



LAND USE SERVICES DEPARTMENT
PLANNING DIVISION
PLANNING COMMISSION STAFF REPORT



HEARING DATE: June 7, 2012

AGENDA ITEM # 3

Project Description

APN: 3097-361-05
Applicant: Victor Dry Farm Ranch, LLC
Community: Victorville / 1st Supervisorial District
Location: Bounded by Dos Palmas Rd, White Rd, Trinidad Rd, and Maricopa Rd
Project No: P201100310/CUP
Staff: Tracy Creason
Rep: United Engineering Group
Proposal: Conditional Use Permit to establish a 10-Megawatt (MW) solar power generating facility on 40 acres



23 Hearing Notices Sent On: May 25, 2012
P.C. Field Inspection Date: June 4, 2012

Report Prepared By: Tracy Creason
Field Inspected By: Commissioner Coleman

SITE INFORMATION:

Parcel Size: 40 acres

Terrain: The site slopes from the southwest to the northeast at a grade of approximately 2 percent

Vegetation: Undisturbed creosote bush community, containing some Joshua trees

SURROUNDING LAND DESCRIPTION:

AREA	EXISTING LAND USE	LAND USE ZONING DISTRICT / OVERLAYS
Site	Vacant	Rural Living (RL) / FS2, FP3
North	Vacant	Rural Living (RL) / FS2, FP3
South	Vacant	Rural Living (RL) / FS2, FP3
East	Vacant	Rural Living (RL) / FS2
West	Vacant	Rural Living (RL) / FS2

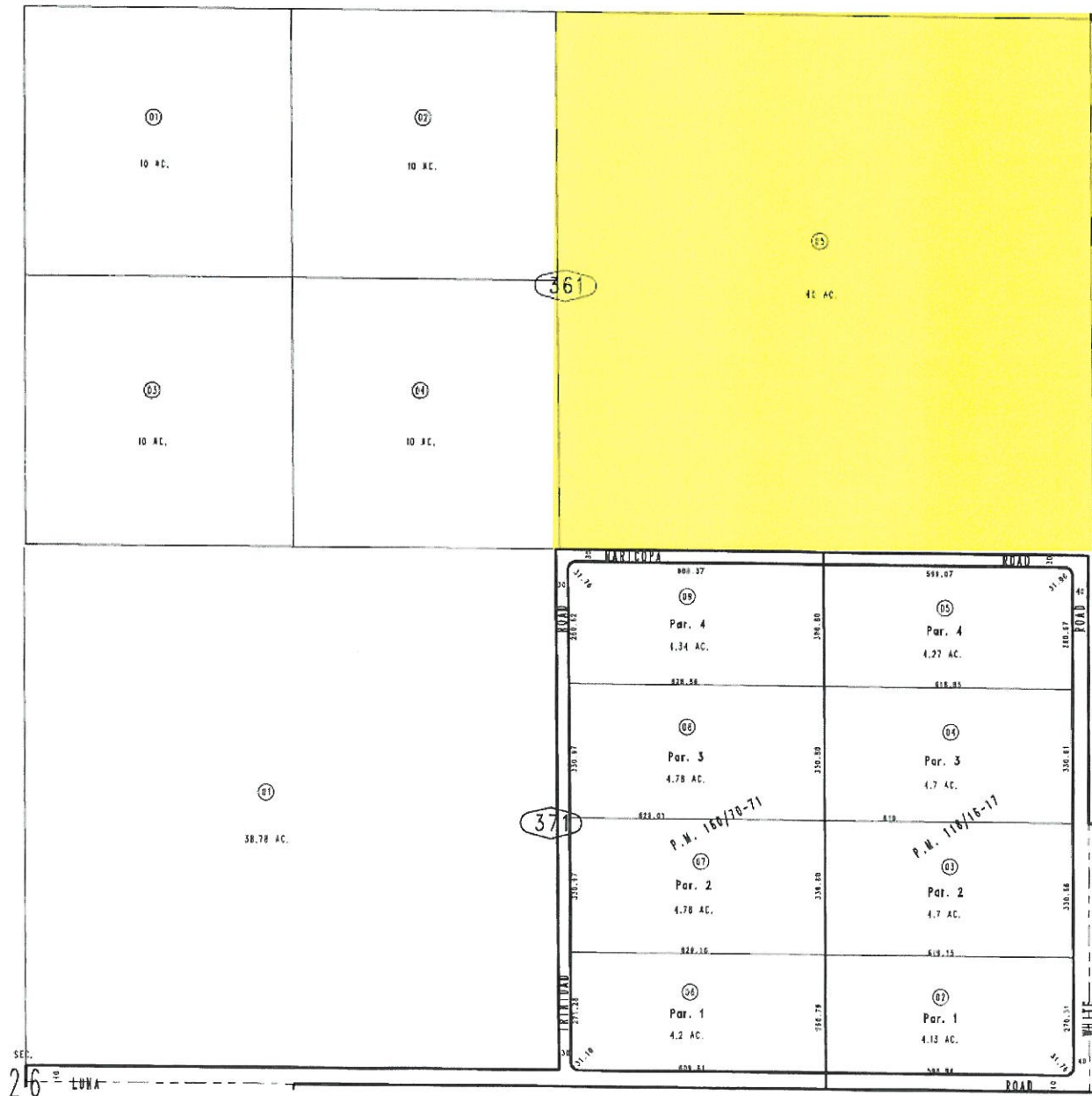
	<u>AGENCY</u>	<u>COMMENT</u>
City Sphere of Influence:	City of Victorville	Not opposed
Water Service:	N/A	Hauling proposed
Septic Service	N/A	Not required

STAFF RECOMMENDATION: That the Planning Commission **APPROVE** the Conditional Use Permit.

In accordance with Section 86.08.010 of the Development Code, this action may be appealed to the Board of Supervisors.

