KERN COUNTY PLANNING COMMISSION

Board of Supervisors

STAFF REPORT

Date: September 29, 2026

FILE: GPA #7, Map 212; ZCC #5, Map 195; ZCC #4, Map 212; ZCC #5, Map 212; CUP #4, Map 195; CUP #5, Map 195; CUP #7, Map 212; GPA #5, Map 195; GPA #6, Map 212; ZV #1, Map 195; ZV #2, Map 212; VTPM 12577; VTPM 12578; VTPM 12579; VTPM 12580; VTPM 12581; VTPM 12582;
S.D.: #2 - Parlier

TITLE: General Plan Amendment Case No. 7, Map 212; Amendment of Zoning Map 195, Zone Change Case No. 5; Amendment of Zoning Map 212, Zone Change Case No. 4; Amendment of Zoning Map 212, Zone Change Case No. 5; Conditional Use Permit Case No. 4, Map 195; Conditional Use Permit Case No. 5, Map 195; Conditional Use Permit Case No. 7, Map 212; General Plan Amendment Case No. 5, Map 195; General Plan Amendment Case No. 6, Map 212; Zone Variance Case No. 1, Map 195; Zone Variance Case No. 2, Map 212; Vesting Tentative Parcel Map 12577; Vesting Tentative Parcel Map 12578; Vesting Tentative Parcel Map 12579; Vesting Tentative Parcel Map 12580; Vesting Tentative Parcel Map 12581; Vesting Tentative Parcel Map 12582;

PROPOSAL: The proposed Galaxy Solar PV and Storage Project would involve the construction and operation of a photovoltaic (PV) solar facility with associated infrastructure necessary to generate up to 600 megawatts (MW) of renewable electrical energy with up to four (4) gigawatt-hours (GWh) of energy storage capacity (approximately 1,000 MW), on an approximate 3,519-acre project site, across 184 privately owned parcels, in an unincorporated area of Southeastern Kern County. The proposal includes:

(a) Amendment to the Open Space, Land Use, and Conservation Element of the Kern County General Plan from Map Code 3.3 (Other Facilities) to Map Code 8.5 (Resource Management) (GPA No. 7, Map 212)

(b) Change in zone classification from A-1 (Limited Agriculture) to A (Exclusive Agriculture) on approximately 1,007.00 acres (ZCC No. 5, Map 195);

(c) Change in zone classification from A-1 (Limited Agriculture) to A (Exclusive Agriculture) on approximately 2,460.02 acres (ZCC No. 4, Map 212);

(d) Change in zone classification from A-1 (Limited Agriculture) to A (Exclusive Agriculture) to facilitate installation of off-site water storage tanks for construction and operations on approximately 20.00 acres (ZCC No. 5, Map 212);

(e) Conditional Use Permit to allow for the construction and operation of a solar facility up to 150 MW and associated infrastructure, including energy storage, a switchyard (Section 19.12.030.G), and temporary construction staging and equipment storage (Section 19.12.030.K) on approximately 974.95 acres in an A (Exclusive Agriculture) District (CUP No. 4, Map 195);

(f) Conditional Use Permit to allow for a temporary construction laydown area (Section 19.12.030.K) on approximately 25.08 acres of a 41.62-acre parcel (CUP No. 5, Map 195);

(g) Conditional Use Permit to allow for the construction and operation of a solar facility up to 450 MW and associated infrastructure, including energy storage, a switchyard (Section 19.12.030.G), and temporary construction staging and equipment storage (Section 19.12.030.K) on approximately 2,244.99 acres in an A (Exclusive Agriculture) District (CUP No. 7, Map 212);

(h) Zone Variance to authorize multiple parcels of substandard size ranging from 9.32 acres to 10.23 acres where a minimum of 20 acres is required in the A (Exclusive Agriculture) District (ZV No. 1, Map 195);

(i) Zone Variance to authorize multiple parcels of substandard size ranging from 2.59 acres to 10 acres where a minimum of 20 acres is required in the A (Exclusive Agriculture) District (ZV No. 2, Map 212);

(j) Amendment to the Circulation Element of the Kern County General Plan to eliminate future road reservations on section and mid-section lines (GPA No. 5, Map 195), specifically:

1. Eliminate western half of the east/west mid-section line of Section 28, T11N, R11W, SBBM;
2. Eliminate north/south mid-section line of Section 28, T11N, R11W, SBBM;
3. Eliminate south section line of Section 28, T11N, R11W, SBBM;
4. Eliminate southern half of north/south mid-section line of Section 32, T11N, R11W, SBBM;
5. Eliminate east section line of Section 32, T11N, R11W, SBBM;
6. Eliminate east half of the north section line of Section 32, T11N, R11W, SBBM;
7. Eliminate north-south mid-section line of Section 33, T11N, R11W, SBBM;
8. Eliminate east-west mid-section line of Section 33, T11N, R11W, SBBM;
9. Eliminate north, south, east and west section lines of Section 33, T11N, R11W, SBBM;
10. Eliminate west portion of the east-west mid-section line of Section 34, T11N, R11W, SBBM;
11. Eliminate south, and west section lines of Section 34, T11N, R11W, SBBM;
12. Eliminate west half of the north section line of Section 34, T11N, R11W, SBBM; and
13. Eliminate south portion of the north/south mid-section line of Section 34, T11N, R11W, SBBM;

(k) Amendment to the Circulation Element of the Kern County General Plan to eliminate future road reservations on section and mid-section lines (GPA No. 6, Map 212), specifically:

1. Eliminate north-south mid-section line of Section 3, T10N, R11W, SBBM;
2. Eliminate east-west mid-section line of Section 3, T10N, R11W, SBBM;
3. Eliminate north, east and west section lines of Section 3, T10N, R11W, SBBM;
4. Eliminate western half of south section line of Section 3, T10N, R11W, SBBM;
5. Eliminate north-south mid-section line of Section 4, T10N, R11W, SBBM;
6. Eliminate east-west mid-section line of Section 4, T10N, R11W, SBBM;
7. Eliminate north, south, east and west section lines of Section 4, T10N, R11W, SBBM;
8. Eliminate north-south mid-section line of Section 8, T10N, R11W, SBBM;

9. Eliminate east-west mid-section line of Section 8, T10N, R11W, SBBM;
10. Eliminate northern half of western section line of Section 8, T10N, R11W, SBBM;
11. Eliminate north, east and south section lines of Section 8, T10N, R11W, SBBM;
12. Eliminate north-south mid-section line of Section 9, T10N, R11W, SBBM;
13. Eliminate east-west mid-section line of Section 9, T10N, R11W, SBBM; and
14. Eliminate north, east, west and south section lines of Section 8, T10N, R11W, SBBM;

(l) Vesting Tentative Parcel Map for merger and re-subdivision of three (3) parcels resulting in a 23.02-acre (gross) parcel to allow Development Variations to the Land Division Ordinance to authorize a 30-foot-wide public on- and off-site access easement where a 40-foot-wide public access easement is required and allow deletion of additional dedications (Section 18.55.030.A.5.i and 18.55,050.B.1.f); Parcels 1 and 2 of Parcel 4149, filed August 29, 1977, Book 19 of Parcel Maps, Page 32; Parcel 2 of Parcel 4504, filed April 28, 1978, Book 20 of Parcel Maps, Page 165; Said Parcels lying in Section 28, Township 11 North, Range 11 West, San Bernardino Meridian (VTPM 12577);

(m) Vesting Tentative Parcel Map for merger and re-subdivision of 28 parcels resulting in a 308.34-acre (gross) parcel to allow Development Variations to the Land Division Ordinance to authorize 30-foot-wide public on- and off-site access easements where 40-foot-wide public access easements are required and allow deletion of additional dedications (Sections 18.55.030.A.5.i and 18.55,050.B.1.f); Parcels 1, 2, 3, and 4 of Parcel 506, filed January 5, 1973, Book 4 of Parcel Maps, Page 75; and the North half of Section 33, Township 11 North, Range 11 West, San Bernardino Meridian (VTPM 12578);

(n) Vesting Tentative Parcel Map for merger and re-subdivision of six (6) parcels resulting in a 77.92-acre (gross) parcel and a 82.98-acre (gross) parcel to allow Development Variations to the Land Division Ordinance to authorize 30-foot-wide public on- and off-site access easements where 40-foot-wide public access easements are required and allow deletion of additional dedications (Sections 18.55.030.A.5.i and 18.55,050.B.1.f); Parcels 1, 2, 3, and 4 of Parcel 3516, filed July 9, 1976, Book 16 of Parcel Maps, Page 73; and a Portion of the Northwest Quarter of Section 34, Township 11 North, Range 11 West, San Bernardino Meridian (VTPM 12579);

(o) Vesting Tentative Parcel Map for merger and re-subdivision of 27 parcels resulting in a 93.5-acre (gross) parcel to allow Development Variations to the Land Division Ordinance to authorize 30-foot-wide private on- and off-site access easements where 40-foot-wide public access easements are required and allow deletion of additional dedications (Sections 18.55.030.A.5.f, 18.55.030.A.5.i and 18.55,050.B.1.f); Parcels 1, 2, 3, and 4 of Parcel 579, filed January 17, 1973, Book 4 of Parcel Maps, Page 94; Parcels 1, 2 and 3 of Parcel 592, filed December 12, 1972, Book 4 of Parcel Maps, Page 26; Parcels 1 and 2 of Parcel 606, filed December 15, 1972, Book 4 of Parcel Maps, Page 48; and a Portion of the Northwest Quarter of Section 4, Township 10 North, Range 11 West, San Bernardino Meridian (VTPM 12580);

(p) Vesting Tentative Parcel Map for merger and re-subdivision of 52 parcels resulting in a 308.06-acre (gross) parcel to allow Development Variations to the Land Division Ordinance to authorize 30-foot-wide public on- and off-site access easements where 40-foot-wide public access easements are required and allow deletion of additional dedications (Sections 18.55.030.A.5.i and 18.55,050.B.1.f); Parcels 1, 2, 3, and 4 of Parcel 593, filed December 15, 1972, Book 4 of Parcel Maps, Page 44; Parcels 1, 2, 3, and 4 of Parcel 594, filed January 10, 1973, Book 4 of Parcel Maps, Page 84; Parcels 1, 2, 3, and 4 of Parcel 595, filed December 15, 1972, Book 4 of Parcel Maps, Page 45; Parcels 2, 3, and 4 of Parcel 605, filed December 15, 1972, Book 4 of Parcel Maps, Page 47; Parcels 3 and 4 of Parcel 606, filed

December 15, 1972, Book 4 of Parcel Maps, Page 48; Parcels 1, 2, 3, and 4 of Parcel 607, filed January 17, 1973, Book 4 of Parcel Maps, Page 95; Parcels 1, 2, 3, and 4 of Parcel 608, filed December 15, 1972, Book 4 of Parcel Maps, Page 49; and a Portion of the Northeast Quarter, Southeast Quarter and Southwest Quarter of Section 4, Township 10 North, Range 11 West, San Bernardino Meridian (VTPM 12581); and

(q) Vesting Tentative Parcel 12582 for merger and re-subdivision of 24 parcels resulting in a 510.95-acre parcel to allow Development Variations to the Land Division Ordinance to authorize 30-foot-wide public on- and off-site access easements where 40-foot-wide public access easements are required and allow deletion of additional dedications (Sections 18.55.030.A.5.i and 18.55,050.B.1.f); Portion of Section 8, Township 10 North, Range 11 West, San Bernardino Meridian (VTPM 12582)

APPLICANT: Galaxy Solar Storage, LLC (PP25404)

PROJECT SIZE: 3,519 acres

LOCATION: The proposed project site is located at the northern edge of Antelope Valley, approximately six (6) miles southeast of the community of Mojave, approximately eight (8) miles northeast of the community of Rosamond, and approximately eight (8) miles northwest of the main base of Edwards Air Force Base

GENERAL PLAN DESIGNATION/ZONE CLASSIFICATION: 8.5 (Resources Management), 8.5/2.5 (Resource Management - Flood Hazard) / A-1 (Limited Agriculture)

SURROUNDING LAND USE/ZONING: North - Vacant land, Bellefield Solar Project, SR 58 / A-1 (Limited Agriculture); East - Vacant land, Bellefield Solar Project / A-1; South - Edwards Sanborn Solar Project, Edwards Air Force Base / A-1 (Limited Agriculture); West - Bellefield Solar Project, Enterprise Solar Project, Sanborn Solar Project; West Edwards Settlement Plan / A (Exclusive Agriculture), A-1 (Limited Agriculture)

PROJECT ANALYSIS: The Galaxy Solar PV and Storage Project (project) proposed by Galaxy Solar Storage, LLC includes the construction, operation, maintenance, and eventual decommissioning of an approximate 600-megawatt (MW) photovoltaic (PV) solar facility which may include up to four (4) gigawatt-hours (GWh) of energy storage capacity (approximately 1,000 MW), on an approximate 3,519-acre project site, across 184 privately owned parcels in an unincorporated area of southeastern Kern County, California.

Table 1 lists all Assessor Parcel Numbers (APNs) within the project boundary and the requested proposals. A vicinity map is attached to this Staff Report, as well as figures of existing Kern County General Plan and any applicable nearby Mojave Specific Plan Map Codes; existing and proposed Zoning Classifications; proposed Conditional Use Permit boundaries; proposed Amendments to the Circulation Element of the Kern County General Plan; proposed Vesting Tentative Parcel Map boundaries; the proposed facility layout; and a figure showing the proposed gen-tie routes.

Table 1: *Project Assessor Parcel Numbers, Existing Map Codes, Existing* Zoning, *and Acreage*									
Zone Map	**APN**	**Parcel Acres**	**CUP Acres**	**General/ Specific Plan**	**Ex. GP**	**Prop GP**	**Ex. Zone**	**Prop Zone**	**Zone Var.**
CUP 4, MAP 195									
195	235-102-05	63.67	63.67	KCGP	8.5	8.5	A-1	A	No
195	235-102-08	40	40	KCGP	8.5	8.5	A-1	A	No
195	235-102-17	40	40	KCGP	8.5	8.5	A-1	A	No
195	235-102-23	10	10	KCGP	8.5	8.5	A-1	A	No
195	235-102-24	10	10	KCGP	8.5	8.5	A-1	A	No
195	235-102-25	10	10	KCGP	8.5	8.5	A-1	A	No
195	235-102-26	47.93	47.93	KCGP	8.5	8.5	A-1	A	No
195	235-132-14	275.34	275.34	KCGP	8.5, 8.5/2.5	8.5, 8.5/2.5	A-1	A	No
195	235-134-14	41.62	18.31	KCGP	8.5	8.5	A-1	A	No
195	235-140-01	40	40	KCGP	8.5, 8.5/2.5	8.5, 8.5/2.5	A-1	A	No
195	235-140-02	40	40	KCGP	8.5	8.5	A-1	A	No
195	235-140-03	10	10	KCGP	8.5	8.5	A-1	A	No
195	235-140-04	10	10	KCGP	8.5	8.5	A-1	A	No
195	235-140-05	10	10	KCGP	8.5, 8.5/2.5	8.5, 8.5/2.5	A-1	A	No
195	235-140-06	10	10	KCGP	8.5, 8.5/2.5	8.5, 8.5/2.5	A-1	A	No
195	235-140-07	10	10	KCGP	8.5	8.5	A-1	A	No
195	235-140-09	10	10	KCGP	8.5	8.5	A-1	A	No
195	235-140-11	10	10	KCGP	8.5	8.5	A-1	A	No
195	235-140-12	10	10	KCGP	8.5	8.5	A-1	A	No
195	235-140-13	10	10	KCGP	8.5	8.5	A-1	A	No
195	235-140-14	10	10	KCGP	8.5, 8.5/2.5	8.5, 8.5/2.5	A-1	A	No
195	235-140-15	10	10	KCGP	8.5, 8.5/2.5	8.5, 8.5/2.5	A-1	A	No
195	235-140-16	10	10	KCGP	8.5, 8.5/2.5	8.5, 8.5/2.5	A-1	A	No
195	235-140-17	10	10	KCGP	8.5	8.5	A-1	A	No
195	235-140-19	62	62	KCGP	8.5, 8.5/2.5	8.5, 8.5/2.5	A-1	A	No
195	235-140-21	2.5	2.5	KCGP	8.5	8.5	A-1	A	No
195	235-140-22	2.5	2.5	KCGP	8.5	8.5	A-1	A	No
195	235-140-24	2.5	2.5	KCGP	8.5	8.5	A-1	A	No
195	235-140-25	2.5	2.5	KCGP	8.5	8.5	A-1	A	No
195	235-140-26	2.5	2.5	KCGP	8.5	8.5	A-1	A	No
195	235-140-27	2.5	2.5	KCGP	8.5	8.5	A-1	A	No
195	235-140-28	2.58	2.58	KCGP	8.5	8.5	A-1	A	No
195	235-140-29	2.58	2.58	KCGP	8.5	8.5	A-1	A	No

Table 1: *Project Assessor Parcel Numbers, Existing Map Codes, Existing* Zoning, *and Acreage*									
Zone Map	**APN**	**Parcel Acres**	**CUP Acres**	**General/ Specific Plan**	**Ex. GP**	**Prop GP**	**Ex. Zone**	**Prop Zone**	**Zone Var.**
195	235-140-30	2.58	2.58	KCGP	8.5	8.5	A-1	A	No
195	235-140-31	2.58	2.58	KCGP	8.5	8.5	A-1	A	No
195	235-140-33	2.5	2.5	KCGP	8.5	8.5	A-1	A	No
195	235-140-34	2.5	2.5	KCGP	8.5	8.5	A-1	A	No
195	235-212-18	10.00	10.00	KCGP	8.5	8.5	A-1	A	10.00
195	235-212-19	10.00	10.00	KCGP	8.5	8.5	A-1	A	10.00
195	235-212-20	9.32	9.32	KCGP	8.5	8.5	A-1	A	9.32
195	235-212-21	9.32	9.32	KCGP	8.5	8.5	A-1	A	9.32
195	235-401-05	10.23	10.23	KCGP	8.5	8.5	A-1	A	No
195	235-401-06	10.23	10.23	KCGP	8.5	8.5	A-1	A	No
195	235-401-16	2.55	2.55	KCGP	8.5	8.5	A-1	A	No
195	235-402-04	10.23	10.23	KCGP	8.5	8.5	A-1	A	10.23
195	235-402-05	10.23	10.23	KCGP	8.5	8.5	A-1	A	10.23
195	235-402-06	10.23	10.23	KCGP	8.5	8.5	A-1	A	10.23
195	235-402-07	10.23	10.23	KCGP	8.5	8.5	A-1	A	10.23
195	235-410-34	30.89	26.03	KCGP	8.5	8.5	A-1	A	No
195	235-410-35	31.89	26.03	KCGP	8.5, 8.5/2.5	8.5, 8.5/2.5	A-1	A	No
CUP 4, MAP 195 TOTALS:		**1,005.23**	**974.95**						**79.56**
CUP 7, MAP 212									
212	244-220-01	321.82	321.82	KCGP	8.5	8.5	A-1	A	No
212	244-220-02	320	168.34	KCGP	8.5, 8.5/2.4	8.5, 8.5/2.4	A-1	A	No
212	244-233-05	60	60	KCGP	8.5, 8.5/2.4	8.5, 8.5/2.4	A-1	A	No
212	244-233-06	20	20	KCGP	3.3	8.5	A-1	A	No
212	244-233-07	20	20	KCGP	8.5	8.5	A-1	A	No
212	244-233-09	20	20	KCGP	8.5	8.5	A-1	A	No
212	244-233-10	20	20	KCGP	8.5	8.5	A-1	A	No
212	244-233-11	60	60	KCGP	8.5	8.5	A-1	A	No
212	244-233-12	36.12	36.12	KCGP	8.5	8.5	A-1	A	No
212	244-233-13	15.72	15.72	KCGP	8.5, 8.5/2.4	8.5, 8.5/2.4	A-1	A	No
212	244-233-14	15.72	15.72	KCGP	8.5, 8.5/2.4	8.5, 8.5/2.4	A-1	A	No
212	244-233-15	32.44	32.44	KCGP	8.5	8.5	A-1	A	No

Table 1: *Project Assessor Parcel Numbers, Existing Map Codes, Existing* Zoning, *and Acreage*									
Zone Map	**APN**	**Parcel Acres**	**CUP Acres**	**General/ Specific Plan**	**Ex. GP**	**Prop GP**	**Ex. Zone**	**Prop Zone**	**Zone Var.**
212	244-233-16	480	480	KCGP	8.5, 8.5/2.5	8.5, 8.5/2.5	A-1	A	No
212	244-233-17	160	139.4	KCGP	8.5, 8.5/2.5	8.5, 8.5/2.5	A-1	A	No
212	244-421-01	159.89	152.97	KCGP	3.3, 3.3/2.4	8.5, 8.5/2.4	A-1	A	No
212	244-421-02	7.48	7.48	KCGP	8.5/2.5	8.5/2.5	A-1	A	7.48
212	244-421-03	2.5	2.5	KCGP	8.5	8.5	A-1	A	No
212	244-421-04	9.98	9.98	KCGP	8.5	8.5	A-1	A	No
212	244-421-06	2.5	2.5	KCGP	8.5	8.5	A-1	A	No
212	244-421-07	2.5	2.5	KCGP	8.5	8.5	A-1	A	No
212	244-421-08	2.5	2.5	KCGP	8.5	8.5	A-1	A	No
212	244-421-09	2.5	2.5	KCGP	8.5	8.5	A-1	A	No
212	244-421-11	9.98	9.98	KCGP	8.5, 8.5/2.5	8.5, 8.5/2.5	A-1	A	No
212	244-421-17	10	10	KCGP	8.5	8.5	A-1	A	No
212	244-421-18	10	10	KCGP	8.5	8.5	A-1	A	No
212	244-421-19	10	10	KCGP	8.5	8.5	A-1	A	No
212	244-421-24	9.99	9.99	KCGP	8.5	8.5	A-1	A	No
212	244-421-25	2.59	2.59	KCGP	8.5	8.5	A-1	A	No
212	244-421-26	2.59	2.59	KCGP	8.5	8.5	A-1	A	No
212	244-421-27	2.59	2.59	KCGP	8.5	8.5	A-1	A	No
212	244-421-28	2.59	2.59	KCGP	8.5	8.5	A-1	A	2.59
212	244-421-29	2.59	2.59	KCGP	8.5	8.5	A-1	A	2.59
212	244-421-30	2.59	2.59	KCGP	8.5	8.5	A-1	A	No
212	244-421-31	2.58	2.58	KCGP	8.5	8.5	A-1	A	No
212	244-421-32	2.58	2.58	KCGP	8.5	8.5	A-1	A	No
212	244-421-33	2.59	2.59	KCGP	8.5	8.5	A-1	A	No
212	244-421-34	2.59	2.59	KCGP	8.5	8.5	A-1	A	No
212	244-421-35	2.59	2.59	KCGP	8.5	8.5	A-1	A	No
212	244-421-36	2.59	2.59	KCGP	8.5	8.5	A-1	A	No
212	244-421-37	2.5	2.5	KCGP	8.5, 8.5/2.5	8.5, 8.5/2.5	A-1	A	No
212	244-421-38	2.5	2.5	KCGP	8.5	8.5	A-1	A	No
212	244-421-39	2.5	2.5	KCGP	8.5, 8.5/2.5	8.5, 8.5/2.5	A-1	A	No
212	244-421-40	2.5	2.5	KCGP	8.5/2.5	8.5/2.5	A-1	A	No
212	244-421-41	2.49	2.49	KCGP	8.5	8.5	A-1	A	No
212	244-421-42	2.5	2.5	KCGP	8.5	8.5	A-1	A	No
212	244-421-43	2.5	2.5	KCGP	8.5	8.5	A-1	A	No
212	244-421-44	2.5	2.5	KCGP	8.5	8.5	A-1	A	No
212	244-421-45	2.59	2.59	KCGP	8.5/2.5	8.5/2.5	A-1	A	No

Table 1: *Project Assessor Parcel Numbers, Existing Map Codes, Existing* Zoning, *and Acreage*									
Zone Map	**APN**	**Parcel Acres**	**CUP Acres**	**General/ Specific Plan**	**Ex. GP**	**Prop GP**	**Ex. Zone**	**Prop Zone**	**Zone Var.**
212	244-421-46	2.59	2.59	KCGP	8.5, 8.5/2.5	8.5, 8.5/2.5	A-1	A	No
212	244-421-47	2.59	2.59	KCGP	8.5, 8.5/2.5	8.5, 8.5/2.5	A-1	A	No
212	244-421-48	2.59	2.59	KCGP	8.5/2.5	8.5/2.5	A-1	A	No
212	244-421-49	2.6	2.6	KCGP	8.5, 8.5/2.5	8.5, 8.5/2.5	A-1	A	No
212	244-421-50	2.6	2.6	KCGP	8.5/2.5	8.5/2.5	A-1	A	No
212	244-421-51	2.6	2.6	KCGP	8.5	8.5	A-1	A	No
212	244-421-52	2.59	2.59	KCGP	8.5	8.5	A-1	A	No
212	244-421-53	2.5	2.5	KCGP	8.5	8.5	A-1	A	No
212	244-421-54	2.5	2.5	KCGP	8.5	8.5	A-1	A	No
212	244-421-55	2.5	2.5	KCGP	8.5	8.5	A-1	A	No
212	244-421-56	2.5	2.5	KCGP	8.5	8.5	A-1	A	No
212	244-431-01	20	20	KCGP	8.5	8.5	A-1	A	No
212	244-431-02	10	10	KCGP	8.5	8.5	A-1	A	No
212	244-431-03	10	10	KCGP	8.5	8.5	A-1	A	No
212	244-431-04	10	10	KCGP	8.5	8.5	A-1	A	No
212	244-431-05	10	10	KCGP	8.5	8.5	A-1	A	No
212	244-431-06	20	20	KCGP	8.5	8.5	A-1	A	No
212	244-431-07	20.00	20.00	KCGP	8.5;2.5	8.5;2.5	A-1	A	No
212	244-431-08	10	10	KCGP	8.5, 8.5/2.5	8.5, 8.5/2.5	A-1	A	No
212	244-431-09	10	10	KCGP	8.5, 8.5/2.5	8.5, 8.5/2.5	A-1	A	No
212	244-431-10	10	10	KCGP	8.5, 8.5/2.5	8.5, 8.5/2.5	A-1	A	No
212	244-431-11	10	10	KCGP	8.5, 8.5/2.5	8.5, 8.5/2.5	A-1	A	No
212	244-431-12	20.00	20.00	KCGP	8.5	8.5	A-1	A	No
212	244-432-33	20	20	KCGP	8.5	8.5	A-1	A	No
212	244-432-35	10	10	KCGP	5.7	8.5	A-1	A	No
212	244-432-36	10	10	KCGP	8.5	8.5	A-1	A	No
212	244-432-37	40	40	KCGP	8.5	8.5	A-1	A	No
212	244-451-07	10.00	10.00	KCGP	8.5	8.5	A-1	A	10.00
212	244-451-09	40	40	KCGP	8.5	8.5	A-1	A	No
212	244-451-10	2.50	2.50	KCGP	8.5	8.5	A-1	A	2.50
212	244-451-12	2.50	2.50	KCGP	8.5	8.5	A-1	A	2.50
212	244-451-25	2.50	2.50	KCGP	8.5	8.5	A-1	A	2.50
212	244-451-26	2.50	2.50	KCGP	8.5	8.5	A-1	A	2.50
212	244-452-04	5.00	5.00	KCGP	8.5	8.5	A-1	A	5.00
212	244-452-05	10	10	KCGP	8.5	8.5	A-1	A	No

Table 1: *Project Assessor Parcel Numbers, Existing Map Codes, Existing* Zoning, *and Acreage*									
Zone Map	**APN**	**Parcel Acres**	**CUP Acres**	**General/ Specific Plan**	**Ex. GP**	**Prop GP**	**Ex. Zone**	**Prop Zone**	**Zone Var.**
212	244-452-06	10	10	KCGP	8.5	8.5	A-1	A	No
212	244-452-07	10	10	KCGP	8.5, 8.5/2.5	8.5, 8.5/2.5	A-1	A	No
212	244-452-08	10	10	KCGP	8.5, 8.5/2.5	8.5, 8.5/2.5	A-1	A	No
212	244-452-09	1.25	1.25	KCGP	8.5	8.5	A-1	A	1.25
212	244-452-10	1.25	1.25	KCGP	8.5;2.5	8.5;2.5	A-1	A	1.25
212	244-452-11	1.25	1.25	KCGP	8.5; 2.5	8.5; 2.5	A-1	A	1.25
212	244-452-12	1.25	1.25	KCGP	8.5	8.5	A-1	A	1.25
212	244-452-13	1.25	1.25	KCGP	8.5	8.5	A-1	A	1.25
212	244-452-14	1.25	1.25	KCGP	8.5	8.5	A-1	A	1.25
212	244-452-15	1.25	1.25	KCGP	8.5; 2.5	8.5; 2.5	A-1	A	1.25
212	244-452-16	1.25	1.25	KCGP	8.5; 2.5	8.5; 2.5	A-1	A	1.25
212	244-452-27	2.50	2.50	KCGP	8.5	8.5	A-1	A	2.50
212	244-452-28	2.50	2.50	KCGP	8.5	8.5	A-1	A	2.50
212	244-453-01	10	10	KCGP	8.5	8.5	A-1	A	No
212	244-453-02	2.5	2.5	KCGP	8.5	8.5	A-1	A	No
212	244-453-03	2.5	2.5	KCGP	8.5	8.5	A-1	A	No
212	244-453-04	2.5	2.5	KCGP	8.5	8.5	A-1	A	No
212	244-453-05	2.5	2.5	KCGP	8.5	8.5	A-1	A	No
212	244-453-06	10	10	KCGP	8.5, 8.5/2.5	8.5, 8.5/2.5	A-1	A	No
212	244-453-07	10	10	KCGP	8.5	8.5	A-1	A	No
212	244-453-08	2.57	2.57	KCGP	8.5	8.5	A-1	A	No
212	244-453-09	2.57	2.57	KCGP	8.5	8.5	A-1	A	No
212	244-453-10	2.57	2.57	KCGP	8.5	8.5	A-1	A	No
212	244-453-11	2.5	2.5	KCGP	8.5	8.5	A-1	A	No
212	244-453-12	10	10	KCGP	8.5, 8.5/2.5	8.5, 8.5/2.5	A-1	A	No
212	244-453-13	10	10	KCGP	8.5, 8.5/2.5	8.5, 8.5/2.5	A-1	A	No
212	244-453-14	10	10	KCGP	8.5, 8.5/2.5	8.5, 8.5/2.5	A-1	A	No
212	244-454-01	10	10	KCGP	8.5	8.5	A-1	A	No
212	244-454-02	10	10	KCGP	8.5	8.5	A-1	A	No
212	244-454-03	2.57	2.57	KCGP	8.5	8.5	A-1	A	No
212	244-454-04	2.57	2.57	KCGP	8.5	8.5	A-1	A	No
212	244-454-05	2.57	2.57	KCGP	8.5	8.5	A-1	A	No
212	244-454-06	2.57	2.57	KCGP	8.5	8.5	A-1	A	No
212	244-454-07	10	10	KCGP	8.5	8.5	A-1	A	No
212	244-454-08	5	5	KCGP	8.5	8.5	A-1	A	No
212	244-454-09	2.5	2.5	KCGP	8.5	8.5	A-1	A	No

Table 1: *Project Assessor Parcel Numbers, Existing Map Codes, Existing* Zoning, *and Acreage*									
Zone Map	**APN**	**Parcel Acres**	**CUP Acres**	**General/ Specific Plan**	**Ex. GP**	**Prop GP**	**Ex. Zone**	**Prop Zone**	**Zone Var.**
212	244-454-10	2.5	2.5	KCGP	8.5	8.5	A-1	A	No
212	244-454-11	10	10	KCGP	8.5	8.5	A-1	A	No
212	244-454-12	2.56	2.56	KCGP	8.5	8.5	A-1	A	No
212	244-454-13	2.56	2.56	KCGP	8.5	8.5	A-1	A	No
212	244-454-14	2.56	2.56	KCGP	8.5	8.5	A-1	A	No
212	244-454-15	2.56	2.56	KCGP	8.5	8.5	A-1	A	No
212	244-454-16	2.5	2.5	KCGP	8.5	8.5	A-1	A	No
212	244-454-17	2.5	2.5	KCGP	8.5	8.5	A-1	A	No
212	244-454-19	2.5	2.5	KCGP	8.5	8.5	A-1	A	No
212	244-454-21	2.5	2.5	KCGP	8.5	8.5	A-1	A	No
CUP 7, MAP 212 TOTALS:		**2423.77**	**2,244.99**						**52.66**
Off-site Parcels									
CUP 5, Map 195 Temporary Off-site Laydown Yard									
195	235-134-14	41.62	25.08	KCGP	8.5	8.5	A-1	A	No
ZCC 5, Map 212 Water Storage Area									
212	244-234-03	20.00	N/A	KCGP	8.5	8.5	A-1	A	No
Infrastructure Corridor									
212	244-451-01	2.50	0.00	KCGP	8.5	8.5	A-1	A	2.50
212	244-451-02	7.50	0.00	KCGP	8.5; 2.4	8.5; 2.4	A-1	A	7.50
212	244-451-03	2.50	0.00	KCGP	8.5	8.5	A-1	A	2.50
212	244-451-04	2.50	0.00	KCGP	8.5	8.5	A-1	A	2.50
212	244-451-05	2.50	0.00	KCGP	8.5	8.5	A-1	A	2.50
212	244-451-06	2.50	0.00	KCGP	8.5; 2.4	8.5; 2.4	A-1	A	2.50
212	244-452-01	5.00	0.00	KCGP	8.5	8.5	A-1	A	5.00
212	244-452-02	2.50	0.00	KCGP	8.5	8.5	A-1	A	2.50
212	244-452-17	1.25	0.00	KCGP	8.5;2.5	8.5;2.5	A-1	A	1.25
212	244-452-18	1.25	0.00	KCGP	8.5	8.5	A-1	A	1.25
212	244-452-19	1.25	0.00	KCGP	8.5	8.5	A-1	A	1.25
212	244-452-20	1.25	0.00	KCGP	8.5	8.5	A-1	A	1.25
212	244-452-21	1.25	0.00	KCGP	8.5	8.5	A-1	A	1.25
212	244-452-25	2.50	0.00	KCGP	8.5	8.5	A-1	A	2.50
196	428-030-32	18.76	0.00	Mojave	4.1	4.1	A-1	A-1	No
196	428-174-16	7.50	0.00	Mojave	4.1	4.1	A-1	A-1	No
196	428-174-17	2.5	0.00	Mojave	4.1	4.1	A-1	A-1	No
196	428-174-18	5.00	0.00	Mojave	4.1	4.1	A-1	A-1	No
196	428-174-29	5.00	0.00	Mojave	4.1	4.1	A-1	A-1	No
196	428-174-33	20.00	0.00	Mojave	4.1	4.1	A	A	No

Table 1: *Project Assessor Parcel Numbers, Existing Map Codes, Existing* Zoning, *and Acreage*									
Zone Map	**APN**	**Parcel Acres**	**CUP Acres**	**General/ Specific Plan**	**Ex. GP**	**Prop GP**	**Ex. Zone**	**Prop Zone**	**Zone Var.**
196	428-201-16	33.00	0.00	Mojave	4.1; 2.5	4.1; 2.5	A-1 FPS	A-1 FPS	No
196	428-202-07	5.00	0.00	Mojave	4.1	4.1	A-1	A-1	No
196	428-202-41	9.24	0.00	Mojave	4.1	4.1	A-1 FPS	A-1 FPS	No
Gen-Tie Line (new)									
195	235-132-13	157.27	N/A	KCGP	8.5	8.5	A-1	A-1	No
195	235-132-52	2.73	N/A	KCGP	8.5	8.5	A-1	A-1	No
195	235-212-20	9.32	N/A	KCGP	8.5	8.5	A-1	A-1	No
195	235-212-21	9.32	N/A	KCGP	8.5	8.5	A-1	A-1	No
195	235-213-01	2.16	N/A	KCGP	8.5	8.5	A-1	A-1	No
195	235-213-10	2.16	N/A	KCGP	8.5	8.5	A-1	A-1	No
195	235-213-14	7.16	N/A	KCGP	8.5	8.5	A-1	A-1	No
195	235-213-17	2.16	N/A	KCGP	8.5	8.5	A-1	A-1	No
196	428-030-05	120	N/A	Mojave	8.5	8.5	A-1, A-1 H	A-1, A-1 H	No
196	428-172-10	160	N/A	Mojave	8.5	8.5	A-1, A-1 H	A-1, A-1 H	No
196	428-173-01	120	N/A	Mojave	8.5	8.5	A-1	A-1	No
196	428-173-04	2.5	N/A	Mojave	8.5	8.5	A-1	A-1	No
196	428-173-05	2.56	N/A	Mojave	8.5	8.5	A-1	A-1	No
196	428-173-06	10	N/A	Mojave	8.5	8.5	A-1	A-1	No
196	428-173-07	2.56	N/A	Mojave	8.5	8.5	A-1	A-1	
196	428-173-08	2.56	N/A	Mojave	8.5	8.5	A-1	A-1	No
196	428-173-11	10	N/A	Mojave	8.5	8.5	A-1	A-1	No
196	428-174-16	7.5	N/A	Mojave	8.5	8.5	A-1	A-1	No
196	428-174-17	2.5	N/A	Mojave	8.5	8.5	A-1	A-1	No
196	428-174-18	5	N/A	Mojave	8.5	8.5	A-1	A-1	No
196	428-174-29	5	N/A	Mojave	8.5	8.5	A-1	A-1	No
196	428-174-33	20	N/A	Mojave	8.5	8.5	A-1	A-1	No
196	428-174-35	10	N/A	Mojave	8.5	8.5	A-1	A-1	No
196	428-174-36	20	N/A	Mojave	8.5	8.5	A-1	A-1	No
196	428-200-02	0	N/A	Mojave	8.5,8.5/ 2.5	8.5,8.5/2. 5	A-1, FPS	A-1, FPS	No
196	428-201-16	33	N/A	Mojave	8.5,8.5/ 2.5	8.5,8.5/2. 5	A-1, FPS	A-1, FPS	No
196	428-202-07	5	N/A	Mojave	8.5	8.5	A-1	A-1	No
196	428-202-41	9.24	N/A	Mojave	8.5	8.5	A-1, FPS	A-1, FPS	No
196	428-202-44	1.99	N/A	Mojave	8.5	8.5	A-1	A-1	No
196	428-202-45	2.5	N/A	Mojave	8.5	8.5	A-1	A-1	No
196	428-202-40	3.72	N/A	Mojave	8.5	8.5	A-1	A-1	No

Table 1: *Project Assessor Parcel Numbers, Existing Map Codes, Existing* Zoning, *and Acreage*									
Zone Map	**APN**	**Parcel Acres**	**CUP Acres**	**General/ Specific Plan**	**Ex. GP**	**Prop GP**	**Ex. Zone**	**Prop Zone**	**Zone Var.**
197	237-332-11	10	N/A	KCGP	8.5	8.5	A-1	A-1	No
197	237-114-04	2.64	N/A	KCGP	8.5	8.5	PL RS	PL RS	No
197	237-114-03	2.53	N/A	KCGP	8.5	8.5	PL RS	PL RS	No
197	237-114-06	2.52	N/A	KCGP	8.5	8.5	PL RS	PL RS	No
197	237-114-07	2.52	N/A	KCGP	8.5	8.5	PL RS	PL RS	No
197	237-114-10	2.52	N/A	KCGP	8.5	8.5	PL RS	PL RS	No
197	237-114-09	2.52	N/A	KCGP	8.5	8.5	PL RS	PL RS	No
197	237-114-16	2.52	N/A	KCGP	8.5	8.5	PL RS	PL RS	No
197	237-113-13	2.52	N/A	KCGP	8.5	8.5	PL RS	PL RS	No
197	237-113-14	2.52	N/A	KCGP	8.5	8.5	PL RS	PL RS	No
197	237-113-15	2.52	N/A	KCGP	8.5	8.5	PL RS	PL RS	No
197	237-113-16	2.11	N/A	KCGP	8.5	8.5	PL RS	PL RS	No
197	237-113-09	2.11	N/A	KCGP	8.5	8.5	PL RS	PL RS	No
197	237-031-38	556.36	N/A	KCGP	8.5	8.5	A WE	A WE	No
197	237-031-04	636.36	N/A	KCGP	8.4	8.4	A WE	A WE	No
212	244-411-01	0	N/A	KCGP	8.5/2.4, 8.5	8.5/2.4,8.5	A-1	A-1	No
212	244-234-02	161.46	N/A	KCGP	8.5/2.4, 8.5	8.5/2.4,8.5	A-1	A-1	No
212	244-234-03	20	N/A	KCGP	8.5	8.5	A-1	A-1	No
212	244-234-16	10	N/A	KCGP	8.5	8.5	A-1	A-1	No
212	244-234-17	10	N/A	KCGP	8.5	8.5	A-1	A-1	No
212	244-234-29	5.05	N/A	KCGP	8.5	8.5	A-1	A-1	No
212	244-234-30	10.02	N/A	KCGP	8.5	8.5	A-1	A-1	No
212	244-234-32	20	N/A	KCGP	8.5	8.5	A-1	A-1	No
212	244-234-35	10.02	N/A	KCGP	8.5	8.5	A-1	A-1	No
213	429-030-02	320.17	N/A	Mojave	8.5/2.4, 8.5/2.5, 8.5	8.5/2.4, 8.5/2.5, 8.5	A-1, FPS	A-1, FPS	No
Alternate Gen-Tie Line (new)									
195	235-132-16	591.92	N/A	KCGP	8.5/2.4, 8.5	8.5/2.4,8.5	A-1	A-1	No
195	235-132-56	5.25	N/A	KCGP	8.5	8.5	A-1	A-1	No
196	428-202-34	2.3	N/A	KCGP	8.5	8.5	A-1	A-1	No
196	428-202-35	2.28	N/A	Mojave	8.5	8.5	A-1	A-1	No
196	428-202-36	2.27	N/A	Mojave	8.5	8.5	A-1	A-1	No
196	428-202-37	2.26	N/A	Mojave	8.5	8.5	A-1	A-1	No
196	428-202-38	2.29	N/A	Mojave	8.5	8.5	A-1	A-1	No
196	428-202-39	3.66	N/A	Mojave	8.5	8.5	A-1	A-1	No
Medium-Voltage Transmission and Access Easement									
195	235-401-17	10.23	N/A	KCGP	8.5	8.5	A-1	A-1	No
SCE/CPC Parcels - SCE Work Areas									

Table 1: *Project Assessor Parcel Numbers, Existing Map Codes, Existing* Zoning, *and Acreage*

Zone Map	APN	Parcel Acres	CUP Acres	General/ Specific Plan	Ex. GP	Prop GP	Ex. Zone	Prop Zone	Zone Var.
197	237-032-38	88.69	N/A	KCGP	7.3	7.3	M-3	M-3	No
197	237-032-39	225.34	N/A	KCGP	7.3	7.3	M-4	M-3	No

Note: No zone variances are requested for those parcels less than the minimum required size of 20 acres for which proposed Vesting Tentative Parcel Maps would resolve parcel size.

Tentative Parcel Maps would resolve parcel size.

[a] Kern County General Plan (KCGP) and Specific Plan (SP) Map Code Designation:
1.1 (State and Federal Land); 2.4 (Steep Slope); 2.5 (Flood Hazard); 4.1 (Accepted County Plan Areas); 4.3 (Specific Plan Required); 7.3 (Heavy Industrial); 8.2 (Resource Agriculture); 8.3 (Extensive Agriculture); 8.4 (Mineral and Petroleum, Min 5 Acre Parcel Size); 8.5 (Resource Management, Min. 20 Acre Parcel Size)

[b] Kern County Zoning District:
A (Exclusive Agriculture); A-1 (Limited Agriculture); E (Estate); FP (Floodplain Combining); FPS (Floodplain Secondary Combining); M-3 (Heavy Industrial); MH (Mobile Home Combining); OS (Open Space); PL (Platted Lands); R-2 (Medium Density Residential); RS (Residential Suburban Combining); WE (Wind Energy Combining)

Existing land uses surrounding the project include renewable energy development, scattered rural residential development, livestock grazing, light and heavy industrial and mining uses, and undeveloped lands. **Table 2** identifies the existing surrounding land use, existing surrounding map code designations, and existing surrounding zoning classifications of the proposed project.

Table 2: *Surrounding Land Uses, Map Code Designations, and Zoning Classifications*

Area	Existing Land Use	Existing General/Specific Plan Map Code Designation[a]	Existing Zoning Classification[b]
Project Site	Generally undeveloped/vacant land, various named and unnamed dirt roads	3.3, 3.3/2.4, 3.3/2.5, 5.7, 8.5, 8.5/2.4, 8.5/2.5	A-1
North	Generally vacant/undeveloped land; Bellefield Solar Project (under construction)	1.2, 8.5, 8.5/2.5	A-1
East	Generally vacant/undeveloped land, BNSF Railway	1.1, 8.5, 8.5/2.5	A-1
South	Generally vacant/undeveloped land, solar development, Edwards Air Force Base	1.1	A-1
West	Generally vacant/undeveloped land, BNSF Railway, Enterprise Solar Project (under construction), rural residential properties.	5.7, 8.5, 4.1 (Low Density Residential)	A-1, A, E

Note:

[a] Kern County General Plan (KCGP) and Specific Plan (SP) Map Code Designation:
1.1 (State and Federal Land); 1.2 (Incorporated Cities); 2.4 (Steep Slope); 2.5 (Flood Hazard); 3.3 (Other Facilities) 4.1 (Accepted County Plan Areas); 5.7 (Minimum 5 Gross Acres/Unit); 8.5 (Resource Management, Min. 20 Acre)

[b] Kern County Zoning Districts:
A (Exclusive Agriculture); A-1 (Limited Agriculture); E (Estate);

The closest sensitive receptor to the project site, on land not owned by the project proponent, is a residence located approximately one-(1-) mile west at APN: 429-152-21, in Section 12, Township 10 North, Range 12 West. There are three existing residences within the project site on APNs: 244-432-35, 244-432-37, and 244-233-10. These parcels have been acquired by the project proponent, and the existing structures will be demolished as part of project construction, in accordance with Kern County demolition permits and other applicable regulations.

The project site is located in the vicinity of several renewable energy developments (Sanborn Solar Project, Edwards Solar Project, Enterprise Solar Storage Project, and Bellefield Solar Project), Edwards AFB, rural residential development, industrial and mining uses, and undeveloped lands. Land managed by the Bureau of Land Management (BLM) is located immediately to the east but outside of the project site. Other specific developments within the region include the RE Columbia 2 and 3 Solar Projects, the RE Rio Grande Solar Project, and the RE Camelot Solar Project, numerous wind farms, the Mojave-Rosamond Landfill, and the Hyundai Motor Group California Proving Grounds.

The Federal Emergency Management Agency (FEMA) delineates flood hazard areas on its Flood Insurance Rate Maps. A Federal Emergency Management Agency (FEMA)-designated flood zone, Flood Zone "A," spans a portion of the project site, indicating that this area could flood during a 100-year flood event. Project facilities located within a FEMA-designated flood zone would be designed to meet County requirements. All portions of the project site located outside of Flood Zone "A" are located within FEMA-designated Flood Zone "X," which indicates areas of minimal flood hazard. The project site has a relatively flat terrain with elevations ranging between 2,460 and 2,900 feet above mean sea level due to its location south of the Tehachapi Mountains, where lands gradually slope downward from the northwest towards the southeast. The project site is not identified as a wetland area on the National Wetlands Inventory.

The project would be served by the Kern County Sheriff's Office (KCSO) for law enforcement and public safety, Kern County Fire Department (KCFD) for fire protection, and Kern County Medical Emergency Service for emergency medical and rescue services. The nearest KCSO substation and KCFD fire station (Station No. 14) that would serve the project are both located in the community of Mojave. The nearest hospital is the Antelope Valley Medical Center at 1600 W Ave J in the City of Lancaster, which is approximately 20 miles to the southwest of the project site. The closest schools include Forbes Elementary School, Desert High School, Mojave Junior/Senior High School, and Joshua Middle School, located six (6) miles, 6.3 miles, seven (7) miles, and 7.5 miles from the project site, respectively.

The Mojave Air & Space Port is located approximately 4.5 miles northwest of the project site. No portion of the project site is located within an area governed by the Kern County Airport Land Use Compatibility Plan (ALUCP); however, a portion of the proposed gen-tie route falls within the Airport Influence Area. The proposed project would be required to comply with the Kern County ALUCP.

Proposal

Specific land use entitlements for the proposed project can be viewed above in pages 1 and 2 in the *Proposal* section of this staff report. Clarified land use entitlements are also described in detail on pages 7-36 to 7-87 in **Volume 6, Chapter 7,** *Response to Comments,* which illustrates all errata for **Chapter 3**, *Project Description* of the Environmental Impact Report. The three (3) entitlements related to the off-site switchyard that were evaluated in the Draft EIR (Zone Classification Change No. 57, Map 197; Conditional Use Permit Case No. 24, Map 197; Zone Variance Case No. 21, Map 197) are no longer part of the current project request. The necessary land use entitlements for the proposed switchyard were already approved as part of the Discovery Solar PV and Storage Project. Because both projects share the same proponent, the switchyard is intended to serve both projects.

The following is a summary of each type of land use entitlement requested for the proposed project:

(a) Amendments to the Open Space, Land Use, and Conservation Element of the Kern County General Plan to achieve consistency between the underlying land use designation and proposed zoning;

(b) Zone classification changes to from various base districts to the A (Exclusive Agriculture) District, or a less restrictive district, to facilitate the permitting of commercial-scale solar facilities that would generate solar energy exceeding on-site demand;

(c) Conditional Use Permits to allow for the construction and operation of a commercial-scale solar facility, and associated infrastructure, including energy storage and temporary construction staging including energy storage and a switchyard within the A (Exclusive Agriculture) District pursuant to Section 19.12.030.G of the Kern County Zoning Ordinance;

(d) Zone Variances to authorize multiple parcels of substandard size where a minimum of 20 acres is required for each change in base zoning to A (Exclusive Agriculture);

(e) Amendments to the Circulation Element of the Kern County General Plan to eliminate future road reservations on the section and mid-section lines; and

(f) Vesting Tentative Parcel Maps (VTPMs) to facilitate the merger and re-subdivision of multiple parcels into one (1) parcel throughout the project site. VTPMs will also include the vacation of public easements and may include development variations to facilitate the removal and replacement of private access easements.

Table 3, *Road Reservations Requested for Removal*, details the road reservations within the General Plan requested for removal. The proposed removal of mid-section and section future road reservations within the Circulation Element designated roadways is shown on the figure titled *Proposed General Plan Amendment (Circulation)*.

Table 3: *Road Reservations Requested for Removal*

Section/ Township/ Range	Type	Location	Description
3/10N/11W	Mid-Section	North-South	North-South mid-section line
3/10N/11W	Mid-Section	East-West	East-West mid-section line
3/10N/11W	Section	North	Northern section line
3/10N/11W	Section	East	Eastern section line
3/10N/11W	Section	West	Western section line
3/10N/11W	Section	South	Western half of South section line
4/10N/11W	Mid-Section	North-South	North-South mid-section line
4/10N/11W	Mid-Section	East-West	East-West mid-section line
4/10N/11W	Section	North	Northern section line
4/10N/11W	Section	East	Eastern section line
4/10N/11W	Section	South	Southern section line
4/10N/11W	Section	West	Western section line
8/10N/11W	Mid-Section	North-South	North-South mid-section line
8/10N/11W	Mid-Section	East-West	East-West mid-section line
8/10N/11W	Section	West	Northern half of western section line
8/10N/11W	Section	East	Eastern section line
8/10N/11W	Section	North	Northern section line
8/10N/11W	Section	South	Southern section line

Section/ Township/ Range	Type	Location	Description
9/10N/11W	Mid-Section	North-South	North-South mid-section line
9/10N/11W	Mid-Section	East-West	East-West mid-section line
9/10N/11W	Section	North	Northern section line
9/10N/11W	Section	South	Southern section line
9/10N/11W	Section	East	Eastern section line
9/10N/11W	Section	West	Western section line
10/10N/11W	Section	North	Western half of the section line
10/10N/11W	Section	West	Western section line
28/11N/11W	Mid-Section	West	Western half of the east/west mid-section line
28/11N/11W	Mid-Section	North-South	North-South mid-section line
28/11N/11W	Section	South	South section line
32/11N/11W	Mid-Section	North-South	Southern half of north/south mid-section line
32/11N/11W	Section	East	Eastern section line
32/11N/11W	Section	North	East half of the North Section line
33/11N/11W	Mid-Section	North-South	North-South mid-section line [a]
33/11N/11W	Mid-Section	East-West	East-West mid-section line [a]
33/11N/11W	Section	East	Eastern section line [a]
33/11N/11W	Section	South	Southern section line
33/11N/11W	Section	North	Northern section line
33/11N/11W	Section	West	Western section line [a]
34/11N/11W	Mid-Section	West	West portion of the East-West mid-section line
34/11N/11W	Section	West	Western section line
34/11N/11W	Section	South	Southern section line
34/11N/11W	Section	North	West half of the North section line
34/11N/11W	Mid-Section	North-South	South portion of the north/south mid-section line
[a] Crosses BNSF Railway			

Project Characteristics

The overall project boundary consists of two (2) distinct interior boundaries: (1) the Conditional Use Permit (CUP) boundary, of which acreage specifies areas designated for proposed solar array portions of the project and the proposed 230-kV switchyard; and (2) the Zone Classification Change (ZCC) boundary, of which acreage specifies the entirety of the parcels for which changes in zoning are requested. It should be noted that these two (2) boundaries are not the same and are delineated by proposed legal descriptions. Additional project components that contribute to the overall project include areas proposed for use by accessory structures such as the MV and gen-tie line corridors. The project site consists of the CUP boundaries and the entirety of the parcels for which ZCCs are requested. The project development footprint consists of the CUP boundaries and the MV and gen-tie corridors.

The project would use PV solar technology designed in a collection of subarrays to convert solar energy directly to electrical power. The project is intended to operate year-round and would generate electricity during daylight hours to deliver renewable energy into the electric grid, and/or store the generated energy in on-site batteries and discharge it into the grid at various times when electricity demand is at its peak. Power generated by the project would assist the state in complying with the Renewables Portfolio Standard under Senate Bill 350 (2015), which requires 50 percent of all electricity sold in the state be generated from renewable energy sources by December 31, 2030, and Senate Bill 100 (2018), which requires that 100 percent of all electricity sold in the state be generated from renewable energy sources by 2045 (CPUC 2020). Power generated by the project

would be sold to California investor-owned utilities, municipalities, community choice aggregators, or other purchasers in furtherance of the goals of the California Renewables Portfolio Standard. At the end of the project's operational term, the project proponent would determine whether the project site should be decommissioned and deconstructed, or if it would seek an extension of its CUPs. If any portion of the project site is decommissioned, it would be converted to other uses in accordance with applicable land use regulations in effect at that time. Typical solar facility, collector substation, and BESS are shown in attached figures titled *Solar Panel – Elevations (conceptual)*, and *Battery Energy Storage System*.

Project facilities would include the components described below. Specifications surrounding the selection (manufacturer) of modules, racking, battery energy storage system (BESS), and inverters (among other materials) may have an ultimate impact to the internal layout of the array and BESS and placement of various elements within the project fencing and setbacks resulting in modifications that would be substantially consistent with the proposed site plan.

- Installation of up to 600-MW alternating current (AC) solar PV modules, mounted on a single-axis tracking system. The mounting systems for the modules would be mounted on steel support posts that would be pile-driven into the ground;
- Installation of energy storage facilities and accessory infrastructure that would provide energy storage capacity of up to four (4) GWh for the electrical grid, if installed;
- One (1) 230-kV switchyard or line tap including breakers, disconnect switches, control shelter, and structures;
- One (1) on-site collector substation, including circuit breakers, disconnect switches, metering protection equipment, and main step-up transformer(s);
- A new 230-kV gen-tie line within both new and existing gen-tie corridors, including new poles within the boundaries of the Enterprise Solar Storage Project and between the new 230-kV switchyard and the SCE Windhub Substation, for ultimate interconnection to the SCE Windhub Substation;
- Overhead and underground collection systems (the collection systems would be aggregated at multiple circuit breakers or MV switchgear positions within the project facilities, leading to the project collector substation);
- Telecommunication equipment, including underground and overhead fiberoptics, and meteorological data collection systems or supervisory control and data acquisition (SCADA);
- One (1) O&M facility with approximately six (6) permanent, full-time employees;
- Drive aisles and internal on-site access roads;
- Perimeter security fencing and nighttime directional lighting;
- Off-site construction and operations water storage tanks; and
- Project design features to avoid, preserve, and minimize impacts to Western Joshua tree (WJT) at the project.

Solar PV Generating Facilities and Solar Modules

The project would use PV solar technology designed in a collection of subarrays to convert solar energy directly to electrical power for eventual export to the electrical grid. The project would include installation of PV modules that would be mounted on a single-axis solar tracking system, as shown in attached figure, *Solar Panel Elevations (Conceptual)*. The tracking system would be supported by steel posts that would be pile-driven into the ground. The modules would be made of a thin film material or crystalline silicon material that would be dark in color, highly absorptive, and have minimum reflectivity. The modules would be manufactured at an off-site location and transported to the site.

Depending on the type of modules used, the panels would measure approximately 4.5 feet wide and eight (8) feet long with the total height of the panel system. Measured from the ground surface, the panel system would be approximately nine (9) to 12 feet. The length of each row of panels would be up to 550 feet and would be oriented in the north-south direction to maximize panel surface area relative to the sun, which is southerly in the northern hemisphere. As technology continues to advance, upgraded system dimensions that enable enhanced efficiency and output without expanding the project development footprint may be utilized.

Spacing between each row would be approximately eight (8) to 22 feet to allow access for maintenance and cleaning. Single-axis tracking systems would employ a motor mechanism that would allow the arrays to track the path of the sun from east to west throughout the day. In the morning, the panels would face east. The panels would slowly move to an upright position at noon and on to the west at sundown. The panels would reset to the east in the evening or early morning to receive sunlight at sunrise.

Battery Energy Storage System (BESS)

The project includes a BESS using direct current-(DC-)coupled and/or alternating current-(AC-)coupled configurations. The DC energy storage system may be distributed and located throughout the solar arrays. The AC energy storage system may be centralized near one (1) or more collector substations, or distributed within the solar arrays.

The energy storage batteries would be housed in factory-built, listed outdoor cabinet-type enclosures. These systems typically use lithium-ion battery modules installed in racks and housed in the outdoor BESS enclosures. A typical BESS cabinet houses dozens of battery modules, with an approximate energy capacity per cabinet of ~0.4 to ~6 megawatt hours (manufacturer dependent). Modules are accessed for maintenance from the exterior cabinet doors only. To support safe and reliable operations, each module is monitored and controlled, and each enclosure is equipped with integrated operational management , fire-protection, and life-safety systems, such as heating, ventilation, and air conditioning (HVAC); gas and smoke detection; deflagration prevention, and supervised 24/7/365 alarm monitoring with automated Authority Having Jurisdiction (AHJ) notification, in accordance with code and emergency response planning. BESS enclosures are paired with inverters to convert DC to AC (and vice-versa) during charging.

Beginning approximately five (5) years after initial installation, the project proponent may augment the system by installing additional battery modules and/or enclosures to offset normal capacity fade that occurs naturally as the batteries are used. Augmentation would occur within designated BESS areas shown on the site plans and would maintain, but not exceed, the total approved storage capacity under the CUP.

Typical enclosure dimensions vary by manufacturer and are deployed as repeated "blocks." Blocks may consist of a single enclosure, or several smaller enclosures placed side-by-side to form banks with similar overall dimensions. Smaller enclosures may be closely spaced or physically attached; larger enclosures are placed in smaller groupings or individually. Consistent with National Fire Protection Association (NFPA) standard 855 and the California Fire Code (CFC), final layout will comply with applicable limits, clearances, spacing, and grouping criteria as approved by the fire AHJ. Regardless of manufacturer selection, the project's developed footprint and overall capability will remain substantially the same.

The project will be designed, constructed, and operated in accordance with applicable California Building Code, the CFC (including Section 1207 for Energy Storage Systems), and relevant NFPA standards (e.g., NFPA 855, 72, 69, 22), including requirements for product listings, large-scale fire testing, seismic/structural design, spacing and vehicle-impact protection, inspection/testing/maintenance, battery management system (BMS) monitoring, emergency shutdown and notification, detection/deflagration controls, and reliable power to critical safety systems. Cabinet-type BESS will be listed to UL 9540 (energy storage systems), with fire-propagation testing per Underwriters Laboratories (UL) 9540A including "large-scale fire testing." Large-scale fire testing is a critical safety feature to ensure any failures do not extend beyond a single enclosure and have no way of reaching "catastrophic" levels. Battery assemblies will be evaluated to UL 1973 and inverters to UL 1741. Large-scale fire-test data and listings are intended to demonstrate that a fire is not expected to propagate beyond a single enclosure under test conditions, including without active suppression, and that adjacent exposures are protected.

Power to critical safety systems will be supplied from the service side of a collector substation, with distribution via above- or below-grade feeders. Backup emergency power (e.g., generators) may be required by the AHJ to support fire-protection and monitoring systems. If required, generators would use diesel fuel, operate intermittently for testing and maintenance, comply with Eastern Kern Air Pollution Control District (EKAPCD) regulations, and obtain any necessary permits. The BESS will be unstaffed, with remote operations and periodic on-site inspection and maintenance. Power to the critical safety systems would be provided via a connection to the service transformer of one (1) of three (3) on-site collector substations with connection lines installed above ground and/or below ground. Backup generators for the BESS may be required by the AHJ to provide backup emergency electricity for fire protection. If required, the generators would use diesel fuel and would need to be intermittently run for maintenance and testing purposes. The generators would operate in accordance with applicable EKAPCD regulations, and appropriate air permits would be obtained from EKAPCD. The energy storage system would be unstaffed, with remote operational control and periodic inspections and maintenance performed as necessary.

Power Collection System and Inverters

The solar panels would be electrically connected to each other via both aboveground and underground wiring. Underground electrical cables (underground collection system) would be installed from groups of solar arrays that would be arranged into power blocks. The cables would convey DC electricity to inverters, which convert the DC to AC electricity. All electrical inverters and associated transformers would be dispersed among the solar arrays and installed on prefabricated metal skids that would sit on steel pier foundations or concrete foundations, depending on the design. The inverter pad transformers would step up the voltage of the array output to 34.5 kV, which would be collected at the on-site circuit breakers or switchgear positions. From the circuit breakers or switchgear positions, the MV collector lines would be routed underground or aboveground to an on-site collector substation.

Collector Substations

The on-site collector substation is the termination point of the collection system of 34.5-kV AC electricity. At the on-site collector substation, the output of the field of interconnected arrays would be passed through interconnection step-up transformers to convert it from 34.5 kV to 230 kV. The project collector substation would be constructed south of the Burlington Northern Santa Fe (BNSF) Railway, as shown on attached figure titled *Proposed Site Plan*. The collector substation would host the grid intertie safety equipment and switches required to interconnect to the high-voltage transmission system. Generators for backup emergency power would be required at the collector substations. Generators would use diesel fuel and would need to be intermittently run for maintenance and testing purposes. Generators would operate in accordance with applicable Eastern Kern Air Pollution Control District (EKAPCD) regulations, and appropriate air permits would be obtained from EKAPCD. The collector substation footprint would be approximately 500 feet in length and 400 feet in width and would be sized to accommodate all required equipment with safety-related setbacks and would consist of components up to 75 feet in height.

Transmission, Switchyard, and Grid Interconnection

Power generated by the project would be delivered to the existing SCE Windhub Substation from the on-site collector substation via approximately 16 miles of single- and double-circuit 230-kV gen-tie line. The majority of this line (approximately 10 miles) would be within the existing gen-tie corridor, approved and constructed as part of the Enterprise Solar Storage Project (see attached figure, *Aerial Map*). A portion of the proposed new gen-tie line would run within the boundaries of the Enterprise Solar Storage Project (SCH #2023050214, approved March 19, 2024).

The project gen-tie line would extend west from the on-site collector substation and then north for approximately 2 1/2 miles, before turning 90 degrees to the west toward the SCE Windhub Substation within the gen-tie line corridor approved and constructed as part of the Enterprise Solar Storage Project (see attached figure titled *Aerial Map*). A tap station or switchyard will be needed along the gen-tie route pending final engineering. At the proposed 230-kV switchyard, which consists of 230-kV breakers, poles and structures, disconnect switches, bus work, a control shelter, and other high-voltage equipment, the project conductors will be routed off of the Enterprise Solar Storage project gen-tie poles and onto its own transmission line poles that continue north and then west to the SCE Windhub Substation. The proposed 230-kV switchyard would be approximately 250 feet x 250 feet in size and pole heights associated with the switchyard would be less than 250 feet tall, height requirements are discussed further in **Section 4.9**, *Hazards and Hazardous Materials*, of the EIR. The final design, layout, and required interconnection components would be determined during the detailed engineering design stage.

The proposed 230-kV switchyard also is expected to connect and/or route the gen-tie circuits for the proposed Discovery Solar PV and Storage Project into the previously constructed gen-tie corridor (approved as part of the Enterprise Solar Storage Project) that continues to the SCE Windhub Substation. The Discovery Solar PV and Storage Project (SCH# 2025071048; approved June 16, 2026) is a separate solar energy project proposed by a separate legal entity (Discovery Solar PV and Storage, LLC) on private lands under the County's land use jurisdiction. The Discovery Solar PV and Storage Project is located approximately nine (9) miles west of the Project and, if approved, would construct and operate a new gen-tie line and other associated infrastructure to interconnect to the SCE Windhub Substation. The projects are expected to have different off-takers under unique power purchase agreements and to have separate interconnection agreements. Should the Project be approved and, subsequently, both the Project and Discovery Solar PV and Storage Project proceed to construction, the projects would use the same high-voltage switchyard to route each project's gen-tie circuits north and then west to the SCE Windhub Substation. Using the same high-voltage switchyard for both projects would reduce

the overall amount of new infrastructure required for the projects and the corresponding environmental footprint of the two solar projects by constructing a single, shared facility. If the Project is not approved and only the Discovery Solar PV and Storage Project is approved, the high-voltage switchyard would be built to serve only the Discovery Solar PV and Storage Project. Thus, if approved, each project could and would be built and operated independently of the other, with shared access and use of the switchyard.

SCE Interconnection Work

SCE would need to complete system upgrades to facilitate interconnection of the project to the SCE Windhub Substation ("SCE interconnection work"). The SCE interconnection work may include installation of new circuits, riser structures, conductors, switches, utility poles, and jumper wires. Both underground and overhead work will be required. The majority of SCE's interconnection facilities would be constructed within the existing SCE Windhub Substation. North of the SCE Windhub Substation, SCE's underground work would be performed using a trenchless utility installation method called jack and bore construction to move the 230-kV conductors across Oak Creek Road from north to south. The jack and bore method uses a boring machine to create a horizontal bore underground and then pushing (jacking) a utility casing into that bore. Bore pits are installed on either side of the bore to facilitate the process. The 230-kV conductors are then pulled through the casing. To complete the interconnection of the project, SCE would pull their 230-kV electrical conductors from the riser structure north of Oak Creek Road to inside the SCE Windhub Substation fence line where the conductors transition to an underground duct bank that eventually connects to another riser structure within the substation and finally to overhead utility structures into the final bay position at Windhub. Riser structures, approximately 150 feet tall, would be needed on both sides of Oak Creek Road. Height requirements are discussed further in **Section 4.9,** *Hazards and Hazardous Materials* of the EIR. Riser structures transition overhead conductors to underground and then back again. The riser structure on the north side of Oak Creek Road also transitions SCE's conductors to the final utility pole installed by the project proponent thus completing the gen-tie run to SCE Windhub Substation.

While the final design and construction methods are still being developed by SCE, the use of jack and bore construction reduces the need for extensive surface excavation of Oak Creek Road, reducing traffic delays, and minimizing environmental impacts. It is expected that traffic controls, such as flagmen, would be needed during portions of the work for safety reasons.

Pending final SCE engineering, it may be determined that an overhead transition between the project's gen-tie lines and the SCE-owned overhead conductors may be more appropriate than an underground transition. An overhead interconnection may require relocation of existing utility poles and installation of new utility poles on the north and/or west side of SCE Windhub Substation to facilitate this work.

Telecommunication Facilities

The SCADA system is critical to the California Independent System Operator and SCE utility interconnection and provides for the proper operation and maintenance of the project. The system uses proprietary software; fiber optic communication lines; and communication systems such as telephone and/or radio link. The SCADA system functions as a remote start, stop, reset, and safety lock out for the facility, and provides site diagnostic information from the energy generating facility. The SCADA system would also control the collector substation, allowing for fully centralized operation of the project to meet all California Independent System Operator and utility interconnection requirements.

The project would use local exchange carrier services for telecommunication to support remote monitoring requirements. The project would connect to telecommunication fiberoptic lines owned and managed by AT&T or an alternative provider. The cabinet holding the telecommunication connection equipment would have a base of approximately four (4) feet by two (2) feet and would be approximately five (5) feet in height. From the point of demarcation, an underground or overhead fiber optic cable would be installed within the project footprint to connect the cabinet to the SCADA equipment within the on-site collector substation.

Operations & Maintenance Facility(ies)

It is anticipated that approximately six (6) permanent, full-time employees would be needed to operate and maintain the project. A permanent, on-site O&M facility and/or small satellite offices would be built on-site to facilitate rapid repair of equipment if existing off-site O&M facilities currently under development are not utilized. If such an on-site O&M facility is constructed, it would be up to 1,000 square feet in size and include offices, workshops, and conference rooms. The O&M facility is expected to consist of prefabricated commercial structures (Conex structures), as shown in the attached figure titled *Operations and Maintenance Facility – Plot Plan*. Permanent restroom facilities with septic system/tanks and/or portable toilets would be used for sanitary purposes and water would be sourced from trucked water, well water (from on-site and/or off-site wells), and/or bottled water would be provided for staff. The proposed O&M facility would include the requisite number of parking spaces for staff and visitor vehicles and O&M equipment and would comply with Americans with Disabilities Act requirements. Power for the O&M facility would be provided by either the project's electrical generation or supplied by the local power provider. A back-up generator for critical and emergency facility services with a fuel storage tank would be installed. The O&M facility would also include approved, non-occupied storage outbuildings for hazardous waste, including lithium-ion battery storage and associated containment for oil and fuels and vehicle maintenance. The O&M facility would be sited near the project collector substation, on APN 235-132-14, and access to the proposed location would be on project access roads via Silver Queen Road, as shown on the attached figure titled *Operations and Maintenance Facility.*

Site Access

Access to the project site would be off SR-58 along the general alignment of 45th Street via an existing highway deceleration lane. Both public and private access easements will be used to access the portions of the project site that are north of the BNSF Railway. Internal access roads constructed within the project site will lead to an existing at-grade railroad crossing at the general alignment of 55th Street to allow access to the portion of the project site that is south of the BNSF Railway. Secondary access to the project site would occur from the west, via Silver Queen Road (see attached figure titled *Aerial Map*).

Internal project access roads would be up to 25 feet wide and would be constructed of compacted native soil for travel and access to the solar blocks and equipment within the site. These project access roads would be used for ongoing O&M activities after construction is completed. Dirt roads that currently service existing utility easements would be left open but may be fenced on either side or gated to facilitate continued access by those utility companies. Third parties would be rerouted to public access routes.

Final project access road alignments would depend on the ultimate placement of the solar panels and on the results of field investigations, including topography and any other site-specific details to be incorporated into the final design. Should project access roads be required to cross streambed areas under the jurisdiction of the California Department of Fish and Wildlife and/or Regional Water Quality Control Board, appropriate crossings would be installed to minimize impacts to these

jurisdictional areas and comply with all California Fish and Game Code requirements, including authorization through a Streambed Alteration Agreement, as appropriate.

As stated above, parcel maps will be recorded to eliminate excess public access easements on project proponent–owned properties within the internal project boundaries. Named, but not yet developed, roadways also appear recorded previously on the proposed project site. Should any county-maintained roads be discovered or required at a later date, a vacation request would be included and processed at that time.

The parcel maps would not impede public egress or ingress to any adjacent, non-project properties. The project also requests the removal of road reservations designated for potential future arterial and collector roadways at section and mid-section lines within the project site; a formal request for a General Plan Amendment has been submitted. The specific roads proposed to be amended or eliminated are displayed above in **Table 3**, *Road Reservations Requested for Removal*, and attached figure titled *Proposed General Plan Amendment (Circulation)*.

All fence installation requirements would be evaluated, and the best-fit scenario would be incorporated at the project site. Fencing would be installed around the perimeter of the project site, collector substation, and other areas requiring controlled access, as needed for safety and security purposes. Fencing would remain for the life of the project. The project site may be fenced to keep terrestrial wildlife species from entering the project site temporarily during the project construction phase. During operations, permanent fencing would be designed to allow for passage of small- and medium-sized wildlife with a gap at the bottom of the fence to allow permeability for wildlife and wildlife movement through and around the project site, while permanent exclusion fencing around collector substations and the switchyard may be appropriate. Final fence design will be developed in consultation with appropriate agencies.

Permanent motion-sensitive, directional security lights would be installed to provide adequate illumination around the collector substation areas, BESS, and points of ingress/egress. All lighting would be shielded and directed downward to minimize the potential for glare or spillover onto adjacent properties. All lighting would conform to applicable County Dark Skies Ordinance requirements. Motion-sensitive lighting would be active from dusk to dawn once the project is operational. Motion-sensitive cameras may also be installed throughout the solar arrays at the inverters for added security. If installed, cameras would be mounted on poles approximately 20 feet in height.

Project Design Feature to Avoid, Preserve and Minimize Impacts to Western Joshua Tree at the Project

The project includes WJT removal and translocation (in accordance with the Western Joshua Tree Conservation Act). Given that WJT individuals would be impacted by the project, the project includes a number of design features to avoid, minimize, and preserve WJT at the project which would be enforced as mitigation measures (see **Section 4.4 of the EIR**, *Biological Resources*):

- The project includes restoration and enhancements of WJT habitats through relocation of a minimum of 900 on-site WJT stems to on-site or off-site lands; and
- The project proponent intends to obtain take coverage from CDFW for impacts to WJT prior to the issuance of grading or building permits, documentation of take authorizations will be provided to Kern County (**Mitigation Measure MM 4.4-8**). Mitigation for impacts to WJT would be coordinated with CDFW through take coverage permitting and is expected to include measures such as seed collection, WJT relocation requirements, and the acquisition of off-site compensatory mitigation lands with a focus on WJT refugia habitat.

Construction

Construction of the project is expected to last for approximately 26 months and would proceed following receipt of all permits and agency approvals. The construction activities for the project are categorized into three main phases:

- Site Preparation;
- System Installation; and
- Testing, Commissioning, and Cleanup.

Additional details for construction phases and their respective durations and required equipment can be found in **Table 4**, *Solar PV Construction Activity, Duration, and Equipment.*

Table 4: *Solar PV Construction Activity, Duration, and Equipment*

Construction Phase[a]	Months	Equipment
Perimeter and Desert Tortoise Fence Installation	2	Skid Steer Loader, Pickup Truck, Flatbed Truck, Trencher
Site Preparation and Clearing/Grading	4	Water Truck, Grader, Bulldozer, 10-Ton Roller, Scraper, Sheepsfoot Roller, Tractor with Mower Attachments
Underground Work (Trenching)	12	Excavator, Sheepsfoot Roller, Water Truck, Generator, Aussie Padder Screening Machine, 4x4 Forklifts
System Installation	14	4x4 Forklift, 80-ton Crane, All-Terrain Vehicle, Pile Driver, Pickup Truck, Offroad Cement Truck, On-road Cement Truck, Generator
Gen-tie Construction	3	Line Truck with Spool Trailer, Boom Truck with Backhoe, 80-ton Crane
Energy Storage System	4	80-ton Crane, Grader, 4x4 Reach Lift
Testing and Commissioning	4	Pickup Truck
Site Cleanup and Reclamation Restoration	1	Grader, Skid Steer Loader
General Management	26	On-site Crew Truck, Various On-road Haul Trucks, Various Off-road Haul Trucks

ATV – all-terrain vehicle
[a] Construction activities will overlap.

Schedule and Work Force

The proposed project would be constructed by several specialized construction contractors. The on-site construction workforce is expected to peak at approximately 653 individuals; however, the average daily workforce is expected to be approximately 354 construction, supervisory, support, and construction management personnel on-site during construction. It is anticipated that the construction workforce would generally commute to the site each day from local communities and report to designated construction laydown areas prior to the beginning of each workday. Construction staff not drawn from the local labor pool would stay in local hotels in Mojave, Rosamond, Lancaster, or other local communities.

One or more of the temporary laydown areas may be used as a parking and meeting area for construction staff. It is anticipated that the construction workforce would use 45th Street via SR-58

as the point of ingress/egress to the project site and that, once on-site, would access various areas via internal project access roads.

Construction would primarily occur during daylight hours, Monday through Friday, between 6:00 a.m. and 6:00 p.m.; however, some work may occur on Saturday and Sunday, as required, to meet the construction schedule and/or to promote the health and safety of workers. The Kern County Noise Ordinance (Chapter 8.36) limits noise from construction from 9:00 p.m. and 6:00 a.m. on weekdays and 9:00 p.m. to 8:00 a.m. on weekends when occurring within 1,000 feet of an occupied residential dwelling, except in certain circumstances. Project construction work would conform to the County's ordinance. Any construction activities that may need extended hours would be coordinated with the County and appropriate agencies before the activity occurs.

The list of Major Construction activities below are described in more detail on pages 7-36 to 7-87 in **Volume 6, Chapter 7,** *Response to Comments,* which illustrates all errata for **Chapter 3**, *Project Description* EIR:

- Site Preparation
  - Trash removal, mowing, clearing, potential western Joshua tree translocation (in accordance with the Western Joshua Tree Conservation Act), fence installation, excavation, and grading of the site

- PV System Installation

- Energy Storage System Installation

- Testing, Commissioning, and Cleanup

- Construction Water Use
  - Supplied by the approved purveyor
  - 451-acre feet over 26 months

- Construction Electrical Supply
  - Portable generators or temporary local distribution

- Handling of Hazardous Materials
  - Lithium-ion batteries for energy storage system
  - Typical construction materials including but not limited to: small quantities of gasoline, diesel fuel, oils, lubricants, solvents, detergents, degreasers, paints, ethylene glycol, dust palliative, herbicides, and welding materials/supplies.

- Handling of Hazardous Waste
  - include, but not be limited to, waste paint, spent construction solvents, waste cleaners, waste oil, oily rags, waste batteries, and spent welding materials.

Operation

The facility would operate year-round. It is anticipated that approximately six (6) permanent, full-time employees would be needed to maintain the facility. A small satellite office and O&M facility may be built on-site near the collector substation to facilitate rapid repair of equipment. During project operations, solar panel washing is expected to occur one to two (2) times per year, and general labor (up to 10 individuals) may assist in the panel cleaning. Typical O&M activities that would occur at the site during operation include, but are not limited to, liaison and remote

monitoring; administration and reporting; semi-annual and annual services; remote operations of inverters and BESS; site security and management; additional communication protocol; repair and maintenance of solar facilities, battery storage facilities, collector substation, electrical transmission lines, and other project facilities; mowing and vegetation control; and periodic panel washing. As technology continues to advance, existing systems may be upgraded or replaced during operations to enhance efficiency and output without expanding the project development footprint.

The list of Major Operational activities below are described in more detail on 7-36 to 7-87 in of **Volume 6 – Chapter 7** – *Response to Comments,* which illustrates all errata for **Chapter 3**, *Project Description* of the EIR:

- Operational Water Use
  - Panel washing one (1) to two (2) times per year; Additional use for project operations (on-site staff facilities), fire suppression (10,000 – 30,000-gallon fire protection tanks), and site maintenance
  - Annual water usage approximately 20 acre-feet
  - Supplied by Fremont Valley Groundwater Basin or imported from MPUD

- Operational Electrical Supply
  - Provided by combination of project's electrical generation, local power providers and portable generators

- Handling of Solid and Nonhazardous Waste
  - Including but not limited to broken and rusted metal, defective or malfunctioning modules, electrical materials, empty containers, and other miscellaneous solid waste, including the typical refuse generated by workers

- Handling of Hazardous Materials
  - Including, but not limited to, limited amounts of diesel fuel, gasoline, and motor oil for vehicles; mineral oil to be sealed within the transformers; and lead-acid-based or lithium-ion-based batteries for emergency backup

- Handling of Hazardous Waste
  - Including, but not be limited to, small amounts of defective or malfunctioning modules, electrical materials, unused paint, solvents, cleaners, waste oil, oily rags, and batteries

- Security and Lighting
  - Perimeter security fencing, locking gates access roads
  - Lighting systems for O&M personnel with illumination for both normal and emergency conditions

  - Permanent motion-sensitive, directional security lights would be installed to provide adequate illumination around the collector substation areas and points of ingress/egress

Project Decommissioning

The project has an anticipated operational life of up to 35 years, after which the project proponent may choose to update site technology and recommission, or to decommission the site and remove the systems and their components. Because the tracking system and supporting equipment for the PV arrays would be supported by steel posts that would be pile-driven into the ground, the land would be largely unaltered from its natural state when the arrays are removed after the project's

lifetime. As discussed in more detail below, portions of the project site would require reclamation, such as areas requiring revegetation after removal of solar and/or battery storage facilities. The project site could then be converted to other uses in accordance with applicable land use regulations in effect at that time.

All decommissioning and reclamation activities would be outlined in a step-by-step Decommissioning Plan and would adhere to the requirements of the appropriate governing authorities as well as all applicable local, state, and federal requirements and BMPs. The project would include BMPs to ensure the collection and recycling of modules and batteries and to avoid the potential for modules or batteries to be disposed of as municipal waste. The project is anticipated to need approximately 451 acre-feet of water during the approximately 24-month-long decommissioning process.

It is anticipated that, during project decommissioning, project structures would be removed from the site. Aboveground equipment that would be removed include module posts and support structures, on-site transmission poles that are not shared with third parties, and the overhead collection system within the site; inverters, transformers, electrical wiring, battery storage equipment (if constructed), and equipment on the inverter pads. The substation would be removed unless a public or private utility assumes ownership of the collector substation, in which case the equipment may remain on-site to be used as part of the utility service to supply other applications.

Equipment would be de-energized prior to removal, salvaged (where possible), placed in appropriate shipping containers, and secured in a truck transport trailer for shipment off-site to be recycled or disposed of at an appropriately licensed disposal facility. Some materials may also be returned to the manufacturer.

Removal of the solar modules would include removing the racks on which the solar panels are attached and placing them in secure transport crates and a trailer for storage. Removal of the energy storage facility equipment (if constructed) would include removing the batteries, enclosures, and associated inverters and control panels. Batteries would be placed in appropriate hazardous materials containers for proper handling and removal from the site. The equipment would ultimately be transported to another facility (possibly including an equipment manufacturer) or to a recycling or disposal facility. Once the solar modules have been removed, the racks would be disassembled and the structures supporting the racks would be removed. Site infrastructure would be removed, including the fences and the concrete pads that may support the inverters, transformers, and related equipment, and concrete posts would be removed to grade level. The demolition debris and removed equipment may be cut or dismantled into pieces that can be safely lifted or carried with the equipment being used. The fencing and gates would be removed, and all materials would be recycled to the extent feasible. Project roads would be reclaimed to their preconstruction condition to the extent feasible, unless the landowner elected to retain the improved roads for access throughout that landowner's property. The area would be thoroughly cleaned, and all debris would be removed. A collection and recycling program would be executed to promote recycling of project components and minimize disposal in landfills.

As mentioned above, reclamation activities would occur as part of project decommissioning with particular focus on removal and revegetation of any impervious surfaces associated with the solar and energy storage facilities. Reclamation activities aim to bring the project site back to similar conditions as those that existed prior to construction of the project; the goal of reclamation activities is to return the land to a condition in which natural vegetation can successfully re-establish. Reclamation activities may include, but are not limited to, the following actions:

- Project drainage features (retention basins, etc.) would be reclaimed using suitable fill material.

- Roads, parking areas, and collector substation areas would be removed and reclaimed to their pre-construction conditions and topography.
- Soils would be de-compacted using a disking method, as needed.
- As needed, topsoil would be used to restore suitable conditions for vegetation growth.

Assembly Bill 52 and Senate Bill 18 Tribal Consultation

In accordance with both Assembly Bill (AB) 52 and Senate Bill (SB) 18 and the California Tribal Consultation guidelines, the appropriate native groups were consulted with respect to the project's potential impacts on Native American places, features, and objects.

As part of the County's government-to-government responsibilities pursuant to AB 52, on August 15, 2025, the County sent consultation notification letters via certified mail to the California Native American tribes on the County's Master List for AB 52 consultation. Contacted tribes for AB 52 consist of the Tejon Indian Tribe, Yuhaaviatam of San Manuel Nation, Twenty-Nine Palms Band of Mission Indians, and Torres Martinez Desert Cahuilla Indians.

Additionally, pursuant to SB 18, on August 15, 2025, the County sent consultation notification letters via certified mail to tribes listed on the project site specific list from the California Native American Heritage Commission. Contacted tribes for SB 18 consist of Kitanemuk & Yowlumne Tejon Indians, Morongo Band of Mission Indians, Quechan Tribe of the Fort Yuma Reservation, San Fernando Band of Mission Indians, Serrano Nation of Mission Indians, Tejon Indian Tribe, Tule River Indian Tribe, Yuhaaviatam of San Manuel Nation, Kern Valley Indian Community.

Of the Tribes contacted, the Tejon Indian Tribe proceeded with entering into consultation. Additional responses were received from Ft. Yuma Quechan Indian Tribe, Santa Rosa Rancheria Tachi Yokut Tribe, the Yuhaaviatam of San Manuel Nation, the Twenty-Nine Palms Band of Mission Indians and Morongo Band of Mission Indians ultimately indicating they did not wish to enter consultation. Records of tribal coordination were disclosed in the Draft Environmental Impact Report (DEIR) and copies are on file with the Department.

Final Environmental Impact Report

A Final Environmental Impact Report (FEIR) was prepared for this proposed project in accordance with the California Environmental Quality Act (CEQA) Guidelines. As required by CEQA, the FEIR includes appropriate review, analysis, and mitigation measures for the environmental impacts of the proposed project. This FEIR could be utilized by other permitting agencies in their capacity as Responsible and Trustee agencies under CEQA. As required by Departmental procedures for processing of an EIR, an indemnification agreement has been executed by the project proponent.

To initiate the EIR process, a Notice of Preparation (State Clearinghouse No. 2025081409) was circulated for a 30-day public review period beginning on September 4, 2025, and ending on October 6, 2025. A scoping meeting was noticed and held on September 25, 2025, at the Kern County Public Services Building, 2700 "M" Street, Suite 100 in Bakersfield, California. No members of the public were present to submit verbal comments at the scoping meeting. During the Notice of Preparation 30-day public review period, 16 comment letters were received. These comments were used in the preparation of the Draft EIR, and summary of the comments is included in **Chapter 2**, *Introduction,* of the EIR.

Based on the comments received in response to the Notice of Preparation, a Draft EIR was prepared and circulated for a 45-day public review period beginning on April 30, 2026, and ended on June 15, 2026. In total, approximately 381 agencies, interested parties, surrounding property owners, and mineral right owners were notified of the DEIR by way of the Notice of Availability. The DEIR was made available on the Kern County Planning and Natural Resources Department's webpage, the California State Clearinghouse (a division of the Governor's Office of Land Use and Climate Innovation), the Kern County Clerk's Office, the Beale Library, Buttonwillow Branch Library, and the Wasco Branch Library. A total of 11 written comment letters were received on the DEIR from individuals or agencies/organizations. As required by Section 15088 of the State CEQA Guidelines, responses to these comments were prepared and provided to the agencies and interested parties that submitted return addresses at least 10 days prior to your Board's hearing.

In accordance with State CEQA Guidelines, a FEIR has been completed, comprised of six (6) volumes, as follows:

- Volume 1 – Chapters 1 through 10 (April 2026)
- Volume 2 – Appendices A through D (April 2026)
- Volume 3 – Appendices E through H (April 2026)
- Volume 4 – Appendix I (April 2026)
- Volume 5 – Appendix J through M (April 2026)
- Volume 6 – Chapter 7, Response to Comments (July 2026)

These documents have been provided to your Board for your review and consideration. A complete copy of the FEIR is also available on the Kern County Planning and Natural Resources Department website at the following link: **https://kernplanning.com/environmental-doc/galaxy-solar-pv-and-storage-project/**.

The Final EIR contains 68 mitigation measures to reduce significant impacts from the project, and a Mitigation Monitoring and Reporting Program has been included as **Exhibit C** to your staff report for your review.

Effects Found to Have No Impact

Based on the findings of the Notice of Preparation and the results of the scoping process, the proposed project was determined to have no impact with regard to the following impact thresholds, and the categories were therefore not analyzed in the EIR prepared for the proposed project:

- Population and Housing
- Recreation

Less than Significant Impacts (Including Significant Impacts that Can Be Mitigated, Avoided, or Substantially Lessened

The DEIR addresses all potentially significant environmental impacts that Kern County identified during the Notice of Preparation and scoping process. After further study and environmental review in the EIR, it was determined that certain impacts would be less than significant, or could be reduced to a less than significant level with the incorporation of mitigation measures, as summarized below in **Table 5***, Summary of Project Impacts that are Less than Significant or Less than Significant with Mitigation* (See **Exhibit C**, *Mitigation Monitoring and Reporting Program,* for full mitigation measure text):

Table 5: *Summary of Project Impacts that are Less than Significant or Less than Significant with Mitigation*	
Impact	**Mitigation Measures**
Agriculture and Forestry Resources (Project and Cumulative)	No mitigation required
Air Quality (Project and Cumulative)	MM 4.3-1 through 4.3-8
Biological Resources (Project, with the exception of WJT)	MM 4.1-1, MM 4.1-3, MM 4.1-6, MM 4.1-7, MM 4.3-3, MM 4.9-2, MM 4.13-1, 4.14-1 and MM 4.4-1 through MM 4.4-23
Cultural Resources (Project and Cumulative)	MM 4.5-1 through MM 4.5-5
Energy (Project and Cumulative)	MM 4.3-3
Geology and Soils (Project and Cumulative)	MM 4.7-1 through MM 4.7-7 and MM 4.10-1
Greenhouse Gas Emissions (Project and Cumulative)	No mitigation required
Hazards and Hazardous Materials (Project and Cumulative)	MM 4.1-1. MM 4.9-1 through MM 4.9-3, MM 4.10-1, MM 4.14-1, MM 4.15-1, and MM 4.17-1
Hydrology and Water Quality (Project and Cumulative)	MM 4.9-1, MM 4.10-1, MM 4.10-2, and MM 4.4-22
Land Use and Planning (Project and Cumulative)	MM 4.9-3, MM 4.11-1, and MM 4.11-2
Mineral Resources (Project and Cumulative)	No mitigation required
Noise (Project and Cumulative)	MM 4.13-1 through MM 4.13-3
Public Services (Project and Cumulative)	MM 4.14-1 through MM 4.14-5
Transportation and Traffic (Project and Cumulative)	MM 4.15-1 and MM 4.15-2
Tribal Cultural Resources (Project and Cumulative)	MM 4.5-1 through MM 4.5-5
Utilities and Service Systems (Project and Cumulative)	MM 4.1-1, 4.10-1, MM 4.10-2, and MM 4.17-1
Wildfire (Project)	MM 4.10-1, MM 4.14-1, and MM 4.15-1

Significant and Unavoidable Project Impacts

Section 15126.2(b) of the State CEQA Guidelines requires that an EIR describe any significant impacts, including those that can be mitigated but not reduced to less than significant. After study and environmental review in the EIR, it was determined that certain impact thresholds would have significant and unavoidable impacts after the project complies with all regulatory, statutory, and feasible and reasonable mitigation measures. Those specific impacts that would have significant and unavoidable project-level impacts after mitigation are identified below:

- Aesthetics
- Biological Resources

Significant and Unavoidable Cumulative Impacts

According to Section 15355 of the State CEQA Guidelines, the term cumulative impacts "…refers to two (2) or more individual effects which, when considered together, are considerable or which compound or increase other environmental impacts." Individual effects that may contribute to a cumulative impact may be from a single project or a number of separate projects. Individually, the impacts of a project may be relatively minor, however, when considered along with impacts of other closely related or nearby projects, including newly proposed projects, the effects could be cumulatively significant. A list of projects used in the cumulative analysis is included in the EIR **Chapter 3**, *Project Description*, (see also **Volume 6, Chapter 7,** *Response to Comments,* which illustrates all errata) and a full discussion of all cumulative impacts for each impact is contained in **Chapter 4**, *Environmental Setting, Impacts, and Mitigation Measures*. The following impacts (summarized below in **Table 6** *Summary of Project Impacts that are Significant and Unavoidable*)

on the project were determined by the EIR to have significant and unavoidable cumulative impacts that cannot avoided after all regulatory, statutory, and feasible and reasonable mitigation measures (See attached **Exhibit C**, *Mitigation Monitoring and Reporting Program,* for full mitigation measure text):

- Aesthetics
- Biological Resources
- Wildfire

Table 6, *Summary of Project Impacts that are Significant and Unavoidable*

Resources	Project Impacts	Cumulative Impacts
Aesthetics	Implementation of the project would result in significant visual impacts to the existing visual quality or character of the site and surrounding area. **Mitigation Measures MM 4.1-1** through **MM 4.1-5** would reduce visual impacts associated with the project by limiting vegetation removal, planting native vegetation, providing privacy fencing or similar view-screening materials, reducing visibility of project facilities, and minimizing debris and trash. Native vegetation would be left in place on the project site where feasible, allowing for natural screening of project components. Furthermore, the color treatment of buildings would help these components to better blend in with the natural landscape. However, because there are no feasible mitigation measures that can be implemented to maintain the existing, open and undeveloped desert landscape character of the project site , even with implementation of **Mitigation Measures MM 4.1-1** through **MM 4.1-5**, project level impacts to visual character and quality would remain **significant and unavoidable.**	While other projects in the region would also be required to implement various mitigation measures to reduce impacts, the conversion of thousands of acres to a developed landscape cannot be mitigated to a degree in which impacts are no longer significant. Even with implementation of **Mitigation Measures MM 4.1-1** through **MM 4.1-7**, the project's contribution to significant cumulative impacts associated with visual character in the Mojave Desert and Antelope Valley areas would be **cumulatively significant and unavoidable.**
Biological Resources	Implementation of the project would have a substantial adverse effect, either directly or through habitat modifications on species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations by the CDFW. There are approximately 8,889 live WJT stems and 3,465 dead WJT stems that may be impacted by the project. However, while implementation of the project design features and **Mitigation Measures MM 4.4-8** and **MM 4.4-1** through **MM 4.4-3** would reduce impacts to WJT, the County considers impacts to WJT to be **significant and unavoidable** due to the number of WJT that would be impacted to implement the project. Impacts would be less than significant for all other affected species.	Implementation of the project in addition to the other projects under way or proposed within Kern County would impact special-status plant and wildlife species. Given the number of present and reasonably foreseeable future development projects in the Antelope Valley, the project, when combined with other projects, would result in a significant and unavoidable cumulative loss of foraging and nesting habitat for special-status species. While the project would have less-than-significant impacts with the implementation of **Mitigation Measures MM 4.1-1, MM 4.1-3, MM 4.1-6, MM 4.1-7, MM 4.3-3, MM 4.9-2, MM 4.13-1, and MM 4.4-1 through MM 4.4-23**, when combined with related projects, the project would contribute to impacts that would be **cumulatively significant and unavoidable**.

Table 6, *Summary of Project Impacts that are Significant and Unavoidable*		
Resources	**Project Impacts**	**Cumulative Impacts**
Wildfire	There would be no significant and unavoidable project impacts.	Despite implementation of **Mitigation Measures MM 4.10-1** and **MM 4.14-1**, given the project's location in a rural area and limited infrastructure, the project and related projects have the potential to result in a cumulative impact related to exposing people or structures to risks as a result of runoff, post-fire slope instability, or drainage changes and, thus, would result in a **cumulatively significant and unavoidable** impact.

Project Proponent Submitted Objectives

State CEQA Guidelines Section 15124(b) requires that a project description includes a clearly written statement of objectives. The statement of objectives should include the project's underlying purpose and may discuss the project's benefits. The following are Project objectives submitted by the Project proponent:

- Establish solar PV power-generation with energy storage facilities of sufficient size and configuration to produce and deliver reliable electricity in an economically feasible and commercially financeable manner that can be marketed to multiple California utility companies or other viable power purchasers.

- Provide Kern County and the State of California, as well as utilities, with a renewable energy source adjacent to other renewable) energy and infrastructure facilities that would assist in meeting obligations under several bills that collectively define California's Renewable Portfolio Standard Program, including Assembly Bill 32, the Global Warming Solutions Act, as amended by Senate Bill 32 in 2016 and Senate Bill 100. These bills call for 100 percent of all electricity sold in California to come from carbon-free resources by 2045, including 90 percent renewables by 2035 (Senate Bill 1020), while vehicles are simultaneously transitioned from internal combustion engines to zero-emission forms.

- Assist Kern County in promoting its role as the State's leading producer of renewable energy and assist California utilities in meeting their obligations under the California Public Utilities Commission's Energy Storage Framework and Design Program.
- Use proven and established PV and energy storage technology (if constructed) that is efficient, recyclable, and requires low maintenance.
- Maximize use of existing transmission infrastructure and transmission corridors, thereby minimizing new disturbance.
- Site and design the project in an environmentally responsible manner consistent with current Kern County guidelines, including:
    - Locating generation facilities in areas which receive intense solar radiation;
    - Using existing electrical transmission facilities, rights-of-way, roads, and other existing infrastructure where practical;
    - Minimizing water use; and
    - Reducing greenhouse gas emissions.

- Use construction techniques that minimize soil disturbance, allow water to continue to flow and percolate naturally across the project site, and avoid and minimize environmental impacts including impacts to air quality, noise, and water quality. Develop a solar PV power-generation and energy storage facility in Kern County which would support the economy by investing in the local community, provide green jobs to the County and California, and increase tax and fee revenue to the County.
- Supplement the California power grid due to the shutdown of nuclear power plants throughout the state.
- Expand the reach of renewable energy development through the development of battery energy storage systems (BESS; if constructed), making solar more valuable by storing energy and placing it on the grid after sunset.
- Utilize vacant land that has limited water availability for a renewable energy project.

Alternatives

Section 15126.6 of the CEQA Guidelines states an EIR must address "a range of reasonable alternatives to the project, which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project and evaluate the comparative merits of the alternative." The alternatives to be considered should include those that offer substantial environmental advantages over the proposed project and that may feasibly be accomplished considering the various economic, environmental, social, technological, and legal factors.

In order to meet the requirements of Section 15126.6, the EIR analyzed four (4) project alternatives, whereas three (3) alternatives were considered and rejected. This reasonable range of alternatives provides the decision-makers with enough variation to support informed decision making.

Alternatives Considered and Rejected

Three (3) alternatives were considered but rejected from further consideration after undergoing a preliminary analysis and being found as infeasible or failing to meet project objectives. They include: (1) Wind Energy Project Alternative; (2) Industrial Power Plant Alternative; and (3) Alternative Site Alternative.

The "Wind Energy Project Alternative" was considered but rejected from further consideration for the following reasons:

- It may conflict with the Mojave Air and Space Port, Kern County Airport Land Use Compatibility Plan, and the Edwards Air Force Base due to the heights of the turbines.
- It may result in additional/greater biological resources impacts to avian species than the project.
- It may require greater encroachment into western Joshua Tree Woodlands for optimal spacing and orientation relative to prevailing winds and tower wake.
- It may generate long-term noise impacts to nearby sensitive receptors from rotating turbine blades.
- It would not reduce temporary and cumulatively significant air quality impacts due to similar construction requirements.

The "Industrial Power Plant Alternative" was considered but rejected from further consideration for the following reasons:

- It would result in additional/greater impacts than the project including aesthetics, air quality, GHG emissions, land use and planning, noise, transportation, and public utilities, including water use and disposal.
- Depending on siting, it may also result in greater biological resources impacts than the project resulting from emission byproducts (e.g. acid rain).
- It may conflict with the Mojave Air and Space Port, Kern County Airport Land Use Compatibility Plan, and potentially the Edwards Air Force Base due to the heights of the cooling towers and smokestacks, as well as flue gas.
- It would not contribute to the statewide renewable energy and GHG emission reduction objectives as this alternative would use nonrenewable energy to produce electricity.

The "Alternative Site Alternative" was considered but rejected from further consideration for the following reasons:

- An alternative site in the project area is likely to have similar project and cumulative significant impacts after mitigation (aesthetics, biological resources, wildfire);
- Alternative sites may not be within close proximity to transmission infrastructure
- This alternative is not considered "potentially feasible" because there are no other suitable sites within control of the Project Proponent that would reduce any significant project or cumulative impacts.

CEQA states that alternatives may be eliminated from detailed consideration in an EIR if they fail to meet most of the project objectives, are infeasible, or do not avoid or substantially lessen any significant environmental effects (State CEQA Guidelines, Section 15126.6(c)). Alternatives that are remote or speculative, or the effects of which cannot be reasonably predicted, also do not need to be considered (State CEQA Guidelines, Section 15126.6(f)(3)).

Alternatives Analyzed in the EIR

Four (4) alternatives, as listed below, were identified that could avoid or lessen significant effects of the proposed project and could feasibly attain project objectives, and these were analyzed in greater detail in the EIR, Volume 1 – Chapter 6.

- Alternative 1: No Project Alternative
- Alternative 2: General Plan/Specific Plan and Zoning Build-Out Alternative
- Alternative 3: Reduced Acreage Alternative
- Alternative 4: No Ground-Mounted Utility-Solar Development Alternative – Distributed Commercial and Industrial Rooftop Solar Only

The discussion in the DEIR presents a description of each alternative and focuses on the degree to which the identified alternative might accomplish the proposed project's objectives and would reduce one (1) or more of the identified significant impacts, as well as other impacts.

Table 7, *Summary of Development Alternatives,* provides a summary of the relative impacts and feasibility of each alternative.

Table 7 *Summary of Development Alternatives*		
Alternative	**Description**	**Basis for Selection and Summary of Analysis**
Project	Construction and operation of a solar facility and associated infrastructure necessary to generate up to 600 MW of renewable electrical energy and up to 4 GWh of energy storage capacity on approximately 3,400 acres. The power would be delivered via a gen-tie line to a grid interconnection point at the SCE Windhub Substation. Approval of zone classification changes, CUPs, General Plan amendments, zone variances, removal of road reservations, vacation of easements, and vesting tentative parcel maps would be required.	N/A
Alternative 1: No Project Alternative	No development would occur on the project site. The project site would remain unchanged.	• Required by CEQA. • Avoids need for CUPs, zone classification changes, General Plan amendments, zone variances, removal of road reservations, vacation of easements, or vesting tentative parcel maps. • Avoids all significant and unavoidable impacts. • Would not offset greenhouse gas (GHG) emissions from existing nonrenewable energy generation, and thus have greater impacts on GHG emissions. • No impact in all remaining environmental issue areas. • Does not meet any of the project objectives.
Alternative 2: General Plan/Specific Plan and Zoning Build-Out Alternative	Project site would be developed to the maximum intensity allowed under existing Kern County General Plan or Mojave Specific Plan land use designations and zoning classifications and other existing applicable allowances.	• Avoids need for the proposed zone classification changes, CUPs, General Plan amendments, zone variances, removal of road reservations, vacation of easements, and vesting tentative parcel maps. However, similar entitlements may be required for uses specified in existing zone districts. • Reduces impacts to aesthetics, and agriculture and forestry resources. • Similar impacts to air quality, geology and soils, hazards and hazardous materials, land use and planning, mineral resources, noise and wildfire. • Greater overall impacts in all remaining environmental issue areas. • Does not meet any of the project objectives.

Table 7 *Summary of Development Alternatives*		
Alternative	**Description**	**Basis for Selection and Summary of Analysis**
Alternative 3: Reduced Acreage Alternative	Construction and operation of a solar power generation and energy storage facility on a reduced project site, leaving a total of approximately 900 acres undeveloped. This alternative is still expected to contain enough land to construct a solar array field capable of generating up to approximately 400 MW, with up to 3 GWh of energy storage. The alternative would similarly require zone classification changes, conditional use permits, General Plan amendments, zone variances, removal of road reservations, vacation of easements, and vesting tentative parcel maps.	• Greater GHG emissions impact as benefit of offsetting GHG emissions from nonrenewable energy generation would be minimized. • Greatly reduces the ability to optimize the value and use of existing nearby infrastructure deliverability capacity at Windhub Substation. • Reduced, but similar impacts to hazards and hazardous materials, land use and planning, mineral resources, noise, public services, and wildfires. • Reduces impacts in all remaining environmental issue areas. • Reduces but would not eliminate or substantially lessen significant and unavoidable impacts associated with aesthetics (project and cumulative), biological resources (project, WJT only and cumulative), or wildfire (cumulative only). • Does not meet all of the project objectives.
Alternative 4: No Ground-Mounted Utility-Solar Development Alternative – Distributed Commercial and Industrial Rooftop Solar Only	The construction of up to 600 MW of PV solar distributed on rooftops throughout western Antelope Valley. Electricity generated would be for on-site use only.	• Avoids need for zone classification changes, CUPs, General Plan amendments, zone variances, removal of road reservations, vacation of easements, and vesting tentative parcel maps at the project site, but may require other entitlements (such as a CUP or variance) on other sites. • Avoids significant and unavoidable impacts associated with aesthetics, biological resources, and wildfire. • Greater GHG emissions impact as a benefit of offsetting GHG emissions from nonrenewable energy generation would be minimized. • No impacts on land use and planning or mineral resources. • Similar impacts to air quality, energy, and noise. • Reduces impacts in all remaining environmental issue areas. • Does not meet most project objectives nor does this alternative account for the benefits of inclusion of an energy storage component of the project.

Environmentally Superior Alternative

An EIR must identify the environmentally superior alternative to the project. Alternative 1, the No Project Alternative, would be environmentally superior to the project on the basis of its minimization or avoidance of physical environmental impacts. However, CEQA Guidelines Section 15126.6(e)(2) states:

> *The "no project" analysis shall discuss the existing conditions at the time the notice of preparation is published, or if no notice of preparation is published, at the time environmental analysis is commenced, as well as what would be reasonably expected to occur in the foreseeable future if the project were not approved, based on current plans and consistent with available infrastructure and community services. If the environmentally superior alternative is the "no project" alternative, the EIR shall also identify an environmentally superior alternative among the other alternatives.*

Because the No Project Alternative cannot be the Environmentally Superior Alternative under CEQA, the Environmentally Superior Alternative is considered to be the No Ground-Mounted Utility-Solar Development Alternative. This alternative would avoid significant and unavoidable impacts to aesthetics (project and cumulative), biological resources (project, WJT only and cumulative), and wildfire (cumulative only). However, impacts related to GHG emissions would be greater under this alternative due to the potential for significant truck trips associated with solar panel delivery and the lower efficiency of the distributed systems. The alternative also would not include up to 4 GWh of energy storage. The potential for an increased fire risk is considered small as solar is commonly and safely added to structures, and all building codes would be conformed to under this alternative. This alternative would result in less impact to aesthetics, agriculture and forestry resources, biological resources, cultural resources, geology and soils, hazards and hazardous materials, hydrology and water quality, land use and planning, mineral resources, public services, transportation, tribal cultural resources, utilities and service systems, and wildfires. Thus, for most environmental resource areas, this alternative would result in fewer environmental impacts, both short term and long term, when compared to the proposed project.

It is important to note that it is considered to be impracticable and infeasible to construct the No Ground-Mounted Utility-Solar Development Alternative within the same timeframe and/or with the same efficiency as the project because the project proponent lacks control and access to the sites required to develop 600 MW of distributed solar generated electricity. Additionally, doing so would be economically infeasible because, given rooftop suitability and availability as well as space constraints, the extensive area of rooftop solar needed to replace the project (approximately 100,000 homes at 6 kilowatts per household) would be infeasible within any medium-term timeline. In addition, this alternative would not achieve the project objective of assisting California load-serving entities in meeting their obligations under California's Renewable Portfolio Standard Program, as the rooftop solar technology is primarily designed to not exceed on-site demands. Nonetheless, because this alternative reduces impacts to a greater degree than the General Plan and Zoning Build-Out Alternative and Reduced Acreage Alternative, the No Ground-Mounted Utility-Solar Development Alternative is considered the Environmentally Superior Alternative.

Public Comments on the Draft EIR – Response to Comments

As noted previously, Staff received a total of eleven (11) written comment letters on the Draft EIR from federal, State, local agencies, and interested parties. These comments and responses, posted with the State Clearinghouse and at the County Clerk's office on July 31, 2026, as **Volume 6**, **Chapter 7,** *Response to Comments*, were provided to your Board prior to the distribution of this

staff report. A complete list of names of each commenter is provided in the Final EIR and each comment is addressed individually in **Volume 6**, **Chapter 7**, *Response to Comments.* Revisions and clarifications in the Final EIR provided as responses to comments are considered minor and do not change any conclusions identified in the analysis.

Under CEQA Section 15088.5(b), these minor changes in language are considered insignificant modifications that clarify, and do not add substantive new information. Therefore, recirculation of the DEIR is not warranted.

Staff concludes the proposed project fully complies with the requirements of CEQA; the Final EIR is legally sufficient and the recommended findings and whole of the record address these comments.

Additional Comments Received

During the course of processing this request, Staff notified all affected agencies, County Departments, property owners within 1,000 feet of the proposed project area. As of this writing, Staff has received six (6) comment letters from the listed parties below. Copies of all correspondence are attached to this Staff report for reference.

(1) **The Twenty-Nine Palms Band of Indians** The comment letter indicates the project is outside of the known Chemehuevi Traditional Use Area (TUA), deferring to other tribes who have cultural affiliation with the project area.

(2) **The Kern County Superintendent of Schools**. The comment letter is similar in content to comments received in response to the circulation of the Draft EIR, with applicable responses found on page 7-187 of **Volume 6, Chapter 7,** *Response to Comments*. Generally, the comment indicates the proposed project should not have any impacts on school facilities such that all statutory fees are paid. A recommended condition of approval is included for the applicable Conditional Use Permits to address this comment.

(3) **The Kern County Fire Department.** The comment letter is similar in content to comments received in response to the circulation of the Draft EIR, with applicable responses found on page 7-243 of **Volume 6, Chapter 7,** *Response to Comments*. Generally, the comments outline required fire-safety reviews, permits, and compliance obligations for both the solar facilities and the battery energy storage system, all of which the project will meet through implementation of the applicable conditions of approval and mitigation measures.

(4) **The Kern County Public Works Department - Development Review Division** has reviewed the proposed maps and generally expresses support for the proposed development variations and the majority of proposed vacations of public access easements that would result from map recordation. See the below section - *Vesting Tentative Parcel Maps* for additional discussion.

(5) **SoCalGas** has reviewed the proposed project and provided comments stating that the Transmission Department of SoCalGas does not operate any facilities within the proposed project and to contact the Distribution Department of SoCalGas to assure the proposed project does not conflict with the Distribution's pipeline system.

(6) **The Kern County Public Health Services Department – Environmental Health Division** has reviewed the proposed project and recommends a condition of approval requiring that prior to the issuance of grading or building permits, the proposed methods for sewer and water shall

be approved by the Environmental Health Division. Staff notes a recommended condition of approval has been incorporated below for all applicable entitlements.

Findings of Fact, Statement of Overriding Considerations and MMRP (Exhibits A, B and C)

Written findings and a brief explanation of the rationales for each finding in accordance with Section 15091 of the CEQA Guidelines have been included for each significant and insignificant impact as identified in the EIR (see attached **Exhibit A**, *Findings of Fact*). The occurrence of significant environmental effects that cannot be avoided after all reasonable and feasible mitigation have been adopted for aesthetics, biological resources, and wildfire are included in the attached **Exhibit B**, *Statement of Overriding Considerations*. The Statement of Overriding Considerations in compliance with State CEQA Guidelines Section 15093 includes a discussion of the benefits of the proposed project that provides a basis for the recommended approval of the proposed project despite the adverse environmental effects that could and/or will occur. A Mitigation Monitoring and Reporting Program (MMRP) has been prepared and is attached for your Board's review and consideration as **Exhibit C** in this staff report.

The following benefits and considerations outweigh such significant and unavoidable adverse environmental impacts. All these benefits and considerations are based on the facts set forth in the findings, the FEIR, and the record of proceedings for the proposed project:

- The project would utilize approximately 3,519 acres of vacant, undeveloped land, with little water, in unincorporated Kern County for a renewable energy solar storage project. It will have a useful life of 35 years, which will pay property taxes and fees to Kern County, including to the General Fund. With the expiration of the solar property tax exclusion on January 1, 2027, the project will contribute property taxes of an estimated total of $120 million over 35 years with over $66.5 million being paid in its first five (5) years of operations. Within that first five (5)-year period, 18% or over $11.9 million will be paid into the General Fund alone, approximately 59% or $39.2 million would go to Kern County Schools, and over $7.3 million to the Kern County Fire Department. With an estimated $16.1 million being paid in property taxes in its first year of full operations, the project is expected to be one of the top 10 taxpayers in Kern County as compared to the 2025/2026 tax period. Alternatively, if the project qualifies, based on State Legislative action and the State Board of Equalization guidance, for any reduction in property taxes under a Solar Tax Exclusion or other specific property tax relief for solar or battery storage regardless of the name, then the Cumulative Impact Charge (CIC) would apply, resulting in an annual contribution of approximately $2.28 million over the life of the project.
- The Applicant has developed a comprehensive mitigation package that will substantially mitigate project-related impacts to WJTs through minimization and avoidance, compensatory land acquisition, habitat augmentation, and ecosystems management coordinated with CDFW through Incidental Take Permitting. Mitigation for WJT will also include additional measures such as on-site or off-site WJT relocation, potential seed collection, and acquisition of off-site compensatory mitigation lands with a focus on WJT refugia habitat. Together, these measures, as a comprehensive mitigation package, are intended to maximize WJT preservation efforts and minimize project impacts to substantially mitigate project impacts to WJT.
- The project would establish a solar facility and associated infrastructure capable of producing up to 600 megawatts (MW) of renewable electrical energy with up to four 4 gigawatt-hours (GWh) of energy storage capacity (approximately 1,000 MW) and help meet the increasing demand of the State of California for clean, renewable electrical power at a competitive cost.

- The proposed project would assist the state of California in achieving the Renewable Portfolio Standard (RPS) under Senate Bill (SB) 100 for 2045, by providing a significant new source of renewable energy (California State Assembly Bill [AB] 32, Global Warming Solutions Act of 2006, and SB 32).
- The proposed project would enhance existing electrical distribution infrastructure and provide greater support to existing and future customer loads to ensure Southern California Edison can provide power to all customers, including customers in Kern County.
- The project would expand the reach of renewable energy development through the creation of a high-capacity battery energy storage system (BESS), making solar more effective by storing energy after sunset and placing it on the grid.
- Project construction would generate an estimated daily average of up to 354 jobs (653 jobs during peak construction periods), and approximately six (6) full-time jobs during operation, which would provide increased business for local contractors and vendors.
- The proposed project would minimize environmental effects by:
    - Locating generating facilities in areas which receive intense solar radiation;
    - Using existing electrical transmission facilities, rights-of-way, roads, and other existing infrastructure where practicable;
    - Minimizing water use; and
    - Reducing greenhouse gas emissions.

Memorandum of Understanding (MOU)

Section 53091 of the California State Government Code provides certain limited exemptions from local building and zoning ordinances for certain projects by public agencies, including but not limited to cities and counties (collectively hereafter Public Agencies), related to electrical energy, among other uses. Additionally, utility companies regulated by the California Public Utilities Commission have specific exemptions for transmission lines and other generating facilities. Mandates for renewable energy projects have made commercial solar and wind projects an attractive investment for utilities and Public Agencies. To ensure conformance to the land use regulations adopted and implemented by this County, wind and solar renewable energy projects proposed in Kern County include a Memorandum of Understanding/Agreement that binds any buyer or operator to agree to be bound by the Kern County Zoning Ordinance, including Kern County building permit requirements, the conditions of the conditional use permit, and the Mitigation Monitoring and Reporting Program regardless of any exemption they may have under Section 53091, or any other provision of law.

Additionally, **Section 4.14**, *Public Services*, of the EIR, **Mitigation Measure MM 4.14-3** requires the project proponent to provide the County with written verification of ownership by April 15th of each calendar year. If the project is sold to a Public Agency or utility company that pays assessed taxes that equal less than $3,000 per MW per year, then a Supplemental Cumulative Impact Charge (SCIC) shall be paid for the difference annually up to $3,000 per megawatt. The SCIC payments shall be made annually directly to the County Administrative Office Fiscal Division (CAO).

These mechanisms provide sufficient assurances that all provisions of the recommended approval will be implemented for the life of the proposed project. The MOU is being considered along with the proposed project by your Board at this hearing. A copy of the MOU signed by the project proponent is attached for your review.

Planning and Natural Resources Department Conclusions and Recommendations

CEQA Environmental Analysis

Staff has reviewed the proposed project with regard to environmental concerns, and it is Staff's opinion that the Final EIR prepared for this proposed project is a comprehensive document with the best available information at this time which details the environmental effects of the proposed project on surrounding land uses. Staff also believes the project is consistent with the California Renewable Portfolio Standard that requires investor-owned utilities to increase the sale of electricity produced by renewable energy sources to 60 percent by the end of 2030. The Final EIR includes 68 mitigation measures that provide for the protection of the environment and provide funding for impacts to public services. CEQA requires that all feasible and reasonable mitigation be imposed on projects to reduce the impacts of projects on the environment.

It should be noted that subsequent to the August 27, 2026, Planning Commission hearing, Staff has clarified Mitigation Measure MM 4.4-5 in ~~strikethrough~~ and underline as follows to allow flexibility for the project to comply with any updated guidance set forth by CDFW and/or the USFWS with regard to wildlife perimeter fencing during later stages of project implementation:

MM 4.4-5: Within 14 days prior to the commencement of ground-disturbing activities, the Lead Biologist or their designee shall perform a pre-construction visual survey of the area to determine if rare plants and/or California Desert Native Plant Act species are present. Surveys need not be conducted for all areas of suitable habitat at one time; they may be phased so that surveys occur no more than 14 days prior to ground disturbance in specific areas of the site. Copies of reports for these inspections shall be retained by the Lead Biologist and provided to the Kern County Planning and Natural Resources Department to be kept on file and to CDFW upon request.

If no species with a California Native Plant Society Rank of 2B or higher are observed, no further mitigation is required.

If species with a California Native Plant Society Rank of 2B or higher are observed, and have not otherwise been accounted for in an approved removal action or separate mitigation action (see Mitigation Measure MM 4.4-6 for ~~A~~alkali mariposa lily), they shall be delineated with stakes and/or flagged for avoidance to the extent feasible. After the preconstruction survey determines the exact location of these species, if present, on the project site and the number of individuals or populations present, the project proponent/operator shall submit written documentation to the Kern County Planning and Natural Resources Department confirming implementation of the measures described below:

a. The project proponent/operator shall work with the Lead Biologist(s) to determine presence of the subject plant species and identify all known locations of subject plant species to establish "avoidance areas". All species with a California Native Plant Society Rank of 2B or higher found within the project site that has not otherwise been accounted for in an approved removal action or separate mitigation action shall be avoided by a buffer of 50 feet. Sturdy, highly visible, orange plastic construction fencing (or equivalent material verified by the Lead Biologist(s)) shall be installed around all locations of detected plant species to protect from impacts during the construction phase, until they can be relocated. The fence shall be securely staked and installed in a durable manner that would be reasonably expected to withstand wind and weather

events and last at least through the construction period. Permanent perimeter security fence around the solar field ~~Fencing~~ will ~~also~~ be installed in such a way as to avoid wildlife entanglement (i.e., installed with a 4-7-inch gap between the bottom of the fence and ground level, or as determined by guidance from CDFW and/or USFWS) and promote wildlife permeability. ~~Fencing~~ Construction fencing shall be removed upon completion of the project construction.

b. Any identified species with a California Native Plant Society Rank of 2B or higher present on the site that have not otherwise been accounted for in an approved removal action or separate mitigation action and that cannot be feasibly avoided in final project design shall require the project proponent to prepare and submit a transplantation plan that includes the following:

    1. Identify an area of occupied habitat to be preserved and removed;

    2. Identify areas of onsite or offsite preservation, restoration, or enhancement locations;

    3. Methods for preservation, restoration, enhancement, and/or translocation;

    4. Indicate a replacement ratio and success standard developed in coordination with the appropriate agencies for impacted to individuals;

    5. Establish a monitoring program to ensure mitigation success;

    6. Create an adaptive management and remedial measures in the event that performance standards are not achieved;

    7. Ensure financial assurances and a mechanism for conservation of any mitigation lands required in perpetuity.

c. Temporary ground disturbance associated with the gen-tie lines or collector lines shall be recontoured to natural grade (if the grade was modified during the temporary disturbance activity) and revegetated with an application of a native seed mix prior to or during seasonal rains to promote passive restoration of the area to pre-project conditions. However, if invasive plant species were present, these species would not be restored. An area subjected to temporary ground disturbance means any area that is disturbed but will not be subjected to further disturbance as part of the project. This does not include areas already designated as urban/developed. Prior to seeding temporary ground disturbance areas, the Lead Biologist(s) will review the seeding palette to ensure that no seeding of invasive plant species, as identified in the most recent version of the California Invasive Plant Inventory for the region, will occur.(RTC 7/31/26) (BOS 9/29/2026)

Staff concludes that the FEIR fully complies with CEQA, and clarifications and modifications within **Chapter 7**, *Response to Comments*, or as shown above, do not meet any of the conditions of CEQA Section 15088.5 (Recirculation of an EIR). No new information has been provided or feasible project mitigation rejected, or environmental impact increased in severity that would require recirculation of the document. Changes to reflect these clarifications for the FEIR, as

appropriate, have been made in Section 15091 Findings of Facts, Section 15093 Statement of Overriding Considerations, and the Mitigation Monitoring and Reporting Program for this project.

Affirmatively Furthering Fair Housing Analysis

The goal of affirmatively furthering fair housing is to combat housing discrimination, eliminate racial bias, undo historic patterns of segregation, and lift barriers that restrict access in order to foster inclusive communities and achieve racial equity, fair housing choice, and opportunity for all Californians.

Based on Staff's review of California Assembly Bill 686 and the Kern County Housing Element regulations, and in alignment with the County's goals to Affirmatively Further Fair Housing, Staff finds that the proposed project is not suitable for advancing housing objectives. The proposed project sites are located within an agricultural area, which is not intended for wide-spread residential development. Existing conditions surrounding and within the proposed project sites, such as the solar facility with its operational maintenance trucks does not support an acceptable standard or appropriate location for potential residential living. Therefore, the proposed project site remains more suitable for a solar facility considering it is a compatible use within the proposed A (Exclusive Agriculture) District by obtaining approval of a Conditional Use Permit.

It is important to ensure that the proposed development does not conflict with any existing or planned residential development in the proposed project area. As noted above, the closest sensitive receptor (a residential structure) is approximately 303 feet from the proposed project site. The proposed project contains specific design features, mitigation measures and conditions of approval to promote compatibility, minimize any adverse impacts on existing rural residential dwellings, and not undermine the County's obligation to affirmatively further fair housing, including the following:

- Condition of Approval (COA) 10(d) – All exterior lighting shall comply with Chapter 19.81 (Outdoor Lighting "Dark Skies Ordinance") of the Kern County Zoning Ordinance. Light fixtures shall be directed away from adjacent properties and roads. When lighting will be visible from a residential district or adjacent public roads, the lighting fixtures shall be equipped with glare shields or baffles to reduce light trespass onto adjacent properties and shall not exceed 30 feet in height above grade. Light fixtures shall be maintained in sound operating conditions at all times. A lighting plan, including glare shield details, shall be submitted and approved by the Kern County Planning and Natural Resources Department.

- **Mitigation Measure MM 4.3-1** through **MM 4.3-8** (see attached **Exhibit C**, *Mitigation Monitoring and Reporting Program*, for full mitigation measure text) would be implemented to ensure construction and operational dust emissions are reduced, through the implementation of reduction measures, fugitive dust control plan, and programs related to awareness and prevention programs related to Valley fever awareness.

- **Mitigation Measure MM 4.13-1** through **MM 4.13-3** (see attached **Exhibit C**, *Mitigation Monitoring and Reporting Program,* for full mitigation measure text) would minimize noise effects generated by the proposed project by limiting and/or reducing potential construction noise during construction, as well as providing notice to nearby residents of construction activities and a contract number for noise complaints.

Amendment to the Land Use Element of the Kern County General Plan

The proposed project site is undeveloped and largely devoid of prior disturbance. The balance of the project site, as well as surrounding land uses generally contain the requisite Map Code 8.5 (Resource Management) that would be compatible with the requested zone change from A-1 (Limited Agriculture) to A (Exclusive Agriculture). However, project parcel 244-421-01 (approximately 160 acres) is currently designated 3.3 (Other Facilities), with a portion of the southwest corner designated 3.3/2.4 (Other Facilities/Solid Waste Facility).

As the existing general plan map code designations of 3.3 and 3.3/2.4 would not be consistent with the proposed zone classification change from A-1 (Limited Agriculture) to the A (Exclusive Agriculture) District, nor do the current 3.3 and 3.3/2.4 map code designations support the land use compatibility for the proposed solar facility. The proposed project must ensure consistency between the underlying land use and the proposed zoning pursuant to California Government Code Sections 65860 and 65862, which require local agencies to concurrently process applications for Plan Amendments and Zone Changes in order to permit development. Therefore, the proposed request to change the map code designation from 3.3 and 3.3/2.4 to 8.5 (Resource Management) would result in necessary land use designation and zoning consistency, and the logical infill of the existing resource management designation that surround the site, as well as promote compatible industrial development adhering to the respective industrial goals, policies and implementation measures of the Kern County General Plan.

Land Use Compatibility

The proposed project is in a location that can be considered favorable for the development of a commercial solar project for a variety of reasons. The proposed project is within the unincorporated portion of southeastern Kern County which is especially appropriate for commercial solar development due to a lack of dense urban development and abundant surrounding renewable energy projects, including wind and solar projects. Additionally, the proposed project site has available access, mainly via existing roads in the area, which means that a minimal number of new roads would be constructed as a direct result of the proposed project.

The location of the proposed project is also within close proximity to commercial transmission facilities and existing utility-related structures, including transmission lines. Additionally, due to the close proximity to and connection with existing substations in the region, the proposed project efficiently capitalizes on the use of existing power infrastructure. Future energy needs could influence the need for expansion in the area, and this would be expedited with the location of the proposed being in close proximity to the existing substation. It also can reduce other impacts on environmental resources, such as hydrology and water quality, air quality, geology, etc., by using existing infrastructure rather than constructing new facilities.

Consistency with the Kern County General Plan

The Board of Supervisors approved a Kern County Renewable Energy Goal for the production of 10 gigawatts from wind and solar facilities by 2015. The goals included projects in all Kern County jurisdictions: cities, school, and water districts; and would create an estimated 8,000 construction jobs, 1,500 operational jobs, and up to $25 billion of investment in the County's future, as well as provide power for over seven (7) million people. Currently, Kern County has reached this goal, and the current proposal would continue this goal of promoting renewable energy in Kern County. Staff notes the proposed project during peak construction would employ an expected workforce of up to 354 jobs (653 jobs during peak construction periods), and six (6) full-time equivalent jobs during the operational phase of the proposed project.

Additionally, the proposed project would add 600 MW to the County's renewable energy portfolio. Staff believes this proposed project is consistent with the California Renewable Portfolio Standard that requires investor-owned utilities to increase the sale of electricity produced by renewable energy sources to 60 percent by the end of 2030. The proposed project would also continue the goal of the Kern County Board of Supervisors of promoting renewable energy in Kern County and maintaining Kern County's position as a leader in renewable energy.

Furthermore, the proposed project will reduce the amount of electricity generated using fossil fuels, and therefore, result in an offset of greenhouse gas emissions such as carbon dioxide (CO_2) per year. The proposed project would generate greenhouse gas emissions during construction and a very small amount of greenhouse gas emissions during operations. However, because the proposed project would replace the creation of energy through other methods, greenhouse gas emissions would result in a reduction.

Staff has reviewed the proposed project with regard to the Kern County General Plan, noting the project's compatibility and consistency with the goals and policies contained therein.

Zone Classification Changes

With regard to the requested Zone Changes, the project site is currently zoned A-1 (Limited Agriculture), which is not consistent with the proposed use as a solar facility with energy storage and additional infrastructure. Therefore, the project proponent has requested Zone Classification Changes (ZCC #5, Map 195; ZCC #4, Map 212; ZCC #5, Map 212) to change the existing base zoning district (excluding their combining zone classification) to the A (Exclusive Agriculture) District. As noted previously, solar energy electrical generators are authorized within the A District with approval of a CUP pursuant to Section 19.12.030.G. of the Kern County Zoning Ordinance

The purpose of the requested A (Exclusive Agriculture) base zone district would be to facilitate the permitting, construction and operation of a solar project with approval of the Conditional Use Permit. Furthermore, the change to the A (Exclusive Agriculture) base district would also achieve consistency with the underlying General Plan or Specific Plan map codes designation pursuant to California Government Code Sections 65860 and 65862.

Conditional Use Permits

As previously described, three (3) total Conditional Use Permit requests are under consideration to allow for the construction and operation of a solar facility across with a generating capacity (combined total) of approximately 600 MW of renewable energy, including approximately four (4) gigawatt-hours (GWh) of energy storage capacity (approximately 1,000 MW) on approximately 3,519 acres in the A (Exclusive Agriculture) Zone District pursuant to Section 19.12.030.G of the Kern County Zoning Ordinance; additional development features within the Conditional Use Permit requests include associated infrastructure, such as temporary construction staging and equipment storage, as well as an off-site construction laydown area.

With approval of the requested Zone Classification Changes, the proposed project will be located entirely within the A (Exclusive Agriculture) District. The purpose of the A (Exclusive Agriculture) Zone District is to designate areas that are suitable for agricultural uses and prevent the encroachment of incompatible uses onto agricultural lands and the premature conversion of such lands to nonagricultural uses. However, solar electrical generation facilities are conditionally permitted within the A District pursuant to Section 19.12.030.G, as noted previously. Permitted land uses in the A (Exclusive Agriculture) Zone District include agricultural uses, commercial uses,

and uses related to utility lines and substations, resource extraction, and energy development. Miscellaneous accessory structures that are related to the permitted uses are also allowed.

Pursuant to Section 19.104.040 of the Kern County Zoning Ordinance, an application for a conditional use permit can be approved, or conditionally approved, if it can make all of the following findings:

(1) The proposed use is consistent with the goals and policies of the Kern County General Plan or Specific Plan.

(2) The proposed use is consistent with the purpose of the applicable district or districts.

(3) The proposed use is listed as a use subject to a Conditional Use Permit in the applicable zoning district or districts or a use determined to be similar to a listed conditional use in accordance with the procedures set out in Section 19.08.030 through Section 19.08.080 of the Zoning Ordinance.

(4) The proposed use meets the minimum requirements of the Zoning Ordinance applicable to the use and complies with all other applicable laws, ordinances, and regulations of the County of Kern and State of California.

(5) The proposed use will not be detrimental to the health, safety, and welfare of the public or to property and residents in the vicinity.

It is Staff's determination that there is adequate justification to support the requests for Conditional Use Permits. The Kern County Zoning Ordinance lists solar as permitted uses within the A (Exclusive Agriculture) Zone District with approval of a Conditional Use Permit. In order to ensure that operation of the solar facilities and associated infrastructure are executed in a safe manner, multiple mitigation measures and conditions of approval have been included that would require proof of compliance prior to issuance of permits for grading, building and/or operation. The requested Conditional Use Permits do not appear to be materially detrimental to the public health, safety, or welfare of property or residents in the vicinity. Additionally, the proposed use would not result in an inconsistency with existing development surrounding the proposed project. Therefore, Staff recommends approval of the requested Conditional Use Permits, subject to the required mitigation measures and conditions of approval.

Amendment to the Circulation Element of the Kern County General Plan

With regard to the requested amendments to the Circulation Element of the Kern County General Plan, the purpose is to eliminate future road reservations along section and mid-section lines within the proposed project boundary (see Table 3 above for the full list of requested removals; see attached figure titled *Proposed General Plan Amendment (Circulation)* for a depiction of requested removals).

The Kern County General Plan currently calls for a reservation for future roadways along these lines throughout certain regions within the General/Specific Plan boundaries for future improvement to a collector or arterial-type road. These reservations are a planning tool that is used to facilitate the future construction of collector and arterial sized roads to accommodate future population growth. Collector and arterial roadways have a larger right-of-way, 90 and 110 feet respectively, compared to local roadways which typically have a right of way of just 30 to 60 feet. Therefore, the proposed project proponent is requesting elimination of these future reservations in order to allow for more flexibility in the placement of solar panels relative to existing section and mid-section lines.

With regard to the Galaxy Solar PV and Storage Project, there are no established roads or highways present in the reservation areas requested for removal by the project proponent. Additionally, the proposed project will not generate a permanent increase in the level of traffic which would be sufficient to warrant construction of collector and arterial sized roads in the specified area; and it is not likely that this area will be densely developed with other types of uses in the foreseeable future. Therefore, the reservations are not considered necessary. Additionally, the request will not eliminate access to any private property within or adjacent to the project boundary.

Therefore, Staff concludes the requested portions of section and mid-section lines do not need to be retained for future construction to collector and arterial standards and recommends approval of the Amendments to the Circulation Element of the Kern County General Plan to eliminate future road reservations along section and/or mid-section lines.

Zone Variances

The proposed project includes requests for Zone Variances for instances where the proposed project includes changes to base zoning to A (Exclusive Agriculture) for parcels that do not meet the minimum 20-acre requirement, or are not part of proposed Vesting Tentative Parcel Maps (VTPMs) for parcel mergers and re-subdivisions to that meet the 20-acre requirements, pursuant to Section 19.12.050, *Minimum Lot Size*, of the Kern County Zoning Ordinance

In accordance with Section 19.106.040 (Variances – Basis for Approval) of the Kern County Zoning Ordinance, the decision-making authority may approve or conditionally approve an application for a variance if all of the following findings are made:

(1) *Special circumstances exist applicable to the subject property, including size, shape, topography, location, or surroundings, such that the strict application of this title deprives such property of privileges enjoyed by other property in the vicinity and in the same zoning district or districts.*

Upon Staff evaluation, special circumstances do exist applicable to the subject property, including the existing uses and the current zoning classification on the property, such that the strict application of the applicable requirement of the Zoning Ordinance deprives such property privileges enjoyed by other property in the vicinity and in the same zoning district throughout the County.

(2) *The granting of the variance does not constitute a grant of special privilege inconsistent with the limitations upon other properties in the vicinity and zoning district in which such property is located.*

Staff has researched similar lot sizes in the vicinity of the project. Based on existing and approved commercial-scale solar developments near the proposed project in southeastern Kern both containing substandard-sized parcels within the project boundary and benefitting from project-wide changes in zoning to the A (Exclusive Agriculture) District, approval of the Zone Variance would not appear to constitute a grant of special privilege inconsistent with the limitations upon other properties in the vicinity and zoning district in which the property is located.

(3) *The granting of the variance will not be materially detrimental to the public health, safety, or welfare or to property or residents in the vicinity.*

Staff is certain, approval of the request would not appear to be detrimental to the public health, safety or welfare, as implementation would require adherence to all other applicable local, State and federal regulatory requirements as ensured by the recommended conditions of approval.

Vesting Tentative Parcel Maps

The proposed project includes requests for Vesting Tentative Parcel Maps for parcel mergers and re-subdivisions to facilitate the consolidation of properties to meet the 20-acre requirements, pursuant to Section 19.12.050, *Minimum Lot Size*, of the Kern County Zoning Ordinance; to accommodate proposed solar facilities; and to ensure that adequate access and circulation is maintained in the area.

The Kern County Department of Public Works/Development Review Division also indicated that they support Development variations which were requested for the following maps to ensure adequate access and circulation to the site and adjacent properties:

(a) Vesting Tentative Parcel 12577—Proposing a merger and re-subdivision of three (3) parcels resulting in a 23.02-acre (gross) parcel; To allow Development Variations to the Land Division Ordinance to authorize a 30-foot-wide public on-site and off-site access easement where a 40-foot-wide public access easement is required; Also allow deletion of additional dedications. (Section 18.55.030.A.5.i and 18.55.050.B.1.f);

(b) Vesting Tentative Parcel 12578—Proposing a merger and re-subdivision of 28 parcels resulting in one (1) parcel 308.34 acres (gross) parcel; To allow Development Variations to the Land Division Ordinance to authorize 30-foot-wide public on and off-site access easements where 40-foot-wide public access easements are required; Also allow deletion of additional dedications. (Sections 18.55.030.A.5.i and 18.55.050.B.1.f);

(c) Vesting Tentative Parcel 12579—Proposing a merger and re-subdivision of six (6) parcels resulting in a 77.92-acre (gross) parcel and a 82.98-acre (gross) parcel; to allow Development Variations to the Land Division Ordinance to authorize 30-foot-wide public on and off-site access easements where 40-foot-wide public access easements are required; Also allow deletion of additional dedications. (Sections 18.55.030.A.5.i and 18.55.050.B.1.f);

(d) Vesting Tentative Parcel 12580—Proposing a merger and re-subdivision of 27 parcels resulting in one (1) parcel 93.5 acres (gross) parcel; to allow Development Variations to the Land Division Ordinance to authorize 30-foot-wide Private on-site and off-site access easements where 40-foot-wide public access easements are required. Also allow deletion of additional dedications. (Sections 18.55.030.A.5.f, 18.55.030.A.5.i and 18.55.050.B.1.f);

(e) Vesting Tentative Parcel 12581—Proposing a merger and re-subdivision of 52 parcels resulting in a 308.06-acre (gross) parcel; To allow Development Variations to the Land Division Ordinance to authorize 30-foot-wide public on and off-site access easements where 40-foot-wide public access easements are required; Also allow deletion of additional dedications (Sections 18.55.030.A.5.i and 18.55.050.B.1.f);

(f) Vesting Tentative Parcel 12582—Proposing a merger and re-subdivision of 24 parcels resulting in a 510.95-acre parcel; to allow Development Variations to the Land Division Ordinance to authorize 30-foot-wide public on and off-site access easements where 40-foot-wide public access easements are required; Also allow deletion of additional dedications. (Sections 18.55.030.A.5.i and 18.55.050.B.1.f);

In accordance with the Subdivision Map Act and the Kern County Land Division Ordinance, the decision-making authority may approve or conditionally approve an application for a Vesting Tentative Parcel Map if all of the following findings are made:

(1) The proposed subdivision is consistent with the Open Space and Conservation Elements of the General Plan.

(2) The proposed map is consistent with applicable General and Specific plans.

(3) The design or improvements of the proposed subdivision are consistent with applicable general and specific plans.

(4) The site is physically suitable for the type of development proposed.

(5) The site is physically suitable for the proposed density of development.

(6) The design of the subdivision or the proposed improvements are not likely to cause substantial environmental damage or substantial and avoidable injury to fish or wildlife or their habitat.

(7) The design of the proposed subdivision or the type of improvement proposed is not likely to cause serious public health problems.

(8) The design of the proposed subdivision or the type of proposed improvements will not conflict with easements acquired by the public at large, for access through or use of the property within the proposed subdivision.

(9) The applicable provisions of the California Environmental Quality Act, the State CEQA Guidelines, and the Kern County Guidelines have been duly observed in conjunction with said hearing in the consideration of this matter and all of the previous proceedings relating thereto.

(10) This project is recommended for approval despite the existence of certain significant environmental effects identified in said Environmental Impact Report, and this Board of Supervisors makes and adopts the findings with respect to each thereof set forth in Exhibit A, appended hereto and made a part hereof by reference, pursuant to Section 15091 of the State CEQA Guidelines (Title 14, Administrative Code) and Section 21081 of the Public Resources Code and declares that it considered the evidence described in connection with each such finding in Exhibit A and that such evidence is substantial and supports such finding.

(11) This Board acknowledges that approval of this project will produce certain environmental impacts which cannot be mitigated and, in accordance with Section 15093 of the State CEQA Guidelines (Title 14, Administrative Code) hereby adopts a Statement of Overriding Considerations set forth in Exhibit B, appended hereto, and made a part hereof,

which summarizes the reasons why this project, despite certain environmental impacts, has been approved.

(12) Said Environmental Impact Report is complete and adequate in scope and has been completed in compliance with the California Environmental Quality Act and with the State CEQA Guidelines and the Kern County Guidelines for implementation thereof.

(13) A development variation to Sections 18.55.030.A.5.f and 18.55.030.A.5.i. of the Land Division Ordinance has been approved to allow a 30-foot-wide public off-site access easement where a 40-foot-wide public access easement is required on the basis that:

(a) Special circumstances exist with respect to the property or the proposed subdivision design that warrants the requested development variation based on the fact that the Discovery Solar Project results in little long-term traffic since it does not itself require significant worker trips for operation and maintenance activities and also does not facilitate long-term development that would increase traffic. Further, the Discovery Project is surrounded by other solar projects that also have little traffic.

(b) The granting of the development variation will not be materially detrimental to the public health, safety, or welfare or to property or residents in the vicinity, based on the fact that the solar project will require minimal expansion of infrastructure to support development as the proposed solar energy facility is located in a rural area of the County adjacent to energy development and transmission lines. Given these existing uses, there is little potential for the area to be developed as an urban center or major transportation corridor in the long-term future. The proposed variations would not restrict the traveling public or neighboring property owners' access to areas outside the project boundary.

(14) A development variation to Sections 18.55.030.A.5.f and 18.55.030.A.5.i. of the Land Division Ordinance has been approved to allow a 30-foot-wide private off-site access easement where a 40-foot-wide public access easement is required on the basis that:

(a) Special circumstances exist with respect to the property or the proposed subdivision design that warrants the requested development variation based on the fact that the Galaxy Solar Project results in little long-term traffic since it does not itself require significant worker trips for operation and maintenance activities and also does not facilitate long-term development that would increase traffic. Further, the Galaxy Project is surrounded by other solar projects that also have little traffic.

(b) The granting of the development variation will not be materially detrimental to the public health, safety, or welfare or to property or residents in the vicinity, based on the fact that the solar project will require minimal expansion of infrastructure to support development as the proposed solar energy facility is located in a rural area of the County adjacent to energy development and transmission lines. Given these existing uses, there is little potential for the area to be developed as an urban center or major transportation corridor in the long-term future. The proposed variations would not restrict the traveling public or neighboring property owners' access to areas outside the project boundary.

