray the cost of reviewing and verifying the information contained in the reports required by the MMRP.

13. Notice is hereby given that any person violating a provision of this grant is guilty of a misdemeanor. Notice is further given that the Regional Planning Commission or a hearing officer may, after giving proper notice and conducting a public hearing, revoke or modify this grant, if the Regional Planning Commission or hearing officer finds that these conditions have been violated or that this grant has been exercised so as to be detrimental to the public's health or safety or so as to be a nuisance.

14. Upon receipt of this letter, the permittee shall contact the Fire Prevention Bureau of the Los Angeles County Fire Department to determine what facilities may be necessary to protect the property from fire hazard. Any necessary facilities shall be provided as required by said department.

15. All requirements of the Zoning Ordinance and of the specific zoning of the subject property must be complied with unless otherwise modified as set forth in these conditions or as shown on the approved plans.

16. All structures shall conform to the requirements of the Division of Building and Safety of the Department of Public Works ("Public Works").

17. All structures, walls and fences open to public view shall remain free of extraneous markings, drawings or signage that was not approved by Regional Planning. These shall include any of the above that do not directly relate to the business being operated on the premises or that do not provide pertinent information about said premises.

18. In the event of graffiti or other extraneous markings occurring, the permittee shall remove or cover said markings, drawings, or signage within 24 hours of such occurrence, weather permitting. Paint utilized in covering such markings shall be of a color that matches, as closely as possible, the color of the adjacent surfaces. The only exceptions shall be seasonal decorations or signage provided under the auspices of a civic or non-profit organization.

19. The subject property shall be developed and maintained in substantial compliance with the plans marked Exhibit "A." In the event that subsequent revised plans are submitted, the permittee shall submit four (4) copies of the proposed plans to the Director of Regional Planning for review and approval. All revised plans must be accompanied by the written authorization of the property owner. If changes to the site plan are required as a result of instruction given at the public hearing, a Revised Exhibit "A" shall be submitted to Regional Planning within sixty (60) days of the date of approval of the Conditional Use Permit.

20. Prior to issuance of any building permit, the permittee shall provide the County with a Decommissioning Plan, which shall include, at a minimum, a detailed plan for decommissioning and deconstruction of the facility and for restoration of the site (collectively referred to as "decommissioning"). The Decommissioning Plan shall be developed to the satisfaction of the Director of Regional Planning and the Director of Public Works and shall be subject to the review and approval of the Director of Planning and Director of Public Works. Upon discontinuance of operations as set forth in Condition No. 22 below, abandonment of the project or part of the project, or upon termination of this grant as provided in Condition No. 8 above, and in the event a new permit application is not timely filed for similar continued use or reuse of the site, the permittee shall perform decommissioning according to the Decommissioning Plan or shall compensate the County for use of a County-contracted consultant to perform such decommissioning. In the alternative and at the County's sole election, the County shall be entitled to use any performance and financial assurance guarantees, as required by and provided for in Condition No. 21 below, to perform itself or to contract for performance of such decommissioning. The Decommissioning Plan shall include, but shall not be limited to, provisions to address and implement the following requirements:

    a. Removal of solar panel structures and all appurtenant above ground equipment.

    b. Removal of overhead poles and above ground electricity lines on-site within the Project area.

c. Removal of permanent above ground transmission lines and poles located in the public right-of-way would be required if determined not to be usable by the Department of Public Works and/or any other applicable public or private utility, otherwise such permanent above ground transmission lines and poles shall be allowed to be remain.

d. Removal of on-site substation, if project-owned. If a public or private utility assumes ownership of the substation, the substation may remain on-site to be used as part of the utility service to supply other applications.

e. Restoration of disturbed soil and revegetation of the site with native vegetation similar to plants in the surrounding vicinity.

f. Restoration or reclamation of project roads to their original condition unless the land owner elects to retain the improved roads for access throughout that land owner's property.

g. Removal of permanent operations and maintenance building unless such building is in such a condition as to be reusable by the land owner at the time of decommissioning and that land owner elects to retain such building.

21. Prior to the issuance of any building permits, the permittee shall provide performance and financial assurance guarantees in an amount sufficient to ensure the performance of the approved Decommissioning Plan. The performance and financial assurance guarantees shall be provided to the satisfaction of the Director of Regional Planning and the Director of Public Works. The permittee shall be solely responsible for the costs and expenses associated with decommissioning, and in the event that the performance and financial assurance guarantees are not sufficient to fully compensate the County for the cost and expense of such decommissioning, the permittee shall compensate the County for any shortfall. In determining the sufficiency of the performance and financial assurance guarantees, the residual value of the solar panels, support structures, and other salvageable equipment (collectively "salvageable property") shall be included. The performance and financial assurance guarantees shall be subject to the following additional conditions:

a. The performance and financial assurance guarantees shall be detailed to the satisfaction of the Director of Regional Planning and the Director of Public Works in the approved Decommissioning Plan, and that plan shall explain the amounts and schedule for the provision of the performance and financial assurance guarantees.

b. The permittee shall provide a report to the Director of Regional Planning every five years after the date of final approval of this grant by the County to confirm that the performance and financial assurance guarantees are sufficient to ensure performance of the Decommissioning Plan. The report shall be subject

to review and approval by the Director of Regional Planning and the Director of Public Works as to whether the performance and financial assurance guarantees are adequate to meet existing conditions at the time of the report. A decommissioning pro forma summarizing the residual value of the salvageable property shall be included in the report. The pro forma shall include, at a minimum, the expected revenue from all salvageable property (as defined in Condition No. 20, above), as well as the then-current cost of decommissioning as required by the approved Decommissioning Plan, and the then-current value of any performance and financial assurance guarantees that have been provided as of the date of such report. In the event that the performance and financial assurance guarantees are insufficient to perform decommissioning as required by the approved Decommissioning Plan, the permittee shall be required to provide additional performance and financial assurance guarantees to the satisfaction of the Director of Regional Planning and the Director of Public Works.

c. Any funds not utilized in connection with decommissioning by the County will be returned to the permittee.

d. The performance and financial assurance guarantees may be comprised of any of the following to the satisfaction of the Director of Regional Planning and the Director of Public Works:

   1) An irrevocable letter of credit;

   2) A surety bond;

   3) A suitable insurance policy; or

   4) A trust fund or escrow account established and maintained in accordance with the approved financial assurances and practices to guarantee that decommissioning will be completed in accordance with the approved Decommissioning Plan.

22. In the event that any portion of the solar field is not in operational condition for a consecutive period of 12 months, operations for that portion of the site shall be deemed to have been discontinued and that portion of the facility shall be removed within 90 days from the date a written notice from the County is sent to the permittee. Within the 90-day period, the permittee may provide to the Director of Regional Planning a written request and justification to the satisfaction of the Director of Regional Planning for an extension of up to 12 months in order to resume operations on that portion of the site. The permittee may request a second 12-month extension in writing, which the Director of Regional Planning may grant if adequately justified to the satisfaction of the Director of Regional Planning. In no case shall the operations on a solar field or portion of a solar field be discontinued for more than 36 months from the date that such operations were first deemed to

be discontinued. In no event shall any such extension of the period in which to resume operations be deemed to extend the term of this grant nor shall it extend beyond the expiration date of the term of this grant.

23. The Project is subject to the additional following conditions:

    a. Permittee shall comply with all Public Works requirements and comply with all conditions set forth in its letter dated June 30, 2010, attached hereto and incorporated herein by this reference, to the satisfaction of said department.

    b. Permittee shall comply with all County of Los Angeles Fire Department requirements specified in its letter dated May 19, 2010, attached hereto and incorporated herein by this reference to the satisfaction of said department.

    c. Permittee shall comply with all County of Los Angeles Department of Public Health requirements specified in its letter dated February 16, 2010, attached hereto and incorporated herein by this reference, to the satisfaction of said department. Adequate potable water and sewage facilities shall be provided to the satisfaction of said department.

    d. Permittee shall make a one-time payment of $15,000 to the County of Los Angeles, for use by Public Works or the Department of Parks and Recreation for tree planting and tree maintenance within the Antelope Valley.

    e. Permittee shall dedicate land in fee simple to Caltrans 100 feet from centerline of the existing SR 138 on both sides of the right-of-way from 160th St. West to 170th St. West, and on the north side of SR 138 from 170th St. West to 175th St. West, or, to the satisfaction of Caltrans for a total width not to exceed 200 feet.

    f. Permittee shall make an irrevocable offer to dedicate to the County of Los Angeles a slope easement of 10 feet in width on both sides of the 200-foot wide Caltrans right-of-way from 160th St. West to 170th St. West, and on the north side of the 200-foot wide Caltrans right-of-way from 170th St. West to 175th St. West. The exact location of the slope easement shall be determined once Caltrans identifies the location of the 200-foot right of way.

    g. Permittee shall construct all transmission lines underground to the satisfaction of Public Works except where above ground right-of-way crossings are required as depicted on Exhibit "A".

    h. Permittee shall use solar panels no greater than 10 feet in maximum height from finished grade for the first 1,000 feet of solar panel arrays on each of the north and south sides of the required SR 138 (Avenue D) right-of-way.

i. Temporary structures, outside storage, staging areas, and concrete batching plant allowed for construction purposes shall be removed from the project site within 120 days of project completion, but in no event shall any such temporary structures remain onsite for longer than 42 months from the date of issuance of building permits absent approval to extend the allowable time period for the temporary structures. In the event additional time beyond 42 months is needed to complete removal of temporary structures and related materials, the permittee shall submit a written request for a time extension for up to one (1) year maximum to the Director of Planning for review and approval. Any other outside storage needed shall comply with the requirements of Section 22.52 Part 7 of the County Code.

j. Permittee shall maintain all landscaping in a neat, clean, and healthy condition, including proper pruning, weeding, removal of litter, fertilizing, and replacement of plants when necessary. Watering facilities shall consist of a temporary water-efficient irrigation system, such as drip irrigation, which shall be used only to establish the plantings in all landscaped areas.

k. Permittee shall submit three copies of a landscape plan, comprised of at least 10 feet of the proposed landscaped area along the north and south sides of SR 138 adjacent to the subject property, and north and south of the respective 200-foot Caltrans right-of-way and the 10-foot County of Los Angeles slope easements as depicted on Exhibit "A", or, as otherwise determined by Caltrans and the County Department of Public Works. The landscape plan shall be submitted to and approved by the Director of Planning prior to issuance of a building permit. The landscape plan shall depict the site, type and location of all plants, trees, and watering facilities.

l. All exterior fencing shall be of a neutral color blending with the natural surroundings to the satisfaction of the Director of Planning.

m. Night lighting, limited to that required by applicable lighting regulations for safety and security, shall be shielded and directed downward to avoid lighting spillover and shall be comprised of the following: motion sensor or manual switch lighting for the entry lighting for on-site equipment structures and electricity substation lighting, and light sensor or motion sensor lighting for the main plant access gate and Operations and Maintenance building doorways and parking area.