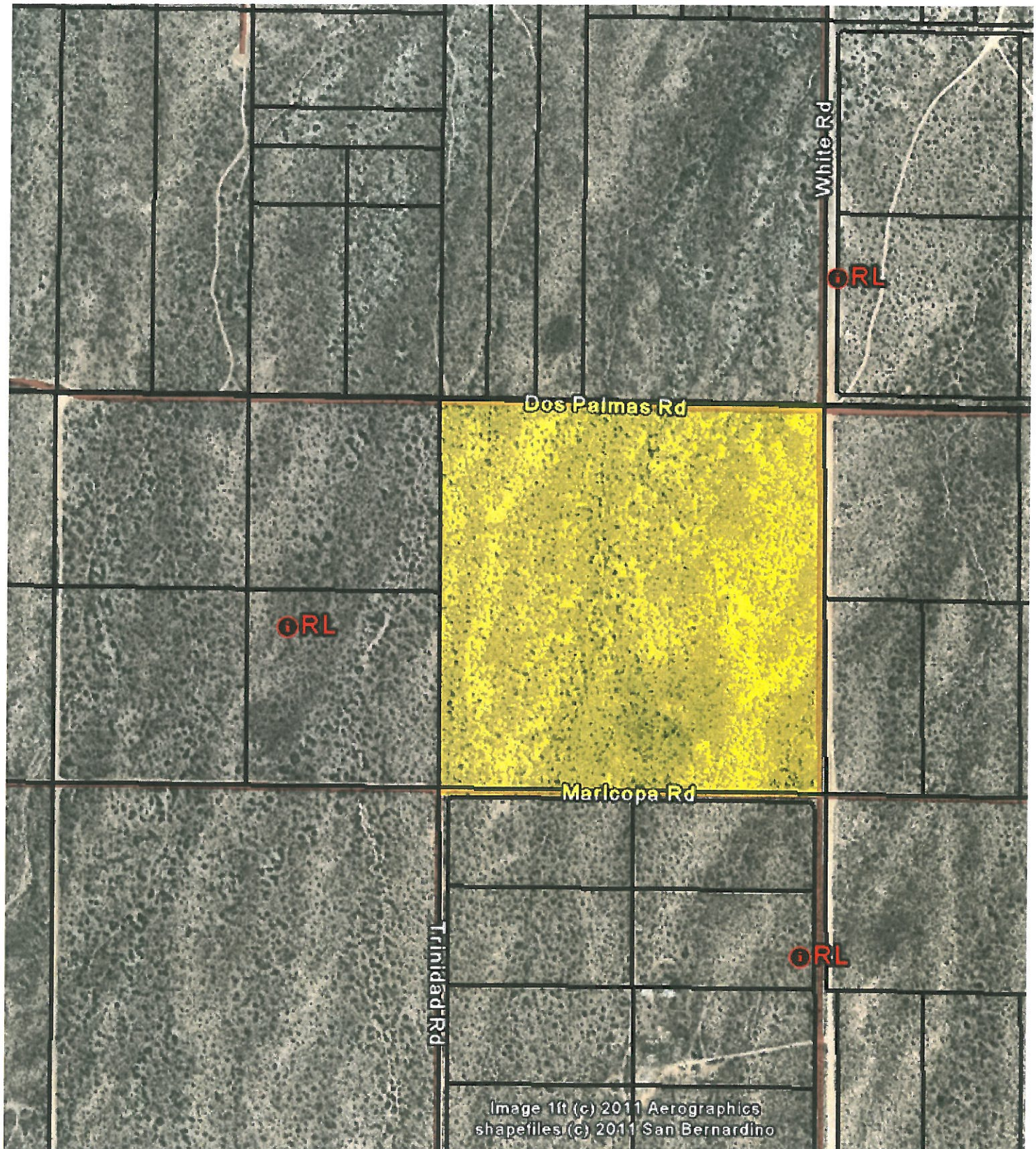
THIS PAGE INTENTIONALLY LEFT BLANK

ASSESSOR'S PARCEL MAP



THIS PAGE INTENTIONALLY LEFT BLANK

LAND USE ZONING DISTRICT MAP



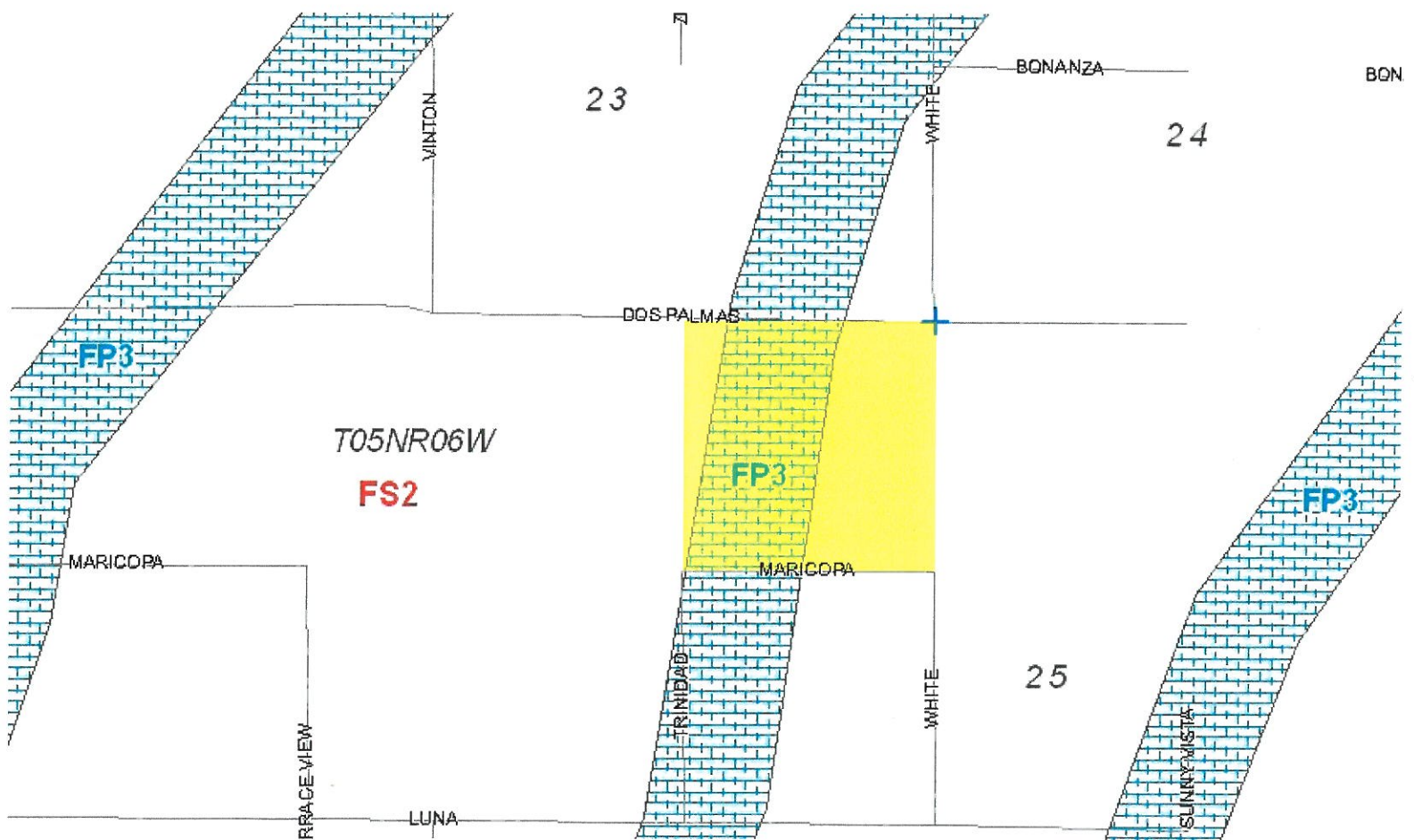
THIS PAGE INTENTIONALLY LEFT BLANK

AERIAL/VICINITY MAP



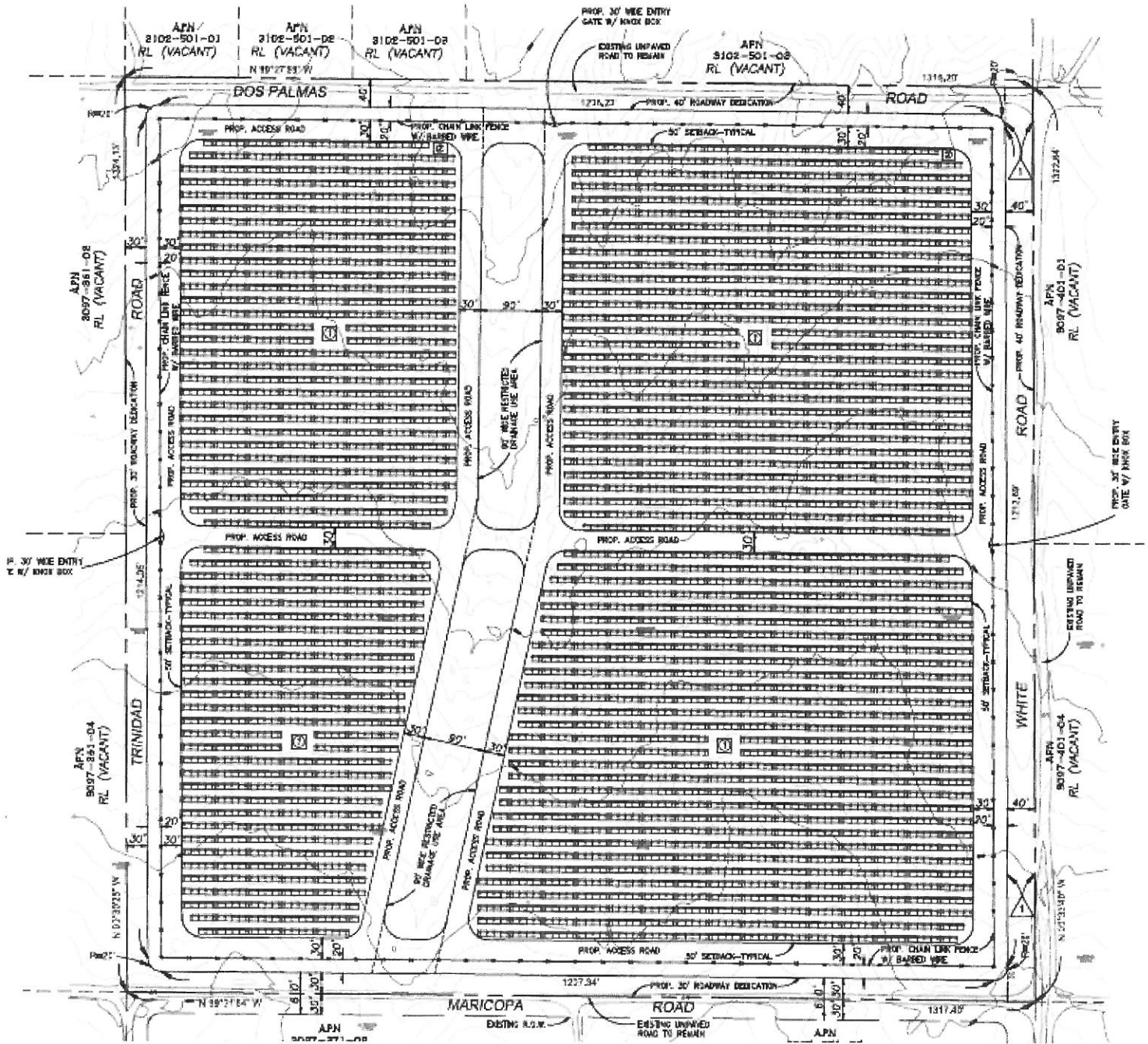
THIS PAGE INTENTIONALLY LEFT BLANK

HAZARD OVERLAYS



THIS PAGE INTENTIONALLY LEFT BLANK

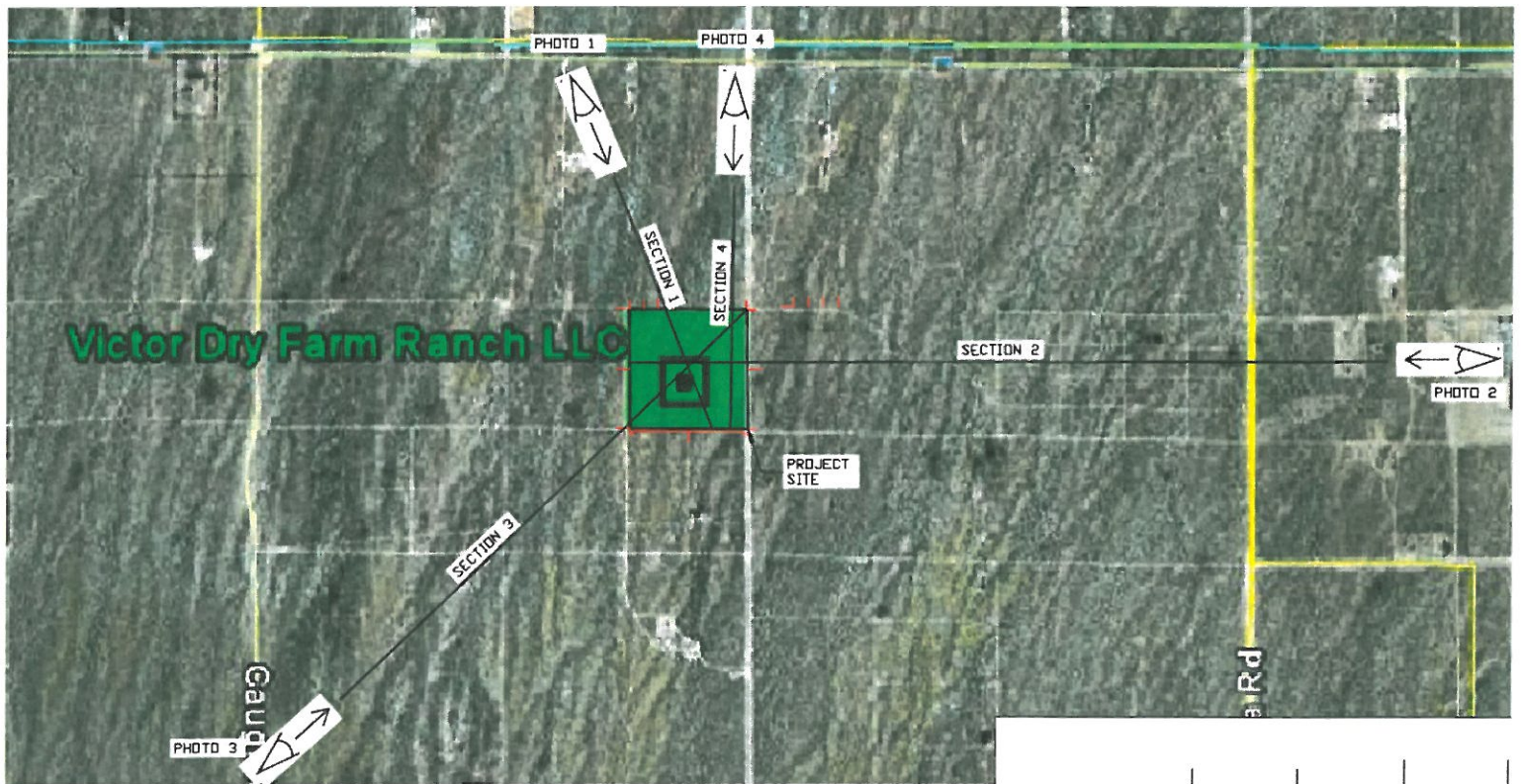
SITE PLAN



THIS PAGE INTENTIONALLY LEFT BLANK

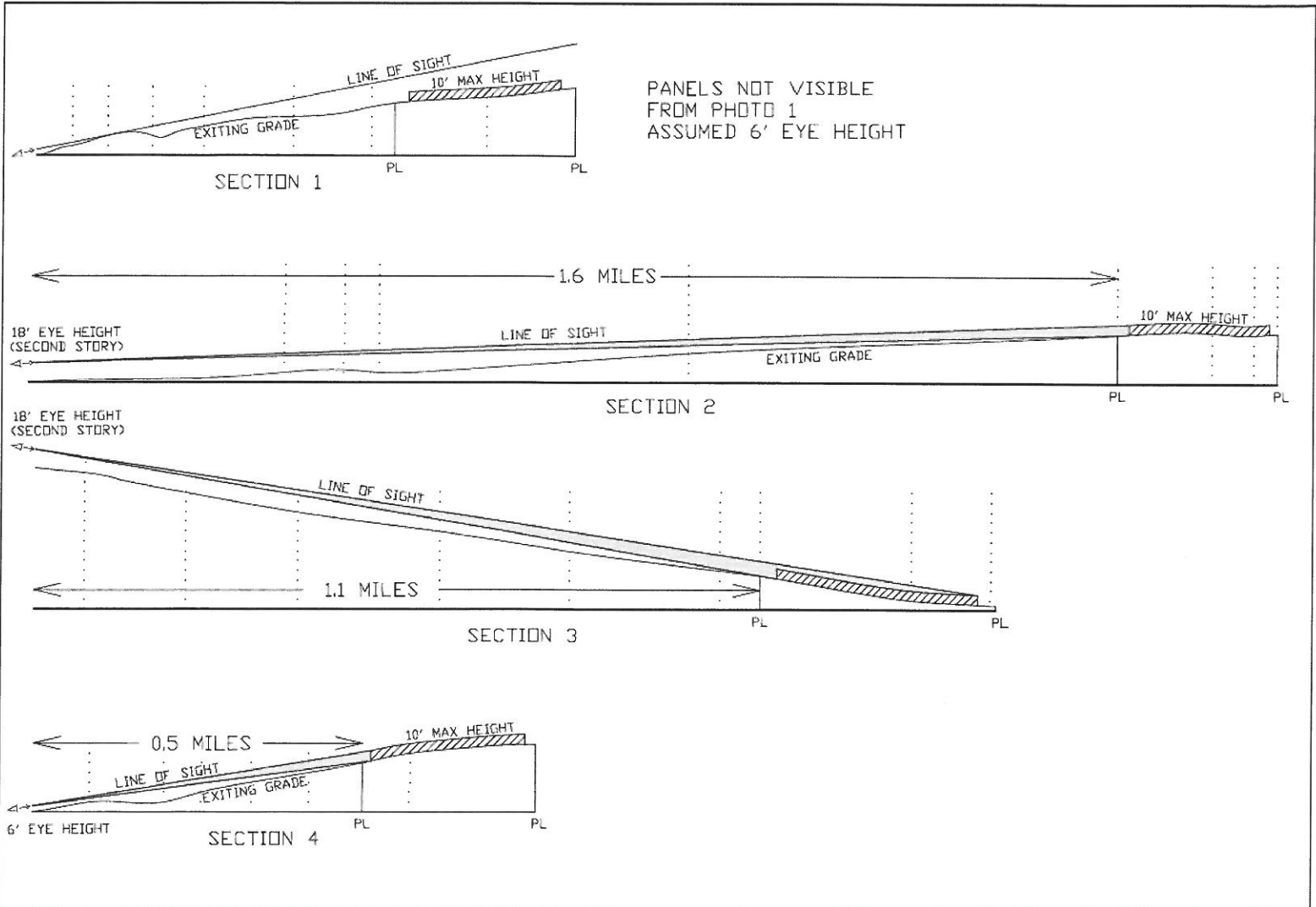
PHOTO SIMS

INDEX MAP



THIS PAGE INTENTIONALLY LEFT BLANK

SECTIONS



THIS PAGE INTENTIONALLY LEFT BLANK

VIEW 1



EXISTING



PROPOSED - NOTE: PANELS NOT VISIBLE FROM PHOTO 1 ASSUMED 6' EYE HEIGHT

VIEW 2



EXISTING

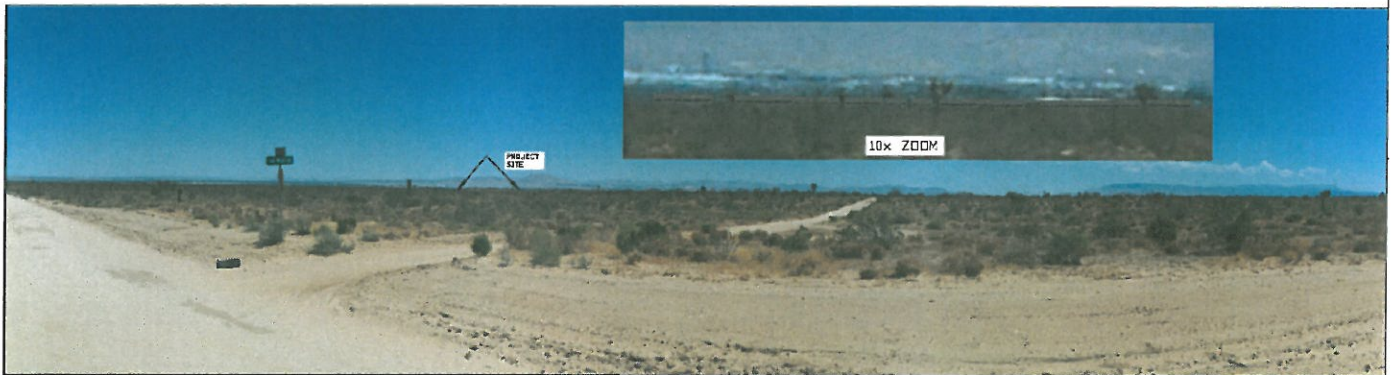


PROPOSED - DISTANCE TO SITE 1.6 MILES

VIEW 3



EXISTING



PROPOSED - DISTANCE TO SITE 1.1 MILES

VIEW 4



EXISTING



PROPOSED - DISTANCE TO SITE 0.5 MILES

BACKGROUND

The proposed Conditional Use Permit would establish a 10-MW photovoltaic (PV) solar electric power generating facility ("Project") on 40 acres. The proposed facility will include approximately 35,000 photovoltaic (PV) crystalline silicon modules and four concrete pads, each supporting inverters, transformers, and other mechanical components, all of which will be enclosed by an eight-foot high chain-link perimeter fence. The power produced on site would interconnect with the existing 33kV Southern California Edison (SCE) distribution line, on the south side of Palmdale Road, via a 0.5-mile generation interconnection (gen-tie) transmission line from the northeast corner of the site north along White Road. It is anticipated that this Project will be constructed in approximately 9 to 12 months and will include a maximum of 65 workers onsite per day during peak construction. Upon completion, the Project will be unmanned except for periodic maintenance.

Location and Access: The Project site is within the sphere of influence of the City of Victorville, which is approximately one-mile east and one-mile south of the Project site. The site is approximately ½-mile south of the City of Adelanto boundary. The site is located on the southwest corner of Dos Palmas Road and White Road. An asphalt concrete dike with match up paving 32 feet from centerline is required on Dos Palmas Road from the Project entrance to White Road in accordance with the County Development Code Section 83.05.050 ("*Installation of Street Improvements*"). In addition, the Department of Public Works has required a paved access road, a minimum of 26-feet in width to connect to the nearest paved public road, State Highway 18, which is approximately ½-mile north of the site. Maricopa Road and Trinidad Road, adjacent to the Project site, and other roads in the vicinity are unimproved dirt roads.

There are a few scattered residences within a five-mile radius of the site; the nearest structure is approximately one mile to the east.

Environmental setting: The Project site slopes from the southwest to the northeast with elevations ranging from 3265 to 3290 feet above mean sea. A desert wash dissects the site in a north-south direction. As part of this Project, the applicant will dedicate a 90-foot wide San Bernardino County Drainage Easement. Onsite human disturbance is minimal. Creosote bush dominates the vegetation onsite.

Solar Array Operation: The Project will capture solar energy through arrays of PV panels mounted to fixed-tilt systems oriented to the south to maximize the amount of solar radiation absorbed throughout the year. The PV panels will be mounted to a racking system that is supported by a pile-driven foundation design. Each fixed-tilt unit will have an approximate maximum height of ten feet and a minimum ground clearance of about two feet.

ANALYSIS:

Consistency with General Plan Policies: The current zoning for the site is Rural Living (RL). Chapter 84.29 entitled “Renewable Energy Generation Facilities” of the Development Code allows renewable energy facilities in the RL zone, provided the site includes a minimum of 20 acres, subject to a Conditional Use Permit. The RL district allows structures up to 35 feet in height. This Project site meets requirements for establishment of a renewable energy facility in the RL district.

The County General Plan establishes goals for renewable energy for the County. Conservation Element Policy CO 4.12 states that the County shall promote siting of renewable energy resources. Conservation Element Goal CO 8 aims to minimize energy consumption and promote safe energy extraction, uses, and systems to benefit local, regional, and global environmental goals. Policies under this goal include, Policy CO 8.3, which states that the County will assist in efforts to develop alternative energy technologies that have minimum adverse effect on the environment, and explore and promote newer opportunities for the use of alternative energy sources. This Project supports the objectives of these goals and policies.

Renewable Energy Projects: The California Renewable Portfolio Standard (RPS) legislation established in 2002 (Senate Bill 1078), and accelerated in 2006 (Senate Bill 107), requires retail sellers of electricity to obtain 20 percent of their supply of electricity from renewable energy sources by 2010. On April 12, 2011, Governor Jerry Brown signed SBX1-2 into law, which increased California’s RPS target to 33 percent by December 31, 2020. The proposed Project will assist in efforts to meet the RPS standard and increased demands for electricity.

Greenhouse Gas [GHG]: In 2006, the State of California passed the California Global Warming Solutions Act (Assembly Bill 32) which requires the state to reduce emissions of carbon dioxide (CO₂) and other greenhouse gases (GHG) to 1990 emission levels (a 30 percent reduction) by 2020. Senate Bill 1368, enacted in 2006, prohibits California electric utilities from constructing power plants or entering into long-term energy purchase contracts with facilities that do not meet the GHG emissions standard. In December 2011, the San Bernardino County Board of Supervisors adopted a Greenhouse Gas Emissions Reduction Plan. The proposed Project will assist in efforts to meet the California GHG emissions legislation and the County GHG Emissions Reduction Plan by providing a renewable energy source that does not generate GHG during operation.

Aesthetics/Visual: The proposed Project has a low profile (maximum height of 10 feet); therefore, it will not substantially degrade the existing visual character or quality of the site and its surroundings. The predominant views in the area are of the surrounding mountains. The Visual Impact Analysis prepared for the project shows little to no impact on these views or the area in general. The nearest residence is approximately one mile east of the site. The County Development Code regulates glare, outdoor lighting, and night sky protection. The Project will not have a negative effect on visual aesthetics, viewsheds, or night sky views.

Biology: Creosote bush dominates the vegetation onsite. Other plants include burrobush, ephedra, Joshua tree, cholla, cottonthorn, paperbag plant, spiny hop-sage,

and winterfat. The site is located within the range of the desert tortoise, burrowing owl, and Mohave ground squirrel. Although the focused survey for desert tortoise did not find any tortoise or tortoise sign on the site, it did determine that suitable habitat exists. The habitat assessment for Mohave ground squirrel determined that the site contains suitable habitat for the species. Mitigation measures are included in the conditions of approval for the Project, requiring protocol and preconstruction surveys for the burrowing owl, preconstruction surveys for desert tortoise, and an incidental take permit or a live-trapping survey for the Mohave ground squirrel.

Noise: Noise generation from construction equipment/vehicle operation will be localized, temporary, and transitory in nature; therefore, no significant impacts are anticipated. Operation of the proposed Project will not generate audible levels of noise or perceptible levels of vibration in the surrounding community. Because the panels are at a fixed tilt, onsite noises will be limited to maintenance activities. The Project will have minimal noise impacts.

Traffic: According to the construction trip generation letter report prepared for the Project, the highest trip generation would occur during the PV system installation, with 71 peak hour trips. Delivery of material and supplies will reach the site via on-road truck delivery from State Highway 18. During operation, the Project will be un-manned except for regular personnel visits to ensure security, maintenance, and proper operation of system monitoring, and approximately two to three vehicle trips per year generated for periodic maintenance. The Project will have minimal impact on local roads and traffic.

Water Usage: During construction, the Project will consume approximately 14.02-acre feet of water. During operation, the Project will use water only periodically for the occasional cleaning of panels as they become dusty and for dust suppression when needed. The conservative estimate for operational water use is 0.20-acre feet annually. An average residential unit has an associated annual water demand of approximately 1-acre foot. The amount of water proposed for operation is not enough to create run-off, erosion, or ponding that could result in odor or vector control issues. The applicant intends to truck water in during construction and operation from an existing Victorville Water District fire hydrant at the intersection of Dos Palmas Road and Braceo Street, which is approximately 1.5 miles east of the Project site. The Project has minimal impact on water resources.

Public Comments: In response to the initial project notice, Staff received input from the City of Victorville, the Mojave Desert Air Quality Management District (MDAQMD), and the City of Victorville Water District. The City of Victorville comment letter indicated that although they support efforts to utilize renewable energy and are receptive to green initiatives, they permit solar generation plants only at the Southern California Logistics Airport. The City of Victorville has pre-zoned the project site for low-density residential uses. The MDAQMD letter stated that the District supports the development of renewable energy sources, which produce cumulative and regional environmental benefits. They requested that the applicant stabilize access and maintenance roads. The City of Victorville Water District letter indicated that they are capable of providing water for both construction and on-going operation and maintenance for the Project. In addition, Staff received a letter from the City of Adelanto in support of the proposal.

Staff received three pieces of correspondence from surrounding property owners – one in opposition, and two supporting the solar project, but opposing the major variance to waive road paving. Concerns expressed in the letters from surrounding property owners included:

- pave Dos Palmas Road when solar facility is built
- waive paving on Dos Palmas Road and Maricopa Road, but pave White Road
- electric line capacity from the site should be larger than needed to allow similar proposals to connect in the future

Although the original application submittal included a major variance to waive road paving, the applicant withdrew that portion of the project during processing. The project conditions include requirements to pave Dos Palmas Road from the project entrance to White Road and to the nearest paved public road, which is State Highway 18 located approximately ½-mile north of the site.

ENVIRONMENTAL REVIEW:

Staff prepared an Initial Study for the Project pursuant to County Guidelines under Ordinance 3040 and Section 15063 of the California Environmental Quality Act (CEQA) Guidelines. Staff prepared a proposed Mitigated Negative Declaration for the Project pursuant to the State requirements of CEQA, circulated it through the State Clearinghouse, and mailed out a combined Notice of Availability / Notice of Intent on March 21, 2012. Staff received comments from the California Department of Fish and Game and the U.S Fish and Wildlife Service, pertaining to biological issues. Staff reviewed all the comments and added appropriate conditions of approval to address concerns raised in the comment letters.

The Initial Study concludes that the proposed use with mitigation measures will not have a significant effect on the environment and Staff recommends the adoption of a Mitigated Negative Declaration. The Conditions of Approval include all mitigation measures, and confirmation of completion on the Condition Compliance Release Forms will constitute the Mitigation Monitoring and Reporting Program for this Project.

SUMMARY:

The proposed Project will assist in meeting the renewable source targets for retail sellers of electricity in California and it is consistent with the state's GHG emissions standards and the County's GHG Emissions Reduction Plan. The proposed Project is consistent with County goals and policies regarding renewable energy. Therefore, Planning Staff recommends approval of the Project.

RECOMENDATION:

That the Planning Commission:

- 1) **ADOPT** the Mitigated Negative Declaration and find that the Initial Study has been completed in compliance with CEQA, that it has been reviewed and considered prior to approving the Project and that the Initial Study/Mitigated Negative Declaration reflects the independent judgment of the Planning Commission;
- 2) **ADOPT** the Findings for the Conditional Use Permit;
- 3) **APPROVE** a Conditional Use Permit to establish a 10 megawatt PV solar energy generation facility on 40 acres, subject to conditions of approval; and
- 4) **FILE** a Notice of Determination.

ATTACHMENTS:

Exhibit A: Findings
Exhibit B: Conditions of Approval
Exhibit C: Initial Study
Exhibit D: Correspondence

THIS PAGE INTENTIONALLY LEFT BLANK

EXHIBIT A

FINDINGS

THIS PAGE INTENTIONALLY LEFT BLANK

FINDINGS: Conditional Use Permit for Solar Energy Generating Facility

1. The site for the proposed use is adequate in terms of shape and size to accommodate the proposed use and all setbacks and other required features pertaining to the application. The 40-acre site is sufficiently large to accommodate the 30-foot wide perimeter road inside the 8-foot perimeter fence, which is set back 20-feet from the property lines, the proposed 90-foot wide San Bernardino County Drainage Easement, and to allow additional access to the rows of solar arrays that constitute the project. The site is able to accommodate the proposed solar panels and all ancillary facilities associated with the project with proper setbacks and access.
2. The site for the proposed use has adequate access, which means that the site design incorporates appropriate street and highway characteristics to serve the proposed use. Dos Palmas Road, White Road, Maricopa Road, and Trinidad Road form the project site boundary. The Department of Public Works (DPW) conditioned the project to dedicate grants of easement on all perimeter roads. Additionally, the conditions of project approval require paving of Dos Palmas Road, from the project entrance on White Road to the nearest paved public road. These requirements provide legal and physical access to the site. In addition, the 30-foot wide perimeter road will allow internal access for emergency vehicles. The fence and gate are 20 feet inside the property lines so that incoming vehicles will be able to park at the gate and not be in the paved right-of-way.
3. The proposed use will not have a substantial adverse effect on abutting properties or the allowed use of the abutting properties, which means that the use as designed and conditioned will not generate excessive noise, traffic, vibration, lighting, glare, or other disturbance that would affect adjacent properties. The design of the solar arrays is required to operate within the standards of the County Development Code relating to noise, lighting, and the general performance standards including those for glare and vibration. The project will generate minimal traffic and the use will not substantially interfere with the present or future ability to use solar energy systems, as this project is a solar energy project.
4. The proposed use and manner of development are consistent with the goals, maps, policies, and standards of the General Plan and any applicable community or specific plan, as this projects specifically supports the following General Plan Goals/Policies:
 - *Conservation Element Policy CO 4.12*, which states that the County shall promote siting or use of renewable energy sources; and
 - *Conservation Element Goal CO 8*, which aims to minimize energy consumption and promote safe energy extraction, uses and systems to benefit local regional and global environmental goals. Specifically, Policy CO 8.3, states that the County will assist in efforts to develop alternative energy technologies that have

minimum adverse effect on the environment, and explore and promote newer opportunities for the use of alternative energy sources.

5. There is supporting infrastructure, existing or available, consistent with the intensity of the development to accommodate the proposed solar power facility without significantly lowering service levels. The existing unpaved roadways on Dos Palmas Road and White Road, which require pavement as part of this Project, are sufficient to provide for the transportation needs of this project. Southern California Edison currently has sufficient transmission capability in close proximity to the site to provide a convenient upload to the regional power grid. An existing 33kV line exists within ½ mile of the Project site, at the intersection of White Road and Palmdale Road.
6. The lawful conditions stated in the approval are deemed reasonable and necessary to protect the overall public health, safety and general welfare, because adequate onsite setbacks, security fencing, and access for emergency equipment have been required.
7. The design of the site has considered the potential for the use of solar energy systems and passive or natural heating and cooling opportunities, as the project is a photovoltaic solar energy generating facility.
8. There is no substantial evidence that the project will have a significant effect on the environment, as determined and justified in the Initial Study prepared for the project. The Mitigated Negative Declaration reflects the County's independent judgment.

EXHIBIT B

CONDITIONS OF APPROVAL

THIS PAGE INTENTIONALLY LEFT BLANK

CONDITIONS OF APPROVAL

GENERAL REQUIREMENTS

Conditions of Operation and Procedure

LAND USE SERVICES – Planning Division (760) 995-8140

1. Project Approval Description. This Conditional Use Permit (CUP) project is approved to be constructed and operated in compliance with the San Bernardino County Code (SBCC), California Building Codes (CBC), the following conditions of approval, the approved site plan, and all other required and approved reports and displays (e.g. elevations). This CUP project is approved to establish a 10-megawatt solar power generation facility consisting of approximately 35,000 fixed-tilt photovoltaic (PV) crystalline silicon modules and four concrete pads each supporting inverters, transformers, and other mechanical components, all of which will be enclosed by an eight-foot high chain link perimeter fence on 40 acres. The arrays of fixed-tilt PV panels will have an approximate maximum height of ten feet and a minimum ground clearance of about two feet. As an alternative to security lighting, the applicant intends to ensure security, maintenance, and proper operation of system monitoring through regularly scheduled personnel visits to the site.

The developer shall provide a copy of the approved conditions and the site plan to every current and future project tenant, lessee, and property owner to facilitate compliance with these conditions of approval and continuous use requirements for the Project Site with APN: 3097-361-05 and Project Number: P201100310.

2. Project Location. The project site is in an unincorporated area of the County of San Bernardino (County) on the southwest corner of Dos Palmas Road and White Road. The project site is in the City of Victorville's sphere of influence, which is in the First Supervisorial District.
3. Zoning Standards/RL. The project site is located in the Desert Region within the Rural Living (RL) Land Use Zoning District. RL Development Standards are listed in SBCC section 82.04.060. The following standards apply to the project:
 - Solar energy generating equipment and their mounting structures and devices shall be set back from the property lines either pursuant to the standards in the Land Use Zoning District, or 130 percent of maximum height of the mounted structure, whichever is greater.
4. Facility Design. The facility design shall incorporate the following guidelines:
 - The applicant shall arrange the arrays in a logical, orderly manner and pattern.
 - The applicant shall maintain the panels, inverters, and transformers so that electrical interference will not affect adjacent properties.

-
- The applicant shall perform any repairs or upgrades to the components of the solar power facility at such times and in such a manner that noise and glare will not be disruptive to adjacent properties, roads, or traffic.
5. Revisions. Any proposed change to the approved use/activity on the site (e.g. from solar facility to other uses); or any increase in the developed area of the site or any expansion or modification to the approved facilities, including changes to structures, building locations, elevations, signs, parking allocation, landscaping, lighting, allowable number of occupants, (clients and/or employees); or a proposed change in the conditions of approval, including operational restrictions from those shown either on the approved site plan and/or in the conditions of approval shall require that an additional land use application (e.g. Revision to an approved Action) be approved by the County. The developer shall prepare, submit with fees, and obtain approval of the application prior to implementing any such revision or modification. (SBCC §86.06.070)
 6. Continuous Effect/Revocation. All of the conditions of approval applied to this project shall be effective continuously throughout the operative life of the project for all approved structures and approved land uses/activities. Failure of the property owner or developer to comply with any or all of the conditions at any time may result in a public hearing and possible revocation of the approved land use, provided adequate notice, time, and opportunity is provided to the property owner, developer, or other interested party to correct the non-complying situation.
 7. Developer Defined. The term “developer” as used in these conditions of approval for this project and for any development of this project site, includes all of the following: the applicant, the property owner, and any lessee, tenant or sub-tenant, operator and/or any other agent or other interested party of the subject project and/or project site and/or any heir or any other successor in interest in the project site or project land use by sale or by lease of all or of a portion of the project site or project land uses and/or any other right given to conduct any land use in any or all of the project structures or any area on the project site.
 8. Indemnification. In compliance with SBCC §81.01.070, the developer shall agree to defend, indemnify, and hold harmless the County or its “indemnities” (herein collectively the County’s elected officials, appointed officials [including Planning Commissioners], Zoning Administrator, agents, officers, employees, volunteers, advisory agencies or committees, appeal boards or legislative body) from any claim, action, or proceeding against the County or its indemnitees to attack, set aside, void, or annul an approval of the County by an indemnitee concerning the map or permit or any other action relating to or arising out of County approval, including the acts, errors, or omissions of any person and for any costs or expenses incurred by the indemnitees on account of any claim, except where such indemnification is prohibited by law. In the alternative, the developer may agree to relinquish such approval.
-

Any condition of approval imposed in compliance with the County Development Code or County General Plan shall include a requirement that the County acts reasonably to promptly notify the developer of any claim, action, or proceeding and that the County cooperates fully in the defense. The developer shall reimburse the County and its indemnitees for all expenses resulting from such actions, including any court costs and attorney's fees, which the County or its indemnitees may be required by a court to pay as a result of such action.

