RPC MEETING DATE May 7, 2014
AGENDA ITEM NOS. 8

REGIONAL PLANNING COMMISSION
TRANSMITTAL CHECKLIST

PROJECT NOS.: **R2011-00799-(5) (Project 3)**

CASE NOS.: **CONDITIONAL USE PERMIT NOS. 201100071**
EIR ENVIRONMENTAL ASSESSMENT NO. 201100109

CONTACT PERSON: Mr. Kim Szalay

Project-Specific Materials Project 3

☒ PROJECT SITE LOCATION AERIAL BY PROJECT

☒ FACTUAL - PROJECT SUMMARY BY PROJECT

☒ DRAFT CUP FINDINGS BY PROJECT

☒ DRAFT CUP CONDITIONS WITH DEPARTMENT CONDITIONS BY PROJECT

☒ BURDEN OF PROOF STATEMENTS BY PROJECT

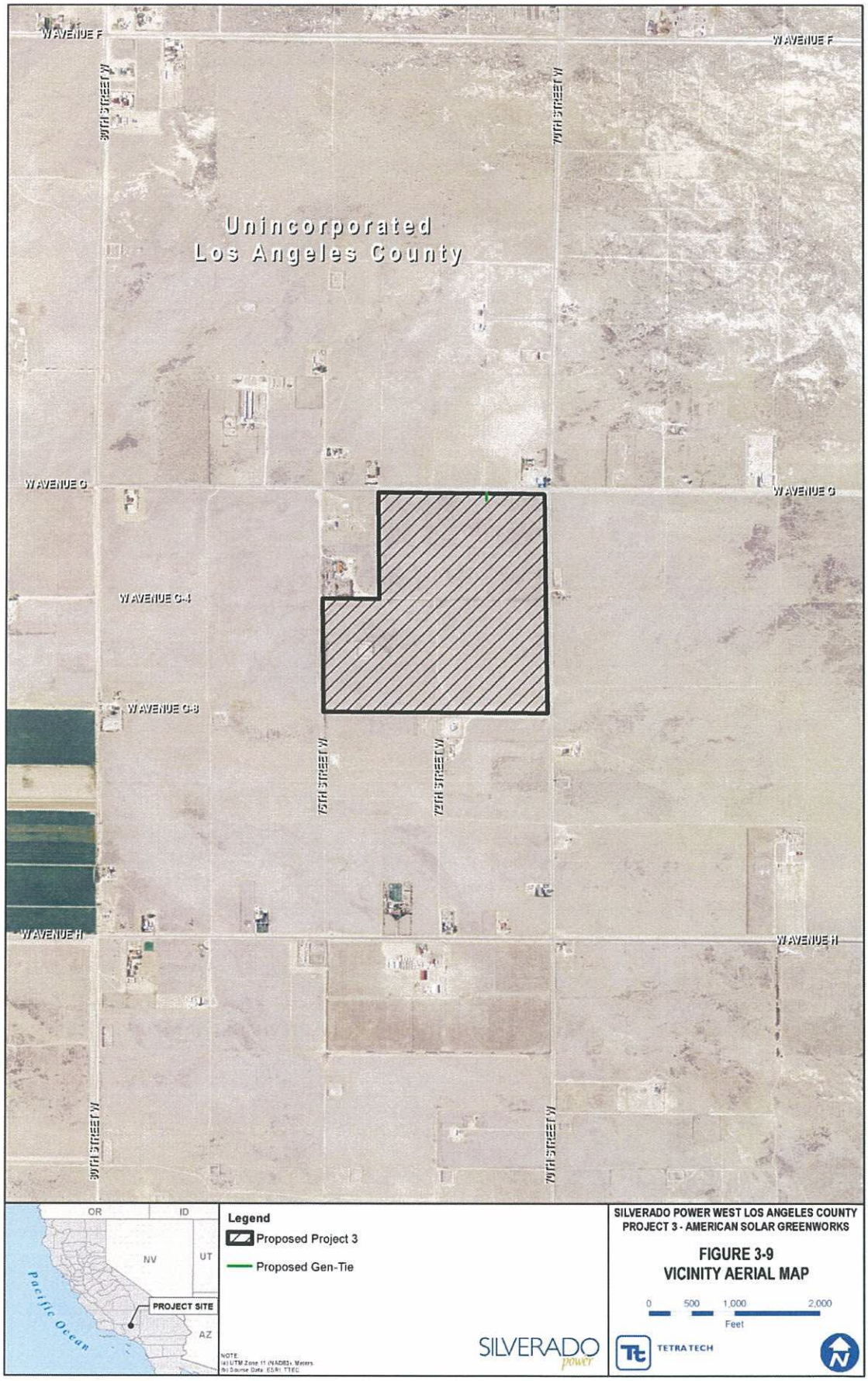
Reviewed By: _____

PROJECT-SPECIFIC MATERIALS

PROJECT 3

VICINITY MAP AND AERIALS PROJECT 3

Silverado Power West, Los Angeles County, Project 3 Site



FACTUAL PROJECT 3

Department *of* Regional Planning
320 West Temple Street
Los Angeles, California 90012

PROJECT NUMBER
R2011-00799-(5)

HEARING DATE
May 7, 2014

REQUESTED ENTITLEMENTS
Conditional Use Permit No. 201100071
Environmental Assessment No. 201100109

PROJECT SUMMARY

OWNER / APPLICANT
American Solar Greenworks

MAP/EXHIBIT DATE
March 24, 2014

PROJECT OVERVIEW

Project 3: American Solar Greenworks

The Project proposes to develop 35 megawatts of solar photovoltaic electricity generation on 135.6 acres of flat, previously farmed fallow land with some re-established vegetation, perimeter security fencing, and one 10,000 gallon water tank. No operations building or other permanent buildings are proposed. The Project would employ a series of photovoltaic module arrays, using fixed-tilt or tracker mounting supports, to convert sunlight into electrical energy without the use of heat transfer fluid or cooling water. The facility would deliver the electrical output to the existing regional transmission system. To minimize fugitive dust, no grading, disking, tilling, or rolling is proposed for preparation of the solar array areas; some grading is required for internal roads and required flood control drainage features. Proposed water supply for construction and operations would include use of out-of-basin or recycled water. The Project proposes use of existing electrical distribution facilities, rights-of-way, roads, and other existing infrastructure where feasible to minimize the need for new electrical support facilities. Construction of any new transmission lines necessary within unincorporated Los Angeles County jurisdiction would be located underground. The Project would be constructed and then operated for an estimated 35 years. A vegetative buffer would be located on the northerly half of the western boundary and at the northerly and easterly Project boundaries. A single existing development is located across from each of the east, west, and south boundaries and two existing developments are located across from the north boundary of the Project site. No other developments are adjacent to or in close proximity to the subject property.

LOCATION AND ACCESS
70th Street West & West Avenue G, Lancaster, CA

ASSESSORS PARCEL NUMBER(S)
3268-018-035, 3268-018-002, 3268-018-036

SITE AREA
135.6 Acres

GENERAL PLAN / LOCAL PLAN
Antelope Valley Areawide General Plan

ZONED DISTRICT
Antelope Valley West

LAND USE DESIGNATION
N-1 (Non-Urban 1)

ZONE
A-2-2 (Heavy Agriculture-two acres minimum required area)

POWER GENERATION
35 MW

MAX DENSITY/UNITS
NA

COMMUNITY STANDARDS DISTRICT
NA

ENVIRONMENTAL DETERMINATION (CEQA)
Environmental Impact Report

KEY ISSUES

- Consistency with the Los Angeles County Antelope Valley Areawide General Plan
- Compliance with the following Section(s) of Title 22 of the Los Angeles County Code:
  - 22.56.040 (Conditional Use Permit Burden of Proof Requirements)
  - 22.24.110 (A-2 Zone Development Standards)

CASE PLANNER:
Mr. Kim Szalay

PHONE NUMBER:
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E-MAIL ADDRESS:
kszalay@planning.lacounty.gov

DRAFT FINDINGS
PROJECT 3

DRAFT FINDINGS OF THE REGIONAL PLANNING COMMISSION
AND ORDER
COUNTY OF LOS ANGELES
PROJECT NO. R2011-00799-(5)
CONDITIONAL USE PERMIT NO. 201100071

PROJECT 3 AMERICAN SOLAR GREENWORKS

1. Project 3 American Solar Greenworks is one of six projects cumulatively called Silverado Power West, Los Angeles County Projects 1-6 ("Projects 1-6").

2. The Los Angeles County ("County") Regional Planning Commission ("Commission") conducted a duly-noticed public hearing on May 7, 2014, in the matter of Project No. R2011-00799-(5), consisting of Conditional Use Permit No. 201100071 ("Project Permit").

3. The County Hearing Examiner conducted a duly-noticed public hearing on February 1, 2014 to take testimony on the Draft Environmental Impact Report ("Draft EIR") for Projects 1-6.

4. The permittee, American Solar Greenworks, LLC ("permittee"), requests the Project Permit to authorize a 35 Megawatt ("MW") solar photovoltaic electricity generation facility and construction of a water tank in the A-2-2 (Heavy Agriculture-two acres minimum required area) zone ("Project") on a property located on 135.6 acres near the intersection of 70th Street West and West Avenue G in the West Antelope Valley within unincorporated Los Angeles County ("Project Site") pursuant to the Los Angeles County Zoning Ordinance ("County Code") Section 22.24.150.

5. The Project Site is 135.6 gross acres in size and consists of three legal lots. The Project Site is vacant with flat, previously tilled topography.

6. The Project Site is located in the Antelope Valley West Zoned District and is currently zoned A-2-2.

7. The Project Site is located within the N-1 (Non-Urban 1) land use category of the Antelope Valley Areawide General Plan Land Use Policy Map.

8. Surrounding Zoning within a 500-foot radius includes:

   North: A-2-1
   South: A-2-1 & City of Lancaster
   East: City of Lancaster
   West: A-2-1

9. Surrounding land uses within a 500-foot radius include:

   North: N-1
   South: N-1 & City of Lancaster

East: City of Lancaster
West: N-1

10. The Project Site is in an undeveloped state and little to no farming or other permitted activities have taken place at the site in recent times.