n. The permittee shall, to the satisfaction of the Director of Planning, utilize the subject property only for the project as proposed and approved herein, and therefore, the permittee agrees to and shall retire any development rights, including any rights to undertake irrigated farming on the subject property, that require the use of groundwater in excess of the groundwater use approved by this grant for the life of this conditional use permit.

o. The proposed project shall be limited to use of a maximum of 150 acre-feet per year (AFY) of groundwater for the duration of the 38-month construction period.

p. The proposed project shall be limited to use of a maximum of 12 AFY of groundwater for operation of the project for the duration of the conditional use permit with the exception of the following condition.

q. In the event the required screening landscaping along SR 138 (Avenue D) fails after the 38-month construction period, a maximum of an additional 3 AFY of groundwater supply beyond the 12 AFY of operational groundwater supply proposed, may be drawn for re-establishing landscaping. The additional 3 AFY of water shall be allowed for only the length of time minimally necessary to re-establish the landscaping.

r. In the event piped recycled water becomes available from the public right-of-way at fair market value within two miles of the project site, the permittee shall obtain necessary permits for connecting to the recycled water, construct access, connect to, and purchase the piped recycled water. Notwithstanding any other provision of this grant, at such time of connection to recycled water, the 12 AFY of operational groundwater supply allowed by this grant shall be reduced to a maximum of 3 AFY of groundwater for operation of the project.

s. In the event that piped potable water becomes available from the public right-of-way at fair market value within two miles of the project site, the permittee shall obtain necessary permits for connecting to the potable water, construct access, connect to, and purchase the piped potable water. Notwithstanding any other provision of this grant, at such time of connection to the piped potable water, the 12 AFY of operational groundwater supply allowed by this grant shall be reduced to 1 AFY.

t. In the event that potable or non-potable water supply becomes restricted, trucked wash water may be used for non-potable purposes.

u. In the event potable groundwater is restricted in the future, the permittee shall purchase water from County authorized water purveyors, including recycled water purveyors for non-potable uses, or conform to the Court and/or Watermaster rules, regulations, and restrictions, including paying all assessments, if any.

Attachments:
County DPW, Fire, and Public Health Conditions Letters
MMRP

SZD:KKS
8/31/10

COUNTY OF LOS ANGELES

DEPARTMENT OF PUBLIC WORKS

"To Enrich Lives Through Effective and Caring Service"

900 SOUTH FREMONT AVENUE
ALHAMBRA, CALIFORNIA 91803-1331
Telephone: (626) 458-5100
http://dpw.lacounty.gov

GAIL FARBER, Director

ADDRESS ALL CORRESPONDENCE TO:
P.O. BOX 1460
ALHAMBRA, CALIFORNIA 91802-1460

IN REPLY PLEASE
REFER TO FILE: LD-1

June 15, 2010

TO: Mark Child, AICP
Zoning Permits I Section
Department of Regional Planning

Attention Kim Szalay

FROM: Steve Burger
Land Development Division
Department of Public Works

CONDITIONAL USE PERMIT (CUP) NO. RCUP 200900026
ANTELOPE VALLEY SOLAR RANCH ONE
PROJECT NO. R2009-02239
UNINCORPORATED COUNTY AREA OF ANTELOPE VALLEY

☒ Public Works recommends approval of this CUP.

☐ Public Works does **NOT** recommend approval of this CUP.

We reviewed the revised site plan for the Solar Ranch One project. The project proposes a 230-megawatt, solar-electric, power-generation facility. The project components consist of photovoltaic panel arrays with electrical distribution equipment, an on-site substation, a 20,000-square-feet operation building, and approximately 3.5 miles of off-site transmission lines.

Upon approval of the site plan, we recommend the following conditions:

1. Water

    1.1 The proposed project is not within the service area of a water utility. The applicant must provide an adequate sustainable supply of potable water from an approved source to the satisfaction of the County of Los Angeles Department of Public Health. Please contact the Public Health at (626) 430-5380 for water availability approval.

1.2 A water system maintained by the property owner, with appurtenant facilities to serve all buildings in the project, must be provided. If required, the system must include fire hydrants of the type and location (both on-site and off-site) as determined by the Fire Department. The water mains shall be sized to accommodate the total domestic and fire flows.

For questions regarding the water requirements, please contact Tony Khalkhali at (626) 458-4921 or by e-mail at tkhalkh@dpw.lacounty.gov.

2 Grading

2.1 Obtain all applicable jurisdictional permits. These agencies may include, but may not be limited to, the State of California Regional Water Quality Control Board; State of California Department of Fish and Game; State of California Department of Conservation, Division of Oil, Gas, and Geothermal Resources; and U.S. Army Corps of Engineers.

2.2 Submit a grading plan to Public Works' Land Development Division for review and approval.

2.3 Acknowledgement and/or approval from all easement holders may be required.

2.4 Provide Public Works' Geotechnical and Materials Engineering Division's approval of the grading plan.

2.5 Covenants for off-site grading may be required to the satisfaction of Public Works.

For questions regarding the grading requirements, please contact Sam Richards at (626) 458-4921 or by e-mail at srich@dpw.lacounty.gov.

3. Road Improvements

3.1 Construction within road right of way and private and future streets shall not occur unless a permit is obtained from Public Works for the proposed work or until Tentative Tract No. 71035 has recorded and eliminated the right of way easements.

3.2 Dedicate or offer right of way (minimum of 100 feet from centerline) and slope/drainage easements on Avenue D (State Route 138) to the satisfaction of Caltrans and Public Works. Additional right of way may be required for future grade separation at the intersection of Avenue D and 170th Street West to the satisfaction of Caltrans and Public Works.

3.3 Make an offer of private and future right of way, 32 feet from centerline, on Avenue C, Avenue C-8, 155th Street West, and 160th Street West between Avenue C-8, Avenue D, 170th Street West, 175th Street West, and 180th Street West along the project frontage.

3.4 Dedicate or offer right of way for a standard knuckle at the intersection of 160th Street West and Avenue C-8 and at 175th Street West and Avenue C to the satisfaction of Public Works.

3.5 Dedicate or offer slope, drainage, and maintenance easements along the property frontage on 155th Street West, 160th Street West, 170th Street West, 175th Street West, 180th Street West, Avenue B-8, Avenue C, Avenue C-8, and Avenue D to the satisfaction of Public Works.

3.6 Provide a property line return radii of 13 feet at all local street intersections and 27 feet at the intersection of local streets with planned highways (those streets identify on the County Highway Plan), where all planned highways intersect, or where one of the roads serves a commercial or industrial development. Provide additional right of way for corner cut-off to meet current Americans with Disabilities Act guidelines to the satisfaction of Public Works.

3.7 Secure any related permits for any work within Caltrans' right of way.

3.8 Construct rural secondary highway improvements along the property frontage on 170th Street West, including any required transition paving, to the satisfaction of Public Works.

3.9 Provide a full scale (40:1) signing and striping plan for 170th Street West in the vicinity of the project to the satisfaction of Public Works.

3.10 Obtain an encroachment permit, or establish a franchise agreement, for any work within the road right of way from Public Works' Construction Division, Subdivision and Permit Section.

3.11 Acquire street plan approval or direct check status before obtaining grading or drainage permit.

3.12 Execute an Agreement to Improve for the street improvements prior to the issuance of a building or grading permit.

For questions regarding the road requirements, please contact Sam Richards at (626) 458-4921 or by e-mail at srich@dpw.lacounty.gov.

4. Building and Safety

4.1 Submit plans and specifications to meet current, applicable, codes and standards for structures, mechanical, plumbing, and electrical.

4.2 All electrical installations shall comply with the National Electrical Code including the underground lines.

4.3 Comply with fire, life safety, structural, and Americans with Disabilities Act guidelines per the current building codes as needed.

4.4 The proposed building must have a restroom for employees.

4.5 All foundations must be engineered to comply with existing soil conditions.

4.6 Comply with the "Agency Referral List," which will include Health, Fire, and other applicable agencies.

For questions regarding the building and safety requirements, please contact Francis Dominguez at (661) 723-4440 or by e-mail at fdomingu@dpw.lacounty.gov.

5. Drainage

5.1 Comply with the requirements of the drainage concept/hydrology study/ Standard Urban Stormwater Mitigation Plan/Low-Impact Development Plan, which was conceptually approved on January 27, 2010, to the satisfaction of Public Works.

5.2 If the solar panel foundation designs differ significantly from the design in the approved drainage concept, a revised drainage concept may be required to show that there are no additional impacts from the new foundation design (to the satisfaction of Public Works).

For questions regarding the drainage requirements, please contact Christopher Sheppard at (626) 458-4921 or by e-mail at csheppard@dpw.lacounty.gov.

6. Green Building (Tree Planting)

6.1 Due to the unique nature of this project and practical difficulties implementing the tree planting required by Section 22.52.2130.C.5 (Green Building Ordinance), the Director of Public Works grants a modification to those requirements per Section 22.52.2150 of the County Code. As one of the requirements of the modification, prior to construction, the developer shall deposit a sum of $15,000 to the County of Los Angeles for maintenance and enhancement of existing trees in the Antelope Valley. The money shall be deposited into appropriate accounts to Public Works' satisfaction. At Public Works' discretion, the moneys may be allocated to Public Works for street tree maintenance, to the Department of Parks and Recreation for maintenance and enhancement of trees on County parkland, or to both agencies.

For questions regarding the green building requirements, please contact Steve Burger at (626) 458-4943 or by e-mail at sburger@dpw.lacounty.gov.

If you have any other questions or require additional information, please contact Ruben Cruz at (626) 458-4910 or by e-mail at rcruz@dpw.lacounty.gov.

RC:ca
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COUNTY OF LOS ANGELES DEPARTMENT OF PUBLIC WORKS
LAND DEVELOPMENT DIVISION
SUBDIVISION PLAN CHECKING SECTION
DRAINAGE UNIT

TO: PSOMAS DATE 01/27/10

Attention Erik Winata

REVIEW OF HYDROLOGY STUDY / DRAINAGE CONCEPT / SUSMP / LID

TR NO. 71035
SUBMITTAL DATE 12/21/09

We have reviewed your Hydrology Study / Drainage Concept / SUSMP / LID.

[X] The hydrology study has been approved for Area and Q only.

COMMENTS:

Please provided a CD with a scanned copy of the signed report and maps.

APPROVED BY _____
Chris Sheppard, P.E.
(626) 458-4921

REGISTERED PROFESSIONAL ENGINEER
CHRISTOPHER M. SHEPPARD
C 70441
EXP. 9/30/10
CIVIL
STATE OF CALIFORNIA

COUNTY OF LOS ANGELES
FIRE DEPARTMENT

5823 Rickenbacker Road
Commerce, California 90040-3027

DATE: September 2, 2010

TO: Department of Regional Planning
Permits and Variances

PROJECT #: R2009-02239 (CUP T200900026)

LOCATION: AV Solar Ranch One - North and South of SR 138 between 155th St. W. and 180th St. W., Antelope Valley

☒ **Comments:** THIS PROJECT IS CLEARED BY THE FIRE DEPARTMENT FOR PUBLIC HEARING.