At its sole discretion, the County may participate at its own expense in the defense of any such action, but such participation shall not relieve the developer of their obligations under this condition to reimburse the County or its indemnitees for all such expenses.

This indemnification provision shall apply regardless of the existence or degree of fault of indemnitees. The developer's indemnification obligation applies to the indemnitee's "passive" negligence but does not apply to the indemnitee's "sole" or "active" negligence or "willful misconduct" within the meaning of Civil Code Section 2782.

9. Local Labor. *The developer shall give preference to and employ San Bernardino County residents as much as practicable during construction and operation of the facility.*
10. Development Impact Fees. Additional fees may be required prior to issuance of development permits. Fees shall be paid as specified in adopted fee ordinances.
11. Project Account. The Job Costing System (JCS) account number is P201100310. This is an actual cost project with a deposit account to which hourly charges are assessed by various county agency staff (e.g. Land Use Services, Public Works, and County Counsel). Upon notice, the developer shall deposit additional funds to maintain or return the account to a positive balance. The developer is responsible for all expenses charged to this account. Processing of the project shall cease, if it is determined that the account has a negative balance and that an additional deposit has not been made in a timely manner. A minimum balance of \$1,000.00 shall be in the project account at the time of project approval and the initiation of the Condition Compliance Review. Sufficient funds shall remain in the account to cover all estimated charges that may be made during each compliance review. All fees required for processing shall be paid in full prior to final inspection, occupancy, and/or operation of each approved use in each approved structure or land use activity area. There shall be sufficient funds (\$500.00 minimum) remaining in the account to properly fund file closure and any other required post-occupancy compliance review and inspection requirements (e.g. landscape performance).

-
12. Expiration/CUP. This project permit approval shall expire and become void if it is not exercised within three years of the effective date of this approval, unless an extension of time is approved. The permit is deemed exercised when either:
- The permittee has commenced actual construction or alteration under a validly issued Building Permit or
 - The permittee has substantially commenced the approved land use or activity on the project site, for those portions of the project not requiring a Building Permit. (SBCC 86.06.060)

Occupancy of completed structures and operation of the approved exercised land use remains valid continuously for the life of the project and the approval runs with the land, unless one of the following occurs:

- Construction permits for all or part of the project are not issued or the construction permits expire before the structure is completed and the final inspection is approved.
- The land use is determined by the County to be abandoned or non-conforming.
- The land use is determined to be not operating in compliance with these conditions of approval, the County Code, or other applicable laws, ordinances, or regulations. In these cases, the land use may be subject to a revocation hearing and possible termination.

PLEASE NOTE: This will be the ONLY notice given of the expiration date. The developer is responsible for initiation of any Extension of Time application.

13. Extension of Time/CUP. Extensions of time to the expiration date (listed above or as otherwise extended) may be granted in increments each not to exceed an additional three years beyond the current expiration date. An application to request consideration of an extension of time may be filed with the appropriate fees no less than 30 days before the expiration date. Extensions of time may be granted based on a review of the application, which includes a justification of the delay in construction and a plan of action for completion. The granting of such an extension request is a discretionary action that may be subject to additional or revised conditions of approval or site plan modifications. (SBCC §86.06.060)
14. Condition Compliance. In order to obtain construction permits for grading, building, final inspection and/or tenant occupancy for each approved building, the developer shall process a Condition Compliance Release Form (CCRF) for each respective building and/or phase of the development through County Planning in accordance with the directions stated in the Approval letter. County Planning shall release their holds on each phase of development by providing to County Building and Safety the following:
- Grading Permits – a copy of the signed CCRF for grading/land disturbance and two “red” stamped and signed approved copies of the grading plans.
 - Building Permits – a copy of the signed CCRF for building permits and three “red” stamped and signed approved copies of the final approved site plan.

-
- Final Inspection – a copy of the signed CCRF for final inspection of each respective building, after an on-site compliance inspection by County Planning.
15. Additional Permits. The property owner, developer, and land use operator are all responsible to ascertain and comply with all laws, ordinances, regulations, and any other requirements of Federal, State, County, and Local agencies as are applicable to the development and operation of the approved land use and project site. These include:
- a) FEDERAL: U.S. Army Corps of Engineers, U.S. Fish and Wildlife Service
 - b) STATE: California Department of Fish and Game, Mojave Desert Air Quality Management District, Lahontan Regional Water Quality Control Board, California Energy Commission
 - c) COUNTY: Land Use Services – Planning / Building and Safety / Code Enforcement, County Fire, Environmental Health Services, and Public Works
 - d) LOCAL: City of Victorville, Victorville Water District
16. Continuous Maintenance. The project property owner shall continually maintain the property so that it is visually attractive and not dangerous to the health, safety, and general welfare of both on-site users (e.g. employees) and surrounding properties. The developer shall ensure that all facets of the development are regularly inspected, maintained and that any defects are timely repaired. The elements to be maintained, include but are not limited to:
- Annual maintenance and repair inspections shall be conducted for all structures, fencing/walls, driveways, and signs to assure proper structural, electrical, and mechanical safety.
 - Graffiti and debris shall be removed immediately with weekly maintenance.
 - Dust control measures shall be maintained on any undeveloped areas where landscaping has not been provided.
 - Erosion control measures shall be maintained to reduce water runoff, siltation, and promote slope stability.
 - Signage. All on-site signs, including posted area signs (e.g. “No Trespassing”) shall be maintained in a clean readable condition at all times and all graffiti and vandalism shall be removed and repaired on a regular basis. Signs on the site shall be of the size and general location as shown on the approved site plan or subsequently County Planning-approved sign plan.
 - Fire Lanes. All markings required by the Fire Department, including “No Parking” designations and “Fire Lane” designations shall be clearly defined and shall be maintained in good condition at all times.
17. Performance Standards. The approved land uses shall operate in compliance with the general performance standards listed in the SBCC Chapter 83.01, regarding air quality, electrical disturbance, fire hazards (storage of flammable or other hazardous materials), heat, noise, vibration, and the disposal of liquid waste. In addition to these, none of the following shall be perceptible without instruments at any point outside the project boundaries at adjoining property lines:
-

-
- Odors: No offensive or objectionable odor.
 - Emissions: No emission of dirt, dust, fly ash and other forms of particulate matter.
 - Smoke: No smoke of a greater density than that described in No. 2 on the Ringelmann Chart, as published currently by the United States Bureau of Mines, shall be emitted from any project source.
 - Radiation: No dangerous amount of radioactive emissions.
 - Toxic Gases: No emission of toxic, noxious or corrosive fumes of gases.
 - Glare: No intense glare that is not effectively screened from view at any point outside the project boundary.
18. Lighting. Any lighting shall be maintained so that all lights are operating properly for safety purposes and shall not project onto adjoining properties or roadways. Lighting shall adhere to San Bernardino County Desert and Mountain night light regulations.
19. Clear Sight Triangle. Adequate visibility for vehicular and pedestrian traffic shall be provided at clear sight triangles at all 90-degree angle intersections of public rights-of-way and private driveways. All signs, structures, and landscaping located within any clear sight triangle shall comply with the height and location requirements specified by County Development Code (SBCC 83.02.030) or as otherwise required by County Traffic.
20. **AQ – Construction Mitigation**. Developer shall submit written verification that all construction contracts and sub-contracts for the project contain provisions that require adherence to the following standards to reduce impacts to air quality: During construction, each contractor and subcontractor shall implement the following, whenever feasible:
- Approved Dust Control Plan (DCP) submitted with the Grading Plans.
 - Provide documentation prior to beginning construction demonstrating that the project proponents will comply with all MDAQMD regulations.
 - Suspend use of all construction equipment operations during second stage smog alerts. For daily forecast, call (800) 367-4710 (San Bernardino and Riverside counties).
 - Trucks/equipment shall not be left idling on site for periods in excess of five minutes.
 - Provide temporary traffic control during all phases of construction.
 - Provide on-site food service for construction workers.
 - Use reformulated low-sulfur diesel fuel in equipment and use low-NOx engines, alternative fuels, and electrification. Apply 4-6 degree injection timing retard to diesel IC engines. Use catalytic converters on gasoline-powered equipment.
 - Minimize concurrent use of equipment through equipment phasing.
 - Substitute electric and gasoline-powered equipment for diesel-powered equipment.
 - Onsite electrical power hook-ups shall be provided for electric

construction tools to eliminate the need for diesel-powered electronic generators.

- **Maintain construction equipment engines in good order to reduce emissions. The developer shall have each contractor certify that all construction equipment is properly serviced and maintained in good operating condition.**
- **Install storm water control systems to prevent mud deposition onto paved areas.**
- **Contractors shall use low sulfur fuel for stationary construction equipment as required by AQMD Rules 431.1 and 431.2 to reduce the release of undesirable emissions.**

21. **AQ – Energy Conservation.** The developer shall incorporate the following design elements:

- **Energy efficient lighting.**
- **Alternative energy resources such as active and passive solar energy features.**
- **California Energy Commission insulation standards.**
- **All new and modified stationary sources of emissions shall be subject to MDAQMD Regulation. New and modified stationary sources shall be required to install Best Available Control Technology and offset any new emissions such that there is no net gain in emissions within the air basin.**

22. **Noise.** The following noise attenuation measures shall be implemented:

- Exterior construction activities shall be limited between 7 a.m. and 7 p.m. There shall be no exterior construction activities on Sundays or National Holidays.
- Muffling of construction equipment shall be per manufacturer's specifications.
- All stationary construction and operations equipment shall be placed in a manner so that emitted noise is directed away from sensitive receptors nearest the project site.

LAND USE SERVICES – Code Enforcement (760) 995-8140

23. **Enforcement.** If any County enforcement activities are required to enforce compliance with the conditions of approval, the property owner shall be charged for such enforcement activities in accordance with the County Code Schedule of Fees.

24. **Weed Abatement.** In conjunction with required permits (i.e., CDFG Incidental Take Permit), the applicant shall comply with San Bernardino County Desert Area Fire Hazard Abatement regulations [SBCC§ 23.031-23.043] and periodically clear the site of all non-complying vegetation. This includes removal of all Russian thistle (tumbleweeds).

LAND USE SERVICES – Building and Safety (760) 995-8140

-
25. Walls. Submit plans and obtain separate building permits for any required walls, retaining walls, or trash enclosures.
 26. Drainage Courses. Natural drainage courses/easements shall not be occupied or obstructed unless specific approval from the Land Development Division – Drainage Section is provided.

LAND USE SERVICES – Environmental Health Services [DEHS] (909) 387-4666

27. Water. If applicant makes any changes to the proposed Project operation that would require the site to obtain water and/or sanitary facilities, the project will have to be revised and conditioned by the DEHS.

COUNTY FIRE – (760) 995-8190

28. Jurisdiction. The above referenced project is under the jurisdiction of County Fire herein (“Fire Department”). Prior to any construction occurring on any parcel, the developer shall contact the Fire Department for verification of current fire protection requirements. All new construction shall comply with the current Uniform Fire Code requirements and all applicable statutes, codes, ordinances, and standards of the Fire Department.
29. Additional Requirements. In addition to the Fire requirements stated herein, other requirements from the Solar Photovoltaic Installation Guideline from the California State Fire Marshal may arise at the time of field inspection.

PUBLIC WORKS – Land Development – Drainage (909) 387-8145

30. Infrequent Flood Hazards. The site may be subject to infrequent flood hazards by reasons of overflow, erosion and debris deposition in the event of a major storm.
31. FEMA Flood Zone. The project is located within Flood Zone D according to FEMA Panel Number 6475 H dated 08/28/2008. Flood hazards are undetermined in this area, but are possible.
32. Tributary Drainage. Adequate provisions should be made to intercept and conduct the tributary off-site/on-site drainage flows around and through the site in a manner that will not adversely affect adjacent or downstream properties.
33. Natural Drainage. The natural drainage courses traversing the site shall not be occupied or obstructed.
34. Additional Drainage Requirements. In addition to drainage requirements stated herein, other on-site and/or off-site improvements may be required that cannot be

determined from tentative plans at this time and would have to be reviewed after more complete improvement plans and profiles have been submitted to this office.

35. Continuous BMP Maintenance. The property owner/developer is required to provide periodic and continuous maintenance of all Best Management Practices (BMP) devices/facilities listed in the County approved Water Quality Management Plan (WQMP) for the project. This includes but is not limited to, filter material replacement and sediment removal, as required to assure peak performance of all BMPs. Furthermore, such maintenance activity will require compliance with all Local, State or Federal laws and regulations, including those pertaining to confined space and waste disposal methods in effect at the time such maintenance occurs.
36. BMP Enforcement. In the event the property owner/developer (including any successors or assigns) fails to accomplish the necessary BMP maintenance within five days of being given written notice by County Public Works, then the County shall cause any required maintenance to be done. The entire cost and expense of the required maintenance shall be charged to the property owner and/or developer, including administrative costs, attorney's fees, and interest thereon at the rate authorized by the County Code from the date of the original notice to the date the expense is paid in full.

PUBLIC WORKS – Land Development – Roads (909) 387-8145

37. Road Standards. All required street improvements shall comply with the latest San Bernardino County Road Planning and Design Standards and the San Bernardino County Standard Plans.
38. Access. The property currently has temporary full turning movement access to Do Palmas Road. The County reserves the right in the future to construct and/or install a raised median or other appropriate safety measures/traffic control devices for the purposes of protecting public health and safety on Dos Palmas Road, which could result in the property having only right-in and right-out access to Dos Palmas Road.

**PRIOR TO ISSUANCE OF GRADING PERMITS
OR LAND DISTURBING ACTIVITY,
The Following Shall Be Completed**

LAND USE SERVICES – Building and Safety (760) 995-8140

39. Stormwater. Prior to issuance of a grading permit, a San Bernardino County Stormwater Management Plan is required.
40. Runoff. Applicant must hold all runoff to pre-development levels per Section 82.13.080 of the San Bernardino County Development Code.

-
41. Tree Removal Plan. A preconstruction inspection, tree removal plan and permit in compliance with the County's Plant Protection and Management Ordinance shall be approved prior to any land disturbance and/or removal of any trees or plants.
 42. Erosion and Sediment Control Plan. Applicant shall submit an erosion and sediment control plan and permit application to Building and Safety for review and approval prior to any land disturbance.
 43. Grading Plans. Applicant shall submit grading plans to Building and Safety for review and approval prior to grading and/or land disturbance.
 44. Stormwater Pollution Prevention Plan (SWPPP). A Stormwater Pollution Prevention Plan shall be submitted to Building and Safety for review and approval prior to land disturbance or issuance of any permit.
 45. NPDES Permit. A National Pollutant Discharge Elimination System (NPDES) permit – Notice of Intent (NOI) is required on all grading of one acre or more prior to issuance of a grading/construction permit. Contact the Regional Water Quality Control Board (RWQCB), Lahontan Region, for specifics.
 46. RWQCB Permit. Prior to permit issuance, CONSTRUCTION projects involving one or more acres must be accompanied by a copy of the Regional Board permit letter with the WDID#. Construction activity includes clearing, grading, or excavation that results in the disturbance of at least one acre of land total.

LAND USE SERVICES – Planning (760) 995-8140

47. **CUL – Assessment**. Prior to ground disturbance, the project proponent shall complete a full cultural resources assessment, including a summary of the current records search, intensive cultural resources field survey, Native American consultation, and cultural resources assessment report. Proponent shall provide assessment to the County Museum and verification of Museum approval to County Planning.
48. **Common Raven Predation Management Plan – Onsite**. In order to offset direct impacts from development projects with the potential to increase raven populations (and decrease desert tortoise populations), the applicant shall develop an on-site raven management plan. This Plan is to eliminate and/or minimize the availability of subsidies (i.e. food, water, nest sites), and the potential for ravens to occupy the site during all phases of development and use, including construction, operation, maintenance, and decommissioning. Submit the Plan to County Planning for approval.
49. **Common Raven Predation Management Plan – Offsite**. In order to offset indirect and cumulative impacts from development projects with the potential

to increase raven populations (and decrease desert tortoise populations), the applicant shall contribute to the regional raven management plan, which the National Fish and Wildlife Foundation manages. For projects with 30-year durations, the contribution to the regional plan is \$105 per acre impacted. The total contribution includes acreage associated with substations and transmission lines. Submit verification of payment to County Planning.

50. **Migratory Birds.** In order to ensure that project development does not adversely impact or take migratory birds, removal of vegetation and grading during nesting season is prohibited. Nesting season is typically February 15 to August 15, but may vary depending on weather conditions. If vegetation removal and grading must occur during bird-nesting season, applicant shall hire a qualified ornithologist to examine the site to avoid impacts. If the ornithologist detects nesting birds during the pre-construction nesting surveys, the expert should establish an adequate buffer around the active nests to ensure nesting birds are not disturbed until the young birds have fledged. Submit verification of compliance to County Planning.
51. **BIO – MGS.** The proponent will need to apply for an incidental take permit (ITP) for Mohave ground squirrel from the California Department of Fish and Game (CDFG) and provide applicable mitigation fees for purchase of compensatory mitigation lands. However, in lieu of applying for the take permit, the proponent may elect to conduct a live-trapping survey prior to any land disturbance and at the appropriate time of year to determine definitively if the species is present or absent from the site. The proponent must provide verification of compliance to the County prior to any land disturbance.
52. **California Endangered Species Act (CESA) Permit Fees.** AB X1 13 and its accompanying legislation SB 16 require the CDFG to collect fees for eligible renewable energy projects for which an ITP or a consistency determination (CD) is requested pursuant to the CESA. For eligible renewable energy projects producing less than 50 megawatts, the ITP fee is \$25,000. The proponent must provide verification of compliance to the County prior to any land disturbance.
53. **BIO – BUOW.** A 30-day pre-construction survey for Burrowing Owl is required. If found on site, as compensation for the direct loss of Burrowing Owl nesting and foraging habitat, the project proponent shall mitigate by acquiring and permanently protecting known burrowing owl nesting and foraging habitat at the following ratio:
- a. Replacement of occupied habitat with occupied habitat at 1.5 times 6.5 acres per pair or single bird;
 - b. Replacement of occupied habitat with habitat contiguous with occupied habitat at 2 times 6.5 acres per pair or single bird; and/or

-
- c. **Replacement of occupied habitat with suitable unoccupied habitat at three times 6.5 acres per pair or single bird.**

All owls associated with occupied burrows that will be directly impacted (temporarily or permanently) by the project shall be relocated and the following measures shall be implemented to avoid take of owls:

- a. Occupied burrows shall not be disturbed during the nesting season of February 1 through August 31, unless a qualified biologist can verify through non-invasive methods that either the owls have not begun egg laying and incubation or that juveniles from the occupied burrows are foraging independently and are capable of independent flight.
- b. A qualified biologist must relocate owls from any occupied burrows that will be impacted by project activities. Suitable habitat must be available adjacent to or near the disturbance site or artificial burrows will need to be provided nearby. Once the biologist has confirmed that the owls have left the burrow, burrows should be excavated using hand tools and refilled to prevent reoccupation.
- c. The Department shall approve all relocation. The permitted biologist shall monitor the relocated owls a minimum of three days per week for a minimum of three weeks. A report summarizing the results of the relocation and monitoring shall be submitted to the Department within 30 days following completion of the relocation and monitoring of the owls.

Mitigation and Monitoring Plan. A Burrowing Owl Mitigation and Monitoring Plan (Plan) shall be submitted to the CDFG for review and approval prior to relocation of owls. The Plan shall describe proposed relocation and monitoring plans. The Plan shall include the number and location of occupied burrow sites and details on adjacent or nearby suitable habitat available to owls for relocation. If no suitable habitat is available nearby for relocation, details regarding the creation of artificial burrows (numbers, location and type of burrows) shall also be included in the Plan. The Plan shall also describe proposed offsite areas to preserve for compensation for impacts to burrowing owls/occupied burrows at the project site as required above.

Endowment. The project proponent shall establish a non-wasting endowment account for the long-term management of the preservation site for burrowing owls. The site shall be managed for the benefit of burrowing owls. CDFG must approve the preservation site, site management, and endowment. The proponent must provide verification of compliance to the County prior to occupancy or use.

54. **AQ – Dust Control Plan.** The developer shall submit to County Planning a MDAQMD-approved Dust Control Plan (DCP) consistent with MDAQMD guidelines along with a letter agreeing to include in any construction contracts

and/or subcontracts a requirement that the contractors adhere to the requirements of the DCP. The DCP shall include these elements to reduce dust production:

- **Fugitive dust best management practices, including but not limited to applicable provisions of District Rule 403.2**
- **Stabilization of access and maintenance roads**
- **Exposed soil shall be kept continually moist through a minimum of twice daily waterings to reduce fugitive dust during all grading and construction activities**
- **Street sweeping shall be conducted when visible soil accumulations occur along paved site access roadways to remove dirt dropped by construction vehicles.**
- **Site access driveways and adjacent paved streets shall be washed daily, if there are visible signs of any dirt track-out at the conclusion of any workday.**
- **Tires of vehicles will be washed before the vehicle leaves the project site and enters a paved road.**
- **All trucks hauling dirt away from the site shall be covered.**
- **During high wind conditions (i.e., wind speeds exceeding 25 mph), areas with disturbed soil shall be watered hourly and activities on unpaved surfaces shall be terminated until wind speeds no longer exceed 25 mph.**
- **Storage piles that are to be left in place for more than three working days shall either be:**
 - **Sprayed with a non-toxic soil binder, or**
 - **Covered with plastic, or**
 - **Re-vegetated until placed in use.**

55. Streambed Alteration Agreement (SAA). Applicant shall consult with CDFG to determine the need for a SAA. Provide verification of compliance to County Planning.

56. Noxious Weeds. Applicant shall follow recommended Best Management Practices during construction and operation to prevent the spread and propagation of noxious weeds.

PUBLIC WORKS – Surveyor (909) 387-8149

57. A Record of Survey per Section 8762 of the Business and Professions Code is required. The Site Plan indicates bearings and distances around the subject property, which are not of record and appear to be based upon a field survey. The Record of Survey will facilitate the construction staking for the proposed chain link fence.