11. The site plan for the Project depicts a required 20-foot setback from the solar arrays to the subject Project's property line, which setback may also include a vegetative buffer 10 feet in width for locations across from sensitive uses. An additional required 10-foot "slope easement" would be dedicated to the County as part of the public rights-of-way around the project. The Project Site would include a perimeter safety and security fence eight feet in height including three-strand barbed wire at the top to protect the public from high voltage electricity and to protect the facility from intrusion. Construction internal to the site would be comprised of solar panels set in arrays with associated inverters, transformers, and one internal substation, with access through the site by compacted interior dirt roads. All of the subject property, with the exception of above-mentioned buffers, would be used for construction of arrays and appurtenant facilities to generate solar photovoltaic electricity. Interior drainage basins are required to insure that stormwater flows match pre-existing conditions as it flows through the subject site. The electricity generated would be transmitted through underground transmission lines to tie in to the electrical grid using existing transmission lines or through additional lines limited in length, to the nearest point of connection as depicted on the site plan. There are no trail easement requirements for this Project 3. The Project Site would include the following elements:

- PV modules
- PV module mounting system
- Balance of system and electrical boxes (e.g., combiner boxes, electrical disconnects)
- One Substation
- Electrical inverters and transformers including service parking areas
- Electrical AC collection system, including switchgear
- Data monitoring equipment
- Generation tie line
- Access roads and chain link perimeter security fencing
- Mobile sanitation and drinking water facilities
- 10,000 gallon fire-flow water supply tank
- No permanent operations or other buildings are proposed.

12. The Project Site is accessible via both an entrance/exit on 70th Street West.

13. The Project does not propose permanent buildings such as operations and maintenance buildings, therefore the Project only requires parking spaces for operational service vehicles. Construction parking is required to be located at least 1,000 feet from sensitive receptors such as private residences.

14. From 2011 to 2013, prior to the Commission's public hearing on the Project, the permittee performed public outreach and provided documentation to substantiate efforts of working with the community. Meetings included development of dust mitigation strategies with local organizations to mitigate Project-related fugitive dust, and meetings with Town Councils and residents to receive comments and concerns and provide information regarding Project proposals related to their comments.

15. The Department of Public Works provided Project conditions for water supply, drainage and grading, road improvements. The Fire Department provided Project conditions for water storage facilities, access, and special requirements for vegetation management and fire control, electrical equipment, and other specialized fire protection measures. The Department of Public Health provided Project conditions for potable water supply, wastewater disposal, and noise. The Department of Parks and Recreation had no specific trail requirements for this Project 3. All of these conditions from various departments have been included in conditions of approval.

16. The Department of Regional Planning, on behalf of the County as lead agency pursuant to the California Environmental Quality Act (California Public Resources Code section 21000 et seq.) ("CEQA"), conducted an Initial Study for the proposed Project and determined that an environmental impact report ("EIR") was necessary. The Department sent to agencies a Notice of Preparation for the EIR. The Department conducted a Scoping Meeting on February 1, 2014 and received comments from the Antelope Valley West community regarding concerns over air quality, noise, traffic safety, water supply, and visual aesthetics. A Draft EIR was prepared which evaluated the potential project-specific and cumulative environmental impacts of the Project and related projects. The Draft EIR was published for public comment on January 6, 2014 and the comment period closed on February 19, 2014. The mitigation measures necessary to ensure the Project will not have a significant effect on the environment are contained in the Mitigation Monitoring and Reporting Program ("MMRP") and the CEQA Findings of Fact, have been prepared for this project. After the close of the comment period for the Draft EIR, a Final EIR was prepared in accordance with section 15089 and 15132 of the CEQA Guidelines. The Final EIR includes the Draft EIR, corrections to the Draft EIR, an introduction to the applicable CEQA process, responses to all timely public comments on the Draft EIR, the MMRP, CEQA Findings of Fact, and referenced appendices.

17. Pursuant to the provisions of sections 22.60.174 and 22.60.175 of the County Code, the community was appropriately notified of the Project's public hearings by mail, newspaper, and property posting. Additional notification was made available on County's website.

18. Twenty members of the public provided additional written comments regarding Projects 1-6 during the 30-day comment period two weeks prior to the Planning Commission public hearing, and received up to the time of preparation of this report. All other comments received are forwarded to the Planning Commission up to the day of the hearing.

19. No comments specifically in favor of the Projects were received at the time of preparation of this report.

20. Eighteen comments opposed to the Projects were received at the time of preparation of this report including comments requesting more time to review Project documents, air quality and noise impacts to adjacent residences during construction, health concerns regarding fugitive dust, construction safety, traffic safety related to Project 6 located adjacent to SR 138, amount of mitigation lands, impacts to views, plants, and animals, and requests for the Planning Commission to hold its hearing near the Projects in the Antelope Valley.

21. Two comments neither in favor nor opposed to the Projects were received at the time of preparation of this report including comments about Projects 1-6 public review processes and suggesting alternatives to Project 2 site regarding impacts to flowers. [Hearing Proceedings] *To be inserted after the public hearing to reflect hearing proceedings.*

22. The Commission finds that the Project is consistent with the County of Los Angeles General Plan ("General Plan") and the Antelope Valley Areawide General Plan ("Areawide Plan") N1 (Non-Urban 1) land use designation applicable to the Project. The Project meets the definition of "utility and communication installations" referenced in the listing of public and semi-public uses in the General Plan (Page LU-15) and non-urban non-residential land uses allowed in remote areas designated Non-Urban 1 in the Areawide Plan (page VI-5).

23. The Commission finds that the Project is consistent with the applicable Policies of each of the Elements of the General Plan as set forth below.

24. The Commission finds that the Project is consistent with the policies of the Conservation and Open Space Element which includes encouraging support for renewable energy such as solar energy generation, encouraging support for cost-saving incentives for such alternative energy sources, avoiding development in Significant Ecological Areas, and protecting panoramic views through low-profile development. Project 3 is not within an SEA and is a low-profile development.

25. The Commission finds that the Project is consistent with the policies of the Land Use Element requiring planned developments to avoid land use conflicts with neighboring activities. Though development of the Project may have a temporary negative effect on some adjacent residential properties during construction, long term operations of the Project is passive in relationship to neighboring land uses.

26. The Commission finds that the Project is consistent with the policies of Economic Development Element encouraging the location of renewable energy generation projects within the unincorporated areas of the County and helping meet State mandates for renewable energy production.

27. The Commission finds that the Project is consistent with the policies of Circulation, Housing, Noise, Safety, and Public Facilities Elements. The Project makes no

significant impacts to traffic, proposes no housing, requires no additional public facilities, and has no significant impacts regarding noise and safety considerations during construction and operation of the Project.

28. The Commission finds that the Project is consistent with the applicable policies of each of the Elements of the Areawide Plan as set forth below.

29. The Commission finds that the Project is consistent with the applicable policies of the Land Use Element, Balance of Development in relationship to existing development surrounding the Project and in relationship to cumulative related projects proposed in the surrounding area within a five-mile radius, as follows. Twenty-two solar projects previously proposed in the unincorporated County have withdrawn applications for conditional use permits. Only a few applications for solar projects remain in process in the County. The Project does not create a situation causing an over-balance of solar development in the Antelope Valley.

30. The Commission finds that the Project is consistent with the applicable policies of the Land Use Element, Hillside Management, as follows. The Project has no hillside slopes in excess of 25 percent.

31. The Commission finds that the Project is consistent with the applicable policies of the Land Use Element, Floodplain Management, as follows. The Project is not located in a Floodplain or Flood Zone.

32. The Commission finds that the Project is consistent with the applicable policies of the Land Use Element, Sensitive Land Uses, as follows. The Project avoids disrupting highly environmentally sensitive lands by using previously disturbed properties and by maintaining natural flow of stormwaters through the Project Site. Groundwater from the adjudicated basin is left untouched as out-of-basin or recycled water supply is proposed for use during construction and operations.

33. The Commission finds that the Project is consistent with the applicable policies of the Land Use Element, Agricultural Lands, as follows. The Project is not currently farmed but is located in an Agricultural Opportunity Area and would not interfere with any adjacent or nearby farm operations.

34. The Commission finds that the Project is consistent with the applicable policies of the Land Use Element, Resource Conservation, as follows. The Project does not impact groundwater, would not produce green house gases during operations, and would generate electrical energy rather than use it.

35. The Commission finds that the Project is consistent with the applicable policies of the Community Revitalization, Community Design, and Human Resources Elements, as follows. The Project is consistent with Community Identity/Aesthetics provisions of the Areawide Plan. The Project would locate all electrical transmission lines underground and connect to existing above ground or undergound facilities adjacent to the Project Site. The Project will provide additional screening landscaping along certain of the Project's boundaries as depicted in the Project's site plans.

36. The Commission finds that the Project is consistent with the applicable policies of the Community Revitalization, Community Design, and Human Resources Elements, as follows. The Project is consistent with Employment provisions of the Areawide Plan. The Project will provide employment opportunities for residences of the Antelope Valley during both construction and operation of the Project.

37. The Commission finds that the Project is consistent with the applicable policies of the Environmental Resource Management Element, Natural Resources, as follows. The Project is consistent with policies regarding resource management as cultural, archaeological, and paleontological resources are protected by Project resource protection requirements. Air quality protections are required for construction of the Project to protect adjacent uses from fugitive dust and other construction emissions.

38. The Commission finds that the Project is consistent with the applicable policies of the Environmental Resource Management Element, Trails, as follows. This Project 3 is not required to provide a public trail easement.

39. The Commission finds that the Project is consistent with the applicable policies of the Noise Abatement Element, Aviation-related Noise and Construction and Operational Noise, as follows. The Project is not located within a sensitive aviation-related noise contour and all construction noise impacts are mitigated to be below County noise standards.

40. The Commission finds that the Project is consistent with the applicable policies of the Seismic and Public Safety Elements, as follows. All arrays, inverters, transformers, substations, transmission lines, and other equipment must meet building and safety standards for earthquake and fire protections. Perimeter security fencing is required for public safety and property protection purposes.