☒ **Water:** THE FOLLOWING ITEMS SHALL BE PROVIDED DURING THE BUILDING PLAN CHECK PHASE AND APPROVED BY THE FIRE PREVENTION ENGINEERING SECTION:

1. Water storage requirements for the Operations & Maintenance Building shall be determined in accordance with NFPA 13 and NFPA 1142. The higher yield of water shall be provided in a water storage tank with a draft fire hydrant near the entrance to the facility (10,000 gallon minimum).
2. An additional water storage tank (10,000 gallon minimum) shall be provided to serve the south quadrant of the project and shall be located near the entrance from 170th Street West. Said tank shall include a draft fire hydrant.

☒ **Access:** THE FOLLOWING ITEMS SHALL BE PROVIDED DURING THE BUILDING PLAN CHECK PHASE AND APPROVED BY THE FIRE PREVENTION ENGINEERING SECTION:

1. Paved fire apparatus access as depicted on the plan labeled "Operations & Maintenance Facility Area" is adequate. Said plan is dated 05-05-2010, and is on file in the LDU office.
2. All weather fire apparatus access to the solar array field and equipment as depicted on the plan labeled "Solar Field Detail" is adequate. Said plan is dated 05-05-2010, and is on file in the LDU office.

☒ **Special Requirements:**

1. The plan labeled "Vegetation Management and Fire Control" is adequate. Said plan is dated 05-05-2010, and is on file in the LDU office.
2. Provide perimeter fencing around entire project to prevent debris collection underneath solar panels.
3. Provide electrical disconnects in accordance with any State of California photovoltaic guidelines and requirements prior to issuance of a building permit.
4. This project shall comply with LACoFD "Regulation 27 - Requirements for Building Construction and Land Use Within or Adjacent to High Voltage Transmission Lines".
5. All fire access gates shall comply with LACoFD "Regulation 5 - Limited Access Devices and Systems".

Fire Protection facilities; including access must be provided prior to and during construction. Should any questions arise regarding this matter, please feel free to call our office at (323) 890-4243

Inspector: SCOTT JAEGGI

COUNTY OF LOS ANGELES
Public Health

JONATHAN E. FIELDING, M.D., M.P.H.
Director and Health Officer

JONATHAN E. FREEDMAN
Chief Deputy Director

ANGELO J. BELLOMO, REHS
Director of Environmental Health

ALFONSO MEDINA, REHS
Director of Environmental Protection Bureau

KEN HABARADAS, MS, REHS
Acting Environmental Health Staff Specialist
5050 Commerce Drive
Baldwin Park, California 91706
TEL (626) 430-5280 • FAX (626) 960-2740

February 16, 2010

Kim K. Szalay, AICP
Principal Regional Planning Assistant
Special Projects Section
County of Los Angeles
Department of Regional Planning
320 West Temple St.
Los Angeles, CA 90012

SUBJECT: AV SOLAR RANCH ONE PROJECT
COUNTY PROJECT NO. R2009-02239, CUP NO. 200900126
16500 WEST AVENUE D, LANCASTER, CA93536

☒ Environmental Health recommends approval of this CUP.

☐ Environmental Health does NOT recommend approval of this CUP.

This is in response to your request for comments regarding a Conditional Use Permit (CUP) for the project identified above. The Department has reviewed the information provided and has no objection to the approval of this CUP provided that the applicant meets the following conditions:

Potable Water Supply

1. Documentation of an approved water source is required prior to construction / installation of any onsite wastewater treatment system (OWTS). Domestic water supply is proposed to be supplied by the construction of a new well adjacent to the existing irrigation well or in the vicinity of the O&M building. Prior to issuance of any building permits, the applicant shall construct a new well meeting the requirements of Title 11 of the Los Angeles County Code and the California Well Standards. A well drilling permit must be obtained from this Department prior to drilling/construction of the new well. The water supply must meet the requirements of the California Health and Safety Code, Title 22 of the California Code of Regulations, and Title 11 of the Los Angeles County Code.

2. The Department has no records indicating that the existing wells on the Project Site were constructed under permit from this Department and are in conformance with the requirements of the California Well Standards. Therefore, the Department will not approve the use of the existing wells for domestic purposes unless the wells have been brought into compliance with the California Well Standards and the standards of Environmental Health. This includes laboratory analysis of the well water for conformance with chemical and bacteriological requirements of the State Drinking Water Standards, as provided in Title 22 of the California Code of Regulations.

For questions regarding potable water requirements, please contact Richard Lavin, Chief, Drinking Water Program, at (626) 430-5370.

Wastewater Disposal

1. Prior to construction / installation of any onsite wastewater treatment system (OWTS), a complete feasibility report shall be submitted to this Department for review and approval. The feasibility report shall be prepared in conformance with the requirements outlined in the Department's guidelines, "Onsite Wastewater Treatment System (OWTS) Guidelines," which was revised in September 2009.

2. If a public sewer connection is available within 200 feet of any part of the proposed O&M building or exterior drainage, all future sewage drainage and piping shall be connected to such public sewer.

3. In the event that the requirements of the Plumbing Code cannot be met on the project Site, due to future grading or for any other reason, the Department will not recommend issuance of any building permits on this site.

4. The applicant is required to contact the Regional Water Quality Control Board to obtain any necessary authorization to proceed with this project.

For questions regarding OWTS requirements, please contact Patrick Nejadian, Chief, Land Use Program, at (626) 430-5380.

Noise

1. Comply with all applicable requirements of the Los Angeles County Noise Control Ordinance as found in Title 12, Chapter 12.08 of the Los Angeles County Code.

2. Comply with mitigation measures listed in the Final Environmental Impact Report with regard to minimizing construction related noise.

For questions regarding noise control requirements, please contact Cole Landowski, Head, Environmental Hygiene, at (626) 430-5440.

If you have any other questions or require additional information, please contact me at (626) 430-5262.

Sincerely,

Ken Habaradas, MS, REHS
Bureau of Environmental Protection

DEPARTMENT OF REGIONAL PLANNING **MAP DATE: 3/01/10**
PROJECT NO. R2009-02239-(5) **EXHIBIT "A" DATE: 5/18/10**
VESTING TENTATIVE TRACT MAP NO. 071035

CONDITIONS:

1. This grant authorizes use of the 790-acre subject property for a reversion to acreage from 147 lots to one lot as depicted on the approved Vesting Tentative Tract Map ("VTTM") dated March 01, 2010.

2. Except as modified herein, this approval is subject to the requirements of the Los Angeles County Code (Title 21, Subdivision Ordinance and Title 22, Zoning Ordinance); the A-2-5 zone; to all those conditions set forth in Conditional Use Permit ("CUP") No. 200900026; to all those conditions set forth in the attached reports recommended by the Los Angeles County Subdivision Committee that consists of the Department of Public Works, Fire Department, Department of Parks and Recreation, and Department of Public Health, which are incorporated herein by this reference; and the attached Mitigation Monitoring and Reporting Program ("MMRP"), which is included in the adopted Environmental Impact Report for the project and incorporated herein by this reference.

3. Prior to use of this grant, the subdivider or any successor in interest of the subdivider (herein after collectively "subdivider") shall submit evidence that the MMRP and the conditions of the associated CUP No. 200900026 have been recorded in the office of the County Recorder.

4. Within 30 days of tentative map approval, the subdivider shall record a covenant with attached map with the County agreeing to comply with the required environmental mitigation measures. Prior to recordation of the covenant, the subdivider shall submit a draft copy of said covenant to the Director of Regional Planning ("Director") for review and approval.

5. The mitigation measures set forth in the "Project Mitigation Measures Due to Environmental Evaluation" section of the Final Environmental Impact Report ("Final EIR") for the project, are incorporated by this reference and attached and made conditions of the Vesting Map. The subdivider shall comply with all such mitigation measures in accordance with the attached MMRP. As a means of ensuring the effectiveness of the mitigation measures, the subdivider shall submit mitigation monitoring reports to Regional Planning as frequently as may be required by Regional Planning. The reports shall describe the status of the subdivider's compliance with the required mitigation measures.

6. The subdivider shall show State Route 138 (Avenue D), 170th Street West, Avenue C, Avenue C-8 between 155th Street West and 160th Street West, 155th Street West, and 160th Street West between Avenue C-8 and State Route 138 (Avenue D) as dedicated streets on the final map.

7. The subdivider shall dedicate vehicular access rights on the final map from all abutting lots directly to SR 138 (Avenue D) to the satisfaction of the Department of Regional Planning.

8. The subdivider shall dedicate the right to restrict vehicular access on the final map from abutting lots to 170th Street West to the satisfaction of the Department of Regional Planning.

9. The subdivider shall depict and label the required slope/drainage easements for future roadway improvements along all future streets on the final map.

10. A final parcel map is required for this land division. A waiver is not allowed.

11. The subdivider shall construct or bond with and to the satisfaction of the Los Angeles County Department of Public Works for "Private Driveway and Fire Lane" driveway paving in widths as shown on the approved Exhibit "A", dated May 18, 2010, to the satisfaction of the Los Angeles County Department of Regional Planning and Los Angeles County Fire Department.

12. Within 3 days of the approval date of this grant, the permittee shall remit processing fees payable to the County of Los Angeles in connection with the filing and posting of a Notice of Determination (NOD) for Project No. R2009-02239-(5), which includes VTTM No. 071035 and CUP No. 200900026 in compliance with Section 21152 of the Public Resources Code. Unless a Certificate of Exemption is issued by the California Department of Fish and Game pursuant to Section 711.4 of the Fish and Game Code, the following applicable fee is required, **$2,867.25** ($2,792.25 for an Environmental Impact Report plus $75.00 processing fee). No land use project subject to this requirement is final, vested or operative until the fee is paid.

13. Within sixty (60) days of VTTM approval, the permittee shall deposit the sum of **$6,000.00** with the Department of Regional Planning in order to defray the cost of reviewing and verifying the information contained in the reports required by the MMRP.

14. The regulations of the Green Building, Drought-Tolerant Landscaping and Low Impact Development ordinances (Section 22.52 Parts 20, 21, and 22 of the Los Angeles County Code) apply to the subject Project. All future development on the subject property shall comply with said regulations.

15. The subdivider shall defend, indemnify, and hold harmless the County, its agents, officers, and employees from any claim, action, or proceeding against the County, its agents, officers, and employees to attack, set aside, void, or annul this tract map approval, or the related discretionary approvals, whether legislative or quasi-judicial, which action is brought within the applicable limitation period of Government Code Section 66499.37 or any other applicable limitation period. The County shall

promptly notify the subdivider of any claim, action, or proceeding and the County shall fully cooperate in the defense. If the County fails to cooperate fully in the defense, the subdivider shall not, thereafter, be responsible to defend, indemnify, or hold harmless the County.