PUBLIC WORKS – Land Development – Drainage (909) 387-8145

-
58. Drainage Facility Design. A Registered Civil Engineer shall investigate and design adequate drainage facilities to intercept and conduct the off-site and on-site drainage flows around and through the site in a manner that will not adversely affect adjacent or downstream properties. Submit Drainage Study for review and obtain approval. The Land Development Division will collect a \$520 deposit for drainage review upon submittal.
 59. Drainage Easements. Applicant shall provide adequate San Bernardino County Drainage Easements (minimum 15 feet wide) over the natural drainage courses, drainage facilities, and/or concentration of runoff from the site to dewaterers into private property.
 60. FEMA Flood Zone. The project site is located within Flood Zone D according to FEMA Panel Number 6475 H dated 8/28/2008. Flood hazards are undetermined in this area, but are possible. The requirements may change based on the recommendations of a drainage study accepted by the Land Development Division and the most current Flood Map prior to issuance of grading permit.
 61. Drainage Flows. A topographic map shall be provided to facilitate the design and review of necessary drainage facilities.
 62. LDD/Grading Plans. Applicant shall submit grading plans to the Land Development Division, Drainage Section for review and approval. The Land Development Division will collect a \$520 deposit for grading review upon submittal.
 63. Natural Drainage. The natural drainage courses traversing the site shall not be occupied or obstructed.
 64. WQMP. A completed Water Quality Management Plan (WQMP) shall be submitted for review and approval obtained. The Land Development Division will collect a \$2500 deposit for WQMP review upon submittal. Copies of the WQMP guidance and template can be found at:
http://www.sbcounty.gov/dpw/land/environmental_mgmt.asp

PUBLIC WORKS – Solid Waste (909) 386-8701

65. C&D Plan – Part 1. The developer shall prepare, submit, and obtain approval from Solid Waste Management Division (SWMD) of a "Construction/Demolition Debris and Solid Waste Management Recycling Plan (C&D Plan), Part I". The C&D Plan shall list the types and volumes of solid waste materials expected to be generated from grading and construction. The Plan shall include options to divert from landfill disposal materials for reuse or recycling by a minimum of 50 percent of total volume.

Upon completion of construction, the developer shall complete SWMD's C&D Plan Part 2". This summary shall provide documentation of diversion of materials

including but not limited to receipts or letters from diversion facilities or certification regarding reuse of materials on site.

PRIOR TO ISSUANCE OF BUILDING PERMITS,
The Following Shall Be Completed

PUBLIC WORKS – Land Development – Roads (909) 387-8145

66. **Road Dedication/Improvement.** The developer shall submit for review and obtain approval from the County Public Works of the following dedications, plans, and permits for the listed required improvements, designed by a Registered Civil Engineer (RCE) licensed in the State of California. These shall be submitted to the Department of Public Works (DPW) located at 825 E. Third Street, San Bernardino, CA 92415-0835. Phone: (909) 387-8145.

White Road (Section Line – 88 feet in width)

- **Road Dedication.** A 44-foot grant of easement is required to provide a half-width right-of-way of 44 feet.
- **Curb Return Dedication.** A 35-foot radius return grant of easement is required at the intersection of White Road with Dos Palmas Road and Maricopa Road.

Maricopa Road (Sixteenth Section Line – 60 feet in width)

- **Road Dedication.** A 30-foot grant of easement is required to provide a half-width right-of-way of 30 feet.
- **Curb Return Dedication.** A 20-foot radius return grant of easement is required at the intersection of Maricopa Road and Trinidad Road.

Trinidad Road (Sixteenth Section – 60 feet in width)

- **Road Dedication.** A 30-foot grant of easement is required to provide a half-width right-of-way of 30 feet.
- **Curb Return Dedication.** A 35-foot radius return grant of easement is required at the intersection of Trinidad Road and Dos Palmas Road.

Dos Palmas Road (Secondary Highway – 88 feet in width)

- **Road Dedication.** A 44-foot grant of easement is required to provide a half-width right-of-way of 44 feet.
- **Street Improvements.** Design asphalt concrete dike with match up paving 32 feet from centerline, from the project entrance to White Road.
- **Driveway Approach.** Design driveway approach per San Bernardino County Standard 129A, and located per Standard 130.
- **Paved Access Road.** This project is required to have a minimum of 26 feet paved access road, constructed to County Standards 114B, that ties into the nearest paved public road.

67. **Road Design.** Road sections within and/or bordering the project site shall be designed and constructed to Desert Road Standards of San Bernardino County and to the policies and requirements of the County Department of Public Works and in accordance with the Master Plan of Highways.

-
68. Street Improvement Plans. The developer shall submit for review and obtain approval of street improvement plans prior to construction.
 69. Caltrans Approval. Obtain comments, approval, and encroachment permits from Caltrans for access requirements and working within their right-of-way.
 70. Utilities. Final plans and profiles shall indicate the location of any existing utility facility or utility pole that would affect construction, and any such utility shall be relocated as necessary without cost to the County.
 71. Encroachment Permits. Prior to installation of road and drainage improvements, a permit is required from County Public Works, Transportation Operations Division, Permit Section, (909) 387-8039, as well as encroachment permits from other agencies (i.e., Caltrans) prior to work within their jurisdiction.
 72. Soils Testing. Any grading within the road right-of-way prior to the signing of the improvement plans shall be accomplished under the direction of a soils testing engineer. Compaction tests of embankment construction, trench back fill, and all sub-grades shall be performed at no cost to San Bernardino County. A written report shall be submitted to the Transportation Operations Division, Permits Section of County Public Works, prior to any placement of base materials and/or paving.
 73. Open Roads/Cash Deposit. Existing County roads, which will require reconstruction, shall remain open for traffic at all times, with adequate detours, during actual construction. A cash deposit shall be made to cover the cost of grading and paving prior to issuance of road encroachment permit. Upon completion of road and drainage improvement to the satisfaction of the Department of Public Works, the cash deposit may be refunded.
 74. Transitional Improvements. Right-of-way and improvements (including off-site) to transition traffic and drainage flows from proposed to existing, shall be required as necessary.
 75. Street Gradients. Road profile grades shall not be less than 0.5 percent unless the engineer at the time of submittal of the improvement plans provides justification to the satisfaction of County Public Works confirming the adequacy of the grade.

PUBLIC WORKS – Land Development – Traffic (909) 387-8186

76. Regional Transportation Facilities Fee. This project falls within the Regional Transportation Facilities Fee Plan for the Victorville Subarea. Any fees paid for this program shall be made with a cashier's check to the Department of Public Works Business Office. The Regional Transportation Fee Plan can be found at: http://www.sbcounty.gov/dpw/transportation/transportation_planning.asp

-
77. Traffic Management Plan. The applicant shall submit a traffic management plan and any associated fees to the Department of Public Works, Traffic Division for comments and approval.

LAND USE SERVICES – Building and Safety (760) 995-8140

78. Erosion Control Devices. Prior to issuance of building permits, erosion control devices must be installed at all perimeter openings and slopes. No sediment is to leave the job site.
79. Erosion Control Devices Installed. All erosion control planting, landscaping and devices shall be installed upon completion of rough grading.
80. Site Drainage/Runoff. All runoff must be held to pre-development levels [SBCC §82.13.080].
81. Flood Hazard Review. A Flood Hazard Review approved by the Drainage Section of the Land Development Division of the Department of Public Works is required. Approval of all new construction by DPW within the FP Zone is required.
82. Building Plans. Any building, sign, or structure to be constructed or located on site will require professionally prepared plans approved by the Building and Safety Division.
83. Fence/Wall Plans. Submit plans and obtain permits for all fences greater than six feet in height and for any walls required by the Planning Division.

LAND USE SERVICES – Planning (760) 995-8140

84. Decommissioning Requirements. In accordance with SBCC 84.29.060, Decommissioning Requirements, the Developer shall submit a Closure Plan to the Planning Division for review and approval. The Decommissioning Plan shall satisfy the following requirements:
- a) Closure Plan. Following the operational life of the project, the project owner shall perform site closure activities to meet federal, state, and local requirements for the rehabilitation and re-vegetation of the project Site after decommissioning. The applicant shall prepare a Closure, Re-vegetation, and Rehabilitation Plan and submit to the Planning Division for review and approval prior to building permit issuance. Under this plan, all aboveground structures and facilities shall be removed to a depth of three feet below grade, and removed off-site for recycling or disposal. Concrete, piping, and other materials existing below three feet in depth may be left in place. Areas that had been graded shall be restored to original contours unless it can be shown that there is a community benefit for the grading to remain as altered. Succulent plant species native to the area shall be salvaged prior to construction, transplanted into windrows, and maintained for

later transplanting following decommissioning. Shrubs and other plant species shall be re-vegetated by the collection of seeds and re-seeding following decommissioning.

- b) Closure Compliance. Following the operational life of the project, the developer shall perform site closure activities in accordance with the approved closure plan to meet federal, state, and local requirements for the rehabilitation and re-vegetation of the project site after decommissioning. Project decommissioning shall be performed in accordance with all other plans, permits, and mitigation measures that would assure the project conforms to applicable requirements and would avoid significant adverse impacts. These plans shall include the following as applicable:
- Water Quality Management Plan
 - Erosion and Sediment Control Plan
 - Drainage Report
 - Notice of Intent and Stormwater Pollution Prevention Plan
 - Air Quality Permits
 - Biological Resources Report
 - Incidental Take Permit, Section 2081 of the Fish and Game Code
 - Cultural Records Report
- c) Abandoned Site. If the solar field is not operational for twelve consecutive months, it shall be deemed abandoned. The solar field shall be removed within 60 days from the date a written notice of the declaration of abandonment by the County is sent to the developer. Within this 60-day period, the developer may provide the Land Use Services Director with a written request to modify this condition at a public hearing before the Planning Commission requesting an extension of time for an additional twelve months. In no case shall the Planning Commission authorize an extension of time beyond two years from the date the solar field was deemed abandoned without requiring financial assurances to guarantee the removal of the solar field, and that portion of the support structure lying above the natural grade level, in the form of a corporate surety bond, irrevocable letter of credit, or an irrevocable certificate of deposit wherein the County is named as the sole beneficiary. In no case shall a solar field, which has been deemed abandoned, be permitted to remain in place for more than 48 months from the date the solar field was first deemed abandoned.
- d) Environmental Site Assessment. The County may require a Phase 1 Environmental Site Assessment be performed at the end of decommissioning to verify site conditions.

PRIOR TO FINAL INSPECTION OR OCCUPANCY,
The Following Shall Be Completed

COUNTY FIRE (760) 995-8190

85. Fire Access. The development shall have access every 300 feet from every part of the project.

-
86. Fire Access. Applicant shall maintain a minimum 26-foot wide access road around the perimeter of the project to provide for fire access.
 87. Clearance. Applicant shall maintain six feet of brush clearance around the project.
 88. Markings. Applicant shall install all markings required for responding Fire Fighter safety to identify photovoltaic system.

COUNTY FIRE DEPARTMENT – Hazardous Materials Division (909) 386-8401

89. Removal. Prior to operation, the owner/operator shall obtain permits for upgrading or removing existing underground storage tanks. For information, contact the Office of the Fire Marshal, Hazardous Materials Division at (909) 386-8401.
90. Emergency/Contingency Plan. Prior to occupancy, the operator shall submit a Business Emergency/Contingency Plan for emergency release or threatened release of hazardous materials and wastes or a letter of exemption. For information, contact the Office of the Fire Marshall, Hazardous Materials Division at (909) 386-8401.
91. Permits. Prior to occupancy, the applicant shall be required to apply for one or more of the following: a Hazardous Materials Handler Permit, a Hazardous Waste Generator Permit, and/or an Underground Storage Tank Permit. For information, contact the Office of the Fire Marshall, Hazardous Materials Division at (909) 386-8401.

PUBLIC WORKS – Solid Waste (909) 386-8701

92. C&D Plan – Part 2. The developer shall complete SWMD's C&D Plan Part 2". This summary shall provide documentation of diversion of materials including but not limited to receipts or letters from diversion facilities or certification reuse of materials on site. The C&D Plan – Part 2 shall provide evidence to the satisfaction of County Solid Waste that demonstrates that the project has diverted from landfill disposal materials for reuse or recycling by a minimum of 50 percent of total volume of all construction waste.

This summary shall provide documentation of diversion of materials including but not limited to receipts or letters documenting material types and weights from diversion facilities or certification reuse of materials on site.

PUBLIC WORKS – Land Development – Drainage (909) 387-8145

93. Drainage and WQMP Improvements. All required drainage and WQMP improvements shall be completed by the applicant, then inspected and approved by County Public Works.

-
94. WQMP Final File. An electronic file of the final and approved WQMP shall be submitted to Land Development Division, Drainage Section.

PUBLIC WORKS – Land Development – Roads (909) 387-8145

95. Road Improvements. The applicant shall complete all required on-site and off-site improvements. County Public Works shall inspect and approve.
96. Structural Section Testing. A thorough evaluation of the structural road section, to include parkway improvements, from a qualified materials engineer, shall be submitted to County Public Works.

PUBLIC WORKS – Land Development – Traffic (909) 387-8186

97. Local Area Transportation Fee. This project falls within the High Desert Local Area Transportation Fee Plan. Any fee paid for this program shall be made with a cashier's check to the Department of Public Works Business Office or to the Building and Safety Division.

LAND USE SERVICES – Building and Safety (760) 995-8140

98. Final Occupancy. Prior to occupancy, all Planning Division requirements and sign-offs shall be completed.

LAND USE SERVICES – Planning (760) 995-8140

99. CCRF/Occupancy. Prior to occupancy/use, all Condition Compliance Release Forms (CCRF) shall be completed to the satisfaction of County Planning with appropriate authorizing signatures from each affected agency.
100. Install On-site Improvements. All required on-site improvements shall be installed.
101. Fees Paid. Prior to final inspection by Building and Safety Division and/or issuance of a Certificate of Conditional Use by the Planning Division, applicant shall pay in full all fees required under actual cost job number P201100310.

END OF CONDITIONS

EXHIBIT C

INITIAL STUDY

THIS PAGE INTENTIONALLY LEFT BLANK

SAN BERNARDINO COUNTY INITIAL STUDY ENVIRONMENTAL CHECKLIST FORM

This form and the descriptive information, in the application package constitute the contents of Initial Study pursuant to County Guidelines (Ord.3040) and State CEQA Guidelines (Section 15063).

PROJECT LABEL:

APN:	3097-361-05
APPLICANT:	Victor Dry Farm Ranch, LLC (Silverado Power)
COMMUNITY:	Victorville
LOCATION:	Bounded by Dos Palmas Rd., White Rd., Trinidad Rd., & Maricopa Rd.
PROJECT NO:	P201100310/CF
STAFF:	Tracy Creason
REP('S):	United Engineering Group
PROPOSAL:	Conditional Use Permit to establish a 10 MW solar power generating facility on 40 acres with a major variance to waive road paving on perimeter roads

USGS Quad: Baldy Mesa

T, R, Section: T5N R6W Sec. 26 NE¼
Thomas Bros.: 4384, D-4

Planning Area: Desert Region
Zoning: RL
Overlays: Biological, Fire Safety, Flood Plain

PROJECT CONTACT INFORMATION:

Lead agency: County of San Bernardino
Land Use Services - Planning
15900 Smoke Tree St.
Hesperia, CA 92345

Contact person: TRACY CREASON, Senior Planner
Phone No: (760) 995-8140
E-mail: tcreason@lusrd.sbcounty.gov

Fax No: (760) 995-8167

Project Sponsor: United Engineering Group – Beau Cooper
3595 Inland Empire Blvd., Suite 2200
Ontario, CA 91764
(909) 466-9240 Ext. 3
bcooper@unitedeng.com

PROJECT DESCRIPTION:

Silverado Power, LLC (applicant) proposes to develop and operate a utility scale 10 MW solar generating facility on a 40-acre parcel of land. The proposed facility will include approximately 35,000 photovoltaic (PV) crystalline silicon modules and four concrete pads each supporting inverters, transformers, and other mechanical components. Electrical energy generated on the site would connect to the existing regional transmission system via a ½-mile generation-tie line from the northeast corner of the site along White Road to Palmdale Road. The applicant proposes to construct the project in three phases including (1) site preparation, (2) PV system installation and testing, and (3) site cleanup and restoration. The project site is north and west of the City of Victorville and south of the City of Adelanto on the southwest corner of Dos Palmas and White Roads in unincorporated San Bernardino County. The project is in the First Supervisorial District. The Land Use Zoning designation for the site is RL (Rural Living). The Biological Resource, Fire Safety (FS-2), and Flood Plain (FP-3) overlays regulate the site.

ENVIRONMENTAL/EXISTING SITE CONDITIONS:

The site of the proposed project lies within the Mojave Desert region, within which mountain ranges, broad alluvial fans, terraces, and playas are characteristic. With elevations on-site ranging from 3265 to 3290 feet above mean sea level, the site slopes from the southwest to the northeast. The

site contains no structures. Surrounding properties are vacant. There are a few scattered residences within a five-mile radius, with the nearest structures approximately one mile to the east. According to the *Habitat Assessment for Mohave Ground Squirrel* prepared by RCA Associates, LLC, and Ryan Young, from Phoenix Ecological Consulting “the site contains suitable habitat for the Mohave Ground Squirrel....”

AREA	EXISTING LAND USE	ZONING/OVERLAY DISTRICTS
Site	Vacant	RL – Rural Living / Fire Safety, Flood Plain
North	Vacant	RL – Rural Living / Fire Safety
South	Vacant	RL – Rural Living / Fire Safety
East	Vacant	RL – Rural Living / Fire Safety
West	Vacant	RL – Rural Living / Fire Safety

PROJECT SUMMARY:

The proposed project is for the development of a 10 MW solar generation facility. The solar arrays will be on a fixed tilt system. The modules will be oriented to the south and angled at a degree that would optimize solar resource efficiency. The module supporting system provides the structure of support for the arrays. The foundations are cylindrical steel pipes driven into the soil using a pneumatic technique similar to hydraulic driving. The height of the panels will be approximately ten feet at the fixed tilt, with an approximately two-foot ground clearance. The site design contains appropriate access roads for emergency vehicles. As part of the project, the applicant proposes to dedicate a 90-foot wide San Bernardino County Drainage Easement, which traverses the site in a north to south alignment. The project does not include the construction of any buildings.

The construction of the project through commencement of commercial operations will require approximately 9 to 12 months. Approximately 65 workers will be required during peak construction and will include both full-time and part-time workers. Once construction is over, the solar plant will go online and monitoring will occur remotely. After construction, workers will perform maintenance on a regular basis, which will include the mowing of grasses and shrubs and PV panel and electrical upkeep. Workers will truck water in from off-site for this periodic maintenance.

This Project is an unmanned installation, with only two or three accesses per year for maintenance. Therefore, the applicant submitted a request for a variance from existing code requirements for paved access.

Other public agencies whose approval may be required (e.g., permits, financing approval, or participation agreement.):

Federal: U.S. Army Corps of Engineers, U.S. Fish and Wildlife

State of California: Fish and Game, Caltrans, Regional Water Quality Control Board (Lahontan Region), Mojave Desert Air Quality Management District

County of San Bernardino: Land Use Services – Code Enforcement, Building and Safety; Public Health – Environmental Health Services; Public Works – Land Development, Solid Waste, Traffic; and
Local: City of Victorville

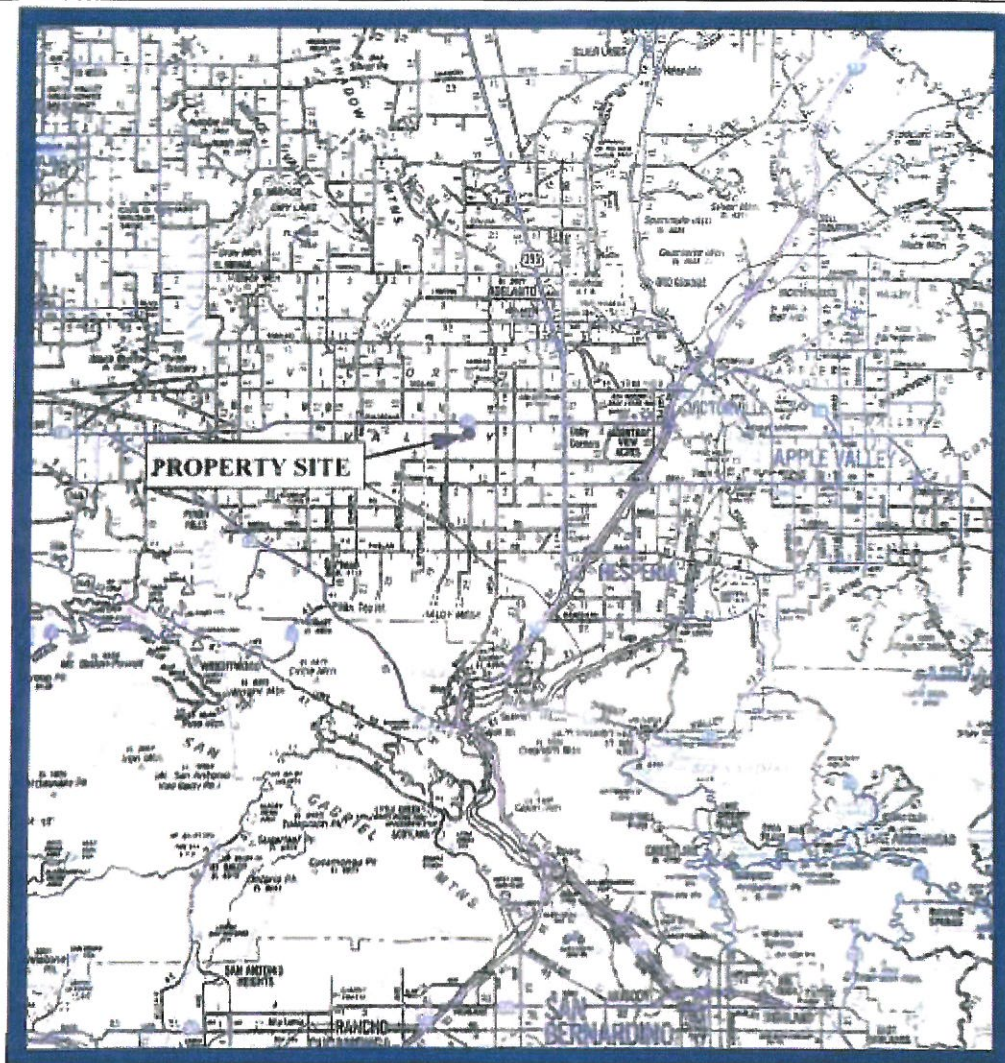


FIGURE 1
PROJECT LOCATION MAP
(Victor Dry Farm Ranch; APN 3097-361-05)
(Source: ACSC Map Source, 2011)