Kern County Planning Commission Hearing – August 27, 2026

The project was considered by the Planning Commission on August 27, 2026, consent agenda. There being no one wishing to speak on this matter, the item remained on consent, and the Planning Commission adopted Resolutions No. 157-26 through 173-26 by a vote of 4-0, with a motion by Commissioner Ashley and second by Commissioner Dunbar with Commissioner Brook absent. Copies of Resolutions No. 157-26 through 173-26 have been included as attachments to this Staff Report. A video recording of this Planning Commission hearing may be viewed at: https://www.youtube.com/live/agB1r2aA6ho.

Kern County Planning and Natural Resources Department Overall Recommendations

As noted above, the proposed project meets the necessary findings for the requested entitlements. Additionally, Staff has determined that the proposed project is sited in a location appropriate for commercial solar development and recommends approval as identified below.

PUBLIC INQUIRY OR CORRESPONDENCE: Kern County Fire Department; Twenty-Nine Palms Band of Mission Indians; Kern County Superintendent of Schools; Kern County Public Works Department; SoCal Gas; Kern County Public Health Services Department – Environmental Health Division

CEQA ACTION: Environmental Review: Environmental Impact Report

PLANNING COMMISSION RECOMMENDATION: Certify the Environmental Impact Report; adopt Section 15091 Findings of Fact and Section 15093 Statement of Overriding Considerations; adopt Mitigation Monitoring and Reporting Program; adopt resolution and recommended findings approving amendments to the Land Use, Open Space and Conservation Element of the Kern County General Plan as requested; adopt resolutions, recommended findings, and enact ordinances approving Zone Changes as requested; adopt resolutions and recommended findings approving Conditional Use Permits subject to recommended conditions; adopt resolutions and recommended findings approving Zone Variances subject to recommended conditions; adopt resolutions and recommended findings approving amendments to the Circulation Element of the Kern County General Plan as requested; and adopt resolutions and recommended findings approving Vesting Tentative Parcel Maps with associated Development Variations subject to the recommended conditions of approval; and approve the Memorandum of Understanding/Agreement and Authorize the Chairman to sign

BASIS FOR APPROVAL AND RECOMMENDED FINDINGS FOR GENERAL PLAN AMENDMENT NO. 7, MAP 212:

(1) The applicable provisions of the California Environmental Quality Act, the State CEQA Guidelines, and the Kern County Guidelines have been duly observed in conjunction with said hearing in the consideration of this matter and all of the previous proceedings relating thereto.

(2) This project is recommended for approval despite the existence of certain significant environmental effects identified in said Environmental Impact Report, and this Board of Supervisors makes and adopts the findings with respect to each thereof set forth in Exhibit A, appended hereto and made a part hereof by reference, pursuant to Section 15091 of the State CEQA Guidelines (Title 14, Administrative Code) and Section 21081 of the Public Resources Code and declares that it considered the evidence described in connection with each such finding in Exhibit A and that such evidence is substantial and supports such finding.

This Board of Supervisors acknowledges approval of this project will produce certain environmental impacts which cannot be mitigated and, in accordance with Section 15093 of the State CEQA Guidelines (Title 14, Administrative Code) hereby adopts a Statement of Overriding Considerations set forth in Exhibit B, appended hereto, and made a part hereof, which summarizes the reasons why this project, despite certain environmental impacts, has been approved.

Said Environmental Impact Report is complete and adequate in scope and has been completed in compliance with the California Environmental Quality Act and with the State CEQA Guidelines and the Kern County Guidelines for implementation thereof.

(3) The effect upon the environment of such project and the activities and improvements which may be carried out thereunder will not interfere with maintenance of a high-quality environment now or in the future. Mitigation measures have been incorporated from the Environmental Impact Report as conditions of approval, and the adopted Mitigation Measure Monitoring Program specifies the required steps to satisfy each mitigation measure.

(4) The solar project is consistent with the goals and policies of the Energy Element within the Kern County General Plan.

(5) Approval of this request would promote development that is consistent with existing and potential land uses of the surrounding area and will allow a reasonable use of this property.

(6) The proposed designation is consistent with designation and development patterns in the general area.

(7) Approval of the requested General Plan Amendment will implement a consistent resource management designation across the entire project site that will allow for solar development as well as other agricultural related activities.

(8) In accordance with State law and the California Tribal Consultation Guidelines, the appropriate Native American tribes were consulted with respect to the project's potential impacts on Native American places, features, and objects and provided an opportunity for review and consultation.

(9) Approval of the requested Kern County General Plan Amendment is consistent with continuing the Board of Supervisors' adopted alternative energy goal because it will help facilitate the construction of a renewable energy project.

(10) Approval of this project shall not be considered operative, vested, or final until such time as the required verification from the Office of the County Clerk is submitted, attesting that payment of fees for the filing of a "Notice of Determination" for the benefit of the California Department of Fish and Wildlife, as required by AB 3158 (Section 10005 Public Resources Code) has been made.

(11) In accordance with CEQA, the Lead Agency may conclude that certain mitigation measures identified are infeasible or otherwise ineffective during public review. In those circumstances, the Lead Agency may delete those mitigation measures and substitute for them other mitigation measures the Lead Agency finds are equivalent or more effective in mitigating significant effects so long as they do not cause potentially significant effects. It

is the Lead Agency's determination that clarification to proposed mitigation are considered more effective in mitigating significant effects and are not considered new significant information requiring the recirculation of the Final EIR under CEQA and does not create new significant effects on the environment

BASIS FOR APPROVAL AND RECOMMENDED FINDINGS FOR ZONE CHANGE CASE NO. 5, MAP 195:

(1) The applicable provisions of the California Environmental Quality Act, the State CEQA Guidelines, and the Kern County Guidelines have been duly observed in conjunction with said hearing in the consideration of this matter and all of the previous proceedings relating thereto.

(2) This project is recommended for approval despite the existence of certain significant environmental effects identified in said Environmental Impact Report, and this Board of Supervisors makes and adopts the findings with respect to each thereof set forth in Exhibit A, appended hereto and made a part hereof by reference, pursuant to Section 15091 of the State CEQA Guidelines (Title 14, Administrative Code) and Section 21081 of the Public Resources Code and declares that it considered the evidence described in connection with each such finding in Exhibit A and that such evidence is substantial and supports such finding.

(3) This Board of Supervisors acknowledges approval of this project will produce certain environmental impacts which cannot be mitigated and, in accordance with Section 15093 of the State CEQA Guidelines (Title 14, Administrative Code) hereby adopts a Statement of Overriding Considerations set forth in Exhibit B, appended hereto, and made a part hereof, which summarizes the reasons why this project, despite certain environmental impacts, has been approved.

(4) Said Environmental Impact Report is complete and adequate in scope and has been completed in compliance with the California Environmental Quality Act and with the State CEQA Guidelines and the Kern County Guidelines for implementation thereof.

(5) The effect upon the environment of such project and the activities and improvements which may be carried out thereunder will not interfere with maintenance of a high-quality environment now or in the future. Mitigation measures have been incorporated from the Environmental Impact Report as conditions of approval, and the adopted Mitigation Measure Monitoring Program specifies the required steps to satisfy each mitigation measure.

(6) In accordance with CEQA, the Lead Agency may conclude that certain mitigation measures identified are infeasible or otherwise ineffective during public review. In those circumstances, the Lead Agency may delete those mitigation measures and substitute for them other mitigation measures the Lead Agency finds are equivalent or more effective in mitigating significant effects so long as they do not cause potentially significant effects. It is the Lead Agency's determination that clarification to proposed mitigation are considered more effective in mitigating significant effects and are not considered new significant information requiring the recirculation of the Final EIR under CEQA and do not create new significant effects on the environment.

(7) The requested zone change is consistent with the applicable provisions of the Kern County General Plan and with previous zone change approvals in the area.

(8) Approval of the requested zone change, and implementation of the required mitigation measures will not be materially detrimental to the health, safety and welfare of the public or the property and residents in the vicinity.

(9) The requested zone change will facilitate the development of a utility-scale solar energy facility. Given the lack of existing urban development infrastructure in the area, the economic uses and viability of this land are limited. Implementation of this project represents the best and highest use of this land by allowing these individual owners to develop their property with a use that is compatible with the surrounding land uses in the vicinity.

(10) Approval of the change in zone classification will allow for the construction of a utility-scale solar facility that is consistent with the purpose of the Board of Supervisors' adopted alternative energy goal.

(11) Approval and implementation of the requested zone change will facilitate the construction of a 600-megawatts (MW) of renewable electrical energy with up to four (4) gigawatt--hours (GWh) of energy storage capacity (approximately 1,000 MW), on an approximate 3,519-acre project site. This facility and the anticipated economic benefits associated with the operation of the facility to the County, which include but are not limited to the anticipation of 354 average daily construction jobs with up to 653 workers during peak construction, are consistent with the objectives of the Kern County General Plan that encourage economic development that creates jobs and capital investments in urban and rural areas that benefits residents, businesses, and industries, as well as ensuring future governmental fiscal stability while encouraging new development to utilize existing infrastructure and services.

(12) Approval of the change in zone classification will allow for the construction of a utility-scale solar facility in an area that does not consist of dense urban development, in an area where adequate site access is available, and in an area that is close to existing energy transmission facilities.

(13) Approval of the requested zone change will authorize the implementation of development that is consistent with surrounding land uses and provide opportunities to capitalize on existing transmission infrastructure.

(14) The proposed Zone Change from limited agriculture to agriculture use does not impede the County's ability to Affirmatively Further Fair Housing.

(15) The site has been evaluated and determined not to be suitable or necessary for residential development due to physical, locational, or infrastructure constraints.

(16) The proposed solar development use will increase access to employment and services for surrounding communities, thereby supporting equitable access to opportunity.

(17) The project maintains sufficient residential capacity elsewhere in the County, consistent with the Housing Element and Affirmatively Further Fair Housing requirements.

(18) The proposed project supports the County's strategy to concentrate residential growth in areas better suited for equitable housing outcomes—such as high- and moderate-resource areas—rather than retaining residential designations on constrained, lower-opportunity sites.

(19) By changing the site to agricultural, the County creates opportunities for job-generating uses in proximity to existing neighborhoods, which could reduce commute times, improve household economic mobility, and support overall community stability, core principles of Affirmatively Furthering Fair Housing.

(20) The proposed project does not result in displacement or gentrification pressures, nor does it disproportionately affect protected classes or vulnerable populations.

(21) The proposed project complements broader Affirmatively Furthering Fair Housing implementation strategies by directing solar development investment into underutilized areas, which may spur infrastructure upgrades, business growth, and service improvements that benefit nearby residents.

(22) The County retains ample capacity for future residential development in areas with better access to transportation, education, healthcare, and other essential community resources, preserving meaningful housing choice.

(23) In accordance with State law and the California Tribal Consultation Guidelines, the appropriate Indian tribes were consulted with respect to the project's potential impacts on Native American places, features, and objects and provided an opportunity for review and consultation.

(24) Approval of this project shall not be considered operative, vested, or final until such time as the required verification from the Office of the County Clerk is submitted, attesting that payment of fees for the filing of a "Notice of Determination" for the benefit of the California Department of Fish and Wildlife, as required by AB 3158 (Section 10005 Public Resources Code) has been made

BASIS FOR APPROVAL AND RECOMMENDED FINDINGS FOR ZONE CHANGE CASE NO. 4, MAP 212:

(1) The applicable provisions of the California Environmental Quality Act, the State CEQA Guidelines, and the Kern County Guidelines have been duly observed in conjunction with said hearing in the consideration of this matter and all of the previous proceedings relating thereto.

(2) This project is recommended for approval despite the existence of certain significant environmental effects identified in said Environmental Impact Report, and this Board of Supervisors makes and adopts the findings with respect to each thereof set forth in Exhibit A, appended hereto and made a part hereof by reference, pursuant to Section 15091 of the State CEQA Guidelines (Title 14, Administrative Code) and Section 21081 of the Public Resources Code and declares that it considered the evidence described in connection with each such finding in Exhibit A and that such evidence is substantial and supports such finding.

(3) This Board of Supervisors acknowledges approval of this project will produce certain environmental impacts which cannot be mitigated and, in accordance with Section 15093 of the State CEQA Guidelines (Title 14, Administrative Code) hereby adopts a Statement of Overriding Considerations set forth in Exhibit B, appended hereto, and made a part hereof, which summarizes the reasons why this project, despite certain environmental impacts, has been approved.

(4) Said Environmental Impact Report is complete and adequate in scope and has been completed in compliance with the California Environmental Quality Act and with the State CEQA Guidelines and the Kern County Guidelines for implementation thereof.

(5) The effect upon the environment of such project and the activities and improvements which may be carried out thereunder will not interfere with maintenance of a high-quality environment now or in the future. Mitigation measures have been incorporated from the Environmental Impact Report as conditions of approval, and the adopted Mitigation

Measure Monitoring Program specifies the required steps to satisfy each mitigation measure.

(6) In accordance with CEQA, the Lead Agency may conclude that certain mitigation measures identified are infeasible or otherwise ineffective during public review. In those circumstances, the Lead Agency may delete those mitigation measures and substitute for them other mitigation measures the Lead Agency finds are equivalent or more effective in mitigating significant effects so long as they do not cause potentially significant effects. It is the Lead Agency's determination that clarification to proposed mitigation are considered more effective in mitigating significant effects and are not considered new significant information requiring the recirculation of the Final EIR under CEQA and do not create new significant effects on the environment.

(7) The requested zone change is consistent with the applicable provisions of the Kern County General Plan and with previous zone change approvals in the area.

(8) Approval of the requested zone change, and implementation of the required mitigation measures will not be materially detrimental to the health, safety and welfare of the public or the property and residents in the vicinity.

(9) The requested zone change will facilitate the development of a utility-scale solar energy facility. Given the lack of existing urban development infrastructure in the area, the economic uses and viability of this land are limited. Implementation of this project represents the best and highest use of this land by allowing these individual owners to develop their property with a use that is compatible with the surrounding land uses in the vicinity.

(10) Approval of the change in zone classification will allow for the construction of a utility-scale solar facility that is consistent with the purpose of the Board of Supervisors' adopted alternative energy goal.

(11) Approval and implementation of the requested zone change will facilitate the construction of a 600-megawatts (MW) of renewable electrical energy with up to four (4) gigawatt-hours (GWh) of energy storage capacity (approximately 1,000 MW), on an approximate 3,519-acre project site. This facility and the anticipated economic benefits associated with the operation of the facility to the County, which include but are not limited to the anticipation of 354 average daily construction jobs with up to 653 workers during peak construction, are consistent with the objectives of the Kern County General Plan that encourage economic development that creates jobs and capital investments in urban and rural areas that benefits residents, businesses, and industries, as well as ensuring future governmental fiscal stability while encouraging new development to utilize existing infrastructure and services.

(12) Approval of the change in zone classification will allow for the construction of a utility-scale solar facility in an area that does not consist of dense urban development, in an area where adequate site access is available, and in an area that is close to existing energy transmission facilities.

(13) Approval of the requested zone change will authorize the implementation of development that is consistent with surrounding land uses and provide opportunities to capitalize on existing transmission infrastructure.

(14) The proposed Zone Change from limited agriculture to agriculture use does not impede the County's ability to Affirmatively Further Fair Housing.

(15) The site has been evaluated and determined not to be suitable or necessary for residential development due to physical, locational, or infrastructure constraints.

(16) The proposed solar development use will increase access to employment and services for surrounding communities, thereby supporting equitable access to opportunity.

(17) The project maintains sufficient residential capacity elsewhere in the County, consistent with the Housing Element and Affirmatively Further Fair Housing requirements.

(18) The proposed project supports the County's strategy to concentrate residential growth in areas better suited for equitable housing outcomes—such as high- and moderate-resource areas—rather than retaining residential designations on constrained, lower-opportunity sites.

(19) By changing the site to agricultural, the County creates opportunities for job-generating uses in proximity to existing neighborhoods, which could reduce commute times, improve household economic mobility, and support overall community stability, core principles of Affirmatively Furthering Fair Housing.

(20) The proposed project does not result in displacement or gentrification pressures, nor does it disproportionately affect protected classes or vulnerable populations.

(21) The proposed project complements broader Affirmatively Furthering Fair Housing implementation strategies by directing solar development investment into underutilized areas, which may spur infrastructure upgrades, business growth, and service improvements that benefit nearby residents.

(22) The County retains ample capacity for future residential development in areas with better access to transportation, education, healthcare, and other essential community resources, preserving meaningful housing choice.

(23) In accordance with State law and the California Tribal Consultation Guidelines, the appropriate Indian tribes were consulted with respect to the project's potential impacts on Native American places, features, and objects and provided an opportunity for review and consultation.

(24) Approval of this project shall not be considered operative, vested, or final until such time as the required verification from the Office of the County Clerk is submitted, attesting that payment of fees for the filing of a "Notice of Determination" for the benefit of the California Department of Fish and Wildlife, as required by AB 3158 (Section 10005 Public Resources Code) has been made.

BASIS FOR APPROVAL AND RECOMMENDED FINDINGS FOR ZONE CHANGE CASE NO. 5, MAP 212:

(1) The applicable provisions of the California Environmental Quality Act, the State CEQA Guidelines, and the Kern County Guidelines have been duly observed in conjunction with said hearing in the consideration of this matter and all of the previous proceedings relating thereto.

(2) This project is recommended for approval despite the existence of certain significant environmental effects identified in said Environmental Impact Report, and this Board of

Supervisors makes and adopts the findings with respect to each thereof set forth in Exhibit A, appended hereto and made a part hereof by reference, pursuant to Section 15091 of the State CEQA Guidelines (Title 14, Administrative Code) and Section 21081 of the Public Resources Code and declares that it considered the evidence described in connection with each such finding in Exhibit A and that such evidence is substantial and supports such finding.

(3) This Board of Supervisors' approval of this project will produce certain environmental impacts which cannot be mitigated and, in accordance with Section 15093 of the State CEQA Guidelines (Title 14, Administrative Code) hereby adopts a Statement of Overriding Considerations set forth in Exhibit B, appended hereto, and made a part hereof, which summarizes the reasons why this project, despite certain environmental impacts, has been approved.

(4) Said Environmental Impact Report is complete and adequate in scope and has been completed in compliance with the California Environmental Quality Act and with the State CEQA Guidelines and the Kern County Guidelines for implementation thereof.

(5) The effect upon the environment of such project and the activities and improvements which may be carried out thereunder will not interfere with maintenance of a high-quality environment now or in the future. Mitigation measures have been incorporated from the Environmental Impact Report as conditions of approval, and the adopted Mitigation Measure Monitoring Program specifies the required steps to satisfy each mitigation measure.

(6) In accordance with CEQA, the Lead Agency may conclude that certain mitigation measures identified are infeasible or otherwise ineffective during public review. In those circumstances, the Lead Agency may delete those mitigation measures and substitute for them other mitigation measures the Lead Agency finds are equivalent or more effective in mitigating significant effects so long as they do not cause potentially significant effects. It is the Lead Agency's determination that clarification to proposed mitigation are considered more effective in mitigating significant effects and are not considered new significant information requiring the recirculation of the Final EIR under CEQA and do not create new significant effects on the environment.

(7) The requested zone change is consistent with the applicable provisions of the Kern County General Plan and with previous zone change approvals in the area.

(8) Approval of the requested zone change, and implementation of the required mitigation measures will not be materially detrimental to the health, safety and welfare of the public or the property and residents in the vicinity.

(9) The requested zone change will facilitate the development of a utility-scale solar energy facility. Given the lack of existing urban development infrastructure in the area, the economic uses and viability of this land are limited. Implementation of this project represents the best and highest use of this land by allowing these individual owners to develop their property with a use that is compatible with the surrounding land uses in the vicinity.

(10) Approval of the change in zone classification will allow for the construction of a utility-scale solar facility that is consistent with the purpose of the Board of Supervisors' adopted alternative energy goal.

(11) Approval and implementation of the requested zone change will facilitate the construction of a 600-megawatts (MW) of renewable electrical energy with up to 4 gigawatt-hours (GWh) of energy storage capacity (approximately 1,000 MW), on an approximate 3,519-acre project site. This facility and the anticipated economic benefits associated with

the operation of the facility to the County, which include but are not limited to the anticipation of 354 average daily construction jobs with up to 653 workers during peak construction, are consistent with the objectives of the Kern County General Plan that encourage economic development that creates jobs and capital investments in urban and rural areas that benefits residents, businesses, and industries, as well as ensuring future governmental fiscal stability while encouraging new development to utilize existing infrastructure and services.

(12) Approval of the change in zone classification will allow for the construction of a utility-scale solar facility in an area that does not consist of dense urban development, in an area where adequate site access is available, and in an area that is close to existing energy transmission facilities.

(13) Approval of the requested zone change will authorize the implementation of development that is consistent with surrounding land uses and provide opportunities to capitalize on existing transmission infrastructure.

(14) The proposed Zone Change from limited agriculture to agriculture use does not impede the County's ability to Affirmatively Further Fair Housing.

(15) The site has been evaluated and determined not to be suitable or necessary for residential development due to physical, locational, or infrastructure constraints.

(16) The proposed solar development use will increase access to employment and services for surrounding communities, thereby supporting equitable access to opportunity.

(17) The project maintains sufficient residential capacity elsewhere in the County, consistent with the Housing Element and Affirmatively Further Fair Housing requirements.

(18) The proposed project supports the County's strategy to concentrate residential growth in areas better suited for equitable housing outcomes—such as high- and moderate-resource areas—rather than retaining residential designations on constrained, lower-opportunity sites.

(19) By changing the site to agricultural, the County creates opportunities for job-generating uses in proximity to existing neighborhoods, which could reduce commute times, improve household economic mobility, and support overall community stability, core principles of Affirmatively Furthering Fair Housing.

(20) The proposed project does not result in displacement or gentrification pressures, nor does it disproportionately affect protected classes or vulnerable populations.

(21) The proposed project complements broader Affirmatively Furthering Fair Housing implementation strategies by directing solar development investment into underutilized areas, which may spur infrastructure upgrades, business growth, and service improvements that benefit nearby residents.

(22) The County retains ample capacity for future residential development in areas with better access to transportation, education, healthcare, and other essential community resources, preserving meaningful housing choice.

(23) In accordance with State law and the California Tribal Consultation Guidelines, the appropriate Indian tribes were consulted with respect to the project's potential impacts on Native American places, features, and objects and provided an opportunity for review and consultation.

(24) Approval of this project shall not be considered operative, vested, or final until such time as the required verification from the Office of the County Clerk is submitted, attesting that payment of fees for the filing of a "Notice of Determination" for the benefit of the California Department of Fish and Wildlife, as required by AB 3158 (Section 10005 Public Resources Code) has been made.

BASIS FOR APPROVAL AND RECOMMENDED FINDINGS FOR CONDITIONAL USE PERMIT NO. 4, MAP 195:

(1) The applicable provisions of the California Environmental Quality Act, the State CEQA Guidelines, and the Kern County Guidelines have been duly observed in conjunction with said hearing in the consideration of this matter and all of the previous proceedings relating thereto.

(2) This project is recommended for approval despite the existence of certain significant environmental effects identified in said Environmental Impact Report, and this Board makes and adopts the findings with respect to each thereof set forth in Exhibit A, appended hereto and made a part hereof by reference, pursuant to Section 15091 of the State CEQA Guidelines (Title 14, Administrative Code) and Section 21081 of the Public Resources Code and declares that it considered the evidence described in connection with each such finding in Exhibit A and that such evidence is substantial and supports such finding.

This Board acknowledges that approval of this project will produce certain environmental impacts which cannot be mitigated and, in accordance with Section 15093 of the State CEQA Guidelines (Title 14, Administrative Code) hereby adopts a Statement of Overriding Considerations set forth in Exhibit B, appended hereto, and made a part hereof, which summarizes the reasons why this project, despite certain environmental impacts, has been approved.

Said Environmental Impact Report is complete and adequate in scope and has been completed in compliance with the California Environmental Quality Act and with the State CEQA Guidelines and the Kern County Guidelines for implementation thereof.

(3) The effect upon the environment of such project and the activities and improvements which may be carried out thereunder will not interfere with maintenance of a high-quality environment now or in the future. Mitigation measures have been incorporated from the Environmental Impact Report as conditions of approval, and the adopted Mitigation Measure Monitoring Program specifies the required steps to satisfy each mitigation measure.

(4) The proposed project is a compatible use and consistent with the goals and policies listed in the Land Use, Open Space and Conservation Element of the Kern County General Plan.

(5) The proposed project is consistent with the goals and policies listed in the Energy Element of the Kern County General Plan.

(6) The proposed use is consistent with the purpose of the applicable district or districts.

(7) The proposed use is listed as a use subject to a conditional use permit in the applicable zoning district or districts or a use determined to be similar to a listed conditional use in accordance with the procedures set out in Section 19.08.030.

(8) The proposed use meets the minimum requirements of this title applicable to the use and complies with all other applicable laws, ordinances, and regulations of the County of Kern and the State of California.

(9) The project is located within the A (Exclusive Agriculture) Base District. The purpose of the A (Exclusive Agriculture) District is to designate areas that are suitable for agricultural uses and prevent the encroachment of incompatible uses onto agricultural lands and the premature conversion of such lands to non-agricultural uses. Solar electrical generation facilities are considered to be compatible with ongoing agricultural activity.

(10) Permitted land uses in the A (Exclusive Agriculture) District include agricultural uses, commercial uses, and uses related to utility lines and substations, resource extraction, and energy development. Miscellaneous accessory structures that are related to the permitted uses are also allowed. Pursuant to Section 19.12.030.G of the Kern County Zoning Ordinance, solar facilities are permitted with approval of a Conditional Use Permit.

(11) Permitted land uses in the A (Exclusive Agriculture) District include agricultural uses, commercial uses, and uses related to utility lines and substations, resource extraction, and energy development. Miscellaneous accessory structures that are related to the permitted uses are also allowed. Pursuant to Section 19.12.030.F of the Kern County Zoning Ordinance, temporary construction staging and equipment storage are permitted with approval of a Conditional Use Permit.

(12) The proposed use meets the minimum requirements of this title applicable to the use and complies with all other applicable laws, ordinances, and regulations of the County of Kern and the State of California.

(13) The proposed use will not be materially detrimental to the health, safety, and welfare of the public or to property and residents in the vicinity.

(14) Approval of the requested Conditional Use Permit is consistent with continuing the Board of Supervisors' adopted alternative energy goal because it will help facilitate the construction of a renewable energy project.

(15) The project site is more suitable for solar development, which supports affirmatively furthering fair housing goals by preserving residentially zoned land for housing that can better meet long-term health, safety, and livability standards.

(16) Existing site conditions, such as constructed solar facilities, which includes solar panels and supportive structures for operations and maintenance, make it better suited for non-residential uses, thereby reinforcing the County’s commitment to high-quality, integrated housing opportunities elsewhere.

(17) While the project site is not suitable for traditional residential development, the project includes specific design features and conditions of approval that promote compatibility with nearby uses while ensuring the project does not conflict with affirmatively furthering fair housing goals.

(18) Excluding this project site from the County’s housing inventory does not impede the County ability to meet its regional housing needs allocation obligations or implement housing element programs. Other more appropriate, higher-opportunity sites have been identified to meet the County’s fair housing goals.

(19) Approval and implementation of the requested zone change will facilitate the construction of a 600-megawatts (MW) of renewable electrical energy with up to four (4) gigawatt-hours (GWh) of energy storage capacity (approximately 1,000 MW), on an approximate 3,519-acre project site. This facility and the anticipated economic benefits associated with the operation of the facility to the County, which include but are not limited to the anticipation of 354 average daily construction jobs with up to 653 workers during peak construction, are consistent with the objectives of the Kern County General Plan that encourage economic development that creates jobs and capital investments in urban and rural areas that benefits residents, businesses, and industries, as well as ensuring future governmental fiscal stability while encouraging new development to utilize existing infrastructure and services.

(20) Approval of this project shall not be considered operative, vested, or final until such time as the required verification from the Office of the County Clerk is submitted, attesting that payment of fees for the filing of a "Notice of Determination" for the benefit of the California Department of Fish and Wildlife, as required by AB 3158 (Section 10005 Public Resources Code) has been made.

(21) In accordance with CEQA, the Lead Agency may conclude that certain mitigation measures identified are infeasible or otherwise ineffective during public review. In those circumstances, the Lead Agency may delete those mitigation measures and substitute for them other mitigation measures the Lead Agency finds are equivalent or more effective in mitigating significant effects so long as they do not cause potentially significant effects. It is the Lead Agency's determination that clarification to proposed mitigation are considered more effective in mitigating significant effects and are not considered new significant information requiring the recirculation of the Final EIR under CEQA and do not create new significant effects on the environment.

RECOMMENDED CONDITIONS OF APPROVAL FOR CONDITIONAL USE PERMIT NO. 4, MAP 195:

(1) Conditional Use Permit to allow for the construction and operation of a solar facility up to 150 MW and associated infrastructure, including energy storage, a switchyard (Section 19.12.030.G), and temporary construction staging and equipment storage (Section 19.12.030.K) on approximately 974.95 acres in an A (Exclusive Agriculture) District (CUP No. 4, Map 195);

(2) Any additional on-site development or expansion activities beyond those items described in the staff report and certified Final Environmental Impact Report associated with initial approval of this conditional use permit, and which are deemed to be more intensive by the Director of the Kern County Planning and Natural Resources Department, shall be subject to review and approval and may entail further environmental review. Approval of such development or expansion activities may also require modification of this conditional use permit or the approval of a new conditional use permit at the discretion of the Director of the Kern County Planning and Natural Resources Department.

(3) All mitigation measures included in the adopted Mitigation Measure Monitoring Program for the Galaxy Solar PV and Storage Project by Galaxy Solar Storage, LLC (General Plan Amendment Case No. 7, Map 212; Amendment of Zoning Map 195, Zone Change Case No. 5; Amendment of Zoning Map 212, Zone Change Case No. 4; Amendment of Zoning Map 212, Zone Change Case No. 5; Conditional Use Permit Case No. 4, Map 195;

Conditional Use Permit Case No. 5, Map 195; Conditional Use Permit Case No. 7, Map 212; General Plan Amendment Case No. 5, Map 195; General Plan Amendment Case No. 6, Map 212; Zone Variance Case No. 1, Map 195; Zone Variance Case No. 2, Map 212; Vesting Tentative Parcel Map 12577; Vesting Tentative Parcel Map 12578; Vesting Tentative Parcel Map 12579; Vesting Tentative Parcel Map 12580; Vesting Tentative Parcel Map 12581; Vesting Tentative Parcel Map 12582), included as Exhibit C of this Resolution, are hereby incorporated as Conditions of Approval.

(4) Development shall be in substantial conformity with the approved plan, and the approved plan shall be revised to include the following conditions of approval.

(5) All necessary building permits must be obtained.

(6) Should a conflict occur between the statistical data shown on the plan and the conditions of approval, the conditions of approval shall prevail.

(7) **Prior to the issuance of building or grading permits, the applicant shall submit documentation of the following:**

(a) The project proponent shall demonstrate compliance with all applicable mitigation measures as listed in the approved Mitigation Measure Reporting Program (MMRP).

(b) The method of water supply and sewage disposal shall be as required and approved by the Kern County Public Health Services Department/Environmental Health Division.

(c) Fire flows, fire protection facilities, and access ways shall be as required and approved by the Kern County Fire Department (KCFD).

1. All Battery Energy Storage Systems must be applied for directly with KCFD for separate permitting and pre-construction approval. All proposed batteries must be UL9540A 2019 Edition tested for large scale burns.

2. The 24,000-gallon fire water tank and fire alarm annunciator panel (Incident Command Post) shall be located a minimum of 300’ upwind from the nearest battery enclosure.

3. Site emergency response access for the storage yards shall be placed upwind of battery enclosures based on the prevailing winds in the area of construction.

(d) A plan for the disposal of drainage waters originating on-site and from adjacent road rights-of-way shall be approved by the Kern County Engineering, Surveying, and Permit Services Department/ Floodplain Management, if required. Easements or grant deeds shall be given to the County of Kern for drainage purposes or access thereto, as necessary.

1. Associated flood hazard requirements will need to be incorporated into the design of this project per the Kern County Floodplain Management Ordinance.

(e) The project operator shall develop and implement an on-site Pest Management Plan specifically related to rodent vectors. The plan shall be submitted to the Kern County Planning and Natural Resources Department for approval.

(f) The project proponent shall encourage all contractors for the project to hire at least 50 percent of their workers from the local Kern County communities. The project operator shall provide to the contractors a list of training programs that provide skilled solar workers and shall require the contractor to advertise locally for available jobs, notify the training programs of job availability, all in conjunction with normal hiring practices of the contractor. The project operator shall submit a letter detailing the hiring efforts, prior to commencement of construction.

(g) Solar panel support/foundation structures shall be constructed in such a way as to minimize the potential to entrap animals. Detailed schematic drawings depicting the solar panel support/foundation structures to be used on site shall be submitted for approval by the Kern County Planning and Natural Resources Director.

(h) The project proponent shall consult with the County of Kern Public Works Department/Building and Development Division for issuance of an encroachment permit, at locations to be approved by the Public Works Department, to construct paved private road approaches to prevent damage to County-owned roads. Any required improvements shall comply with requirements of the County of Kern Public Works Department/Building and Development Division and shall be accomplished at no cost to the County.

(i) All survey monuments shall be tied out by a Licensed Land Surveyor. A corner record for each monument shall be submitted to the County Surveyor for review and processing, per Section 8771 of the Professional Land Surveyor's (PLS) Act.

(j) All survey monuments that were destroyed during construction shall be re-set or have a suitable witness corner set. A post construction corner record for each monument re-set or a record of survey shall be submitted to the County Surveyor for processing, per Section 8711 of the Professional Land Surveyor's Act.

(k) All survey monuments shall be accessible by a Licensed Land Survey or their representatives, with prior notice, per Section 8774 of the PLS Act and Civil Code 846.5 (a).

(l) Provide a Traffic Control Plan that addresses the routes, duration and manner of traffic control that will be implemented to accommodate construction-related traffic.

(m) Enter into a secured agreement with the Kern County Public Works Department to ensure that any County roads that are demonstrably damaged by project-related activities are promptly repaired and, if necessary, paved, slurry-sealed, or reconstructed as per requirements of the State and or Kern County.

(n) Obtain all necessary Encroachment Permits for any proposed work within the County Road right-of-way. These permits may be obtained from our Permits Engineer.

(o) Obtain all necessary Transportation Permits for any oversized or overweight (heavy) loads that will utilize County maintained roads, which may require California Highway Patrol escort. These permits may be obtained from our Permits Engineer.

(p) Contact the California Department of Transportation (Caltrans) regarding this project.

(q) All easements shall be kept open, clear, and free from buildings and structures of any kind pursuant to Chapters 18.50 and 18.55 of the Kern County Land Division Ordinance. All obstructions, including utility poles and lines, trees, pole signs, fences, or similar obstructions, shall be removed from the ultimate road rights-of-way. Compliance with this requirement is the responsibility of the applicant and may result in significant financial expenditures.

(r) The project operator shall process the required Memorandum of Understanding/Agreement (MOU) to the Kern County Board of Supervisors. If executed, the project proponent shall submit a copy of the signed MOU to the Kern County Planning and Natural Resources Department.

(s) The applicant shall provide confirming documentation the facility has been registered with the California Environmental Reporting System (CERS) at the following link: http://cers.calepa.ca.gov/.

(t) If any abandoned wells are found during the grading and construction process, the applicant shall contact the Kern County Public Health Services Department/Land and Water Division for permitting and destruction procedures.

(u) The applicant shall submit proof of access that meets the requirements of the Kern County Public Works Department.

(v) The Project proponent shall coordinate with SoCalGas staff to determine the specific requirements regarding any potential natural gas service or facility issues needed to adequately accommodate the proposed Project. The Project proponent shall comply with and adhere to all requirements identified by SoCalGas adequately accommodate the proposed Project, including avoiding damage to SoCalGas natural gas services and facilities, as needed as Project construction progresses.

(8) **<u>Prior to final occupancy approval,</u> the following conditions shall be verified by the building inspector and shall be continuously maintained while this permit is active:**

(a) All easements shall be kept open, clear, and free from buildings and structures of any kind pursuant to Chapters 18.50 and 18.55 of the Kern County Land Division Ordinance. All obstructions, including utility poles and lines, trees, pole signs, or similar obstructions, shall be removed from the ultimate road rights-of-way in accordance with Section 18.55.030 of the Land Division Ordinance. Compliance with this requirement is the responsibility of the applicant and may result in significant financial expenditures.

(b) All vehicle parking and maneuvering areas shall be treated in a manner to continuously prevent blowing dust.

(c) All signs shall be approved by the Director of the Kern County Planning and Natural Resources Department prior to installation.

(d) The areas devoted to outside storage shall be treated with a dust binder or other dust control measure, as approved by the Director of the Kern County Planning and Natural Resources Department.

(e) All survey monuments that were destroyed during construction shall be re-set or have a suitable witness cover set. A post construction corner record for each monument re-set or a record of survey shall be submitted to the County Surveyor for processing, per Section 8771 of the Professional Land Surveyor's Act.

(f) The applicant shall pay all required statutory fees as required by the Kern County Superintendent of Schools.

(9) **The property owner shall continuously comply with the following conditions of approval during implementation of this permit:**

(a) The development shall comply with any requirements of the Eastern Kern Air Pollution Control District.

(b) If any previously unknown oil, gas or injection wells are discovered, work in the area of discovery shall be stopped and the Department of Conservation/Geologic Energy Management Division/Bakersfield office contacted by the project proponent to obtain information on the requirements of, and approval to perform, remedial operations implemented prior to resumption of work in the area of discovery.

(c) If any previously unknown archaeological or cultural resources are discovered, work in the area of discovery shall be stopped and a qualified archaeologist contacted to evaluate the find. A copy of the archaeologist's evaluation shall be submitted to the Kern County Planning and Natural Resources Department upon its issuance and any measures recommended by the archaeologist shall be implemented prior to resumption of work in the area of discovery.

(d) All exterior lighting shall comply with Chapter 19.81 (Outdoor Lighting "Dark Skies Ordinance") of the Kern County Zoning Ordinance. Light fixtures shall be directed away from adjacent properties and roads. When lighting will be visible from a residential district or adjacent public roads, the lighting fixtures shall be equipped with glare shields or baffles to reduce light trespass onto adjacent properties and shall not exceed 30 feet in height above grade. Light fixtures shall be maintained in sound operating conditions at all times. A lighting plan, including glare shield details, shall be submitted and approved by the Kern County Planning and Natural Resources Department.

(e) All storage and pressure tanks shall be painted an earthen hue color.

(f) All signs shall comply with the signage regulations of the applicable base zone district and with Chapter 19.84 and Chapter 19.81.040(h) of the Zoning Ordinance.

(g) During all on site grading and construction activities, adequate measures shall be implemented to control fugitive dust.

(h) For portions of the project that abut residentially zoned areas, an Additional Aesthetics Setback of 100 feet from the residential property line. No solar panels or equipment shall be placed in this area. The project proponent shall be responsible for dust controls and weed maintenance in this area. An approved site plan showing the designated Additional Aesthetics Setback shall be submitted to Kern County Planning and Natural Resources Department for approval.

(i) All survey monuments shall be accessible by a licensed land surveyor or their representatives, with prior notice, per section 8774 of the Professional Land Surveyor's Act and Civil Code 846.5 (a).

(10) All used oil (as defined in Section 25250.1 of the California Health and Safety Code) shall be disposed of in accordance with all local, State, and federal regulations following consultation with the Kern County Public Health Services Department/Environmental Health Division/Hazardous Materials Section, State of California Department of Health Services, and the Environmental Protection Agency. All used oil and other wastes shall be transported by a registered waste hauler.

(11) This permit shall become null and void if the use authorized has not been activated within a five (5)-year period of time of the approval of said permit, unless an extension of time has been granted by the decision-making authority, upon written request before expiration of the five (5)-year period.

(12) Noncompliance with the adopted conditions of approval may cause permit revocation proceedings in accordance with Section 19.102.020 of the Ordinance Code.

(13) At the time building permits are applied for, a filing fee may be imposed to ensure that final plans are consistent with adopted conditions of approval. This fee may serve as an initial deposit for particularly complex cases, in which case a cost recovery agreement will be required and charges will be billed at the appropriate hourly rate.

BASIS FOR APPROVAL AND RECOMMENDED FINDINGS FOR CONDITIONAL USE PERMIT NO. 5, MAP 195:

(1) The applicable provisions of the California Environmental Quality Act, the State CEQA Guidelines, and the Kern County Guidelines have been duly observed in conjunction with said hearing in the consideration of this matter and all of the previous proceedings relating thereto.

(2) This project is recommended for approval despite the existence of certain significant environmental effects identified in said Environmental Impact Report, and this Board makes and adopts the findings with respect to each thereof set forth in Exhibit A, appended hereto and made a part hereof by reference, pursuant to Section 15091 of the State CEQA Guidelines (Title 14, Administrative Code) and Section 21081 of the Public Resources Code and declares that it considered the evidence described in connection with each such finding in Exhibit A and that such evidence is substantial and supports such finding.

This Board acknowledges that approval of this project will produce certain environmental impacts which cannot be mitigated and, in accordance with Section 15093 of the State CEQA Guidelines (Title 14, Administrative Code) hereby adopts a Statement of Overriding Considerations set forth in Exhibit B, appended hereto, and made a part hereof, which summarizes the reasons why this project, despite certain environmental impacts, has been approved.

Said Environmental Impact Report is complete and adequate in scope and has been completed in compliance with the California Environmental Quality Act and with the State CEQA Guidelines and the Kern County Guidelines for implementation thereof.

(3) The effect upon the environment of such project and the activities and improvements which may be carried out thereunder will not interfere with maintenance of a high-quality environment now or in the future. Mitigation measures have been incorporated from the Environmental Impact Report as conditions of approval, and the adopted Mitigation Measure Monitoring Program specifies the required steps to satisfy each mitigation measure.

(4) The proposed project is a compatible use and consistent with the goals and policies listed in the Land Use, Open Space and Conservation Element of the Kern County General Plan.

(5) The proposed project is consistent with the goals and policies listed in the Energy Element of the Kern County General Plan.

(6) The proposed use is consistent with the purpose of the applicable district or districts.

(7) The proposed use is listed as a use subject to a conditional use permit in the applicable zoning district or districts or a use determined to be similar to a listed conditional use in accordance with the procedures set out in Section 19.08.030.

(8) The proposed use meets the minimum requirements of this title applicable to the use and complies with all other applicable laws, ordinances, and regulations of the County of Kern and the State of California.

(9) The project is located within the A (Exclusive Agriculture) Base District. The purpose of the A (Exclusive Agriculture) District is to designate areas that are suitable for agricultural uses and prevent the encroachment of incompatible uses onto agricultural lands and the premature conversion of such lands to non-agricultural uses. Solar electrical generation facilities are considered to be compatible with ongoing agricultural activity.

(10) Permitted land uses in the A (Exclusive Agriculture) District include agricultural uses, commercial uses, and uses related to utility lines and substations, resource extraction, and energy development. Miscellaneous accessory structures that are related to the permitted uses are also allowed. Pursuant to Section 19.12.030.F of the Kern County Zoning Ordinance, temporary construction laydown areas are permitted with approval of a Conditional Use Permit.

(11) The proposed use meets the minimum requirements of this title applicable to the use and complies with all other applicable laws, ordinances, and regulations of the County of Kern and the State of California.

(12) The proposed use will not be materially detrimental to the health, safety, and welfare of the public or to property and residents in the vicinity.

(13) Approval of the requested Conditional Use Permit is consistent with continuing the Board of Supervisors' adopted alternative energy goal because it will help facilitate the construction of a renewable energy project.

(14) The project site is more suitable to support solar development, which supports affirmatively furthering fair housing goals by preserving residentially zoned land for housing that can better meet long-term health, safety, and livability standards.

(15) Existing site conditions make it better suited for non-residential uses, thereby reinforcing the County's commitment to high-quality, integrated housing opportunities elsewhere.

(16) While the project site is not suitable for traditional residential development, the project includes specific design features and conditions of approval that promote compatibility with nearby uses while ensuring the project does not conflict with affirmatively furthering fair housing goals.

(17) Excluding this project site from the County's housing inventory does not impede the County ability to meet its regional housing needs allocation obligations or implement housing element programs. Other more appropriate, higher-opportunity sites have been identified to meet the County's fair housing goals.

(18) Approval and implementation of the requested zone change will facilitate the construction of a 600-megawatts (MW) of renewable electrical energy with up to four (4) gigawatt-hours (GWh) of energy storage capacity (approximately 1,000 MW), on an approximate 3,519-acre project site. This facility and the anticipated economic benefits associated with the operation of the facility to the County, which include but are not limited to the anticipation of 354 average daily construction jobs with up to 653 workers during peak construction, are consistent with the objectives of the Kern County General Plan that encourage economic development that creates jobs and capital investments in urban and rural areas that benefits residents, businesses, and industries, as well as ensuring future governmental fiscal stability while encouraging new development to utilize existing infrastructure and services.

(19) Approval of this project shall not be considered operative, vested, or final until such time as the required verification from the Office of the County Clerk is submitted, attesting that payment of fees for the filing of a "Notice of Determination" for the benefit of the California Department of Fish and Wildlife, as required by AB 3158 (Section 10005 Public Resources Code) has been made.

(20) In accordance with CEQA, the Lead Agency may conclude that certain mitigation measures identified are infeasible or otherwise ineffective during public review. In those circumstances, the Lead Agency may delete those mitigation measures and substitute for them other mitigation measures the Lead Agency finds are equivalent or more effective in mitigating significant effects so long as they do not cause potentially significant effects. It is the Lead Agency's determination that clarification to proposed mitigation are considered more effective in mitigating significant effects and are not considered new significant information requiring the recirculation of the Final EIR under CEQA and do not create new significant effects on the environment.

RECOMMENDED CONDITIONS OF APPROVAL FOR CONDITIONAL USE PERMIT NO. 5, MAP 195:

(1) Conditional Use Permit to allow for a temporary, off-site construction laydown area (Section 19.12.030.K) on approximately 13.7 acres of a 30.21-acre parcel in the A (Exclusive Agriculture) District.

(2) Any additional on-site development or expansion activities beyond those items described in the staff report and certified Final Environmental Impact Report associated with initial approval of this conditional use permit, and which are deemed to be more intensive by the Director of the Kern County Planning and Natural Resources Department, shall be subject to review and approval and may entail further environmental review. Approval of such development or expansion activities may also require modification of this conditional use permit or the approval of a new conditional use permit at the discretion of the Director of the Kern County Planning and Natural Resources Department.

(3) All mitigation measures included in the adopted Mitigation Measure Monitoring Program for the Galaxy Solar PV and Storage Project by Galaxy Solar Storage, LLC (General Plan Amendment Case No. 7, Map 212; Amendment of Zoning Map 195, Zone Change Case No. 5; Amendment of Zoning Map 212, Zone Change Case No. 4; Amendment of Zoning Map 212, Zone Change Case No. 5; Amendment of Zoning Map 197, Zone Change Case No. 57; Conditional Use Permit Case No. 4, Map 195; Conditional Use Permit Case No. 5, Map 195; Conditional Use Permit Case No. 7, Map 212; Conditional Use Permit Case No. 24, Map 197; General Plan Amendment Case No. 5, Map 195; General Plan Amendment Case No. 6, Map 212; Zone Variance Case No. 1, Map 195; Zone Variance Case No. 2, Map 212; Zone Variance Case No. 21, Map 197; Vesting Tentative Parcel Map 12577; Vesting Tentative Parcel Map 12578; Vesting Tentative Parcel Map 12579; Vesting Tentative Parcel Map 12580; Vesting Tentative Parcel Map 12581; Vesting Tentative Parcel Map 12582), included as Exhibit C of this Resolution, are hereby incorporated as Conditions of Approval.

(4) Development shall be in substantial conformity with the approved plan, and the approved plan shall be revised to include the following conditions of approval.

(5) All necessary building permits must be obtained.

(6) Should a conflict occur between the statistical data shown on the plan and the conditions of approval, the conditions of approval shall prevail.

(7) **Prior to the issuance of building or grading permits, the applicant shall submit documentation of the following:**

(a) The project proponent shall demonstrate compliance with all applicable mitigation measures as listed in the approved Mitigation Monitoring and Reporting Program (MMRP).

(b) The method of water supply and sewage disposal shall be as required and approved by the Kern County Public Health Services Department/Environmental Health Division.

(c) Fire flows, fire protection facilities, and access ways shall be as required and approved by the Kern County Fire Department (KCFD).

1. Site emergency response access for the storage yards shall be placed upwind of battery enclosures based on the prevailing winds in the area of construction.

(d) A plan for the disposal of drainage waters originating on-site and from adjacent road rights-of-way shall be approved by the Kern County Engineering, Surveying, and Permit Services Department/ Floodplain Management, if required. Easements or grant deeds shall be given to the County of Kern for drainage purposes or access thereto, as necessary.

1. Associated flood hazard requirements will need to be incorporated into the design of this project per the Kern County Floodplain Management Ordinance.

(e) The project operator shall develop and implement an on-site Pest Management Plan specifically related to rodent vectors. The plan shall be submitted to the Kern County Planning and Natural Resources Department for approval.

(f) The project proponent shall encourage all contractors for the project to hire at least 50 percent of their workers from the local Kern County communities. The project operator shall provide to the contractors a list of training programs that provide skilled solar workers and shall require the contractor to advertise locally for available jobs, notify the training programs of job availability, all in conjunction with normal hiring practices of the contractor. The project operator shall submit a letter detailing the hiring efforts, prior to commencement of construction.

(g) The project proponent shall consult with the County of Kern Public Works Department/Building and Development Division for issuance of an encroachment permit, at locations to be approved by the Public Works Department, to construct paved private road approaches to prevent damage to County-owned roads. Any required improvements shall comply with the requirements of the County of Kern Public Works Department/Building and Development Division and shall be accomplished at no cost to the County.

(h) All survey monuments shall be tied out by a Licensed Land Surveyor. A corner record for each monument shall be submitted to the County Surveyor for review and processing, per Section 8771 of the Professional Land Surveyor's (PLS) Act.

(i) Under encroachment permit issued by the Kern County Public Works Department, construct asphalt concrete paved private road approaches along the project frontage that abuts Kern County roadway of all solar fields.

(j) Obtain all necessary Encroachment Permits from the Kern County Public Works Department for any proposed work within the County Road right-of-way.

(k) Obtain all necessary Transportation Permits f from the Kern County Public Works Department or any oversized or overweight (heavy) loads that will utilize County maintained roads, which may require California Highway Patrol escort.

(l) The project operator shall process the required Memorandum of Understanding/Agreement (MOU) to the Kern County Board of Supervisors. If executed, the project proponent shall submit a copy of the signed MOU to the Kern County Planning and Natural Resources Department.

(m) If any abandoned wells are found during the grading and construction process, the applicant shall contact the Kern County Public Health Services Department/Land and Water Division for permitting and destruction procedures.

(n) The applicant shall submit proof of access that meets the requirements of the Kern County Public Works Department.

(o) Prior to the issuance of grading or building permits the project proponent shall prepare a Construction Traffic Control Plan and submit for review and/or approval to the Kern County Public Works Department and the California Department of Transportation.

(p) The project proponent shall provide a statement that specifies the duration for which the portable toilets and temporary offices will remain on site to the Kern County Environmental Health Division

(q) The project proponent shall provide a contract for the sewage plumber intended for servicing the project to the Kern County Environmental Health Division; the contract should encompass details such as the pumper's name, license number, contract duration, and the frequency with which the portable toilets and/or commercial coach sewage holding tank(s) will be pumped.

(r) The project proponent shall consult with the Hazardous Materials Program to discuss the need for a health permit.

(s) If, at any point, the proposed project involves the installation of a water well or septic system, the project proponent shall submit plans directly to the Environmental Health Division for review and approval.

(8) **<u>Prior to final occupancy approval</u>, the following conditions shall be verified by the building inspector and shall be continuously maintained while this permit is active:**

(a) All easements shall be kept open, clear, and free from buildings and structures of any kind pursuant to Chapters 18.50 and 18.55 of the Kern County Land Division Ordinance. All required setbacks shall be maintained in accordance with eh Kern County Zoning Ordinance and Kern County General Plan. All obstructions, including utility poles and lines, trees, pole signs, fences, or similar obstructions, shall be removed from the ultimate road rights-of-way. Compliance with this requirement is the responsibility of the applicant and may result in significant financial expenditures.

(b) All vehicle parking and maneuvering areas shall be treated in a manner to continuously prevent blowing dust.

(c) All signs shall be approved by the Director of the Kern County Planning and Natural Resources Department prior to installation.

(d) The areas devoted to outside storage shall be treated with a dust binder or other dust control measure, as approved by the Director of the Kern County Planning and Natural Resources Department.

(e) All survey monuments that were destroyed during construction shall be re-set or have a suitable witness cover set. A post construction corner record for each monument re-set or a record of survey shall be submitted to the County Surveyor for processing, per Section 8771 of the Professional Land Surveyor's Act.

(9) **The property owner shall continuously comply with the following conditions of approval during implementation of this permit**:

(a) The development shall comply with any requirements of the Eastern Kern Air Pollution Control District.

(b) If any previously unknown oil, gas or injection wells are discovered, work in the area of discovery shall be stopped and the Department of Conservation/Geologic Energy Management Division/Bakersfield office contacted by the project proponent to obtain information on the requirements of, and approval to perform, remedial operations implemented prior to resumption of work in the area of discovery.

(c) If any previously unknown archaeological or cultural resources are discovered, work in the area of discovery shall be stopped and a qualified archaeologist contacted to evaluate the find. A copy of the archaeologist's evaluation shall be submitted to the Kern County Planning and Natural Resources Department upon its issuance and any measures recommended by the archaeologist shall be implemented prior to resumption of work in the area of discovery.

(d) All exterior lighting shall comply with Chapter 19.81 (Outdoor Lighting "Dark Skies Ordinance") of the Kern County Zoning Ordinance. Light fixtures shall be directed away from adjacent properties and roads. When lighting will be visible from a residential district or adjacent public roads, the lighting fixtures shall be equipped with glare shields or baffles to reduce light trespass onto adjacent properties and shall not exceed 30 feet in height above grade. Light fixtures shall be maintained in sound operating conditions at all times. A lighting plan, including glare shield details, shall be submitted and approved by the Kern County Planning and Natural Resources Department.

(e) All storage and pressure tanks shall be painted an earthen hue color.

(f) All signs shall comply with the signage regulations of the applicable base zone district and with Chapter 19.84 and Chapter 19.81.040(h) of the Zoning Ordinance.

(g) During all on-site grading and construction activities, adequate measures shall be implemented to control fugitive dust.

(h) All survey monuments shall be accessible by a licensed land surveyor or their representatives, with prior notice, per section 8774 of the Professional Land Surveyor's Act and Civil Code 846.5 (a).

(10) All used oil (as defined in Section 25250.1 of the California Health and Safety Code) shall be disposed of in accordance with all local, State, and federal regulations following consultation with the Kern County Public Health Services Department/Environmental Health Division/Hazardous Materials Section, State of California Department of Health

Services, and the Environmental Protection Agency. All used oil and other wastes shall be transported by a registered waste hauler.

(11) This permit shall become null and void if the use authorized has not been activated within a five (5)-year period of time of the approval of said permit, unless an extension of time has been granted by the decision-making authority, upon written request before expiration of the five (5)-year period.

(12) Noncompliance with the adopted conditions of approval may cause permit revocation proceedings in accordance with Section 19.102.020 of the Ordinance Code.

(13) At the time building permits are applied for, a filing fee may be imposed to ensure that final plans are consistent with adopted conditions of approval. This fee may serve as an initial deposit for particularly complex cases, in which case a cost recovery agreement will be required, and charges will be billed at the appropriate hourly rate.

BASIS FOR APPROVAL AND RECOMMENDED FINDINGS FOR CONDITIONAL USE PERMIT NO. 7, MAP 212:

(1) The applicable provisions of the California Environmental Quality Act, the State CEQA Guidelines, and the Kern County Guidelines have been duly observed in conjunction with said hearing in the consideration of this matter and all of the previous proceedings relating thereto.

(2) This project is recommended for approval despite the existence of certain significant environmental effects identified in said Environmental Impact Report, and this Board makes and adopts the findings with respect to each thereof set forth in Exhibit A, appended hereto and made a part hereof by reference, pursuant to Section 15091 of the State CEQA Guidelines (Title 14, Administrative Code) and Section 21081 of the Public Resources Code and declares that it considered the evidence described in connection with each such finding in Exhibit A and that such evidence is substantial and supports such finding.

This Board acknowledges that approval of this project will produce certain environmental impacts which cannot be mitigated and, in accordance with Section 15093 of the State CEQA Guidelines (Title 14, Administrative Code) hereby adopts a Statement of Overriding Considerations set forth in Exhibit B, appended hereto, and made a part hereof, which summarizes the reasons why this project, despite certain environmental impacts, has been approved.

Said Environmental Impact Report is complete and adequate in scope and has been completed in compliance with the California Environmental Quality Act and with the State CEQA Guidelines and the Kern County Guidelines for implementation thereof.

(3) The effect upon the environment of such project and the activities and improvements which may be carried out thereunder will not interfere with maintenance of a high-quality environment now or in the future. Mitigation measures have been incorporated from the Environmental Impact Report as conditions of approval, and the adopted Mitigation Measure Monitoring Program specifies the required steps to satisfy each mitigation measure.

(4) The proposed project is a compatible use and consistent with the goals and policies listed in the Land Use, Open Space and Conservation Element of the Kern County General Plan.

(5) The proposed project is consistent with the goals and policies listed in the Energy Element of the Kern County General Plan.

(6) The proposed use is consistent with the purpose of the applicable district or districts.

(7) The proposed use is listed as a use subject to a conditional use permit in the applicable zoning district or districts or a use determined to be similar to a listed conditional use in accordance with the procedures set out in Section 19.08.030.

(8) The proposed use meets the minimum requirements of this title applicable to the use and complies with all other applicable laws, ordinances, and regulations of the County of Kern and the State of California.

(9) The project is located within the A (Exclusive Agriculture) Base District. The purpose of the A (Exclusive Agriculture) District is to designate areas that are suitable for agricultural uses and prevent the encroachment of incompatible uses onto agricultural lands and the premature conversion of such lands to non-agricultural uses. Solar electrical generation facilities are considered to be compatible with ongoing agricultural activity.

(10) Permitted land uses in the A (Exclusive Agriculture) District include agricultural uses, commercial uses, and uses related to utility lines and substations, resource extraction, and energy development. Miscellaneous accessory structures that are related to the permitted uses are also allowed. Pursuant to Section 19.12.030.G of the Kern County Zoning Ordinance, solar facilities are permitted with approval of a Conditional Use Permit.

(11) Permitted land uses in the A (Exclusive Agriculture) District include agricultural uses, commercial uses, and uses related to utility lines and substations, resource extraction, and energy development. Miscellaneous accessory structures that are related to the permitted uses are also allowed. Pursuant to Section 19.12.030.F of the Kern County Zoning Ordinance, temporary construction staging and equipment storage are permitted with approval of a Conditional Use Permit.

(12) The proposed use meets the minimum requirements of this title applicable to the use and complies with all other applicable laws, ordinances, and regulations of the County of Kern and the State of California.

(13) The proposed use will not be materially detrimental to the health, safety, and welfare of the public or to property and residents in the vicinity.

(14) Approval of the requested Conditional Use Permit is consistent with continuing the Board of Supervisors' adopted alternative energy goal because it will help facilitate the construction of a renewable energy project.

(15) The project site is more suitable for solar development, which supports affirmatively furthering fair housing goals by preserving residentially zoned land for housing that can better meet long-term health, safety, and livability standards.

(16) Existing site conditions, such as constructed solar facilities, which includes solar panels and supportive structures for operations and maintenance, make it better suited for non-residential uses, thereby reinforcing the County's commitment to high-quality, integrated housing opportunities elsewhere.

(17) While the project site is not suitable for traditional residential development, the project includes specific design features and conditions of approval that promote compatibility with nearby uses while ensuring the project does not conflict with affirmatively furthering fair housing goals.

(18) Excluding this project site from the County's housing inventory does not impede the County ability to meet its regional housing needs allocation obligations or implement housing element programs. Other more appropriate, higher-opportunity sites have been identified to meet the County's fair housing goals.

(19) Approval and implementation of the requested zone change will facilitate the construction of a 600-megawatts (MW) of renewable electrical energy with up to four (4) gigawatt-hours (GWh) of energy storage capacity (approximately 1,000 MW), on an approximate 3,519-acre project site. This facility and the anticipated economic benefits associated with the operation of the facility to the County, which include but are not limited to the anticipation of 354 average daily construction jobs with up to 653 workers during peak construction, are consistent with the objectives of the Kern County General Plan that encourage economic development that creates jobs and capital investments in urban and rural areas that benefits residents, businesses, and industries, as well as ensuring future governmental fiscal stability while encouraging new development to utilize existing infrastructure and services.

(20) Approval of this project shall not be considered operative, vested, or final until such time as the required verification from the Office of the County Clerk is submitted, attesting that payment of fees for the filing of a "Notice of Determination" for the benefit of the California Department of Fish and Wildlife, as required by AB 3158 (Section 10005 Public Resources Code) has been made.

(21) In accordance with CEQA, the Lead Agency may conclude that certain mitigation measures identified are infeasible or otherwise ineffective during public review. In those circumstances, the Lead Agency may delete those mitigation measures and substitute for them other mitigation measures the Lead Agency finds are equivalent or more effective in mitigating significant effects so long as they do not cause potentially significant effects. It is the Lead Agency's determination that clarification to proposed mitigation are considered more effective in mitigating significant effects and are not considered new significant information requiring the recirculation of the Final EIR under CEQA and do not create new significant effects on the environment.

RECOMMENDED CONDITIONS OF APPROVAL FOR CONDITIONAL USE PERMIT NO. 7, MAP 212:

(1) Conditional Use Permit to allow for the construction and operation of a solar facility up to 450 MW and associated infrastructure, including energy storage, a switchyard (Section 19.12.030.G), and temporary construction staging and equipment storage (Section 19.12.030.K) on approximately 2,244.99 acres in an A (Exclusive Agriculture) District (CUP No. 7, Map 212)

(2) Any additional on-site development or expansion activities beyond those items described in the staff report and certified Final Environmental Impact Report associated with initial approval of this conditional use permit, and which are deemed to be more intensive by the Director of the Kern County Planning and Natural Resources Department, shall be subject to review and approval and may entail further environmental review. Approval of such development or expansion activities may also require modification of this conditional use permit or the approval of a new conditional use permit at the discretion of the Director of the Kern County Planning and Natural Resources Department.

(3) All mitigation measures included in the adopted Mitigation Measure Monitoring Program for the Galaxy Solar PV and Storage Project by Galaxy Solar Storage, LLC (General Plan Amendment Case No. 7, Map 212; Amendment of Zoning Map 195, Zone Change Case No. 5; Amendment of Zoning Map 212, Zone Change Case No. 4; Amendment of Zoning Map 212, Zone Change Case No. 5; Conditional Use Permit Case No. 4, Map 195; Conditional Use Permit Case No. 5, Map 195; Conditional Use Permit Case No. 7, Map 212; General Plan Amendment Case No. 5, Map 195; General Plan Amendment Case No. 6, Map 212; Zone Variance Case No. 1, Map 195; Zone Variance Case No. 2, Map 212; Vesting Tentative Parcel Map 12577; Vesting Tentative Parcel Map 12578; Vesting Tentative Parcel Map 12579; Vesting Tentative Parcel Map 12580; Vesting Tentative Parcel Map 12581; Vesting Tentative Parcel Map 12582), included as Exhibit C of this Resolution, are hereby incorporated as Conditions of Approval.

(4) Development shall be in substantial conformity with the approved plan, and the approved plan shall be revised to include the following conditions of approval.

(5) All necessary building permits must be obtained.

(6) Should a conflict occur between the statistical data shown on the plan and the conditions of approval, the conditions of approval shall prevail.

(7) **Prior to the issuance of building or grading permits, the applicant shall submit documentation of the following:**

(a) The project proponent shall demonstrate compliance with all applicable mitigation measures as listed in the approved Mitigation Measure Reporting Program (MMRP).

(b) The method of water supply and sewage disposal shall be as required and approved by the Kern County Public Health Services Department/Environmental Health Division.

(c) Fire flows, fire protection facilities, and access ways shall be as required and approved by the Kern County Fire Department (KCFD).

1. All Battery Energy Storage Systems must be applied for directly with KCFD for separate permitting and pre-construction approval. All proposed batteries must be UL9540A 2019 Edition tested for large scale burns.

2. The 24,000-gallon fire water tank and fire alarm annunciator panel (Incident Command Post) shall be located a minimum of 300’ upwind from the nearest battery enclosure.

3. Site emergency response access for the storage yards shall be placed upwind of battery enclosures based on the prevailing winds in the area of construction.

(d) A plan for the disposal of drainage waters originating on-site and from adjacent road rights-of-way shall be approved by the Kern County Engineering, Surveying, and Permit Services Department/ Floodplain Management, if required. Easements or grant deeds shall be given to the County of Kern for drainage purposes or access thereto, as necessary.

1. Associated flood hazard requirements will need to be incorporated into the design of this project per the Kern County Floodplain Management Ordinance.

(e) The project operator shall develop and implement an on-site Pest Management Plan specifically related to rodent vectors. The plan shall be submitted to the Kern County Planning and Natural Resources Department for approval.

(f) The project proponent shall encourage all contractors for the project to hire at least 50 percent of their workers from the local Kern County communities. The project operator shall provide to the contractors a list of training programs that provide skilled solar workers and shall require the contractor to advertise locally for available jobs, notify the training programs of job availability, all in conjunction with normal hiring practices of the contractor. The project operator shall submit a letter detailing the hiring efforts, prior to commencement of construction.

(g) Solar panel support/foundation structures shall be constructed in such a way as to minimize the potential to entrap animals. Detailed schematic drawings depicting the solar panel support/foundation structures to be used on site shall be submitted for approval by the Kern County Planning and Natural Resources Director.

(h) The project proponent shall consult with the County of Kern Public Works Department/Building and Development Division for issuance of an encroachment permit, at locations to be approved by the Public Works Department, to construct paved private road approaches to prevent damage to County-owned roads. Any required improvements shall comply with requirements of the County of Kern Public Works Department/Building and Development Division and shall be accomplished at no cost to the County.

(i) All survey monuments shall be tied out by a Licensed Land Surveyor. A corner record for each monument shall be submitted to the County Surveyor for review and processing, per Section 8771 of the Professional Land Surveyor's (PLS) Act.

(j) All survey monuments that were destroyed during construction shall be re-set or have a suitable witness corner set. A post construction corner record for each monument re-set or a record of survey shall be submitted to the County Surveyor for processing, per Section 8711 of the Professional Land Surveyor's Act.

(k) All survey monuments shall be accessible by a Licensed Land Survey or their representatives, with prior notice, per Section 8774 of the PLS Act and Civil Code 846.5 (a).

(l) Provide a Traffic Control Plan that addresses the routes, duration and manner of traffic control that will be implemented to accommodate construction-related traffic.

(m) Enter into a secured agreement with the Kern County Public Works Department to ensure that any County roads that are demonstrably damaged by project-related activities are promptly repaired and, if necessary, paved, slurry-sealed, or reconstructed as per requirements of the State and or Kern County.

(n) Obtain all necessary Encroachment Permits for any proposed work within the County Road right-of-way. These permits may be obtained from our Permits Engineer.

(o) Obtain all necessary Transportation Permits for any oversized or overweight (heavy) loads that will utilize County maintained roads, which may require California Highway Patrol escort. These permits may be obtained from our Permits Engineer.

(p) Contact the California Department of Transportation (Caltrans) regarding this project.

(q) All easements shall be kept open, clear, and free from buildings and structures of any kind pursuant to Chapters 18.50 and 18.55 of the Kern County Land Division Ordinance. All obstructions, including utility poles and lines, trees, pole signs, fences, or similar obstructions, shall be removed from the ultimate road rights-of-way. Compliance with this requirement is the responsibility of the applicant and may result in significant financial expenditures.

(r) The project operator shall process the required Memorandum of Understanding/Agreement (MOU) to the Kern County Board of Supervisors. If executed, the project proponent shall submit a copy of the signed MOU to the Kern County Planning and Natural Resources Department.

(s) The applicant shall provide confirming documentation the facility has been registered with the California Environmental Reporting System (CERS) at the following link: http://cers.calepa.ca.gov/.

(t) If any abandoned wells are found during the grading and construction process, the applicant shall contact the Kern County Public Health Services Department/Land and Water Division for permitting and destruction procedures.

(u) The applicant shall submit proof of access that meets the requirements of the Kern County Public Works Department.

(v) The Project proponent shall coordinate with SoCalGas staff to determine the specific requirements regarding any potential natural gas service or facility issues needed to adequately accommodate the proposed Project. The Project proponent shall comply with and adhere to all requirements identified by SoCalGas adequately accommodate the proposed Project, including avoiding damage to SoCalGas natural gas services and facilities, as needed as Project construction progresses.

(8) **<u>Prior to final occupancy approval,</u> the following conditions shall be verified by the building inspector and shall be continuously maintained while this permit is active:**

(a) All easements shall be kept open, clear, and free from buildings and structures of any kind pursuant to Chapters 18.50 and 18.55 of the Kern County Land Division Ordinance. All obstructions, including utility poles and lines, trees, pole signs, or similar obstructions, shall be removed from the ultimate road rights-of-way in accordance with Section 18.55.030 of the Land Division Ordinance. Compliance with this requirement is the responsibility of the applicant and may result in significant financial expenditures.

(b) All vehicle parking and maneuvering areas shall be treated in a manner to continuously prevent blowing dust.

(c) All signs shall be approved by the Director of the Kern County Planning and Natural Resources Department prior to installation.

(d) The areas devoted to outside storage shall be treated with a dust binder or other dust control measure, as approved by the Director of the Kern County Planning and Natural Resources Department.

(e) All survey monuments that were destroyed during construction shall be re-set or have a suitable witness cover set. A post construction corner record for each monument re-set or a record of survey shall be submitted to the County Surveyor for processing, per Section 8771 of the Professional Land Surveyor's Act.

(f) The applicant shall pay all required statutory fees as required by the Kern County Superintendent of Schools.

(9) **The property owner shall continuously comply with the following conditions of approval during implementation of this permit:**

(a) The development shall comply with any requirements of the Eastern Kern Air Pollution Control District.

(b) If any previously unknown oil, gas or injection wells are discovered, work in the area of discovery shall be stopped and the Department of Conservation/Geologic Energy Management Division/Bakersfield office contacted by the project proponent to obtain information on the requirements of, and approval to perform, remedial operations implemented prior to resumption of work in the area of discovery.

(c) If any previously unknown archaeological or cultural resources are discovered, work in the area of discovery shall be stopped and a qualified archaeologist contacted to evaluate the find. A copy of the archaeologist's evaluation shall be submitted to the Kern County Planning and Natural Resources Department upon its issuance and any measures recommended by the archaeologist shall be implemented prior to resumption of work in the area of discovery.

(d) All exterior lighting shall comply with Chapter 19.81 (Outdoor Lighting "Dark Skies Ordinance") of the Kern County Zoning Ordinance. Light fixtures shall be directed away from adjacent properties and roads. When lighting will be visible

from a residential district or adjacent public roads, the lighting fixtures shall be equipped with glare shields or baffles to reduce light trespass onto adjacent properties and shall not exceed 30 feet in height above grade. Light fixtures shall be maintained in sound operating conditions at all times. A lighting plan, including glare shield details, shall be submitted and approved by the Kern County Planning and Natural Resources Department.

(e) All storage and pressure tanks shall be painted an earthen hue color.

(f) All signs shall comply with the signage regulations of the applicable base zone district and with Chapter 19.84 and Chapter 19.81.040(h) of the Zoning Ordinance.

(g) During all on site grading and construction activities, adequate measures shall be implemented to control fugitive dust.

(h) For portions of the project that abut residentially zoned areas, an Additional Aesthetics Setback of 100 feet from the residential property line. No solar panels or equipment shall be placed in this area. The project proponent shall be responsible for dust controls and weed maintenance in this area. An approved site plan showing the designated Additional Aesthetics Setback shall be submitted to Kern County Planning and Natural Resources Department for approval.

(i) All survey monuments shall be accessible by a licensed land surveyor or their representatives, with prior notice, per section 8774 of the Professional Land Surveyor's Act and Civil Code 846.5 (a).

(10) All used oil (as defined in Section 25250.1 of the California Health and Safety Code) shall be disposed of in accordance with all local, State, and federal regulations following consultation with the Kern County Public Health Services Department/Environmental Health Division/Hazardous Materials Section, State of California Department of Health Services, and the Environmental Protection Agency. All used oil and other wastes shall be transported by a registered waste hauler.

(11) This permit shall become null and void if the use authorized has not been activated within a five-(5-)year period of time of the approval of said permit, unless an extension of time has been granted by the decision-making authority, upon written request before expiration of the five-(5-)year period.

(12) Noncompliance with the adopted conditions of approval may cause permit revocation proceedings in accordance with Section 19.102.020 of the Ordinance Code.

(13) At the time building permits are applied for, a filing fee may be imposed to ensure that final plans are consistent with adopted conditions of approval. This fee may serve as an initial deposit for particularly complex cases, in which case a cost recovery agreement will be required and charges will be billed at the appropriate hourly rate; and

BASIS FOR APPROVAL AND RECOMMENDED FINDINGS FOR GENERAL PLAN AMENDMENT NO. 5, MAP 195:

(1) The applicable provisions of the California Environmental Quality Act, the State CEQA Guidelines, and the Kern County Guidelines have been duly observed in conjunction with said hearing in the consideration of this matter and all of the previous proceedings relating thereto.

(2) This project is recommended for approval despite the existence of certain significant environmental effects identified in said Environmental Impact Report, and this Board of Supervisors makes and adopts the findings with respect to each thereof set forth in Exhibit A, appended hereto and made a part hereof by reference, pursuant to Section 15091 of the State CEQA Guidelines (Title 14, Administrative Code) and Section 21081 of the Public Resources Code and declares that it considered the evidence described in connection with each such finding in Exhibit A and that such evidence is substantial and supports such finding.

This Board acknowledges that approval of this project will produce certain environmental impacts which cannot be mitigated and, in accordance with Section 15093 of the State CEQA Guidelines (Title 14, Administrative Code) hereby adopts a Statement of Overriding Considerations set forth in Exhibit B, appended hereto, and made a part hereof, which summarizes the reasons why this project, despite certain environmental impacts, has been approved.

Said Environmental Impact Report is complete and adequate in scope and has been completed in compliance with the California Environmental Quality Act and with the State CEQA Guidelines and the Kern County Guidelines for implementation thereof.

(3) The effect upon the environment of such project and the activities and improvements which may be carried out thereunder will not interfere with maintenance of a high-quality environment now or in the future. Mitigation measures have been incorporated from the Environmental Impact Report as conditions of approval, and the adopted Mitigation Measure Monitoring Program specifies the required steps to satisfy each mitigation measure.

(4) The solar project is consistent with the goals and policies of the Energy Element within the Kern County General Plan.

(5) Approval of this request would promote development that is consistent with existing and potential land uses of the surrounding area and will allow a reasonable use of this property.

(6) The solar project will require minimal expansion of infrastructure to support development.

(7) In accordance with State law and the California Tribal Consultation Guidelines, the appropriate Native American tribes were consulted with respect to the project's potential impacts on Native American places, features, and objects and provided an opportunity for review and consultation.

(8) The proposed solar energy facility is located in a rural area of the County adjacent to energy development and transmission lines. Given these existing uses, there is little potential for the area to be developed as an urban center or major transportation corridor in the long-term future. As such, the identified collector roadway designations are not necessary to facilitate future traffic needs in the area.

(9) Approval of the Amendment to the Circulation Element of the Kern County General Plan is consistent with the objectives and policies of the Kern County General Plan to protect needed road rights-of-way for future growth, while facilitating a comprehensive transportation network.

(10) Approval of the Amendment to the Circulation Element of the Kern County General Plan is consistent with the objectives of the Circulation Element of the Kern County General Plan because it will allow for the construction of a renewable energy project while encouraging the use of existing road networks internal to the project site.

(11) Approval of the Kern County General Plan Amendment to the Circulation Element of the Kern County General Plan is consistent with the objectives of the Circulation Element of the Plan because it will maintain adequate traffic safety.

(12) Approval of the requested Kern County General Plan Amendment is consistent with continuing the Board of Supervisors' adopted alternative energy goal because it will help facilitate the construction of a renewable energy project.

(13) Approval of this project shall not be considered operative, vested, or final until such time as the required verification from the Office of the County Clerk is submitted, attesting that payment of fees for the filing of a "Notice of Determination" for the benefit of the California Department of Fish and Wildlife, as required by AB 3158 (Section 10005 Public Resources Code) has been made.

(14) In accordance with CEQA, the Lead Agency may conclude that certain mitigation measures identified are infeasible or otherwise ineffective during public review. In those circumstances, the Lead Agency may delete those mitigation measures and substitute for them other mitigation measures the Lead Agency finds are equivalent or more effective in mitigating significant effects so long as they do not cause potentially significant effects. It is the Lead Agency's determination that clarification to proposed mitigation are considered more effective in mitigating significant effects and are not considered new significant information requiring the recirculation of the Final EIR under CEQA and do not create new significant effects on the environment

BASIS FOR APPROVAL AND RECOMMENDED FINDINGS FOR ZONE VARIANCE NO. 1, MAP 195:

(1) The applicable provisions of the California Environmental Quality Act, the State CEQA Guidelines, and the Kern County Guidelines have been duly observed in conjunction with said hearing in the consideration of this matter and all of the previous proceedings relating thereto.

(2) This project is recommended for approval despite the existence of certain significant environmental effects identified in said Environmental Impact Report, and this Board of Supervisors make and adopt the findings with respect to each thereof set forth in Exhibit A, appended hereto and made a part hereof by reference, pursuant to Section 15091 of the State CEQA Guidelines (Title 14, Administrative Code) and Section 21081 of the Public Resources Code and declares that it considered the evidence described in connection with each such finding in Exhibit A and that such evidence is substantial and supports such finding.

This Board acknowledges that approval of this project will produce certain environmental impacts which cannot be mitigated and, in accordance with Section 15093 of the State CEQA Guidelines (Title 14, Administrative Code) hereby adopts a Statement of Overriding Considerations set forth in Exhibit B, appended hereto, and made a part hereof, which summarizes the reasons why this project, despite certain environmental impacts, has been approved.

Said Environmental Impact Report is complete and adequate in scope and has been completed in compliance with the California Environmental Quality Act and with the State CEQA Guidelines and the Kern County Guidelines for implementation thereof.

(3) The effect upon the environment of such project and the activities and improvements which may be carried out thereunder will not interfere with maintenance of a high-quality environment now or in the future. Mitigation measures have been incorporated from the Environmental Impact Report as conditions of approval, and the adopted Mitigation Measure Monitoring Program specifies the required steps to satisfy each mitigation measure.

(4) The proposed use is consistent with the goals and policies of the General Plan.

(5) The proposed use is consistent with the purpose of the applicable district or districts.

(6) The proposed use is listed as a use subject to a conditional use permit in the applicable zoning district or districts or a use determined to be similar to a listed conditional use in accordance with the procedures set out in Section 19.08.030.

(7) The proposed use meets the minimum requirements of this title applicable to the use and complies with all other applicable laws, ordinances, and regulations of the County of Kern and the State of California.

(8) The proposed use will not be materially detrimental to the health, safety, and welfare of the public or to property and residents in the vicinity.

(9) Special circumstances applicable to the subject property, including location, surroundings, and existing development on the property, such that the strict application of the applicable requirements of the Zoning Ordinance deprives such property of privileges enjoyed by the other property in the vicinity and in the same zoning district throughout the County.

(10) The granting of the variance does not constitute a grant of special privilege that is inconsistent with the limitations on other properties in the vicinity and in the zoning district in which the property is located. This finding is supported by the existence of multiple legal, nonconforming parcels of similar or smaller size within one (1) mile of the project site in the A District, as well as by similar approvals within the County in the same zone district and General Plan map code designation.

(11) The granting of the variance will not be materially detrimental to the public health, safety, or welfare, as implementation would require adherence to all other applicable local, State and federal regulatory requirements as ensured by the recommended conditions of approval.

(12) Approval of this project shall not be considered operative, vested, or final until such time as the required verification from the Office of the County Clerk is submitted, attesting that payment of fees for the filing of a "Notice of Determination" for the benefit of the California Department of Fish and Wildlife, as required by AB 3158 (Section 10005 Public Resources Code) has been made

RECOMMENDED CONDITIONS OF APPROVAL FOR ZONE VARIANCE NO. 1, MAP 195:

(1) Zone Variance (ZV No. 1, Map 195) to authorize multiple parcels of substandard size ranging from 9.32 acres to 10.23 acres where a minimum of 20 acres is required in the A (Exclusive Agriculture) District.

(2) Any additional on-site development or expansion activities beyond those items described in the staff report and certified Final Environmental Impact Report associated with initial approval of this conditional use permit, and which are deemed to be more intensive by the Director of the Kern County Planning and Natural Resources Department, shall be subject to review and approval and may entail further environmental review. Approval of such development or expansion activities may also require modification of this conditional use permit or the approval of a new conditional use permit at the discretion of the Director of the Kern County Planning and Natural Resources Department.

(3) All mitigation measures included in the adopted Mitigation Measure Monitoring Program for the Galaxy Solar PV and Storage Project by Galaxy Solar Storage, LLC (General Plan Amendment Case No. 7, Map 212; Amendment of Zoning Map 195, Zone Change Case No. 5; Amendment of Zoning Map 212, Zone Change Case No. 4; Amendment of Zoning Map 212, Zone Change Case No. 5; Amendment of Zoning Map 197, Zone Change Case No. 57; Conditional Use Permit Case No. 4, Map 195; Conditional Use Permit Case No. 5, Map 195; Conditional Use Permit Case No. 7, Map 212; Conditional Use Permit Case No. 24, Map 197; General Plan Amendment Case No. 5, Map 195; General Plan Amendment Case No. 6, Map 212; Zone Variance Case No. 1, Map 195; Zone Variance Case No. 2, Map 212; Zone Variance Case No. 21, Map 197; Vesting Tentative Parcel Map 12577; Vesting Tentative Parcel Map 12578; Vesting Tentative Parcel Map 12579; Vesting Tentative Parcel Map 12580; Vesting Tentative Parcel Map 12581; Vesting Tentative Parcel Map 12582), included as Exhibit C of this Resolution, are hereby incorporated as Conditions of Approval.

(4) Development shall be in substantial conformity with the approved plan, and the approved plan shall be revised to include the following conditions of approval.

(5) This permit shall run concurrently with General Plan Amendment Case No. 7, Map 212; Amendment of Zoning Map 195, Zone Change Case No. 5; Amendment of Zoning Map 212, Zone Change Case No. 4; Amendment of Zoning Map 212, Zone Change Case No. 5; Amendment of Zoning Map 197, Zone Change Case No. 57; Conditional Use Permit Case No. 4, Map 195; Conditional Use Permit Case No. 5, Map 195; Conditional Use Permit Case No. 7, Map 212; Conditional Use Permit Case No. 24, Map 197; General Plan Amendment Case No. 5, Map 195; General Plan Amendment Case No. 6, Map 212; Zone Variance Case No. 1, Map 195; Zone Variance Case No. 2, Map 212; Zone Variance Case No. 21, Map 197; Vesting Tentative Parcel Map 12577; Vesting Tentative Parcel Map 12578; Vesting Tentative Parcel Map 12579; Vesting Tentative Parcel Map 12580; Vesting Tentative Parcel Map 12581; Vesting Tentative Parcel Map 12582. Should the aforementioned entitlements expire or be withdrawn, this permit shall become null and void.

(6) With exception of lot size, all requirements of the A (Exclusive Agriculture) Base District, along with requirements of combining districts, shall remain applicable.

(7) Noncompliance with the adopted conditions of approval may cause permit revocation proceedings in accordance with Section 19.102.020 of the Ordinance Code.

BASIS FOR APPROVAL AND RECOMMENDED FINDINGS FOR ZONE VARIANCE NO. 2, MAP 212:

(1) The applicable provisions of the California Environmental Quality Act, the State CEQA Guidelines, and the Kern County Guidelines have been duly observed in conjunction with said hearing in the consideration of this matter and all of the previous proceedings relating thereto.

(2) This project is recommended for approval despite the existence of certain significant environmental effects identified in said Environmental Impact Report, and this Board of Supervisors makes and adopts the findings with respect to each thereof set forth in Exhibit A, appended hereto and made a part hereof by reference, pursuant to Section 15091 of the State CEQA Guidelines (Title 14, Administrative Code) and Section 21081 of the Public Resources Code and declares that it considered the evidence described in connection with each such finding in Exhibit A and that such evidence is substantial and supports such finding.

This Board acknowledges that approval of this project will produce certain environmental impacts which cannot be mitigated and, in accordance with Section 15093 of the State CEQA Guidelines (Title 14, Administrative Code) hereby adopts a Statement of Overriding Considerations set forth in Exhibit B, appended hereto, and made a part hereof, which summarizes the reasons why this project, despite certain environmental impacts, has been approved.

Said Environmental Impact Report is complete and adequate in scope and has been completed in compliance with the California Environmental Quality Act and with the State CEQA Guidelines and the Kern County Guidelines for implementation thereof.

(3) The effect upon the environment of such project and the activities and improvements which may be carried out thereunder will not interfere with maintenance of a high-quality environment now or in the future. Mitigation measures have been incorporated from the Environmental Impact Report as conditions of approval, and the adopted Mitigation Measure Monitoring Program specifies the required steps to satisfy each mitigation measure.

(4) The proposed use is consistent with the goals and policies of the General Plan.

(5) The proposed use is consistent with the purpose of the applicable district or districts.

(6) The proposed use is listed as a use subject to a conditional use permit in the applicable zoning district or districts or a use determined to be similar to a listed conditional use in accordance with the procedures set out in Section 19.08.030.

(7) The proposed use meets the minimum requirements of this title applicable to the use and complies with all other applicable laws, ordinances, and regulations of the County of Kern and the State of California.

(8) The proposed use will not be materially detrimental to the health, safety, and welfare of the public or to property and residents in the vicinity.

(9) Special circumstances applicable to the subject property, including location, surroundings, and existing development on the property, such that the strict application of the applicable requirements of the Zoning Ordinance deprives such property of privileges enjoyed by the other property in the vicinity and in the same zoning district throughout the County.

(13) The granting of the variance does not constitute a grant of special privilege that is inconsistent with the limitations on other properties in the vicinity and in the zoning district in which the property is located. This finding is supported by the existence of multiple legal, nonconforming parcels of similar or smaller size within one (1) mile of the project site in the A District, as well as by similar approvals within the County in the same zone district and General Plan map code designation.

(14) The granting of the variance will not be materially detrimental to the public health, safety, or welfare, as implementation would require adherence to all other applicable local, State and federal regulatory requirements as ensured by the recommended conditions of approval.

(15) Approval of this project shall not be considered operative, vested, or final until such time as the required verification from the Office of the County Clerk is submitted, attesting that payment of fees for the filing of a "Notice of Determination" for the benefit of the California Department of Fish and Wildlife, as required by AB 3158 (Section 10005 Public Resources Code) has been made.

RECOMMENDED CONDITIONS OF APPROVAL FOR ZONE VARIANCE NO. 2, MAP 212:

(1) Zone Variance (ZV No. 2, Map 212) to authorize multiple parcels of substandard size ranging from 2.59 acres to 10 acres where a minimum of 20 acres is required in the A (Exclusive Agriculture) District.

(2) Any additional on-site development or expansion activities beyond those items described in the staff report and certified Final Environmental Impact Report associated with initial approval of this conditional use permit, and which are deemed to be more intensive by the Director of the Kern County Planning and Natural Resources Department, shall be subject to review and approval and may entail further environmental review. Approval of such development or expansion activities may also require modification of this conditional use permit or the approval of a new conditional use permit at the discretion of the Director of the Kern County Planning and Natural Resources Department.

(3) All mitigation measures included in the adopted Mitigation Measure Monitoring Program for the Galaxy Solar PV and Storage Project by Galaxy Solar Storage, LLC (General Plan Amendment Case No. 7, Map 212; Amendment of Zoning Map 195, Zone Change Case No. 5; Amendment of Zoning Map 212, Zone Change Case No. 4; Amendment of Zoning Map 212, Zone Change Case No. 5; Amendment of Zoning Map 197, Zone Change Case No. 57; Conditional Use Permit Case No. 4, Map 195; Conditional Use Permit Case No. 5, Map 195; Conditional Use Permit Case No. 7, Map 212; Conditional Use Permit Case No. 24, Map 197; General Plan Amendment Case No. 5, Map 195; General Plan Amendment Case No. 6, Map 212; Zone Variance Case No. 1, Map 195; Zone Variance Case No. 2, Map 212; Zone Variance Case No. 21, Map 197; Vesting Tentative Parcel Map 12577;

Vesting Tentative Parcel Map 12578; Vesting Tentative Parcel Map 12579; Vesting Tentative Parcel Map 12580; Vesting Tentative Parcel Map 12581; Vesting Tentative Parcel Map 12582), included as Exhibit C of this Resolution, are hereby incorporated as Conditions of Approval.

(4) Development shall be in substantial conformity with the approved plan, and the approved plan shall be revised to include the following conditions of approval.

(5) This permit shall run concurrently with General Plan Amendment Case No. 7, Map 212; Amendment of Zoning Map 195, Zone Change Case No. 5; Amendment of Zoning Map 212, Zone Change Case No. 4; Amendment of Zoning Map 212, Zone Change Case No. 5; Amendment of Zoning Map 197, Zone Change Case No. 57; Conditional Use Permit Case No. 4, Map 195; Conditional Use Permit Case No. 5, Map 195; Conditional Use Permit Case No. 7, Map 212; Conditional Use Permit Case No. 24, Map 197; General Plan Amendment Case No. 5, Map 195; General Plan Amendment Case No. 6, Map 212; Zone Variance Case No. 1, Map 195; Zone Variance Case No. 2, Map 212; Zone Variance Case No. 21, Map 197; Vesting Tentative Parcel Map 12577; Vesting Tentative Parcel Map 12578; Vesting Tentative Parcel Map 12579; Vesting Tentative Parcel Map 12580; Vesting Tentative Parcel Map 12581; Vesting Tentative Parcel Map 12582. Should the aforementioned entitlements expire or be withdrawn, this permit shall become null and void.

(6) With exception of lot size, all requirements of the A (Exclusive Agriculture) Base District, along with requirements of combining districts, shall remain applicable.

(7) Noncompliance with the adopted conditions of approval may cause permit revocation proceedings in accordance with Section 19.102.020 of the Ordinance Code.

BASIS FOR APPROVAL AND RECOMMENDED FINDINGS FOR VESTING TENTATIVE PARCEL MAP 12577:

(1) The proposed subdivision is consistent with the Open Space and Conservation Elements of the General Plan.

(2) The proposed map is consistent with applicable general and specific plans.

(3) The design or improvements of the proposed subdivision are consistent with applicable general and specific plans.

(4) The site is physically suitable for the type of development proposed.

(5) The site is physically suitable for the proposed density of development.

(6) The design of the subdivision or the proposed improvements are not likely to cause substantial environmental damage or substantial and avoidable injury to fish or wildlife or their habitat.

(7) The design of the proposed subdivision or the type of proposed improvements is not likely to cause serious public health problems.

(8) The design of the proposed subdivision or the type of proposed improvements will not conflict with easements, acquired by the public at large, for access through or use of the property within the proposed subdivision.

(9) Fish and Game Fees

(10) (*)Mitigation has been incorporated into this project which reduces the impacts on wildlife resources to a level of insignificance.

Based on the Lead Agency's analysis, with consideration given to Responsible and Trustee Agency comments, no evidence exists in the record to indicate that significant impacts will occur to wildlife resources after incorporation of the above-listed mitigation into the projects. The resulting impacts are therefore "de minimis." Additionally, the assumption of adverse effect is rebutted by the above-referenced lack of evidence in the record documenting that adverse effects will occur even though mitigation has been included in the project.

(*)This Board has found and determined that the Final Environmental Impact Report (FEIR) prepared for this project has been completed in compliance with the California Environmental Quality Act and the State CEQA Guidelines and the County EIR Guidelines, and that this Board has reviewed and considered the information contained in said FEIR before making its decision on the herein-mentioned project. This Board has made findings pursuant to Sections 15091 and 15093 of the California Environmental Quality Act which are attached hereto and made a part hereof.

(11) The applicable provisions of the California Environmental Quality Act, the State CEQA Guidelines, and the Kern County Guidelines have been duly observed in conjunction with said hearing in the consideration of this matter and all of the previous proceedings relating thereto.

(12) This project is recommended for approval despite the existence of certain significant environmental effects identified in said Environmental Impact Report, and this Board of Supervisors makes and adopts the findings with respect to each thereof set forth in Exhibit A, appended hereto and made a part hereof by reference, pursuant to Section 15091 of the State CEQA Guidelines (Title 14, Administrative Code) and Section 21081 of the Public Resources Code and declares that it considered the evidence described in connection with each such finding in Exhibit A and that such evidence is substantial and supports such finding.

(13) This Board acknowledges that approval of this project will produce certain environmental impacts which cannot be mitigated and, in accordance with Section 15093 of the State CEQA Guidelines (Title 14, Administrative Code) hereby adopts a Statement of Overriding Considerations set forth in Exhibit B, appended hereto, and made a part hereof, which summarizes the reasons why this project, despite certain environmental impacts, has been approved.

(14) Said Environmental Impact Report is complete and adequate in scope and has been completed in compliance with the California Environmental Quality Act and with the State CEQA Guidelines and the Kern County Guidelines for implementation thereof.

(15) A development variation to Sections 18.55.030.A.5.f and 18.55.030.A.5.i. of the Land Division Ordinance has been approved to allow a 30-foot-wide public off-site access easement where a 40-foot-wide public access easement is required on the basis that:

(a) Special circumstances exist with respect to the property or the proposed subdivision design that warrants the requested development variation based on the fact that the Galaxy Solar PV Storage Project results in little long-term traffic since it does not itself require significant worker trips for operation and maintenance activities and also does not facilitate long-term development that would increase traffic. Further, the Galaxy Solar PV Storage Project is surrounded by other solar projects that also have little traffic.

(b) The granting of the development variation will not be materially detrimental to the public health, safety, or welfare or to property or residents in the vicinity, based on the fact that the solar project will require minimal expansion of infrastructure to support development as the proposed solar energy facility is located in a rural area of the County adjacent to energy development and transmission lines. Given these existing uses, there is little potential for the area to be developed as an urban center or major transportation corridor in the long-term future. The proposed variations would not restrict the traveling public or neighboring property owners' access to areas outside the project boundary

RECOMMENDED CONDITIONS OF APPROVAL FOR VESTING TENTATIVE PARCEL MAP 12577:

(1) The final map proposed to be recorded shall be in substantial conformance with the approved tentative map.

(2) All parcels shall contain no less than the minimum area required by the adopted site zoning and shall comply with lot size and density requirements of the Kern County General Plan. Existing zoning is A (Exclusive Agriculture), which requires a minimum lot size of 20 acres (gross).

(3) Approval or conditional approval shall expire three years (36 months) from the date of approval of the parcel map. Extensions may be granted by the Director of the Kern County Planning and Natural Resources Department in accordance with Section 18.25.090.B of the Kern County Land Division Ordinance.

(4) Vesting shall expire one (1) year beyond the recording of the final map. A one (1)-year extension may be granted by the Director of the Kern County Planning and Natural Resources Department in accordance with Section 18.40.040.C.3 of the Kern County Land Division Ordinance.

(5) The appeal period pursuant to Section 18.25.050.E.3 of the Kern County Land Division Ordinance shall be strictly adhered to.

(6) The following conditions shall be satisfied <u>prior to recordation</u>:

(a) In accordance with Section 66465 of the Subdivision Map Act, a title guarantee dated within 30 days of recordation of the parcel map shall be submitted to the Advisory Agency.

(b) In accordance with Sections 66464, 66492, and 66493 of the Subdivision Map Act, a Tax Collectors Certificate, Assessors Tax Estimate, and security (if necessary) shall be submitted to the Kern County Public Works Department prior to recordation of the final map.

(c) The parcel map must contain an owners' statement, signed and acknowledged by all persons having any right, title, or interest in and to the property being divided. A request for the waiver of the signatures of parties owning rights-of-way, easements, or interests which cannot ripen into fee must also accompany the final map in accordance with Section 66445(f) of the Subdivision Map Act. Owner's statement may be recorded on a separate document rather than appear on the map, provided the recording information appears on the map.

(d) In accordance with Section 66436(A)(i) of the Subdivision Map Act, any public entity or public utility owning rights-of-way, easements, or other interests which cannot ripen into fee must be advised by certified mail of the division of the property. The Advisory Agency will require a letter from these parties stating that the development will not unreasonably interfere with the free and complete exercise of the right-of-way or easement within the boundaries of this development.

(e) In accordance with Section 18.45.060 of the Kern County Land Division Ordinance, show all existing easements of record on the map.

(f) In accordance with Section 66434.2 of the Subdivision Map Act, information required by the conditions of approval shall be in the form of an additional map sheet.

(g) Kern County Public Works Department/Development Review Division supports the 30-foot-wide public access easement where a minimum 40-foot-wide public access easement is required. Applicant is responsible for maintaining the proposed 30-foot-wide public access easement, since it does not meet the requirements of the Kern County Land Division Ordinance, and Development Review Standards.

(h) Kern County Public Works Department/Development Review Division supports the vacation of the road reservations within the parcel map boundary, except for the above mentioned.

(i) Provide 20-foot by 20-foot right-of-way corner cutoff at all intersections, where required by the Kern County Public Works Department/Development Review Division.

(j) If dedicated by separate instrument, the access easement(s) are to be submitted to and reviewed by the County Surveyor, and processed pursuant to Chapter 18.50 of the Kern County Land Division Ordinance.

(k) Show existing off-site access, as approved by the Kern County Planning and Natural Resources Department, on the map pursuant to Chapters 18.50 and 18.55 of the Kern County Land Division Ordinance.

(l) The engineer shall submit plans for on-site and off-site access roads pursuant to Chapter 18.55 of the Kern County Land Division Ordinance. Plans shall be subject to the approval of the Kern County Public Works Department.

(7) In accordance with Chapter 18.55 of the Kern County Land Division Ordinance:

(a) All access roads shall be traversable by a standard passenger car with maximum grade of 15 percent. (Grading is not required, except as necessary to make roads traversable as aforementioned. Plans and profiles are not required.) Confirmation of traversability and maximum grade shall be provided by the Engineer/Surveyor.

(b) Prior to submittal of the final map, final approval of full street names (including prefix and suffix) from the Kern County Planning and Natural Resources Department/Graphics Unit shall be obtained. Verification of the street name approval shall be submitted to the Kern County Public Works Department.

(c) The method of water supply and sewage disposal shall be as required and approved by the Kern County Public Health Services Department/Environmental Health Division.

(d) Street signs shall be provided in accordance with the Kern County Development Standards, if not already in place. Verification shall be submitted to the Kern County Public Works Department prior to recordation.

(8) The following requirement(s) shall appear as a note(s) on the final map:

(a) All development within Parcel Map 12577 shall be subject to Conditions of Approval and all mitigation measures included in the adopted Mitigation Measure Monitoring Program for General Plan Amendment No. 5, Map 195, General Plan Amendment No. 6, Map 212, General Plan Amendment No. 7, Map 212, Zone Change Case No. 5, Map 195, Zone Change Case No. 4, Map 212, Conditional Use Permit No. 4, Map 195, Conditional Use Permit No. 5, Map 195, Conditional Use Permit No. 7 Map 212, Zone Variance No. 1, Map 195, Zone Variance No. 2, Map 212.

(b) All easements shall be kept open, clear, and free from buildings and structures of any kind pursuant to Chapters 18.50 and 18.55 of the Kern County Land Division Ordinance. All obstructions, including utility poles and lines, trees, pole signs, fences, or similar obstructions, shall be removed from the ultimate road rights-of-way. Compliance with this requirement is the responsibility of the applicant and may result in significant financial expenditures.

(c) Any road or easement or right-of-way for road or highway purposes shown or referred to on this map, including, but not limited to, any dedicated or offered for dedication to the public or to the County, is not a County highway and is not subject to maintenance or improvement by the County of Kern, until and unless the County officially accepts same into the County Road System by resolution of the Board of Supervisors, excepting any expressly shown hereon as being a County highway.

(9) Fire flows and fire protection systems shall be as required and approved by the Kern County Fire Department. **The Kern County Fire Department will accept the following statement recorded concurrently with the parcel map**:

Notice is hereby given that the subdivider was not required to construct emergency access or fire protection improvements. **Prior to the issuance of a building permit**, emergency and fire protection facilities shall be approved in accordance with the requirements of the Kern County Fire Department/Fire Prevention Unit. A consultation with the Fire Prevention Unit, to discuss these requirements, is recommended prior to the submittal of improvement plans, as there also may be a fee requirement.

(10) The following note(s) shall appear on the final map and all grading plans:

(a) If, during development activities, any plugged, abandoned, or unrecorded well(s) are uncovered or damaged that were not part of the initial review, the property owner is expected to immediately notify the Department of Conservation/Geologic Energy Management Division's construction site well review engineer in the Inland district office, and comply with all requirements of the Department of Conservation/Geologic Energy Management (CalGEM) Division.

(b) If any previously unknown archaeological or cultural resources are discovered, work in the area of the Galaxy Solar PV Storage Project shall be stopped and a qualified archaeologist contracted to evaluate the find. A copy of the archaeologist's evaluation shall be submitted to the Kern County Planning and Natural Resources Department upon its issuance and any measures recommended by the archaeologist shall be implemented prior to resumption of work in the area of the Galaxy Solar PV Storage Project.

(c) If human remains are discovered at any time on this property, work must halt in the area of the find, and the Kern County Coroner must be notified immediately (Health and Safety Code Section 7050.5). The Kern County Planning and Natural Resources Department shall be notified immediately following Coroner notification.

(d) If any abandoned water well(s) are located within the development or discovered during excavation or grading, the Kern County Public Health Department/Environmental Health Division must be contacted to obtain information for the proper permitting and destruction procedures.

(e) During grading operations, the applicant for a development permit shall be responsible for the application of water to development sites to mitigate the impact of dust and PM_{10} (particulate) emissions. Spraying should be sufficient to ensure that soils remain damp, with the frequency of spraying dependent on weather conditions. Verification of compliance will be the responsibility of the Kern County Public Works Department/Building Inspection Division.

(f) During grading operations, all activity shall be restricted to periods of low wind to reduce dust emissions. Verification of compliance will be the responsibility of the Kern County Public Works Department/Building Inspection Division.

(g) Construction speed limits will be posted at 15 mph. Verification of compliance will be the responsibility of the Kern County Public Works Department/Building Inspection Division.

(11) The following note(s) shall appear on the final map and all grading and construction plans:

(a) It is unlawful for any person to do, or cause to be done, any of the following acts within the unincorporated areas of the County:

1. To create noise from construction, between the hours of 9:00 p.m. and 6:00 a.m. on weekdays and nine 9:00 p.m. and 8:00 a.m. on weekends, which is audible to a person with average hearing faculties or capacity at a distance of 150 feet from the construction site, if the construction site is within 1,000 feet of an occupied residential dwelling except where the Director of the Planning and Natural Resources Department or his/her designated representative may for good cause exempt some construction work for a limited time.

(b) Before any digging or excavation occurs, please contact Underground Service Alert (USA) by dialing 811 a minimum of two (2) working days prior to commending any work. This free and independent service will ensure that all existing underground utilities are identified and marked on site.

(c) Prior to construction and development, the applicant shall conform with the general requirements of the corresponding utility service provider(s) to ensure safety and conformity with their facilities.

BASIS FOR APPROVAL AND RECOMMENDED FINDINGS FOR VESTING TENTATIVE PARCEL MAP 12578:

(1) The proposed subdivision is consistent with the Open Space and Conservation Elements of the General Plan.

(2) The proposed map is consistent with applicable general and specific plans.

(3) The design or improvements of the proposed subdivision are consistent with applicable general and specific plans.

(4) The site is physically suitable for the type of development proposed.

(5) The site is physically suitable for the proposed density of development.

(6) The design of the subdivision or the proposed improvements are not likely to cause substantial environmental damage or substantial and avoidable injury to fish or wildlife or their habitat.

(7) The design of the proposed subdivision or the type of proposed improvements is not likely to cause serious public health problems.

(8) The design of the proposed subdivision or the type of proposed improvements will not conflict with easements, acquired by the public at large, for access through or use of the property within the proposed subdivision.

(9) Fish and Game Fees

(10) (*)Mitigation has been incorporated into this project which reduces the impacts on wildlife resources to a level of insignificance.

Based on the Lead Agency's analysis, with consideration given to Responsible and Trustee Agency comments, no evidence exists in the record to indicate that significant impacts will occur to wildlife resources after incorporation of the above-listed mitigation into the projects. The resulting impacts are therefore "de minimis." Additionally, the assumption of adverse effect is rebutted by the above-referenced lack of evidence in the record documenting that adverse effects will occur even though mitigation has been included in the project.

(*)This Board has found and determined that the Final Environmental Impact Report (FEIR) prepared for this project has been completed in compliance with the California Environmental Quality Act and the State CEQA Guidelines and the County EIR Guidelines, and that this Board has reviewed and considered the information contained in said FEIR before making its decision on the herein-mentioned project. This Board has made findings pursuant to Sections 15091 and 15093 of the California Environmental Quality Act which are attached hereto and made a part hereof.

(11) The applicable provisions of the California Environmental Quality Act, the State CEQA Guidelines, and the Kern County Guidelines have been duly observed in conjunction with said hearing in the consideration of this matter and all of the previous proceedings relating thereto.

(12) This project is recommended for approval despite the existence of certain significant environmental effects identified in said Environmental Impact Report, and this Board of Supervisors makes and adopts the findings with respect to each thereof set forth in Exhibit A, appended hereto and made a part hereof by reference, pursuant to Section 15091 of the State CEQA Guidelines (Title 14, Administrative Code) and Section 21081 of the Public Resources Code and declares that it considered the evidence described in connection with each such finding in Exhibit A and that such evidence is substantial and supports such finding.

(13) This Board acknowledges that approval of this project will produce certain environmental impacts which cannot be mitigated and, in accordance with Section 15093 of the State CEQA Guidelines (Title 14, Administrative Code) hereby adopts a Statement of Overriding Considerations set forth in Exhibit B, appended hereto, and made a part hereof, which summarizes the reasons why this project, despite certain environmental impacts, has been approved.

(14) Said Environmental Impact Report is complete and adequate in scope and has been completed in compliance with the California Environmental Quality Act and with the State CEQA Guidelines and the Kern County Guidelines for implementation thereof.

(15) A development variation to Sections 18.55.030.A.5.f and 18.55.030.A.5.i. of the Land Division Ordinance has been approved to allow a 30-foot-wide public off-site access easement where a 40-foot-wide public access easement is required on the basis that:

(a) Special circumstances exist with respect to the property or the proposed subdivision design that warrants the requested development variation based on the fact that the Galaxy Solar PV Storage Project results in little long-term traffic since it does not itself require significant worker trips for operation and maintenance

activities and also does not facilitate long-term development that would increase traffic. Further, the Galaxy Solar PV Storage Project is surrounded by other solar projects that also have little traffic.

(b) The granting of the development variation will not be materially detrimental to the public health, safety, or welfare or to property or residents in the vicinity, based on the fact that the solar project will require minimal expansion of infrastructure to support development as the proposed solar energy facility is located in a rural area of the County adjacent to energy development and transmission lines. Given these existing uses, there is little potential for the area to be developed as an urban center or major transportation corridor in the long-term future. The proposed variations would not restrict the traveling public or neighboring property owners' access to areas outside the project boundary

RECOMMENDED CONDITIONS OF APPROVAL FOR VESTING TENTATIVE PARCEL MAP 12578:

(1) The final map proposed to be recorded shall be in substantial conformance with the approved tentative map.

(2) All parcels shall contain no less than the minimum area required by the adopted site zoning and shall comply with lot size and density requirements of the Kern County General Plan. Existing zoning is A (Exclusive Agriculture), which requires a minimum lot size of 20 acres (gross).

(3) Approval or conditional approval shall expire 36 months from the date of approval of the parcel map. Extensions may be granted by the Director of the Kern County Planning and Natural Resources Department in accordance with Section 18.25.090.B of the Kern County Land Division Ordinance.

(4) Vesting shall expire one (1) year beyond the recording of the final map. A one (1)-year extension may be granted by the Director of the Kern County Planning and Natural Resources Department in accordance with Section 18.40.040.C.3 of the Kern County Land Division Ordinance.

(5) The appeal period pursuant to Section 18.25.050.E.3 of the Kern County Land Division Ordinance shall be strictly adhered to.

(6) The following conditions shall be satisfied <u>prior to recordation</u>:

(a) In accordance with Section 66465 of the Subdivision Map Act, a title guarantee dated within 30 days of recordation of the parcel map shall be submitted to the Advisory Agency.

(b) In accordance with Sections 66464, 66492, and 66493 of the Subdivision Map Act, a Tax Collectors Certificate, Assessors Tax Estimate, and security (if necessary) shall be submitted to the Kern County Public Works Department prior to recordation of the final map.

(c) The parcel map must contain an owners' statement, signed and acknowledged by all persons having any right, title, or interest in and to the property being divided.

A request for the waiver of the signatures of parties owning rights-of-way, easements, or interests which cannot ripen into fee must also accompany the final map in accordance with Section 66445(f) of the Subdivision Map Act. Owner's statement may be recorded on a separate document rather than appear on the map, provided the recording information appears on the map.

(d) In accordance with Section 66436(A)(i) of the Subdivision Map Act, any public entity or public utility owning rights-of-way, easements, or other interests which cannot ripen into fee must be advised by certified mail of the division of the property. The Advisory Agency will require a letter from these parties stating that the development will not unreasonably interfere with the free and complete exercise of the right-of-way or easement within the boundaries of this development.

(e) In accordance with Section 18.45.060 of the Kern County Land Division Ordinance, show all existing easements of record on the map.

(f) In accordance with Section 66434.2 of the Subdivision Map Act, information required by the conditions of approval shall be in the form of an additional map sheet.

(g) Kern County Public Works Department/Development Review Division supports the 30-foot-wide public access easement where a minimum 40-foot-wide public access easement is required. Applicant is responsible for maintaining the proposed 30-foot-wide public access easement, since it does not meet the requirements of the Kern County Land Division Ordinance, and Development Review Standards.

(h) Kern County Public Works Department/Development Review Division supports the vacation of the road reservations within the parcel map boundary, except for the above mentioned.

(i) Provide 20-foot by 20-foot right-of-way corner cutoff at all intersections, where required by the Kern County Public Works Department/Development Review Division.

(j) If dedicated by separate instrument, the access easement(s) are to be submitted to and reviewed by the County Surveyor, and processed pursuant to Chapter 18.50 of the Kern County Land Division Ordinance.

(k) Show existing off-site access, as approved by the Kern County Planning and Natural Resources Department, on the map pursuant to Chapters 18.50 and 18.55 of the Kern County Land Division Ordinance.

(l) The engineer shall submit plans for on-site and off-site access roads pursuant to Chapter 18.55 of the Kern County Land Division Ordinance. Plans shall be subject to the approval of the Kern County Public Works Department.

(7) In accordance with Chapter 18.55 of the Kern County Land Division Ordinance:

(a) All access roads shall be traversable by a standard passenger car with maximum grade of 15 percent. (Grading is not required, except as necessary to make roads

traversable as aforementioned. Plans and profiles are not required.) Confirmation of traversability and maximum grade shall be provided by the Engineer/Surveyor.

(b) Prior to submittal of the final map, final approval of full street names (including prefix and suffix) from the Kern County Planning and Natural Resources Department/Graphics Unit shall be obtained. Verification of the street name approval shall be submitted to the Kern County Public Works Department.

(c) The method of water supply and sewage disposal shall be as required and approved by the Kern County Public Health Services Department/Environmental Health Division.

(d) Street signs shall be provided in accordance with the Kern County Development Standards, if not already in place. Verification shall be submitted to the Kern County Public Works Department prior to recordation.

(8) The following requirement(s) shall appear as a note(s) on the final map:

(a) All development within Parcel Map No. 12578 shall be subject to Conditions of Approval and all mitigation measures included in the adopted Mitigation Measure Monitoring Program for General Plan Amendment No. 5, Map 195, General Plan Amendment No. 6, Map 212, General Plan Amendment No. 7, Map 212, Zone Change Case No. 5, Map 195, Zone Change Case No. 4, Map 212, Conditional Use Permit No. 4, Map 195, Conditional Use Permit No. 5, Map 195, Conditional Use Permit No. 7 Map 212, Zone Variance No. 1, Map 195, Zone Variance No. 2, Map 212.

(b) All easements shall be kept open, clear, and free from buildings and structures of any kind pursuant to Chapters 18.50 and 18.55 of the Kern County Land Division Ordinance. All obstructions, including utility poles and lines, trees, pole signs, fences, or similar obstructions, shall be removed from the ultimate road rights-of-way. Compliance with this requirement is the responsibility of the applicant and may result in significant financial expenditures.

(c) Any road or easement or right-of-way for road or highway purposes shown or referred to on this map, including, but not limited to, any dedicated or offered for dedication to the public or to the County, is not a County highway and is not subject to maintenance or improvement by the County of Kern, until and unless the County officially accepts same into the County Road System by resolution of the Board of Supervisors, excepting any expressly shown hereon as being a County highway.

(9) Fire flows and fire protection systems shall be as required and approved by the Kern County Fire Department. **The Kern County Fire Department will accept the following statement recorded concurrently with the parcel map**:

Notice is hereby given that the subdivider was not required to construct emergency access or fire protection improvements. **Prior to the issuance of a building permit**, emergency and fire protection facilities shall be approved in accordance with the requirements of the Kern County Fire Department/Fire Prevention Unit. A consultation with the Fire Prevention Unit, to discuss these requirements, is recommended prior to the submittal of improvement plans, as there also may be a fee requirement.

(10) <u>The following note(s) shall appear on the final map and all grading plans</u>:

(a) If, during development activities, any plugged, abandoned, or unrecorded well(s) are uncovered or damaged that were not part of the initial review, the property owner is expected to immediately notify the Department of Conservation/Geologic Energy Management Division's construction site well review engineer in the Inland district office, and comply with all requirements of the Department of Conservation/Geologic Energy Management (CalGEM) Division.

(b) If any previously unknown archaeological or cultural resources are discovered, work in the area of the Galaxy Solar PV Storage Project shall be stopped and a qualified archaeologist contracted to evaluate the find. A copy of the archaeologist's evaluation shall be submitted to the Kern County Planning and Natural Resources Department upon its issuance and any measures recommended by the archaeologist shall be implemented prior to resumption of work in the area of the Galaxy Solar PV Storage Project.

(c) If human remains are discovered at any time on this property, work must halt in the area of the find, and the Kern County Coroner must be notified immediately (Health and Safety Code Section 7050.5). The Kern County Planning and Natural Resources Department shall be notified immediately following Coroner notification.

(d) If any abandoned water well(s) are located within the development or discovered during excavation or grading, the Kern County Public Health Department/Environmental Health Division must be contacted to obtain information for the proper permitting and destruction procedures.

(e) During grading operations, the applicant for a development permit shall be responsible for the application of water to development sites to mitigate the impact of dust and PM_{10} (particulate) emissions. Spraying should be sufficient to ensure that soils remain damp, with the frequency of spraying dependent on weather conditions. Verification of compliance will be the responsibility of the Kern County Public Works Department/Building Inspection Division.

(f) During grading operations, all activity shall be restricted to periods of low wind to reduce dust emissions. Verification of compliance will be the responsibility of the Kern County Public Works Department/Building Inspection Division.

(g) Construction speed limits will be posted at 15 mph. Verification of compliance will be the responsibility of the Kern County Public Works Department/Building Inspection Division.

(11) The following note(s) shall appear on the final map and all grading and construction plans:

(a) It is unlawful for any person to do, or cause to be done, any of the following acts within the unincorporated areas of the County:

1. To create noise from construction, between the hours of 9:00 p.m. and 6:00 a.m. on weekdays and nine 9:00 p.m. and 8:00 a.m. on weekends, which is audible to a person with average hearing faculties or capacity at a distance of 150 feet from the construction site, if the construction site is within

1,000 feet of an occupied residential dwelling except where the Director of the Planning and Natural Resources Department or his/her designated representative may for good cause exempt some construction work for a limited time.

(b) Before any digging or excavation occurs, please contact Underground Service Alert (USA) by dialing 811 a minimum of two (2) working days prior to commending any work. This free and independent service will ensure that all existing underground utilities are identified and marked on site.

(c) Prior to construction and development, the applicant shall conform with the general requirements of the corresponding utility service provider(s) to ensure safety and conformity with their facilities

BASIS FOR APPROVAL AND RECOMMENDED FINDINGS FOR VESTING TENTATIVE PARCEL MAP 12579:

(1) The proposed subdivision is consistent with the Open Space and Conservation Elements of the General Plan.

(2) The proposed map is consistent with applicable general and specific plans.

(3) The design or improvements of the proposed subdivision are consistent with applicable general and specific plans.

(4) The site is physically suitable for the type of development proposed.

(5) The site is physically suitable for the proposed density of development.

(6) The design of the subdivision or the proposed improvements are not likely to cause substantial environmental damage or substantial and avoidable injury to fish or wildlife or their habitat.

(7) The design of the proposed subdivision or the type of proposed improvements is not likely to cause serious public health problems.

(8) The design of the proposed subdivision or the type of proposed improvements will not conflict with easements, acquired by the public at large, for access through or use of the property within the proposed subdivision.

(9) Fish and Game Fees

(10) (*)Mitigation has been incorporated into this project which reduces the impacts on wildlife resources to a level of insignificance.

Based on the Lead Agency's analysis, with consideration given to Responsible and Trustee Agency comments, no evidence exists in the record to indicate that significant impacts will occur to wildlife resources after incorporation of the above-listed mitigation into the projects. The resulting impacts are therefore "de minimis." Additionally, the assumption of adverse effect is rebutted by the above-referenced lack of evidence in the record documenting that adverse effects will occur even though mitigation has been included in the project.

(*)This Board has found and determined that the Final Environmental Impact Report (FEIR) prepared for this project has been completed in compliance with the California Environmental Quality Act and the State CEQA Guidelines and the County EIR Guidelines, and that this Board has reviewed and considered the information contained in said FEIR before making its decision on the herein-mentioned project. This Board has made findings pursuant to Sections 15091 and 15093 of the California Environmental Quality Act which are attached hereto and made a part hereof.

(11) The applicable provisions of the California Environmental Quality Act, the State CEQA Guidelines, and the Kern County Guidelines have been duly observed in conjunction with said hearing in the consideration of this matter and all of the previous proceedings relating thereto.

(12) This project is recommended for approval despite the existence of certain significant environmental effects identified in said Environmental Impact Report, and this Board of Supervisors makes and adopts the findings with respect to each thereof set forth in Exhibit A, appended hereto and made a part hereof by reference, pursuant to Section 15091 of the State CEQA Guidelines (Title 14, Administrative Code) and Section 21081 of the Public Resources Code and declares that it considered the evidence described in connection with each such finding in Exhibit A and that such evidence is substantial and supports such finding.

(13) This Board acknowledges that approval of this project will produce certain environmental impacts which cannot be mitigated and, in accordance with Section 15093 of the State CEQA Guidelines (Title 14, Administrative Code) hereby adopts a Statement of Overriding Considerations set forth in Exhibit B, appended hereto, and made a part hereof, which summarizes the reasons why this project, despite certain environmental impacts, has been approved.

(14) Said Environmental Impact Report is complete and adequate in scope and has been completed in compliance with the California Environmental Quality Act and with the State CEQA Guidelines and the Kern County Guidelines for implementation thereof.

(15) A development variation to Sections 18.55.030.A.5.f and 18.55.030.A.5.i. of the Land Division Ordinance has been approved to allow a 30-foot-wide public off-site access easement where a 40-foot-wide public access easement is required on the basis that:

(a) Special circumstances exist with respect to the property or the proposed subdivision design that warrants the requested development variation based on the fact that the Galaxy Solar PV Storage Project results in little long-term traffic since it does not itself require significant worker trips for operation and maintenance activities and also does not facilitate long-term development that would increase traffic. Further, the Galaxy Solar PV Storage Project is surrounded by other solar projects that also have little traffic.

(b) The granting of the development variation will not be materially detrimental to the public health, safety, or welfare or to property or residents in the vicinity, based on the fact that the solar project will require minimal expansion of infrastructure to support development as the proposed solar energy facility is located in a rural area of the County adjacent to energy development and transmission lines. Given these existing uses, there is little potential for the area to be developed as an urban center or major transportation corridor in the long-term future. The proposed variations

would not restrict the traveling public or neighboring property owners' access to areas outside the project boundary.

RECOMMENDED CONDITIONS OF APPROVAL FOR VESTING TENTATIVE PARCEL MAP 12579:

(1) The final map proposed to be recorded shall be in substantial conformance with the approved tentative map.

(2) All parcels shall contain no less than the minimum area required by the adopted site zoning and shall comply with lot size and density requirements of the Kern County General Plan. Existing zoning is A (Exclusive Agriculture), which requires a minimum lot size of 20 acres (gross).

(3) Approval or conditional approval shall expire three (3) years from the date of approval of the parcel map. Extensions may be granted by the Director of the Kern County Planning and Natural Resources Department in accordance with Section 18.25.090.B of the Kern County Land Division Ordinance.

(4) Vesting shall expire one (1) year beyond the recording of the final map. A one (1)-year extension may be granted by the Director of the Kern County Planning and Natural Resources Department in accordance with Section 18.40.040.C.3 of the Kern County Land Division Ordinance.

(5) The appeal period pursuant to Section 18.25.050.E.3 of the Kern County Land Division Ordinance shall be strictly adhered to.

(6) The following conditions shall be satisfied prior to recordation:

(a) In accordance with Section 66465 of the Subdivision Map Act, a title guarantee dated within 30 days of recordation of the parcel map shall be submitted to the Advisory Agency.

(b) In accordance with Sections 66464, 66492, and 66493 of the Subdivision Map Act, a Tax Collectors Certificate, Assessors Tax Estimate, and security (if necessary) shall be submitted to the Kern County Public Works Department prior to recordation of the final map.

(c) The parcel map must contain an owners' statement, signed and acknowledged by all persons having any right, title, or interest in and to the property being divided. A request for the waiver of the signatures of parties owning rights-of-way, easements, or interests which cannot ripen into fee must also accompany the final map in accordance with Section 66445(f) of the Subdivision Map Act. Owner's statement may be recorded on a separate document rather than appear on the map, provided the recording information appears on the map.

(d) In accordance with Section 66436(A)(i) of the Subdivision Map Act, any public entity or public utility owning rights-of-way, easements, or other interests which cannot ripen into fee must be advised by certified mail of the division of the property. The Advisory Agency will require a letter from these parties stating that the development will not unreasonably interfere with the free and complete

exercise of the right-of-way or easement within the boundaries of this development.

(e) In accordance with Section 18.45.060 of the Kern County Land Division Ordinance, show all existing easements of record on the map.

(f) In accordance with Section 66434.2 of the Subdivision Map Act, information required by the conditions of approval shall be in the form of an additional map sheet.

(g) Kern County Public Works Department/Development Review Division supports the 30-foot-wide public access easement where a minimum 40-foot-wide public access easement is required. Applicant is responsible for maintaining the proposed 30-foot-wide public access easement, since it does not meet the requirements of the Kern County Land Division Ordinance, and Development Review Standards.

(h) Kern County Public Works Department/Development Review Division supports the vacation of the road reservations within the parcel map boundary, except for the above mentioned.

(i) Provide 20-foot by 20-foot right-of-way corner cutoff at all intersections, where required by the Kern County Public Works Department/Development Review Division.

(j) If dedicated by separate instrument, the access easement(s) are to be submitted to and reviewed by the County Surveyor, and processed pursuant to Chapter 18.50 of the Kern County Land Division Ordinance.

(k) Show existing off-site access, as approved by the Kern County Planning and Natural Resources Department, on the map pursuant to Chapters 18.50 and 18.55 of the Kern County Land Division Ordinance.

(l) The engineer shall submit plans for on-site and off-site access roads pursuant to Chapter 18.55 of the Kern County Land Division Ordinance. Plans shall be subject to the approval of the Kern County Public Works Department.

(7) In accordance with Chapter 18.55 of the Kern County Land Division Ordinance:

(a) All access roads shall be traversable by a standard passenger car with maximum grade of 15 percent. (Grading is not required, except as necessary to make roads traversable as aforementioned. Plans and profiles are not required.) Confirmation of traversability and maximum grade shall be provided by the Engineer/Surveyor.

(b) Prior to submittal of the final map, final approval of full street names (including prefix and suffix) from the Kern County Planning and Natural Resources Department/Graphics Unit shall be obtained. Verification of the street name approval shall be submitted to the Kern County Public Works Department.

(c) The method of water supply and sewage disposal shall be as required and approved by the Kern County Public Health Services Department/Environmental Health Division

(d) Street signs shall be provided in accordance with the Kern County Development Standards, if not already in place. Verification shall be submitted to the Kern County Public Works Department prior to recordation.

(8) The following requirement(s) shall appear as a note(s) on the final map:

(a) All development within Parcel Map No. 12579 shall be subject to Conditions of Approval and all mitigation measures included in the adopted Mitigation Measure Monitoring Program for General Plan Amendment No. 5, Map 195, General Plan Amendment No. 6, Map 212, General Plan Amendment No. 7, Map 212, Zone Change Case No. 5, Map 195, Zone Change Case No. 4, Map 212, Conditional Use Permit No. 4, Map 195, Conditional Use Permit No. 5, Map 195, Conditional Use Permit No. 7 Map 212, Zone Variance No. 1, Map 195, Zone Variance No. 2, Map 212.

(b) All easements shall be kept open, clear, and free from buildings and structures of any kind pursuant to Chapters 18.50 and 18.55 of the Kern County Land Division Ordinance. All obstructions, including utility poles and lines, trees, pole signs, fences, or similar obstructions, shall be removed from the ultimate road rights-of-way. Compliance with this requirement is the responsibility of the applicant and may result in significant financial expenditures.

(c) Any road or easement or right-of-way for road or highway purposes shown or referred to on this map, including, but not limited to, any dedicated or offered for dedication to the public or to the County, is not a County highway and is not subject to maintenance or improvement by the County of Kern, until and unless the County officially accepts same into the County Road System by resolution of the Board of Supervisors, excepting any expressly shown hereon as being a County highway.

(9) Fire flows and fire protection systems shall be as required and approved by the Kern County Fire Department. **The Kern County Fire Department will accept the following statement recorded concurrently with the parcel map**:

Notice is hereby given that the subdivider was not required to construct emergency access or fire protection improvements. **Prior to the issuance of a building permit**, emergency and fire protection facilities shall be approved in accordance with the requirements of the Kern County Fire Department/Fire Prevention Unit. A consultation with the Fire Prevention Unit, to discuss these requirements, is recommended prior to the submittal of improvement plans, as there also may be a fee requirement.

(10) The following note(s) shall appear on the final map and all grading plans:

(a) If, during development activities, any plugged, abandoned, or unrecorded well(s) are uncovered or damaged that were not part of the initial review, the property owner is expected to immediately notify the Department of Conservation/Geologic Energy Management Division's construction site well review engineer in the Inland district office, and comply with all requirements of the Department of Conservation/Geologic Energy Management (CalGEM) Division.

(b) If any previously unknown archaeological or cultural resources are discovered, work in the area of the Galaxy Solar PV Storage Project shall be stopped and a

qualified archaeologist contracted to evaluate the find. A copy of the archaeologist's evaluation shall be submitted to the Kern County Planning and Natural Resources Department upon its issuance and any measures recommended by the archaeologist shall be implemented prior to resumption of work in the area of the Galaxy Solar PV Storage Project.

(c) If human remains are discovered at any time on this property, work must halt in the area of the find, and the Kern County Coroner must be notified immediately (Health and Safety Code Section 7050.5). The Kern County Planning and Natural Resources Department shall be notified immediately following Coroner notification.

(d) If any abandoned water well(s) are located within the development or discovered during excavation or grading, the Kern County Public Health Department/Environmental Health Division must be contacted to obtain information for the proper permitting and destruction procedures.

(e) During grading operations, the applicant for a development permit shall be responsible for the application of water to development sites to mitigate the impact of dust and PM_{10} (particulate) emissions. Spraying should be sufficient to ensure that soils remain damp, with the frequency of spraying dependent on weather conditions. Verification of compliance will be the responsibility of the Kern County Public Works Department/Building Inspection Division.

(f) During grading operations, all activity shall be restricted to periods of low wind to reduce dust emissions. Verification of compliance will be the responsibility of the Kern County Public Works Department/Building Inspection Division.

(g) Construction speed limits will be posted at 15 mph. Verification of compliance will be the responsibility of the Kern County Public Works Department/Building Inspection Division.

(11) The following note(s) shall appear on the final map and all grading and construction plans:

(a) It is unlawful for any person to do, or cause to be done, any of the following acts within the unincorporated areas of the County:

1. To create noise from construction, between the hours of 9:00 p.m. and 6:00 a.m. on weekdays and nine 9:00 p.m. and 8:00 a.m. on weekends, which is audible to a person with average hearing faculties or capacity at a distance of 150 feet from the construction site, if the construction site is within 1,000 feet of an occupied residential dwelling except where the Director of the Planning and Natural Resources Department or his/her designated representative may for good cause exempt some construction work for a limited time.

(b) Before any digging or excavation occurs, please contact Underground Service Alert (USA) by dialing 811 a minimum of two (2) working days prior to commending any work. This free and independent service will ensure that all existing underground utilities are identified and marked on site.

(c) Prior to construction and development, the applicant shall conform with the general requirements of the corresponding utility service provider(s) to ensure safety and conformity with their facilities

BASIS FOR APPROVAL AND RECOMMENDED FINDINGS FOR VESTING TENTATIVE PARCEL MAP 12580:

(1) The proposed subdivision is consistent with the Open Space and Conservation Elements of the General Plan.

(2) The proposed map is consistent with applicable general and specific plans.

(3) The design or improvements of the proposed subdivision are consistent with applicable general and specific plans.

(4) The site is physically suitable for the type of development proposed.

(5) The site is physically suitable for the proposed density of development.

(6) The design of the subdivision or the proposed improvements are not likely to cause substantial environmental damage or substantial and avoidable injury to fish or wildlife or their habitat.

(7) The design of the proposed subdivision or the type of proposed improvements is not likely to cause serious public health problems.

(8) The design of the proposed subdivision or the type of proposed improvements will not conflict with easements, acquired by the public at large, for access through or use of the property within the proposed subdivision.

(9) Fish and Game Fees

(10) (*)Mitigation has been incorporated into this project which reduces the impacts on wildlife resources to a level of insignificance.

Based on the Lead Agency's analysis, with consideration given to Responsible and Trustee Agency comments, no evidence exists in the record to indicate that significant impacts will occur to wildlife resources after incorporation of the above-listed mitigation into the projects. The resulting impacts are therefore "de minimis." Additionally, the assumption of adverse effect is rebutted by the above-referenced lack of evidence in the record documenting that adverse effects will occur even though mitigation has been included in the project.

(*)This Board has found and determined that the Final Environmental Impact Report (FEIR) prepared for this project has been completed in compliance with the California Environmental Quality Act and the State CEQA Guidelines and the County EIR Guidelines, and that this Board has reviewed and considered the information contained in said FEIR before making its decision on the herein-mentioned project. This Board has made findings pursuant to Sections 15091 and 15093 of the California Environmental Quality Act which are attached hereto and made a part hereof.

(11) The applicable provisions of the California Environmental Quality Act, the State CEQA Guidelines, and the Kern County Guidelines have been duly observed in conjunction with said hearing in the consideration of this matter and all of the previous proceedings relating thereto.

(12) This project is recommended for approval despite the existence of certain significant environmental effects identified in said Environmental Impact Report, and this Board of Supervisors makes and adopts the findings with respect to each thereof set forth in Exhibit A, appended hereto and made a part hereof by reference, pursuant to Section 15091 of the State CEQA Guidelines (Title 14, Administrative Code) and Section 21081 of the Public Resources Code and declares that it considered the evidence described in connection with each such finding in Exhibit A and that such evidence is substantial and supports such finding.

(13) This Board acknowledges that approval of this project will produce certain environmental impacts which cannot be mitigated and, in accordance with Section 15093 of the State CEQA Guidelines (Title 14, Administrative Code) hereby adopts a Statement of Overriding Considerations set forth in Exhibit B, appended hereto, and made a part hereof, which summarizes the reasons why this project, despite certain environmental impacts, has been approved.

(14) Said Environmental Impact Report is complete and adequate in scope and has been completed in compliance with the California Environmental Quality Act and with the State CEQA Guidelines and the Kern County Guidelines for implementation thereof.

(15) A development variation to Sections 18.55.030.A.5.f and 18.55.030.A.5.i. of the Land Division Ordinance has been approved to allow a 30-foot-wide private off-site access easement where a 40-foot-wide public access easement is required on the basis that:

(a) Special circumstances exist with respect to the property or the proposed subdivision design that warrants the requested development variation based on the fact that the Galaxy Solar PV Storage Project results in little long-term traffic since it does not itself require significant worker trips for operation and maintenance activities and also does not facilitate long-term development that would increase traffic. Further, the Galaxy Solar PV Storage Project is surrounded by other solar projects that also have little traffic.

(b) The granting of the development variation will not be materially detrimental to the public health, safety, or welfare or to property or residents in the vicinity, based on the fact that the solar project will require minimal expansion of infrastructure to support development as the proposed solar energy facility is located in a rural area of the County adjacent to energy development and transmission lines. Given these existing uses, there is little potential for the area to be developed as an urban center or major transportation corridor in the long-term future. The proposed variations would not restrict the traveling public or neighboring property owners' access to areas outside the project boundary;

RECOMMENDED CONDITIONS OF APPROVAL FOR VESTING TENTATIVE PARCEL MAP 12580:

(1) The final map proposed to be recorded shall be in substantial conformance with the approved tentative map.

(2) All parcels shall contain no less than the minimum area required by the adopted site zoning and shall comply with lot size and density requirements of the Kern County General Plan. Existing zoning is A (Exclusive Agriculture), which requires a minimum lot size of 20 acres (gross).

(3) Approval or conditional approval shall expire three years (36 months) from the date of approval of the parcel map. Extensions may be granted by the Director of the Kern County Planning and Natural Resources Department in accordance with Section 18.25.090.B of the Kern County Land Division Ordinance.

(4) Vesting shall expire one (1) year beyond the recording of the final map. A one (1)-year extension may be granted by the Director of the Kern County Planning and Natural Resources Department in accordance with Section 18.40.040.C.3 of the Kern County Land Division Ordinance.

(5) The appeal period pursuant to Section 18.25.050.E.3 of the Kern County Land Division Ordinance shall be strictly adhered to.

(6) The following conditions shall be satisfied prior to recordation:

(a) In accordance with Section 66465 of the Subdivision Map Act, a title guarantee dated within 30 days of recordation of the parcel map shall be submitted to the Advisory Agency.

(b) In accordance with Sections 66464, 66492, and 66493 of the Subdivision Map Act, a Tax Collectors Certificate, Assessors Tax Estimate, and security (if necessary) shall be submitted to the Kern County Public Works Department prior to recordation of the final map.

(c) The parcel map must contain an owners' statement, signed and acknowledged by all persons having any right, title, or interest in and to the property being divided. A request for the waiver of the signatures of parties owning rights-of-way, easements, or interests which cannot ripen into fee must also accompany the final map in accordance with Section 66445(f) of the Subdivision Map Act. Owner's statement may be recorded on a separate document rather than appear on the map, provided the recording information appears on the map.

(d) In accordance with Section 66436(A)(i) of the Subdivision Map Act, any public entity or public utility owning rights-of-way, easements, or other interests which cannot ripen into fee must be advised by certified mail of the division of the property. The Advisory Agency will require a letter from these parties stating that the development will not unreasonably interfere with the free and complete exercise of the right-of-way or easement within the boundaries of this development.

(e) In accordance with Section 18.45.060 of the Kern County Land Division Ordinance, show all existing easements of record on the map.

(f) In accordance with Section 66434.2 of the Subdivision Map Act, information required by the conditions of approval shall be in the form of an additional map sheet.

(g) Kern County Public Works Department/Development Review Division supports the 30-foot-wide private access easement where a minimum 40-foot-wide public access easement is required. Applicant is responsible for maintaining the proposed 30-foot-wide public access easement, since it does not meet the requirements of the Kern County Land Division Ordinance, and Development Review Standards.

(h) Kern County Public Works Department/Development Review Division supports the vacation of the road reservations within the parcel map boundary, except for the above mentioned.

(i) Provide 20-foot by 20-foot right-of-way corner cutoff at all intersections, where required by the Kern County Public Works Department/Development Review Division.

(j) If dedicated by separate instrument, the access easement(s) are to be submitted to and reviewed by the County Surveyor, and processed pursuant to Chapter 18.50 of the Kern County Land Division Ordinance.

(k) Show existing off-site access, as approved by the Kern County Planning and Natural Resources Department, on the map pursuant to Chapters 18.50 and 18.55 of the Kern County Land Division Ordinance.

(l) The engineer shall submit plans for on-site and off-site access roads pursuant to Chapter 18.55 of the Kern County Land Division Ordinance. Plans shall be subject to the approval of the Kern County Public Works Department.

(7) In accordance with Chapter 18.55 of the Kern County Land Division Ordinance:

(a) All access roads shall be traversable by a standard passenger car with maximum grade of 15 percent. (Grading is not required, except as necessary to make roads traversable as aforementioned. Plans and profiles are not required.) Confirmation of traversability and maximum grade shall be provided by the Engineer/Surveyor.

(b) Prior to submittal of the final map, final approval of full street names (including prefix and suffix) from the Kern County Planning and Natural Resources Department/Graphics Unit shall be obtained. Verification of the street name approval shall be submitted to the Kern County Public Works Department.

(c) The method of water supply and sewage disposal shall be as required and approved by the Kern County Public Health Services Department/Environmental Health Division.

(d) Street signs shall be provided in accordance with the Kern County Development Standards, if not already in place. Verification shall be submitted to the Kern County Public Works Department prior to recordation.

(8) The following requirement(s) shall appear as a note(s) on the final map:

(a) All development within Parcel Map No. 12580 shall be subject to Conditions of Approval and all mitigation measures included in the adopted Mitigation Measure Monitoring Program for General Plan Amendment No. 5, Map 195, General Plan Amendment No. 6, Map 212, General Plan Amendment No. 7, Map 212, Zone Change Case No. 5, Map 195, Zone Change Case No. 4, Map 212, Conditional Use Permit No. 4, Map 195, Conditional Use Permit No. 5, Map 195, Conditional Use Permit No. 7 Map 212, Zone Variance No. 1, Map 195, Zone Variance No. 2, Map 212.

(b) All easements shall be kept open, clear, and free from buildings and structures of any kind pursuant to Chapters 18.50 and 18.55 of the Kern County Land Division Ordinance. All obstructions, including utility poles and lines, trees, pole signs, fences, or similar obstructions, shall be removed from the ultimate road rights-of-way. Compliance with this requirement is the responsibility of the applicant and may result in significant financial expenditures.

(c) Any road or easement or right-of-way for road or highway purposes shown or referred to on this map, including, but not limited to, any dedicated or offered for dedication to the public or to the County, is not a County highway and is not subject to maintenance or improvement by the County of Kern, until and unless the County officially accepts same into the County Road System by resolution of the Board of Supervisors, excepting any expressly shown hereon as being a County highway.

(9) Fire flows and fire protection systems shall be as required and approved by the Kern County Fire Department. **The Kern County Fire Department will accept the following statement recorded concurrently with the parcel map**:

Notice is hereby given that the subdivider was not required to construct emergency access or fire protection improvements. **Prior to the issuance of a building permit**, emergency and fire protection facilities shall be approved in accordance with the requirements of the Kern County Fire Department/Fire Prevention Unit. A consultation with the Fire Prevention Unit, to discuss these requirements, is recommended prior to the submittal of improvement plans, as there also may be a fee requirement.

(10) The following note(s) shall appear on the final map and all grading plans:

(a) If, during development activities, any plugged, abandoned, or unrecorded well(s) are uncovered or damaged that were not part of the initial review, the property owner is expected to immediately notify the Department of Conservation/Geologic Energy Management Division's construction site well review engineer in the Inland district office, and comply with all requirements of the Department of Conservation/Geologic Energy Management (CalGEM) Division.

(b) If any previously unknown archaeological or cultural resources are discovered, work in the area of the Galaxy Solar PV Storage Project shall be stopped and a qualified archaeologist contracted to evaluate the find. A copy of the archaeologist's evaluation shall be submitted to the Kern County Planning and Natural Resources Department upon its issuance and any measures recommended by the archaeologist shall be implemented prior to resumption of work in the area of the Galaxy Solar PV Storage Project.

(c) If human remains are discovered at any time on this property, work must halt in the area of the find, and the Kern County Coroner must be notified immediately (Health and Safety Code Section 7050.5). The Kern County Planning and Natural Resources Department shall be notified immediately following Coroner notification.

(d) If any abandoned water well(s) are located within the development or discovered during excavation or grading, the Kern County Public Health Department/Environmental Health Division must be contacted to obtain information for the proper permitting and destruction procedures.

(e) During grading operations, the applicant for a development permit shall be responsible for the application of water to development sites to mitigate the impact of dust and PM_{10} (particulate) emissions. Spraying should be sufficient to ensure that soils remain damp, with the frequency of spraying dependent on weather conditions. Verification of compliance will be the responsibility of the Kern County Public Works Department/Building Inspection Division.

(f) During grading operations, all activity shall be restricted to periods of low wind to reduce dust emissions. Verification of compliance will be the responsibility of the Kern County Public Works Department/Building Inspection Division.

(g) Construction speed limits will be posted at 15 mph. Verification of compliance will be the responsibility of the Kern County Public Works Department/Building Inspection Division.

(11) The following note(s) shall appear on the final map and all grading and construction plans:

(a) It is unlawful for any person to do, or cause to be done, any of the following acts within the unincorporated areas of the County:

1. To create noise from construction, between the hours of 9:00 p.m. and 6:00 a.m. on weekdays and nine 9:00 p.m. and 8:00 a.m. on weekends, which is audible to a person with average hearing faculties or capacity at a distance of 150 feet from the construction site, if the construction site is within 1,000 feet of an occupied residential dwelling except where the Director of the Planning and Natural Resources Department or his/her designated representative may for good cause exempt some construction work for a limited time.

(b) Before any digging or excavation occurs, please contact Underground Service Alert (USA) by dialing 811 a minimum of two (2) working days prior to commending any work. This free and independent service will ensure that all existing underground utilities are identified and marked on site.

(c) Prior to construction and development, the applicant shall conform with the general requirements of the corresponding utility service provider(s) to ensure safety and conformity with their facilities.