16. In the event that any claim, action, or proceeding as described above is filed against the County, the subdivider shall within 10 days of the filing, pay the Department of Regional Planning an initial deposit of $5,000, from which actual costs shall be billed and deducted for the purpose of defraying the expense involved in the Department's cooperation in the defense, including but not limited to, depositions, testimony, and other assistance to subdivider or subdivider's counsel. The subdivider shall also pay the following supplemental deposits, from which actual costs shall be billed and deducted:

    a. If during the litigation process, actual costs incurred by the department reach 80 percent of the amount on deposit, the subdivider shall deposit additional funds sufficient to bring the balance up to the amount of the initial deposit. There is no limit to the number of supplemental deposits that may be required prior to completion of the litigation.

    b. At the sole discretion of the subdivider, the amount of an initial or supplemental deposit may exceed the minimum amounts defined herein.

    c. The cost for collection and duplication of records and other related documents will be paid by subdivider in accordance with Section 2.170.010 of the Los Angeles County Code.

Attachments:
Subdivision Committee Reports
Mitigation Monitoring and Reporting Program

SZD:KKS
8/31/10

The following reports consisting of 11 pages are the recommendations of Public Works.

The subdivision shall conform to the design standards and policies of Public Works, in particular, but not limited to the following items:

1. Details and notes shown on the tentative map are not necessarily approved. Any details or notes which may be inconsistent with requirements of ordinances, general conditions of approval, or Department policies must be specifically approved in other conditions, or ordinance requirements are modified to those shown on the tentative map upon approval by the Advisory agency.

2. Easements are tentatively required, subject to review by the Director of Public Works to determine the final locations and requirements.

3. Easements shall not be granted or recorded within areas proposed to be granted, dedicated, or offered for dedication for public streets, highways, access rights, building restriction rights, or other easements until after the final map is filed with the Registrar-Recorder/County Clerk's Office. If easements are granted after the date of tentative approval, a subordination must be executed by the easement holder prior to the filing of the final map.

4. In lieu of establishing the final specific locations of structures on each lot/parcel at this time, the owner, at the time of issuance of a grading or building permit, agrees to develop the property in conformance with the County Code and other appropriate ordinances such as the Building Code, Plumbing Code, Grading Ordinance, Highway Permit Ordinance, Mechanical Code, Zoning Ordinance, Underground of Utilities Ordinance, Water Ordinance, Sanitary Sewer and Industrial Waste Ordinance, Electrical Code, and Fire Code. Improvements and other requirements may be imposed pursuant to such codes and ordinances.

5. Adjust, relocate, and/or eliminate lot lines, lots, streets, easements, grading, geotechnical protective devices, and/or physical improvements to comply with ordinances, policies, and standards in effect at the date the County determined the application to be complete all to the satisfaction of Public Works.

COUNTY OF LOS ANGELES
DEPARTMENT OF PUBLIC WORKS
LAND DEVELOPMENT DIVISION – SUBDIVISION

TRACT NO. 71035 (Rev.) TENTATIVE MAP DATED 03-01-2010

6. All easements existing at the time of final map approval must be accounted for on the approved tentative map. This includes the location, owner, purpose, and recording reference for all existing easements. If an easement is blanket or indeterminate in nature, a statement to that effect must be shown on the tentative map in lieu of its location. If all easements have not been accounted for, submit a corrected tentative map to the Department of Regional Planning for approval.

7. Quitclaim or relocate easements running through proposed structures.

8. The following note shall be placed on all tract and parcel maps with lot sizes of five acres or more: "Further division of this property to lot/parcel sizes below five acres will require standard improvements be completed as a condition of approval. The improvements will include but not limited to providing access, installation of water mains, appurtenances and fire hydrants, and conformance to Los Angeles County development standards."

9. Extend lot lines to the center of private and future streets.

10. Grant ingress/egress and utility easements to the public over the private and future or future streets.

11. The final map shall be recorded as parcel map rather than a tract map.

12. A final parcel map must be processed through the Director of Public Works prior to being filed with the Registrar-Recorder/County Clerk's Office.

13. Prior to submitting the tract map to the Director of Public Works for examination pursuant to Section 66442 of the Government Code, obtain clearances from all affected Departments and Divisions, including a clearance from the Subdivision Mapping Section of the Land Development Division of Public Works for the following mapping items; mathematical accuracy; survey analysis; and correctness of certificates, signatures, etc.

14. A final guarantee will be required at the time of filing of the final map with the Registrar-Recorder/County Clerk's Office.

15. Within 30 days of the approval date of this land use entitlement or at the time of first plan check submittal, the applicant shall deposit the sum of $2,000 (Minor Land Divisions) or $5,000 (Major Land Divisions) with Public Works to defray the cost of verifying conditions of approval for the purpose of issuing final map clearances. This deposit will cover the actual cost of reviewing conditions of approval for Conditional Use Permits, Tentative Tract and Parcel Maps, Vesting Tentative Tract and Parcel Maps, Oak Tree Permits, Specific Plans, General Plan Amendments, Zone Changes, CEQA Mitigation Monitoring Programs and Regulatory Permits from State and Federal Agencies (Fish and Game, USF&W, Army Corps, RWQCB, etc.) as they relate to the various plan check activities and improvement plan designs. In addition, this deposit will be used to conduct site field reviews and attend meetings requested by the applicant and/or his agents for the purpose of resolving technical issues on condition compliance as they relate to improvement plan design, engineering studies, highway alignment studies and tract/parcel map boundary, title and easement issues. When 80% of the deposit is expended, the applicant will be required to provide additional funds to restore the initial deposit. Remaining balances in the deposit account will be refunded upon final map recordation.

HW JKC

Prepared by John Chin Phone (626) 458-4918 Date 03-24-2010

tr71035L-rev1.doc

COUNTY OF LOS ANGELES
DEPARTMENT OF PUBLIC WORKS

900 SOUTH FREMONT AVENUE
ALHAMBRA, CALIFORNIA 91803-1331
WWW.DPW.LACOUNTY.GOV

TRACT NO.: 71035 **TENTATIVE MAP DATE:** 3/1/10

STORM DRAIN AND HYDROLOGY SECTION CONDITIONS OF APPROVAL, PHONE: (626) 458-4921

Prior to Final Map Approval:

1. Provide a note of flood hazard on the final map and delineate the areas subject to flood hazard. Show and label all natural drainage courses. Dedicate to the County the right to restrict erection of buildings in the flood hazard area. This is required to the satisfaction of the Department of Public Works prior to the filing of the final map. NOTE: "Portions of Parcel 1 in and adjacent to the natural drainage courses are subject to flood hazard"

2. Dedicate easements to Los Angeles County for "Flood Control Purposes" per Antelope Valley Master Drainage Plan and as shown on Exhibit A of CUP R2009-02239(5). Easements must be delineated on the Final Map to the satisfaction of the Department of Public Works.

AZ Name CHRIS SHEPPARD Date 3/22/10 Phone (626) 458-4921

County of Los Angeles Department of Public Works
GEOTECHNICAL AND MATERIALS ENGINEERING DIVISION
GEOLOGIC REVIEW SHEET
900 So. Fremont Ave., Alhambra, CA 91803
TEL. (626) 458-4925

DISTRIBUTION
__ Geologist
__ Soils Engineer
1 GMED File
1 Subdivision

TENTATIVE TRACT / PARCEL MAP 71035
SUBDIVIDER AV Solar Ranch 1, LLC
ENGINEER Westwood Professional Services, Inc.
GEOLOGIST ---
SOILS ENGINEER ---

TENTATIVE MAP DATED 3/1/10 (Rev.)
LOCATION Lancaster
GRADING BY SUBDIVIDER [N] (Y or N)
REPORT DATE ---
REPORT DATE ---

TENTATIVE MAP FEASIBILITY IS RECOMMENDED FOR APPROVAL FROM A GEOLOGIC STANDPOINT

THE FOLLOWING INFORMATION IS APPLICABLE TO THIS DIVISION OF LAND:

- The Final Map does ***not*** need to be reviewed by GMED.
- Geology and/or soils engineering reports may be required prior to approval of building or grading plans.
- The Soils Engineering review dated 3/23/10 is attached.

Prepared by _____ Reviewed by _____ Date 3/23/10
Charles Nestle

Please complete a Customer Service Survey at http://dpw.lacounty.gov/go/gmedsurvey

COUNTY OF LOS ANGELES
DEPARTMENT OF PUBLIC WORKS
GEOTECHNICAL AND MATERIALS ENGINEERING DIVISION

SOILS ENGINEERING REVIEW SHEET

Address: 900 S. Fremont Ave., Alhambra, CA 91803
Telephone: (626) 458-4925
Fax: (626) 458-4913

District Office 5.0
Job Number LX001129
Sheet 1 of 1

DISTRIBUTION:
___ Drainage
___ Grading
___ Geo/Soils Central File
___ District Engineer
___ Geologist
___ Soils Engineer
___ Engineer/Architect

Tentative Parcel Map 71035
Location Antelope Valley
Developer/Owner AV Solar Ranch 1, LLC
Engineer/Architect Westwood
Soils Engineer -----
Geologist -----

Review of:

Tentative Parcel Map Dated by the Processing Center **3/1/10**

ACTION:

Tentative Map feasibility is recommended for approval, subject to conditions below:

REMARKS:

1. Soils engineering report may be required prior to approval of grading or building plans.
2. At the grading plan stage, submit two sets of grading plans to the Soils Section for verification of compliance with County codes and policies.

REGISTERED PROFESSIONAL ENGINEER YOSHIYA MORISAKU No. 67887 Exp. 6/30/11 CIVIL STATE OF CALIFORNIA

Reviewed by _____ Yoshiya Morisaku Date 3/23/10

NOTICE: Public safety, relative to geotechnical subsurface exploration, shall be provided in accordance with current codes for excavations, inclusive of the Los Angeles County Code, Chapter 11.48, and the State of California, Title 8, Construction Safety Orders.

P:\Yosh\71035, TentPM-A_1

COUNTY OF LOS ANGELES
DEPARTMENT OF PUBLIC WORKS
LAND DEVELOPMENT DIVISION – GRADING
TRACT MAP NO. 71035

TENTATIVE MAP DATED 03-01-2010
EXHIBIT MAP DATED 03-01-2010

1. Approval of this map pertaining to grading is recommended.

COMMENTS/ADDITIONAL REQUIREMENTS:

1. No Grading is proposed

MOE
Name David Esfandi Date 03/22/10 Phone (626) 458-4921

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The subdivision shall conform to the design standards and policies of Public Works, in particular, but not limited to the following items:

1. A minimum centerline curve length of 100 feet shall be maintained on all local streets. A minimum centerline curve radius of 100 feet shall be maintained on all cul-de-sac streets. Reversing curves of local streets need not exceed a radius of 1,500 feet, and any curve need not exceed a radius of 3,000 feet.

2. The minimum centerline radius is 350 feet on all local streets with 64 feet of right of way and on all the streets where grades exceed 10 percent.

3. The centerline of all local streets shall be aligned without creating jogs of less than 150 feet. A one-foot jog may be used where a street changes width from 60 feet to 58 feet of right of way.