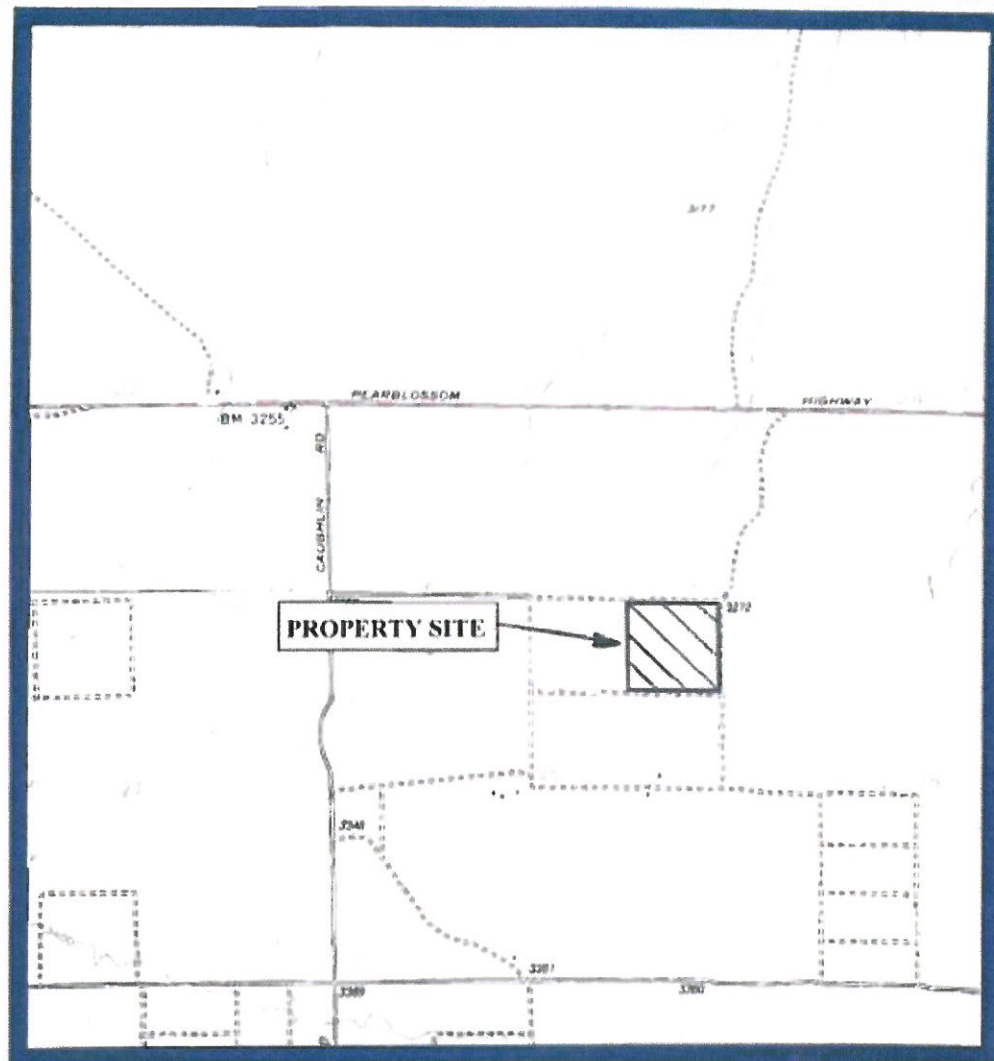
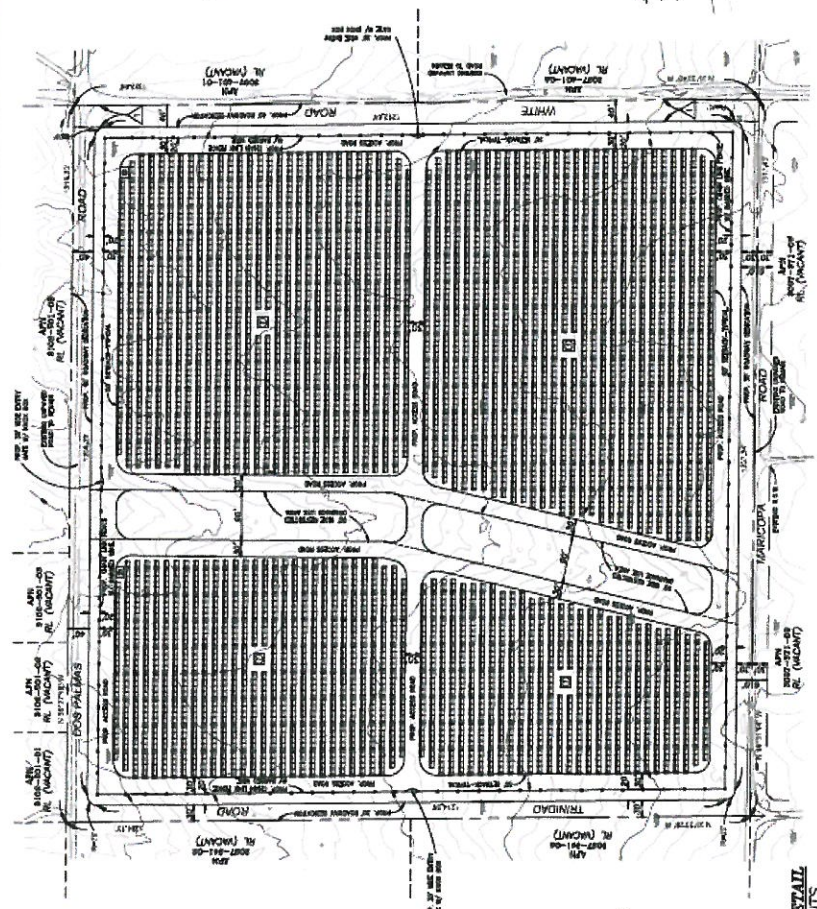
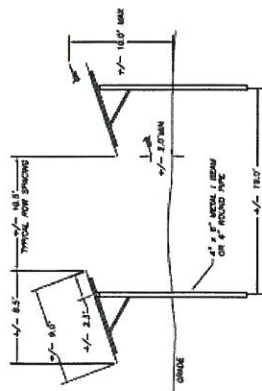


FIGURE 2

PROJECT VICINITY MAP
(Victor Dry Farm Ranch; APN 3097-361-05)
(Source: USGS Baldy Mesa, CA Quadrangle, 1996)

C.U.P. SITE PLAN-VICTOR DRY FARM RANCH

10 MW SOLAR PHOTOVOLTAIC SYSTEM
IN THE COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA
BEING THE NORTHEAST ONE-QUARTER OF THE NORTHEAST ONE-QUARTER OF SECTION 26, TOWNSHIP 5 NORTH, RANGE 8 WEST,
SAN BERNARDINO BASE AND MERIDIAN, ACCORDING TO THE OFFICIAL PLAT THEREOF,
UNITED ENGINEERING GROUP CA., INC. JUNE 2011



EVALUATION FORMAT

This initial study is prepared in compliance with the California Environmental Quality Act (CEQA) Guidelines. This format of the study is presented as follows. The project is evaluated based upon its effect on 18 major categories of environmental factors. Each factor is reviewed by responding to a series of questions regarding the impact of the project on each element of the overall factor. The Initial Study Checklist provides a formatted analysis that provides a determination of the effect of the project on the factor and its elements. The effect of the project is categorized into one of the following four categories of possible determinations:

Potentially Significant Impact	Less than Significant with Mitigation	Less than Significant Impact	No Impact
--------------------------------	---------------------------------------	------------------------------	-----------

Substantiation is then provided to justify each determination. One of the four following conclusions is then provided as a summary of the analysis for each of the major environmental factors, these respectively

1. Significant adverse impacts have been identified or anticipated. An Environmental Impact Report (EIR) is required to evaluate these impacts, which are (Listing the impacts requiring analysis within the EIR).
2. Possible significant adverse impacts have been identified or anticipated and the following mitigation measures are required as a condition of project approval to reduce these impacts to a level below significant. The required mitigation measures are: (List mitigation measures)
3. No significant adverse impacts are identified or anticipated and no mitigation measures are required. (Optional mitigation may be added by stating: "As a precautionary measure to further reduce any potential for impacts, the following requirement shall apply"):
4. No impacts are identified or anticipated and no mitigation measures are required.

At the end of the analysis the required mitigation measures are restated and categorized as being either self- monitoring or as requiring a Mitigation Monitoring and Reporting Program.

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

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

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

DETERMINATION: (To be completed by the Lead Agency)

On the basis of this initial evaluation, the following finding is made:

- ☐ The proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- ☒ Although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- ☐ The proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- ☐ The proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- ☐ Although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Signature (prepared by): Tracy Creason, Project Planner

Date

Signature: Heidi Duron, Supervising Planner

Date

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant	No Impact
I. AESTHETICS - Would the project				
a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Substantially damage scenic resources, including but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

SUBSTANTIATION (Check ☐ if project is located within the view-shed of any Scenic Route listed in the General Plan):

- I a) **Less than Significant Impact.** The proposed project is ½ mile from State Route 18, a designated scenic corridor. The proposed solar panels would be at a fixed tilt, oriented to the south, away from the scenic route. United Engineering Group prepared a *Visual Impact Analysis* for the proposed project. This analysis showed that many views of the site are blocked by the rolling terrain and existing ground cover. The analysis includes photo simulations from four different directions, including from the scenic route, State Highway 18. Due to a predominant ridgeline between Highway 18 and the site, the project is not visible from the Highway. By design, the solar panels are non-reflective and appear black. The scenic views in the area are of the mountains to the south. The project would not impact the scenic integrity of the area.
- I b) **Less than Significant Impact.** A scenic highway is officially designated as a state scenic highway when the local jurisdiction adopts a scenic corridor protection program, applies for the California Department of Transportation for scenic highway approval, and receives notification from Caltrans that the highway has been designated as an official scenic highway. The proposed project will not substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway, because the site is not adjacent to a state scenic highway and there are no trees, rock outcroppings, or historic buildings on the project site. As stated above in I a), State Route 18 is approximately ½ mile north of the proposed site and separated from the project site by a predominant ridgeline, which screens views. The orientation of the fixed tilt panels will not disturb the existing scenic character of the mountain vistas.
- I c) **Less than Significant Impact.** The proposed project will have a low profile (approximately ten-feet high at fixed tilt) and will utilize motion sensors for security. It will not substantially degrade the existing visual character or quality of the site and its surroundings. The current visual character of the site includes desert wilderness, hills, ridges, and widely scattered residences. As a precautionary measure, a condition of approval to maintain native

landscaping buffers between the solar panel field and the adjacent properties will be required.

- I d) **Less than Significant Impact.** The project could be a new source of glare with the potential to adversely impact daytime views of the desert. However, the use of dark photovoltaic solar panels is proposed, which produce much less glare than other solar panel technologies. The photovoltaic panels will emit no light. As mentioned previously, the site will use motion sensors of security; there will be no on-site nighttime lighting. The project is also required to comply with San Bernardino County Ordinance No. 3900 that regulates glare, outdoor lighting, and night sky protection in the desert region. Therefore, the proposed facility would not have a significant impact on daytime or nighttime views in the area.

No significant adverse impacts are identified or anticipated and no mitigation measures are required. As a precautionary measure, a condition of approval to maintain native landscaping buffers between the solar panel field and the adjacent properties will be required.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant	No Impact
II. AGRICULTURE AND FOREST RESOURCES - In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment Project, and the forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the project:				
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland) as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in the loss of forestland or conversion of forestland to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Involve other changes in the existing environment, which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forestland to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

SUBSTANTIATION (Check ☐ if project is located in the Important Farmlands Overlay):

- II a-e) **No Impact.** The proposed project will not convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland) as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use. The proposed project is located in a rural living land use zoning district, it is designated "grazing" land on the maps prepared pursuant to the Farmland Mapping and Monitoring Program due to the area having mainly low density rural development. The City

of Victorville is within one mile to the south and east, while the City of Adelanto is ½ mile to the north. Parcel sizes in the general vicinity range from 2.5-acre to 80-acres, but are predominantly 5 and 10 acres in size. The proposed project is in a high desert area and will have no impact on forest resources. Zoning on the adjacent and nearby properties includes IN (Institutional), RL (Rural Living), PH/RL (Phelan Pinon Hills Community Plan/Rural Living), PH/SD-COM, and SD-COM (Special Development, Commercial Focus). The proposed project site is in the high desert of Southern California, an area of extreme high and low temperatures, extremely low humidity, and water scarcity.

No significant adverse impacts are identified or anticipated and no mitigation measures are required.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant	No Impact
<p>III. AIR QUALITY - Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:</p> <p>a) Conflict with or obstruct implementation of the applicable air quality plan?</p> <p>b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?</p> <p>c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions, which exceed quantitative thresholds for ozone precursors)?</p> <p>d) Expose sensitive receptors to substantial pollutant concentrations?</p> <p>e) Create objectionable odors affecting a substantial number of people?</p>	<p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p>	<p><input type="checkbox"/></p> <p><input checked="" type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p>	<p><input checked="" type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input checked="" type="checkbox"/></p> <p><input checked="" type="checkbox"/></p>	<p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input checked="" type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p>

SUBSTANTIATION (Discuss conformity with the Mojave Desert Air Quality Management Plan (MDAQMP), if applicable):

- III a) **Less than Significant Impact.** The Project site is located within the jurisdiction of the MDAQMP. The MDAQMD adopted the Mojave Desert Planning Area-Federal Particulate Matter Attainment Plan (Plan) in 1995 and the Ozone Attainment Plan in 2004. Air quality impacts would include construction exhaust emissions generated from construction equipment, vegetation clearing and earth movement activities, construction workers' commute, and construction material hauling for the entire construction period. These activities would involve the use of diesel- and gasoline-powered equipment that would generate emissions of criteria pollutants such as Carbon Monoxide (CO), Nitrogen Oxides (NO_x), Reactive Organic Gases (ROG) or Volatile Organic Compounds (VOC), Sulfur Oxides (SO_x), Particulate Matter less than 10 microns (PM₁₀), and Particulate Matter less than 2.5 microns (PM_{2.5}). The project construction activities also represent sources of vehicle re-entrained fugitive dust (which includes PM₁₀), a potential concern because the proposed project is in a non-attainment area for ozone and PM₁₀. However, construction-related increases in emissions of fugitive dust and exhaust from construction equipment and employee commute vehicles would be temporary and limited to the time required to construct the project.

-
- III b) **Less than Significant Impact with Mitigation Incorporated.** The project would contribute criteria pollutants in the area during the short-term project construction period. None of the activities associated with the proposed project would create a substantial permanent increase in the emissions of criteria pollutants that would be cumulatively considerable. The project will not violate any air quality standard or contribute substantially to an existing or projected air quality violation, because the proposed use(s) do not exceed established thresholds of concern as established by the District. The MDAQMD provided a response to the project notice indicating their support for “the development of renewable energy sources”, stating “such development is expected to produce cumulative and regional environmental benefits.” The MDAQMD’s letter recommended “the County require that a fugitive dust best management practices (including but not limited to applicable provisions of District Rule 403.2) be implemented in the grading and construction phases of the project.” A dust control plan will be required as a mitigation measure to regulate construction activities that could create windblown dust. As a mitigation measure to control emissions of fugitive dust and exhaust during construction, the proposed project will be required to implement an approved Dust Control Plan (DCP).
- III c) **No Impact.** Occasional patrolling and routine maintenance and repairs of the facilities would have no impact on the emissions of criteria pollutants that would be cumulatively considerable. There are no sources of potential long-term air impacts associated with the implementation of the proposed project. After construction, the amount of air pollutants are expected to be reduced considerably as photovoltaic energy production systems do not generate emissions that would cause reduction of air quality or produce objectionable odors.
- III d) **Less than Significant Impact.** The MDAQMD defines sensitive receptors as residences, schools, daycare centers, playgrounds, and medical facilities. There are scattered residences in the area, but no sensitive receptors in close proximity to the project area. In addition, electricity generation via the use of photovoltaic systems does not generate chemical emissions that would negatively contribute to air quality. Furthermore, the County’s general conditions and standards as well as project-specific design and construction features incorporated into the proposed project such as dust suppression techniques per MDAQMD’s Rule 403 would reduce any potential impacts from the project. No significant adverse impacts are identified or anticipated and no additional mitigation measures are required.
- III e) **Less than Significant Impact.** Electricity generation via the use of photovoltaic systems does not generate chemical emissions that would negatively contribute to air quality or produce objectionable odors. Potential odor generation associated with the proposed project would be limited to construction sources such as diesel exhaust and dust. No significant odor impacts related to project implementation are anticipated due to the nature and short-term extent of potential sources, as well as the intervening distance to sensitive receptors. Therefore, the operation of the project would have a less than significant impact associated with the creation of objectionable odors affecting a substantial number of people.

Possible significant adverse impacts have been identified or anticipated and the following mitigation measures are required as conditions of project approval to reduce these impacts to a level below significant.

Mitigation Measures

AQ – Construction Mitigation. Developer shall submit written verification that all construction contracts and sub-contracts for the project contain provisions that require adherence to the following standards to reduce impacts to air quality: During construction, each contractor and subcontractor shall implement the following, whenever feasible:

- Approved Dust Control Plan (DCP) submitted with the Grading Plans.
- Provide documentation prior to beginning construction demonstrating that the project proponents will comply with all MDAQMD regulations.
- Suspend use of all construction equipment operations during second stage smog alerts. For daily forecast, call (800) 367-4710 (San Bernardino and Riverside counties).
- Trucks/equipment shall not be left idling on site for periods in excess of ten minutes.
- Provide temporary traffic control during all phases of construction.
- Provide on-site food service for construction workers.
- Use reformulated low-sulfur diesel fuel in equipment and use low-NO_x engines, alternative fuels and electrification. Apply 4-6 degree injection timing retard to diesel IC engines. Use catalytic converters on gasoline-powered equipment.
- Minimize concurrent use of equipment through equipment phasing.
- Substitute electric and gasoline-powered equipment for diesel-powered equipment.
- Onsite electrical power hook-ups shall be provided for electric construction tools to eliminate the need for diesel-powered electronic generators.
- Maintain construction equipment engines in good order to reduce emissions. The developer shall have each contractor certify that all construction equipment is properly serviced and maintained in good operating condition.
- Install storm water control systems to prevent mud deposition onto paved areas.
- Contractors shall use low sulfur fuel for stationary construction equipment as required by AQMD Rules 431.1 and 431.2 to reduce the release of undesirable emissions.

AQ – Dust Control Plan. The developer shall submit to County Planning a Dust Control Plan (DCP) consistent with MDAQMD guidelines and a letter agreeing to include in any construction contracts and/or subcontracts a requirement that the contractors adhere to the requirements of the DCP. The DCP shall include these elements to reduce dust production:

- Exposed soil shall be kept continually moist through a minimum of twice daily waterings to reduce fugitive dust during all grading and construction activities
- Street sweeping shall be conducted when visible soil accumulations occur along site access roadways to remove dirt dropped by construction vehicles.
- Site access driveways and adjacent streets shall be washed daily, if there are visible signs of any dirt track-out at the conclusion of any workday.
- Tires of vehicles will be washed before the vehicle leaves the project site and enters a paved road.
- All trucks hauling dirt away from the site shall be covered
- During high wind conditions (i.e., wind speeds exceeding 25 mph), areas with disturbed soil shall be watered hourly and activities on unpaved surfaces shall be terminated until wind speeds no longer exceed 25 mph.

-
- **Storage piles that are to be left in place for more than three working days shall either be:**
 - **Sprayed with a non-toxic soil binder, or**
 - **Covered with plastic, or**
 - **Re-vegetated until placed in use.**

AQ – Energy Conservation. The developer shall incorporate the following design elements:

- **Energy efficient lighting.**
- **Alternative energy resources such as active and passive solar energy features.**
- **California Energy Commission insulation standards.**
- **All new and modified stationary sources of emissions shall be subject to MDAQMD Regulation. New and modified stationary sources shall be required to install Best Available Control Technology and offset any new emissions such that there is no net gain in emissions within the air basin.**

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant	No Impact
IV. BIOLOGICAL RESOURCES - Would the project:				
a) Have substantial adverse effects, either directly or through habitat modifications, on any species identified as a candidate, sensitive or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc...) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

SUBSTANTIATION (Check if project is located in the Biological Resources Overlay or contains habitat for any species listed in the California Natural Diversity Database ☒):

- IV a) **Less Than Significant with Mitigation Incorporated.** According to the *Habitat Assessment for Mohave Ground Squirrel* (June 2011) prepared by RCA Associates, LLC, and Ryan Young of Phoenix Ecological Consulting, the site supports an undisturbed creosote bush community typical of this portion of the Mojave Desert. *Larrea tridentata* is the dominant perennial with burrobush (*Ambrosia dumosa*) and ephedra (*Ephedra nevadensis*) the co-dominants. Other perennials observed included Joshua tree (*Yucca brevifolia*), cholla (*Opuntia ramosissima*), cottonthorn (*Tetradymia spinosa*), paperbag plant (*Salazaria mexicana*), spiny hop-sage (*Grayia spinosa*), and winterfat (*Krachenokovia*

lanata). Dominant annuals included erodium (*Erodium texanum*), schismus (*Schismus barbatus*), buckwheat (*Eriogonum inflatum*), fiddleneck (*Amsinckia tessellata*), and brome grasses (*Bromus* sp.). All of the perennials and annuals existed relatively evenly throughout the property.

In order to avoid, minimize, and compensate for direct, indirect, and cumulative impacts to special-status plant species, the Applicant shall comply with the four sections of the California Department of Fish and Game condition. These include:

- Special-Status Plant Impact Avoidance and Minimization Measures
- Late Season Botanical Surveys
- Avoidance Requirements for Special-Status Plants Detected in the Summer/Fall 2012 Surveys
- Off-Site Compensatory Mitigation for Special-Status Plants

If conditionally approved, the project conditions of approval issued for the Victor Dry Farm Ranch will require this condition be met prior to land disturbance.

Ravens (*Corvus corax*), sage sparrows (*Amphispiza belli*), morning doves (*Zenaida macroura*), and western kingbirds (*Tyrannus verticalis*) were the only birds seen during the May 23, 2011 biological investigations. Reptile diversity is limited in the region, although, a few side-blotched lizards (*Uta stansburiana*) and western whiptail lizards (*Cnemidophorus tigris*) were observed. Antelope ground squirrels (*Ammospermophilus leucurus*) were the only mammalian species observed; however, Merriam's kangaroo rats (*Dipodomys merriami*) are common to the area and may inhabit the site. Coyotes (*Canis latrans*) may also traverse the site. No distinct wildlife corridors were identified on the site or in the immediate surrounding area, nor does the site support any critical or sensitive habitats (e.g., wetlands, streams, etc.). The protocol survey conducted for the State- and Federally-listed desert tortoise did not identify any sign of the species and there is a low probability of tortoises moving onto the site given the low population levels in the region. However, the site does support suitable habitat for the State listed Mohave ground squirrel, and the site could potentially support populations of the squirrel since documented populations are within about three miles of the property. The biologists based this conclusion on several criteria including proximity to recent records, vegetation typically associated with the species, connectivity to undisturbed habitat, numerous small mammal burrows present, and the property being within the known distribution area of the species.