BASIS FOR APPROVAL AND RECOMMENDED FINDINGS FOR VESTING TENTATIVE PARCEL MAP 12581:

(1) The proposed subdivision is consistent with the Open Space and Conservation Elements of the General Plan.

(2) The proposed map is consistent with applicable general and specific plans.

(3) The design or improvements of the proposed subdivision are consistent with applicable general and specific plans.

(4) The site is physically suitable for the type of development proposed.

(5) The site is physically suitable for the proposed density of development.

(6) The design of the subdivision or the proposed improvements are not likely to cause substantial environmental damage or substantial and avoidable injury to fish or wildlife or their habitat.

(7) The design of the proposed subdivision or the type of proposed improvements is not likely to cause serious public health problems.

(8) The design of the proposed subdivision or the type of proposed improvements will not conflict with easements, acquired by the public at large, for access through or use of the property within the proposed subdivision.

(9) Fish and Game Fees

(10) (*)Mitigation has been incorporated into this project which reduces the impacts on wildlife resources to a level of insignificance.

Based on the Lead Agency's analysis, with consideration given to Responsible and Trustee Agency comments, no evidence exists in the record to indicate that significant impacts will occur to wildlife resources after incorporation of the above-listed mitigation into the projects. The resulting impacts are therefore "de minimis." Additionally, the assumption of adverse effect is rebutted by the above-referenced lack of evidence in the record documenting that adverse effects will occur even though mitigation has been included in the project.

(*)This Board has found and determined that the Final Environmental Impact Report (FEIR) prepared for this project has been completed in compliance with the California Environmental Quality Act and the State CEQA Guidelines and the County EIR Guidelines, and that this Board has reviewed and considered the information contained in said FEIR before making its decision on the herein-mentioned project. This Board has made findings pursuant to Sections 15091 and 15093 of the California Environmental Quality Act which are attached hereto and made a part hereof.

(11) The applicable provisions of the California Environmental Quality Act, the State CEQA Guidelines, and the Kern County Guidelines have been duly observed in conjunction with said hearing in the consideration of this matter and all of the previous proceedings relating thereto.

(12) This project is recommended for approval despite the existence of certain significant environmental effects identified in said Environmental Impact Report, and this Board of Supervisors makes and adopts the findings with respect to each thereof set forth in Exhibit A, appended hereto and made a part hereof by reference, pursuant to Section 15091 of the State CEQA Guidelines (Title 14, Administrative Code) and Section 21081 of the Public Resources Code and declares that it considered the evidence described in connection with each such finding in Exhibit A and that such evidence is substantial and supports such finding.

(13) This Board acknowledges that approval of this project will produce certain environmental impacts which cannot be mitigated and, in accordance with Section 15093 of the State CEQA Guidelines (Title 14, Administrative Code) hereby adopts a Statement of Overriding Considerations set forth in Exhibit B, appended hereto, and made a part hereof, which summarizes the reasons why this project, despite certain environmental impacts, has been approved.

(14) Said Environmental Impact Report is complete and adequate in scope and has been completed in compliance with the California Environmental Quality Act and with the State CEQA Guidelines and the Kern County Guidelines for implementation thereof.

(15) A development variation to Sections 18.55.030.A.5.f and 18.55.030.A.5.i. of the Land Division Ordinance has been approved to allow a 30-foot-wide public off-site access easement where a 40-foot-wide public access easement is required on the basis that:

(a) Special circumstances exist with respect to the property or the proposed subdivision design that warrants the requested development variation based on the fact that the Galaxy Solar PV Storage Project results in little long-term traffic since it does not itself require significant worker trips for operation and maintenance activities and also does not facilitate long-term development that would increase traffic. Further, the Galaxy Solar PV Storage Project is surrounded by other solar projects that also have little traffic.

(b) The granting of the development variation will not be materially detrimental to the public health, safety, or welfare or to property or residents in the vicinity, based on the fact that the solar project will require minimal expansion of infrastructure to support development as the proposed solar energy facility is located in a rural area of the County adjacent to energy development and transmission lines. Given these existing uses, there is little potential for the area to be developed as an urban center or major transportation corridor in the long-term future. The proposed variations would not restrict the traveling public or neighboring property owners' access to areas outside the project boundary.

RECOMMENDED CONDITIONS OF APPROVAL FOR VESTING TENTATIVE PARCEL MAP 12581:

(1) The final map proposed to be recorded shall be in substantial conformance with the approved tentative map.

(2) All parcels shall contain no less than the minimum area required by the adopted site zoning and shall comply with lot size and density requirements of the Kern County General Plan. Existing zoning is A (Exclusive Agriculture), which requires a minimum lot size of 20 acres (gross).

(3) Approval or conditional approval shall expire three years from the date of approval of the parcel map. Extensions may be granted by the Director of the Kern County Planning and Natural Resources Department in accordance with Section 18.25.090.B of the Kern County Land Division Ordinance.

(4) Vesting shall expire one (1) year beyond the recording of the final map. A one (1)-year extension may be granted by the Director of the Kern County Planning and Natural Resources Department in accordance with Section 18.40.040.C.3 of the Kern County Land Division Ordinance.

(5) The appeal period pursuant to Section 18.25.050.E.3 of the Kern County Land Division Ordinance shall be strictly adhered to.

(6) The following conditions shall be satisfied prior to recordation:

(a) In accordance with Section 66465 of the Subdivision Map Act, a title guarantee dated within 30 days of recordation of the parcel map shall be submitted to the Advisory Agency.

(b) In accordance with Sections 66464, 66492, and 66493 of the Subdivision Map Act, a Tax Collectors Certificate, Assessors Tax Estimate, and security (if necessary) shall be submitted to the Kern County Public Works Department prior to recordation of the final map.

(c) The parcel map must contain an owners' statement, signed and acknowledged by all persons having any right, title, or interest in and to the property being divided. A request for the waiver of the signatures of parties owning rights-of-way, easements, or interests which cannot ripen into fee must also accompany the final map in accordance with Section 66445(f) of the Subdivision Map Act. Owner's statement may be recorded on a separate document rather than appear on the map, provided the recording information appears on the map.

(d) In accordance with Section 66436(A)(i) of the Subdivision Map Act, any public entity or public utility owning rights-of-way, easements, or other interests which cannot ripen into fee must be advised by certified mail of the division of the property. The Advisory Agency will require a letter from these parties stating that the development will not unreasonably interfere with the free and complete exercise of the right-of-way or easement within the boundaries of this development.

(e) In accordance with Section 18.45.060 of the Kern County Land Division Ordinance, show all existing easements of record on the map.

(f) In accordance with Section 66434.2 of the Subdivision Map Act, information required by the conditions of approval shall be in the form of an additional map sheet.

(g) Kern County Public Works Department/Development Review Division supports the 30-foot-wide public access easement where a minimum 40-foot-wide public access easement is required. Applicant is responsible for maintaining the proposed 30-foot-wide public access easement, since it does not meet the requirements of the Kern County Land Division Ordinance, and Development Review Standards.

(h) Kern County Public Works Department/Development Review Division supports the vacation of the road reservations within the parcel map boundary, except for the above mentioned.

(i) Provide 20-foot by 20-foot right-of-way corner cutoff at all intersections, where required by the Kern County Public Works Department/Development Review Division.

(j) If dedicated by separate instrument, the access easement(s) are to be submitted to and reviewed by the County Surveyor, and processed pursuant to Chapter 18.50 of the Kern County Land Division Ordinance.

(k) Show existing off-site access, as approved by the Kern County Planning and Natural Resources Department, on the map pursuant to Chapters 18.50 and 18.55 of the Kern County Land Division Ordinance.

(l) The engineer shall submit plans for on-site and off-site access roads pursuant to Chapter 18.55 of the Kern County Land Division Ordinance. Plans shall be subject to the approval of the Kern County Public Works Department.

(7) In accordance with Chapter 18.55 of the Kern County Land Division Ordinance:

(a) All access roads shall be traversable by a standard passenger car with maximum grade of 15 percent. (Grading is not required, except as necessary to make roads traversable as aforementioned. Plans and profiles are not required.) Confirmation of traversability and maximum grade shall be provided by the Engineer/Surveyor.

(b) Prior to submittal of the final map, final approval of full street names (including prefix and suffix) from the Kern County Planning and Natural Resources Department/Graphics Unit shall be obtained. Verification of the street name approval shall be submitted to the Kern County Public Works Department.

(c) The method of water supply and sewage disposal shall be as required and approved by the Kern County Public Health Services Department/Environmental Health Division

(d) Street signs shall be provided in accordance with the Kern County Development Standards, if not already in place. Verification shall be submitted to the Kern County Public Works Department prior to recordation.

(8) The following requirement(s) shall appear as a note(s) on the final map:

(a) All development within Parcel Map No. 12581 shall be subject to Conditions of Approval and all mitigation measures included in the adopted Mitigation Measure Monitoring Program for General Plan Amendment No. 5, Map 195, General Plan Amendment No. 6, Map 212, General Plan Amendment No. 7, Map 212, Zone Change Case No. 5, Map 195, Zone Change Case No. 4, Map 212, Conditional Use Permit No. 4, Map 195, Conditional Use Permit No. 5, Map 195, Conditional Use Permit No. 7 Map 212, Zone Variance No. 1, Map 195, Zone Variance No. 2, Map 212.

(b) All easements shall be kept open, clear, and free from buildings and structures of any kind pursuant to Chapters 18.50 and 18.55 of the Kern County Land Division Ordinance. All obstructions, including utility poles and lines, trees, pole signs, fences, or similar obstructions, shall be removed from the ultimate road rights-of-way. Compliance with this requirement is the responsibility of the applicant and may result in significant financial expenditures.

(c) Any road or easement or right-of-way for road or highway purposes shown or referred to on this map, including, but not limited to, any dedicated or offered for dedication to the public or to the County, is not a County highway and is not subject to maintenance or improvement by the County of Kern, until and unless the County officially accepts same into the County Road System by resolution of the Board of Supervisors, excepting any expressly shown hereon as being a County highway.

(9) Fire flows and fire protection systems shall be as required and approved by the Kern County Fire Department. **The Kern County Fire Department will accept the following statement recorded concurrently with the parcel map**:

Notice is hereby given that the subdivider was not required to construct emergency access or fire protection improvements. **Prior to the issuance of a building permit**, emergency and fire protection facilities shall be approved in accordance with the requirements of the Kern County Fire Department/Fire Prevention Unit. A consultation with the Fire Prevention Unit, to discuss these requirements, is recommended prior to the submittal of improvement plans, as there also may be a fee requirement.

(10) The following note(s) shall appear on the final map and all grading plans:

(a) If, during development activities, any plugged, abandoned, or unrecorded well(s) are uncovered or damaged that were not part of the initial review, the property owner is expected to immediately notify the Department of Conservation/Geologic Energy Management Division's construction site well review engineer in the Inland district office, and comply with all requirements of the Department of Conservation/Geologic Energy Management (CalGEM) Division.

(b) If any previously unknown archaeological or cultural resources are discovered, work in the area of Galaxy Solar PV Storage Project shall be stopped and a qualified archaeologist contracted to evaluate the find. A copy of the archaeologist's evaluation shall be submitted to the Kern County Planning and Natural Resources Department upon its issuance and any measures recommended by the archaeologist shall be implemented prior to resumption of work in the area of the Galaxy Solar PV Storage Project.

(c) If human remains are discovered at any time on this property, work must halt in the area of the find, and the Kern County Coroner must be notified immediately (Health and Safety Code Section 7050.5). The Kern County Planning and Natural Resources Department shall be notified immediately following Coroner notification.

(d) If any abandoned water well(s) are located within the development or discovered during excavation or grading, the Kern County Public Health Department/Environmental Health Division must be contacted to obtain information for the proper permitting and destruction procedures.

(e) During grading operations, the applicant for a development permit shall be responsible for the application of water to development sites to mitigate the impact of dust and PM_{10} (particulate) emissions. Spraying should be sufficient to ensure that soils remain damp, with the frequency of spraying dependent on weather conditions. Verification of compliance will be the responsibility of the Kern County Public Works Department/Building Inspection Division.

(f) During grading operations, all activity shall be restricted to periods of low wind to reduce dust emissions. Verification of compliance will be the responsibility of the Kern County Public Works Department/Building Inspection Division.

(g) Construction speed limits will be posted at 15 mph. Verification of compliance will be the responsibility of the Kern County Public Works Department/Building Inspection Division.

(11) The following note(s) shall appear on the final map and all grading and construction plans:

(a) It is unlawful for any person to do, or cause to be done, any of the following acts within the unincorporated areas of the County:

1. To create noise from construction, between the hours of 9:00 p.m. and 6:00 a.m. on weekdays and nine 9:00 p.m. and 8:00 a.m. on weekends, which is audible to a person with average hearing faculties or capacity at a distance of 150 feet from the construction site, if the construction site is within 1,000 feet of an occupied residential dwelling except where the Director of the Planning and Natural Resources Department or his/her designated representative may for good cause exempt some construction work for a limited time.

(b) Before any digging or excavation occurs, please contact Underground Service Alert (USA) by dialing 811 a minimum of two (2) working days prior to commending any work. This free and independent service will ensure that all existing underground utilities are identified and marked on site.

(c) Prior to construction and development, the applicant shall conform with the general requirements of the corresponding utility service provider(s) to ensure safety and conformity with their facilities.

BASIS FOR APPROVAL AND RECOMMENDED FINDINGS FOR VESTING TENTATIVE PARCEL MAP 12582:

(1) The proposed subdivision is consistent with the Open Space and Conservation Elements of the General Plan.

(2) The proposed map is consistent with applicable general and specific plans.

(3) The design or improvements of the proposed subdivision are consistent with applicable general and specific plans.

(4) The site is physically suitable for the type of development proposed.

(5) The site is physically suitable for the proposed density of development.

(6) The design of the subdivision or the proposed improvements are not likely to cause substantial environmental damage or substantial and avoidable injury to fish or wildlife or their habitat.

(7) The design of the proposed subdivision or the type of proposed improvements is not likely to cause serious public health problems.

(8) The design of the proposed subdivision or the type of proposed improvements will not conflict with easements, acquired by the public at large, for access through or use of the property within the proposed subdivision.

(9) Fish and Game Fees

(10) (*)Mitigation has been incorporated into this project which reduces the impacts on wildlife resources to a level of insignificance.

Based on the Lead Agency's analysis, with consideration given to Responsible and Trustee Agency comments, no evidence exists in the record to indicate that significant impacts will occur to wildlife resources after incorporation of the above-listed mitigation into the projects. The resulting impacts are therefore "de minimis." Additionally, the assumption of adverse effect is rebutted by the above-referenced lack of evidence in the record documenting that adverse effects will occur even though mitigation has been included in the project.

(*)This Board has found and determined that the Final Environmental Impact Report (FEIR) prepared for this project has been completed in compliance with the California Environmental Quality Act and the State CEQA Guidelines and the County EIR Guidelines, and that this Board has reviewed and considered the information contained in said FEIR before making its decision on the herein-mentioned project. This Board has made findings pursuant to Sections 15091 and 15093 of the California Environmental Quality Act which are attached hereto and made a part hereof.

(11) The applicable provisions of the California Environmental Quality Act, the State CEQA Guidelines, and the Kern County Guidelines have been duly observed in conjunction with said hearing in the consideration of this matter and all of the previous proceedings relating thereto.

(12) This project is recommended for approval despite the existence of certain significant environmental effects identified in said Environmental Impact Report, and this Board of Supervisors makes and adopts the findings with respect to each thereof set forth in Exhibit A, appended hereto and made a part hereof by reference, pursuant to Section 15091 of the State CEQA Guidelines (Title 14, Administrative Code) and Section 21081 of the Public Resources Code and declares that it considered the evidence described in connection with each such finding in Exhibit A and that such evidence is substantial and supports such finding.

(13) This Board acknowledges that approval of this project will produce certain environmental impacts which cannot be mitigated and, in accordance with Section 15093 of the State CEQA Guidelines (Title 14, Administrative Code) hereby adopts a Statement of Overriding Considerations set forth in Exhibit B, appended hereto, and made a part hereof, which summarizes the reasons why this project, despite certain environmental impacts, has been approved.

(14) Said Environmental Impact Report is complete and adequate in scope and has been completed in compliance with the California Environmental Quality Act and with the State CEQA Guidelines and the Kern County Guidelines for implementation thereof.

(15) A development variation to Sections 18.55.030.A.5.f and 18.55.030.A.5.i. of the Land Division Ordinance has been approved to allow a 30-foot-wide public off-site access easement where a 40-foot-wide public access easement is required on the basis that:

(a) Special circumstances exist with respect to the property or the proposed subdivision design that warrants the requested development variation based on the fact that the Galaxy Solar PV Storage Project results in little long-term traffic since it does not itself require significant worker trips for operation and maintenance activities and also does not facilitate long-term development that would increase traffic. Further, the Galaxy Solar PV Storage Project is surrounded by other solar projects that also have little traffic.

(b) The granting of the development variation will not be materially detrimental to the public health, safety, or welfare or to property or residents in the vicinity, based on the fact that the solar project will require minimal expansion of infrastructure to support development as the proposed solar energy facility is located in a rural area of the County adjacent to energy development and transmission lines. Given these existing uses, there is little potential for the area to be developed as an urban center or major transportation corridor in the long-term future. The proposed variations would not restrict the traveling public or neighboring property owners' access to areas outside the project boundary.

RECOMMENDED CONDITIONS OF APPROVAL FOR VESTING TENTATIVE PARCEL MAP 12582:

(1) The final map proposed to be recorded shall be in substantial conformance with the approved tentative map.

(2) All parcels shall contain no less than the minimum area required by the adopted site zoning and shall comply with lot size and density requirements of the Kern County General Plan. Existing zoning is A (Exclusive Agriculture), which requires a minimum lot size of 20 acres (gross).

(3) Approval or conditional approval shall expire three years from the date of approval of the parcel map. Extensions may be granted by the Director of the Kern County Planning and Natural Resources Department in accordance with Section 18.25.090.B of the Kern County Land Division Ordinance.

(4) Vesting shall expire one (1) year beyond the recording of the final map. A one (1)-year extension may be granted by the Director of the Kern County Planning and Natural Resources Department in accordance with Section 18.40.040.C.3 of the Kern County Land Division Ordinance.

(5) The appeal period pursuant to Section 18.25.050.E.3 of the Kern County Land Division Ordinance shall be strictly adhered to.

(6) The following conditions shall be satisfied prior to recordation:

(a) In accordance with Section 66465 of the Subdivision Map Act, a title guarantee dated within 30 days of recordation of the parcel map shall be submitted to the Advisory Agency.

(b) In accordance with Sections 66464, 66492, and 66493 of the Subdivision Map Act, a Tax Collectors Certificate, Assessors Tax Estimate, and security (if necessary) shall be submitted to the Kern County Public Works Department prior to recordation of the final map.

(c) The parcel map must contain an owners' statement, signed and acknowledged by all persons having any right, title, or interest in and to the property being divided. A request for the waiver of the signatures of parties owning rights-of-way, easements, or interests which cannot ripen into fee must also accompany the final map in accordance with Section 66445(f) of the Subdivision Map Act. Owner's statement may be recorded on a separate document rather than appear on the map, provided the recording information appears on the map.

(d) In accordance with Section 66436(A)(i) of the Subdivision Map Act, any public entity or public utility owning rights-of-way, easements, or other interests which cannot ripen into fee must be advised by certified mail of the division of the property. The Advisory Agency will require a letter from these parties stating that the development will not unreasonably interfere with the free and complete exercise of the right-of-way or easement within the boundaries of this development.

(e) In accordance with Section 18.45.060 of the Kern County Land Division Ordinance, show all existing easements of record on the map.

(f) In accordance with Section 66434.2 of the Subdivision Map Act, information required by the conditions of approval shall be in the form of an additional map sheet.

(g) Kern County Public Works Department/Development Review Division supports the 30-foot-wide public access easement where a minimum 40-foot-wide public access easement is required. Applicant is responsible for maintaining the proposed 30-foot-wide public access easement, since it does not meet the requirements of the Kern County Land Division Ordinance, and Development Review Standards.

(h) Kern County Public Works Department/Development Review Division supports the vacation of the road reservations within the parcel map boundary, except for the above mentioned.

(i) Provide 20-foot by 20-foot right-of-way corner cutoff at all intersections, where required by the Kern County Public Works Department/Development Review Division.

(j) If dedicated by separate instrument, the access easement(s) are to be submitted to and reviewed by the County Surveyor, and processed pursuant to Chapter 18.50 of the Kern County Land Division Ordinance.

(k) Show existing off-site access, as approved by the Kern County Planning and Natural Resources Department, on the map pursuant to Chapters 18.50 and 18.55 of the Kern County Land Division Ordinance.

(l) The engineer shall submit plans for on-site and off-site access roads pursuant to Chapter 18.55 of the Kern County Land Division Ordinance. Plans shall be subject to the approval of the Kern County Public Works Department.

(7) In accordance with Chapter 18.55 of the Kern County Land Division Ordinance:

(a) All access roads shall be traversable by a standard passenger car with maximum grade of 15 percent. (Grading is not required, except as necessary to make roads traversable as aforementioned. Plans and profiles are not required.) Confirmation of traversability and maximum grade shall be provided by the Engineer/Surveyor.

(b) Prior to submittal of the final map, final approval of full street names (including prefix and suffix) from the Kern County Planning and Natural Resources Department/Graphics Unit shall be obtained. Verification of the street name approval shall be submitted to the Kern County Public Works Department.

(c) The method of water supply and sewage disposal shall be as required and approved by the Kern County Public Health Services Department/Environmental Health Division.

(d) Street signs shall be provided in accordance with the Kern County Development Standards, if not already in place. Verification shall be submitted to the Kern County Public Works Department prior to recordation.

(8) The following requirement(s) shall appear as a note(s) on the final map:

(a) All development within Parcel Map No. 12582 shall be subject to Conditions of Approval and all mitigation measures included in the adopted Mitigation Measure Monitoring Program for General Plan Amendment No. 5, Map 195, General Plan Amendment No. 6, Map 212, General Plan Amendment No. 7, Map 212, Zone Change Case No. 5, Map 195, Zone Change Case No. 4, Map 212, Conditional Use Permit No. 4, Map 195, Conditional Use Permit No. 5, Map 195, Conditional Use Permit No. 7 Map 212, Zone Variance No. 1, Map 195, Zone Variance No. 2, Map 212.

(b) All easements shall be kept open, clear, and free from buildings and structures of any kind pursuant to Chapters 18.50 and 18.55 of the Kern County Land Division Ordinance. All obstructions, including utility poles and lines, trees, pole signs, fences, or similar obstructions, shall be removed from the ultimate road rights-of-way. Compliance with this requirement is the responsibility of the applicant and may result in significant financial expenditures.

(c) Any road or easement or right-of-way for road or highway purposes shown or referred to on this map, including, but not limited to, any dedicated or offered for dedication to the public or to the County, is not a County highway and is not subject to maintenance or improvement by the County of Kern, until and unless the County officially accepts same into the County Road System by resolution of the Board of Supervisors, excepting any expressly shown hereon as being a County highway.

(9) Fire flows and fire protection systems shall be as required and approved by the Kern County Fire Department. **The Kern County Fire Department will accept the following statement recorded concurrently with the parcel map**:

Notice is hereby given that the subdivider was not required to construct emergency access or fire protection improvements. **Prior to the issuance of a building permit**, emergency and fire protection facilities shall be approved in accordance with the requirements of the Kern County Fire Department/Fire Prevention Unit. A consultation with the Fire Prevention Unit, to discuss these requirements, is recommended prior to the submittal of improvement plans, as there also may be a fee requirement.

(10) The following note(s) shall appear on the final map and all grading plans:

(a) If, during development activities, any plugged, abandoned, or unrecorded well(s) are uncovered or damaged that were not part of the initial review, the property owner is expected to immediately notify the Department of Conservation/Geologic Energy Management Division's construction site well review engineer in the Inland district office, and comply with all requirements of the Department of Conservation/Geologic Energy Management (CalGEM) Division.

(b) If any previously unknown archaeological or cultural resources are discovered, work in the area of Galaxy Solar PV Storage Project shall be stopped and a qualified archaeologist contracted to evaluate the find. A copy of the archaeologist's evaluation shall be submitted to the Kern County Planning and Natural Resources Department upon its issuance and any measures recommended by the archaeologist shall be implemented prior to resumption of work in the area of the Galaxy Solar PV Storage Project.

(c) If human remains are discovered at any time on this property, work must halt in the area of the find, and the Kern County Coroner must be notified immediately (Health and Safety Code Section 7050.5). The Kern County Planning and Natural Resources Department shall be notified immediately following Coroner notification.

(d) If any abandoned water well(s) are located within the development or discovered during excavation or grading, the Kern County Public Health Department/Environmental Health Division must be contacted to obtain information for the proper permitting and destruction procedures.

(e) During grading operations, the applicant for a development permit shall be responsible for the application of water to development sites to mitigate the impact of dust and PM_{10} (particulate) emissions. Spraying should be sufficient to ensure that soils remain damp, with the frequency of spraying dependent on weather conditions. Verification of compliance will be the responsibility of the Kern County Public Works Department/Building Inspection Division.

(f) During grading operations, all activity shall be restricted to periods of low wind to reduce dust emissions. Verification of compliance will be the responsibility of the Kern County Public Works Department/Building Inspection Division.

(g) Construction speed limits will be posted at 15 mph. Verification of compliance will be the responsibility of the Kern County Public Works Department/Building Inspection Division.

(11) The following note(s) shall appear on the final map and all grading and construction plans:

(a) It is unlawful for any person to do, or cause to be done, any of the following acts within the unincorporated areas of the County:

1. To create noise from construction, between the hours of 9:00 p.m. and 6:00 a.m. on weekdays and nine 9:00 p.m. and 8:00 a.m. on weekends, which is audible to a person with average hearing faculties or capacity at a distance of 150 feet from the construction site, if the construction site is within 1,000 feet of an occupied residential dwelling except where the Director of the Planning and Natural Resources Department or his/her designated representative may for good cause exempt some construction work for a limited time.

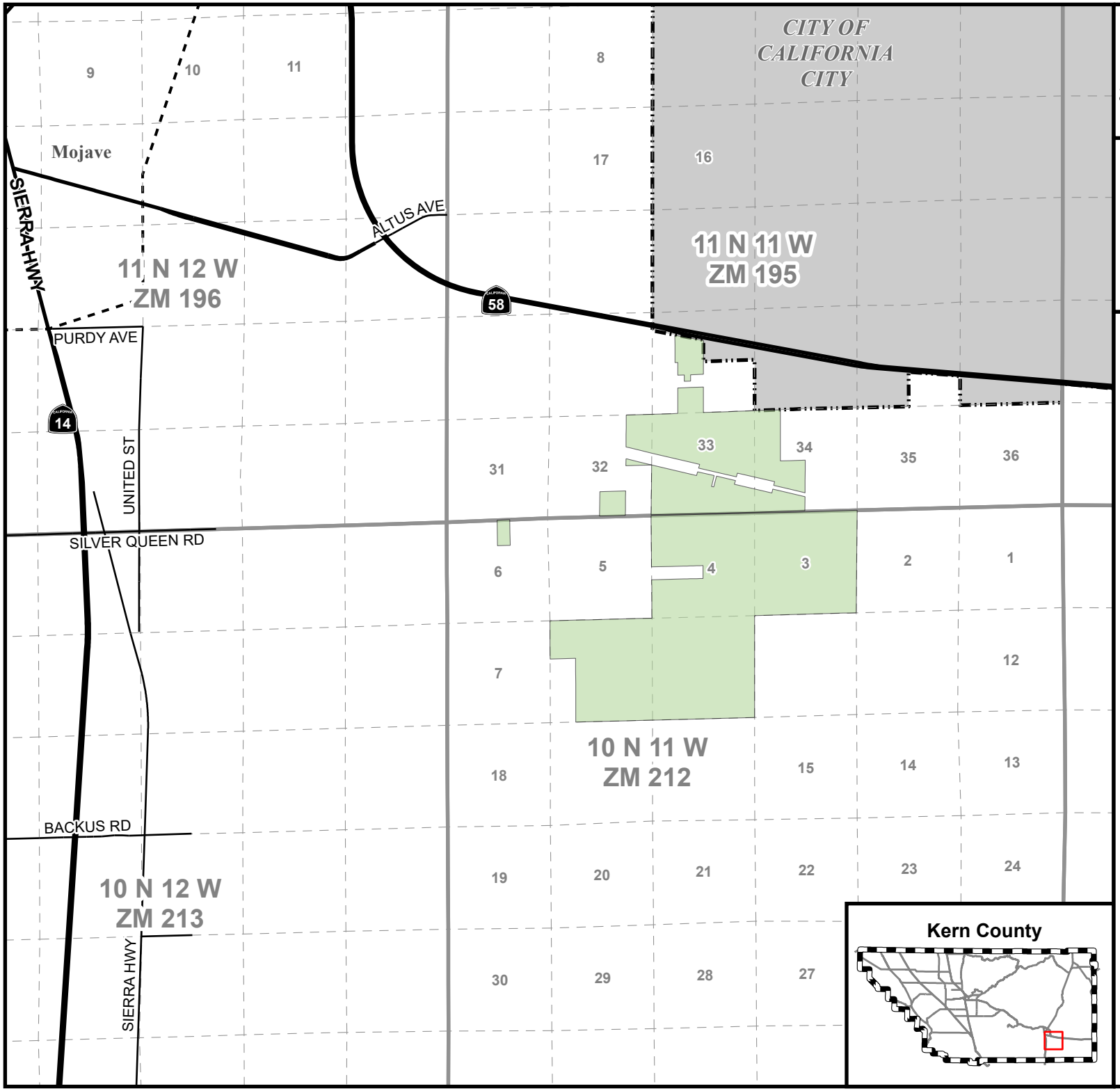
(b) Before any digging or excavation occurs, please contact Underground Service Alert (USA) by dialing 811 a minimum of two (2) working days prior to commending any work. This free and independent service will ensure that all existing underground utilities are identified and marked on site.

(c) Prior to construction and development, the applicant shall conform with the general requirements of the corresponding utility service provider(s) to ensure safety and conformity with their facilities

NHM:LB:MT:jw

Attachments

Maps



Galaxy Solar PV and Storage Project

Vicinity Map

Galaxy Solar Storage, LLC

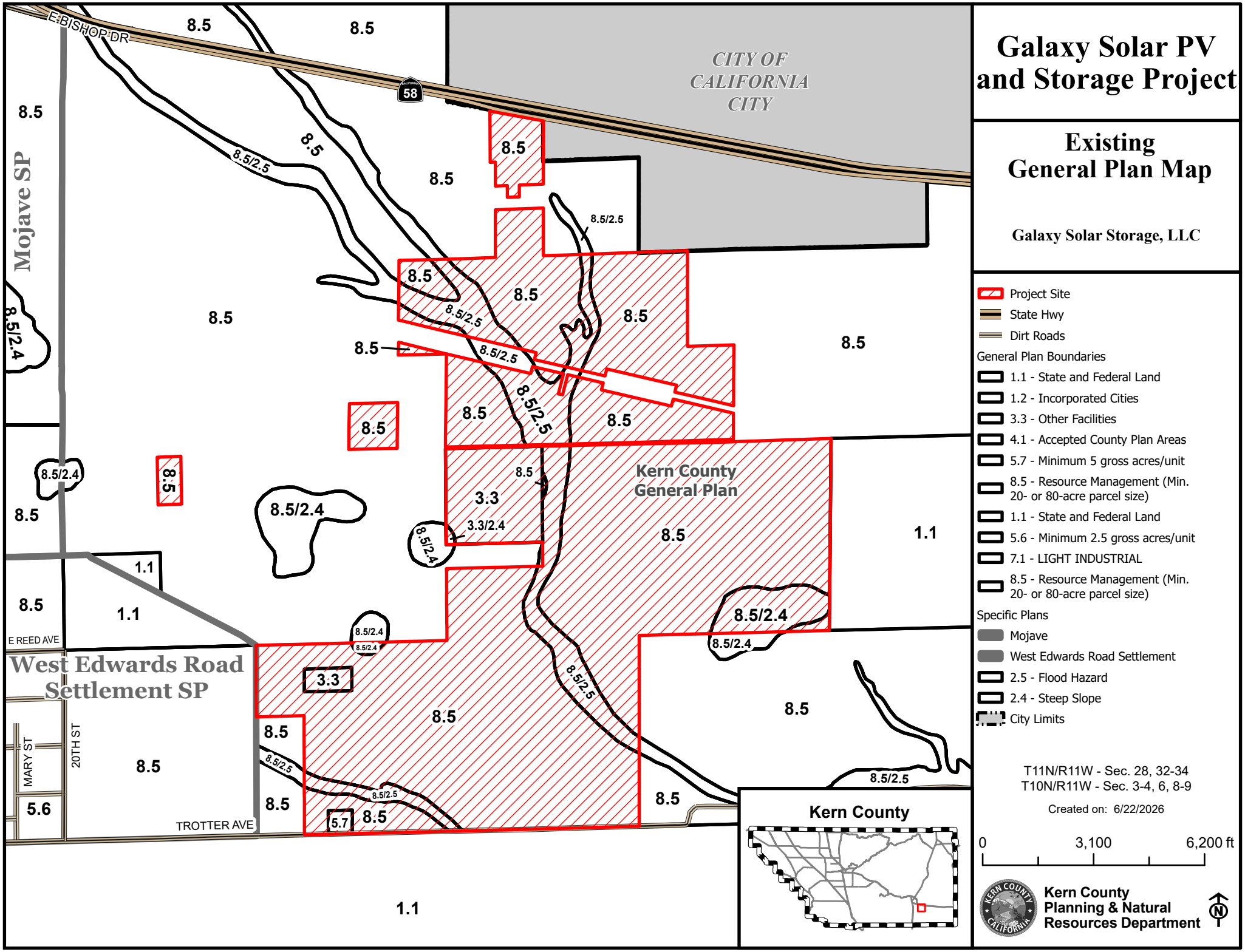
- Project Site
- Named Road
- State Hwy
- Arterials
- Township/Range
- Sections
- City Limits
- Unincorporated Cities

T11N/R11W - Sec. 28, 32-34
T10N/R11W - Sec. 3-4, 6, 8-9

Created on: 6/22/2026

0 6,500 13,000 ft

Kern County Planning & Natural Resources Department



Galaxy Solar PV and Storage Project

Existing General Plan Map

Galaxy Solar Storage, LLC

- Project Site
- State Hwy
- Dirt Roads

General Plan Boundaries

- 1.1 - State and Federal Land
- 1.2 - Incorporated Cities
- 3.3 - Other Facilities
- 4.1 - Accepted County Plan Areas
- 5.7 - Minimum 5 gross acres/unit
- 8.5 - Resource Management (Min. 20- or 80-acre parcel size)
- 1.1 - State and Federal Land
- 5.6 - Minimum 2.5 gross acres/unit
- 7.1 - LIGHT INDUSTRIAL
- 8.5 - Resource Management (Min. 20- or 80-acre parcel size)

Specific Plans

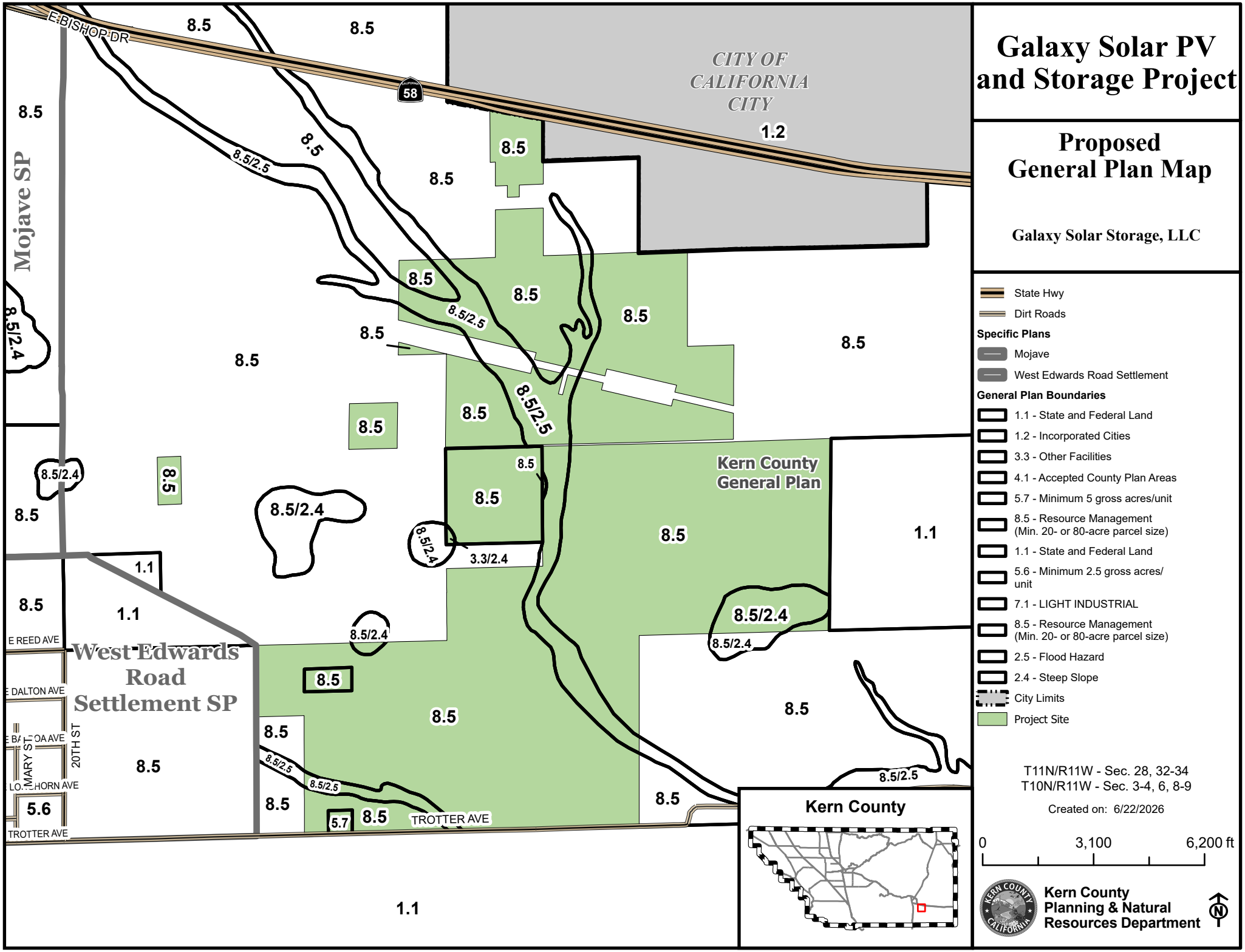
- Mojave
- West Edwards Road Settlement
- 2.5 - Flood Hazard
- 2.4 - Steep Slope
- City Limits

T11N/R11W - Sec. 28, 32-34
T10N/R11W - Sec. 3-4, 6, 8-9

Created on: 6/22/2026

0 3,100 6,200 ft

Kern County Planning & Natural Resources Department



Galaxy Solar PV and Storage Project

Proposed General Plan Map

Galaxy Solar Storage, LLC

State Hwy
Dirt Roads

Specific Plans

Mojave
West Edwards Road Settlement

General Plan Boundaries

1.1 - State and Federal Land
1.2 - Incorporated Cities
3.3 - Other Facilities
4.1 - Accepted County Plan Areas
5.7 - Minimum 5 gross acres/unit
8.5 - Resource Management (Min. 20- or 80-acre parcel size)
1.1 - State and Federal Land
5.6 - Minimum 2.5 gross acres/ unit
7.1 - LIGHT INDUSTRIAL
8.5 - Resource Management (Min. 20- or 80-acre parcel size)
2.5 - Flood Hazard
2.4 - Steep Slope
City Limits
Project Site

T11N/R11W - Sec. 28, 32-34
T10N/R11W - Sec. 3-4, 6, 8-9

Created on: 6/22/2026

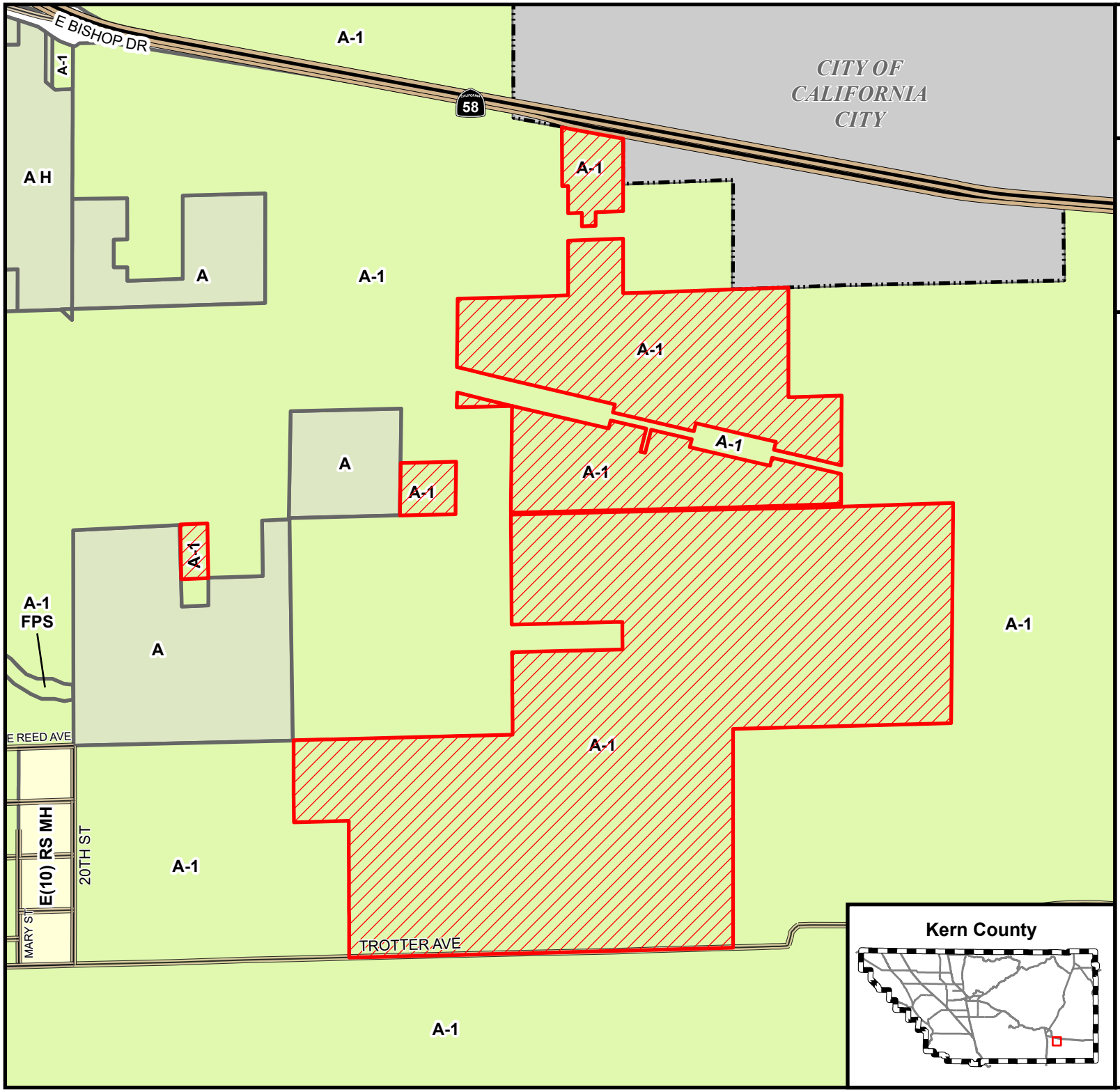
0 3,100 6,200 ft

Kern County Planning & Natural Resources Department

Galaxy Solar PV and Storage Project

Existing Zone Classifications

Galaxy Solar Storage, LLC



- Project Site
- State Hwy
- Locals
- Dirt Roads
- City Limits

KERN COUNTY ZONING DESIGNATIONS

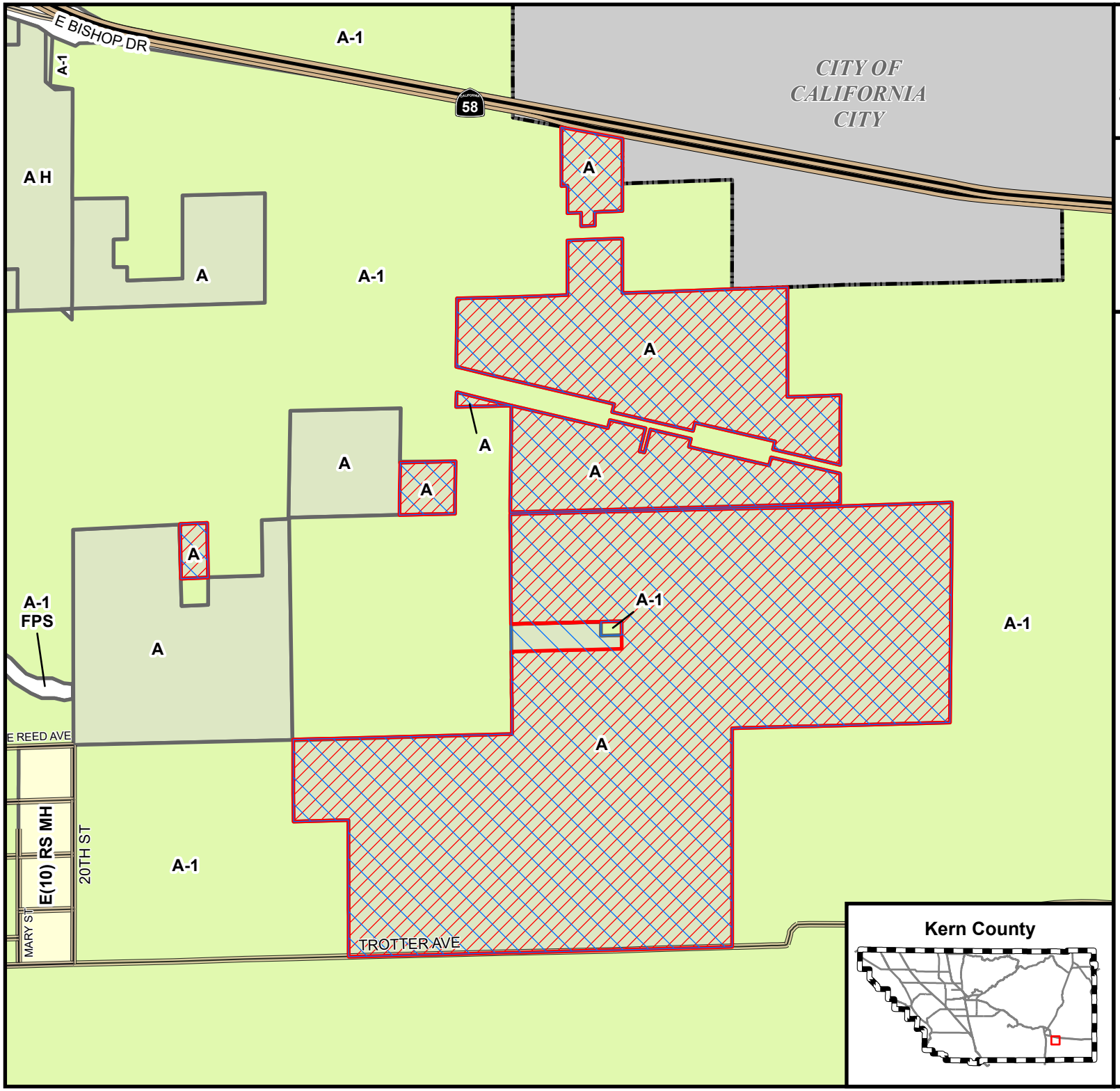
- A - Exclusive Agriculture
- A-1 - Limited Agriculture
- E(10) - Estate (10 acres)
- M-1 - Light Industrial
- FPS - Floodplain Secondary Combining
- H - Airport Approach Height Combining
- MH - Mobilehome Combining
- PD - Precise Development Combining
- RS - Residential Suburban Combining
- FPS - Floodplain Secondary Combining
- MH - Mobilehome Combining

T11N/R11W - Sec. 28, 32-34
T10N/R11W - Sec. 3-4, 6, 8-9

Created on: 6/22/2026

0 3,100 6,200 ft

Kern County Planning & Natural Resources Department



Galaxy Solar PV and Storage Project

Proposed Zone Classifications

Galaxy Solar Storage, LLC

- Proposed Zone Change Boundary
- Project Site
- State Hwy
- Locals
- Dirt Roads

KERN COUNTY ZONING DESIGNATIONS

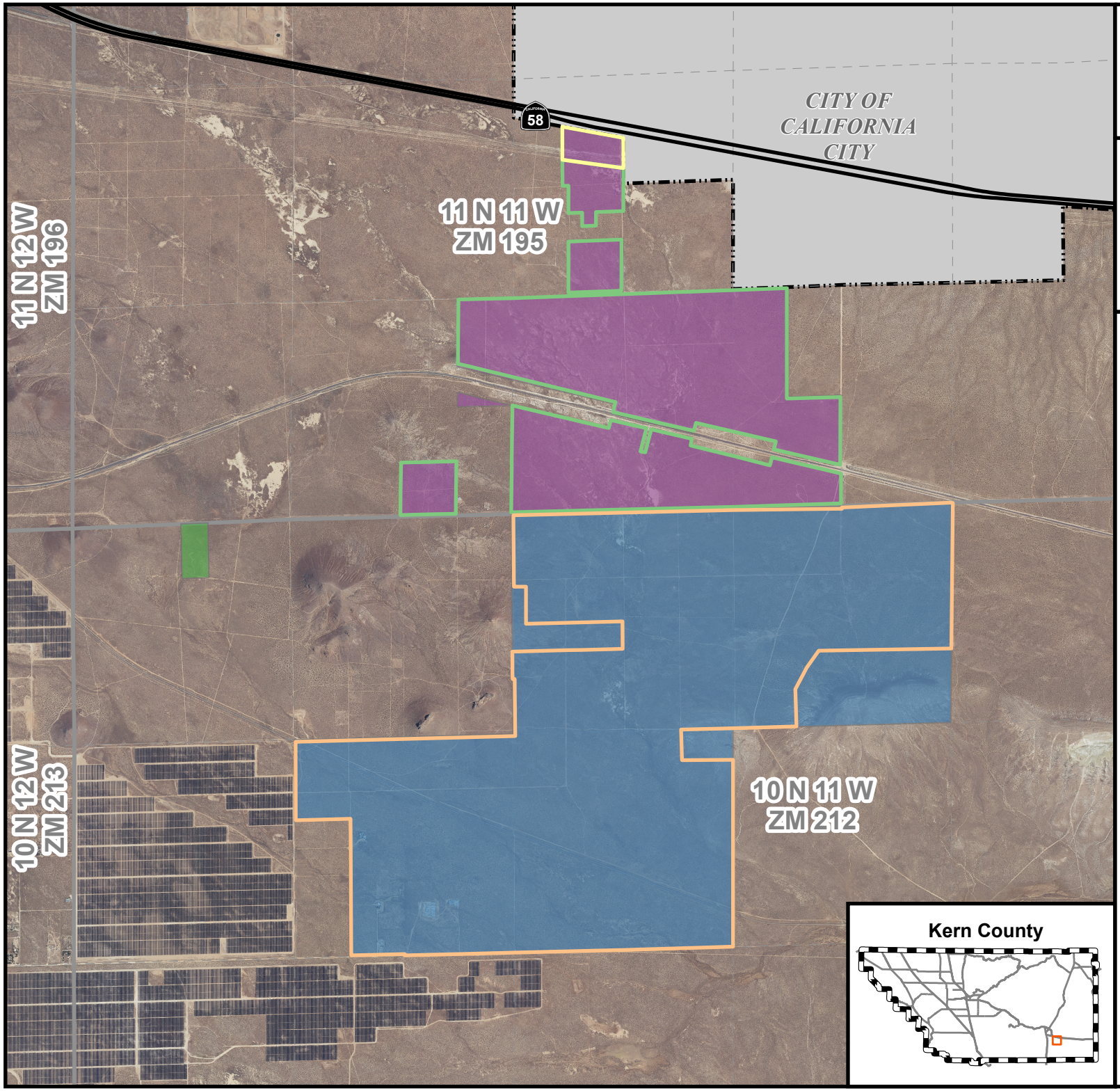
- A - Exclusive Agriculture
- A-1 - Limited Agriculture
- E(10) - Estate (10 acres)
- FPS - Floodplain Secondary Combining
- H - Airport Approach Height Combining
- MH - Mobilehome Combining
- PD - Precise Development Combining
- RS - Residential Suburban Combining
- FPS - Floodplain Secondary Combining
- MH - Mobilehome Combining
- City Limits

T11N/R11W - Sec. 28, 32-34
T10N/R11W - Sec. 3-4, 6, 8-9

Created on: 6/23/2026

0 3,100 6,200 ft

Kern County Planning & Natural Resources Department



Galaxy Solar PV and Storage Project

Proposed Project CUP & ZCC Boundaries

Galaxy Solar Storage, LLC

CUP Boundaries
- CUP No. 4, Map No. 195
- CUP No. 5, Map No. 195
- CUP No. 7, Map No. 212

ZCC Boundaries
- ZCC No. 5, Map No. 195
- ZCC No. 4, Map No. 212
- ZCC No. 5, Map No. 212

- State Hwy
- Township/Range
- Sections
- City Limits

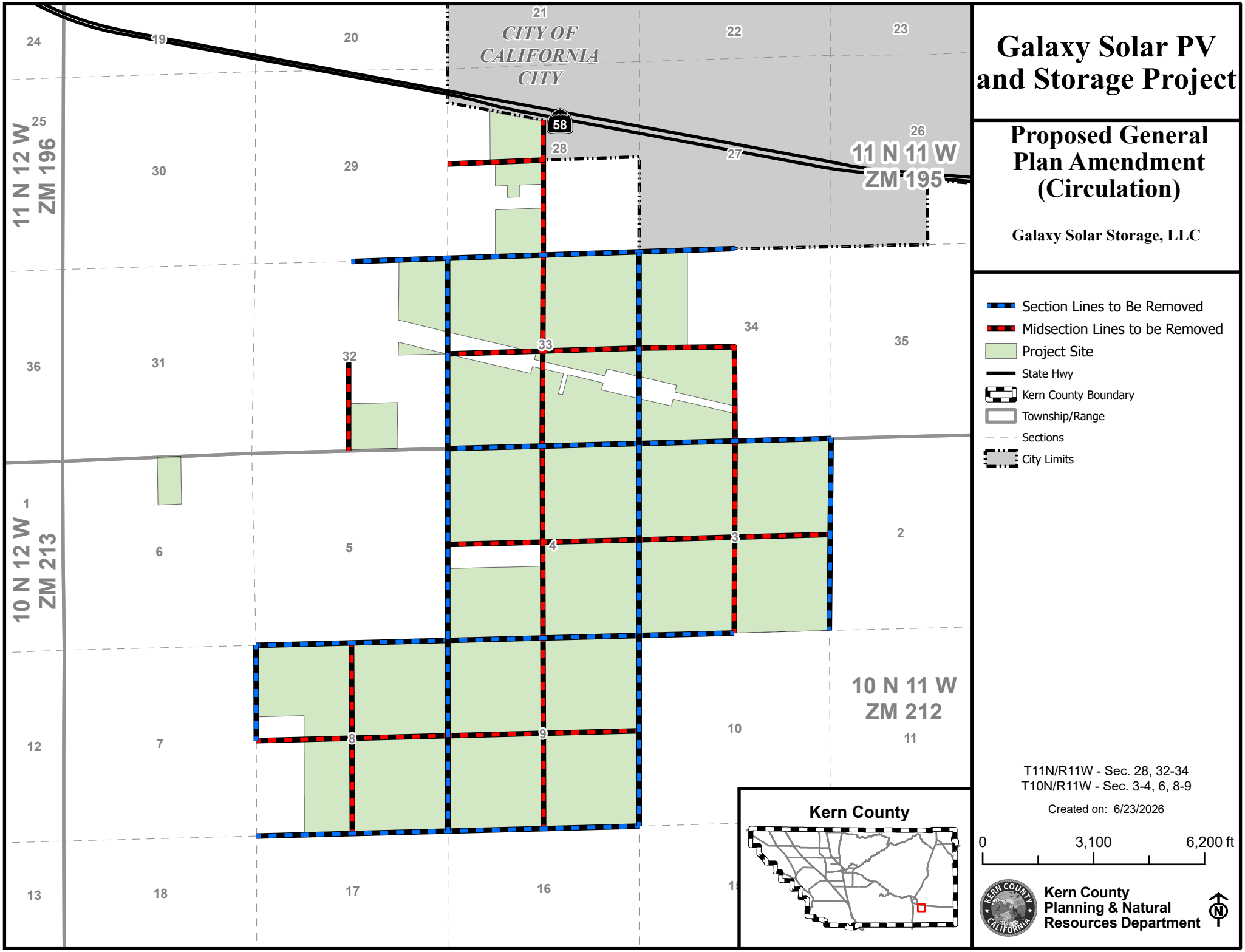
T11N/R11W - Sec. 28, 32-34
T10N/R11W - Sec. 3-4, 6, 8-9

Created on: 6/23/2026

0 3,100 6,200 ft

Kern County Planning & Natural Resources Department

Kern County



Galaxy Solar PV and Storage Project

Proposed General Plan Amendment (Circulation)

Galaxy Solar Storage, LLC

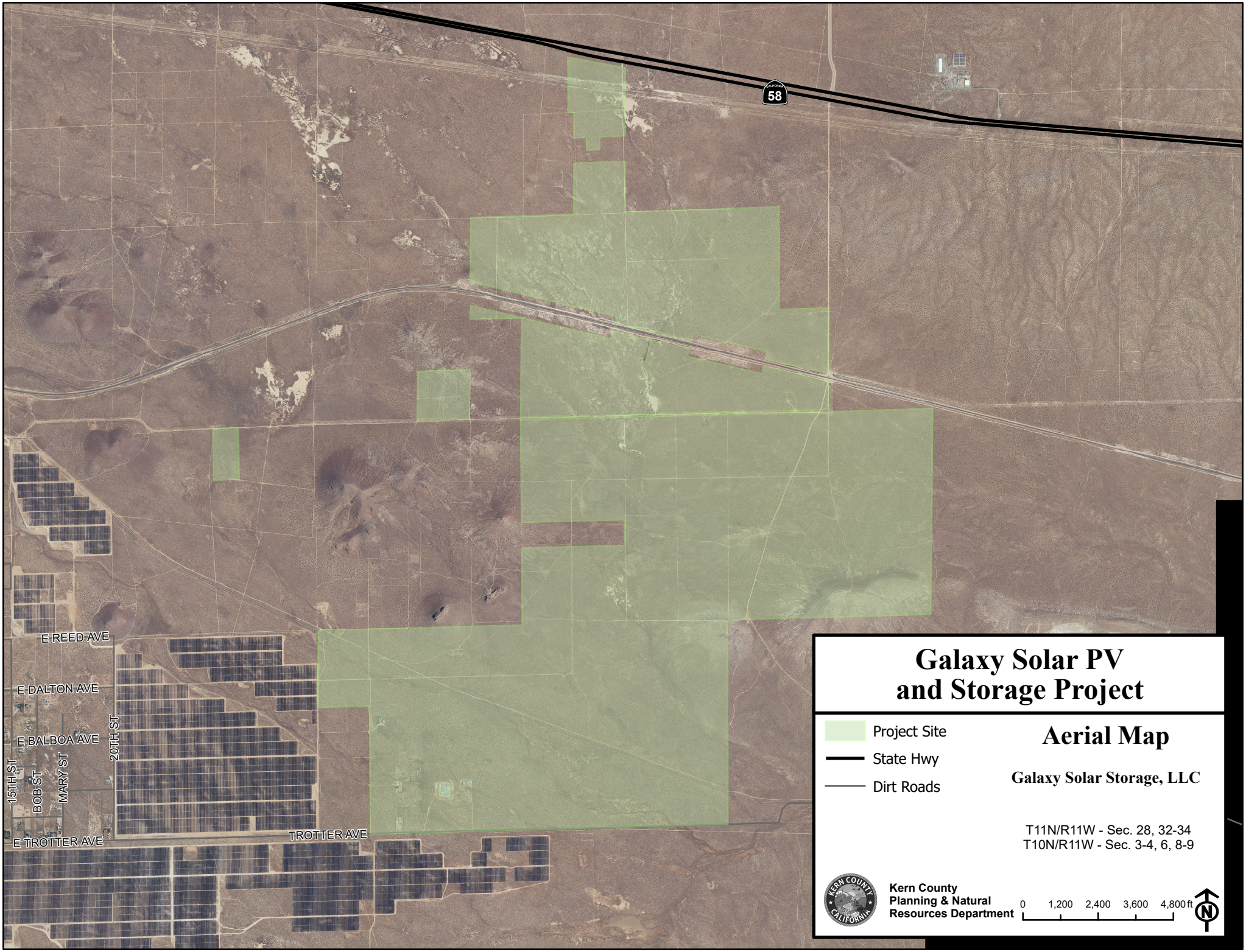
- Section Lines to Be Removed
- Midsection Lines to be Removed
- Project Site
- State Hwy
- Kern County Boundary
- Township/Range
- Sections
- City Limits

T11N/R11W - Sec. 28, 32-34
T10N/R11W - Sec. 3-4, 6, 8-9

Created on: 6/23/2026

0 3,100 6,200 ft

Kern County Planning & Natural Resources Department



Galaxy Solar PV and Storage Project

Aerial Map

Project Site
State Hwy
Dirt Roads

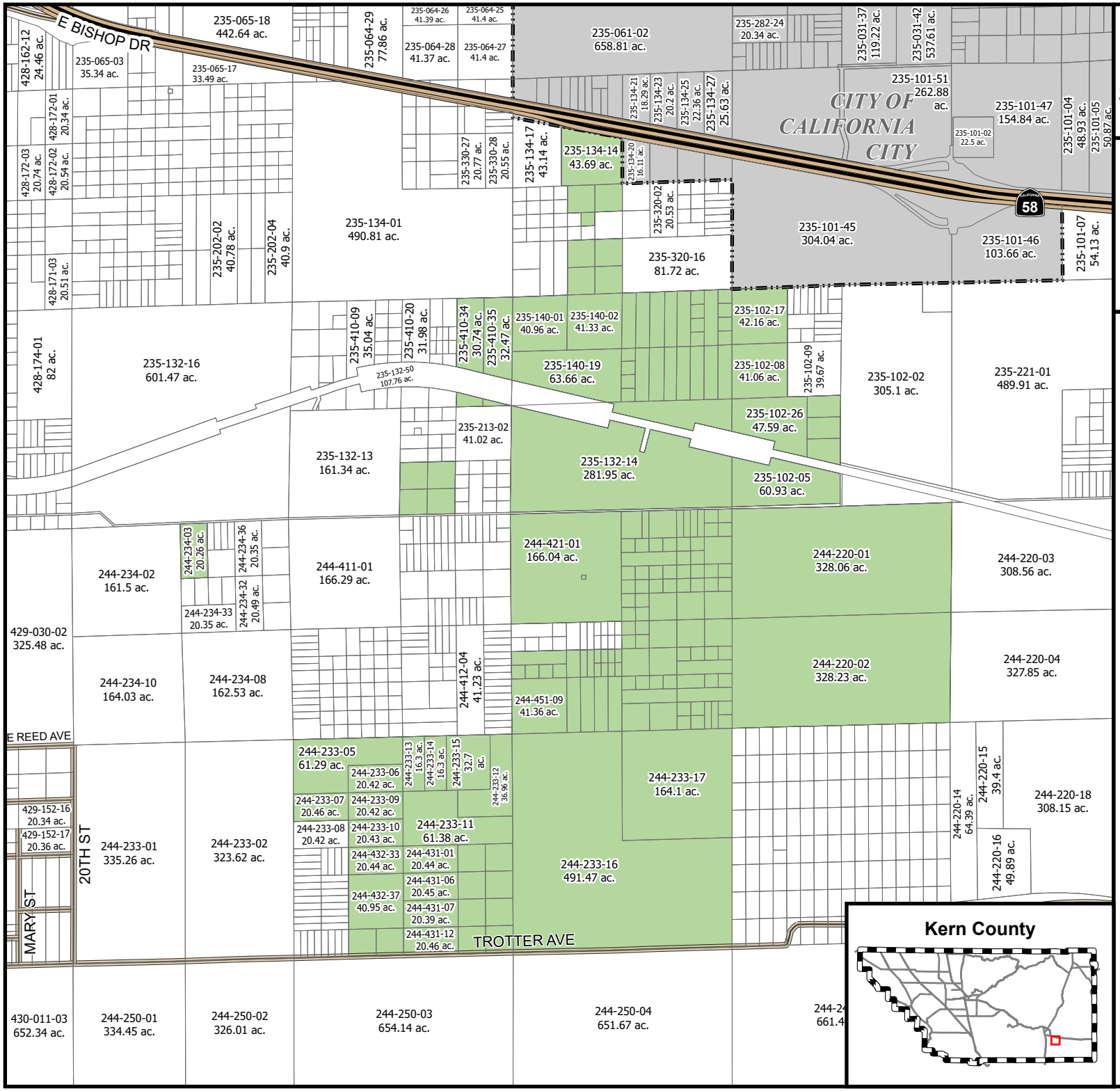
Galaxy Solar Storage, LLC

T11N/R11W - Sec. 28, 32-34
T10N/R11W - Sec. 3-4, 6, 8-9

Kern County
Planning & Natural Resources Department

0 1,200 2,400 3,600 4,800 ft

N



Galaxy Solar PV and Storage Project

Assessor's Parcelization Map

Galaxy Solar Storage, LLC

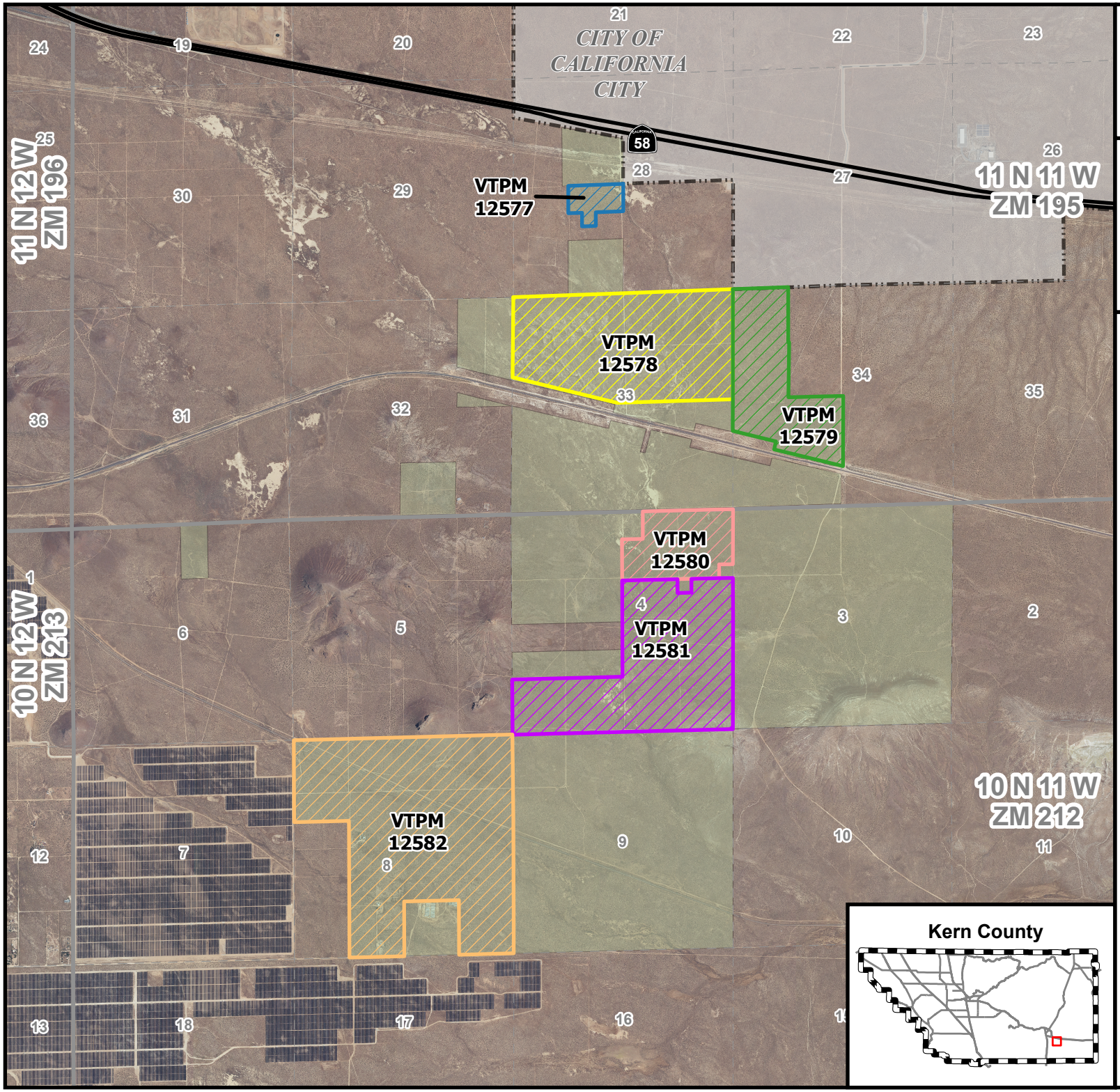
- Project Site
- Parcel Boundaries
- State Hwy
- Locals
- Dirt Roads
- City Limits

T11N/R11W - Sec. 28, 32-34
T10N/R11W - Sec. 3-4, 6, 8-9

Created on: 6/22/2026

0 3,100 6,200 ft

Kern County Planning & Natural Resources Department



Galaxy Solar PV and Storage Project

Vesting Tentative Parcel Map Boundaries

Galaxy Solar Storage, LLC

Proposed Parcel Mergers

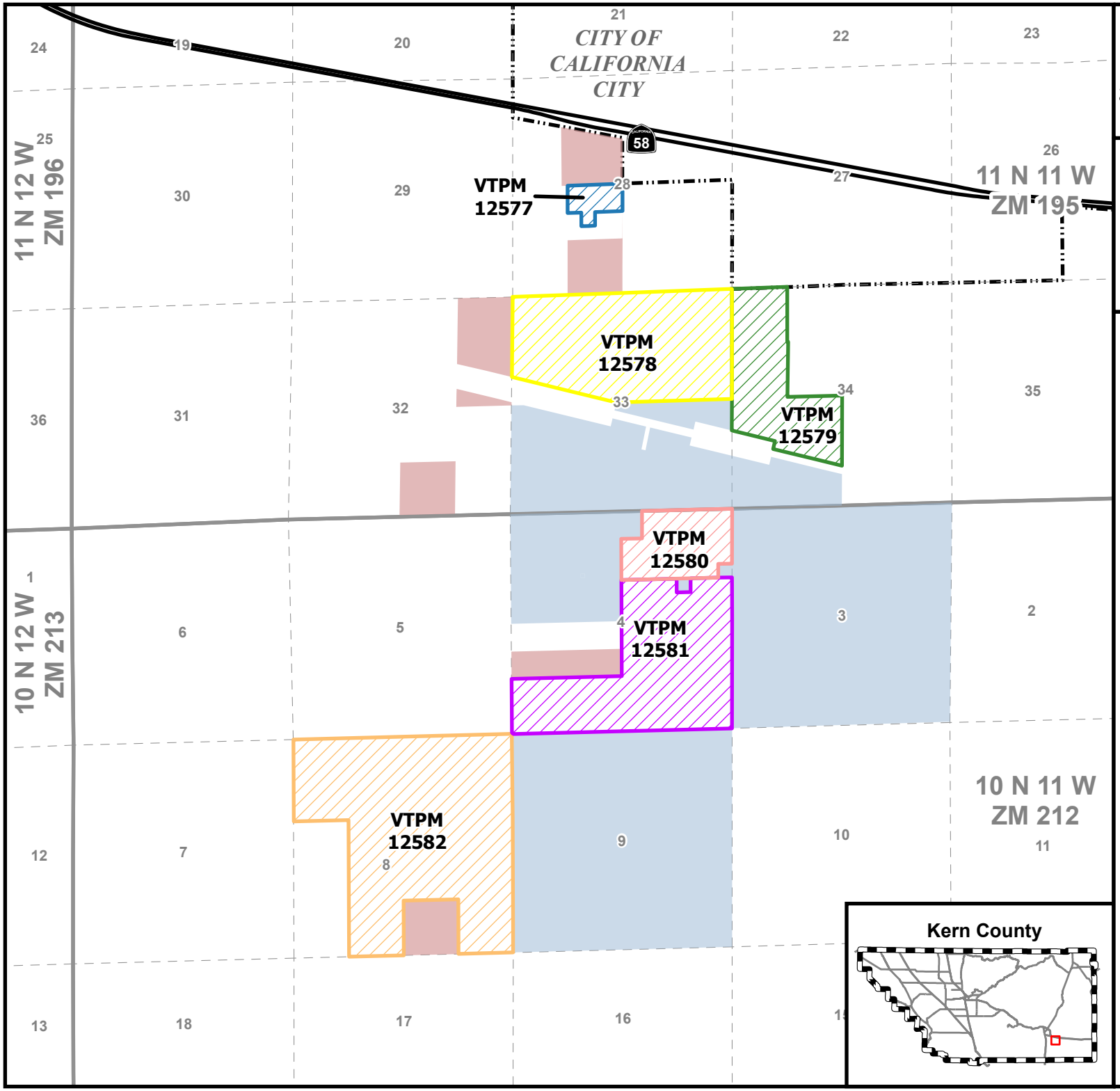
- VTPM 12577
- VTPM 12578
- VTPM 12579
- VTPM 12580
- VTPM 12581
- VTPM 12582
- State Hwy
- Township/Range
- Sections
- City Limits
- Project Site

T11N/R11W - Sec. 28, 32-34
T10N/R11W - Sec. 3-4, 6, 8-9

Created on: 6/23/2026

0 3,100 6,200 ft

Kern County Planning & Natural Resources Department



Galaxy Solar PV and Storage Project

Vesting Tentative Parcel Map Boundaries and Leased Parcels

Galaxy Solar Storage, LLC

Proposed Parcel Mergers

- VTPM 12577
- VTPM 12578
- VTPM 12579
- VTPM 12580
- VTPM 12581
- VTPM 12582
- Leased Parcels
- Other CUP Parcels
- State Hwy
- Kern County Boundary
- Township/Range
- Sections
- City Limits

T11N/R11W - Sec. 28, 32-34
T10N/R11W - Sec. 3-4, 6, 8-9

Created on: 6/23/2026

0 3,100 6,200 ft

Kern County Planning & Natural Resources Department

STATISTICAL INFORMATION:

1. EXISTING USE: PRIMARILY UNDEVELOPED
2. PROPOSED USE: SOLAR PHOTOVOLTAIC (PV) ENERGY GENERATION FACILITY WITH OPTIONAL BATTERY ENERGY STORAGE SYSTEM
3. ACREAGE: APPROXIMATELY 3,500 ACRES
4. EXISTING ZONING: A-1 (LIMITED AGRICULTURE)
5. PROPOSED ZONING: A (EXCLUSIVE AGRICULTURE)
6. WATER SUPPLY: OFFSITE WATER WELLS AND MPUD
7. FLOOD CONTROL: RETENTION BASINS AS NEEDED
8. BESS EQUIPMENT IS SET BACK 300' FROM ROAD, WATERLINE AND ADJACENT PARCELS NOT UNDER APPLICANT CONTROL

STATE HIGHWAY 58

STATE HIGHWAY 58

PRIMARY SITE ACCESS

TEMPORARY LAYDOWN

EXISTING PUBLIC ACCESS EASEMENT

UTILITY & ACCESS EASEMENT

SANTA FE RAILROAD

LAYDOWN

COLLECTOR SUBSTATION

O & M

EXISTING AT GRADE RAILROAD CROSSING & ACCESS

SANTA FE RAILROAD

GENTIE

ZONE MAP 195

ZONE MAP 212

AVEK PARCELS

ZONE MAP 195

ZONE MAP 212

AT&T ACCESS GATE

BESS & O&M AREA

AVEK PARCELS

AT&T PARCEL (NOT A PART)

NON BUILDABLE-
SLOPE CONSTRAINT

AT&T ACCESS GATES

EXISTING AT&T EASEMENT

SCE ACCESS GATE

LAYDOWN

NON BUILDABLE-
SLOPE CONSTRAINT

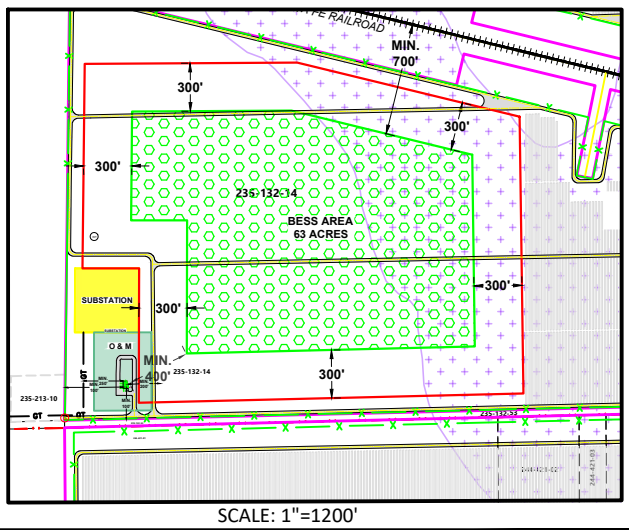
AT&T ACCESS GATE

EXISTING SCE OVERHEAD LINE

TROTTER AVE.

SCE ACCESS GATE

TROTTER AVE.



SCALE: 1"=1200'

SHEET TITLE	
SITE PLAN	
SCALE	SHEET #
1" = 1600'	100
PLOT DATE	
6/2/2026	
FILE NAME	
Galaxy Site Plan-20260602	

UPDATED SITE PLAN

GALAXY SOLAR PV & STORAGE
KERN COUNTY, CALIFORNIA

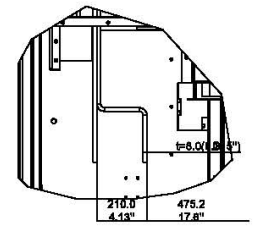
N

0 2000 4000 Feet

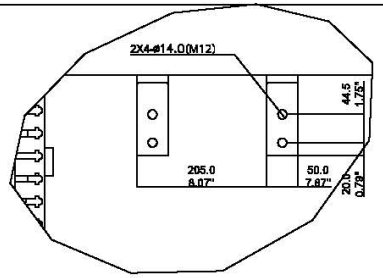
SCALE ONLY VALID WHEN PLOTTED AT 11X17 SHEET SIZE

LEGEND

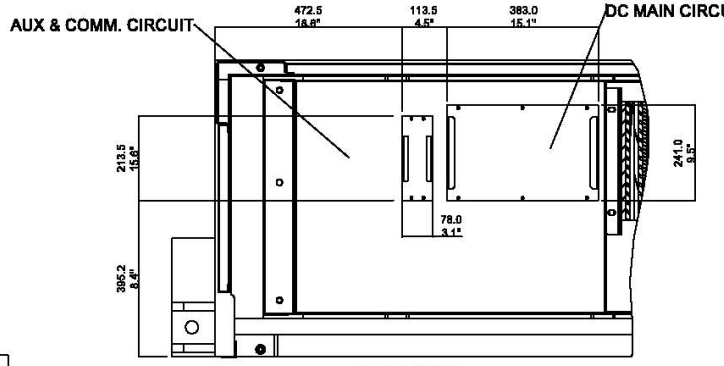
- PROJECT SITE
- ZONE MAP BOUNDARY
- PROJECT PARCEL
- EXISTING RAILROAD
- OHE — EXISTING OVERHEAD ELECTRIC
- EXISTING ROAD
- X — PROJECT FENCE
- GT — GEN-TIE ROUTE
- ACCESS ROAD
- SUBSTATION
- O&M AREA
- OPTIONAL BESS AREA
- LAYDOWN AREA
- UTILITY & ACCESS EASEMENT
- DELINEATED WATERS
- FEMA 1% ANNUAL FLOOD HAZARD AREA
- GENTIE PARCELS
- INFRASTRUCTURE CORRIDOR
- WT — WATER TANK
- G — PROPOSED SITE ACCESS
- SOLAR ARRAY

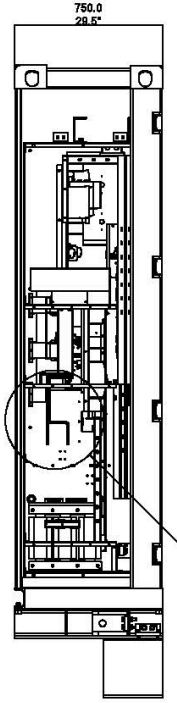


Detail A(6:1)
MAIN POWER CONNECTION

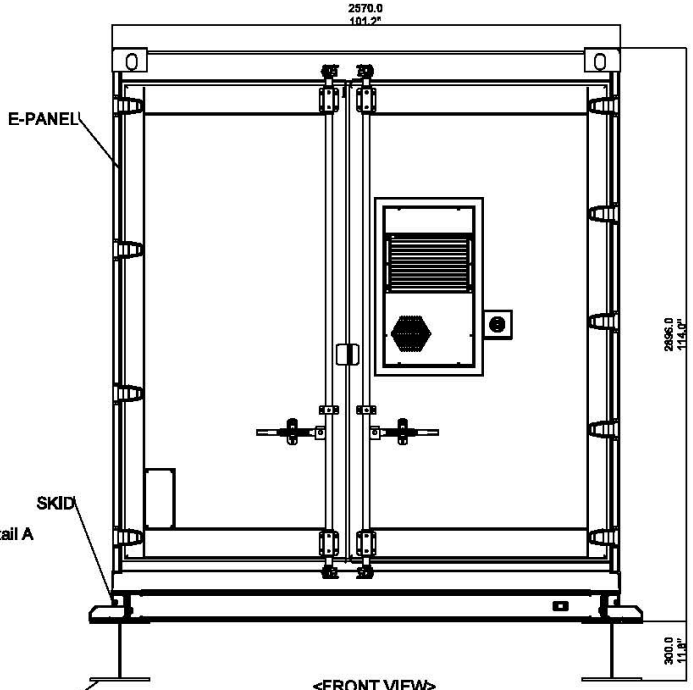


Detail B(6:1)
MAIN POWER CONNECTION [FRONT VIEW]

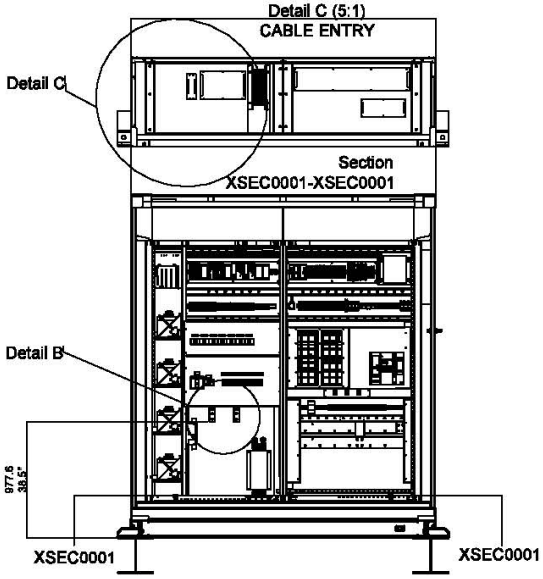




<SIDE VIEW>



<FRONT VIEW>



REV	DESCRIPTION	DATE	DRWN	CHKD	APPD
4					
3					
2					
1					
0	INITIAL RELEASE	2026.04.16	SW JEON	JW LEE	TS CHO

CUSTOMER:
CONTRACTOR:
SCALE: N/A
DIMENSION: mm(K-inch)
TITLE: JF2 DC LINK 5.1 CIVIL INFORMATION
DWG NO.: F2D4-5.1US-DW04
DWG SIZE: A3
SHEET: 02 / 07

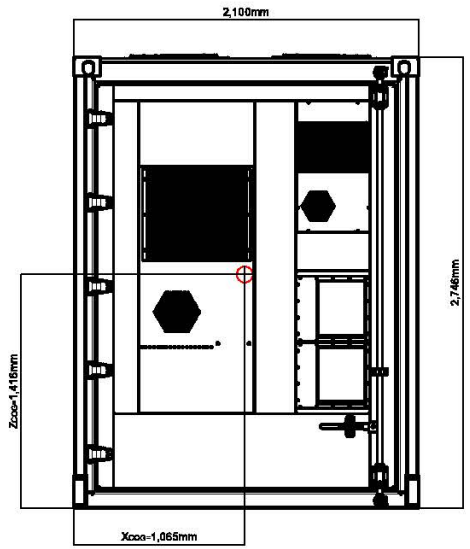
Galaxy Solar PV & Storage Project by Galaxy Solar Storage, LLC

Battery Energy Storage System - View 1

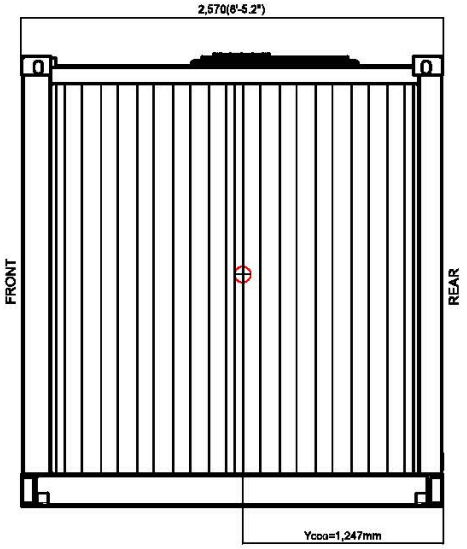
Kern County Planning & Natural Resources Department

8/12/25

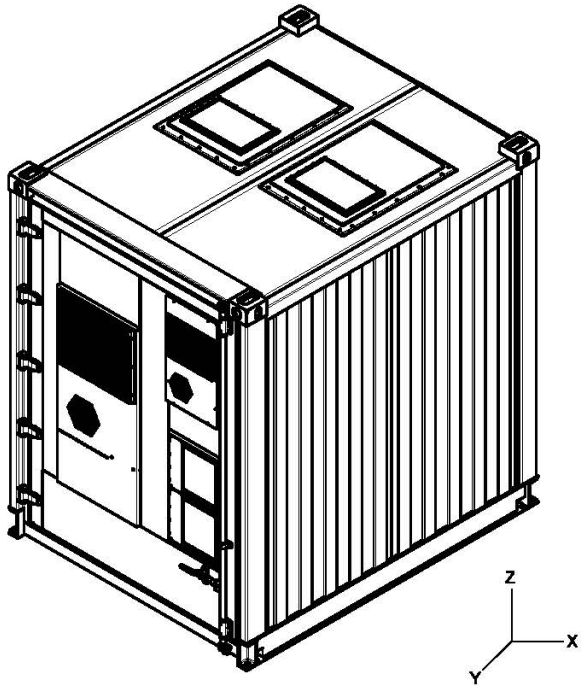
JF2 M-LINK COG INFORMATION



<FRONT VIEW>



<RIGHT VIEW>



<ISOMETRIC VIEW>

JF2 M-LINK APPROXIMATE WEIGHT & DIMENSION INFORMATION			
DESCRIPTION	DIMENSION (W X D X H, mm)	WEIGHT (LBS OR Ton)	REMARK
GROSS	2,100 X 2,570 X 2,746	14.5 Ton Approx.	-

CENTER OF GRAVITY COORDINATES		
x_{COG} [mm]	y_{COG} [mm]	z_{COG} [mm]
1,065	1,247	1,416
x_{COG} [ft-in]	y_{COG} [ft-in]	z_{COG} [ft-in]
3'-5.9"	4'-1.1"	4'-7.7"

THE SPECIFICATION MAY BE SUBJECT TO CHANGE

REV	DESCRIPTION	DATE	DRWN	CHKD	APPD
6	INITIAL RELEASE	2025.04.18	KM PARK	MC KIM	JB PARK
5					
4					
3					
2					
1					

CUSTOMER:
CONTRACTOR:
SCALE: N/A
DIMENSION: mm (ft-inch)
TITLE: JF2 DC LINK 5.1 CIVIL INFORMATION
DWG NO. F2D4-5.1US-DW04
DWG SIZE: A3
SHEET: 05 / 07 SHEETS

Galaxy Solar PV & Storage Project by Galaxy Solar Storage, LLC

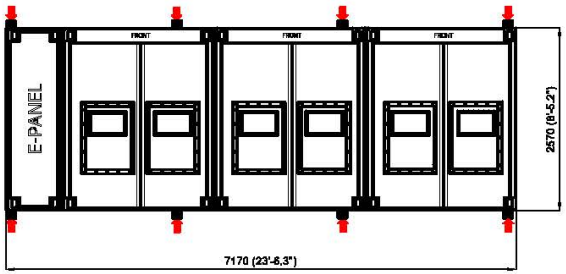
Battery Energy Storage System - View 2

Kern County Planning & Natural Resources Department

5/30/25

JF2 DC LINK 5.1 RECOMMENDED MINIMUM CLEARANCE

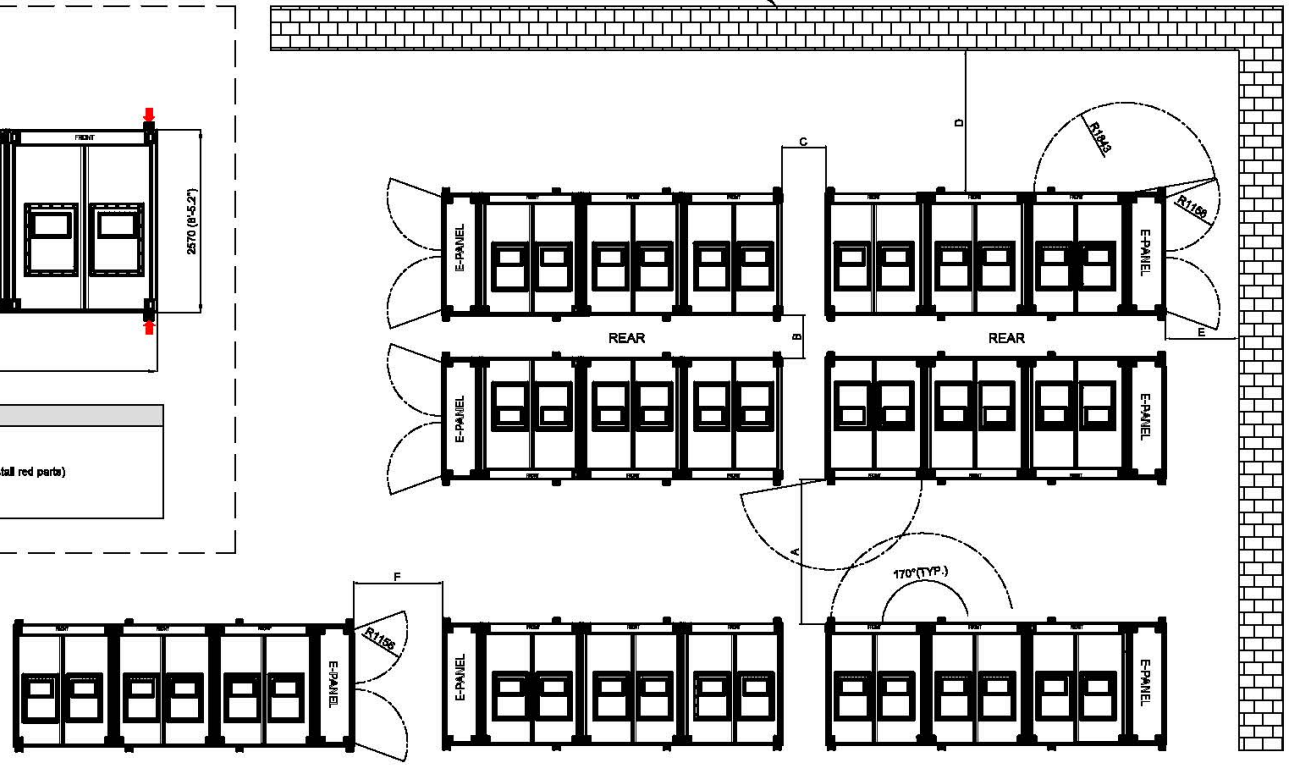
: Anchor Point (SDS 1.2)



NOTE
To satisfy ASCE-22 SDS=1.2, need to install 6 points. (Only need to install red parts)

WALL & FENCE (ANY OBSTACLE)

—— : IMAGINARY LINE OF DOORS OPENING



ITEM	LOCATION	RECOMMENDED MINIMUM CLEARANCE [mm/ft]
A	FRONT TO FRONT	3,048 / 10'
B	REAR TO REAR	914.4 / 3'
C	SIDE TO SIDE	914.4 / 3'
D	FRONT TO FENCE	3,048 / 10'
E	SIDE TO FENCE	1,524 / 5'
F	E-PANEL TO E-PANEL	1,524 / 5'

NOTE
MINIMUM SWING OF DOOR, REGULATIONS FOR INSTALLATING ESS, SPACE FOR INSTALLING SITE ARE CONSIDERED WHEN CHOOSING THE MINIMUM CLEARANCE. THE CLEARANCE SHALL BE CHANGEABLE DEPENDING ON THE OTHER VARIOUS REQUIREMENTS. (EG. SITE CONDITIONS, LOCAL PERMIT, AHJ APPROVAL ETC.)

THE SPECIFICATION MAY BE SUBJECT TO CHANGE

REV	DESCRIPTION	DATE	DRWN	CHKD	APPD
0	INITIAL RELEASE	2025.04.18	KM PARK	MC KIM	JB PARK

CUSTOMER

CONTRACTOR

SCALE: N/A

DIMENSION: mm (ft'-inch")

TITLE: JF2 DC LINK 5.1 CIVIL INFORMATION

DWG NO.: F2D4-5.1US-DW04

DWG SIZE: A3

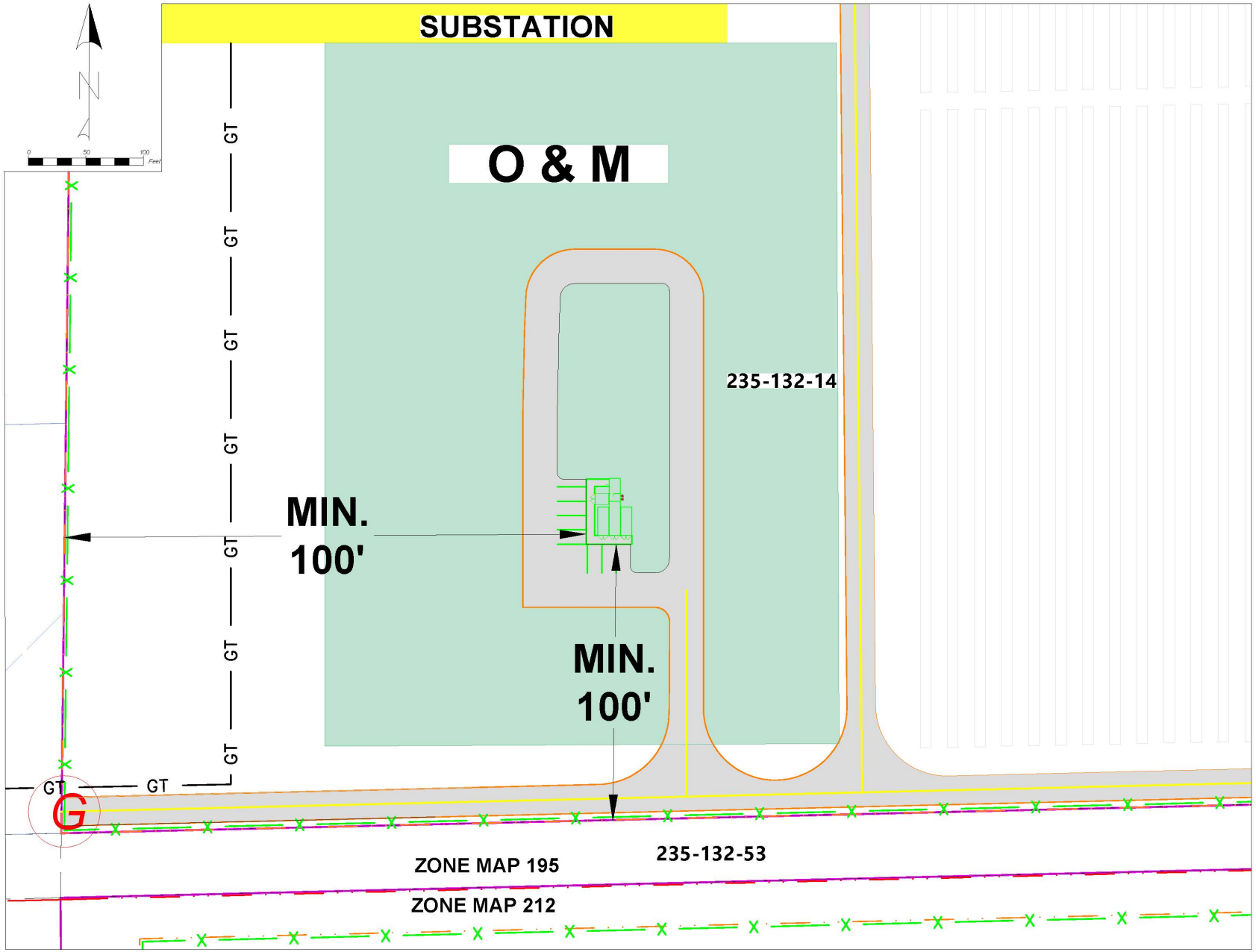
SHEET: 07 / 07

Galaxy Solar PV & Storage Project by Galaxy Solar Storage, LLC)

Battery Energy Storage System - View 3

Kern County Planning & Natural Resources Department

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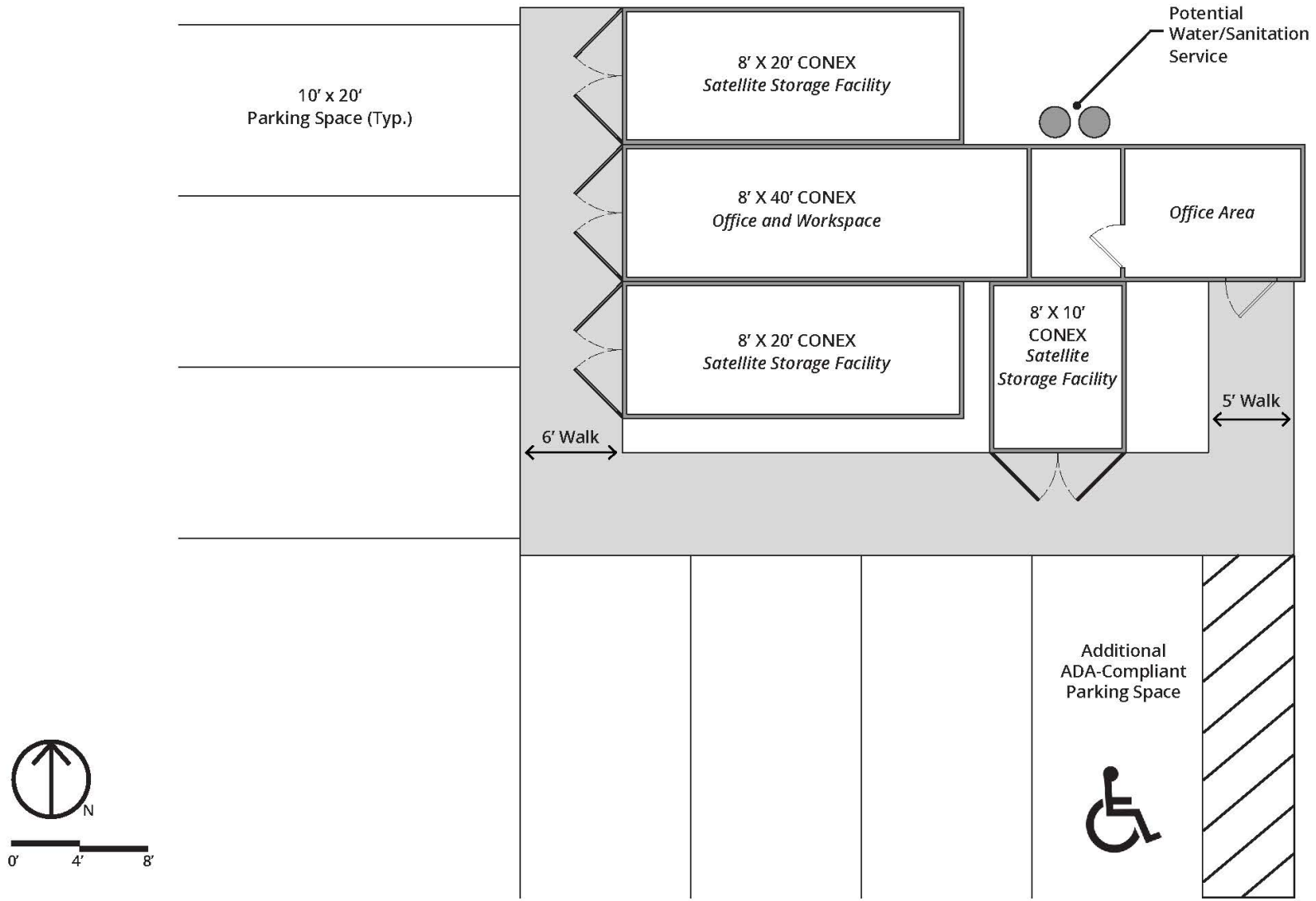


Galaxy Solar PV & Storage Project by Galaxy Solar Storage, LLC)

Operations & Maintenance Facility - Plot Plan

Kern County
Planning & Natural
Resources Department

8/12//25



1

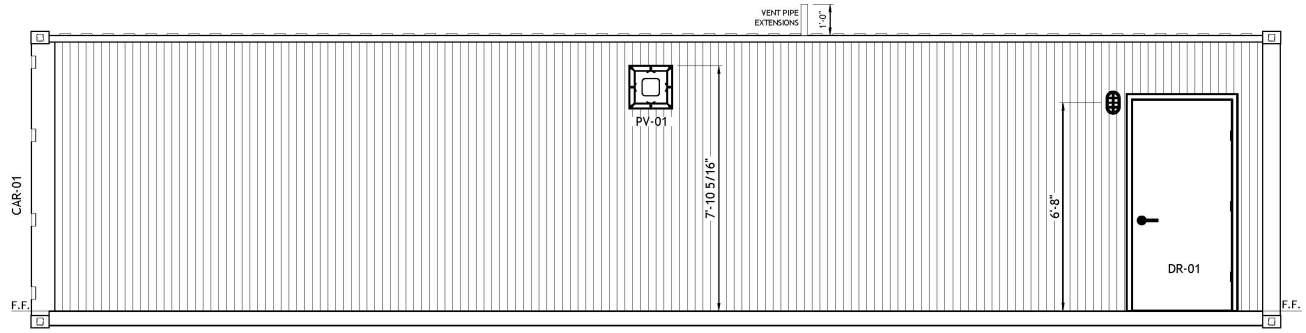
Galaxy Solar PV & Storage Project by Galaxy Solar Storage, LLC	**Operations & Maintenance Facility - General Layout**	**Kern County Planning & Natural Resources Department**

8/12//25

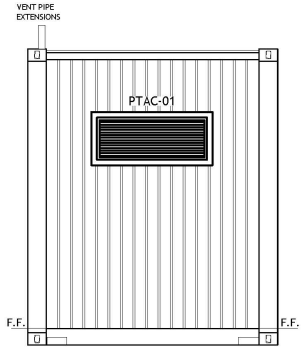


TERRA-GEN (A)
40' HC STORE AND WORK w/ HALF BATH

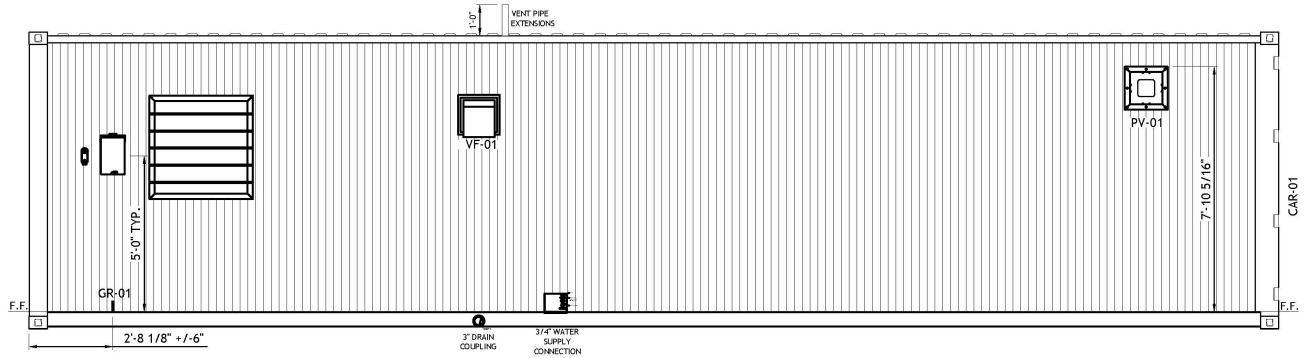
FALCON STRUCTURES



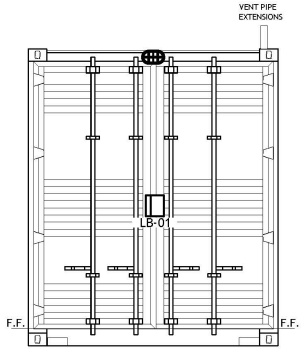
EXTERIOR ELEVATION 1
SCALE: 3/16" = 1'-0"



EXTERIOR ELEVATION 2
SCALE: 3/16" = 1'-0"



EXTERIOR ELEVATION 3
SCALE: 3/16" = 1'-0"



EXTERIOR ELEVATION 4
SCALE: 3/16" = 1'-0"

Galaxy Solar PV & Storage Project by Galaxy Solar Storage, LLC

Operations & Maintenance Facility - Exterior Elevations

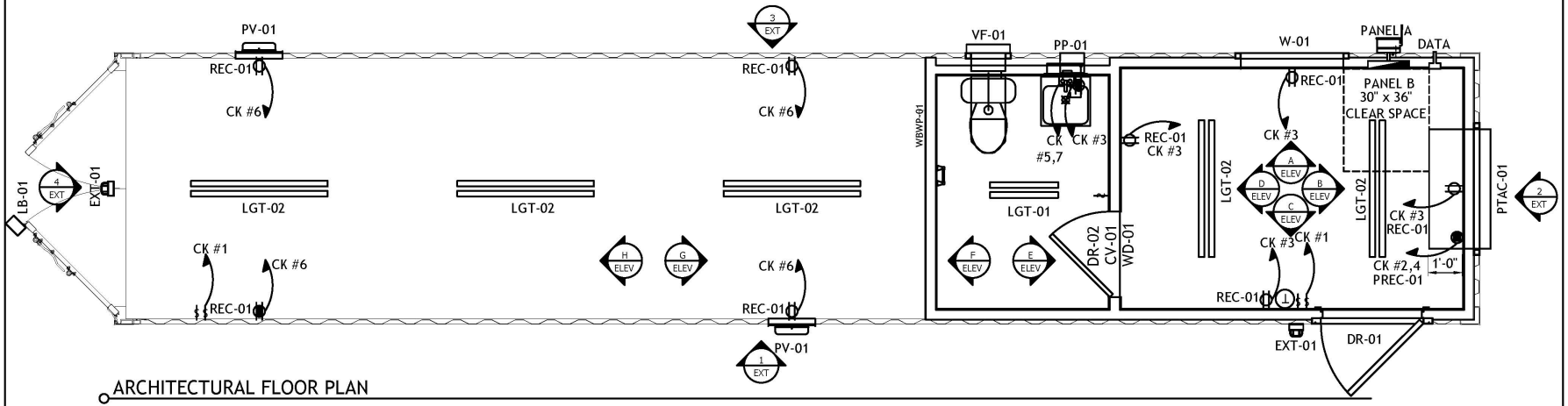
Kern County Planning & Natural Resources Department

8/12/25

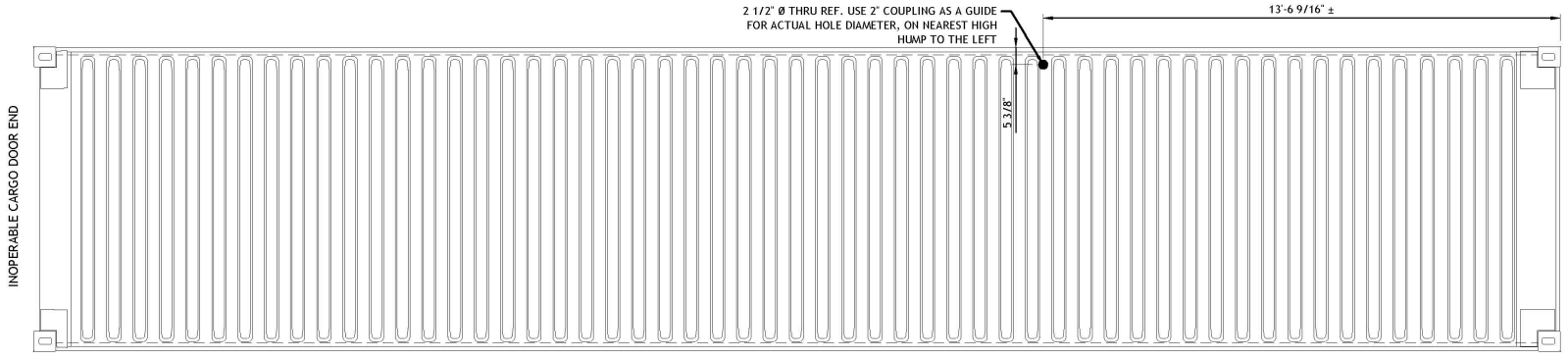


TERRA-GEN (A)
40' HC STORE AND WORK w/ HALF BATH

FALCON STRUCTURES



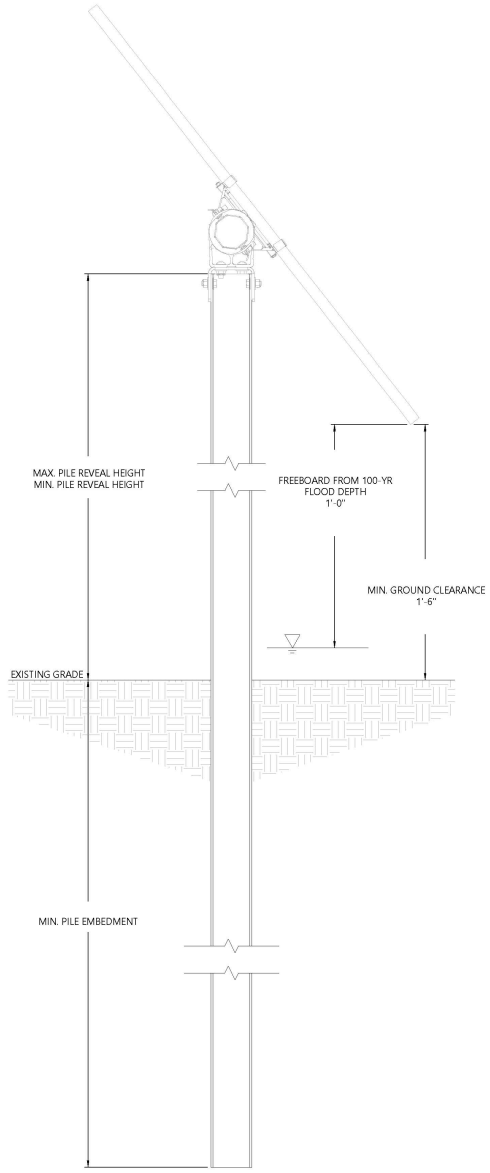
ARCHITECTURAL FLOOR PLAN



ROOF PLAN

Galaxy Solar PV & Storage Project by Galaxy Solar Storage, LLC)	**Operations & Maintenance Facility - Floorplan**	**Kern County Planning & Natural Resources Department**

8/12//25



1 PV Pile Foundation Cross Section
Driven Pile (N.T.S)

Galaxy Solar PV & Storage Project by Galaxy Solar Storage, LLC

Solar Panel - Elevations (conceptual)

Kern County Planning & Natural Resources Department

8/12/25

VESTING TENTATIVE PARCEL MAP NO. 12577

IN THE UNINCORPORATED AREA, COUNTY OF KERN

STATE OF CALIFORNIA

BEING A MERGER AND RE-SUBDIVISION OF PARCELS 1 & 2 OF PARCEL MAP NO. 4149, FILED AUGUST 29, 1977, IN BOOK 19 OF PARCEL MAPS, PAGE 32 AND PARCEL 2 OF PARCEL MAP NO. 4504, FILED APRIL 28, 1978, IN BOOK 20 OF PARCEL MAPS, PAGE 165, SAID PARCELS LYING IN SECTION 28, TOWNSHIP 11 NORTH, RANGE 11 WEST, SAN BERNARDINO MERIDIAN, IN THE UNINCORPORATED AREA, COUNTY OF KERN, STATE OF CALIFORNIA

DESCRIPTION OF PROJECT:

THE PURPOSE OF THIS TENTATIVE PARCEL MAP IS TO MERGE THREE (3) EXISTING PARCELS INTO ONE (1) PARCEL.
NOTE: THIS PARCEL MAP WILL NOT BE RECORDED IN PHASES.
NOTE: ALL STRUCTURES WITHIN THE BOUNDARY OF THIS MAP ARE SHOWN HEREON.

BASIS OF BEARINGS:

THE BEARING OF NORTH 00°01'06" EAST FOR THE WEST LINE OF THE SW 1/4 OF SEC. 28, T. 11 N., R. 11 W., S.B.M., AS SHOWN ON PARCEL MAP NO. 4504, RECORDED APRIL 28, 1978, IN BOOK 20 OF PARCEL MAPS, AT PAGE 165, IN THE OFFICE OF COUNTY RECORDER WAS USED AS THE BASIS OF BEARINGS FOR THIS MAP.

FLOOD HAZARD NOTE:

THE FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD RATE MAP FOR COMMUNITY NO. 060075, PANEL NO. 3325E, DATED SEPTEMBER 26, 2008 SHOWS THAT THE LOCATION OF THIS SITE FALLS ZONE X, WHICH ARE AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN.

STATISTICS:

ASSESSOR'S PARCEL #'S:	235-401-05, 06 & 16
ACCESS TO PARCEL A:	PROPOSED PUBLIC ACCESS EASEMENTS SHOWN HEREON
EXISTING # OF PARCELS:	3
PROPOSED # OF PARCELS:	1
EXISTING WATER SUPPLY:	N/A (RAW LAND)
EXISTING SEWAGE DISPOSAL:	N/A (RAW LAND)
EXISTING POWER:	SOUTHERN CALIFORNIA EDISON
EXISTING GAS:	SOCAL GAS
EXISTING ZONING:	A-1
EXISTING GENERAL PLAN DESIGNATION:	2.5 (FLOOD HAZARD), 8.5 (RESOURCE MANAGEMENT-MIN. 20 ACRE PARCEL SIZE)
EXISTING USE:	VACANT LAND
PROPOSED ZONING:	A
PROPOSED GENERAL PLAN DESIGNATION:	2.5 (FLOOD HAZARD), 8.5 (RESOURCE MANAGEMENT-MIN. 20 ACRE PARCEL SIZE)
PROPOSED USE:	SOLAR ENERGY, ELECTRIC GENERATORS GALAXY SOLAR STORAGE PROJECT BY GALAXY SOLAR STORAGE, LLC
PROPOSED WATER SUPPLY:	WELL SITE
PROPOSED SEWAGE DISPOSAL:	SEPTIC
IMPROVEMENTS REQUIRED:	TYPE 'C'
TOTAL PHASES:	ONE
PARCEL 'A' AREA:	23.02± ACRES
TOTAL PROJECT AREA:	GROSS = 23.02± ACRES

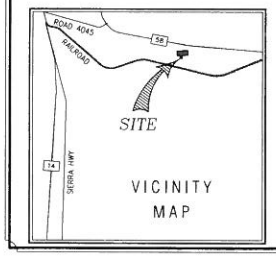
SURVEYOR'S STATEMENT:

THIS MAP WAS PREPARED BY ME OR UNDER MY DIRECTION AND IS BASED UPON A FIELD SURVEY IN CONFORMANCE WITH THE REQUIREMENTS OF THE SUBDIVISION MAP ACT AND LOCAL ORDINANCE AT THE REQUEST OF EDWARDS SANBORN LAND HOLDINGS, LLC.

FOR EXAMINATION ONLY

D'ARTAGNAN ALBA, P.L.S. NO. 9052 DATE

LICENSED LAND SURVEYOR d'Artagnan Alba L.S. 9052 STATE OF CALIFORNIA

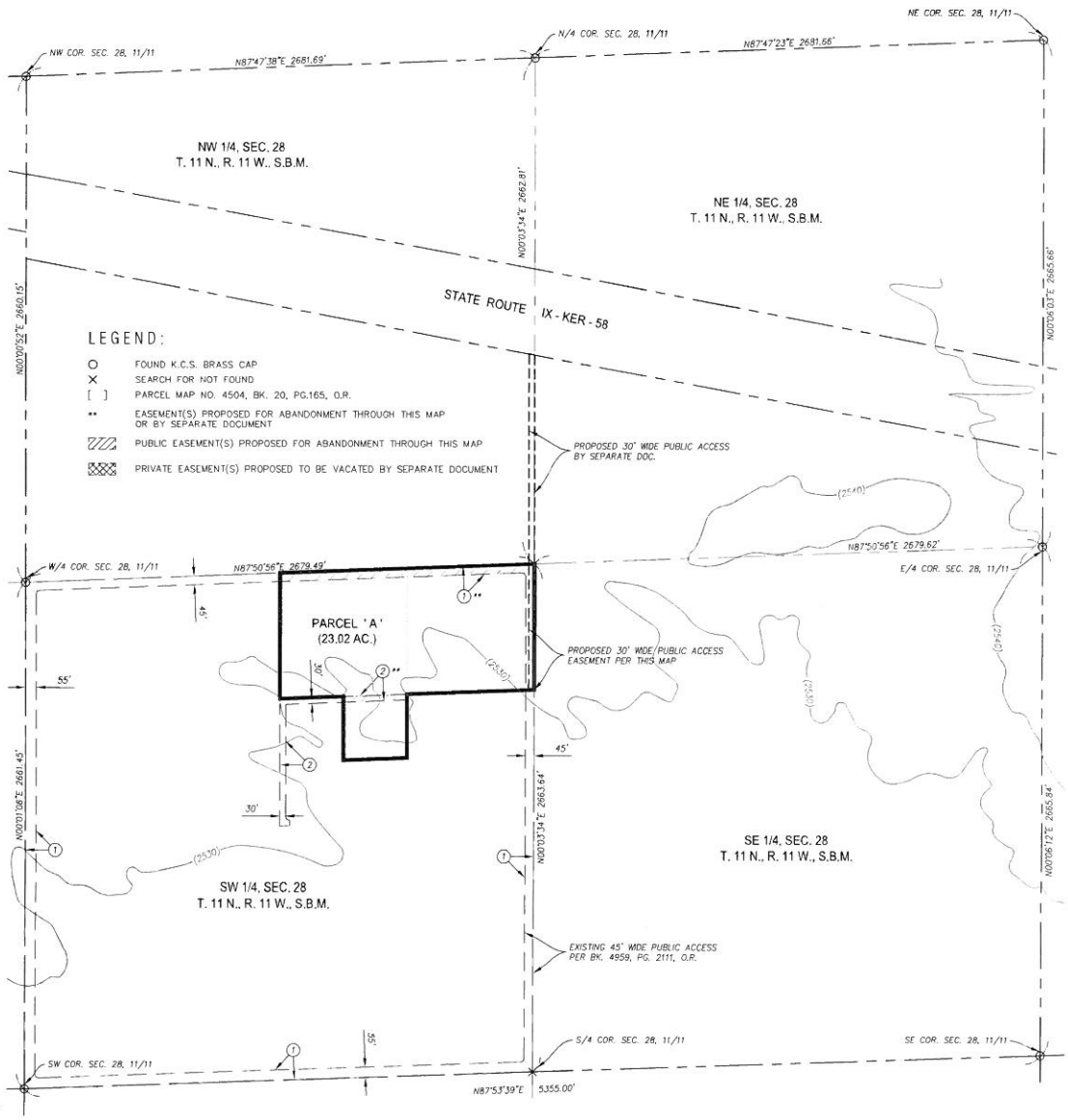


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400' 200' 0 400' 800'

SCALE: 1" = 400'



VESTING TENTATIVE PARCEL MAP NO. 12578

IN THE UNINCORPORATED AREA, COUNTY OF KERN

STATE OF CALIFORNIA

BEING A MERGER AND RE-SUBDIVISION OF PARCELS 1, 2, 3 & 4 OF PARCEL MAP NO. 506, FILED JANUARY 5, 1973, IN BOOK 4 OF PARCEL MAPS, PAGE 75 AND THE NORTH 1/2 OF SECTION 33, TOWNSHIP 11 NORTH, RANGE 11 WEST, SAN BERNARDINO MERIDIAN, IN THE UNINCORPORATED AREA, COUNTY OF KERN, STATE OF CALIFORNIA

DESCRIPTION OF PROJECT:

THE PURPOSE OF THIS TENTATIVE PARCEL MAP IS TO MERGE TWENTY-EIGHT (28) EXISTING PARCELS INTO ONE (1) PARCEL.
NOTE: THIS PARCEL MAP WILL NOT BE RECORDED IN PHASES.
NOTE: ALL STRUCTURES WITHIN THE BOUNDARY OF THIS MAP ARE SHOWN HEREON.

BASIS OF BEARINGS:

THE BEARING OF NORTH 87°53'44" EAST FOR THE NORTH LINE OF THE SEC. 33, T. 11 N., R. 11 W., S.B.M., AS SHOWN ON MAP NO. 7-1, FILED APRIL 11, 1974, IN BOOK 5, AT PAGE 152, IN THE OFFICE OF COUNTY SURVEYOR WAS USED AS THE BASIS OF BEARINGS FOR THIS MAP.

FLOOD HAZARD NOTE:

THE FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD RATE MAP FOR COMMUNITY NO. 060075, PANEL NO. 3325E, DATED SEPTEMBER 26, 2008 SHOWS THAT THE LOCATION OF THIS SITE FALLS ZONE X, WHICH ARE AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN.

STATISTICS:

ASSESSOR'S PARCEL #'S:	235-140-01 THROUGH 07, 09, 11 THROUGH 17, 19, 21, 22, 24 THROUGH 31, 33 AND 34
ACCESS TO PARCEL A:	PROPOSED PUBLIC ACCESS EASEMENTS SHOWN HEREON
EXISTING # OF PARCELS:	28
PROPOSED # OF PARCELS:	1
EXISTING WATER SUPPLY:	N/A (RAW LAND)
EXISTING SEWAGE DISPOSAL:	N/A (RAW LAND)
EXISTING POWER:	SOUTHERN CALIFORNIA EDISON
EXISTING GAS:	SOCAL GAS
EXISTING ZONING:	A-1
EXISTING GENERAL PLAN DESIGNATION:	2.5 (FLOOD HAZARD) / 8.5 (RESOURCE MANAGEMENT-MIN. 20 ACRE PARCEL SIZE)
EXISTING USE:	VACANT LAND
PROPOSED ZONING:	A
PROPOSED GENERAL PLAN DESIGNATION:	2.5 (FLOOD HAZARD) / 8.5 (RESOURCE MANAGEMENT-MIN. 20 ACRE PARCEL SIZE)
PROPOSED USE:	SOLAR ENERGY, ELECTRIC GENERATORS-GALAXY SOLAR STORAGE PROJECT BY GALAXY SOLAR STORAGE, LLC
PROPOSED WATER SUPPLY:	WELL SITE
PROPOSED SEWAGE DISPOSAL:	SEPTIC
IMPROVEMENTS REQUIRED:	TYPE 'C'
TOTAL PHASES:	ONE
PARCEL 'A' AREA:	308.34± ACRES
TOTAL PROJECT AREA:	GROSS = 308.34± ACRES

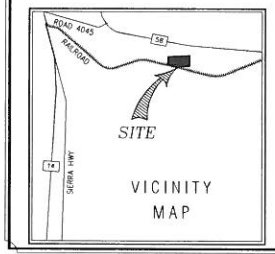
SURVEYOR'S STATEMENT:

THIS MAP WAS PREPARED BY ME OR UNDER MY DIRECTION AND IS BASED UPON A FIELD SURVEY IN CONFORMANCE WITH THE REQUIREMENTS OF THE SUBDIVISION MAP ACT AND LOCAL ORDINANCE AT THE REQUEST OF EDWARDS SANBORN LAND HOLDINGS, LLC.

FOR EXAMINATION ONLY

D'ARTAGNAN ALBA, P.L.S. NO. 9052 DATE

LICENSED LAND SURVEYOR D'Artagnan Alba L.S. 9052 STATE OF CALIFORNIA



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SURVEYING ENGINEERING
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PHONE (661) 393-1217 FAX: (661) 393-1218

LEGAL DESCRIPTION:

THE LAND REFERRED TO HEREIN IS SITUATED IN THE STATE OF CALIFORNIA, COUNTY OF KERN UNINCORPORATED AND DESCRIBED AS FOLLOWS:
THE NORTHWEST QUARTER OF SECTION 33, TOWNSHIP 11 NORTH, RANGE 11 WEST, SAN BERNARDINO MERIDIAN, IN THE COUNTY OF KERN, STATE OF CALIFORNIA, ACCORDING TO THE OFFICE PLAT OF SAID LAND APPROVED BY THE SURVEYOR GENERAL SEPTEMBER 19, 1956; EXCEPTING THEREFROM THAT PORTION THEREOF LYING WITHIN THE FOLLOWING: A STRIP OF LAND 600 FEET IN WIDTH 300 FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTER LINE; BEGINNING AT A POINT ON THE WEST LINE OF SAID SECTION 33, DISTANT 3038.82 FEET NORTHERLY FROM SOUTHWEST CORNER, THENCE SOUTHEASTERLY IN A DIRECT LINE TO A POINT ON THE EAST LINE CORNER (A DISTANCE OF 2557.60 FEET).
APN 235-140-01, 02 & 19
PARCELS 1, 2, 3 & 4 OF PARCEL MAP 506 ACCORDING TO THE MAP THEREOF RECORDED IN BOOK 4, PAGE 75 OF THE PARCEL MAPS IN THE OFFICE OF THE KERN COUNTY RECORDER.
APN 235-140-28 THROUGH 31
THE NORTHEAST 1/4 OF SECTION 33, TOWNSHIP 11 NORTH, RANGE 11 WEST, SBBM, ACCORDING TO THE OFFICIAL PLAT THEREOF.
APN 235-140-03 THROUGH 07, 09, 11 THROUGH 17, 21, 22, 24 THROUGH 27, 33 AND 34

EASEMENT TABLE:

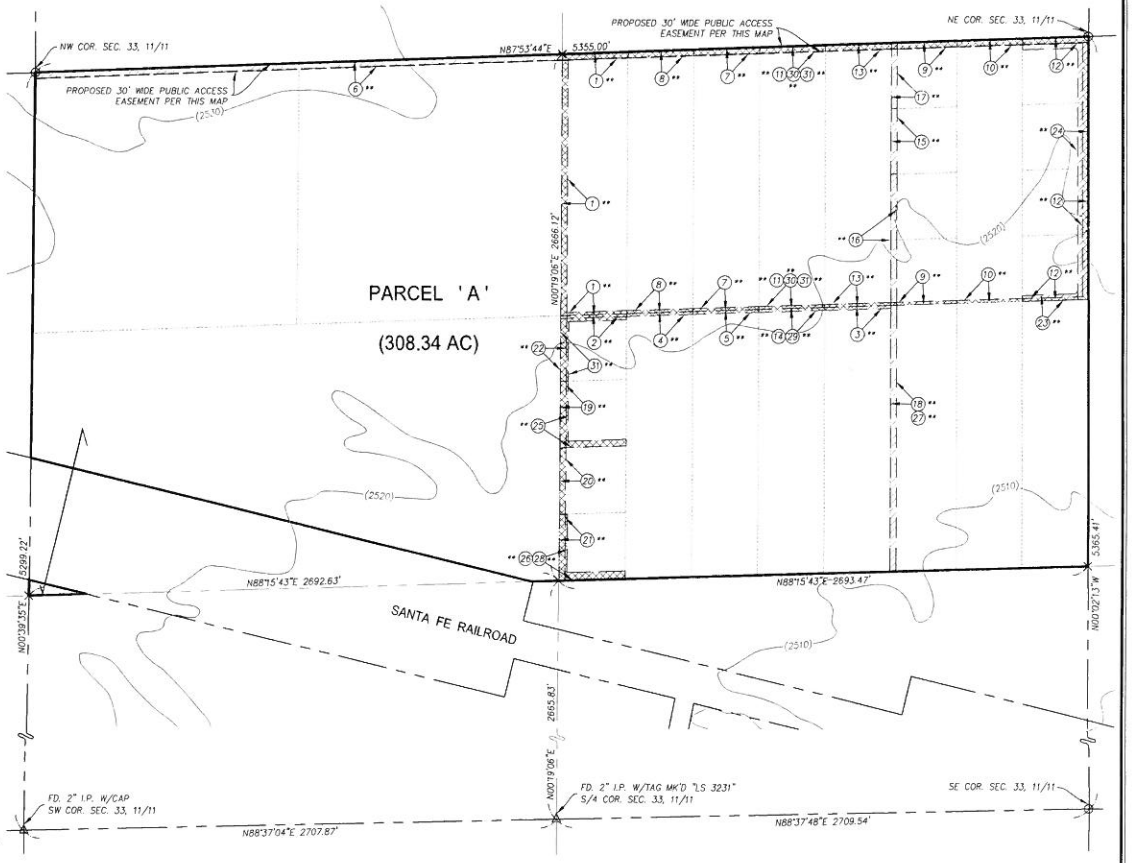
SEE SHEET 3.

EXISTING EASEMENT TABLE :

SEE SHEET 3.

LEGEND:

- ○ FOUND K.C.S. BRASS CAP
- △ FOUND MONUMENT AS NOTED
- × SEARCH FOR NOT FOUND
- [ ] PARCEL MAP NO. XXXX, BK. XX, PG. XX
- ** EASEMENT(S) PROPOSED FOR ABANDONMENT THROUGH THIS MAP OR BY SEPARATE DOCUMENT
- PUBLIC EASEMENT(S) PROPOSED FOR ABANDONMENT THROUGH THIS MAP
- PRIVATE EASEMENT(S) PROPOSED TO BE VACATED BY SEPARATE DOCUMENT



VESTING TENTATIVE PARCEL MAP NO. 12579

IN THE UNINCORPORATED AREA, COUNTY OF KERN

STATE OF CALIFORNIA

BEING A MERGER AND RE-SUBDIVISION OF PARCELS 1, 2, 3 & 4 OF PARCEL MAP NO. 3516, FILED JULY 9, 1976, IN BOOK 16 OF PARCEL MAPS, PAGE 73 AND A PORTION OF THE NORTHWEST 1/4 OF SECTION 34, TOWNSHIP 11 NORTH, RANGE 11 WEST, SAN BERNARDINO MERIDIAN, IN THE UNINCORPORATED AREA, COUNTY OF KERN, STATE OF CALIFORNIA

LEGAL DESCRIPTION:

THE LAND REFERRED TO HEREIN IS SITUATED IN THE STATE OF CALIFORNIA, COUNTY OF KERN UNINCORPORATED AND DESCRIBED AS FOLLOWS:
A PORTION OF THE NORTHWEST QUARTER OF SECTION 34, TOWNSHIP 11 NORTH, RANGE 11 WEST, SAN BERNARDINO BASE AND MERIDIAN, IN THE UNINCORPORATED AREA, COUNTY OF KERN, STATE OF CALIFORNIA, ACCORDING TO THE OFFICIAL PLAT THEREOF.
APN 235-102-08 & 17
PARCELS 1, 2, 3 & 4 OF PARCEL MAP 3516 ACCORDING TO THE MAP THEREOF RECORDED IN BOOK 16, PAGE 73 OF THE PARCEL MAPS IN THE OFFICE OF THE KERN COUNTY RECORDER.
APN 235-102-23 THROUGH 26.

EASEMENT TABLE:

THE EASEMENTS (IF ANY) THAT APPEAR ON THIS MAP HAVE BEEN PLOTTED BASED SOLELY ON INFORMATION CONTAINED IN THE PRELIMINARY REPORTS BY: STEWART TITLE COMPANY;
ORDER NO. 22000480740-5A (235-102-08), DATED MARCH 27, 2026. WITHIN SAID TITLE REPORT THERE ARE TWENTY-FOUR (24) EXCEPTIONS LISTED, NONE (0) OF WHICH ARE EASEMENTS.
ORDER NO. 23000481116A (235-102-17), DATED MARCH 27, 2026. WITHIN SAID TITLE REPORT THERE ARE NINE (9) EXCEPTIONS LISTED, NONE (0) OF WHICH ARE EASEMENTS.
ORDER NO. 22000480740-17A (235-102-23 THROUGH 26), DATED APRIL 1, 2026. WITHIN SAID TITLE REPORT THERE ARE SIX (6) EXCEPTIONS LISTED, TWO (2) OF WHICH ARE EASEMENTS.

EXISTING EASEMENT TABLE :

1. 20' UTILITY AND 25' PRIVATE ROAD EASEMENT PER BOOK 3648, PAGE 593, O.R.
2. 45' & 55' PUBLIC ACCESS EASEMENT PER BOOK 4961, PAGE 2301, O.R. - PROPOSED FOR ABANDONMENT THROUGH THIS MAP.

LEGEND:

- ○ FOUND K.C.S. BRASS CAP
- △ FOUND MONUMENT AS NOTED
- × SEARCH FOR NOT FOUND
- [ ] MAP NO. 7-1, BOOK 5, PAGE 152
- ** EASEMENTS PROPOSED FOR ABANDONMENT THROUGH THIS MAP OR BY SEPARATE DOCUMENT
- PUBLIC EASEMENT(S) PROPOSED FOR ABANDONMENT THROUGH THIS MAP
- PRIVATE EASEMENT(S) PROPOSED TO BE VACATED BY SEPARATE DOCUMENT

DESCRIPTION OF PROJECT:

THE PURPOSE OF THIS TENTATIVE PARCEL MAP IS TO MERGE SIX (6) EXISTING PARCELS INTO TWO (2) PARCELS.
NOTE: THIS PARCEL MAP WILL NOT BE RECORDED IN PHASES.
NOTE: ALL STRUCTURES WITHIN THE BOUNDARY OF THIS MAP ARE SHOWN HEREON.

BASIS OF BEARINGS:

THE BEARING OF NORTH 87°53'01" EAST FOR THE NORTH LINE OF THE NW 1/4 OF SEC. 34, T. 11 N., R. 11 W., S.B.M., AS SHOWN ON MAP NO. 7-1, FILED APRIL 11, 1974, IN BOOK 5, AT PAGE 152, IN THE OFFICE OF COUNTY SURVEYOR WAS USED AS THE BASIS OF BEARINGS FOR THIS MAP.

FLOOD HAZARD NOTE:

THE FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD RATE MAP FOR COMMUNITY NO. 060075, PANEL NO. 3325E, DATED SEPTEMBER 26, 2008 SHOWS THAT THE LOCATION OF THIS SITE FALLS ZONE X, WHICH ARE AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN.

STATISTICS:

ASSESSOR'S PARCEL #'S:	235-102-08, 17 AND 23 THROUGH 26
ACCESS TO PARCEL A & B:	PROPOSED PUBLIC ACCESS EASEMENTS SHOWN HEREON
EXISTING # OF PARCELS:	6
PROPOSED # OF PARCELS:	2
EXISTING WATER SUPPLY:	N/A (RAW LAND)
EXISTING SEWAGE DISPOSAL:	N/A (RAW LAND)
EXISTING POWER:	SOUTHERN CALIFORNIA EDISON
EXISTING GAS:	SOCAL GAS
EXISTING ZONING:	A-1
EXISTING GENERAL PLAN DESIGNATION:	8.5 (RESOURCE MANAGEMENT-MIN. 20 ACRE PARCEL SIZE)
EXISTING USE:	VACANT LAND
PROPOSED ZONING:	A
PROPOSED GENERAL PLAN DESIGNATION:	8.5 (RESOURCE MANAGEMENT-MIN. 20 ACRE PARCEL SIZE)
PROPOSED USE:	SOLAR ENERGY, ELECTRIC GENERATORS-GALAXY SOLAR STORAGE PROJECT BY GALAXY SOLAR STORAGE, LLC
PROPOSED WATER SUPPLY:	WELL SITE
PROPOSED SEWAGE DISPOSAL:	SEPTIC
IMPROVEMENTS REQUIRED:	TYPE 'C'
TOTAL PHASES:	ONE
PARCEL 'A' AREA:	82.98± ACRES
PARCEL 'B' AREA:	77.92± ACRES
TOTAL PROJECT AREA:	GROSS = 160.90± ACRES

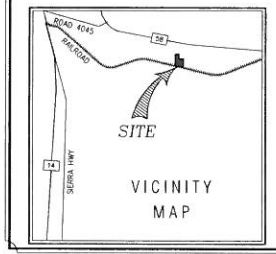
SURVEYOR'S STATEMENT:

THIS MAP WAS PREPARED BY ME OR UNDER MY DIRECTION AND IS BASED UPON A FIELD SURVEY IN CONFORMANCE WITH THE REQUIREMENTS OF THE SUBDIVISION MAP ACT AND LOCAL ORDINANCE AT THE REQUEST OF EDWARDS SANBORN LAND HOLDINGS, LLC.

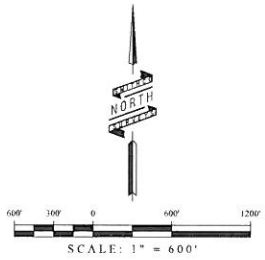
FOR EXAMINATION ONLY

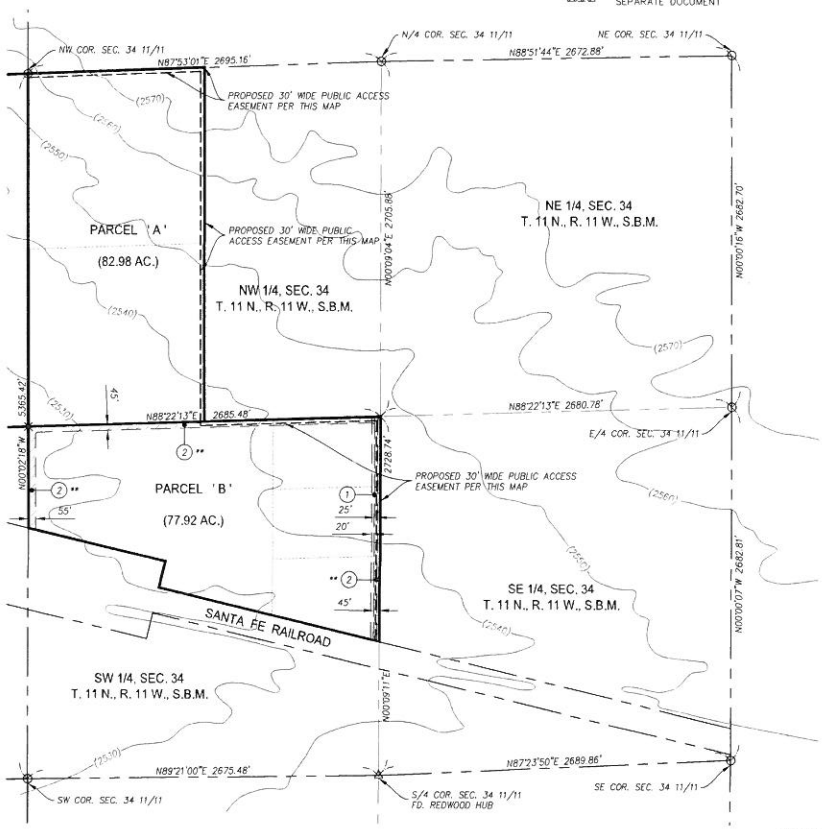
D'ARTAGNAN ALBA, P.L.S. NO. 9052 DATE

LICENSED LAND SURVEYOR — D'Artagnan Alba — L.S. 9052 — STATE OF CALIFORNIA



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SURVEYING ENGINEERING
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VESTING TENTATIVE PARCEL MAP NO. 12580

IN THE UNINCORPORATED AREA, COUNTY OF KERN

STATE OF CALIFORNIA

BEING A MERGER AND RE-SUBDIVISION OF PARCELS 1, 2, 3 & 4 OF PARCEL MAP NO. 579, FILED JANUARY 17, 1973, IN BOOK 4 OF PARCEL MAPS, PAGE 94, PARCELS 1, 2 & 3 OF PARCEL MAP NO. 592, FILED DECEMBER 12, 1972, IN BOOK 4 OF PARCEL MAPS, PAGE 26, PARCELS 1 & 2 OF PARCEL MAP NO. 606, FILED DECEMBER 15, 1972, IN BOOK 4 OF PARCEL MAPS, PAGE 48 AND A PORTION OF THE NORTHEAST 1/4 OF SECTION 4, TOWNSHIP 10 NORTH, RANGE 11 WEST, SAN BERNARDINO MERIDIAN, IN THE UNINCORPORATED AREA, COUNTY OF KERN, STATE OF CALIFORNIA

DESCRIPTION OF PROJECT:

THE PURPOSE OF THIS TENTATIVE PARCEL MAP IS TO MERGE TWENTY-SEVEN (27) EXISTING PARCELS INTO ONE (1) PARCEL.
NOTE: THIS PARCEL MAP WILL NOT BE RECORDED IN PHASES.
NOTE: ALL STRUCTURES WITHIN THE BOUNDARY OF THIS MAP ARE SHOWN HEREON.

BASIS OF BEARINGS:

THE BEARING OF SOUTH 88°36'58" WEST FOR THE NORTH LINE OF THE NE 1/4 OF SEC. 4, T. 10 N., R. 11 W., S.B.M., AS SHOWN ON MAP NO. 7-1, FILED SEPTEMBER 28, 1973, IN BOOK 5, AT PAGE 171, IN THE OFFICE OF COUNTY SURVEYOR WAS USED AS THE BASIS OF BEARINGS FOR THIS MAP.

FLOOD HAZARD NOTE:

THE FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD RATE MAP FOR COMMUNITY NO. 060075, PANEL NO. 3700E, DATED SEPTEMBER 26, 2008 SHOWS THAT THE LOCATION OF THIS SITE FALLS ZONE X, WHICH ARE AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN AND ZONE A, WHICH ARE AREAS WHERE NO BASE FLOOD ELEVATIONS DETERMINED.