4. The central angles of the right of way radius returns shall not differ by more than 10 degrees on local streets.

5. Dedicate the right to restrict vehicular access on 170th Street West.

6. Dedicate or offer right of way minimum of 100 feet from centerline and slope/drainage easements on Avenue D (State Route 138) to the satisfaction of Caltrans and Public Works. Additional right of way may be required for future grade separation at the intersection of Avenue D and 170th Street West to the satisfaction of Caltrans and Public Works.

7. Make an offer of private and future right of way 32 feet from centerline on Avenue C, Avenue C-8, 155th Street West, and 160th Street West between Avenue C-8 and Avenue D.

8. Dedicate or offer right of way for a standard knuckle at the intersection of 160th Street West and Avenue C-8 to the satisfaction of Public Works.

9. Dedicate or offer slope/drainage easements along all future or private and future streets to the satisfaction of Public Works.

10. Provide property line return radii of 13 feet at all local street intersections, and 27 feet at the intersection of local streets with planned highways (those on the County Highway Plan) and where all planned highways intersect or where one of

the roads serves a commercial or industrial development plus additional right of way for corner cut off to meet current guidelines of the Americans with Disabilities Act (ADA) to the satisfaction of Public Works.

11. Permission is granted to vacate excess right of way providing the adjoining property owners have the underlying ownership of the portion of street to be vacated. Easements shall be provided for all utility companies that have facilities remaining within the vacated area.

Prepared by Sam Richards Phone (626) 458-4921 Date 03-22-2010

tr71035r-rev.

COUNTY OF LOS ANGELES
DEPARTMENT OF PUBLIC WORKS
LAND DEVELOPMENT DIVISION - SEWER
TRACT NO. 71035 (Rev.)

TENTATIVE MAP DATED 03-01-2010

The subdivision shall conform to the design standards and policies of Public Works, in particular, but not limited to the following items:

1. Approved without conditions. There are no existing public sewer facilities within proximity of the project and the applicant proposes to use private sewer systems.

2. The use and installation of a private sewage system must be approved by the Department of Health Services. Please call (626) 430-5380 for additional information and requirements.

Prepared by Julian Garcia Phone (626) 458-4921 Date 03-23-2010
tr71035s-rev1.doc

COUNTY OF LOS ANGELES
DEPARTMENT OF PUBLIC WORKS
LAND DEVELOPMENT DIVISION - WATER
TRACT NO. 71035 (Rev.)

TENTATIVE MAP DATED 03-01-2010

The subdivision shall conform to the design standards and policies of Public Works, in particular, but not limited to the following item:

Approved without conditions. This is a 20+ acre subdivision.

Prepared by Julian Garcia Phone (626) 458-4921 Date 03-23-2010

tr71035w-rev1.doc

RP - Kim Szalay

COUNTY OF LOS ANGELES
FIRE DEPARTMENT

5823 Rickenbacker Road
Commerce, California 90040

CONDITIONS OF APPROVAL FOR SUBDIVISION - UNINCORPORATED

Project No: R2009-02239 (TR 71035) Map Date: March 01, 2010

C.U.P. T200900026 Vicinity: 09A5

☐ **FIRE DEPARTMENT HOLD** on the tentative map shall remain until verification from the Los Angeles County Fire Dept. Planning Section is received, stating adequacy of service. Contact (323) 881–2404.

☒ Access shall comply with Title 21 (County of Los Angeles Subdivision Code) and Section 503 of the Fire Code, which requires all weather access. All weather access may require paving.

☒ Fire Department access shall be extended to within 150 feet distance of any exterior portion of all structures.

☒ Where driveways extend further than 150 feet and are of single access design, turnarounds suitable for fire protection equipment use shall be provided and shown on the final map. Turnarounds shall be designed, constructed and maintained to insure their integrity for Fire Department use. Where topography dictates, turnarounds shall be provided for driveways that extend over 150 feet in length.

☐ The private driveways shall be indicated on the final map as "Private Driveway and Firelane" with the widths clearly depicted. Driveways shall be maintained in accordance with the Fire Code.

☐ Vehicular access must be provided and maintained serviceable throughout construction to all required fire hydrants. All required fire hydrants shall be installed, tested and accepted prior to construction.

☐ This property is located within the area described by the Fire Department as "Very High Fire Hazard Severity Zone" (formerly Fire Zone 4). A "Fuel Modification Plan" shall be submitted and approved prior to the Public Hearing. (Contact: Fuel Modification Unit, Fire Station #32, 605 North Angeleno Avenue, Azusa, CA 91702-2904, Phone (626) 969-5205 for details).

☒ Provide Fire Department or City approved street signs and building access numbers prior to occupancy.

☐ Additional fire protection systems shall be installed in lieu of suitable access and/or fire protection water.

☐ The final concept map, which has been submitted to this department for review, has fulfilled the conditions of approval recommended by this department for access only.

☐ These conditions must be secured by a C.U.P. and/or Covenant and Agreement approved by the County of Los Angeles Fire Department prior to final map clearance.

☒ The Fire Department has no additional requirements for this division of land.

Comments: **Fire Department access requirements will be determined with the CUP review (Permit Number T200900026).**

By Inspector: Juan C. Padilla Date March 23, 2010

Land Development Unit – Fire Prevention Division – (323) 890-4243, Fax (323) 890-9783

COUNTY OF LOS ANGELES
FIRE DEPARTMENT

5823 Rickenbacker Road
Commerce, California 90040

WATER SYSTEM REQUIREMENTS - UNINCORPORATED

Project No: R2009-02239 (TR 71035) Map Date: March 01, 2010

C.U.P. T200900026

☒ The County Forester and Fire Warden is prohibited from setting requirements for water mains, fire hydrants and fire flows as a condition of approval for this division of land as presently zoned and/or submitted. However, water requirements may be necessary at the time of building permit issuance.

☐ The required fire flow for public fire hydrants at this location is ____ gallons per minute at 20 psi for a duration of __ hours, over and above maximum daily domestic demand. __ Hydrant(s) flowing simultaneously may be used to achieve the required fire flow.

☐ The required fire flow for private on-site hydrants is ____ gallons per minute at 20 psi. Each private on-site hydrant must be capable of flowing ____ gallons per minute at 20 psi with two hydrants flowing simultaneously, one of which must be the furthest from the public water source.

☐ Fire hydrant requirements are as follows:

Install ____ public fire hydrant(s). Verify / Upgrade existing ____ public fire hydrant(s).

Install ____ private on-site fire hydrant(s).

☐ All hydrants shall measure 6"x 4"x 2-1/2" brass or bronze, conforming to current AWWA standard C503 or approved equal. All on-site hydrants shall be installed a minimum of 25' feet from a structure or protected by a two (2) hour rated firewall.
- ☐ Location: As per map on file with the office.
- ☐ Other location: ____

☐ All required fire hydrants shall be installed, tested and accepted or bonded for prior to Final Map approval. Vehicular access shall be provided and maintained serviceable throughout construction.

☐ The County of Los Angeles Fire Department is not setting requirements for water mains, fire hydrants and fire flows as a condition of approval for this division of land as presently zoned and/or submitted.

☒ Additional water system requirements will be required when this land is further subdivided and/or during the building permit process.

☐ Hydrants and fire flows are adequate to meet current Fire Department requirements.

☐ Fire hydrant upgrade is not necessary, if existing hydrant(s) meet(s) fire flow requirements. Submit original water availability form to our office.

Comments: **Fire Department water requirements will be determined with the CUP review (Permit Number T200900026).**

All hydrants shall be installed in conformance with Title 20, County of Los Angeles Government Code and County of Los Angeles Fire Code, or appropriate city regulations. This shall include minimum six-inch diameter mains. Arrangements to meet these requirements must be made with the water purveyor serving the area.

By Inspector Juan C. Padilla Date March 23, 2010

Land Development Unit – Fire Prevention Division – (323) 890-4243, Fax (323) 890-9783

COUNTY OF LOS ANGELES
Public Health

JONATHAN E. FIELDING, M.D., M.P.H.
Director and Health Officer

JONATHAN E. FREEDMAN
Chief Deputy Director

ANGELO J. BELLOMO, REHS
Director of Environmental Health

ALFONSO MEDINA, REHS
Director of Environmental Protection Bureau

KEN HABARADAS, MS, REHS
Acting Environmental Health Staff Specialist
5050 Commerce Drive
Baldwin Park, California 91706
TEL (626) 430-5280 • FAX (626) 960-2740

March 18, 2010

Tract Map: 071035 RFS No. 10-0006710

Vicinity: Lancaster

Vesting Tentative Tract Map Date: March 1, 2010 (1st Revision)

☒ Environmental Health recommends approval of this map.

☐ Environmental Health does **NOT** recommend approval of this map.

The project involves the reversion to acreage of Parcel 1, which was previously subdivided as shown on Tract Map 34427. Parcel 1 is a part of a 2,060 acre site proposed for a photovoltaic power project. The Los Angeles County Department of Public Health – Environmental Health Division (Department) has no objection to the reversion to acreage and **Vesting Tentative Tract Map 071035** is cleared for public hearing. The following conditions still apply and are in force:

Potable Water Supply

1. The Department has reviewed the Groundwater Characteristic Report (URS 2009) submitted by the applicant. The data contained in the report indicates that there is sufficient groundwater available on the parcel to serve the proposed project. According to the Screencheck Environmental Impact Report prepared for the proposed project, potable water will be supplied by the construction of a new well adjacent to an existing irrigation well or in the vicinity of the proposed Operation & Maintenance (O&M) building. **Prior to issuance of any building permits**, the applicant shall construct a new well meeting the requirements of the California Safe Drinking Water Act, the California Well Standards and Title 11 of the Los Angeles County Code. A well drilling permit must be obtained from this Department prior to drilling/construction of any water well. The well must also meet the requirements of the Department with respect to quantity.

2. If the applicant proposes to use the existing wells on the parcel for domestic purposes, the wells must be brought into compliance with the California Well Standards and the standards of the Department prior to issuance of any building permits.

3. Any wells to be abandoned shall be decommissioned in accordance with requirements of the Department.

4. The application indicates that operational employee numbers are estimated to be 16 full-time positions, working up to four (4) shifts, with a maximum of eight employees per shift. If 25 or more persons are employed for more than 60 days per year, the California Safe Drinking Water Act requires that a public water system be established meeting all applicable requirements of the California Health and Safety Code and Title 22 of the California Code of Regulations.

For questions regarding the above requirements, please contact Richard Lavin, Chief, Drinking Water Program, at (626) 430-5262.

Wastewater Disposal

1. **Prior to construction / installation of any OWTS**, a complete feasibility report shall be submitted to the Department for review and approval. The feasibility report shall be prepared in conformance with the requirements outlined in the Department's guidelines, "Onsite Wastewater Treatment System (OWTS) Guideline."

2. If a public sewer connection is available within 200 feet of any part of the proposed O&M building or exterior drainage, all future sewage drainage and piping shall be connected to such public sewer.

3. In the event that the requirements of the Plumbing Code cannot be met on the parcel, due to future grading or for any other reason, the Department will not recommend issuance of any building permits on this site.