Installation of the proposed solar facility will have a direct impact on potential Mohave ground squirrel habitat based on the habitat assessment performed for the site. Furthermore, previous studies have documented populations of the Mohave ground squirrel in the area and the site could support populations of the species. Therefore, the proponent will need to apply for an incidental take permit from the California Department of Fish and Game (CDFG) and provide applicable mitigation fees for purchase of compensatory mitigation lands. However, in lieu of applying for the take permit, the proponent may elect to conduct a live-trapping survey at the appropriate time of year to determine definitively if the species is present or absent from the site. If it is determined that Mohave ground squirrels do not inhabit the site, then CDFG will require no mitigations.

In addition, CDFG will also require a 30-day pre-construction survey for burrowing owls prior to the start of clearing or grading activities. This is to ensure that owls have not moved on to the site since the original biological surveys conducted in May 2011.

Furthermore, the County designates the Joshua tree as a protected plant. Removal or relocation of any Joshua trees existing on site must comply with Development Code Section 88.01.060. A preconstruction inspection, tree removal plan, and permit in compliance with the Plant Protection and Management Ordinance must occur prior to any land disturbance and/or removal of any trees or plants.

- IV b) **Less Than Significant Impact.** This project will not have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations or by the California Department of Fish and Game or US Fish and Wildlife Service. A desert wash bisects the site in a north-south direction. Although the habitat assessment detected no wildlife corridors on the site, a 90-foot wide San Bernardino County Drainage Easement will continue to provide wildlife access.
- IV c) **No Impact.** This project will not have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means, because the project is not within an identified protected wetland. As a condition of project approval, the project is required to comply with the Statewide National Pollutant Discharge Elimination System (NPDES) General Permit for discharges of storm water associated with construction activity. If the project disturbs one acre or more of land, including construction staging areas, a Construction General Permit in compliance with the State Water Resources Control Board requirements will be required.
- IV d) **No Impact.** This project will not interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites. The biological assessment identified no distinct wildlife corridors or nursery sites within or near the project site.
- IV e) **Less Than Significant Impact with Mitigation Incorporated.** The County designates the Joshua tree as a protected plant. Removal or relocation of any Joshua trees existing on site must comply with Development Code Section 88.01.060. A preconstruction inspection, tree removal plan, and permit in compliance with the Plant Protection and Management Ordinance must occur prior to any land disturbance and/or removal of any trees or plants.
- IV f) **Less Than Significant Impact.** This project will not conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan, because no such plan has been adopted in the area of the project site. The site is within the proposed boundary of the West Mojave Plan, which covers 9.3 million acres in the western portion of the Mojave Desert. This interagency habitat conservation plan remains under review.

Possible significant adverse impacts have been identified and the following mitigation

measures are required as conditions of project approval to reduce these impacts to a level below significant:

Mitigation Measures:

BIO – MGS. The proponent will need to apply for an incidental take permit for Mohave ground squirrel from the California Department of Fish and Game (CDFG) and provide applicable mitigation fees for purchase of compensatory mitigation lands. However, in lieu of applying for the take permit, the proponent may elect to conduct a live-trapping survey prior to any land disturbance and at the appropriate time of year to determine definitively if the species is present or absent from the site. The proponent must provide verification of compliance to the County prior to any land disturbance.

BIO – BUOW. A 30-day pre-construction survey for burrowing owl is required. If found on site, as compensation for the direct loss of burrowing owl nesting and foraging habitat, the project proponent shall mitigate by acquiring and permanently protecting known burrowing owl nesting and foraging habitat at the following ratio:

- a. Replacement of occupied habitat with occupied habitat at 1.5 times 6.5 acres per pair or single bird;
- b. Replacement of occupied habitat with habitat contiguous with occupied habitat at 2 times 6.5 acres per pair or single bird; and/or
- c. Replacement of occupied habitat with suitable unoccupied habitat at 3 times 6.5 acres per pair or single bird.

All owls associated with occupied burrows that will be directly impacted (temporarily or permanently) by the project shall be relocated and the following measures shall be implemented to avoid take of owls:

- a. Occupied burrows shall not be disturbed during the nesting season of February 1 through August 31, unless a qualified biologist can verify through non-invasive methods that either the owls have not begun egg laying and incubation or that juveniles from the occupied burrows are foraging independently and are capable of independent flight.
- b. A qualified biologist must relocate owls from any occupied burrows that will be impacted by project activities. Suitable habitat must be available adjacent to or near the disturbance site or artificial burrows will need to be provided nearby. Once the biologist has confirmed that the owls have left the burrow, burrows should be excavated using hand tools and refilled to prevent reoccupation.
- c. The Department shall approve all relocation. The permitted biologist shall monitor the relocated owls a minimum of three days per week for a minimum of three weeks. A report summarizing the results of the relocation and monitoring shall be

submitted to the Department within 30 days following completion of the relocation and monitoring of the owls.

A Burrowing Owl Mitigation and Monitoring Plan (Plan) shall be submitted to the CDFG for review and approval prior to relocation of owls. The Plan shall describe proposed relocation and monitoring plans. The Plan shall include the number and location of occupied burrow sites and details on adjacent or nearby suitable habitat available to owls for relocation. If no suitable habitat is available nearby for relocation, details regarding the creation of artificial burrows (numbers, location and type of burrows) shall also be included in the Plan. The Plan shall also describe proposed offsite areas to preserve for compensation for impacts to burrowing owls/occupied burrows at the project site as required above.

The project proponent shall establish a non-wasting endowment account for the long-term management of the preservation site for burrowing owls. The site shall be managed for the benefit of burrowing owls. CDFG must approve the preservation site, site management, and endowment. The proponent must provide verification of compliance to the County prior to occupancy or use of the project site.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant	No Impact
V. CULTURAL RESOURCES - Would the project				
a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

SUBSTANTIATION (Check if the project is located in the Cultural ☐ or Paleontologic ☐ Resources overlays or cite results of cultural resource review):

- V a) **Less Than Significant Impact with Mitigation Incorporated.** BCR Consulting conducted an archaeological records search. The records search indicated that the property has not been part of previous cultural resources studies, although six cultural resource studies occurred within one mile of the site. Because these nearby studies revealed the presence of historic and prehistoric cultural resources, experts consider the subject property potentially sensitive for cultural resources. As such, the conditions of approval will include a requirement for a full cultural resources assessment, including a summary of the current records search, intensive cultural resources field survey, Native American consultation, and cultural resources assessment report prior to any land disturbance.
- V b) **Less Than Significant Impact with Mitigation Incorporated.** BCR Consulting conducted an archaeological records search. The records search indicated that the property has not been part of previous cultural resources studies, although six cultural resource studies occurred within one mile of the site. Because these nearby studies revealed the presence of historic and prehistoric cultural resources, experts consider the subject property potentially sensitive for cultural resources. As such, the conditions of approval will include a requirement for a full cultural resources assessment, including a summary of the current records search, intensive cultural resources field survey, Native American consultation, and cultural resources assessment report prior to any land disturbance.
- V c) **Less Than Significant Impact.** This project will not directly or indirectly destroy a unique paleontological resource or site or unique geologic feature, because no such resources have been identified on the site. To further reduce the potential for impacts, a condition shall be added to the project that requires the developer to contact the County Museum for determination of appropriate mitigation measures, if any finds are made during project construction.
- V d) **Less Than Significant Impact.** This project will not disturb any human remains, including those interred outside of formal cemeteries, because no such burial grounds are identified

on this project site. If discovery of any human remains occurs during construction of this project, the developer must contact the County Coroner, County Museum for determination of appropriate mitigation measures, and a Native American representative, if the remains are determined to be of Native American origin.

Possible significant adverse impacts have been identified and the following mitigation measures are required as conditions of project approval to reduce these impacts to a level below significant:

Mitigation Measure:

CUL – Assessment. Prior to ground disturbance, the project proponent shall complete a full cultural resources assessment, including a summary of the current records search, intensive cultural resources field survey, Native American consultation, and cultural resources assessment report. Proponent shall provide assessment to the County Museum and verification of Museum approval to County Planning.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant	No Impact
VI. GEOLOGY AND SOILS - Would the project:				
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map Issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii. Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii. Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iv. Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on or off site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Be located on expansive soil, as defined in Table 18-1-B of the California Building Code (2001) creating substantial risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

SUBSTANTIATION (Check ☐ if project is located in the Geologic Hazards Overlay District):

- VI a) **Less Than Significant Impact.** (i-iv) The entire San Bernardino County area is particularly susceptible to strong ground shaking and other geologic hazards. However, the proposed project site is not located within an Alquist-Priolo Special Studies Zone, meaning that the site is not within 500 feet of major active faults, nor is the site within 200 to 300 feet of a trough created by minor faults. With adherence to the California Building Code and the incorporation of applicable measures into project design and construction, potential project impacts associated with strong seismic ground shaking would be less than

significant. County Building and Safety will be review and approve the project and impose appropriate seismic standards.

- VI b) **Less Than Significant Impact.** No substantial grading or vegetation removal would occur for the installation of the proposed project. The retention of the vegetation onsite would reduce wind speeds near ground level to the extent that erosion, if it occurs, would be minor. Erosion control plans will be required to be submitted, approved, and implemented.
- VI c) **Less Than Significant Impact.** The project is not identified as being located on a geologic unit or soil that has been identified as being unstable or having the potential to result in on or off site landslide, lateral spreading, subsidence, liquefaction, or collapse. Potential project impacts associated with landslides or liquefaction would be less than significant.
- VI d) **Less Than Significant Impact.** The project site is not located in an area that the County Building and Safety Geologist has identified as having the potential for expansive soils. As a standard condition of approval, the project applicant will submit a soils report to the County Building and Safety Geologist for review and approval.
- VI e) **No Impact.** When the proponent implements the proposed project, it will be an unmanned facility and will not use septic tanks or alternative wastewater disposal systems; therefore, no impacts are anticipated.

No significant adverse impacts are identified or anticipated and no mitigation measures are required.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant	No Impact
VII GREENHOUSE GAS EMISSIONS - Would the project:				
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict with any applicable plan, policy or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

SUBSTANTIATION:

VII a, b) **Less than Significant Impact.** As discussed in Section III of this document, the proposed project's primary contribution to air emissions is attributable to construction activities. Project construction shall result in GHG emissions from the following construction related sources: (1) construction equipment emissions and (2) emissions from construction workers personal vehicles traveling to and from the construction site. Construction-related GHG emissions vary depending on the level of activity, length of the construction period, specific construction operations, types of equipment, and number of personnel.

The primary emissions that would result from the proposed project occur as carbon dioxide (CO₂) from gasoline and diesel combustion, with more limited vehicle tailpipe emissions of nitrous oxide (N₂O) and methane (CH₄), as well as other GHG emissions related to vehicle cooling systems. Although construction emissions are a one-time event, GHG emissions such as CO₂ can persist in the atmosphere for decades.

On December 6, 2011, the San Bernardino County Board of Supervisors adopted the County Greenhouse Gas (GHG) Emissions Reduction Plan. Although once built and operational this project will provide a "clean" source of energy that will not contribute to GHG emissions, the project must adhere to the Air Quality mitigation measures contained in section III of this document and the performance standards of the GHG Emissions Reduction Plan in effect at the time of development.

GHGs and criteria pollutants would realize co-beneficial emissions reduction from the implementation of mitigation measures discussed in Section III, Air Quality, in this document. Furthermore, the construction of this project would result in "green" electric power generation that would otherwise be produced at a traditional fossil fuel burning plant, which generate considerably more GHG emissions. For these reasons, it is unlikely that this project would impede the state's ability to meet the reduction targets of AB32.

No significant adverse impacts are identified or anticipated and no mitigation measures are required.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant	No Impact
VIII. HAZARDS AND HAZARDOUS MATERIALS - Would the project:				
a) Create a significant hazard to the public or the Environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Be located on a site, which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

SUBSTANTIATION

- VIII a) **Less Than Significant Impact.** The project will not create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials, because no use approved on the site is anticipated to be involved in such activities.

Implementation of the proposed project would not entail the routine transport, use, or disposal of hazardous materials, with the potential exception of short-term construction-related substances such as fuels, lubricants, adhesives, and solvents. The potential risk associated with the accidental discharge during use and storage of such construction-related hazardous materials during project construction is considered low because the handling of any such materials would be addressed through the implementation of Best Management Practices (BMPs) pursuant to the intent of the NPDES General Construction Permit. Operation of the proposed project would require the use or storage of insignificant quantities of hazardous substances, such as glycol-based coolant and lubricants for any moving parts. These materials are mildly toxic and will not present a major risk to the handlers or the environment. The photovoltaic panels used in the proposed project are environmentally sealed collections of photovoltaic cells that require no chemicals and produce no waste materials. There is no a battery backup component, thus minimizing the need for transporting, using, or disposing of the hazardous materials that may be associated with the project. Furthermore, standard operating procedures would prevent the use of these materials from causing a significant hazard to the public or environment.

- VIII b) **Less Than Significant Impact.** The project will not create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment, because any proposed use or construction activity that might use hazardous materials is subject to permit and inspection by the Hazardous Materials Division of the County Fire Department.
- VIII c) **Less Than Significant Impact.** There are no existing or proposed schools within ¼ mile of the proposed project site. The nearest school, Hollyvale Elementary School, is located approximately 5.5 miles southeast of the project site in the City of Victorville. Additionally, operation and maintenance of the project would not produce hazardous emissions.
- VIII d) **Less Than Significant Impact.** The project site is not included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5. The proposed project will not create a significant hazard to the public or the environment. No impacts related to this topic will occur as a result of implementing the proposed project and, therefore, no mitigation measures are required.
- VIII e) **Less Than Significant Impact.** The project site is not within the vicinity or approach/departure flight path of a public airport. The nearest public airports, Adelanto Airport and Southern California Logistics Airport, are approximately 2.75 miles northeast and 7.5 miles northeast, respectively, of the project site.
- VIII f) **Less Than Significant Impact.** The project site is not within the vicinity or approach/departure flight path of a private airstrip. The nearest private airstrip, Krey Field, is approximately 6.75 miles northwest of the project site.
- VIII g) **No Impact.** Activities associated with the proposed project would not impede existing emergency response plans for the project site and/or other land uses in the project vicinity. All vehicles and stationary equipment would be staged off public roads and would not block emergency access routes. Accordingly, implementation of the proposed project will not impair implementation of, or physically interfere with, an adopted emergency response plan or emergency evacuation plan.
-

VIII h) **Less Than Significant Impact.** The project will not expose people or structures to a significant risk of loss, injury, or death involving wildland fires. The proposed project includes installation of non-combustible poles and panels. On-site soil compaction and periodic vegetation trimming will reduce available fuel. Other than an external source, the only risk of on-site wildfire ignition is due to electrical malfunctions resulting from poor installation. As long as the electrical equipment is installed properly and follows all state and county safety codes, the risk of onsite ignition is minimal.

No significant adverse impacts are identified or anticipated and no mitigation measures are required.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant	No Impact
IX. HYDROLOGY AND WATER QUALITY - Would the project:				
a) Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level, which would not support existing land uses or planned uses for which permits have been granted)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner that would result in substantial erosion or siltation on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner that would result in flooding on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Create or contribute runoff water, which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) Place housing within a 100-year flood hazard area as mapped on a Federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Place within a 100-year flood hazard area structure that would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
j) Inundation by seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

SUBSTANTIATION

- IX a, b, e, f) **Less than Significant Impact.** Potential water quality impacts from the proposed project are associated with short-term (construction-related) erosion/sedimentation and hazardous material use/discharge. The contractor must adhere to the Best Management Practices (BMPs) contained in the Water Quality Management Plan (WQMP) prepared for the project and approved by the Department of Public Works. Conformance with applicable elements of the required NPDES Construction Permit, use of site design BMPs, and control BMPs would avoid or reduce below a level of significance and potential erosion/sedimentation and hazardous materials impacts. During construction and operation, the Victorville Water District would provide a temporary hydrant connection from the hydrant at the intersection of Dos Palmas Road and Braceo Street, a point approximately 1.5 miles east of the site. The contractor would haul water from this point for dust suppression during construction and for semi-annual cleaning of panels during operation. The expectation is that any discharged water would be absorbed into the soils onsite. Most of the ground within the proposed project area would be a permeable material, so water percolation and groundwater recharge would not be significantly impacted by the implementation of the project.
- IX c, d) **Less than Significant Impact.** The project will not substantially alter the existing drainage pattern of the site or area, including the alteration of the course of a stream or river, in a manner that would result in substantial erosion or siltation on- or off-site. The footprint of the solar arrays is small. The proposed project does not include any impervious surfaces that would divert any drainage pattern. During construction, the contractor will place a silt fence along the down slope edge of the property to reduce any flow of sediments off-site. This silt fence will also assist in filtering any stormwater runoff in the event of precipitation during construction. Adherence with the County Public Works Best Management Practices (BMPs) is a standard condition of approval. Furthermore, as part of this project, the applicant will dedicate a 90-foot wide San Bernardino County Drainage Easement through the property in a north-south direction. There will be no development or disturbance within the drainage easement.
- IX g, h) **No Impact.** The proposed project would not create or result in housing within a 100-year flood hazard area or result in the placement within a 100-year flood hazard area, any structures which would impede or redirect flood flows. Furthermore, Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map, Panel Number 6475 H, indicates that the proposed project area is within Zone D - an Undetermined Risk Area. No indicators of hydrologic activity, topographical or geological were observed onsite.
- IX i) **No Impact.** The project will not expose people or structures to a significant risk of loss, injury, or death involving flooding, including flooding as a result of the failure of a levee or dam. The project site is not within any identified path of a potential inundation flow that might result in the event of a dam or levee failure or that might occur from a river, stream, lake, or sheet flow situation.
- IX j) **No Impact.** The project will not be impacted by inundation by seiche, tsunami, or mudflow, because the project is not adjacent to any body of water that has the

potential of seiche or tsunami nor is the project site in the path of any potential mudflow.

No significant adverse impacts are identified or anticipated and no mitigation measures are required.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant	No Impact
X. LAND USE AND PLANNING - Would the project:				
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

SUBSTANTIATION

- X a) **No Impact.** The project will not physically divide an established community, because the site is within an area of widely scattered residential uses. The City of Victorville boundaries exist within one mile to the east and to the south, while the City of Adelanto boundary exists ½ mile to the north.
- X b) **Less Than Significant Impact.** The current General Plan land use designation for the proposed project area is Rural Living (RL), which allows development of electrical power generation facilities with a Conditional Use Permit (CUP). The proposed project site is mapped within a Biotic Resources (BR) overlay, with the potential for burrowing owl and Mohave ground squirrel in the area. As required by the BR overlay, the proponent submitted a report with the project application that identifies all biotic resources located on and adjacent to the site. The report concluded that with appropriate Biological Resources mitigation measures as contained in section IV of this document, the existence of the biotic resources did not constitute an incompatible land use with the proposed project.
- X c) **No Impact.** The project will not conflict with any applicable habitat conservation plan or natural community conservation plan, because there is no habitat conservation plan or natural community conservation plan within the area surrounding the project site. No habitat conservation lands are required to be purchased as mitigation for the proposed project.

No significant adverse impacts are identified or anticipated and no mitigation measures are required

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant	No Impact
XI. MINERAL RESOURCES - Would the project:				
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

SUBSTANTIATION (Check ☐ if project is located within the Mineral Resource Zone Overlay):

XI a, b) **No Impact.** The project will not result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state because there are no identified important mineral resources on the project site and the site is not within a Mineral Resource Zone Overlay.

No significant adverse impacts are identified or anticipated and no mitigation measures are required

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant	No Impact
XII. NOISE - Would the project:				
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

SUBSTANTIATION (Check if the project is located in the Noise Hazard Overlay District ☐ or is subject to severe noise levels according to the General Plan Noise Element ☐):

XII a-d) **Less Than Significant Impact.** The proposed project is adjacent to undeveloped, vacant, or scattered residential land; therefore, noise and vibration generated from the proposed project could potentially exceed ambient noise standards. Based on studies done for previous projects within the general area, ambient noise levels average between 40 and 43 dB. Levels adjacent to Maricopa and White Roads may increase when traffic exists. Specifically, construction of the proposed project may potentially create some elevated short-term construction noise and vibration impacts from construction equipment; however, these activities will be limited to daytime hours and will comply with the noise and vibration standards of the San Bernardino County Development Code. Noise generation from construction equipment/vehicle operation would be localized, temporary, and transitory in nature; therefore, no significant impacts would be anticipated.

Operation of the proposed project would not generate audible levels of noise or perceptible

levels of vibration in the surrounding area. The solar arrays are a fixed tilt system; there would be no motor noise from tracking systems. Maintenance activities (including periodic cleaning, electrical connection repair, and panel replacement) would result in minimal noise. Further, the project would not include additional dwellings or other development, nor would it have the potential to generate any additional vehicle trips after construction is completed.

- XII e, f) **No Impact.** The project is not located within an airport land use plan area or within 2 miles of a public/public use airport or a private airstrip. The nearest public airports, Adelanto Airport and Southern California Logistics Airport, are approximately 2.75 and 7.5 miles, respectively, northeast of the project site. The nearest private airstrip, Krey Field, is approximately 6.75 miles northwest of the project site.

No significant adverse impacts are identified or anticipated and no mitigation measures are required.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant	No Impact
XIII. POPULATION AND HOUSING - Would the project:				
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

SUBSTANTIATION

XIII a-c) **No Impact.** The project is located in a sparsely populated area of San Bernardino County. The project proponent and County staff expect workers needed for construction and operation of the project to come from the local employment base. The site is vacant. Therefore, displacement of housing or people will not occur. No associated impacts are anticipated to occur from the proposed project

No significant adverse impacts are identified or anticipated and no mitigation measures are required.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant	No Impact
XIV. PUBLIC SERVICES				
a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
Fire Protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Police Protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Other Public Facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

SUBSTANTIATION

- XIV a) **Fire Protection – Less than Significant Impact.** San Bernardino County Fire provides protection at the site. In order to provide adequate protection, County Fire requires compaction of the service roads to the site and access roads on the site to support 75,000 pounds. Roads of native soil or gravel must not exceed an eight percent grade. They must be compacted to an 85 percent compaction rate. The Fire Department may require regular trimming of on-site vegetation to reduce fire fuel. The project would not result in the need for additional fire protection services. Any development, along with the associated human activity, in previously undeveloped areas increases the potential of the occurrence of wildfires. County Fire would implement comprehensive safety measures that comply with federal, state, and local worker safety and fire protection codes and regulations for the proposed project that would minimize the occurrences of fire due to project activities during construction and for the life of the project. Because of the low probability and short-term nature of potential fire protection needs during construction, the proposed project would not result in associated significant impacts.