STATISTICS:

ASSESSOR'S PARCEL #'S:	244-421-03, 04, 06 THROUGH 09, 11, 24 THROUGH 27, 33, 34, 37, 38, 41 THROUGH 44, 49 THROUGH 56
ACCESS TO PARCEL A:	PROPOSED PRIVATE ACCESS EASEMENTS SHOWN HEREON
EXISTING # OF PARCELS:	27
PROPOSED # OF PARCELS:	1
EXISTING WATER SUPPLY:	N/A (RAW LAND)
EXISTING SEWAGE DISPOSAL:	N/A (RAW LAND)
EXISTING POWER:	SOUTHERN CALIFORNIA EDISON
EXISTING GAS:	SOCAL GAS
EXISTING ZONING:	A-1
EXISTING GENERAL PLAN DESIGNATION:	2.5 (FLOOD HAZARD) / 8.5 (RESOURCE MANAGEMENT-MIN. 20 ACRE PARCEL SIZE)
EXISTING USE:	VACANT LAND
PROPOSED ZONING:	A
PROPOSED GENERAL PLAN DESIGNATION:	2.5 (FLOOD HAZARD) / 8.5 (RESOURCE MANAGEMENT-MIN. 20 ACRE PARCEL SIZE)
PROPOSED USE:	SOLAR ENERGY, ELECTRIC GENERATORS-GALAXY SOLAR STORAGE PROJECT BY GALAXY SOLAR STORAGE, LLC
PROPOSED WATER SUPPLY:	WELL SITE
PROPOSED SEWAGE DISPOSAL:	SEPTIC
IMPROVEMENTS REQUIRED:	TYPE 'C'
TOTAL PHASES:	ONE
PARCEL 'A' AREA:	93.50± ACRES
TOTAL PROJECT AREA:	GROSS = 93.50± ACRES

SURVEYOR'S STATEMENT:

THIS MAP WAS PREPARED BY ME OR UNDER MY DIRECTION AND IS BASED UPON A FIELD SURVEY IN CONFORMANCE WITH THE REQUIREMENTS OF THE SUBDIVISION MAP ACT AND LOCAL ORDINANCE AT THE REQUEST OF EDWARDS SANBORN LAND HOLDINGS, LLC.

FOR EXAMINATION ONLY

D'ARTAGNAN ALBA, P.L.S. NO. 9052 DATE

LICENSED LAND SURVEYOR — D'ARTAGNAN ALBA — L.S. 9052 — STATE OF CALIFORNIA

LEGAL DESCRIPTION:

THE LAND REFERRED TO HEREIN IS SITUATED IN THE STATE OF CALIFORNIA, COUNTY OF KERN UNINCORPORATED AND DESCRIBED AS FOLLOWS:
A PORTION OF THE NORTHEAST QUARTER OF SECTION 4, TOWNSHIP 10 NORTH, RANGE 11 WEST, SAN BERNARDINO BASE AND MERIDIAN, IN THE UNINCORPORATED AREA, COUNTY OF KERN, STATE OF CALIFORNIA, ACCORDING TO THE OFFICIAL PLAT THEREOF
APN 244-421-03, 04, 06 THROUGH 09, 11, 24, 37, 38, 53 THROUGH 56
PARCELS 1, 2, 3 & 4 OF PARCEL MAP 579 ACCORDING TO THE MAP THEREOF RECORDED IN BOOK 4, PAGE 94 OF THE PARCEL MAPS IN THE OFFICE OF THE KERN COUNTY RECORDER.
APN 244-421-49 THROUGH 52
PARCELS 1, 2 & 3 OF PARCEL MAP 592 ACCORDING TO THE MAP THEREOF RECORDED IN BOOK 4, PAGE 26 OF PARCEL MAPS IN THE OFFICE OF THE KERN COUNTY RECORDER.
APN 244-421-25 THROUGH 27
PARCELS 1 &2 OF PARCEL MAP 606 ACCORDING TO THE MAP THEREOF RECORDED IN BOOK 4, PAGE 48 OF PARCEL MAPS IN THE OFFICE OF THE KERN COUNTY RECORDER.
APN 244-421-33 & 34

EASEMENT TABLE:

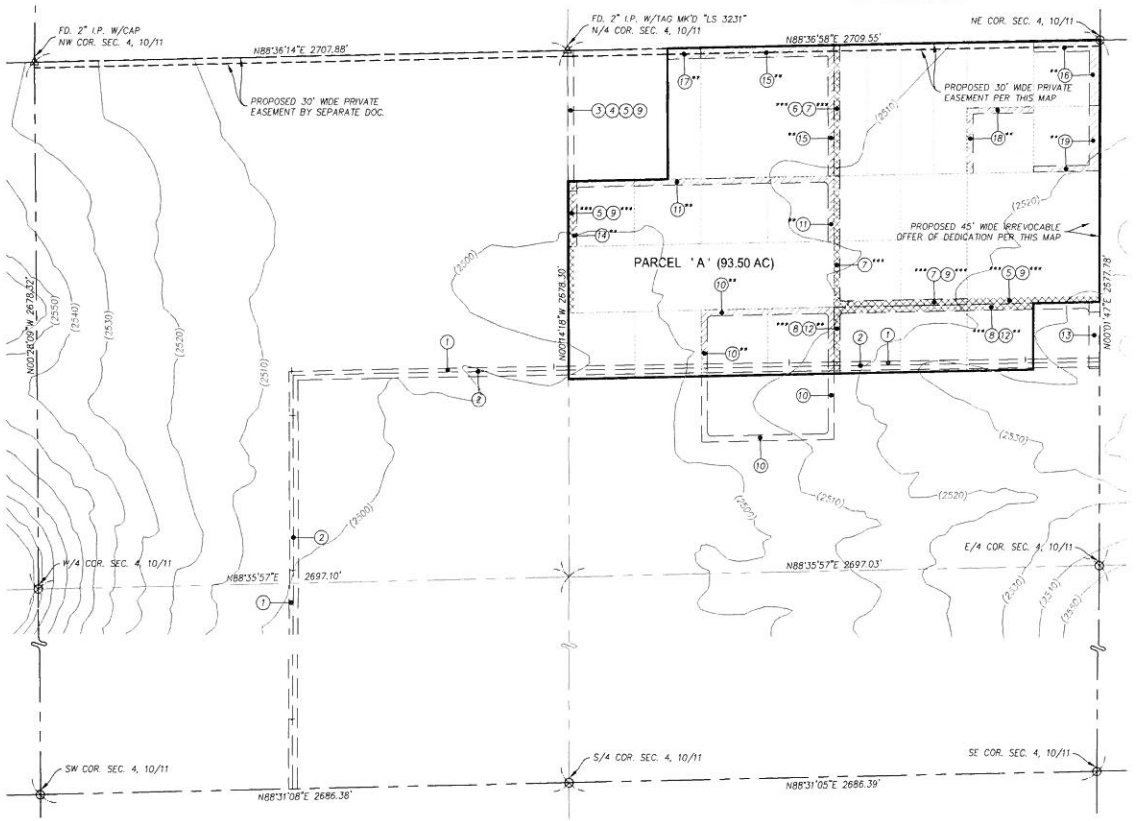
SEE SHEET 3.

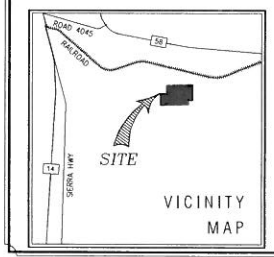
EXISTING EASEMENT TABLE :

SEE SHEET 3.

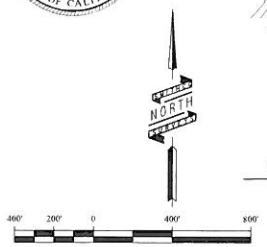
LEGEND:

- ○ FOUND K.C.S. BRASS CAP
- △ FOUND MONUMENT AS NOTED
- × SEARCH FOR NOT FOUND
- [ ] PARCEL MAP NO. XXXX, BK. XX, PG. XX
- ** PUBLIC EASEMENTS PROPOSED FOR ABANDONMENT THROUGH THIS MAP
- *** PRIVATE EASEMENTS PROPOSED FOR ABANDONMENT BY SEPARATE DOCUMENT
- PUBLIC EASEMENT(S) PROPOSED FOR ABANDONMENT THROUGH THIS MAP
- PRIVATE EASEMENT(S) PROPOSED TO BE VACATED BY SEPARATE DOCUMENT





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VESTING TENTATIVE PARCEL MAP NO. 12581

IN THE UNINCORPORATED AREA, COUNTY OF KERN

STATE OF CALIFORNIA

BEING A MERGER AND RE-SUBDIVISION OF PARCELS 1, 2, 3 & 4 OF PARCEL MAP NO. 593, FILED DECEMBER 15, 1972, IN BOOK 4 OF PARCEL MAPS, PAGE 44, PARCELS 1, 2, 3 & 4 OF PARCEL MAP NO. 594, FILED JANUARY 10, 1973, IN BOOK 4 OF PARCEL MAPS, PAGE 84, PARCELS 1, 2, 3 & 4 OF PARCEL MAP NO. 595, FILED DECEMBER 15, 1972, IN BOOK 4 OF PARCEL MAPS, PAGE 45, PARCELS 2, 3 & 4 OF PARCEL MAP NO. 605, FILED DECEMBER 15, 1972, IN BOOK 4 OF PARCEL MAPS, PAGE 47, PARCELS 3 & 4 OF PARCEL MAP NO. 606, FILED DECEMBER 15, 1972, IN BOOK 4 OF PARCEL MAPS, PAGE 48, PARCELS 1, 2, 3 & 4 OF PARCEL MAP NO. 607, FILED JANUARY 17, 1973, IN BOOK 4 OF PARCEL MAPS, PAGE 95, PARCELS 1, 2, 3 & 4 OF PARCEL MAP NO. 608, FILED DECEMBER 15, 1972, IN BOOK 4 OF PARCEL MAPS, PAGE 49 AND A PORTION OF THE NORTHEAST 1/4, SOUTHEAST 1/4 AND SOUTHWEST 1/4 OF SECTION 4, TOWNSHIP 10 NORTH, RANGE 11 WEST, SAN BERNARDINO MERIDIAN, IN THE UNINCORPORATED AREA, COUNTY OF KERN, STATE OF CALIFORNIA

DESCRIPTION OF PROJECT:

THE PURPOSE OF THIS TENTATIVE PARCEL MAP IS TO MERGE FIFTY-TWO (52) EXISTING PARCELS INTO ONE (1) PARCELS.
NOTE: THIS PARCEL MAP WILL NOT BE RECORDED IN PHASES.
NOTE: ALL STRUCTURES WITHIN THE BOUNDARY OF THIS MAP ARE SHOWN HEREON.

BASIS OF BEARINGS:

THE BEARING OF SOUTH 88°36'58" WEST FOR THE NORTH LINE OF THE NE 1/4 OF SEC. 4, T. 10 N., R. 11 W., S.B.M., AS SHOWN ON MAP NO. 7-1, FILED SEPTEMBER 28, 1973, IN BOOK 5, AT PAGE 171, IN THE OFFICE OF COUNTY SURVEYOR WAS USED AS THE BASIS OF BEARINGS FOR THIS MAP.

FLOOD HAZARD NOTE:

THE FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD RATE MAP FOR COMMUNITY NO. 060075, PANEL NO. 3700E, DATED SEPTEMBER 26, 2008 SHOWS THAT THE LOCATION OF THIS SITE FALLS ZONE X, WHICH ARE AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN AND ZONE A, WHICH ARE AREAS WHERE NO BASE FLOOD ELEVATIONS DETERMINED.

STATISTICS:

ASSESSOR'S PARCEL #'S:	244-421-17 TRHOUGH 19, 30 THROUGH 32, 35, 36, 39, 40, 45 THROUGH 48, 244-451-09, 244-452-05 THROUGH 08, 244-453-01 THROUGH 14, 244-454-01 THROUGH 17, 19 & 21
ACCESS TO PARCELS A & B:	PROPOSED PRIVATE ACCESS EASEMENTS SHOWN HEREON
EXISTING # OF PARCELS:	52
PROPOSED # OF PARCELS:	1
EXISTING WATER SUPPLY:	N/A (RAW LAND)
EXISTING SEWAGE DISPOSAL:	N/A (RAW LAND)
EXISTING POWER:	SOUTHERN CALIFORNIA EDISON
EXISTING GAS:	SOCAL GAS
EXISTING ZONING:	A-1
EXISTING GENERAL PLAN DESIGNATION:	2.5 (FLOOD HAZARD) / 8.5 (RESOURCE MANAGEMENT-MIN. 20 ACRE PARCEL SIZE)
EXISTING USE:	VACANT LAND
PROPOSED ZONING:	A
PROPOSED GENERAL PLAN DESIGNATION:	2.5 (FLOOD HAZARD) / 8.5 (RESOURCE MANAGEMENT-MIN. 20 ACRE PARCEL SIZE)
PROPOSED USE:	SOLAR ENERGY, ELECTRIC GENERATORS-GALAXY SOLAR STORAGE PROJECT BY GALAXY SOLAR STORAGE, LLC
PROPOSED WATER SUPPLY:	WELL SITE
PROPOSED SEWAGE DISPOSAL:	SEPTIC
IMPROVEMENTS REQUIRED:	TYPE 'C'
TOTAL PHASES:	ONE
PARCEL 'A' AREA:	308.06± ACRES
TOTAL PROJECT AREA:	GROSS = 308.06± ACRES

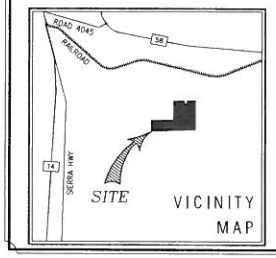
SURVEYOR'S STATEMENT:

THIS MAP WAS PREPARED BY ME OR UNDER MY DIRECTION AND IS BASED UPON A FIELD SURVEY IN CONFORMANCE WITH THE REQUIREMENTS OF THE SUBDIVISION MAP ACT AND LOCAL ORDINANCE AT THE REQUEST OF EDWARDS SANBORN LAND HOLDINGS, LLC.

FOR EXAMINATION ONLY

D'ARTAGNAN ALBA, P.L.S. NO. 9052 DATE

LICENSED LAND SURVEYOR — D'Artagnan Alba — L.S. 9052 — STATE OF CALIFORNIA



VICINITY MAP

SMITHCO
SURVEYING ENGINEERING
P.O. BOX 81626 BAKERSFIELD, CA 93380
PHONE: (661) 393-1217 FAX: (661) 393-1218

LEGAL DESCRIPTION:

A PORTION OF THE NORTHEAST QUARTER OF SECTION 4, TOWNSHIP 10 NORTH, RANGE 11 WEST, SAN BERNARDINO BASE AND MERIDIAN, IN THE UNINCORPORATED AREA, COUNTY OF KERN, STATE OF CALIFORNIA, ACCORDING TO THE OFFICIAL PLAT THEREOF. APN 244-421-17 THROUGH 19, 39 & 40
PARCELS 2, 3 & 4 OF PARCEL MAP NO. 605, AS SHOWN ON PARCEL MAP RECORDED IN BOOK 4 PAGE 47 OF PARCEL MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF KERN COUNTY. APN 244-421-30 THROUGH 32
PARCELS 3 & 4 OF PARCEL MAP NO. 606, AS SHOWN ON PARCEL MAP RECORDED IN BOOK 4 PAGE 48 OF PARCEL MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF KERN COUNTY. APN 244-421-35 & 36
PARCELS 1, 2, 3 & 4 OF PARCEL MAP NO. 607, AS SHOWN ON PARCEL MAP RECORDED IN BOOK 4 PAGE 95 OF PARCEL MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF KERN COUNTY. APN 244-421-45 THROUGH 48
A PORTION OF THE SOUTHEAST QUARTER OF SECTION 4, TOWNSHIP 10 NORTH, RANGE 11 WEST, SAN BERNARDINO BASE AND MERIDIAN, IN THE UNINCORPORATED AREA, COUNTY OF KERN, STATE OF CALIFORNIA, ACCORDING TO THE OFFICIAL PLAT THEREOF. APN 244-453-01, 06, 07, 12 THROUGH 13, 244-454-01, 02, 07 THROUGH 11, 16, 17, 19 & 21
PARCELS 1, 2, 3 & 4 OF PARCEL MAP NO. 593, AS SHOWN ON PARCEL MAP RECORDED IN BOOK 4 PAGE 44 OF PARCEL MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF KERN COUNTY. APN 244-454-03 THROUGH 06
PARCELS 1, 2, 3 & 4 OF PARCEL MAP NO. 594, AS SHOWN ON PARCEL MAP RECORDED IN BOOK 4 PAGE 84 OF PARCEL MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF KERN COUNTY. APN 244-453-02 THROUGH 05
PARCELS 1, 2, 3 & 4 OF PARCEL MAP NO. 595, AS SHOWN ON PARCEL MAP RECORDED IN BOOK 4 PAGE 45 OF PARCEL MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF KERN COUNTY. APN 244-453-08 THROUGH 11
PARCELS 1, 2, 3 & 4 OF PARCEL MAP NO. 608, AS SHOWN ON PARCEL MAP RECORDED IN BOOK 4 PAGE 49 OF PARCEL MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF KERN COUNTY. APN 244-454-12 THROUGH 15
A PORTION OF THE SOUTHWEST QUARTER OF SECTION 4, TOWNSHIP 10 NORTH, RANGE 11 WEST, SAN BERNARDINO BASE AND MERIDIAN, IN THE UNINCORPORATED AREA, COUNTY OF KERN, STATE OF CALIFORNIA, ACCORDING TO THE OFFICIAL PLAT THEREOF. APN 244-451-09, 244-452-05 THROUGH 08

EASEMENT TABLE:

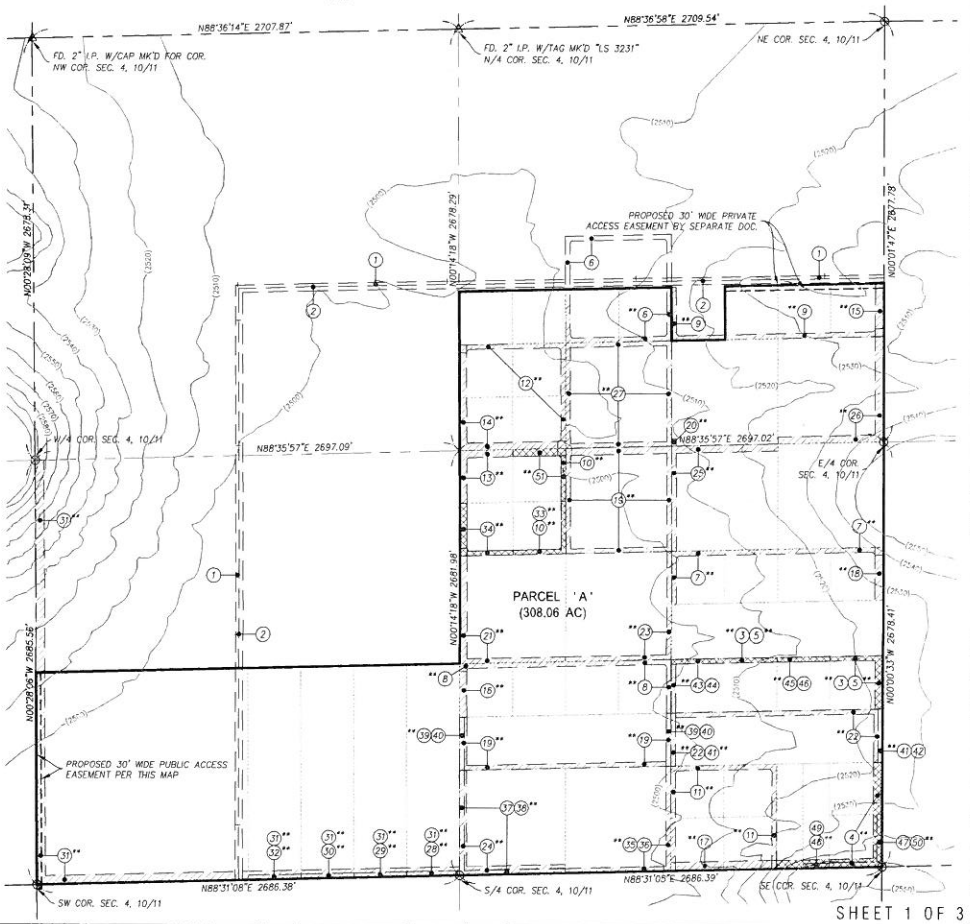
SEE SHEET 3.

EXISTING EASEMENT TABLE :

SEE SHEET 3.

LEGEND:

- ○ FOUND K.C.S. BRASS CAP
- △ FOUND MONUMENT AS NOTED
- × SEARCH FOR NOT FOUND
- [ ] PARCEL MAP NO. XXXX, BK. XX, PG. XX
- ** PUBLIC/PRIVATE EASEMENTS PROPOSED FOR ABANDONMENT THROUGH THIS MAP
- PUBLIC EASEMENT(S) PROPOSED FOR ABANDONMENT THROUGH THIS MAP
- PRIVATE EASEMENT(S) PROPOSED TO BE VACATED BY SEPARATE DOCUMENT



NORTH

500' 250' 0 500' 1000'

SCALE: 1" = 500'

VESTING TENTATIVE PARCEL MAP NO. 12582

IN THE UNINCORPORATED AREA, COUNTY OF KERN

STATE OF CALIFORNIA

BEING A MERGER AND RE-SUBDIVISION OF A PORTION OF SECTION 8, TOWNSHIP 10 NORTH, RANGE 11 WEST, SAN BERNARDINO MERIDIAN, IN THE UNINCORPORATED AREA, COUNTY OF KERN, STATE OF CALIFORNIA

DESCRIPTION OF PROJECT:

THE PURPOSE OF THIS TENTATIVE PARCEL MAP IS TO MERGE TWENTY-FOUR (24) EXISTING PARCELS INTO ONE (1) PARCEL.
NOTE: THIS PARCEL MAP WILL NOT BE RECORDED IN PHASES.
NOTE: ALL STRUCTURES WITHIN THE BOUNDARY OF THIS MAP ARE SHOWN HEREON.

BASIS OF BEARINGS:

THE BEARING OF NORTH 88°33'49" EAST FOR THE SOUTH LINE OF SEC. 8, T. 10 N., R. 11 W., S.B.M., AS SHOWN ON THE RECORD OF SURVEY, FILED JUNE 29, 1967, IN BOOK 9 OF RECORD OF SURVEYS, AT PAGE 115, IN THE OFFICE OF THE COUNTY RECORDER WAS USED AS THE BASIS OF BEARINGS FOR THIS MAP.

FLOOD HAZARD NOTE:

THE FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD RATE MAP FOR COMMUNITY NO. 060075, PANEL NO. 3700E, DATED SEPTEMBER 26, 2008 SHOWS THAT THE LOCATION OF THIS SITE FALLS ZONE X, WHICH ARE AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN AND ZONE A, WHICH ARE AREAS WHERE NO BASE FLOOD ELEVATIONS DETERMINED.

STATISTICS:

ASSESSOR'S PARCEL #'S:	244-233-05 THROUGH 07, 09 THROUGH 15, 244-431-01 THROUGH 06, 08 THROUGH 11, 244-432-33, 35 THROUGH 37
ACCESS TO PARCEL A:	PROPOSED PUBLIC ACCESS EASEMENTS SHOWN HEREON
EXISTING # OF PARCELS:	24
PROPOSED # OF PARCELS:	1
EXISTING WATER SUPPLY:	N/A (RAW LAND)
EXISTING SEWAGE DISPOSAL:	N/A (RAW LAND)
EXISTING POWER:	SOUTHERN CALIFORNIA EDISON
EXISTING GAS:	SOCAL GAS
EXISTING ZONING:	A-1
EXISTING GENERAL PLAN DESIGNATION:	2.5 (FLOOD HAZARD) 3.3 (OTHER FACILITIES) 5.7 (MIN. 5 GROSS ACRES/UNIT) 8.5 (RESOURCE MANAGEMENT-MIN. 20 ACRE PARCEL SIZE)
EXISTING USE:	VACANT LAND
PROPOSED ZONING:	A
PROPOSED GENERAL PLAN DESIGNATION:	2.5 (FLOOD HAZARD) 3.3 (OTHER FACILITIES) 5.7 (MIN. 5 GROSS ACRES/UNIT) 8.5 (RESOURCE MANAGEMENT-MIN. 20 ACRE PARCEL SIZE)
PROPOSED USE:	SOLAR ENERGY, ELECTRIC GENERATORS-GALAXY SOLAR STORAGE PROJECT BY GALAXY SOLAR STORAGE, LLC
PROPOSED WATER SUPPLY:	WELL SITE
PROPOSED SEWAGE DISPOSAL:	SEPTIC
IMPROVEMENTS REQUIRED:	TYPE 'C'
TOTAL PHASES:	ONE
PARCEL 'A' AREA:	510.95± ACRES
TOTAL PROJECT AREA:	GROSS = 510.95± ACRES

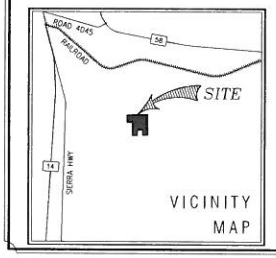
SURVEYOR'S STATEMENT:

THIS MAP WAS PREPARED BY ME OR UNDER MY DIRECTION AND IS BASED UPON A FIELD SURVEY IN CONFORMANCE WITH THE REQUIREMENTS OF THE SUBDIVISION MAP ACT AND LOCAL ORDINANCE AT THE REQUEST OF EDWARDS SANBORN LAND HOLDINGS, LLC.

FOR EXAMINATION ONLY

D'ARTAGNAN ALBA, P.L.S. NO. 9052 DATE

LICENSED LAND SURVEYOR — D'Artagnan Alba — L.S. 9052 — STATE OF CALIFORNIA



SMITHCO
SURVEYING ENGINEERING
P.O. BOX 81626 BAKERSFIELD, CA 93380
PHONE: (661) 393-1217 FAX: (661) 393-1218

LEGAL DESCRIPTION:

A PORTION OF THE NORTH HALF OF SECTION 8, TOWNSHIP 10 NORTH, RANGE 11 WEST, SAN BERNARDINO BASE AND MERIDIAN, IN THE UNINCORPORATED AREA, COUNTY OF KERN, STATE OF CALIFORNIA, ACCORDING TO THE OFFICIAL PLAT THEREOF.
APN 244-233-05 THROUGH 07 AND 09 THROUGH 15.
A PORTION OF THE SOUTHEAST QUARTER OF SECTION 8, TOWNSHIP 10 NORTH, RANGE 11 WEST, SAN BERNARDINO BASE AND MERIDIAN, IN THE UNINCORPORATED AREA, COUNTY OF KERN, STATE OF CALIFORNIA, ACCORDING TO THE OFFICIAL PLAT THEREOF.
APN 244-431-01 THROUGH 06 AND 08 THROUGH 11.
A PORTION OF THE SOUTHWEST QUARTER OF SECTION 8, TOWNSHIP 10 NORTH, RANGE 11 WEST, SAN BERNARDINO BASE AND MERIDIAN, IN THE UNINCORPORATED AREA, COUNTY OF KERN, STATE OF CALIFORNIA, ACCORDING TO THE OFFICIAL PLAT THEREOF.
APN 244-432-33, 35 THROUGH 37.

EASEMENT TABLE:

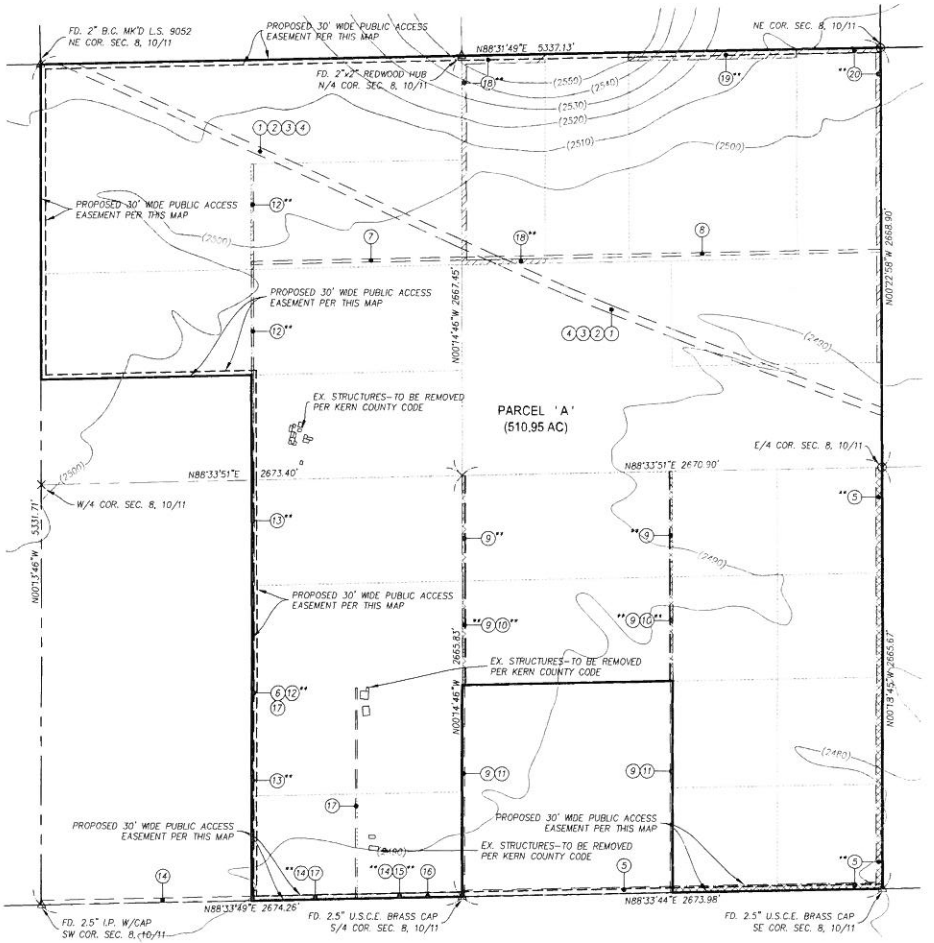
SEE SHEET 3.

EXISTING EASEMENT TABLE :

SEE SHEET 3.

LEGEND:

O	FOUND K.C.S. BRASS CAP
△	FOUND MONUMENT AS NOTED
X	SEARCH FOR NOT FOUND
[ ]	PARCEL MAP NO. XXXX, BK. XX, PG. XX
**	EASEMENTS PROPOSED FOR ABANDONMENT THROUGH THIS MAP OR BY SEPARATE DOCUMENT
	PORTION OF EASEMENTS PROPOSED FOR ABANDONMENT THROUGH THIS MAP OR BY SEPARATE DOCUMENT
	PRIVATE EASEMENT(S) PROPOSED TO BE VACATED BY SEPARATE DOCUMENT



NORTH

500' 250' 0 500' 1000'

SCALE: 1" = 500'

Comments

TWENTY-NINE PALMS BAND OF MISSION INDIANS

46-200 Harrison Place, Coachella, CA 92236. Ph. 760.863.2444. Fax: 760.863.3449

July 02, 2026

Kern County Planning Commission
Attention: Mark Tolentino, Planner III
2700 "M" Street, Suite 100,
Bakerfield, CA 93301

RE: Notice Of Availability For Public Hearing (Thursday, July 23, 2026 Hearing) for The Proposed Galexy Solar PV And Storage Project (PP25404)

Dear Mark,

This letter is regarding a Notice in compliance with AB-52 for the proposed project Galexy Solar PV and Storage Project, which is a photovoltaic solar facility with associated infrastructure necessary to generate up to 600-megawatt (MW) of renewable electrical energy, which may include up to 4 gigawatt-hours of storage capacity. This hearing proposes Amendments to the Open Space, Land Use, Conservation Element, Change Zone classifications, allow for Conditional use permits, Zone Variance Changes and etc. This project would sit on approximate 3.519-acre project site, across 184 privately owned parcels, in an unincorporated area of southeastern kern County, California.

After reviewing the proposed project, the Twenty-Nine Palms Band of Mission Indians (Tribe) has determined: the project is outside of the known Chemehuevi Traditional Use Area (TUA). The other tribes who do have cultural affiliation with the project area should be contacted.

If you have any questions, please do not hesitate to contact the Tribal Historic Preservation Office at (760)-775-5566 or by email at cristian.crump@29palmsbomi-nsn.gov

Sincerely,

Cristian Crump

Cristian Crump
Cultural Resource Specialist, Twenty-Nine Palms Band of Mission Indians

Office of the Fire Marshal
Kern County Fire Department
Fire Prevention Unit

2820 M St. • Bakersfield, CA 93301 • www.kerncountyfire.org
Telephone 661-391-3310 • FAX 661-636-0466/67 • TTY Relay 800-735-2929

July 2, 2026

Kern County Planning and Natural Resources Department
2800 M St., Bakersfield, CA 93301
Attn.: Mark Tolentino, Planner III

Re: Kern County Fire Department Comments Regarding Planning Department Project

To Whom It May Concern,

The Kern County Fire Department (KCFD), as the local fire authority, has received a request for comments regarding Galaxy Solar PV and Storage Project. Upon initial review, it has been determined that all ground mounted solar array projects over 1MW will require Fire Department plan review prior to construction and meet requirements set forth in KCFD Solar Panel Standard. Solar array projects over 20MW will require special fee calculation from KCFD prior to permit issuance.

All Battery Energy Storage Systems must be applied for directly with KCFD for separate permitting and pre-construction approval. All proposed batteries must be UL9540A 2019 4th Edition tested for large scale burns to determine adequate design and mitigation measures. Additionally, the 24,000 gallon fire water tank and fire alarm annunciator panel (Incident Command Post) must be located a minimum of 300' upwind from the nearest battery enclosure. Site emergency response access for the storage yards is preferred to be placed upwind of battery enclosures based on the prevailing winds in the area of construction.

A more detailed review and project comments will be conducted when the building permit is obtained, and plans are submitted to KCFD.

Please feel free to call our Fire Prevention Office at (661) 391-3310 with any questions.

Respectfully,
Kaylee Schoenheide
Fire Plans Examiner
Kern County Fire Department

Office of the Fire Marshal
Kern County Fire Department
Fire Prevention Unit

2820 M St. • Bakersfield, CA 93301 • www.kerncountyfire.org
Telephone 661-391-3310 • FAX 661-636-0466/67 • TTY Relay 800-735-2929

3/3/2022

The Kern County Fire Department "Energy Storage System Review Guide Sheet and CFC Sections [A] 105.4 and 1206.1.3 are clear in what is required to be submitted as part of the application for a permit to install an ESS. The current code requirements took effect July 1, 2021, and KCFD has routinely distributed the review guide to assist applicants.

The following submission procedures will take effect immediately:

1. Submitted plans and documents must be under the signature and seal of CA Licensed design professional.
2. Applications will be reviewed as to completeness based upon the KCFD ESS Review Guide Sheet and the CFC. If any required submittal item is missing the application will be deemed incomplete and the application rejected until such time that a complete package is submitted.
3. Once an application is accepted for review, any updated submittals during the period of review, installation and final inspections must either be signed and sealed by the design professional of record, or a cover letter signed and sealed by the design professional of record shall accompany the submittal, attesting that the updated information conforms to the overall design and code requirements.
4. HMA, Fire Risk Analysis, fire suppression and deflagration protection analysis submittals shall be from a CA Licensed Fire Protection Engineer approved by the Kern County Fire Department per CFC Section [A]104.7.2. Submittals will require signature and seal.
5. Fire protection system submittals such as fire suppression and water supply shall include a C-16 - Fire Protection Contractor of record.
6. Fire alarm systems, fire detection, gas detection shall include a C-10 - Electrical Contractor of record.
7. No batteries over 50% State of Charge (SOC) shall be brought to a site until necessary fire protection and other safety systems have been commissioned and accepted. Documentation on the SOC shall be provided prior to batteries being brought to a site.
8. ESS are required to meet all the requirements of the CFC and Kern County Fire Department requirements, any ESS not meeting core safety requirements will be rejected.
9. Final approvals of any ESS or safety related equipment that has routine maintenance requirements according to the code or manufacturer's instructions will not receive approval inspections until a maintenance plan has been submitted and approved by KCFD.

Office of the Fire Marshal
Kern County Fire Department
Fire Prevention Unit

2820 M St. • Bakersfield, CA 93301 • www.kerncountyfire.org
Telephone 661-391-3310 • FAX 661-636-0466/67 • TTY Relay 800-735-2929

December 13, 2023

Dear Customer,

Kern County Fire Department (KCFD) is bringing to your attention a requirement for testing and maintenance of all systems requiring routine maintenance, particularly life safety, fire protection and detection systems at all Operational and Conditionally Approved Battery Energy Storage System (BESS) projects. The manufacturer's instructions for systems and components along with NFPA 68, NFPA 69, NFPA 72, NFPA 2001, NFPA 13, NFPA 22, NFPA 24, NFPA 25 & NFPA 10 and California Fire Code Section 109 require regular testing, inspection, and maintenance to keep the fire and life safety systems properly maintained and operationally ready. Continued Conditional Operational Approval is based on maintaining all fire and life safety systems in good working order, free from deficiencies and following all referenced standards and manufacturer's suggested guidelines from the date a subsystem is commissioned and/or the ESS receives Conditional Operational Approval.

Below are the NFPA codes and frequency of inspection and testing to be performed:

NFPA 10 – Portable Fire Extinguishers			Annually
NFPA - 13, 24 & 25 – Sprinklers/water supply/fire pump	Quarterly	Semi-Annually	Annually
NFPA 68 – Explosion Protection/Deflagration Venting	Every maintenance turnaround		Annually
NFPA 69 – Standard on Explosion Prevention Systems	Quarterly	Every maintenance turnaround	
NFPA 72 – Fire Alarm Systems		Semi-Annually	Annually
NFPA 2001 – Clean Agent Suppression		Semi-Annually	Annually

Fire Code Compliance Testing and Inspection involves having a Licensed Technician perform visual and physical testing of fire and life systems for functionality. All Testing and Inspection Certification documentation, signed by a licensed technician, shall be available for review by the Fire Authority upon request and/or be submitted to Kern County Fire Department's Fire Prevention Unit. KCFD reserves the right to visit any battery energy storage site and request to see testing and maintenance records. Any system discrepancies shall be addressed and all resolution documentation for repairs kept on record.

Regarding testing and maintenance of critical system components related to system safety, life safety, fire detection, fire suppression and concentration reduction systems, not directly addressed in NFPA Standards nor fire code sections, please have your Fire Protection Engineer provide a proposal on the service schedules based on the environmental conditions present at site using the manufacturer's guidelines as a starting point. Reference to the above requirements and the required routine testing and maintenance schedules of the ESS installation are required to be part of your KCFD SSB permit submittal under operation and maintenance documentation CFC 1207.2.1, Items 8 and 10 and CFC 1207.2.2.

If you have any questions, feel free to email our Fire Prevention Office at:
fireprevention@kerncountyfire.org

Regards,
Matt Redstone, Assistant Fire Marshal
Kern County Fire Department
Fire Prevention

Kern County Fire Department
Energy Storage System Review Guide Sheet
California Fire Code / NFPA 855

EXTRACTS ONLY: SEE COMPLETE CFC and NFPA 855 FOR DETAILS

Project Name: _____

Location: ……_____

Date: _____

Reviewer: _____

Administrative

SECTION 101
SCOPE AND GENERAL REQUIREMENTS

[A] 101.2 Scope. This code establishes regulations affecting or relating to structures, processes, premises and safeguards regarding all of the following:

1. The hazard of fire and explosion arising from the storage, handling or use of structures, materials or devices.

2. Conditions hazardous to life, property or public welfare in the occupancy of structures or premises.

3. Fire hazards in the structure or on the premises from occupancy or operation.

4. Matters related to the construction, extension, repair, alteration or removal of fire protection systems.

5. Conditions affecting the safety of fire fighters and emergency responders during emergency operations.

[A] 101.3 Purpose. The purpose of this code is to establish the minimum requirements consistent with nationally recognized good practice for providing a reasonable level of life safety and property protection from the hazards of fire, explosion or dangerous conditions in new and existing buildings, structures and premises, and to provide a reasonable level of safety to fire fighters and emergency responders during emergency operations.

SECTION 102
APPLICABILITY

[A] 102.1 Construction and design provisions. The construction and design provisions of this code shall apply to:

1. Structures, facilities and conditions arising after the adoption of this code.
2. Existing structures, facilities and conditions not legally in existence at the time of adoption of this code.
3. Existing structures, facilities and conditions where required in Chapter 11.
4. Existing structures, facilities and conditions that, in the opinion of the fire code official, constitute a distinct hazard to life or property.

Guidance Only - Extracted language Copyright ICC and NFPA

[A] 102.7 Referenced codes and standards.
The codes and standards referenced in this code shall be those that are listed in Chapter 80, and such codes and standards shall be considered to be part of the requirements of this code to the prescribed extent of each such reference and as further regulated in Sections 102.7.1 and 102.7.2.

[A] 102.7.1 Conflicts.
Where conflicts occur between provisions of this code and referenced codes and standards, the provisions of this code shall apply.

[A] 102.7.2 Provisions in referenced codes and standards.
Where the extent of the reference to a referenced code or standard includes subject matter that is within the scope of this code, the provisions of this code, as applicable, shall take precedence over the provisions in the referenced code or standard.

[A] 102.8 Subjects not regulated by this code. Where applicable standards or requirements are not set forth in this code, or are contained within other laws, codes, regulations, ordinances or bylaws adopted by the jurisdiction, compliance with applicable standards of the National Fire Protection Association or other nationally recognized fire safety standards, as approved, shall be deemed as prima facie evidence of compliance with the intent of this code. Nothing herein shall derogate from the authority of the fire code official to determine compliance with codes or standards for those activities or installations within the fire code official's jurisdiction or responsibility.

[A] 102.9 Matters not provided for. Requirements that are essential for the public safety of an existing or proposed activity, building or structure, or for the safety of the occupants thereof, that are not specifically provided for by this code, shall be determined by the fire code official.

[A] 102.10 Conflicting provisions.
Where there is a conflict between a general requirement and a specific requirement, the specific requirement shall be applicable. Where, in a specific case, different sections of this code specify different materials, methods of construction or other requirements, the most restrictive shall govern.

SECTION 104
DUTIES AND POWERS OF THE FIRE CODE OFFICIAL

[A] 104.1 General. The fire code official is hereby authorized to enforce the provisions of this code.

[A] 104.2 Determination of compliance. The fire code official shall have the authority to render interpretations of this code and to adopt policies, procedures, rules and regulations in order to clarify the application of its provisions. Such interpretations, policies, procedures:

1. Shall be in compliance with the intent and purpose of this code.
2. Shall not have the effect of waiving requirements specifically provided for in this code.

[A] 104.2.1 Listed compliance. Where this code or a referenced standard requires equipment, materials, products or services to be listed and a listing standard is specified, the listing shall be based on the specified standard. Where a listing standard is not specified, the listing shall be based on an approved listing criteria. Listings shall be germane to the provision requiring the listing. Installation shall be in accordance with the listing and the manufacturer's instructions, and where required to verify compliance, the listing standard and manufacturer's instructions shall be made available to the fire code official.

Guidance Only - Extracted language Copyright ICC and NFPA

[A] 104.2.2 Technical assistance. To determine compliance with this code, the fire code official is authorized to require the owner or owner's authorized agent to provide a technical opinion and report.

[A]104.2.2.1 Cost. A technical opinion and report shall be provided without charge to the jurisdiction.

[A]104.2.2.2 Preparer qualifications. The technical opinion and report shall be prepared by a qualified engineer, specialist, laboratory or fire safety specialty organization acceptable to the fire code official. The fire code official is authorized to require design submittals to be prepared by, and bear the stamp of, a registered design professional.

[A]104.2.2.3 Content. The technical opinion and report shall analyze the properties of the design, operation or use of the building or premises and the facilities and appurtenances situated thereon to identify and propose necessary recommendations.

[A]104.2.2.4 Tests. Where there is insufficient evidence of compliance with the provisions of this code, the fire code official shall have the authority to require tests as evidence of compliance. Test methods shall be as specified in this code or by other recognized test standards. In the absence of recognized test standards, the fire code official shall approve the testing procedures. Such tests shall be performed by a party acceptable to the fire code official.

[A] 104.9 Approved materials and equipment. Materials, equipment and devices approved by the fire code official shall be constructed and installed in accordance with such approval.

[A] 104.9.1 Material and equipment reuse. Materials, equipment and devices shall not be reused unless such elements are in good working order and approved.

Guidance Only - Extracted language Copyright ICC and NFPA

Chapter 2
Definitions

SECTION 202
GENERAL DEFINITIONS

ENERGY *STORAGE* MANAGEMENT SYSTEMS. An electronic system that protects *energy* storage *systems* from operating outside their safe operating parameters and *disconnects electrical power to the ESS or places it in a safe condition if potentially hazardous temperatures or other conditions are detected.*

ENERGY STORAGE SYSTEM (ESS). *One or more devices, assembled together, capable of storing energy in order to supply electrical energy at a future time.*

ENERGY STORAGE SYSTEM, ELECTROCHEMICAL. *An energy storage system that stores energy and produces electricity using chemical reactions. It includes, among others, battery ESS and capacitor ESS.*

ENERGY STORAGE SYSTEM, MOBILE. *An energy storage system capable of being moved and utilized for temporary energy storage applications, and not installed as fixed or stationary electrical equipment. The system can include integral wheels for transportation, or be loaded on a trailer and unloaded for charging, storage and deployment.*

ENERGY STORAGE SYSTEM, STATIONARY. *An energy storage system installed as fixed or stationary electrical equipment in a permanent location.*

ENERGY STORAGE SYSTEM, WALK-IN UNIT. *A prefabricated building that contains energy storage systems. It includes doors that provide walk-in access for personnel to maintain, test and service the equipment, and is typically used in outdoor and mobile ESS applications.*
(If more than just your arms can enter it is a walk-in unit. Design appropriately)

ENERGY STORAGE SYSTEM CABINET. *An enclosure containing an energy storage system and meeting the applicable requirements the listing for the system. Personnel are not able to enter the enclosure, other than reaching in to access components for maintenance purposes.*
(No more than arms reach entry)

ENERGY STORAGE SYSTEM COMMISSIONING. *A systematic process that provides documented confirmation that an energy storage system functions according to the intended design criteria and complies with applicable code requirements.*

ENERGY STORAGE SYSTEM DECOMMISSIONING. *A systematic process that provides documentation and procedures that allow an energy storage system to be safely de-energized, disassembled, readied for shipment or storage, and removed from the premise in accordance with applicable code requirements.*

OCCUPANCY CLASSIFICATION. For the purposes of this code, certain occupancies are defined as follows:

> **[BG] Factory Industrial F-1 Moderate-hazard occupancy.**
> (other examples remain unchanged)
>
> *Energy storage systems (ESS) in dedicated use buildings*

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Permits Required

SECTION 105
PERMITS

[A] 105.1 General. Permits shall be in accordance with Sections 105.1.1 through 105.6.25.

[A] 105.1.1 Permits required. A property owner or owner's authorized agent who intends to conduct an operation or business, or install or modify systems and equipment that are regulated by this code, or to cause any such work to be performed, shall first make application to the fire code official and obtain the required permit.

[A] 105.6 Required construction permits. The fire code official is authorized to issue construction permits for work as set forth in Sections 105.6.1 through 105.6.25.

☐ **105.6.6 Energy storage systems.** A construction permit is required to install energy storage systems regulated by Section 1207.

☐ **[A]105.6.10 Fuel cell power systems.** A construction permit is required to install stationary fuel cell power systems.

1207 ESS
1207.1General.
The provisions in this section are applicable to stationary and mobile electrical energy storage systems (ESS).

Exception: ESS in Group R-3 and R-4 occupancies shall only be required to comply with Section 1207.11 except where Section 1207.11.4 requires compliance with Sections 1207.1 through 1207.9.

1207.1.3 Scope.
ESS having capacities exceeding the values shown in Table 1207.1.3 shall comply with this section.

TABLE 1207.1.3—ENERGY STORAGE SYSTEM (ESS) THRESHOLD QUANTITIES

TECHNOLOGY	ENERGY CAPACITY[a]
Capacitor ESS	3 kWh
Flow batteries[b]	20 kWh
Lead-acid batteries, all types	70 kWh[c]
Lithium-ion batteries	20 kWh
Nickel-cadmium (Ni-Cd), nickel metal hydride (Ni-MH) and nickel zinc (Ni-Zn) batteries	70 kWh
Nonelectrochemical ESS[d]	70 kWh
Other battery technologies	10 kWh
Other electrochemical ESS technologies	3 kWh
Sodium nickel chloride batteries	70 kWh
Zinc manganese dioxide batteries (Zn-MnO_2)	70 kWh

For SI: 1 kilowatt hour = 3.6 megajoules.

a. Energy capacity is the total energy capable of being stored (nameplate rating), not the usable energy rating. For units rated in amp-hours, kWh shall equal rated voltage times amp-hour rating divided by 1,000.
b. Shall include vanadium, zinc-bromine, polysulfide-bromide and other flowing electrolyte-type technologies.
c. Fifty gallons of lead-acid battery electrolyte shall be consideredequivalent to 70 kWh.
d. Covers nonelectrochemical technologies such as flywheel and thermal ESS.

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1207.1.2 Permits.
Permits shall be obtained for ESS as follows:

1. Construction permits shall be obtained for stationary ESS installations and for mobile ESS charging and storage installations covered by Section 1207.10.1. Permits shall be obtained in accordance with Section 105.6.6.

901 Fire Protection Generally

901.3 Permits. Permits shall be required as set forth in Sections 105.5 and 105.6.

☐ **[A] 105.6.1 Automatic fire-extinguishing systems.** A construction permit is required for installation of or modification to an automatic fire-extinguishing system, other than an automatic sprinkler system. Maintenance performed in accordance with this code is not considered to be a modification and does not require a permit-**Permit applied through Fire Prevention Office**

☐ **[A] 105.6.7 Fire alarm and detection systems and related equipment**. A construction permit is required for installation of or modification to fire alarm and detection systems and related equipment. Maintenance performed in accordance with this code is not considered to be a modification and does not require a construction permit-**Permit applied through Fire Prevention Office**

☐ **[A] 105.6.8 Fire pumps and related equipment.** A construction permit is required for installation of or modification to fire pumps and related fuel tanks, jockey pumps, controllers and generators. Maintenance performed in accordance with this code is not considered to be a modification and does not require a construction permit-**Permit applied through Fire Prevention Office**

☐ **[A] 105.6.19 Private fire hydrants.** A construction permit is required for the installation or modification of private fire hydrants. Maintenance performed in accordance with this code is not considered to be a modification and does not require a permit-**Permit applied through Fire Prevention Office**

901.4 Required water supply. An approved water supply capable of supplying the required fire flow for fire protection shall be provided to premises on which facilities, buildings or portions of buildings are hereafter constructed or moved into or within the jurisdiction.

901.5 Type of water supply. A water supply shall consist of reservoirs, pressure tanks, elevated tanks, water mains or other fixed systems capable of providing the required fire flow.

☐ **Private fire service mains**. Private fire service mains and appurtenances shall be installed in accordance with NFPA 24 as amended in Chapter 80-**Permit applied through Fire Prevention Office**

☐ **Water tanks**. Water tanks for private fire protection shall be installed in accordance with NFPA 22-**Permit applied through Fire Prevention Office <u>or</u> Building Department**

916 Gas Detection

916.2 Permits. Permits shall be required as set forth in Section 105.6.11.

☐ **[A] 105.6.11 Gas detection systems**. A construction permit is required for the installation of or modification to gas detection systems. Maintenance performed in accordance with this code is not considered a modification and shall not require a permit-**Permit applied through Fire**

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Prevention Office

Documentation Generally

Section 106 Construction documents.

[A] 106.1Submittals.
Construction documents and supporting data shall be submitted in two or more sets with each application for a permit and in such form and detail as required by the fire code official. The construction documents shall be prepared by a registered design professional where required by the statutes of the jurisdiction in which the project is to be constructed.

☐ **[A] 106.2.1 Information on construction documents.**
Construction documents shall be drawn to scale on suitable material. Documents in a digital format are allowed to be submitted where approved by the fire code official. Construction documents shall be of sufficient clarity to indicate the location, nature and extent of the work proposed and show in detail that it will conform to the provisions of this code and relevant laws, ordinances, rules and regulations as determined by the fire code official.

[A] 106.2.2 Fire protection system shop drawings.
Shop drawings for the fire protection system(s) shall be submitted to indicate compliance with this code and the construction documents, and shall be approved prior to the start of installation. Shop drawings shall contain all information as required by the referenced installation standards in Chapter 9.

[A] 106.2.3 Applicant responsibility.
It shall be the responsibility of the applicant to ensure that the construction documents include all of the fire protection requirements and the shop drawings are complete and in compliance with the applicable codes and standards.

[A] 106.2.4Approved documents.
Construction documents approved by the fire code official are approved with the intent that such construction documents comply in all respects with this code. Review and approval by the fire code official shall not relieve the applicant of the responsibility of compliance with this code.

CHAPTER 12
ENERGY SYSTEMS
1201.1 Scope. The provisions of this chapter shall apply to the installation, operation, maintenance, repair, retrofitting, testing, commissioning and decommissioning of energy systems used for generating or storing energy, including but not limited to energy storage systems under the exclusive control of an electric utility or lawfully designated agency. It shall not apply to equipment associated with the generation, control, transformation, transmission, or distribution of energy installations that is under the exclusive control of an electric utility or lawfully designated agency. Energy storage systems regulated by Section 1207 shall comply with this chapter, as appropriate, and NFPA 855.

SECTION 1207
ELECTRICAL ENERGY STORAGE SYSTEMS (ESS)
1207.1 General.
The provisions in this section are applicable to stationary and mobile electrical energy storage systems (ESS).

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ESS Specific Documentation-All Documentation to be sent via E-Mail through the SharePoint application

☐ **1207.1.5 Construction documents.** The following information shall be provided with the permit application:

1. Location and layout diagram of the room or area in which the ESS is to be installed.

2. Details on the hourly fire-resistance ratings of assemblies enclosing the ESS.

3. The quantities and types of ESS to be installed.

4. Manufacturer's specifications, ratings and listings of each ESS.
(Listings are key safety documentation to be included in the initial submittal.)

5. Description of energy (battery) management systems and their operation.

6. Location and content of required signage.

7. Details on fire suppression, smoke or fire detection, thermal management, ventilation, exhaust and deflagration venting systems, if provided.

8. Support arrangement associated with the installation, including any required seismic restraint.

9. A commissioning plan complying with 1207.2.1.

10. A decommissioning plan complying with 1207.2.3.

11. A fire safety and evacuation plan in accordance with Section 404.

+ 12. Site Plan with layout diagram of the cabinets, non-walk-in enclosures or walk-in enclosures in which the energy storage system is to be installed

+13. Size, location, distance between units, distance to exposures

+ 14. Fire Apparatus access

+ 15. Fire protection water supply, (hydrants, piping layout, water source)

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4.2.1.3
The following test data, evaluation information, and calculations shall be provided in addition to the plans and specifications in 4.2.1.1 where required elsewhere in this standard:

(1) Fire and explosion testing data in accordance with 9.1.5

(2) Hazard mitigation analysis (HMA) in accordance with Section 4.4

(3) Calculations or modeling data to determine compliance with NFPA 68 and NFPA 69 in accordance with 9.6.5.6.3

(4) Other test data, evaluation information, or calculations as required elsewhere in this standard

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4.2.1.4
If modeling data is provided, validation of the modeling results shall also be included.

☐ **1207.1.6 Hazard mitigation analysis.** A failure modes and effects analysis (FMEA) or other approved hazard mitigation analysis shall be provided in accordance with Section 104.8.2 under any of the following conditions:

1. Where ESS technologies not specifically identified in Table 1207.1.3 are provided.

2. More than one ESS technology is provided in a single fire area where there is a potential for adverse interaction between technologies.

3. Where allowed as a basis for increasing maximum allowable quantities. See Section 1207.5.2.

4. Where required by the fire code official to address a potential hazard with an ESS installation that is not addressed by existing requirements.
+ Note: A HMA or Fire Risk Analysis prepared by an FPE will be required in all cases.

1207.1.4.1 Fault condition. The hazard mitigation analysis shall evaluate the consequences of the following failure modes. Only single failure modes shall be considered.

1. A thermal runaway condition in a single electrochemical ESS unit.

2. A mechanical failure of a nonelectrochemical ESS unit.

3. Failure of any battery (energy) management system or fire protection system within the ESS equipment that is not covered by the product listing failure mode effects analysis (FMEA).

4. Failure of any required protection system external to the ESS, including but not limited to ventilation (HVAC), exhaust ventilation, smoke detection, fire detection, gas detection or fire suppression system. (Material based on NFPA 855)

1207.1.4.2 Analysis approval. The fire code official is authorized to approve the hazardous mitigation analysis provided the consequences of the hazard mitigation analysis demonstrate:

☐ 1. Fires will be contained within unoccupied ESS rooms or areas for the minimum duration of the fire-resistance rated separations identified in Section 1207.7.4.

☐ 2. Fires involving the ESS will allow occupants or the general public to evacuate to a safe location. (Material based on NFPA 855).

☐ **1207.1.4.3 Additional protection measures.** Construction, equipment and systems that are required for the ESS to comply with the hazardous mitigation analysis, including but not limited to those specifically described in Section 1207 shall be installed, maintained and tested in accordance with nationally recognized standards and specified design parameters.

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Commissioning, decommissioning

1207.2 Commissioning, decommissioning, operation and maintenance. Commissioning, decommissioning, operation and maintenance shall be conducted in accordance with this section.

☐ **1207.2.1 Commissioning.** Commissioning of newly installed ESS, and existing ESS that have been retrofitted, replaced or previously decommissioned and are returning to service shall be conducted prior to the ESS being placed in service in accordance with a commissioning plan that has been approved prior to initiating commissioning. The commissioning plan shall include the following:

1. A narrative description of the activities that will be accomplished during each phase of commissioning including the personnel intended to accomplish each of the activities.

2. A listing of the specific ESS and associated components, controls and safety related devices to be tested, a description of the tests to be performed and the functions to be tested.

3. Conditions under which all testing will be performed, which are representative of the conditions during normal operation of the system.

4. Documentation of the owner's project requirements and the basis of design necessary to understand the installation and operation of the ESS.

5. Verification that required equipment and systems are installed in accordance with the approved plans and specifications.

6. Integrated testing for all fire and safety systems.

7. Testing for any required thermal management, ventilation or exhaust systems associated with the ESS installation.

8. Preparation and delivery of operation and maintenance documentation.

9. Training of facility operating and maintenance staff.

10. Identification and documentation of the requirements for maintaining system performance to meet the original design intent during the operation phase.

11. Identification and documentation of personnel who are qualified to service, maintain and decommission the ESS, and respond to incidents involving the ESS, including documentation that such service has been contracted for.

12. A decommissioning plan for removing the ESS from service, and from the facility in which it is located. The plan shall include details on providing a safe, orderly shutdown of energy storage and safety systems with notification to the code officials prior to the actual decommissioning of the system. The decommissioning plan shall include contingencies for removing an intact operational ESS from service, and for removing an ESS from service that has been damaged by a fire or another event.

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Exceptions:

1. Commissioning shall not be required for lead-acid and nickel-cadmium battery systems at facilities under the exclusive control of communications utilities that comply with NFPA 76 and operate at less than 50 VAC and 60 VDC. A decommissioning plan shall be provided and maintained where required by the fire code official.

2. Lead-acid and nickel-cadmium battery systems less than 50 VAC, 60 VDC that are in telecommunications facilities for installations of communications equipment under the exclusive control of communications utilities, and are located outdoors or in building spaces or walk-in units used exclusively for such installations that are in compliance with NFPA 76, shall be permitted to have a commissioning plan in compliance with recognized industry practices in lieu of complying with Section 1207.2.1.

3. Lead-acid and nickel-cadmium battery systems that are used for DC power for control of substations and control or safe shutdown of generating stations under the exclusive control of the electric utilities, and are located in building spaces or walk-in units used exclusively for such installations, shall be permitted to have a commissioning plan in compliance with applicable governmental laws and regulations in lieu of developing a commissioning plan in accordance with Section 1207.2.1. (Material based on NFPA 855)

1207.2.1.1 Initial acceptance testing. During the commissioning process an ESS shall be evaluated for proper operation in accordance with the manufacturer's instructions and the commissioning plan prior to final approval.

1207.2.1.2 Commissioning report. A report describing the results of the system commissioning and including the results of the initial acceptance testing required in Section 1207.2.1.1 shall be provided to code official prior to final inspection and approval and maintained at an approved on-site location.
(Material based on NFPA 855)

☐ **1207.2.3 Decommissioning.** The code official shall be notified prior to decommissioning of an ESS. Decommissioning shall be performed in accordance with the decommissioning plan that includes the following:

1 A narrative description of the activities to be accomplished for removing the ESS from service, and from the facility in which it is located.

2. A listing of any contingencies for removing an intact operational ESS from service, and for removing an ESS from service that has been damaged by a fire or another event. (Material based on NFPA 855)

Considerations that should be included in the decommissioning plan would include but not be limited to the following:

(1) An overview of the decommissioning process developed specifically for the ESS that is to be decommissioned.
(2) Roles and responsibilities for all those involved in the decommissioning of the ESS and their removal from the site.
(3) Means and methods in the decommissioning plan submitted during the permitting process to be made available at a point in time corresponding to the decision to decommission the ESS.

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(4) Plans and specifications necessary to understand the ESS and all associated operational controls and safety systems, as built, operated, and maintained.
(5) A detailed description of each activity to be conducted during the decommissioning process and who will perform that activity and at what point in time.
(6) Procedures to be used in documenting the ESS and all associated operational controls and safety systems that have been decommissioned.
(7) Guidelines and format for a decommissioning checklist and relevant operational testing forms and necessary decommissioning logs and progress reports
(8) A description of how any changes to the surrounding areas and other systems adjacent to the ESS, including, but not limited to, structural elements, building penetrations, means of egress, and required fire detection and suppression systems, will be protected during decommissioning and confirmed as being acceptable after the system is removed.

Source: NFPA 855

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Large-Scale Fire Testing

☐ **1207.1.7 Large scale fire test.** Where required elsewhere in Section 1207, large-scale fire testing shall be conducted on a representative ESS in accordance with UL 9540A. The testing shall be conducted or witnessed and reported by an approved testing laboratory and show that a fire involving one ESS will not propagate to an adjacent ESS, and where installed within buildings, enclosed areas and walk-in units will be contained within the room, enclosed area or walk-in unit for the duration of the test. The test report shall be provided to the fire code official for review and approval in accordance with Section 104.2.2. (Material based on NFPA 855).

> **2024 IFC Commentary**: This section provides the details required if testing of new and innovative approaches to ESS are used. This is based on large-scale fire and fault condition testing with specific criteria for success and failure. The UL 9540A Test Method was specifically developed to cover this testing. Since extinguishment of a fire involving a thermal runaway in an ESS is extremely difficult, if not impossible, the code requirements are based on the concept of an ESS unit being completely consumed by fire without propagating to adjacent ESS. A large-scale fire test is essential to documenting that unit-to-unit propagation will not occur as well as generating additional data for necessary risk assessments for varied installation locations and arrangements relative to exposures. If the UL 9540A test results did not include a large-scale fire where the ESS unit is completely consumed by fire, a separate large-scale fire test must be conducted and test data accompanied by a detailed analysis is then supplied to the fire code official.

1207.5.1 Size and separation. Electrochemical ESS shall be segregated into groups not exceeding 50 kWh (180 megajoules). Each group shall be separated a minimum of 3 feet (914 mm) from other groups and from walls in the storage room or area. The storage arrangements shall comply with Chapter 10.

Exceptions: (Material based on NFPA 855)

1. Lead-acid and nickel-cadmium battery systems in facilities under the exclusive control of communications utilities and operating at less than 50 VAC and 60 VDC in accordance with NFPA 76.

2. Lead-acid and nickel-cadmium systems that are used for DC power for control of substations and control or safe shutdown of generating stations under the exclusive control of the electric utility, and located outdoors or in building spaces used exclusively for such installations.

3. Lead-acid battery systems in uninterruptable power supplies listed and labeled in accordance with UL 1778, utilized for standby power applications, and limited to not more than 10 percent of the floor area on the floor on which the ESS is located.

4. The fire code official is authorized to approve larger capacities or smaller separation distances based on large-scale fire testing complying with Section 1207.1.5.

1207.5.2 Maximum allowable quantities. Fire areas within rooms, areas and walk-in units containing electrochemical ESS shall not exceed the maximum allowable quantities in Table 1207.5.

Exceptions:

1. Where approved by the fire code official, rooms, areas and walk in units containing electrochemical ESS that exceed the amounts in Table 1207.5 shall be permitted based on a hazardous mitigation analysis in accordance with Section 1207.1.6 and large-scale fire testing complying with Section 1207.1.7.

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2. Lead-acid and nickel cadmium battery systems installed in facilities under the exclusive control of communications utilities, and operating at less than 50 VAC and 60 VDC in accordance with NFPA 76.

3. Dedicated use buildings in compliance with Section 1207.7.1.

1207.5.2.1 Mixed electrochemical energy systems. Where rooms, areas and walk-in units contain different types of electrochemical energy technologies, the total aggregate quantities of the systems shall be determined based on the sum of percentages of each technology type quantity divided by the maximum allowable quantity of each technology type. The sum of the percentages shall not exceed 100 percent of the maximum allowable quantity.

TABLE 1207.5—MAXIMUM ALLOWABLE QUANTITIES OF ELECTROCHEMICAL ESS

TECHNOLOGY	MAXIMUM ALLOWABLE QUANTITIES[a]
STORAGE BATTERIES	
Flow batteries[b]	600 kWh
Lead-acid, all types	Unlimited
Lithium-ion	600 kWh
Nickel-cadmium (Ni-Cd), nickel-metal hydride (NI-MH) and nickel zinc (Ni-Zn)	Unlimited
Sodium nickel chloride	600 kWh
Zinc-manganese dioxide ($Zn-MnO_2$)	Unlimited
Other battery technologies	200 kWh
CAPACITORS	
All types	20 kWh
OTHER ELECTROCHEMICAL ESS	
All types	20 kWh

For SI: 1 kilowatt hour = 3.6 megajoules.

a. For electrochemical ESS units rated in amp-hours, kWh shall equal rated voltage times the amp-hour rating divided by 1,000.

b. Shall include vanadium, zinc-bromine, polysulfide-bromide and other flowing electrolyte-type technologies.

+ Note

☐ **Deflagration Analysis**

UL 9540A Cell Level and Module Level testing and documentation is required for the generation of data necessary for deflagration analysis and explosion prevention whether the installation is in a room, cabinet or enclosure. The deflagration analysis may be included as part of the HMA.

1207.6.3 Explosion control.
Where required by Table 1207.6 or elsewhere in this code, explosion control complying with Section 911 shall be provided for rooms, areas or walk-in units containing electrochemical ESS technologies.

Exceptions: (Material based on NFPA 855)

1. Where approved, explosion control is permitted to be waived by the fire code official based on large-scale fire testing complying with Section 1207.1.7 that demonstrates that flammable gases are not liberated from electrochemical ESS cells or modules.

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2. Where approved, explosion control is permitted to be waived by the fire code official based on documentation provided in accordance with Section 104.2.2 that demonstrates that the electrochemical ESS technology to be used does not have the potential to release flammable gas concentrations in excess of 25 percent of the LFL anywhere in the room, area, walk-in unit or structure under thermal runaway or other fault conditions.

3. Where approved, ESS cabinets that have no debris, shrapnel or enclosure pieces ejected during large-scale fire testing complying with Section 1207.1.5 shall be permitted in lieu of providing explosion control complying with Section 911.

4. Explosion control is not required for lead-acid and nickel-cadmium battery systems less than 50 VAC, 60 VDC in telecommunication facilities under the exclusive control of communications utilities located in building spaces or walk-in units used exclusively for such installations.

5. Explosion control is not required for lead-acid and nickel-cadmium systems used for DC power for control of substations and control or safe shutdown of generating stations under the exclusive control of the electric utility, located in building spaces or walk-in units used exclusively for such installations.

6. Explosion control is not required for lead-acid battery systems in uninterruptable power supplies listed and labeled in accordance with UL 1778, utilized for standby power applications, and housed in a single cabinet in a single fire area in buildings or walk-in units.

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TABLE 911.1—EXPLOSION CONTROL REQUIREMENTS[f]

MATERIAL	CLASS	EXPLOSION CONTROL METHODS	
		Barricade construction	Explosion (deflagration) venting or explosion (deflagration) prevention systems
Hazard Category			
Combustible dusts[a]	—	Not required	Required
Cryogenic fluids	Flammable	Not required	Required
Explosives	Division 1.1	Required	Not required
	Division 1.2	Required	Not required
	Division 1.3	Not required	Required
	Division 1.4[i]	Not required	Required
	Division 1.5	Required	Not required
	Division 1.6	Required	Not required
Flammable gas	Gaseous	Not required	Required[h]
	Liquefied	Not required	Required[h]
Flammable liquids	IA[b]	Not required	Required
	IB[c]	Not required	Required
Organic peroxides	Unclassified detonable	Required	Not permitted
	I	Required	Not permitted
Oxidizer liquids and solids	4	Required	Not permitted
Pyrophoric	Gases	Not required	Required
Unstable (reactive)	4	Required	Not permitted
	3 detonable	Required	Not permitted
	3 nondetonable	Not required	Required
Water-reactive liquids and solids	3	Not required	Required
	2[e]	Not required	Required
Special Uses			
Acetylene generator rooms	—	Not required	Required
Electrochemical energy storage systems[g]	—	Not required	Required
Energy storage systems[g]	—	Not required	Required
Grain processing	—	Not required	Required
Liquefied petroleum gas distribution facilities	—	Not required	Required
Where explosion hazards exist[d]	Detonation	Required	Not permitted
	Deflagration	Not required	Required

For SI: 1 inch per second = 25.4 mm/s.

a. Combustible dusts where manufactured, generated or used in such a manner that the concentration and conditions create a fire or explosion hazard based on information prepared in accordance with Section 104.2.2. See definition of "Combustible dust" in Chapter 2.
b. Storage or use.
c. In open use or dispensing.
d. Rooms containing dispensing and use of hazardous materials where an explosive environment can occur because of the characteristics or nature of the hazardous materials or as a result of the dispensing or use process.
e. A method of explosion control shall be provided where Class 2 water-reactive materials can form potentially explosive mixtures.
f. Explosion venting is not required for Group H-5 Fabrication Areas complying with Chapter 27 and the *California Building Code*.
g. Where explosion control is required in Section 1207.6.3.
h. Not required for Category 1B Flammable Gases having a burning velocity not exceeding 3.9 inches per second.
i. Does not apply to consumer fireworks, 1.4G.

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TABLE 1207.6—ELECTROCHEMICAL ESS TECHNOLOGY-SPECIFIC REQUIREMENTS

COMPLIANCE REQUIRED[b]		BATTERY TECHNOLOGY							
Feature	Section	Lead-acid	Nickel cadmium (Ni-Cd), nickel-metal hydride (Ni-MH) and nickel zinc (Ni-Zn)	Zinc-manganese dioxide ($Zn-MnO_2$)	Lithium-ion	Flow	Sodium nickel chloride	OTHER ESS AND BATTERY TECHNOLOGIES[b]	CAPACITOR ESS[b]
Exhaust ventilation	1207.6.1	Yes	Yes	Yes	No	Yes	No	Yes	Yes
Explosion control	1207.6.3	Yes[a]	Yes[a]	Yes	Yes	No	Yes	Yes	Yes
Safety caps	1207.6.4	Yes	Yes	No	No	No	No	Yes	Yes
Spill control and neutralization	1207.6.2	Yes[c]	Yes[c]	Yes[f]	No	Yes	No	Yes	Yes
Thermal runaway	1207.6.5	Yes[d]	Yes	Yes[e]	Yes[e]	No	Yes	Yes[e]	Yes

a. Not required for lead-acid and nickel-cadmium batteries at facilities under the exclusive control of communications utilities that comply with NFPA 76 and operate at less than 50 VAC and 60 VDC.
b. Protection shall be provided unless documentation acceptable to the fire code official is provided in accordance with Section 104.2.2 that provides justification why the protection is not necessary based on the technology used.
c. Applicable to vented-type (i.e., flooded) nickel-cadmium and lead-acid batteries.
d. Not required for vented-type (i.e., flooded) batteries.
e. The thermal runaway protection is permitted to be part of a battery management system that has been evaluated with the battery as part of the evaluation to UL 1973.
f. Not required for batteries with jelled electrolyte.

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Operation and maintenance (submission prior to final approval)

☐ **1207.2.2 Operation and maintenance.**-An operating and maintenance manual shall be provided to both the ESS owner or their authorized agent and the ESS operator before the ESS is put into operation and shall include the following:

1. Manufacturer's operation manuals and maintenance manuals for the entire ESS or for each component of the system requiring maintenance, that clearly identify the required routine maintenance actions.

2. Name, address and phone number of a service agency that has been contracted to service the ESS and its associated safety systems.

3. Maintenance and calibration information, including wiring diagrams, control drawings, schematics, system programming instructions and control sequence descriptions, for all energy storage control systems.

4. Desired or field-determined control set points that are permanently recorded on control drawings at control devices or, for digital control systems, in system programming instructions.

5. A schedule for inspecting and recalibrating all ESS controls.

6. A service record log form that lists the schedule for all required servicing and maintenance actions and space for logging such actions that are completed over time and retained on site.

The ESS shall be operated and maintained in accordance with the manual and a copy of the manual shall be retained at an approved onsite location.

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7.1.2 The operation and maintenance documentation shall include the following:

(1) Procedures for the safe startup of the ESS system and associated equipment

(2) Procedures for inspection and testing of associated alarms, interlocks, and controls

(3) Procedures for maintenance and operation of the following, where applicable:

(a) Energy storage management systems (ESMS)

(b) Fire protection equipment and systems

(c) Spill control and neutralization systems

(d) Exhaust and ventilation equipment and systems

(e) Gas detection systems

(f) Other required safety equipment and systems

(4) Response considerations similar to a safety data sheet (SDS) that address response safety concerns and extinguishment where an SDS is not required

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(5)* An instruction that equipment or system changes to the installation are required to be recorded by updating any engineering documentation

1207.2.2.1 Ongoing inspection and testing. Systems that monitor and protect the ESS installation shall be inspected and tested in accordance with the manufacturer's instructions and the operating and maintenance manual. Inspection and testing records shall be maintained in the operation and maintenance manual.

NFPA 855

7.2 * System Maintenance. The ESS shall be maintained in accordance with the system manufacturer's instructions.

7.2.1 The maintenance documentation shall include a detailed maintenance schedule covering all affected equipment and the activities to be performed.

7.2.2 Maintenance shall be performed by qualified individuals.

7.2.3 Maintenance documentation indicating the maintenance action taken, the date of the action, who implemented the action, and the results associated with the action shall be maintained as required by Section 6.3.

7.2.4 Maintenance documentation shall record information on any repair, renewal, or renovation made to the ESS.

7.2.5 Training. Training shall be provided to all those responsible for system operation and maintenance.

7.2.5.1 Training on system operation and maintenance shall be provided by the system owner or their designated agent.

7.2.5.2 After recommissioning the system, training on any changes to the operation and maintenance documentation shall be provided.

7.2.5.3 Training records of site operations and maintenance personnel shall be retained and accessible to the AHJ, indicating the training taken, the name(s) of those taking the training, and the training date.

7.3 System Testing. 7.3.1 System testing shall be performed when required by the operating instructions or maintenance documentation in accordance with testing procedures provided by the ESS manufacturer.

7.3.2 A record of all testing shall be maintained in accordance with the requirements in Section 6.3.

7.3.2.1 Testing records shall be permitted to be made available electronically.

☐ **105.5.14 Energy storage systems.** An operational permit is required for stationary and mobile energy storage systems regulated by Section 1207.

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☐ Emergency Action Plan

+ Note: An Emergency action plan will be required in all cases both during construction and operation after final approval. Fire remediation may be written into that plan.

1207.1.8 Fire remediation. Where a fire or other event has damaged the ESS and ignition or re-ignition of the ESS is possible, the system owner, agent, or lessee shall take the following actions, at their expense, to mitigate the hazard or remove damaged equipment from the premises to a safe location.

1207.1.8.1 Fire mitigation personnel. Where, in the opinion of the fire code official, it is essential for public safety that trained personnel be on site to respond to possible ignition or re-ignition of a damaged ESS, the system owner, agent or lessee shall dispatch within 15 minutes one or more fire mitigation personnel to the premise, as required and approved, at their expense. These personnel shall remain on duty continuously after the fire department leaves the premise until the damaged energy storage equipment is removed from the premises, or earlier if the fire code official indicates the public safety hazard has been abated. (Material based on NFPA 855 2023 Ed.)

1207.1.8.2 Duties. On-duty fire mitigation personnel shall have the following responsibilities:

1. Keep diligent watch for fires, obstructions to means of egress and other hazards.

2. Immediately contact the fire department if their assistance is needed to mitigate any hazards or extinguish fires.

3. Take prompt measures for remediation of hazards in accordance with the decommissioning plan in Section 1207.2.3.

4. Take prompt measures to assist in the evacuation of the public from the structures. (Material based on NFPA 855 2023 Ed.)

Considerations that should be included in the emergency action plan would include but not be limited to the following:

4.3 Emergency Planning and Training.

4.3.1 * General.
For ESS installations that exceed the maximum stored energy limits of Table 9.4.1, emergency planning and training shall be provided by the owner of the ESS or their authorized representative so that ESS facility operations and maintenance personnel and emergency responders can address foreseeable hazards associated with the on-site systems.

4.3.2 Facility Staff Planning and Training.
For ESS installations that exceed the maximum stored energy limits of Table 9.4.1, an emergency operations plan and associated training shall be established, maintained, and conducted by ESS facility operations and maintenance personnel.

4.3.2.1 Emergency Operations Plan.
4.3.2.1.1
An emergency operations plan shall be readily available for use by facility operations and maintenance personnel.

4.3.2.1.2

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For normally occupied facilities, the emergency operations plan shall be on site.

4.3.2.1.3
The plan shall be updated when conditions that affect the response considerations and procedures change.

4.3.2.1.4
The emergency operations plan shall include the following:

(1) Procedures for safe shutdown, de-energizing, or isolation of equipment and systems under emergency conditions to reduce the risk of fire, electric shock, and personal injuries, and for safe start-up following cessation of emergency conditions

(2) Procedures for inspection and testing of associated alarms, interlocks, and controls

(3)* Procedures to be followed in response to notifications of system alarms or out-of-range conditions that could signify potentially dangerous conditions, including shutting down equipment, summoning service or repair personnel, and providing agreed-upon notification to fire department personnel, if required

(4)* Emergency procedures to be followed in case of fire, explosion, release of liquids or vapors, damage to critical moving parts, or other potentially dangerous conditions

(5) Response considerations similar to a safety data sheet (SDS) that will address response safety concerns and extinguishment when an SDS is not required

(6) Procedures for dealing with ESS equipment damaged in a fire or other emergency event, including contact information for personnel qualified to safely remove damaged ESS equipment from the facility

(7) Other procedures as determined necessary by the AHJ to provide for the safety of occupants and emergency responders

(8) Procedures and schedules for conducting drills of these procedures

4.3.2.1.5
The emergency operations plan in 4.3.2.1 shall not be required for electric utility facilities under the exclusive control of the electric utility located outdoors or in building spaces used exclusively for such installations.

4.3.2.2 Facility Staff Training.
4.3.2.2.1
Personnel responsible for the operation, maintenance, repair, servicing, and response of the ESS shall be trained in the procedures included in the emergency operations plan in 4.3.2.1.

4.3.2.2.2
Refresher training shall be conducted at least annually and records of such training retained in an approved manner.

Source: NFPA 855

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☐ Listings

1207.3 Equipment. ESS equipment shall be in accordance with Sections 1207.3.1 through 1207.3.9.

1207.3.1 Energy storage system listings. ESS shall be listed in accordance with UL 9540.

Exceptions:

1. Lead-acid and nickel-cadmium battery systems less than 50 VAC, 60 VDC in telecommunications facilities for installations of communications equipment under the exclusive control of communications utilities located outdoors or in building spaces used exclusively for such installations that are in compliance with NFPA 76.

2. Lead-acid and nickel-cadmium battery systems that are used for DC power for control of substations and control or safe shutdown of generating stations under the exclusive control of the electric utility, and located outdoors or in building spaces used exclusively for such installations.

3. Lead-acid battery systems in uninterruptable power supplies listed and labeled in accordance with UL 1778 and utilized for standby power applications.

(Material based on NFPA 855)

1207.3.2 Equipment listing. Chargers, inverters and energy storage management systems shall be covered as part of the UL 9540 listing or shall be listed separately.

1207.3.3 Utility interactive systems. Inverters shall be listed and labeled in accordance with UL 1741. Only inverters listed and labeled for utility interactive system use and identified as interactive shall be allowed to operate in parallel with the electric utility power system to supply power to common loads.

1207.3.4 Energy storage management system. Where required by the ESS listing, an approved energy storage management system that monitors and balances cell voltages, currents and temperatures within the manufacturer's specifications shall be provided. The system shall disconnect electrical connections to the ESS or otherwise place it in a safe condition if potentially hazardous temperatures or other conditions such as short circuits, over voltage or under voltage are detected. (Material based on NFPA 855 2023 Ed.)

1207.3.5 Enclosures. Enclosures of ESS shall be of noncombustible construction. (Material based on NFPA 855)

NFPA 70

ARTICLE 706 Energy Storage Systems
Part I. General

706.1 Scope.
This article applies to all energy storage systems (ESS) having a capacity greater than 3.6 MJ (1 kWh) that may be stand-alone or interactive with other electric power production sources. These systems are primarily intended to store and provide energy during normal operating conditions.

Informational Note No. 1: See Article 480 for installations that meet the definition of stationary standby batteries..

Informational Note No. 2: For batteries rated in ampere hours, kWh is equal to the nominal rated voltage times ampere-hour rating divided by 1000.

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Informational Note No. 3: The following standards are frequently referenced for the installation of ESSs:

(1) NFPA 1-2021, Fire Code
(2) NFPA 111-2019, Standard on Stored Electrical Energy Emergency and Standby Power Systems
(3) NECA 416-2016, Recommended Practice for Installing Energy Storage Systems (ESS)
(4) UL 810A, Electrochemical Capacitors
(5) NFPA 855-2020, 2023 Standard for the Installation of Stationary Energy Storage Systems
(6) UL 1973, Standard for Batteries for Use in Stationary, Vehicle Auxiliary Power, and Light Electric Rail (LER) Applications
(7) UL 1989, Standard for Standby Batteries
(8) UL 9540, Standard for Safety Energy Storage Systems and Equipment
(9) UL Subject 2436, Spill Containment For Stationary Lead Acid Battery Systems

706.5 Listing.
Energy storage systems shall be listed.

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Fire Protection Systems Generally

901.2 Construction documents. The fire code official shall have the authority to require construction documents and calculations for all fire protection and life safety systems and to require permits be issued for the installation, rehabilitation or modification of any fire protection and life safety systems. Construction documents for fire protection and life safety systems shall be submitted for review and approval prior to system installation.

☐ Automatic Sprinkler Systems (*Requires a C16 License*)

903.3.1.1 NFPA 13 sprinkler systems. Where the provisions of this code require that a building or portion thereof be equipped throughout with an automatic sprinkler system in accordance with this section, sprinklers shall be installed throughout in accordance with NFPA 13 as amended in Chapter 80 except as provided in Sections 903.3.1.1.1 and 903.3.1.1.3.-**Permit applied through the Fire Prevention Office**
[*See also NFPA 13-25 for plan submittal details*]

☐ Automatic fire-extinguishing systems.

105.6.1 A construction permit is required for installation of or modification to an automatic fire extinguishing system (FPS), other than an automatic sprinkler system. Maintenance performed in accordance with this code is not considered to be a modification and does not require a permit-**Permit applied through Fire Prevention Office**

105.6.1.1.1 Fire Alarm Systems (*Requires a C10 License*)

907.1.1 Construction documents. Construction documents for fire alarm systems shall be of sufficient clarity to indicate the location, nature and extent of the work proposed and show in detail that it will conform to the provisions of this code, the California Building Code and relevant laws, ordinances, rules and regulations, as determined by the fire code official.

907.1.2 Fire alarm shop drawings. Shop drawings for fire alarm systems shall be prepared in accordance with NFPA 72 and submitted for review and approval prior to system installation-**Permit applied through the Fire Prevention Office. [***See also NFPA 72-25 for plan submittal details**]*

Exception: Other symbols are allowed where approved by the enforcing agency.

907.1.3 Equipment.
Systems and components shall be California State Fire Marshal listed and approved in accordance with California Code of Regulations, Title 19, Division 1 for the purpose for which they are installed..

☐ Gas Detection Systems (*Requires a C10 License*)

916.2.1 Construction documents. Documentation of the gas detection system design and equipment to be used that demonstrates compliance with the requirements of this code shall be provided with the application for permit-**Permit applied through the Fire Prevention Office.**
[See also NFPA 72-25 Section 17.10 Gas Detection]

☐ FIRE PROTECTION WATER SUPPLIES (*Requires a C16 License*)

507.1 Required water supply. An approved water supply capable of supplying the required fire flow for fire protection shall be provided to premises on which facilities, buildings or portions of buildings are hereafter constructed or moved into or within the jurisdiction.

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507.2 Type of water supply. A water supply shall consist of reservoirs, pressure tanks, elevated tanks, water mains or other fixed systems capable of providing the required fire flow.

507.2.1 Private fire service mains. Private fire service mains and appurtenances shall be installed in accordance with NFPA 24 as amended in Chapter 80-**Permit applied through the Fire Prevention Office**

507.2.2 Water tanks. Water tanks for private fire protection shall be installed in accordance with NFPA 22-**Permit applied through the Fire Prevention Office or the Building Department.**

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TABLE 1207.7—INDOOR ESS INSTALLATIONS

COMPLIANCE REQUIRED		DEDICATED-USE BUILDINGS[a]	NONDEDICATED-USE BUILDINGS[b]
Feature	Section		
Dwelling units and sleeping units	1207.7.3	NA	Yes
COMPLIANCE REQUIRED		**DEDICATED-USE BUILDINGS[a]**	**NONDEDICATED-USE BUILDINGS[b]**
Feature	**Section**		
Elevation	1207.5.3	Yes	Yes
Fire suppression systems	1207.5.5	Yes[c]	Yes
Fire-resistance-rated separations	1207.7.4	Yes	Yes
General installation requirements	1207.4	Yes	Yes
Maximum allowable quantities	1207.5.2	No	Yes
Size and separation	1207.5.1	Yes	Yes
Smoke and automatic fire detection[e]	1207.5.4	Yes[d]	Yes
Technology specific protection	1207.6	Yes	Yes

NA = Not Allowed.

a. See Section 1207.7.1.
b. See Section 1207.7.2.
c. Where approved by the fire code official, fire suppression systems are permitted to be omitted in dedicated-use buildings located more than 100 feet (30.5 m) from buildings, lot lines, public ways, stored combustible materials, hazardous materials, high-piled stock and other exposure hazards.
d. Where approved by the fire code official, alarm signals are not required to be transmitted to a central station, proprietary or remote station service in accordance with NFPA 72, or a constantly attended location where local fire alarm annunciation is provided and trained personnel are always present.
e. Lead-acid and nickel-cadmium battery systems installed in Group U buildings and structures less than 1,500 square feet (139 m^2) under the exclusive control of communications utilities, and operating at less than 50 VAC and 60 VDC in accordance with NFPA 76, are not required to have an approved automatic smoke or fire detection system.

TABLE 1207.8—OUTDOOR ESS INSTALLATIONS[a]

COMPLIANCE REQUIRED		REMOTE INSTALLATIONS[a]	INSTALLATIONS NEAR EXPOSURES[b]
Feature	Section		
All ESS installations	1207.4	Yes	Yes
Clearance to exposures	1207.8.3	Yes	Yes
Fire suppression systems	1207.5.5	Yes[c]	Yes
Maximum allowable quantities	1207.5.2	No	Yes
Maximum enclosure size	1207.5.6	Yes	Yes
Means of egress separation	1207.5.8	Yes	Yes
Size and separation	1207.5.1	No	Yes[d]
Smoke and automatic fire detection	1207.5.4	Yes	Yes
Technology-specific protection	1207.6	Yes	Yes
Vegetation control	1207.5.7	Yes	Yes

a. See Section 1207.8.1.
b. See Section 1207.8.2.
c. Where approved by the fire code official, fire suppression systems are permitted to be omitted.
d. In outdoor walk-in units, spacing is not required between ESS units and the walls of the enclosure.

☐ **1207.8 Outdoor installations.** Outdoor installations shall be in accordance with Sections 1207.8.1 through 1207.8.3. Exterior wall installations for individual ESS units not exceeding 20 KWh shall be in accordance with Section 1207.8.4. (Material based on NFPA 855)

1207.8.1 Remote outdoor installations. For the purpose of Table 1207.8, remote outdoor installations include ESS located more than 100 feet (30.5 M) from buildings, lot lines, public ways, stored combustible materials, hazardous materials, high piled stock and other exposure hazards. (Material based on NFPA 855)

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1207.8.2 Installations near exposures. For the purpose of Table 1207.8, installations near exposures include all outdoor ESS installations that do not comply with Section 1207.8.1 remote outdoor location requirements. (Material based on NFPA 855)

1207.8.3 Clearance to exposures. ESS located outdoors shall be separated by a minimum ten feet (3048 mm) from the following exposures:

1. Lot lines
2. Public ways
3. Buildings
4. Stored combustible materials
5. Hazardous materials
6. High-piled stock
7. Other exposure hazards

Exceptions: (Material based on NFPA 855)

1. Clearances are permitted to be reduced to 3 feet (914 mm) where a 1 hour free standing fire barrier, suitable for exterior use, and extending 5 feet (1.5 m) above and extending 5 feet (1.5 m) beyond the physical boundary of the ESS installation is provided to protect the exposure.

2. Clearances to buildings are permitted to be reduced to 3 feet (914 mm) where noncombustible exterior walls with no openings or combustible overhangs are provided on the wall adjacent to the ESS and the fire-resistance rating of the exterior wall is a minimum of 2 hours.

3. Clearances to buildings are permitted to be reduced to 3 feet (914.4 mm) where a weatherproof enclosure constructed of noncombustible materials is provided over the ESS, and it has been demonstrated that a fire within the enclosure will not ignite combustible materials outside the enclosure based on large scale fire testing complying with Section 1207.1.7.

☐ **1207.8.4 Exterior wall installations.** ESS shall be permitted to be installed outdoors on exterior walls of buildings when all the following conditions are met.

1. The maximum energy capacity of individual ESS units shall not exceed 20 kWh.
2. The ESS shall comply with applicable requirements in Section 1207.
3. The ESS shall be installed in accordance with the manufacturer's instructions and their listing.
4. Individual ESS units shall be separated from each other by at least three feet (914 mm).
5. The ESS shall be separated from doors, windows, operable openings into buildings, or HVAC inlets by at least five feet (1524 mm).

Exception: Where approved smaller separation distances in items 4 and 5 shall be permitted based on large scale fire testing complying with Section 1207.1.7. (Material based on NFPA 855)

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TABLE 1207.9—SPECIAL ESS INSTALLATIONS

COMPLIANCE REQUIRED		ROOFTOPS[a]	OPEN PARKING GARAGES[b]
Feature	Section		
All ESS installations	1207.4	Yes	Yes
Clearance to exposures	1207.9.3	Yes	Yes
Fire suppression systems	1207.9.4	Yes	Yes
Maximum allowable quantities	1207.5.2	Yes	Yes
Maximum enclosure size	1207.5.6	Yes	Yes
Means of egress separation	1207.5.8	Yes	Yes
Open parking garage installations	1207.9.6	No	Yes
Rooftop installations	1207.9.5	Yes	No
Size and separation	1207.5.1	Yes	Yes
Smoke and automatic fire detection	1207.5.4	Yes	Yes
Technology-specific protection	1207.6	Yes	Yes

a. See Section 1207.9.1.
b. See Section 1207.9.2.

1207.9 Special installations. Rooftop and open parking garage ESS installations shall comply with Sections 1207.9.1 through 1207.9.6.

☐ **1207.9.1 Rooftop installations.** For the purpose of Table 1207.9, rooftop ESS installations are those located on the roofs of buildings. (Material based on NFPA 855)

☐ **1207.9.2 Open parking garage installations.** For the purpose of Table 1207.9, open parking garage ESS installations are those located in a structure or portion of a structure that complies with Section 406.5 of the California Building Code. (Material based on NFPA 855)

1207.9.3 Clearance to exposures. ESS located on rooftops and in open parking garages shall be separated by a minimum ten feet (3048 mm) from the following exposures:

1. Buildings, except the building on which rooftop ESS is mounted
2. Any portion of the building on which a rooftop system is mounted that is elevated above the rooftop on which the system is installed
3. Lot lines
4. Public ways
5. Stored combustible materials
6. Locations where motor vehicles can be parked
7. Hazardous materials
8. Other exposure hazards

Exceptions:

1. Clearances are permitted to be reduced to 3 feet (914 mm) where a 1 hour free standing fire barrier, suitable for exterior use, and extending 5 feet (1.5 m) above and extending 5 feet (1.5 m) beyond the physical boundary of the ESS installation is provided to protect the exposure.

2. Clearances are permitted to be reduced to 3 feet (914.4 mm) where a weatherproof enclosure constructed of noncombustible materials is provided over the ESS and it has been demonstrated that a fire within the enclosure will not ignite combustible materials

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outside the enclosure based on large scale fire testing complying with Section 1207.1.7. (Material based on NFPA 855 2023 Ed.)

TABLE 1207.10—MOBILE ENERGY STORAGE SYSTEMS (ESS)

COMPLIANCE REQUIRED		DEPLOYMENT[a]
Feature	Section	
All ESS installations	1207.4	Yes[b]
Fire suppression systems	1207.5.5	Yes[c]
Maximum allowable quantities	1207.5.2	Yes
Maximum enclosure size	1207.5.6	Yes
Means of egress separation	1207.5.8	Yes
Size and separation	1207.5.1	Yes[d]
Smoke and automatic fire detection	1207.5.4	Yes[e]
Technology-specific protection	1207.6	Yes
Vegetation control	1207.5.7	Yes

a. See Section 1207.10.2.
b. Mobile operations on wheeled vehicles and trailers shall not be required to comply with Section 1207.4.4 seismic and structural load requirements.
c. Fire suppression system connections to the water supply shall be permitted to use approved temporary connections.
d. In walk-in units, spacing is not required between ESS units and the walls of the enclosure.
e. Alarm signals are not required to be transmitted to an approved location for mobile ESS deployed 30 days or less.

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Fire Protection Systems Documentation Generally (FPS)

901.2 Construction documents. The fire code official shall have the authority to require construction documents and calculations for all fire protection and life safety systems and to require permits be issued for the installation, rehabilitation or modification of any fire protection and life safety systems. Construction documents for fire protection and life safety systems shall be submitted for review and approval prior to system installation-**Permit applied through Fire Prevention Office.**

☐ Automatic Sprinkler Systems (*Requires a C16 License*) (FSS)

903.3.1.1 NFPA 13 sprinkler systems. Where the provisions of this code require that a building or portion thereof be equipped throughout with an automatic sprinkler system in accordance with this section, sprinklers shall be installed throughout in accordance with NFPA 13 as amended in Chapter 80 except as provided in Sections 903.3.1.1.1 and 903.3.1.1.3-**Permit applied through Fire Prevention Office**
[*See also NFPA 13-25 for plan submittal details*]

☐ Fire Alarm Systems (*Requires a C10 License*) (FA)

907.1.1 Construction documents. Construction documents for fire alarm systems shall be of sufficient clarity to indicate the location, nature and extent of the work proposed and show in detail that it will conform to the provisions of this code, the California Building Code and relevant laws, ordinances, rules and regulations, as determined by the fire code official-**Permit applied through Fire Prevention Office.**

907.1.2 Fire alarm shop drawings. Shop drawings for fire alarm systems shall be prepared in accordance with NFPA 72 and submitted for review and approval prior to system installation.
[See also NFPA 72-25 for plan submittal details]

Exception: Other symbols are allowed where approved by the enforcing agency.

907.1.3 Equipment.
Systems and components shall be California State Fire Marshal listed and approved in accordance with California Code of Regulations, Title 19, Division 1 for the purpose for which they are installed..

☐ Gas Detection Systems (*Requires a C10 License*) (GAS)

916.2.1 Construction documents. Documentation of the gas detection system design and equipment to be used that demonstrates compliance with the requirements of this code shall be provided with the application for permit-**Permit applied through Fire Prevention Office**
[See also NFPA 72-25 Section 17.10 Gas Detection]

☐ FIRE PROTECTION WATER SUPPLIES (*Requires a C16 License*)

507.1 Required water supply. An approved water supply capable of supplying the required fire flow for fire protection shall be provided to premises on which facilities, buildings or portions of buildings are hereafter constructed or moved into or within the jurisdiction.

507.2 Type of water supply. A water supply shall consist of reservoirs, pressure tanks, elevated tanks, water mains or other fixed systems capable of providing the required fire flow.

507.2.1 Private fire service mains. Private fire service mains and appurtenances shall be installed in accordance with NFPA 24 as amended in Chapter 80-**Permit applied through Fire Prevention Office.**

507.2.2 Water tanks. Water tanks for private fire protection shall be installed in accordance with NFPA 22-**Permit applied through Fire Prevention Office or Building Department.**

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Fire Protection Guidance

SECTION 901
GENERAL

901.1 Scope. The provisions of this chapter shall specify where fire protection and life safety systems are required and shall apply to the design, installation, inspection, operation, testing and maintenance of all fire protection and life safety systems.

901.2.1 Statement of compliance. Before requesting final approval of the installation, where required by the fire code official, the installing contractor shall furnish a written statement to the fire code official that the subject fire protection system has been installed in accordance with approved plans and has been tested in accordance with the manufacturer's specifications and the appropriate installation standard. Any deviations from the design standards shall be noted and copies of the approvals for such deviations shall be attached to the written statement.

901.5. Administration of installation acceptance testing. Fire protection and life safety systems and appurtenances thereto shall be subject to acceptance tests as contained in the installation standards and as approved by the fire code official. The fire code official shall be notified before any required acceptance testing.

> **901.5.1 Occupancy**. It shall be unlawful to occupy any portion of a building or structure until the required fire protection and life safety systems have been tested and approved.
>
> **901.6.2 Integrated testing**. Where two or more fire protection or life safety systems are interconnected, the intended response of subordinate fire protection and life safety systems shall be verified when required testing of the initiating system is conducted. In addition, integrated testing shall be performed in accordance with Sections 901.6.2.1 and 901.6.2.2.

SECTION 903
AUTOMATIC SPRINKLER SYSTEMS

903.1 General. Automatic sprinkler systems shall comply with this section.

> **903.1.1 Alternative protection**. Alternative automatic fire-extinguishing systems complying with Section 904 shall be permitted instead of automatic sprinkler protection where recognized by the applicable standard and approved by the fire code official.

903.3 Installation requirements. Automatic sprinkler systems shall be designed and installed in accordance with Sections 903.3.1 through 903.3.8.

> **903.3.1 Standards**. Sprinkler systems shall be designed and installed in accordance with Section 903.3.1.1, unless otherwise permitted by Sections 903.3.1.2 and 903.3.1.3 and other chapters of this code, as applicable.
>
> **903.3.1.1 NFPA 13 sprinkler systems.** Where the provisions of this code require that a building or portion thereof be equipped throughout with an automatic sprinkler system in accordance with this section, sprinklers shall be installed throughout in accordance with NFPA 13 as amended in Chapter 80 except as provided in Sections 903.3.1.1.1 and 903.3.1.1.3.

903.4 Sprinkler system supervision and alarms. Valves controlling the water supply for automatic sprinkler systems, pumps, tanks, water levels and temperatures, critical air pressures and waterflow switches on all sprinkler systems shall be electrically supervised by a listed fire alarm control unit.

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Exceptions:

1 .Automatic sprinkler systems protecting one- and two-family dwellings.

2. Limited area sprinkler systems in accordance with Section 903.3.8, provided that backflow prevention device test valves located in limited area sprinkler system supply piping shall be locked in the open position unless supplying an occupancy required to be equipped with a fire alarm system, in which case the backflow preventer valves shall be electrically supervised by a tamper switch installed in accordance with NFPA 72 and separately annunciated.

3. Automatic sprinkler systems installed in accordance with NFPA 13R where a common supply main is used to supply both domestic water and the automatic sprinkler system, and a separate shutoff valve for the automatic sprinkler system is not provided.

4. Jockey pump control valves that are sealed or locked in the open position.

5. Control valves to commercial kitchen hoods, paint spray booths or dip tanks that are sealed or locked in the open position.

6. Valves controlling the fuel supply to fire pump engines that are sealed or locked in the open position.

7. Trim valves to pressure switches in dry, preaction and deluge sprinkler systems that are sealed or locked in the open position.

8. Underground key or hub gate valves in roadway boxes.

903.4.2 Monitoring. Alarm, supervisory and trouble signals shall be distinctly different and shall be automatically transmitted to an approved supervising station or, where approved by the fire code official, shall sound an audible signal at a constantly attended location.

903.4.2 Alarms. An approved audible and visual sprinkler waterflow alarm device, located on the exterior of the building in an approved location, shall be connected to each automatic sprinkler system. Such sprinkler waterflow alarm devices shall be activated by water flow equivalent to the flow of a single sprinkler of the smallest orifice size installed in the system. Where a waterflow switch is required by Section 903.4.1 to be electrically supervised, such sprinkler waterflow alarm devices shall be powered by a fire alarm control unit or, where provided, a fire alarm system. Where a fire alarm system is provided, actuation of the automatic sprinkler system shall actuate the building fire alarm system.

Exception: Automatic sprinkler systems protecting one- and two-family dwellings..

SECTION 904
ALTERNATIVE AUTOMATIC
FIRE-EXTINGUISHING SYSTEMS

904.1 General. Automatic fire-extinguishing systems, other than automatic sprinkler systems, shall be designed, installed, inspected, tested and maintained in accordance with the provisions of this section and the applicable referenced standards.

904.2 Where permitted. Automatic fire-extinguishing systems installed as an alternative to the required automatic sprinkler systems of Section 903 shall be approved by the fire code official.

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904.3 Installation. Automatic fire-extinguishing systems shall be installed in accordance with this section.

904.3.1 Electrical wiring. Electrical wiring shall be in accordance with the California Electrical Code.

904.3.2 Actuation. Automatic fire-extinguishing systems shall be automatically actuated and provided with a manual means of actuation in accordance with Section 904.14.1. Where more than one hazard could be simultaneously involved in fire due to their proximity, all hazards shall be protected by a single system designed to protect all hazards that could become involved.

> **Exception:** Multiple systems shall be permitted to be installed if they are designed to operate simultaneously.

904.3.3 System interlocking. Automatic equipment interlocks with fuel shutoffs, ventilation controls, door closers, window shutters, conveyor openings, smoke and heat vents and other features necessary for proper operation of the fire-extinguishing system shall be provided as required by the design and installation standard utilized for the hazard.

904.3.4 Alarms and warning signs. Where alarms are required to indicate the operation of automatic fire-extinguishing systems, distinctive audible, visible alarms and warning signs shall be provided to warn of pending agent discharge. Where exposure to automatic-extinguishing agents poses a hazard to persons and a delay is required to ensure the evacuation of occupants before agent discharge, a separate warning signal shall be provided to alert occupants once agent discharge has begun. Audible signals shall be in accordance with Section 907.5.2.

904.3.5 Monitoring. Where a building fire alarm system is installed, automatic fire-extinguishing systems shall be monitored by the building fire alarm system in accordance with NFPA 72.

904.4 Inspection and testing. Automatic fire-extinguishing systems shall be inspected and tested in accordance with the provisions of this section prior to acceptance.

904.4.1 Inspection. Prior to conducting final acceptance tests, all of the following items shall be inspected:

1. Hazard specification for consistency with design hazard.
2. Type, location and spacing of automatic- and manual-initiating devices.
3. Size, placement and position of nozzles or discharge orifices.
4. Location and identification of audible and visible alarm devices.
5. Identification of devices with proper designations.
6. Operating instructions.

904.4.2 Alarm testing. Notification appliances, connections to fire alarm systems and connections to approved supervising stations shall be tested in accordance with this section and Section 907 to verify proper operation.

> **904.4.2.1 Audible and visible signals**. The audibility and visibility of notification appliances signaling agent discharge or system operation, where required, shall be verified.

> **904.4.3 Monitor testing**. Connections to protected premises and supervising station fire alarm systems shall be tested to verify proper identification and retransmission of alarms from automatic fire-extinguishing systems.

Guidance Only - Extracted language Copyright ICC and NFPA

SECTION 907
FIRE ALARM AND DETECTION SYSTEMS

907.1 General. This section covers the application, installation, performance and maintenance of fire alarm systems and their components in new and existing buildings and structures. The requirements of Section 907.2 are applicable to new buildings and structures. The requirements of Section 907.9 are applicable to existing buildings and structures.

907.1.3 Equipment. Systems and components shall be California State Fire Marshal listed and approved in accordance with California Code of Regulations, Title 19, Division 1 for the purpose for which they are installed.

907.2.23 Energy storage systems. An automatic smoke detection system or radiant-energy detection system shall be installed in rooms, areas and walk-in units containing energy storage systems as required in Section 1207.5.4.

907.4 Initiating devices. Where a fire alarm system is required by another section of this code, occupant notification in accordance with Section 907.5 shall be initiated by one or more of the following. Initiating devices shall be installed in accordance with Sections 907.4.1 through 907.4.3.1.

1. Manual fire alarm boxes.
2. Automatic fire detectors.
3. Automatic sprinkler system waterflow devices.
4. Automatic fire-extinguishing systems.

907.4.1 Protection of fire alarm control unit. In areas that are not continuously occupied, a single smoke detector shall be provided at the location of each fire alarm control unit, notification appliance circuit power extenders and supervising station transmitting equipment.

Exception: Where ambient conditions prohibit installation of smoke detector, a heat detector shall be permitted.

907.5 Occupant notification systems. Occupant notification by fire alarms shall be in accordance with Sections 907.5.1 through 907.5.2.5. Occupant notification by smoke alarms in Group R-1 and R-2 occupancies shall comply with Section 907.5.2.1.3.2.

907.5.1 Alarm activation and annunciation. Upon activation, fire alarm systems shall initiate occupant notification and shall annunciate at the fire alarm control unit, or where allowed elsewhere by Section 907, at a constantly attended location.

907.5.2 Alarm notification appliances. Alarm notification appliances shall be provided and shall be listed for their purpose.

907.6 Installation and monitoring. A fire alarm system shall be installed and monitored in accordance with Sections 907.6.1 through 907.6.6.4 and NFPA 72.

907.6.1 Wiring. Wiring shall comply with the requirements of the California Electrical Code and NFPA 72. Wireless protection systems utilizing radio-frequency transmitting devices shall comply with the special requirements for supervision of low-power wireless systems in NFPA 72.

907.6.2 Power supply. The primary and secondary power supply for the fire alarm system shall be provided in accordance with NFPA 72.

Guidance Only - Extracted language Copyright ICC and NFPA

907.6.3 Initiating device identification. The fire alarm system shall identify the specific initiating device address, location, device type, floor level where applicable and status including indication of normal, alarm, trouble and supervisory status, as appropriate.

907.6.3.1 Annunciation. The initiating device status shall be annunciated at an approved on-site location.

NFPA 72
10.18.3 * Annunciator Access and Location.
10.18.3.1
All required annunciation means shall be readily accessible to responding personnel.

10.18.3.2
All required annunciation means shall be located as required by the authority having jurisdiction to facilitate an efficient response to the situation.

10.18.6 * Emergency Services Interfaces.
Where required by the enforcing authority; governing laws, codes, or standards; or other parts of this Code, annunciators, information display systems, and controls for portions of a system provided for use by emergency service personnel shall be designed, arranged, and located in accordance with the requirements of the organizations intended to use the equipment.

A.10.18.6
Emergency Services Interfaces. Annunciators, information display systems, and controls for portions of a system provided for use by emergency service personnel should be designed, arranged, and located in accordance with the needs of the organizations intended to use the equipment.

907.6.5 Access. Access shall be provided to each fire alarm device and notification appliance for periodic inspection, maintenance and testing.

907.6.6 Monitoring. Fire alarm systems required by this chapter or by the California Building Code shall be monitored by an approved supervising station in accordance with NFPA 72 and this section.

907.7 Acceptance tests and completion. Upon completion of the installation, the fire alarm system and all fire alarm components shall be tested in accordance with NFPA 72.

907.7.2 Record of completion. A record of completion in accordance with NFPA 72 verifying that the system has been installed and tested in accordance with the approved plans and specifications shall be provided.

907.7.3 Instructions. Operating, testing and maintenance instructions and record drawings (“as builts”) and equipment specifications shall be provided at an approved location.

Guidance Only - Extracted language Copyright ICC and NFPA

SECTION 916
GAS DETECTION SYSTEMS
Note: gas detection systems shall also comply with NFPA 72

916.1 Gas detection systems. Gas detection systems required by this code shall comply with Sections 916.2 through 916.11.

916.2 Permits. Permits shall be required as set forth in Section 105.6.11.

916.3 Equipment. Gas detection system equipment shall be designed for use with the gases being detected and shall be installed in accordance with manufacturer's instructions.

916.6 Sensor locations. Sensors shall be installed in approved locations where leaking gases are expected to accumulate.

916.11 Inspection, testing and sensor calibration. Inspection and testing of gas detection systems shall be conducted not less than annually. Sensor calibration shall be confirmed at the time of sensor installation and calibration shall be performed at the frequency specified by the sensor manufacturer.

SECTION 503
FIRE APPARATUS ACCESS ROADS

503.1 Where required. Fire apparatus access roads shall be provided and maintained in accordance with Sections 503.1.1 through 503.1.3.

> **503.1.1 Buildings and facilities**. Approved fire apparatus access roads shall be provided for every facility, building or portion of a building hereafter constructed or moved into or within the jurisdiction. The fire apparatus access road shall comply with the requirements of this section and shall extend to within 150 feet (45 720 mm) of all portions of the facility and all portions of the exterior walls of the first story of the building as measured by an approved route around the exterior of the building or facility.

SECTION 507
FIRE PROTECTION WATER SUPPLIES

507.1 Required water supply. An approved water supply capable of supplying the required fire flow for fire protection shall be provided to premises on which facilities, buildings or portions of buildings are hereafter constructed or moved into or within the jurisdiction.

507.2 Type of water supply. A water supply shall consist of reservoirs, pressure tanks, elevated tanks, water mains or other fixed systems capable of providing the required fire flow.

> **507.2.1 Private fire service mains**. Private fire service mains and appurtenances shall be installed in accordance with NFPA 24 as amended in Chapter 80.
>
> **507.2.2 Water tanks**. Water tanks for private fire protection shall be installed in accordance with NFPA 22.

507.3 Fire flow. Fire-flow requirements for buildings or portions of buildings and facilities shall be determined by an approved method or Appendix B.

507.5 Fire hydrant systems. Fire hydrant systems shall comply with Sections 507.5.1 through 507.5.6 and Appendix C or by an approved method.

Guidance Only - Extracted language Copyright ICC and NFPA

507.5.1 Where required. Where a portion of the facility or building hereafter constructed or moved into or within the jurisdiction is more than 400 feet (122 m) from a hydrant on a fire apparatus access road, as measured by an approved route around the exterior of the facility or building, on-site fire hydrants and mains shall be provided where required by the fire code official.

Guidance Only - Extracted language Copyright ICC and NFPA

Fire Detection for ESS Outdoor Installations - Required
2018/2021 IFC
2020 NFPA 855
2021 NFPA 1 Fire Code

Questions have arisen concerning the requirement for fire detection for outdoor installations of ESS due to a correlation issue with general language and specific language for installation locations. This document explains the history of the detection and alarm requirements, the correlation issue and that detection is still required regardless of the language correlation issue based upon language in Chapter 1 of the fire codes addressing such situations.

In the drafting and acceptance of the 2018 International Fire Code ESS requirements a general section was added requiring the energy management system to transmit an alarm to an approved location for any potentially hazardous temperature or other conditions including short circuits, over voltage or under voltage, early in the process, Section 1206.2.10.3. The purpose was so the fire department would be alerted of a need to respond. “Approved” is defined as acceptable to the fire code official and “approved location” is a common part of design and approval of monitoring/annunciation of signals for fire suppression and fire detection systems. The AHJ approves the location.

The 2018 edition of the IFC had not yet been published when difficulties were identified with this requirement as part of the energy management system. One problem was separating out specific signals that could be tied into listed FACPs. The other problem was identifying what qualified as “potentially hazardous temperatures or *other conditions*”, the language was subjective. In discussing the requirement with fire departments, they didn’t want notification of events that the energy management system could handle safely based upon design and listing, i.e., preventing a cascading thermal runaway or other fire event. Many such events that the system could handle would end up causing a fire department response and upon arrival there would be nothing to address or even see.

Fire service members indicated they wanted to be alerted only when they needed to respond, i.e., a cascading thermal runaway or fire event, and as a result, providing fire detection in accordance with Chapter 9 of the IFC and NFPA 72 was recommended to be followed in place of applying the alarm signal language of Section 1206.2.10.3. Instructors intimate with the ESS code development process that were providing ESS presentations at that time advised attendees not to apply the alarm portion of Section 1206.2.10.3 of the 2018 IFC since it was problematic and instead require fire detection.

2018 IFC

1206.2.10.3 Energy management system. An approved energy management system shall be provided for battery technologies other than lead-acid and nickel cadmium for monitoring and balancing cell voltages, currents and temperatures within the manufacturer’s specifications. The system shall transmit an alarm signal to an approved location if potentially hazardous temperatures or other conditions such as short circuits, over voltage or under voltage are detected.

Based upon the above, the alarm signal language for energy managements systems was not included in the 2020 edition of NFPA 855 or in the 2021 edition language of the IFC, instead, fire detection was included for all the various locations that the ESS may be installed. Indoors, rooftops, open parking garages and outdoors.

Unfortunately, during the 2020 NFPA 855 and 2021 IFC code development process the general language was not completely correlated with the specific location requirements and if one was to simply read the general fire detection language a person could incorrectly believe the fire detection is not required for outdoor installations.

2021 IFC

1207.5.4 Fire detection. An approved automatic smoke detection system or radiant energy-sensing fire detection system complying with Section 907.2 shall be installed in rooms, indoor areas and walk-in units containing electrochemical ESS. An approved radiant energy-sensing fire detection system shall be installed to protect open parking garage and rooftop installations. Alarm signals from detection systems shall be transmitted to a central station, proprietary or remote station service in accordance with NFPA 72, or where approved to a constantly attended location.

1207.5.4.1 System status. Where required by the fire code official, visible annunciation shall be provided on cabinet exteriors or in other approved locations to indicate that potentially hazardous conditions associated with the ESS exist.

1207.8 Outdoor installations. Outdoor installations shall be in accordance with Sections 1207.8.1 through 1207.8.3. Exterior wall installations for individual ESS units not exceeding 20 kWh shall be in accordance with Section 1207.8.4.

1207.8.1 Remote outdoor installations. For the purpose of Table 1207.8, remote outdoor installations include ESS located more than 100 feet (30 480 mm) from buildings, lot lines, public ways, stored combustible materials, hazardous materials, high-piled stock and other exposure hazards.

1207.8.2 Installations near exposures. For the purpose of Table 1207.8, installations near exposures include all outdoor ESS installations that do not comply with Section 1207.8.1 remote outdoor location requirements.

TABLE 1207.8
OUTDOOR ESS INSTALLATIONS[a]

COMPLIANCE REQUIRED		REMOTE INSTALLATIONS[a]	INSTALLATIONS NEAR EXPOSURES[b]
Feature	Section		
All ESS installations	1207.4	Yes	Yes
Clearance to exposures	1207.8.3	Yes	Yes
Fire suppression systems	1207.5.5	Yes[c]	Yes
Maximum allowable quantities	1207.5.2	No	Yes
Maximum enclosure size	1207.5.6	Yes	Yes
Means of egress separation	1207.5.8	Yes	Yes
Size and separation	1207.5.1	No	Yes[d]
Smoke and automatic fire detection	1207.5.4	Yes	Yes
Technology-specific protection	1207.6	Yes	Yes
Vegetation control	1207.5.7	Yes	Yes

a. See Section 1207.8.1.
b. See Section 1207.8.2.
c. Where approved by the fire code official, fire suppression systems are permitted to be omitted.
d. In outdoor walk-in units, spacing is not required between ESS units and the walls of the enclosure.

The portion of the IFC specific to outdoor installations, Section 1207.8 coupled with Table 1207.8 clearly indicates that fire detection is required. This correlation breakdown occasionally occurs and is typically identified as jurisdictions adopt the newer editions of codes and standards and start applying them. It is also common to have general language and specific language applying to the same topic within a code and as a result Chapter 1 of the IFC and Chapter 1 of NFPA 1 Fire Code contain provisions when such a collision occurs. (The IBC has the same language in it's Chapter 1).

Section [A] 102.10 of the IFC specifies that if there is a conflict between a general requirement and a specific requirement, the specific requirement shall be applicable. In this case Section 1207.5.4 is the general requirement for detection and Section 1207.8 is the requirement specific to outdoor installations and would prevail. The second sentence of [A]102.10 would also default to the fire detection being required because it would be the most restrictive in this case.

> **[A] 102.10 Conflicting provisions**. Where there is a conflict between a general requirement and a specific requirement, the specific requirement shall be applicable. Where, in a specific case, different sections of this code specify different materials, methods of construction or other requirements, the most restrictive shall govern.

The bottom line is that fire detection is required for outdoor installations of ESS other than detached one- and two-family dwellings and townhouses.

In NFPA 855 the correlation issue involved the general requirement for detection with the outdoor and rooftop installation specific requirements.

> **2020-NFPA 855**
>
> **4.10 Smoke and Fire Detection**. 4.10.1 All fire areas containing ESS systems located within buildings or structures shall be provided with a smoke detection system in accordance with NFPA 72.
>
> > **4.10.4** The smoke detection system shall be permitted to be replaced with a radiant energy–sensing detection system installed in accordance with NFPA 72 in open parking garages and similar occupancies where conditions negatively impact the use of smoke detection technologies.
>
> **4.4.3 Outdoor Installations**. Outdoor ESS installations shall comply with this section and as detailed in Table 4.4.3.
>
> **4.4.4 Rooftop and Open Parking Garage Installations**. Rooftop and open parking garage ESS installations shall comply with this section and as detailed in Table 4.4.4.

However, since the application of NFPA 855 by an AHJ is through its extraction into NFPA 1, similar language in NFPA 1, Chapter 1, as is in the IFC and IBC, provides for the specific location language to be applied.

> **2021 NFPA 1 Fire Code**
>
> **1.3.3.2** When a conflict between a general requirement and a specific requirement occurs, the specific requirement shall apply.

Table 4.4.3 Outdoor Stationary ESS Installations

Compliance Required	Remote Locations[a]	Locations Near Exposures[b]	Reference
Administrative	Yes	Yes	Chapters 1–3
General	Yes	Yes	Sections 4.1–4.3
Maximum size	Yes	Yes	4.4.3.2
Clearance to exposures	NA	Yes	4.4.3.3
Means of egress separation	NA	Yes	4.4.3.4
Walk-in units	Yes	Yes	4.4.3.5
Vegetation control	Yes	Yes	4.4.3.6
Enclosures	Yes	Yes	4.4.3.7
Size and separation	No	Yes[c]	Section 4.6
Maximum stored energy	No	Yes	Section 4.8
Smoke and fire detection	Yes	Yes	Section 4.10
Fire control and suppression	Yes[d]	Yes	Section 4.11
Water supply	Yes[d]	Yes	Section 4.13
Signage	Yes	Yes	4.3.5
Occupied work centers	Not allowed	Not allowed	Section 4.7
Technology-specific protection	Yes	Yes	Chapters 9–13

NA: Not applicable.
[a]See 4.4.3.1(1).
[b]See 4.4.3.1(2).
[c]In outdoor walk-in units, spacing is not required between ESS and the enclosure walls.
[d]When agreeable with the ESS owner and approved by the AHJ, fire suppression systems and water supply are permitted to be omitted.

Table 4.4.4 Rooftop and Open Parking Garage ESS Installations

Compliance Required	Rooftops*	Open Parking Garages†	Reference
Administrative	Yes	Yes	Chapters 1–3
General	Yes	Yes	Sections 4.1–4.3
Maximum size	Yes	Yes	4.4.3.2
Means of egress separation	Yes	Yes	4.4.3.4
Walk-in units	Yes	Yes	4.4.3.5
Enclosures	Yes	Yes	4.4.3.7
Clearance to exposures	Yes	Yes	4.4.4.2
Fire suppression and control	Yes	Yes	Section 4.11
Rooftop installations	Yes	No	4.4.4.4
Open parking garages	No	Yes	4.4.4.5
Size and separation	Yes	Yes	Section 4.6
Maximum stored energy	Yes	Yes	Section 4.8
Elevation	Yes	Yes	4.3.9
Smoke and fire detection	Yes	Yes	Section 4.10
Signage	Yes	Yes	4.3.5
Occupied work centers	Not allowed	Not allowed	Section 4.7
Open rack installations	Not allowed	Not allowed	4.3.11
Technology-specific protection	Yes	Yes	Chapters 9–13

NA: Not applicable.
*See 4.4.4.1(1).
†See 4.4.4.1(2).

Standard No. 1204-2		
Kern County Fire Department Fire Prevention	**Solar Panels Ground Mounted (Commercial)** Fire Protection Requirements	Fire Marshal Date: May 25, 2023

Scope

This standard is for the requirements and construction of commercial ground mounted solar installations and is pursuant to the 2022 California Fire Code and Kern County Ordinance.

Requirements

This standard uses guidelines from several sources which outline solar panel installation requirements. This standard will be associated with the proper installation of photovoltaic ground mounted solar systems. It will be applied indefinitely and reviewed/revised as part of the new code adoption process or as otherwise necessary.

Water Supply

When required by the fire code official, fire protection water shall be provided for ground mounted solar systems of one MW or larger. The presence of structures, location in the wildland areas, and the size of the array will determine the amount of fire protection water.

One 10,000-gallon tank with a 4" NSM (National Standard Male) connection will be provided for fire department use. A level indicator shall be attached to the water tank. Tank and outlet location shall be accessible to emergency vehicles, near the entrance and approved by the Kern County Fire Department. Water tank design, materials, fabrication, and installation shall be in accordance with NFPA 22. Submit plans and obtain a building permit from the Kern County Public Works Inspection Division for water tanks that exceed 5,000 gallons. (2022 CBC Section 105)

When a fire water source is available within a reasonable distance, the fire water tank requirement may be waived. This fire water source must have a 4" NSM (National Standard Male) connection. All water sources shall be approved by the Kern County Fire Department.

Clearance/Combustibles

1. A minimum clearance of 10' is required for all weeds and combustibles around the project perimeter. All vegetation under the array shall be maintained to a height of 6" or less.
2. In SRA and Wildland areas, 30' of clearance of all combustibles shall be maintained.

Access

1. A 20' minimum road width- is required around the perimeter of the entire project for the fire department and emergency vehicles.
2. All internal roads shall be a minimum of 20' wide.
3. Fire apparatus access roads shall be constructed with an asphalt, concrete, or other approved driving surface capable of supporting the imposed load of fire apparatus weighing up to 75,000 pounds.
4. Separations and clear spaces between solar panel array blocks and/or other associated equipment on the interior of the solar array that are twelve (12) feet or larger in width shall be provided with a compacted surface capable of supporting the imposed load of fire apparatus weighing up to 20,000 pounds.

KCSOS
Kern County Superintendent of Schools
Office of John G. Mendiburu, Ed.D. — Advocates For Children

RECEIVED
JUL 14 2026
Kern County Planning & Natural Resources Dept.

July 10, 2026

Kern County Planning Department
Attn: Mark Tolentino, Planner III
2700 M Street, Suite 100
Bakersfield, CA 93301

Our File No.: CO26-0113

RE: DEVELOPER FEES FOR: Galaxy Solar PV and Storage Project; Map No. 195-28, 32-34, 212-3, 4, 6, 8, 9
(Approximately 6 miles SE of Mojave, 8 miles NE of Rosamond and 8 miles NW of the main base of Edwards Air Force Base)

Dear Mr. Tolentino,

This office represents the Mojave Unified School District with regard to the imposition of school impact fees and appreciates the opportunity to respond on behalf of the district regarding the proposed project. This letter is limited to addressing the possible effects which the project might have on school facilities created by students attributable to the project. It is not intended to address other possible environmental concerns which might be identified by the district(s) after reviewing it.

As referenced in correspondence dated May 15, 2026 (File No: CO26-0082), we are affirming the above-mentioned project regarding the Galaxy Solar PV and Storage Project proposing a multiple Conditional Use Permits, Zone Changes, General Plan Amendments, Zone Variances and Vesting Tentative Parcel Maps 12577, 12578, 12579, 12580, 12581, and 12582 to allow the construction and operation of a photovoltaic solar facility on approximately 3,400-acres, across 162 privately owned parcels will not have significant will not have significant effects on the district's facilities so long as statutory school facilities fees are collected as required by law and that no further mitigation measures regarding school facilities are necessary.

Thank you for the opportunity to comment on the project. Should you have any questions, or if we can be of any further assistance in this matter, please contact me at 636-4599, or through e-mail at anwatson@kern.org.

Sincerely,

awatson

Andrea Watson, Specialist
School District Facility Services

Cc: Districts

Office Memorandum

To: Craig Murphy, Director
Planning and Natural Resources Department
Attn: Lonnie Bell, Supervising Planner

July 30, 2026

From: Cesar Ayon, Engineering Manager
Public Works Department/Development

Subject: Vesting Tentative Parcel Map No. 12577 with Development Variations
Section 28; Township 11 North, Range 11 West, SBB&M

Development Review Division

This Division has reviewed the subject project and recommends the following:

1. Support the 30-foot-wide public access easement where a minimum 40-foot wide public access easement is required. Applicant is responsible for maintaining the proposed 30-foot-wide public access easement, since it does not meet the requirements of the Kern County Land Division Ordinance, and Development Standards.

2. Support the vacation of the road reservations within the parcel map boundary.

Thank you for the opportunity to comment on this project. If you have any questions or comments, please contact Esau Trevizo of this Division.

Sewer and Water Division

This Division has reviewed the subject project and has no comments:

Thank you for the opportunity to comment on this project. If you have any questions or comments, please contact Kyle Perez of this Division at (661) 862-8852.

Floodplain Management Division

We have reviewed the referenced parcel map with respect to drainage and flood hazard conditions and have no comments.

Thank you for the opportunity to comment on this project. If you have any questions or comments, please contact Ravidu Wijesekare of this Division at (661) 862-8937.

CSA Division

This Division has reviewed the subject project and has no comments:

Thank you for the opportunity to comment on this project. If you have any questions or comments, please contact Miguel Munoz of this Division at (661) 862-8908.

Office Memorandum

To: Craig Murphy, Director
Planning and Natural Resources Department
Attn: Lonnie Bell, Supervising Planner

July 30, 2026

From: Cesar Ayon, Engineering Manager CA
Public Works Department/Development

Subject: Vesting Tentative Parcel Map No. 12578 with Development Variations
Section 33; Township 11 North, Range 11 West, SBB&M

Development Review Division

This Division has reviewed the subject project and recommends the following:

1. Support the 30-foot-wide public access easement where a minimum 40-foot wide public access easement is required. Applicant is responsible for maintaining the proposed 30-foot-wide public access easement, since it does not meet the requirements of the Kern County Land Division Ordinance, and Development Standards.

2. Support the vacation of the road reservations within the parcel map boundary.

Thank you for the opportunity to comment on this project. If you have any questions or comments, please contact Esau Trevizo of this Division.

Sewer and Water Division

This Division has reviewed the subject project and has no comments:

Thank you for the opportunity to comment on this project. If you have any questions or comments, please contact Kyle Perez of this Division at (661) 862-8852.

Floodplain Management Division

We have reviewed the referenced parcel map with respect to drainage and flood hazard and we have the following comments:

All or part of the parcels shown on this parcel map may be subject to flooding; therefore, the following notes shall be placed on the map:

Development within the limits of this parcel map shall comply with the Kern County Floodplain Management Ordinance and the latest revisions thereof.

Thank you for the opportunity to comment on this project. If you have any questions or comments, please contact Ravidu Wijesekare of this Division at (661) 862-8937.

CSA Division

This Division has reviewed the subject project and has no comments:

Thank you for the opportunity to comment on this project. If you have any questions or comments, please contact Miguel Munoz of this Division at (661) 862-8908.

Office Memorandum

To: Craig Murphy, Director
Planning and Natural Resources Department
Attn: Lonnie Bell, Supervising Planner

July 30, 2026

From: Cesar Ayon, Engineering Manager
Public Works Department/Development

Subject: Vesting Tentative Parcel Map No. 12579 with Development Variations
Section 34; Township 11 North, Range 11 West, SBB&M

Development Review Division

This Division has reviewed the subject project and recommends the following:

1. Support the 30-foot-wide public access easement where a minimum 40-foot wide public access easement is required. Applicant is responsible for maintaining the proposed 30-foot-wide public access easement, since it does not meet the requirements of the Kern County Land Division Ordinance, and Development Standards.

2. Support the vacation of the road reservations within the parcel map boundary.

Thank you for the opportunity to comment on this project. If you have any questions or comments, please contact Esau Trevizo of this Division.

Sewer and Water Division

This Division has reviewed the subject project and has no comments:

Thank you for the opportunity to comment on this project. If you have any questions or comments, please contact Kyle Perez of this Division at (661) 862-8852.

Floodplain Management Division

We have reviewed the referenced parcel map with respect to drainage and flood hazard conditions and have no comments.

Thank you for the opportunity to comment on this project. If you have any questions or comments, please contact Ravidu Wijesekare of this Division at (661) 862-8937.

CSA Division

This Division has reviewed the subject project and has no comments:

Thank you for the opportunity to comment on this project. If you have any questions or comments, please contact Miguel Munoz of this Division at (661) 862-8908.

Office Memorandum

To: Craig Murphy, Director
Planning and Natural Resources Department
Attn: Lonnie Bell, Supervising Planner

July 30, 2026

From: Cesar Ayon, Engineering Manager
Public Works Department/Development

Subject: Vesting Tentative Parcel Map No. 12580 with Development Variations
Section 4; Township 10 North, Range 11 West, SBB&M

Development Review Division

This Division has reviewed the subject project and recommends the following:

1. Support the 30-foot-wide private access easement where a minimum 40-foot wide public access easement is required. Applicant is responsible for maintaining the proposed 30-foot-wide private access easement, since it does not meet the requirements of the Kern County Land Division Ordinance, and Development Standards.

2. Support the vacation of the road reservations within the parcel map boundary.

Thank you for the opportunity to comment on this project. If you have any questions or comments, please contact Esau Trevizo of this Division.

Sewer and Water Division

This Division has reviewed the subject project and has no comments:

Thank you for the opportunity to comment on this project. If you have any questions or comments, please contact Kyle Perez of this Division at (661) 862-8852.

Floodplain Management Division

We have reviewed the referenced parcel map with respect to drainage and flood hazard and we have the following comments:

All or part of the parcels shown on this parcel map may be subject to flooding; therefore, the following notes shall be placed on the map:

Development within the limits of this parcel map shall comply with the Kern County Floodplain Management Ordinance and the latest revisions thereof.

Thank you for the opportunity to comment on this project. If you have any questions or comments, please contact Ravidu Wijesekare of this Division at (661) 862-8937.

CSA Division

This Division has reviewed the subject project and has no comments:

Thank you for the opportunity to comment on this project. If you have any questions or comments, please contact Miguel Munoz of this Division at (661) 862-8908.

Office Memorandum

To: Craig Murphy, Director
Planning and Natural Resources Department
Attn: Lonnie Bell, Supervising Planner

July 30, 2026

From: Cesar Ayon, Engineering Manager
Public Works Department/Development

Subject: Vesting Tentative Parcel Map No. 12581 with Development Variations
Section 4; Township 10 North, Range 11 West, SBB&M

Development Review Division

This Division has reviewed the subject project and recommends the following:

1. Support the 30-foot-wide public access easement where a minimum 40-foot wide public access easement is required. Applicant is responsible for maintaining the proposed 30-foot-wide public access easement, since it does not meet the requirements of the Kern County Land Division Ordinance, and Development Standards.

2. Support the vacation of the road reservations within the parcel map boundary.

Thank you for the opportunity to comment on this project. If you have any questions or comments, please contact Esau Trevizo of this Division.

Sewer and Water Division

This Division has reviewed the subject project and has no comments:

Thank you for the opportunity to comment on this project. If you have any questions or comments, please contact Kyle Perez of this Division at (661) 862-8852.

Floodplain Management Division

We have reviewed the referenced parcel map with respect to drainage and flood hazard and we have the following comments:

All or part of the parcels shown on this parcel map may be subject to flooding; therefore, the following notes shall be placed on the map:

Development within the limits of this parcel map shall comply with the Kern County Floodplain Management Ordinance and the latest revisions thereof.

Thank you for the opportunity to comment on this project. If you have any questions or comments, please contact Ravidu Wijesekare of this Division at (661) 862-8937.

CSA Division

This Division has reviewed the subject project and has no comments:

Thank you for the opportunity to comment on this project. If you have any questions or comments, please contact Miguel Munoz of this Division at (661) 862-8908.

Office Memorandum

To: Craig Murphy, Director
Planning and Natural Resources Department
Attn: Lonnie Bell, Supervising Planner

July 30, 2026

From: Cesar Ayon, Engineering Manager
Public Works Department/Development

Subject: Vesting Tentative Parcel Map No. 12582 with Development Variations
Section 8; Township 10 North, Range 11 West, SBB&M

Development Review Division

This Division has reviewed the subject project and recommends the following:

1. Support the 30-foot-wide public access easement where a minimum 40-foot wide public access easement is required. Applicant is responsible for maintaining the proposed 30-foot-wide public access easement, since it does not meet the requirements of the Kern County Land Division Ordinance, and Development Standards.

2. Support the vacation of the road reservations within the parcel map boundary.

Thank you for the opportunity to comment on this project. If you have any questions or comments, please contact Esau Trevizo of this Division.

Sewer and Water Division

This Division has reviewed the subject project and has no comments:

Thank you for the opportunity to comment on this project. If you have any questions or comments, please contact Kyle Perez of this Division at (661) 862-8852.

Floodplain Management Division

We have reviewed the referenced parcel map with respect to drainage and flood hazard and we have the following comments:

All or part of the parcels shown on this parcel map may be subject to flooding; therefore, the following notes shall be placed on the map:

Development within the limits of this parcel map shall comply with the Kern County Floodplain Management Ordinance and the latest revisions thereof.

Thank you for the opportunity to comment on this project. If you have any questions or comments, please contact Ravidu Wijesekare of this Division at (661) 862-8937.

CSA Division

This Division has reviewed the subject project and has no comments:

Thank you for the opportunity to comment on this project. If you have any questions or comments, please contact Miguel Munoz of this Division at (661) 862-8908.

Transmission Technical
Services Department

9400 Oakdale Ave
Chatsworth, CA 91311
SC9314

August 6, 2026

Mark Tolentino
Kern County Planning & Natural Resources Dept
TolentinoM@kerncounty.com

Subject: **Galaxy Solar PV and Storage Project**

DCF: **1594-26NC**

The Transmission Department of SoCalGas does not operate any facilities within your proposed improvement. However, the Distribution Department of SoCalGas may maintain and operate facilities within your project scope.

To assure no conflict with the Distribution's pipeline system, please e-mail them at:

NorthwestDistributionUtilityRequest@semprautilities.com

Best Regards,
Nerses Papazyan
SoCalGas Transmission Technical Services
SoCalGasTransmissionUtilityRequest@semprautilities.com

INTEROFFICE MEMORANDUM

To: Mark Tolentino, Planner III
From: Emily Manriquez, EHT
Subject: Galaxy Solar PV and Storage Project
APN(s): T11N/R11W-Sec. 28, 32-34
T10N/R11W-Sec. 3-4, 6, 8-9

Date: September 9, 2026

The Kern County Environmental Health Division has reviewed the above referenced project. This Division has the local regulatory authority to enforce state regulations and local codes as they relate to waste discharge, water supply requirements, and other items that may affect the health and safety of the public or that may be detrimental to the environment.

The Environmental Health Division requests that the following condition(s) be placed on the subject project.

1. Prior to issuance of building permits the method of water supply and sewage disposal for the proposed project shall be approved by Kern County Environmental Health Division.

Planning Commission Resolutions

BEFORE THE PLANNING COMMISSION

COUNTY OF KERN, STATE OF CALIFORNIA

In the matter of:

RESOLUTION NO. 157-26

APPLICATION FOR GENERAL PLAN AMENDMENT CASE NO. 7, MAP 212

The proposed project site is located at the northern edge of Antelope Valley, approximately six (6) miles southeast of the community of Mojave, approximately eight (8) miles northeast of the community of Rosamond, and approximately eight (8) miles northwest of the main base of Edwards Air Force Base
Galaxy Solar Storage, LLC (PP25404)

FINDINGS AND DETERMINATION

I, Craig M. Murphy, Secretary of the Planning Commission of the County of Kern, State of California, do hereby certify that the following resolution, proposed by Mr. Ashley, seconded by Mr. Dunbar, was duly passed and adopted by said Planning Commission at an official meeting hereof this **27th** day of **August. 2026,** by the following vote, to wit:

AYES: Ashley, Dunbar, Oliver, Skidmore

NOES: None

ABSTAINED: None

ABSENT: Brooks



SECRETARY OF THE PLANNING COMMISSION
COUNTY OF KERN, STATE OF CALIFORNIA

R E S O L U T I O N

SECTION 1. WHEREAS:

(a) Pursuant to the California Government Code, Title 7, Section 65354 (known as the Planning and Zoning Law), the Kern County Planning Commission considers proposed amendments to the County's General and Specific Plans and must provide a recommendation on all such proposed amendments to the Kern County Board of Supervisors; and

(b) Pursuant to the Zoning Ordinance, Section 19.102.135, such advisory actions shall be considered by the Planning Commission prior to consideration by the Board of Supervisors, following submission of an application containing the information specified in the applicable section of this title and a properly noticed public hearing; and

(c) The Kern County Planning and Natural Resources Department has received an application pertaining to a parcel of real property which is located within that portion of the unincorporated area of the County for which an official Zoning Map has been adopted under Section **7297.221** of said Ordinance Code and for which precise land use and zoning regulations are in effect; and

(d) Said parcel of real property is described as follows:

APN: Various

Township 10N, Range 11W, and Sections 3, 4, 6, 8, 9 SBB&M, County of Kern, State of California (A complete legal description is on file with the Kern County Planning and Natural Resources Department); and

(e) Said application has been made pursuant to provisions of Chapter 19.102 of said Ordinance Code, and requests The proposed Galaxy Solar PV and Storage Project would involve the construction and operation of a photovoltaic (PV) solar facility with associated infrastructure necessary to generate up to 600-megawatts (MW) of renewable electrical energy with up to four (4) gigawatt-hours (GWh) of energy storage capacity (approximately 1,000 MW), on an approximate 3,519-acre project site, across 184 privately owned parcels, in an unincorporated area of Southeastern Kern County. The proposal includes An amendment to the Open Space, Land Use, and Conservation Element of the Kern County General Plan from Map Code 3.3 (Other Facilities) to Map Code 8.5 (Resource Management) (GPA No. 7, Map 212); and

(f) The Planning and Natural Resources Department has reviewed the matter and prepared a report containing detailed description and analysis of the proposed amendment to the General Plan, (copy of the report is on file with the Planning and Natural Resources Department and incorporated herein by this reference as if set forth in full); and

(g) Said application has been made in the form and in the manner prescribed by said Zoning Ordinance and is on file with the Secretary of this Commission, designated as above, and reference is hereby made thereto for further particulars; and

(h) The Secretary of this Commission has caused notice to be duly given of a public hearing in this matter in accordance with law, as evidenced by the affidavit of publication and the affidavit of mailing on file with the Secretary of this Commission; and

(i) Said notice of hearing stated that an Environmental Impact Report has been prepared for this project; and

(j) Said public hearing has been duly and timely conducted, during which the proposal was explained by a representative of the Planning and Natural Resources Department and all persons so desiring were duly heard; and

(k) Before making any findings on said Environmental Impact Report or any consideration of the proposal on its merits, this Commission called for any objections or comments on said Environmental Impact Report; and

The Director of the Planning and Natural Resources Department has furnished to this Commission, and the Commission has incorporated into the record of this matter, a document setting forth the significant environmental effects identified in said Environmental Impact Report, with proposed findings and consideration by this Commission in relation to said significant effects for the purposes of Section 21081 of the Public Resources Code and Section 15091 of the State CEQA Guidelines, and setting forth evidence in support of the proposed findings; and a member of the Planning and Natural Resources Department Staff appeared before the Commission and gave additional testimony in support of the proposed findings; and

During said hearing, this Commission duly considered the adequacy and scope of said Environmental Impact Report and thereafter reviewed and considered the information therein contained with respect to the merits of the matters under consideration; and

(l) This Commission has considered the recommendation of the Planning and Natural Resources Department and all the testimony presented during said public hearing, after which said public hearing was concluded.

SECTION 2. NOW, THEREFORE, BE IT HEREBY RESOLVED by the Planning Commission of the County of Kern, as follows:

(a) This Commission has fully reviewed and considered the information in said Environmental Impact Report and Mitigation Measure Monitoring Program and hereby recommends it to be certified in relation to the subject of this resolution and, after careful consideration of all facts and evidence as presented at said hearing, it is the decision of the Planning Commission that the application herein described be, and hereby, recommends the Board of Supervisors **C E R T I F Y**

said Environmental Impact Report; **A D O P T** Section 15091 Findings of Facts and Section 15093 Statement of Overriding Considerations; **A D O P T** Mitigation Measure Monitoring Program; and recommended for **A P P R O V A L**, as recommended by Staff, by the Board of Supervisors, the application for the reasons specified in this Resolution; and

(b) The findings of this Commission upon which its decision is based are as follows:

(1) The applicable provisions of the California Environmental Quality Act, the State CEQA Guidelines, and the Kern County Guidelines have been duly observed in conjunction with said hearing in the consideration of this matter and all of the previous proceedings relating thereto.

(2) This project is recommended for approval despite the existence of certain significant environmental effects identified in said Environmental Impact Report, and this Commission recommends the Board of Supervisors makes and adopts the findings with respect to each thereof set forth in Exhibit A, appended hereto and made a part hereof by reference, pursuant to Section 15091 of the State CEQA Guidelines (Title 14, Administrative Code) and Section 21081 of the Public Resources Code and declares that it considered the evidence described in connection with each such finding in Exhibit A and that such evidence is substantial and supports such finding.

This Commission acknowledges that the Board of Supervisor's approval of this project will produce certain environmental impacts which cannot be mitigated and, in accordance with Section 15093 of the State CEQA Guidelines (Title 14, Administrative Code) hereby recommends the Board of Supervisors adopt a Statement of Overriding Considerations set forth in Exhibit B, appended hereto, and made a part hereof, which summarizes the reasons why this project, despite certain environmental impacts, has been approved.