4. **Prior to construction / installation of any OWTS**, the applicant shall obtain any necessary authorization from the Regional Water Quality Control Board for the commercial discharge of wastewater.

For questions regarding the above requirements, please contact Patrick Nejadian, Chief, Land Use Program, at (626) 430-5390.

If you have any other questions or require additional information, please contact me at (626) 430-5262.

Respectfully,

Ken Habaradas, MS, REHS
Bureau of Environmental Protection

LOS ANGELES COUNTY
DEPARTMENT OF PARKS AND RECREATION

PARK OBLIGATION REPORT

Tentative Map # **71035**	DRP Map Date: **03/01/2010**	SCM Date: **03/25/2010**	Report Date: **03/22/2010**
Park Planning Area # **47B**	**EDWARDS**		Map Type: **REV. (REV RECD)**

Total Units **0** = Proposed Units **0** + Exempt Units **0**

Sections 21.24.340, 21.24.350, 21.28.120, 21.28.130, and 21.28.140, the County of Los Angeles Code, Title 21, Subdivision Ordinance provide that the County will determine whether the development's park obligation is to be met by:

1) the dedication of land for public or private park purpose or,
2) the payment of in-lieu fees or,
3) the provision of amenities or any combination of the above.

The specific determination of how the park obligation will be satisfied will be based on the conditions of approval by the advisory agency as recommended by the Department of Parks and Recreation.

Park land obligation in acres or in-lieu fees:

ACRES:	**0.00**
IN-LIEU FEES:	**$0**

Conditions of the map approval:

The park obligation for this development will be met by:

The payment of $0 in-lieu fees.

This project is exempt from park obligation requirements because:

Non-residential subdivision.

Trails:

No trails.

Comments:

No residential units are proposed. The project is a reversion to acreage for solar development.

Please contact Clement Lau at (213) 351-5120 or Sheela Mathai at (213) 351-5121, Department of Parks and Recreation, 510 South Vermont Avenue, Los Angeles, CA 90020 for further information or to schedule an appointment to make an in-lieu fee payment.

For information on Hiking and Equestrian Trail requirements, please contact the Trails Coordinator at (213) 351-5134.

By: James Barber

James Barber, Land Acquisition & Development Section

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March 22, 2010 13:03:10
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LOS ANGELES COUNTY
DEPARTMENT OF PARKS AND RECREATION

PARK OBLIGATION WORKSHEET

Tentative Map # **71035**	DRP Map Date: **03/01/2010**	SMC Date: **03/25/2010**	Report Date: **03/22/2010**
Park Planning Area # **47B**	**EDWARDS**		Map Type: **REV. (REV RECD)**

The formula for calculating the acreage obligation and or In-lieu fee is as follows:

(P)eople x (0.003) Ratio x (U)nits = (X) acres obligation

(X) acres obligation x RLV/Acre = In-Lieu Base Fee

Where:

P = Estimate of number of People per dwelling unit according to the type of dwelling unit as determined by the 2000 U.S. Census*. Assume * people for detached single-family residences; Assume * people for attached single-family (townhouse) residences, two-family residences, and apartment houses containing fewer than five dwelling units; Assume * people for apartment houses containing five or more dwelling units; Assume * people for mobile homes.

Ratio = The subdivision ordinance provides a ratio of 3.0 acres of park land for each 1,000 people generated by the development. This ratio is calculated as "0.0030" in the formula.

U = Total approved number of Dwelling Units.

X = Local park space obligation expressed in terms of acres.

RLV/Acre = Representative Land Value per Acre by Park Planning Area.

Total Units **0** = Proposed Units **0** + Exempt Units **0**

	People*	Ratio 3.0 Acres / 1000 People	Number of Units	Acre Obligation
Detached S.F. Units	3.00	0.0030	0	0.00
M.F. < 5 Units	3.17	0.0030	0	0.00
M.F. >= 5 Units	4.34	0.0030	0	0.00
Mobile Units	1.79	0.0030	0	0.00
Exempt Units			0	
			Total Acre Obligation =	**0.00**

Park Planning Area = **47B EDWARDS**

Ratio	Acre Obligation	RLV / Acre	In-Lieu Base Fee
@(0.0030)	0.00	$49,352	**$0**

Lot #	Provided Space	Provided Acres	Credit (%)	Acre Credit	Land
None					
			Total Provided Acre Credit:	**0.00**	

Acre Obligation	Public Land Crdt.	Priv. Land Crdt.	Net Obligation	RLV / Acre	**In-Lieu Fee Due**
0.00	0.00	0.00	0.00	$49,352	**$0**

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APPLICANT'S COST COMPARISON WITH DPW REVIEW

COMPARISON OF UNDERGROUND AND ABOVE GROUND TRANSMISSION LINE AND POLE INSTALLATIONS

Kicd

COMPARISON OF OVERHEAD vs. UNDERGROUND ELECTRIC TRANSMISSION LINES

The following discussion compares overhead and underground transmission lines for the 230 kilovolt (kV) line and the 34.5 kV collections systems for the AV Solar Ranch One Project.

230-kV TRANSMISSION LINES

Operationally, overhead (OH) and underground (UG) transmission lines are very similar. Both construction methods must include over-current and over-voltage protective devices at both ends of each line segment. These protective devices are set to operate automatically based on tolerances set by the design engineers. These devices can also be operated to energize or de-energize the transmission line as needed, either remotely or locally, depending on the situation and the need.

Beyond the operational similarities, there are significant differences between OH and UG transmission lines that need to be considered when determining which construction type is best suited for a particular project. The major differences to consider are:

- the cost of construction,
- the construction impacts,
- the permanent impacts,
- line maintenance and restoration,
- and risk factors.

Costs

OH transmission lines, such as the line needed for the AV Solar Ranch One project (230-kV, 4.5 miles in length), typically cost on the order of $750,000 to $1,000,000 per mile depending on the types of structures to be used (mono-pole, lattice, H-frame, etc.) and the materials used in each structure (wood, steel, or concrete). The towers planned for the AVSR1 project would be fabricated from tubular steel with costs for each tower ranging from approximately $60,000, for in-line towers, to $100,000, for deadend or large angle towers.

UG transmission lines of similar capacity have been shown to cost approximately five times as much as OH to construct. A large part of the cost increase is due to the materials used in an UG transmission line. OH transmission lines place each energized conductor high overhead, thereby providing adequate isolation for public safety. As such, no special insulation is applied on the conductor because the conductors are effectively insulated by air. UG conductors, however, are located, at most, four to five feet underground and are installed in very close proximity to one another. The various components of the high-purity polymer insulation required around each conductor are specifically designed, and must perform as designed for the entire assembly to remain safe and operational. This causes each conductor on the transmission line to have a much higher initial fabrication cost and, a much higher installed cost.

Construction Impacts

The installation methods used for OH and UG transmission lines are also much different and have cost impacts as well as site impacts. OH transmission lines will likely have one single-pole structure installed, on average, every 700 feet. UG transmission cables are installed in a bank of conduits with splice vaults located along the duct bank at regular intervals, usually one vault every 2,000 feet. The overall disturbance caused by the construction of the OH transmission line will be much less than the disturbance for the UG transmission line because the construction activity on the OH transmission line is limited to the specific tower locations, whereas UG construction requires a continuous five-foot-wide excavation along the length of the entire transmission line route.

The individual structure locations on an OH transmission line can be specifically selected to minimize, or eliminate, interference with property owners, vegetation, or other structures above or below ground. This option is not available with UG transmission line construction because the duct bank installation requires an open-cut trench and must be contiguous. Directional boring for a duct bank of this size is generally avoided due to the cost premium and the reduction of circuit capacity caused by the increased depth and the inability to control the thermal properties of the soil around the duct bank.

Permanent Impacts

When OH construction is completed the permanent impacts are similar to the construction impacts; only the tower locations restrict further use of the property. Easements acquired for an OH transmission line typically prohibit only the construction of buildings, tall signs, etc., that might impact safety clearances to the line conductors. OH construction rarely prohibits the construction of roadways, walkways, or agricultural uses under the line. This advantage is not available with an UG transmission line because the duct bank is typically surrounded on all sides by specially formulated thermal concrete to within twelve inches of the ground surface creating a significant physical barrier to future land use and requiring a more restrictive easement for protection of the facility.

Maintenance and Restoration

Transmission lines require regular inspection and maintenance to ensure proper and uninterrupted operation. General maintenance and outage restoration are much more difficult with an UG transmission line than with an OH transmission line. OH transmission lines are inspected visually, usually from the ground while the line is energized and transmitting power as intended. Accessing an UG transmission line for inspection is possible only at the splice vault locations and usually requires the line to be de-energized for safety reasons, thereby stopping production for the generation facility. Assessing the condition of the cable insulation also requires specialized equipment and a de-energized line.

Accessibility to the UG transmission line is an even larger issue in the unlikely event of a component failure. Furthermore, a single material failure on an UG transmission line can damage

multiple components expanding a simple failure/replacement into a much more significant event with higher restoration costs and longer outage durations. This scenario is compared to the replacement of individual components on an OH transmission line where all of the components are readily accessible and do not have the same probability of damage if an adjacent component fails.

Risk Factors

One final point of discussion is the amount of risk imposed upon the surrounding area by either the OH or UG transmission line. Properly designed transmission lines have been shown to impose very little risk to a given area whether installed above ground or below ground. Beyond the obvious visual impact of an OH transmission line, vertical and horizontal design clearances as defined by the NESC and California General Order 95 are such that confidence in the safety for the general public is maximized. UG transmission lines, being less visually apparent, are theoretically more likely to be interfered with because the general public may not be as aware of the location. Trenching or drilling equipment could inadvertently encounter the buried conduits, or the surrounding concrete.

An often stated risk is the possibility the line could pose a fire danger to the surrounding area. In the case of either type of line, the risk of fire danger is extremely low. Many medium-voltage power lines use over-current protective devices, such as fused cutouts, that can expel burning embers when the fuse blows. OH and UG transmission lines typically use circuit breakers, located at a substation or switchyard, to de-energize a segment of line. Circuit breakers are completely self-contained and are constructed to extinguish an arc inside the tank of the breaker. Fire danger is further reduced by installing OH transmission lines on steel poles, as is the case for the AVSR1 project. This prevents the possibility of a pole fire due to an insulator failure.

The attached table, Table 1, lists each of the items discussed here in a format suited for direct comparison between OH transmission lines and UG transmission lines. As discussed, both types of lines are similarly operated once constructed. The major differences can be found in the construction methods, the impact to the surrounding area during construction, the degree of permanent impact imposed by each, and the periodic maintenance activities that must be performed on any transmission line.