41. The Commission finds that the Project is consistent with the applicable policies of the Housing, Circulation, Public Services and Facilities, Governmental Services, and Energy Conservation Elements, as follows. The Project proposes no housing, makes no significant impacts to traffic, public services, governmental services and energy conservation. As renewable a energy generation Project, the Project would provide a large scale reduction in energy used to produce electricity compared to a traditional fossil fuel energy generation facility of similar output.

42. The Commission finds that the Project is consistent with the Areawide Plan Non-Residential Uses in Non-Urban Areas Location, Access, and Design Guidelines as set forth below.

43. The Commission finds that the Project is consistent with the Location Guidelines of the Areawide Plan as follows. The Project is located on previously disturbed land surrounded by mostly vacant properties with one development located across from each of the east, west, and south Project Site boundaries and two developments located across from the north Project Site boundary. Some agricultural uses are in the general vicinity. Proposed daily operations are considered relatively passive similar to existing surrounding uses. Existing primary roadways would 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 significant adjacent roadways 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.

44. The Commission finds that primary access is consistent with access guidelines of the Areawide Plan as follows. The Project provides primary access from existing adjacent streets having low traffic volumes. Transport of materials during construction of the Project largely avoids existing residential communities.

45. The Commission finds that the design of the Project is consistent with the Design Guidelines of the Areawide Plan as follows. Solar panel arrays are to be of the low-profile fixed tilt or tracking variety which will not block views to the Tehachapi Mountains to the north and other vistas to the south, east or west from the nearby roadways. Additionally, native drought-tolerant shrubs, drought tolerant trees, and other drought-tolerant plantings are proposed to screen the frontages of solar panel development along sensitive frontages on this Project. Using as natural a placement of plantings as possible and temporary drip systems to establish the plantings are proposed. Perimeter chain link fencing is proposed for security and safety purposes. No outdoor advertising is proposed nor permitted. Minimal security lighting shielded downward is proposed which will minimize visual impacts to neighboring properties and wildlife.

46. The Commission finds that the Project is consistent with the applicable zoning designation for the Project Site. Project 3 complies with A-2-2 zone regulations. The Project complies with Section 22.24.150 of the County Code, Uses Subject to Permits, which lists the following use as permitted provided a Conditional Use Permit is obtained, "Electric distribution substations, electric transmission substations and generating plants, including microwave facilities used in conjunction with any one thereof." The Project is a photovoltaic solar power electricity generation plant with a distribution substation and transmission lines and complies with the applicable regulations of the County Code. The Project meets zoning regulations for yard requirements, fences and walls as modified by the conditional use permit, outside storage, low-impact development, green building, drought-tolerant landscaping, and parking requirements of one parking space per two employees during operations.

47. The Commission finds that the Project is compatible with the surrounding area in which the Project is located, as follows. The Project location uses previously disturbed land, is located near existing infrastructure such as existing transmission lines and/or substation facilities and public rights-of-way, is located away from highly populated areas and is in areas where impacts to threatened or endangered species and/or their habitats is minimized.

48. The Commission finds that in addition to the information required in the permit application, the applicant substantiates the burden of proof for a conditional use permit found in Section 22.56.040 of the Los Angeles County Code subject to

compliance with the conditions of approval including all associated mitigation measures in the MMRP.

49. The Commission finds that 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, as follows. The Project is surrounded predominantly by vacant land and several residences or similar developments. The Project is an operationally passive Project that generates minor impacts which can be mitigated with no remaining significant environmental impacts on the surrounding area.

50. The Commission finds that the requested use at the location proposed will not be materially detrimental to the use, enjoyment or valuation of property of other persons located in the vicinity of the site, as follows. The Draft EIR concludes that the Project's mitigation measures would reduce any environmental impacts to a less than significant level, and therefore that the construction and operation of the Project would not limit, hinder or denigrate the use of properties in the vicinity of the Project.

51. The Commission finds that the requested use at the subject location will not jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare, as follows. Since areas of concern regarding the Project are mitigated to a level of no significant impact on the environment. Additionally, the Project requires various measures such as a fire-flow water tank for each site, perimeter fencing, buffer areas, and limited night security lighting to minimize the potential of hazardous situations arising from the Project. Additional dust control measures are required in the conditions of approval to further reduce health and visual effects of fugitive dust.

52. The Commission finds that 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 this Title 22, or as is otherwise required or modified in order to integrate said use with the uses in the surrounding area, as follows. The Project provides sufficient space including proposals to maximize buffering and safety in relationship to surrounding properties.

53. The Commission finds that 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, as follows. The Project requires minimal long-term use of roads for ongoing operations, therefore the current access and road conditions require minimal improvements to carry on the proposed use. Any damage to existing or improved local roadways caused by project construction and/or operations is required to be repaired at the applicant's expense as required by mitigation measures and conditions of approval.

54. The Commission finds that the proposed site is adequately served by other public or private service facilities as are required, as follows. All required and needed public and private service facilities would be met for the Project.

55. The Commission finds that to ensure continued compatibility between the Project and the surrounding land uses, it is necessary to limit the conditional use permit to 35 years.

56. The Commission finds that pursuant to sections 22.60.174 and 22.60.175 of the County Code, the community was properly notified of the public hearing by mail, newspaper, and property posting. Additionally, the Project was noticed and case materials were available on Regional Planning's website and at libraries located in the vicinity of the Antelope Valley West community. On April 3, 2014, a total of 611 Notices of Public Hearing were mailed to all property owners as identified on the County Assessor's record within a 1,000-foot radius from the Project Site, as well as 70 notices to those on the courtesy mailing list for the Antelope Valley West Zoned District and to any additional interested parties.

57. The Commission finds that the permittee is subject to payment of the California Department of Fish and Wildlife fees related to the Project's effect on wildlife resources pursuant to section 711.4 of the California Fish and Game Code.

58. The Commission finds that the Final EIR for the Project was prepared in accordance with CEQA, the State CEQA Guidelines, and the County's Environmental Document Reporting Procedures and Guidelines. The Commission reviewed and considered the Final EIR, along with its associated MMRP, and Findings of Fact, and finds that they reflect the independent judgment of the Commission. The Findings of Fact are incorporated herein by this reference, as set forth in full.

59. The Commission finds that the MMRP for the Project is consistent with the conclusions and recommendations of the Final EIR and that the MMRP's requirements are incorporated into the conditions of approval for the Project.

60. The Commission finds that the MMRP, prepared in conjunction with the Final EIR, identifies in detail how compliance with its measures will mitigate or avoid potential adverse impacts to the environment from the Project.

61. 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, California 90012. The custodian of such documents and materials shall be the Section Head of the Special Projects Section, Department of Regional Planning.

BASED ON THE FOREGOING, THE REGIONAL PLANNING CONCLUDES THAT:

Regarding the Conditional Use Permit:

A. the proposed use with the attached conditions will be consistent with the adopted General Plan;

B. the proposed use at the site will not adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area, 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;

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 this Title 22, 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.

THEREFORE, THE REGIONAL PLANNING COMMISSION:

1. Certifies that the Final EIR for the project was completed in compliance with CEQA and the State and County CEQA Guidelines related thereto; certifies that it independently reviewed and considered the information contained in the Final EIR, and that the Final EIR reflects the independent judgment and analysis of the Commission as to the environmental consequences of the Project; adopts the Findings of Fact and the MMRP; and finds that the MMRP is adequately designed to ensure compliance with the mitigation measures during the Project implementation.

2. Approves Conditional Use Permit No. 201100071, subject to the attached conditions.

Attachments

SZD:KKS
4/22/14

c: Each Commissioner, Zoning Enforcement, Building and Safety

DRAFT CUP CONDITIONS
PROJECT 3

DRAFT CONDITIONS OF APPROVAL
COUNTY OF LOS ANGELES
PROJECT NO. R2011-00799-(5)
CONDITIONAL USE PERMIT NO. 201100071

PROJECT 3 AMERICAN SOLAR GREENWORKS

PROJECT DESCRIPTION

Project 3 is located on a 135.6-acre site near the intersection of 70th Street West and West Avenue G within unincorporated Antelope Valley in Los Angeles County and would produce 20 Megawatts of electricity. The Project is comprised of an unmanned utility scale photovoltaic electricity generation facility which would employ a series of photovoltaic module arrays to convert sunlight into electrical energy using fixed-tilt or tracker mounting supports, to convert sunlight into electrical energy without the use of heat transfer fluid or cooling water. The facilities would deliver the electrical output to the existing regional transmission system from one on-site substation through an underground generation-tie transmission line. A 10,000 gallon fire-flow water supply tank would be located on-site. No permanent operations building or other buildings are proposed on the Project site. Construction would generally take place during normal daylight hours. The Project would be operated for an estimated 35 years. The Project is subject to the following conditions of approval:

GENERAL CONDITIONS

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

2. This grant shall not be effective for any purpose until Permittee, and the owner of the subject property if other than Permittee, have filed at the office of the Los Angeles County ("County") Department of Regional Planning ("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 No. 7**, and until all required monies have been paid pursuant to **Condition Nos. 10**, **11**, and **14**. Notwithstanding the foregoing, this **Condition No. 2** and **Condition Nos. 4**, **5**, **9**, and **11** shall be effective immediately upon the date of final approval of this grant by the County.

3. Unless otherwise apparent from the context, the term "date of final approval" shall mean the date the County's action becomes effective pursuant to Section 22.60.260 of the County Code.

4. 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 or any other applicable limitations period. The County shall

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

5. In the event that any claim, action, or proceeding as described above is filed against the County, Permittee shall within ten days of the filing make an initial deposit with Regional Planning in the amount of up to $5,000.00, from which actual costs and expenses shall be billed and deducted for the purpose of defraying the costs or expenses involved in Regional Planning's cooperation in the defense, including but not limited to, depositions, testimony, and other assistance provided to permittee or permittee's counsel.

   If during the litigation process, actual costs or expenses incurred reach 80 percent of the amount on deposit, Permittee shall deposit additional funds sufficient to bring the balance up to the amount of $5,000.00. There is no limit to the number of supplemental deposits that may be required prior to completion of the litigation.