Said Environmental Impact Report is complete and adequate in scope and has been completed in compliance with the California Environmental Quality Act and with the State CEQA Guidelines and the Kern County Guidelines for implementation thereof.

(3) The effect upon the environment of such project and the activities and improvements which may be carried out thereunder will not interfere with maintenance of a high-quality environment now or in the future. Mitigation measures have been incorporated from the Environmental Impact Report as conditions of approval, and the adopted Mitigation Measure Monitoring Program specifies the required steps to satisfy each mitigation measure.

(4) The solar project is consistent with the goals and policies of the Energy Element within the Kern County General Plan.

(5) Approval of this request would promote development that is consistent with existing and potential land uses of the surrounding area and will allow a reasonable use of this property.

(6) The proposed designation is consistent with designation and development patterns in the general area.

(7) Approval of the requested General Plan Amendment will implement a consistent resource management designation across the entire project site that will allow for solar development as well as other agricultural related activities.

(8) In accordance with State law and the California Tribal Consultation Guidelines, the appropriate Native American tribes were consulted with respect to the project's potential impacts on Native American places,

features, and objects and provided an opportunity for review and consultation.

(9) Approval of the requested Kern County General Plan Amendment is consistent with continuing the Board of Supervisors' adopted alternative energy goal because it will help facilitate the construction of a renewable energy project.

(10) Approval of this project shall not be considered operative, vested, or final until such time as the required verification from the Office of the County Clerk is submitted, attesting that payment of fees for the filing of a "Notice of Determination" for the benefit of the California Department of Fish and Wildlife, as required by AB 3158 (Section 10005 Public Resources Code) has been made.

(11) In accordance with CEQA, the Lead Agency may conclude that certain mitigation measures identified are infeasible or otherwise ineffective during public review. In those circumstances, the Lead Agency may delete those mitigation measures and substitute for them other mitigation measures the Lead Agency finds are equivalent or more effective in mitigating significant effects so long as they do not cause potentially significant effects. It is the Lead Agency's determination that clarification to proposed mitigation are considered more effective in mitigating significant effects and are not considered new significant information requiring the recirculation of the Final EIR under CEQA and do not create new significant effects on the environment; and

(c) The Secretary of this Commission shall cause copies of this resolution to be transmitted to the following:

Galaxy Solar Storage, LLC (PP25404) (1)
LiUNA (1)
File (3)

jw

BEFORE THE PLANNING COMMISSION

COUNTY OF KERN, STATE OF CALIFORNIA

In the matter of:

RESOLUTION NO. 158-26

APPLICATION FOR ZONE CHANGE CASE NO. 5, MAP NO. 195

The proposed project site is located at the northern edge of Antelope Valley, approximately six (6) miles southeast of the community of Mojave, approximately eight (8) miles northeast of the community of Rosamond, and approximately eight (8) miles northwest of the main base of Edwards Air Force Base
Galaxy Solar Storage, LLC (PP25404)

FINDINGS AND DETERMINATION

I, Craig M. Murphy, Secretary of the Planning Commission of the County of Kern, State of California, do hereby certify that the following resolution, proposed by Mr. Ashley, seconded by Mr. Dunbar, was duly passed and adopted by said Planning Commission at an official meeting hereof this **27th,** day of **August, 2026,** by the following vote, to wit:

AYES: Ashley, Dunbar, Oliver, Skidmore

NOES: None

ABSTAINED: None

ABSENT: Brooks



SECRETARY OF THE PLANNING COMMISSION
COUNTY OF KERN, STATE OF CALIFORNIA

R E S O L U T I O N

SECTION 1. WHEREAS:

(a) Pursuant to the California Government Code, Title 7, Section 65000, et seq. (known as the Planning and Zoning Law), the Kern County Board of Supervisors has adopted the Official Land Use and Zoning Ordinance for the County of Kern (Ordinance Code of Kern County, Chapter 19.02, et seq.), herein called the Zoning Ordinance; and

(b) The Zoning Ordinance establishes various classes of zones, prescribes land uses and regulations for the various zones, and adopts zoning maps for the purposes of dividing the County into zones and showing the zone boundaries; and

(c) The Zoning Ordinance regulates the use of buildings, structures, and land, as between agriculture, industry, business, residence, and other purposes, and other uses more specifically set forth in Section 65850 of said Government Code; and

(d) The Kern County Planning and Natural Resources Department has received an application pertaining to a parcel of real property which is located within that portion of the unincorporated area of the County for which an official Zoning Map has been adopted under Section **7297.219** of said Ordinance Code and for which precise land use and zoning regulations are in effect; and

(e) Said parcel of real property is described as follows:

APN: Various

Township 11N, Range 11W, and Sections 28, and 32-34 SBB&M, County of Kern, State of California (A complete legal description is on file with the Kern County Planning and Natural Resources Department); and

(f) Said application has been made pursuant to provisions of Chapter 19.112 of said Ordinance Code, and requests a zone change insofar as said requirements are applicable to the aforedescribed parcel of real property, and more particularly The proposed Galaxy Solar PV and Storage Project would involve the construction and operation of a photovoltaic (PV) solar facility with associated infrastructure necessary to generate up to 600-megawatts (MW) of renewable electrical energy with up to 4 gigawatt-hours (GWh) of energy storage capacity (approximately 1,000 MW), on an approximate 3,519-acre project site, across 184 privately owned parcels, in an unincorporated area of Southeastern Kern County. The proposal includes a change in zone classification from A-1 (Limited Agriculture) to A (Exclusive Agriculture) on approximately 1,007.00 acres (ZCC No. 5, Map 195);;and

(g) Said application has been made in the form and in the manner prescribed by said Zoning Ordinance and is on file with the Secretary of this Commission, designated as above, and reference is hereby made thereto for further particulars; and

(h) The Secretary of this Commission has caused notice to be duly given of a public hearing in this matter in accordance with law, as evidenced by the affidavit of publication and the affidavit of mailing on file with the Secretary of this Commission; and

(i) Said notice of hearing stated that an Environmental Impact Report has been prepared for this project; and

(j) Said public hearing has been duly and timely conducted, during which the proposal was explained by a representative of the Planning and Natural Resources Department and all persons so desiring were duly heard; and

(k) Before making any findings on said Environmental Impact Report or any consideration of the proposal on its merits, this Commission called for any objections or comments on said Environmental Impact Report; and

The Director of the Planning and Natural Resources Department has furnished to this Commission, and the Commission has incorporated into the record of this matter, a document setting forth the significant environmental effects identified in said Environmental Impact Report, with proposed findings and consideration by this Commission in relation to said significant effects for the purposes of Section 21081 of the Public Resources Code and Section 15091 of the State CEQA Guidelines, and setting forth evidence in support of the proposed findings; and a member of the Planning and Natural Resources Department Staff appeared before the Commission and gave additional testimony in support of the proposed findings; and

During said hearing, this Commission duly considered the adequacy and scope of said Environmental Impact Report and thereafter reviewed and considered the information therein contained with respect to the merits of the matters under consideration; and

(l) This Commission has considered the recommendation of the Planning and Natural Resources Department and all the testimony presented during said public hearing, after which said public hearing was concluded.

SECTION 2. NOW, THEREFORE, BE IT HEREBY RESOLVED by the Planning Commission of the County of Kern, as follows:

(a) This Commission finds that the facts recited above are true and that this Commission has jurisdiction to consider the subject of this resolution; and

(b) This Commission has fully reviewed and considered the information in said Environmental Impact Report and Mitigation Measure Monitoring Program and hereby recommends it to be certified in relation to the subject of this resolution and, after careful consideration of all facts and evidence as presented at said hearing, it is the decision of the Planning Commission that the application herein described be, and hereby, recommends the Board of Supervisors **C E R T I F Y** said Environmental Impact Report **A D O P T** Section 15091 Findings of Facts and Section 15093 Statement of Overriding Considerations; **A D O P T** Mitigation Measure Monitoring Program and recommended for **A P P R O V A L,** as recommended by Staff, by the Board of Supervisors, the application for the reasons specified in this Resolution; and

(c) The findings of this Commission upon which its decision is based are as follows:

(1) The applicable provisions of the California Environmental Quality Act, the State CEQA Guidelines, and the Kern County Guidelines have been duly observed in conjunction with said hearing in the consideration of this matter and all of the previous proceedings relating thereto.

(2) This project is recommended for approval despite the existence of certain significant environmental effects identified in said Environmental Impact Report, and this Commission recommends the Board of Supervisors makes and adopts the findings with respect to each thereof set forth in Exhibit A, appended hereto and made a part hereof by reference, pursuant to Section 15091 of the State CEQA Guidelines (Title 14, Administrative Code) and Section 21081 of the Public Resources Code and declares that it considered the evidence described in connection with each such finding in Exhibit A and that such evidence is substantial and supports such finding.

(3) This Commission acknowledges that the Board of Supervisors' approval of this project will produce certain environmental impacts which cannot be mitigated and, in accordance with Section 15093 of the State CEQA Guidelines (Title 14, Administrative Code) hereby adopts a Statement of Overriding Considerations set forth in Exhibit B, appended hereto, and made a part hereof, which summarizes the reasons why this project, despite certain environmental impacts, has been approved.

(4) Said Environmental Impact Report is complete and adequate in scope and has been completed in compliance with the California Environmental Quality Act and with the State CEQA Guidelines and the Kern County Guidelines for implementation thereof.

(5) The effect upon the environment of such project and the activities and improvements which may be carried out thereunder will not interfere with maintenance of a high-quality environment now or in the future. Mitigation measures have been incorporated from the Environmental Impact Report as conditions of approval, and the adopted Mitigation Measure Monitoring Program specifies the required steps to satisfy each mitigation measure.

(6) In accordance with CEQA, the Lead Agency may conclude that certain mitigation measures identified are infeasible or otherwise ineffective during public review. In those circumstances, the Lead Agency may delete those mitigation measures and substitute for them other mitigation measures the Lead Agency finds are equivalent or more effective in mitigating significant effects so long as they do not cause potentially significant effects. It is the Lead Agency's determination that clarification to proposed mitigation are considered more effective in mitigating significant effects and are not considered new significant information requiring the recirculation of the Final EIR under CEQA and do not create new significant effects on the environment.

(7) The requested zone change is consistent with the applicable provisions of the Kern County General Plan and with previous zone change approvals in the area.

(8) Approval of the requested zone change, and implementation of the required mitigation measures will not be materially detrimental to the health, safety and welfare of the public or the property and residents in the vicinity.

(9) The requested zone change will facilitate the development of a utility-scale solar energy facility. Given the lack of existing urban development infrastructure in the area, the economic uses and viability of this land are limited. Implementation of this project represents the best and highest use of this land by allowing these individual owners to develop their property with a use that is compatible with the surrounding land uses in the vicinity.

(10) Approval of the change in zone classification will allow for the construction of a utility-scale solar facility that is consistent with the purpose of the Board of Supervisors' adopted alternative energy goal.

(11) Approval and implementation of the requested zone change will facilitate the construction of a 600-megawatts (MW) of renewable electrical energy with up to 4 gigawatt-hours (GWh) of energy storage capacity (approximately 1,000 MW), on an approximate 3,519-acre project site. This facility and the anticipated economic benefits associated with the operation of the facility to the County, which include but are not limited to the anticipation of 354 average daily construction jobs with up to 653 workers during peak construction, are consistent with the objectives of the Kern County General Plan that encourage economic development that creates jobs and capital investments in urban and rural areas that benefits residents, businesses, and industries, as well as ensuring future governmental fiscal stability while encouraging new development to utilize existing infrastructure and services.

(12) Approval of the change in zone classification will allow for the construction of a utility-scale solar facility in an area that does not consist of dense urban development, in an area where adequate site access is available, and in an area that is close to existing energy transmission facilities.

(13) Approval of the requested zone change will authorize the implementation of development that is consistent with surrounding land uses and provide opportunities to capitalize on existing transmission infrastructure.

(14) The proposed Zone Change from limited agriculture to agriculture use does not impede the County's ability to Affirmatively Further Fair Housing.

(15) The site has been evaluated and determined not to be suitable or necessary for residential development due to physical, locational, or infrastructure constraints.

(16) The proposed solar development use will increase access to employment and services for surrounding communities, thereby supporting equitable access to opportunity.

(17) The project maintains sufficient residential capacity elsewhere in the County, consistent with the Housing Element and Affirmatively Further Fair Housing requirements.

(18) The proposed project supports the County's strategy to concentrate residential growth in areas better suited for equitable housing outcomes—such as high- and moderate-resource areas—rather than retaining residential designations on constrained, lower-opportunity sites.

(19) By changing the site to agricultural, the County creates opportunities for job-generating uses in proximity to existing neighborhoods, which could reduce commute times, improve household

economic mobility, and support overall community stability, core principles of Affirmatively Furthering Fair Housing.

(20) The proposed project does not result in displacement or gentrification pressures, nor does it disproportionately affect protected classes or vulnerable populations.

(21) The proposed project complements broader Affirmatively Furthering Fair Housing implementation strategies by directing solar development investment into underutilized areas, which may spur infrastructure upgrades, business growth, and service improvements that benefit nearby residents.

(22) The County retains ample capacity for future residential development in areas with better access to transportation, education, healthcare, and other essential community resources, preserving meaningful housing choice.

(23) In accordance with State law and the California Tribal Consultation Guidelines, the appropriate Indian tribes were consulted with respect to the project's potential impacts on Native American places, features, and objects and provided an opportunity for review and consultation.

(24) Approval of this project shall not be considered operative, vested, or final until such time as the required verification from the Office of the County Clerk is submitted, attesting that payment of fees for the filing of a "Notice of Determination" for the benefit of the California Department of Fish and Wildlife, as required by AB 3158 (Section 10005 Public Resources Code) has been made; and

(d) The Secretary of this Commission shall cause copies of this resolution to be transmitted to the following:

Galaxy Solar Storage, LLC (PP25404) (1)
LiUNA (1)
File (3)

jw

BEFORE THE PLANNING COMMISSION

COUNTY OF KERN, STATE OF CALIFORNIA

In the matter of:

RESOLUTION NO. 159-26

APPLICATION FOR ZONE CHANGE CASE NO. 4, MAP NO. 212

The proposed project site is located at the northern edge of Antelope Valley, approximately six (6) miles southeast of the community of Mojave, approximately eight (8) miles northeast of the community of Rosamond, and approximately eight (8) miles northwest of the main base of Edwards Air Force Base
Galaxy Solar Storage, LLC (PP25404)

FINDINGS AND DETERMINATION

I, Craig M. Murphy, Secretary of the Planning Commission of the County of Kern, State of California, do hereby certify that the following resolution, proposed by Mr. Ashley, seconded by Mr. Dunbar, was duly passed and adopted by said Planning Commission at an official meeting hereof this **27th,** day of **August, 2026,** by the following vote, to wit:

AYES: Ashley, Dunbar, Oliver, Skidmore

NOES: None

ABSTAINED: None

ABSENT: Brooks

SECRETARY OF THE PLANNING COMMISSION
COUNTY OF KERN, STATE OF CALIFORNIA

R E S O L U T I O N

SECTION 1. WHEREAS:

(a) Pursuant to the California Government Code, Title 7, Section 65000, et seq. (known as the Planning and Zoning Law), the Kern County Board of Supervisors has adopted the Official Land Use and Zoning Ordinance for the County of Kern (Ordinance Code of Kern County, Chapter 19.02, et seq.), herein called the Zoning Ordinance; and

(b) The Zoning Ordinance establishes various classes of zones, prescribes land uses and regulations for the various zones, and adopts zoning maps for the purposes of dividing the County into zones and showing the zone boundaries; and

(c) The Zoning Ordinance regulates the use of buildings, structures, and land, as between agriculture, industry, business, residence, and other purposes, and other uses more specifically set forth in Section 65850 of said Government Code; and

(d) The Kern County Planning and Natural Resources Department has received an application pertaining to a parcel of real property which is located within that portion of the unincorporated area of the County for which an official Zoning Map has been adopted under Section **7297.221** of said Ordinance Code and for which precise land use and zoning regulations are in effect; and

(e) Said parcel of real property is described as follows:

APN: Various

Township 10N, Range 11W, and Sections 3, 4, 6, 8, 9 SBB&M, County of Kern, State of California (A complete legal description is on file with the Kern County Planning and Natural Resources Department); and

(f) Said application has been made pursuant to provisions of Chapter 19.112 of said Ordinance Code, and requests a zone change insofar as said requirements are applicable to the aforedescribed parcel of real property, and more particularly The proposed Galaxy Solar PV and Storage Project would involve the construction and operation of a photovoltaic (PV) solar facility with associated infrastructure necessary to generate up to 600-megawatts (MW) of renewable electrical energy with up to 4 gigawatt-hours (GWh) of energy storage capacity (approximately 1,000 MW), on an approximate 3,519-acre project site, across 184 privately owned parcels, in an unincorporated area of Southeastern Kern County. The proposal includes a change in zone classification from A-1 (Limited Agriculture) to A (Exclusive Agriculture) on approximately 2,460.02 acres (ZCC No. 4, Map 212);and

(g) Said application has been made in the form and in the manner prescribed by said Zoning Ordinance and is on file with the Secretary of this Commission, designated as above, and reference is hereby made thereto for further particulars; and

(h) The Secretary of this Commission has caused notice to be duly given of a public hearing in this matter in accordance with law, as evidenced by the affidavit of publication and the affidavit of mailing on file with the Secretary of this Commission; and

(i) Said notice of hearing stated that an Environmental Impact Report has been prepared for this project; and

(j) Said public hearing has been duly and timely conducted, during which the proposal was explained by a representative of the Planning and Natural Resources Department and all persons so desiring were duly heard; and

(k) Before making any findings on said Environmental Impact Report or any consideration of the proposal on its merits, this Commission called for any objections or comments on said Environmental Impact Report; and

The Director of the Planning and Natural Resources Department has furnished to this Commission, and the Commission has incorporated into the record of this matter, a document setting forth the significant environmental effects identified in said Environmental Impact Report, with proposed findings and consideration by this Commission in relation to said significant effects for the purposes of Section 21081 of the Public Resources Code and Section 15091 of the State CEQA Guidelines, and setting forth evidence in support of the proposed findings; and a member of the Planning and Natural Resources Department Staff appeared before the Commission and gave additional testimony in support of the proposed findings; and

During said hearing, this Commission duly considered the adequacy and scope of said Environmental Impact Report and thereafter reviewed and considered the information therein contained with respect to the merits of the matters under consideration; and

(l) This Commission has considered the recommendation of the Planning and Natural Resources Department and all the testimony presented during said public hearing, after which said public hearing was concluded.

SECTION 2. NOW, THEREFORE, BE IT HEREBY RESOLVED by the Planning Commission of the County of Kern, as follows:

(a) This Commission finds that the facts recited above are true and that this Commission has jurisdiction to consider the subject of this resolution; and

(b) This Commission has fully reviewed and considered the information in said Environmental Impact Report and Mitigation Measure Monitoring Program and hereby recommends it to be certified in relation to the subject of this resolution

and, after careful consideration of all facts and evidence as presented at said hearing, it is the decision of the Planning Commission that the application herein described be, and hereby, recommends the Board of Supervisors **C E R T I F Y** said Environmental Impact Report **A D O P T** Section 15091 Findings of Facts and Section 15093 Statement of Overriding Considerations; **A D O P T** Mitigation Measure Monitoring Program and recommended for **A P P R O V A L,** as recommended by Staff, by the Board of Supervisors, the application for the reasons specified in this Resolution; and

(c) The findings of this Commission upon which its decision is based are as follows:

(1) The applicable provisions of the California Environmental Quality Act, the State CEQA Guidelines, and the Kern County Guidelines have been duly observed in conjunction with said hearing in the consideration of this matter and all of the previous proceedings relating thereto.

(2) This project is recommended for approval despite the existence of certain significant environmental effects identified in said Environmental Impact Report, and this Commission recommends the Board of Supervisors makes and adopts the findings with respect to each thereof set forth in Exhibit A, appended hereto and made a part hereof by reference, pursuant to Section 15091 of the State CEQA Guidelines (Title 14, Administrative Code) and Section 21081 of the Public Resources Code and declares that it considered the evidence described in connection with each such finding in Exhibit A and that such evidence is substantial and supports such finding.

(3) This Commission acknowledges that the Board of Supervisors' approval of this project will produce certain environmental impacts which cannot be mitigated and, in accordance with Section 15093 of the State CEQA Guidelines (Title 14, Administrative Code) hereby adopts a Statement of Overriding Considerations set forth in Exhibit B, appended hereto, and made a part hereof, which summarizes the reasons why this project, despite certain environmental impacts, has been approved.

(4) Said Environmental Impact Report is complete and adequate in scope and has been completed in compliance with the California Environmental Quality Act and with the State CEQA Guidelines and the Kern County Guidelines for implementation thereof.

(5) The effect upon the environment of such project and the activities and improvements which may be carried out thereunder will not interfere with maintenance of a high-quality environment now or in the future. Mitigation measures have been incorporated from the Environmental Impact Report as conditions of approval, and the adopted Mitigation Measure Monitoring Program specifies the required steps to satisfy each mitigation measure.

(6) In accordance with CEQA, the Lead Agency may conclude that certain mitigation measures identified are infeasible or otherwise ineffective during public review. In those circumstances, the Lead Agency may delete those mitigation measures and substitute for them other mitigation measures the Lead Agency finds are equivalent or more effective in mitigating significant effects so long as they do not cause potentially significant effects. It is the Lead Agency's determination that clarification to proposed mitigation are considered more effective in mitigating significant effects and are not considered new significant information requiring the recirculation of the Final EIR under CEQA and do not create new significant effects on the environment.

(7) The requested zone change is consistent with the applicable provisions of the Kern County General Plan and with previous zone change approvals in the area.

(8) Approval of the requested zone change, and implementation of the required mitigation measures will not be materially detrimental to the health, safety and welfare of the public or the property and residents in the vicinity.

(9) The requested zone change will facilitate the development of a utility-scale solar energy facility. Given the lack of existing urban development infrastructure in the area, the economic uses and viability of this land are limited. Implementation of this project represents the best and highest use of this land by allowing these individual owners to develop their property with a use that is compatible with the surrounding land uses in the vicinity.

(10) Approval of the change in zone classification will allow for the construction of a utility-scale solar facility that is consistent with the purpose of the Board of Supervisors' adopted alternative energy goal.

(11) Approval and implementation of the requested zone change will facilitate the construction of a 600-megawatts (MW) of renewable electrical energy with up to 4 gigawatt-hours (GWh) of energy storage capacity (approximately 1,000 MW), on an approximate 3,519-acre project site. This facility and the anticipated economic benefits associated with the operation of the facility to the County, which include but are not limited to the anticipation of 354 average daily construction jobs with up to 653 workers during peak construction, are consistent with the objectives of the Kern County General Plan that encourage economic development that creates jobs and capital investments in urban and rural areas that benefits residents, businesses, and industries, as well as ensuring future governmental fiscal stability while encouraging new development to utilize existing infrastructure and services.

(12) Approval of the change in zone classification will allow for the construction of a utility-scale solar facility in an area that does not consist of dense urban development, in an area where adequate site access is available, and in an area that is close to existing energy transmission facilities.

(13) Approval of the requested zone change will authorize the implementation of development that is consistent with surrounding land uses and provide opportunities to capitalize on existing transmission infrastructure.

(14) The proposed Zone Change from limited agriculture to agriculture use does not impede the County's ability to Affirmatively Further Fair Housing.

(15) The site has been evaluated and determined not to be suitable or necessary for residential development due to physical, locational, or infrastructure constraints.

(16) The proposed solar development use will increase access to employment and services for surrounding communities, thereby supporting equitable access to opportunity.

(17) The project maintains sufficient residential capacity elsewhere in the County, consistent with the Housing Element and Affirmatively Further Fair Housing requirements.

(18) The proposed project supports the County's strategy to concentrate residential growth in areas better suited for equitable housing outcomes—such as high- and moderate-resource areas—rather than retaining residential designations on constrained, lower-opportunity sites.

(19) By changing the site to agricultural, the County creates opportunities for job-generating uses in proximity to existing neighborhoods, which could reduce commute times, improve household economic mobility, and support overall community stability, core principles of Affirmatively Furthering Fair Housing.

(20) The proposed project does not result in displacement or gentrification pressures, nor does it disproportionately affect protected classes or vulnerable populations.

(21) The proposed project complements broader Affirmatively Furthering Fair Housing implementation strategies by directing solar development investment into underutilized areas, which may spur infrastructure upgrades, business growth, and service improvements that benefit nearby residents.

(22) The County retains ample capacity for future residential development in areas with better access to transportation, education, healthcare, and other essential community resources, preserving meaningful housing choice.

(23) In accordance with State law and the California Tribal Consultation Guidelines, the appropriate Indian tribes were consulted with respect to the project's potential impacts on Native American places, features, and objects and provided an opportunity for review and consultation.

(24) Approval of this project shall not be considered operative, vested, or final until such time as the required verification from the Office of the County Clerk is submitted, attesting that payment of fees for the filing of a "Notice of Determination" for the benefit of the California Department of Fish and Wildlife, as required by AB 3158 (Section 10005 Public Resources Code) has been made; and

(d) The Secretary of this Commission shall cause copies of this resolution to be transmitted to the following:

Galaxy Solar Storage, LLC (PP25404) (1)
LiUNA (1)
File (3)

jw

BEFORE THE PLANNING COMMISSION

COUNTY OF KERN, STATE OF CALIFORNIA

In the matter of:

RESOLUTION NO. 160-26

APPLICATION FOR ZONE CHANGE CASE NO. 5, MAP NO. 212

The proposed project site is located at the northern edge of Antelope Valley, approximately six (6) miles southeast of the community of Mojave, approximately eight (8) miles northeast of the community of Rosamond, and approximately eight (8) miles northwest of the main base of Edwards Air Force Base
Galaxy Solar Storage, LLC (PP25404)

FINDINGS AND DETERMINATION

I, Craig M. Murphy, Secretary of the Planning Commission of the County of Kern, State of California, do hereby certify that the following resolution, proposed by Mr. Ashley, seconded by Mr. Dunbar, was duly passed and adopted by said Planning Commission at an official meeting hereof this **27th,** day of **August, 2026,** by the following vote, to wit:

AYES: Ashley, Dunbar, Oliver, Skidmore

NOES: None

ABSTAINED: None

ABSENT: Brooks



SECRETARY OF THE PLANNING COMMISSION
COUNTY OF KERN, STATE OF CALIFORNIA

R E S O L U T I O N

SECTION 1. WHEREAS:

(a) Pursuant to the California Government Code, Title 7, Section 65000, et seq. (known as the Planning and Zoning Law), the Kern County Board of Supervisors has adopted the Official Land Use and Zoning Ordinance for the County of Kern (Ordinance Code of Kern County, Chapter 19.02, et seq.), herein called the Zoning Ordinance; and

(b) The Zoning Ordinance establishes various classes of zones, prescribes land uses and regulations for the various zones, and adopts zoning maps for the purposes of dividing the County into zones and showing the zone boundaries; and

(c) The Zoning Ordinance regulates the use of buildings, structures, and land, as between agriculture, industry, business, residence, and other purposes, and other uses more specifically set forth in Section 65850 of said Government Code; and

(d) The Kern County Planning and Natural Resources Department has received an application pertaining to a parcel of real property which is located within that portion of the unincorporated area of the County for which an official Zoning Map has been adopted under Section **7297.221** of said Ordinance Code and for which precise land use and zoning regulations are in effect; and

(e) Said parcel of real property is described as follows:

APN: Various

Township 10N, Range 11W, and Sections 3, 4, 6, 8, 9 SBB&M, County of Kern, State of California (A complete legal description is on file with the Kern County Planning and Natural Resources Department); and

(f) Said application has been made pursuant to provisions of Chapter 19.112 of said Ordinance Code, and requests a zone change insofar as said requirements are applicable to the aforedescribed parcel of real property, and more particularly The proposed Galaxy Solar PV and Storage Project would involve the construction and operation of a photovoltaic (PV) solar facility with associated infrastructure necessary to generate up to 600-megawatts (MW) of renewable electrical energy with up to 4 gigawatt-hours (GWh) of energy storage capacity (approximately 1,000 MW), on an approximate 3,519-acre project site, across 184 privately owned parcels, in an unincorporated area of Southeastern Kern County. The proposal includes a change in zone classification from A-1 (Limited Agriculture) to A (Exclusive Agriculture) to facilitate installation of off-site water storage tanks for construction and operations on approximately 20.00 acres (ZCC No. 5, Map 212);and

(g) Said application has been made in the form and in the manner prescribed by said Zoning Ordinance and is on file with the Secretary of this Commission, designated as above, and reference is hereby made thereto for further particulars; and

(h) The Secretary of this Commission has caused notice to be duly given of a public hearing in this matter in accordance with law, as evidenced by the affidavit of publication and the affidavit of mailing on file with the Secretary of this Commission; and

(i) Said notice of hearing stated that an Environmental Impact Report has been prepared for this project; and

(j) Said public hearing has been duly and timely conducted, during which the proposal was explained by a representative of the Planning and Natural Resources Department and all persons so desiring were duly heard; and

(k) Before making any findings on said Environmental Impact Report or any consideration of the proposal on its merits, this Commission called for any objections or comments on said Environmental Impact Report; and

The Director of the Planning and Natural Resources Department has furnished to this Commission, and the Commission has incorporated into the record of this matter, a document setting forth the significant environmental effects identified in said Environmental Impact Report, with proposed findings and consideration by this Commission in relation to said significant effects for the purposes of Section 21081 of the Public Resources Code and Section 15091 of the State CEQA Guidelines, and setting forth evidence in support of the proposed findings; and a member of the Planning and Natural Resources Department Staff appeared before the Commission and gave additional testimony in support of the proposed findings; and

During said hearing, this Commission duly considered the adequacy and scope of said Environmental Impact Report and thereafter reviewed and considered the information therein contained with respect to the merits of the matters under consideration; and

(l) This Commission has considered the recommendation of the Planning and Natural Resources Department and all the testimony presented during said public hearing, after which said public hearing was concluded.

SECTION 2. NOW, THEREFORE, BE IT HEREBY RESOLVED by the Planning Commission of the County of Kern, as follows:

(a) This Commission finds that the facts recited above are true and that this Commission has jurisdiction to consider the subject of this resolution; and

(b) This Commission has fully reviewed and considered the information in said Environmental Impact Report and Mitigation Measure Monitoring Program and hereby recommends it to be certified in relation to the subject of this resolution

and, after careful consideration of all facts and evidence as presented at said hearing, it is the decision of the Planning Commission that the application herein described be, and hereby, recommends the Board of Supervisors **C E R T I F Y** said Environmental Impact Report **A D O P T** Section 15091 Findings of Facts and Section 15093 Statement of Overriding Considerations; **A D O P T** Mitigation Measure Monitoring Program and recommended for **A P P R O V A L,** as recommended by Staff, by the Board of Supervisors, the application for the reasons specified in this Resolution; and

(c) The findings of this Commission upon which its decision is based are as follows:

(1) The applicable provisions of the California Environmental Quality Act, the State CEQA Guidelines, and the Kern County Guidelines have been duly observed in conjunction with said hearing in the consideration of this matter and all of the previous proceedings relating thereto.

(2) This project is recommended for approval despite the existence of certain significant environmental effects identified in said Environmental Impact Report, and this Commission recommends the Board of Supervisors makes and adopts the findings with respect to each thereof set forth in Exhibit A, appended hereto and made a part hereof by reference, pursuant to Section 15091 of the State CEQA Guidelines (Title 14, Administrative Code) and Section 21081 of the Public Resources Code and declares that it considered the evidence described in connection with each such finding in Exhibit A and that such evidence is substantial and supports such finding.

(3) This Commission acknowledges that the Board of Supervisors' approval of this project will produce certain environmental impacts which cannot be mitigated and, in accordance with Section 15093 of the State CEQA Guidelines (Title 14, Administrative Code) hereby adopts a Statement of Overriding Considerations set forth in Exhibit B, appended hereto, and made a part hereof, which summarizes the reasons why this project, despite certain environmental impacts, has been approved.

(4) Said Environmental Impact Report is complete and adequate in scope and has been completed in compliance with the California Environmental Quality Act and with the State CEQA Guidelines and the Kern County Guidelines for implementation thereof.

(5) The effect upon the environment of such project and the activities and improvements which may be carried out thereunder will not interfere with maintenance of a high-quality environment now or in the future. Mitigation measures have been incorporated from the Environmental Impact Report as conditions of approval, and the adopted Mitigation Measure Monitoring Program specifies the required steps to satisfy each mitigation measure.

(6) In accordance with CEQA, the Lead Agency may conclude that certain mitigation measures identified are infeasible or otherwise ineffective during public review. In those circumstances, the Lead Agency may delete those mitigation measures and substitute for them other mitigation measures the Lead Agency finds are equivalent or more effective in mitigating significant effects so long as they do not cause potentially significant effects. It is the Lead Agency's determination that clarification to proposed mitigation are considered more effective in mitigating significant effects and are not considered new significant information requiring the recirculation of the Final EIR under CEQA and do not create new significant effects on the environment.

(7) The requested zone change is consistent with the applicable provisions of the Kern County General Plan and with previous zone change approvals in the area.

(8) Approval of the requested zone change, and implementation of the required mitigation measures will not be materially detrimental to the health, safety and welfare of the public or the property and residents in the vicinity.

(9) The requested zone change will facilitate the development of a utility-scale solar energy facility. Given the lack of existing urban development infrastructure in the area, the economic uses and viability of this land are limited. Implementation of this project represents the best and highest use of this land by allowing these individual owners to develop their property with a use that is compatible with the surrounding land uses in the vicinity.

(10) Approval of the change in zone classification will allow for the construction of a utility-scale solar facility that is consistent with the purpose of the Board of Supervisors' adopted alternative energy goal.

(11) Approval and implementation of the requested zone change will facilitate the construction of a 600-megawatts (MW) of renewable electrical energy with up to 4 gigawatt-hours (GWh) of energy storage capacity (approximately 1,000 MW), on an approximate 3,519-acre project site. This facility and the anticipated economic benefits associated with the operation of the facility to the County, which include but are not limited to the anticipation of 354 average daily construction jobs with up to 653 workers during peak construction, are consistent with the objectives of the Kern County General Plan that encourage economic development that creates jobs and capital investments in urban and rural areas that benefits residents, businesses, and industries, as well as ensuring future governmental fiscal stability while encouraging new development to utilize existing infrastructure and services.

(12) Approval of the change in zone classification will allow for the construction of a utility-scale solar facility in an area that does not consist of dense urban development, in an area where adequate site access is available, and in an area that is close to existing energy transmission facilities.

(13) Approval of the requested zone change will authorize the implementation of development that is consistent with surrounding land uses and provide opportunities to capitalize on existing transmission infrastructure.

(14) The proposed Zone Change from limited agriculture to agriculture use does not impede the County's ability to Affirmatively Further Fair Housing.

(15) The site has been evaluated and determined not to be suitable or necessary for residential development due to physical, locational, or infrastructure constraints.

(16) The proposed solar development use will increase access to employment and services for surrounding communities, thereby supporting equitable access to opportunity.

(17) The project maintains sufficient residential capacity elsewhere in the County, consistent with the Housing Element and Affirmatively Further Fair Housing requirements.

(18) The proposed project supports the County's strategy to concentrate residential growth in areas better suited for equitable housing outcomes—such as high- and moderate-resource areas—rather than retaining residential designations on constrained, lower-opportunity sites.

(19) By changing the site to agricultural, the County creates opportunities for job-generating uses in proximity to existing neighborhoods, which could reduce commute times, improve household economic mobility, and support overall community stability, core principles of Affirmatively Furthering Fair Housing.

(20) The proposed project does not result in displacement or gentrification pressures, nor does it disproportionately affect protected classes or vulnerable populations.

(21) The proposed project complements broader Affirmatively Furthering Fair Housing implementation strategies by directing solar development investment into underutilized areas, which may spur infrastructure upgrades, business growth, and service improvements that benefit nearby residents.

(22) The County retains ample capacity for future residential development in areas with better access to transportation, education, healthcare, and other essential community resources, preserving meaningful housing choice.

(23) In accordance with State law and the California Tribal Consultation Guidelines, the appropriate Indian tribes were consulted with respect to the project's potential impacts on Native American places, features, and objects and provided an opportunity for review and consultation.

(24) Approval of this project shall not be considered operative, vested, or final until such time as the required verification from the Office of the County Clerk is submitted, attesting that payment of fees for the filing of a "Notice of Determination" for the benefit of the California Department of Fish and Wildlife, as required by AB 3158 (Section 10005 Public Resources Code) has been made; and

(d) The Secretary of this Commission shall cause copies of this resolution to be transmitted to the following:

Galaxy Solar Storage, LLC (PP25404) (1)
LiUNA (1)
File (3)

jw

BEFORE THE PLANNING COMMISSION

COUNTY OF KERN, STATE OF CALIFORNIA

In the matter of:

RESOLUTION NO. 161-26

APPLICATION FOR CONDITIONAL USE PERMIT CASE NO. 4, MAP 195

The proposed project site is located at the northern edge of Antelope Valley, approximately six (6) miles southeast of the community of Mojave, approximately eight (8) miles northeast of the community of Rosamond, and approximately eight (8) miles northwest of the main base of Edwards Air Force Base
Galaxy Solar Storage, LLC (PP25404)

FINDINGS AND DETERMINATION

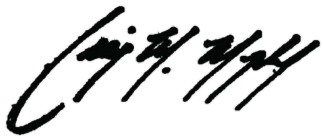
I, Craig M. Murphy, Secretary of the Planning Commission of the County of Kern, State of California, do hereby certify that the following resolution, proposed by Mr. Ashley, seconded by Mr. Dunbar, was duly passed and adopted by said Planning Commission at an official meeting hereof this **27th** day of **August 2026,** by the following vote, to wit:

AYES: Ashley, Dunbar, Oliver, Skidmore

NOES: None

ABSTAINED: None

ABSENT: Brooks



SECRETARY OF THE PLANNING COMMISSION
COUNTY OF KERN, STATE OF CALIFORNIA

R E S O L U T I O N

SECTION 1. WHEREAS:

(a) Pursuant to the California Government Code, Title 7, Section 65000, et seq. (known as the Planning and Zoning Law), the Kern County Board of Supervisors has adopted the Official Land Use and Zoning Ordinance for the County of Kern (Ordinance Code of Kern County, Chapter 19.02, et seq.), herein called the Zoning Ordinance; and

(b) The Zoning Ordinance establishes various classes of zones, prescribes land uses and regulations for the various zones, and adopts zoning maps for the purposes of dividing the County into zones and showing the zone boundaries; and

(c) The Zoning Ordinance regulates the use of buildings, structures, and land, as between agriculture, industry, business, residence, and other purposes, and other uses more specifically set forth in Section 65850 of said Government Code; and

(d) The Kern County Planning and Natural Resources Department has received an application pertaining to a parcel of real property which is located within that portion of the unincorporated area of the County for which an official Zoning Map has been adopted under Section **7297.219** of said Ordinance Code and for which precise land use and zoning regulations are in effect; and

(e) Said parcel of real property is described as follows:

APN: Various

Township 11N, Range 11W, and Sections 28, and 32-34 SBB&M, County of Kern, State of California (A complete legal description is on file with the Kern County Planning and Natural Resources Department); and

(f) Said application has been made pursuant to provisions of Chapter 19.104 of said Ordinance Code, and requests a conditional use permit as provided in Section 19.12.030.G and 19.12.030.K, insofar as said requirements are applicable to the aforedescribed parcel of real property, and more particularly The proposed Galaxy Solar PV and Storage Project would involve the construction and operation of a photovoltaic (PV) solar facility with associated infrastructure necessary to generate up to 600-megawatts (MW) of renewable electrical energy with up to 4 gigawatt-hours (GWh) of energy storage capacity (approximately 1,000 MW), on an approximate 3,519-acre project site, across 184 privately owned parcels, in an unincorporated area of Southeastern Kern County. The proposal includes:

Conditional Use Permit to allow for the construction and operation of a solar facility up to 150 MW and associated infrastructure, including energy storage, a switchyard (Section 19.12.030.G), and temporary construction staging and equipment storage (Section 19.12.030.K) on approximately 974.95 acres in an A (Exclusive Agriculture) District (CUP No. 4, Map 195); and

(g) Said application has been made in the form and in the manner prescribed by said Zoning Ordinance and is on file with the Secretary of this Commission, designated as above, and reference is hereby made thereto for further particulars; and

(h) The Secretary of this Commission has caused notice to be duly given of a public hearing in this matter in accordance with law, as evidenced by the affidavit of publication and the affidavit of mailing on file with the Secretary of this Commission; and

(i) Said notice of hearing stated that an Environmental Impact Report has been prepared for this project; and

(j) Said public hearing has been duly and timely conducted, during which the proposal was explained by a representative of the Planning and Natural Resources Department and all persons so desiring were duly heard; and

(k) Before making any findings on said Environmental Impact Report or any consideration of the proposal on its merits, this Commission called for any objections or comments on said Environmental Impact Report; and

The Director of the Planning and Natural Resources Department has furnished to this Commission, and the Commission has incorporated into the record of this matter, a document setting forth the significant environmental effects identified in said Environmental Impact Report, with proposed findings and consideration by this Commission in relation to said significant effects for the purposes of Section 21081 of the Public Resources Code and Section 15091 of the State CEQA Guidelines, and setting forth evidence in support of the proposed findings; and a member of the Planning and Natural Resources Department Staff appeared before the Commission and gave additional testimony in support of the proposed findings; and

During said hearing, this Commission duly considered the adequacy and scope of said Environmental Impact Report and thereafter reviewed and considered the information therein contained with respect to the merits of the matters under consideration; and

(l) This Commission has considered the recommendation of the Planning and Natural Resources Department and all the testimony presented during said public hearing, after which said public hearing was concluded.

SECTION 2. NOW, THEREFORE, BE IT HEREBY RESOLVED by the Planning Commission of the County of Kern, as follows:

(a) This Commission finds that the facts recited above are true and that this Commission has jurisdiction to consider the subject of this resolution; and

(b) This Commission has fully reviewed and considered the information in said Environmental Impact Report and Mitigation Monitoring and Reporting Program and hereby recommends it to be certified in relation to the subject of this resolution and, after careful consideration of all facts and evidence as presented at said hearing, it is the decision of the Planning Commission that the application herein described be, and hereby, recommends the Board of Supervisors **C E R T I F Y** said Environmental Impact Report; **A D O P T** Section 15091 Findings of Facts and Section 15093 Statement of Overriding Considerations; **A D O P T** Mitigation Measure Monitoring Program; and recommended for **A P P R O V A L**, as recommended by Staff, by the Board of Supervisors, the application for the reasons specified in this Resolution with development to be in substantial conformity with the approved plan, and the approved plan shall be revised to include the following conditions of approval:

(1) Conditional Use Permit to allow for the construction and operation of a solar facility up to 150 MW and associated infrastructure, including energy storage, a switchyard (Section 19.12.030.G), and temporary construction staging and equipment storage (Section 19.12.030.K) on approximately 974.95 acres in an A (Exclusive Agriculture) District (CUP No. 4, Map 195);

(2) Any additional on-site development or expansion activities beyond those items described in the staff report and certified Final Environmental Impact Report associated with initial approval of this conditional use permit, and which are deemed to be more intensive by the Director of the Kern County Planning and Natural Resources Department, shall be subject to review and approval and may entail further environmental review. Approval of such development or expansion activities may also require modification of this conditional use permit or the approval of a new conditional use permit at the discretion of the Director of the Kern County Planning and Natural Resources Department.

(3) All mitigation measures included in the adopted Mitigation Measure Monitoring Program for the Galaxy Solar PV and Storage Project by Galaxy Solar Storage, LLC (General Plan Amendment Case No. 7, Map 212; Amendment of Zoning Map 195, Zone Change Case No. 5; Amendment of Zoning Map 212, Zone Change Case No. 4; Amendment of Zoning Map 212, Zone Change Case No. 5; Conditional Use Permit Case No. 4, Map 195; Conditional Use Permit Case No. 5, Map 195; Conditional Use Permit Case No. 7, Map 212; General Plan Amendment Case No. 5, Map 195; General Plan Amendment Case No. 6, Map 212; Zone Variance Case No. 1, Map 195; Zone Variance Case No. 2, Map 212; Vesting Tentative Parcel Map 12577; Vesting Tentative Parcel Map 12578; Vesting Tentative Parcel Map 12579; Vesting Tentative Parcel Map 12580; Vesting Tentative Parcel Map 12581; Vesting Tentative Parcel Map 12582), included as Exhibit C of this Resolution, are hereby incorporated as Conditions of Approval.

(4) Development shall be in substantial conformity with the approved plan, and the approved plan shall be revised to include the following conditions of approval.

(5) All necessary building permits must be obtained.

(6) Should a conflict occur between the statistical data shown on the plan and the conditions of approval, the conditions of approval shall prevail.

(7) **Prior to the issuance of building or grading permits, the applicant shall submit documentation of the following:**

(a) The project proponent shall demonstrate compliance with all applicable mitigation measures as listed in the approved Mitigation Measure Reporting Program (MMRP).

(b) The method of water supply and sewage disposal shall be as required and approved by the Kern County Public Health Services Department/Environmental Health Division.

(c) Fire flows, fire protection facilities, and access ways shall be as required and approved by the Kern County Fire Department (KCFD).

1. All Battery Energy Storage Systems must be applied for directly with KCFD for separate permitting and pre-construction approval. All proposed batteries must be UL9540A 2019 Edition tested for large scale burns.

2. The 24,000-gallon fire water tank and fire alarm annunciator panel (Incident Command Post) shall be located a minimum of 300’ upwind from the nearest battery enclosure.

3. Site emergency response access for the storage yards shall be placed upwind of battery enclosures based on the prevailing winds in the area of construction.

(d) A plan for the disposal of drainage waters originating on-site and from adjacent road rights-of-way shall be approved by the Kern County Engineering, Surveying, and Permit Services Department/ Floodplain Management, if required. Easements or grant deeds shall be given to the County of Kern for drainage purposes or access thereto, as necessary.

1. Associated flood hazard requirements will need to be incorporated into the design of this project per the Kern County Floodplain Management Ordinance.

(e) The project operator shall develop and implement an on-site Pest Management Plan specifically related to rodent vectors. The plan shall be submitted to the Kern County Planning and Natural Resources Department for approval.

(f) The project proponent shall encourage all contractors for the project to hire at least 50 percent of their workers from the local Kern County communities. The project operator shall provide to the contractors a list of training programs that provide skilled solar workers and shall require the contractor to advertise locally for available jobs, notify the training programs of job availability, all in conjunction with normal hiring practices of the contractor. The project operator shall submit a letter detailing the hiring efforts, prior to commencement of construction.

(g) Solar panel support/foundation structures shall be constructed in such a way as to minimize the potential to entrap animals. Detailed schematic drawings depicting the solar panel support/foundation structures to be used on site shall be submitted for approval by the Kern County Planning and Natural Resources Director.

(h) The project proponent shall consult with the County of Kern Public Works Department/Building and Development Division for issuance of an encroachment permit, at locations to be approved by the Public Works Department, to construct paved private road approaches to prevent damage to County-owned roads. Any required improvements shall comply with requirements of the County of Kern Public Works Department/Building and Development Division and shall be accomplished at no cost to the County.

(i) All survey monuments shall be tied out by a Licensed Land Surveyor. A corner record for each monument shall be submitted to the County Surveyor for review and processing, per Section 8771 of the Professional Land Surveyor's (PLS) Act.

(j) All survey monuments that were destroyed during construction shall be re-set or have a suitable witness corner set. A post construction corner record for each monument re-set or a record of survey shall be submitted to the County Surveyor for processing, per Section 8711 of the Professional Land Surveyor's Act.

(k) All survey monuments shall be accessible by a Licensed Land Survey or their representatives, with prior notice, per Section 8774 of the PLS Act and Civil Code 846.5 (a).

(l) Provide a Traffic Control Plan that addresses the routes, duration and manner of traffic control that will be implemented to accommodate construction related traffic.

(m) Enter into a secured agreement with the Kern County Public Works Department to ensure that any County roads that are demonstrably damaged by project-related activities are promptly repaired and, if necessary, paved, slurry-sealed, or reconstructed as per requirements of the State and or Kern County.

(n) Obtain all necessary Encroachment Permits for any proposed work within the County Road right-of-way. These permits may be obtained from our Permits Engineer.

(o) Obtain all necessary Transportation Permits for any oversized or overweight (heavy) loads that will utilize County maintained roads, which may require California Highway Patrol escort. These permits may be obtained from our Permits Engineer.

(p) Contact the California Department of Transportation (Caltrans) regarding this project.

(q) All easements shall be kept open, clear, and free from buildings and structures of any kind pursuant to Chapters 18.50 and 18.55 of the Kern County Land Division Ordinance. All obstructions, including utility poles and lines, trees, pole signs, fences, or similar obstructions, shall be removed from the ultimate road rights-of-way. Compliance with this requirement is the responsibility of the applicant and may result in significant financial expenditures.

(r) The project operator shall process the required Memorandum of Understanding/Agreement (MOU) to the Kern County Board of Supervisors. If executed, the project proponent shall submit a copy of the signed MOU to the Kern County Planning and Natural Resources Department.

(s) The applicant shall provide confirming documentation the facility has been registered with the California Environmental Reporting System (CERS) at the following link: http://cers.calepa.ca.gov/.

(t) If any abandoned wells are found during the grading and construction process, the applicant shall contact the Kern County Public Health Services Department/Land and Water Division for permitting and destruction procedures.

(u) The applicant shall submit proof of access that meets the requirements of the Kern County Public Works Department.

(v) The Project proponent shall coordinate with SoCalGas staff to determine the specific requirements regarding any potential natural gas service or facility issues needed to adequately accommodate the proposed Project. The Project proponent shall comply with and adhere to all requirements identified by SoCalGas adequately accommodate the proposed Project, including avoiding damage to SoCalGas natural gas services and facilities, as needed as Project construction progresses.

(8) **<u>Prior to final occupancy approval,</u> the following conditions shall be verified by the building inspector and shall be continuously maintained while this permit is active:**

(a) All easements shall be kept open, clear, and free from buildings and structures of any kind pursuant to Chapters 18.50 and 18.55 of the Kern County Land Division Ordinance. All obstructions, including utility poles and lines, trees, pole signs, or similar obstructions, shall be removed from the ultimate road rights-of-way in accordance with Section 18.55.030 of the Land Division Ordinance. Compliance with this requirement is the responsibility of the applicant and may result in significant financial expenditures.

(b) All vehicle parking and maneuvering areas shall be treated in a manner to continuously prevent blowing dust.

(c) All signs shall be approved by the Director of the Kern County Planning and Natural Resources Department prior to installation.

(d) The areas devoted to outside storage shall be treated with a dust binder or other dust control measure, as approved by the Director of the Kern County Planning and Natural Resources Department.

(e) All survey monuments that were destroyed during construction shall be re-set or have a suitable witness cover set. A post construction corner record for each monument re-set or a record of survey shall be submitted to the County Surveyor for processing, per Section 8771 of the Professional Land Surveyor's Act.

(f) The applicant shall pay all required statutory fees as required by the Kern County Superintendent of Schools.

(9) **The property owner shall continuously comply with the following conditions of approval during implementation of this permit:**

(a) The development shall comply with any requirements of the Eastern Kern Air Pollution Control District.

(b) If any previously unknown oil, gas or injection wells are discovered, work in the area of discovery shall be stopped and the Department of Conservation/Geologic Energy Management Division/Bakersfield office contacted by the project proponent to obtain information on the requirements of, and approval to perform, remedial operations implemented prior to resumption of work in the area of discovery.

(c) If any previously unknown archaeological or cultural resources are discovered, work in the area of discovery shall be stopped and a qualified archaeologist contacted to evaluate the find. A copy of the archaeologist's evaluation shall be submitted to the Kern County Planning and Natural Resources Department upon its issuance and any measures recommended by the archaeologist shall be implemented prior to resumption of work in the area of discovery.

(d) All exterior lighting shall comply with Chapter 19.81 (Outdoor Lighting "Dark Skies Ordinance") of the Kern County Zoning Ordinance. Light fixtures shall be directed away from adjacent properties and roads. When lighting will be visible from a residential district or adjacent public roads, the lighting fixtures shall be equipped with glare shields or baffles to reduce light trespass onto adjacent properties and shall not exceed 30 feet in height above grade. Light fixtures shall be maintained in sound operating conditions at all times. A lighting plan, including glare shield details, shall be submitted and approved by the Kern County Planning and Natural Resources Department.

(e) All storage and pressure tanks shall be painted an earthen hue color.

(f) All signs shall comply with the signage regulations of the applicable base zone district and with Chapter 19.84 and Chapter 19.81.040(h) of the Zoning Ordinance.

(g) During all on site grading and construction activities, adequate measures shall be implemented to control fugitive dust.

(h) For portions of the project that abut residentially zoned areas, an Additional Aesthetics Setback of 100 feet from the residential property line. No solar panels or equipment shall be placed in this area. The project proponent shall be responsible for dust controls and weed maintenance in this area. An approved site plan showing the designated Additional Aesthetics Setback shall be submitted to Kern County Planning and Natural Resources Department for approval.

(i) All survey monuments shall be accessible by a licensed land surveyor or their representatives, with prior notice, per section 8774 of the Professional Land Surveyor's Act and Civil Code 846.5 (a).

(10) All used oil (as defined in Section 25250.1 of the California Health and Safety Code) shall be disposed of in accordance with all local, State, and federal regulations following consultation with the Kern County Public Health Services Department/Environmental Health Division/Hazardous Materials Section, State of California Department of Health Services, and the Environmental Protection Agency. All used oil and other wastes shall be transported by a registered waste hauler.

(11) This permit shall become null and void if the use authorized has not been activated within a five-(5-)year period of time of the approval of said permit, unless an extension of time has been granted by the decision-making authority, upon written request before expiration of the five-(5-)year period.

(12) Noncompliance with the adopted conditions of approval may cause permit revocation proceedings in accordance with Section 19.102.020 of the Ordinance Code.

(13) At the time building permits are applied for, a filing fee may be imposed to ensure that final plans are consistent with adopted conditions of approval. This fee may serve as an initial deposit for particularly complex cases, in which case a cost recovery agreement will be required and charges will be billed at the appropriate hourly rate; and

(c) Noncompliance with the adopted conditions of approval may cause permit revocation proceedings in accordance with Section 19.102.020 of said Ordinance Code; and

(d) The findings of this Commission upon which its decision is based are as follows:

(1) The applicable provisions of the California Environmental Quality Act, the State CEQA Guidelines, and the Kern County Guidelines have been duly observed in conjunction with said hearing in the consideration of this matter and all of the previous proceedings relating thereto.

(2) This project is recommended for approval despite the existence of certain significant environmental effects identified in said Environmental Impact Report, and this Commission makes and adopts the findings with respect to each thereof set forth in Exhibit A, appended hereto and made a part hereof by reference, pursuant to Section 15091 of the State CEQA Guidelines (Title 14, Administrative Code) and Section 21081 of the Public Resources Code and declares that it considered the evidence described in connection with each such finding in Exhibit A and that such evidence is substantial and supports such finding.

This Commission acknowledges that approval of this project will produce certain environmental impacts which cannot be mitigated and, in accordance with Section 15093 of the State CEQA Guidelines (Title 14, Administrative Code) hereby adopts a Statement of Overriding Considerations set forth in Exhibit B, appended hereto, and made a part hereof, which summarizes the reasons why this project, despite certain environmental impacts, has been approved.

Said Environmental Impact Report is complete and adequate in scope and has been completed in compliance with the California Environmental Quality Act and with the State CEQA Guidelines and the Kern County Guidelines for implementation thereof.

(3) The effect upon the environment of such project and the activities and improvements which may be carried out thereunder will not interfere with maintenance of a high-quality environment now or in the future. Mitigation measures have been incorporated from the Environmental Impact Report as conditions of approval, and the adopted Mitigation Measure Monitoring Program specifies the required steps to satisfy each mitigation measure.

(4) The proposed project is a compatible use and consistent with the goals and policies listed in the Land Use, Open Space and Conservation Element of the Kern County General Plan.

(5) The proposed project is consistent with the goals and policies listed in the Energy Element of the Kern County General Plan.

(6) The proposed use is consistent with the purpose of the applicable district or districts.

(7) The proposed use is listed as a use subject to a conditional use permit in the applicable zoning district or districts or a use determined to be similar to a listed conditional use in accordance with the procedures set out in Section 19.08.030.

(8) The proposed use meets the minimum requirements of this title applicable to the use and complies with all other applicable laws, ordinances, and regulations of the County of Kern and the State of California.

(9) The project is located within the A (Exclusive Agriculture) Base District. The purpose of the A (Exclusive Agriculture) District is to designate areas that are suitable for agricultural uses and prevent the encroachment of incompatible uses onto agricultural lands and the premature conversion of such lands to non-agricultural uses. Solar electrical generation facilities are considered to be compatible with ongoing agricultural activity.

(10) Permitted land uses in the A (Exclusive Agriculture) District include agricultural uses, commercial uses, and uses related to utility lines and substations, resource extraction, and energy development. Miscellaneous accessory structures that are related to the permitted uses are also allowed. Pursuant to Section 19.12.030.G of the Kern County Zoning Ordinance, solar facilities are permitted with approval of a Conditional Use Permit.

(11) Permitted land uses in the A (Exclusive Agriculture) District include agricultural uses, commercial uses, and uses related to utility lines and substations, resource extraction, and energy development. Miscellaneous accessory structures that are related to the permitted uses are also allowed. Pursuant to Section 19.12.030.F of the Kern County Zoning Ordinance, temporary construction staging and equipment storage are permitted with approval of a Conditional Use Permit.

(12) The proposed use meets the minimum requirements of this title applicable to the use and complies with all other applicable laws, ordinances, and regulations of the County of Kern and the State of California.

(13) The proposed use will not be materially detrimental to the health, safety, and welfare of the public or to property and residents in the vicinity.

(14) Approval of the requested Conditional Use Permit is consistent with continuing the Board of Supervisors' adopted alternative energy goal because it will help facilitate the construction of a renewable energy project.

(15) The project site is more suitable for solar development, which supports affirmatively furthering fair housing goals by preserving residentially zoned land for housing that can better meet long-term health, safety, and livability standards.

(16) Existing site conditions, such as constructed solar facilities, which includes solar panels and supportive structures for operations and maintenance, make it better suited for non-residential uses, thereby reinforcing the County’s commitment to high-quality, integrated housing opportunities elsewhere.

(17) While the project site is not suitable for traditional residential development, the project includes specific design features and conditions of approval that promote compatibility with nearby uses while ensuring the project does not conflict with affirmatively furthering fair housing goals.

(18) Excluding this project site from the County’s housing inventory does not impede the County ability to meet its regional housing needs allocation obligations or implement housing element programs. Other more appropriate, higher-opportunity sites have been identified to meet the County’s fair housing goals.

(19) Approval and implementation of the requested zone change will facilitate the construction of a 600-megawatts (MW) of renewable electrical energy with up to 4 gigawatt-hours (GWh) of energy storage capacity (approximately 1,000 MW), on an approximate 3,519-acre project site. This facility and the anticipated economic benefits associated with the operation of the facility to the County, which include but are not limited to the anticipation of 354 average daily construction jobs with up to 653 workers during peak construction, are consistent with the objectives of the Kern County General Plan that encourage economic development that creates jobs and capital investments in urban and rural areas that benefits residents, businesses, and industries, as well as

ensuring future governmental fiscal stability while encouraging new development to utilize existing infrastructure and services.

(20) Approval of this project shall not be considered operative, vested, or final until such time as the required verification from the Office of the County Clerk is submitted, attesting that payment of fees for the filing of a "Notice of Determination" for the benefit of the California Department of Fish and Wildlife, as required by AB 3158 (Section 10005 Public Resources Code) has been made.

(21) In accordance with CEQA, the Lead Agency may conclude that certain mitigation measures identified are infeasible or otherwise ineffective during public review. In those circumstances, the Lead Agency may delete those mitigation measures and substitute for them other mitigation measures the Lead Agency finds are equivalent or more effective in mitigating significant effects so long as they do not cause potentially significant effects. It is the Lead Agency's determination that clarification to proposed mitigation are considered more effective in mitigating significant effects and are not considered new significant information requiring the recirculation of the Final EIR under CEQA and do not create new significant effects on the environment.

(e) The Secretary of this Commission shall cause copies of this resolution to be transmitted to the following:

Galaxy Solar Storage, LLC (PP25404) (agent) (applicant)
LiUNA (1)
File (3)

an

BEFORE THE PLANNING COMMISSION

COUNTY OF KERN, STATE OF CALIFORNIA

In the matter of:

RESOLUTION NO. 162-26

APPLICATION FOR CONDITIONAL USE PERMIT CASE NO. 5, MAP 195

The proposed project site is located at the northern edge of Antelope Valley, approximately six (6) miles southeast of the community of Mojave, approximately eight (8) miles northeast of the community of Rosamond, and approximately eight (8) miles northwest of the main base of Edwards Air Force Base
Galaxy Solar Storage, LLC (PP25404)

FINDINGS AND DETERMINATION

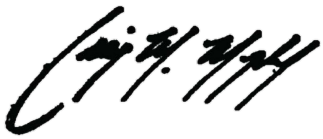
I, Craig M. Murphy, Secretary of the Planning Commission of the County of Kern, State of California, do hereby certify that the following resolution, proposed by Mr. Ashley, seconded by Mr. Dunbar, was duly passed and adopted by said Planning Commission at an official meeting hereof this **27th** day of **August 2026,** by the following vote, to wit:

AYES: Ashley, Dunbar, Oliver, Skidmore

NOES: None

ABSTAINED: None

ABSENT: Brooks



SECRETARY OF THE PLANNING COMMISSION
COUNTY OF KERN, STATE OF CALIFORNIA

R E S O L U T I O N

SECTION 1. WHEREAS:

(a) Pursuant to the California Government Code, Title 7, Section 65000, et seq. (known as the Planning and Zoning Law), the Kern County Board of Supervisors has adopted the Official Land Use and Zoning Ordinance for the County of Kern (Ordinance Code of Kern County, Chapter 19.02, et seq.), herein called the Zoning Ordinance; and

(b) The Zoning Ordinance establishes various classes of zones, prescribes land uses and regulations for the various zones, and adopts zoning maps for the purposes of dividing the County into zones and showing the zone boundaries; and

(c) The Zoning Ordinance regulates the use of buildings, structures, and land, as between agriculture, industry, business, residence, and other purposes, and other uses more specifically set forth in Section 65850 of said Government Code; and

(d) The Kern County Planning and Natural Resources Department has received an application pertaining to a parcel of real property which is located within that portion of the unincorporated area of the County for which an official Zoning Map has been adopted under Section **7297.219** of said Ordinance Code and for which precise land use and zoning regulations are in effect; and

(e) Said parcel of real property is described as follows:

APN: Various

Township 11N, Range 11W, and Sections 28, and 32-34 SBB&M, County of Kern, State of California (A complete legal description is on file with the Kern County Planning and Natural Resources Department); and

(f) Said application has been made pursuant to provisions of Chapter 19.104 of said Ordinance Code, and requests a conditional use permit as provided in Section 19.12.030.K, insofar as said requirements are applicable to the aforedescribed parcel of real property, and more particularly The proposed Galaxy Solar PV and Storage Project would involve the construction and operation of a photovoltaic (PV) solar facility with associated infrastructure necessary to generate up to 600-megawatts (MW) of renewable electrical energy with up to 4 gigawatt-hours (GWh) of energy storage capacity (approximately 1,000 MW), on an approximate 3,519-acre project site, across 184 privately owned parcels, in an unincorporated area of Southeastern Kern County. The proposal includes:

Conditional Use Permit to allow for a temporary construction laydown area (Section 19.12.030.K) on approximately 25.08 acres of a 41.62-acre parcel (CUP No. 5, Map 195); and

(g) Said application has been made in the form and in the manner prescribed by said Zoning Ordinance and is on file with the Secretary of this Commission, designated as above, and reference is hereby made thereto for further particulars; and

(h) The Secretary of this Commission has caused notice to be duly given of a public hearing in this matter in accordance with law, as evidenced by the affidavit of publication and the affidavit of mailing on file with the Secretary of this Commission; and

(i) Said notice of hearing stated that an Environmental Impact Report has been prepared for this project; and

(j) Said public hearing has been duly and timely conducted, during which the proposal was explained by a representative of the Planning and Natural Resources Department and all persons so desiring were duly heard; and

(k) Before making any findings on said Environmental Impact Report or any consideration of the proposal on its merits, this Commission called for any objections or comments on said Environmental Impact Report; and

The Director of the Planning and Natural Resources Department has furnished to this Commission, and the Commission has incorporated into the record of this matter, a document setting forth the significant environmental effects identified in said Environmental Impact Report, with proposed findings and consideration by this Commission in relation to said significant effects for the purposes of Section 21081 of the Public Resources Code and Section 15091 of the State CEQA Guidelines, and setting forth evidence in support of the proposed findings; and a member of the Planning and Natural Resources Department Staff appeared before the Commission and gave additional testimony in support of the proposed findings; and

During said hearing, this Commission duly considered the adequacy and scope of said Environmental Impact Report and thereafter reviewed and considered the information therein contained with respect to the merits of the matters under consideration; and

(l) This Commission has considered the recommendation of the Planning and Natural Resources Department and all the testimony presented during said public hearing, after which said public hearing was concluded.

SECTION 2. NOW, THEREFORE, BE IT HEREBY RESOLVED by the Planning Commission of the County of Kern, as follows:

(a) This Commission finds that the facts recited above are true and that this Commission has jurisdiction to consider the subject of this resolution; and

(b) This Commission has fully reviewed and considered the information in said Environmental Impact Report and Mitigation Monitoring and Reporting Program and hereby recommends it to be certified in relation to the subject of this resolution and, after careful consideration of all facts and evidence as presented at said hearing, it is the decision of the Planning Commission that the application herein described be, and hereby, recommends the Board of Supervisors **C E R T I F Y** said Environmental Impact Report; **A D O P T** Section 15091 Findings of Facts and Section 15093 Statement of Overriding Considerations; **A D O P T** Mitigation Measure Monitoring Program; and recommended for **A P P R O V A L**, as recommended by Staff, by the Board of Supervisors, the application for the reasons specified in this Resolution with development to be in substantial conformity with the approved plan, and the approved plan shall be revised to include the following conditions of approval:

(1) Conditional Use Permit to allow for a temporary, off-site construction laydown area (Section 19.12.030.K) on approximately 13.7 acres of a 30.21-acre parcel in the A (Exclusive Agriculture) District.

(2) Any additional on-site development or expansion activities beyond those items described in the staff report and certified Final Environmental Impact Report associated with initial approval of this conditional use permit, and which are deemed to be more intensive by the Director of the Kern County Planning and Natural Resources Department, shall be subject to review and approval and may entail further environmental review. Approval of such development or expansion activities may also require modification of this conditional use permit or the approval of a new conditional use permit at the discretion of the Director of the Kern County Planning and Natural Resources Department.

(3) All mitigation measures included in the adopted Mitigation Measure Monitoring Program for the Galaxy Solar PV and Storage Project by Galaxy Solar Storage, LLC (General Plan Amendment Case No. 7, Map 212; Amendment of Zoning Map 195, Zone Change Case No. 5; Amendment of Zoning Map 212, Zone Change Case No. 4; Amendment of Zoning Map 212, Zone Change Case No. 5; Amendment of Zoning Map 197, Zone Change Case No. 57; Conditional Use Permit Case No. 4, Map 195; Conditional Use Permit Case No. 5, Map 195; Conditional Use Permit Case No. 7, Map 212; Conditional Use Permit Case No. 24, Map 197; General Plan Amendment Case No. 5, Map 195; General Plan Amendment Case No. 6, Map 212; Zone Variance Case No. 1, Map 195; Zone Variance Case No. 2, Map 212; Zone Variance Case No. 21, Map 197; Vesting Tentative Parcel Map 12577; Vesting Tentative Parcel Map 12578; Vesting Tentative Parcel Map 12579; Vesting Tentative Parcel Map 12580; Vesting Tentative Parcel Map 12581; Vesting Tentative Parcel Map 12582), included as Exhibit C of this Resolution, are hereby incorporated as Conditions of Approval.

(4) Development shall be in substantial conformity with the approved plan, and the approved plan shall be revised to include the following conditions of approval.

(5) All necessary building permits must be obtained.

(6) Should a conflict occur between the statistical data shown on the plan and the conditions of approval, the conditions of approval shall prevail.

(7) **<u>Prior to the issuance of building or grading permits</u>, the applicant shall submit documentation of the following:**

(a) The project proponent shall demonstrate compliance with all applicable mitigation measures as listed in the approved Mitigation Monitoring and Reporting Program (MMRP).

(b) The method of water supply and sewage disposal shall be as required and approved by the Kern County Public Health Services Department/Environmental Health Division.

(c) Fire flows, fire protection facilities, and access ways shall be as required and approved by the Kern County Fire Department (KCFD).

1. Site emergency response access for the storage yards shall be placed upwind of battery enclosures based on the prevailing winds in the area of construction.

(d) A plan for the disposal of drainage waters originating on-site and from adjacent road rights-of-way shall be approved by the Kern County Engineering, Surveying, and Permit Services Department/ Floodplain Management, if required. Easements or grant deeds shall be given to the County of Kern for drainage purposes or access thereto, as necessary.

1. Associated flood hazard requirements will need to be incorporated into the design of this project per the Kern County Floodplain Management Ordinance.

(e) The project operator shall develop and implement an on-site Pest Management Plan specifically related to rodent vectors. The plan shall be submitted to the Kern County Planning and Natural Resources Department for approval.

(f) The project proponent shall encourage all contractors for the project to hire at least 50 percent of their workers from the local Kern County communities. The project operator shall provide to the contractors a list of training programs that provide skilled solar workers and shall require the contractor to advertise locally for available jobs, notify the training programs of job availability, all in conjunction with normal hiring practices of the contractor. The project operator shall submit a letter detailing the hiring efforts, prior to commencement of construction.

(g) The project proponent shall consult with the County of Kern Public Works Department/Building and Development Division for issuance of an encroachment permit, at locations to be approved by the Public Works Department, to construct paved private road approaches to prevent damage to County-owned roads. Any required improvements shall comply with the requirements of the County of Kern Public Works Department/Building and Development Division and shall be accomplished at no cost to the County.

(h) All survey monuments shall be tied out by a Licensed Land Surveyor. A corner record for each monument shall be submitted to the County Surveyor for review and processing, per Section 8771 of the Professional Land Surveyor's (PLS) Act.

(i) Under encroachment permit issued by the Kern County Public Works Department, construct asphalt concrete paved private road approaches along the project frontage that abuts Kern County roadway of all solar fields.

(j) Obtain all necessary Encroachment Permits from the Kern County Public Works Department for any proposed work within the County Road right-of-way.

(k) Obtain all necessary Transportation Permits f from the Kern County Public Works Department or any oversized or overweight (heavy) loads that will utilize County maintained roads, which may require California Highway Patrol escort.

(l) The project operator shall process the required Memorandum of Understanding/Agreement (MOU) to the Kern County Board of Supervisors. If executed, the project proponent shall submit a copy of the signed MOU to the Kern County Planning and Natural Resources Department.

(m) If any abandoned wells are found during the grading and construction process, the applicant shall contact the Kern County Public Health Services Department/Land and Water Division for permitting and destruction procedures.

(n) The applicant shall submit proof of access that meets the requirements of the Kern County Public Works Department.

(o) Prior to the issuance of grading or building permits the project proponent shall prepare a Construction Traffic Control Plan and submit for review and/or approval to the Kern County Public Works Department and the California Department of Transportation.

(p) The project proponent shall provide a statement that specifies the duration for which the portable toilets and temporary offices will remain on site to the Kern County Environmental Health Division

(q) The project proponent shall provide a contract for the sewage plumber intended for servicing the project to the Kern County Environmental Health Division; the contract should encompass details such as the pumper's name, license number, contract duration, and the frequency with which the portable toilets and/or commercial coach sewage holding tank(s) will be pumped.

(r) The project proponent shall consult with the Hazardous Materials Program to discuss the need for a health permit.

(s) If, at any point, the proposed project involves the installation of a water well or septic system, the project proponent shall submit plans directly to the Environmental Health Division for review and approval.

(8) **<u>Prior to final occupancy approval</u>, the following conditions shall be verified by the building inspector and shall be continuously maintained while this permit is active:**

(a) All easements shall be kept open, clear, and free from buildings and structures of any kind pursuant to Chapters 18.50 and 18.55 of the Kern County Land Division Ordinance. All required setbacks shall be maintained in accordance with eh Kern County Zoning Ordinance and Kern County General Plan. All obstructions, including utility poles and lines, trees, pole signs, fences, or similar obstructions, shall be removed from the ultimate road rights-of-way. Compliance with this requirement is the responsibility of the applicant and may result in significant financial expenditures.

(b) All vehicle parking and maneuvering areas shall be treated in a manner to continuously prevent blowing dust.

(c) All signs shall be approved by the Director of the Kern County Planning and Natural Resources Department prior to installation.

(d) The areas devoted to outside storage shall be treated with a dust binder or other dust control measure, as approved by the Director of the Kern County Planning and Natural Resources Department.

(e) All survey monuments that were destroyed during construction shall be re-set or have a suitable witness cover set. A post construction corner record for each monument re-set or a record of survey shall be submitted to the County Surveyor for processing, per Section 8771 of the Professional Land Surveyor's Act.

(9) **The property owner shall continuously comply with the following conditions of approval during implementation of this permit**:

(a) The development shall comply with any requirements of the Eastern Kern Air Pollution Control District.

(b) If any previously unknown oil, gas or injection wells are discovered, work in the area of discovery shall be stopped and the Department of Conservation/Geologic Energy Management Division/Bakersfield office contacted by the project proponent to obtain information on the requirements of, and approval to perform, remedial operations implemented prior to resumption of work in the area of discovery.

(c) If any previously unknown archaeological or cultural resources are discovered, work in the area of discovery shall be stopped and a qualified archaeologist contacted to evaluate the find. A copy of the archaeologist's evaluation shall be submitted to the Kern County Planning and Natural Resources Department upon its issuance and any measures recommended by the archaeologist shall be implemented prior to resumption of work in the area of discovery.

(d) All exterior lighting shall comply with Chapter 19.81 (Outdoor Lighting "Dark Skies Ordinance") of the Kern County Zoning Ordinance. Light fixtures shall be directed away from adjacent properties and roads. When lighting will be visible from a residential district or adjacent public roads, the lighting fixtures shall be equipped with glare shields or baffles to reduce light trespass onto adjacent properties and shall not exceed 30 feet in height above grade. Light fixtures shall be maintained in sound operating conditions at all times. A lighting plan, including glare shield details, shall be submitted and approved by the Kern County Planning and Natural Resources Department.

(e) All storage and pressure tanks shall be painted an earthen hue color.

(f) All signs shall comply with the signage regulations of the applicable base zone district and with Chapter 19.84 and Chapter 19.81.040(h) of the Zoning Ordinance.

(g) During all on-site grading and construction activities, adequate measures shall be implemented to control fugitive dust.

(h) All survey monuments shall be accessible by a licensed land surveyor or their representatives, with prior notice, per section 8774 of the Professional Land Surveyor's Act and Civil Code 846.5 (a).

(10) All used oil (as defined in Section 25250.1 of the California Health and Safety Code) shall be disposed of in accordance with all local, State, and federal regulations following consultation with the Kern County Public Health Services Department/Environmental Health Division/Hazardous Materials Section, State of California Department of Health Services, and the Environmental Protection Agency. All used oil and other wastes shall be transported by a registered waste hauler.

(11) This permit shall become null and void if the use authorized has not been activated within a five-(5-)year period of time of the approval of said permit, unless an extension of time has been granted by the decision-making authority, upon written request before expiration of the five-(5-) year period.

(12) Noncompliance with the adopted conditions of approval may cause permit revocation proceedings in accordance with Section 19.102.020 of the Ordinance Code.

(13) At the time building permits are applied for, a filing fee may be imposed to ensure that final plans are consistent with adopted conditions of approval. This fee may serve as an initial deposit for particularly complex cases, in which case a cost recovery agreement will be required, and charges will be billed at the appropriate hourly rate; and

(c) Noncompliance with the adopted conditions of approval may cause permit revocation proceedings in accordance with Section 19.102.020 of said Ordinance Code; and

(d) The findings of this Commission upon which its decision is based are as follows:

(1) The applicable provisions of the California Environmental Quality Act, the State CEQA Guidelines, and the Kern County Guidelines have been duly observed in conjunction with said hearing in the consideration of this matter and all of the previous proceedings relating thereto.

(2) This project is recommended for approval despite the existence of certain significant environmental effects identified in said Environmental Impact Report, and this Commission makes and adopts the findings with respect to each thereof set forth in Exhibit A, appended hereto and made a part hereof by reference, pursuant to Section 15091 of the State CEQA Guidelines (Title 14, Administrative Code) and Section 21081 of the Public Resources Code and declares that it considered the evidence described in connection with each such finding in Exhibit A and that such evidence is substantial and supports such finding.

This Commission acknowledges that approval of this project will produce certain environmental impacts which cannot be mitigated and, in accordance with Section 15093 of the State CEQA Guidelines (Title 14, Administrative Code) hereby adopts a Statement of Overriding Considerations set forth in Exhibit B, appended hereto, and made a part hereof, which summarizes the reasons why this project, despite certain environmental impacts, has been approved.

Said Environmental Impact Report is complete and adequate in scope and has been completed in compliance with the California Environmental Quality Act and with the State CEQA Guidelines and the Kern County Guidelines for implementation thereof.

(3) The effect upon the environment of such project and the activities and improvements which may be carried out thereunder will not interfere with maintenance of a high-quality environment now or in the future. Mitigation measures have been incorporated from the Environmental Impact Report as conditions of approval, and the adopted Mitigation Measure Monitoring Program specifies the required steps to satisfy each mitigation measure.

(4) The proposed project is a compatible use and consistent with the goals and policies listed in the Land Use, Open Space and Conservation Element of the Kern County General Plan.

(5) The proposed project is consistent with the goals and policies listed in the Energy Element of the Kern County General Plan.

(6) The proposed use is consistent with the purpose of the applicable district or districts.

(7) The proposed use is listed as a use subject to a conditional use permit in the applicable zoning district or districts or a use determined to be similar to a listed conditional use in accordance with the procedures set out in Section 19.08.030.

(8) The proposed use meets the minimum requirements of this title applicable to the use and complies with all other applicable laws, ordinances, and regulations of the County of Kern and the State of California.

(9) The project is located within the A (Exclusive Agriculture) Base District. The purpose of the A (Exclusive Agriculture) District is to designate areas that are suitable for agricultural uses and prevent the encroachment of incompatible uses onto agricultural lands and the premature conversion of such lands to non-agricultural uses. Solar electrical generation facilities are considered to be compatible with ongoing agricultural activity.

(10) Permitted land uses in the A (Exclusive Agriculture) District include agricultural uses, commercial uses, and uses related to utility lines and substations, resource extraction, and energy development. Miscellaneous accessory structures that are related to the permitted uses are also allowed. Pursuant to Section 19.12.030.F of the Kern County Zoning Ordinance, temporary construction laydown areas are permitted with approval of a Conditional Use Permit.

(11) The proposed use meets the minimum requirements of this title applicable to the use and complies with all other applicable laws, ordinances, and regulations of the County of Kern and the State of California.

(12) The proposed use will not be materially detrimental to the health, safety, and welfare of the public or to property and residents in the vicinity.

(13) Approval of the requested Conditional Use Permit is consistent with continuing the Board of Supervisors' adopted alternative energy goal because it will help facilitate the construction of a renewable energy project.

(14) The project site is more suitable to support solar development, which supports affirmatively furthering fair housing goals by preserving residentially zoned land for housing that can better meet long-term health, safety, and livability standards.

(15) Existing site conditions make it better suited for non-residential uses, thereby reinforcing the County's commitment to high-quality, integrated housing opportunities elsewhere.

(16) While the project site is not suitable for traditional residential development, the project includes specific design features and conditions of approval that promote compatibility with nearby uses while ensuring the project does not conflict with affirmatively furthering fair housing goals.

(17) Excluding this project site from the County's housing inventory does not impede the County ability to meet its regional housing needs allocation obligations or implement housing element programs. Other more appropriate, higher-opportunity sites have been identified to meet the County's fair housing goals.

(18) Approval and implementation of the requested zone change will facilitate the construction of a 600-megawatts (MW) of renewable electrical energy with up to 4 gigawatt-hours (GWh) of energy storage capacity (approximately 1,000 MW), on an approximate 3,519-acre project site. This facility and the anticipated economic benefits associated with the operation of the facility to the County, which include but are not limited to the anticipation of 354 average daily construction jobs with up to 653 workers during peak construction, are consistent with the objectives of the Kern County General Plan that encourage economic development that creates jobs and capital investments in urban and rural areas that benefits residents, businesses, and industries, as well as ensuring future governmental fiscal stability while encouraging new development to utilize existing infrastructure and services.

(19) Approval of this project shall not be considered operative, vested, or final until such time as the required verification from the Office of the County Clerk is submitted, attesting that payment of fees for the filing of a "Notice of Determination" for the benefit of the California Department of Fish and Wildlife, as required by AB 3158 (Section 10005 Public Resources Code) has been made.

(20) In accordance with CEQA, the Lead Agency may conclude that certain mitigation measures identified are infeasible or otherwise ineffective during public review. In those circumstances, the Lead Agency may delete those mitigation measures and substitute for them other mitigation measures the Lead Agency finds are equivalent or more effective in mitigating significant effects so long as they do not cause potentially significant effects. It is the Lead Agency's determination that clarification to proposed mitigation are considered more effective in mitigating significant effects and are not considered new significant information requiring the recirculation of the Final EIR under CEQA and do not create new significant effects on the environment.

(e) The Secretary of this Commission shall cause copies of this resolution to be transmitted to the following:

Galaxy Solar Storage, LLC (PP25404) (agent) (applicant)
LiUNA (1)
File (3)

an

BEFORE THE PLANNING COMMISSION

COUNTY OF KERN, STATE OF CALIFORNIA

In the matter of:

RESOLUTION NO. 163-26

-26

APPLICATION FOR CONDITIONAL USE PERMIT CASE NO. 7, MAP 212

The proposed project site is located at the northern edge of Antelope Valley, approximately six (6) miles southeast of the community of Mojave, approximately eight (8) miles northeast of the community of Rosamond, and approximately eight (8) miles northwest of the main base of Edwards Air Force Base
Galaxy Solar Storage, LLC (PP25404)

FINDINGS AND DETERMINATION

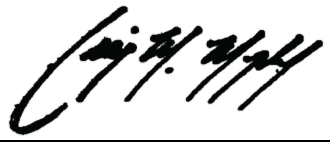
I, Craig M. Murphy, Secretary of the Planning Commission of the County of Kern, State of California, do hereby certify that the following resolution, proposed by Mr. Ashley, seconded by Mr. Dunbar, was duly passed and adopted by said Planning Commission at an official meeting hereof this **27th** day of **August 2026,** by the following vote, to wit:

AYES: Ashley, Dunbar, Oliver, Skidmore

NOES: None

ABSTAINED: None

ABSENT: Brooks



SECRETARY OF THE PLANNING COMMISSION
COUNTY OF KERN, STATE OF CALIFORNIA

R E S O L U T I O N

SECTION 1. WHEREAS:

(a) Pursuant to the California Government Code, Title 7, Section 65000, et seq. (known as the Planning and Zoning Law), the Kern County Board of Supervisors has adopted the Official Land Use and Zoning Ordinance for the County of Kern (Ordinance Code of Kern County, Chapter 19.02, et seq.), herein called the Zoning Ordinance; and

(b) The Zoning Ordinance establishes various classes of zones, prescribes land uses and regulations for the various zones, and adopts zoning maps for the purposes of dividing the County into zones and showing the zone boundaries; and

(c) The Zoning Ordinance regulates the use of buildings, structures, and land, as between agriculture, industry, business, residence, and other purposes, and other uses more specifically set forth in Section 65850 of said Government Code; and

(d) The Kern County Planning and Natural Resources Department has received an application pertaining to a parcel of real property which is located within that portion of the unincorporated area of the County for which an official Zoning Map has been adopted under Section **7297.221** of said Ordinance Code and for which precise land use and zoning regulations are in effect; and

(e) Said parcel of real property is described as follows:

APN: Various

Township 10N, Range 11W, and Sections 3, 4, 6, 8, 9 SBB&M, County of Kern, State of California (A complete legal description is on file with the Kern County Planning and Natural Resources Department); and

(f) Said application has been made pursuant to provisions of Chapter 19.104 of said Ordinance Code, and requests a conditional use permit as provided in Section 19.12.030.G and 19.12.030.K, insofar as said requirements are applicable to the aforedescribed parcel of real property, and more particularly The proposed Galaxy Solar PV and Storage Project would involve the construction and operation of a photovoltaic (PV) solar facility with associated infrastructure necessary to generate up to 600-megawatts (MW) of renewable electrical energy with up to 4 gigawatt-hours (GWh) of energy storage capacity (approximately 1,000 MW), on an approximate 3,519-acre project site, across 184 privately owned parcels, in an unincorporated area of Southeastern Kern County. The proposal includes:

Conditional Use Permit to allow for the construction and operation of a solar facility up to 450 MW and associated infrastructure, including energy storage, a switchyard (Section 19.12.030.G), and temporary construction staging and equipment storage (Section 19.12.030.K) on approximately 2,244.99 acres in an A (Exclusive Agriculture) District (CUP No. 7, Map 212); and

(g) Said application has been made in the form and in the manner prescribed by said Zoning Ordinance and is on file with the Secretary of this Commission, designated as above, and reference is hereby made thereto for further particulars; and

(h) The Secretary of this Commission has caused notice to be duly given of a public hearing in this matter in accordance with law, as evidenced by the affidavit of publication and the affidavit of mailing on file with the Secretary of this Commission; and

(i) Said notice of hearing stated that an Environmental Impact Report has been prepared for this project; and

(j) Said public hearing has been duly and timely conducted, during which the proposal was explained by a representative of the Planning and Natural Resources Department and all persons so desiring were duly heard; and

(k) Before making any findings on said Environmental Impact Report or any consideration of the proposal on its merits, this Commission called for any objections or comments on said Environmental Impact Report; and

The Director of the Planning and Natural Resources Department has furnished to this Commission, and the Commission has incorporated into the record of this matter, a document setting forth the significant environmental effects identified in said Environmental Impact Report, with proposed findings and consideration by this Commission in relation to said significant effects for the purposes of Section 21081 of the Public Resources Code and Section 15091 of the State CEQA Guidelines, and setting forth evidence in support of the proposed findings; and a member of the Planning and Natural Resources Department Staff appeared before the Commission and gave additional testimony in support of the proposed findings; and

During said hearing, this Commission duly considered the adequacy and scope of said Environmental Impact Report and thereafter reviewed and considered the information therein contained with respect to the merits of the matters under consideration; and

(l) This Commission has considered the recommendation of the Planning and Natural Resources Department and all the testimony presented during said public hearing, after which said public hearing was concluded.

SECTION 2. NOW, THEREFORE, BE IT HEREBY RESOLVED by the Planning Commission of the County of Kern, as follows:

(a) This Commission finds that the facts recited above are true and that this Commission has jurisdiction to consider the subject of this resolution; and

(b) This Commission has fully reviewed and considered the information in said Environmental Impact Report and Mitigation Monitoring and Reporting Program and hereby recommends it to be certified in relation to the subject of this resolution and, after careful consideration of all facts and evidence as presented at said hearing, it is the decision of the Planning Commission that the application herein described be, and hereby, recommends the Board of Supervisors **C E R T I F Y** said Environmental Impact Report; **A D O P T** Section 15091 Findings of Facts and Section 15093 Statement of Overriding Considerations; **A D O P T** Mitigation Measure Monitoring Program; and recommended for **A P P R O V A L**, as recommended by Staff, by the Board of Supervisors, the application for the reasons specified in this Resolution with development to be in substantial conformity with the approved plan, and the approved plan shall be revised to include the following conditions of approval:

(1) Conditional Use Permit to allow for the construction and operation of a solar facility up to 450 MW and associated infrastructure, including energy storage, a switchyard (Section 19.12.030.G), and temporary construction staging and equipment storage (Section 19.12.030.K) on approximately 2,244.99 acres in an A (Exclusive Agriculture) District (CUP No. 7, Map 212)

(2) Any additional on-site development or expansion activities beyond those items described in the staff report and certified Final Environmental Impact Report associated with initial approval of this conditional use permit, and which are deemed to be more intensive by the Director of the Kern County Planning and Natural Resources Department, shall be subject to review and approval and may entail further environmental review. Approval of such development or expansion activities may also require modification of this conditional use permit or the approval of a new conditional use permit at the discretion of the Director of the Kern County Planning and Natural Resources Department.

(3) All mitigation measures included in the adopted Mitigation Measure Monitoring Program for the Galaxy Solar PV and Storage Project by Galaxy Solar Storage, LLC (General Plan Amendment Case No. 7, Map 212; Amendment of Zoning Map 195, Zone Change Case No. 5; Amendment of Zoning Map 212, Zone Change Case No. 4; Amendment of Zoning Map 212, Zone Change Case No. 5; Conditional Use Permit Case No. 4, Map 195; Conditional Use Permit Case No. 5, Map 195; Conditional Use Permit Case No. 7, Map 212; General Plan Amendment Case No. 5, Map 195; General Plan Amendment Case No. 6, Map 212; Zone Variance Case No. 1, Map 195; Zone Variance Case No. 2, Map 212; Vesting Tentative Parcel Map 12577; Vesting Tentative Parcel Map 12578; Vesting Tentative Parcel Map 12579; Vesting Tentative Parcel Map 12580; Vesting Tentative Parcel Map 12581; Vesting Tentative Parcel Map 12582), included as Exhibit C of this Resolution, are hereby incorporated as Conditions of Approval.

(4) Development shall be in substantial conformity with the approved plan, and the approved plan shall be revised to include the following conditions of approval.

(5) All necessary building permits must be obtained.

(6) Should a conflict occur between the statistical data shown on the plan and the conditions of approval, the conditions of approval shall prevail.

(7) **<u>Prior to the issuance of building or grading permits,</u> the applicant shall submit documentation of the following:**

(a) The project proponent shall demonstrate compliance with all applicable mitigation measures as listed in the approved Mitigation Measure Reporting Program (MMRP).

(b) The method of water supply and sewage disposal shall be as required and approved by the Kern County Public Health Services Department/Environmental Health Division.

(c) Fire flows, fire protection facilities, and access ways shall be as required and approved by the Kern County Fire Department (KCFD).

1. All Battery Energy Storage Systems must be applied for directly with KCFD for separate permitting and pre-construction approval. All proposed batteries must be UL9540A 2019 Edition tested for large scale burns.

2. The 24,000-gallon fire water tank and fire alarm annunciator panel (Incident Command Post) shall be located a minimum of 300' upwind from the nearest battery enclosure.

3. Site emergency response access for the storage yards shall be placed upwind of battery enclosures based on the prevailing winds in the area of construction.

(d) A plan for the disposal of drainage waters originating on-site and from adjacent road rights-of-way shall be approved by the Kern County Engineering, Surveying, and Permit Services Department/ Floodplain Management, if required. Easements or grant deeds shall be given to the County of Kern for drainage purposes or access thereto, as necessary.

1. Associated flood hazard requirements will need to be incorporated into the design of this project per the Kern County Floodplain Management Ordinance.

(e) The project operator shall develop and implement an on-site Pest Management Plan specifically related to rodent vectors. The plan shall be submitted to the Kern County Planning and Natural Resources Department for approval.

(f) The project proponent shall encourage all contractors for the project to hire at least 50 percent of their workers from the local Kern County communities. The project operator shall provide to the contractors a list of training programs that provide skilled solar workers and shall require the contractor to advertise locally for available jobs, notify the training programs of job availability, all in conjunction with normal hiring practices of the contractor. The project operator shall submit a letter detailing the hiring efforts, prior to commencement of construction.

(g) Solar panel support/foundation structures shall be constructed in such a way as to minimize the potential to entrap animals. Detailed schematic drawings depicting the solar panel support/foundation structures to be used on site shall be submitted for approval by the Kern County Planning and Natural Resources Director.

(h) The project proponent shall consult with the County of Kern Public Works Department/Building and Development Division for issuance of an encroachment permit, at locations to be approved by the Public Works Department, to construct paved private road approaches to prevent damage to County-owned roads. Any required improvements shall comply with requirements of the County of Kern Public Works Department/Building and Development Division and shall be accomplished at no cost to the County.

(i) All survey monuments shall be tied out by a Licensed Land Surveyor. A corner record for each monument shall be submitted to the County Surveyor for review and processing, per Section 8771 of the Professional Land Surveyor's (PLS) Act.

(j) All survey monuments that were destroyed during construction shall be re-set or have a suitable witness corner set. A post construction corner record for each monument re-set or a record of survey shall be submitted to the County Surveyor for processing, per Section 8711 of the Professional Land Surveyor's Act.

(k) All survey monuments shall be accessible by a Licensed Land Survey or their representatives, with prior notice, per Section 8774 of the PLS Act and Civil Code 846.5 (a).

(l) Provide a Traffic Control Plan that addresses the routes, duration and manner of traffic control that will be implemented to accommodate construction related traffic.

(m) Enter into a secured agreement with the Kern County Public Works Department to ensure that any County roads that are demonstrably damaged by project-related activities are promptly repaired and, if necessary, paved, slurry-sealed, or reconstructed as per requirements of the State and or Kern County.

(n) Obtain all necessary Encroachment Permits for any proposed work within the County Road right-of-way. These permits may be obtained from our Permits Engineer.

(o) Obtain all necessary Transportation Permits for any oversized or overweight (heavy) loads that will utilize County maintained roads, which may require California Highway Patrol escort. These permits may be obtained from our Permits Engineer.

(p) Contact the California Department of Transportation (Caltrans) regarding this project.

(q) All easements shall be kept open, clear, and free from buildings and structures of any kind pursuant to Chapters 18.50 and 18.55 of the Kern County Land Division Ordinance. All obstructions, including utility poles and lines, trees, pole signs, fences, or similar obstructions, shall be removed from the ultimate road rights-of-way. Compliance with this requirement is the responsibility of the applicant and may result in significant financial expenditures.

(r) The project operator shall process the required Memorandum of Understanding/Agreement (MOU) to the Kern County Board of Supervisors. If executed, the project proponent shall submit a copy of the signed MOU to the Kern County Planning and Natural Resources Department.

(s) The applicant shall provide confirming documentation the facility has been registered with the California Environmental Reporting System (CERS) at the following link: http://cers.calepa.ca.gov/.

(t) If any abandoned wells are found during the grading and construction process, the applicant shall contact the Kern County Public Health Services Department/Land and Water Division for permitting and destruction procedures.

(u) The applicant shall submit proof of access that meets the requirements of the Kern County Public Works Department.

(v) The Project proponent shall coordinate with SoCalGas staff to determine the specific requirements regarding any potential natural gas service or facility issues needed to adequately accommodate the proposed Project. The Project proponent shall comply with and adhere to all requirements identified by SoCalGas adequately accommodate the proposed Project, including avoiding damage to SoCalGas natural gas services and facilities, as needed as Project construction progresses.

(8) **Prior to final occupancy approval, the following conditions shall be verified by the building inspector and shall be continuously maintained while this permit is active:**

(a) All easements shall be kept open, clear, and free from buildings and structures of any kind pursuant to Chapters 18.50 and 18.55 of the Kern County Land Division Ordinance. All obstructions, including utility poles and lines, trees, pole signs, or similar obstructions, shall be removed from the ultimate road rights-of-way in accordance with Section 18.55.030 of the Land Division Ordinance. Compliance with this requirement is the responsibility of the applicant and may result in significant financial expenditures.

(b) All vehicle parking and maneuvering areas shall be treated in a manner to continuously prevent blowing dust.

(c) All signs shall be approved by the Director of the Kern County Planning and Natural Resources Department prior to installation.

(d) The areas devoted to outside storage shall be treated with a dust binder or other dust control measure, as approved by the Director of the Kern County Planning and Natural Resources Department.

(e) All survey monuments that were destroyed during construction shall be re-set or have a suitable witness cover set. A post construction corner record for each monument re-set or a record of survey shall be submitted to the County Surveyor for processing, per Section 8771 of the Professional Land Surveyor's Act.

(f) The applicant shall pay all required statutory fees as required by the Kern County Superintendent of Schools.

(9) **The property owner shall continuously comply with the following conditions of approval during implementation of this permit:**

(a) The development shall comply with any requirements of the Eastern Kern Air Pollution Control District.

(b) If any previously unknown oil, gas or injection wells are discovered, work in the area of discovery shall be stopped and the Department of Conservation/Geologic Energy Management Division/Bakersfield office contacted by the project proponent to obtain information on the requirements of, and approval to perform, remedial operations implemented prior to resumption of work in the area of discovery.

(c) If any previously unknown archaeological or cultural resources are discovered, work in the area of discovery shall be stopped and a qualified archaeologist contacted to evaluate the find. A copy of the archaeologist's evaluation shall be submitted to the Kern County Planning and Natural Resources Department upon its issuance and any measures recommended by the archaeologist shall be implemented prior to resumption of work in the area of discovery.

(d) All exterior lighting shall comply with Chapter 19.81 (Outdoor Lighting "Dark Skies Ordinance") of the Kern County Zoning Ordinance. Light fixtures shall be directed away from adjacent properties and roads. When lighting will be visible from a residential district or adjacent public roads, the lighting fixtures shall be equipped with glare shields or baffles to reduce light trespass onto adjacent properties and shall not exceed 30 feet in height above grade. Light fixtures shall be maintained in sound operating conditions at all times. A lighting plan, including glare shield details, shall be submitted and approved by the Kern County Planning and Natural Resources Department.

(e) All storage and pressure tanks shall be painted an earthen hue color.

(f) All signs shall comply with the signage regulations of the applicable base zone district and with Chapter 19.84 and Chapter 19.81.040(h) of the Zoning Ordinance.

(g) During all on site grading and construction activities, adequate measures shall be implemented to control fugitive dust.

(h) For portions of the project that abut residentially zoned areas, an Additional Aesthetics Setback of 100 feet from the residential property line. No solar panels or equipment shall be placed in this area. The project proponent shall be responsible for dust controls and weed maintenance in this area. An approved site plan showing the designated Additional Aesthetics Setback shall be submitted to Kern County Planning and Natural Resources Department for approval.

(i) All survey monuments shall be accessible by a licensed land surveyor or their representatives, with prior notice, per section 8774 of the Professional Land Surveyor's Act and Civil Code 846.5 (a).

(10) All used oil (as defined in Section 25250.1 of the California Health and Safety Code) shall be disposed of in accordance with all local, State, and federal regulations following consultation with the Kern County Public Health Services Department/Environmental Health Division/Hazardous Materials Section, State of California Department of Health Services, and the Environmental Protection Agency. All used oil and other wastes shall be transported by a registered waste hauler.

(11) This permit shall become null and void if the use authorized has not been activated within a five-(5-)year period of time of the approval of said permit, unless an extension of time has been granted by the decision-making authority, upon written request before expiration of the five-(5-)year period.

(12) Noncompliance with the adopted conditions of approval may cause permit revocation proceedings in accordance with Section 19.102.020 of the Ordinance Code.

(13) At the time building permits are applied for, a filing fee may be imposed to ensure that final plans are consistent with adopted conditions of approval. This fee may serve as an initial deposit for particularly complex cases, in which case a cost recovery agreement will be required and charges will be billed at the appropriate hourly rate; and

(c) Noncompliance with the adopted conditions of approval may cause permit revocation proceedings in accordance with Section 19.102.020 of said Ordinance Code; and

(d) The findings of this Commission upon which its decision is based are as follows:

(1) The applicable provisions of the California Environmental Quality Act, the State CEQA Guidelines, and the Kern County Guidelines have been duly observed in conjunction with said hearing in the consideration of this matter and all of the previous proceedings relating thereto.

(2) This project is recommended for approval despite the existence of certain significant environmental effects identified in said Environmental Impact Report, and this Commission makes and adopts the findings with respect to each thereof set forth in Exhibit A, appended hereto and made a part hereof by reference, pursuant to Section 15091 of the State CEQA Guidelines (Title 14, Administrative Code) and Section 21081 of the Public Resources Code and declares that it considered the evidence described in connection with each such finding in Exhibit A and that such evidence is substantial and supports such finding.

This Commission acknowledges that approval of this project will produce certain environmental impacts which cannot be mitigated and, in accordance with Section 15093 of the State CEQA Guidelines (Title 14, Administrative Code) hereby adopts a Statement of Overriding Considerations set forth in Exhibit B, appended hereto, and made a part hereof, which summarizes the reasons why this project, despite certain environmental impacts, has been approved.

Said Environmental Impact Report is complete and adequate in scope and has been completed in compliance with the California Environmental Quality Act and with the State CEQA Guidelines and the Kern County Guidelines for implementation thereof.

(3) The effect upon the environment of such project and the activities and improvements which may be carried out thereunder will not interfere with maintenance of a high-quality environment now or in the future. Mitigation measures have been incorporated from the Environmental Impact Report as conditions of approval, and the adopted Mitigation Measure Monitoring Program specifies the required steps to satisfy each mitigation measure.

(4) The proposed project is a compatible use and consistent with the goals and policies listed in the Land Use, Open Space and Conservation Element of the Kern County General Plan.

(5) The proposed project is consistent with the goals and policies listed in the Energy Element of the Kern County General Plan.

(6) The proposed use is consistent with the purpose of the applicable district or districts.

(7) The proposed use is listed as a use subject to a conditional use permit in the applicable zoning district or districts or a use determined to be similar to a listed conditional use in accordance with the procedures set out in Section 19.08.030.

(8) The proposed use meets the minimum requirements of this title applicable to the use and complies with all other applicable laws, ordinances, and regulations of the County of Kern and the State of California.

(9) The project is located within the A (Exclusive Agriculture) Base District. The purpose of the A (Exclusive Agriculture) District is to designate areas that are suitable for agricultural uses and prevent the encroachment of incompatible uses onto agricultural lands and the premature conversion of such lands to non-agricultural uses. Solar electrical generation facilities are considered to be compatible with ongoing agricultural activity.

(10) Permitted land uses in the A (Exclusive Agriculture) District include agricultural uses, commercial uses, and uses related to utility lines and substations, resource extraction, and energy development. Miscellaneous accessory structures that are related to the permitted uses are also allowed. Pursuant to Section 19.12.030.G of the Kern County Zoning Ordinance, solar facilities are permitted with approval of a Conditional Use Permit.

(11) Permitted land uses in the A (Exclusive Agriculture) District include agricultural uses, commercial uses, and uses related to utility lines and substations, resource extraction, and energy development. Miscellaneous accessory structures that are related to the permitted uses are also allowed. Pursuant to Section 19.12.030.F of the Kern County Zoning Ordinance, temporary construction staging and equipment storage are permitted with approval of a Conditional Use Permit.

(12) The proposed use meets the minimum requirements of this title applicable to the use and complies with all other applicable laws, ordinances, and regulations of the County of Kern and the State of California.

(13) The proposed use will not be materially detrimental to the health, safety, and welfare of the public or to property and residents in the vicinity.

(14) Approval of the requested Conditional Use Permit is consistent with continuing the Board of Supervisors' adopted alternative energy goal because it will help facilitate the construction of a renewable energy project.

(15) The project site is more suitable for solar development, which supports affirmatively furthering fair housing goals by preserving residentially zoned land for housing that can better meet long-term health, safety, and livability standards.

(16) Existing site conditions, such as constructed solar facilities, which includes solar panels and supportive structures for operations and maintenance, make it better suited for non-residential uses, thereby reinforcing the County's commitment to high-quality, integrated housing opportunities elsewhere.

(17) While the project site is not suitable for traditional residential development, the project includes specific design features and conditions of approval that promote compatibility with nearby uses while ensuring the project does not conflict with affirmatively furthering fair housing goals.

(18) Excluding this project site from the County's housing inventory does not impede the County ability to meet its regional housing needs allocation obligations or implement housing element programs. Other more appropriate, higher-opportunity sites have been identified to meet the County's fair housing goals.

(19) Approval and implementation of the requested zone change will facilitate the construction of a 600-megawatts (MW) of renewable electrical energy with up to 4 gigawatt-hours (GWh) of energy storage capacity (approximately 1,000 MW), on an approximate 3,519-acre project site. This facility and the anticipated economic benefits associated with the operation of the facility to the County, which include but are not limited to the anticipation of 354 average daily construction jobs with up to 653 workers during peak construction, are consistent with the objectives of the Kern County General Plan that encourage economic development that creates jobs and capital investments in urban and rural areas that benefits residents, businesses, and industries, as well as ensuring future governmental fiscal stability while encouraging new development to utilize existing infrastructure and services.

(20) Approval of this project shall not be considered operative, vested, or final until such time as the required verification from the Office of the County Clerk is submitted, attesting that payment of fees for the filing of a "Notice of Determination" for the benefit of the California Department of Fish and Wildlife, as required by AB 3158 (Section 10005 Public Resources Code) has been made.

(21) In accordance with CEQA, the Lead Agency may conclude that certain mitigation measures identified are infeasible or otherwise ineffective during public review. In those circumstances, the Lead Agency may delete those mitigation measures and substitute for them other mitigation measures the Lead Agency finds are equivalent or more effective in mitigating significant effects so long as they do not cause potentially significant effects. It is the Lead Agency's determination that clarification to proposed mitigation are considered more effective in mitigating significant effects and are not considered new significant information requiring the recirculation of the Final EIR under CEQA and do not create new significant effects on the environment.

(e) The Secretary of this Commission shall cause copies of this resolution to be transmitted to the following:

Galaxy Solar Storage, LLC (PP25404) (agent) (applicant)
LiUNA (1)
File (3)

an

BEFORE THE PLANNING COMMISSION

COUNTY OF KERN, STATE OF CALIFORNIA

In the matter of:

RESOLUTION NO. 164-26

APPLICATION FOR GENERAL PLAN AMENDMENT CASE NO. 5, MAP 195

The proposed project site is located at the northern edge of Antelope Valley, approximately six (6) miles southeast of the community of Mojave, approximately eight (8) miles northeast of the community of Rosamond, and approximately eight (8) miles northwest of the main base of Edwards Air Force Base
Galaxy Solar Storage, LLC (PP25404)

FINDINGS AND DETERMINATION

I, Craig M. Murphy, Secretary of the Planning Commission of the County of Kern, State of California, do hereby certify that the following resolution, proposed by Mr. Ashley, seconded by Mr. Dunbar, was duly passed and adopted by said Planning Commission at an official meeting hereof this **27th,** day of **August, 2026,** by the following vote, to wit:

AYES: Ashley, Dunbar, Oliver, Skidmore

NOES: None

ABSTAINED: None

ABSENT: Brooks



SECRETARY OF THE PLANNING COMMISSION
COUNTY OF KERN, STATE OF CALIFORNIA

R E S O L U T I O N

SECTION 1. WHEREAS:

(a) Pursuant to the California Government Code, Title 7, Section 65354 (known as the Planning and Zoning Law), the Kern County Planning Commission considers proposed amendments to the County's General and Specific Plans and must provide a recommendation on all such proposed amendments to the Kern County Board of Supervisors; and

(b) Pursuant to the Zoning Ordinance, Section 19.102.135, such advisory actions shall be considered by the Planning Commission prior to consideration by the Board of Supervisors, following submission of an application containing the information specified in the applicable section of this title and a properly noticed public hearing; and

(c) The Kern County Planning and Natural Resources Department has received an application pertaining to a parcel of real property which is located within that portion of the unincorporated area of the County for which an official Zoning Map has been adopted under Section **7297.219** of said Ordinance Code and for which precise land use and zoning regulations are in effect; and

(d) Said parcel of real property is described as follows:

APN: Various

Township 11N, Range 11W, and Sections 28, and 32-34 SBB&M, County of Kern, State of California (A complete legal description is on file with the Kern County Planning and Natural Resources Department); and

(e) Said application has been made pursuant to provisions of Chapter 19.102 of said Ordinance Code, and requests The proposed Galaxy Solar PV and Storage Project would involve the construction and operation of a photovoltaic (PV) solar facility with associated infrastructure necessary to generate up to 600-megawatts (MW) of renewable electrical energy with up to 4 gigawatt-hours (GWh) of energy storage capacity (approximately 1,000 MW), on an approximate 3,519-acre project site, across 184 privately owned parcels, in an unincorporated area of Southeastern Kern County. The proposal includes an amendment to the Circulation Element of the Kern County General Plan to eliminate future road reservations on section and mid-section lines (GPA No. 5, Map 195), specifically:

1. Eliminate western half of the east/west mid-section line of Section 28, T11N, R11W, SBBM;
2. Eliminate north/south mid-section line of Section 28, T11N, R11W, SBBM;
3. Eliminate south section line of Section 28, T11N, R11W, SBBM;
4. Eliminate southern half of north/south mid-section line of Section 32, T11N, R11W, SBBM;
5. Eliminate east section line of Section 32, T11N, R11W, SBBM;
6. Eliminate east half of the north section line of Section 32, T11N, R11W, SBBM;
7. Eliminate north-south mid-section line of Section 33, T11N, R11W, SBBM;
8. Eliminate east-west mid-section line of Section 33, T11N, R11W, SBBM;

9. Eliminate north, south, east and west section lines of Section 33, T11N, R11W, SBBM;

10. Eliminate west portion of the east-west mid-section line of Section 34, T11N, R11W, SBBM;

11. Eliminate south, and west section lines of Section 34, T11N, R11W, SBBM;

12. Eliminate west half of the north section line of Section 34, T11N, R11W, SBBM;

13. Eliminate south portion of the north/south mid-section line of Section 34, T11N, R11W, SBBM;and

(f) The Planning and Natural Resources Department has reviewed the matter and prepared a report containing detailed description and analysis of the proposed amendment to the General Plan, (copy of the report is on file with the Planning and Natural Resources Department and incorporated herein by this reference as if set forth in full); and

(g) Said application has been made in the form and in the manner prescribed by said Zoning Ordinance and is on file with the Secretary of this Commission, designated as above, and reference is hereby made thereto for further particulars; and

(h) The Secretary of this Commission has caused notice to be duly given of a public hearing in this matter in accordance with law, as evidenced by the affidavit of publication and the affidavit of mailing on file with the Secretary of this Commission; and

(i) Said notice of hearing stated that an Environmental Impact Report has been prepared for this project; and

(j) Said public hearing has been duly and timely conducted, during which the proposal was explained by a representative of the Planning and Natural Resources Department and all persons so desiring were duly heard; and

(k) Before making any findings on said Environmental Impact Report or any consideration of the proposal on its merits, this Commission called for any objections or comments on said Environmental Impact Report; and

The Director of the Planning and Natural Resources Department has furnished to this Commission, and the Commission has incorporated into the record of this matter, a document setting forth the significant environmental effects identified in said Environmental Impact Report, with proposed findings and consideration by this Commission in relation to said significant effects for the purposes of Section 21081 of the Public Resources Code and Section 15091 of the State CEQA Guidelines, and setting forth evidence in support of the proposed findings; and a member of the Planning and Natural Resources Department Staff appeared before the Commission and gave additional testimony in support of the proposed findings; and

During said hearing, this Commission duly considered the adequacy and scope of said Environmental Impact Report and thereafter reviewed and considered the information therein contained with respect to the merits of the matters under consideration; and

(l) This Commission has considered the recommendation of the Planning and Natural Resources Department and all the testimony presented during said public hearing, after which said public hearing was concluded.

SECTION 2. NOW, THEREFORE, BE IT HEREBY RESOLVED by the Planning Commission of the County of Kern, as follows:

(a) This Commission has fully reviewed and considered the information in said Environmental Impact Report and Mitigation Measure Monitoring Program and hereby recommends it to be certified in relation to the subject of this resolution and, after careful consideration of all facts and evidence as presented at said hearing, it is the decision of the Planning Commission that the application herein described be, and hereby, recommends the Board of Supervisors **C E R T I F Y** said Environmental Impact Report; **A D O P T** Section 15091 Findings of Facts and Section 15093 Statement of Overriding Considerations; **A D O P T** Mitigation Measure Monitoring Program; and recommended for **A P P R O V A L,** as recommended by Staff, by the Board of Supervisors, the application for the reasons specified in this Resolution; and

(b) The findings of this Commission upon which its decision is based are as follows:

(1) The applicable provisions of the California Environmental Quality Act, the State CEQA Guidelines, and the Kern County Guidelines have been duly observed in conjunction with said hearing in the consideration of this matter and all of the previous proceedings relating thereto.

(2) This project is recommended for approval despite the existence of certain significant environmental effects identified in said Environmental Impact Report, and this Commission recommends the Board of Supervisors makes and adopts the findings with respect to each thereof set forth in Exhibit A, appended hereto and made a part hereof by reference, pursuant to Section 15091 of the State CEQA Guidelines (Title 14, Administrative Code) and Section 21081 of the Public Resources Code and declares that it considered the evidence described in connection with each such finding in Exhibit A and that such evidence is substantial and supports such finding.

This Commission acknowledges that the Board of Supervisor's approval of this project will produce certain environmental impacts which cannot be mitigated and, in accordance with Section 15093 of the State CEQA Guidelines (Title 14, Administrative Code) hereby recommends the Board of Supervisors adopt a Statement of Overriding Considerations set forth in Exhibit B, appended hereto, and made a part hereof, which summarizes the reasons why this project, despite certain environmental impacts, has been approved.

Said Environmental Impact Report is complete and adequate in scope and has been completed in compliance with the California Environmental Quality Act and with the State CEQA Guidelines

and the Kern County Guidelines for implementation thereof.

(3) The effect upon the environment of such project and the activities and improvements which may be carried out thereunder will not interfere with maintenance of a high-quality environment now or in the future. Mitigation measures have been incorporated from the Environmental Impact Report as conditions of approval, and the adopted Mitigation Measure Monitoring Program specifies the required steps to satisfy each mitigation measure.

(4) The solar project is consistent with the goals and policies of the Energy Element within the Kern County General Plan.

(5) Approval of this request would promote development that is consistent with existing and potential land uses of the surrounding area and will allow a reasonable use of this property.

(6) The solar project will require minimal expansion of infrastructure to support development.

(7) In accordance with State law and the California Tribal Consultation Guidelines, the appropriate Native American tribes were consulted with respect to the project's potential impacts on Native American places, features, and objects and provided an opportunity for review and consultation.

(8) The proposed solar energy facility is located in a rural area of the County adjacent to energy development and transmission lines. Given these existing uses, there is little potential for the area to be developed as an urban center or major transportation corridor in the long-term future. As such, the identified collector roadway designations are not necessary to facilitate future traffic needs in the area.

(9) Approval of the Amendment to the Circulation Element of the Kern County General Plan is consistent with the objectives and policies of the Kern County General Plan to protect needed road rights-of-way for future growth, while facilitating a comprehensive transportation network.

(10) Approval of the Amendment to the Circulation Element of the Kern County General Plan is consistent with the objectives of the Circulation Element of the Kern County General Plan because it will allow for the construction of a renewable energy project while encouraging the use of existing road networks internal to the project site.

(11) Approval of the Kern County General Plan Amendment to the Circulation Element of the Kern County General Plan is consistent with the objectives of the Circulation Element of the Plan because it will maintain adequate traffic safety.

(12) Approval of the requested Kern County General Plan Amendment is consistent with continuing the Board of Supervisors' adopted alternative energy goal because it will help facilitate the construction of a renewable energy project.

(13) Approval of this project shall not be considered operative, vested, or final until such time as the required verification from the Office of the County Clerk is submitted, attesting that payment of fees for the filing of a "Notice of Determination" for the benefit of the California Department of Fish and Wildlife, as required by AB 3158 (Section 10005 Public Resources Code) has been made.

(14) In accordance with CEQA, the Lead Agency may conclude that certain mitigation measures identified are infeasible or otherwise ineffective during public review. In those circumstances, the Lead Agency may delete those mitigation measures and substitute for them other mitigation

measures the Lead Agency finds are equivalent or more effective in mitigating significant effects so long as they do not cause potentially significant effects. It is the Lead Agency's determination that clarification to proposed mitigation are considered more effective in mitigating significant effects and are not considered new significant information requiring the recirculation of the Final EIR under CEQA and do not create new significant effects on the environment; and

(c) The Secretary of this Commission shall cause copies of this resolution to be transmitted to the following:

Galaxy Solar Storage, LLC (PP25404) (1)
Various (owner) (1)
LiUNA (1)
File (3)

jw

BEFORE THE PLANNING COMMISSION

COUNTY OF KERN, STATE OF CALIFORNIA

In the matter of:

RESOLUTION NO. 165-26

APPLICATION FOR GENERAL PLAN AMENDMENT CASE NO. 6, MAP 212

The proposed project site is located at the northern edge of Antelope Valley, approximately six (6) miles southeast of the community of Mojave, approximately eight (8) miles northeast of the community of Rosamond, and approximately eight (8) miles northwest of the main base of Edwards Air Force Base
Galaxy Solar Storage, LLC (PP25404)

FINDINGS AND DETERMINATION

I, Craig M. Murphy, Secretary of the Planning Commission of the County of Kern, State of California, do hereby certify that the following resolution, proposed by Mr. Ashley, seconded by Mr. Dunbar, was duly passed and adopted by said Planning Commission at an official meeting hereof this **27th,** day of **August, 2026,** by the following vote, to wit:

AYES: Ashley, Dunbar, Oliver, Skidmore

NOES: None

ABSTAINED: None

ABSENT: Brooks



SECRETARY OF THE PLANNING COMMISSION
COUNTY OF KERN, STATE OF CALIFORNIA

R E S O L U T I O N

SECTION 1. WHEREAS:

(a) Pursuant to the California Government Code, Title 7, Section 65354 (known as the Planning and Zoning Law), the Kern County Planning Commission considers proposed amendments to the County's General and Specific Plans and must provide a recommendation on all such proposed amendments to the Kern County Board of Supervisors; and

(b) Pursuant to the Zoning Ordinance, Section 19.102.135, such advisory actions shall be considered by the Planning Commission prior to consideration by the Board of Supervisors, following submission of an application containing the information specified in the applicable section of this title and a properly noticed public hearing; and

(c) The Kern County Planning and Natural Resources Department has received an application pertaining to a parcel of real property which is located within that portion of the unincorporated area of the County for which an official Zoning Map has been adopted under Section **7297.221** of said Ordinance Code and for which precise land use and zoning regulations are in effect; and

(d) Said parcel of real property is described as follows:

APN: Various

Township 10N, Range 11W, and Sections 3, 4, 6, 8, 9 SBB&M, County of Kern, State of California (A complete legal description is on file with the Kern County Planning and Natural Resources Department); and

(e) Said application has been made pursuant to provisions of Chapter 19.102 of said Ordinance Code, and requests The proposed Galaxy Solar PV and Storage Project would involve the construction and operation of a photovoltaic (PV) solar facility with associated infrastructure necessary to generate up to 600-megawatts (MW) of renewable electrical energy with up to 4 gigawatt-hours (GWh) of energy storage capacity (approximately 1,000 MW), on an approximate 3,519-acre project site, across 184 privately owned parcels, in an unincorporated area of Southeastern Kern County. The proposal includes an amendment to the Circulation Element of the Kern County General Plan to eliminate future road reservations on section and mid-section lines (GPA No. 6, Map 212), specifically:

1. Eliminate north-south mid-section line of Section 3, T10N, R11W, SBBM;
2. Eliminate east-west mid-section line of Section 3, T10N, R11W, SBBM;
3. Eliminate north, east and west section lines of Section 3, T10N, R11W, SBBM;
4. Eliminate western half of south section line of Section 3, T10N, R11W, SBBM;
5. Eliminate north-south mid-section line of Section 4, T10N, R11W, SBBM;
6. Eliminate east-west mid-section line of Section 4, T10N, R11W, SBBM;
7. Eliminate north, south, east and west section lines of Section 4, T10N, R11W, SBBM;
8. Eliminate north-south mid-section line of Section 8, T10N, R11W, SBBM;

9. Eliminate east-west mid-section line of Section 8, T10N, R11W, SBBM;

10. Eliminate northern half of western section line of Section 8, T10N, R11W, SBBM;

11. Eliminate north, east and south section lines of Section 8, T10N, R11W, SBBM;

12. Eliminate north-south mid-section line of Section 9, T10N, R11W, SBBM;

13. Eliminate east-west mid-section line of Section 9, T10N, R11W, SBBM;

14. Eliminate north, east, west and south section lines of Section 8, T10N, R11W, SBBM;and

(f) The Planning and Natural Resources Department has reviewed the matter and prepared a report containing detailed description and analysis of the proposed amendment to the General Plan, (copy of the report is on file with the Planning and Natural Resources Department and incorporated herein by this reference as if set forth in full); and

(g) Said application has been made in the form and in the manner prescribed by said Zoning Ordinance and is on file with the Secretary of this Commission, designated as above, and reference is hereby made thereto for further particulars; and

(h) The Secretary of this Commission has caused notice to be duly given of a public hearing in this matter in accordance with law, as evidenced by the affidavit of publication and the affidavit of mailing on file with the Secretary of this Commission; and

(i) Said notice of hearing stated that an Environmental Impact Report has been prepared for this project; and

(j) Said public hearing has been duly and timely conducted, during which the proposal was explained by a representative of the Planning and Natural Resources Department and all persons so desiring were duly heard; and

(k) Before making any findings on said Environmental Impact Report or any consideration of the proposal on its merits, this Commission called for any objections or comments on said Environmental Impact Report; and

The Director of the Planning and Natural Resources Department has furnished to this Commission, and the Commission has incorporated into the record of this matter, a document setting forth the significant environmental effects identified in said Environmental Impact Report, with proposed findings and consideration by this Commission in relation to said significant effects for the purposes of Section 21081 of the Public Resources Code and Section 15091 of the State CEQA Guidelines, and setting forth evidence in support of the proposed findings; and a member of the Planning and

Natural Resources Department Staff appeared before the Commission and gave additional testimony in support of the proposed findings; and

During said hearing, this Commission duly considered the adequacy and scope of said Environmental Impact Report and thereafter reviewed and considered the information therein contained with respect to the merits of the matters under consideration; and

(l) This Commission has considered the recommendation of the Planning and Natural Resources Department and all the testimony presented during said public hearing, after which said public hearing was concluded.

SECTION 2. NOW, THEREFORE, BE IT HEREBY RESOLVED by the Planning Commission of the County of Kern, as follows:

(a) This Commission has fully reviewed and considered the information in said Environmental Impact Report and Mitigation Measure Monitoring Program and hereby recommends it to be certified in relation to the subject of this resolution and, after careful consideration of all facts and evidence as presented at said hearing, it is the decision of the Planning Commission that the application herein described be, and hereby, recommends the Board of Supervisors **C E R T I F Y** said Environmental Impact Report; **A D O P T** Section 15091 Findings of Facts and Section 15093 Statement of Overriding Considerations; **A D O P T** Mitigation Measure Monitoring Program; and recommended for **A P P R O V A L,** as recommended by Staff, by the Board of Supervisors, the application for the reasons specified in this Resolution; and

(b) The findings of this Commission upon which its decision is based are as follows:

(1) The applicable provisions of the California Environmental Quality Act, the State CEQA Guidelines, and the Kern County Guidelines have been duly observed in conjunction with said hearing in the consideration of this matter and all of the previous proceedings relating thereto.

(2) This project is recommended for approval despite the existence of certain significant environmental effects identified in said Environmental Impact Report, and this Commission recommends the Board of Supervisors makes and adopts the findings with respect to each thereof set forth in Exhibit A, appended hereto and made a part hereof by reference, pursuant to Section 15091 of the State CEQA Guidelines (Title 14, Administrative Code) and Section 21081 of the Public Resources Code and declares that it considered the evidence described in connection with each such finding in Exhibit A and that such evidence is substantial and supports such finding.

This Commission acknowledges that the Board of Supervisor's approval of this project will produce certain environmental impacts which cannot be mitigated and, in accordance with Section 15093 of the State CEQA Guidelines (Title 14, Administrative Code) hereby recommends the Board of Supervisors adopt a Statement of Overriding Considerations set forth in Exhibit B, appended hereto, and made a part hereof, which summarizes the reasons why this project, despite

certain environmental impacts, has been approved.

Said Environmental Impact Report is complete and adequate in scope and has been completed in compliance with the California Environmental Quality Act and with the State CEQA Guidelines and the Kern County Guidelines for implementation thereof.

(3) The effect upon the environment of such project and the activities and improvements which may be carried out thereunder will not interfere with maintenance of a high-quality environment now or in the future. Mitigation measures have been incorporated from the Environmental Impact Report as conditions of approval, and the adopted Mitigation Measure Monitoring Program specifies the required steps to satisfy each mitigation measure.

(4) The solar project is consistent with the goals and policies of the Energy Element within the Kern County General Plan.

(5) Approval of this request would promote development that is consistent with existing and potential land uses of the surrounding area and will allow a reasonable use of this property.

(6) The solar project will require minimal expansion of infrastructure to support development.

(7) In accordance with State law and the California Tribal Consultation Guidelines, the appropriate Native American tribes were consulted with respect to the project's potential impacts on Native American places, features, and objects and provided an opportunity for review and consultation.

(8) The proposed solar energy facility is located in a rural area of the County adjacent to energy development and transmission lines. Given these existing uses, there is little potential for the area to be developed as an urban center or major transportation corridor in the long-term future. As such, the identified collector roadway designations are not necessary to facilitate future traffic needs in the area.

(9) Approval of the Amendment to the Circulation Element of the Kern County General Plan is consistent with the objectives and policies of the Kern County General Plan to protect needed road rights-of-way for future growth, while facilitating a comprehensive transportation network.

(10) Approval of the Amendment to the Circulation Element of the Kern County General Plan is consistent with the objectives of the Circulation Element of the Kern County General Plan because it will allow for the construction of a renewable energy project while encouraging the use of existing road networks internal to the project site.

(11) Approval of the Kern County General Plan Amendment to the Circulation Element of the Kern County General Plan is consistent with the objectives of the Circulation Element of the Plan because it will maintain adequate traffic safety.

(12) Approval of the requested Kern County General Plan Amendment is consistent with continuing the Board of Supervisors' adopted alternative energy goal because it will help facilitate the construction of a renewable energy project.

(13) Approval of this project shall not be considered operative, vested, or final until such time as the required verification from the Office of the County Clerk is submitted, attesting that payment of fees for the filing of a "Notice of Determination" for the benefit of the California Department of Fish and Wildlife, as required by AB 3158 (Section 10005 Public Resources Code) has been made.

(14) In accordance with CEQA, the Lead Agency may conclude that certain mitigation measures identified are infeasible or otherwise ineffective during public review. In those circumstances, the Lead Agency may delete those mitigation measures and substitute for them other mitigation measures the Lead Agency finds are equivalent or more effective in mitigating significant effects so long as they do not cause potentially significant effects. It is the Lead Agency's determination that clarification to proposed mitigation are considered more effective in mitigating significant effects and are not considered new significant information requiring the recirculation of the Final EIR under CEQA and do not create new significant effects on the environment; and

(c) The Secretary of this Commission shall cause copies of this resolution to be transmitted to the following:

Galaxy Solar Storage, LLC (PP25404) (1)
Various (owner) (1)
LiUNA (1)
File (3)

jw

BEFORE THE PLANNING COMMISSION

COUNTY OF KERN, STATE OF CALIFORNIA

_____

In the matter of:

RESOLUTION NO. 166-26

APPLICATION FOR ZONE VARIANCE CASE NO. 1, MAP 195

The proposed project site is located at the northern edge of Antelope Valley, approximately six (6) miles southeast of the community of Mojave, approximately eight (8) miles northeast of the community of Rosamond, and approximately eight (8) miles northwest of the main base of Edwards Air Force Base
Galaxy Solar Storage, LLC (PP25404)

FINDINGS AND DETERMINATION

I, Craig M. Murphy, Secretary of the Planning Commission of the County of Kern, State of California, do hereby certify that the following resolution, proposed by Mr. Ashley, seconded by Mr. Dunbar, was duly passed and adopted by said Planning Commission at an official meeting hereof this **27th** day of **August, 2026**, by the following vote, to wit:

AYES: Ashley, Dunbar, Oliver, Skidmore

NOES: None

ABSTAINED: None

ABSENT: Brooks



SECRETARY OF THE PLANNING COMMISSION
COUNTY OF KERN, STATE OF CALIFORNIA

R E S 0 L U T I 0 N

SECTION 1. WHEREAS:

(a) Pursuant to the California Government Code, Title 7, Section 65000, et seq. (known as the Planning and Zoning Law), the Kern County Board of Supervisors has adopted the Official Land Use and Zoning Ordinance for the County of Kern (Ordinance Code of Kern County, Chapter 19.02, et seq.), herein called the Zoning Ordinance; and

(b) The Zoning Ordinance establishes various classes of zones, prescribes land uses and regulations for the various zones, and adopts zoning maps for the purposes of dividing the County into zones and showing the zone boundaries; and

(c) The Zoning Ordinance regulates the use of buildings, structures, and land, as between agriculture, industry, business, residence, and other purposes, and other uses more specifically set forth in Section 65850 of said Government Code; and

(d) The Kern County Planning and Natural Resources Department has received an application pertaining to a parcel of real property which is located within that portion of the unincorporated area of the County for which an official Zoning Map has been adopted under Section **7297.219** of said Ordinance Code and for which precise land use and zoning regulations are in effect; and

(e) Said parcel of real property is described as follows:

APN: Various

Township 11N, Range 11W, and Sections 28, and 32-34 SBB&M, County of Kern, State of California (A complete legal description is on file with the Kern County Planning and Natural Resources Department); and

(f) Said application has been made pursuant to provisions of Chapter 19.106 of said Ordinance Code, and requests a zone variance from the requirements of Section 19.12.050 insofar as said requirements are applicable to the aforedescribed parcel of real property, and more particularly the proposed Galaxy Solar PV and Storage Project would involve the construction and operation of a photovoltaic (PV) solar facility with associated infrastructure necessary to generate up to 600-megawatts (MW) of renewable electrical energy with up to 4 gigawatt-hours (GWh) of energy storage capacity (approximately 1,000 MW), on an approximate 3,519-acre project site, across 184 privately owned parcels, in an unincorporated area of Southeastern Kern County. The proposal includes a Zone Variance to authorize multiple parcels of substandard size ranging from 9.32 acres to 10.23 acres where a minimum of 20 acres is required in the A (Exclusive Agriculture) District (ZV No. 1, Map 195);

(g) Said application has been made in the form and in the manner prescribed by said Zoning Ordinance and is on file with the Secretary of this Commission, designated as above, and reference is hereby made thereto for further particulars; and

(h) The Secretary of this Commission has caused notice to be duly given of a public hearing in this matter in accordance with law, as evidenced by the affidavit of publication and the affidavit of mailing on file with the Secretary of this Commission; and

(i) Said notice of hearing stated that an Environmental Impact Report has been prepared for this project; and

(j) Said public hearing has been duly and timely conducted, during which the proposal was explained by a representative of the Planning and Natural Resources Department and all persons so desiring were duly heard; and

(k) Before making any findings on said Environmental Impact Report or any consideration of the proposal on its merits, this Commission called for any objections or comments on said Environmental Impact Report; and

The Director of the Planning and Natural Resources Department has furnished to this Commission, and the Commission has incorporated into the record of this matter, a document setting forth the significant environmental effects identified in said Environmental Impact Report, with proposed findings and consideration by this Commission in relation to said significant effects for the purposes of Section 21081 of the Public Resources Code and Section 15091 of the State CEQA Guidelines, and setting forth evidence in support of the proposed findings; and a member of the Planning and Natural Resources Department Staff appeared before the Commission and gave additional testimony in support of the proposed findings; and

During said hearing, this Commission duly considered the adequacy and scope of said Environmental Impact Report and thereafter reviewed and considered the information therein contained with respect to the merits of the matters under consideration; and

(l) This Commission has considered the recommendation of the Planning and Natural Resources Department and all the testimony presented during said public hearing, after which said public hearing was concluded.

SECTION 2. NOW, THEREFORE, BE IT HEREBY RESOLVED by the Planning Commission of the County of Kern, as follows:

(a) This Commission finds that the facts recited above are true and that this Commission has jurisdiction to consider the subject of this resolution; and

(b) This Commission has fully reviewed and considered the information in said Environmental Impact Report and Mitigation Measure Monitoring Program and hereby recommends it to be certified in relation to the subject of this resolution

and, after careful consideration of all facts and evidence as presented at said hearing, it is the decision of the Planning Commission that the application herein described be, and hereby, recommends the Board of Supervisors **C E R T I F Y** said Environmental Impact Report and **A D O P T** Mitigation Measure Monitoring Program and **A P P R O V E**, as recommended by Staff, the application for the reasons specified in this Resolution with development to be in substantial conformity with the approved plan, and the approved plan shall be revised to include the following conditions of approval:

(1) Zone Variance (ZV No. 1, Map 195) to authorize multiple parcels of substandard size ranging from 9.32 acres to 10.23 acres where a minimum of 20 acres is required in the A (Exclusive Agriculture) District.

(2) Any additional on-site development or expansion activities beyond those items described in the staff report and certified Final Environmental Impact Report associated with initial approval of this conditional use permit, and which are deemed to be more intensive by the Director of the Kern County Planning and Natural Resources Department, shall be subject to review and approval and may entail further environmental review. Approval of such development or expansion activities may also require modification of this conditional use permit or the approval of a new conditional use permit at the discretion of the Director of the Kern County Planning and Natural Resources Department.

(3) All mitigation measures included in the adopted Mitigation Measure Monitoring Program for the Galaxy Solar PV and Storage Project by Galaxy Solar Storage, LLC (General Plan Amendment Case No. 7, Map 212; Amendment of Zoning Map 195, Zone Change Case No. 5; Amendment of Zoning Map 212, Zone Change Case No. 4; Amendment of Zoning Map 212, Zone Change Case No. 5; Amendment of Zoning Map 197, Zone Change Case No. 57; Conditional Use Permit Case No. 4, Map 195; Conditional Use Permit Case No. 5, Map 195; Conditional Use Permit Case No. 7, Map 212; Conditional Use Permit Case No. 24, Map 197; General Plan Amendment Case No. 5, Map 195; General Plan Amendment Case No. 6, Map 212; Zone Variance Case No. 1, Map 195; Zone Variance Case No. 2, Map 212; Zone Variance Case No. 21, Map 197; Vesting Tentative Parcel Map 12577; Vesting Tentative Parcel Map 12578; Vesting Tentative Parcel Map 12579; Vesting Tentative Parcel Map 12580; Vesting Tentative Parcel Map 12581; Vesting Tentative Parcel Map 12582), included as Exhibit C of this Resolution, are hereby incorporated as Conditions of Approval.

(4) Development shall be in substantial conformity with the approved plan, and the approved plan shall be revised to include the following conditions of approval.

(5) This permit shall run concurrently with General Plan Amendment Case No. 7, Map 212; Amendment of Zoning Map 195, Zone Change Case No. 5; Amendment of Zoning Map 212, Zone Change Case No. 4; Amendment of Zoning Map 212, Zone Change Case No. 5; Amendment of Zoning Map 197, Zone Change Case No. 57; Conditional Use Permit Case No. 4, Map 195; Conditional Use Permit Case No. 5, Map 195; Conditional Use Permit Case No. 7, Map 212; Conditional Use Permit Case No. 24, Map 197; General Plan Amendment Case No. 5, Map 195; General Plan Amendment Case No. 6, Map 212; Zone Variance Case No. 1, Map 195; Zone Variance Case No. 2, Map 212; Zone Variance Case No. 21, Map 197; Vesting Tentative Parcel Map 12577; Vesting Tentative Parcel Map 12578; Vesting Tentative Parcel Map 12579; Vesting Tentative Parcel Map 12580; Vesting Tentative Parcel Map 12581; Vesting Tentative Parcel Map 12582. Should the aforementioned entitlements expire or be withdrawn, this permit shall become null and void.

(6) With exception of lot size, all requirements of the A (Exclusive Agriculture) Base District, along with requirements of combining districts, shall remain applicable.

(7) Noncompliance with the adopted conditions of approval may cause permit revocation proceedings in accordance with Section 19.102.020 of the Ordinance Code: and

(c) Noncompliance with the adopted conditions of approval may cause permit revocation proceedings in accordance with Section 19.102.020 of said Ordinance Code; and

(d) The findings of this Commission upon which its decision is based are as follows:

(1) The applicable provisions of the California Environmental Quality Act, the State CEQA Guidelines, and the Kern County Guidelines have been duly observed in conjunction with said hearing in the consideration of this matter and all of the previous proceedings relating thereto.

(2) This project is recommended for approval despite the existence of certain significant environmental effects identified in said Environmental Impact Report, and this Commission recommends the Board of Supervisors make and adopt the findings with respect to each thereof set forth in Exhibit A, appended hereto and made a part hereof by reference, pursuant to Section 15091 of the State CEQA Guidelines (Title 14, Administrative Code) and Section 21081 of the Public Resources Code and declares that it considered the evidence described in connection with each such finding in Exhibit A and that such evidence is substantial and supports such finding.

This Commission acknowledges that approval of this project will produce certain environmental impacts which cannot be mitigated and, in accordance with Section 15093 of the State CEQA Guidelines (Title 14, Administrative Code) hereby recommends the Board of Supervisors adopt a Statement of Overriding Considerations set forth in Exhibit B, appended hereto, and made a part hereof, which summarizes the reasons why this project, despite certain environmental impacts, has been approved.

Said Environmental Impact Report is complete and adequate in scope and has been completed in compliance with the California Environmental Quality Act and with the State CEQA Guidelines and the Kern County Guidelines for implementation thereof.

(3) The effect upon the environment of such project and the activities and improvements which may be carried out thereunder will not interfere with maintenance of a high-quality environment now or in the future. Mitigation measures have been incorporated from the Environmental Impact Report as conditions of approval, and the adopted Mitigation Measure Monitoring Program specifies the required steps to satisfy each mitigation measure.

(4) The proposed use is consistent with the goals and policies of the General Plan.

(5) The proposed use is consistent with the purpose of the applicable district or districts.

(6) The proposed use is listed as a use subject to a conditional use permit in the applicable zoning district or districts or a use determined to be similar to a listed conditional use in accordance with the procedures set out in Section 19.08.030.

(7) The proposed use meets the minimum requirements of this title applicable to the use and complies with all other applicable laws, ordinances, and regulations of the County of Kern and the State of California.

(8) The proposed use will not be materially detrimental to the health, safety, and welfare of the public or to property and residents in the vicinity.

(9) Special circumstances applicable to the subject property, including location, surroundings, and existing development on the property, such that the strict application of the applicable requirements of the Zoning Ordinance deprives such property of privileges enjoyed by the other property in the vicinity and in the same zoning district throughout the County.

(10) The granting of the variance does not constitute a grant of special privilege that is inconsistent with the limitations on other properties in the vicinity and in the zoning district in which the property is located. This finding is supported by the existence of multiple legal, nonconforming parcels of similar or smaller size within one (1) mile of the project site in the A District, as well as by similar approvals within the County in the same zone district and General Plan map code designation.

(11) The granting of the variance will not be materially detrimental to the public health, safety, or welfare, as implementation would require adherence to all other applicable local, State and federal regulatory requirements as ensured by the recommended conditions of approval.

(12) Approval of this project shall not be considered operative, vested, or final until such time as the required verification from the Office of the County Clerk is submitted, attesting that payment of fees for the filing of a "Notice of Determination" for the benefit of the California Department of Fish and Wildlife, as required by AB 3158 (Section 10005 Public Resources Code) has been made; and

(g) The Secretary of this Commission shall cause copies of this resolution to be transmitted to the following:

Galaxy Solar Storage, LLC (PP25404) (1)
LiUNA 1)
Kern County Assessor/Chief, Realty Division (1)
File (3)

jw

BEFORE THE PLANNING COMMISSION

COUNTY OF KERN, STATE OF CALIFORNIA

In the matter of:

RESOLUTION NO. 167-26

APPLICATION FOR ZONE VARIANCE CASE NO. 2, MAP 212

The proposed project site is located at the northern edge of Antelope Valley, approximately six (6) miles southeast of the community of Mojave, approximately eight (8) miles northeast of the community of Rosamond, and approximately eight (8) miles northwest of the main base of Edwards Air Force Base
Galaxy Solar Storage, LLC (PP25404)

FINDINGS AND DETERMINATION

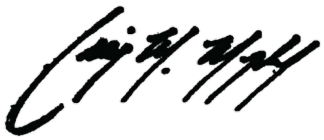
I, Craig M. Murphy, Secretary of the Planning Commission of the County of Kern, State of California, do hereby certify that the following resolution, proposed by Mr. Ashley, seconded by Mr. Dunbar, was duly passed and adopted by said Planning Commission at an official meeting hereof this **27th** day of **August, 2026**, by the following vote, to wit:

AYES: Ashley, Dunbar, Oliver, Skidmore

NOES: None

ABSTAINED: None

ABSENT: Brooks



SECRETARY OF THE PLANNING COMMISSION
COUNTY OF KERN, STATE OF CALIFORNIA

R E S 0 L U T I 0 N

SECTION 1. WHEREAS:

(a) Pursuant to the California Government Code, Title 7, Section 65000, et seq. (known as the Planning and Zoning Law), the Kern County Board of Supervisors has adopted the Official Land Use and Zoning Ordinance for the County of Kern (Ordinance Code of Kern County, Chapter 19.02, et seq.), herein called the Zoning Ordinance; and

(b) The Zoning Ordinance establishes various classes of zones, prescribes land uses and regulations for the various zones, and adopts zoning maps for the purposes of dividing the County into zones and showing the zone boundaries; and

(c) The Zoning Ordinance regulates the use of buildings, structures, and land, as between agriculture, industry, business, residence, and other purposes, and other uses more specifically set forth in Section 65850 of said Government Code; and

(d) The Kern County Planning and Natural Resources Department has received an application pertaining to a parcel of real property which is located within that portion of the unincorporated area of the County for which an official Zoning Map has been adopted under Section **7297.221** of said Ordinance Code and for which precise land use and zoning regulations are in effect; and

(e) Said parcel of real property is described as follows:

APN: Various

Township 10N, Range 11W, and Sections 3, 4, 6, 8, 9 SBB&M, County of Kern, State of California (A complete legal description is on file with the Kern County Planning and Natural Resources Department); and

(f) Said application has been made pursuant to provisions of Chapter 19.106 of said Ordinance Code, and requests a zone variance from the requirements of Section 19.12.050 insofar as said requirements are applicable to the aforedescribed parcel of real property, and more particularly the proposed Galaxy Solar PV and Storage Project would involve the construction and operation of a photovoltaic (PV) solar facility with associated infrastructure necessary to generate up to 600-megawatts (MW) of renewable electrical energy with up to 4 gigawatt-hours (GWh) of energy storage capacity (approximately 1,000 MW), on an approximate 3,519-acre project site, across 184 privately owned parcels, in an unincorporated area of Southeastern Kern County. The proposal includes Zone Variance to authorize multiple parcels of substandard size ranging from 2.59 acres to 10 acres where a minimum of 20 acres is required in the A (Exclusive Agriculture) District (ZV No. 2, Map 212);

(g) Said application has been made in the form and in the manner prescribed by said Zoning Ordinance and is on file with the Secretary of this Commission, designated as above, and reference is hereby made thereto for further particulars; and

(h) The Secretary of this Commission has caused notice to be duly given of a public hearing in this matter in accordance with law, as evidenced by the affidavit of publication and the affidavit of mailing on file with the Secretary of this Commission; and

(i) Said notice of hearing stated that an Environmental Impact Report has been prepared for this project; and

(j) Said public hearing has been duly and timely conducted, during which the proposal was explained by a representative of the Planning and Natural Resources Department and all persons so desiring were duly heard; and

(k) Before making any findings on said Environmental Impact Report or any consideration of the proposal on its merits, this Commission called for any objections or comments on said Environmental Impact Report; and

The Director of the Planning and Natural Resources Department has furnished to this Commission, and the Commission has incorporated into the record of this matter, a document setting forth the significant environmental effects identified in said Environmental Impact Report, with proposed findings and consideration by this Commission in relation to said significant effects for the purposes of Section 21081 of the Public Resources Code and Section 15091 of the State CEQA Guidelines, and setting forth evidence in support of the proposed findings; and a member of the Planning and Natural Resources Department Staff appeared before the Commission and gave additional testimony in support of the proposed findings; and

During said hearing, this Commission duly considered the adequacy and scope of said Environmental Impact Report and thereafter reviewed and considered the information therein contained with respect to the merits of the matters under consideration; and

(l) This Commission has considered the recommendation of the Planning and Natural Resources Department and all the testimony presented during said public hearing, after which said public hearing was concluded.