Police Protection – Less than Significant Impact. The San Bernardino County Sheriff's Department serves the proposed project area and other unincorporated portions of the County. The Victor Valley Sheriff's Station is located approximately 8.5 miles to the northeast of the project site. Due to the large expanse that the station covers, deputies regularly assist and are assisted by the California Highway Patrol and the BLM Rangers. The proposed project would not impact service ratios, response times, or other performance objectives related to police protection. The project's short-term service requirements would not result in increases in the level of public service offered or affect these agencies'

response times. The facility may include installation of infrared security cameras with remote notification to an outside security firm to provide security in addition to the eight-foot high chain link perimeter fence.

Schools – No Impact. Long-term operation of the proposed facilities would place no demand on school services because it would not involve the construction of facilities that require such services (e.g., residences) and would not involve the introduction of a temporary or permanent human population into this area.

Parks – No Impact. Long-term operation of the proposed facilities would place no demand on parks because it would not involve the construction of facilities that require such services (e.g., residences) and would not involve the introduction of a temporary or permanent human population into this area.

Other Public Facilities – No Impact. The proposed project would not result in the introduction and/or an increase in new residential homes and the proposed project would not involve the introduction of a temporary or permanent human population into this area. Based on these factors, the proposed project would not result in any long-term impacts to other public facilities.

No significant adverse impacts are identified or anticipated and no mitigation measures are required

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant	No Impact
XV. RECREATION				
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

SUBSTANTIATION

XV a, b) **No Impact.** No new residences or recreational facilities would result as part of the proposed project. The proposed project would not induce population growth in adjacent areas and would not increase the use of recreational facilities in surrounding neighborhoods.

No significant adverse impacts are identified or anticipated and no mitigation measures are required.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant	No Impact
XVI. TRANSPORTATION/TRAFFIC - Would the project:				
a) Cause an increase in traffic, which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Result in inadequate parking capacity?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

SUBSTANTIATION

XVI a, b) **Less Than Significant Impact.** The proponent did not conduct a Traffic Impact Assessment (TIA) for the proposed project, because the project will not create significant traffic impacts to the surrounding roadway circulation system per the thresholds of significance specified by the San Bernardino County Congestion Management Plan (CMP). The proponent did commission a construction trip generation letter report from LSA Associates, Inc. According to this report, the highest trip generation would occur during the PV system installation, with 71 peak hour trips. Traffic conditions on roadway segments and intersections during the life of the project are anticipated to be maintained at a level of service (LOS) of C or better, as required by the County General Plan. Furthermore, based on information provided County staff does not expect the proposed project to exceed any applicable level of service, either individually or cumulatively, based on the incremental level and short-term duration of project-related traffic. After construction, vehicles associated with periodic maintenance will arrive via State Highway 18 and Maricopa Road. For estimated trip details, see table below.

XVI c) **No Impact.** The proposed project would not affect air traffic patterns. The operation of

the proposed project is not dependent upon air transport related material, manpower, or services and would, therefore, not result in increases to air traffic levels.

- XVI d) **No Impact.** The proposed project will not introduce design features, such as sharp curves or dangerous intersections within the vicinity of the project site. There are no incompatible uses proposed by the project that would impact surrounding land uses.
- XVI e) **No Impact.** The proposed project will have adequate emergency access for both fire and medical emergency vehicles. The anticipated low operational traffic volume will not impede emergency response times.
- XVI f) **No Impact.** Construction of the proposed project would not contribute to the loss of parking capacity near the project as the site will provide adequate parking areas for future activities, such as deliveries, maintenance, and repairs.
- XVI g) **No Impact.** The public transit provider within the area is the Victor Valley Transit Authority, which provides bus service to the cities of Adelanto, Apple Valley, Hesperia, and Victorville, as well as portions of San Bernardino County. Therefore, the project would not conflict with adopted policies, plans, or programs supporting alternative transportation.

No significant adverse impacts are identified or anticipated and no mitigation measures are required.

LSA Associates, Inc.

Victor Dry Farm Ranch Solar Generating Facility Construction Trip Generation

Construction Vehicles		Vehicle Trip Generation				PCE Trip Generation			
Description	Quantity	Type	PCE	AM Peak Hour		PM Peak Hour		AM Peak Hour	
				in	out	in	out	in	out
Phase 1: Site Preparation									
Workers	33	Passenger	1	66	33	0	33	66	33
Dozer	1	Large Truck	2	2	1	0	1	4	2
Grader	1	Large Truck	2	2	1	0	1	4	2
Dump Truck	1	Large Truck	2	2	1	0	1	4	2
Total Phase 1				72	36	0	36	78	39
Phase 2: PV System Installation									
Workers	65	Passenger	1	130	65	0	65	130	65
Flat Bed Truck ¹	10	Large Truck	2	20	1	0	1	40	2
Freight Truck	2	Large Truck	2	4	2	0	2	8	4
Water Truck	1	Large Truck	2	2	1	0	1	4	2
Pick-up Truck	2	Passenger	1	4	2	0	2	4	2
Total Phase 2				160	71	0	71	186	75
Phase 3: Site Cleanup/Restoration									
Workers	12	Passenger	1	18	9	0	9	18	9
Grader	1	Large Truck	2	2	1	0	1	4	2
Pick-up Truck	2	Passenger	1	4	2	0	2	4	2
Total Phase 3				24	12	0	12	26	13

Notes:
PCE = passenger car equivalent. A large truck has a PCE of 2. All other vehicles have a PCE of 1.
ADT = average daily traffic
¹ Deliveries would occur throughout the day. It is estimated that 10 percent of deliveries would occur during the peak hours.

R:\JUNE1102\Trip Generation.xls Trip Generation (1/19/2012)

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant	No Impact
XVII. UTILITIES AND SERVICE SYSTEMS - Would the project:				
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Result in a determination by the wastewater treatment provider, which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Be served by a landfill(s) with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) Comply with federal, state, and local statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

SUBSTANTIATION

- XVII a) **No Impact.** The proposed project does not involve the construction of facilities that would generate sewage; therefore, it would not exceed applicable wastewater treatment requirements. The proposed project's water discharge does not require treatment or permitting according to the regulations of the Lahontan RWQCB.
- XVII b) **No Impact.** The project will not require new water or wastewater treatment facilities or expansion of existing facilities. As mentioned previously, periodic water to clean the panels will be brought to the site via water trucks from an off-site source, a fire hydrant at the corner of Dos Palmas and Braceo. This equates to a negligible amount due to maintenance occurring semi-annually.
- XVII c) **No Impact.** The proposed project would not require the construction or expansion of storm water drainage facilities. It is assumed that the insubstantial quantity of discharged

water generated on the site would be absorbed into the soils. On-site soil types are moderately well drained and are suitable for most types of development. Accordingly, no impacts are anticipated from implementation of the proposed project.

XVII d) **No Impact.** Water needed for activities associated with the proposed project would be trucked in from an offsite fire hydrant, which is part of the Victorville Water District system. Water is not needed for the solar power generation process. Accordingly, no impacts are anticipated from implementation of the project.

XVII e) **No Impact.** The proposed project would not require or result in the construction of new wastewater treatment facilities or the expansion of existing wastewater treatment facilities. No impacts are anticipated from implementation of the proposed project.

XVII f, g) **Less than Significant Impact.** The proposed project will be an unmanned solar power generating facility, generating no process waste and only small quantities of solid waste requiring disposal. During construction, the proponent will provide trash and recycling dumpsters on site. The proponent must complete the Solid Waste Management Division's Construction Waste Management Recycling Plan, Parts 1 and 2. The project is required to comply with federal, state, and local statutes and regulations related to solid waste disposal.

No significant adverse impacts are identified or anticipated and no mitigation measures are required.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant	No Impact
XVIII. MANDATORY FINDINGS OF SIGNIFICANCE:				
a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Does the project have environmental effects, which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

SUBSTANTIATION

XVIII a) **Less than Significant Impact with Mitigation Incorporated.** Mitigation Measures have been included to address potential impacts to Air Quality, Biological Resources, and Cultural Resources. However, implementation of the proposed project would not degrade the quality of the environment, substantially reduce the habitat of fish or wildlife species, cause a fish or wildlife populations to drop below self sustaining levels, threaten to eliminate a plant or animal community, or reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory with adherence to the required mitigation measures discussed within this Initial Study.

XVIII b) **Less than Significant Impact.** Cumulative impacts are defined as two or more individual effects that, when considered together, are considerable or that compound or increase other environmental impacts. The cumulative impact from several projects is the change in the environment that results from the incremental impact of the development when added to the impacts of other closely related past, present, and reasonably foreseeable or probable future developments. Cumulative impacts can result from individually minor, but collectively significant, developments taking place over a period. The *CEQA Guidelines*, Section 15130 (a) and (b), states:

(a) *Cumulative impacts shall be discussed when the project's incremental effect is cumulatively considerable.*

(b) *The discussion of cumulative impacts shall reflect the severity of the impacts and their likelihood of occurrence, but the discussion need not provide as great detail as*

is provided of the effects attributable to the project. The discussion should be guided by the standards of practicality and reasonableness.

At present, there are no developments near the project site. Other solar generating facilities within the High Desert Region of San Bernardino County are in process or have been conditionally approved. Each of these projects will implement mitigation measures to ensure there are no significant impacts. By doing so, Staff expects no significant cumulative impacts.

The project will use a 40-acre vacant parcel for a green-energy-producing facility. The presumption is that this cleaner energy will replace energy produced with fossil fuels, but not increase residential, commercial, or industrial development. Based on this, the project will not have impacts that are individually limited, but cumulatively considerable. The facility will be unmanned upon completion of construction. Trips generated by periodic maintenance workers will be minimal in comparison to the overall traffic in the area. Compliance with the conditions of approval issued for the proposed development will further assure that the potential for cumulative impacts will remain below the level of significant. The project can be served adequately by all existing services and infrastructure.

- XVIII c) **Less than Significant Impact.** The incorporation of design measures, County of San Bernardino policies, standards, and guidelines would ensure that there would be no substantial adverse effects on human beings, either directly or indirectly. Impacts of the proposed project would be less than significant.

XVIII. MITIGATION MEASURES

(Any mitigation measures, which are not “self-monitoring,” shall have a Mitigation Monitoring and Reporting Program prepared and adopted at time of project approval)

CONDITION COMPLIANCE RELEASE FORM (CCRF) MITIGATION MEASURES: (Condition compliance will be verified by existing procedure)

AQ – Construction Mitigation. Developer shall submit written verification that all construction contracts and sub-contracts for the project contain provisions that require adherence to the following standards to reduce impacts to air quality: During construction, each contractor and subcontractor shall implement the following, whenever feasible:

- Approved Dust Control Plan (DCP) submitted with the Grading Plans.
- Provide documentation prior to beginning construction demonstrating that the project proponents will comply with all MDAQMD regulations.
- Suspend use of all construction equipment operations during second stage smog alerts. For daily forecast, call (800) 367-4710 (San Bernardino and Riverside counties).
- Trucks/equipment shall not be left idling on site for periods in excess of ten minutes.
- Provide temporary traffic control during all phases of construction.
- Provide on-site food service for construction workers.
- Use reformulated low-sulfur diesel fuel in equipment and use low-NO_x engines, alternative fuels, and electrification. Apply 4-6 degree injection timing retard to diesel IC engines. Use catalytic converters on gasoline-powered equipment.
- Minimize concurrent use of equipment through equipment phasing.
- Substitute electric and gasoline-powered equipment for diesel-powered equipment.
- Onsite electrical power hook-ups shall be provided for electric construction tools to eliminate the need for diesel-powered electronic generators.
- Maintain construction equipment engines in good order to reduce emissions. The developer shall have each contractor certify that all construction equipment is properly serviced and maintained in good operating condition.
- Install storm water control systems to prevent mud deposition onto paved areas.
- Contractors shall use low sulfur fuel for stationary construction equipment as required by AQMD Rules 431.1 and 431.2 to reduce the release of undesirable emissions.

AQ – Dust Control Plan. The developer shall submit to County Planning a Dust Control Plan (DCP) consistent with MDAQMD guidelines and a letter agreeing to include in any construction contracts and/or subcontracts a requirement that the contractors adhere to the requirements of the DCP. The DCP shall include these elements to reduce dust production:

- Exposed soil shall be kept continually moist through a minimum of twice daily waterings to reduce fugitive dust during all grading and construction activities
- Street sweeping shall be conducted when visible soil accumulations occur along site access roadways to remove dirt dropped by construction vehicles.
- Site access driveways and adjacent streets shall be washed daily, if there are visible signs of any dirt track-out at the conclusion of any workday.
- Tires of vehicles will be washed before the vehicle leaves the project site and enters a paved road.
- All trucks hauling dirt away from the site shall be covered

-
- During high wind conditions (i.e., wind speeds exceeding 25 mph), areas with disturbed soil shall be watered hourly and activities on unpaved surfaces shall be terminated until wind speeds no longer exceed 25 mph.
 - Storage piles that are to be left in place for more than three working days shall either be:
 - Sprayed with a non-toxic soil binder, or
 - Covered with plastic, or
 - Re-vegetated until placed in use.

AQ – Energy Conservation. The developer shall incorporate the following design elements:

- Energy efficient lighting.
- Alternative energy resources such as active and passive solar energy features.
- California Energy Commission insulation standards.
- All new and modified stationary sources of emissions shall be subject to MDAQMD Regulation. New and modified stationary sources shall be required to install Best Available Control Technology and offset any new emissions such that there is no net gain in emissions within the air basin.

BIO – MGS. The proponent will need to apply for an incidental take permit for Mohave ground squirrel from the California Department of Fish and Game (CDFG) and provide applicable mitigation fees for purchase of compensatory mitigation lands. However, in lieu of applying for the take permit, the proponent may elect to conduct a live-trapping survey prior to any land disturbance and at the appropriate time of year to determine definitively if the species is present or absent from the site. The proponent must provide verification of compliance to the County prior to any land disturbance.

BIO – BUOW. A 30-day pre-construction survey for burrowing owl is required. If found on site, as compensation for the direct loss of burrowing owl nesting and foraging habitat, the project proponent shall mitigate by acquiring and permanently protecting known burrowing owl nesting and foraging habitat at the following ratio:

- a. Replacement of occupied habitat with occupied habitat at 1.5 times 6.5 acres per pair or single bird;
- b. Replacement of occupied habitat with habitat contiguous with occupied habitat at 2 times 6.5 acres per pair or single bird; and/or
- c. Replacement of occupied habitat with suitable unoccupied habitat at 3 times 6.5 acres per pair or single bird.

All owls associated with occupied burrows that will be directly impacted (temporarily or permanently) by the project shall be relocated and the following measures shall be implemented to avoid take of owls:

- a. Occupied burrows shall not be disturbed during the nesting season of February 1 through August 31, unless a qualified biologist can verify through non-invasive

methods that either the owls have not begun egg laying and incubation or that juveniles from the occupied burrows are foraging independently and are capable of independent flight.

- b. A qualified biologist must relocate owls from any occupied burrows that will be impacted by project activities. Suitable habitat must be available adjacent to or near the disturbance site or artificial burrows will need to be provided nearby. Once the biologist has confirmed that the owls have left the burrow, burrows should be excavated using hand tools and refilled to prevent reoccupation.
- c. The Department shall approve all relocation. The permitted biologist shall monitor the relocated owls a minimum of three days per week for a minimum of three weeks. A report summarizing the results of the relocation and monitoring shall be submitted to the Department within 30 days following completion of the relocation and monitoring of the owls.

A Burrowing Owl Mitigation and Monitoring Plan (Plan) shall be submitted to the CDFG for review and approval prior to relocation of owls. The Plan shall describe proposed relocation and monitoring plans. The Plan shall include the number and location of occupied burrow sites and details on adjacent or nearby suitable habitat available to owls for relocation. If no suitable habitat is available nearby for relocation, details regarding the creation of artificial burrows (numbers, location, and type of burrows) shall also be included in the Plan. The Plan shall also describe proposed offsite areas to preserve for compensation for impacts to burrowing owls/occupied burrows at the project site as required above.

The project proponent shall establish a non-wasting endowment account for the long-term management of the preservation site for burrowing owls. The site shall be managed for the benefit of burrowing owls. CDFG must approve the preservation site, site management, and endowment. The proponent must provide verification of compliance to the County prior to occupancy or use of the project site.

CUL – Assessment. Prior to ground disturbance, the project proponent shall complete a full cultural resources assessment, including a summary of the current records search, intensive cultural resources field survey, Native American consultation, and cultural resources assessment report. Proponent shall provide assessment to the County Museum and verification of Museum approval to County Planning.

GENERAL REFERENCES (List author or agency, date, title)

Alquist-Priolo Special Studies Zone Act Map Series (PRC 27500)

Bryant, W. and E. Hart. 2007. Special Publication 42: Fault-Rupture Hazard Zones in California. California Geological Survey. Sacramento, California. <ftp://ftp.consrv.ca.gov>.

California Department of Conservation. 2008. San Bernardino County North Desert Region Parcels Under Agricultural Contract Map. California Department of Conservation. Sacramento, California. <ftp://ftp.consrv.ca.gov>

California Department of Conservation Division of Land Resource Protection. 2009. Important Farmland Data Availability. California Department of Conservation. Sacramento, California. <http://www.conservation.ca.gov/DLRP/Pages/Index.aspx>

California Department of Transportation Division of Transportation System Information. 2008. 2008 California Motor Vehicle Stock, Travel and Fuel Forecast. California Department of Transportation. Sacramento, California. <http://www.dot.ca.gov>

California Department of Water Resources Bulletin #118 (Critical Regional Aquifers), 2003 Update.

CEQA Guidelines, Appendix G

California Standard Specifications, July 1992

County of San Bernardino Museum Archaeological Information Center

County of San Bernardino Hazard Overlay Map FH05

County of San Bernardino Identified Hazardous Materials Waste Sites List, April 1998

County of San Bernardino, Countywide Integrated Waste Management Plan, March 1995

County of San Bernardino, June 2004, *San Bernardino County Stormwater Program, Model Water Quality Management Plan Guidance*.

County of San Bernardino Road Planning and Design Standards

County of San Bernardino. 2007. County of San Bernardino 2007 Development Code. County of San Bernardino, California. <http://www.sbcounty.gov>

Environmental Impact Report, San Bernardino County General Plan, 2007

Federal Emergency Management Agency Flood Insurance Rate Map and Flood Boundary Map

Mojave Desert Air Quality Management District, Mojave Desert Planning Area – Federal Particulate Matter (PM10) Attainment Plan, July 1995

-
- Mojave Desert Air Quality Management District. 1996. Rule 403.2 Fugitive Dust Control for the Mojave Desert Planning Area. Mojave Desert Air Quality Management District. Victorville, California. <http://www.mdaqmd.ca.gov>
- San Bernardino County Department of Public Works. 2010. Solid Waste Management. County of San Bernardino. San Bernardino, California. <http://www.sbcounty.gov/dpw/solidwaste/>
- San Bernardino County Land Use Services Department. 2008. General Plan Land Use Zoning Districts Baldy Mesa Quad Map. County of San Bernardino. San Bernardino, California. <http://www.sbcounty.gov>
- San Bernardino County Fire Hazardous Materials Division. 2010. Small Business Waste. San Bernardino County Fire Department. San Bernardino, California. <http://www.sbcfire.org/hazmat/cesqg.asp>
- San Bernardino County Stormwater Program. 2005. Model Water Quality Management Plan Guidance. San Bernardino County. San Bernardino, California
- URS Corporation. 2007. County of San Bernardino 2007 General Plan. County of San Bernardino. San Bernardino, California. <http://www.sbcounty.gov>

PROJECT SPECIFIC REFERENCES

- BCR Consulting. Archaeological Records Search of the Victor Dry Farm Property (APN: 3097-361-05), Unincorporated San Bernardino County, California (BCR Consulting Project Number UEN1101), June 3, 2011
- California Department of Fish and Game, Special-Status Plant Impact Avoidance, Minimization and Compensation, undated
- City of Victorville, Water Service to Silverado Power Solar Project, APN 3097-361-05, December 14, 2011
- LSA Associates, Inc., Victor Dry Farm Ranch Solar Generating Facility: Construction Trip Generation (LSA Project No. UNE1102), January 19, 2012
- RCA Associates, LLC, and R. Young. 2011. Habitat Assessment for Mohave Ground Squirrel. RCA Associates LLC & Phoenix Ecological Consulting. Victorville, California.
- United Engineering Group, Victor Dry Farm Ranch, Visual Impact Analysis, September 19, 2011
- United Engineering Group Ca., Inc., Water Quality Management Plan (WQMP), Water Quality Order No. 2003-0005-DWQ, WDID No. 6B36SM40301, for Victor Dry Farm Ranch, June 20, 2011

EXHIBIT D

CORRESPONDENCE

THIS PAGE INTENTIONALLY LEFT BLANK

COMMITTEES
NATURAL RESOURCES, VICE CHAIR
PUBLIC SAFETY, VICE CHAIR
LOCAL GOVERNMENT
RULES
UTILITIES AND COMMERCE

Assembly California Legislature



STEVE KNIGHT
ASSEMBLYMAN, THIRTY-SIXTH DISTRICT

STATE CAPITOL
P.O. BOX 942849
SACRAMENTO, CA 94249-0036
(916) 319-2036
FAX (916) 319-2136

DISTRICT OFFICES
41319 12TH STREET W., SUITE 105
PALMDALE, CA 93551
(661) 267-7636
FAX (661) 267-7736

VICTORVILLE CITY HALL
14343 CIVIC DRIVE
VICTORVILLE, CA 92392
(760) 843-8045
FAX (760) 843-8396

May 30, 2012

Elizabeth Rider, Chair
San Bernardino Planning Commission
385 N. Arrowhead Ave.
San Bernardino, CA 92415

Dear Chairwoman Rider,

I am writing to express my support for Silverado Power's two proposed Solar Generating Facilities (SGFs) in San Bernardino County. These projects – which have a combined generating capacity of 50 megawatts, enough electricity to power more than 10,000 homes, will produce a local source of clean, reliable energy. They will help the County meet its ambitious greenhouse gas emission reduction targets as well as help meet state mandates to produce 33% renewable power by 2020.

San Bernardino County has been hard hit by the recession and over the last three years construction jobs in the region have decreased by 44.8 percent. Silverado's two SGFs in San Bernardino County will create 125 construction jobs. 85 percent of construction work is expected to come from the local workforce and many of the construction subcontracts will be assigned to firms based in the region. In addition, these projects have the potential to introduce millions of dollars into the local economy through construction materials purchases and tax revenue. This is economic stimulus our region desperately needs.