   At the sole discretion of Permittee, the amount of an initial or any supplemental deposit may exceed the minimum amounts defined herein. Additionally, the cost for collection and duplication of records and other related documents shall be paid by Permittee according to County Code Section 2.170.010.

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

7. Prior to the use of this grant, Permittee, or the owner of the subject property if other than Permittee, shall record the terms and conditions of the grant in the office of the County Registrar-Recorder/County Clerk ("Recorder"). In addition, upon any transfer or lease of the property during the term of this grant, Permittee, or the owner of the subject property if other than Permittee, shall promptly provide a copy of the grant and its conditions to the transferee or lessee of the subject property.

8. This grant shall terminate on May 7, 2049, 35 years from the date of approval. Entitlement to use of the property thereafter shall be subject to the regulations then in effect. If Permittee intends to continue operations after such date, whether or not Permittee proposes any modifications to the use at that time, Permittee shall file a new Conditional Use Permit application with Regional Planning, or shall otherwise comply with the applicable requirements at that time. Such application shall be filed at least six (6) months prior to the expiration date of this grant and shall be accompanied by the required fee. In the event that Permittee seeks to discontinue or otherwise change the use, notice is hereby given that the use of such property may require additional or different permits and would be subject to the then-applicable regulations.

9. This grant shall expire unless used within two (2) years from the date of final approval of the grant. A single one-year time extension may be requested in writing and with the payment of the applicable fee prior to such expiration date.

10. 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 Permittee to cease any development or activity not in full compliance shall be a violation of these conditions. Inspections shall be made to ensure compliance with the conditions of this grant as well as to ensure that any development undertaken on the subject property is in accordance with the approved site plan on file. Within 60 days after final approval of this grant Permittee shall deposit with the County the sum of $3,600.00. 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 Permittee's compliance with the conditions of approval. The fund provides for 18 (first two years plus 16 biennial - every other year) inspections. 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, 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 at the time any additional inspections are required, whichever is greater.

11. Within three (3) days of the date of final approval of this grant, Permittee shall remit processing fees payable to the County in connection with the filing and posting of a Notice of Determination ("NOD") for this project and its entitlements in compliance with Section 21152 of the Public Resources Code. Unless a Certificate of Exemption is issued by the California Department of Fish and Wildlife pursuant to Section 711.4 of the California Fish and Game Code, Permittee shall pay the fees in effect at the time of the filing of the NOD, as provided for in Section 711.4 of the Fish and Game Code, currently $3,104.75 ($3,029.75 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.

12. Permittee shall comply with all mitigation measures identified in the Mitigation Monitoring and Reporting Program ("MMRP"), which are incorporated by this reference as if set forth fully herein.

13. Within thirty (30) days of the date of final approval of the grant by the County, Permittee shall record a covenant and agreement, which attaches the MMRP and agrees to comply with the mitigation measures imposed by the Environmental Impact Report for this project, in the office of the Recorder. Prior to recordation of the covenant, Permittee shall submit a draft copy of the covenant and agreement

to Regional Planning for review and approval. As a means of ensuring the effectiveness of the mitigation measures, Permittee shall submit annual mitigation monitoring reports to Regional Planning for approval or as required. The reports shall describe the status of Permittee's compliance with the required mitigation measures.

14. Permittee shall deposit an initial sum of $6,000.00 with Regional Planning within thirty (30) days of the date of final approval of this grant to defray the cost of reviewing and verifying the information contained in the reports required by the MMRP. Permittee shall replenish the mitigation monitoring account if necessary until all mitigation measures have been implemented and completed.

15. 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 ("Commission") or a Hearing Officer may, after conducting a public hearing, revoke or modify this grant, if the 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, or as otherwise authorized pursuant to Chapter 22.56, Part 13 of the County Code.

16. All development pursuant to this grant must be kept in full compliance with the County Fire Code to the satisfaction of said department.

17. All development pursuant to this grant shall conform with the requirements of the County Department of Public Works to the satisfaction of said department.

18. All development pursuant to this grant shall comply with the requirements of Title 22 of the County Code and of the specific zoning of the subject property, unless specifically modified by this grant, as set forth in these conditions, including the approved Exhibit "A," or a revised Exhibit "A" approved by the Director of Regional Planning ("Director").

19. Permittee shall maintain the subject property in a neat and orderly fashion. Permittee shall maintain free of litter all areas of the premises over which Permittee has control.

20. All structures, walls and fences open to public view shall remain free of graffiti or other 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. The only exceptions shall be seasonal decorations or signage provided under the auspices of a civic or non-profit organization.

    In the event of graffiti or other extraneous markings occurring, Permittee shall remove or cover said markings, drawings, or signage within 24 hours of notification 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.

21. The subject property shall be developed and maintained in substantial compliance with the plans marked Exhibit "A." If changes to any of the plans marked Exhibit "A" are required as a result of instruction given at the public hearing, three (3) copies of a modified Exhibit "A" shall be submitted to Regional Planning within 60 days of the approval date.

22. In the event that subsequent revisions to the approved Exhibit "A" are submitted, Permittee shall submit three (3) copies of the proposed plans to the Director for review and approval. All revised plans must substantially conform to the originally approved Exhibit "A". All revised plans must be accompanied by the written authorization of the property owner(s) and applicable fee for such revision.

PERMIT SPECIFIC CONDITIONS - CONDITIONAL USE PERMIT

23. Prior to obtaining any grading or building permit, Permittee shall provide to the County a decommissioning plan ("Decommissioning Plan") in connection with any and/or all of the terminating events described in **Condition No. 25**, which Plan shall include, at a minimum, a detailed plan for decommissioning and deconstructing 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 and the Director of Public Works and subject to their review and approval.

    The Decommissioning Plan shall provide for, including, but not be limited to, the following:

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

    b. Removal of on-site overhead poles and above-ground electricity lines;

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

    d. Removal of the on-site substation, if owned by Permittee. If in the future a public or private utility assumes ownership of the substation, such substation may remain on site to be used as part of the utility service;

    e. Restoration of any disturbed soil and revegetation of the site to its pre-construction condition, with native vegetation similar to the vegetation in the surrounding vicinity;

f. Restoration or reclamation of project roads to their pre-construction condition unless the then-existing owner of the site elects to retain the improved roads for access throughout the site;

g. Documentation of the pre-construction condition of the project site, including, but not be limited to, a photographic record; and

h. Details of the performance and financial assurance guarantees described in **Condition No. 24**, explaining the amounts and schedule for the provision of such guarantees.

24. Prior to obtaining any building permits, Permittee shall provide to the County, to the satisfaction of the Director and the Director of Public Works, performance and financial assurance guarantees in an amount sufficient to ensure the performance of the approved Decommissioning Plan, as described in **Condition No. 23**. In this connection, Permittee shall be solely responsible for the costs and expenses associated with decommissioning the site after any of the terminating events described in **Condition No. 25**. In the event that the performance and financial assurance guarantees are not sufficient to fully compensate the County for the cost and expense of decommissioning the site, Permittee shall be responsible for compensating 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 considered.

With respect to the performance and financial assurance guarantees, the following requirements shall apply:

a. Permittee shall ensure that such guarantees are detailed in the approved Decommissioning Plan to the satisfaction of the Director and the Director of Public Works, and that such Decommissioning Plan shall explain the amounts and schedule for the provision of such guarantees;

b. Permittee shall provide a report to the Director every five years after the date of final approval of this grant to confirm that the performance and financial assurance guarantees are sufficient to ensure performance and implementation of the Decommissioning Plan. The report shall be subject to review and approval by the Director and the Director of Public Works particularly 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. 24**, the then-current cost of decommissioning the site, 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 it is determined that the

performance and financial assurance guarantees are insufficient to perform the decommissioning of the site as required by the approved Decommissioning Plan, Permittee shall be required to provide additional performance and financial assurance guarantees to the satisfaction of the Director and the Director of Public Works;

c. Any funds not used by the County in connection with decommissioning the site shall be returned to Permittee; and

d. The performance and financial assurance guarantees may consist of, including, but not limited to, one or more of the following, to the satisfaction of the Director and the Director of Public Works:

   i. An irrevocable letter of credit;

   ii. A surety bond;

   iii. An appropriate insurance policy;

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

   v. A corporate guarantee.

25. Upon discontinuance of Permittee's operation as set forth in **Condition No. 26**, abandonment of the project in whole or in part, or termination of this grant as described in **Condition No. 8**, and in the event that a new permit application is not timely filed for a continued similar use or reuse of the site, Permittee shall perform decommissioning in accordance with the approved Decommissioning Plan, or 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/or financial assurance guarantees, as described in **Condition No. 24.d**, to perform the decommissioning itself or to contract for such decommissioning.

26. In the event that any portion of the solar field is not in operational condition for a consecutive period of 6 months, operations for that portion of the site shall be deemed to have been discontinued and that portion of the facility shall be removed from the site within 90 days from the date that written notice is sent to Permittee from the County. Within this 90-day period, Permittee may provide the Director a written request and justification for an extension of up to 90 additional days to resume operations of that portion of the site, which request shall be subject to the satisfaction and approval of the Director. In no event shall the operations of the solar field or portion of the solar field be discontinued for more than 12 months from the date such operations were first deemed discontinued without being decommissioned pursuant to the approved Decommissioning Plan. Further, in no

event shall any extension of the period to resume operations of any portion of the site pursuant to this **Condition No. 26** be deemed to extend the term or expiration date of this grant.

27. Permittee shall construct all transmission lines located within unincorporated Los Angeles County underground to the satisfaction of Public Works, except where above-ground crossings are required by applicable regulations.

28. Temporary structures, outside storage, and staging areas allowed for construction shall be removed from the project site within 120 days of project completion. Any other outside storage needed for the project shall comply with the requirements of Part 7 of section 22.52 of the County Code.

29. **Prior to obtaining any grading or building permit**, Permittee shall submit to the Director for review and approval three copies of a landscape plan, showing at least 10 feet of proposed landscaped area as depicted on the approved Exhibit "A," or as otherwise approved by Caltrans and/or Public Works as applicable, and showing re-vegetation of the array areas. The landscape plan shall depict the size, type, and location of all plants, trees, seeding, and watering facilities on-site to the satisfaction of the Director of Planning, and specifically for the watering facilities to the satisfaction of the Director of the Department of Public Works.