TABLE 1. COMPARISON OF OVERHEAD vs. UNDERGROUND 230-kV ELECTRIC TRANSMISSION LINES

Comparison Issue	Overhead 230-kV	Underground 230-kV
Operation	Operation is not demonstrably different whether OH or UG	
Cost of Construction	Order of Magnitude Cost is Approximately $0.75M per Mile	Order of Magnitude Cost is Approximately $4.1M per mile
Construction Impact	1) Construction activity limited to individual tower locations. 2) Excavations are approximately 8ft in diameter and 30ft deep.	1) Construction activity is significant along the centerline with a minimum of 200ft of trench exposed at all times. 2) Excavations at vault locations

Comparison Issue	Overhead 230-kV	Underground 230-kV
	3) Tower locations selected to avoid existing conflicts (eg driveways, roadways, etc.)	are approximately 50ft in length by 30ft in width by 20ft in depth. 3) Existing driveways and roadways must be excavated and repaired with impacts to residents and local traffic.
Maintenance	1) Required periodic inspections are carried out while the line is energized. 2) No disruption to local residents or traffic by ground or aerial inspections of the line.	1) Required periodic inspections dictate the line be de-energized. 2) Access to the vaults must follow all confined space protocols. 3) Potential disruption to residents and local traffic caused by surface crew activities during the inspection.
Outage Restoration	1) Causes are easily and quickly determined by ground or aerial inspection. 2) Repairs generally require minimal time or cost (ie insulator replacement, etc.)	1) Causes can be difficult and time-consuming to locate. 2) Repairs can be very costly with the potential for re-excavation along the right-of-way possibly required.
Mitigation of Fire Danger	Fire risk is low for the following reasons: 1) Use of steel poles versus wood poles prevents the possibility of pole fires due to insulator failure. 2) No switching devices (fused cutouts, switches, reclosers) on the line to disperse debris or burning embers. 3) Designed for minimum 30ft ground clearance with conductors overhanging roadway to avoid natural or transplanted vegetation. 4) Self-supporting steel structures which eliminates down-guys and subsequent related opportunities for line failures. 5) Overcurrent protection devices designed to de-energize the line in approximately 8/100 of one second in the event of a fault.	Fire risk is low for the following reasons: 1) Buried a minimum of 4ft below grade and encapsulated in PVC conduit. 2) No switching devices (fused cutouts, switches, reclosers) on the line to disperse debris or burning embers. 3) Overcurrent protection devices designed to de-energize the line in approximately 8/100 of one second in the event of a fault.
Incident Electric and Magnetic Fields	The calculated EMF levels are well under commonly established limits. Electric Field: 2.7kV/Meter Magnetic Field: 78mG	The calculated EMF levels are well under commonly established limits. Electric Field: Shielded Magnetic Field: 75mG
Permanent Impacts	1) Visual impacts only. Overhead lines do not significantly restrict surface or subsurface use of the road right-of-way. 2) Minimum California height	1) The concrete backfill used is a minimum of 3ft wide and extends from a minimum of 4ft deep to 1.5ft below grade presenting a permanent barrier to future underground road crossings and

Comparison Issue	Overhead 230-kV	Underground 230-kV
	requirements allow future installation of roadway lighting, signalization and traffic signs as needed.	to surface uses that require foundations or embedments.

MEDIUM-VOLTAGE COLLECTION SYSTEMS

As with the 230-kV lines, operationally, overhead (OH) and underground (UG) medium-voltage collection systems are very similar. Both construction methods include over-current protective devices at the substation and over-voltage surge arresters at various locations on the circuits. These protective devices are set to operate automatically based on tolerances set by the design engineers or by the manufacturer. The over-current devices can also be operated to energize or de-energize each collection circuit as needed, either remotely or locally, depending on the situation and the need.

Beyond the operational similarities, there are significant differences between OH and UG collection systems that need to be considered when determining which construction type is best suited for a particular project. The major differences to consider are:

- the cost of construction,
- the construction impacts,
- the permanent impacts,
- line maintenance and restoration,
- and risk factors.

Costs

OH collection systems, such as that needed for the AValley Solar Ranch One project (34.5-kV, 3 miles of pole line), typically cost on the order of $241,000 per mile of pole line. The pole-lines planned for the AVSR1 project would be constructed using wooden poles with up to two circuits on each pole. The conductors would be supported on un-grounded line-post insulators to provide the required avian protection.

UG collection systems of similar capacity have been shown to cost up to ten times as much to construct. A large part of the cost increase is due to the materials used to manufacture UG power cable. OH design practices place each energized conductor high overhead thereby providing adequate isolation for public safety. As such, no special insulation is applied on the conductor because the conductors are effectively insulated by air. UG conductors, however, are located, at most, four to five feet underground and are installed in very close proximity to one another. The various components of the high-purity polymer insulation required around each conductor are specifically designed, and must perform as designed, for the entire assembly to remain safe and operational. This causes each conductor on the collection system to have a much higher initial fabrication cost and, a much higher installed cost.

The number of circuits required to meet the full-load generation plant rating will be higher in an UG collection system as compared to an OH collection system. This is a significant portion of the ten-fold increase in cost over an OH collection system. OH collection circuits are exposed to open air where heat generated by the flow of electricity can be easily and quickly dissipated. UG circuits are confined underground in soils that typically resist the flow of heat away from the collection circuit causing a conductor rating to be reduced by a factor of three in most cases. This can result in three times as many conductors per circuit to achieve a circuit ampacity comparable to that of an OH collection system. In most cases, the conductor size is first increased to some maximum practical limit after which additional circuits are designed to achieve the desired full-load rating for a collection system. This results in two UG circuits, each with a conductor size larger than the conductor on the equivalent OH circuit, to achieve an UG circuit capacity comparable to the OH circuit designed for the same loading.

Construction Impacts

The installation methods used for OH and UG collection systems are also much different and have cost impacts as well as site impacts. OH collection systems will likely have one single-pole structure installed, on average, every 160 feet. Each pole-line can accommodate up to two collection circuits with one circuit on each side of the pole. UG collection circuits are installed in individual trenches. The overall disturbance caused by the construction of the OH collection system will be much less than the disturbance for the UG collection system because the construction activity on the OH collection system is limited to the specific tower locations, whereas UG construction requires a continuous two-foot-wide excavation along the length of each collection circuit.

An OH collection system can sometimes be less advantageous than an UG collection system when considering the total width required where multiple circuits exist in a single section. OH pole lines, with one circuit on each side of the pole, require approximately twenty-five feet of width per pole-line for operational clearances. UG circuits would be installed with approximately ten feet of separation between each circuit. As the number of circuits increases the total width disparity accumulates causing the UG collection system to become more favorable. In the case of the AVSR1 project, the highest number of circuits expected in any one section would be eight. If these eight circuits are installed OH, the total width required would be 100 feet because two circuits can be installed on a single pole-line. If these eight circuits are installed UG, the total width required would be 80 feet because each circuit is installed in a unique trench.

Permanent Impacts

When OH construction is completed the permanent impacts are similar to the construction impacts; most future uses of the underlying property are only restricted by the pole locations and generally not by the OH conductors between poles. Space reservations on the project property for an OH collection system will restrict only the construction of buildings, tall signs, etc., that might impact safety clearances to the line conductors. OH construction rarely prohibits the additional roadways, walkways, or agricultural uses under the line. This advantage is not available with an UG collection system because each UG circuit in the collection system must be

protected from damage caused by excavations of any kind; whether for a new roadway, to install a footing for a new sign, or any other conceivable excavation.

Maintenance and Restoration

Collection systems require regular inspection and maintenance to ensure proper and uninterrupted operation. General maintenance is much more difficult with an UG collection system than with an OH collection system. OH collection systems are inspected visually, usually from the ground while the line is energized and transmitting power as intended. Accessing an UG collection system for inspection is possible only at the termination locations and usually requires the line to be de-energized for safety reasons, thereby stopping production for a portion of the generation facility. Assessing the condition of the cable insulation also requires specialized equipment and a de-energized line and is hampered by the fact that the line is buried and inaccessible.

The inaccessibility of the UG collection system is an even larger issue in the unlikely event of a component failure in that repair and restoration can be very difficult. Furthermore, a single material failure on an UG collection system can damage multiple components expanding a simple failure/replacement into a much more significant event with higher restoration costs and longer outage durations. This scenario is compared to the replacement of individual components on an OH collection system where all of the components are readily accessible and do not have the same probability of damage if an adjacent component fails.

Risk Factors

Properly designed collection systems have been shown to impose very little risk to a given area whether installed above ground or below ground. Beyond the obvious visual impact of an OH collection system, vertical and horizontal design clearances as defined by the NESC and California General Order 95 are such that confidence in the safety of the general public is maximized. UG collection systems, being less visually apparent, are theoretically more likely to be interfered with because the general public may not be as aware of the location. Trenching or drilling equipment could inadvertently encounter the buried cables causing an outage.

An often stated risk is the possibility the line could pose a fire danger to the surrounding area. In the case of either type of line, the risk of fire danger is extremely low. Many medium-voltage power lines use over-current protective devices, such as fused cutouts, that can expel burning embers when the fuse blows. This is not the case in either an OH or UG collection system for AVSR1 which uses either reclosers or circuit breakers, located at the substation, to de-energize the line if a fault is detected. Both types of equipment are completely self-contained and are constructed to extinguish an arc inside the equipment tank.

Conclusion

The attached table, Table 1, lists each of the items discussed here in a format suited for direct comparison between OH collection systems and UG collection systems. As discussed, both types of lines are similarly operated once constructed. The major differences can be found in the

construction methods, the impact to the surrounding area during construction, the degree of permanent impact imposed by each, and the periodic maintenance activities that must be performed on any collection system.

TABLE 1. COMPARISON OF OVERHEAD vs. UNDERGROUND MEDIUM-VOLTAGE COLLECTION SYSTEMS

Comparison Issue	**Overhead 34.5-kV**	**Underground 34.5-kV**
Operation	Operation is not demonstrably different whether OH or UG	
Cost of Construction	Order of Magnitude Cost is Approximately $241k per Mile	Order of Magnitude Cost is Approximately $2,410k per mile (10X higher than OH cost)
Construction Impact	Total disturbance estimated to be less than 200 ft^2 per 1,000 feet. 1) Construction activity limited to individual pole locations. 2) Excavations are approximately 3ft in diameter and 6-8ft deep. 3) Poles typically placed 160ft apart. 4) Pole-lines spaced approximately 25ft between centers 5) Up to 2 circuits per pole-line. 6) Worst case is 4 pole-lines (8 total circuits) in any one section.	Total disturbance estimated to be 12,000 ft^2 per 1000 feet 1) Construction activity is significant along the centerline with a minimum of 200ft of trench exposed at all times. 2) Each trench is a minimum of 1.5 ft wide and 4 ft deep. 3) Minimum of 8ft separation between trenches. 4) One circuit per trench 5) Worst case is 8 trenches in any one section.
Maintenance	1) Required periodic inspections are carried out while the line is energized. 2) No disruption to local residents or traffic by ground or aerial inspections of the line.	1) Required periodic inspections dictate the line be de-energized. 2) Limited access to the splices, terminations and cables.
Outage Restoration	1) Causes are easily and quickly determined by ground or aerial inspection. 2) Repairs generally require minimal time or cost (ie insulator replacement, etc.)	1) Causes can be difficult and time-consuming to locate. 2) Repairs can be very costly with re-excavation along the right-of-way possibly required.
Mitigation of Fire Danger	Fire risk is low for the following reasons: 1) Designed for minimum 30ft ground clearance with conductors overhanging roadway to avoid natural or transplanted vegetation. 2) No switching devices (fused cutouts, switches, reclosers) on the line to disperse debris or burning embers. 3) Overcurrent protection devices	Fire risk is low for the following reasons: 1) Buried a minimum of 4ft below grade 2) No switching devices (fused cutouts, switches, reclosers) on the line to disperse debris or burning embers. 3) Overcurrent protection devices designed to de-energize the line in the event of a fault.