SECTION 2. NOW, THEREFORE, BE IT HEREBY RESOLVED by the Planning Commission of the County of Kern, as follows:

(a) This Commission finds that the facts recited above are true and that this Commission has jurisdiction to consider the subject of this resolution; and

(b) This Commission has fully reviewed and considered the information in said Environmental Impact Report and Mitigation Measure Monitoring Program and hereby recommends it to be certified in relation to the subject of this resolution

and, after careful consideration of all facts and evidence as presented at said hearing, it is the decision of the Planning Commission that the application herein described be, and hereby, recommends the Board of Supervisors **C E R T I F Y** said Environmental Impact Report and **A D O P T** Mitigation Measure Monitoring Program and **A P P R O V E**, as recommended by Staff, the application for the reasons specified in this Resolution with development to be in substantial conformity with the approved plan, and the approved plan shall be revised to include the following conditions of approval:

(1) Zone Variance (ZV No. 2, Map 212) to authorize multiple parcels of substandard size ranging from 2.59 acres to 10 acres where a minimum of 20 acres is required in the A (Exclusive Agriculture) District.

(2) Any additional on-site development or expansion activities beyond those items described in the staff report and certified Final Environmental Impact Report associated with initial approval of this conditional use permit, and which are deemed to be more intensive by the Director of the Kern County Planning and Natural Resources Department, shall be subject to review and approval and may entail further environmental review. Approval of such development or expansion activities may also require modification of this conditional use permit or the approval of a new conditional use permit at the discretion of the Director of the Kern County Planning and Natural Resources Department.

(3) All mitigation measures included in the adopted Mitigation Measure Monitoring Program for the Galaxy Solar PV and Storage Project by Galaxy Solar Storage, LLC (General Plan Amendment Case No. 7, Map 212; Amendment of Zoning Map 195, Zone Change Case No. 5; Amendment of Zoning Map 212, Zone Change Case No. 4; Amendment of Zoning Map 212, Zone Change Case No. 5; Amendment of Zoning Map 197, Zone Change Case No. 57; Conditional Use Permit Case No. 4, Map 195; Conditional Use Permit Case No. 5, Map 195; Conditional Use Permit Case No. 7, Map 212; Conditional Use Permit Case No. 24, Map 197; General Plan Amendment Case No. 5, Map 195; General Plan Amendment Case No. 6, Map 212; Zone Variance Case No. 1, Map 195; Zone Variance Case No. 2, Map 212; Zone Variance Case No. 21, Map 197; Vesting Tentative Parcel Map 12577; Vesting Tentative Parcel Map 12578; Vesting Tentative Parcel Map 12579; Vesting Tentative Parcel Map 12580; Vesting Tentative Parcel Map 12581; Vesting Tentative Parcel Map 12582), included as Exhibit C of this Resolution, are hereby incorporated as Conditions of Approval.

(4) Development shall be in substantial conformity with the approved plan, and the approved plan shall be revised to include the following conditions of approval.

(5) This permit shall run concurrently with General Plan Amendment Case No. 7, Map 212; Amendment of Zoning Map 195, Zone Change Case No. 5; Amendment of Zoning Map 212, Zone Change Case No. 4; Amendment of Zoning Map 212, Zone Change Case No. 5; Amendment of Zoning Map 197, Zone Change Case No. 57; Conditional Use Permit Case No. 4, Map 195; Conditional Use Permit Case No. 5, Map 195; Conditional Use Permit Case No. 7, Map 212; Conditional Use Permit Case No. 24, Map 197; General Plan Amendment Case No. 5, Map 195; General Plan Amendment Case No. 6, Map 212; Zone Variance Case No. 1, Map 195; Zone Variance Case No. 2, Map 212; Zone Variance Case No. 21, Map 197; Vesting Tentative Parcel Map 12577; Vesting Tentative Parcel Map 12578; Vesting Tentative Parcel Map 12579; Vesting Tentative Parcel Map 12580; Vesting Tentative Parcel Map 12581; Vesting Tentative Parcel Map 12582. Should the aforementioned entitlements expire or be withdrawn, this permit shall become null and void.

(6) With exception of lot size, all requirements of the A (Exclusive Agriculture) Base District, along with requirements of combining districts, shall remain applicable.

(7) Noncompliance with the adopted conditions of approval may cause permit revocation proceedings in accordance with Section 19.102.020 of the Ordinance Code: and

(c) Noncompliance with the adopted conditions of approval may cause permit revocation proceedings in accordance with Section 19.102.020 of said Ordinance Code; and

(d) The findings of this Commission upon which its decision is based are as follows:

(1) The applicable provisions of the California Environmental Quality Act, the State CEQA Guidelines, and the Kern County Guidelines have been duly observed in conjunction with said hearing in the consideration of this matter and all of the previous proceedings relating thereto.

(2) This project is recommended for approval despite the existence of certain significant environmental effects identified in said Environmental Impact Report, and this Commission recommends the Board of Supervisors make and adopt the findings with respect to each thereof set forth in Exhibit A, appended hereto and made a part hereof by reference, pursuant to Section 15091 of the State CEQA Guidelines (Title 14, Administrative Code) and Section 21081 of the Public Resources Code and declares that it considered the evidence described in connection with each such finding in Exhibit A and that such evidence is substantial and supports such finding.

This Commission acknowledges that approval of this project will produce certain environmental impacts which cannot be mitigated and, in accordance with Section 15093 of the State CEQA Guidelines (Title 14, Administrative Code) hereby recommends the Board of Supervisors adopt a Statement of Overriding Considerations set forth in Exhibit B, appended hereto, and made a part hereof, which summarizes the reasons why this project, despite certain environmental impacts, has been approved.

Said Environmental Impact Report is complete and adequate in scope and has been completed in compliance with the California Environmental Quality Act and with the State CEQA Guidelines and the Kern County Guidelines for implementation thereof.

(3) The effect upon the environment of such project and the activities and improvements which may be carried out thereunder will not interfere with maintenance of a high-quality environment now or in the future. Mitigation measures have been incorporated from the Environmental Impact Report as conditions of approval, and the adopted Mitigation Measure Monitoring Program specifies the required steps to satisfy each mitigation measure.

(4) The proposed use is consistent with the goals and policies of the General Plan.

(5) The proposed use is consistent with the purpose of the applicable district or districts.

(6) The proposed use is listed as a use subject to a conditional use permit in the applicable zoning district or districts or a use determined to be similar to a listed conditional use in accordance with the procedures set out in Section 19.08.030.

(7) The proposed use meets the minimum requirements of this title applicable to the use and complies with all other applicable laws, ordinances, and regulations of the County of Kern and the State of California.

(8) The proposed use will not be materially detrimental to the health, safety, and welfare of the public or to property and residents in the vicinity.

(9) Special circumstances applicable to the subject property, including location, surroundings, and existing development on the property, such that the strict application of the applicable requirements of the Zoning Ordinance deprives such property of privileges enjoyed by the other property in the vicinity and in the same zoning district throughout the County.

(10) The granting of the variance does not constitute a grant of special privilege that is inconsistent with the limitations on other properties in the vicinity and in the zoning district in which the property is located. This finding is supported by the existence of multiple legal, nonconforming parcels of similar or smaller size within one (1) mile of the project site in the A District, as well as by similar approvals within the County in the same zone district and General Plan map code designation.

(11) The granting of the variance will not be materially detrimental to the public health, safety, or welfare, as implementation would require adherence to all other applicable local, State and federal regulatory requirements as ensured by the recommended conditions of approval.

(12) Approval of this project shall not be considered operative, vested, or final until such time as the required verification from the Office of the County Clerk is submitted, attesting that payment of fees for the filing of a "Notice of Determination" for the benefit of the California Department of Fish and Wildlife, as required by AB 3158 (Section 10005 Public Resources Code) has been made; and

(g) The Secretary of this Commission shall cause copies of this resolution to be transmitted to the following:

Galaxy Solar Storage, LLC (PP25404) (1)
LiUNA 1)
Kern County Assessor/Chief, Realty Division (1)
File (3)

jw

BEFORE THE PLANNING COMMISSION

COUNTY OF KERN, STATE OF CALIFORNIA

In the matter of:

RESOLUTION NO. 168-26

APPLICATION FOR VESTING TENTATIVE PARCEL MAP 12577

Northern edge of Antelope Valley, approximately six (6) miles southeast of the community of Mojave, approximately eight (8) miles northeast of the community of Rosamond, and approximately eight (8) miles northwest of the main base of Edwards Air Force Base (APNs: Various)
Galaxy Solar Storage, LLC (PP25404)

FINDINGS AND DETERMINATION

I, Craig M. Murphy, Secretary of the Planning Commission of the County of Kern, State of California, do hereby certify that the following resolution, proposed by Mr. Ashley, seconded by Mr. Dunbar, was duly passed and adopted by said Planning Commission at an official meeting hereof this **27th** day of **August, 2026**, by the following vote, to wit:

AYES: Ashley, Dunbar, Oliver, Skidmore

NOES: None

ABSTAINED: None

ABSENT: Brooks

SECRETARY OF THE PLANNING COMMISSION
COUNTY OF KERN, STATE OF CALIFORNIA

R E S O L U T I O N

SECTION 1. WHEREAS:

(a) Pursuant to Section 18.10.025 of the Ordinance Code of Kern County, this Commission is the designated Advisory Agency (Government Code Section 66415) for tentative subdivision maps and charged with the duty of imposing requirements or conditions on proposed divisions of real property and having the authority to approve, conditionally approve, or disapprove maps; and

(b) The Kern County Planning and Natural Resources Department has received an application pertaining to a parcel of real property which is located within that portion of the unincorporated area of the County for which an official Zoning Map has been adopted under Section **7297.219.1** of said Ordinance Code; and

(c) Said parcel of real property is described as follows:

APN: 235-401-05, 235-401-06, and 235-401-16

Being the Merger and Re-subdivision of Portions of Section 28, Township 11 North, Range 11 West, SBB&M, County of Kern, State of California (A complete legal description is on file with the Kern County Planning and Natural Resources Department); and

(d) Said application has been made pursuant to provisions of Chapter 18.25 of said Ordinance Code, and Galaxy Solar Storage, LLC has filed a tentative map for Vesting Tentative Parcel Map 12577 proposing a merger and re-subdivision of three (3) parcels resulting in a 23.02-acre (gross) parcel. Portions of Section 28, Township 11 North, Range 11 West, SBB&M.; and

(e) The Planning and Natural Resources Department has prepared and filed with the Secretary of this Commission a report containing its recommendations relating to the tentative map, and environmental considerations; and

(f) A copy of said report has been served on the subdivider and has been on file with the Secretary of this Commission and available for examination during regular business hours by any interested persons since this matter was noticed for hearing; and

(g) The Planning and Natural Resources Department has recommended certain conditions be imposed on the approval of said tentative map as follows:

(1) The final map proposed to be recorded shall be in substantial conformance with the approved tentative map.

(2) All parcels shall contain no less than the minimum area required by the adopted site zoning and shall comply with lot size and density requirements of the Kern County General Plan. Existing zoning is A (Exclusive Agriculture), which requires a minimum lot size of 20 acres (gross).

(3) Approval or conditional approval shall expire three years (36 months) from the date of approval of the parcel map. Extensions may be granted by the Director of the Kern County Planning and Natural Resources Department in accordance with Section 18.25.090.B of the Kern County Land Division Ordinance.

(4) Vesting shall expire one (1) year beyond the recording of the final map. A one (1) year extension may be granted by the Director of the Kern County Planning and Natural Resources Department in accordance with Section 18.40.040.C.3 of the Kern County Land Division Ordinance.

(5) The appeal period pursuant to Section 18.25.050.E.3 of the Kern County Land Division Ordinance shall be strictly adhered to.

(6) The following conditions shall be satisfied prior to recordation:

(a) In accordance with Section 66465 of the Subdivision Map Act, a title guarantee dated within 30 days of recordation of the parcel map shall be submitted to the Advisory Agency.

(b) In accordance with Sections 66464, 66492, and 66493 of the Subdivision Map Act, a Tax Collectors Certificate, Assessors Tax Estimate, and security (if necessary) shall be submitted to the Kern County Public Works Department prior to recordation of the final map.

(c) The parcel map must contain an owners' statement, signed and acknowledged by all persons having any right, title, or interest in and to the property being divided. A request for the waiver of the signatures of parties owning rights-of-way, easements, or interests which cannot ripen into fee must also accompany the final map in accordance with Section 66445(f) of the Subdivision Map Act. Owner's statement may be recorded on a separate document rather than appear on the map, provided the recording information appears on the map.

(d) In accordance with Section 66436(A)(i) of the Subdivision Map Act, any public entity or public utility owning rights-of-way, easements, or other interests which cannot ripen into fee must be advised by certified mail of the division of the property. The Advisory Agency will require a letter from these parties stating that the development will not unreasonably interfere with the free and complete exercise of the right-of-way or easement within the boundaries of this development.

(e) In accordance with Section 18.45.060 of the Kern County Land Division Ordinance, show all existing easements of record on the map.

(f) In accordance with Section 66434.2 of the Subdivision Map Act, information required by the conditions of approval shall be in the form of an additional map sheet.

(g) Kern County Public Works Department/Development Review Division supports the 30-foot-wide public access easement where a minimum 40-foot-wide public access easement is required. Applicant is responsible for maintaining the proposed 30-foot-wide public access easement, since it does not meet the requirements of the Kern County Land Division Ordinance, and Development Review Standards.

(h) Kern County Public Works Department/Development Review Division supports the vacation of the road reservations within the parcel map boundary, except for the above mentioned.

(i) Provide 20-foot by 20-foot right-of-way corner cutoff at all intersections, where required by the Kern County Public Works Department/Development Review Division.

(j) If dedicated by separate instrument, the access easement(s) are to be submitted to and reviewed by the County Surveyor, and processed pursuant to Chapter 18.50 of the Kern County Land Division Ordinance.

(k) Show existing off-site access, as approved by the Kern County Planning and Natural Resources Department, on the map pursuant to Chapters 18.50 and 18.55 of the Kern County Land Division Ordinance.

(l) The engineer shall submit plans for on-site and off-site access roads pursuant to Chapter 18.55 of the Kern County Land Division Ordinance. Plans shall be subject to the approval of the Kern County Public Works Department.

(7) In accordance with Chapter 18.55 of the Kern County Land Division Ordinance:

(a) All access roads shall be traversable by a standard passenger car with maximum grade of 15 percent. (Grading is not required, except as necessary to make roads traversable as aforementioned. Plans and profiles are not required.) Confirmation of traversability and maximum grade shall be provided by the Engineer/Surveyor.

(b) Prior to submittal of the final map, final approval of full street names (including prefix and suffix) from the Kern County Planning and Natural Resources Department/Graphics Unit shall be obtained. Verification of the street name approval shall be submitted to the Kern County Public Works Department.

(c) The method of water supply and sewage disposal shall be as required and approved by the Kern County Public Health Services Department/Environmental Health Division.

(d) Street signs shall be provided in accordance with the Kern County Development Standards, if not already in place. Verification shall be submitted to the Kern County Public Works Department prior to recordation.

(8) The following requirement(s) shall appear as a note(s) on the final map:

(a) All development within Parcel Map 12577 shall be subject to Conditions of Approval and all mitigation measures included in the adopted Mitigation Measure Monitoring Program for General Plan Amendment No. 5, Map 195, General Plan Amendment No. 6, Map 212, General Plan Amendment No. 7, Map 212, Zone Change Case No. 5, Map 195, Zone Change Case No. 4, Map 212, Conditional Use Permit No. 4, Map 195, Conditional Use Permit No. 5, Map 195, Conditional Use Permit No. 7 Map 212, Zone Variance No. 1, Map 195, Zone Variance No. 2, Map 212.

(b) All easements shall be kept open, clear, and free from buildings and structures of any kind pursuant to Chapters 18.50 and 18.55 of the Kern County Land Division Ordinance. All obstructions, including utility poles and lines, trees, pole signs, fences, or similar obstructions, shall be removed from the ultimate road rights-of-way. Compliance with this requirement is the responsibility of the applicant and may result in significant financial expenditures.

(c) Any road or easement or right-of-way for road or highway purposes shown or referred to on this map, including, but not limited to, any dedicated or offered for dedication to the public or to the County, is not a County highway and is not subject to maintenance or improvement by the County of Kern, until and unless the County officially accepts same into the County Road System by resolution of the Board of Supervisors, excepting any expressly shown hereon as being a County highway.

(9) Fire flows and fire protection systems shall be as required and approved by the Kern County Fire Department. **The Kern County Fire Department will accept the following statement recorded concurrently with the parcel map**:

Notice is hereby given that the subdivider was not required to construct emergency access or fire protection improvements. **Prior to the issuance of a building permit**, emergency and fire protection facilities shall be approved in accordance with the requirements of the Kern County Fire Department/Fire Prevention Unit. A consultation with the Fire Prevention Unit, to discuss these requirements, is recommended prior to the submittal of improvement plans, as there also may be a fee requirement.

(10) The following note(s) shall appear on the final map and all grading plans:

(a) If, during development activities, any plugged, abandoned, or unrecorded well(s) are uncovered or damaged that were not part of the initial review, the property owner is expected to immediately notify the Department of Conservation/Geologic Energy Management Division's construction site well review engineer in the Inland district office, and comply with all requirements of the Department of Conservation/Geologic Energy Management (CalGEM) Division.

(b) If any previously unknown archaeological or cultural resources are discovered, work in the area of the Galaxy Solar PV Storage Project shall be stopped and a qualified archaeologist contracted to evaluate the find. A copy of the archaeologist's evaluation shall be submitted to the Kern County Planning and Natural Resources Department upon its issuance and any measures recommended by the archaeologist shall be implemented prior to resumption of work in the area of the Galaxy Solar PV Storage Project.

(c) If human remains are discovered at any time on this property, work must halt in the area of the find, and the Kern County Coroner must be notified immediately (Health and Safety Code Section 7050.5). The Kern County Planning and Natural Resources Department shall be notified immediately following Coroner notification.

(d) If any abandoned water well(s) are located within the development or discovered during excavation or grading, the Kern County Public Health Department/Environmental Health Division must be contacted to obtain information for the proper permitting and destruction procedures.

(e) During grading operations, the applicant for a development permit shall be responsible for the application of water to development sites to mitigate the impact of dust and PM_{10} (particulate) emissions. Spraying should be sufficient to ensure that soils remain damp, with the frequency of spraying dependent on weather conditions. Verification of compliance will be the responsibility of the Kern County Public Works Department/Building Inspection Division.

(f) During grading operations, all activity shall be restricted to periods of low wind to reduce dust emissions. Verification of compliance will be the responsibility of the Kern County Public Works Department/Building Inspection Division.

(g) Construction speed limits will be posted at 15 mph. Verification of compliance will be the responsibility of the Kern County Public Works Department/Building Inspection Division.

(11) The following note(s) shall appear on the final map and all grading and construction plans:

(a) It is unlawful for any person to do, or cause to be done, any of the following acts within the unincorporated areas of the County:

1. To create noise from construction, between the hours of 9:00 p.m. and 6:00 a.m. on weekdays and nine 9:00 p.m. and 8:00 a.m. on weekends, which is audible to a person with average hearing faculties or capacity at a distance of 150 feet from the construction site, if the construction site is within 1,000 feet of an occupied residential dwelling except where the Director of the Planning and Natural Resources Department or his/her designated representative may for good cause exempt some construction work for a limited time.

(b) Before any digging or excavation occurs, please contact Underground Service Alert (USA) by dialing 811 a minimum of two (2) working days prior to commending any work. This free and independent service will ensure that all existing underground utilities are identified and marked on site.

(c) Prior to construction and development, the applicant shall conform with the general requirements of the corresponding utility service provider(s) to ensure safety and conformity with their facilities; and

(h) The Secretary of this Commission has caused notice to be duly given of a public hearing in this matter in accordance with law, as evidenced by the affidavit of publication and the affidavit of mailing on file with the Secretary of this Commission; and

(i) Said notice of hearing stated that an Environmental Impact Report has been prepared for this project; and

(j) Said public hearing has been duly and timely conducted, during which the proposal was explained by a representative of the Planning and Natural Resources Department and all persons so desiring were duly heard; and

(k) Before making any findings on said Environmental Impact Report or any consideration of the proposal on its merits, this Commission called for any objections or comments on said Environmental Impact Report; and

The Director of the Planning and Natural Resources Department has furnished to this Commission, and the Commission has incorporated into the record of this matter, a document setting forth the significant environmental effects identified in said Environmental Impact Report, with proposed findings and consideration by this Commission in relation to said significant effects for the purposes of Section 21081 of the Public Resources Code and Section 15091 of the State CEQA Guidelines, and setting forth evidence in support of the proposed findings; and a member of the Planning and Natural Resources Department Staff appeared before the Commission and gave additional testimony in support of the proposed findings; and

During said hearing, this Commission duly considered the adequacy and scope of said Environmental Impact Report and thereafter reviewed and considered the information therein contained with respect to the merits of the matters under consideration; and

(l) This Commission has considered the recommendation of the Planning and Natural Resources Department and all the testimony presented during said public hearing, after which said public hearing was concluded;

SECTION 2. NOW, THEREFORE, BE IT HEREBY RESOLVED by this Planning Commission of the County of Kern, State of California, as follows:

(a) This Commission has fully reviewed and considered the information in said Environmental Impact Report and Mitigation Monitoring and Reporting Program and hereby recommends it to be certified in relation to the subject of this resolution and, after careful consideration of all facts and evidence as presented at said hearing, it is the decision of the Planning Commission that the application herein described be, and hereby, recommends the Board of Supervisors **C E R T I F Y** said Environmental Impact Report; **A D O P T** Section 15091 Findings of Facts and Section 15093 Statement of Overriding Considerations; **A D O P T** Mitigation Monitoring and Reporting Program; and recommended for **A P P R O V A L**, as recommended by Staff, by the Board of Supervisors, the application for the reasons specified in this Resolution; and

(b) This Commission hereby approves the street and lot design shown on said tentative map; the conditions of approval, as recommended by the Planning and Natural Resources Department, and the tentative map, subject to said conditions of approval.

(c) This Commission hereby finds and determines that said tentative map, including the street and lot design thereon, is reasonable and conforms to all requirements of the Subdivision Map Act, including the applicable portions of Government Code Section 66477, and the Land Division Ordinance of the County of Kern, including Chapter 18.15 thereof.

(d) Pursuant to Government Code Sections 66473.5 and 65567, this Commission hereby finds and determines that said tentative map, together with the conditions set forth herein, and provisions for its design and improvements, is consistent with the General Plan of the County of Kern, including but not confined to the Land Use, Open Space and Conservation Element thereof, and is compatible with the objectives, policies, general land uses and programs specified therein.

(e) Pursuant to Government Code Section 66474(c) through (g), this Commission hereby finds and determines:

(1) The proposed subdivision is consistent with the Open Space and Conservation Elements of the General Plan.

(2) The proposed map is consistent with applicable general and specific plans.

(3) The design or improvements of the proposed subdivision are consistent with applicable general and specific plans.

(4) The site is physically suitable for the type of development proposed.

(5) The site is physically suitable for the proposed density of development.

(6) The design of the subdivision or the proposed improvements are not likely to cause substantial environmental damage or substantial and avoidable injury to fish or wildlife or their habitat.

(7) The design of the proposed subdivision or the type of proposed improvements is not likely to cause serious public health problems.

(8) The design of the proposed subdivision or the type of proposed improvements will not conflict with easements, acquired by the public at large, for access through or use of the property within the proposed subdivision.

(9) Fish and Game Fees

(10) (*)Mitigation has been incorporated into this project which reduces the impacts on wildlife resources to a level of insignificance.

Based on the Lead Agency's analysis, with consideration given to Responsible and Trustee Agency comments, no evidence exists in the record to indicate that significant impacts will occur to wildlife resources after incorporation of the above-listed mitigation into the projects. The resulting impacts are therefore "de minimis." Additionally, the assumption of adverse effect is rebutted by the above-referenced lack of evidence in the record documenting that adverse effects will occur even though mitigation has been included in the project.

(*)This Commission has found and determined that the Final Environmental Impact Report (FEIR) prepared for this project has been completed in compliance with the California Environmental Quality Act and the State CEQA Guidelines and the County EIR Guidelines, and that this Commission has reviewed and considered the information contained in said FEIR before making its decision on the herein-mentioned project. This Commission has made findings pursuant to Sections 15091 and 15093 of the California Environmental Quality Act which are attached hereto and made a part hereof.

(11) The applicable provisions of the California Environmental Quality Act, the State CEQA Guidelines, and the Kern County Guidelines have been duly observed in conjunction with said hearing in the consideration of this matter and all of the previous proceedings relating thereto.

(12) This project is recommended for approval despite the existence of certain significant environmental effects identified in said Environmental Impact Report, and this Commission recommends the

Board of Supervisors makes and adopts the findings with respect to each thereof set forth in Exhibit A, appended hereto and made a part hereof by reference, pursuant to Section 15091 of the State CEQA Guidelines (Title 14, Administrative Code) and Section 21081 of the Public Resources Code and declares that it considered the evidence described in connection with each such finding in Exhibit A and that such evidence is substantial and supports such finding.

(13) This Commission acknowledges that approval of this project will produce certain environmental impacts which cannot be mitigated and, in accordance with Section 15093 of the State CEQA Guidelines (Title 14, Administrative Code) hereby recommends the Board of Supervisors adopts a Statement of Overriding Considerations set forth in Exhibit B, appended hereto, and made a part hereof, which summarizes the reasons why this project, despite certain environmental impacts, has been approved.

(14) Said Environmental Impact Report is complete and adequate in scope and has been completed in compliance with the California Environmental Quality Act and with the State CEQA Guidelines and the Kern County Guidelines for implementation thereof.

(15) A development variation to Sections 18.55.030.A.5.f and 18.55.030.A.5.i. of the Land Division Ordinance has been approved to allow a 30-foot-wide public off-site access easement where a 40-foot-wide public access easement is required on the basis that:

(a) Special circumstances exist with respect to the property or the proposed subdivision design that warrants the requested development variation based on the fact that the Galaxy Solar PV Storage Project results in little long-term traffic since it does not itself require significant worker trips for operation and maintenance activities and also does not facilitate long-term development that would increase traffic. Further, the Galaxy Solar PV Storage Project is surrounded by other solar projects that also have little traffic.

(b) The granting of the development variation will not be materially detrimental to the public health, safety, or welfare or to property or residents in the vicinity, based on the fact that the solar project will require minimal expansion of infrastructure to support development as the proposed solar energy facility is located in a rural area of the County adjacent to energy development and transmission lines. Given these existing uses, there is little potential for the area to be developed as an urban center or major transportation corridor in the long-term future. The proposed variations would not restrict the traveling public or neighboring property owners' access to areas outside the project boundary; and

(f) The Secretary of this Commission shall cause copies of this resolution to be transmitted to the following:

Galaxy Solar Storage, LLC (PP25404) (applicant) (1)
LiUNA/ (1)
File (3)

an

BEFORE THE PLANNING COMMISSION

COUNTY OF KERN, STATE OF CALIFORNIA

In the matter of:

RESOLUTION NO. 169-26

APPLICATION FOR VESTING TENTATIVE PARCEL MAP 12578

Northern edge of Antelope Valley, approximately six (6) miles southeast of the community of Mojave, approximately eight (8) miles northeast of the community of Rosamond, and approximately eight (8) miles northwest of the main base of Edwards Air Force Base
Galaxy Solar Storage, LLC (PP25404)

FINDINGS AND DETERMINATION

I, Craig M. Murphy, Secretary of the Planning Commission of the County of Kern, State of California, do hereby certify that the following resolution, proposed by Mr. Ashley, seconded by Mr. Dunbar, was duly passed and adopted by said Planning Commission at an official meeting hereof this **27th** day of **August, 2026**, by the following vote, to wit:

AYES: Ashley, Dunbar, Oliver, Skidmore

NOES: None

ABSTAINED: None

ABSENT: Brooks

SECRETARY OF THE PLANNING COMMISSION
COUNTY OF KERN, STATE OF CALIFORNIA

R E S O L U T I O N

SECTION 1. WHEREAS:

(a) Pursuant to Section 18.10.025 of the Ordinance Code of Kern County, this Commission is the designated Advisory Agency (Government Code Section 66415) for tentative subdivision maps and charged with the duty of imposing requirements or conditions on proposed divisions of real property and having the authority to approve, conditionally approve, or disapprove maps; and

(b) The Kern County Planning and Natural Resources Department has received an application pertaining to a parcel of real property which is located within that portion of the unincorporated area of the County for which an official Zoning Map has been adopted under Section 7297.219.1 of said Ordinance Code; and

(c) Said parcel of real property is described as follows:

APN: 235-140-01 through 07, 09, 11 through 17, 19, 21, 22, 24 through 31, 33 and 34

Being the Merger and Re-subdivision of Portions of Section 33, Township 11 North, Range 11 West, SBB&M, County of Kern, State of California (A complete legal description is on file with the Kern County Planning and Natural Resources Department); and

(d) Said application has been made pursuant to provisions of Chapter 18.25 of said Ordinance Code, and Galaxy Solar Storage, LLC has filed a tentative map for Vesting Tentative Parcel Map 12578 proposing a merger and re-subdivision of twenty-eight (28) parcels resulting in a 308.34 -acre (gross) parcel. Portions of Section 33, Township 11 North, Range 11 West, SBB&M.; and

(e) The Planning and Natural Resources Department has prepared and filed with the Secretary of this Commission a report containing its recommendations relating to the tentative map, and environmental considerations; and

(f) A copy of said report has been served on the subdivider and has been on file with the Secretary of this Commission and available for examination during regular business hours by any interested persons since this matter was noticed for hearing; and

(g) The Planning and Natural Resources Department has recommended certain conditions be imposed on the approval of said tentative map as follows:

(1) The final map proposed to be recorded shall be in substantial conformance with the approved tentative map.

(2) All parcels shall contain no less than the minimum area required by the adopted site zoning and shall comply with lot size and density requirements of the Kern County General Plan. Existing zoning is A (Exclusive Agriculture), which requires a minimum lot size of 20 acres (gross).

(3) Approval or conditional approval shall expire 36 months from the date of approval of the parcel map. Extensions may be granted by the Director of the Kern County Planning and Natural Resources Department in accordance with Section 18.25.090.B of the Kern County Land Division Ordinance.

(4) Vesting shall expire one (1) year beyond the recording of the final map. A one-(1) year extension may be granted by the Director of the Kern County Planning and Natural Resources Department in accordance with Section 18.40.040.C.3 of the Kern County Land Division Ordinance.

(5) The appeal period pursuant to Section 18.25.050.E.3 of the Kern County Land Division Ordinance shall be strictly adhered to.

(6) The following conditions shall be satisfied prior to recordation:

(a) In accordance with Section 66465 of the Subdivision Map Act, a title guarantee dated within 30 days of recordation of the parcel map shall be submitted to the Advisory Agency.

(b) In accordance with Sections 66464, 66492, and 66493 of the Subdivision Map Act, a Tax Collectors Certificate, Assessors Tax Estimate, and security (if necessary) shall be submitted to the Kern County Public Works Department prior to recordation of the final map.

(c) The parcel map must contain an owners' statement, signed and acknowledged by all persons having any right, title, or interest in and to the property being divided. A request for the waiver of the signatures of parties owning rights-of-way, easements, or interests which cannot ripen into fee must also accompany the final map in accordance with Section 66445(f) of the Subdivision Map Act. Owner's statement may be recorded on a separate document rather than appear on the map, provided the recording information appears on the map.

(d) In accordance with Section 66436(A)(i) of the Subdivision Map Act, any public entity or public utility owning rights-of-way, easements, or other interests which cannot ripen into fee must be advised by certified mail of the division of the property. The Advisory Agency will require a letter from these parties stating that the development will not unreasonably interfere with the free and complete exercise of the right-of-way or easement within the boundaries of this development.

(e) In accordance with Section 18.45.060 of the Kern County Land Division Ordinance, show all existing easements of record on the map.

(f) In accordance with Section 66434.2 of the Subdivision Map Act, information required by the conditions of approval shall be in the form of an additional map sheet.

(g) Kern County Public Works Department/Development Review Division supports the 30-foot-wide public access easement where a minimum 40-foot-wide public access easement is required. Applicant is responsible for maintaining the proposed 30-foot-wide public access easement, since it does not meet the requirements of the Kern County Land Division Ordinance, and Development Review Standards.

(h) Kern County Public Works Department/Development Review Division supports the vacation of the road reservations within the parcel map boundary, except for the above mentioned.

(i) Provide 20-foot by 20-foot right-of-way corner cutoff at all intersections, where required by the Kern County Public Works Department/Development Review Division.

(j) If dedicated by separate instrument, the access easement(s) are to be submitted to and reviewed by the County Surveyor, and processed pursuant to Chapter 18.50 of the Kern County Land Division Ordinance.

(k) Show existing off-site access, as approved by the Kern County Planning and Natural Resources Department, on the map pursuant to Chapters 18.50 and 18.55 of the Kern County Land Division Ordinance.

(l) The engineer shall submit plans for on-site and off-site access roads pursuant to Chapter 18.55 of the Kern County Land Division Ordinance. Plans shall be subject to the approval of the Kern County Public Works Department.

(7) In accordance with Chapter 18.55 of the Kern County Land Division Ordinance:

(a) All access roads shall be traversable by a standard passenger car with maximum grade of 15 percent. (Grading is not required, except as necessary to make roads traversable as aforementioned. Plans and profiles are not required.) Confirmation of traversability and maximum grade shall be provided by the Engineer/Surveyor.

(b) Prior to submittal of the final map, final approval of full street names (including prefix and suffix) from the Kern County Planning and Natural Resources Department/Graphics Unit shall be obtained. Verification of the street name approval shall be submitted to the Kern County Public Works Department.

(c) The method of water supply and sewage disposal shall be as required and approved by the Kern County Public Health Services Department/Environmental Health Division.

(d) Street signs shall be provided in accordance with the Kern County Development Standards, if not already in place. Verification shall be submitted to the Kern County Public Works Department prior to recordation.

(8) The following requirement(s) shall appear as a note(s) on the final map:

(a) All development within Parcel Map No. 12578 shall be subject to Conditions of Approval and all mitigation measures included in the adopted Mitigation Measure Monitoring Program for General Plan Amendment No. 5, Map 195, General Plan Amendment No. 6, Map 212, General Plan Amendment No. 7, Map 212, Zone Change Case No. 5, Map 195, Zone Change Case No. 4, Map 212, Conditional Use Permit No. 4, Map 195, Conditional Use Permit No. 5, Map 195, Conditional Use Permit No. 7 Map 212, Zone Variance No. 1, Map 195, Zone Variance No. 2, Map 212.

(b) All easements shall be kept open, clear, and free from buildings and structures of any kind pursuant to Chapters 18.50 and 18.55 of the Kern County Land Division Ordinance. All obstructions, including utility poles and lines, trees, pole signs, fences, or similar obstructions, shall be removed from the ultimate road rights-of-way. Compliance with this requirement is the responsibility of the applicant and may result in significant financial expenditures.

(c) Any road or easement or right-of-way for road or highway purposes shown or referred to on this map, including, but not limited to, any dedicated or offered for dedication to the public or to the County, is not a County highway and is not subject to maintenance or improvement by the County of Kern, until and unless the County officially accepts same into the County Road System by resolution of the Board of Supervisors, excepting any expressly shown hereon as being a County highway.

(9) Fire flows and fire protection systems shall be as required and approved by the Kern County Fire Department. **The Kern County Fire Department will accept the following statement recorded concurrently with the parcel map**:

Notice is hereby given that the subdivider was not required to construct emergency access or fire protection improvements. **Prior to the issuance of a building permit**, emergency and fire protection facilities shall

be approved in accordance with the requirements of the Kern County Fire Department/Fire Prevention Unit. A consultation with the Fire Prevention Unit, to discuss these requirements, is recommended prior to the submittal of improvement plans, as there also may be a fee requirement.

(10) <u>The following note(s) shall appear on the final map and all grading plans</u>:

(a) If, during development activities, any plugged, abandoned, or unrecorded well(s) are uncovered or damaged that were not part of the initial review, the property owner is expected to immediately notify the Department of Conservation/Geologic Energy Management Division's construction site well review engineer in the Inland district office, and comply with all requirements of the Department of Conservation/Geologic Energy Management (CalGEM) Division.

(b) If any previously unknown archaeological or cultural resources are discovered, work in the area of the Galaxy Solar PV Storage Project shall be stopped and a qualified archaeologist contracted to evaluate the find. A copy of the archaeologist's evaluation shall be submitted to the Kern County Planning and Natural Resources Department upon its issuance and any measures recommended by the archaeologist shall be implemented prior to resumption of work in the area of the Galaxy Solar PV Storage Project.

(c) If human remains are discovered at any time on this property, work must halt in the area of the find, and the Kern County Coroner must be notified immediately (Health and Safety Code Section 7050.5). The Kern County Planning and Natural Resources Department shall be notified immediately following Coroner notification.

(d) If any abandoned water well(s) are located within the development or discovered during excavation or grading, the Kern County Public Health Department/Environmental Health Division must be contacted to obtain information for the proper permitting and destruction procedures.

(e) During grading operations, the applicant for a development permit shall be responsible for the application of water to development sites to mitigate the impact of dust and PM_{10} (particulate) emissions. Spraying should be sufficient to ensure that soils remain damp, with the frequency of spraying dependent on weather conditions. Verification of compliance will be the responsibility of the Kern County Public Works Department/Building Inspection Division.

(f) During grading operations, all activity shall be restricted to periods of low wind to reduce dust emissions. Verification of compliance will be the responsibility of the Kern County Public Works Department/Building Inspection Division.

(g) Construction speed limits will be posted at 15 mph. Verification of compliance will be the responsibility of the Kern County Public Works Department/Building Inspection Division.

(11) The following note(s) shall appear on the final map and all grading and construction plans:

(a) It is unlawful for any person to do, or cause to be done, any of the following acts within the unincorporated areas of the County:

1. To create noise from construction, between the hours of 9:00 p.m. and 6:00 a.m. on weekdays and nine 9:00 p.m. and 8:00 a.m. on weekends, which is audible to a person with average hearing faculties or capacity at a distance of 150 feet from the construction site, if the construction site is within 1,000 feet of an occupied residential dwelling except where the

Director of the Planning and Natural Resources Department or his/her designated representative may for good cause exempt some construction work for a limited time.

(b) Before any digging or excavation occurs, please contact Underground Service Alert (USA) by dialing 811 a minimum of two (2) working days prior to commending any work. This free and independent service will ensure that all existing underground utilities are identified and marked on site.

(c) Prior to construction and development, the applicant shall conform with the general requirements of the corresponding utility service provider(s) to ensure safety and conformity with their facilities; and

(h) The Secretary of this Commission has caused notice to be duly given of a public hearing in this matter in accordance with law, as evidenced by the affidavit of publication and the affidavit of mailing on file with the Secretary of this Commission; and

(i) Said notice of hearing stated that an Environmental Impact Report has been prepared for this project; and

(j) Said public hearing has been duly and timely conducted, during which the proposal was explained by a representative of the Planning and Natural Resources Department and all persons so desiring were duly heard; and

(k) Before making any findings on said Environmental Impact Report or any consideration of the proposal on its merits, this Commission called for any objections or comments on said Environmental Impact Report; and

The Director of the Planning and Natural Resources Department has furnished to this Commission, and the Commission has incorporated into the record of this matter, a document setting forth the significant environmental effects identified in said Environmental Impact Report, with proposed findings and consideration by this Commission in relation to said significant effects for the purposes of Section 21081 of the Public Resources Code and Section 15091 of the State CEQA Guidelines, and setting forth evidence in support of the proposed findings; and a member of the Planning and Natural Resources Department Staff appeared before the Commission and gave additional testimony in support of the proposed findings; and

During said hearing, this Commission duly considered the adequacy and scope of said Environmental Impact Report and thereafter reviewed and considered the information therein contained with respect to the merits of the matters under consideration; and

(l) This Commission has considered the recommendation of the Planning and Natural Resources Department and all the testimony presented during said public hearing, after which said public hearing was concluded;

SECTION 2. NOW, THEREFORE, BE IT HEREBY RESOLVED by this Planning Commission of the County of Kern, State of California, as follows:

(a) This Commission has fully reviewed and considered the information in said Environmental Impact Report and Mitigation Monitoring and Reporting Program and hereby recommends it to be certified in relation to the subject of this resolution and, after careful consideration of all facts and evidence as presented at said hearing, it is the decision of the Planning Commission that the application herein described be, and hereby, recommends the Board of Supervisors **C E R T I F Y** said Environmental Impact Report; **A D O P T** Section 15091 Findings of Facts and Section 15093 Statement of Overriding Considerations; **A D O P T** Mitigation Monitoring and Reporting Program; and recommended for **A P P R O V A L**, as recommended by Staff, by the Board of Supervisors, the application for the reasons specified in this Resolution; and

(b) This Commission hereby approves the street and lot design shown on said tentative map; the conditions of approval, as recommended by the Planning and Natural Resources Department, and the tentative map, subject to said conditions of approval.

(c) This Commission hereby finds and determines that said tentative map, including the street and lot design thereon, is reasonable and conforms to all requirements of the Subdivision Map Act, including the applicable portions of Government Code Section 66477, and the Land Division Ordinance of the County of Kern, including Chapter 18.15 thereof.

(d) Pursuant to Government Code Sections 66473.5 and 65567, this Commission hereby finds and determines that said tentative map, together with the conditions set forth herein, and provisions for its design and improvements, is consistent with the General Plan of the County of Kern, including but not confined to the Land Use, Open Space and Conservation Element thereof, and is compatible with the objectives, policies, general land uses and programs specified therein.

(e) Pursuant to Government Code Section 66474(c) through (g), this Commission hereby finds and determines:

(1) The proposed subdivision is consistent with the Open Space and Conservation Elements of the General Plan.

(2) The proposed map is consistent with applicable general and specific plans.

(3) The design or improvements of the proposed subdivision are consistent with applicable general and specific plans.

(4) The site is physically suitable for the type of development proposed.

(5) The site is physically suitable for the proposed density of development.

(6) The design of the subdivision or the proposed improvements are not likely to cause substantial environmental damage or substantial and avoidable injury to fish or wildlife or their habitat.

(7) The design of the proposed subdivision or the type of proposed improvements is not likely to cause serious public health problems.

(8) The design of the proposed subdivision or the type of proposed improvements will not conflict with easements, acquired by the public at large, for access through or use of the property within the proposed subdivision.

(9) Fish and Game Fees

(10) (*)Mitigation has been incorporated into this project which reduces the impacts on wildlife resources to a level of insignificance.

Based on the Lead Agency's analysis, with consideration given to Responsible and Trustee Agency comments, no evidence exists in the record to indicate that significant impacts will occur to wildlife resources after incorporation of the above-listed mitigation into the projects. The resulting impacts are therefore "de minimis." Additionally, the assumption of adverse effect is rebutted by the above-referenced lack of evidence in the record documenting that adverse effects will occur even though mitigation has been included in the project.

(*)This Commission has found and determined that the Final Environmental Impact Report (FEIR) prepared for this project has been completed in compliance with the California Environmental Quality Act and the State CEQA Guidelines and the County EIR Guidelines, and that this Commission has reviewed and considered the information contained in said FEIR before making its decision on the herein-mentioned project. This Commission has made findings pursuant to Sections 15091 and 15093 of the California Environmental Quality Act which are attached hereto and made a part hereof.

(11) The applicable provisions of the California Environmental Quality Act, the State CEQA Guidelines, and the Kern County Guidelines have been duly observed in conjunction with said hearing in the consideration of this matter and all of the previous proceedings relating thereto.

(12) This project is recommended for approval despite the existence of certain significant environmental effects identified in said Environmental Impact Report, and this Commission recommends the Board of Supervisors makes and adopts the findings with respect to each thereof set forth in Exhibit A, appended hereto and made a part hereof by reference, pursuant to Section 15091 of the State CEQA Guidelines (Title 14, Administrative Code) and Section 21081 of the Public Resources Code and declares that it considered the evidence described in connection with each such finding in Exhibit A and that such evidence is substantial and supports such finding.

(13) This Commission acknowledges that approval of this project will produce certain environmental impacts which cannot be mitigated and, in accordance with Section 15093 of the State CEQA Guidelines (Title 14, Administrative Code) hereby recommends the Board of Supervisors adopts a Statement of Overriding Considerations set forth in Exhibit B, appended hereto, and made a part

hereof, which summarizes the reasons why this project, despite certain environmental impacts, has been approved.

(14) Said Environmental Impact Report is complete and adequate in scope and has been completed in compliance with the California Environmental Quality Act and with the State CEQA Guidelines and the Kern County Guidelines for implementation thereof.

(15) A development variation to Sections 18.55.030.A.5.f and 18.55.030.A.5.i. of the Land Division Ordinance has been approved to allow a 30-foot-wide public off-site access easement where a 40-foot-wide public access easement is required on the basis that:

(a) Special circumstances exist with respect to the property or the proposed subdivision design that warrants the requested development variation based on the fact that the Galaxy Solar PV Storage Project results in little long-term traffic since it does not itself require significant worker trips for operation and maintenance activities and also does not facilitate long-term development that would increase traffic. Further, the Galaxy Solar PV Storage Project is surrounded by other solar projects that also have little traffic.

(b) The granting of the development variation will not be materially detrimental to the public health, safety, or welfare or to property or residents in the vicinity, based on the fact that the solar project will require minimal expansion of infrastructure to support development as the proposed solar energy facility is located in a rural area of the County adjacent to energy development and transmission lines. Given these existing uses, there is little potential for the area to be developed as an urban center or major transportation corridor in the long-term future. The proposed variations would not restrict the traveling public or neighboring property owners' access to areas outside the project boundary; and

(f) The Secretary of this Commission shall cause copies of this resolution to be transmitted to the following:

Galaxy Solar Storage, LLC (PP25404) (applicant) (1)
LiUNA/ (1)
File (3)

an

BEFORE THE PLANNING COMMISSION

COUNTY OF KERN, STATE OF CALIFORNIA

In the matter of:

RESOLUTION NO. 170-26

APPLICATION FOR VESTING TENTATIVE PARCEL MAP 12579

Northern edge of Antelope Valley, approximately six (6) miles southeast of the community of Mojave, approximately eight (8) miles northeast of the community of Rosamond, and approximately eight (8) miles northwest of the main base of Edwards Air Force Base (APNs: Various)
Galaxy Solar Storage, LLC (PP25404)

FINDINGS AND DETERMINATION

I, Craig M. Murphy, Secretary of the Planning Commission of the County of Kern, State of California, do hereby certify that the following resolution, proposed by Mr. Ashley, seconded by Mr. Dunbar, was duly passed and adopted by said Planning Commission at an official meeting hereof this **27th** day of **August, 2026**, by the following vote, to wit:

AYES: Ashley, Dunbar, Oliver, Skidmore

NOES: None

ABSTAINED: None

ABSENT: Brooks

SECRETARY OF THE PLANNING COMMISSION
COUNTY OF KERN, STATE OF CALIFORNIA

R E S O L U T I O N

SECTION 1. WHEREAS:

(a) Pursuant to Section 18.10.025 of the Ordinance Code of Kern County, this Commission is the designated Advisory Agency (Government Code Section 66415) for tentative subdivision maps and charged with the duty of imposing requirements or conditions on proposed divisions of real property and having the authority to approve, conditionally approve, or disapprove maps; and

(b) The Kern County Planning and Natural Resources Department has received an application pertaining to a parcel of real property which is located within that portion of the unincorporated area of the County for which an official Zoning Map has been adopted under Section **7297.219.1** of said Ordinance Code; and

(c) Said parcel of real property is described as follows:

APN: 235-102-08, 235-102-17, 235-102-23 through 26

Being the Merger and Re-subdivision of Portions of Section 34, Township 11 North, Range 11 West, SBB&M, County of Kern, State of California (A complete legal description is on file with the Kern County Planning and Natural Resources Department); and

(d) Said application has been made pursuant to provisions of Chapter 18.25 of said Ordinance Code, and Galaxy Solar Storage, LLC has filed a tentative map for Vesting Tentative Parcel Map 12579 proposing a merger and re-subdivision of six (6) parcels resulting in a 77.92-acre (gross) parcel and an 82.98-acre (gross) parcel. Portions of Section 34, Township 11 North, Range 11 West, SBB&M; and

(e) The Planning and Natural Resources Department has prepared and filed with the Secretary of this Commission a report containing its recommendations relating to the tentative map, and environmental considerations; and

(f) A copy of said report has been served on the subdivider and has been on file with the Secretary of this Commission and available for examination during regular business hours by any interested persons since this matter was noticed for hearing; and

(g) The Planning and Natural Resources Department has recommended certain conditions be imposed on the approval of said tentative map as follows:

(1) The final map proposed to be recorded shall be in substantial conformance with the approved tentative map.

(2) All parcels shall contain no less than the minimum area required by the adopted site zoning and shall comply with lot size and density requirements of the Kern County General Plan. Existing zoning is A (Exclusive Agriculture), which requires a minimum lot size of 20 acres (gross).

(3) Approval or conditional approval shall expire three (3) years from the date of approval of the parcel map. Extensions may be granted by the Director of the Kern County Planning and Natural Resources Department in accordance with Section 18.25.090.B of the Kern County Land Division Ordinance.

(4) Vesting shall expire one (1) year beyond the recording of the final map. A one-(1) year extension may be granted by the Director of the Kern County Planning and Natural Resources Department in accordance with Section 18.40.040.C.3 of the Kern County Land Division Ordinance.

(5) The appeal period pursuant to Section 18.25.050.E.3 of the Kern County Land Division Ordinance shall be strictly adhered to.

(6) The following conditions shall be satisfied prior to recordation:

(a) In accordance with Section 66465 of the Subdivision Map Act, a title guarantee dated within 30 days of recordation of the parcel map shall be submitted to the Advisory Agency.

(b) In accordance with Sections 66464, 66492, and 66493 of the Subdivision Map Act, a Tax Collectors Certificate, Assessors Tax Estimate, and security (if necessary) shall be submitted to the Kern County Public Works Department prior to recordation of the final map.

(c) The parcel map must contain an owners' statement, signed and acknowledged by all persons having any right, title, or interest in and to the property being divided. A request for the waiver of the signatures of parties owning rights-of-way, easements, or interests which cannot ripen into fee must also accompany the final map in accordance with Section 66445(f) of the Subdivision Map Act. Owner's statement may be recorded on a separate document rather than appear on the map, provided the recording information appears on the map.

(d) In accordance with Section 66436(A)(i) of the Subdivision Map Act, any public entity or public utility owning rights-of-way, easements, or other interests which cannot ripen into fee must be advised by certified mail of the division of the property. The Advisory Agency will require a letter from these parties stating that the development will not unreasonably interfere with the free and complete exercise of the right-of-way or easement within the boundaries of this development.

(e) In accordance with Section 18.45.060 of the Kern County Land Division Ordinance, show all existing easements of record on the map.

(f) In accordance with Section 66434.2 of the Subdivision Map Act, information required by the conditions of approval shall be in the form of an additional map sheet.

(g) Kern County Public Works Department/Development Review Division supports the 30-foot-wide public access easement where a minimum 40-foot-wide public access easement is required. Applicant is responsible for maintaining the proposed 30-foot-wide public access easement, since it does not meet the requirements of the Kern County Land Division Ordinance, and Development Review Standards.

(h) Kern County Public Works Department/Development Review Division supports the vacation of the road reservations within the parcel map boundary, except for the above mentioned.

(i) Provide 20-foot by 20-foot right-of-way corner cutoff at all intersections, where required by the Kern County Public Works Department/Development Review Division.

(j) If dedicated by separate instrument, the access easement(s) are to be submitted to and reviewed by the County Surveyor, and processed pursuant to Chapter 18.50 of the Kern County Land Division Ordinance.

(k) Show existing off-site access, as approved by the Kern County Planning and Natural Resources Department, on the map pursuant to Chapters 18.50 and 18.55 of the Kern County Land Division Ordinance.

(l) The engineer shall submit plans for on-site and off-site access roads pursuant to Chapter 18.55 of the Kern County Land Division Ordinance. Plans shall be subject to the approval of the Kern County Public Works Department.

(7) In accordance with Chapter 18.55 of the Kern County Land Division Ordinance:

(a) All access roads shall be traversable by a standard passenger car with maximum grade of 15 percent. (Grading is not required, except as necessary to make roads traversable as aforementioned. Plans and profiles are not required.) Confirmation of traversability and maximum grade shall be provided by the Engineer/Surveyor.

(b) Prior to submittal of the final map, final approval of full street names (including prefix and suffix) from the Kern County Planning and Natural Resources Department/Graphics Unit shall be obtained. Verification of the street name approval shall be submitted to the Kern County Public Works Department.

(c) The method of water supply and sewage disposal shall be as required and approved by the Kern County Public Health Services Department/Environmental Health Division

(d) Street signs shall be provided in accordance with the Kern County Development Standards, if not already in place. Verification shall be submitted to the Kern County Public Works Department prior to recordation.

(8) The following requirement(s) shall appear as a note(s) on the final map:

(a) All development within Parcel Map No. 12579 shall be subject to Conditions of Approval and all mitigation measures included in the adopted Mitigation Measure Monitoring Program for General Plan Amendment No. 5, Map 195, General Plan Amendment No. 6, Map 212, General Plan Amendment No. 7, Map 212, Zone Change Case No. 5, Map 195, Zone Change Case No. 4, Map 212, Conditional Use Permit No. 4, Map 195, Conditional Use Permit No. 5, Map 195, Conditional Use Permit No. 7 Map 212, Zone Variance No. 1, Map 195, Zone Variance No. 2, Map 212.

(b) All easements shall be kept open, clear, and free from buildings and structures of any kind pursuant to Chapters 18.50 and 18.55 of the Kern County Land Division Ordinance. All obstructions, including utility poles and lines, trees, pole signs, fences, or similar obstructions, shall be removed from the ultimate road rights-of-way. Compliance with this requirement is the responsibility of the applicant and may result in significant financial expenditures.

(c) Any road or easement or right-of-way for road or highway purposes shown or referred to on this map, including, but not limited to, any dedicated or offered for dedication to the public or to the County, is not a County highway and is not subject to maintenance or improvement by the County of Kern, until and unless the County officially accepts same into the County Road System by resolution of the Board of Supervisors, excepting any expressly shown hereon as being a County highway.

(9) Fire flows and fire protection systems shall be as required and approved by the Kern County Fire Department. **The Kern County Fire Department will accept the following statement recorded concurrently with the parcel map**:

Notice is hereby given that the subdivider was not required to construct emergency access or fire protection improvements. **Prior to the issuance of a building permit**, emergency and fire protection facilities shall

be approved in accordance with the requirements of the Kern County Fire Department/Fire Prevention Unit. A consultation with the Fire Prevention Unit, to discuss these requirements, is recommended prior to the submittal of improvement plans, as there also may be a fee requirement.

(10) <u>The following note(s) shall appear on the final map and all grading plans</u>:

(a) If, during development activities, any plugged, abandoned, or unrecorded well(s) are uncovered or damaged that were not part of the initial review, the property owner is expected to immediately notify the Department of Conservation/Geologic Energy Management Division's construction site well review engineer in the Inland district office, and comply with all requirements of the Department of Conservation/Geologic Energy Management (CalGEM) Division.

(b) If any previously unknown archaeological or cultural resources are discovered, work in the area of the Galaxy Solar PV Storage Project shall be stopped and a qualified archaeologist contracted to evaluate the find. A copy of the archaeologist's evaluation shall be submitted to the Kern County Planning and Natural Resources Department upon its issuance and any measures recommended by the archaeologist shall be implemented prior to resumption of work in the area of the Galaxy Solar PV Storage Project.

(c) If human remains are discovered at any time on this property, work must halt in the area of the find, and the Kern County Coroner must be notified immediately (Health and Safety Code Section 7050.5). The Kern County Planning and Natural Resources Department shall be notified immediately following Coroner notification.

(d) If any abandoned water well(s) are located within the development or discovered during excavation or grading, the Kern County Public Health Department/Environmental Health Division must be contacted to obtain information for the proper permitting and destruction procedures.

(e) During grading operations, the applicant for a development permit shall be responsible for the application of water to development sites to mitigate the impact of dust and PM_{10} (particulate) emissions. Spraying should be sufficient to ensure that soils remain damp, with the frequency of spraying dependent on weather conditions. Verification of compliance will be the responsibility of the Kern County Public Works Department/Building Inspection Division.

(f) During grading operations, all activity shall be restricted to periods of low wind to reduce dust emissions. Verification of compliance will be the responsibility of the Kern County Public Works Department/Building Inspection Division.

(g) Construction speed limits will be posted at 15 mph. Verification of compliance will be the responsibility of the Kern County Public Works Department/Building Inspection Division.

(11) The following note(s) shall appear on the final map and all grading and construction plans:

(a) It is unlawful for any person to do, or cause to be done, any of the following acts within the unincorporated areas of the County:

1. To create noise from construction, between the hours of 9:00 p.m. and 6:00 a.m. on weekdays and nine 9:00 p.m. and 8:00 a.m. on weekends, which is audible to a person with average hearing faculties or capacity at a distance of 150 feet from the construction site, if the construction site is within 1,000 feet of an occupied residential dwelling except where the

Director of the Planning and Natural Resources Department or his/her designated representative may for good cause exempt some construction work for a limited time.

(b) Before any digging or excavation occurs, please contact Underground Service Alert (USA) by dialing 811 a minimum of two (2) working days prior to commending any work. This free and independent service will ensure that all existing underground utilities are identified and marked on site.

(c) Prior to construction and development, the applicant shall conform with the general requirements of the corresponding utility service provider(s) to ensure safety and conformity with their facilities; and

(h) The Secretary of this Commission has caused notice to be duly given of a public hearing in this matter in accordance with law, as evidenced by the affidavit of publication and the affidavit of mailing on file with the Secretary of this Commission; and

(i) Said notice of hearing stated that an Environmental Impact Report has been prepared for this project; and

(j) Said public hearing has been duly and timely conducted, during which the proposal was explained by a representative of the Planning and Natural Resources Department and all persons so desiring were duly heard; and

(k) Before making any findings on said Environmental Impact Report or any consideration of the proposal on its merits, this Commission called for any objections or comments on said Environmental Impact Report; and

The Director of the Planning and Natural Resources Department has furnished to this Commission, and the Commission has incorporated into the record of this matter, a document setting forth the significant environmental effects identified in said Environmental Impact Report, with proposed findings and consideration by this Commission in relation to said significant effects for the purposes of Section 21081 of the Public Resources Code and Section 15091 of the State CEQA Guidelines, and setting forth evidence in support of the proposed findings; and a member of the Planning and Natural Resources Department Staff appeared before the Commission and gave additional testimony in support of the proposed findings; and

During said hearing, this Commission duly considered the adequacy and scope of said Environmental Impact Report and thereafter reviewed and considered the information therein contained with respect to the merits of the matters under consideration; and

(l) This Commission has considered the recommendation of the Planning and Natural Resources Department and all the testimony presented during said public hearing, after which said public hearing was concluded;

SECTION 2. NOW, THEREFORE, BE IT HEREBY RESOLVED by this Planning Commission of the County of Kern, State of California, as follows:

(a) This Commission has fully reviewed and considered the information in said Environmental Impact Report and Mitigation Monitoring and Reporting Program and hereby recommends it to be certified in relation to the subject of this resolution and, after careful consideration of all facts and evidence as presented at said hearing, it is the decision of the Planning Commission that the application herein described be, and hereby, recommends the Board of Supervisors **C E R T I F Y** said Environmental Impact Report; **A D O P T** Section 15091 Findings of Facts and Section 15093 Statement of Overriding Considerations; **A D O P T** Mitigation Monitoring and Reporting Program; and recommended for **A P P R O V A L**, as recommended by Staff, by the Board of Supervisors, the application for the reasons specified in this Resolution; and

(b) This Commission hereby approves the street and lot design shown on said tentative map; the conditions of approval, as recommended by the Planning and Natural Resources Department, and the tentative map, subject to said conditions of approval.

(c) This Commission hereby finds and determines that said tentative map, including the street and lot design thereon, is reasonable and conforms to all requirements of the Subdivision Map Act, including the applicable portions of Government Code Section 66477, and the Land Division Ordinance of the County of Kern, including Chapter 18.15 thereof.

(d) Pursuant to Government Code Sections 66473.5 and 65567, this Commission hereby finds and determines that said tentative map, together with the conditions set forth herein, and provisions for its design and improvements, is consistent with the General Plan of the County of Kern, including but not confined to the Land Use, Open Space and Conservation Element thereof, and is compatible with the objectives, policies, general land uses and programs specified therein.

(e) Pursuant to Government Code Section 66474(c) through (g), this Commission hereby finds and determines:

(1) The proposed subdivision is consistent with the Open Space and Conservation Elements of the General Plan.

(2) The proposed map is consistent with applicable general and specific plans.

(3) The design or improvements of the proposed subdivision are consistent with applicable general and specific plans.

(4) The site is physically suitable for the type of development proposed.

(5) The site is physically suitable for the proposed density of development.

(6) The design of the subdivision or the proposed improvements are not likely to cause substantial environmental damage or substantial and avoidable injury to fish or wildlife or their habitat.

(7) The design of the proposed subdivision or the type of proposed improvements is not likely to cause serious public health problems.

(8) The design of the proposed subdivision or the type of proposed improvements will not conflict with easements, acquired by the public at large, for access through or use of the property within the proposed subdivision.

(9) Fish and Game Fees

(10) (*)Mitigation has been incorporated into this project which reduces the impacts on wildlife resources to a level of insignificance.

Based on the Lead Agency's analysis, with consideration given to Responsible and Trustee Agency comments, no evidence exists in the record to indicate that significant impacts will occur to wildlife resources after incorporation of the above-listed mitigation into the projects. The resulting impacts are therefore "de minimis." Additionally, the assumption of adverse effect is rebutted by the above-referenced lack of evidence in the record documenting that adverse effects will occur even though mitigation has been included in the project.

(*)This Commission has found and determined that the Final Environmental Impact Report (FEIR) prepared for this project has been completed in compliance with the California Environmental Quality Act and the State CEQA Guidelines and the County EIR Guidelines, and that this Commission has reviewed and considered the information contained in said FEIR before making its decision on the herein-mentioned project. This Commission has made findings pursuant to Sections 15091 and 15093 of the California Environmental Quality Act which are attached hereto and made a part hereof.

(11) The applicable provisions of the California Environmental Quality Act, the State CEQA Guidelines, and the Kern County Guidelines have been duly observed in conjunction with said hearing in the consideration of this matter and all of the previous proceedings relating thereto.

(12) This project is recommended for approval despite the existence of certain significant environmental effects identified in said Environmental Impact Report, and this Commission recommends the Board of Supervisors makes and adopts the findings with respect to each thereof set forth in Exhibit A, appended hereto and made a part hereof by reference, pursuant to Section 15091 of the State CEQA Guidelines (Title 14, Administrative Code) and Section 21081 of the Public Resources Code and declares that it considered the evidence described in connection with each such finding in Exhibit A and that such evidence is substantial and supports such finding.

(13) ThisCommission acknowledges that approval of this project will produce certain environmental impacts which cannot be mitigated and, in accordance with Section 15093 of the State CEQA Guidelines (Title 14, Administrative Code) hereby recommends the Board of Supervisors adopts a Statement of Overriding Considerations set forth in Exhibit B, appended hereto, and made a part hereof, which summarizes the reasons why this project, despite certain environmental impacts, has been approved.

(14) Said Environmental Impact Report is complete and adequate in scope and has been completed in compliance with the California Environmental Quality Act and with the State CEQA Guidelines and the Kern County Guidelines for implementation thereof.

(15) A development variation to Sections 18.55.030.A.5.f and 18.55.030.A.5.i. of the Land Division Ordinance has been approved to allow a 30-foot-wide public off-site access easement where a 40-foot-wide public access easement is required on the basis that:

(a) Special circumstances exist with respect to the property or the proposed subdivision design that warrants the requested development variation based on the fact that the Galaxy Solar PV Storage Project results in little long-term traffic since it does not itself require significant worker trips for operation and maintenance activities and also does not facilitate long-term development that would increase traffic. Further, the Galaxy Solar PV Storage Project is surrounded by other solar projects that also have little traffic.

(b) The granting of the development variation will not be materially detrimental to the public health, safety, or welfare or to property or residents in the vicinity, based on the fact that the solar project will require minimal expansion of infrastructure to support development as the proposed solar energy facility is located in a rural area of the County adjacent to energy development and transmission lines. Given these existing uses, there is little potential for the area to be developed as an urban center or major transportation corridor in the long-term future. The proposed variations would not restrict the traveling public or neighboring property owners' access to areas outside the project boundary; and

(f) The Secretary of this Commission shall cause copies of this resolution to be transmitted to the following:

Galaxy Solar Storage, LLC (PP25404) (applicant) (1)
LiUNA/ (1)
File (3)

an

BEFORE THE PLANNING COMMISSION

COUNTY OF KERN, STATE OF CALIFORNIA

In the matter of:

RESOLUTION NO. 171-26

APPLICATION FOR VESTING TENTATIVE PARCEL MAP 12580

Northern edge of Antelope Valley, approximately six (6) miles southeast of the community of Mojave, approximately eight (8) miles northeast of the community of Rosamond, and approximately eight (8) miles northwest of the main base of Edwards Air Force Base (APNs: Various)
Galaxy Solar Storage, LLC (PP25404)

FINDINGS AND DETERMINATION

I, Craig M. Murphy, Secretary of the Planning Commission of the County of Kern, State of California, do hereby certify that the following resolution, proposed by Mr. Ashley, seconded by Mr. Dunbar, was duly passed and adopted by said Planning Commission at an official meeting hereof this **27th** day of **August, 2026**, by the following vote, to wit:

AYES: Ashley, Dunbar, Oliver, Skidmore

NOES: None

ABSTAINED: None

ABSENT: Brooks

SECRETARY OF THE PLANNING COMMISSION
COUNTY OF KERN, STATE OF CALIFORNIA

R E S O L U T I O N

SECTION 1. WHEREAS:

(a) Pursuant to Section 18.10.025 of the Ordinance Code of Kern County, this Commission is the designated Advisory Agency (Government Code Section 66415) for tentative subdivision maps and charged with the duty of imposing requirements or conditions on proposed divisions of real property and having the authority to approve, conditionally approve, or disapprove maps; and

(b) The Kern County Planning and Natural Resources Department has received an application pertaining to a parcel of real property which is located within that portion of the unincorporated area of the County for which an official Zoning Map has been adopted under Section **7297.221** of said Ordinance Code; and

(c) Said parcel of real property is described as follows:

> APN: 244-421-03, 04, 06 through 9, 11 and 24 through 27, 33, 34, 37, 38, 41 through 44, 49 through 56.
>
> Being the Merger and Re-subdivision of Portions of Section 4, Township 10 North, Range 11 West, SBB&M, County of Kern, State of California (A complete legal description is on file with the Kern County Planning and Natural Resources Department); and

(d) Said application has been made pursuant to provisions of Chapter 18.25 of said Ordinance Code, and Galaxy Solar Storage, LLC has filed a tentative map for Vesting Tentative Parcel Map 12580 proposing a merger and re-subdivision of twenty-seven (27) parcels resulting in a 93.5 acre (gross) parcel. Portions of Section 4, Township 10 North, Range 11 West, SBB&M; and

(e) The Planning and Natural Resources Department has prepared and filed with the Secretary of this Commission a report containing its recommendations relating to the tentative map, and environmental considerations; and

(f) A copy of said report has been served on the subdivider and has been on file with the Secretary of this Commission and available for examination during regular business hours by any interested persons since this matter was noticed for hearing; and

(g) The Planning and Natural Resources Department has recommended certain conditions be imposed on the approval of said tentative map as follows:

(1) The final map proposed to be recorded shall be in substantial conformance with the approved tentative map.

(2) All parcels shall contain no less than the minimum area required by the adopted site zoning and shall comply with lot size and density requirements of the Kern County General Plan. Existing zoning is A (Exclusive Agriculture), which requires a minimum lot size of 20 acres (gross).

(3) Approval or conditional approval shall expire three years (36 months) from the date of approval of the parcel map. Extensions may be granted by the Director of the Kern County Planning and Natural Resources Department in accordance with Section 18.25.090.B of the Kern County Land Division Ordinance.

(4) Vesting shall expire one (1) year beyond the recording of the final map. A one (1)-year extension may be granted by the Director of the Kern County Planning and Natural Resources Department in accordance with Section 18.40.040.C.3 of the Kern County Land Division Ordinance.

(5) The appeal period pursuant to Section 18.25.050.E.3 of the Kern County Land Division Ordinance shall be strictly adhered to.

(6) The following conditions shall be satisfied prior to recordation:

(a) In accordance with Section 66465 of the Subdivision Map Act, a title guarantee dated within 30 days of recordation of the parcel map shall be submitted to the Advisory Agency.

(b) In accordance with Sections 66464, 66492, and 66493 of the Subdivision Map Act, a Tax Collectors Certificate, Assessors Tax Estimate, and security (if necessary) shall be submitted to the Kern County Public Works Department prior to recordation of the final map.

(c) The parcel map must contain an owners' statement, signed and acknowledged by all persons having any right, title, or interest in and to the property being divided. A request for the waiver of the signatures of parties owning rights-of-way, easements, or interests which cannot ripen into fee must also accompany the final map in accordance with Section 66445(f) of the Subdivision Map Act. Owner's statement may be recorded on a separate document rather than appear on the map, provided the recording information appears on the map.

(d) In accordance with Section 66436(A)(i) of the Subdivision Map Act, any public entity or public utility owning rights-of-way, easements, or other interests which cannot ripen into fee must be advised by certified mail of the division of the property. The Advisory Agency will require a letter from these parties stating that the development will not unreasonably interfere with the free and complete exercise of the right-of-way or easement within the boundaries of this development.

(e) In accordance with Section 18.45.060 of the Kern County Land Division Ordinance, show all existing easements of record on the map.

(f) In accordance with Section 66434.2 of the Subdivision Map Act, information required by the conditions of approval shall be in the form of an additional map sheet.

(g) Kern County Public Works Department/Development Review Division supports the 30-foot-wide private access easement where a minimum 40-foot-wide public access easement is required. Applicant is responsible for maintaining the proposed 30-foot-wide public access easement, since it does not meet the requirements of the Kern County Land Division Ordinance, and Development Review Standards.

(h) Kern County Public Works Department/Development Review Division supports the vacation of the road reservations within the parcel map boundary, except for the above mentioned.

(i) Provide 20-foot by 20-foot right-of-way corner cutoff at all intersections, where required by the Kern County Public Works Department/Development Review Division.

(j) If dedicated by separate instrument, the access easement(s) are to be submitted to and reviewed by the County Surveyor, and processed pursuant to Chapter 18.50 of the Kern County Land Division Ordinance.

(k) Show existing off-site access, as approved by the Kern County Planning and Natural Resources Department, on the map pursuant to Chapters 18.50 and 18.55 of the Kern County Land Division Ordinance.

(l) The engineer shall submit plans for on-site and off-site access roads pursuant to Chapter 18.55 of the Kern County Land Division Ordinance. Plans shall be subject to the approval of the Kern County Public Works Department.

(7) In accordance with Chapter 18.55 of the Kern County Land Division Ordinance:

(a) All access roads shall be traversable by a standard passenger car with maximum grade of 15 percent. (Grading is not required, except as necessary to make roads traversable as aforementioned. Plans and profiles are not required.) Confirmation of traversability and maximum grade shall be provided by the Engineer/Surveyor.

(b) Prior to submittal of the final map, final approval of full street names (including prefix and suffix) from the Kern County Planning and Natural Resources Department/Graphics Unit shall be obtained. Verification of the street name approval shall be submitted to the Kern County Public Works Department.

(c) The method of water supply and sewage disposal shall be as required and approved by the Kern County Public Health Services Department/Environmental Health Division.

(d) Street signs shall be provided in accordance with the Kern County Development Standards, if not already in place. Verification shall be submitted to the Kern County Public Works Department prior to recordation.

(8) The following requirement(s) shall appear as a note(s) on the final map:

(a) All development within Parcel Map No. 12580 shall be subject to Conditions of Approval and all mitigation measures included in the adopted Mitigation Measure Monitoring Program for General Plan Amendment No. 5, Map 195, General Plan Amendment No. 6, Map 212, General Plan Amendment No. 7, Map 212, Zone Change Case No. 5, Map 195, Zone Change Case No. 4, Map 212, Conditional Use Permit No. 4, Map 195, Conditional Use Permit No. 5, Map 195, Conditional Use Permit No. 7 Map 212, Zone Variance No. 1, Map 195, Zone Variance No. 2, Map 212.

(b) All easements shall be kept open, clear, and free from buildings and structures of any kind pursuant to Chapters 18.50 and 18.55 of the Kern County Land Division Ordinance. All obstructions, including utility poles and lines, trees, pole signs, fences, or similar obstructions, shall be removed from the ultimate road rights-of-way. Compliance with this requirement is the responsibility of the applicant and may result in significant financial expenditures.

(c) Any road or easement or right-of-way for road or highway purposes shown or referred to on this map, including, but not limited to, any dedicated or offered for dedication to the public or to the County, is not a County highway and is not subject to maintenance or

improvement by the County of Kern, until and unless the County officially accepts same into the County Road System by resolution of the Board of Supervisors, excepting any expressly shown hereon as being a County highway.

(9) Fire flows and fire protection systems shall be as required and approved by the Kern County Fire Department. **The Kern County Fire Department will accept the following statement recorded concurrently with the parcel map**:

Notice is hereby given that the subdivider was not required to construct emergency access or fire protection improvements. **Prior to the issuance of a building permit**, emergency and fire protection facilities shall be approved in accordance with the requirements of the Kern County Fire Department/Fire Prevention Unit. A consultation with the Fire Prevention Unit, to discuss these requirements, is recommended prior to the submittal of improvement plans, as there also may be a fee requirement.

(10) The following note(s) shall appear on the final map and all grading plans:

(a) If, during development activities, any plugged, abandoned, or unrecorded well(s) are uncovered or damaged that were not part of the initial review, the property owner is expected to immediately notify the Department of Conservation/Geologic Energy Management Division's construction site well review engineer in the Inland district office, and comply with all requirements of the Department of Conservation/Geologic Energy Management (CalGEM) Division.

(b) If any previously unknown archaeological or cultural resources are discovered, work in the area of the Galaxy Solar PV Storage Project shall be stopped and a qualified archaeologist contracted to evaluate the find. A copy of the archaeologist's evaluation shall be submitted to the Kern County Planning and Natural Resources Department upon its issuance and any measures recommended by the archaeologist shall be implemented prior to resumption of work in the area of the Galaxy Solar PV Storage Project.

(c) If human remains are discovered at any time on this property, work must halt in the area of the find, and the Kern County Coroner must be notified immediately (Health and Safety Code Section 7050.5). The Kern County Planning and Natural Resources Department shall be notified immediately following Coroner notification.

(d) If any abandoned water well(s) are located within the development or discovered during excavation or grading, the Kern County Public Health Department/Environmental Health Division must be contacted to obtain information for the proper permitting and destruction procedures.

(e) During grading operations, the applicant for a development permit shall be responsible for the application of water to development sites to mitigate the impact of dust and PM_{10} (particulate) emissions. Spraying should be sufficient to ensure that soils remain damp, with the frequency of spraying dependent on weather conditions. Verification of compliance will be the responsibility of the Kern County Public Works Department/Building Inspection Division.

(f) During grading operations, all activity shall be restricted to periods of low wind to reduce dust emissions. Verification of compliance will be the responsibility of the Kern County Public Works Department/Building Inspection Division.

(g) Construction speed limits will be posted at 15 mph. Verification of compliance will be the responsibility of the Kern County Public Works Department/Building Inspection Division.

(11) The following note(s) shall appear on the final map and all grading and construction plans:

(a) It is unlawful for any person to do, or cause to be done, any of the following acts within the unincorporated areas of the County:

1. To create noise from construction, between the hours of 9:00 p.m. and 6:00 a.m. on weekdays and nine 9:00 p.m. and 8:00 a.m. on weekends, which is audible to a person with average hearing faculties or capacity at a distance of 150 feet from the construction site, if the construction site is within 1,000 feet of an occupied residential dwelling except where the Director of the Planning and Natural Resources Department or his/her designated representative may for good cause exempt some construction work for a limited time.

(b) Before any digging or excavation occurs, please contact Underground Service Alert (USA) by dialing 811 a minimum of two (2) working days prior to commending any work. This free and independent service will ensure that all existing underground utilities are identified and marked on site.

(c) Prior to construction and development, the applicant shall conform with the general requirements of the corresponding utility service provider(s) to ensure safety and conformity with their facilities; and

(h) The Secretary of this Commission has caused notice to be duly given of a public hearing in this matter in accordance with law, as evidenced by the affidavit of publication and the affidavit of mailing on file with the Secretary of this Commission; and

(i) Said notice of hearing stated that an Environmental Impact Report has been prepared for this project; and

(j) Said public hearing has been duly and timely conducted, during which the proposal was explained by a representative of the Planning and Natural Resources Department and all persons so desiring were duly heard; and

(k) Before making any findings on said Environmental Impact Report or any consideration of the proposal on its merits, this Commission called for any objections or comments on said Environmental Impact Report; and

The Director of the Planning and Natural Resources Department has furnished to this Commission, and the Commission has incorporated into the record of this matter, a document setting forth the significant environmental effects identified in said Environmental Impact Report, with proposed findings and consideration by this Commission in relation to said significant effects for the purposes of Section 21081 of the Public Resources Code and Section 15091 of the State CEQA Guidelines, and setting forth evidence in support of the proposed findings; and a member of the Planning and Natural

Resources Department Staff appeared before the Commission and gave additional testimony in support of the proposed findings; and

During said hearing, this Commission duly considered the adequacy and scope of said Environmental Impact Report and thereafter reviewed and considered the information therein contained with respect to the merits of the matters under consideration; and

(l) This Commission has considered the recommendation of the Planning and Natural Resources Department and all the testimony presented during said public hearing, after which said public hearing was concluded;

SECTION 2. NOW, THEREFORE, BE IT HEREBY RESOLVED by this Planning Commission of the County of Kern, State of California, as follows:

(a) This Commission has fully reviewed and considered the information in said Environmental Impact Report and Mitigation Monitoring and Reporting Program and hereby recommends it to be certified in relation to the subject of this resolution and, after careful consideration of all facts and evidence as presented at said hearing, it is the decision of the Planning Commission that the application herein described be, and hereby, recommends the Board of Supervisors **C E R T I F Y** said Environmental Impact Report; **A D O P T** Section 15091 Findings of Facts and Section 15093 Statement of Overriding Considerations; **A D O P T** Mitigation Monitoring and Reporting Program; and recommended for **A P P R O V A L**, as recommended by Staff, by the Board of Supervisors, the application for the reasons specified in this Resolution; and

(b) This Commission hereby approves the street and lot design shown on said tentative map; the conditions of approval, as recommended by the Planning and Natural Resources Department, and the tentative map, subject to said conditions of approval.

(c) This Commission hereby finds and determines that said tentative map, including the street and lot design thereon, is reasonable and conforms to all requirements of the Subdivision Map Act, including the applicable portions of Government Code Section 66477, and the Land Division Ordinance of the County of Kern, including Chapter 18.15 thereof.

(d) Pursuant to Government Code Sections 66473.5 and 65567, this Commission hereby finds and determines that said tentative map, together with the conditions set forth herein, and provisions for its design and improvements, is consistent

with the General Plan of the County of Kern, including but not confined to the Land Use, Open Space and Conservation Element thereof, and is compatible with the objectives, policies, general land uses and programs specified therein.

(e) Pursuant to Government Code Section 66474(c) through (g), this Commission hereby finds and determines:

(1) The proposed subdivision is consistent with the Open Space and Conservation Elements of the General Plan.

(2) The proposed map is consistent with applicable general and specific plans.

(3) The design or improvements of the proposed subdivision are consistent with applicable general and specific plans.

(4) The site is physically suitable for the type of development proposed.

(5) The site is physically suitable for the proposed density of development.

(6) The design of the subdivision or the proposed improvements are not likely to cause substantial environmental damage or substantial and avoidable injury to fish or wildlife or their habitat.

(7) The design of the proposed subdivision or the type of proposed improvements is not likely to cause serious public health problems.

(8) The design of the proposed subdivision or the type of proposed improvements will not conflict with easements, acquired by the public at large, for access through or use of the property within the proposed subdivision.

(9) Fish and Game Fees

(10) (*)Mitigation has been incorporated into this project which reduces the impacts on wildlife resources to a level of insignificance.

Based on the Lead Agency's analysis, with consideration given to Responsible and Trustee Agency comments, no evidence exists in the record to indicate that significant impacts will occur to wildlife resources after incorporation of the above-listed mitigation into the projects. The resulting impacts are therefore "de minimis." Additionally, the assumption of adverse effect is rebutted by the above-referenced lack of evidence in the record documenting that adverse effects will occur even though mitigation has been included in the project.

(*)This Commission has found and determined that the Final Environmental Impact Report (FEIR) prepared for this project has been completed in compliance with the California Environmental Quality Act and the State CEQA Guidelines and the County EIR Guidelines, and that this Commission has reviewed and considered the information contained in said FEIR before making its decision on the herein-mentioned project. This Commission has made findings pursuant to Sections 15091 and 15093 of the California Environmental Quality Act which are attached hereto and made a part hereof.

(11) The applicable provisions of the California Environmental Quality Act, the State CEQA Guidelines, and the Kern County Guidelines have been duly observed in conjunction with said hearing in the consideration of this matter and all of the previous proceedings relating thereto.

(12) This project is recommended for approval despite the existence of certain significant environmental effects identified in said Environmental Impact Report, and this Commission recommends the Board of Supervisors makes and adopts the findings with respect to each thereof set forth in Exhibit A, appended hereto and made a part hereof by reference, pursuant to Section 15091 of the State CEQA Guidelines (Title 14, Administrative Code) and Section 21081 of the Public Resources Code and declares that it considered the evidence described in connection with each such finding in Exhibit A and that such evidence is substantial and supports such finding.

(13) This Commission acknowledges that approval of this project will produce certain environmental impacts which cannot be mitigated and, in accordance with Section 15093 of the State CEQA Guidelines (Title 14, Administrative Code) hereby recommends the Board of Supervisors adopts a Statement of Overriding Considerations set forth in Exhibit B, appended hereto, and made a part hereof, which summarizes the reasons why this project, despite certain environmental impacts, has been approved.

(14) Said Environmental Impact Report is complete and adequate in scope and has been completed in compliance with the California Environmental Quality Act and with the State CEQA Guidelines and the Kern County Guidelines for implementation thereof.

(15) A development variation to Sections 18.55.030.A.5.f and 18.55.030.A.5.i. of the Land Division Ordinance has been approved to allow a 30-foot-wide private off-site access easement where a 40-foot-wide public access easement is required on the basis that:

(a) Special circumstances exist with respect to the property or the proposed subdivision design that warrants the requested development variation based on the fact that the Galaxy Solar PV Storage Project results in little long-term traffic since it does not itself require significant worker trips for operation and maintenance activities and also does not facilitate long-term development that would increase traffic. Further, the Galaxy Solar PV Storage Project is surrounded by other solar projects that also have little traffic.

(b) The granting of the development variation will not be materially detrimental to the public health, safety, or welfare or to property or residents in the vicinity, based on the fact that the solar project will require minimal expansion of infrastructure to support development as the proposed solar energy facility is located in a rural area of the County adjacent to energy development and transmission lines. Given these existing uses, there is little potential for the area to be developed as an urban center or major transportation corridor in the long-term future. The proposed variations would not restrict the traveling public or neighboring property owners' access to areas outside the project boundary; and

(f) The Secretary of this Commission shall cause copies of this resolution to be transmitted to the following:

Galaxy Solar Storage, LLC (PP25404) (applicant) (1)
LiUNA/ (1)
File (3)

an

BEFORE THE PLANNING COMMISSION

COUNTY OF KERN, STATE OF CALIFORNIA

In the matter of:

RESOLUTION NO. 172-26

APPLICATION FOR VESTING TENTATIVE PARCEL MAP 12581

Northern edge of Antelope Valley, approximately six (6) miles southeast of the community of Mojave, approximately eight (8) miles northeast of the community of Rosamond, and approximately eight (8) miles northwest of the main base of Edwards Air Force Base (APNs: Various)
Galaxy Solar Storage, LLC (PP25404)

FINDINGS AND DETERMINATION

I, Craig M. Murphy, Secretary of the Planning Commission of the County of Kern, State of California, do hereby certify that the following resolution, proposed by Mr. Ashley, seconded by Mr. Dunbar, was duly passed and adopted by said Planning Commission at an official meeting hereof this **27th** day of **August, 2026**, by the following vote, to wit:

AYES: Ashley, Dunbar, Oliver, Skidmore

NOES: None

ABSTAINED: None

ABSENT: Brooks

SECRETARY OF THE PLANNING COMMISSION
COUNTY OF KERN, STATE OF CALIFORNIA

R E S O L U T I O N

SECTION 1. WHEREAS:

(a) Pursuant to Section 18.10.025 of the Ordinance Code of Kern County, this Commission is the designated Advisory Agency (Government Code Section 66415) for tentative subdivision maps and charged with the duty of imposing requirements or conditions on proposed divisions of real property and having the authority to approve, conditionally approve, or disapprove maps; and

(b) The Kern County Planning and Natural Resources Department has received an application pertaining to a parcel of real property which is located within that portion of the unincorporated area of the County for which an official Zoning Map has been adopted under Section **7297.221** of said Ordinance Code; and

(c) Said parcel of real property is described as follows:

APN: Various

Being the Merger and Re-subdivision of Portions of Section 4, Township 10 North, Range 11 West, SBB&M, County of Kern, State of California (A complete legal description is on file with the Kern County Planning and Natural Resources Department); and

(d) Said application has been made pursuant to provisions of Chapter 18.25 of said Ordinance Code, and Galaxy Solar Storage, LLC has filed a tentative map for Vesting Tentative Parcel Map 12581 proposing a merger and re-subdivision of 52 parcels resulting in a 308.06-acre (gross) parcel. Portions of Section 4, Township 11 North, Range 10 West, SBB&M ; and

(e) The Planning and Natural Resources Department has prepared and filed with the Secretary of this Commission a report containing its recommendations relating to the tentative map, and environmental considerations; and

(f) A copy of said report has been served on the subdivider and has been on file with the Secretary of this Commission and available for examination during regular business hours by any interested persons since this matter was noticed for hearing; and

(g) The Planning and Natural Resources Department has recommended certain conditions be imposed on the approval of said tentative map as follows:

(1) The final map proposed to be recorded shall be in substantial conformance with the approved tentative map.

(2) All parcels shall contain no less than the minimum area required by the adopted site zoning and shall comply with lot size and density requirements of the Kern County General Plan. Existing zoning is A (Exclusive Agriculture), which requires a minimum lot size of 20 acres (gross).

(3) Approval or conditional approval shall expire three years from the date of approval of the parcel map. Extensions may be granted by the Director of the Kern County Planning and Natural Resources Department in accordance with Section 18.25.090.B of the Kern County Land Division Ordinance.

(4) Vesting shall expire one (1) year beyond the recording of the final map. A one-(1) year extension may be granted by the Director of the Kern County Planning and Natural Resources Department in accordance with Section 18.40.040.C.3 of the Kern County Land Division Ordinance.

(5) The appeal period pursuant to Section 18.25.050.E.3 of the Kern County Land Division Ordinance shall be strictly adhered to.

(6) The following conditions shall be satisfied prior to recordation:

(a) In accordance with Section 66465 of the Subdivision Map Act, a title guarantee dated within 30 days of recordation of the parcel map shall be submitted to the Advisory Agency.

(b) In accordance with Sections 66464, 66492, and 66493 of the Subdivision Map Act, a Tax Collectors Certificate, Assessors Tax Estimate, and security (if necessary) shall be submitted to the Kern County Public Works Department prior to recordation of the final map.

(c) The parcel map must contain an owners' statement, signed and acknowledged by all persons having any right, title, or interest in and to the property being divided. A request for the waiver of the signatures of parties owning rights-of-way, easements, or interests which cannot ripen into fee must also accompany the final map in accordance with Section 66445(f) of the Subdivision Map Act. Owner's statement may be recorded on a separate document rather than appear on the map, provided the recording information appears on the map.

(d) In accordance with Section 66436(A)(i) of the Subdivision Map Act, any public entity or public utility owning rights-of-way, easements, or other interests which cannot ripen into fee must be advised by certified mail of the division of the property. The Advisory Agency will require a letter from these parties stating that the development will not unreasonably interfere with the free and complete exercise of the right-of-way or easement within the boundaries of this development.

(e) In accordance with Section 18.45.060 of the Kern County Land Division Ordinance, show all existing easements of record on the map.

(f) In accordance with Section 66434.2 of the Subdivision Map Act, information required by the conditions of approval shall be in the form of an additional map sheet.

(g) Kern County Public Works Department/Development Review Division supports the 30-foot-wide public access easement where a minimum 40-foot-wide public access easement is required. Applicant is responsible for maintaining the proposed 30-foot-wide public access easement, since it does not meet the requirements of the Kern County Land Division Ordinance, and Development Review Standards.

(h) Kern County Public Works Department/Development Review Division supports the vacation of the road reservations within the parcel map boundary, except for the above mentioned.

(i) Provide 20-foot by 20-foot right-of-way corner cutoff at all intersections, where required by the Kern County Public Works Department/Development Review Division.

(j) If dedicated by separate instrument, the access easement(s) are to be submitted to and reviewed by the County Surveyor, and processed pursuant to Chapter 18.50 of the Kern County Land Division Ordinance.

(k) Show existing off-site access, as approved by the Kern County Planning and Natural Resources Department, on the map pursuant to Chapters 18.50 and 18.55 of the Kern County Land Division Ordinance.

(l) The engineer shall submit plans for on-site and off-site access roads pursuant to Chapter 18.55 of the Kern County Land Division Ordinance. Plans shall be subject to the approval of the Kern County Public Works Department.

(7) In accordance with Chapter 18.55 of the Kern County Land Division Ordinance:

(a) All access roads shall be traversable by a standard passenger car with maximum grade of 15 percent. (Grading is not required, except as necessary to make roads traversable as aforementioned. Plans and profiles are not required.) Confirmation of traversability and maximum grade shall be provided by the Engineer/Surveyor.

(b) Prior to submittal of the final map, final approval of full street names (including prefix and suffix) from the Kern County Planning and Natural Resources Department/Graphics Unit shall be obtained. Verification of the street name approval shall be submitted to the Kern County Public Works Department.

(c) The method of water supply and sewage disposal shall be as required and approved by the Kern County Public Health Services Department/Environmental Health Division

(d) Street signs shall be provided in accordance with the Kern County Development Standards, if not already in place. Verification shall be submitted to the Kern County Public Works Department prior to recordation.

(8) The following requirement(s) shall appear as a note(s) on the final map:

(a) All development within Parcel Map No. 12581 shall be subject to Conditions of Approval and all mitigation measures included in the adopted Mitigation Measure Monitoring Program for General Plan Amendment No. 5, Map 195, General Plan Amendment No. 6, Map 212, General Plan Amendment No. 7, Map 212, Zone Change Case No. 5, Map 195, Zone Change Case No. 4, Map 212, Conditional Use Permit No. 4, Map 195, Conditional Use Permit No. 5, Map 195, Conditional Use Permit No. 7 Map 212, Zone Variance No. 1, Map 195, Zone Variance No. 2, Map 212.

(b) All easements shall be kept open, clear, and free from buildings and structures of any kind pursuant to Chapters 18.50 and 18.55 of the Kern County Land Division Ordinance. All obstructions, including utility poles and lines, trees, pole signs, fences, or similar obstructions, shall be removed from the ultimate road rights-of-way. Compliance with this requirement is the responsibility of the applicant and may result in significant financial expenditures.

(c) Any road or easement or right-of-way for road or highway purposes shown or referred to on this map, including, but not limited to, any dedicated or offered for dedication to the public or to the County, is not a County highway and is not subject to maintenance or

improvement by the County of Kern, until and unless the County officially accepts same into the County Road System by resolution of the Board of Supervisors, excepting any expressly shown hereon as being a County highway.

(9) Fire flows and fire protection systems shall be as required and approved by the Kern County Fire Department. **The Kern County Fire Department will accept the following statement recorded concurrently with the parcel map**:

Notice is hereby given that the subdivider was not required to construct emergency access or fire protection improvements. **Prior to the issuance of a building permit**, emergency and fire protection facilities shall be approved in accordance with the requirements of the Kern County Fire Department/Fire Prevention Unit. A consultation with the Fire Prevention Unit, to discuss these requirements, is recommended prior to the submittal of improvement plans, as there also may be a fee requirement.

(10) The following note(s) shall appear on the final map and all grading plans:

(a) If, during development activities, any plugged, abandoned, or unrecorded well(s) are uncovered or damaged that were not part of the initial review, the property owner is expected to immediately notify the Department of Conservation/Geologic Energy Management Division's construction site well review engineer in the Inland district office, and comply with all requirements of the Department of Conservation/Geologic Energy Management (CalGEM) Division.

(b) If any previously unknown archaeological or cultural resources are discovered, work in the area of Galaxy Solar PV Storage Project shall be stopped and a qualified archaeologist contracted to evaluate the find. A copy of the archaeologist's evaluation shall be submitted to the Kern County Planning and Natural Resources Department upon its issuance and any measures recommended by the archaeologist shall be implemented prior to resumption of work in the area of the Galaxy Solar PV Storage Project.

(c) If human remains are discovered at any time on this property, work must halt in the area of the find, and the Kern County Coroner must be notified immediately (Health and Safety Code Section 7050.5). The Kern County Planning and Natural Resources Department shall be notified immediately following Coroner notification.

(d) If any abandoned water well(s) are located within the development or discovered during excavation or grading, the Kern County Public Health Department/Environmental Health Division must be contacted to obtain information for the proper permitting and destruction procedures.

(e) During grading operations, the applicant for a development permit shall be responsible for the application of water to development sites to mitigate the impact of dust and PM_{10} (particulate) emissions. Spraying should be sufficient to ensure that soils remain damp, with the frequency of spraying dependent on weather conditions. Verification of compliance will be the responsibility of the Kern County Public Works Department/Building Inspection Division.

(f) During grading operations, all activity shall be restricted to periods of low wind to reduce dust emissions. Verification of compliance will be the responsibility of the Kern County Public Works Department/Building Inspection Division.

(g) Construction speed limits will be posted at 15 mph. Verification of compliance will be the responsibility of the Kern County Public Works Department/Building Inspection Division.

(11) The following note(s) shall appear on the final map and all grading and construction plans:

(a) It is unlawful for any person to do, or cause to be done, any of the following acts within the unincorporated areas of the County:

1. To create noise from construction, between the hours of 9:00 p.m. and 6:00 a.m. on weekdays and nine 9:00 p.m. and 8:00 a.m. on weekends, which is audible to a person with average hearing faculties or capacity at a distance of 150 feet from the construction site, if the construction site is within 1,000 feet of an occupied residential dwelling except where the Director of the Planning and Natural Resources Department or his/her designated representative may for good cause exempt some construction work for a limited time.

(b) Before any digging or excavation occurs, please contact Underground Service Alert (USA) by dialing 811 a minimum of two (2) working days prior to commending any work. This free and independent service will ensure that all existing underground utilities are identified and marked on site.

(c) Prior to construction and development, the applicant shall conform with the general requirements of the corresponding utility service provider(s) to ensure safety and conformity with their facilities; and

(h) The Secretary of this Commission has caused notice to be duly given of a public hearing in this matter in accordance with law, as evidenced by the affidavit of publication and the affidavit of mailing on file with the Secretary of this Commission; and

(i) Said notice of hearing stated that an Environmental Impact Report has been prepared for this project; and

(j) Said public hearing has been duly and timely conducted, during which the proposal was explained by a representative of the Planning and Natural Resources Department and all persons so desiring were duly heard; and

(k) Before making any findings on said Environmental Impact Report or any consideration of the proposal on its merits, this Commission called for any objections or comments on said Environmental Impact Report; and

The Director of the Planning and Natural Resources Department has furnished to this Commission, and the Commission has incorporated into the record of this matter, a document setting forth the significant environmental effects identified in said Environmental Impact Report, with proposed findings and consideration by this Commission in relation to said significant effects for the purposes of Section 21081 of the Public Resources Code and Section 15091 of the State CEQA Guidelines, and setting forth evidence in support of the proposed findings; and a member of the Planning and Natural

Resources Department Staff appeared before the Commission and gave additional testimony in support of the proposed findings; and

During said hearing, this Commission duly considered the adequacy and scope of said Environmental Impact Report and thereafter reviewed and considered the information therein contained with respect to the merits of the matters under consideration; and

(l) This Commission has considered the recommendation of the Planning and Natural Resources Department and all the testimony presented during said public hearing, after which said public hearing was concluded;

SECTION 2. NOW, THEREFORE, BE IT HEREBY RESOLVED by this Planning Commission of the County of Kern, State of California, as follows:

(a) This Commission has fully reviewed and considered the information in said Environmental Impact Report and Mitigation Monitoring and Reporting Program and hereby recommends it to be certified in relation to the subject of this resolution and, after careful consideration of all facts and evidence as presented at said hearing, it is the decision of the Planning Commission that the application herein described be, and hereby, recommends the Board of Supervisors **C E R T I F Y** said Environmental Impact Report; **A D O P T** Section 15091 Findings of Facts and Section 15093 Statement of Overriding Considerations; **A D O P T** Mitigation Monitoring and Reporting Program; and recommended for **A P P R O V A L**, as recommended by Staff, by the Board of Supervisors, the application for the reasons specified in this Resolution; and

(b) This Commission hereby approves the street and lot design shown on said tentative map; the conditions of approval, as recommended by the Planning and Natural Resources Department, and the tentative map, subject to said conditions of approval.

(c) This Commission hereby finds and determines that said tentative map, including the street and lot design thereon, is reasonable and conforms to all requirements of the Subdivision Map Act, including the applicable portions of Government Code Section 66477, and the Land Division Ordinance of the County of Kern, including Chapter 18.15 thereof.

(d) Pursuant to Government Code Sections 66473.5 and 65567, this Commission hereby finds and determines that said tentative map, together with the conditions set forth herein, and provisions for its design and improvements, is consistent

with the General Plan of the County of Kern, including but not confined to the Land Use, Open Space and Conservation Element thereof, and is compatible with the objectives, policies, general land uses and programs specified therein.

(e) Pursuant to Government Code Section 66474(c) through (g), this Commission hereby finds and determines:

(1) The proposed subdivision is consistent with the Open Space and Conservation Elements of the General Plan.

(2) The proposed map is consistent with applicable general and specific plans.

(3) The design or improvements of the proposed subdivision are consistent with applicable general and specific plans.

(4) The site is physically suitable for the type of development proposed.

(5) The site is physically suitable for the proposed density of development.

(6) The design of the subdivision or the proposed improvements are not likely to cause substantial environmental damage or substantial and avoidable injury to fish or wildlife or their habitat.

(7) The design of the proposed subdivision or the type of proposed improvements is not likely to cause serious public health problems.

(8) The design of the proposed subdivision or the type of proposed improvements will not conflict with easements, acquired by the public at large, for access through or use of the property within the proposed subdivision.

(9) Fish and Game Fees

(10) (*)Mitigation has been incorporated into this project which reduces the impacts on wildlife resources to a level of insignificance.

Based on the Lead Agency's analysis, with consideration given to Responsible and Trustee Agency comments, no evidence exists in the record to indicate that significant impacts will occur to wildlife resources after incorporation of the above-listed mitigation into the projects. The resulting impacts are therefore "de minimis." Additionally, the assumption of adverse effect is rebutted by the above-referenced lack of evidence in the record documenting that adverse effects will occur even though mitigation has been included in the project.

(*)This Commission has found and determined that the Final Environmental Impact Report (FEIR) prepared for this project has been completed in compliance with the California Environmental Quality Act and the State CEQA Guidelines and the County EIR Guidelines, and that this Commission has reviewed and considered the information contained in said FEIR before making its decision on the herein-mentioned project. This Commission has made findings pursuant to Sections 15091 and 15093 of the California Environmental Quality Act which are attached hereto and made a part hereof.

(11) The applicable provisions of the California Environmental Quality Act, the State CEQA Guidelines, and the Kern County Guidelines have been duly observed in conjunction with said hearing in the consideration of this matter and all of the previous proceedings relating thereto.

(12) This project is recommended for approval despite the existence of certain significant environmental effects identified in said Environmental Impact Report, and this Commission recommends the Board of Supervisors makes and adopts the findings with respect to each thereof set forth in Exhibit A, appended hereto and made a part hereof by reference, pursuant to Section 15091 of the State CEQA Guidelines (Title 14, Administrative Code) and Section 21081 of the Public Resources Code and declares that it considered the evidence described in connection with each such finding in Exhibit A and that such evidence is substantial and supports such finding.

(13) This Commission acknowledges that approval of this project will produce certain environmental impacts which cannot be mitigated and, in accordance with Section 15093 of the State CEQA Guidelines (Title 14, Administrative Code) hereby recommends the Board of Supervisors adopts a Statement of Overriding Considerations set forth in Exhibit B, appended hereto, and made a part hereof, which summarizes the reasons why this project, despite certain environmental impacts, has been approved.

(14) Said Environmental Impact Report is complete and adequate in scope and has been completed in compliance with the California Environmental Quality Act and with the State CEQA Guidelines and the Kern County Guidelines for implementation thereof.

(15) A development variation to Sections 18.55.030.A.5.f and 18.55.030.A.5.i. of the Land Division Ordinance has been approved to allow a 30-foot-wide public off-site access easement where a 40-foot-wide public access easement is required on the basis that:

(a) Special circumstances exist with respect to the property or the proposed subdivision design that warrants the requested development variation based on the fact that the Galaxy Solar PV Storage Project results in little long-term traffic since it does not itself require significant worker trips for operation and maintenance activities and also does not facilitate long-term development that would increase traffic. Further, the Galaxy Solar PV Stroage Project is surrounded by other solar projects that also have little traffic.

(b) The granting of the development variation will not be materially detrimental to the public health, safety, or welfare or to property or residents in the vicinity, based on the fact that the solar project will require minimal expansion of infrastructure to support development as the proposed solar energy facility is located in a rural area of the County adjacent to energy development and transmission lines. Given these existing uses, there is little potential for the area to be developed as an urban center or major transportation corridor in the long-term future. The proposed variations would not restrict the traveling public or neighboring property owners' access to areas outside the project boundary; and

(f) The Secretary of this Commission shall cause copies of this resolution to be transmitted to the following:

Galaxy Solar Storage, LLC (PP25404) (applicant) (1)
LiUNA/ (1)
File (3)

an

BEFORE THE PLANNING COMMISSION

COUNTY OF KERN, STATE OF CALIFORNIA

In the matter of:

RESOLUTION NO. 173-26

APPLICATION FOR VESTING TENTATIVE PARCEL MAP 12582

Northern edge of Antelope Valley, approximately six (6) miles southeast of the community of Mojave, approximately eight (8) miles northeast of the community of Rosamond, and approximately eight (8) miles northwest of the main base of Edwards Air Force Base (APNs: Various)
Galaxy Solar Storage, LLC (PP25404)

FINDINGS AND DETERMINATION

I, Craig M. Murphy, Secretary of the Planning Commission of the County of Kern, State of California, do hereby certify that the following resolution, proposed by Mr. Ashley, seconded by Mr. Dunbar, was duly passed and adopted by said Planning Commission at an official meeting hereof this **27th** day of **August, 2026**, by the following vote, to wit:

AYES: Ashley, Dunbar, Oliver, Skidmore

NOES: None

ABSTAINED: None

ABSENT: Brooks

SECRETARY OF THE PLANNING COMMISSION
COUNTY OF KERN, STATE OF CALIFORNIA

R E S O L U T I O N

SECTION 1. WHEREAS:

(a) Pursuant to Section 18.10.025 of the Ordinance Code of Kern County, this Commission is the designated Advisory Agency (Government Code Section 66415) for tentative subdivision maps and charged with the duty of imposing requirements or conditions on proposed divisions of real property and having the authority to approve, conditionally approve, or disapprove maps; and

(b) The Kern County Planning and Natural Resources Department has received an application pertaining to a parcel of real property which is located within that portion of the unincorporated area of the County for which an official Zoning Map has been adopted under Section **7297.221** of said Ordinance Code; and

(c) Said parcel of real property is described as follows:

APN: 244-233-05 through 07, 09 through 15, 244-431-01 through 06, 08 through 11, 244-432-33, 35 through 37

Being the Merger and Re-subdivision of Portions of Section 8, Township 10 North, Range 11 West, SBB&M, County of Kern, State of California (A complete legal description is on file with the Kern County Planning and Natural Resources Department); and

(d) Said application has been made pursuant to provisions of Chapter 18.25 of said Ordinance Code, and Galaxy Solar Storage, LLC has filed a tentative map for Vesting Tentative Parcel Map No. 12582 proposing a merger and re-subdivision of (24) twenty-four parcels resulting in a 510.95-acre (gross) parcel. Portions of Section 8, Township 11 North, Range 10 West, SBB&M ; and

(e) The Planning and Natural Resources Department has prepared and filed with the Secretary of this Commission a report containing its recommendations relating to the tentative map, and environmental considerations; and

(f) A copy of said report has been served on the subdivider and has been on file with the Secretary of this Commission and available for examination during regular business hours by any interested persons since this matter was noticed for hearing; and

(g) The Planning and Natural Resources Department has recommended certain conditions be imposed on the approval of said tentative map as follows:

(1) The final map proposed to be recorded shall be in substantial conformance with the approved tentative map.

(2) All parcels shall contain no less than the minimum area required by the adopted site zoning and shall comply with lot size and density requirements of the Kern County General Plan. Existing zoning is A (Exclusive Agriculture), which requires a minimum lot size of 20 acres (gross).

(3) Approval or conditional approval shall expire three years from the date of approval of the parcel map. Extensions may be granted by the Director of the Kern County Planning and Natural Resources Department in accordance with Section 18.25.090.B of the Kern County Land Division Ordinance.

(4) Vesting shall expire one (1) year beyond the recording of the final map. A one-(1) year extension may be granted by the Director of the Kern County Planning and Natural Resources Department in accordance with Section 18.40.040.C.3 of the Kern County Land Division Ordinance.

(5) The appeal period pursuant to Section 18.25.050.E.3 of the Kern County Land Division Ordinance shall be strictly adhered to.

(6) The following conditions shall be satisfied prior to recordation:

(a) In accordance with Section 66465 of the Subdivision Map Act, a title guarantee dated within 30 days of recordation of the parcel map shall be submitted to the Advisory Agency.

(b) In accordance with Sections 66464, 66492, and 66493 of the Subdivision Map Act, a Tax Collectors Certificate, Assessors Tax Estimate, and security (if necessary) shall be submitted to the Kern County Public Works Department prior to recordation of the final map.

(c) The parcel map must contain an owners' statement, signed and acknowledged by all persons having any right, title, or interest in and to the property being divided. A request for the waiver of the signatures of parties owning rights-of-way, easements, or interests which cannot ripen into fee must also accompany the final map in accordance with Section 66445(f) of the Subdivision Map Act. Owner's statement may be recorded on a separate document rather than appear on the map, provided the recording information appears on the map.

(d) In accordance with Section 66436(A)(i) of the Subdivision Map Act, any public entity or public utility owning rights-of-way, easements, or other interests which cannot ripen into fee must be advised by certified mail of the division of the property. The Advisory Agency will require a letter from these parties stating that the development will not unreasonably interfere with the free and complete exercise of the right-of-way or easement within the boundaries of this development.

(e) In accordance with Section 18.45.060 of the Kern County Land Division Ordinance, show all existing easements of record on the map.

(f) In accordance with Section 66434.2 of the Subdivision Map Act, information required by the conditions of approval shall be in the form of an additional map sheet.

(g) Kern County Public Works Department/Development Review Division supports the 30-foot-wide public access easement where a minimum 40-foot-wide public access easement is required. Applicant is responsible for maintaining the proposed 30-foot-wide public access easement, since it does not meet the requirements of the Kern County Land Division Ordinance, and Development Review Standards.

(h) Kern County Public Works Department/Development Review Division supports the vacation of the road reservations within the parcel map boundary, except for the above mentioned.

(i) Provide 20-foot by 20-foot right-of-way corner cutoff at all intersections, where required by the Kern County Public Works Department/Development Review Division.

(j) If dedicated by separate instrument, the access easement(s) are to be submitted to and reviewed by the County Surveyor, and processed pursuant to Chapter 18.50 of the Kern County Land Division Ordinance.

(k) Show existing off-site access, as approved by the Kern County Planning and Natural Resources Department, on the map pursuant to Chapters 18.50 and 18.55 of the Kern County Land Division Ordinance.

(l) The engineer shall submit plans for on-site and off-site access roads pursuant to Chapter 18.55 of the Kern County Land Division Ordinance. Plans shall be subject to the approval of the Kern County Public Works Department.

(7) In accordance with Chapter 18.55 of the Kern County Land Division Ordinance:

(a) All access roads shall be traversable by a standard passenger car with maximum grade of 15 percent. (Grading is not required, except as necessary to make roads traversable as aforementioned. Plans and profiles are not required.) Confirmation of traversability and maximum grade shall be provided by the Engineer/Surveyor.

(b) Prior to submittal of the final map, final approval of full street names (including prefix and suffix) from the Kern County Planning and Natural Resources Department/Graphics Unit shall be obtained. Verification of the street name approval shall be submitted to the Kern County Public Works Department.

(c) The method of water supply and sewage disposal shall be as required and approved by the Kern County Public Health Services Department/Environmental Health Division.

(d) Street signs shall be provided in accordance with the Kern County Development Standards, if not already in place. Verification shall be submitted to the Kern County Public Works Department prior to recordation.

(8) The following requirement(s) shall appear as a note(s) on the final map:

(a) All development within Parcel Map No. 12582 shall be subject to Conditions of Approval and all mitigation measures included in the adopted Mitigation Measure Monitoring Program for General Plan Amendment No. 5, Map 195, General Plan Amendment No. 6, Map 212, General Plan Amendment No. 7, Map 212, Zone Change Case No. 5, Map 195, Zone Change Case No. 4, Map 212, Conditional Use Permit No. 4, Map 195, Conditional Use Permit No. 5, Map 195, Conditional Use Permit No. 7 Map 212, Zone Variance No. 1, Map 195, Zone Variance No. 2, Map 212.

(b) All easements shall be kept open, clear, and free from buildings and structures of any kind pursuant to Chapters 18.50 and 18.55 of the Kern County Land Division Ordinance. All obstructions, including utility poles and lines, trees, pole signs, fences, or similar obstructions, shall be removed from the ultimate road rights-of-way. Compliance with this requirement is the responsibility of the applicant and may result in significant financial expenditures.

(c) Any road or easement or right-of-way for road or highway purposes shown or referred to on this map, including, but not limited to, any dedicated or offered for dedication to the public or to the County, is not a County highway and is not subject to maintenance or improvement by the County of Kern, until and unless the County officially accepts same into the County Road System by

resolution of the Board of Supervisors, excepting any expressly shown hereon as being a County highway.

(9) Fire flows and fire protection systems shall be as required and approved by the Kern County Fire Department. **The Kern County Fire Department will accept the following statement recorded concurrently with the parcel map**:

Notice is hereby given that the subdivider was not required to construct emergency access or fire protection improvements. **Prior to the issuance of a building permit**, emergency and fire protection facilities shall be approved in accordance with the requirements of the Kern County Fire Department/Fire Prevention Unit. A consultation with the Fire Prevention Unit, to discuss these requirements, is recommended prior to the submittal of improvement plans, as there also may be a fee requirement.

(10) The following note(s) shall appear on the final map and all grading plans:

(a) If, during development activities, any plugged, abandoned, or unrecorded well(s) are uncovered or damaged that were not part of the initial review, the property owner is expected to immediately notify the Department of Conservation/Geologic Energy Management Division's construction site well review engineer in the Inland district office, and comply with all requirements of the Department of Conservation/Geologic Energy Management (CalGEM) Division.

(b) If any previously unknown archaeological or cultural resources are discovered, work in the area of Galaxy Solar PV Storage Project shall be stopped and a qualified archaeologist contracted to evaluate the find. A copy of the archaeologist's evaluation shall be submitted to the Kern County Planning and Natural Resources Department upon its issuance and any measures recommended by the archaeologist shall be implemented prior to resumption of work in the area of the Galaxy Solar PV Storage Project.

(c) If human remains are discovered at any time on this property, work must halt in the area of the find, and the Kern County Coroner must be notified immediately (Health and Safety Code Section 7050.5). The Kern County Planning and Natural Resources Department shall be notified immediately following Coroner notification.

(d) If any abandoned water well(s) are located within the development or discovered during excavation or grading, the Kern County Public Health Department/Environmental Health Division must be contacted to obtain information for the proper permitting and destruction procedures.

(e) During grading operations, the applicant for a development permit shall be responsible for the application of water to development sites to mitigate the impact of dust and PM_{10} (particulate) emissions. Spraying should be sufficient to ensure that soils remain damp, with the frequency of spraying dependent on weather conditions. Verification of compliance will be the responsibility of the Kern County Public Works Department/Building Inspection Division.

(f) During grading operations, all activity shall be restricted to periods of low wind to reduce dust emissions. Verification of compliance will be the responsibility of the Kern County Public Works Department/Building Inspection Division.

(g) Construction speed limits will be posted at 15 mph. Verification of compliance will be the responsibility of the Kern County Public Works Department/Building Inspection Division.

(11) The following note(s) shall appear on the final map and all grading and construction plans:

(a) It is unlawful for any person to do, or cause to be done, any of the following acts within the unincorporated areas of the County:

1. To create noise from construction, between the hours of 9:00 p.m. and 6:00 a.m. on weekdays and nine 9:00 p.m. and 8:00 a.m. on weekends, which is audible to a person with average hearing faculties or capacity at a distance of 150 feet from the construction site, if the construction site is within 1,000 feet of an occupied residential dwelling except where the Director of the Planning and Natural Resources Department or his/her designated representative may for good cause exempt some construction work for a limited time.

(b) Before any digging or excavation occurs, please contact Underground Service Alert (USA) by dialing 811 a minimum of two (2) working days prior to commending any work. This free and independent service will ensure that all existing underground utilities are identified and marked on site.

(c) Prior to construction and development, the applicant shall conform with the general requirements of the corresponding utility service provider(s) to ensure safety and conformity with their facilities; and

(h) The Secretary of this Commission has caused notice to be duly given of a public hearing in this matter in accordance with law, as evidenced by the affidavit of publication and the affidavit of mailing on file with the Secretary of this Commission; and

(i) Said notice of hearing stated that an Environmental Impact Report has been prepared for this project; and

(j) Said public hearing has been duly and timely conducted, during which the proposal was explained by a representative of the Planning and Natural Resources Department and all persons so desiring were duly heard; and

(k) Before making any findings on said Environmental Impact Report or any consideration of the proposal on its merits, this Commission called for any objections or comments on said Environmental Impact Report; and

The Director of the Planning and Natural Resources Department has furnished to this Commission, and the Commission has incorporated into the record of this matter, a document setting forth the significant environmental effects identified in said Environmental Impact Report, with proposed findings and consideration by this Commission in relation to said significant effects for the purposes of Section 21081 of the Public Resources Code and Section 15091 of the State CEQA Guidelines, and setting forth evidence in support of the proposed findings; and a member of the Planning and Natural

Resources Department Staff appeared before the Commission and gave additional testimony in support of the proposed findings; and

During said hearing, this Commission duly considered the adequacy and scope of said Environmental Impact Report and thereafter reviewed and considered the information therein contained with respect to the merits of the matters under consideration; and

(l) This Commission has considered the recommendation of the Planning and Natural Resources Department and all the testimony presented during said public hearing, after which said public hearing was concluded;

SECTION 2. NOW, THEREFORE, BE IT HEREBY RESOLVED by this Planning Commission of the County of Kern, State of California, as follows:

(a) This Commission has fully reviewed and considered the information in said Environmental Impact Report and Mitigation Monitoring and Reporting Program and hereby recommends it to be certified in relation to the subject of this resolution and, after careful consideration of all facts and evidence as presented at said hearing, it is the decision of the Planning Commission that the application herein described be, and hereby, recommends the Board of Supervisors **C E R T I F Y** said Environmental Impact Report; **A D O P T** Section 15091 Findings of Facts and Section 15093 Statement of Overriding Considerations; **A D O P T** Mitigation Monitoring and Reporting Program; and recommended for **A P P R O V A L**, as recommended by Staff, by the Board of Supervisors, the application for the reasons specified in this Resolution; and

(b) This Commission hereby approves the street and lot design shown on said tentative map; the conditions of approval, as recommended by the Planning and Natural Resources Department, and the tentative map, subject to said conditions of approval.

(c) This Commission hereby finds and determines that said tentative map, including the street and lot design thereon, is reasonable and conforms to all requirements of the Subdivision Map Act, including the applicable portions of Government Code Section 66477, and the Land Division Ordinance of the County of Kern, including Chapter 18.15 thereof.

(d) Pursuant to Government Code Sections 66473.5 and 65567, this Commission hereby finds and determines that said tentative map, together with the conditions set forth herein, and provisions for its design and improvements, is consistent

with the General Plan of the County of Kern, including but not confined to the Land Use, Open Space and Conservation Element thereof, and is compatible with the objectives, policies, general land uses and programs specified therein.

(e) Pursuant to Government Code Section 66474(c) through (g), this Commission hereby finds and determines:

(1) The proposed subdivision is consistent with the Open Space and Conservation Elements of the General Plan.

(2) The proposed map is consistent with applicable general and specific plans.

(3) The design or improvements of the proposed subdivision are consistent with applicable general and specific plans.

(4) The site is physically suitable for the type of development proposed.

(5) The site is physically suitable for the proposed density of development.

(6) The design of the subdivision or the proposed improvements are not likely to cause substantial environmental damage or substantial and avoidable injury to fish or wildlife or their habitat.

(7) The design of the proposed subdivision or the type of proposed improvements is not likely to cause serious public health problems.

(8) The design of the proposed subdivision or the type of proposed improvements will not conflict with easements, acquired by the public at large, for access through or use of the property within the proposed subdivision.

(9) Fish and Game Fees

(10) (*)Mitigation has been incorporated into this project which reduces the impacts on wildlife resources to a level of insignificance.

Based on the Lead Agency's analysis, with consideration given to Responsible and Trustee Agency comments, no evidence exists in the record to indicate that significant impacts will occur to wildlife resources after incorporation of the above-listed mitigation into the projects. The resulting impacts are therefore "de minimis." Additionally, the assumption of adverse effect is rebutted by the above-referenced lack of evidence in the record documenting that adverse effects will occur even though mitigation has been included in the project.

(*)This Commission has found and determined that the Final Environmental Impact Report (FEIR) prepared for this project has been completed in compliance with the California Environmental Quality Act and the State CEQA Guidelines and the County EIR Guidelines, and that this Commission has reviewed and considered the information contained in said FEIR before making its decision on the herein-mentioned project. This Commission has made findings pursuant to Sections 15091 and 15093 of the California Environmental Quality Act which are attached hereto and made a part hereof.

(11) The applicable provisions of the California Environmental Quality Act, the State CEQA Guidelines, and the Kern County Guidelines have been duly observed in conjunction with said hearing in the consideration of this matter and all of the previous proceedings relating thereto.

(12) This project is recommended for approval despite the existence of certain significant environmental effects identified in said Environmental Impact Report, and this Commission recommends the Board of Supervisors makes and adopts the findings with respect to each thereof set forth in Exhibit A, appended hereto and made a part hereof by reference, pursuant to Section 15091 of the State CEQA Guidelines (Title 14, Administrative Code) and Section 21081 of the Public Resources Code and declares that it considered the evidence described in connection with each such finding in Exhibit A and that such evidence is substantial and supports such finding.

(13) This Commission acknowledges that approval of this project will produce certain environmental impacts which cannot be mitigated and, in accordance with Section 15093 of the State CEQA Guidelines (Title 14, Administrative Code) hereby recommends the Board of Supervisors adopts a Statement of Overriding Considerations set forth in Exhibit B, appended hereto, and made a part hereof, which summarizes the reasons why this project, despite certain environmental impacts, has been approved.

(14) Said Environmental Impact Report is complete and adequate in scope and has been completed in compliance with the California Environmental Quality Act and with the State CEQA Guidelines and the Kern County Guidelines for implementation thereof.

(15) A development variation to Sections 18.55.030.A.5.f and 18.55.030.A.5.i. of the Land Division Ordinance has been approved to allow a 30-foot-wide public off-site access easement where a 40-foot-wide public access easement is required on the basis that:

(a) Special circumstances exist with respect to the property or the proposed subdivision design that warrants the requested development variation based on the fact that the Galaxy Solar PV Storage Project results in little long-term traffic since it does not itself require significant worker trips for operation and maintenance activities and also does not facilitate long-term development that would increase traffic. Further, the Galaxy Solar PV Storage Project is surrounded by other solar projects that also have little traffic.

(b) The granting of the development variation will not be materially detrimental to the public health, safety, or welfare or to property or residents in the vicinity, based on the fact that the solar project will require minimal expansion of infrastructure to support development as the proposed solar energy facility is located in a rural area of the County adjacent to energy development and transmission lines. Given these existing uses, there is little potential for the area to be developed as an urban center or major transportation corridor in the long-term future. The proposed variations would not restrict the traveling public or neighboring property owners' access to areas outside the project boundary; and

(f) The Secretary of this Commission shall cause copies of this resolution to be transmitted to the following:

Galaxy Solar Storage, LLC (PP25404) (applicant) (1)
LiUNA/ (1)
File (3)

an

Exhibit A
15091 Findings of Fact

EXHIBIT A

FINDINGS OF FACT IN SUPPORT OF FINDINGS RELATED TO SIGNIFICANT ENVIRONMENTAL IMPACTS

State CEQA Guidelines Section 15091

For

Galaxy Solar PV & Storage Project

By Galaxy Solar Storage, LLC
(PP25404)

GPA No. 7, Map 212;
ZCC No. 5, Map 195; ZCC No. 4, Map 212; ZCC No. 5, Map 212;
CUP No. 4, Map 195; CUP No. 5, Map 195; CUP No. 7, Map 212;
ZV No. 1, Map 195; ZV No. 2, Map 212;
GPA No. 5, Map 195 (Circulation); GPA No. 6, Map 212 (Circulation);
Vesting Tentative Parcel Maps (Multiple)

Board of Supervisors – September 29, 2026

Final Environmental Impact Report
SCH # 2025081409

Lead Agency: Kern County Planning and Natural Resource Department

Section 15091 Findings of Fact

SECTION I. INTRODUCTION

The following findings of fact are based in part on the information contained in the Draft and Final Environmental Impact Report (EIR) for the Galaxy Solar PV and Storage Project (project or proposed project), Zone Change Cases, Conditional Use Permits, Zone Variances, Vesting Tentative Parcel Maps, and General Plan Amendments as well as additional facts found in the complete record of proceedings. The Final EIR is hereby incorporated by reference and is available for review at the Kern County Planning and Natural Resources Department (Planning Department), 2700 M Street, Suite 100, Bakersfield, California 93301, during normal business hours, and is also available on the Planning and Natural Resources Department's website.

SECTION II. FINDINGS REGARDING THE POTENTIAL ENVIRONMENTAL EFFECTS OF THE PROJECT

The Kern County Planning and Natural Resources Department issued a Notice of Preparation (NOP) of a Draft EIR on September 4, 2025, for the proposed project. Based on the Initial Study and Notice of Preparation, a determination was made that the Final EIR would contain a comprehensive analysis of environmental issues identified in Appendix G of the California Environmental Quality Act (CEQA) Guidelines, except for those scoped out during the Notice of Preparation. With respect to all impacts identified as "less than significant" or as having "no impact" in the Final EIR, the Kern County Board of Supervisors finds that those impacts have been described accurately and are less than significant or have no impact. Despite concluding that certain impacts would be less than significant or would have no impact, the Final EIR nevertheless incorporates mitigation measures in the form of complying with the goals, policies, and implementation measures of the Kern County General Plan, Kern County Zoning Ordinance, Conditional Use Permit (CUP) requirements, or other adopted regulations. The Board of Supervisors finds that these effects are less than significant or have no impact before and after implementation of these mitigation measures.

In addition, some impacts in the Final EIR were found to be "significant" but were able to be mitigated to less than significant levels, and others were found to be "significant and unavoidable." The Board of Supervisors finds that those impacts have been described accurately and are less than significant with the implementation of mitigation or are significant and unavoidable.

1. AESTHETICS

A. Environmental Effects of the Project Found to Have No Impact on the Environment, or Have a Less Than Significant Impact on the Environment

The proposed project would not have a substantial adverse effect on a scenic vista (Impact 4.1-1).

The proposed project would not substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway (Impact 4.1-2).

B. Environmental Effects of the Project that Are Potentially Significant, but that Can Be Mitigated to Less Than Significant Levels

Significant Effect

The project would create a new source of substantial light or glare which would adversely affect daytime or nighttime views in the area (Impact 4.1-4).

Description of Significant Impact

Construction of the project would generally occur during daytime hours; however, non-daylight hours may be necessary at times to make up for unanticipated schedule delays or to complete critical construction activities. In the event that work is performed during non-daylight hours, construction crews would use minimal illumination in order to perform the work safely. Lighting would be directed downward and shielded to focus illumination on the desired work areas only, and to prevent light spillage onto adjacent properties. During construction, dusk-to-dawn motion sensitive, directional security lights would be installed to provide adequate illumination around the temporary construction staging areas, parking area, construction office trailer entries/common areas, and points of ingress/egress. Lighting is not planned for typical construction activities because construction activities would occur primarily during daylight. With implementation of Mitigation Measure MM 4.1-6, construction of the project would result in less-than-significant impacts to nighttime views.

Most of the proposed construction activities are planned to occur during daylight hours. Increased truck traffic and the transport of solar arrays and construction materials to the project site and generation-tie (gen-tie) would temporarily increase glare conditions during construction. However, this increase in glare would be minimal and temporary. Construction activity would occur on focused areas of the project site as construction progresses and any sources of glare would not be stationary for a prolonged period of time. Additionally, the surface area of construction equipment would be minimal compared to the scale of the site. Therefore, construction of the project would not create a new source of substantial glare that would affect daytime views in the area and potential impacts would be less than significant.

Operational lighting would be designed to provide the minimum illumination needed to achieve safety and security objectives. Additionally, lighting would be directed downward and shielded to focus illumination on the desired areas only and to minimize light trespass in accordance with Kern County Zoning Ordinance Chapter 19.81, Outdoor Lighting – Dark Skies Requirements, as required with implementation of Mitigation Measure MM 4.1-6. Further, with compliance with applicable local development standards and regulations pertinent to lighting would minimize the potential for light trespass onto adjacent properties and roads, impacts would be less than significant.

With respect to glare, glare can result in visual hazards and temporary loss of vision. The hazard level of glare depends on the ocular impacts to the observer. Unlike solar thermal facilities, which rely on large fields of mirrors to reflect light, the potential reflection from solar photovoltaic (PV) modules is inherently low since they are designed to capture and not to reflect sunlight. PV panels have a lower index of refraction/reflectivity than common sources of glare in residential environments. The glare and reflectance levels from a given PV system are lower than the glare and reflectance levels of steel, snow, standard glass, plexiglass, and smooth water (Shields, 2010). The glare and reflectance levels of modules are further reduced with the application of anti-reflective coatings. PV suppliers typically use stippled glass for arrays as the "texturing" of the glass to allow more light energy to be channeled/transmitted through the glass while weakening the reflected light. With the application of anti-reflective coatings and use of modern glass technology, project PV arrays would display overall low reflectivity. In addition, because tracker systems follow the sun, the underside of the PV arrays and most of the structure supporting them are shadowed

throughout the day. Moreover, light reflected from the PV arrays would travel above the line of sight of most, if not all, viewers. PV tracking systems position the array so that the sun's rays are always perpendicular to the face of the array. What light is reflected from the arrays is reflected back toward the sun. During midday conditions, when the sun is high in the sky, the rays of the sun are reflected directly upwards. For example, when the sun is low on the horizon (near dawn or dusk), the sun's angle in the sky is low; however, reflected rays would still be directed away from ground-level receptors because the maximum downward angle of the arrays would not be below 30 degrees. The results of the glare analysis provided as Appendix B of the EIR indicate that, in the event of glare, it would be minimal and short term. The project would implement Mitigation Measure MM 4.1-7, which requires the project proponent to demonstrate the solar arrays and hardware are designed to minimize glare. Based on this analysis, operation of the project would result in less-than-significant impacts related to substantial adverse effects to daytime views due to new sources of glare.

The battery energy storage facilities and collector substations could also generate glare that could be received by motorists during project operations. The battery energy storage facilities would incorporate non-reflective materials and would not generate glare during daytime hours. To further reduce glare potential, the project would be required to implement Mitigation Measure MM 4.1-2, described below.

Decommissioning activities would be similar in nature and duration as those associated with construction activities. Lighting would be directed downward and shielded to focus illumination on the desired work areas only, and to prevent light spillage onto adjacent properties. During decommissioning, dusk-to-dawn motion sensitive, directional security lights would be installed to provide adequate illumination around the temporary construction staging areas, parking area, construction office trailer entries/common areas, and points of ingress/egress. Lighting is not planned for typical decommissioning activities because these activities would occur primarily during daylight. With implementation of Mitigation Measure MM 4.1-6, construction of the project would result in less-than-significant impacts to nighttime views.

Finding

The proposed project has the potential to create a new source of substantial light or glare that would adversely affect day or nighttime views in this area. However, implementation of Mitigation Measures MM 4.1-2, MM 4.1-6, and MM 4.1-7, described below, would reduce this impact to a less than significant level.

Level of Significance

With implementation of Mitigation Measures MM 4.1-2, MM 4.1-6, and MM 4.1-7, impacts would be less than significant.

Brief Explanation of the Rationale for Finding

CEQA requires that all feasible and reasonable mitigation be applied to the project to reduce impacts related to creating a new source of substantial light or glare that would adversely affect day or nighttime views in the project area. Implementation of Mitigation Measures MM 4.1-2, MM 4.1-6, and MM 4.1-7, described below, would reduce impacts to a less than significant level.

MM 4.1-2: Prior to the issuance of building permits, the project proponent/operator shall submit a proposed color scheme and treatment plan, for review and approval by the Kern County Panning and Natural Resources Department, that will ensure project facilities including operations and maintenance buildings, gen-tie poles, array facilities, etc. blend in with the colors found in the natural landscape. Color treatments shall result in matte or nonglossy/non-reflective finishes.

MM 4.1-6: Prior to the issuance of building permits, the project proponent shall demonstrate to the Kern County Planning and Natural Resources Department, through the submittal of a lighting plan, that the project site complies with the applicable provisions of the Dark Skies Ordinance (Chapter 19.81 of the Kern County Zoning Ordinance) and shall be designed to provide the minimum illumination needed to achieve safety and security objectives. Lighting shall be directed downward and shielded to focus illumination on the desired areas only and avoid light trespass into adjacent properties and roadways. Lenses and bulbs shall not be exposed or extend below the shields.

MM 4.1-7: Prior to the issuance of building permits, the project proponent shall demonstrate solar arrays and hardware are designed to minimize glare and spectral highlighting. Emerging technologies, such as diffusion coatings and nanotechnological innovations shall be used to effectively reduce the refractive index of the solar cells and protective glass. These technological advancements are intended to make the solar arrays more efficient with respect to converting incident sunlight into electrical power while also reducing the amount of glare generated by the arrays. Specifications of such designs shall be submitted to the Kern County Planning and Natural Resources Department.

C. Environmental Effects of the Project that Cannot Be Mitigated to a Less Than Significant Level.

Significant Effect

The proposed project would, in nonurbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings (Impact 4.1-3).

Description of Significant Impact

Construction activities associated with the project would create temporary changes in views of the project site. The influx of construction vehicles, equipment, and worker vehicles would create visible contrast within the rural and primarily undeveloped setting of the project site. Visual effects associated with the presence of construction vehicles, equipment, and workers in the project area landscape would be limited in duration and would be spatially limited at any given time to the active area of construction. Therefore, potential impacts to existing visual character or quality of the project site and surrounding area during construction of the project would be less than significant.

The project would introduce solar arrays covering most of the project site. Gen-tie lines, storage yards, dirt or gravel access roads, collector substations, a switchyard, battery energy storage systems (BESS) and perimeter fencing would be visible to residents, workers at nearby facilities, and travelers on surrounding roadways for an estimated lifespan up to approximately 35 years. Roads, driveways, and site entrances would be constructed in accordance with Kern County improvement standards, would be consistent with existing roadways in the area, and would not greatly alter the visual landscape. Fences would be approximately 6 to 8 feet tall. In addition, gen-tie lines are proposed to connect the project to the existing Windhub Substation. Project facilities would introduce elements into the project site that could be visible to sensitive viewers if viewers are in proximity to these features and if terrain, vegetation, or existing structures, do not obscure views of these features.

Key Observation Point (KOP) analyses demonstrate that implementation of the project would result in potentially significant visual impacts to the existing visual quality or character of the site and surrounding area. The visual simulations show that the proposed solar arrays, by expanding the polygon of the existing solar arrays, would not only contrast against the earth-toned landscape, but would also attract attention. The

visual simulations indicate that the proposed gen-tie structures, modeled at a worst-case scenario of 250 feet, would also be noticeable as the poles extend above the horizon, lining up across the mountainous background terrain. From the eligible scenic segment of State Route (SR) 58, the gen-tie and solar arrays would be visible to varying degrees. Along SR-14, the project would be subtly visible, blending into the background due to distance. Along Oak Creek Road, the gen-tie and switchyard would blend into the existing wind energy infrastructure and, although visible, would not attract attention. As demonstrated in all of the KOP views, the project's components would mimic the form and colors of existing infrastructure, resulting in a minimal visual impact. Overall, all views would remain in the same average visual quality class.

Further, introduction of large areas of solar arrays, collector substations, battery energy storage facilities, and the gen-tie supported by up to 250-foot-high poles would increase the footprint of solar and electrical transmission development in the Mojave area. More importantly, development of the project would expand existing renewable energy development (i.e., solar and wind developments) south of SR-58 and east and west of SR-14.

Mitigation Measures MM 4.1-1 through MM 4.1-5 would reduce visual impacts associated with the project by limiting vegetation removal, planting native vegetation, providing privacy fencing, reducing visibility of project facilities, and minimizing debris and trash. Native vegetation would be left in place on the project site where feasible, allowing for a natural screening of project components. However, because there are no feasible mitigation measures that can be implemented to maintain the existing, open and undeveloped desert landscape character of the project site until such time the project is decommissioned and the land restored, impacts to visual resources would remain significant and unavoidable.

Decommissioning and reclamation activities would be similar in nature and duration as those associated with construction activities. Temporary changes are associated with the removal of systems and components associated with the project. These visual impacts would be short-term in nature and are not considered to be significant. Reclamation activities will be undertaken to bring the project site back to similar conditions as those that existed prior to construction of the project; the goal of reclamation activities is to return the land to a condition in which natural vegetation can successfully re-establish. Therefore, the project will have a less than significant impact associated with decommissioning.

Finding

The proposed project has the potential to substantially degrade the existing visual character or quality of the site and its surroundings. However, implementation of Mitigation Measures MM 4.1-1 through MM 4.1-5, described below, would help to reduce this impact, but not to less than significant levels.

Level of Significance

Impacts would be significant and unavoidable with implementation of Mitigation Measures MM 4.1-1 through MM 4.1-5.

Brief Explanation of the Rational for Finding

CEQA requires that all feasible and reasonable mitigation be applied to the project to reduce impacts related to substantially degrading the existing visual character or quality of the project site and its surroundings. Even with implementation of Mitigations Measures MM 4.1-1 through MM 4.1-5, impacts would be significant and unavoidable.

MM 4.1-1: Prior to issuance of a grading or building permit, a Maintenance, Trash Abatement, and Pest Management Program shall be submitted for review and approval to the Kern County

Planning and Natural Resources Department. The program shall include, but not be limited to the following:

a. The project proponent/operator shall clear debris from the project area at least twice per year; this can be done in conjunction with regular array washing and site maintenance activities.

b. The project proponent/operator shall erect signs with contact information for the project proponent/operator's maintenance staff at regular intervals along the site boundary, as required by the Kern County Planning and Natural Resources Department. Maintenance staff shall respond within two (2) weeks to resident requests for additional cleanup of debris. Correspondence with such requests and responses shall be submitted to the Kern County Planning and Natural Resources Department.

c. The project proponent/operator shall implement a regular trash removal and recycling program on an ongoing basis during construction, operation, and decommissioning of the project. Barriers to prevent pest/rodent access to food waste receptacles shall be implemented. Locations of all trash receptacles during operation of the project shall be shown on final plans.

d. Trash and food items shall be contained in closed containers to be locked at the end of the day and removed at least once per week to reduce the attractiveness to opportunistic predators such as common ravens, coyotes, and feral dogs.

MM 4.1-2: Prior to the issuance of building permits, the project proponent/operator shall submit a proposed color scheme and treatment plan, for review and approval by the Kern County Panning and Natural Resources Department, that will ensure project facilities including operations and maintenance buildings, gen-tie poles, array facilities, etc. blend in with the colors found in the natural landscape. Color treatments shall result in matte or nonglossy/non-reflective finishes.

MM 4.1-3: Wherever possible, within the proposed project boundary, native vegetation shall remain undisturbed unless mowing or grading is necessary for placement of project components. Native vegetation adjacent to the proposed project boundary shall remain in place as permitted by Fire Code. Prior to the commencement of project operations and decommissioning, the project proponent/operator shall submit a Landscape Revegetation and Restoration Plan for the project site to the Kern County Planning and Natural Resources Department for review and approval. The plan shall include the measures detailed below.

a. In areas temporarily disturbed during construction and decommissioning (including grading or removal of root balls resulting in loose soil), the ground surface shall be revegetated with a native seed mix or native plants (including Mohave creosote scrub habitat) and/or allowed to re-vegetate with the existing native seed bank in the topsoil where possible to establish revegetation. Areas that contain permanent project features such as security fencing, substations, BESS facilities, stormwater basins, perimeter and maintenance roads or under solar arrays do not require revegetation.

b. The plan must include but is not limited to: (1) the approved California native seed mix that will be used onsite, (2) a timeline for seeding the site, (3) details of which areas are to be revegetated, (4) a list of the consultation efforts completed, and (5) the

methods and schedule for installation of fencing that complies with wildlife agency regulations, and a clear prohibition of the use of toxic rodenticides.

c. Ground cover shall include native seed mix and shall be spread where earthmoving activities have taken place, as needed to establish re-vegetation. The seed mix or native plants shall be determined through consultation with professionals such as landscape architect(s), horticulturist(s), botanist(s), etc. with local knowledge as shown on submitted resume and shall be approved by the Kern County Planning and Natural Resources Department prior to planting. Phased seeding may be used if a phased construction approach is used (i.e. the entire site need not be seeded at the same time).

d. Vegetation/ground cover shall be continuously maintained on the site by the project operator.

e. Revegetation and restoration of the site shall be monitored annually for a three-(3-) year period following restoration activities that occur post-construction and post-decommissioning until vegetative cover is evenly established over 70 percent of disturbed and exposed areas of soil (non-paved or non-built). In areas that naturally have low vegetative coverage (e.g., deserts), 70 percent of natural conditions of local undisturbed areas is acceptable. Based on annual monitoring visits during these three-year periods, an annual evaluation report shall be submitted to the Kern County Planning and Natural Resources Department for the three- (3-) year period. Should efforts to reach 70 percent final cover prove in the second year to not be successful compared to existing conditions, re-evaluation of revegetation methods shall be made in consultation with the Kern County Planning and Natural Resources Department and an additional year shall be added to the monitoring program until the required minimum is achieved. The three- (3-) year monitoring program is intended to ensure the site naturally achieves native plant diversity, establishes perennials, and is consistent with conditions prior to implementation of the proposed project, where feasible.

MM 4.1-4: The project proponent shall install fence slats or similar view-screening materials, as approved by the Kern County Planning and Natural Resources Department, in on-site perimeter fencing for the portion of the solar site that abuts parcels zoned for residential use, including E (Estate Residential), R-1 (Low-Density Residential), R-2 (Medium-Density Residential), R-3 (High-Density Residential), or PL (Platted Lands) zoning unless the adjacent property is owned by the project proponent (to be verified by the Kern County Planning and Natural Resources Department) or a public or private agency that has submitted correspondence to the Kern County Planning and Natural Resources Department requesting this requirement to be waived. Should the project proponent sell the adjacent property, slat fencing or similar view-screening materials shall be installed prior to the sale.

MM 4.1-5: For portions of the project that abut residentially zoned parcels not controlled by the project proponent, an aesthetics setback of 100 feet shall be required from the project property boundary line, which includes the centerline of any public roadway or easement. If a public roadway or easement does not exist between the project site and the residentially zoned property, the 100-foot setback shall be measured from the edge of the shared property line. The project proponent shall be responsible for continued dust control and weed maintenance within this additional setback area. No solar arrays, substations or operating equipment shall be located in or stored in the identified setback area.

D. Cumulative Environmental Effects of the Proposed Project that Would Have a Less Than Significant Impact on the Environment.

Significant Effect

Cumulative impacts related to scenic vistas, scenic resources, and light and glare would be less than significant.