30. Permittee shall maintain all landscaping in a neat, clean, and healthful condition and shall properly prune, weed, remove litter, fertilize, and replace plants when necessary for the life of the Project. Watering facilities shall consist of a temporary water-efficient irrigation system, such as drip irrigation, which shall only be used to establish, or re-establish, and maintain the plantings in all landscaped areas as needed for the life of the Project.

31. Permittee shall establish and comply with a landscape maintenance program that controls the spread of invasive species on the subject property during the life of the grant term. The landscape maintenance program shall be submitted to the Director for review and approval prior to the first energization authorization of the facility.

32. All exterior fencing shall be visually non-intrusive to the satisfaction of the Director not to exceed eight feet in height including use of 3-strand barbed wire at the top, and shall include animal openings the lesser of one foot in height or maximum allowable by the Public Utilities Commission, 50 feet in length, every 200 feet on-center as depicted on the approved Exhibit "A".

33. Night-lighting, limited to only that required by applicable lighting regulations for safety and security, shall be shielded and directed downward to avoid lighting spillover and shall consist of: (a) motion sensor or manual switch lighting for entry-lighting to the on-site equipment structures and electricity substation as applicable; and (b) light-sensor or motion-sensor lighting for the main access gate or gates.

34. Permittee shall, to the satisfaction of the Director, utilize the subject property only for the project as proposed and approved herein. In this regard, Permittee shall agree to and shall retire any development rights, including any rights to undertake irrigated farming on the subject property that require the use of groundwater for the life of this Conditional Use Permit.

35. Nothing in this grant shall prevent Permittee from installing more efficient solar panels in the future or increasing output, provided the footprint and overall disturbance area of the project does not increase. At such time Permittee wishes to install more efficient solar panels or increase output, a Revised Exhibit "A" shall be submitted to the Director for such installation.

36. The project shall be limited to use of trucked recycled water and/or water from sources not subject to the adjudication process currently in effect for the Antelope Valley groundwater basin for construction and operations of the Project.

37. The water tank on the subject property shall be painted an earth-tone color (such as beige, sand, taupe, or similar colors) to blend in with the surroundings, subject to review and approval by the Director.

38. Mobile sanitation facilities and potable drinking water supply shall be made available to workers during construction of the project to the satisfaction of the Department of Public Health.

39. In the event that piped recycled water suitable for use in construction and/or operation of the project becomes available from the public right-of-way adjacent to the project site at fair market value, Permittee shall obtain the necessary permits to connect to the recycled water, construct access, and connect to and purchase the piped recycled water.

40. In the event that piped potable water suitable for use in construction and/or operation of the project becomes available from the public right-of-way adjacent to the project site at fair market value, Permittee shall obtain the necessary permits to connect to the potable water, construct access, and connect to and purchase the piped potable water.

41. Permittee shall provide parking as required by the County Code, calculated at a parking ratio of one parking space for each two persons employed. The unmanned solar photovoltaic electricity generation facility ("solar facility") does not include operations buildings or other buildings and does require occasional servicing which requires one space per two persons servicing the facility.

42. Additional Dust Control Measures:

    a. During site preparation and during operations vegetation shall be retained or mowed in and around array sites to prevent vegetative root loss. Disking, tilling or grading of array sites is prohibited except where specifically authorized by

the Department of Public Works. Roads, drainage basins, equipment pads, and any other required earthwork authorized by the Department of Public Works shall be done in compliance with grading regulations;

b. Maintain dust control using phased earthwork, watering, clean gravel, composted wood chips not to exceed six inches in depth, application of nontoxic soil stabilizers, revegetation, limited public access on unpaved areas, impose vehicle speed limits on construction sites, and other dust control measures used during construction, operations, and removal and restoration activities;

c. Submit the required fugitive dust control plan including a dust plume response plan for review and approval by the Antelope Valley Air Quality Management District (AVAQMD) prior to any earthwork activities;

d. Permittee shall provide on the Project site weather stations, monitors with wind speed, wind direction, temperature and humidity sensors, and a mechanical dust-monitoring device, placed to the satisfaction of the Antelope Valley Air Quality Management District, to ensure the effectiveness of the Project's dust control treatment on the Project site;

e. Establish required vegetation along certain portions of Project perimeter as depicted on Exhibit "A" as early as feasible following Project approval for both visual screening and limiting the off-site movement of dust. To limit temporary visual impacts during construction, permittee shall install temporary green-screen fencing cover in the areas requiring the above portions of perimeter landscaping;

f. Maintain vegetative ground cover to the greatest extent feasible throughout the array areas for the life of the subject permit;

g. Decommissioning plans shall include restoration of Project site disturbed areas with drought-tolerant vegetation from the County's drought-tolerant plant lists then in effect to the satisfaction of the Regional Planning Biologist at the end of the life of the project;

h. Mitigation monitoring and Conditional Use Permit inspections shall be done during the first two years to ensure compliance with dust and other mitigation measures and other conditions of project approval during construction and initial operations;

i. During construction, Permittee shall pay the cost of an on-site mitigation and conditions compliance monitor, satisfactory to the Director of Regional Planning, to independently monitor and report on project compliance. Said monitor may be the same monitor for each of the six related Silverado Power West, Projects 1-6 sites;

j. Permittee shall use tarps over dirt in trucks to limit off-site movement of dust; and

k. Permittee shall make National Institute of Occupational Safety and Health (NIOSH) approved dust masks available to construction workers and shall provide proper training to construction workers prior to construction to protect against dust exposure and possible harmful effects from such dust exposure during dust-generating activities. Permittee shall maintain a log demonstrating said training, available upon request by the Director.

PROJECT SITE SPECIFIC CONDITIONS

43. This grant shall authorize a solar photovoltaic electricity generation facility and construction of a water tank in the proposed A-2-2 (Heavy Agriculture-two acres minimum required area) zone.

44. Permittee shall comply with all conditions set forth in the attached County Department of Public Works letter dated April 17, 2014 for Project 3, Fire Department letter dated October 18, 2013 for Project 3, Public Health e-mail dated February 20, 2014 and letter dated October 11, 2013 for Project 3.

45. Permittee shall provide on-site notice to the residents of each of the single developments located across from each of the east, west, and south boundaries and two existing developments located across from the north boundary of the Project site at least three days prior to start of construction activities.

46. Permittee shall maintain a current contact name, address, and phone number with the Department of Regional Planning at all times, and provide signage at main entrance location(s) with the phone and e-mail contact information for public reference.

Attachments:
Mitigation Monitoring and Reporting Program
Public Works, Fire Department, and Public Health Letters, as dated in Condition 44 above.

SZD:KKS
4/22/14

COUNTY OF LOS ANGELES

DEPARTMENT OF PUBLIC WORKS

"To Enrich Lives Through Effective and Caring Service"

GAIL FARBER, Director

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

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

April 17, 2014

IN REPLY PLEASE
REFER TO FILE: LD-2

TO: Sam Dea
Special Projects
Department of Regional Planning

Attention Kim Szalay

FROM: Steve Burger
Land Development Division
Department of Public Works

CONDITIONAL USE PERMIT (CUP) NO. 201100071
PROJECT NO. R2011-00799
AMERICAN SOLAR GREENWORKS–PROJECT 3
SOUTHWEST CORNER OF 70TH STREET WEST AND AVENUE G
ASSESSOR'S MAP BOOK NO. 3268, PAGE 18, PARCEL NOS. 2, 35, AND 36
UNINCORPORATED COUNTY AREA OF ANTELOPE VALLEY

☒ Public Works recommends approval of this CUP.

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

We reviewed CUP No. 201100071 in the unincorporated County area of the Antelope Valley. The project is for the new construction and operation of a 35-megawatts, solar-photovoltaic, power-generating facility in the vicinity of the southwest corner of 70th Street West and Avenue G. The project is proposing to balance the site with 1,000 cubic yards of cut and fill and 25,500 cubic yards of overexcavation. Grading shall be limited to only the access roads, substations, tanks, inverter pad, or basins.

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

1. Road

   1.1 Dedicate or offer right of way, 54 feet from centerline, along the property frontage on Avenue G and 70th Street West to the satisfaction of Public Works. Four feet of additional right of way is required along

Avenue G, and 14 feet of additional right of way is required on 70th Street West. A processing fee will be required for the dedication.

1.2 Make an offer of private and future right of way, 32 feet from centerline, along the property frontage on Avenue G-4, Avenue G-8, and 75th Street West to the satisfaction of Public Works. A processing fee will be required for the offer to dedicate.

1.3 Dedicate or make an offer of a property line return radii of 13 feet at all local street intersections. In addition, dedicate additional right of way for corner cut-offs to meet current Americans with Disabilities Act (ADA) guidelines, where deemed necessary, and to the satisfaction of Public Works. A processing fee will be required for the dedication or offer to dedicate.

1.4 Dedicate or make an offer of a property line return radius of 27 feet at the intersection of Avenue G and 70th Street West. In addition, dedicate additional right of way for corner cut-offs to meet current ADA guidelines and to the satisfaction of Public Works. A processing fee will be required for the dedication of offer to dedicate.

1.5 Provide a minimum of 10-foot-wide slope and drainage easements along all streets frontage to the satisfaction of Public Works.

1.6 Whenever there is an offer of a future street or a private and future street, provide a drainage statement/letter to the satisfaction of Public Works.

1.7 Construct driveway approaches on 70th Street West to the site to the satisfaction of Public Works. Provide a 10-foot-wide clear zone (nothing planted above 3 feet in height) within the vegetative buffer area on each side of the driveway to the satisfaction of Public Works.

1.8 Obtain an encroachment permit from Public Works' Land Development Division, Permit Section, for all proposed work within the road right of way and private and future streets.

1.9 Repair any public improvements damaged during construction, along the property frontage, to the satisfaction of Public Works.

1.10 Underground all new facilities to the satisfaction of Public Works. A franchise agreement will be required for distribution/transmission facilities within public right of way.