Comparison Issue	Overhead 34.5-kV	Underground 34.5-kV
	designed to de-energize the line in the event of a fault.	
Incident Electric and Magnetic Fields	The calculated EMF levels are well under commonly established limits. Electric Field: 0.2kV/Meter Magnetic Field: 27mG	The calculated EMF levels are well under commonly established limits. Electric Field: Shielded Magnetic Field: 19mG
Permanent Impacts	1) Visual impacts only. 2) Overhead lines do not significantly restrict surface or subsurface use of the road right-of-way. 2) Permanent impact limited to the specific pole locations within an approximate 100 ft wide corridor (4 pole-lines, 8 circuits)	1) Less visually disruptive. 2) Underground lines provide minimal restriction to surface activity but disallow any future sub-surface excavations or installations. 3) Permanent impact limited to a corridor width of at least 80ft. (8 circuits)

Szalay, Kim

From: Kelly, John [JKELLY@dpw.lacounty.gov]
Sent: Thursday, September 24, 2009 3:14 PM
To: Szalay, Kim
Cc: Williams, Jacob; Cadena, Diego; Hunter, Dennis; Sparks, Jim; Chris Montana; William Dawson
Subject: RE: AVSRO Project: OH vs. UG Transmission Lines Analysis

Importance: High

Kim – I am copying Mr. Hunter of our Land Development Division to make sure our CEQA unit is kept in the loop on this request.

In response, we reviewed the info you sent over regarding the cost to underground the subject transmission lines. Our Department typically deals with the undergrounding of sub-transmission voltage (33kv to 66kv) and distribution line voltage (less than 33kv) through Southern California Edison(SCE). The transmission lines discussed in the report are 230kv. This line voltage (230kv) is the point break between high voltage and extra high voltage, meaning these are the type of lines you see on towers or very tall steel monopoles spaced widely apart. The reason this is important is that costs for overhead or underground installation of high voltage is much more complex and expensive than for sub-transmission or distribution lines.

Undergrounding costs, even in ideal situations, typically can range from $2.5 million/mile for 33kv and below to $5 million/mile for 66kv (ideal conditions meaning no unusual right-of-way, construction, etc issues to overcome). The subject report estimates that the 230kv high voltage transmission lines could cost $4.1 million/mile and the 34.5kv collection line could cost $2.4 million/mile. These figures are within or below the range of known costs in our experience, with the high voltage estimate being below. The reason for this lower cost could be due to the remote area and associated lack of interfering infrastructure improvements.

Please let us know if this information will suffice for your purposes.

From: Williams, Jacob
Sent: Wednesday, September 23, 2009 6:50 PM
To: Kelly, John
Subject: FW: AVSRO Project: OH vs. UG Transmission Lines Analysis

John

I am attaching info that may not have been distributed yet, not sure, but Regional Planning is asking for a review of the attached overhead vs undergound transmission lines analysis / cost comparison that I believe Nextlight has provided. Read the string below and you'll understand why I want to expedite this review. How soon can we provide the review feedback they need?

Jacob

------ Forwarded Message
From: "Szalay, Kim" < >
Date: Tue, 22 Sep 2009 08:23:30 -0700
To: "Williams, Jacob" <JJWILLIA@dpw.lacounty.gov>
Cc: "Dea, Samuel" <sdea@planning.lacounty.gov>
Subject: RE: AVSRO Project: OH vs. UG Transmission Lines Analysis

Good Morning Jacob,

I believe it was attached to Chris Montana's e-mail as indicated in e-trail below? Attached is a copy for your reference as

Szalay, Kim

From: Kelly, John [JKELLY@dpw.lacounty.gov]
Sent: Thursday, September 24, 2009 5:51 PM
To: Szalay, Kim
Cc: Williams, Jacob; Cadena, Diego; Hunter, Dennis; Sparks, Jim; Chris Montana; William Dawson
Subject: RE: P.S. .... AVSRO Project: OH vs. UG Transmission Lines Analysis
Importance: High

Kim – no problem. The costs given for overhead are similarly in the ballpark. For the 230kv transmission line, the estimated cost of $750k per mile is approximately 1/5th the cost of undergrounding. For the 34.5kv collection system, the estimated cost of $241k is 1/10th the cost of undergrounding. These cost differentials can converge a bit when looking at life cycle costs due to factors specific to the location of the installation (e.g. the costs of overhead are higher over time when considering tree trimming adjacent to the lines; however, in a remote area without street trees, this cost would not be incurred. Similarly, there are some factors associated with undergrounding that can save costs over time, and vice-versa).

Also, the ten-times factor for the collection system seems extreme, but the underground amount is likely accurate ($2.4 million/mile), and the seemingly low cost for overhead is likely due to the simplicity of running standard wood distribution poles in a rural, unimproved area (cheapest type of location for overhead).

Bottom line is that in a remote area, the five-times factor for high voltage transmission, and the ten-times factor for the 34.5kv collector are reasonable estimates in our opinion. We also checked with SCE to make sure our assumptions and numbers were consistent with their installation costs, and they are.

From: Szalay, Kim [mailto:kszalay@planning.lacounty.gov]
Sent: Thursday, September 24, 2009 5:18 PM
To: Kelly, John
Cc: Williams, Jacob; Cadena, Diego; Hunter, Dennis; Sparks, Jim; Chris Montana; William Dawson
Subject: P.S. .... AVSRO Project: OH vs. UG Transmission Lines Analysis

John,

On second thought, upon a second reading I noticed that your comments did not mention the comparison to above ground transmission line installation. Do you have a similar per mile cost comparison for above ground installation for both high and low voltage installations?

Thanks,

Kim

From: Szalay, Kim
Sent: Thursday, September 24, 2009 3:40 PM
To: 'Kelly, John'
Cc: Williams, Jacob; Cadena, Diego; Hunter, Dennis; Sparks, Jim; Chris Montana; William Dawson
Subject: RE: AVSRO Project: OH vs. UG Transmission Lines Analysis

Thank you very much John. This is the kind of information we were requesting. This will suffice.

Sincerely,

Kim Szalay

TABLE OF MARKET RATE PRICE REFERENTS FOR ELECTRIC POWER

The following table provides the CPUC 2008 Market Price Referents. The AVSR1 PPA has a 25 year term that is expected to start in 2013. The power price is fixed for the 25 year term.

Adopted 2008 Market Price Referents[1] (Nominal - dollars/kWh)				
Resource Type	**10-Year**	**15-Year**	**20-Year**	**25-Year**
2009 Baseload MPR	0.10043	0.10537	0.11126	0.11480
2010 Baseload MPR	0.10175	0.10748	0.11390	0.11761
2011 Baseload MPR	0.10400	0.11046	0.11730	0.12110
2012 Baseload MPR	0.10698	0.11405	0.12126	0.12509
2013 Baseload MPR	0.10998	0.11776	0.12527	0.12915
2014 Baseload MPR	0.11278	0.12122	0.12897	0.13290
2015 Baseload MPR	0.11605	0.12503	0.13290	0.13690
2016 Baseload MPR	0.11971	0.12915	0.13706	0.14111
2017 Baseload MPR	0.12367	0.13352	0.14144	0.14549
2018 Baseload MPR	0.12802	0.13814	0.14603	0.15001
2019 Baseload MPR	0.13271	0.14298	0.15080	0.15464
2020 Baseload MPR	0.13776	0.14797	0.15578	0.15937

Additional Public Comments

30 July, 2010

Christia Tran
Los Angeles County Regional Planning

Re: AV Solar Ranch 1 LLC (AV Solar)
Project No. R2009-002239

As long time residents of the community of Antelope Acres, we support the idea of solar panels to generate electricity at individual sites like homes and businesses. We cannot approve, however, of huge solar projects that take up thousands of acres of open space land envisioned by our community for other uses.

This is an agricultural opportunity area containing a California State Park Reserve and numerous species of wildlife that have become increasing rare in Los Angeles County due to development. The construction of power lines, solar panels, generating buildings, switching stations, etc. will create land use conflicts with adjacent agricultural lands and the existing community (Town and Country Policy COS 10.5). Landowners are already complaining and upset about the potential loss of value of their property and loss of open space.

Since the solar/wind electrical generating plants are being directed to an area that would be completely changed by their presence, we feel that AV Solar should be directed to provide something to make up for the transformation of land intended for agricultural lifestyle.

The Antelope Acres Town Council supported AV Solar, not realizing there will be nothing in return. As far as we know, AV Solar has not sat down with the Town Council to negotiate any concrete investment for the duration of their stay that would benefit all the citizens of Antelope Acres. Before the project begins, the county could direct AV Solar to approve an agreement. Some considerations to be agreed on are:

- Acquisition of land to be added to the Poppy Reserve
- Acquisition of Little Buttes land for a future preserve

- Building and maintenance of 170th Street West Area-wide trail
- Donate to the Antelope Acres Community Center projects such as providing scholarships
- Give grants for solar systems to community facilities
- Other items to be discussed

An agreement in writing between Los Angeles County Planning and AV Solar could be worked out to make up for the loss of quality of life we once expected to find here.

Thank you very much for supporting our community.

Sincerely,

Virginia Stout

Robert Kerekes

Robin Seybold

Judith Fuentes (contact person)
661-723-1882
47458 92nd Street West
Antelope Acres, CA 93536

Adele Harlan

2520 Wolf Creek Drive

Reno, NV 89523-3206

Ph/Fax (775)747-3608

August 6,2010

Los Angeles County Planning Dept.

Att: Mr. Kim Szalay

Re: Project #R2009-02239-3 Proposed A.V. Solar Ranch One Project

I am Adele Harlan, owner of the land in the same area; with 5 acres 3257 pg 10-04 and 5 acres 3257 pg 10-02.

I would like to point out that approving this project will surpress the property values of the surrounding properties. No developer will buy the land to build homes, nor will any individual want to build a home in view of this project. This will greatly effect the value of the land.

Years ago when the water canal went through the area, our taxes were raised. We received no benefit from the canal and paid higher taxes for years.

If this project is approved, a decision need to be made as to how the neighboring property owners will be compensated regarding the taxes. This project depreciates the value of our land, for which we will be locked into for years to come and without being able to sell. The visibility of the project solar alone depreciates our properties.

I was a real estate broker for twenty years and specialized in marketing planned unit developments. With this experience, I know there will no builders or developers who will buy the land for development of homes. Aboart this solar development, I believe future taxes and income will be higher if this area is developed as homes.

Sincerely,

Adele Harlan

Adele Harlan