Description of Significant Impact

The project would have less-than-significant impacts as it relates to scenic vistas as project distance, topography, and intervening existing development would reduce the visual prominence of the proposed project facilities. With regard to impacts related to damaging scenic resources (including trees, rock outcroppings, and historic buildings) within a scenic highway, the project would not be visible from any Officially Designated State Scenic Highway as there are no Officially Designated State Scenic Highways in the vicinity of the project site. The project would result in less than significant impacts related to light and glare with the implementation of Mitigation Measures MM 4.1-1 through MM 4.1-7. Similarly, cumulative projects in the region would also be required to implement various mitigation measures to reduce lighting impacts, such that cumulative impacts related to light and glare would be less than significant with mitigation.

Finding

The proposed project has the potential to result in cumulative impacts to scenic vistas, scenic resources, and light and glare. The implementation of Mitigation Measures MM 4.1-1 through MM 4.1-7 would reduce this impact to less than significant levels.

Brief Explanation of the Rationale for Finding

CEQA requires that all feasible and reasonable mitigation be applied to the project to reduce impacts. Implementation of Mitigation Measures MM 4.1-1 through MM 4.1-7 would reduce impacts to less than significant levels. See Mitigation Measures MM 4.1-1 through MM 4.1-7, described above.

E. Cumulative Environmental Effects of the Proposed Project that Would Have a Significant and Unavoidable Impact on the Environment.

Significant Effect

The proposed project would result in a cumulatively considerable and significant and unavoidable impact to visual character.

Description of Significant Impact

Cumulative projects have the potential to result in cumulative impacts to aesthetics when considered together with the project. The "scarcity" rating criterion is likely to be impacted by widespread development in the area, as unobstructed views of regional topographical features and undeveloped lands would be less available as acreage is developed with PV arrays, wind energy projects, and new transmission lines. The project would result in potentially significant impacts related to visual character despite implementation of mitigation. While other projects in the region would also be required to implement various mitigation measures to reduce impacts, the conversion of thousands of acres to a developed landscape cannot be mitigated to a degree in which impacts are no longer significant. Even with implementation of Mitigation Measures MM 4.1-1

through MM 4.1-7, the project's contribution to significant cumulative impacts associated with visual character in the Mojave Desert and Antelope Valley areas would be significant and unavoidable.

Finding

The proposed project in combination with other projects would result in significant and unavoidable cumulative aesthetics impacts. Even with the implementation of Mitigation Measures MM 4.1-1 through MM 4.1-7 (listed above), cumulative impacts would be significant and unavoidable.

Level of Significance

Cumulative impacts would be significant and unavoidable for the project, even with implementation of Mitigation Measures MM 4.1-1 through MM 4.1-7 (listed above).

Brief Explanation of the Rationale for Finding

CEQA requires that all feasible and reasonable mitigation be applied to the project to reduce impacts. Implementation of Mitigation Measures MM 4.1-1 through MM 4.1-7, described above, would reduce impacts but not to less than significant levels. Impacts would remain significant and unavoidable.

2. AGRICULTURE AND FORESTRY RESOURCES

A. Environmental Effects of the Project Found to Have No Impact on the Environment, or Have a Less Than Significant Impact on the Environment

The project would not convert prime farmland, unique farmland, or farmland of statewide importance, as shown on the maps prepared pursuant to the farmland mapping and monitoring program of the California Resources Agency, to nonagricultural use (Impact 4.2-1).

The project would have a less than significant impact on existing zoning for agricultural use or Williamson Act Contract (Impact 4.2-2).

The project would not conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code Section 12220(g)) or timberland (as defined in Public Resources Code Section 4526) or timberland zoned Timberland Production (as defined by Government Code Section 51104 (g)) (Impact 4.2-3).

The project would not result in the loss of forestland or conversion of forest land to non-forest use (Impact 4.2-4).

The project would have a less than significant impact from changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to nonagricultural use or conversion of forest land to non-forest use (Impact 4.2-5).

The project would not result in the cancellation of an open space contract made pursuant to the California Land Conservation Act of 1965 or Farmland Security Zone Contract for any parcel of 100 or more acres (Section 15206(b)(3) Public Resources Code) (Impact 4.2-6).

B. Environmental Effects of the Project that Are Potentially Significant, but that Can Be Mitigated to Less Than Significant Levels

None.

C. Environmental Effects of the Project that Cannot Be Mitigated to a Less Than Significant Level.

None.

D. Cumulative Environmental Effects of the Proposed Project that Would Have a Less Than Significant Impact on the Environment.

None.

E. Cumulative Environmental Effects of the Proposed Project that Would Have a Significant and Unavoidable Impact on the Environment.

None.

3. AIR QUALITY

A. Environmental Effects of the Project Found to Have No Impact on the Environment, or Have a Less Than Significant Impact on the Environment

None.

B. Environmental Effects of the Project that Are Potentially Significant, but that Can Be Mitigated to Less Than Significant Levels

Significant Effect

The project would conflict with or obstruct implementation of the applicable air quality plan (Impact 4.3-1).

Description of Significant Impact

The project would comply with all applicable Eastern Kern Air Pollution Control District (EKAPCD) rules and regulations, such as EKAPCD Rule 401 (Visible Emissions) and EKAPCD Rule 402 (Fugitive Dust). The project would not conflict with or propose to change existing land uses or result in population growth. The project's short-term construction emissions are a result of construction equipment and vehicle exhaust, water usage, and fugitive dust associated with vehicle travel on paved and unpaved roads and earth-moving activities. As shown in Table 4.3-4 (see Section 4.3, *Air Quality*, of the EIR), annual unmitigated particulate matter (PM_{10}) emissions and unmitigated maximum daily nitrogen oxides (NO_X) emissions would exceed their respective EKAPCD threshold. Mitigated construction emissions are shown in Table 4.3-5 and include implementation of best management practices (BMP) and Mitigation Measure MM 4.3-3 for controlling NO_X, PM_{10}, and $PM_{2.5}$ exhaust emissions from construction equipment and Mitigation Measure MM 4.3-2 for dust control. As shown in Table 4.3-5 (see Section 4.3, *Air Quality*, of the EIR), the project's construction emissions would not exceed the EKAPCD's annual and daily significance thresholds. The project would implement all

applicable BMPs outlined in EKAPCD Rule 402 to minimize potential ambient air quality impacts during construction.

The project would implement all applicable BMPs outlined in EKAPCD Rule 402 to minimize potential ambient air quality impacts during construction. Implementation of these BMPs, along with Mitigation Measures MM 4.3-2 and MM 4.3-3, would minimize potential visibility impacts from dust and emissions at the project site's perimeter during construction. Through implementation of the construction BMPs and Mitigation Measures MM 4.3-1 through MM 4.3-5, the project is expected to comply with California Air Resources Board's (CARB) Airborne Toxics Control Measures (ATCM) for diesel-fueled, heavy-duty, off-road equipment. Therefore, construction of the project would be consistent with EKAPCD's 2017 Ozone Attainment Plan for 2008 Federal 75 ppb 8-Hour Ozone Standard. Project construction workforce would be temporary, requiring approximately 26 months of employment. Temporary construction jobs required for the project would be well within the annual growth projection presented in Section 3 of Kern Council of Government's (KCOG) 2022 Regional Transportation Plan and Sustainable Communities Strategy. Therefore, project construction would be consistent with this plan and would result in a less than significant impact.

The project includes mobile source emissions resulting from vehicle trips associated with the project operations and maintenance (O&M). In addition, emergency backup generators for the project's substations or BESS may be required. If required, there would be up to six 500-kilowatt diesel-fired generators, each needing to be intermittently run for maintenance and testing purposes. Stationary emissions from portable/backup generators are expected to meet the emission standards for CARB certified Tier 4 engines. Appropriate air permits would be obtained from EKAPCD for the emergency backup generators. It is also expected that these emergency backup generators, if required, would be CARB-certified Tier 4 engines, as dictated by EKAPCD requirements at the time of permitting, and operated in accordance with applicable federal, state, regional, and local ordinances and regulations. If required, the generators would be powered by diesel fuel but would only need to be intermittently run for maintenance and testing purposes and in a manner consistent with CARB's ATCM for Stationary Compression Ignition Engines (17 California Code of Regulations [CCR] Section 93115). Accordingly, the amount of operational emissions released by the emergency backup generators would be minimal. The project does not include large stationary sources; therefore, it is not considered a major source of emissions. Even with this conservative assumption, the project's operational emissions would be well below EKAPCD's significance thresholds.

Unmitigated operational emissions are shown in Table 4.3-6 (see Section 4.3, *Air Quality*, of the EIR). While the model of emergency backup generators has not been selected at this time, Appendix D1 of the EIR includes conservative emissions estimates using typical generators on the market today. As shown, the project's operational emissions would not exceed the EKAPCD's significance thresholds even without mitigation. Project operations are not expected to generate significant dust or particulate emissions, and as described above, would result in emissions less than the operational significance criteria. Therefore, potential impacts from project operational emissions would be less than significant. Furthermore, solar power generated from the project would also function to reduce air pollutant emissions within the Mojave Desert Air Basin (MDAB) to the extent that the power generated is used to offset power production from fossil-fueled power plants within (or contributory to) the MDAB. This power production is not projected within the existing air quality plans, and so the project would further aid in reducing air pollutant emissions and increase the potential for attainment of the Ozone Attainment Plan. Therefore, the project would not conflict with the EKAPCD's Ozone Attainment Plan. As project operational emissions would also not exceed the EKAPCD's significance thresholds, implementation of the project would not obstruct implementation of an air quality plan during operation. Therefore, potential operational impacts would be less than significant.

At such time as the facility is decommissioned, equipment operation and site reclamation activities could result in impacts to air quality. Given that much of the construction equipment necessary to construct the

project would also be required to decommission the site, it is reasonable to assume that decommissioning activities would be similar in nature to activities associated with construction of the project. However, impacts would be less than those of construction, as no grading would occur. As with construction of the project, emissions from decommissioning would be reduced with implementation of Mitigation Measures MM 4.3-1 through MM 4.3-5. Therefore, decommissioning emissions are not projected to exceed the EKAPCD's annual and daily significance thresholds as shown in Table 4.3-9 within Section 4.3, *Air Quality*, of the EIR even with mitigation incorporated (Table 4.3-10; see Section 4.3, *Air Quality*, of the EIR).

Finding

Project construction and decommissioning would conflict with or obstruct the implementation of applicable air quality plans. Implementation of Mitigation Measures MM 4.3-1 through MM 4.3-5, described below, would reduce this impact to less than significant levels.

Level of Significance

With implementation of Mitigation Measures MM 4.3-1 through MM 4.3-5, impacts would be less than significant.

Brief Explanation of Rationale for Finding

CEQA requires that all feasible and reasonable mitigation be applied to the project to reduce impacts related to the conflict or obstruction of the implementation of applicable air quality control plans. With implementation of Mitigation Measures MM 4.3-1 through MM 4.3-5, impacts would be less than significant.

MM 4.3-1: The project shall continuously comply with applicable rules and regulations set forth by the East Kern Air Pollution Control District.

MM 4.3-2: To control fugitive particulate matter (PM) emissions during implementation of the project, prior to the issuance of grading or building permits, the project proponent shall prepare a comprehensive Site-Specific Fugitive Dust Control Plan in coordination with the Eastern Kern Air Pollution Control District. A copy of the final plan shall be submitted to the Kern County Planning and Natural Resources Department to be kept on file. The plan shall include Eastern Kern Air Pollution Control District-recommended measures, including but not limited to, the following:

a. Identify a comprehensive grading schedule for the entire project site. When feasible, grading activities shall be phased and minimized to those areas necessary for project access and installation of solar panels and other areas of infrastructure associated with the solar facility.

b. The Site-Specific Fugitive Dust Control Plan shall identify, in addition to those measures required by the air district, measures being undertaken during construction activities, operational activities and decommissioning activities to ensure fugitive dust being blown off site is minimized. Measures may include, but are not limited to:

    1. Use of water trucks as required for the expected level of winds in the area.

    2. Use of dust suppressant (i.e., soil binders or mulch)

3. Pre-seeding and irrigating prior to construction to create vegetation with useful root structures.

4. Construction of dust screening in appropriate locations around the project site (i.e., fence slats or mesh screening).

5. A copy of the final Site-Specific Fugitive Dust Control Plan shall be kept at the site construction office and measures included in the Site-Specific Fugitive Dust Control Plan shall be included on Grading Plans issued for the project by the Kern County Public Works Department.

MM 4.3-3: The project proponent and/or its contractors shall continuously implement the following measures during implementation of the project to control emissions from the on-site equipment:

a. All equipment shall be maintained in accordance with the manufacture's specifications.

b. All equipment, including heavy-duty equipment, motor vehicles, and portable equipment, shall be turned off when not in use for extended periods of time. Engine idling of all equipment shall be minimized.

c. Construction equipment shall not operate longer than eight cumulative hours per day.

d. All construction vehicles shall be equipped with proper emissions control equipment and kept in good and proper running order to substantially reduce NO_X emissions.

e. On-road and off-road diesel equipment shall use diesel particulate filters (or the equivalent) if permitted under manufacturer's guidelines.

f. All on-site off-road equipment and on-road vehicles shall meet the recent California Air Resources Board engine emission standards or alternatively fueled equipment, such as compressed natural gas, liquefied natural gas, or electric, as appropriate.

MM 4.3-4: Prior to commencement of any onsite construction activities (i.e., fence construction, mobilization of construction equipment, initial grading), including decommissioning, the project proponent shall provide written notice to the public through mailing a notice to property owners of all parcels within 1,000 feet of the project site, no sooner than 15 days prior to construction activities. The notices shall include the construction schedule, a telephone number and email address where complaints and questions can be registered. Additionally, a minimum of one sign, legible at a distance of 50 feet, shall also be posted at the construction sites or adjacent to the nearest public access to the main construction entrances throughout construction activities which include the construction schedule (updated as needed) and a telephone number where complaints can be registered. Documentation that the public notice has been sent and the sign has been posted shall be provided to the Kern County Planning and Natural Resources Department.

MM 4.3-5: Prior to the issuance of any grading or building permit, the project proponent shall establish a "construction coordinator" and submit written documentation which includes their phone number, email address and mailing address. The construction coordinator shall be responsible for the following:

a. Responding to any local complaints about construction activities. The construction coordinator shall determine the cause of the construction complaint and shall be required to implement reasonable measures such that the complaint is resolved.

b. Ensuring all appropriate construction notices have been made available to the public and that all appropriate construction signs have been installed.

c. Maintaining an ongoing up-to-date log of all construction-related complaints (i.e., blowing dust, inability to access parcels, etc.) during project construction activities. The log shall include the nature of the complaint and the measures that were undertaken to address the concerns. Upon request, the construction coordinator shall provide the log to the Planning and Natural Resources Department no later than three business days from request.

Significant Effect

The project would expose sensitive receptors to substantial pollutant concentrations (Impact 4.3-2).

Description of Significant Effect

Sensitive receptors are particularly sensitive to air pollution because they are persons who are ill, elderly, or have lungs that are not fully developed. Locations where such persons reside, spend considerable amount of time, or engage in strenuous activities are also referred to as sensitive receptors. Typical sensitive receptors include inhabitants of long-term healthcare facilities, rehabilitation centers, convalescent centers, retirement homes, residences, schools, playgrounds, childcare centers, and athletic facilities. The closest sensitive receptor to the project site, on land not owned by the project proponent, is a residential land use located approximately one mile west of the project site at APN 429-152-21. Other sensitive receptors in the vicinity of the project include Forbes Elementary School, Desert High School, Mojave Junior/Senior High School, and Joshua Middle School, located 6 miles, 6.3 miles, 7 miles, and 7.5 miles from the project site, respectively. These sensitive receptors located within the project vicinity could be exposed to criteria air pollutants and toxic air contaminants (TACs) emitted during project construction and operation. Of note is the possibility for localized carbon monoxide (CO) hotspots, reduced visibility, and increased health risks in the project vicinity, including exposure to Valley Fever. For the purpose of conducting the health risk assessment (HRA) in accordance with Office of Environmental Health Hazard Assessment guidelines, worker receptors were identified for the project. A complete list of receptors used in the analysis is provided in Appendix D1.

Table 4.3-11 (see Section 4.3, *Air Quality*, of the EIR), summarizes the mitigated construction emissions screening HRA results at the point of maximum impact (PMI), maximally exposed individual resident (MEIR), maximally exposed individual worker (MEIW), and maximally exposed individual sensitive receptor. As shown in Table 4.3-11 (see Section 4.3, *Air Quality*, of the EIR), *Screening HRA for Mitigated Construction Emissions*, cancer risks for all MEIRs, MEIWs, and sensitive receptors are below the EKAPCD's significance threshold of one in 1 million and all non-cancer chronic hazard indexes are below the EKAPCD's significance threshold of 0.2. Additionally, the cancer risk presented in the analysis is based on worst-case construction conditions, which assume that all construction activities would occur simultaneously and for the entire duration of the 26-month construction phase. In reality, exposure to emissions would vary substantially throughout construction, and would depend on the staging of the work being conducted over time, location of work relative to receptors, and weather conditions. An HRA was not performed for the operational emissions since operational sources would be well below those from construction and would have negligible impacts.

The project's operation as a solar facility is not expected to generate dust or emissions related to visibility, such that a visibility assessment is not warranted. Additionally, compliance with the EKAPCD's Rule 402, including implementation of a Site-Specific Fugitive Dust Control Plan consistent with Mitigation Measure MM 4.3-2, would sufficiently reduce PM emissions to ensure a less than significant visibility impact from dust and emissions during construction. This dust control plan would have the added benefit of controlling the release of *Coccidioides immitis* (CI) spores, thus limiting exposure to Valley Fever during construction activities. These less than significant impacts would be further reduced through implementation of Mitigation Measures MM 4.3-1, and MM 4.3-3 through MM 4.3-5.

Toxic Air Contaminants. The primary TAC of concern for this project would be diesel particulate matter (DPM) emitted within the project site from the construction and operation phases of the project. DPM would be emitted during construction activities as a result of construction equipment and heavy-duty diesel vehicles traveling to/from and around the project site and diesel-fired emergency backup generators, respectively. TACs emitted from vehicles during project operation would not be noticeably distinguishable from those emitted from existing regional activities. Table 4.3-11 (see Section 4.3, *Air Quality*, of the EIR) shows that DPM emitted during mitigated construction of the project would not result in cancer risk or a chronic health index above the EKAPCD's significance thresholds of one in 1 million and 0.2, respectively, after removal of receptors that would not constitute a point of chronic exposure as discussed. Decommissioning activities are anticipated to occur approximately 35 years after the initial start-up of the facilities and therefore diesel vehicles would be subject to greater restrictions and newer technologies that would reduce future diesel emissions. However, it is conservatively assumed in this analysis that the decommissioning health risk will be equivalent to that of the construction health risk. As a result, the project's health risk impacts would be less than significant with mitigation.

The project's operation emissions do not exceed EKAPCD's significance thresholds for any criteria pollutant and are not expected to be a source of any TACs except for DPM from diesel-fueled trucks and diesel-powered emergency backup generators for project facilities such as project substations and BESS. The generators would be the project's only expected stationary source of TAC emissions. The emergency backup generators would need to be intermittently run for maintenance and testing purposes. As stated above, appropriate air permits would be obtained from EKAPCD. It is also expected that these emergency backup generators would be CARB-certified Tier 4 engines, as dictated by EKAPCD requirements at the time of permitting, and operated in accordance with applicable federal, state, regional, and local ordinances and regulations. The project does not include large stationary sources; therefore, it is not considered a major source of emissions. Even with this conservative assumption, the project's operational emissions would be well below EKAPCD's significance thresholds. Therefore, potential associated health risk impacts would be considered less than significant during operation of the project.

Ambient Air Quality Analysis and Criteria Air Pollutants. As provided in Table 4.3-12 (see Section 4.3, *Air Quality*, of the EIR), construction of the project would not result in construction activities that could generate ambient constructions of PM_{10} and $PM_{2.5}$ above the applicable thresholds. Although construction activities would not generate ambient concentrations of PM_{10} and $PM_{2.5}$ above the applicable thresholds, the project would implement Mitigation Measures MM 4.3-2 and MM 4.3-3, which would serve to reduce emissions of PM_{10} and $PM_{2.5}$ during construction of the project through diesel emission reduction measures and compliance with EKAPCD Rules and Regulations for dust control measures. Therefore, potential impacts would be less than significant. Operational activities emitting PM would include onsite work trucks and diesel-fueled trucks making infrequent material deliveries to the project site during operation and maintenance and potential use of emergency backup generators at project substations or the BESS which would need to be intermittently run for maintenance and testing purposes. These emissions are assumed to be negligible and less impactful than the construction-related emissions, as illustrated in Table 4.3-6 (see Section 4.3, *Air Quality*, of the EIR). The project is considered less than significant for potential impacts to ambient air quality standards during operation.

CO Hotspots. A CO "hotspot" can occur when vehicles are idling at highly congested intersections. CO hotspots can adversely affect nearby sensitive receptors. The project would have trip generation associated with construction worker vehicles and vendor trucks, which would be temporary, such that construction would not result in a long-term source of CO emissions. Also, the project would create minimal emission sources during operation. As identified in Section 4.15, *Transportation*, project construction and operation would not conflict with a program, plan, ordinance, or policy addressing the circulation system, including the KCOG Congestion Management Program. As such, a CO hotspot analysis is not required and the potential project-generated impacts associated with CO hotspots would be less than significant.

Valley Fever. The project has the potential to generate fugitive dust and suspend Valley Fever spores with the dust that could then reach nearby sensitive receptors. It is possible that onsite workers could be exposed to Valley Fever as fugitive dust is generated during construction. CEQA does not require the analysis of project impacts on project workers; however, project workers are considered in this section for informational purposes. Because dust can be an indicator that increased efforts are needed to control other airborne particulates (including CI spores, if any), the project is required to control dust and the potential for exposure to any CI spores as well as provide training and awareness of Valley Fever via Mitigation Measures MM 4.3-6 and MM 4.3-7. Mitigation Measure MM 4.3-2 requires the project to have comprehensive site construction controls in place to proactively control the generation of fugitive dust as required and regulated by the EKAPCD Rule 402. This rule also requires the site to have a designated dust monitor, as well as visible signage for nearby residents with the phone number for the site construction management and the EKAPKD for nearby residents use if they see blowing dust. Mitigation Measure MM 4.3-6 requires that training be provided to construction workers on measures they must take to proactively control and reduce fugitive dust and the potential for the release of CI spores during their ground disturbing activities, training on specific worker/task safety procedures, and general information regarding symptoms testing and treatment options for Valley Fever. All workers would be trained in and are expected to use their "stop work" authority if their activities are deemed to be causing the release of fugitive dust. This mitigation measure also requires that an educational Valley Fever Training Handout be developed for distribution to onsite workers and nearby residents. This handout contains general information about the causes, symptoms, and treatment instructions regarding Valley Fever, including contact information of local health departments and clinics knowledgeable about Valley Fever. Mitigation Measure MM 4.3-7 would require a one-time fee of $3,200 to be paid to the Kern County Public Health Services Department Valley Fever public awareness programs. With implementation of the mitigation measures, dust from the construction of the proposed project would not add significantly to the existing exposure level of people to this fungus, including construction workers. With implementation of Mitigation Measures MM 4.3-2, MM 4.3-6, and MM 4.3-7, the potential for the release of CI spores, if present, and the associated potential for workers or nearby residents to contract Valley Fever would be minimized; accordingly, the project would not add significantly to the existing exposure level of construction workers or nearby residences to the CI fungus.

Visibility Impacts. Compliance with EKAPCD Rule 402, including implementation of a Site-Specific Fugitive Dust Control Plan, is sufficient mitigation to reduce visibility effects from construction to a less than significant level. Although the Site-Specific Fugitive Dust Control Plan does not apply to tailpipe emissions from construction equipment or vehicles, the combustion equipment emissions associated with the project are not expected to have a significant impact on visibility. Therefore, the project's potential to expose sensitive receptors to substantial pollutant concentrations associated with potential visibility impacts would be less than significant.

Asbestos. According to information provided by the Department of Conservation Division of Mines and Geology, the project site is not in an area likely to contain ultramafic rock or naturally occurring asbestos (DOC, 2011). Therefore, impacts associated with exposure of construction workers and nearby sensitive receptors to asbestos would be less than significant.

Health Effects of Criteria Pollutants. As discussed in detail under Impact 4.3-2 of Section 4.3, *Air Quality*, of the EIR, in Sierra Club v. County of Fresno (S219783) (Sierra Club), the Supreme Court held that CEQA requires environmental impact reports to either (i) make a "reasonable effort" to substantively connect the estimated amount of a given air pollutant a project will produce and the health effects associated with that pollutant, or (ii) explain why such an analysis is infeasible (6 Cal.5th at 1165-66). However, the Court also clarified that that CEQA "does not mandate" that EIRs include "an in-depth risk assessment" that provides "a detailed comprehensive analysis ... to evaluate and predict the dispersion of hazardous substances in the environment and the potential for exposure of human populations and to assess and quantify both the individual and population wide health risks associated with those levels of exposure." Id. at 1665. However, correlating the project's criteria air pollutant to specific health impacts, particularly with respect to ozone is extremely difficult because there is no established scientific method to perform such analysis. This conclusion is supported by both the San Joaquin Valley Air Pollution Control District (SJVAPCD) and the South Coast Air Quality Management District (SCAQMD), who have determined that this type of analysis does not yield informative results for short-term construction related exceedances of air district thresholds. There are no unique issues for the EKAPCD that would make this analysis invalid.

The SJVAPCD explained that it assesses a project's potential to exceed AAQS by evaluating the project's compliance with district thresholds of significance, which are measured in mass emissions (SJVAPCD, 2015). As explained by the SJVAPCD, its thresholds are based on factual scientific data and have been set at a level that ensures AAQS will not be exceeded, taking into consideration all cumulative emission sources (SJVAPCD, 2015). The SJVAPCD explained that attempting to connect criteria pollutant emissions to localized health impacts will "not yield reliable information because currently available modeling tools are not well suited for this task" (SJVAPCD, 2015). Available models are only equipped to model the impact of all emissions sources on an air basin-wide or regional basis, not on a project-level basis, and "[r]unning the photochemical grid model used for predicting ozone attainment with emissions solely from one project would thus not be likely to yield valid information given the relative scale involved" (SJVAPCD, 2015).

The project's operational emissions are less than EKAPCD's thresholds and thus would not contribute to an exceedance of the National Ambient Air Quality Standards or the California Ambient Air Quality Standards in the vicinity, which, as discussed above, are set at levels that protect human health. As such, it can be reasonably inferred that the project's operational emissions would not result in significant health impacts. The project's construction emissions would not exceed the EKAPCD's thresholds and is unlikely to result in chronic adverse health impacts. Further, models designed to determine health impacts from air pollution generally look at long-term exposures, making them not particularly informative of health impacts from short-term exposures such as would be experienced by people residing in the vicinity of a construction site. The project proposes the construction and operation of a large-scale utility solar project that would require dust-generating construction activities such as pile driving, mowing, and grading over a large area. During construction, the project would implement Mitigation Measures MM 4.3-2 and MM 4.3-3 to reduce the project's regional and localized health effects associated with criteria air pollutants, particularly particulate matter.

Since COVID-19 is understood to spread as result of close, person-to-person contact, especially within poorly ventilated indoor spaces, the likelihood of emissions from the proposed project directly increasing the spread of COVID-19 is remote. Though construction dust suppression measures would be implemented as a requirement of Mitigation Measure MM 4.3-2, exposure to dust during construction could still occur which could increase the severity of the disease for project employees and nearby residents to COVID-19 should they contract it. In spite of a readily available COVID-19 vaccine supply in the United States, the COVID-19 pandemic is ongoing as a result of low vaccination rates and mask compliance by unvaccinated individuals. Onsite workers and residents near project activities potentially could be exposed to increased levels of $PM_{2.5}$ from project activities due to the emissions of $PM_{2.5}$ from the project. Therefore, in addition to implementation of Mitigation Measures MM 4.3-1 thorough MM 4.3-7, the project would implement Mitigation Measure MM 4.3-8, which requires implementation of a COVID-19 Health and Safety Plan in

accordance with the Kern County Public Health Services Department and Kern County Health Officer mandates.

Finding

Project construction and decommissioning have the potential for exposure of sensitive receptors to substantial pollutant concentrations. Implementation of Mitigation Measures MM 4.3-1 through MM 4.3-8 would reduce potential impacts to be less than significant. Operational impacts would be less than significant.

Level of Significance

Impacts from project construction and decommissioning would be temporary but potentially significant. Following implementation of mitigation (for criteria pollutants), the impact would be reduced to less than significant levels. Impacts related to operation would be less than significant.

Brief Explanation of the Rationale for Finding

CEQA requires that all feasible and reasonable mitigation be applied to the project to reduce impacts related to the exposure of sensitive receptors to substantial pollutant concentrations. Implementation of Mitigation Measures MM 4.3-1 through MM 4.3-5, described above, and MM 4.3-6 through MM 4.3-8, below, would reduce potential impacts to less than significant:

MM 4.3-6: To minimize personnel and public exposure to potential Valley Fever-containing dust on and offsite, the following control measures shall be implemented during project construction:

a. Equipment, vehicles, and other items shall be thoroughly cleaned of dust before they are moved offsite to other work locations.

b. Wherever possible, grading and trenching work shall be phased so that earth-moving equipment is working well ahead or downwind of workers on the ground.

c. The area immediately behind grading or trenching equipment shall be sprayed with water before ground workers move into the area.

d. In the event that a water truck runs out of water before dust is sufficiently dampened, ground workers being exposed to dust shall leave the area until a truck can resume water spraying.

e. To the greatest extent feasible, heavy-duty earth-moving vehicles shall be closed-cab and equipped with HEP-filtered air system.

f. Workers shall receive training in procedures to minimize activities that may result in the release of airborne *Coccidioides immitis* (CI) spores, to recognize the symptoms of Valley Fever, and shall be instructed to promptly report suspected symptoms of work-related Valley Fever to a supervisor. Evidence of training shall be provided to the Kern County Planning and Natural Resources Department.

g. A Valley Fever informational handout shall be provided to all onsite construction personnel. The handout shall, at a minimum, provide information regarding the

symptoms, health effects, preventative measures, and treatment. Additional information and handouts can be obtained by contacting the Kern County Public Health Services Department.

h. Onsite personnel shall be trained on the proper use of personal protective equipment, including respiratory equipment. National Institute for Occupational Safety and Health-approved respirators shall be provided to onsite personal upon request. When exposure to dust is unavoidable, provide appropriate National Institute for Occupational Safety & Health-approved respiratory protection to affected workers, if necessary. If respiratory protection is deemed necessary, employers must develop and implement a respiratory protection program in accordance with California Division of Occupational Safety and Health's Respiratory Protection standard (8 CCR 5144).

MM 4.3-7: Prior to the issuance of grading permits, a one-time fee shall be paid to the Kern County Public Health Services Department in the amount of $3,200 for Valley Fever public awareness programs.

MM 4.3-8: At the time of project implementation, a COVID-19 Health and Safety Plan should be prepared in accordance with the Kern County Public Health Services Department and Kern County Health Officer mandates. A copy of the COVID-19 Health and Safety Plan shall be submitted to the Kern County Planning and Natural Resources Department for review and approval.

Significant Impact

The project would result in other emissions (such as those leading to odors) adversely affecting a substantial number of people (Impact 4.3-3).

Description of Significant Effect

Although emissions from project construction may result in temporary odors, they would be short term and have the potential to affect few people due to the distance between the project and any occupied areas, including schools and other sensitive receptors. Potential odor sources during construction activities may include diesel exhaust from heavy-duty equipment. These odors are typical of most construction sites. Such odors may be a temporary source of nuisance to the nearest sensitive receptor but would not affect a substantial number of people. Furthermore, CCR Title 13, Section 2485 limits the idling of a vehicle's primary diesel engine to 5 minutes at any location. Compliance with this regulation through the implementation of Mitigation Measure MM 4.3-3 would help further reduce detectable exhaust odors. Potential odor sources from project operations may include diesel exhaust from infrequent material delivery truck trips. Therefore, given the project's relatively remote location and minimal emissions generated during facility operations, the project would not result in other emissions, such as those leading to odor, that would adversely affect a substantial number of people. With implementation of Mitigation Measure MM 4.3-3, and given the minimal activities required for project operations, temporary duration of construction and decommissioning, and spatially varying nature of construction emissions, potential impacts would be less than significant for construction, operation, and decommissioning.

Finding

The project's construction, operation, and decommissioning activities may result in temporary odors that could adversely affect a substantial number of people, but implementation of Mitigation Measure MM 4.3-3 would reduce potential impacts to less than significant.

Level of Significance

With implementation of Mitigation Measure MM 4.3-3, potential impacts would be reduced to less than significant.

Brief Explanation of the Rationale for Finding

CEQA requires that all feasible and reasonable mitigation be applied to the project to reduce impacts related to emissions (such as those leading to odors) adversely affecting a substantial number of people. With implementation of Mitigation Measure MM 4.3-3, described above, potential impacts would be reduced to less than significant.

C. Environmental Effects of the Project that Cannot Be Mitigated to a Less Than Significant Level.

None.

D. Cumulative Environmental Effects of the Proposed Project that Would Have a Less Than Significant Impact on the Environment.

Significant Effect

Construction and decommissioning of the project would not result in a cumulatively considerable net increase of criteria pollutant for which the projects' region is nonattainment under applicable federal or State ambient air quality standards (Impact 4.3).

Description of Significant Impact

The cumulative impact discussion evaluates localized impacts, including projects located within a 1- and 6- mile radius; evaluates consistency with existing air quality plans; and compares project emissions to CARB emission projections for the region, consistent with the criterion provided in Kern County's (2006) Guidelines for Preparing an Air Quality Assessment for Use in Environmental Impact Reports. Appendix C1 lists all of the currently approved and proposed renewable development projects within Kern County, which may have concurrent construction activities with the project.

Construction and decommissioning of the project would result in the temporary addition of pollutants to the local airshed caused by onsite sources (i.e., off-road construction equipment, soil disturbance) and off-site sources (i.e., on-road haul trucks, vendor trucks, and worker vehicle trips). Construction emissions can vary substantially from day to day, depending on the level of activity, the specific type of operation, and for dust, the prevailing weather conditions. Therefore, such emission levels can only be approximately estimated with a corresponding uncertainty in precise ambient air quality impacts. As shown in Table 4.3-4 and Table 4.3-5 (see Section 4.3, *Air Quality*, of the EIR), construction of the project would result in emissions of the following nonattainment pollutants: ozone precursors (NO_x and reactive organic gases) and PM_{10}. These emissions would be temporary (occurring over an approximately 26-month period), and would be below EKAPCD's annual significance threshold with mitigation. Therefore, during construction, the project would not result in a cumulatively considerable contribution to significant cumulative impacts. As shown in Table 4.3-9 (see Section 4.3, *Air Quality*, of the EIR), decommissioning impacts would be similar to construction and would not result in a cumulatively considerable contribution to significant cumulative impacts.

Operation of the project would result in minimal emissions of criteria air pollutants. As shown in Table 4.3-6, *Operation Criteria Pollutant Emissions* (see Section 4.3, *Air Quality*, of the EIR), emissions associated

with project operations would not exceed applicable EKAPCD significance thresholds. Therefore, potential operational emissions would be less than significant, and no mitigation measures are required.

Mitigated emissions for construction-related ambient air quality impacts are summarized in Table 4.3-5 (see Section 4.3, *Air Quality*, of the EIR). With implementation of Mitigation Measures MM 4.3-2 and MM 4.3-3, NO_X, PM_{10}, and $PM_{2.5}$ emissions during project construction would be below the EKAPCD significance thresholds. Implementation of Mitigation Measures MM 4.3-3 through MM 4.3-5 would ensure construction and decommissioning activities would employ emissions reduction strategies as well as notify surrounding property owners of onsite activities and the presence of an onsite construction coordinator. Mitigation Measures MM 4.3-6 and MM 4.3-7 would address potential Valley Fever risk by implementing fugitive dust control measures, establishing a public complaint protocol for excessive dust generation, and requiring Valley Fever-related training for construction workers. Finally, Mitigation Measure MM 4.3-8 would require the implementation of a COVID-19 Health and Safety Plan to address lingering COVID-19 symptoms exacerbated by increased $PM_{2.5}$ emissions resulting from the project.

The Kern County Planning and Natural Resources Department has determined that the previously listed project-level thresholds for criteria air pollutants are defined, for purposes of determining cumulative effects, as the baseline for "considerable." In other words, the thresholds are set at a level that accounts for existing and planned future air basin conditions. Thus, if a project's emissions do not exceed the project-level thresholds, the project would not make a cumulatively considerable contribution to significant cumulative impacts in the air basin.

Although the project's emissions would be negligible in comparison to the air basin's total emissions, assuming on a worst-case basis that the construction schedules for all cumulative projects would overlap with each other and with the proposed project, cumulative impacts during construction and decommissioning are conservatively considered potentially significant. However, the project's mitigated emissions during construction and operation would be less than the EKAPCD daily and annual significance thresholds for all pollutants. Therefore, the project's individual contribution to such cumulative impacts would not be cumulatively considerable and therefore cumulative impacts would be less than significant.

Finding

With implementation of Mitigation Measures MM 4.3-1 through MM 4.3-3 and MM 4.3-5 through MM 4.3-8, construction emissions generated by the proposed project would not be cumulatively considerable. Cumulative construction, decommissioning, and operational impacts would be less than significant.

Level of Significance

Cumulative impacts would be less than significant during construction, operation, and decommissioning of the project, with implementation of Mitigation Measures MM 4.3-1 through MM 4.3-3 and MM 4.3-5 through MM 4.3-8 (listed above).

Brief Explanation of the Rationale for Finding

CEQA requires that all feasible and reasonable mitigation be applied to the project to reduce impacts. Implementation of Mitigation Measures MM 4.3-1 through MM 4.3-3 and MM 4.3-5 through MM 4.3-8 (listed above) would reduce impacts during construction, operation, and decommissioning to a less than significant level.

E. Cumulative Environmental Effects of the Proposed Project that Would Have a Significant and Unavoidable Impact on the Environment.

None.

4. BIOLOGICAL RESOURCES

A. Environmental Effects of the Project Found to Have No Impact on the Environment, or Have a Less Than Significant Impact on the Environment

The project would not have a substantial adverse effect on federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means (Impact 4.4-3).

The project would 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 (Impact 4.4-6).

B. Environmental Effects of the Project that Are Potentially Significant, but that Can Be Mitigated to Less Than Significant Levels

Significant Effect

The project would have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations or by the California Department of Fish and Wildlife (CDFW) or U.S. Fish and Wildlife Service (USFWS) (Impact 4.4-1).

Description of Significant Impact

The proposed project has the potential to impact special-status plants and wildlife through the loss of habitat, as well as direct and indirect impacts on species, such as mortality of individuals or interference with reproductive success. Individual discussions for plant-status species determined to have the potential for significant impacts are provided below.

Construction

Special-Status Plants

Alkali mariposa lily – Alkali mariposa lily is ranked as a California Rare Plant Rank (CRPR) 1B.2 plant and was observed at multiple locations throughout the Study Area. During surveys conducted for the project, an estimated 31,647 alkali mariposa lily individuals were mapped. These included 131 point-mapped populations (559 individuals), two line-mapped populations covering approximately 0.03 miles (60 individuals), and 31 polygon-mapped populations (31,028 individuals). Point populations ranged from 1 to 100 individuals, line populations from 10 to 50, and polygon populations from 5 to 9,000 individuals.

It should be noted that alkali mariposa lily seeds are adapted to persist in the seed bank, remaining dormant during dry years and germinating during years when adequate moisture in the soil is present (EAFB, 2020; BLM, 2004). As a result, the number of above-ground individuals can fluctuate widely from year to year, with populations often appearing sparse or even absent during prolonged dry periods or more numerous and widely distributed during wetter years. The timing of the botanical surveys conducted for the project

coincided with a year of above average rainfall. Since 2010, the average annual rainfall at Edwards Air Force Base (AFB) has been approximately 3.68 inches (NASA, 2024). In 2023, rainfall was nearly double the average, at 6.47 inches, creating highly favorable conditions for alkali mariposa lily seed germination and plant growth (NASA, 2024). This increase in rainfall is anticipated to have influenced the population size and distribution of alkali mariposa lily in the Study Area and elsewhere.

Permanent impacts to alkali mariposa lily are limited to areas where impermeable surfaces would be installed or ongoing O&M requires surfaces clear of vegetation, such as interior roads, areas around the BESS facility, the collector substation, and concrete foundations such as for the O&M facility (if constructed), etc. Temporary impacts are those where construction activities may temporarily disturb the ground surface through activities such as mowing or grading; however, lilies would be able to recover. This would include areas underneath the solar arrays, temporary laydown areas, and other areas temporarily disturbed during construction that are not needed to be clear of vegetation during facility operations.

Based on the location of the alkali mariposa lilies on the project site, a majority of individuals are within areas planned for solar arrays. Based on site design, approximately 3.7 percent of the point-mapped individuals would be permanently impacted, approximately 65.2 percent would be temporarily impacted, and approximately 31.1 percent would be avoided. Similarly, approximately 3.9 percent of the polygon-mapped individuals would be permanently impacted approximately 88.3 percent would be temporarily impacted, and approximately 7.8 percent would be avoided. Temporary soil disturbance is not expected to permanently alter the alkali mariposa lily seed bank already present in the soils on the project site. Thus, following construction, alkali mariposa lilies in temporary impact areas would be expected to continue germinating throughout project operations, ensuring the species' persistence on and around the project site.

Potential impacts to alkali mariposa lily would be reduced through implementation of Mitigation Measures MM 4.4-5 and MM 4.4-6, which require conducting pre-construction surveys for special-status plants and preparing a Habitat Mitigation Plan for alkali mariposa lily if the project would eliminate more than 10 percent of the local alkali mariposa lily plant population. If permanent impacts to more than 10 percent of the local alkali mariposa lily plant population cannot be avoided, potentially significant impacts could occur through removal of individuals, the creation of dust, or spread of invasive plant species such that it would substantially reduce or threaten the regional distribution below self-sustaining levels. Given that permanent impacts only represent approximately 3.7 percent of the point-mapped population and 3.9 percent of the polygon-mapped individuals in the Study Area, the overall permanent impact to the documented local alkali mariposa lily population is expected to be low and localized, and impacts to alkali mariposa lily would be well below the 10 percent threshold identified in Mitigation Measure MM 4.4-6. Nonetheless, with implementation of Mitigation Measures MM 4.4-5 and MM 4.4-6, impacts to the alkali mariposa lily would be reduced to less than significant.

CRPR 1B and 2B Plants – Lancaster Milkvetch, Horn's Milkvetch, Desert Cymopterus, Recurved Larkspur, Rosamond Eriastrum, Barstow Woolly Sunflower, Red Rock Poppy, Pale-yellow Layia, Sagebrush Loeflingia, southern Sierra monardella, Tehachapi monardella, California Alkali Grass, and Latimer's Woodland Gilia: The Study Area contains suitable desert habitats to potentially support Lancaster milkvetch, Horn's milkvetch, desert cymopterus, recurved larkspur, Rosamond eriastrum, Barstow woolly sunflower, Red Rock poppy, pale-yellow layia, sagebrush loeflingia, southern Seirra monardella, Tehachapi monardella, California alkali grass, and Latimer's woodland-gilia. Rosamond eriastrum, Barstow woolly sunflower, pale-yellow layia, southern Sierra monardella, Tehachapi monardella, Robbins' nemacladus, California alkali grass, Latimer's woodland-gilia, and sagebrush loeflingia.

The project has the potential to result in direct and/or indirect impacts on these plants should they exist within and/or adjacent to the project footprint. However, it should be noted that none of these CRPR 1B or 2B plants were observed during numerous field surveys conducted for the project. If these species were to occur onsite,

potentially significant impacts would occur if the project resulted in the removal of a significant number of individuals of any of these species such that it substantially reduced or threatened the regional or local populations. To minimize potential impacts to these species, the project proponent/operator would be required to implement Mitigation Measure MM 4.4-5, which requires a Lead Biologist or their designee perform a pre-construction visual survey of the area within 14 days prior to conducting vegetation clearing, or similar activities, to ensure that no rare plants are present. If rare plant species are observed, they shall be delineated with stakes and/or flagged for avoidance to the extent feasible. For CRPR 1B or 2B plants that cannot feasibly be avoided, the project proponent/operator would also implement the following measures to avoid, minimize, reduce, and/or mitigate impacts: Mitigation Measures MM 4.4-1 through MM 4.4-3, which require a Lead Biologist to oversee all biological mitigation measures, implementation of a Worker Environmental Awareness Training Program, and general avoidance and protective measures designed to avoid impacts to special-status species during construction, O&M, and decommissioning activities. With these measures, the project is not expected to result in the removal of a significant number of individuals of any of these species, and impacts would be less than significant.

The project proponent/operator also would prepare and implement a Landscape Revegetation and Restoration Plan (Mitigation Measure MM 4.1-3; see Findings for *Aesthetics,* above); and a Fugitive Dust Control Plan (Mitigation Measure MM 4.3-3). The project proponent/operator would follow standard herbicide safety measures (Mitigation Measure MM 4.9-2; see Findings for *Hazards and Hazardous Materials,* below) and implement emissions control measures (Mitigation Measure MM 4.3-3; see Findings for *Air Quality*, discussed above). These measures would further reduce potential impacts to CRPR 1B and 2B plants.

CRPR 4 Plants – Kern County Evening-Primrose, White Pygmy-Poppy, Mojave Spineflower, Golden Goodmania, and Mojave Monardella: The Study Area contains suitable desert habitats to potentially support Kern County evening-primrose, white pygmy-poppy, Mojave spineflower, golden goodmania, Mojave monardella. The project has the potential to result in direct and/or indirect impacts on these plants should they exist within and/or adjacent to the project footprint. These impacts would be considered less than significant for the following reasons: 1) impacts on CRPR 4 plants are generally not considered significant (CNPS, 2020); 2) these species have low sensitivity statuses and some are widespread in California; 3) if these species were to occur onsite at all, they would most likely occur in low numbers because, with the exception of Adobe Mojave spineflower, none of these plants were observed during the numerous field surveys conducted for the project; and 4) the loss of one or a few individuals would not substantially reduce or threaten the regional or local populations of these species below self-sustaining levels. Furthermore, based on CNPS guidance (CNPS, 2020), Mojave spineflower does not meet the requirements for CEQA standards and thresholds for impact considerations. This is because this plant species and its occurrences are not type localities for the taxon, are not at the periphery of the species range, are not in an area where they are uncommon or an area where they are sustaining heavy losses, do not exhibit unusual morphology or occur on unusual substrates, and are not part of a taxa that are declining in California at a significant rate. Therefore, the minor impacts to individuals of this species would not be considered a potentially significant impact, and no mitigation would be required. Potential impacts to the identified CRPR 4 plant species would be less than significant.

California Desert Native Plants Act (CDNPA) Protected Plants – silver cholla (*Cylindropuntia echinocarpa*): While not special-status plant species under California Endangered Species Act (CESA) or federal Endangered Species Act (FESA), the silver cholla is protected under the CDNPA and has been observed in the Study Area. These plants are protected by the CDNPA, which prohibits harvesting these native desert plants, or any parts thereof, except when a permit from the County Department of Agriculture and Measurement Standards is obtained or a fee for removal is paid.

Prior to vegetation clearing or similar activities, a Lead Biologist or their designee will conduct pre-construction surveys for CDNPA species in compliance with Mitigation Measure MM 4.4-5. If the project is anticipated to remove CDNPA species, the project proponent would obtain the appropriate permits and pay the applicable fee to Kern County (Mitigation Measure MM 4.4-6). With implementation of Mitigation Measures MM 4.4-5 and MM 4.4-6, impacts to CDNPA protected plant species would be less than significant.

Special-Status Wildlife

Special-status wildlife species that were observed within the Study Area during the field surveys include the desert tortoise, western burrowing owl, prairie falcon, American peregrine falcon, loggerhead shrike, and desert kit fox. In addition, American badger sign was observed within the Study Area. The Study Area supports habitats and features that could potentially support an additional 15 species including the Crotch's bumble bee, Northern California legless lizard, golden eagle, short-eared owl, long-eared owl, ferruginous hawk, Swainson's hawk, mountain plover, northern harrier, California horned lark, merlin, California condor, Le Conte's thrasher, Townsend's big-eared bat, and Mohave ground squirrel. Construction of the project could result in direct impacts to these special-status species if present during ground disturbance and construction. During construction, the project site may be temporarily fenced to keep terrestrial wildlife species from entering the project site. Discussions for each species observed onsite or have the potential to occur onsite are provided below.

Crotch's Bumble Bee: The Crotch's bumble bee has a statewide distribution in a variety of habitats and agricultural fields including but not limited to grasslands and chaparral shrublands, small mammal burrows, bunch grasses, thatch, brush piles, old bird nests, or dead trees. Due to the commonality of habitat types and features (e.g., small mammal burrows) that the species can utilize for nesting and their diversity of foraging and nectar plants, Crotch's bumble bee habitat is considered widespread and in abundance in the project region and may occur in the Study Area. Though Crotch's bumble bee has not been confirmed present on the site to date, vegetation or ground-disturbing activities during project construction have the potential to result in direct and indirect impacts on this species if present in or near active construction areas. If Crotch's bumble bee is present, impacts on the species would be considered potentially significant. Pursuant to Mitigation Measure MM 4.4-18, prior to initial ground-disturbing activities, a Lead Biologist or their designee will conduct Crotch's bumble bee nesting surveys within suitable habitat on the project site. Surveys would be consistent with the survey methodologies set out in the *CDFW Survey Considerations for CESA Candidate Bumble Bee* (CDFW, 2023) or as determined adequate for the project per coordination with CDFW. If a Crotch's bumble bee nest is observed onsite, a minimum 50-foot disturbance buffer shall be established around the nest. If avoidance of Crotch's bumble bee nests is not feasible, construction activities in the immediate area will be halted until the nest has been determined inactive, or the project proponent/operator will consult with the CDFW regarding potential for project activities to result in take of the Crotch's bumble bee and shall comply with all avoidance, minimization, and compensatory mitigation requirements set forth in any Incidental Take Permit (ITP) issued for the project by CDFW authorizing take of the species. As such, even if the species is determined to be nesting onsite, impacts will be less than significant following implementation of Mitigation Measure MM 4.4-18.

The project would be constructed using techniques that allow for retention and re-establishment of vegetation following project construction. Site preparation techniques would minimize impacts on natural vegetation where possible, using mow-and-roll vegetation clearance strategy, and minimizing conventional grading throughout the site to the maximum extent possible. Potential impacts on the species' habitat would be less than significant because of the abundance of suitable habitat surrounding the project site and because vegetation supporting the species would continue to be available on the site during project operations. Potential impact on Crotch's bumble bee habitat would be further minimized through implementation of Mitigation Measure MM 4.4-15, which requires revegetation of temporarily disturbed areas and calls for retention of natural vegetation

on the project site where possible. In addition, the project proponent/operator will implement Mitigation Measures MM 4.4-1 through MM 4.4-3 which require a Lead Biologist to oversee all biological mitigation measures, implementation of a Worker Environmental Awareness Training Program, and general avoidance and protective measures designed to avoid impacts to special-status species during construction, operation and maintenance, and decommissioning activities. Lastly, the project proponent/operator will implement Mitigation Measures MM 4.1-3 (see Findings for *Aesthetics,* above), MM 4.3-3 (see Findings for *Air Quality,* above), and MM 4.9-2, which require a Landscape Revegetation and Restoration Plan, Fugitive Dust Control Plan, and use of approved herbicides. With implementation of Mitigation Measures MM 4.4-18, MM 4.4-15, MM 4.4-1 through MM 4.4-3, MM 4.1-3, MM 4.3-3, and MM 4.9-2, impacts to the Crotch's bumble bee would be less than significant.

Desert Tortoise: The Study Area is located at the western edge of desert tortoise range and suitable desert tortoise habitat is present in the Study Area. The Study Area does not contain high quality habitat; however, 48 percent of the Study Area consists of moderately suitable desert tortoise habitat, with approximately 52 percent of the area consisting of low or unsuitable habitat. During protocol-level presence/absence survey a total of five adult live desert tortoises were observed in the Study Area.

If present, direct impacts to the species could include death or injury to individuals, displacement of tortoises and loss of territory, disruption of breeding activities, crushing of burrows and viable eggs, and loss of suitable habitat. Common ravens, a notable predator of juvenile desert tortoises, are present within the Study Area and could injure or kill juvenile desert tortoises should they be present. Indirect impacts could also occur during construction if desert tortoises are present within 500 feet of the project site. These indirect impacts include construction-related noise and ground vibration deterring individuals from inhabiting or foraging in areas near the project site. Additional indirect impacts could occur from construction-related dust, sedimentation, and erosion along the site edges, which have the potential to alter offsite conditions. Noxious weed seeds could be spread during construction activities to offsite habitats that are occupied by tortoise during travel to and from the site or by wind. Non-native vegetation often offers little to no nutritional value to desert tortoises and could reduce their ability to find sufficient amounts of food and increase risk of fires in the area. These potential direct and indirect impacts to desert tortoise would be considered significant without mitigation.

Potential impacts to desert tortoise would be reduced through implementation of Mitigation Measures MM 4.4-1 through MM 4.4-3, MM 4.4-14, MM 4.4-15, and MM 4.4-20. These measures include requiring a Lead Biologist to oversee all biological mitigation measures; implementation of a Worker Environmental Awareness Training Program; general avoidance and protective measures designed to avoid impacts to special-status species during construction, O&M, and decommissioning activities; implementing final project fencing in coordination with requisite agencies; a Raven Management Plan; revegetating disturbed areas of the project site where feasible; and conducting pre-construction surveys for desert tortoise. Furthermore, if desert tortoise are detected, and if avoidance is not feasible, the project proponent will consult with the USFWS and CDFW regarding the potential for project construction activities to result in take of desert tortoise and shall comply with all avoidance, minimization, and compensatory mitigation requirements set forth in any issued permit for the project (Mitigation Measure MM 4.4-20). Additionally, the project proponent/operator would implement Mitigation Measures MM 4.1-3 (see Findings for *Aesthetics*, above), MM 4.3-3 (see Findings for *Air Quality*, above), and MM 4.9-2 (see Findings for *Hazards and Hazardous Materials*, below), which require a Landscape Revegetation and Restoration Plan, Fugitive Dust Control Plan, and use of approved herbicides, which will further reduce potential impacts to desert tortoise.

With implementation of the aforementioned mitigation measures, impacts to desert tortoise would be less than significant. Impacts to desert tortoise habitat would be considered less than significant. There is no designated critical habitat within the Study Area, and much of the Study Area is considered low quality habitat. Further,

the loss of low and moderate quality habitat is unlikely to create a significant, permanent impact because there are ample foraging habitats of similar or higher quality east of the Study Area.

Northern California legless lizard: The northern California legless lizard was not observed during field surveys conducted for the project. Potentially suitable desert scrub habitat occurs onsite that may be used by this species. Construction of the proposed project, including vegetation clearing and grubbing, ground disturbance, vehicle traffic, and onsite personnel, has the potential to affect this species if present in or near active construction areas. These impacts may result in direct mortality or injury, behavior disturbances, and loss or alteration of suitable habitat that may be potentially significant. With implementation of Mitigation Measures MM 4.4-1 through MM 4.4-3 and MM 4.4-9, which include requiring a Lead Biologist to oversee all biological mitigation measures; implementation of a Worker Environmental Awareness Training Program; general avoidance and protective measures designed to avoid impacts to special-status species during construction, O&M, and decommissioning activities; and pre-construction surveys for special status wildlife, impacts to the Northern California legless lizard would be less than significant.

Golden Eagle and California Condor: Golden eagles and California condors were not observed during the project field surveys or during protocol-level nest surveys conducted during spring and summer of 2023. The nearest existing golden eagle nest is approximately 7.1 miles to the north of the Study Area and contained signs of nesting activity as recently as 2019. The nearest California condor nesting location documented in CNDDB is farther than 20 miles to the west of the Study Area. There is no suitable nesting habitat for either species within the Study Area; however, potentially suitable foraging habitat for golden eagles and California condors occurs onsite.

Golden eagles and California condors typically fly at altitudes much higher than project infrastructure while searching for food or traveling, and collision with the project is considered extremely unlikely. Development of the project would result in loss of foraging habitat for both species; however, while potential foraging habitat would be reduced or lost during construction, this reduction would not be considered a significant impact because there is an abundance of foraging habitat surrounding the project site. If present during construction activities, the project would have a low potential to directly impact these species through mortality or injury because the species is highly mobile and could easily avoid construction. Hence, direct impacts such as vehicular collisions would be considered less than significant. Indirect impacts may include collisions and/or electrocution from power lines. These indirect impacts are a substantial source of mortality and would be considered significant without mitigation. However, potentially significant impacts from power lines would be reduced through implementation of Mitigation Measure MM 4.4-16, which requires power lines to be installed per Avian Power Line Interaction Committee (APLIC) standards, reducing the likelihood of collision and/or electrocution from power lines.

In addition, the project proponent/operator will implement the following measures to help avoid, minimize, and/or reduce impacts: Mitigation Measures MM 4.1-1, MM 4.1-3 (see Findings for *Aesthetics*, above), MM 4.4-1 through MM 4.4-3, MM 4.4-9, MM 4.4-10, MM 4.4-15, MM 4.4-17, MM 4.9-2 (see Findings for *Hazards and Hazardous Materials*, below), and MM 4.13-1 (see Findings for *Noise*, below). With implementation of these mitigation measures, impacts to golden eagle and California condor would be less than significant.

Northern Harrier, Ferruginous Hawk, Merlin, Short-Eared Owl, Low-Eared Owl, Prairie Falcon, and American Peregrine Falcon: The Study Area does not contain suitable habitats, features, and/or conditions to support northern harrier, prairie falcons, or peregrine falcon for nesting, and is outside of the breeding range for short-eared owl, ferruginous hawk, and merlin. Therefore, potential impacts to breeding for these raptor species are not anticipated. The long-eared owl commonly nests in stick nests created by ravens and hawks and may nest within the Study Area, if suitable nests exist. While nesting habitat is only limited to long-eared owls, the Study Area contains suitable desert habitats, prey items, and perch sites to potentially support

foraging for these raptors. Of these species, only the prairie falcon and American peregrine falcon have been observed foraging in the Study Area. Suitable foraging habitat on the project site for these species would be reduced or lost as a result of vegetation and habitat removal from grading and constructing the proposed project. However, while availability of potential foraging habitat would be reduced or lost during construction, this reduction would not be a significant impact because there is an abundance of suitable foraging habitat surrounding the project site. If present during construction activities, the project would have a low potential to directly impact these raptor species through mortality or injury because the species is highly mobile and could easily avoid construction, hence, direct impacts such as vehicular collisions would be considered less than significant. Indirect impacts include collisions and/or electrocution from power lines. This indirect impact is a substantial source of mortality for this species and would be considered significant without mitigation.

Potential impacts to raptor species would be reduced through implementation of Mitigation Measures MM 4.4-1 through MM 4.4-3, MM 4.4-9, MM 4.4-10, MM 4.4-16, and MM 4.4-17. These measures include requiring a Lead Biologist to oversee all biological mitigation measures; implementation of a Worker Environmental Awareness Training Program; general avoidance and protective measures designed to avoid impacts to special-status species during construction, O&M, and decommissioning activities; pre-construction surveys for special-status wildlife, including bird species; conducting preconstruction nesting bird surveys; installing power lines per APLIC standards; and implementing an Avian Mortality Monitoring Program. Additionally, the project proponent/operator would implement Mitigation Measures MM 4.1-3 (see Findings for *Aesthetics*, above), MM 4.3-3 (see Findings for *Air Quality*, above), MM 4.9-2 (see Findings for *Hazards and Hazardous Materials*, below), and MM 4.13-1 (see Findings for *Noise*, below), which require a Landscape Revegetation and Restoration Plan, Fugitive Dust Control Plan, use of approved herbicides, and reducing noise levels associated with construction that would further reduce potential impacts to raptor species. With implementation of these mitigation measures, impacts to the northern harrier, ferruginous hawk, merlin, short-eared owl, long-eared owl, prairie falcon, and American peregrine falcon would be less than significant.

Swainson's Hawk: The Study Area contains suitable desert habitats, prey items, and perch sites to potentially support Swainson's hawks for foraging and/or migrating through; however, this species was not observed within the Study Area during the numerous field surveys conducted for the project. Furthermore, this species was not observed nesting within 5 miles of the project site during protocol level nest surveys conducted in 2023, 2024, and 2025. Direct impacts to Swainson's hawk could include reduction or loss of foraging habitat as a result of vegetation removal prior to grading and construction activities. However, while availability of potential foraging habitat would be reduced or lost during construction, there is an abundance of suitable foraging habitat surrounding the project site. If present during construction activities, the project would have a low potential to directly impact this listed raptor species through mortality or injury because the species is highly mobile and could easily avoid construction, hence, direct impacts such as vehicular collisions would be considered less than significant. Indirect impacts would include collisions and/or electrocution from power lines. This indirect impact is a substantial source of mortality for this species and would be considered significant without mitigation.

No Swainson's hawk nests were observed within a 5-mile study area during 2023, 2024, or 2025 protocol-level surveys. Suitable nesting habitat is present within the project site and 5 miles of the site, particularly within Edwards AFB and in remnant stands of western Joshua trees (WJTs) to the west of Mojave. While there are no known nests within 5 miles of the site, the potential for nesting cannot be ruled out. Large Joshua trees that could potentially provide nesting habitats for Swainson's hawk are located within and adjacent to the project site. A portion of these trees are located within the project footprint and would be directly impacted by the project; therefore, the project has the potential to result in direct and indirect impacts on breeding Swainson's hawk, their nests, young, or eggs, if this species is nesting within 0.5 miles of the project footprint and project construction activities occur during their nesting season. Swainson's hawk is protected by the Migratory Bird Treaty Act and the California Fish and Game Code, which render it unlawful to take native

breeding birds, and their nests, eggs, and young. Loss of active Swainson's hawk nests as a result of construction or other site preparation activities would be a significant impact.

Impacts on nesting and breeding Swainson's hawks can be avoided and/or minimized by conducting ground/vegetation-disturbing activities outside the peak breeding bird season, which generally runs from March 1 to September 15. If construction activities are scheduled to be initiated during the nesting season, the project proponent shall conduct pre-construction Swainson's hawk surveys of all accessible areas within 0.5 mile of the construction site to determine the presence and activity of known or new Swainson's hawk nests and to avoid, minimize, and/or reduce impacts on these breeding raptors and their offspring (Mitigation Measure MM 4.4-13). If preconstruction surveys detect a nesting Swainson's hawk within 0.5-mile of the project site, a 0.5-mile avoidance buffer will be established around the nest by a Lead Biologist or approved Biological Monitor and no construction within the buffer shall be allowed until the Lead Biologist or approved Biological Monitor has determined the nest is no longer active.

No Swainson's hawk nests or individuals were observed during protocol surveys conducted for the project within the 5-mile study area. Although there is an abundance of suitable foraging habitat in the area surrounding the project site, impacts to Swainson's hawk could include reduction or loss of foraging habitat as a result of vegetation removal prior to grading and construction activities, which would be considered a significant impact. If at the commencement of project construction, Swainson's hawk remains listed as a State threatened species, and if active Swainson's hawk nests are found within a 5-mile radius of the project site during preconstruction surveys, the project proponent/operator would be required to mitigate the loss of any moderate quality Swainson's hawk foraging habitat for any portion of the project site within 5 miles of an active nest at a 0.5:1 ratio in accordance with Mitigation Measure MM 4.4-13, which would reduce impacts on foraging habitat to less than significant.

Swainson's hawks may use the utility structures surrounding the facilities as perch sites for hunting increasing the likelihood of collisions and/or electrocution. These impacts would be considered significant; therefore, the project proponent/operator will implement Mitigation Measure MM 4.4-16, which requires power lines to be installed per APLIC standards, reducing the likelihood of collision and/or electrocution from power lines. The project proponent/operator also would implement the following measures to avoid, minimize, and/or reduce impacts: Mitigation Measures MM 4.4-1 through MM 4.4-3, MM 4.4-17, and MM 4.1-3 (see Findings for *Aesthetics*, above), MM 4.3-3 (see Findings for *Air Quality*, above), MM 4.9-22 (see Findings for *Hazards and Hazardous Materials*, below), and MM 4.13-1 (see Findings for *Noise*, below). These measures require a Lead Biologist to oversee all biological mitigation measures; implementation of a Worker Environmental Awareness Training Program; general avoidance and protective measures designed to avoid impacts to special-status species during construction, O&M, and decommissioning activities; installing power lines per APLIC standards; and implementing an Avian Mortality Monitoring Program; a Landscape Revegetation and Restoration Plan; Fugitive Dust Control Plan; use of approved herbicides; and reducing noise levels associated with construction which would further reduce potential impacts to Swainson's hawk. With implementation of these measures, impacts would be reduced to less than significant.

Western Burrowing Owl: Western burrowing owls were observed in the Study Area during project surveys. While potential burrows and occupied known burrows were located within the Study Area, no occupied nesting burrows, or evidence of breeding, have been observed within the Study Area. The Study Area contains suitable desert habitats, prey items, and perch sites to support burrowing owl foraging as well as burrows that could be used for overwintering or nesting burrowing owls.

Direct impacts to western burrowing owl and its habitat could occur as a result of project construction through the loss of available foraging habitat and potential nesting burrows due to construction activities and increased human presence. Indirect impacts could also occur during construction if burrowing owls are nesting in adjacent offsite areas, and noise from construction activities harasses an owl to the point of abandoning an

active nest site. According to 2012 Staff Report (CDFG, 2012) the use of buffer zones, visual screens, or other measures while project activities are occurring can minimize disturbance impacts. Any adverse direct or indirect impacts to western burrowing owls as a result of construction would be considered significant under CEQA without mitigation.

While impacts to western burrowing owls are potentially significant, impacts would be reduced through implementation of Mitigation Measure MM 4.4-11, which requires pre-construction surveys to locate occupied known and/or occupied nesting burrowing owl burrows within the project site and 500-foot buffer (where legally accessible). Pre-construction surveys shall be consistent with the methods outlined in the 2012 CDFG Staff Report. If occupied known and/or occupied nesting burrowing owl burrows are detected, a no-disturbance avoidance buffer would be implemented for the duration the burrow remains occupied. If avoidance is not feasible, the project proponent will consult with CDFW regarding the potential for project construction activities to result in take of western burrowing owl and shall comply with all avoidance, minimization, and compensatory mitigation requirements set forth in any ITP issued for the project by CDFW authorizing take of the species (Mitigation Measure MM 4.4-11).

In addition, the project would implement Mitigation Measures MM 4.4-1 through MM 4.4-3, MM 4.4- 16, MM 4.4-17 and MM 4.1-3 (see Findings for *Aesthetics*, above), MM 4.3-3 (see Findings for *Air Quality*, above), MM 4.9-2 (see Findings for *Hazards and Hazardous Materials*, below), and MM 4.13-1 (see Findings for *Noise*, below). These measures require a Lead Biologist to oversee all biological mitigation measures; implementation of a Worker Environmental Awareness Training Program; general avoidance and protective measures designed to avoid impacts to special-status species during construction, O&M, and decommissioning activities; installing power lines per APLIC standards; and implementing an Avian Mortality Monitoring Program; a Landscape Revegetation and Restoration Plan; Fugitive Dust Control Plan; use of approved herbicides; and reducing noise levels associated with construction which will further reduce potential impacts to burrowing owl. With implementation of these mitigation measures, impacts to western burrowing owl would be less than significant.

Loggerhead Shrike, Le Conte's Thrasher, California Horned Lark, and Mountain Plover: During field surveys conducted for the project, loggerhead shrike were observed onsite. Le Conte's thrasher, California horned lark, and mountain plovers were not observed onsite, but have the potential to occur. Trees, shrubs, and open ground on the Study Area provide suitable nesting habitat for loggerhead shrike, Le Conte's thrasher, and California horned lark. The Study Area does not contain suitable nesting habitat and is outside of the breeding range for the mountain plover.

The Study Area contains suitable desert habitats to potentially support these birds for foraging. Loss of habitat is not expected to be significant because of the abundance of suitable habitat surrounding the project site. Direct impacts could include death or injury to chicks or nest destruction (if nesting), displacement of birds and loss of territory, and disruption of breeding activities. Adults of these species are mobile and not susceptible to direct impacts from construction activities. Indirect impacts from construction and decommissioning activities include disturbance to nesting individuals related to increased dust, noise, vibrations, and increase human presence. These direct and indirect impacts to these species would be considered significant without mitigation.

Trees, shrubs, open ground, and other physical features that could potentially provide nesting habitats for loggerhead shrike, Le Conte's thrasher, and California horned lark are located within and adjacent to the project site and would be directly impacted by the project; therefore, the project has the potential to result in direct and indirect impacts on these breeding birds, their nests, young, or eggs, if project construction activities occur during the breeding bird season and birds are nesting within and/or adjacent to the project footprint at that time. Project activities could adversely affect the breeding behavior of some birds, and lead to the loss of eggs and chicks, or nest abandonment. These species are protected by the Migratory Bird Treaty Act and the

California Fish and Game Code (CFGC), which render it unlawful to take native breeding birds, and their nests, eggs, and young. Loss of active bird nests as a result of construction or other site preparation activities would be a potentially significant impact.

Impacts on breeding loggerhead shrike, Le Conte's thrasher, and California horned lark can be avoided and/or minimized by conducting ground/vegetation disturbing activities outside the peak breeding bird season which generally runs from February 1 through August 31. If construction activities are scheduled to be initiated during the nesting season, the project proponent/operator would conduct pre-construction breeding bird surveys (Mitigation Measure MM 4.4-10) to avoid, minimize, and/or reduce impacts on these breeding birds and their offspring. Avoidance and minimization measures will be implemented if nests are observed during the pre-construction surveys.

The project proponent/operator also would implement the following measures to avoid, minimize, and/or reduce impacts: Mitigation Measures MM 4.4-1 through MM 4.4-3, MM 4.4-15, MM 4.4-16, MM 4.4- 17, and MM 4.1-3 (see Findings for *Aesthetics*, above), MM 4.3-3 (see Findings for *Air Quality*, above), MM 4.9-2 (see Findings for *Hazards and Hazardous Materials*, below), and MM 4.13-1 (see Findings for *Noise*, below). These measures require a Lead Biologist to oversee all biological mitigation measures; implementation of a Worker Environmental Awareness Training Program; general avoidance and protective measures designed to avoid impacts to special-status species during construction, O&M, and decommissioning activities; minimizing vegetation removal; installing power lines per APLIC standards; and implementing an Avian Mortality Monitoring Program; a Landscape Revegetation and Restoration Plan; Fugitive Dust Control Plan; use of approved herbicides; and reducing noise levels associated with construction. With implementation of these mitigation measures, potential impacts to loggerhead shrike, Le Conte's thrasher, California horned lark, and mountain plover would be less than significant.

Townsend's Big-Eared Bat: The Study Area does not contain suitable habitats, features, and/or conditions to support Townsend's big-eared bats for breeding or roosting; therefore, impacts on breeding/roosting bats are not anticipated. The Study Area contains suitable desert habitats to potentially support this species for foraging, but it is likely that they forage in the area at low levels because of the low insect production in desert communities at most times of the year. Bat foraging habitats would be impacted by the project; therefore, the project has the potential to result in direct and indirect impacts on foraging bats should they use the project site and/or surrounding lands for foraging. Direct and indirect impacts on foraging bats would be considered less than significant for the following reasons: 1) impacts on these bats may be elevated during construction, but most bats are highly mobile and would be expected to move to adjacent areas of similar habitat at the onset of project activities, thereby avoiding direct contact with construction vehicles, equipment, and personnel; 2) nocturnal foraging activities near the project site would not be disturbed by daytime project construction; 3) the loss of foraging habitat is unlikely to create a significant, permanent impact because there are ample, suitable foraging habitats of similar quality immediately outside of the project site that these bats could access; and 4) the loss of foraging habitats would not substantially reduce or threaten the regional or local population of these species below self-sustaining levels. Therefore, impacts to Townsend's big-eared bat would be less than significant.

Mohave Ground Squirrel: The Mohave ground squirrel was not observed in the Study Area during field surveys and the Study Area is within the westernmost range of Mohave ground squirrel. During the Mohave ground squirrel habitat assessment approximately 43 percent of the Study Area was documented as moderate quality habitat, 55 percent of the Study Area was documented as low/moderate quality habitat and 2 percent of the Study Area was documented as unsuitable. While it is unlikely that the Study Are would support a substantial resident reproductive population, the Study Area may support juvenile dispersal and temporary occupation. Therefore, the project has the potential to result in direct and indirect impacts to Mohave ground squirrel should they exist within the project footprint. These impacts may result in direct mortality or

behavioral disturbance through construction activities including clearing and grubbing vegetation, ground disturbance, noise, vehicle traffic, and onsite personnel; therefore, the impact is potentially significant.

The project proponent/operator will conduct pre-construction surveys for Mohave ground squirrel (Mitigation Measure MM 4.4-19) to avoid, minimize, and/or reduce impacts on Mohave ground squirrel. If Mohave ground squirrels are found during pre-construction surveys or during construction monitoring activities, work shall be halted and redirected to areas not supporting this species. The project proponent/operator shall prepare a Mohave Ground Squirrel Avoidance and Monitoring Plan, consult with CDFW regarding the potential need for an ITP, and shall comply with the avoidance, minimization, and compensatory mitigation requirements of any such permit issued for the project.

Additionally, impacts to Mojave ground squirrel habitat would be less than significant, as most of the Study Area is considered low/moderate quality habitat and, following construction, the project site would be available for these species to traverse, forage, or den. Further the loss of low and moderate quality habitat is unlikely to create a significant, permanent impact because there are ample, habitat of similar quality immediately outside of the project site and the loss of foraging habitats would not substantially reduce or threaten the regional or local population of Mojave ground squirrel below self-sustaining levels.

The project will also implement Mitigation Measures MM 4.4-1 through MM 4.4-3 and MM 4.4-9, which include requiring a Lead Biologist to oversee all biological mitigation measures; implementation of a Worker Environmental Awareness Training Program; general avoidance and protective measures designed to avoid impacts to special-status species during construction, O&M, and decommissioning activities. With implementation of these mitigation measures, impacts to Mohave ground squirrel would be less than significant.

Desert Kit Fox and American Badger: The Study Area contains suitable desert habitats, friable soils for dens, and abundant rodent populations to support desert kit foxes and American badgers. Signs of desert kit fox or American badgers and one individual desert kit fox were observed during field surveys conducted for the project. Although desert kit fox is protected under Title 14 CCR Section 460, it does not constitute as a special-status species; therefore, loss of suitable habitat for desert kit fox is not considered significant. If desert kit foxes and American badgers were to occur onsite, they would most likely occur in low numbers.

Direct impacts to these species could include being hit by vehicles on access roads or the loss of available habitat and potential burrows due to construction activities and increased human presence. Indirect impacts include noise, vibrations, increased human presence, and night-time lighting. These types of potential impacts to this species would be considered significant without mitigation.

Project impacts to these species' habitat would be considered less than significant for the following reasons: 1) the loss of foraging habitat is unlikely to create a significant, permanent impact because there are ample, foraging habitats of similar quality immediately outside of the project site that these mammals could access; 2) following construction, the project site would be available for these species to traverse, forage, or den; and 3) the loss of foraging habitats would not substantially reduce or threaten the regional or local population of these species below self-sustaining levels.

Further, the project proponent/operator would conduct pre-construction American badger and desert kit fox surveys to help avoid, minimize, and/or reduce impacts on these species and avoidance, minimization, and/or mitigation measures will be implemented if American badger are observed or detected during the pre-construction surveys (Mitigation Measure MM 4.4-12). In addition, the project would implement Mitigation Measures MM 4.4-1 through MM 4.4-3, MM 4.4-9, MM 4.1-1, MM 4.1-3 (see Findings for *Aesthetics*, above), MM 4.3-3 (see Findings for *Air Quality*, above), and MM 4.13-1 (see Findings for *Noise*, below). These measures require a Lead Biologist to oversee all biological mitigation measures;

implementation of a Worker Environmental Awareness Training Program; general avoidance and protective measures designed to avoid impacts to special-status species during construction, O&M, and decommissioning activities; pre-construction surveys for special-status species, final fencing plan in coordination with requisite agencies, implementing a Trash Abatement Program; implementing a Landscape Revegetation and Restoration Plan; Fugitive Dust Control Plan; use of approved herbicides; and reducing noise levels associated with construction. With implementation of these mitigation measures, impacts to desert kit fox and American badger would be less than significant.

Operations and Maintenance

Direct impacts to special-status species are unlikely to result from project O&M activities because, due to project construction techniques that allow for retention and reestablishment of vegetation, vegetation supporting special-status species would continue to be available on the site during project operations. The project also would implement Mitigation Measure MM 4.4-15, which requires vegetation/ground cover to be continuously maintained on the site by the project proponent/operator.

Perimeter fencing would be designed to allow for passage of small and medium-sized wildlife with a gap at the bottom of the fence to allow permeability for wildlife and wildlife movement through and around the project site, while permanent exclusion fencing around collector substations and the switchyard may be required. Final perimeter fencing design would be evaluated and developed in consultation with appropriate agencies, and the best-fit scenario would be incorporated at the project site. Additionally, vehicle traffic and onsite personnel would be minimal and heavy equipment would be infrequently used.

Mitigation Measures MM 4.4-1 through MM 4.4-3 require methods designed to reduce wildlife mortality and impacts, promote long-term project site suitability, and educate onsite personnel. Project operation could result in indirect impacts to wildlife in proximity to the project if nighttime lighting is used. However, the potential indirect impact from nighttime lighting during O&M would be minimized through compliance with all development standards, the Kern County Zoning Ordinance, and the goals, policies, and implementation measures of the Kern County General Plan. The proposed project would be required to implement Mitigation Measure MM 4.1-6 (see Findings for *Aesthetics*, above), which requires compliance with the Kern County's Dark Skies Ordinance to minimize nighttime lighting in unincorporated areas of Kern County. Impacts to special-status species as a result of operations and maintenance would be less than significant with implementation of Mitigation Measures MM 4.4-1 through MM 4.4-3, and MM 4.1-6.

Battery Energy Storage System. An energy storage system is proposed as part of the project. While batteries generally burn with difficulty, they can potentially catch fire. A battery fire does not produce embers like a typical structure or wildland fire, thus minimizing the spread of a battery fire to adjacent vegetation. Instead, fire spread risk for a battery is typically through thermal energy transfer to nearby adjacent exposures. This is mitigated through spacing, barriers, and/or cooling.

Project design includes a conservative 100-foot setback from onsite vegetation to battery cabinets, which is well beyond the 10-foot California Fire Code (CFC) Section 1207.8.3 requirement. The 10-foot CFC-required setback was originally established by the National Fire Protection Association (NFPA) 855 Committee, which was later reflected in the International Fire Code and then California Fire Code, as an acceptable distance between a battery fire and another combustible exposure (i.e. buildings, combustible materials like vegetation, etc.) based on the Committee's experts understanding of fire dynamics plus the protection requirements of the fire code. In addition, the project includes a minimum 300-foot setback of the energy storage system to adjacent property lines and will implement strict vegetation management protocols for the life of the facility. Therefore, sufficient distance between battery storage containers and onsite or offsite vegetation will be established and continuously maintained to eliminate risk of fire spread to adjacent vegetation.

While fires at BESS are rare, environmental monitoring that has occurred during and after outdoor cabinet-type BESS fires has shown no impact to the surrounding environment. For example, following an outdoor cabinet-type BESS fire at a San Diego Gas & Electric (SDG&E) facility in Escondido, San Diego on September 5, 2024, County Hazmat conducted air monitoring over a four-hour period during the incident at eleven different locations. The monitoring found only normal products combustion of a structure fire were detected and at levels well below exposure thresholds set by the National Institute for Occupational Safety and Health and Occupational Safety and Health Administration. A third-party contractor conducted additional air quality monitoring at eighteen different locations during the incident and for an additional 12 hours after the fire was extinguished and concluded that at no time during the incident did the levels of oxygen deviate from 20.9 percent, which is considered normal atmospheric level. Any decrease in the percentage of oxygen would indicate that there was some unknown gas in the atmosphere that was not able to be detected by monitoring equipment. No such deviation was detected.

Additionally, the project would comply with California Public Utilities Code Section 761.3, requiring an emergency response and action plan developed in coordination with local emergency management agencies, unified program agencies, and local first responders. The project would also implement Mitigation Measure MM 4.14-1 (see Findings for *Public Services* for full mitigation measure text), which requires the project proponent/operator develop and implement a Fire Safety Plan that contains notification procedures and emergency fire precautions consistent with the 2022 CFC and Kern County Fire Code plus procedures on vegetation clearing and maintenance during construction, operation and decommissioning. Under the Fire Safety Plan, construction and maintenance personnel would also be trained and equipped to extinguish small fires, thus reducing the risk of fire onsite, and information would be provided to first responders about the type of battery energy storage technology onsite, potential hazards and mitigations, and recommended firefighting tactical procedures in case of a fire incident. With implementation of Mitigation Measure MM 4.14-1, in addition to complying with applicable design requirements and following industry best practices, potential impacts on biological resources as a result from the proposed energy storage system at the project would be less than significant.

Swainson's Hawk, Golden Eagles, California Condor, and Other Raptors. Potential direct impacts to raptor species from the O&M phase of the project may occur through the collisions into and/or electrocution from power lines anticipated to be installed within the project site but particularly along the proposed gen-tie interconnection routes. Raptor prey sources such as rodents and small birds are still likely to inhabit the area around solar panels on the project site. Raptors may be able to use the solar panels, perimeter fencing, and utility structures surrounding the facilities as perch sites for hunting. While collision/electrocution impacts to the aforementioned raptors are potentially significant, impacts would be reduced through implementation of Mitigation Measures MM 4.4-16 and MM 4.4-17. Mitigation Measure MM 4.4-16 requires power lines to be installed per APLIC standards, reducing the likelihood of collision and/or electrocution from power lines. Mitigation Measure MM 4.4-17 requires the project proponent/operator to prepare and implement an Avian Mortality Monitoring Program to collect data on avian mortality at the facility and implement adaptive management where necessary to reduce impacts on avian species. Direct and indirect impacts to raptors would be less than significant with implementation of the above mitigation measures.

Migratory Birds. Direct and indirect impacts to avian species may occur during project operation and maintenance through individual collisions with project facilities and equipment including transmission wires, fencing, array structures, and heavy equipment. Such risks are commonplace with most human development activities. Factors that may determine the risk of avian collisions with man-made structures include the size, height, and specific attributes of the structures (wind turbines, guy wires, and lighting/light attraction). Other factors include the siting in high-risk areas, frequency of inclement weather, type of development, and the species at potential risk. Such collisions can result in injury or mortality of avian

species from electrocution, including in the case of power lines. Collisions with project facilities and equipment would be considered a potentially significant impact under CEQA.

Factors that have been empirically demonstrated to result in elevated collision risk at various types of facilities and structures are not present at the project site, which consists of low-height PV arrays and a few structures (i.e., battery enclosures and an O&M facility). The project would incorporate only minimal lighting required for security and would adhere to BMPs in an effort to avoid attracting avian species. Thus, while individual impacts may occur due to collisions with project facilities and equipment, the risk of significant impacts to avian populations is minimal. To reduce potentially significant direct and indirect impacts to migratory birds, Mitigation Measures MM 4.1-6 (Kern County Dark Skies Ordinance), MM 4.17 (minimize glare and spectral highlighting) (see Findings for *Aesthetics,* above), and MM 4.4-16 (APLIC guidelines) would be implemented. With implementation of these mitigation measures, impacts to migratory birds would be less than significant during operation and maintenance with implementation of these mitigation measures.

Decommissioning

The post-project condition of the project site as a result of project construction and operation would be different than pre-project conditions. Decommissioning would only directly impact areas that were previously disturbed during project construction; therefore, direct impacts to native habitats and rare plants are expected to be less than significant. If special-status species have recolonized the project site during the operation and maintenance phase, decommissioning activities could impact these species, similar to the direct impacts described for construction. Wildlife with the potential to utilize partially developed habitats and man-made structures include western burrowing owl, desert kit fox, badger, bats, and nesting birds. Indirect impacts to biological resources would be similar to those that would occur during construction but would depend on the resources present adjacent to the project site at the time of decommissioning. Additional indirect impacts could include degradation of adjacent habitat if the site is colonized by invasive species or generates excessive runoff or dust due to a lack of vegetation. Impacts to these species would be considered significant without mitigation. While impacts during decommissioning are potentially significant, impacts would be reduced through implementation of Mitigation Measures MM 4.4-1 through MM 4.4-4, MM 4.4-9, MM 4.4-10, and MM 4.4-15. Implementation of these mitigation measures during the decommissioning period would reduce potentially significant impacts to special-status wildlife and plant species to less than significant.

Finding

The project has the potential to cause a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations or by the CDFW or USFWS. However, with implementation of Mitigation Measures MM 4.1-1, MM 4.1-3, MM 4.1-6, MM 4.1-7 (see Findings for *Aesthetics,* above), MM 4.3-3 (see Findings for *Air Quality,* above), MM 4.9-2 (see Findings for *Hazards and Hazardous Materials,* below), MM 4.13-1 (see Findings for *Noise,* below), MM 4.14-1 (see Findings for *Public Services,* below), along with Mitigation Measures MM 4.4-1 through 4.4-18 (below), with impacts would be less than significant.

Level of Significance

With implementation of Mitigation Measures MM 4.1-1, MM 4.1-3, MM 4.1-6, MM 4.1-7, MM 4.3-3, MM 4.9-2, MM 4.13-1, and MM 4.14-1, along with Mitigation Measures MM 4.4-1 through 4.4-21 (below), impacts would be less than significant.

Brief Explanation of the Rationale for the Finding

CEQA requires that all feasible and reasonable mitigation be applied to the project to reduce impacts. With implementation of Mitigation Measures MM 4.1-1, MM 4.1-3, MM 4.1-6, MM 4.1-7 (see Findings for *Aesthetics,* above), MM 4.3-3 (see Findings for *Air Quality,* above), MM 4.9-2 (see Findings for *Hazards and Hazardous Materials,* below), MM 4.13-1 (see Findings for *Noise,* below), and MM 4.14-1 (see Findings for *Public Services,* below), impacts would be reduced to less than significant levels.

MM 4.4-1: Prior to the issuance of grading or building permits, and prior to decommissioning, the project operator shall retain a Lead Biologist(s) who meets the qualifications of an Authorized Biologist as defined by the U.S. Fish and Wildlife Service (USFWS) to oversee compliance with protection measures for listed and other special-status species that may be affected by the construction, operation, and decommissioning of the project. The contact information for the Lead biologist(s) shall be provided in writing to the Planning and Natural Resources Department.

The following measures pertain to the Lead Biologist(s):

a. The Lead Biologists(s) or approved Biological Monitor shall be on the project site during construction and decommissioning of the project, and shall monitor initial ground-disturbance activities and remain on-call throughout construction/decommissioning. Initial ground-disturbing construction activities include, but are not limited to, installation of perimeter fencing, clearing of vegetation, grading, site buildout, and decommissioning.

b. The project operator shall retain a Lead Biologist to oversee compliance with protection measures during operations.

c. The Lead Biologist(s) or approved Biological Monitor shall have the right to halt all activities that are in violation of the special-status species protection measures, as well as any regulatory permits from the USFWS and/or the California Department of Fish and Wildlife (CDFW), if applicable. Work shall proceed only after hazards to special-status species are removed and the species is no longer at risk.

MM 4.4-2: Prior to the issuance of grading or building permits, or decommissioning of the site, the Lead Biologist(s) shall develop a Worker Environmental Awareness Training Program containing life history and identification information of special-status wildlife and plant species with potential to occur on site. The Worker Environmental Awareness Training Program shall review responsibilities for all on-site personnel including trash control, checking under and around vehicles and heavy equipment before starting, scanning for wildlife resources, contacting the Lead Biologist(s) in the unanticipated instance of encountering special status wildlife species, and prohibition of pets and firearms. All onsite personnel shall be required to attend a worker environmental training. A sticker shall be placed on hard hats, indicating that the worker has completed the Worker Environmental Awareness Training. Copies of all prepared materials including, but not limited to, PowerPoint presentations, videos, information handouts and signed acknowledgement from each worker who has attended the required training shall be provided to the Kern County Planning and Natural Resources Department.

MM 4.4-3: During project construction and decommissioning, the project proponent and/or contractor(s) shall implement the following general avoidance and protective measures:

a. Immediately prior to conducting vegetation clearing or similar activities, the Lead Biologist(s) or their designee shall perform a pre-construction visual survey of the area to ensure that no special-status species are present. Daily reports of these inspections shall be retained by the Lead Biologist(s) and provided to the Kern County Planning and Natural Resources Department, and as required by resource agency permits issued to the project.

b. All proposed impact areas, including solar fields, staging areas, access routes, and disposal or temporary placement of spoils, shall be delineated with stakes and/or flagging prior to construction to avoid natural resources where possible. Construction-related activities outside of the impact zone shall be avoided.

c. Access roads that are planned for use during construction activities shall not extend beyond the planned impact area; this area includes all previously disturbed lands and any location within the project fenceline not delineated for avoidance of sensitive biological resources. Where new access routes are required, the route shall be clearly marked prior to construction.

d. The project proponent/operator shall minimize the areas of disturbance. Parking areas, new roads, staging, storage, excavation, and disposal site locations shall be confined to the smallest areas possible. These areas shall be demarcated and disturbance activities, vehicles, and equipment shall be confined to these areas.

e. Any spoils shall be stockpiled in disturbed areas that lack native vegetation to the maximum extent practicable. Spoils that have been stockpiled and inactive for more than 24 hours shall be inspected by the Lead Biologist for signs of special-status wildlife before moving or disturbing.

f. To prevent inadvertent entrapment of desert kit foxes, American badgers, or other animals during construction, all excavated steep-walled holes or trenches more than two (2) feet deep shall be covered with plywood or similar materials at the close of each working day. If holes or trenches cannot be covered, one or more escape ramps constructed of earthen fill or wooden planks, no less than 12 inches wide and secured at the top, shall be placed a minimum of every 100 feet within the open trench. Covered and non-covered holes or trenches shall be thoroughly inspected for trapped animals by the Lead Biologist at the beginning and end of each working day. Immediately before such holes or trenches are filled, they shall again be thoroughly inspected by the Lead Biologist or trained Staff approved by the Lead Biologist. If trapped animals are observed, escape ramps or structures shall be installed immediately to allow escape or the Lead Biologist may capture and relocate the animal (for non-listed species). If a listed species is found trapped, all work in the vicinity shall cease immediately. If the animal is apparently uninjured, then the Lead Biologist shall directly supervise the provision of escape structures and/or trench modification to allow the trapped animal to escape safely. The animal shall be allowed to leave the work area and project site on its own and work shall not resume in the vicinity until the animal is out of harm's way. If the listed animal is injured, then the Lead Biologist or approved Biological Monitor shall immediately contact the USFWS and/or CDFW to identify an individual with the appropriate permit or authorization to handle listed species, who shall bring the animal to a pre-identified wildlife rehabilitation or veterinary facility for care.

g. Burrowing owls, mammals, and nesting birds may use construction pipes, culverts, or similar structures for refuge or nesting. All towers that are of the monopole variety and all hollow vertical structures, such as solar mount poles, or fencing poles, shall be capped immediately after installation to prevent bird entrapment. Therefore, all construction pipes, culverts, or similar structures with a diameter of four (4) inches or more that are stored at a construction site for one or more overnight periods shall be thoroughly inspected for special-status wildlife or nesting birds before the pipe is subsequently buried, capped, or otherwise used or moved in any way. If an animal is discovered inside a pipe, that section of pipe shall not be moved until the Lead Biologist has been consulted and the animal has either moved from the structure on its own accord (for listed species) or until the animal has been captured and relocated (for non-listed species) by the Lead Biologist or approved Biological Monitor. If the animal is a listed species, then work shall immediately halt in the vicinity, and the animal shall be allowed to move from the structure and the work area of its own accord. The Lead Biologist will direct work stoppages near the animal to allow it to freely move out of the pipe and away from the work area. Listed species shall not be handled or captured by anyone without the appropriate permit or authorization.

h. No vehicle or equipment parked on the project site shall be moved prior to inspecting the ground beneath the vehicle or equipment for the presence of listed wildlife species. If present, the animal shall be left to move on its own.

i. Vehicular traffic to and from the project site shall use existing routes of travel. Cross country vehicle and equipment use outside designated work areas shall be prohibited

j. A speed limit of 15 miles per hour shall be enforced within the limits of the project site. If night work occurs on the project site, the speed limit shall be 10 miles per hour. This requirement shall be posted with signage noted throughout the site.

k. Fueling of equipment shall take place within existing roads or disturbed areas. No refueling within or adjacent to drainages (within 150 feet) shall be permitted. Contractor equipment shall be checked for leaks prior to operation and repaired as necessary.

l. A long-term trash abatement program shall be established for construction, operations and maintenance, and decommissioning. Trash and food items shall be contained in closed containers to reduce the attractiveness to opportunistic predators such as common ravens, coyotes, and feral dogs.

m. Workers shall be prohibited from bringing pets and firearms to the project site and from feeding wildlife.

n. Intentional and unpermitted killing or collection of any listed plant or wildlife species shall be prohibited.

o. Herbicides that may be used as vegetation control measures in project areas shall be restricted. All uses of such herbicidal compounds shall observe label and other restrictions mandated by the U.S Protection Agency, California Department of Food and Agriculture, and state/federal legislation as well as additional project related restrictions deemed necessary by the USFWS or CDFW. No rodenticides shall be used on the project site.

p. To enable kit foxes and other wildlife (e.g., American badger) to pass through the project site after construction, the permanent perimeter security fence around the solar field shall be a wildlife friendly design that meets the goals of allowing wildlife to move freely through the project site during operation. The fence around the solar field ~~leaving 4- to 7-inch openings or portals in the fence or the fence~~ shall be raised 4 to 7 inches above the ground leaving a gap between the fence mesh and the ground.~~, or as approved by USFWS or CDFW. In the latter case t~~The bottom of the fence fabric shall be knuckled (wrapped back to form a smooth edge) to protect wildlife that passes under the fence. Should this measure conflict with permits (ITP) issued by USFWS or CDFW, the measures in the ITP shall prevail. (RTC 7/31/26)

MM 4.4-4: During construction, operation and maintenance, and decommissioning, project work crews shall be directed to use industry accepted and standard construction best management practices (BMPs) consistent with the County zoning ordinances and with guidelines provided in the California Stormwater Quality Association's Construction Best Management Practice Handbook, where applicable, to avoid, minimize, and/or reduce potential construction-related impacts on biological resources. BMPs shall be monitored and repaired throughout the life of the project. The project proponent/operator and/or contractor(s) shall implement the general measures described below:

a. BMPs shall be employed to prevent erosion in accordance with the project's approved Stormwater Pollution Prevention Plan. Detected erosion shall be remedied as described in the *Erosion Control Plan* of the Stormwater Pollution Prevention Plan.

b. Material/spoils generated from project activities shall be located away from jurisdictional areas and environmentally sensitive areas that are not slated for impacts.

c. Jurisdictional areas and environmentally sensitive areas shall be protected from storm water run-off using temporary perimeter sediment barriers such as berms, silt fences, fiber rolls, covers, sand/gravel bags, and straw bale barriers, as appropriate.

d. Materials shall be stored on impervious surfaces or plastic ground covers to prevent any spills or leakage from contaminating the ground and generally at least 50 feet from the top of bank of any jurisdictional areas and environmentally sensitive areas.

e. Any spillage of material shall be stopped if it can be done safely. The contaminated area shall be cleaned, and any contaminated materials properly disposed of. For all spills, the project foreman or designated environmental representative shall be notified.

MM 4.4-5: Within 14 days prior to the commencement of ground-disturbing activities, the Lead Biologist or their designee shall perform a pre-construction visual survey of the area to determine if rare plants and/or California Desert Native Plant Act species are present. Surveys need not be conducted for all areas of suitable habitat at one time; they may be phased so that surveys occur no more than 14 days prior to ground disturbance in specific areas of the site. Copies of reports for these inspections shall be retained by the Lead Biologist and provided to the Kern County Planning and Natural Resources Department to be kept on file and to CDFW upon request.

If no species with a California Native Plant Society Rank of 2B or higher are observed, no further mitigation is required.

If species with a California Native Plant Society Rank of 2B or higher are observed, and have not otherwise been accounted for in an approved removal action or separate mitigation action (see Mitigation Measure MM 4.4-6 for ~~A~~alkali mariposa lily), they shall be delineated with stakes and/or flagged for avoidance to the extent feasible. After the preconstruction survey determines the exact location of these species, if present, on the project site and the number of individuals or populations present, the project proponent/operator shall submit written documentation to the Kern County Planning and Natural Resources Department confirming implementation of the measures described below:

a. The project proponent/operator shall work with the Lead Biologist(s) to determine presence of the subject plant species and identify all known locations of subject plant species to establish "avoidance areas". All species with a California Native Plant Society Rank of 2B or higher found within the project site that has not otherwise been accounted for in an approved removal action or separate mitigation action shall be avoided by a buffer of 50 feet. Sturdy, highly visible, orange plastic construction fencing (or equivalent material verified by the Lead Biologist(s)) shall be installed around all locations of detected plant species to protect from impacts during the construction phase, until they can be relocated. The fence shall be securely staked and installed in a durable manner that would be reasonably expected to withstand wind and weather events and last at least through the construction period. Permanent perimeter security fence around the solar field ~~Fencing~~ will ~~also~~ be installed in such a way as to avoid wildlife entanglement (i.e., installed with a 4-7-inch gap between the bottom of the fence and ground level, or as determined by guidance from CDFW and/or USFWS) and promote wildlife permeability. ~~Fencing~~ Construction fencing shall be removed upon completion of the project construction.

b. Any identified species with a California Native Plant Society Rank of 2B or higher present on the site that have not otherwise been accounted for in an approved removal action or separate mitigation action and that cannot be feasibly avoided in final project design shall require the project proponent to prepare and submit a transplantation plan that includes the following:

    1. Identify an area of occupied habitat to be preserved and removed;

    2. Identify areas of onsite or offsite preservation, restoration, or enhancement locations;

    3. Methods for preservation, restoration, enhancement, and/or translocation;

    4. Indicate a replacement ratio and success standard developed in coordination with the appropriate agencies for impacted to individuals;

    5. Establish a monitoring program to ensure mitigation success;

    6. Create an adaptive management and remedial measures in the event that performance standards are not achieved;

    7. Ensure financial assurances and a mechanism for conservation of any mitigation lands required in perpetuity.

c. Temporary ground disturbance associated with the gen-tie lines or collector lines shall be recontoured to natural grade (if the grade was modified during the temporary disturbance activity) and revegetated with an application of a native seed mix prior to or during seasonal rains to promote passive restoration of the area to pre-project conditions. However, if invasive plant species were present, these species would not be restored. An area subjected to temporary ground disturbance means any area that is disturbed but will not be subjected to further disturbance as part of the project. This does not include areas already designated as urban/developed. Prior to seeding temporary ground disturbance areas, the Lead Biologist(s) will review the seeding palette to ensure that no seeding of invasive plant species, as identified in the most recent version of the California Invasive Plant Inventory for the region, will occur.(RTC 7/31/26) (BOS 9/29/2026)

MM 4.4-6: Alkali mariposa lily, a rare plant species with a California Native Plant Society rank of 1.B2, was documented as present on the project site. If the project would eliminate more than 10 percent of the local population, a Habitat Mitigation Plan would be prepared and would include the following:

a. A figure illustrating the area of the population to be preserved, and the area of the population to be removed;
b. Identification of on-site or off-site preservation, restoration, or enhancement location(s) and avoidance of those locations through the establishment of preservation areas and/or buffers;
c. Methods for preservation, restoration, enhancement, and/or population translocation;
d. A replacement ratio ~~and success standard criteria~~of 1:1 for occupied habitat or an alternative equivalent mitigation in coordination with the C~~c~~ounty;
e. A five-year monitoring program to ensure mitigation success in accordance with the following survivorship percentage performance standard:
    1. Because the plant lives above-ground during only a portion of its lifecycle, a minimum of 90 percent survival during one or more of the monitoring periods shall be considered success for this species.
f. Adaptive management and remedial measures in the event that performance standards are not achieved; and
g. Financial assurances and a mechanism for conservation of any mitigation lands required in perpetuity.

A 1:1 mitigation ratio for occupied habitat is considered sufficient because alkali mariposa lily is not federally or state listed as threatened or endangered and is relatively common in the project area. Copies of all surveys and reports shall be submitted to the Kern County Planning and Natural Resources Department.(RTC 7/31/26)

MM 4.4-7: Prior to the issuance of grading permits, the project applicant shall provide proof of fee payment for the removal of silver cholla and beavertail prickly pear in accordance with the California Desert Native Plant Act to the Kern County Planning and Natural Resources Department.

MM 4.4-8: The project shall avoid western Joshua tree (WJT) individuals, if feasible except to the extent take is permitted by the California Department of Fish and Wildlife (CDFW). If

avoidance of WJT is not feasible, as determined by the Lead Biologist, and p~~P~~rior to the issuance of grading permits, the project applicant shall consult with CDFW ~~regarding~~ and obtain an incidental take permit (ITP) for the take of WJT and shall comply with all avoidance, minimization, and compensatory mitigation measures, as set forth in any incidental take permit issued to the project by CDFW. Documentation of any such CDFW take authorization and mitigation shall be provided to the Kern County Planning and Natural Resources Department.

Documentation of any such CDFW take authorization and mitigation shall be provided to the Kern County Planning and Natural Resources Department.

The project proponent shall also submit to the Kern County Planning and Natural Resources Department confirming documentation that the following has been implemented where take of WJT individuals cannot be avoided:

a. Prior to the issuance of a grading permit, the project proponent/operator shall develop a Joshua Tree Preservation Plan or other similar plan as required by any incidental take permit issued to the project by CDFW. The Plan shall be prepared by the Lead Biologist(s) or their designee pre-approved by Kern County and shall be approved by the appropriate agencies, including Kern County, prior to implementation. At a minimum, the plan shall identify the methods utilized, as applicable, ~~that the project is taking~~ to comply with any California Endangered Species Act (CESA) or CDFW take requirements, including relocation methods, monitoring and reporting, and compensatory mitigation related to the protection or mitigation of impacted Joshua trees. The Plan shall also clearly delineate how the project includes restoration and enhancements of WJT habitats through relocation of a minimum of 900 onsite WJT stems to onsite or offsite conserved lands.

b. Documentation of any such CDFW take authorization and mitigation implementation shall be provided to the Kern County Planning and Natural Resources Department to be kept on file. ~~The Plan shall also clearly delineate how the project includes restoration and enhancements of WJT habitats through relocation of a minimum of 900 onsite WJT stems to onsite or offsite lands.~~

c. Prior to final occupancy approval, a Post WJT Relocation Report shall be submitted to the Kern County Planning and Natural Resources Department documenting completion of WJT relocation.(RTC 7/31/26)

MM 4.4-9: Within a maximum of 30 days of the start of ground disturbance for construction or decommissioning activities, a Lead Biologist(s) or their designee knowledgeable in the identification of special-status wildlife species with potential to occur on the project site shall conduct pre-construction surveys for special-status wildlife species within the project site, as well as within a minimum of 500 feet (where legally accessible) to determine if any special-status species are present. Surveys need not be conducted for all areas of suitable habitat at one time; they may be phased so that surveys occur no more than 30 days prior to ground disturbance in specific areas of the site.

MM 4.4-10: If construction and decommissioning activities are conducted during the typical bird season (February 1 through August 31), the Lead Biologist(s) or their designee shall conduct a

pre-construction survey or pre-decommissioning nesting survey within 10 days of ground disturbance activities to reduce potential impacts to avian species. Surveys need to be conducted for the entire project site at one time; they may be phased so that surveys occur within 10 days prior to disturbance in specific areas of the site. The survey area shall cover a 500-foot buffer (where legally accessible).

a. If nesting birds/raptors are observed, ~~and continuous monitoring by the qualified biologists(s) will occur,~~ the Lead Biologist(s) or approved Biological Monitor(s) shall establish an appropriate buffer distance around the nest site (typically 100 feet for passerines and up to 500 feet for Le Conte's thrasher and raptors) and if feasible, continuous monitoring by a qualified biologist shall occur. If continuous monitoring is not feasible, then a minimum no-disturbance buffer of ~~250~~ 100 feet will be established for non-listed passerines under the protection of MBTA. Continuous monitoring is required for listed passerines and raptors. The buffer shall remain in place until the Lead Biologist(s) or approved Biological Monitor(s) has determined that the nest is no longer active. Encroachment into the buffer may occur at the discretion of the Lead Biologist(s) in consultation with the Kern County Planning and Natural Resources Department. Nesting bird protections will only apply to MBTA, CESA, and/or ESA species and will not be applied to non-native bird species (i.e. European starlings, English sparrows, rock doves, etc.).

b. If construction is scheduled to occur during the non-nesting season (September 1 to January 31), no pre-construction surveys or additional measures are required for nesting birds, including raptors.(RTC 7/31/26)

MM 4.4-11: No more than 14 days prior to commencement of ground-disturbing activities, a Lead Biologist or their designee shall conduct a pre-construction survey in areas with suitable western burrowing owl habitat proposed for disturbance within the project site and 500-meter radius (where legally accessible) to determine if occupied known and/or occupied nesting western burrowing owl burrows are present. Burrowing owl burrows shall be evaluated and classified per the definitions below:

a. Potential Burrow: Any subterranean hole four inches or larger for which no current evidence is present to conclude that the burrow is being used by a burrowing owl.

b. Occupied Known Burrow: A burrow that shows signs of burrowing owl presence (whitewash, feathers, pellets, prey remains, eggshell fragments) and presence of at least one burrowing owl. If monitoring confirms that burrowing owl are no longer using a burrow, it will be redesignated as potential.

c. Occupied Nesting Burrow: A burrow where monitoring overseen by the Lead Biologist or approved Biological Monitor demonstrates the presence of burrowing owl eggs, chicks, dependent young, and/or brooding or egg incubation (via inter-burrow scope).

Survey methodology shall be consistent with the methods outlined in the 2012 California Department of Fish and Game Staff Report on Burrowing Owl Mitigation and shall consist of walking parallel transects 7 to 20 meters apart, adjusting for vegetation height and density as needed, and noting burrows with fresh burrowing owl sign or presence of burrowing owl. Surveys need not be conducted for all areas of suitable habitat at one time; they may be phased so that surveys occur prior to disturbance in specific areas of the site. The western burrowing owl surveys may be conducted in conjunction with other required preconstruction surveys, if timing is appropriate. Copies of the survey results shall be submitted to the Kern County Planning and Natural Resources Department.

a. If potential burrowing owl burrows are detected any time of year, burrows may be excavated under the direct supervision of the Lead Biologist without prior camera monitoring.

b. If occupied known and/or occupied nesting burrowing owl burrows are detected, a no-disturbance buffer shall be established around the burrow and no ground-disturbing activities may occur within the buffer zone.

c. An established burrowing owl burrow no-disturbance buffer may be removed once the burrowing owl(s) is/are no longer using the burrow (redesignated as a potential burrow).

The size of employed no-disturbance buffers may be up to 500 meters from an occupied known and/or occupied nesting burrowing owl burrow year-round. Buffer size is dependent upon time of year and level of construction activity disturbance. ~~Depending on the level of disturbance, a smaller buffer may be established by the Lead Biologist based on the visibility and sensitivity responses of each individual burrowing owl.~~ Ultimate buffer distances shall be determined in consultation with CDFW based on the visibility and sensitivity responses of each burrowing owl and as defined in the incidental take permit. Buffers shall be maintained for the duration the burrowing owl burrow remains occupied as determined by the Lead Biologist.

In October 2024, western burrowing owl was designated a candidate species under the CESA. If, at the commencement of project construction, western burrowing owl is present and is either still a candidate species, or has been listed as threatened, or endangered under CESA, and avoidance of occupied known and/or occupied nesting western burrowing owl burrows is infeasible as determined by the Lead Biologist, the Applicant shall ~~consult with the California Department of Fish and Wildlife (CDFW) regarding the potential for project construction activities to result in take of burrowing owl~~ obtain an incidental take permit (ITP) for western burrowing owl and shall comply with all avoidance, minimization, and compensatory mitigation requirements set forth in any ~~Incidental Take Permit (~~ITP~~)~~ issued for the project by CDFW authorizing take of the species.(RTC 7/31/26)

MM 4.4-12: If potential American badger or desert kit fox dens are found during pre-construction surveys, the status of the dens shall be evaluated by the Lead Biologist or their designee no more than 30 days prior to project ground disturbance.

a. If the Lead Biologist determines that the den(s) are inactive, den(s) shall be collapsed by a Lead Biologist to prevent occupation of the den(s) between the time of the preconstruction survey and construction activities.

b. If the Lead Biologist determines that the den(s) are active, construction activities shall not occur within 50 feet of an active badger den or 100 feet of an active kit fox den, unless otherwise approved by the Lead Biologist.

c. If the Lead Biologist(s) determines that potential den(s) outside of the pupping season may be active, a passive relocation program can occur. The pupping season is defined as March 15–July 31 for American badger and February 1–August 31 for desert kit fox. The program shall consist of determining status of the den(s) (confirming it is a nonmaternity den through remote camera monitoring), excluding American badger or desert kit fox from the occupied nonmaternity den(s) by installation of one-way doors at

burrow entrances, monitoring of the den for a minimum of 48 hours to confirm usage has been discontinued, and excavation and collapse of the den.

MM 4.4-13: If construction activities are scheduled to be initiated during the Swainson's hawk nesting season (March 1 through September 15), a Lead Biologist or their designee shall conduct a preconstruction survey of all accessible areas within 0.5-mile of the planned disturbance area to determine the presence and activity of known or new Swainson's hawk nests. Inaccessible areas shall be surveyed by binocular or spotting scope. The preconstruction survey shall occur within 30 days prior to the start of construction. If construction is scheduled to commence outside of the Swainson's hawk nesting season (September 16 to February 28), no preconstruction surveys are required. The preconstruction nest survey shall follow the protocols set out in the CEC & CDFW Guidance (2010).

To the extent feasible, the project applicant shall design the project site to allow sufficient foraging and fledging area to maintain active Swainson's hawk nests located within 0.5 miles of the project site, if present.

If preconstruction surveys detect a nesting Swainson's hawk within 0.5 miles of the project site, a 0.5-mile avoidance buffer shall be established around the nest by a Lead Biologist or approved Biological Monitor and no construction within the buffer shall be allowed until the Lead Biologist has determined the nest is no longer active. Encroachment into the buffer may occur at the discretion of a Lead Biologist in consultation with CDFW. If at the commencement of project construction, Swainson's hawk remain listed as a State threatened species, and if active Swainson's hawk nests are found within a 5-mile radius of the project site during preconstruction surveys, the project proponent/operator shall mitigate the loss of any moderate quality Swainson's hawk foraging habitat for any portion of the project site within 5-miles of an active nest at a ratio up to 0.5:1. Mitigation lands may be nested with other compensatory lands provided it meets the necessary biological requirements. Avoided habitat would not count toward impacts in determining compensatory mitigation requirements and may be used to satisfy mitigation requirements if protected by a deed restriction or other conservation mechanism/strategy.

If at the commencement of project construction, Swainson's hawk remain listed as a State threatened species, and if avoidance of an active nest is not feasible, the project proponent/operator shall consult with CDFW regarding the potential for project activities to result in take of the Swainson's hawk and shall comply with all avoidance, minimization, and compensatory mitigation requirements set forth in any Incidental Take Permit (ITP) issued for the project by CDFW authorizing take of the species. Documentation of any such CDFW take authorization and mitigation shall be provided to the Kern County Planning and Natural Resources Department.

MM 4.4-14: A Raven Management Plan shall be developed for the project site in accordance with U.S. Fish and Wildlife Service guidelines and shall implement management measures for ravens in the project area. This plan shall include at a minimum:

a. Structure designs that eliminate perches, waste management, roadkill management, management of ponded water during construction and operations, and nest removal on structures within the project site and along the transmission line.

b. Identification of all common raven nests within the project area during construction.

c. Weekly inspections during construction under all nests in the project area for evidence of desert tortoise predation (e.g., scutes, shells, etc.). If evidence of desert tortoise predation is noted, a report shall be submitted to the U.S. Fish and Wildlife Service, California Department of Fish and Wildlife, and the Kern County Planning and Natural Resources Department within five calendar days; and

d. Provisions for the management of trash that could attract common ravens during the construction, operations and maintenance, and decommissioning phases of the proposed project.

MM 4.4-15: Wherever possible, vegetation removal shall be minimized within the project site. Native vegetation shall remain undisturbed unless removal is necessary for placement of project components to allow for continued use by potential raptor prey species (i.e., small mammals, reptiles, and amphibians).

a. Native vegetation adjacent to the project site shall remain in place as permitted by the Kern County Fire Code.

b. In areas temporarily disturbed during construction and decommissioning (including grading or removal of root balls resulting in loose soil), the ground surface shall be revegetated with a native seed mix or native plants and/or allowed to re-vegetate with the existing native seed bank in the topsoil where possible to establish revegetation.

c. Vegetation/ground cover shall be continuously maintained on the site by the project proponent/operator.

MM 4.4-16: The project proponent/operator shall install power lines in conformance with Avian Power Line Interaction Committee (APLIC) standards for electrocution-reducing techniques as outlined in Suggested Practices for Avian Protection on Power Lines: The State of the Art in 2006 (APLIC, 2006), and the collision-reducing techniques outlined in Reducing Avian Collisions with Power Lines: The State of the Art in 2012 (APLIC, 2012), or any superseding document issued by APLIC.

MM 4.4-17: During the operation and maintenance phase of the project, an *Avian Mortality Monitoring Program* shall be developed and implemented to systematically and periodically determine the extent of mortality occurring because of collisions with solar arrays. The measures listed below apply to the program:

a. The Avian Mortality Monitoring Program shall be developed following the Mortality Monitoring Design for Utility-Scale Solar Power Facilities and include methods to achieve Objective 1 (monitoring to estimate total bird and bat mortality). Methods include using a trained and skilled team of biologists to systematically sample the project site by walking transects through the solar arrays scanning for deceased birds.

b. Data shall be collected on any encountered deceased bird (or any other wildlife) species including species, condition of the carcass, approximate age, presence of feathers, and the like.

c. Additionally, maintenance personnel working on the project site who encounter injured or deceased birds (or any other wildlife) shall be trained to collect data and photograph the encountered species.

d. Mortality monitoring shall be conducted for a minimum of a 1-year period following the commencement of the operation and maintenance phase of the project.

e. If, after 1 year of mortality monitoring, project impacts to any avian species caused by the project are shown to result in a substantial, long-term reduction in the demographic viability of the population of the species in question, then adaptive management must be implemented to reduce impacts. Adaptive management measures may include but not be limited to passive avian diverter installations, the use of sound, light, or other means to discourage site use consistent with legal requirements, on site habitat management or control measures consistent with applicable legal requirements, or modification to support structures to exclude nesting birds.

MM 4.4-18: Preconstruction surveys for Crotch's bumble bee shall be conducted prior to initial ground-disturbing activities. The survey area shall consist of suitable habitat areas within the project site and 50-foot buffer (access permitting). Surveys and timing would be consistent with the survey methodologies set out in the CDFW *Survey Considerations for CESA Candidate Bumble Bee* (CDFW, 2023) or as determined adequate for the project per coordination with CDFW. The purpose of this survey will be to identify active Crotch's bumble bee nest colonies.

a. If active Crotch's bumble bee nests are discovered onsite, the Lead Biologist or approved Biological Monitor shall establish a 50-foot no disturbance buffer around the nest to reduce the risk of disturbance or accidental take.

b. If establishment of a no disturbance buffer is feasible, construction activities shall not occur within the no disturbance buffer until a Lead Biologist determines that the colony is no longer active (i.e., no Crotch's bumble bees are seen flying in or out of the nest for three consecutive days indicating the colony has completed its nesting season and the next season's queens have dispersed from the colony). Once the nest has been determined inactive, construction activities within the no disturbance buffer(s) shall be allowed to resume.

c. In June 2019, Crotch's bumble bee was designated a candidate species under the CESA. If, at the commencement of project construction, Crotch's bumble bee is present and is either still a candidate species, or has been listed as threatened, or endangered under CESA, and ~~If~~ avoidance of an active nest is not feasible, as determined by the Lead Biologist, the project proponent/operator shall ~~consult with CDFW regarding potential for project activities to result in~~ obtain an incidental take permit of the Crotch's bumble bee and shall comply with all avoidance, minimization, and compensatory mitigation requirements set forth in any ITP issued for the project by CDFW authorizing take of the species. Documentation of any such CDFW take authorization and mitigation shall be provided to the Kern County Planning and Natural Resources Department.(RTC 7/31/26)

MM 4.4-19 Preconstruction surveys for small mammals including Mohave ground squirrel shall be conducted within suitable habitat 14 days prior to initial ground-disturbing activities. If a Mohave ground squirrel is found on the construction site, work shall be halted and redirected to areas not supporting this species, and consultation with the California Department of Fish and Wildlife (CDFW) shall occur. A written report shall be sent to CDFW within 5 calendar days of the sighting. The report shall include the date, time of the finding or incident (if known), and location of the animal. If a dead Mohave ground squirrel

is encountered, the remains shall be collected, frozen as soon as possible, and CDFW shall be contacted to determine where the remains would be sent.

If it is determined from surveys that Mohave ground squirrels are not present, no further action is required.

If Mohave ground squirrels are detected during preconstruction surveys or construction monitoring, the project proponent shall prepare a Mohave Ground Squirrel Avoidance and Monitoring Plan. The Mohave Ground Squirrel Avoidance and Monitoring Plan shall include, at a minimum:

a. Specifications for designation of the Lead Biologist(s) or approved Biological Monitor(s) for conducting surveys and monitoring.

b. Methods for excluding Mohave ground squirrels from the work area, such as fencing.

c. Measures and procedures related to monitoring of construction for presence of Mohave ground squirrels.

d. A requirement to cease work if a Mohave ground squirrel is encountered in a work area.

e. Requirements for the worker environmental awareness training and education program training as it pertains to Mohave ground squirrels reporting requirements.

f. All documented active Mohave ground squirrel burrows shall be avoided by a minimum of 50 feet to avoid take and potentially significant impacts; if avoidance is not feasible, the project proponent/operator shall consult with CDFW regarding potential for project activities to result in take of Mohave ground squirrel and shall comply with all avoidance, minimization, and compensatory mitigation requirements set forth in any Incidental Take Permit issued for the project by CDFW authorizing take of the species. Documentation of any such CDFW take authorization and mitigation shall be provided to the Kern County Planning and Natural Resources Department.

MM 4.4-20 No more than 30 days prior to commencement of ground-disturbing activities, the Lead Biologist(s) or their designee shall conduct a pre-construction survey in areas with suitable desert tortoise habitat proposed for disturbance within the project site to determine if desert tortoise are present. Pre-construction surveys shall adhere to the current U.S. Fish and Wildlife Service (USFWS) clearance survey protocols described in the Desert Tortoise Field Manual, including a minimum of two clearance passes, which shall coincide with heightened desert tortoise activity from late March through May and September through October or as or as determined adequate for the project per coordination with applicable regulatory agencies.

Surveys need not be conducted for all areas of suitable habitat at one time; they may be phased so that surveys occur prior to disturbance in specific areas of the site. The desert tortoise surveys may be conducted in conjunction with other required preconstruction surveys, if timing is appropriate. Copies of the survey results shall be submitted to the Kern County Planning and Natural Resources Department.

If avoidance of desert tortoise is not feasible, the project proponent/operator shall consult with USFWS and California Department of Fish and Wildlife regarding the potential for project activities to result in take of the desert tortoise and shall comply with all avoidance (including prescribed preconstruction surveys), minimization, and compensatory mitigation requirements set forth in any issued permit for the project USFWS and CDFW take authorization requirements shall supersede County requirements. Documentation of any such take authorization and mitigation shall be provided to the Kern County Planning and Natural Resources Department.

MM 4.4-21 A weed control plan shall be prepared to address the control of invasive weeds and plants. The weed control plan shall be in place prior to construction activities and shall be completed to the satisfaction of the County Planning Department. The plan shall include a risk assessment of the invasive weed and plant species currently known within the project site, procedures to control their spread on-site and to adjacent offsite areas, and procedures to minimize the introductions of new weed and plant species. The Weed Control Plan shall include preventive measures that would minimize the potential establishment of invasive weed and plant species during project implementation, including the O&M phase. To minimize the spread and establishment, tires and surfaces of all trucks and construction equipment shall be cleaned with water or high-pressure air prior to commencing work in off-site areas, and/or the use of rocks/grates at the entries to the project site shall be installed to physically dislodge seeds. Certified weed-free mulch shall be used when stabilizing areas of disturbed soils and onsite soils shall be used to the maximum extent practicable for fill. This measure also shall apply during decommissioning activities.

Significant Effect

The project would have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the CDFW or USFWS (Impact 4.4-2).

Description of Significant Impact

The project site does not support any riparian habitat. The project site is not located within designated final or proposed critical habitats for federally listed plant or wildlife species, nor is it located within or adjacent to critical habitats. The project would have no impacts to these resources, and no measures are warranted.

The Study Area contains one sensitive natural community: Winterfat scrubland (*Krascheninnikovia lanata* Shrubland Alliance).

Winterfat scrubland: Winterfat scrubland is a sensitive natural community with a rarity ranking in California of S3 (vulnerable). Approximately 211 acres of winterfat scrubland were mapped within the Study Area. Winterfat scrubland occurs in a few non-contiguous patches within the Study Area including along the eastern boundary, south of the BNSF railroad, and along the northern boundary, north of the BNSF railroad. A portion of this 211 acres of winterfat scrubland is anticipated to be impacted by the project. However, the project would be constructed using techniques that allow for retention and reestablishment of vegetation following project construction. Site preparation techniques will minimize impacts on natural vegetation where possible, using mow-and-roll vegetation clearance strategy, and minimizing conventional grading throughout the site to the maximum extent possible. Potential impacts to this sensitive natural community would be less than significant because, following construction activities, this sensitive natural community is expected to continue germinating throughout project operations, ensuring the community's persistence on and around the project site.

Jurisdictional Features: Forty potentially jurisdictional features were observed within the 4,277-acre jurisdictional delineation study area. The features generally flow from the northwest to the southeast in the majority of the study area. All of the features in the study area are generally characterized as ephemeral, single-thread, low-gradient and low-sinuosity channels lacking riparian or desert wash species. The project may have direct impacts on jurisdictional features during project construction or due to placement of project facilities. Implementation of the project could result in indirect impacts on adjacent jurisdictional features that are not directly impacted by project construction or infrastructure. Alteration of drainage patterns on the project site could affect downstream areas by redirecting flow and runoff. Construction-related pollution, airborne fugitive dust, erosion, runoff, siltation, sedimentation, and soil compaction could adversely affect jurisdictional features. Potential indirect impacts also include the introduction and spread of invasive, exotic plants that could result in permanent indirect impacts to jurisdictional features. These impacts are considered potentially significant. Potential impacts would be reduced through implementation of the project's Stormwater Pollution Prevention Plan per Mitigation Measure MM 4.10-1 (see Section 4.10, *Hydrology and Water Quality*, for full mitigation measure text), which would require preservation of existing vegetation and topography to the maximum extent feasible, as well as include erosion and sediment control BMPs designed to prevent erosion and sedimentation from occurring during project construction. Compliance with the Kern County Grading Code also requires erosion prevention measures be implemented.

With regard to erosion and sedimentation during project operation caused by increased runoff from impervious surfaces, large amounts of pervious ground surface would remain during project operation that would continue to absorb the majority of surface flows. Further, Mitigation Measure MM 4.10-2 (see Findings for *Hydrology and Water Quality*, below) would require the submittal of a Final Drainage Plan for the project that would evaluate and minimize potential increases in runoff and ensure that the retention basins and other stormwater management features are implemented consistent with existing regulatory requirements. With these mitigation measures, impacts would be reduced to less than significant.

Impacts would be further reduced through implementation of Mitigation Measures MM 4.4-22 and MM 4.4-23. If jurisdictional features are to be impacted, the project proponent/operator will implement Mitigation Measure MM 4.4-23 to avoid, minimize, reduce, and/or mitigate impacts on potential jurisdictional features. Prior to any impacts to RWQCB or CDFW jurisdictional features, the project proponent/operator shall prepare and submit an application permit package to the RWQCB and obtain Waste Discharge Requirements (WDRs) from the RWQCB pursuant to the Porter-Cologne Act and shall consult with the CDFW on the need for a streambed alteration agreement pursuant to sections 1600-1616 of the CFGC, respectively. Compensatory mitigation for permanent impacts on jurisdictional features shall be identified prior to disturbance of jurisdictional features. The permits (WDRs and Streambed Alteration Agreements) will mandate BMPs, avoidance and protection measures, and/or compensatory mitigation ratios and other measures for impacts on jurisdictional features. Compliance with permits issued for the project by the RWQCB and CDFW, and implementation of the measures required by the permits, would offset the loss of jurisdictional features and mitigate the project's impacts. The project proponent/operator will implement the following Mitigation Measures MM 4.10-1, 4.10-2 (see Findings for *Hydrology and Water Quality*, below), MM 4.4-22, and MM 4.4-23. With implementation of the mitigation measures described above, impacts would be less than significant

<u>Finding</u>

The project has the potential to cause a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the CDFW or USFWS. However, with implementation of Mitigation Measures MM 4.10-1, MM 4.10-2 (see Findings for *Hydrology and Water Quality*, below), MM 4.4-7 (above), and MM 4.4-22 through MM 4.4-23 (below), impacts would be less than significant.

Level of Significance

With implementation of Mitigation Measures MM 4.4-7, MM 4.10-1, MM 4.10-2 (see Findings for *Hydrology and Water Quality,* below), and MM 4.4-22 through MM 4.4-23 (below), impacts would be less than significant.

Brief Explanation of Rationale for Finding

CEQA requires that all feasible and reasonable mitigation be applied to the project to reduce impacts. Implementation of Mitigation Measures MM 4.4-7, MM 4.10-1, MM 4.10-2 (see Findings for *Hydrology and Water Quality,* below), and MM 4.4-22 through MM 4.4-23 (below), impacts would be less than significant.

MM 4.4-22: Prior to issuance of any grading or building permit, the project proponent/operator shall submit to Kern County a jurisdictional delineation report detailing identified ephemeral drainages within the project boundary. The report shall include information as shown below as a plan if necessary and shall outline compliance with the following:

a. Clearly identify jurisdictional features identified in the jurisdictional delineation that cannot feasibly be avoided. This may be shown in plan form.

b. Any material/spoils generated from project activities shall be located away from jurisdictional areas or special-status habitat and protected from storm water run-off using temporary perimeter sediment barriers such as berms, silt fences, fiber rolls, covers, sand/gravel bags, and straw bale barriers, as appropriate.

c. Materials shall be stored on impervious surfaces or plastic ground covers to prevent any spills or leakage from contaminating the ground and generally at least 50 feet from the top of bank.

d. Any spillage of material shall be stopped if it can be done safely. The contaminated area shall be cleaned and any contaminated materials properly disposed. For all spills, the project foreman or designated environmental representative shall be notified.

MM 4.4-23: If the Regional Water Quality Control Board (RWQCB) and/or California Department of Fish and Wildlife (CDFW) jurisdictional resources cannot be avoided, the project proponent/operator shall be subject to provisions as identified below:

a. Prior to ground disturbance activities that could impact RWQCB and/or CDFW jurisdictional resources, the project proponent/operator shall consult with the RWQCB to obtain Waste Discharge Requirements (WDRs) and/or CDFW to obtain a Lake and Streambed Alteration Agreement (LSAA). Permits shall be obtained prior to disturbance of jurisdictional resources.

b. The project proponent/operator shall comply with all avoidance, minimization, and compensatory mitigation measures, as set forth in permits issued to the project by RWQCB and/or CDFW.

c. Copies of coordination, proof of compliance, documentation of any mitigation, along with copies of permits obtained from the RWQCB and/or CDFW shall be provided to the Kern County Planning and Natural Resources Department.

Significant Effect

The project would 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 (Impact 4.4-4).

Description of Significant Impact

Aquatic features that support fish are absent from the Study Area; therefore, impacts on fish and fish spawning habitats would not occur. In addition, native wildlife nursery sites are absent from the Study Area; therefore, impacts to wildlife nursery sites would not occur.

The Study Area is not located within or adjacent to a CDFW designated Essential Connectivity Area or Natural Landscape Block. The nearest Essential Connectivity Area to the Study Area is located 11 miles northwest. Two Natural Landscape Blocks occur 11 miles from the Study Area; one is located 11 miles northwest and the second is located 11 miles to the northeast. Further, the project site is not located within or adjacent to a South Coast Missing Linkages Wildlife Corridors or a Desert Linkage Network. Therefore, the project site is located outside of an identified essential regional wildlife linkage and impacts on designated wildlife corridors or on identified essential regional wildlife linkages would not occur.

Connections of habitat (wildlife corridor) that join two or more larger areas of similar habitat that would otherwise be fragmented or separated from each other are absent from the project site. In addition, wildlife crossings are also absent from the project site; therefore, impacts would not occur on wildlife corridors or wildlife crossings. Impacts on wildlife and their movement within or adjacent to project work areas may be elevated during construction, but these impacts would be temporary. Species would be expected to re-occupy adjacent habitats following completion of construction. While the project would introduce structures and features to the project site that could physically impede wildlife movement in certain areas and directions, potential long-term direct and indirect impacts on wildlife movement are not likely to be significant because abundant adjacent lands would remain available for wildlife movement after project development. While access roads associated with the proposed gen-tie line would result in vehicle use, wildlife would be able to pass across these dirt roads freely, since traffic would still be sparse.

Perimeter fencing would be designed to allow for passage of small and medium-sized wildlife with a gap at the bottom of the fence to allow permeability for wildlife and wildlife movement through and around the project site. Final perimeter fencing design would be evaluated and developed in consultation with appropriate agencies, and the best-fit scenario would be incorporated at the project site. Additionally, project lighting would comply with all development standards, the Kern County Zoning Ordinance, and the goals, policies, and implementation measures of the Kern County General Plan. The proposed project would be required to implement Mitigation Measure MM 4.1-6 (see Section 4.1, Aesthetics, for full mitigation measure text), which requires compliance with Kern County's Dark Skies Ordinance to minimize nighttime lighting in unincorporated areas of Kern County. As a result, development of the project would not restrict local or regional wildlife movement. Therefore, the project is not expected to adversely impact wildlife movement and potential impacts would be less than significant.

Finding

The project has the potential to interfere 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. However, with implementation of Mitigation Measure MM 4.1-6 (see Findings for *Aesthetics,* above), impacts would be less than significant.

Level of Significance

With implementation of Mitigation Measure MM 4.1-6 (see Findings for *Aesthetics,* above), impacts would be less than significant.

Brief Description of Rationale for Finding

CEQA requires that all feasible and reasonable mitigation be applied to the project to reduce impacts. With implementation of Mitigation Measure MM 4.1-6 (see Findings for *Aesthetics,* above), impacts would be less than significant.

Significant Effect

The proposed project would conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance (Impact 4.4-5).

Description of Significant Impact

Studies of the biological resources associated with the project site were conducted and reports were prepared to comply with the policies and programs described within Kern County General Plan. As currently designed, the proposed project is considered consistent with the Kern County General Plan. The project would implement mitigation measures to reduce potential project-related impacts to sensitive biological resources including special-status species, sensitive natural communities, and jurisdictional features. Impacts of these resources are discussed above.

Kern County does not have a tree protection ordinance and therefore, impacts would not occur. The County promotes the preservation and management of oak woodlands and individual oaks in its General Plan. The project site does not support oak woodlands or individual oak trees; therefore, there would be no impact.

The Mojave Specific Plan encourages the preservation of Joshua trees and Joshua tree woodlands. Although the project would result in impacts to WJTs, the project includes implementation of a number of avoidance and minimization measures to preserve WJTs at the project site and would comply with Mitigation Measure MM 4.4-8. The project would obtain take coverage from CDFW and comply with all avoidance, minimization, and compensatory mitigation measures, as set forth in any incidental take permit issued to the project by CDFW. Thus, the project would be consistent with the Mojave Specific Plan for those portions of the project gen-tie line that crosses within the specific plan boundaries. See also discussions under Impacts 4.4-1 and 4.4-2 above for analysis regarding WJT impacts. With implementation of Mitigation Measures MM 4.4-1 through MM 4.4-23 described previously, impacts related to local policies or ordinances protecting biological resources would be less than significant.

Finding

The proposed project has the potential to conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance. However, with implementation of Mitigation Measure 4.4-1 through MM 4.4-23 (listed above), impacts would be less than significant.

Level of Significance

With implementation of Mitigation Measures MM 4.4-1 through MM 4.4-23, listed above, impacts would be less than significant.

Brief Description of Rationale

CEQA requires that all feasible and reasonable mitigation be applied to the project to reduce impacts. With implementation of Mitigation Measures MM 4.4-1 through MM 4.4-23, listed above, impacts would be less than significant.

C. Environmental Effects of the Project that Cannot Be Mitigated to a Less Than Significant Level.

Significant Effect

The project would have a substantial adverse effect, either directly or through habitat modifications, on WJT (Impact 4.4-1).

Description of Significant Effect

Western Joshua Tree (WJT): WJTs, which are protected by the CDNPA and a candidate species under CESA, were observed within the Study Area. Detailed WJT surveys were conducted for the project. For the purposes of this analysis, the project contains areas where impacts to WJT may occur (i.e., the project development footprint; WJT Impact Areas).

Within the WJT Impact Areas there are approximately 8,889 live WJT stems and approximately 3,465 dead WJT stems. Overall, Size Class A (5 meters tall) made up 49 percent and 4 percent of live stems, respectively. The overall density of live WJT stems is approximately 2.4 trees per acre (this density is primarily driven by juvenile trees and clonal sprouts); however, the density of mature reproductive stems is approximately 0.7 trees per acre. To be classified as WJT woodland, the mapped WJT must meet the membership rules for *Yucca brevifolia* Woodland Alliance, which requires WJT to be present at 1 percent or greater cover. Based on this criterion, no areas within the project site were designated as WJT woodland.

WJTs are protected by the CDNPA and are a candidate species under CESA. Given that WJT individuals would be impacted by the project, impacts on WJT would be considered significant without mitigation. The project includes design features to avoid, preserve, and minimize impacts to WJT at the project:

- The project includes restoration and enhancements of WJT habitats through relocation of a minimum of 900 onsite WJT stems to onsite or offsite lands; and

- The project proponent intends to obtain take coverage from CDFW for impacts to WJTs and, prior to the issuance of grading or building permits, documentation of take authorizations will be provided to Kern County (Mitigation Measure MM 4.4-8). Mitigation for impacts to WJT would be coordinated with CDFW through take coverage permitting and is expected to include measures such as seed collection, WJT relocation requirements, and the acquisition of offsite compensatory mitigation lands with a focus on WJT refugia habitat.

In addition, the project proponent/operator would also implement Mitigation Measures MM 4.4-1 through MM 4.4-3, which require a Lead Biologist to oversee all biological mitigation measures, implementation of a Worker Environmental Awareness Training Program, and general avoidance and protective measures designed to avoid impacts to special-status species during construction, O&M, and decommissioning activities. However, while implementation of the project design features listed above and Mitigation Measures MM 4.4-8 and MM 4.4-1 through MM 4.4-3 would reduce impacts to WJT, the County considers impacts to WJT to be significant and unavoidable due to the number of WJT that would be impacted to implement the project.

Project Design Features to Avoid, Preserve and Minimize Impacts to Western Joshua Tree and Joshua Tree Woodland at the Project:

Per Chapter 3, *Project Description,* of the EIR the project includes the following avoidance and minimization measures which have been incorporated into Mitigation Measure MM 4.4-8:

- The project includes restoration and enhancements of WJT habitats through relocation of a minimum of 900 onsite WJT stems to onsite or offsite lands; and

- The project proponent intends to obtain take coverage from CDFW for impacts to WJT prior to the issuance of grading or building permits, documentation of take authorizations will be provided to Kern County. Mitigation for impacts to WJT would be coordinated with CDFW through take coverage permitting and is expected to include measures such as seed collection, WJT relocation requirements, and the acquisition of offsite compensatory mitigation lands with a focus on WJT refugia habitat.

Finding

The project would have a substantial adverse effect, either directly or through habitat modifications, on the Western Joshua tree. Though implementation of project design features listed above and Mitigation Measures 4.4-8, and Mitigation Measures MM 4.4-1 through MM 4.4-3 (listed above) would reduce impacts to WJT, the County considers impacts to WJT to be significant and unavoidable due to the number of WJT that would be impacted to implement the project.

Level of Significance

Even with implementation of project design features listed above and Mitigation Measures 4.4-8, and Mitigation Measures MM 4.4-1 through MM 4.4-3 (listed above), impacts to WJT would be significant and unavoidable.

Brief Explanation of Rationale for Finding

CEQA requires that all feasible and reasonable mitigation be applied to the project to reduce impacts. Though implementation of project design features listed above and Mitigation Measures 4.4-8, and Mitigation Measures MM 4.4-1 through MM 4.4-3 (listed above) would reduce impacts to WJT, the County considers impacts to WJT to be significant and unavoidable due to the number of WJT that would be impacted to implement the project.

D. Cumulative Environmental Effects of the Proposed Project that Would Have a Less Than Significant Impact on the Environment.

None.

E. Cumulative Environmental Effects of the Proposed Project that Would Have a Significant and Unavoidable Impact on the Environment.

Significant Effect

The proposed project would have a cumulative environmental impact on biological resources.

Description of Significant Impact

Cumulative impacts for a project would be significant if the incremental effects of the individual project are considerable when combined with the effects of past projects, other current projects, and probable future projects. As described above, the project-specific impacts would be less than significant with implementation of Mitigation Measures MM 4.1-1, MM 4.1-3, MM 4.1-6, MM 4.1-7 (see Findings for *Aesthetics*, above), MM 4.3-3 (see Findings for *Air Quality*, above), MM 4.4-1 through MM 4.4-23, MM 4.9-2 (see Findings for *Hazards and Hazardous Materials*, below), MM 4.10-1, MM 4.10-2 (see Findings for *Hydrology and Water Quality*, below), MM 4.13-1 (see Findings for *Noise*, below), and MM 4.14-1 (see Findings for *Public Services*, below).

There are several proposed, existing, and permitted solar energy and transmission projects in the region where the project site is located, as shown in Figure 3-17, Cumulative Projects, in Chapter 3 of this EIR. As large-scale energy projects and urbanization pressures increase within Kern County, impacts to biological resources within the region are expanding on a cumulative level. As described in Table 3-5, Cumulative Projects List, several projects, including other utility-scale energy production facilities, are presently underway or proposed within the Antelope Valley. In general, bioregions are defined through physical and environmental features, including watershed boundaries and soil and terrain characteristics. Areas to the north and west of the Tehachapi Mountains, and to the south of the San Gabriel Mountains, are within a different bioregion and are separated from the project site by the natural geography that these ranges present. SR-14, at the eastern end of the Western Antelope Valley, also acts as a barrier to wildlife movement.

Several special-status species, both plants and wildlife, currently utilize the project site and surrounding vicinity. Implementation of the project in addition to the other projects underway or proposed within Kern County would impact transient wildlife species, including western burrowing owl, Swainson's hawk, other raptors including golden eagle, American badger, and desert kit fox. The project site contains habitat that support insects, rodents, and small birds that provide a prey base for raptors and terrestrial wildlife. In addition, based on the literature review and database search completed for the project, the region is known to support a diversity of special-status species, most of which are expected to utilize the project site on a transient basis, if at all.

Given the number of present and reasonably foreseeable future development projects in the Antelope Valley, the project, when combined with other projects, would have an incremental contribution to cumulative loss of foraging and nesting habitat for special-status species. Implementation of mitigation measures would reduce impacts to biological resources to less-than-significant levels on the project-level scale, with the exception of WJT (see Impact 4.1-1 of EIR). However, when combined with other related development projects proposed throughout the County, the cumulative impact would be significant and unavoidable.

The project would contribute to cumulative impacts to rare plant species, including alkali mariposa lily and WJT; however, after implementation of Mitigation Measures MM 4.4-1 through MM 4.4-3, MM 4.4-6, MM 4.4-8, and MM 4.4-15, which includes pre-construction surveys, avoidance, revegetation, and other compensation via the CFGC, the project's incremental contribution of impacts to rare plant species would not be cumulatively considerable and is thus considered less than significant.

In addition, common raven numbers have grown substantially in the past few decades in the western Mojave Desert. Ravens are predators of the desert tortoise and burrowing owl, and compete with, as well as prey on, many special-status raptors and birds. Raven numbers are such that they pose a serious threat to many desert species. Additionally, the common raven population growth is directly attributed to human development and the subsidies it creates that support this adaptable species. When considered within the cumulative context of related projects as described above, the project's contribution to maintaining artificially high common raven populations when combined with other related projects, is potentially significant. However, the contribution of the project with mitigation incorporated would not be cumulatively considerable because project impacts to special-status wildlife would be reduced.

When considered in combination with other existing and reasonably foreseeable projects in the surrounding flat, open portions of Antelope Valley from SR-14 to the Tehachapi foothills, the proposed project has the potential to further reduce local wildlife movement. However, wildlife movement within the project site and area is likely diffuse, and flat, undeveloped lands would remain available to facilitate wildlife movement within the valley. Therefore, impacts concerning wildlife movement would be less than significant.

Project impacts to nesting migratory birds would be considered less than significant with implementation of Mitigation Measure MM 4.4-10 by protecting nesting birds from disturbances during construction or O&M activities. Secondly, the loss of foraging habitat would be less than significant as the project will result in a small portion of the total available foraging habitat in the Antelope Valley. Available data suggest that injury to and mortality of birds may occur from collision with PV panels at solar facilities. However, the solar panels for the project would be designed to be anti-reflective to minimize glare (Mitigation Measure MM 4.1-7; see Findings for *Aesthetics,* above) and reduce potential collision impacts to migratory birds. The project would include construction of new power lines that have potential to cause injury or mortality from collisions or electrocution, and these effects are likely cumulative with other projects in the County that will be constructing power lines. However, this proposed project includes the commitment to adhere to current APLIC design standards, as described in Mitigation Measure MM 4.4-16, which would reduce the potential for bird injury and mortality from collisions and electrocution. Furthermore, it is assumed that other cumulative projects in the region also have similar measures (nesting bird surveys, anti-reflective solar panels, and APLIC design standards) to reduce potential impacts to migratory birds. Therefore, the incremental effects of the project on overall bird fatality from collision or electrocution risk in the Antelope Valley would not be cumulatively considerable, and impacts would be considered less than significant.