1.11 Acquire street plan approval or direct check status before obtaining a grading or drainage permit as applicable.

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

2. Grading

2.1 Submit a grading plan for review and approval that complies with the approved hydrology study dated January 31, 2014, or the latest revision. Grading shall be limited to only the access roads, substations, tanks, inverter pad, or basins. Work within the existing vegetation, where the solar panels are proposed, shall be conducted with minimal disturbance, and the operator shall take all necessary precautions to not use vehicles or machineries for grading or alter the existing grade in these areas.

When vehicles or machineries are deemed necessary for solar field installation work, appropriate ground-protection practices (such as construction mats, stabilizers, or established vegetation) shall be utilized for both dust suppression and to ensure that the vehicles or machineries are compatible with continue and future vegetation growth to the satisfaction of Public Works. The project's biologist shall confirm that construction practices are compatible with continued and future vegetation growth. Any grading, disking, and scraping to access roads, walkways, required basins, and berms shall be permanently stabilized with an earth-stabilizing product that is acceptable to Public Works, in cooperation with the Departments of Regional Planning and Public Health, to prevent fugitive dust.

2.2 A maintenance agreement may be required for privately maintained drainage devices.

2.3 Provide soil/geology approval of the grading plan from Public Works' Geotechnical and Materials Engineering Division as applicable.

2.4 Obtain all applicable jurisdictional permits. These agencies may include the State of California Regional Water Quality Control Board; State of California Department of Fish and Wildlife; State of California Department of Conservation, Division of Oil, Gas, and Geothermal Resources; and US Army Corps of Engineers.

For questions regarding the road and grading conditions, please contact Ruben Cruz of Public Works' Land Development Division at (626) 458-4921 or rcruz@dpw.lacounty.gov.

3. Building and Safety

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

3.2 All electrical installations shall comply with the following criteria:

3.2.1 The portions of the project associated with power generation and transmission shall be designed in accordance with the County of Los Angeles, Electrical Code or in accordance with other standards or regulations acceptable to the building official.

3.2.2 The nonpower generation and transmission portion of the project shall be designed in accordance with the County of Los Angeles, Electrical Code or in accordance with other standards or regulations acceptable to the building official.

3.3 Comply with fire, life safety, structural, and accessibility requirements including ADA guidelines.

3.4 Any occupiable building must have a restroom for employees.

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

3.6 Obtain approval from other agencies prior to permit issuance.

For questions regarding the building and safety conditions, please contact Clint Lee of Public Works' Building and Safety Division at (626) 458-3173 or cllee@dpw.lacounty.gov.

4. Drainage

4.1 Comply with the requirements of the Hydrology Study/Water Quality Plan, which was approved on January 31, 2014.

4.2 Prior to grading plan approval, the applicant shall obtain a Jurisdictional Determination letter or equivalent from the U.S. Army Corps of Engineers and written acknowledgement from State Department of Fish and Game that no jurisdictional surface water drainages occur in the grading footprint. Documentation from jurisdictional agencies shall be obtained to the satisfaction of Public Works.

For questions regarding the drainage conditions, please contact Ernesto Rivera of Land Development Division at (626) 458-4921 or erivera@dpw.lacounty.gov.

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

RC:tb
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REVISED CONDITIONS
Supersedes Fire Dept. Conditions Dated 08/28/12

COUNTY OF LOS ANGELES FIRE DEPARTMENT

Land Development Unit – Fire Prevention Division
5823 Rickenbacker Road
Commerce, California 90040-3027
Office (323) 890-4243, Fax (323) 890-9783

DATE: October 18, 2013 **Map Date:** **09/05/13**

TO: Department of Regional Planning
Zoning Permits – Carolina Blengini

PROJECT #: CUP #2011-00799 (Project 3)

LOCATION: West Avenue G & 70th Street West Avenue K, Lancaster (County)

FIRE DEPARTMENT SOLAR ARRAY FIELD CONDITIONS

General Comments:

1. The proposed solar array field is ***"Cleared"*** for public hearing. All Fire Department comments have been addressed.

2. As noted on the site plan, the proposed solar array field will require a minimum of one entry/ exit location due to the size of the field.

3. As noted on the site plan, provide an interior perimeter road and interior access roads as indicated on the site plan. All interior roads shall meet the Fire Department interior access road requirements.

4. The Fire Department is requiring the interior access roads within the solar array fields to have a soil compaction of 90%, OR the apparatus access road shall be excavated and re-compacted to 90%.

5. As noted on the site plan, provide one 10,000 gallon water tank near the address side entry/ exit gates.

6. All fire Protection facilities; including access and water, must be provided prior to and during construction, and for the duration of the project. Please contact FPEA Wally Collins at (323) 890-4243 if there are any questions.

On-site Fire Apparatus Access Road Requirements:

1. The fire apparatus on-site access roads shall be installed and maintained in a drivable condition for the duration of the solar project.

2. The fire apparatus on-site access roads shall be installed prior to occupancy or operation of the facility.

3. Provide a minimum roadway width of 20 feet, clear-to-the sky, for all on-site fire apparatus access roads with a minimum centerline turning radius width of 32 feet each turn. The inner radius shall be 22 feet and the out radius shall be 42 feet.

4. The fire apparatus on-site access roads shall have a soil compaction of 90%, OR the apparatus access road shall be excavated and re-compacted to 90%.

5. Provide a 20-foot interior Fire Department access roads throughout the development.

6. Provide a Fire Department access road around the entire perimeter of the solar project, which shall comply with

the above noted requirements.

On-Site Ingress/ Egress Gates:

1. The onsite ingress/ egress gate shall be located on the address side of the property.

2. The onsite ingress/ egress gate width shall be a minimum 20 feet, clear-to-he sky, with all gate hardware clear of the roadway width.

3. The gates shall be a minimum distance of 40 from the street.

4. Provide an approved "Fire Department Knox Lock" for each ingress/ egress gate.

5. The onsite ingress/ egress gates shall be in compliance with LACoFD Fire Prevention Regulation #5.

6. The facility emergency contact information shall be provided with each limited access device, per LACoFD Regulation 5, and shall be clearly indicated with an appropriate placard at each ingress location. The minimum size of the placard shall be 12 inches X 12 inches.

Water & Water Tank Requirements:

1. This development requires the installation of one water tank with a minimum tank size of 10,000 gallons for "Fire Department" use only.

2. The water tanks shall be clearly identified for "Fire Department Use Only".

3. The water tanks shall be located adjacent to the ingress/egress gate located on the address side of the property.

4. The water tanks shall be in compliance with LACoFD Regulation 19, which provide guidance in the installation of a water tank.

5. The water tank shall have a-low level water local alarm which shall be in compliance with all applicable codes and regulations. The low level water local alarm can be battery operated.

6. The water tank shall have a Fire Department supply outlet of 2 1/2 inches in diameter with National Standard threads. The supply outlet is to be located 14-24 inches above the finished grade, and is required to be protected by approved barricades.

7. If the outlet is not provided directly off of the tank, provide a 6 inch underground pipe to a 4 inch upright pipe with an outlet of 2 ½ inches with National Standard threads, which is required to be protected by barricades.

Vegetation Management:

1. The clearance of vegetation shall be in compliance with the brush clearance regulation as defined by the Fire Code or as directed by the Fire Official.

2. The vegetation shall be trimmed to a maximum height of 6 inches within the boundaries of the solar array.

3. All electrical transformer vaults or structures shall have all vegetation cleared to mineral soil for a distance of 50 feet.

Electrical Equipment:

1. All electrical disconnect locations shall be clearly identified.

2. All electrical shall be in compliance with all applicable state and local codes.

Kim Szalay Project ③

From: Vicente Banada
Sent: Thursday, February 20, 2014 3:19 PM
To: Kim Szalay
Cc: Eric Edwards
Subject: RE: Project Nos. R2011-00833-(5), R2011-00798-(5), R2011-00799-(5), R2011-00807-(5), R2011-00801-(5), R2011-00805-(5) Permit Consultation - Due March 11, 2014 or earliest date prior as feasible

Hi Kim,

The Department of Public Health-Environmental Health Division has reviewed the information provided for the project identified above and the comments have been met by the revised site plans. Environmental Health recommends the approval of this CUP.

Thanks,

Vicente Banada
Environmental Health Specialist IV
Land Use Program
5050 Commerce Drive
Baldwin Park, CA 91706
(626)430-5381 Tel
(626)813-3016 Fax

From: Kim Szalay
Sent: Tuesday, February 18, 2014 3:34 PM
To: Vicente Banada
Cc: Eric Edwards
Subject: FW: Project Nos. R2011-00833-(5), R2011-00798-(5), R2011-00799-(5), R2011-00807-(5), R2011-00801-(5), R2011-00805-(5) Permit Consultation - Due March 11, 2014 or earliest date prior as feasible

Mr. Banada, as CUP Coordinator for Public Health while Michelle is out of the office, attached PH comments and link below are a re-send of what was sent to Michelle. The required mobile sanitation plan will be provided for PH review and approval prior to construction, as a required condition of the CUP. The mobile sanitation facilities and potable water (bottled) locations are depicted on the site plans per the link below. Please send your response as soon as possible this week.

Thank You,

Kim Szalay

The CUP consultation package for this project is available at the website below. Please review and provide comments by the date specified above or earliest date prior as feasible.
Employee ID & unique password are required to enter the site. If you have any technical issues please contact webadmin@planning.lacounty.gov.

