Los Angeles County
Department of Regional Planning

Planning for the Challenges Ahead

Richard J. Bruckner
Director

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TO: Supervisor Don Knabe, Chairman
Supervisor Gloria Molina
Supervisor Mark Ridley-Thomas
Supervisor Zev Yaroslavsky
Supervisor Michael D. Antonovich

FROM: Richard J. Bruckner
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BOARD MOTION OF MAY 14, 2013; AGENDA ITEM NO. 79-B; RENEWABLE ENERGY PROJECTS AND FUGITIVE DUST CONTROLS

On May 14, 2013, the Board of Supervisors (Board) directed the Directors of Regional Planning (Planning), Public Works, and Public Health to explore possible County Code amendments and additional project requirements to further improve the quality of dust control in the Antelope Valley and other unincorporated areas (Unincorporated Area). To address the Board's directive, Planning, Public Works, and Public Health staff have implemented various measures listed below to further control fugitive dust from construction of renewable energy projects within the Unincorporated Area.

1. A Draft Renewable Energy Ordinance (Draft Ordinance) pertaining to all renewable energy projects located in the Unincorporated Area has been initiated by Planning staff, and the first Draft Ordinance was recently circulated to the public to solicit additional input and comments. Staff is currently in the process of establishing an environmental team to prepare a Program Environmental Impact Report for the Draft Ordinance. The current Draft Ordinance proposes regulations pertaining to fugitive dust as follows:

    a. Minimize removal of vegetation to prevent vegetative root loss by mowing rather than disking, tilling or grading of array sites.
    b. Preserve natural topography and hydrology and limit grading and ground disturbance to that required for access roads, drainage features, building pads, if any, and trenching.

c. 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.

2. Project-specific mitigation measures and/or other project-related conditions of approval for all discretionary renewable energy projects shall include the following measures related to fugitive dust control:

   a. Require measures in Number 1 above as project conditions until such time as the Draft Ordinance is adopted and effective.
   b. Continue to require a fugitive dust control plan for review and approval by the Antelope Valley Air Quality Management District (AVAQMD).
   c. Require a dust plume response plan including weather stations, monitors with wind speed, wind direction, temperature and humidity sensors.
   d. Establish full or partial perimeter vegetation for both visual screening and limiting the off-site movement of dust.
   e. Require reestablishment of vegetative ground cover to the greatest extent feasible throughout the array areas for the life of the subject permit.
   f. Continue to require decommissioning plans to include restoration of disturbed areas with native vegetation at the end of the life of the project.
   g. Require additional mitigation monitoring and inspections during the first two years to ensure compliance with dust mitigation measures and other conditions of project approval.
   h. When appropriate, require a dedicated on-site compliance monitor during construction to independently monitor and report on project compliance.
   i. When appropriate, require installation of mechanical dust-monitoring devices at each project site to identify locations on-site that require dust control treatment. The dust sensors will also clarify if the project is a dust source during a wind event.
   j. Require use of green-screen fencing cover during construction and use of tarps over dirt in trucks to limit off-site movement of dust and limit visual impacts during construction.

k. The Departments of Regional Planning, Public Works, and Public Health will work jointly to refine and implement the above requirements and procedures respective of their individual authorities to ensure that fugitive dust from solar projects is controlled appropriately.

In addition to implementation of the measures above, collaborative efforts to identify and implement the best dust control practices available continue in consultation with the State's AVAQMD, the Antelope Valley Resource Conservation District, and the Antelope Valley's Dust Busters group. Additionally, Public Health, in collaboration with Regional Planning and Public Works, is exploring the feasibility of requiring a measure specific to monitoring worker exposure to valley fever.

If you have any questions, please contact Sam Dea, Supervising Regional Planner, Special Projects Section at (213) 974-4808, Mr. Kim Szalay, Principal Planner, Special Projects Section at (213) 974-4876, Steve Burger, Principal Engineer, Department of Public Works at (626) 458-4943, or Evenor Masis, Industrial Hygienist, Department of Public Health at (213) 738-6126.

RJB:MC:SZD:KKS:ems

c: Executive Office, Board of Supervisors
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