Both of Silverado's SGF's - Victor Dry Farm Ranch and Lucerne Valley Desert View Ranch -- are located on unproductive land that is zoned for solar use. Silverado's proposed project locations have negligible environmental impacts, provide direct access to existing transmission infrastructure, and enable the development of a cost-effective project to deliver clean, renewable, domestically-produced energy to the region. The company has already secured a Power Purchase Agreement for the Victor Dry Farm Ranch project, which means the project could be online and producing power by the end of 2013.

I urge the San Bernardino County Planning Commission to approve the conditional use permits that the company has submitted for the Victor Dry Farm Ranch and Lucerne Valley Desert View Ranch projects.

Sincerely,

Steve Knight, Assemblyman
36th Assembly District

STK:do

cc: Supervisor Brad Mitzelfelt
Tracy Creason, San Bernardino Planning Commission Planner
Commissioner Randy Coleman
Commissioner Ray Allard
Commissioner Bill Collazo
Commissioner Audrey Mathews

California State Senate

SACRAMENTO OFFICE
STATE CAPITOL
SACRAMENTO, CA 95814
TEL (916) 651-4017
FAX (916) 445-4662

ANTELOPE VALLEY OFFICE
848 W. LANCASTER BLVD., SUITE 101
LANCASTER, CA 93534
TEL (661) 729-6232
FAX (661) 729-1683

VICTOR VALLEY OFFICE
14343 CIVIC DRIVE, FIRST FLOOR
VICTORVILLE, CA 92392
TEL (760) 843-8414
FAX (760) 843-8348

SANTA CLARITA OFFICE
23920 VALENCIA BLVD., SUITE 250
SANTA CLARITA, CA 91355
TEL (661) 286-1471
TEL (661) 286-1472
FAX (661) 286-2543



SENATOR SHARON RUNNER
SEVENTEENTH SENATE DISTRICT

COMMITTEES
EDUCATION
VICE CHAIR
APPROPRIATIONS
LABOR & INDUSTRIAL
RELATIONS
VETERAN AFFAIRS

May 29, 2012

Ms. Elizabeth Rider, Chair
San Bernardino Planning Commission
385 N. Arrowhead Ave
San Bernardino, CA 92415

RE: SILVERADO POWER — APPLICATION FOR CONDITIONAL USE PERMITS

- SUPPORT -

Dear Chairwoman Rider,

I am pleased to support Silverado Power's conditional use permit application for two proposed Solar Generating Facilities (SGFs) in San Bernardino County. I understand the **Victor Dry Farm Ranch** and **Lucerne Valley Desert View Ranch** projects will generate enough electricity to power more than 10,000 homes and will produce a local source of clean, reliable energy.

As both the former Assemblywoman and current Senator representing the High Desert, I can say with pride that local leaders have taken an active role in pursuing alternative energy projects in order to generate power while preserving the environment. Over the years, my husband, former Senator George Runner, and I have worked closely with the local officials in their continued efforts to make the High Desert the alternative energy capital of the world.

As you may know, last year I supported Senate Bill x1 2 (Simitian), which increased the Renewables Portfolio Standard to 33% renewables by 2020. I voted for this legislation because I believe it will bring many benefits to the High Desert, including new jobs and an economic boost to a region that continues to experience an unemployment rate over 16%. Not only will the proposed SGFs create more than a 125 construction jobs but 85% of the construction workers are expected to come from the local workforce and many of the construction subcontracts will be assigned to firms based in the region. These projects could potentially bring millions of dollars into the local economy through construction materials purchases and tax revenue.

Both of the proposed SGF's are located on unproductive land that is zoned for solar use. Silverado's proposed project locations have negligible environmental impacts, provide direct access to existing transmission infrastructure, and enable the development of a cost-effective project to deliver clean, renewable, domestically-produced energy to the region. The company has already secured a Power Purchase Agreement for the Victor Dry Farm Ranch project, which means the project could be online and producing power by the end of 2013!

I am excited by the prospect that Silverado Power may soon bring two SGFs online, potentially creating new jobs and generating additional tax revenue for a region that has experienced rapid growth and a high unemployment rate. As the Victor Valley continues to grow, it becomes imperative that local governments find innovative ways to increase power generation; therefore, I urge the Planning Commission to approve the conditional use permits for these two projects.

Please do not hesitate to contact me if I can be of further assistance.

Sincerely,

A handwritten signature in blue ink that reads "Sharon Runner".
Sharon Runner
Senator, 17th District



Cari Thomas
Mayor

Steven R. Baisden
Mayor Pro Tem

Ed Camargo
Council Member

Trinidad Perez
Council Member

Charles S. Valvo
Council Member

D. James Hart , Ph.D.
City Manager

May 10, 2012

Elizabeth Rider
Chair, San Bernardino Planning Commission
385 N. Arrowhead Ave.
San Bernardino, CA 92415

Dear Chairwoman Rider,

As the City Manager of Adelanto, I am writing to express my support for efforts to bring renewable energy to our region. Adelanto encompasses approximately 52 miles of the western portion of the High Desert and is committed to encouraging positive business development and fueling economic growth in the region.

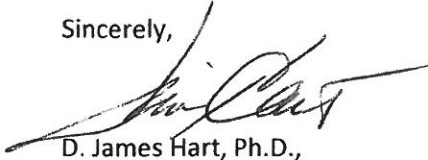
California's Renewable Portfolio Standard (RPS) requires that state utilities use 33% renewable power by 2020. San Bernardino County has adopted its own Green House Gas emissions plan that promote alternative energy as one of several measures that will reduce greenhouse gas emissions 15 percent by 2020. Silverado Power's proposed projects will provide California communities with local sources of clean, reliable energy and will help California meet our State's aggressive RPS targets.

In addition to helping California meet its renewable energy goals, Silverado will temporarily assist in stimulating the local economy. On average, Adelanto has 286 days of sunshine per year – we recognize the value of securing the renewable energy industry in our region and fostering its growth as the State works to become more sustainable. Silverado Power's projects will create construction jobs, an industry that was disproportionately affected by the recession, and plans to utilize local subcontractors for additional work. Both temporary and permanent jobs will provide a much needed economic stimulus to the community.

I am offering my support for Silverado's project because their strategy is based on siting projects on land with minimal cultural or biological resources because their projects are typically located on previously disturbed or unproductive agricultural land. Silverado's projects will convert blighted or under-utilized land into a productive resource, create local jobs and other economic benefits, and will ensure the availability of clean, domestic renewable energy for California. However, I do understand that the proposed project is within the Sphere of Influence of the City of Victorville and respect the fact they may have a differing point of view.

I appreciate the communications and outreach efforts that Silverado has taken to inform Adelanto of their project and the potential benefits to the region, and look forward to their continued participation in our region.

Sincerely,

A handwritten signature in black ink, appearing to read "D. James Hart", written over a horizontal line.

D. James Hart, Ph.D.,
Adelanto City Manager

cc: Supervisor Brad Mitzelfelt
Mayor and City Council

Tracy Creason, San Bernardino Planning Commission Planner
Commissioner Randy Coleman
Commissioner Ray Allard
Commissioner Bill Collazo
Commissioner Audrey Mathews

May 30, 2012

Ms. Audrey Mathews
Chair, San Bernardino Planning Commission
385 N. Arrowhead Avenue
San Bernardino, CA 92415

Dear Ms. Mathews,

Silverado Power is a utility-scale solar developer that is working to bring clean, renewable energy to San Bernardino County. Our siting strategy focuses on selecting the most appropriate locations for solar development by considering many factors including community impacts, access to transmission, cultural resources, and biological and environmental impacts. Our comprehensive siting approach helps minimize project impacts, utilizes existing transmission infrastructure, and results in cost-effective projects that will benefit California's communities.

Our proposed Solar Generating Facility (SGF), Victor Dry Farm Ranch, is scheduled to be discussed at the San Bernardino County Planning Commission hearing on June 7th. Victor Dry Farm Ranch, which is located on 40 acres of vacant, unproductive County land, will generate 10 megawatts of power. The project will create approximately 70 jobs and bring direct and indirect economic benefits to the region. We have already secured a Power Purchase Agreement to bring this project on-line and supply power by the end of 2013.

As part of our extensive community outreach, we have been meeting with local elected officials, business organizations, schools and residents in the area to inform them about our proposed project and solicit their feedback. Below is the list of individuals and groups that we have been working with:

- Mayor Ryan McEachron, City of Victorville
- D. James Hart, City Manager, City of Adelanto
- Senator Sharon Runner, 17th District
- Assemblymember Steve Knight, 36th District
- Victorville Chamber of Commerce
- San Bernardino Chamber of Commerce
- Granite Hills High School (Green Academy program)
- Victor Valley College (Green Pathways program)
- Local residents

Silverado met early on with Mayor McEachron to address his concerns about the project being located outside of the SCLA zone. Silverado carefully selects sites that are near existing transmission infrastructure and unfortunately there is very little transmission capacity within the SCLA zone, which makes siting a SGF there unfeasible.

California, in general, and San Bernardino County, in particular have set ambitious goals for the reduction of greenhouse gas emissions. California's Renewable Portfolio Standard requires state utilities to use 33% renewable power by 2020 and the County's Greenhouse Gas Emissions Reduction Plan aims to promote and support siting of renewable energy projects locally in order to reduce GHG emissions to 15% below current levels by 2020.

Within this policy context, Victor Dry Farm Ranch would create 10 megawatts of local, clean, reliable energy; enough electricity to serve 2,000 homes. The Victor Valley is well positioned for the development of renewable energy and the Victor Dry Farm Ranch project will help meet both the County and State's renewable energy goals.

We look forward to discussing in detail our proposed project and answering any questions you may have on June 7th. In the meantime please feel free to contact me at (415) 692-7579 or garret@silveradopower.com

Sincerely,



Garret Bean
Permitting and Environmental Compliance Manager

CC: Vice-Chair Randy Coleman
Commissioner Ray Allard
Commissioner Theresa Kwappenberg
Commissioner Elizabeth Rider



SAN BERNARDINO COUNTY
LAND USE SERVICES
PLANNING PROJECT NOTICE
15900 Smoke Tree Street, Hesperia, CA 92345

Referral Date:
November 17, 2011

ATTENTION PROPERTY OWNERS

Page 1 of 2

The development proposal listed below has been filed with County Planning. Please comment in the space below. You may attach additional pages as necessary.

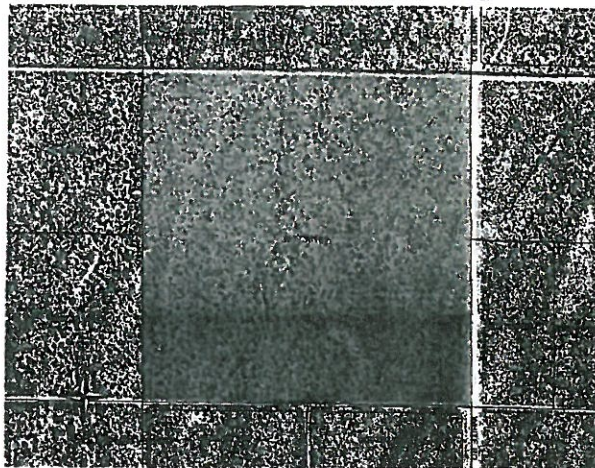
Your comments must be received by Planning no later than December 05, 2011 to be sure that they are included in the final project action. However, comments will be taken up to the time of the project decision. Please refer to this project by the Applicant's name and the Assessor Parcel Number indicated below. If you have no comment, a reply is not necessary. If you have any questions regarding this proposal, please contact Planner, TRACY CREASON at (760) 995-8143 or mail your comments to the address above. If you wish, you may also FAX your comments to (760) 995-8167.

ASSESSOR PARCEL NUMBER: 3097-361-05 (See map below for more information)
PROJECT NUMBER: P201100310/CUP
APPLICANT: VICTOR DRY FARM RANCH, LLC
LAND USE DISTRICT (ZONING): RL
IN THE COMMUNITY OF: VICTORVILLE/IST/ SUPERVISORIAL DISTRICT
LOCATED AT: BOUNDED BY DOS PALMAS RD., WHITE RD., TRINIDAD RD. AND MARICOPA RD.
PROPOSAL: CONDITIONAL USE PERMIT TO ESTABLISH A 10 MW SOLAR POWER GENERATING FACILITY ON 40 ACRES WITH A MAJOR VARIANCE TO WAIVE ROAD PAVING ON PERIMETER ROADS

If you want to be notified of the project decision, please print your name clearly and legibly on this form and mail it to the address above along with a self-addressed, stamped envelope. All decisions are subject to an appeal period of ten (10) calendar days after an action is taken.

Comments (If you need additional space, please attach additional pages):

VICINITY MAP



I DO NOT AGREE
WITH THE PLANNED
SOLAR FACILITY. PLEASE
PURCHASE MY ADJACENT
10 ACRE LOT OR BUILD
AT A DIFFERENT LOCATION.
3097-401-01

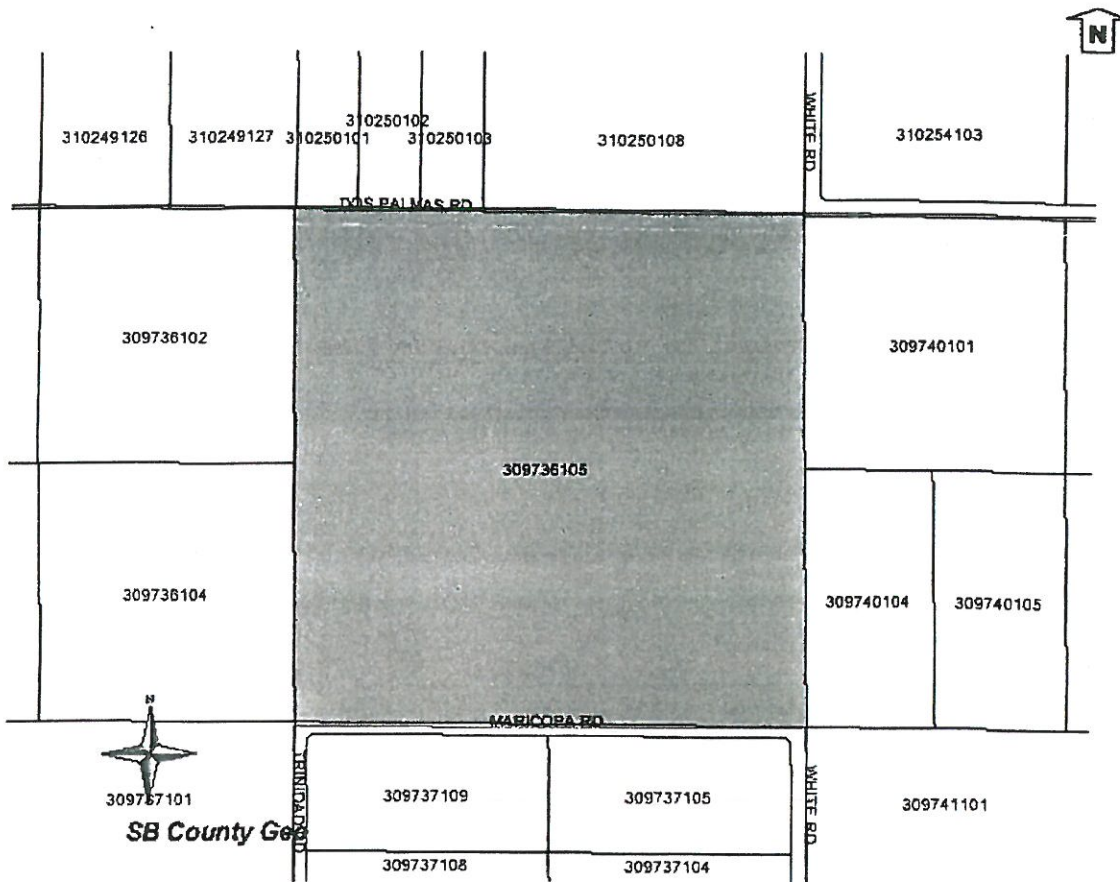
SUN S. SUH 11/01/11
SIGNATURE DATE AGENCY

THIS DECISION IS CHALLENGED IN COURT, SUCH CHALLENGE MAY BE LIMITED TO ONLY THOSE ISSUES RAISED IN WRITING AND DELIVERED TO LAND USE SERVICES BEFORE THE PROJECT DECISION IS MADE.

A PUBLIC HEARING IS HELD ON THE PROPOSAL, YOU OR SOMEONE ELSE MUST HAVE RAISED THOSE ISSUES AT THE PUBLIC HEARING OR IN WRITTEN CORRESPONDENCE DELIVERED TO THE HEARING BODY AT, OR PRIOR TO, THE HEARING. DUE TO TIME CONSTRAINTS AND THE NUMBER OF PERSONS WISHING TO GIVE ORAL TESTIMONY, TIME RESTRICTIONS MAY BE PLACED ON ORAL TESTIMONY AT ANY PUBLIC HEARING ABOUT THIS PROPOSAL. YOU MAY WISH TO MAKE YOUR COMMENTS IN WRITING TO ASSURE THAT YOU ARE ABLE TO EXPRESS YOURSELF ADEQUATELY.

10223 PHELAN RD
OAK HILLS CA 92344

PARCEL MAP



I DO NOT AGREE WITH PLANNED.
 309740101 EUN S. SUH
 12/01/11 Eun S. Suh
 760 948-2778



SAN BERNARDINO COUNTY
LAND USE SERVICES
PLANNING PROJECT NOTICE
15900 Smoke Tree Street, Hesperia, CA 92345

Referral Date:
November 17, 2011

ATTENTION PROPERTY OWNERS

The development proposal listed below has been filed with County Planning. Please comment in the space below. You may attach additional pages as necessary.

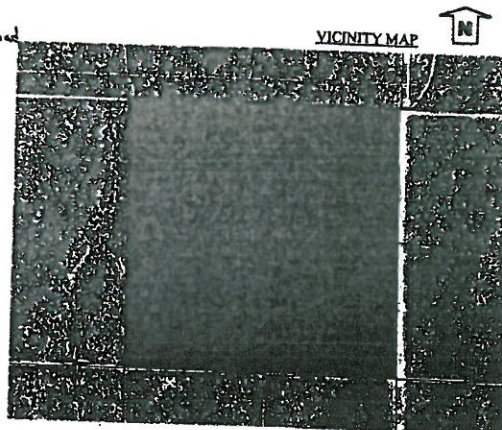
Page 1 of 2

Your comments must be received by Planning no later than December 05, 2011 to be sure that they are included in the final project action. However, comments will be taken up to the time of the project decision. Please refer to this project by the Applicant's name and the Assessor Parcel Number indicated below. If you have no comment, a reply is not necessary. If you have any questions regarding this proposal, please contact Planner, TRACY CREASON at (760) 995-8143 or mail your comments to the address above. If you wish, you may also FAX your comments to (760) 995-8167.

ASSESSOR PARCEL NUMBER: 3097-361-05 (See map below for more information)
PROJECT NUMBER: P201100310/CUP
APPLICANT: VICTOR DRY FARM RANCH, LLC
LAND USE DISTRICT (ZONING): RL
IN THE COMMUNITY OF: VICTORVILLE/IST/ SUPERVISORIAL DISTRICT
LOCATED AT: BOUNDED BY DOS PALMAS RD., WHITE RD., TRINIDAD RD. AND MARICOPA RD.
PROPOSAL: CONDITIONAL USE PERMIT TO ESTABLISH A 10 MW SOLAR POWER GENERATING FACILITY ON 40 ACRES WITH A MAJOR VARIANCE TO WAIVE ROAD PAVING ON PERIMETER ROADS

If you want to be notified of the project decision, please print your name clearly and legibly on this form and mail it to the address above along with a self-addressed, stamped envelope. All decisions are subject to an appeal period of ten (10) calendar days after an action is taken. Comments (if you need additional space, please attach additional pages):

1. I agree to the major variance to waive paving on Dos Palmas Road and Maricopa Road, but not on White Road.
2. The electric line capacity from the subject property to the SCE power line should be larger to allow for other New projects to also connect to the power line in the future.



rpm Investments, LLC

Harold O. Wright, Member/Mgr.

Harold O. Wright

SIGNATURE

DATE

12-2-11

AGENCY

Nearby property owner

IF THIS DECISION IS CHALLENGED IN COURT, SUCH CHALLENGE MAY BE LIMITED TO ONLY THOSE ISSUES RAISED IN WRITING AND DELIVERED TO LAND USE SERVICES BEFORE THE PROJECT DECISION IS MADE.

IF A PUBLIC HEARING IS HELD ON THE PROPOSAL, YOU OR SOMEONE ELSE MUST HAVE RAISED THOSE ISSUES AT THE PUBLIC HEARING OR IN WRITTEN CORRESPONDENCE DELIVERED TO THE HEARING BODY AT, OR PRIOR TO, THE HEARING. DUE TO TIME CONSTRAINTS AND THE NUMBER OF PERSONS WISHING TO GIVE ORAL TESTIMONY, TIME RESTRICTIONS MAY BE PLACED ON ORAL TESTIMONY AT ANY PUBLIC HEARING ABOUT THIS PROPOSAL. YOU MAY WISH TO MAKE YOUR COMMENTS IN WRITING TO ASSURE THAT YOU ARE ABLE TO EXPRESS YOURSELF ADEQUATELY.

Creason, Tracy - LUS

From: John Park [johnpark.nai@gmail.com]
Sent: Monday, November 28, 2011 9:43 PM
To: Creason, Tracy - LUS
Subject: Comments on APN 3097-361-05 Project # P201100310/CUP

Dear Ms. **Tracy Creason**,

It was a nice conversation with you earlier this afternoon.

As I expressed, I am representing **APN 3102-501-08** and following statement are on behalf of **Mr and Mrs Lee** who are the owner of the property.

At this point, we'd like to point out two things about the "**201100310/CUP**" project.

1. We Welcome "**VICTOR DRY FARM RANCH, LLC**" wants to build a **CLEAN, RENEWABLE Solar Energy project at APN 3097-361-05.**

2. However, We'd like to see **"Dos Pal Mas Rd" to be PAVED at same time when they build a Solar Energy Generation Plant.**

This will be benefit to Environmental control in the area and also benefit to them to have less dust in their expensive SUN Light Collecting devices.

Please let me know, public hearing schedule on this project.

Regards,

John Park

Vice President
NAI Capital
800 Haven Ave, Suite 100
Ontario, CA 91764
DRE License# 01053712

(909)945-2339 Office

(213)281-1569 Cell
(909)945-2338 Fax

jpark@naicapital.com

www.naicapital.com