Project link: http://10.2.8.130/content/silverado-power-west-0

Thank you,

Kim Szalay

Mr. Kim K. Szalay, MPL, AICP
Principal Planner
Special Projects Section
Department of Regional Planning
320 W. Temple Street, Room 1362
Los Angeles, CA 90012
(213) 974-4876 Direct
(213) 626-0434 Fax
kszalay@planning.lacounty.gov

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COUNTY OF LOS ANGELES
Public Health

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

CYNTHIA A. HARDING, M.P.H.
Acting Chief Deputy Director

ANGELO J. BELLOMO, REHS
Director of Environmental Health

JACQUELINE TAYLOR, REHS
Director of Environmental Protection Bureau

PATRICK NEJADIAN, REHS
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MICHELLE TSIEBOS, REHS
Environmental Health Specialist IV
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October 11, 2013

TO: Carolina Blengini
Regional Planning Assistant II
Department of Regional Planning

FROM: Michelle Tsiebos, MPA, REHS M.T
Environmental Health Division
Department of Public Health

SUBJECT: CUP Consultation
PROJECT NO. R2011-00798/ R2011-00799/ R2011-00801/ R2011-00805/ R2011-00807/R2011-00833
Silverado Solar Project
LOCATION: 110TH Street West & West Avenue B, Lancaster

See Follow up Email

( ) Environmental Health recommends approval of this CUP.
(X) Environmental Health does **NOT** recommend approval of this CUP.

The Department of Public Health – Environmental Health Division has reviewed the information provided for the project identified above. The project is proposing the construction and operation of six solar electric generating facilities for the provision of 172 MW of electricity into the local grid.

Prior to the Department clearing this project for public hearing, the requirements listed on the attached reports need to be satisfactorily fulfilled.

For questions regarding the attached reports, please contact the individual listed on the bottom of the report. For all other questions, please contact me at (626) 430-5382.

Potable Water Supply

Hauled water is not an approved source of potable water for this project.

1. An adequate supply of potable water from an approved source shall be provided to serve the sanitary and drinking water needs of the project.

A. If permanent drinking and hand washing facilities are proposed, an on-site well meeting the requirements of Public Health and other applicable laws and regulations shall be required. The applicant shall secure a Well Production Permit and Water Supply Approval from the Drinking Water Program for the installation of the well. A well yield test to establish groundwater sustainability and water quality analysis from an approved laboratory will be required as part of the approval process.

Note: If the well provides potable water to 25 or more persons for more than 60 days per year, the California Safe Drinking Water Act requires that a public water system be established meeting all the requirements of the California Health and Safety Code and the California Code of Regulations.

B. If proposing to use an existing private well, the following information shall be submitted to the Drinking Water Program for review:

1) Copy of Well Driller's Report.
2) If applicable, provide copy of bond density log to confirm presence and depth of sanitary seal per California Well Standards.
3) Copy of a Well Production Permit and Water Supply Approval from the Drinking Water Program for the construction of the water well.
4) Documentation of well yield test in conformance with Public Health requirements. Well yield test results are valid for three (3) years from the date of approval.
5) Laboratory test results indicating the well water meets the drinking water standards established by the U.S. Environmental Protection Agency and the California Department of Public Health.

C. If Mobile Sanitation Facilities are proposed, the applicant shall include in the Mobile Sanitation Plan a description of how potable drinking water will be provided in a manner as to be readily accessible to employees. The plan shall identify the potable water source and method of dispensing. The plan shall also describe how drinking water containers are maintained, including methods to prevent contamination of drinking water. Please see the guidelines attached at the end of this document.

2. Revise the site plan or submit a separate plan to show the location of the existing or proposed well and setback distances from potential sources of contamination within 200 feet, including but not limited to, septic systems, animal stables, etc.

For questions regarding the potable water requirements, please contact Richard Lavin at (626) 430-5420.

Sewage Disposal

1. Sanitary toilet facilities shall be provided to meet Public Health requirements.

A. If permanent toilet facilities are proposed, the applicant shall submit the following information to the Land Use Program for review and approval:

(1) A feasibility report in compliance with Public Health's "A Professional Guide to Requirements and Procedures for Onsite Wastewater Treatment Systems (OWTS}." The guideline is available on-line at www.lapublichealth.org/eh. The design and installation of OWTS shall conform to the requirements of Public Health and other

applicable regulatory agencies. The feasibility report shall include a professionally drawn scaled plot plan to illustrate the following:

a) Location and sizing of proposed OWTS (septic tank and dispersal system}, including 100% future expansion dispersal area.

b) Location of all other structures and amenities, including buildings, walls, fences, retaining walls, storage facilities, guard shacks, etc.

c) Location of any existing and proposed water wells and their related components on the project site as well as on neighboring properties within 200 feet of the proposed OWTS.

d) Location of any surface water {e.g. streams, floodways, drainage courses, subdrains, culverts, swales, etc.).

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

(2) Floor plan of the toilet facility showing the location of all plumbing fixtures (i.e. toilets, urinals, hand wash sinks, etc.).

(3) Proof that application for a Waste Discharge Permit (WDR) has been filed with the Los Angeles Regional Water Quality Control Board

B. If mobile sanitation facilities are proposed, the applicant shall submit for review and approval a Mobile Sanitation Facility Plan consistent with Public Health's guideline, "Sanitation Facilities at Remote Worksite Locations." Please see the guidelines attached at the end of this document.

2. Provide a detailed description of the panel cleaning process. Include the chemicals to be used during the cleaning process. Describe how the wastewater generated by cleaning/washing of panels when utilizing a solution other than plain water, will be collected to prevent discharge onto the ground surfaces and how will it be disposed of.

For questions regarding wastewater disposal requirements, please contact Patrick Nejadian at (626) 430-5390.

Noise

The Toxics Epidemiology Program recommends approval of the project upon the following conditions:

Noise mitigation measures "Noise 5.11 (N-1 to N-9)" and Air Quality mitigation measures "AQ 5.3 (AQ-1 to AQ-8)" from the Monitoring Mitigation Reporting Program (MMRP) must be implemented. This includes mitigation measure TT-4.

For questions regarding the above comments, please contact Evenor Masis or Robert Vasquez at (213) 738-3220.

Sanitation Facilities at Remote Worksite Locations

1.0 Background and Purpose

Typically, permanently installed restroom and potable water facilities are required to be provided at worksite locations. In situations where permanent restrooms and potable water facilities are not feasible, the County Department of Public Health (Department) may approve the use of *"mobile sanitation facilities"* consistent with standards specified in Los Angeles County Code, Title 11 and the California Code of Regulations, Title 8.

The purpose of this document is to outline the procedure for obtaining Departmental approval for the use of *"mobile sanitation facilities"* by mobile crews at unattended commercial worksites located in remote areas of the County where conventional restroom facilities are unavailable and/or impractical due to the lack of a potable water supply.

2.0 Definition

A *"mobile sanitation facility"* is a portable restroom facility that is self-contained, and equipped with potable water, a toilet, a hand washing facility, and a waste water storage tank. *[Note: A portable chemical toilet, commonly referred to as a "porta-potty", is not considered a mobile sanitation facility.]*

3.0 Regulatory Requirements

The following requirements are based on provisions of Los Angeles County Code, Title 11 - Health & Safety, and Cal-OSHA sanitation standards in Section 3360, Title 8, California Code of Regulations.

3.1 Mobile Sanitation Facility Plan

An applicant seeking to use a "mobile sanitation facility" in conjunction with a conditional use permit to develop and operate a remote commercial work site shall submit to the Department for review and approval a *mobile sanitation facility plan* to include the following:

3.1.1 The projected number of employees that will use the proposed mobile sanitation facility.

3.1.2 A Site Plan showing the proposed location(s) of the facility.

3.1.3 A service and maintenance schedule for the facility.

3.1.4 Description of how potable drinking water will be provided in a manner as to be readily accessible to employees. Identification of potable water source and method of dispensing (container and single-use cups or bottled water). Description of how drinking water containers are maintained, including methods to prevent contamination of drinking water.

3.1.5 Copy of a service agreement with a permitted toilet rental agency to provide a mobile sanitation facility approved by the Department. If the applicant proposes to design and construct the mobile sanitation facility, design drawings and specifications shall be included.

3.2 Permitting, Maintenance and Storage Requirements

Upon approval of the plan referenced in 3.1 above, the Department will issue an annual operating permit to the applicant. The operating permit will include the following conditions:

3.2.1 The mobile sanitation facility shall be maintained in a safe and sanitary condition so as not to constitute a public health hazard or nuisance.

3.2.2 The mobile sanitation facility must be removed from the work site at the end of each work day, and be returned to an approved storage site.

For questions regarding these requirements, please contact the Department's Land Use Program at (626) 430-5380.

COUNTY OF LOS ANGELES
DEPARTMENT OF PARKS AND RECREATION
"Parks Make Life Better!"
Russ Guiney, Director John Wicker, Chief Deputy Director

March 12, 2014 Sent via e-mail:kslalay@planning.lacounty.gov

TO: Kim Szalay
Department of Regional Planning

FROM: Lorrie Bradley, Park Planner
Research and Trail Planning Section

SUBJECT: **PROJECT CONSULTATION**
SILVERADO SOLAR
COUNTY PROJECT NOs.
(1) R2011-00833-(5) (CUP201100079);
(2) R2011-00798-(5) (CUP201100070);
(3) R2011-00799-(5) (CUP201100071;
(4) R2011-00807-(5) (CUP201100076);
(5) R2011-00801-(5) (CUP201100072);
(6) R2011-00805-(5) (CUP201100074); RZC2011000005)

The Department of Parks and Recreation has completed the review of the six conditional use permits (CUPs) and site plans dated 2/11/2014 for the proposed photovoltaic generation facilities mentioned above to allow for the construction and operation of the solar generating facilities and their associated generation tie lines. The Department of Parks and Recreation requests that the Department of Regional Planning condition the above mentioned project with the following conditions as part of the conditional use permit:

R2011-00833 Project 1: North Lancaster Ranch

In concept, the location of the twelve (12) foot wide trail easement dedication for the "Little Buttes Trail", an adopted proposed County trail that runs parallel to the project site (APN 3262-001-006) along West Avenue B, as shown on the site plan dated 2/11/2014 is acceptable.

The Department of Parks and Recreation requires a twelve (12) foot wide multi-use (hiking, mountain biking, and equestrian) trail easement dedication and trail construction, contiguous to West Avenue B, though outside of the road right-of-way, for the purposes of the "Little Buttes Trail".

Trail Easement Recordation Conditions

1. Prior to use and reliance of this conditional use permit, and prior to issuance of a grading permit, building permit or improvement plans, the Applicant shall:

    a. Dedicate by separate document to the County of Los Angeles, a twelve (12) foot wide multi-use (hiking, mountain biking and equestrian) trail easement for purposes of the Little Buttes Trail as shown on the site plan dated 2/11/2014. Trail easement must be outside of the road right-of-way and slope easement. The trail easement shall be recorded as a separate document and the plat map and legal description shall be attached and submitted to the Department of Parks and Recreation for review.

    b. The following language (in exact form) must be shown for multi-use trail dedications on the site plan and in the easement document:

    Title Page: We hereby dedicate to the County of Los Angeles a twelve (12) foot wide multi-use (hiking, mountain biking and equestrian) trail easement for the purposes of the "Little Buttes Trail". Full multi-use (hiking, mountain biking, and equestrian) public access shall be provided for the trail easement.

2. Per Department of Public Works (DPW) requirement, all trail easements must be outside of the road right-of-way and slope easement.

Trail Construction Conditions

1. Prior to grading approval or building permit issuance, or whichever comes first, the applicant shall:

    a. Design and construct all required multi-use trails, shown on the site plans, in a manner consistent with the County of Los Angeles Trails Manual (Trails Manual), as Natural Trail 1 (refer to page 4-13, Table 4.3.1-1, Trail Classification Guidelines.) Any significant deviation from the guidelines within the Trails Manual must be approved in writing by the Department of Parks and Recreation.

2. Applicant shall obtain approval from DPW for the trail crossing location (intersection of West Avenue B and 105th Street West (Future)), and design, including proper signage, suitable for safe trail crossing.

3. The applicant shall provide the submittal of the rough grading plans, which shall include detailed grading information for the segment of trails for dedication to the County of Los Angeles, Department of Parks and Recreation. The detailed grading information for the trail construction, shall include all pertinent information required,

in a manner consistent with the Trails Manual trail construction guidelines, and all applicable codes, but not limited, to the following:

a. Cross slope trail gradients not to exceed four percent (4%) with two (2%) preferred, and longitudinal (running) slope gradients not to exceed twelve percent (12%) for more than fifty feet (50'). The Department of Parks and Recreation will review and may allow slopes greater than twelve percent (12%) on a case by case basis.

b. Bush hammer (or equivalent) porous finish or surface is required on all paved surfaces at minimum width of eight (8) feet wide for driveway trail crossings, and minimum twelve (12) feet width for painted roadway trail crossings.

c. The applicant is required to purchase and install appropriate lodge pole fencing to delineate "Little Buttes Trail" from the trail tread, for user safety, and property security, as approved by the Department of Parks and Recreation.

    i. Trail fencing shall be installed within one (1) foot wide section of the dedicated multi-use trail easement contiguous to the West Avenue B.
    ii. Trail fencing locations and materials shall be approved in writing by the Department of Parks and Recreation.

R2011-00798 Project 2: Western Antelope Blue Sky Ranch

In concept, the location of the twelve (12) foot wide multi-use trail easement dedication the "California Poppy Trail", an adopted proposed County trail located on the west side of 110th Street West, as shown on the site plan dated 2/11/2014 is acceptable.

The Department of Parks and Recreation requires a twelve (12) foot wide multi-use (hiking, mountain biking, and equestrian) trail easement dedication and trail construction on the east side of the project site (APN 3267-015-001) contiguous to, though outside of the 110th Street West road right-of-way, for purposes of the "California Poppy Trail".

<u>Trail Easement Recordation Conditions</u>

1. Prior to use and reliance of this conditional use permit, and prior to issuance of a grading permit, building permit or improvement plans, the Applicant shall:

    a. Dedicate by separate document to the County of Los Angeles, a twelve (12) foot wide multi-use (hiking, mountain biking and equestrian) trail easement for purposes of the California Poppy Trail as shown on the site plan dated 2/11/2014. Trail easement must be outside of the road right-of-way and slope easement. The trail easement shall be recorded as a separate

document and the plat map and legal description shall be attached and submitted to the Department of Parks and Recreation for review.

b. The following language (in exact form) must be shown for multi-use trail dedications on the site plan and in the easement document:

Title Page: We hereby dedicate to the County of Los Angeles a twelve (12) foot wide multi-use (hiking, mountain biking and equestrian) trail easement for the purposes of the "California Poppy Trail". Full multi-use (hiking, mountain biking, and equestrian) public access shall be provided for the trail easement.

2. Per Department of Public Works (DPW) requirement, all trail easements must be outside of the road right-of-way and slope easement.

Trail Construction Conditions

1. Prior to grading approval or building permit issuance, or whichever comes first, the applicant shall:

   b. Design and construct all required multi-use trails, shown on the site plans, in a manner consistent with the County of Los Angeles Trails Manual (Trails Manual), as Natural Trail 1 (refer to page 4-13, Table 4.3.1-1, Trail Classification Guidelines.) Any significant deviation from the guidelines within the Trails Manual must be approved in writing by the Department of Parks and Recreation.

2. Applicant shall obtain approval from DPW for the trail crossing location and design, including proper signage, suitable for safe trail crossing.

3. The applicant shall provide the submittal of the rough grading plans, which shall include detailed grading information for the segment of trails for dedication to the County of Los Angeles, Department of Parks and Recreation. The detailed grading information for the trail construction, shall include all pertinent information required, in a manner consistent with the Trails Manual trail construction guidelines, and all applicable codes, but not limited, to the following:

   a. Cross slope trail gradients not to exceed four percent (4%) with two (2%) preferred, and longitudinal (running) slope gradients not to exceed twelve percent (12%) for more than fifty feet (50'). The Department of Parks and Recreation will review and may allow slopes greater than twelve percent (12%) on a case by case basis.

   b. Bush hammer (or equivalent) porous finish or surface is required on all paved surfaces at minimum width of eight (8) feet wide for driveway trail

crossings, and minimum twelve (12) feet width for painted roadway trail crossings.

c. The applicant is required to purchase and install appropriate lodge pole fencing to delineate "California Poppy Trail" from the trail tread, for user safety, and property security, as approved by the Department of Parks and Recreation.

   i. Trail fencing shall be installed within one (1) foot wide section of the dedicated multi-use trail easement contiguous to the 110th Street West.
   ii. Trail fencing locations and materials shall be approved in writing by the Department of Parks and Recreation.

Trail Construction Conditions for R2011-00833 and R2011-00798

1. Prior to initiation of trail construction, the Applicant shall:

   a. Submit a preliminary construction schedule showing milestones for completing the trail, including installation of lodge-pole fencing. The Applicant's representative shall provide updated trail construction schedules to the Department of Parks and Recreation on a monthly basis. Schedule submittals shall include a "Two Week Look-Ahead" schedule, to reflect any modifications to the original schedule.

   b. Stake the centerline of the trail. The Applicant's representative shall then schedule a site meeting with the Department of Parks and Recreation's representative within the Trails Section for trail alignment inspection and approval.

   c. The Applicant shall notify the Department of Parks and Recreation for a Final Inspection "Trail Walk" within five (5) business days of completion of trail construction, including installation of all required amenities. Any portions of the constructed trail not approved shall be corrected and brought into compliance with the Department of Parks and Recreation's Trails Manual within thirty (30) calendar days. Upon completion of the punch list, the Applicant shall contact the Department of Parks and Recreation to schedule another site inspection.

2. Prior to the Department of Parks and Recreation's final acceptance of the constructed trail, the Applicant shall:

   a. Submit electronic copies on CD or DVD (AutoCAD 2005 or newer version) of the As-Built Trail, grading and construction drawings to the Department of Parks and Recreation, Trails Section.

b. Submit a letter to the Department requesting acceptance of the dedicated constructed trail. The Department will issue a trail acceptance letter only after receiving a written request for final trail approval and as-built trail drawings.

Thank you for including this Department in the review of this notice. For any trail related questions, please contact Ms. Olga Ruano at (213) 738-2014 or oruano@parks.lacounty.gov.

c: Regional Planning (K. Szalay)
Parks and Recreation (N. E. Garcia, K. King, J. Rupert, F. Moreno, J. Yom, O. Ruano)

BURDEN OF PROOF STATEMENT PROJECT 3

Los Angeles County
Department of Regional Planning

Planning for the Challenges Ahead

CONDITIONAL USE PERMIT BURDEN OF PROOF

Proj. 3

Pursuant to Zoning Code Section 22.56.040, the applicant shall substantiate the following:

(Do not repeat the statement or provide Yes/No responses. If necessary, attachment additional pages.)

A. That the requested use at the location will not:
1. Adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area, or
2. Be materially detrimental to the use, enjoyment or valuation of property of other persons located in the vicinity of the site, or
3. Jeopardize, endanger or otherwise constitute a menance to the public health, safety or general welfare.

Construction of the project would temporarily adversely affect noise in the surrounding area.

However, the project will comply with the county's noise ordinance. The project will not be materially

detrimental to the use, enjoyment, or valuation of property of persons located in the vicinity of the

site. The project consists of constructing 35 MW solar PV power generating site.

The project would not jeopardize, endanger, or otherwise constitute a menace to public health,

safety, or general welfare.

B. That 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 this Title 22, or as is otherwise required in order to integrate said use with the uses in the surrounding area.

The proposed site is adequate in size and shape to accommodate all aspects of the proposed project.

prescribed in Title 22. The site has adequate acreage to house the site-specific design for

landscaping, fencing, and protection of viewsheds. Minimizing impacts to potential local biological

communities will be part of the facility design. The site will be compatible with the surrounding area. The grading is expected to exceed 100,000 CY threshold of earth work so a grading permit will need to a part of this CUP, but all grading will be balanced on site.

C. That the proposed site is adequately served:
1. By highways or streets of sufficient width, and improved as necessary to carry the kind and quantity of traffic such use would generate, and
2. By other public or private service facilities as are required.

The proposed site abuts West Avenue G, 70th Street West, and 75th Street West; these streets adequately

serve the proposed site. The project will not increase traffic to the project site and surrounding area once

the project has been constructed. Street improvements would not be required since onsite workers are

not required to staff the PV site on a daily basis. No water or sewer/septic service is required for the facility.

Water used for panel washings will be delivered to the site twice a year. Power line hookups are adjacent

to the site and no other utilities are required.