Finding

The proposed project's impacts to biological resources would be cumulatively considerable. Even with implementation of Mitigation Measures MM 4.1-1, MM 4.1-3, MM 4.1-6, MM 4.1-7 (see Findings for *Aesthetics,* above), MM 4.3-3 (see Findings for *Air Quality,* above), MM 4.4-1 through MM 4.4-23 (listed above), MM 4.9-2 (see Findings for *Hazards and Hazardous Materials,* below), MM 4.10-1, MM 4.10-2 (see Findings for *Hydrology and Water Quality,* below), MM 4.13-1 (see Findings for *Noise,* below), and MM 4.14-1 (see Findings for *Public Services,* below), cumulative impacts would be significant and unavoidable.

Level of Significance

The proposed project, when combined with other projects, would result in a significant and unavoidable cumulative loss of foraging and nesting habitat for a number of special-status species.

Brief Description of Rationale for Finding

CEQA requires that all feasible and reasonable mitigation be applied to the project to reduce impacts. Implementation of Mitigation Measures MM 4.1-1, MM 4.1-3, MM 4.1-6, MM 4.1-7 (see Findings for *Aesthetics,* above), MM 4.3-3 (see Findings for *Air Quality,* above), MM 4.4-1 through MM 4.4-23 (listed above), MM 4.9-2 (see Findings for *Hazards and Hazardous Materials,* below), MM 4.10-1, MM 4.10-2 (see Findings for *Hydrology and Water Quality,* below), MM 4.13-1 (see Findings for *Noise,* below), and MM 4.14-1 (see Findings for *Public Services,* below), would reduce impacts but not to a less than significant level.

5. CULTURAL RESOURCES

A. Environmental Effects of the Project Found to Have No Impact on the Environment, or Have a Less Than Significant Impact on the Environment

None.

B. Environmental Effects of the Project that Are Potentially Significant, but that Can Be Mitigated to Less Than Significant Levels

Significant Effect

The project would cause substantial adverse change in the significance of a historical resource, as defined in CEQA Guidelines Section 15064.5 (Impact 4.5-1).

Description of Effect

As a result of the cultural resources studies conducted for the project, 74 cultural resource sites and 173 isolates were recorded within the Study Area. As discussed above, the isolates (predominantly comprising single historical-period cans and glass fragments as well as single, prehistoric lithic artifacts) lack archaeological context and do not provide sufficient information to be considered significant resources. As such, the isolates documented as part of the survey are recommended not eligible for listing in the California Register of Historical Resources (CRHR), and do not qualify as historical resources pursuant to CEQA. Of the 74 cultural resources documented within the Study Area, 72 are recommended as not eligible for the CRHR and are not considered historical resources under CEQA.

One previously recorded site, CA-KER-2009/H, was tested within the portion of the site within the Project Development Footprint and determined to lack sufficient data to address the research questions used in the previous eligibility determination and is not eligible for listing in the CRHR; thus, no further work is recommended in this site, and the project is not expected to result in a significant impact to CA-KER-2009/H. Three sites—SRI-20003, SRI-20005, and SRI-20007—were not tested. Project engineers have determined that these three sites can be avoided; therefore, SRI-20003, SRI-20005, and SRI- 20007 are assumed eligible for listing in the CRHR without evaluation. Unevaluated prehistoric sites are potentially eligible for the CRHR; therefore, they are managed as if they are eligible resources. Tetra Tech field checked and updated one previously recorded cultural resources within the Study Area, P-15-003537: Oak Creek Road. This resource is not eligible for listing in the CRHR.

To the extent feasible, the project will be designed to avoid the three potentially eligible cultural resources. Implementation of Mitigation Measure MM 4.5-2 ensures that the project will avoid the potentially eligible resources or, if required, develop and implement a Testing and Data Recovery Plan in consultation with the Native American Monitor(s) for the recovery of any known and unanticipated cultural discoveries that cannot be avoided or preserved in place. Therefore, the project would not result in a substantial adverse change in the significance of any known historical resources and would not result in a significant impact to known historical resources.

The Study Area is covered by Holocene alluvium, which has been deposited over the course of known human occupation in the region, possibly burying prehistoric archaeological sites that once existed on the surface. Therefore, the Study Area has the potential to contain previously unknown archaeological deposits that may underlie the ground surface and, as discussed in the EIR section regarding Tribal Cultural Resources, should buried archaeological deposits be uncovered during project construction, and should such resources qualify as historical resources under CEQA, they could be subject to significant impacts. To reduce potential impacts to

less than significant, Mitigation Measures MM 4.5-1, MM 4.5-2, MM 4.5-3, and MM 4.5-4 require cultural resources sensitivity training for construction workers; development of a cultural resources plan; archaeological and Native American monitoring during construction; and appropriate treatment of unearthed archaeological resources during construction.

Finding

The proposed project has the potential to cause a substantial adverse change in the significance of a historical resource. However, these impacts would be reduced to a less than significant level with the implementation of Mitigation Measures MM 4.5-1 through 4.5-4.

Level of Significance

With implementation of the Mitigation Measures MM 4.5-1 through MM 4.5-4, impacts would be less than significant.

Brief Explanation of the Rationale for the Finding

CEQA requires that all feasible and reasonable mitigation be applied to the project to reduce impacts. Implementation of Mitigation Measures MM 4.5-1 through MM 4.5-4 would reduce impacts to less than significant levels.

MM 4.5-1: The project proponent/operator shall retain a Lead Archaeologist, defined as an archaeologist meeting the Secretary of the Interior's Standards for professional archaeology (U.S. Department of the Interior, 2011) and having at least three years of regional experience, to carry out all mitigation measures related to archaeological and unique historical resources. The contact information for this Lead Archaeologist shall be provided to the Kern County Planning and Natural Resources Department prior to the commencement of any construction activities onsite. Further, the Lead Archaeologist shall be responsible for ensuring the following employee training provisions are implemented during implementation of the project:

a. Prior to commencement of any ground disturbing activities, the Lead Archaeologist, in consultation with Native American monitor(s), shall prepare Cultural Resources Sensitivity Training materials, including a Cultural Resources Sensitivity Training Guide, to be used in an orientation program given to all personnel working on the project. The training guide may be presented in video form. A copy of the proposed training materials shall be provided to the Planning and Natural Resources Department prior to the issuance of grading or building permits.

b. The project proponent/operator shall ensure all new employees or onsite workers who have not participated in earlier Cultural Resources Sensitivity Trainings shall meet provisions specified above.

c. The training shall include an overview of potential cultural resources that could be encountered during ground disturbing activities to facilitate worker recognition, avoidance, and subsequent immediate notification to the Lead Archaeologist and/or Native American monitor(s) for further evaluation and action, as appropriate; and penalties for unauthorized artifact collecting or intentional disturbance of archaeological resources.

d. A copy of the Cultural Resources Sensitivity Training Guide/Materials shall be kept onsite and available for all personnel to review and be familiar with as necessary. It is the responsibility of the Lead Archaeologist to ensure all employees receive appropriate training before they work onsite.

e. The services of Native American Monitors, as identified through consultation with appropriate Native American tribes, working under the supervision of the Lead Archaeologist, shall be retained to monitor initial excavation or ground-disturbing activities as identified in **Mitigation Measure MM 4.5-2** below.

MM 4.5-2: Prior to the issuance of grading or building permits, the project proponent shall submit to the Kern County Planning and Natural Resources Department a Cultural Resources Treatment Plan. The plan shall:

a. Require that prior to conducting initial ground disturbance in the vicinity of a prehistoric archaeological site that requires avoidance, an "exclusion area" (i.e., the recorded boundary of the archaeological site that require avoidance and the area within 60 feet thereof) shall be temporarily marked with exclusion markers or protective fencing as determined by the Lead Archaeologist in consultation with the Native American Monitor.

b. Require that the construction zone shall be narrowed or otherwise altered to avoid any exclusion areas.

c. Provide an overview of best management practices to be utilized during ground-disturbing construction activities to ensure protection of cultural resources.

d. Outline the process for evaluation of any unanticipated cultural discoveries during project construction activities.

e. Provide a Data Recovery Plan, if required, prepared by the Lead Archeologist in consultation with the Native American Monitor(s), for the recovery of known and unanticipated cultural discoveries that cannot be avoided or preserved in place.

MM 4.5-3: In the event that previously unknown archaeological materials are encountered during the course of grading or construction, the project contractor shall cease ground-disturbing activities within 60 feet of the find. The area of the discovery shall be marked off by temporary fencing that encloses a 60-foot radius from the location of the discovery. Signs shall be posted that establish it as an "Exclusion Area," and all entrance into the area shall be avoided until the discovery is assessed by the Lead Archaeologist and Native American Monitor. The Lead Archaeologist, in consultation with the Native American Monitor, shall evaluate the significance of the resources and recommend appropriate treatment measures. If further treatment of the discovery is necessary, the Exclusion Area shall remain in place until the treatment is completed. Per California Environmental Quality Act (CEQA) Guidelines Section 15126.4(b)(3), project redesign and preservation in place shall be the preferred means to avoid impacts to significant historical resources.

Consistent with CEQA Guidelines Section 15126.4(b)(3)(C), if it is demonstrated that resources cannot be avoided, the Lead Archaeologist, in consultation with Native American Monitor, shall develop additional treatment measures in consultation with Kern County, which may include data recovery or other appropriate measures. The County shall consult with appropriate Native American representatives in determining appropriate treatment for unearthed cultural resources if the resources are prehistoric or Native American in nature.

Diagnostic archaeological materials with research potential recovered during an investigation shall be curated at an accredited curation facility. The Lead Archaeologist, in consultation with a designated Native American Monitor, shall prepare a report documenting evaluation and/or additional treatment of the resource. A copy of the report shall be provided to the Kern County Planning and Natural Resources Department and to the Southern San Joaquin Valley Information Center at California State University, Bakersfield.

MM 4.5-4: The services of both an Archaeological and Native American Monitor, working under the supervision of the Lead Archaeologist as identified through consultation with appropriate Native American tribes, shall be retained by the project proponent to monitor ground-disturbing activities associated with project construction, as follows:

a. During project construction, Archaeological and Native American monitoring shall be conducted for all initial excavation or ground-disturbing activities. If no archaeological discoveries are made during the course of this monitoring, no additional monitoring will be required. If the Lead Archaeologist can demonstrate that the level of monitoring should be reduced or discontinued, or a need for continuing monitoring, the Lead Archaeologist, in consultation with the Kern County Planning and Natural Resources Department, may adjust the level of monitoring to circumstances as warranted.

b. All ground disturbing activities within 100 feet of a grave site shall be monitored by Archaeological and Native American Monitor(s).

c. The Lead Archaeologist and Native American Monitor(s) shall be provided all project documentation related to cultural resources within the project site prior to commencement of ground disturbance activities. Should the services of any additional individuals be retained (as the Lead Archaeologist, Archaeological Monitor, or Native American Monitor) subsequent to commencement of ground disturbing activities, such individuals shall be provided all proposed project documentation related to cultural resources within the project site, prior to beginning work. Documentation shall include but not be limited to previous cultural studies, surveys, maps, drawings, etc. Any modifications or updates to project documentation, including construction plans and schedules, shall immediately be provided to the Lead Archaeologist, Archaeological Monitor, and Native American Monitor.

d. The Archaeological Monitor(s) shall keep daily logs and the Lead Archaeologist shall submit monthly written updates to the Kern County Planning and Natural Resources Department and Native American Monitor. After monitoring has been completed, the Lead Archaeologist shall prepare a monitoring report that details monitoring results; assessment of inadvertent discoveries; communication with Tribal representatives; installation of, maintenance of, and guidance for environmentally sensitive areas; and general implementation of the required mitigation. The final monitoring report shall act as a record of compliance with guiding documents and mitigation, and shall be submitted to the Kern County Planning and Natural Resources Department and the SSJVIC at California State University, Bakersfield.

Significant Effect

The project would cause a substantial adverse change in the significance of an archaeological resource pursuant to CEQA Guidelines Section 15064.2 (Impact 4.5-2).

Description of Significant Impact

As discussed above under Impact 4.5-1, of the 74 cultural resources documented within the Study Area, 72 cultural resources are recommended not eligible for the CRHR and are not considered historical resources under CEQA. The other 3 resources—assumed eligible—would be avoided by project construction or subject to an approved Testing and Data Recovery Plan developed in consultation with interested Tribes, per Mitigation Measure MM 4.5-2. These include 3 "not eligible" prehistoric sites and 16 "unevaluated" prehistoric sites that require tribal consultation and are considered potentially eligible to the CRHR, an unevaluated historic homestead site, and an eligible historic linear resource. In addition, there is potential that previously unknown archaeological deposits may underlie the ground surface. Should buried historical resources or cultural resources be uncovered during project construction, they could be subject to significant impacts. To reduce potential impacts to less than significant, Mitigation Measures MM 4.5-1 through MM 4.5-4 require cultural resources sensitivity training for construction workers; the development of a treatment plan, a procedure for unanticipated discoveries, and archaeological and Native American monitoring during construction.

Finding

The proposed project has the potential to impact an archaeological resource. However, these impacts would be reduced to a less than significant level with the implementation of Mitigation Measures MM 4.5-1 through MM 4.5-4.

Level of Significance

With implementation of the Mitigation Measures MM 4.5-1 through MM 4.5-4, impacts would be less than significant.

Brief Explanation of the Rationale for the Finding

CEQA requires that all feasible and reasonable mitigation be applied to the project to reduce impacts. Implementation of Mitigation Measures MM 4.5-1 through MM 4.5-4, described above, would reduce impacts to less than significant levels.

Significant Effect

The project would disturb any human remains, including those interred outside of formal cemeteries (Impact 4.5-3).

Description of Significant Impact

There is no indication, either from research results or the archaeological survey, that any particular location within the Study Area has been used for human burial purposes in the recent or distant past. However, in the event that human remains are inadvertently discovered during project construction activities, the human remains could be damaged or disturbed, which would be a significant impact. Existing regulations identified as Mitigation Measure MM 4.5-5 would ensure that any human remains encountered during project implementation are properly treated, thus reducing potential impacts to a less-than-significant level.

Finding

The proposed project has the potential to disturb human remains. However, these impacts would be reduced to a less than significant level with the implementation of Mitigation Measure MM 4.5-5.

Level of Significance

With implementation of Mitigation Measure MM 4.5-5, impacts would be less than significant.

Brief Explanation of the Rationale for the Finding

CEQA requires that all feasible and reasonable mitigation be applied to the project to reduce impacts. Implementation of Mitigation Measures Mitigation Measure MM 4.5-5 would reduce impacts to less than significant levels.

MM 4.5-5: If human remains are uncovered during project construction, the project contractor shall immediately halt work within 100 feet of the find, contact the Kern County Coroner to evaluate the remains, and follow the procedures and protocols set forth in Section 15064.5 of the California Environmental Quality Act Guidelines. The area shall be protected by the establishment of an Environmentally Sensitive Area (ESA) with a marked boundary, from which Project personnel and observers will be restricted. No photographs are to be taken except by the coroner. If the remains are determined to be Native American, no photographs can be taken without the written approval by the Consulting Tribe[s]. If the County Coroner determines that the remains are Native American, the coroner shall contact the Native American Heritage Commission within 24 hours of discovery, in accordance with Health and Safety Code Section 7050.5, subdivision (c), and Public Resources Code 5097.98 (as amended by Assembly Bill 2641). The Native American Heritage Commission shall designate a Most Likely Descendent for the remains per Public Resources Code 5097.98. Per Public Resources Code 5097.98, and in accordance with generally accepted cultural or archeological standards or practices, the project proponent shall ensure that the immediate vicinity of the Native American human remains is not damaged or disturbed by further development activity until the project proponent has discussed and conferred with the most likely descendent regarding their recommendations, if applicable, taking into account the possibility of multiple human remains. If the remains are determined to be neither of forensic value to the Coroner, nor of Native American origin, provisions of the California Health and Safety Code (7100 et. seq.) directing identification of the next-of-kin will apply.

C. Environmental Effects of the Project that Cannot Be Mitigated to a Less Than Significant Level.

None.

D. Cumulative Environmental Effects of the Proposed Project that Would Have a Less Than Significant Impact on the Environment.

Significant Effect

The proposed project would have a cumulative environmental impact on cultural resources.

Description of Significant Impact

The geographic area of analysis of cumulative impacts for cultural resources includes the western portion of the Antelope Valley. This geographic scope of analysis is appropriate because the archaeological and historical resources within this area are expected to be similar to those that occur within the Study Area because of their proximity, and because the similar environments, landforms, and hydrology would result

in similar land use—and thus, site types. Further, this is a large enough area to encompass any effects of the project on cultural resources that may combine with similar effects caused by other past, current, and reasonably foreseeable future projects, and provides a reasonable context wherein cumulative actions could affect cultural resources. Multiple projects, including solar energy production facilities, are proposed throughout the western Antelope Valley. Cumulative impacts to cultural resources in the western Antelope Valley could occur if other projects, in conjunction with the proposed project, had or would have impacts on cultural resources that, when considered together, would be significant.

Development of the proposed project, in combination with other projects in the area, has the potential to contribute to a cumulatively significant cultural resources impact due to the potential loss of historic and archaeological resources unique to the region. However, no known historical resources will be subject to impacts from the project, and mitigation measures are included in this EIR to reduce potentially significant impacts to unknown archaeological resources that could be encountered during construction of the proposed project. Implementation of Mitigation Measure MM 4.5-1 requires cultural resources sensitivity training for construction workers. Mitigation Measure MM 4.5-2 requires a Cultural Resources Treatment Plan. Mitigation Measure MM 4.5-3 requires appropriate treatment of uncovered archaeological resources, including those that qualify as historical resources. Mitigation Measure MM 4.5-4 requires archaeological and Native American monitoring to ensure appropriate treatment of unearthed archaeological resources during construction. Implementation of these mitigation measures would reduce potential impacts to historical resources to a less-than-significant level and ensure that project-level impacts to cultural resources are not cumulatively considerable. Although project construction has the potential to disturb human remains, as do other projects in the cumulative study area, implementation of Mitigation Measure MM 4.5-5 would ensure that appropriate laws and protocols are followed if human remains are uncovered and ensure that cumulative impacts are not significant.

With implementation of Mitigation Measures MM 4.5-1 through MM 4.5-5, as described above, the project would not result in significant impacts to cultural resources. Given this minimal impact, as well similar mitigation requirements for other projects in the western Antelope Valley, the project would not make a cumulatively considerable contribution to a significant cumulative impact to cultural resources.

Finding

The project has the potential to result in cumulative impacts with regard to cultural resources. The implementation of Mitigation Measures MM 4.5-1 through MM 4.5-5 would reduce this impact to less than significant levels.

Level of Significance

With implementation of Mitigation Measures MM 4.5-1 through MM 4.5-5, cumulative impacts would be less than significant.

Brief Explanation of the Rationale for the Finding

CEQA requires that all feasible and reasonable mitigation be applied to the project to reduce impacts. Implementation of Mitigation Measures MM 4.5-1 through MM 4.5-5, described above, would reduce impacts to less than significant levels.

E. Cumulative Environmental Effects of the Proposed Project that Would Have a Significant and Unavoidable Impact on the Environment.

None.

6. ENERGY

A. Environmental Effects of the Project Found to Have No Impact on the Environment, or Have a Less Than Significant Impact on the Environment

The project would not conflict with or obstruct a state or local plan for renewable energy or energy efficiency (Impact 4.6-2).

B. Environmental Effects of the Project that Are Potentially Significant, but that Can Be Mitigated to Less Than Significant Levels

Significant Effect

The project would result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation (Impact 4.6-1).

Description of Significant Impacts

The amount of electricity used during construction would be minimal; typical demand would stem from the use of electrically powered hand tools and several construction trailers by managerial staff during the hours of construction activities. The electricity used for construction activities would be temporary and minimal; therefore, potential impacts would be less than significant. Natural gas is not anticipated to be required during construction of the project. Any minor amounts of natural gas that may be consumed as a result of project construction would be temporary and negligible, and would not have an adverse effect; therefore, potential impacts would be less than significant. Construction and decommissioning of the project is expected to require the use of non-renewable resources in the form of gasoline and diesel to power off-road construction equipment and on-road vehicles. Fuel consumption associated with the transportation of construction materials and construction worker commutes would be the primary energy resource expended over the course of construction. It is assumed that construction workers would travel to and from the project site in gasoline-powered vehicles. Heavy duty construction equipment associated with construction activities and onsite trucks such as water trucks and trucks involved in relocating dirt around the project site would rely on diesel fuel.

There are no unusual project characteristics that would cause or require the use of construction equipment that would be less energy efficient compared with other similar projects. It is not anticipated that construction-related fuel consumption as a result of implementation of the proposed project would result in inefficient, wasteful, or unnecessary energy use compared with other similar projects. Although the consumption of fuels during construction and decommissioning would be irreversible, the project would be required to comply with CARB's Airborne Toxics Control Measure, which restricts heavy duty diesel vehicle idling time to 5 minutes, and would implement Mitigation Measure MM 4.3-3, as provided in Section 4.3, *Air Quality,* of the EIR, which would impose idling restrictions. Additionally, the project soil use is anticipated to be balanced onsite and would not require intensive use of haul trucks for the import or export of earthwork material. Therefore, because petroleum use during construction would be temporary and relatively minimal, and with implementation of Mitigation Measure MM 4.3-3, the project would not result in the wasteful, inefficient, or unnecessary consumption of transportation fuels, and potential impacts would be less than significant.

During project operations, the project would generate approximately 1,839,600 megawatt-hours (MWh) of carbon-free electricity annually over a 35-year lifespan. This production would more than offset the minimal amount of energy consumed annually to operate the project. This electricity generation also would assist State investor-owned utilities in meeting their obligations under State Renewables Portfolio Standard

(RPS) guidelines by providing a renewable energy alternative to the utilities' existing power mix. Impacts during operations would be less than significant.

Finding

During construction and decommissioning, the project has the potential to result in a significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources. Implementation of Mitigation Measure MM 4.3-3, described above in Findings for Air Quality impacts, would reduce impacts to a less than significant level.

Level of Significance

With implementation of Mitigation Measure MM 4.3-3, impacts would be less than significant.

Brief Explanation of the Rationale for the Finding

CEQA requires that all feasible and reasonable mitigation be applied to the project to reduce impacts. Implementation of Mitigation Measure MM 4.3-3, described above in Findings for Air Quality impacts, would reduce impacts to less than significant levels.

C. Environmental Effects of the Project that Cannot Be Mitigated to a Less Than Significant Level.

None.

D. Cumulative Environmental Effects of the Proposed Project that Would Have a Less Than Significant Impact on the Environment.

Significant Effect

The proposed project would have a cumulative environmental impact on energy.

Description of Significant Impact

Cumulative impacts occur when the incremental effects of a project are significant when combined with similar impacts from other past, present, or reasonably foreseeable projects in a similar geographic area. The geographic context for the analysis of cumulative impacts on electricity is Southern California Edison's (SCE) service area because the project and related projects are located within the service boundaries of SCE.

The main contribution of energy consumption from the project would be from construction equipment usage, haul truck trips, and employee trips during the construction phase and panel washing activities, maintenance trips, and employee trips during project operation of the project. The project's emissions would, therefore, contribute to the increase in emissions in the transportation sector as well as the electricity generation sector. Construction emissions, however, would be finite and temporary and would cease at the end of construction activities.

Although the project would result in a contribution to cumulative energy consumption in California, construction of the project would implement Mitigation Measure MM 4.3-3, as provided in Findings for *Air Quality*, which would require the use of energy-efficient equipment during project construction.

Additionally, operation of the project could offset emissions from the electricity generation sector estimated at 1,839,600 MWh of renewable electricity annually.

Cumulative projects in the project area listed in Table 3-5, *Cumulative Projects List*, of the EIR, largely consist of utility-scale solar power generation facilities. The nature of these projects is such that, like the project, they would be consistent with the strategies of the Climate Change Scoping Plan. In order to meet the Senate Bill 32 greenhouse gas (GHG) emissions reduction mandate, the Scoping Plan relies on achievement of the RPS target of 60 percent of California's energy coming from renewable sources by 2030 and 100 percent renewable sources by 2045. The project and other similar projects are essential to achieving the RPS. Also like the project, the related solar and wind projects would have similar energy use that would be offset by renewable energy generation, and would have minimal operational trips to and from the sites. Overall, the project would not contribute to cumulative energy consumption in California because operation of the project would provide electric power with negligible operational energy consumption over the long term when compared to traditional fossil-fueled generation technologies. Thus, the project would not have a cumulatively considerable impact on energy consumption, would not conflict with any renewable energy plans, and cumulative impacts would be less than significant.

Finding

The project has the potential to result in cumulative impacts related to energy consumption. Implementation of Mitigation Measure MM 4.3-3 would reduce impacts to a less than significant level.

Level of Significance

With implementation of Mitigation Measure MM 4.3-3, cumulative impacts would be less than significant.

Brief Explanation of the Rationale for the Finding

CEQA requires that all feasible and reasonable mitigation be applied to the project to reduce impacts. Implementation of Mitigation Measure MM 4.3-3, described above in Findings for *Air Quality*, would reduce impacts to a less than significant level.

E. Cumulative Environmental Effects of the Proposed Project that Would Have a Significant and Unavoidable Impact on the Environment.

None.

7. GEOLOGY AND SOILS

A. Environmental Effects of the Project Found to Have No Impact on the Environment, or Have a Less Than Significant Impact on the Environment

None.

B. Environmental Effects of the Project that Are Potentially Significant, but that Can Be Mitigated to Less Than Significant Levels

Significant Effect

The project would directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving 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 (Impact 4.7-1).

Description of Significant Impacts

Primary ground rupture is ground deformation that occurs along the surface trace of the causative fault during an earthquake. The project would introduce structures and people to the project site (e.g., construction workers and periodic maintenance workers) and could thus expose people and structures to seismic risks. While the project is located in the seismically active southern California region, the project site is not intersected by any known faults and is not located within or near a State of California Alquist-Priolo Earthquake Fault Zone. The nearest Earthquake Fault Zone, as delineated by the Alquist-Priolo Earthquake Fault Zoning Act, is associated with the Garlock fault and is approximately 13.5 miles northwest of the project site (Ninyo & Moore, 2024). Due to distance from the nearest active fault to the project site, the potential for surface fault rupture at the project site is considered low.

In addition, prior to the issuance of grading permits, the project proponent would be required to design project infrastructure to withstand probable seismically induced ground shaking in accordance with all applicable ordinances of the Kern County Building Code (Chapter 17.08) and the current California Building Code (CBC). In addition, as described below, Mitigation Measure MM 4.7-1 requires that a site-specific geotechnical study be conducted to evaluate soil conditions and geologic hazards on the project site. Mitigation Measure MM 4.7-2 requires that a California registered and licensed geotechnical engineer be hired by the project proponent to design project facilities to withstand probable seismically induced ground shaking. All grading and construction onsite would adhere to the specifications, procedures, and site conditions contained in the final design plans, which would be fully compliant with the seismic recommendations provided by the California registered and licensed geotechnical engineer in accordance with California and Kern County Building Code requirements. These requirements would ensure that project structures comply with minimum standards related to structural strength and general stability. Adherence to all applicable regulations would mitigate any potential fault rupture-related impacts associated with the project. Based on the absence of any known active faults that cross or come near the project site, and with implementation of Mitigation Measures MM 4.7-1 and MM 4.7-2 that would ensure seismic hazards would be minimized, and potential impacts related to fault rupture would be less than significant.

Finding

The project has potential to expose a substantial number of people to potential adverse effects due to strong seismic ground shaking. These impacts would be reduced to a less than significant level with adherence to the requirements of the Kern County Building Code, the CBC, and Mitigation Measures MM 4.7-1 and MM 4.7-2.

Level of Significance

With implementation of Mitigation Measures MM 4.7-1 and MM 4.7-2, impacts would be less than significant.

Brief Explanation of the Rationale for the Finding

CEQA requires that all feasible and reasonable mitigation be applied to the project to reduce impacts. Implementation of Mitigation Measures MM 4.7-1 and 4.7-2 would reduce impacts to less than significant levels.

MM 4.7.1: Prior to the issuance of grading or building permits, the project proponent shall conduct a site-specific final geotechnical study in accordance with applicable ordinances of the Kern County Building Code (Chapter 17.08) and the CBC to evaluate soil conditions and geologic hazards on the project site and submit it to the Kern County Public Works Department for review and approval.

The project proponent shall determine the final siting of project facilities based on the results of the site-specific final geotechnical study and implement recommended measures to minimize geologic hazards. The project proponent shall not locate project facilities on or immediately adjacent to an active fault trace.

MM 4.7-2: Prior to the issuance of grading permits, the project proponent shall retain a California registered and licensed geotechnical engineer to design project facilities to withstand probable seismically induced ground shaking at the site. All grading and construction onsite shall adhere to the specifications, procedures, and site conditions contained in the final design plans, which shall be fully compliant with the seismic recommendations of the California-registered professional engineer. The Kern County Public Works Department shall evaluate any final facility siting design developed prior to the issuance of any grading or building permits to verify that geological constraints have been avoided. Additionally, structures supported on a shallow foundation system should bear on engineered fill extending to a depth determined by a California registered and licensed geotechnical engineer, based on site-specific conditions.

Significant Effect

The project would expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving strong seismic ground shaking, seismic-related ground failure, including liquefaction; or landslides (Impact 4.7-2).

Description of Significant Impact

As stated previously, the project is located in a seismically active region that could experience one or more substantive seismic events in the future. Depending on the magnitude, distance to the source, and duration of shaking, damage to the photovoltaic modules or other ancillary facilities and injury to workers or visitors could result. However, because the project would not establish a permanent onsite population beyond the approximate six employees during O&M, damage to these onsite facilities would not expose a substantial number of people to potential adverse effects due to strong seismic ground shaking.

In addition, prior to the issuance of grading permits, the project proponent would be required to design project infrastructure to withstand substantial ground shaking in accordance with all applicable ordinances of the Kern County Building Code (Chapter 17.08) and the current CBC. In addition, as described below, Mitigation Measure MM 4.7-1 requires that a final geotechnical study to evaluate soil conditions and geologic hazards be conducted on the project site. Mitigation Measure MM 4.7-2 requires that a California registered and licensed geotechnical engineer be hired by the project proponent to design project facilities to withstand probable seismically induced ground shaking. All grading and construction onsite would adhere to the specifications, procedures, and site conditions contained in the final design plans, which would be fully compliant with the seismic recommendations provided by the California-registered professional engineer in accordance with California and Kern County Building Code requirements. The required measures would encompass site preparation, foundation specifications, and protection measures for buried metal. The final structural designs would be subject to approval and follow-up inspection by the Kern County Building Inspection Department. Final design requirements would be provided to the onsite construction supervisor and the Kern County Building Inspector to ensure compliance. A copy of the approved design would be submitted to the Kern County Planning and Natural Resources Department. Further, project

facilities would be constructed in accordance with all applicable codes, which require property line and public roadway setbacks that would protect the general public and onsite staff from potential hazards associated with facilities that could result from an earthquake. Adherence to the requirements of the Kern County Building Code, the CBC, and Mitigation Measures MM 4.7-1 and MM 4.7-2 would ensure that seismic hazards would be minimized; potential impacts related to ground shaking would be less than significant.

Seismically induced ground failure and liquefaction occurs when loose, water-saturated sediments of relatively low density are subjected to cyclic shaking that causes soils to lose strength or stiffness because of increased pore water pressure. Liquefaction generally occurs when the depth to groundwater is less than 50 feet. Based on review of available groundwater data in the project vicinity, groundwater in the area is anticipated to be approximately 200 feet below ground surface (bgs) or more (Ninyo & Moore, 2024). Furthermore, the project is not located within a current, mapped California Liquefaction Hazard Zone. Structures constructed as part of the project would be required by state law to be constructed in accordance with all applicable International Building Code and CBC earthquake construction standards, including those relating to soil characteristics.

Due to the existing geotechnical conditions and the historical depth to groundwater, the liquefaction hazard potential is considered to be low. However, if liquefaction does occur it could result in loss of bearing capacity of the foundation elements and liquefaction-induced settlement. This potential could be ameliorated by ground improvements that would reconfigure or avoid liquefiable areas and use mat foundations for building(s). In addition, seismic ties for the foundations for buildings and/or the addition of a geogrid to reinforce the underlying ground could be used to reduce the potential effects. Project conformance with building code requirements and geotechnical engineer recommendations also would serve to reduce the potential for liquefaction to affect the project.

In addition, compliance with Mitigation Measures MM 4.7-1 and MM 4.7-2 would require an evaluation of liquefaction potential and design recommendation as part of the final geotechnical study to ameliorate any potential issues. The study would be prepared by a California registered and licensed geotechnical engineer and would ensure potential impacts remain less than significant. Recommendations, if needed, would include design measures but not be limited to, ground stabilization, selection of appropriate foundation type and depths, selection of appropriate structural systems to accommodate anticipated displacements, or any combination of these measures. Adherence to all applicable regulations would avoid any potential impacts to structures resulting from liquefaction at the project. Therefore, potential impacts would be less than significant.

The project site has a relatively flat terrain with site elevations ranging between 2,460 and 2,906 feet above mean sea level. Given relatively flat terrain, the potential for landslides on the project site is considered low. Surficial stability and erosion may be design considerations in the southern portion of the project site where scattered hills up to approximately 400 feet in height are present. Compliance with Mitigation Measure MM 4.7-1 would require an evaluation of landslide potential and design recommendation as part of a final geotechnical study to ameliorate any potential issues. The final geotechnical study would be prepared by a California registered and licensed geotechnical engineer and would ensure potential impacts remain less than significant.

Finding

The project has potential to expose people or structures to potential substantial adverse effects, including risk of loss, injury, or death involving strong seismic ground shaking, seismic-related ground failure, including liquefaction; or landslides. These impacts would be reduced to a less than significant level with implementation of Mitigation Measures MM 4.7-1 and MM 4.7-2, described above.

Level of Significance

With implementation of Mitigation Measures MM 4.7-1 and MM 4.7-2, impacts would be less than significant.

Brief Description of Significant Impacts

CEQA requires that all feasible and reasonable mitigation be applied to the project to reduce impacts. Implementation of Mitigation Measures MM 4.7-1 and MM 4.7-2, described above, would reduce impacts to less than significant levels.

Significant Effect

The project would result in substantial soil erosion or the loss of topsoil (Impact 4.7-3).

Description of Significant Impact

Construction of the project and associated improvements would involve earth-disturbing activities that could expose soils to the effects of wind or water erosion. Although the project site consists of relatively flat topography and would not involve substantive cut and fill operations, earthmoving and construction activities could loosen soil, and the removal of existing minimal vegetation could contribute to soil loss and erosion. Mitigation Measure MM 4.7-1 requires that a final geotechnical study be conducted to evaluate soil conditions and geologic hazards on the project site. Mitigation Measure MM 4.7-2 requires that a California geotechnical engineer be hired by the project proponent to design project facilities. Furthermore, a Stormwater Pollution Prevention Plan (SWPPP) will be prepared and implemented per the requirements of the National Pollutant Discharge Elimination System (NPDES) General Construction Permit Program. The SWPPP would detail that existing vegetation and topography are to be preserved to the maximum extent possible. The SWPPP would also specify various types of BMPs, including erosion control BMPs, to prevent soil from moving offsite; all temporary erosion control measures required by the Kern County Grading Code (Chapter 17.28.140) would be incorporated into the SWPPP (Mitigation Measure MM 4.10-1 in Findings for *Hydrology and Water Quality*). As a result, project construction would have less than significant impacts related to erosion with implementation of Mitigation Measures MM 4.7-1, MM 4.7-2, and MM 4.10-1. Potential impacts during project decommissioning would be similar to those during construction and would be subject to similar requirements, including the preparation of a SWPPP (Mitigation Measure MM 4.10-1). Thus, any potential decommissioning impacts would be less than significant.

Project operations would include the periodic cleaning of the panels with water; however, this is not expected to result in soil erosion due to the infrequency of these activities and limited volumes of water involved. Water is expected to infiltrate into the ground and not generate substantial erosion or soil loss. Project operations would not require ground disturbance. As a result, project operation would have a less than significant impact with relation to soil erosion.

Finding

The project has the potential to result in substantial soil erosion or the loss of topsoil. These impacts would be reduced to a less than significant level with implementation of Mitigation Measures MM 4.7-1 and MM 4.7-2, described above, and Mitigation Measure MM 4.10-1, described below in Findings for *Hydrology and Water Quality*.

Level of Significance

With implementation of Mitigation Measures MM 4.7-1, MM 4.7-2, and MM 4.10-1, impacts would be less than significant.

Brief Explanation of the Rationale for the Finding

CEQA requires that all feasible and reasonable mitigation be applied to the project to reduce impacts. Implementation of Mitigation Measures MM 4.7-1 and MM 4.7-2, and Mitigation Measure MM 4.10-1 described below under Findings for *Hydrology and Water Quality*, would reduce impacts to less than significant levels.

Significant Effect

The project would 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 (Impact 4.7-4).

Description of Significant Impact

The proposed project would result in no impact related to landslides. The preliminary geotechnical study prepared for the project concluded that the liquefaction potential on the project site is low, largely based on the groundwater depth in the area which is reportedly approximately 200 feet bgs(Ninyo & Moore, 2024). As a result, combined with the relatively flat topography, the low liquefaction potential indicates a low potential for lateral spreading. A comprehensive geotechnical evaluation, including subsurface exploration and laboratory testing, was recommended in the preliminary geotechnical study. This site-specific exploration would be included as part of the design level geotechnical study required by Mitigation Measure MM 4.7-1. The subsurface data would be used to complete the final design of the Project and associated structures in consultation with the County in a manner that meets applicable State and County building, grading, and construction codes, ordinances, and standards, as required by Mitigation Measure MM 4.7-2. The project site itself has not been identified by the County as being prone to subsidence and the final, site-specific geotechnical study required by Mitigation Measure MM 4.7-1 would be prepared for the project to identify and remedy any soil conditions considered to be geologic hazards, including liquefaction, collapse, and subsidence. With implementation of Mitigation Measures MM 4.7-1 and MM 4.7-2, potential impacts would be less than significant.

Finding

The project has the potential to 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. The implementation of Mitigation Measures MM 4.7-1 and MM 4.7-2, described above, would reduce impacts to a less than significant level.

Level of Significance

With implementation of Mitigation Measures MM 4.7-1 and MM 4.7-2, impacts would be less than significant.

Brief Explanation of the Rationale for the Finding

CEQA requires that all feasible and reasonable mitigation be applied to the project to reduce impacts. Implementation of Mitigation Measures MM 4.7-1 and 4.7-2, as included above, would reduce impacts to less than significant levels.

Significant Effect

The project would be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property (Impact 4.7-5).

Description of Significant Impact

The preliminary geotechnical study for the project site concluded that the underlying soils have a moderate potential for expansion (Ninyo & Moore, 2024). Shrinking or swelling of foundation soils can lead to damage to slabs, foundations, and other engineered structures, including tilting and cracking. Mitigation Measure MM 4.7-1 requires that a site-specific final geotechnical study to evaluate soil conditions and geologic hazards be conducted for the project site. The final geotechnical study will include an evaluation for expansive soils and provide recommendations consistent with CBC requirements to reduce potential adverse effects from expansive soils. All grading and construction onsite would adhere to the specifications, procedures, and site conditions contained in the final design plans, which would be fully compliant with the recommendations provided by the California registered and licensed geotechnical engineer in accordance with California and Kern County Building Code requirements as required by Mitigation Measure MM 4.7-2. The required measures would encompass site preparation, such as treatment of expansive soils or replacement with engineered fill. The final designs would be subject to approval and follow-up inspection by the Kern County Building Inspection Department. Final design requirements would be provided to the onsite construction supervisor and the Kern County Building Inspector to ensure compliance. Therefore, with implementation of Mitigation Measures MM 4.7-1 and MM 4.7-2, potential impacts would be less than significant.

Finding

The project site contains soils that may be expansive. The implementation of Mitigation Measures MM 4.7-1 and MM 4.7-2, described above, would reduce impacts to a less than significant level.

Level of Significance

With implementation of Mitigation Measure MM 4.7-1 and MM 4.7-2, impacts would be less than significant.

Brief Explanation of the Rationale for the Finding

CEQA requires that all feasible and reasonable mitigation be applied to the project to reduce impacts. Implementation of Mitigation Measures MM 4.7-1 and 4.7-2, described above, would reduce impacts to a less than significant level.

Significant Effect

The project would have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems in areas where sewers are not available for the disposal of wastewater (Impact 4.7-6).

Description of Significant Impact

A permanent, onsite O&M facility and/or small satellite offices may be built onsite. If such an onsite O&M facility is constructed, permanent restroom facilities with septic system/tanks and/or portable toilets would be used for sanitary purposes. If required, the project's septic system would be constructed to comply with

applicable requirements of the Kern County Environmental Health Services Division. The proposed septic system is anticipated to be located away from surface drainages and protected from potential surface runoff. Proper siting and design would minimize the potential for a health or environmental impact from flooding. Mitigation Measure MM 4.7-3 would require the project operator to obtain all required permits and approvals from the Kern County Environmental Health Services Division and to implement all required conditions regarding the design and siting of the septic system. Implementation of Mitigation Measure MM 4.7-3 would reduce potential impacts to a less than significant level.

Finding

The project would have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems. The implementation of Mitigation Measure MM 4.7-3 would reduce impacts to a less than significant level.

Level of Significance

With implementation of Mitigation Measure MM 4.7-3, impacts would be less than significant.

Brief Explanation of the Rationale for the Finding

CEQA requires that all feasible and reasonable mitigation be applied to the project to reduce impacts. Implementation of Mitigation Measure MM 4.7-3 would reduce impacts to a less than significant level.

MM 4.7-3: Prior to the issuance of grading or building permits for the operation and maintenance facility, the project operator shall obtain all required permits and approvals from Kern County Environmental Health Services Division and shall implement all required conditions regarding the design and siting of the septic system.

Significant Effect

The project would directly or indirectly destroy a unique paleontological resource or site or unique geologic feature, as defined in CEQA Guidelines Section 15064 (Impact 4.7-7).

Description of Significant Impact

Most of the surficial deposits within the project site consist of Holocene-age Quaternary alluvium (Qa), which is typically not paleontologically sensitive, but may be likely underlain by older Quaternary alluvium (Qoa), which has a higher potential to contain paleontological resources (ECORP, 2025). Based on the paleontological records search, geological map and paleontological literature review performed for the project, and the two field surveys conducted at the project site, the records search results indicated that no fossil localities have been recorded within the Study Area; however, four fossil localities have been recorded outside of the Study Area. Therefore, the project site is considered to have low paleontological sensitivity on the surface in areas mapped as Quaternary alluvium (Qa) or sand deposits. However, that increases to high sensitivity with depth in areas underlain by Quaternary older alluvium (Qoa).

The potential to disturb paleontological resources would occur during earth-moving activities, such as grading, using an auger, trenching, excavating, etc., at depths of 1 foot and greater bgs in sediments mapped as Quaternary alluvium (Qa). There is no potential to disturb paleontological resources during activities that do not involve ground disturbance.

If significant vertebrate fossils are encountered during project implementation, disturbance of such resources would result in a potentially significant impact to paleontological resources. Therefore, excavations within older Quaternary alluvium (Qoa; whether on the surface or encountered underlying younger Quaternary alluvium [Qa]) could impact significant vertebrate fossil resources and would be considered a potentially significant impact to paleontological resources. However, with implementation of Mitigation Measures MM 4.7-4 through MM 4.7-7, which would require Paleontological Resources Awareness Training for construction workers, use of a qualified paleontological monitor during construction activities, and appropriate treatment of inadvertently uncovered paleontological resources, potential impacts to paleontological resources would be reduced to less than significant. Decommissioning activities would occur within areas previously disturbed during construction; consequently, associated mitigation measures will have been applied and, thus, potential impacts to paleontological resources are not expected.

Finding

The project site may contain paleontological resources that would be impacted by the proposed project. The implementation of Mitigation Measures MM 4.7-4 through MM 4.7-7 would reduce impacts to a less than significant level.

Level of Significance

With implementation of Mitigation Measures MM 4.7-4, MM 4.7-5, MM 4.7-6, and MM 4.7-7, impacts would be less than significant.

Brief Explanation of the Rationale for the Finding

CEQA requires that all feasible and reasonable mitigation be applied to the project to reduce impacts. Implementation of Mitigation Measures MM 4.7-4 through MM 4.7-7 would reduce impacts to a less than significant level.

MM 4.7-4: The project proponent shall retain a qualified paleontologist, defined as a paleontologist meeting the Society for Vertebrate Paleontology's Professional Standards (SVP, 2010), to carry out all mitigation measures related to paleontological resources.

a. Prior to the start of any ground disturbing activities, the qualified paleontologist shall prepare a Paleontological Resources Awareness Training program for all construction personnel working on the project. A Paleontological Resources Awareness Training Guide approved by the qualified paleontologist shall be provided to all personnel. A copy of the Paleontological Resources Awareness Training Guide shall be submitted to the Kern County Planning and Natural Resources Department. The training guide may be presented in video form.

b. Paleontological Resources Awareness Training may be conducted in conjunction with other awareness training requirements.

c. The training shall include an overview of potential paleontological resources that could be encountered during ground disturbing activities to facilitate worker recognition, avoidance, and subsequent immediate notification to the qualified paleontologist for further evaluation and action, as appropriate; and penalties for unauthorized artifact collecting or intentional disturbance of paleontological resources.

d. The project operator shall ensure all new employees who have not participated in earlier Paleontological Resources Sensitivity Trainings shall meet the provisions specified above.

e. The Paleontological Resources Awareness Training Guides shall be kept onsite and available for all personnel to review and be familiar with as necessary.

MM 4.7-5: Prior to construction, the qualified paleontologist shall review excavation plans to determine where paleontologically sensitive stratigraphic units will potentially be disturbed by ground-disturbing activities.

MM 4.7-6: During construction, the qualified paleontologist or designated monitor shall monitor all ground-disturbing activities (with the exception of vibratory or hydraulic installation of tracking or mounting structures and foundations or supports) that occurs at a depth of 15 feet or deeper below ground surface.

Following completion of monitoring, the paleontologist shall prepare a report documenting the absence or discovery of fossil resources on site. A copy of the report shall be submitted to the Kern County Planning and Natural Resources Department to be kept on file.

MM 4.7-7: If a paleontological resource is found, the project contractor shall cease ground-disturbing activities within 50 feet of the find. The qualified paleontologist shall evaluate the significance of the resources and recommend appropriate treatment measures. At each fossil locality, field data forms shall be used to record pertinent geologic data, stratigraphic sections shall be measured, and appropriate sediment samples shall be collected and submitted for analysis. Any fossils encountered and recovered shall be catalogued and donated to a public, non-profit institution with a research interest in the materials. Accompanying notes, maps, and photographs shall also be filed at the repository.

C. Environmental Effects of the Project that Cannot Be Mitigated to a Less Than Significant Level.

None.

D. Cumulative Environmental Effects of the Proposed Project that Would Have a Less Than Significant Impact on the Environment.

Significant Effect

The proposed project would have a cumulative environmental impact on geology and soils.

Description of Significant Impact

Impacts of a project would be considered cumulatively considerable if they would have the potential to combine with other past, present, or reasonably foreseeable projects to become significant. Cumulative projects listed in Table 3-5, *Cumulative Projects List,* in the EIR, would be subject to relatively similar seismic hazards as that of the proposed project. However, the effects of these projects are not of a nature to cause cumulatively significant effects from geologic impacts or on soils because such impacts are site specific and would only have the potential to combine with impacts of the project if they occurred in the same location as the project.

Development of the project, with implementation of the regulatory requirements discussed above, would result in less than significant impacts related to exposing persons or structures to geology, soils, or seismic hazards. Although the entire region is a seismically active area, geologic and soil conditions vary widely within a short distance, making the cumulative context for potential impacts resulting from exposing people and structures to related risks one that is more localized or even site specific. Similar to the project, other projects in the area would be required to adhere to the same California and Kern County Building Codes, which would reduce the risk to people and property to less than significant levels. While future seismic events cannot be predicted, adherence to all federal, state, and local programs, requirements, and policies pertaining to building safety and construction would limit the potential for injury or damage to a less than significant level. Therefore, the project, combined with past, present, and other foreseeable development in the area, would not result in a cumulatively significant impact by exposing people or structures to risk related to geologic hazards, soils, and/or seismic conditions. Therefore, the project would result in less than significant cumulative impacts related to geology and soils.

Surficial deposits, namely erosion and sediment deposition, can be cumulative in nature, depending on the type and amount of development proposed in a given geographical area. The cumulative setting for soil erosion consists of existing, planned, proposed, and reasonably foreseeable land use conditions in the region. However, construction constraints are primarily based on specific sites within a proposed development and on the soil characteristics and topography of each site. Individual projects are required to comply with applicable codes, standards, and permitting requirements (e.g., preparation of a SWPPP) to mitigate potential erosion impacts. The proposed project's compliance with these codes, standards, and permitting requirements are required by Mitigation Measures MM 4.7-1, MM 4.7-2, and MM 4.10-1 (see Findings for *Hydrology and Water Quality* for full mitigation measure text). Other cumulative scenario projects would be required to adhere to similar requirements, thereby minimizing potential cumulative scenario erosion impacts. Specifically, all planned projects in the vicinity of the project are subject to environmental review, would be required to conform to the Kern County General Plan and Building Code, and would implement additional mitigation of seismic hazards to ensure soil stability, especially related to seismically induced erosion. With implementation of Mitigation Measures MM 4.7-1, MM 4.7-2, MM 4.7-3, and MM 4.10-1, the project would not contribute to any cumulative impacts for geologic seismic hazards or related events. Cumulative impacts related to geology and soils are less than significant.

The geographic scope for cumulative effects to paleontological resources includes the north-central portion of the Antelope Valley that surrounds the area of the project. Given similarities in geologic formations, this area is expected to contain similar types of paleontological resources. There is no temporal scope because direct impacts to paleontological resources are permanent. Cumulative impacts to paleontological resources could occur if other related projects, in conjunction with the project, had or would have impacts on paleontological resources that, when considered together, would be significant. Development of the project, in combination with other projects in the area, has the potential to contribute to a cumulatively significant paleontological resources impact due to the potential loss of paleontological resources unique to the region. However, mitigation measures are included in this EIR to reduce potentially significant project impacts to paleontological resources during construction of the project. Implementation of Mitigation Measure MM 4.7-4 requires paleontology sensitivity training for construction workers, Mitigation Measure MM 4.7-5 requires review of excavation plans to determine where paleontologically sensitive stratigraphic units would be potentially disturbed by ground-disturbing activities, and Mitigation Measure MM 4.7-6 requires appropriate monitoring of construction activities for potential paleontological resources that may be encountered. Although project construction has the potential to disturb paleontological resources, implementation of Mitigation Measure MM 4.7-7 would ensure the appropriate protocol is followed with regard to identifying and handling paleontological resources. Implementation of these mitigation measures would reduce potential impacts to paleontological resources to a less-than-significant level.

With implementation of Mitigation Measures MM 4.7-4 through MM 4.7-7, the project would not result in significant impacts to paleontological resources. Given this minimal impact and the requirement for similar mitigation for other projects in the Antelope Valley, cumulative impacts to paleontological resources would be less than significant.

Finding

The project has the potential to result in cumulative environmental impacts on geology and soils. The implementation of Mitigation Measures MM 4.7-1 through MM 4.7-7, described above, and MM 4.10-1 would reduce impacts to less than significant (see Findings for *Hydrology and Water Quality,* for full text of Mitigation Measure MM 4.10-1).

Level of Significance

With implementation of Mitigation Measures MM 4.7-1 through MM 4.7-7 and MM 4.10-1, cumulative impacts would be less than significant.

Brief Explanation of the Rationale for the Finding

CEQA requires that all feasible and reasonable mitigation be applied to the project to reduce impacts. Implementation of Mitigation Measures MM 4.7-1 through MM 4.7-7 and MM 4.10-1 would reduce impacts to less than significant.

E. Cumulative Environmental Effects of the Proposed Project that Would Have a Significant and Unavoidable Impact on the Environment.

None.

8. GREENHOUSE GAS EMISSIONS

A. Environmental Effects of the Project Found to Have No Impact on the Environment, or Have a Less Than Significant Impact on the Environment

The project would not generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment (Impact 4.8-1).

The project would conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gas (Impact 4.8-2).

B. Environmental Effects of the Project that Are Potentially Significant, but that Can Be Mitigated to Less Than Significant Levels

None.

C. Environmental Effects of the Project that Cannot Be Mitigated to a Less Than Significant Level.

None.

D. Cumulative Environmental Effects of the Proposed Project that Would Have a Less Than Significant Impact on the Environment.

None.

F. Cumulative Environmental Effects of the Proposed Project that Would Have a Significant and Unavoidable Impact on the Environment.

None.

9. HAZARDS AND HAZARDOUS MATERIALS

A. Environmental Effects of the Project Found to Have No Impact on the Environment, or Have a Less Than Significant Impact on the Environment

The project would not emit hazardous emissions or involve handling hazardous or acutely hazardous materials, substances, or waste within 0.25 miles of an existing or proposed school (Impact 4.9-3).

The project would not be located on a site that is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, create a significant hazard to the public or the environment (Impact 4.9-4).

The project would not impair implementation of, or physically interfere with, an adopted emergency response plan or emergency evacuation plan (Impact 4.9-6).

The project would not generate vectors (flies, mosquitoes, rodents, etc.) or have a component that includes agricultural waste. (Impact 4.9-8).

B. Environmental Effects of the Project that Are Potentially Significant, but that Can Be Mitigated to Less Than Significant Levels

Significant Effect:

The project would create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials (Impact 4.9-1).

Description of Significant Impact:

Construction of the project would not involve the routine transport, use, or disposal of significant quantities of hazardous materials, as defined by the Hazardous Materials Transportation Uniform Safety Act. Most of the hazardous materials use and hazardous waste generated by the project would occur during the temporary construction period. Materials may include small quantities of gasoline, diesel fuel, oils, lubricants, solvents, detergents, degreasers, paints, ethylene glycol, dust palliative, herbicides, and welding materials/supplies. Some solid hazardous waste, such as welding materials and dried paint, may also be generated during construction. Materials would be transported to the project site during construction, and any hazardous wastes produced as a result of project construction would be collected and transported away from the site in accordance with BMPs.

During construction of the project, Material Safety Data Sheets for all applicable materials present at the site would be made readily available to onsite personnel in accordance with required BMPs as part of a Stormwater Pollution Prevention Plan (see Section 4.10, *Hydrology and Water Quality*, of the EIR). Workers would be

trained to properly identify and handle all hazardous materials, and the project proponent would implement a site-specific Health and Safety Plan in accordance with Occupational Safety and Health Act (OSHA) requirements. Hazardous waste would be either recycled or disposed of at a permitted and licensed treatment or disposal facility. All hazardous waste shipped offsite for recycling or disposal would be transported by a licensed and permitted hazardous waste hauler and disposed of at an approved location.

Non-hazardous debris generated during project construction would be disposed of in local landfills. Sanitary waste would be managed using portable toilets located at a reasonably accessible onsite location.

Hazardous materials such as petroleum fuels and lubricants used on field equipment would be subject to the Material Disposal and Solid Waste Management Plan, Spill Prevention, Control, and Countermeasure (SPCC) Plan, and other measures to limit releases of hazardous materials and wastes(see further discussion of BMP requirements in Section 4.10, *Hydrology and Water Quality*, of the EIR). Recyclable materials including wood, shipping materials, and metals would be separated when possible for recycling. Liquids and oils from transformers and other equipment would be handled in accordance with applicable regulations. The disposal of all oils, lubricants, and spent filters would be performed in accordance with all applicable regulations including the requirements of licensed receiving facilities.

Overall, the relatively limited use and small quantities of hazardous materials, and subsequently transport and disposal of such materials, during construction would be controlled through compliance with applicable regulations including the Kern County and Incorporated Cities Hazardous Waste Management Plan. Therefore, potential impacts during construction would be less than significant.

Primary O&M activities that would occur on the project site during operation would consist of periodic panel washing but would also include, without limitation, liaison and remote monitoring; administration and reporting; semi-annual and annual services; remote operations of inverters and battery energy storage systems; site security and management; additional communication protocol; as-needed repair and maintenance of project facilities; and mowing and vegetation control. It is not anticipated that heavy equipment will be necessary during normal project operations. It is anticipated that approximately six permanent full-time staff employees would be needed to maintain the facility. It is expected that staff would primarily operate from an operations facility that is offsite. However, small satellite portable office trailers may be placed on the project site to help facilitate rapid repair of equipment.

O&M activities associated with PV solar facilities are relatively minor when compared to conventional power plants. These activities would require very limited use of hazardous materials and generation of hazardous waste. O&M vehicles would include trucks (pickup, flatbed), forklifts, and loaders for routine and unscheduled maintenance, and water trucks for solar panel washing. Large heavy-haul transport equipment and cranes may be brought to the project site infrequently for equipment repair or replacement. Long-term maintenance and equipment replacement would be scheduled in accordance with manufacturer recommendations. The project has an anticipated operational life of up to approximately 35 years. Moving parts, such as motors and tracking module drive equipment, motorized circuit breakers and disconnects, and inverter ventilation equipment, would be serviced on a regular basis, and unscheduled maintenance would be conducted as necessary.

Hazardous materials that pose a significant risk to the public or environment generally would not be stored onsite during operations, except for the onsite batteries, which would be stored in compliance with the Fire Code requirements. Limited amounts of hazardous materials would be used on the site during operations, which generally includes diesel fuel, gasoline and motor oil for vehicles, mineral oil to be sealed within the transformers. All transformers would be equipped with spill containment areas and battery storage would be in accordance with OSHA requirements such as inclusion of ventilation, acid-resistant materials, and spill response supplies.

The PV modules installed on the project site could utilize cadmium telluride (CdTe) thin film technology and/or crystalline silicon panels. As described in Section 4.9.2, *Environmental Setting,* of the EIR, research regarding the environmental, health, and safety risks posed by CdTe thin film technology has concluded that there are no potential environmental risks in the event of breakage, fire, or natural disasters. The panels are designed with a thin semiconductor layer that is not only environmentally stable, but also non-soluble in water. CdTe PV modules are classified as federal non-hazardous waste at end-of-life and can be effectively recycled. The project would include operational and maintenance protocols that would be used to identify and remove damaged or defective PV modules during annual inspections. As the PV module manufacturer provides recycling services, the project would utilize this service whenever feasibly possible or responsibly disposed of in accordance with applicable laws. Crystalline silicon solar panels may contain trace amounts of solid materials that are classified as hazardous. However, due to the solid and non-leachable nature of these materials, the risk of pollution to surface water, stormwater, or groundwater from broken crystalline silicon panels is minimal. Any damaged or defective crystalline silicon panels that are removed from the project site would be recycled or disposed of at the appropriate waste disposal facility, in compliance with applicable laws. Therefore, neither CdTe thin film technology nor crystalline silicon panels would create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials during normal operations.

Mitigation Measure MM 4.9-1, which requires the preparation of a Hazardous Materials Business Plan that would describe proper handling, storage, transport, and disposal techniques and methods to be used to avoid spills and minimize potential impacts in the event of a spill. This would ensure that all handling, storage, and disposal of hazardous materials would be conducted in accordance with proven practices to minimize exposure to maintenance workers and/or the public. Any hazardous materials that would be used would be stored onsite and in designated areas in accordance with a Hazardous Materials Business Plan.

All transformers would be equipped with spill containment areas and battery storage would be in accordance with OSHA requirements. All components would have a comprehensive SPCC Plan, in accordance with all applicable federal, State, and local regulations. Dust palliatives and herbicides, if used during operations to control vegetation, may be transported to the project site. These materials would be stored in appropriate containers to prevent accidental release. SR-14 and SR-58 would be the likely designated routes for the transport of hazardous materials located on or immediately adjacent to the project site. In addition, implementation of Mitigation Measure MM 4.9-1, would further reduce potential impacts related to hazards and hazardous materials to a less-than-significant level .

The project site, onsite collector substation, 230-kV switchyard, and any other project facilities that require controlled access would be secured and enclosed by a fence to prevent public access. The project would interconnect to the grid via a double-circuit gen-tie line. The majority of this line would be installed within the gen-tie corridor previously approved and constructed as part of the Sanborn Solar Project (2020). A portion of the gen-tie line runs within the boundaries of the approved Enterprise Solar Storage Project. These connections would not require use of hazardous materials during operation (see electric and magnetic field discussion below).

Further, implementation of the project would not result in the significant risk of electric and magnetic fields associated with overhead power lines, as the project would interconnect into the existing Windhub Substation and from there the electricity would be transmitted through existing SCE high-voltage transmission lines. In addition, the project would adhere to applicable California Public Utilities Commission (CPUC) and SCE requirements and guidelines on location of gen-tie lines and gen-tie connections. Therefore, potential impacts would be less than significant .

During the decommissioning and disposal process, it is anticipated that project structures and facilities would be fully removed from the ground. Aboveground equipment that would be removed would include module

posts and support structures, onsite transmission poles that are not shared with third parties, and the overhead collection system within the site, inverters, transformers, electrical wiring, battery storage equipment, and equipment on the inverter pads. The onsite collector substation would be removed unless a public or private utility assumes ownership of the substation, in which case the equipment may remain onsite to be used as part of the utility service to supply other applications .

Equipment would be de-energized prior to removal, salvaged (where possible), placed in appropriate shipping containers, and secured in a truck transport trailer for shipment offsite to be recycled or disposed of at an appropriately licensed disposal facility. Removal of the solar modules would include removing the racks on which the solar panels are attached and placing them in secure transport crates and a trailer for storage for ultimate transportation to another facility or to a recycling or disposal facility. The project would include BMPs to ensure the collection and recycling of modules and to avoid the potential for modules to be disposed of as municipal waste.

Once the PV modules have been removed, the racks would be disassembled and supporting structures would be removed. All other associated site infrastructure would be removed, including fences, concrete pads that may support the inverters, transformers, and related equipment. The concrete posts would be removed down to grade level. The fence and gates would be removed, and all materials would be recycled to the extent feasible. Project roads would be restored to their preconstruction condition unless the landowner elects to retain the improved roads for access throughout that landowner's property. The area would be thoroughly cleaned and all debris removed. As discussed above, most panel materials would be recycled, with minimal disposal to occur in landfills in compliance with all applicable laws. A collection and recycling program would be established to promote recycling of project components and minimize disposal in landfills.

The PV module manufacturer would likely provide module collection and recycling services. Current PV modules meet federal leaching criteria for non-hazardous waste. Several peer-reviewed studies have evaluated the environmental, health, and safety aspects of PV modules. Disposal risks of end-of-life PV modules are minimized because of the low solubility of PV panel materials and because the modules can be effectively recycled at the end of their approximately 30- to 35-year life. Studies indicate that, unless the PV module is purposefully ground to a fine dust, use of PV modules does not generate any emissions. These studies have consistently concluded that the disposal of PV modules does not present an environmental risk.

In California, batteries may be considered hazardous waste when they are discarded. Batteries will remain sealed while on the project site. As batteries are removed, they will be discharged (where safe to do so), packaged per U.S. Department of Transportation requirements, hauled offsite, and recycled or disposed of at a qualified facility in accordance with all applicable federal, state, and local hazardous material and hazardous waste requirements.

As described in the Findings for *Utilities and Service Systems,* Mitigation Measure MM 4.17-1 requires that an onsite recycling coordinator be designated by the project proponent to facilitate recycling of all waste to the extent feasible, through coordination with the onsite contractors, local waste haulers, and/or other facilities that recycle construction/demolition wastes. The onsite recycling coordinator shall also be responsible for ensuring that wastes requiring special disposal are handled according to State and County regulations that are in effect at the time of disposal. The contact information of the coordinator shall be provided to the Kern County Planning and Natural Resources Department prior to issuance of building permits.

<u>Finding</u>

The proposed project has the potential to create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials. Implementation of Mitigation Measure MM 4.9-1, described below, would reduce these impacts to a less than significant level.

Level of Significance

With implementation of Mitigation Measures MM 4.9-1 and MM 4.17-1 (see Findings for *Utilities and System Services, below*), impacts would be less than significant.

Brief Explanation of the Rationale for the Finding

CEQA requires that all feasible and reasonable mitigation be applied to the project to reduce impacts. Implementation of Mitigation Measure MM 4.17-1 (see Findings for *Utilities and System Services*, below) and Mitigation Measure MM 4.9-1, below, would reduce these impacts to a less than significant level.

MM 4.9-1: During the life of the project, including decommissioning, the project operator shall prepare and maintain a Hazardous Materials Business Plan, as applicable, pursuant to Article 1 and Article 2 of California Health and Safety Code 6.95 and in accordance with Kern County Ordinance Code 8.04.030, by submitting all the required information to the California Environmental Reporting System (CERS) at http://cers.calepa.ca.gov/ for review and acceptance by the Kern County Environmental Health Services Division/Hazardous Materials Section. The Hazardous Materials Business Plan shall :

a. Delineate hazardous material and hazardous waste storage areas.

b. Describe proper handling, storage, transport, and disposal techniques.

c. Describe methods to be used to avoid spills and minimize impacts in the event of a spill.

d. Describe procedures for handling and disposing of unanticipated hazardous materials encountered during construction and operation.

e. Establish public and agency notification procedures for spills and other emergencies including fires.

f. Include procedures to avoid or minimize dust from existing residual pesticides and herbicides that may be present on the site.

The project proponent shall ensure that all contractors working on the project are familiar with the facility's Hazardous Materials Business Plan as well as ensure that one copy is available at the project site at all times. In addition, a copy of the accepted Hazardous Materials Business Plan from CERS shall be submitted to the Kern County Planning and Natural Resources Department for inclusion in the project's permanent record.

Significant Effect

The project would 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 (Impact 4.9-2).

Description of Significant Impact

Per the CalGEM letter dated September 10, 2025, the project site is not located within a known oil production field, nor does the project site have any known active or abandoned oil wells (CalGEM, 2025, in Appendix A of the EIR). As a result, construction of the project is unlikely to expose employees or construction workers to the dangers associated with constructing a facility near an oil well. In addition, the Phase I Environmental Site Assessment Summary Report prepared for the project did not identify any Recognized Environmental Conditions on the project site (Appendix I of the EIR).

During project construction, equipment used will require onsite fueling and limited maintenance, which could potentially result in minor spills of petroleum products or hazardous materials. In addition, oil-containing transformers would be filled onsite with biodegradable oils prior to completion of construction. The likelihood of incidental spills would be minor because of the following reasons:

- Storage of any hazardous materials onsite during construction would be kept within appropriately sized secondary containment
- Fueling operations would be conducted over designated spill containment areas.
- Filling of transformers would occur within appropriately sized secondary containment.
- Maintenance activities during construction may be performed onsite within designated areas with appropriate spill prevention and response measures in place.

If the site meets regulatory thresholds requiring an SPCC Plan, one will be developed and implemented as part of the project's BMPs for both construction activities and post-construction operations. Implementation of Mitigation Measure MM 4.10-1 (see Findings for *Hydrology and Water Quality*) would require the project to implement applicable BMPs included in a National Pollutant Discharge Elimination System-mandated SWPPP during construction to minimize this potential. Relevant BMPs would include designated fueling and maintenance areas that are supplied with temporary spill containment equipment, such as absorbent booms and pads, and hazardous waste disposal containers. Further discussion regarding the construction SWPPP is provided in Section 4.10, *Hydrology and Water Quality,* of the EIR. Additionally, workers would be protected from exposure to hazardous wastes through the development and implementation of the Site Management/Health and Safety Plans in accordance with applicable laws and regulations.

Implementation of Mitigation Measure MM 4.9-1 would provide methods for avoiding spills and minimizing potential impacts in the event of a spill by providing procedures for handling and disposing hazardous materials as well as public and agency notification procedures for spills and other emergencies including fires, would reduce this potential impact to a less-than-significant level.

Despite the relatively open spaces surrounding the project site, nearby sensitive receptors could be exposed to pollutant emissions during construction of the project. Risks associated with exposure to hazardous materials could result from the installation of transformers, grading of the site, application of herbicides, or other construction processes due to the proximity between the sensitive receptors and the project site. As described above, the Phase I Environmental Site Assessment did not identify any Recognized Environmental Conditions on the site, making the risk of upset of hazardous materials due to grading low, and transformers would be filled within appropriately sized secondary containment. Further, Implementation of Mitigation Measure MM 4.9-2, which regulates the use of herbicides as described below, would reduce potential impacts related to sensitive receptors to a less-than-significant level.

Limited amounts of hazardous materials would be stored or used on the site during operations, these materials are commonly found on similar sites and operations and generally include but are not limited to diesel fuel, gasoline and motor oil for vehicles, and mineral oil to be sealed within the transformers. Appropriate spill

containment and cleanup kits would be maintained during operation of the project. The PV modules would be recycled at the end of their life. Inverters would not produce any hazardous waste during operation. Each enclosed transformer at onsite collector substations would include mineral oil, but secondary containment would be provided in accordance with applicable federal, state, and local laws and regulations. The mineral oil contained in each transformer does not typically require replacement, and mineral oil disposal would be in accordance with all applicable federal, state, and local laws and regulations.

As stated in the environmental setting above, standard operation of either crystalline silicon or CdTe PV systems does not result in pollution emissions to air, water, or soil. Crystalline silicon panels removed from the site would be recycled or otherwise disposed of at an appropriate waste disposal facility. The small traces of hazardous materials found within crystalline silicon panels are unlikely to occur during accidental breakage due to its solid and non-leachable nature. Similarly, fire damage is unlikely to release hazardous materials. The crystalline silicon PV panel does not pose a threat to nearby residences. In the event that CdTe PV modules are used for the project, the likelihood of release occurring due to the accidental breakage or fires involving the PV modules is minimal. CdTe is a highly stable semiconductor compound that is non-soluble in water and sealed with an industrial laminate material. Potential impacts to soil, air, and groundwater quality from broken CdTe PV modules are highly unlikely to pose a potential health risk as they are below both human health screening levels and background levels. Therefore, the use of either crystalline silicon or CdTe PV modules would not create a significant hazard to the public or the environment through conditions involving accidental release of hazardous materials into the environment.

Under normal operations, energy storage facilities do not store or generate hazardous materials in quantities that would pose a risk to offsite receptors, and no reportable quantities of acutely or extremely hazardous materials will be transported, stored, or used at the site. As described further in Chapter 3, *Project Description,* in Section 3.7.2 ("Battery Energy Storage Systems"), the project would implement preventative measures—adhering to applicable CFC, NFPA, and CPUC requirements for ongoing inspection, testing, and maintenance of critical safety systems—to reduce the potential for accidents. Nevertheless, because battery facilities store electrochemical energy, thermal runaway can occur if a cell (or portion of a cell) reaches elevated temperatures due to thermal failure, mechanical failure, internal short circuiting, or electrical abuse. In such events, state-of-the-art fire and safety systems would be in place to mitigate potential impacts. The project will use only outdoor cabinet-type BESS enclosures that have undergone large-scale fire testing (LSFT) to demonstrate that a fire within a cabinet does not propagate beyond the enclosure. In addition, the outdoor cabinet-type enclosures will be designed and equipped with Underwriters Laboratories (UL)-listed safety management equipment, integrated fire protection, and deflagration control systems designed to prevent thermal runaway and manage or mitigate associated risks if it occurs.

NFPA 855 and the CFC require preparation of a Hazard Mitigation Analysis (HMA) for review and approval from the fire Authority Having Jurisdiction. The HMA evaluates site and equipment-specific risks, credible failure modes, and measures used to detect, prevent and mitigate those hazards. The HMA will also include dispersion modeling (a "plume study") of un-ignited flammable or toxic gases that requires demonstration that reasonably foreseeable releases are not expected to result in offsite concentrations above applicable health standards at the property line. Lack of offsite impacts from battery failures is further supported by empirical environmental monitoring during and after documented battery fire incidents, as outlined below. In the unlikely event of thermal runaway, the project's preventative measures and fire safety systems described herein are designed to contain the incident within a single battery enclosure and to minimize event duration and intensity, thereby reducing potential for offsite impacts. Pursuant to these measures, no significant impacts to the surrounding areas are anticipated.

While fires at BESS are rare, environmental monitoring that has occurred during and after outdoor cabinet-type BESS fires has shown no impact to the surrounding environment. For example, following an outdoor

cabinet-type BESS fire at an SDG&E facility in Escondido, San Diego on September 5, 2024, County Hazmat conducted air monitoring over a 4-hour period during the incident at 11 different locations. The monitoring found only normal products combustion of a structure fire were detected and at levels well below exposure thresholds set by the National Institute for Occupational Safety and Health (NIOSH) and OSHA. A third-party contractor conducted additional air quality monitoring at 18 different locations during the incident and for an additional 12 hours after the fire was extinguished and concluded that at no time during the incident did the levels of oxygen deviate from 20.9 percent, which is considered normal atmospheric level. Any decrease in the percentage of oxygen would indicate that there was some unknown gas in the atmosphere that was not able to be detected by monitoring equipment. No such deviation was detected.

The project includes firewater tanks, consistent with Kern County Fire Department (KCFD) requirements for other similar projects. The final amount of firewater storage is not expected to exceed 30,000 gallons of usable water. Due to the project electing to only use cabinet-type battery enclosures, the use of the fire water tank is only intended to cool adjacent uninvolved enclosures if needed during a fire and not directly used on a battery fire, thus eliminating any water runoff concerns both due to the limited water quantity and indirect application. By way of the same incident example, the fire water runoff used during the SDG&E fire in Escondido was sampled and found to have no levels of contamination above safe drinking water levels. Eurofins Calscience, an accredited environmental testing lab, in collaboration with San Diego County Wastewater Division, sampled for 17 different containments. Six samples had detectable concentrations, but all were below safe drinking water levels. The remaining 11 samples did not detect any levels of the sampled for contaminants. The San Diego County Wastewater Division at Hale Avenue Resource Recovery Facility confirmed that there were no concerns with this water entering the environment. Similarly, environmental monitoring and sampling during and after three BESS fires in New York, each site using different battery chemistries and configurations, reported “no harmful levels of toxins detected, and no long-term off-site impacts involving any migration of contaminants associated with the fires.” Agencies involved included the Division of Homeland Security and Emergency Services, Office of Fire Prevention and Control, New York State Energy Research and Development Authority, New York State Department of Environmental Conservation, Department of Public Service, the Department of State, and the State Department of Health.

Removal and/or maintenance of vegetation may require herbicide use during operation. If not handled properly, these products could create a hazard to the public, affecting maintenance personnel, and nearby residents. Mitigation Measure MM 4.9-2 would reduce potential impacts related to use of herbicides to a less-than-significant level. Additionally, only State of California–licensed pesticide applicators for all herbicide applications. All herbicide use shall be conducted in accordance with applicable California Department of Pesticide Regulation requirements, county agricultural commissioner regulations, and product label instructions to ensure safe and compliant vegetation management practices.

As noted above, the project would not involve the routine transport, use, or disposal of significant quantities of hazardous materials, as defined by the Hazardous Materials Transportation Uniform Safety Act. The closest designated routes for the transport of hazardous materials are SR-14 and SR-58, located approximately 5 miles east and 8 miles north of the project site, respectively. Adherence to regulations and standard protocols during the storage, transportation, and usage of any hazardous materials would minimize and avoid the potential for impacts related to upset and accident conditions.

Overall, adherence to regulations and standard protocols during the storage, transportation, and usage of any hazardous materials, and implementation of Mitigation Measures MM 4.9-1 and MM 4.9-2, would minimize or reduce potential impacts related to reasonably foreseeable upset and accident conditions involving the release of hazardous materials to a less-than-significant level.

In California, batteries may be classified as hazardous waste when they are discarded and will remain sealed on the project site. Batteries would be placed in appropriate hazardous materials containers for proper handling and removal from the site. Once removed, they will be discharged (where safe to do so), transported offsite, and either recycled or disposed of at an appropriate location in accordance with all applicable hazardous waste requirements. Mitigation Measure MM 4.17-1 (see Findings for *Utilities and System Services* for full mitigation measure text) requires that an onsite recycling coordinator be designated by the project proponent to facilitate recycling of all feasible waste through coordination with the onsite contractors, local waste haulers, and/or other facilities that recycle construction/demolition wastes. The onsite recycling coordinator shall also be responsible for ensuring that wastes requiring special disposal are handled according to State and County regulations that are in effect at the time of disposal.

Finding

The proposed project has the potential to 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. However, with implementation of Mitigation Measures MM 4.9-1, MM 4.9-2 (text below), MM 4.10-1 (see Findings for *Hydrology and Water Quality*, below), and MM 4.17-1 (see Findings for *Utilities and System Services*, below), potential impacts would be less than significant.

Level of Significance

With implementation of Mitigation Measures MM 4.9-1, MM 4.9-2 (text below), MM 4.10-1 (see Findings for *Hydrology and Water Quality*, below), and MM 4.17-1 (see Findings for *Utilities and System Services* for full mitigation measure text), potential impacts would be less than significant.

Brief Explanation of Rationale for Finding

CEQA requires that all feasible and reasonable mitigation be applied to the project to reduce impacts. Implementation of Mitigation Measures MM 4.9-1, MM 4.9-2 (text below), MM 4.10-1 (see Findings for *Hydrology and Water Quality*, below), and MM 4.17-1 (see Findings for *Utilities and System Services* below), would reduce these impacts to a less than significant level.

MM 4.9-2: The project proponent/operator shall continuously comply with the following:

a. The construction contractor or project personnel shall use herbicides that are approved for use in California and are appropriate for application adjacent to natural vegetation areas (i.e., non-agricultural use). Personnel applying herbicides shall have all appropriate State and local herbicide applicator licenses and comply with all State and local regulations regarding herbicide use.

b. Herbicides shall be mixed and applied in conformance with the manufacturer's directions.

c. The herbicide applicator shall be equipped with splash protection clothing and gear, chemical resistant gloves, chemical spill/splash wash supplies, and material safety data sheets for all hazardous materials to be used. To minimize harm to wildlife, vegetation, and water bodies, herbicides shall not be applied directly to wildlife.

d. Products identified as non-toxic to birds and small mammals shall be used if nests or dens are observed; and herbicides shall not be applied if it is raining at the site, rain is imminent, or the target area has puddles or standing water.

e. Herbicides shall not be applied when wind velocity exceeds 10 miles per hour. If spray is observed to be drifting to a non-target location, spraying shall be discontinued until conditions causing the drift have abated.

f. A written record of all herbicide applications on the site, including dates and amounts shall be furnished annually to the Kern County Planning and Natural Resources Department.

Significant Effect

The project would result in a safety hazard or excessive noise for people residing or working in the project area, for a project located within the vicinity of a private airstrip (Impact 4.9-5).

Description of Significant Impact

The project site is not within the boundaries of any airport as identified in the Kern County Airport Land Use Compatibility Plan (ALUCP). However, a portion of the gen-tie line route falls within the Airport Influence Area for the Mojave Air & Space Port, and specifically within Compatibility Zones B2, C, D, and E1, (County of Kern, 2012). The Mojave Air & Space Port is located approximately 4.5 miles northwest of the project site. A small portion of the gen-tie line is located within 60 decibel Community Noise Equivalent Level noise zone for the Mojave Air & Space Port.

The ALUCP generally prohibits structures exceeding 100 feet in height in Zone E1. Transmission poles associated with the project's 230-kV gen-tie line would exceed the 100-foot height limit for structures in Zone E1. However, Section 4.9.5(1)(b) of the ALUCP provides an exemption to these height requirements for gen-tie lines, which are subject to review on a case-by-case basis. The poles would be subject to Federal Aviation Administration (FAA) review under Federal Aviation Regulations Part 77 and require issuance of a Determination of No Hazard to Air Navigation prior to construction. Notably, a portion of the gen-tie line poles would be co-located within the existing gen-tie line corridor approved and constructed as part of the Sanborn Solar Project, which received FAA clearance. Therefore, it is anticipated that the remainder of project gen-tie poles would also receive FAA clearance. Additionally, a small portion of the gen-tie line is subject to the Airport Approach Height (H) Combining District overlay, which requires FAA review for all structures exceeding 35 feet in height and to either acquire a letter from the FAA that states that the proposed development does not constitute a hazard to air traffic and does not violate any federal regulations, or obtain a Determination of No Hazard from the FAA for same.

The project is located within the military flyover area and the Joint Service Restricted R-2508 Complex of the Edwards AFB. A portion of the project's gen-tie line and project site overlap with the review area for all wind turbines and communication towers over 80 feet and all other structures over 100 feet. Some of the transmission poles associated with the gen-tie in this area may exceed 100 feet and, therefore, would be subject to County Zoning Code section 19.08.160. No other project components would exceed the applicable heights in this review area. Additionally, a portion of the gen-tie line and 230-kV switchyard near Windhub overlap with the military review area for all structures over 500 feet. However, pole heights associated with the gen-tie in this area and pole heights associated with the 230-kV switchyard would be less than 250 feet tall and, thus, would not be subject to County Zoning Code section 19.08.160.

In sum, the project would comply with the County's ALUCP, Zoning Code, and applicable FAA regulations, which are designed to avoid conflicts with airport operations and limit safety hazards. The project's tallest structure (i.e., gen-tie poles) also would be located nearby other similarly sized structures that have already received FAA approval.

Additionally, project solar panels would be composed of anti-reflective material; therefore, glare resulting from the panels is not expected to be a concern for pilots. Finally, the project would not result in an increase in air traffic levels or a change in location of air traffic patterns that would result in a substantial safety risk, as air traffic patterns would not be affected (the only mode of transport affected by the project is automobile/truck operations).

For the reasons described above, the proposed project would not result in safety or operational hazards to aircraft that would represent a safety hazard to people residing or working in the area. Implementation of Mitigation Measure MM 4.9-3 would ensure the project would be consistent with applicable Kern County regulations by requiring the developer to coordinate with the FAA and obtain approval as needed. Potential impacts would be less than significant. See also Section 4.1, *Aesthetics,* of the EIR for analysis of potential glare impacts and Section 4.13, *Noise*, for analysis of potential noise impacts.

The project would require approximately six full-time employees during operation, who could experience airport noise. However, employees working at the project would not be exposed to excessive noise from the Mojave Air & Space Port. Additionally, employees working at the project during construction and decommissioning would not be exposed to excessive noise from the Mojave Air & Space Port. A small portion of the gen-tie line is located within the 60 decibel Community Noise Equivalent Level contour line for Mojave Air & Space Port. However, the ALUCP provides that industrial uses are "clearly acceptable" within that contour. Further, the project is not considered a sensitive use and would not introduce new residences on the project site. Therefore, the project would not result in excessive noise for people residing or working in the project area and potential impacts would be less than significant. See also Section 4.13, *Noise*, for analysis of potential noise impacts.

With implementation of Mitigation Measure MM 4.9-3, the project would comply with the County's regulations, applicable FAA regulations, and military review requirements to ensure that there is no conflict with airport operations and no safety hazards are presented. Implementation of Mitigation Measure MM 4.9-3 would also ensure the project would be consistent with the General Plan policies of Kern County by requiring the developer to obtain approval from FAA where applicable. Potential impacts would be less than significant with mitigation incorporated.

Finding

The proposed project has the potential to result in a safety hazard or excessive noise for people residing or working in the project area, for a project located within the vicinity of a private airstrip. However, the implementation of Mitigation Measures MM 4.9-3 would reduce impacts to a less than significant level.

Level of Significance

Impacts would be less than significant with implementation of Mitigation Measure MM 4.9-3.

Brief Explanation of Rationale for Finding

CEQA requires that all feasible and reasonable mitigation be applied to the project to reduce impacts. Implementation of Mitigation Measures MM 4.9-3, described below, would reduce impacts to a less than significant level.

MM 4.9-3: Prior to the issuance of grading or building permits, the project proponent/operator shall comply with the following:

a. Submit Form 7460-1 (Notification of Proposed Construction or Alteration) to the Federal Aviation Administration, in the form and manner prescribed in Code of Federal Regulation 77.17 for any project components that would meet noticing requirements under 14 CFR Part 77.

b. For project components meeting noticing requirements under 14 CFR Part 77, obtain a Federal Aviation Administration issued "Determination of No Hazard to Air Navigation."

c. Provide documentation to the Kern County Planning and Natural Resources Department demonstrating that a copy of the final site plans have been provided to the operators of Mojave Air Space and Port.

Significant Effect

The project would 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 (Impact 4.9-7).

Description of Significant Impact

The project site is not located within a very high fire hazard severity zone; however, portions of the northwestern section of the project site are located within a high fire severity zone. Sparse vegetation is present onsite and site preparation would involve the removal of additional vegetation, although natural vegetation may be maintained within the solar arrays if it does not interfere with project construction or the health and safety of onsite personnel.

The project includes a battery energy storage component where vegetation will be eliminated within the battery facility boundary. While batteries generally burn with difficulty, they can potentially catch fire. A battery fire does not produce embers like a typical structure or wildland fire, thus minimizing the spread of a battery fire to any adjacent vegetation. Instead, fire spread risk for a battery is typically through thermal energy transfer to nearby adjacent exposures. This is mitigated through spacing, barriers, and/or cooling. The project battery energy storage system will be constructed in accordance with the CFC, which has specific, detailed design requirements for stationary electrical energy storage systems, and applicable NFPA standards. The CFC and NFPA 855 require rigorous large-scale fire testing, which requires these systems to pass performance-based criteria so that enclosures of energy storage systems may not pose a fire risk to adjacent exposures and a fire will not propagate beyond a single enclosure, even without the use of suppression. To achieve these results, energy storage systems typically employ various types of passive controls such as thermal runaway mitigation systems, equipment spacing, setbacks, vegetation control/rock cover, and fire-resistant and/or non-combustible construction materials. All documentation to prove the effectiveness of this strategy in accordance with the CFC and NFPA 855, including testing results, listing, plans, analysis, and drawings, will be submitted with the building permit application to KCFD for review and approval. Should a battery fire occur, fire fighters are trained to allow the single enclosure to consume itself while observing the areas around it and utilizing fire water for cooling adjacent exposures, if needed. Any external wildland or brush fires impacting the battery facility are not a concern due to strict vegetation management of the site, setbacks, spacing, and non-combustible construction as described herein. The project will also comply with the requirements of California Public Utilities Code Section 761.3, which requires battery energy storage facilities to have an emergency response and emergency action plan covering the premises of the facility that is prepared in coordination with local emergency management agencies, unified program agencies, and local first responders.

Over the long term, project operation and maintenance could introduce potential ignition sources such as maintenance vehicles used for project maintenance activities. The proposed inverters and solar panels may represent a potential ignition source; however, the potential for fire risk for these components is considered low as the project would comply with the KCFD vegetation clearance requirements. Project vehicles would travel on roads that have been cleared of vegetation. As such, vegetation-related fires would be unlikely to occur on the site. Battery components for the project would be installed within non-walking outdoor enclosures on electrically grounded concrete pads or foundations to minimize the potential for sparks or ignition to occur and include the integrated fire and safety systems within each enclosure as described above. Compliance with these standards would minimize the potential for the occurrence of fire.

Additionally, as discussed further in Section 4.14, *Public Services*, of the EIR, the project proponent would implement Mitigation Measure MM 4.14-1, which would require the preparation and submittal of a Fire Safety Plan to the KCFD for review and approval. The purpose of the Fire Safety Plan would be to eliminate causes of fire, prevent loss of life and property by fire, to comply with County and County Fire Protection District standards for solar facilities, and to comply with the OSHA standard of fire prevention, 29 CFR 1910.39. The Fire Safety Plan would address fire hazards of the different components of the project, including the energy storage facility, and would include BMPs to reduce the potential for fire and extinguishment techniques if a fire were to occur. As discussed in more detail in Section 4.18, *Wildfire*, of the EIR, the project would not place the gen-tie and electrical collection system, energy storage facility, or internal/perimeter dirt maintenance roads within a high fire hazard zone, and would clear all necessary vegetation, which would reduce fire risks.

The project site is not adjacent to urbanized areas and the desert flora is sparse and minimal; however, there are isolated residences in proximity to the project site. While the project is not anticipated to significantly increase the risk of wildfire, Mitigation Measure MM 4.14-1 would be implemented which includes the development and implementation of a Fire Safety Plan for construction and operation of the project. With mitigation, potential impacts from wildfire would be reduced to a less than significant level.

Finding

The proposed project has the potential to expose people or structures to a significant risk of loss, injury, or death involving wildlands fires, including where wildlands are adjacent to urbanize areas or where residences are intermixed with wildlands. The implementation of Mitigation Measure MM 4.14-1, described below under Findings for *Public Services*, would reduce impacts to a less than significant level.

Level of Significance

With implementation of Mitigation Measure MM 4.14-1, described below under Findings for Public Services, potential impacts would be less than significant.

Brief Description of Rationale

CEQA requires that all feasible and reasonable mitigation be applied to the project to reduce impacts. Implementation of Mitigation Measure MM 4.14-1, described below in Findings for Public Services, would reduce impacts to a less than significant level.

C. Environmental Effects of the Project that Cannot Be Mitigated to a Less Than Significant Level.

None.

D. Cumulative Environmental Effects of the Proposed Project that Would Have a Less Than Significant Impact on the Environment.

Significant Effect

The proposed project would have a cumulative environmental impact on hazards and hazardous materials.

Description of Significant Impact

As described in Chapter 3, *Project Description,* of the EIR, multiple projects, including several utility-scale solar and wind energy production facilities, are proposed throughout Kern County. The geographic scope of impacts associated with hazardous materials generally encompasses the project site and a 0.25-mile-radius area around the site. A 0.25-mile-radius area allows for a conservative cumulative analysis that ensures that all potential cumulative impacts will be assessed. Similar to other potential impacts, such as those related to geology and soils, risks related to hazards and hazardous materials are typically localized in nature since they tend to be related to onsite existing hazardous conditions and/or hazards caused by the project's construction or operation. A geographic scope of a 0.25-mile-radius area also coincides with the distance used to determine whether hazardous emissions or materials would have a significant impact upon an existing or proposed school, as discussed above. The project's compliance with Mitigation Measures MM 4.9-1 and MM 4.9-2 is similar to existing regulatory requirements that other projects would be required to adhere to and would avoid hazardous material-related impacts from occurring at any of the schools of the area.

Impacts regarding the handling, use, and/or storage of hazardous materials would be project specific and would not cumulatively contribute to impacts. An accident involving a hazardous material release during project construction or operation through upset or accident conditions including site grading and the use and transport of petroleum-based lubricants, solvents, fuels, batteries, herbicides, and pesticides to and from the project site would be location specific. Conformance with existing State and County regulations, as well as project safety design features and implementation of Mitigation Measures MM 4.9-1 and MM 4.9-2 identified above, would further reduce cumulative impacts. In addition, implementation of appropriate safety measures during construction of the project, as well as other cumulative projects, would reduce the impact to a level that would not contribute to cumulative effects. Given the minimal risks of hazards at the project site, cumulative impacts are unlikely to occur. Therefore, impacts would not be cumulatively significant.

Hazardous materials to be used during decommissioning and removal activities are of low toxicity and would consist of fuels, oils, and lubricants. Because these materials are required for operation of construction vehicles and equipment, BMPs would be implemented to reduce the potential for or exposure to accidental spills or fires involving the use of hazardous materials. Impacts from minor spills or drips would be avoided by thoroughly cleaning up minor spills as soon as they occur. While foreseeable projects have the potential to cause similar impacts, it is assumed these projects would also implement similar BMPs. While the project would be proximate to other solar PV projects that may include similar BESS, all BESS would be required to include fire preventative measures and fire and safety systems to reduce the potential for battery thermal runaway and other potentially hazardous events. All construction, operation, and decommissioning of the solar projects would need to follow the same safety standards and suppression systems.

The project site and surrounding 0.25-mile area is rural, has a limited residential population, is sparsely vegetated and lacks steep slopes, and all projects would be required to comply with Fire and Building Code requirements. Conformance with existing State and County regulations, as well as implementation of Mitigation Measures MM 4.1-1 (see Findings for *Aesthetics),* MM 4.9-1, MM 4.9-2, and MM 4.14-1 of (Fire Safety Plan; see Findings for *Public Services*), would further reduce the potential for cumulative impacts. In

addition, implementation of appropriate safety measures during construction of the project, as well as any other cumulative project, would reduce the impact to a level that would not contribute to cumulative effects. Therefore, potential impacts related to hazardous materials would not be cumulatively significant. The project would be required to comply with FAA notification and approval requirements listed in Mitigation Measure MM 4.9-3, as would other projects within these influence areas. Thus, the project would not combine with any other to become cumulatively significant and there would be less than significant cumulative impacts associated with airports or airstrip land use plans or air traffic hazards.

Portions of the gen-tie line are located within the Mojave Air & Space Port ALUCP airport influence area. The project would be required to comply with the ALUCP policies and FAA notification and approval requirements listed in Mitigation Measure MM 4.9-3, as would other projects within these influence areas. Thus, the project would not combine with any other to become cumulatively significant and there would be less than significant cumulative impacts associated with airports or airstrip land use plans or air traffic hazards.

Finding

The proposed project would have a cumulative environmental impact on hazards and hazardous materials. However, with implementation of Mitigation Measures MM 4.1-1, MM 4.9-1, MM 4.9-2, MM 4.9-3, and MM 4.14-1, cumulative impacts would be less than significant.

Level of Significance

With implementation of Mitigation Measures MM 4.1-1, MM 4.9-1, MM 4.9-2, MM 4.9-3, and MM 4.141, cumulative impacts would be less than significant.

Brief Description of Rationale

CEQA requires that all feasible and reasonable mitigation be applied to the project to reduce impacts. Implementation of Mitigation Measures MM 4.1-1, MM 4.9-1, MM 4.9-2, MM 4.9-3, and MM 4.14-1 would reduce these impacts to a less than significant level.

E. Cumulative Environmental Effects of the Proposed Project that Would Have a Significant and Unavoidable Impact on the Environment.

None.

10. HYDROLOGY AND WATER QUALITY

A. Environmental Effects of the Project Found to Have No Impact on the Environment, or Have a Less Than Significant Impact on the Environment

The project would not substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin (Impact 4.10-2).

The project would not conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan (Impact 4.10-8).

B. Environmental Effects of the Project that Are Potentially Significant, but that Can Be Mitigated to Less Than Significant Levels

Significant Effect

The project would violate water quality standards or waste discharge requirements or otherwise degrade water quality (Impact 4.10-1).

Description of Significant Impact

Project construction would include mowing, excavation, and grading portions of the project site. Conventional grading would be performed selectively throughout the project site; however, because the project site is relatively flat, it is anticipated that conventional grading would be limited in most areas. Grading and excavation would be required for project infrastructure such as the energy storage system(s), inverters, and transformers. Installation of the solar panels would not require grading of the site with the exception of roads to meet fire code standards and micro-grading in select areas to accommodate solar tracker grade tolerances. These activities would affect current drainage patterns and erosion on the project site. Potential impacts on water quality from erosion and sedimentation are expected to be localized and temporary during construction. Stormwater runoff from the project site would not discharge to waters of the United States because the project is within a watershed that is not hydrologically connected to a navigable waterway. However, according to the Kern County Public Works Department NPDES applicability form, the project would be required to implement a SWPPP during construction. Per Mitigation Measure MM 4.10-1, the SWPPP would include BMPs designed to prevent the occurrence of soil erosion and discharge of other construction-related pollutants that could contaminate water quality and would be applicable to all areas of the project, including the solar arrays, associated facilities, and the generation tie (gen-tie) line. In addition, prior to the commencement of construction activities, the project proponent would be required to adhere to the requirements of the Kern County Grading Code. This includes implementation of various measures designed to prevent erosion and control drainage onsite, thereby further preventing the potential sedimentation and subsequent degradation of stormwater.

Mitigation Measure MM 4.10-2 would require the preparation of a Final Drainage Plan per the Kern County Development Standards and the Kern County Code of Building Regulations prior to issuance of a grading permit. Based on the findings of the *Preliminary Hydrologic Study* provided as Appendix J to the EIR, the Final Drainage Plan would recommend an onsite design that ensures facilities are located in such a way to lessen their impact on drainage patterns and erosion. Designing the site grading and access roads in compliance with County standards, and as required by Mitigation Measure MM 4.10-2, would prevent substantial alterations to drainage patterns and erosion within the project site. Impervious surfaces from construction of access roads, PV module foundations, switchyards, substations, and other improvements would be relatively limited compared to the overall perviousness of the approximately 3,500 project site plus an approximately 20.00-acre offsite water storage tank area and a 17.4-acre temporary offsite laydown area.

During project construction, any construction activity that results in the accidental release of pollutants, hazardous materials, or potentially hazardous materials could result in water quality degradation. Materials that could contribute to this impact include, but are not limited to, diesel fuel, gasoline, lubricant oils, hydraulic fluid, antifreeze, transmission fluid, lubricant grease, cement slurry, and other fluids utilized by construction and maintenance vehicles and equipment. Motorized equipment could leak hazardous materials such as motor oil, transmission fluid, or antifreeze due to inadequate or improper maintenance, unnoticed or unrepaired damage, improper refueling, or operator error.

As noted in Section 4.9, *Hazards and Hazardous Materials,* of the EIR, Mitigation Measure MM 4.9-1 would require the project proponent to provide a Hazardous Materials Business Plan that would delineate hazardous material and hazardous waste storage areas; describe proper handling, storage, transport, and disposal techniques; describe methods to be used to avoid spills and minimize impacts in the event of a spill; describe procedures for handling and disposing of unanticipated hazardous materials encountered during construction; and establish public and agency notification procedures for spills and other emergencies, including fires. With implementation of this mitigation measure, the potential for the accidental release of hazardous materials would be reduced.

Decommissioning impacts would be similar to those described for construction and would be required to comply with the same applicable water quality regulations that would apply during construction. Therefore, with implementation of Mitigation Measures MM 4.9-1, MM 4.10-1, and MM 4.10-2, potential impacts to water quality would be less than significant during construction and decommissioning.

Project facilities would require limited use of certain hazardous materials for routine O&M. Accidental release of such materials could include fuels, paints, coatings, lubricants, and transformer oil, which would result in water quality degradation should the materials become entrained in stormwater. This would result in a potentially significant impact on water quality. However, as described above, implementation of Mitigation Measure MM 4.9-1 would require implementation of a Hazardous Materials Business Plan that would ensure safe handling of hazardous materials onsite and provide the means for prompt cleanup in the event of an accidental hazardous material release. There would be no hazardous materials associated with the interconnections to the gen-tie lines. Further, as discussed in Section 4.9, *Hazards and Hazardous Materials,* of the EIR, the energy storage facilities do not store or generate hazardous materials in quantities that would represent a risk to offsite receptors and no reportable quantities of acutely or extremely hazardous materials will be transported, stored, or used at the site. The project also would include preventative measures, such as energy management systems and building management systems, to reduce the potential for accidents to occur.

Water quality could also be degraded by non-hazardous materials during operation activities. During dry periods, impervious surfaces (i.e., hardscape surfaces such as foundations and buildings) can collect greases, oils, and other vehicle-related pollutants. During storm events, these pollutants can mix with stormwater and degrade water quality. However, per Mitigation Measure MM 4.10-2, a Final Drainage Plan would be prepared in accordance with the Kern County Development Standards and Kern County Code of Building Regulations. The Final Drainage Plan would include post-construction structural and nonstructural BMPs that could include features such as drainage swales for collection of runoff prior to offsite discharge. Adherence to these requirements would minimize potential for operation-period water quality degradation. Apart from infrequent cleaning of panels with water that would result in minimal runoff, no other discharges would occur when the project is operational. Therefore, with implementation of Mitigation Measures MM 4.9-1 and MM 4.10-2, project operation would not violate water quality standards or waste discharge requirements or otherwise degrade water quality.

Finding

The proposed project has the potential to violate water quality standards or waste discharge requirements. However, implementation of Mitigation Measures MM 4.9-1, described above under Findings for Hazards and Hazardous Materials, MM 4.10-1 and MM 4.10-2, described below, would reduce these impacts to a less than significant level.

Level of Significance

With implementation of Mitigation Measures MM 4.9-1, MM 4.10-1, and MM 4.10-2, impacts would be less than significant.

Brief Description of Rationale

CEQA requires that all feasible and reasonable mitigation be applied to the project to reduce impacts related to violating water quality standards or waste discharge requirements. Implementation of Mitigation Measures MM 4.9-1, described above under Findings for *Hazards and Hazardous Materials*, MM 4.10-1, and MM 4.10-2, listed below, would reduce these impacts to a less than significant level.

MM 4.10-1: Prior to issuance of a grading permit, the project proponent/operator shall submit a Stormwater Pollution Prevention Plan (SWPPP) for review and approval by the Kern County Planning and Natural Resources Department and/or Kern County Public Works Department. The SWPPP shall be designed to minimize runoff and shall specify best management practices to prevent all construction pollutants from contacting stormwater, with the intent of keeping sediment or any other pollutants from moving offsite and into receiving waters. The requirements of the SWPPP shall be incorporated into design specifications and construction contracts. Recommended best management practices to be incorporated in the SWPPP may include the following:

a. Minimization of vegetation removal;

b. Implementing sediment controls, including silt fences a necessary;

c. Installation of a stabilized construction entrance/exit and stabilization of disturbed areas;

d. Properly containing and disposing of hazardous materials used for construction onsite;

e. Properly covering stockpiled soils to prevent wind erosion;

f. Proper protections and containment for fueling and maintenance of equipment and vehicles; and

g. Appropriate disposal of demolition debris, concrete and soil, and aggressively controlling litter.

h. Cleanup of silt and mud on adjacent street due to construction activity.

i. Checking all lined and unlined ditches after each rainfall.

j. Restore all erosion control devices to working order to the satisfaction of the Kern County Planning and Natural Resources Department and/or Kern County Public Works Department after each rainfall runoff.

k. Install additional erosion control measures as may be required due to uncompleted grading operations or unforeseen circumstances which may arise.

MM 4.10-2: Prior to the issuance of grading permits, the project proponent/operator shall complete a Final Drainage Plan designed to evaluate and minimize potential increases in runoff from the project site. The study shall include, but is not limited to, the following:

a. A numerical stormwater model for the project site that evaluates existing and proposed (with project) drainage conditions during storm events ranging up to the 100-year event.

b. The study shall also consider potential for erosion and sedimentation in light of modeled changes in stormwater flow across the project area that would result from project implementation.

c. Engineering recommendations to be incorporated into the project design and applied within the site boundary. Engineering recommendations will include measures to offset increases in stormwater runoff that would result from the project, as well as implementation of design measures to minimize or manage flow concentration and changes in flow depth or velocity so as to minimize erosion, sedimentation, and flooding onsite or offsite.

d. A specification that the final design of the solar arrays shall include one foot of freeboard clearance above the calculated maximum flood depths for the solar arrays or the finished floor of any permanent structures. Solar panels placed within a 100-year floodplain shall be graded to direct potential flood waters without increasing the water surface elevations more than one foot or as required by Kern County's Floodplain Management Ordinance.

e. The Final Drainage Plan shall be prepared in accordance with the Kern County Grading Code and Kern County Development Standards, and approved by the Kern County Public Works Department prior to the issuance of grading permits.

Significant Effect

The project would substantially alter the existing drainage patterns of the site or area, including through the alteration of the course of a stream or river, or through the addition of impervious surfaces, in a manner than would result in substantial erosion and/or sedimentation on-site or off-site (Impact 4.10-3).

Description of Significant Impact

Drainage patterns within the project site are muted, with drainage entering the project site from the northwest and exiting to the southeast. The site is located on a broad alluvial slope and consists multiple washes that flow throughout the project site. The largest wash flows west to east through the south of the project site, as described in the *Galaxy Solar PV & Storage Project Aquatic Resource Delineation Report* included as Appendix E8 of the EIR. The project site is currently generally undeveloped. Maintained and unmaintained dirt roadways and roadway berms are present throughout most of the project site.

The project site has been designed to minimize grading to reduce the possibility for erosion or siltation onsite or offsite. The project would include limited grading such that offsite flow that enters the site would continue to flow through the site much as it does currently. However, installation of project facilities discussed in Chapter 3, *Project Description,* of the EIR could alter existing onsite drainage patterns and flow paths to some degree and could alter the way that stormwater from upgradient flows across the project site during major storm events. Given the unconsolidated and erosive nature of soils within the project site and its vicinity, these changes could result in increased erosion onsite. Additionally, if the project controls stormwater run on to the site through berms or other engineered channels, increased concentration of flows could cause head-cutting, scour, and other erosional processes. Increases in erosion could result in sedimentation downstream. Finally, new impervious surfaces created by development of the project would

generate additional stormwater runoff onsite. This could exacerbate potential erosion and sedimentation onsite or downstream.

As described above, the project would implement a SWPPP per Mitigation Measure MM 4.10-1 that would require preservation of existing vegetation and topography to the maximum extent feasible, as well as include erosion and sediment control BMPs designed to prevent erosion and sedimentation from occurring during project construction. Compliance with the Kern County Grading Code requires erosion prevention measures be implemented. In addition, large amounts of pervious ground surface would remain during project operation that would continue to absorb the majority of surface flows. Further, Mitigation Measure MM 4.10-2 would require preparation of a Final Drainage Plan for the project and would evaluate and minimize potential increases in runoff and ensure that the retention basins and other stormwater management features are implemented consistently with existing regulatory requirements. With mitigation, potential impacts would be less than significant.

Finding

The proposed project has the potential to substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or through the addition of impervious surfaces, in a manner that would result in substantial erosion or siltation and/or flooding onsite or off site. Implementation of Mitigation Measures MM 4.10-1 and MM 4.10-2, described above, would reduce these impacts to a less than significant level.

Level of Significance

With implementation of Mitigation Measures MM 4.10-1 and MM 4.10-2, impacts would be less than significant.

Brief Explanation of the Rationale for the Finding

CEQA requires that all feasible and reasonable mitigation be applied to the project to reduce impacts. Implementation of Mitigation Measures MM 4.10-1 and MM 4.10-2, described above, would reduce these impacts to a less than significant level.

Significant Effect

The project would substantially alter the existing drainage patterns of the site or area, including through the alteration of the course of a stream or river, in a manner that would result in flooding onsite or offsite (Impact 4.10-4).

Description of Significant Impact

Grading and installation of project facilities could alter existing onsite drainage patterns and flow paths. This could cause localized flooding during major events along the margins of the project site, or within the project site, depending upon how stormwater is managed under final project design. As described above, the proposed project would implement a SWPPP per Mitigation Measure MM 4.10-1 that would require preservation of existing vegetation and topography to the maximum extent feasible to minimize risk of flooding. During operation of the project, a large amount of pervious ground surface would remain onsite that would continue to absorb the majority of surface flows. Proposed stormwater basins would also reduce the volume and velocity of stormwater discharging from the site. Stormwater basins would be designed in accordance with Kern County Development Standards for Drainage. These include retention volume design specifications based off of anticipated impervious coverage. The design volume of basins is calculated via

the ISDD five-day storm, sourced from the Kern County Engineering Bulletin 11-02. Proposed basins are permitted after they have been tested to meet equipment manufacturer recommendations, complete operation and maintenance manuals, drainage rate standards, and associated drainage tests. In addition, Mitigation Measure MM 4.10-2 would require preparation of a Final Drainage Plan prior to issuance of a grading permit that would detail the design and implementation of any necessary stormwater control features to onsite that would ensure runoff is not substantially increased by the proposed facilities. Mitigation Measure MM 4.10-2 would also require that grading for the project facilities does not alter the ground surface such that the extent of flooding during flood events is substantially increased. Additionally, as per Mitigation Measure MM 4.4-22, from Findings for *Biological Resources,* prior to issuance of any grading or building permit, the project proponent/operator shall submit to Kern County a jurisdictional delineation report detailing identified ephemeral drainages within the project boundary. Therefore, with implementation of Mitigation Measures MM 4.4-22, MM 4.10-1 and MM 4.10-2, potential impacts related to flooding would be less than significant.

Finding

The project has the potential to substantially alter the existing drainage patterns of the site or area, including through the alteration of the course of a stream or river, in a manner that would result in flooding onsite or offsite. Implementation of Mitigation Measures MM 4.4-22, described in the above Findings for Biological Resources, MM 4.10-1 and MM 4.10-2, described above, would reduce these impacts to a less than significant level.

Level of Significance

With implementation of Mitigation Measure MM 4.4-22, MM 4.10-1 and MM 4.10-2, impacts would be less than significant.

Brief Explanation of the Rationale for the Finding

CEQA requires that all feasible and reasonable mitigation be applied to the project to reduce impacts. Implementation of Mitigation Measures MM 4.4-22, MM 4.10-1, and MM 4.10-2, described above, would reduce these impacts to a less than significant level.

Significant Effect

The project would create or contribute runoff water that would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff (Impact 4.10-5).

Description of Significant Impact

The project site is located in a remote, rural region with no existing or planned stormwater infrastructure. The project would be required to adhere to Kern County Public Works Department stormwater requirements, which include measures to address stormwater controls on both management of runoff volume and water quality, including controlling erosion and protection of water quality of stormwater runoff. As described above, the project would implement a SWPPP per Mitigation Measure MM 4.10-1, which would include BMPs designed to prevent the occurrence of soil erosion and discharge of other construction-related pollutants that could contaminate water quality. Mitigation Measure MM 4.10-2 would require the preparation of a Final Drainage Plan for the project and would evaluate and minimize potential increases in runoff and ensure that the retention basins and other stormwater management features are implemented consistent with existing regulatory requirements. During operation, most of the project site would remain as pervious surfaces thus allowing infiltration of the runoff produced by new impervious surfaces.

Implementation of Mitigation Measures MM 4.10-1 and MM 4.10-2 would minimize potential increases in stormwater flow and other project-induced changes to drainage patterns to less than significant levels.

Finding

The proposed project has the potential to create or contribute runoff water that would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff. Implementation of Mitigation Measures MM 4.10-1 and MM 4.10-2, described above, would reduce these impacts to a less than significant level.

Level of Significance

With implementation of Mitigation Measures MM 4.10-1 and MM 4.10-2, impacts would be less than significant.

Brief Explanation of the Rationale for the Finding

CEQA requires that all feasible and reasonable mitigation be applied to the project to reduce impacts. The proposed project has the potential to create or contribute runoff water that would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff. Implementation of Mitigation Measures MM 4.10-1 and MM 4.10-2, described above, would reduce these impacts to a less than significant level.

Significant Effect

The project would place within a 100-year flood hazard area structures that would impede or redirect flood flows (Impact 4.10-6).

Description of Significant Impact

As noted in Section 4.10.3, *Regulatory Setting*, of the EIR, there is a Federal Emergency Management Agency (FEMA) Zone A Flood hazard located within the project site. The project would introduce structures on the project site such as a switchyard, substation and battery energy storage foundations that could impede or redirect flood flows. However, most of the improvements of the project consist of solar panels, mounted on steel support posts that spread out across the project site and would not be expected to impede or redirect flood flows. An operations and maintenance facility and/or small satellite office may be built onsite to facilitate rapid repair of equipment; if this facility is located within flood hazard areas, it will comply with Kern County Code Article III, § 17.48.270, which specifies that all new construction will be elevated one foot above base flood elevation. As described above, the project would implement a SWPPP per Mitigation Measure MM 4.10-1 that would require preservation of existing vegetation and topography to the maximum extent feasible to minimize risk of flooding. Implementation of Mitigation Measure MM 4.10-2 would require preparation of a Final Drainage Plan that would design project facilities to have one foot of freeboard clearance above the calculated maximum flood depths for the solar arrays or the finished floor of any permanent structures. Additionally, per Mitigation Measure MM 4.10-2, grading for the project would be designed so that water surface elevations during flood events would not be increased by more than one foot. Therefore, impacts related to flooding would be less than significant.

Finding

The proposed project has the potential to place within a 100-year flood hazard area structures that would impede or redirect flood flows. Implementation of Mitigation Measures MM 4.10-1 and MM 4.10-2, described above, would reduce impacts to a less than significant level.

Level of Significance

With implementation of Mitigation Measure MM 4.10-1 and MM 4.10-2, impacts would be less than significant.

Brief Explanation of the Rationale for the Finding

CEQA requires that all feasible and reasonable mitigation be applied to the project to reduce impacts. Implementation of Mitigation Measures MM 4.10-1 and MM 4.10-2, described above, would reduce these impacts to a less than significant level.

Significant Effect

The project would result in a flood hazard, tsunami, or seiche zone, and risk release of pollutants due to project inundation (Impact 4.10-7).

Description of Significant Impact

As described above, there is a FEMA Zone A Flood hazard onsite located within the project site. As noted above, implementation of a Final Drainage Plan required by Mitigation Measure MM 4.10-1 would ensure that storage of hazardous materials would be required to have at least 1 foot of freeboard above the calculated flood depth. As discussed more thoroughly in Section 4.9, *Hazards and Hazardous Materials,* the project would not include the use, storage, or disposal of significant quantities of hazardous materials. In addition, the project site is located well inland and far from the ocean or any enclosed or semi-enclosed water body such that there would be no potential threat from tsunami or seiche hazards. Therefore, considering the limited area of the site that is in the flood hazard area, and the limited amount of storage of hazardous materials at the site, a SWPPP per Mitigation Measure MM 4.10-1 would be required that would require preservation of existing vegetation and topography to the maximum extent feasible to minimize risk of flooding and polluted runoff. With implementation of the Final Drainage Plan required by Mitigation Measure MM 4.10-2, which would provide flood protection measures, the potential for release of pollutants due to project inundation would be less than significant.

Finding

The proposed project has the potential to risk release of pollutants due to project inundation. Implementation of Mitigation Measures MM 4.10-1 and MM 4.10-2, described above, would reduce these impacts to a less than significant level.

Level of Significance

With implementation of Mitigation Measures MM 4.10-1 and MM 4.10-2, impacts would be less than significant.

Brief Explanation of the Rationale for the Finding

CEQA requires that all feasible and reasonable mitigation be applied to the project to reduce impacts. The proposed project has the potential to risk release of pollutants due to project inundation. Implementation of Mitigation Measures MM 4.10-1 and MM 4.10-2, described above, would reduce these impacts to a less than significant level.

C. Environmental Effects of the Project that Cannot Be Mitigated to a Less Than Significant Level.

None.

D. Cumulative Environmental Effects of the Proposed Project that Would Have a Less Than Significant Impact on the Environment.

Significant Effect

The proposed project would have a cumulative environmental impact on hydrological resources.

Description of Significant Impact

As described in Chapter 3, *Project Description,* of the EIR, 48 projects are proposed or approved throughout the Antelope Valley in Kern County and in the desert portion of Kern County outside the Antelope Valley. Of the 48 total projects in Kern County, 32 would be located within 6 miles of the project site and 5 would be located within 1 mile of the project site.

Similar to the project, all cumulative projects would not discharge to waters of the United States due to their location within the Antelope Valley, which is a closed basin with no outlet to the Pacific Ocean. All projects that would not retain all runoff onsite would be required to prepare a SWPPP, just as with the project under Mitigation Measure MM 4.10-1, which would include BMPs designed to prevent the mixture of sediment and other pollutants with stormwater and degrading water quality. Furthermore, the project would implement a Hazardous Materials Business Plan as part of Mitigation Measure MM 4.9-1 that would require appropriate handling of hazardous materials onsite to ensure they do not come into contact with stormwater and affect water quality. All other projects in the vicinity that would handle hazardous materials would also be required to comply with hazardous material regulations. Therefore, cumulative impacts associated with water quality degradation would not be significant, and the project would not contribute to a cumulative impact on water quality.

With regard to water supply, the project would have some options but would primarily obtain its water supply from the Fremont Valley Groundwater Basin (FVGB). The FVGB is not in a state of overdraft and is currently considered a low-priority basin by the Sustainable Groundwater Management Act (SGMA). The rating is based on low population density, negative growth projections, low numbers of private and public supply wells, and a lack of irrigated agriculture within the FVGB. As described above, there are sufficient supplies for both project construction, operation and decommissioning through 2060. Groundwater levels in the FVGB appeared to stabilize after the 1980s after declining levels of the 1950s and 1960s and have started recovering since that time as a result of decreased groundwater pumping for agriculture and imported surface water deliveries to urban users being introduced to the groundwater management plan area. Therefore, considering the relatively low demand associated with solar projects in general and the increasing monitoring and management of the basin through development and implementation of a groundwater management plan, together with the projected surplus for water supplies as determined in the Water Supply Assessment prepared

for the project, the project would not combine with the cumulative projects to create an adverse effect to water supplies of the FVGB. The cumulative impact would be less than significant.

With respect to erosion, drainage, and flooding, the project would implement Mitigation Measures MM 4.10-1 and MM 4.10-2, which would minimize direct impacts on erosion, drainage, and flooding. It is anticipated that other cumulative scenario projects would be required to implement similar measures, in order to minimize erosion, drainage, and flooding-related impacts. Additionally, drainage-related impacts from cumulative scenario projects would be primarily localized. Therefore, cumulative scenario impacts on erosion, drainage, and flooding are not anticipated to be cumulatively considerable, and the project would not contribute to a cumulative impact on flooding, erosion, or drainage.

Finding

The project has the potential for cumulative impacts to hydrology and water quality. Implementation of Mitigation Measure MM 4.4-22, described above in Findings for Biological Resources, Mitigation Measure MM 4.9-1, described above in Findings for Hazards and Hazardous Materials, and Mitigation Measures MM 4.10-1 and MM 4.10-2, described above, would reduce these impacts to a less than significant level.

Level of Significance

With implementation of Mitigation Measures MM 4.4-22, MM 4.9-1, MM 4.10-1, and MM 4.10-2, impacts would be less than significant.

Brief Explanation of the Rationale for the Finding

CEQA requires that all feasible and reasonable mitigation be applied to the project to reduce impacts. Implementation Mitigation Measures MM 4.4-22, described above in Findings for Biological Resources, MM 4.9-1, described above in Findings for Hazards and Hazardous Materials, MM 4.10-1, and MM 4.10-2 described above, would reduce these impacts to less than significant levels.

E. Cumulative Environmental Effects of the Proposed Project that Would Have a Significant and Unavoidable Impact on the Environment.

None.

11. LAND USE AND PLANNING

A. Environmental Effects of the Project Found to Have No Impact on the Environment, or Have a Less Than Significant Impact on the Environment

The project would not physically divide an established community (Impact 4.11-1).

B. Environmental Effects of the Project that Are Potentially Significant, but that Can Be Mitigated to Less Than Significant Levels

Significant Effect

The project would cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect (Impact 4.11-2).

Description of Significant Impact

The Kern County General Plan, Mojave Specific Plan, and the Kern County Zoning Ordinance establish land use policies and regulations that are applicable to the project. The project would require approval of Zone Classification Change No. 5, Map 195, Zone Classification Change No. 57, Map 197, and Zone Classification Change No. 4, Map 212 to rezone various parcels to A, excluding the combining zone districts, with the exception of those parcels which are already in the A Zone District. With the requested zone change, the entirety of the project would be zoned A (Exclusive Agriculture). The project would require approval of CUP No. 4, Map 195, CUP No. 24, Map 197 CUP No. 5, Map 195, and CUP No. 7, Map 212 to allow for the construction and operation of a solar facility and associated infrastructure, including energy storage and a switchyard, under this zoning. The project would also require General Plan Amendment (GPA) No. 5, Map 195 and GPA No. 6, Map 212 of the Circulation Element of the Kern County General Plan to remove future road reservations on section and mid-section lines within the project boundary; and GPA No. 7, Map 212 to the Open Space, Land Use, and Conservation Element of the General Plan to re-designate two parcels (Assessor Parcel Numbers [APN] 244-233-06 and 244-421- 01) from General Plan Designation 3.3 (Other Facilities) to General Plan Designation 8.5 (Resource Management). The project would require Zone Variance No. 1, Map 195, Zone Variance No. 21, Map 197, and Zone Variance No. 2, Map 212 to authorize multiple parcels of substandard size where a minimum of 20 acres is required for each change in base zoning. Outside of the project site, the project would require Zone Classification Change No. 5, Map 212 to rezone parcels to A to facilitate installation of offsite water storage tanks. Additionally, the project would require a Franchise Agreement for the existing right-of-way (ROW) along 45th Street to use for underground medium-voltage transmission.

Table 4.11-2 of the EIR, *Consistency Analysis with Kern County General Plan for Land Use*, presents an evaluation of the project's consistency with the Kern County General Plan. Table 4.11-3, *Consistency Analysis with the Mojave Specific Plan for Land Use*, presents an evaluation of the project's consistency with the Mojave Specific Plan. The tables list the goals and policies identified above in the regulatory setting and provides analysis on the project's general consistency with overarching policies. Additionally, the tables provide goals and policies of issue areas that are presented in more detail in other sections of the EIR. As evaluated in detail in Table 4.11-2, *Consistency Analysis with Kern County General Plan for Land Use*, and Table 4.11-3, *Consistency Analysis with the Mojave Specific Plan for Land Use*, the project is consistent with the goals and policies of the Kern County General Plan and Mojave Specific Plan.

The project includes a request for an amendment to the Circulation Element of the Kern County General Plan to eliminate road reservations designated for potential future arterial and collector roadways along section and mid-section lines within the project site. Implementation of the Circulation Element of the Kern County General Plan and the Mojave Specific Plan Circulation Element goals, policies, and implementation measures would ensure consistency between the project and land use plans for the project area. Furthermore, the proposed amendment would be consistent with the surrounding land uses in the project vicinity. Therefore, the project's proposed amendment to the Circulation Element of the Kern County General Plan and the Mojave Specific Plan Circulation Element would not result in conflict with the applicable land use plan, and impacts would be less than significant.

As described above, the project is subject to the provisions of the Kern County Zoning Ordinance. As shown in EIR Table 4.11-1, *Project Site and Surrounding Land Uses*, and Figure 3-8, *Existing Zoning Classifications*, in EIR Chapter 3, *Project Description*, the Kern County Zoning Ordinance designates the project site as being within the A-1 (Limited Agriculture) Zone District.

The project proponent is requesting Zone Classification Changes and Zone Variances within Zone Maps 195, 197, and 212. The Zone Classification Change, if approved, would rezone the project site to A (Exclusive Agriculture), excluding the combining zone districts. The Zone Variances, if approved, would

authorize multiple parcels of substandard size where a minimum of 20 acres is required for each change in base zoning. In addition, the project would require the approval of a CUP for each Zone Map in the project area pursuant to Chapter Sections 19.12.030 G and 19.14.030 K of the Kern County Zoning Ordinance. With the Zone Classification Change and Zone Variance approvals, the project would be consistent with the Exclusive Agriculture zoning classification, which allows solar facilities as a permitted use with a Conditional Use Permit (CUP). As such, with approval of the CUPs, the project would be consistent with applicable land use policies and regulations, and potential impacts related to consistency with the zoning ordinance would be less than significant.

There are no portions of the project site located within the Airport Influence Area of the Mojave Air & Space Port; however, portions of the gen-tie line are located within the Airport Influence Area of the Mojave Air & Space Port, specifically Compatibility Zones C, D, and E-1. Additionally, the project site is located within the military flyover area and the R-2508 Complex of the Edwards AFB. The project site and gen-tie line overlap with the military review area for all wind turbines and communication towers over 80 feet and all structures over 100 feet. As the transmission poles associated with the project's 230-kilovolt (kV) gen-tie line are anticipated to be over 100 feet in height, compliance with Kern County Zoning Code section 19.08.160 would be required. The gen-tie line and 230-kV switchyard overlap with the military review area for all structures over 500 feet. Pole heights associated with the 230-kV switchyard would be less than 250 feet tall, and transmission pole heights would be less than 250 feet in height; therefore, compliance with Kern County Zoning Code section 19.08.160 for the switchyard and gen-tie poles in this area would not be required. The project would be required to comply with the County's ALUCP and applicable FAA regulations to ensure that there would be no conflict with airport operations and no safety hazards presented. As discussed in Findings for *Hazards and Hazardous Materials* (above), implementation of Mitigation Measure MM 4.9-3 would ensure the project would be consistent with the applicable Kern County regulations by requiring the developer to coordinate with the FAA and obtain approval as needed. With implementation of this mitigation measure, potential impacts would be less than significant.

Finding

The project has the potential to cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect. Implementation of Mitigation Measure MM 4.9-3, described above in Findings for *Hazards and Hazardous Materials*, would reduce these impacts to a less than significant level.

Level of Significance

With implementation of Mitigation Measure MM 4.9-3, impacts would be less than significant.

Brief Explanation of the Rationale for the Finding

CEQA requires that all feasible and reasonable mitigation be applied to the project to reduce impacts. Implementation Mitigation Measures MM 4.9-3, described above, would reduce these impacts to less than significant levels.

C. Environmental Effects of the Project that Cannot Be Mitigated to a Less Than Significant Level.

None.

D. Cumulative Environmental Effects of the Proposed Project that Would Have a Less Than Significant Impact on the Environment.

Significant Effect

The proposed project would have a cumulative environmental impact related to land use and planning.

Description of Significant Impact

The geographic scope of analysis for this chapter is the Western Antelope Valley within Kern County. This scope was selected to analyze the cumulative impact to regional land use patterns of project development in the area, and because there is some uniformity to existing land use patterns in these regions. As described in more detail in Table 3-5, *Cumulative Projects List*, in Chapter 3, *Project Description*, of the EIR, 48 projects are proposed within the geographic scope. While the surrounding area is relatively rural in nature, the project, along with other proposed projects, has the potential to contribute to a cumulative influence on proposed land uses in and around the project site.

The anticipated impacts of the project in conjunction with cumulative development in the area of the project would increase the urbanization and result in the loss of open space. As discussed above, the project would be located in a generally undeveloped and unincorporated area of Kern County with little residential development, and would not divide an established community. Related projects in Kern County would be developed in similarly low-populated and generally undeveloped areas. However, potential land use impacts require evaluation on a case-by-case basis because of the interactive effects of a specific development and its immediate environment. As described in Table 4.11-2, *Consistency Analysis with Kern County General Plan for Land Use,* and Table 4.11-3, *Consistency Analysis with the Mojave Specific Plan for Land Use* below, the project would be consistent with the goals and policies of the Kern County General Plan and the Mojave Specific Plan, respectively. In addition, with approval of the CUPs, the project would be an allowable use that would not conflict with the land use or zoning classification for the project site. Therefore, as proposed the project would be consistent with the goals and policies of the Kern County General Plan and the Kern County Zoning Ordinance and would therefore not contribute to a cumulatively considerable impact regarding land use.

Furthermore, all related projects would be required to separately undergo environmental review on a case-by-case basis in accordance with the requirements of CEQA. Each related project would also be required to demonstrate consistency with all applicable planning documents governing the related project site, including the Kern County General Plan, Mojave Specific Plan, the Kern County Zoning Ordinance, and the Kern County ALUCP. Should potential impacts be identified, appropriate mitigation would be prescribed that would likely reduce potential impacts to less-than-significant levels. While the potential is low for the related projects to be within the Kern County ALUCP and potentially combine with the proposed project to result in impacts, implementation of Mitigation Measure MM 4.9-3 would ensure that the project's contribution to potential impacts in an airport land use plan influence area is less than significant. Additionally, should any related projects be within the Kern County ALUCP or an airport land use plan influence area, each would be required to comply with the policies and regulations of the Kern County ALUCP and FAA requirements, similar to the proposed project. Compliance with such regulations would ensure that cumulative impacts are less than significant.

With regard to cumulative effects of utility-scale solar power generation facilities, there is a potential that outside factors, such as the development of newer technology, change in State or national policy that encourages the construction of such facilities, or other economic factors, could result in the abandonment of such facilities. Unlike other facilities that, once constructed, can be retrofitted and utilized for another specific use, solar power generation facilities have little opportunity for other uses should the project be abandoned. The potential for the cumulative effects caused by the abandonment of multiple solar facilities

in Kern County could result in impacts on surrounding land uses should it be determined that these facilities are no longer viable commercial operations. Therefore, Mitigation Measure MM 4.11-1, which would require the implementation of a decommissioning plan to be carried out by the project proponent once the life of the project has ended, has been included to establish safeguards to ensure the maintenance of the health, safety, and welfare of the citizens of the County. Mitigation Measure MM 4.11-2 is also being included to ensure that the proposed solar facility does not interfere with the telemetry operations associated with the nearby military installations. While it is the intent of Kern County to promote the use of an alternative to fossil fuel–generated electrical power in areas of the County that are identified to have suitable characteristics for production of commercial quantities of solar PV-generated electrical power, it is necessary to protect surrounding landowners from potential impacts associated with the abandonment of such facilities. With implementation of Mitigation Measures MM 4.11-1 and MM 4.11-2, cumulative land use impacts would be considered less than significant.

Finding

The project has the potential to result in cumulatively considerable impacts related to land use and planning. Implementation of Mitigation Measures MM 4.9-3 (see Findings for *Hazards and Hazardous Materials*, above) and MM 4.11-1 through MM 4.11-2, described below, would reduce impacts to a less than significant level.

Level of Significance

With implementation of Mitigation Measures MM 4.9-3 (see Findings for *Hazards and Hazardous Materials*, above) and MM 4.11-1 through MM 4.11-2, cumulative impacts would be less than significant.

Brief Explanation of the Rationale for the Finding

CEQA requires that all feasible and reasonable mitigation be applied to the project to reduce impacts. Implementation of Mitigation Measures MM 4.9-3 (see Findings for *Hazards and Hazardous Materials*, above) and MM 4.11-1 through MM 4.11-2, as described below, would reduce impacts to a less than significant level.

MM 4.11-1: Prior to issuance of building permits, the project operator shall provide a Decommission Plan for review and approval by the Kern County Engineering, Surveying, and Permit Services Department or a County-contracted consulting firm at a cost to be borne by the project operator. The Decommission Plan shall factor in the cost to remove the solar panels and support structures, replacement of any disturbed soil from removal of support structures, and control of fugitive dust on the remaining undeveloped land. Salvage value for the solar panels and support structures shall be included in the financial assurance calculations. The assumption, when preparing the estimate, is that the project operator is incapable of performing the work or has abandoned the solar facility, thereby requiring Kern County to hire an independent contractor to perform the decommissioning work. In addition to submitting a Decommission Plan, the project operator shall post or establish and maintain financial assurances with Kern County related to the deconstruction of the site as identified on the approved Decommission Plan in the event that at any point in time the project operator determines it is not in the company's best interest to operate the facility.

The financial assurance required prior to issuance of any building permit shall be established using one of the following:

a. An irrevocable letter of credit;

b. A surety bond;

c. A trust fund in accordance with the approved financial assurances to guarantee the deconstruction work will be completed in accordance with the approved decommission plan; or

d. Other financial assurances as reviewed and approved by the respective County administrative offices, in consultation with the Kern County Planning and Natural Resources Department.

The financial institution or Surety Company shall give the County at least 180 days' notice of intent to terminate the letter of credit or bond. Financial assurances shall be reviewed annually by the Kern County Engineering, Surveying, and Permit Services Department or County contracted consulting firm(s) at a cost to be borne by the project operator to substantiate those adequate funds exist to ensure deconstruction of all solar panels and support structures identified on the approved Decommission Plan. Should the project operator deconstruct the site on their own, the County will not pursue forfeiture of the financial assurance.

Once deconstruction has occurred, financial assurance for that portion of the site will no longer be required and any financial assurance posted shall be adjusted or returned accordingly. Any funds not utilized through decommission of the site by the County shall be returned to the project operator.

Should any portion of the solar field not be in operational condition for a consecutive period of twelve (12) months, that portion of the site shall be deemed abandoned and shall be removed within sixty (60) days from the date a written notice is sent to the property owner and solar field owner, as well as the project operator, by the County. Within this sixty (60) day period, the property owner, solar field owner, or project operator may provide the director of the Kern County Planning and Natural Resources Department a written request and justification for an extension for an additional twelve (12) months. The Kern County Planning and Natural Resources Director shall consider any such request at a Director's Hearing as provided for in Section 19.102.070 of the Kern County Zoning Ordinance. In no case shall a solar field that has been deemed abandoned be permitted to remain in place for more than forty-eight (48) months from the date the solar facility was first deemed abandoned.

MM 4.11-2: Prior to the operation of the solar facility, the operator shall invite the Department of Defense and Mojave Air & Space Port to identify the appropriate Frequency Management Office officials to coordinate the use of telemetry to avoid potential frequency conflicts with military and facility operations.

E. Cumulative Environmental Effects of the Proposed Project that Would Have a Significant and Unavoidable Impact on the Environment.

None.

12. MINERAL RESOURCES

A. Environmental Effects of the Project Found to Have No Impact on the Environment, or Have a Less Than Significant Impact on the Environment

The project would not result in the loss of availability of a known mineral resource that would be of value to the region and residents of the State (Impact 4.12-1).

The project would not 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 (Impact 4.12-2).

B. Environmental Effects of the Project that Are Potentially Significant, but that Can Be Mitigated to Less Than Significant Levels

None.

C. Environmental Effects of the Project that Cannot Be Mitigated to a Less Than Significant Level.

None.

D. Cumulative Environmental Effects of the Proposed Project that Would Have a Less Than Significant Impact on the Environment.

None.

E. Cumulative Environmental Effects of the Proposed Project that Would Have a Significant and Unavoidable Impact on the Environment.

None.

13. NOISE

A. Environmental Effects of the Project Found to Have No Impact on the Environment, or Have a Less Than Significant Impact on the Environment

The project would not expose persons to or generate excessive ground-borne vibration or ground-borne noise levels (Impact 4.13-2).

The project would not expose people be residing or working in the project area to excessive noise levels (Impact 4.13-3).

B. Environmental Effects of the Project that Are Potentially Significant, but that Can Be Mitigated to Less Than Significant Levels

Significant Effect

The project would result in the generation of a substantial temporary or permanent increase in the ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance or applicable standards of other agencies (Impact 4.13-1).

Description of Significant Impact

The project construction phase is anticipated to occur over a period of approximately 26 months. Noise levels resulting from construction activities would vary depending on several factors such as the type and age of equipment, specific equipment manufacture and model, the operations being performed, and the overall condition of the equipment and exhaust system mufflers. Construction would primarily occur during daylight hours, Monday through Friday, between 6:00 a.m. and 6:00 p.m.; however, some work may occur on Saturday and Sunday, as required, to meet the construction schedule and/or to promote the health and safety of workers. The Kern County Noise Ordinance (Chapter 8.36) limits noise from construction from 9:00 p.m. and 6:00 a.m. on weekdays and 9:00 p.m. to 8:00 a.m. on weekends when occurring within 1,000 feet of an occupied residential dwelling. Project construction work would conform to the County's ordinance. Construction activities that may need extended hours would be coordinated with the County and appropriate agencies before the activity occurs.

The Federal Transit Administration (FTA) has published general construction noise impact criteria levels of an 80 A-weighted decibels (dBA) 8-hour equivalent sound level (L_{eq}) during the day for residential land uses. Sensitive areas in the project area are shown on the EIR, Figure 4.13-2, *Nearby Noise-Sensitive Areas*. The closest residence (NSA-14) to the solar panel area is approximately one mile away and the closest residence (NSA-34) to the gen-tie line is approximately 4,530 feet away. While construction is occurring in proximity to these residences, the sound level is expected to be approximately 50 dBA and 54 dBA, respectively. These levels are below the FTA guidance level of 80 dBA L_{eq}; therefore, construction of the project will comply with the Kern County Noise Ordinance and FTA construction noise guidelines. Due to these circumstances, the temporary increase in noise due to construction is considered to be a less than significant impact.

In addition, the construction noise impacts associated with the project's 230-kV switchyard have been assessed and shown to comply with all applicable limits (see Appendix K2 of the EIR). There are no sensitive areas near the switchyard, but the worst-case construction stage (system installation) will produce a noise level of 61 dBA L_{eq} at a distance of 1 mile from the switchyard. Due to this, the temporary increase in noise due to switchyard construction is considered to be a less than significant impact.

During project construction, rural residences could be exposed to vehicle traffic noise associated with project-related construction traffic on local roadways. Traffic noise from daily trips by construction workers commuting to the site would contribute to the traffic noise levels along access routes. Construction-generated vehicle traffic would include a mix of light-duty automobiles and trucks and heavy-duty trucks. However, the project's construction vehicle traffic would not result in a substantial increase in average-daily vehicle traffic noise levels. Additionally, as indicated in the EIR, Table 4.13-6, the sound level from an individual truck is expected to be 84 dBA at 50 feet during construction. The closest residence assessed in the EIR is approximately 1.15 miles away. At this distance, the sound level of the truck would attenuate to 42 dBA. Thus, noise impacts associated with increases in construction-generated vehicle traffic noise would be less than significant.

Noise generated during the testing and commissioning phase of the project is not expected to be substantially different from that produced during normal full-load operation. Operational traffic is anticipated to be minimal, primarily pickup trucks used by a small operations and maintenance staff for periodic maintenance.

As indicated in the EIR, Table 4.13-8, *Modeled Sound Pressure Level Results for Closest Representative NSA*, and Figure 14.3-6*, Predicted Sound Level (dBA) as Hourly L_{eq}*, the closest residence to the project is located one mile or more from the project boundary and the modeled project sound levels do not exceed Kern County's 65 dBA criteria, even when the 24-hour average day-night sound level (L_{dn}) is calculated

presuming the entire project operates at full load during the nighttime hours. The results indicate that the highest project operational noise levels will be 33 dBA L_{eq} and 40 dBA L_{dn} at NSA-1. These levels show that the project will comply with the Kern County General Plan Noise Element 65 dBA L_{dn} exterior limit, the 45 dBA L_{dn} interior limit, and the Kern County Zoning Ordinance 65 dBA L_{dn}. These levels would also comply with the Kern County Zoning Ordinance 65 dBA L_{max} limit between the hours of 10:00 p.m. and 7:00 a.m.

Long-term permanent increases in noise levels would be primarily associated with onsite operational activities. Based on the noise standards in the Kern County General Plan, long-term operational noise impacts would be considered significant if the proposed project would result in a substantial increase in ambient noise levels that would exceed the Plan's established noise standard of 65 dBA L_{dn} at the outdoor activity area of the nearest NSA. The combined operational noise plus the current ambient L_{dn} does not exceed 65 dBA. Due to the above, operational noise from the Project would result in a less than significant impact.

While the project is not located within, or regulated by, the West Edwards Road Settlement Specific Plan (Kern County, 1992), the closest noise-sensitive areas to the project are within the Specific Plan area; therefore, potential sound levels at these NSAs were reviewed in the context of the Specific Plan to ensure a thorough analysis. The Specific Plan includes maximum acceptable ambient noise levels for sensitive uses of 45 dBA during daytime hours and 35 dBA for nighttime hours. However, the Specific Plan area currently experiences baseline noise levels up to 65 dB due to nearby Edwards Air Force Base activities. Further, the Specific Plan provides that noise emissions from new development regulated by the Plan will require attenuation measures if they exceed adopted levels in the Noise Element (Chapter 3) of the Kern County General Plan, which requires 65 dB for exterior noise levels and 45 dB for interior noise levels. Predicted project sound levels during full load operations are less than the West Edwards Road Settlement Specific Plan's "acceptable" ambient sound levels at sensitive uses (residences) during both the day and nighttime hours. Potential full load nighttime operation is not expected for the solar facility; more limited operations will occur at daybreak when temperatures require substantially less cooling capacity and therefore nighttime noise levels are anticipated to be less than modeled levels. Nonetheless, the existing baseline and project sound levels may result in intermittent exceedance of the West Edwards Road Settlement Specific Plan's very quiet "acceptable ambient noise" levels. The predicted project sound levels at the closest sensitive area are less than adopted levels in the Noise Element of the Kern County General Plan and therefore the project does not exceed the General Plan threshold referenced in the Specific Plan.

The typical noise levels for transmission lines with wet conductors are shown in Table 4.13-9, T*ransmission and Sub-transmission Line Voltage and Audible Noise Levels*. Thus, the project's proposed 230-kV gen-tie is expected to produce a sound level of 40 dBA directly under the conductors during worst-case wet conditions, below Kern County standards. Impacts would be less than significant.

Project maintenance activities would include solar panel washing. These activities are expected to occur one to two times per year and would not generate a significant amount of traffic or create a substantial increase in vehicular noise in the area. Any increase in traffic would be minimal and sporadic; therefore, potential impacts from vehicular noise would be less than significant.

Noise levels from decommissioning would be similar to those during construction. The same types of heavy equipment and vehicles would be used to decommission the project site as were used to construct it. Decommissioning activities, like construction, would comply with Kern County construction noise ordinance standards as detailed previously. Therefore, potential noise impacts from project decommissioning would be less than significant.

In summary, construction activities associated with the proposed project would be in accordance with the hourly limitations specified in the Kern County Code of Ordinances, potentially with certain limited exceptions

in accordance with code requirements. Although potential temporary construction noise impacts would be less than significant, to ensure compliance with Kern County's Noise Ordinance, Code-required hourly limitations have been included in Mitigation Measure MM 4.13-1. Additional components to this mitigation measure have also been included to further minimize noise levels associated with construction activities. Implementation of Mitigation Measures MM 4.13-1 and MM 4.13-2 below would further reduce impacts during construction activities. Mitigation Measure MM 4.13-3 would also be implemented to notify the public of the project schedule and provide contact information, if needed.

Potential operational noise impacts would be below Kern County noise standards and would result in less than significant impacts. Activities associated with decommissioning of the project would result in similar or lower noise levels than those that would be experienced under the loudest phases of construction. Potential impacts would be less than significant; however, to reduce any potential noise impact to offsite sensitive receptors, Mitigation Measures MM 4.13-1 and MM 4.13-2 would be implemented.

Finding

The project would not expose persons to or generate noise levels in excess of standards established in any applicable plan or noise ordinance, or applicable standards of other agencies. The project proponent would implement typical construction noise minimization measures as outlined in Mitigation Measures MM 4.131 through MM 4.13-3, described below, to further reduce any potential noise impacts.

Level of Significance

With implementation of Mitigation Measures MM 4.13-1 through MM 4.13-3, potential impacts would be less than significant.

Brief Explanation of the Rationale for the Finding

CEQA requires that all feasible and reasonable mitigation be applied to the project to reduce impacts. While this impact is less than significant, implementation of Mitigation Measures MM 4.13-1 through MM 4.133, described below, would further reduce potential impacts.

MM 4.13-1: The following measures are to be implemented to further reduce short-term noise levels associated with project construction and decommissioning:

a. Construction and decommissioning activities at the project site shall comply with the hourly restrictions for noise-generating construction activities, as specified in the Kern County Noise Ordinance, Chapter 8.36. Construction activities shall be prohibited between the hours of 9:00 p.m. to 6:00 a.m. on weekdays, and between 9:00 p.m. to 8:00 a.m. on weekends, if they result in noise which is audible to a person with average hearing faculties or capacity at a distance of 150 feet from the construction site, if the construction site is within 1,000 feet of an occupied residential dwelling. These hourly limitations shall not apply to activities where hourly limitations would result in increased safety risk to workers or the public, such as commissioning and maintenance activities that must occur after dark to ensure photovoltaic arrays are not energized, unanticipated emergencies requiring immediate attention, or security patrols.

b. Stage equipment in areas that will create the greatest distance between construction-related noise sources and noise-sensitive areas nearest the project site during construction to the extent practical. Place stationary construction equipment so that

emitted noise is directed away from sensitive areas nearest the project site, where feasible.

c. Ensure construction equipment is fitted with noise-reduction features such as mufflers and engine shrouds that are no less effective than those originally installed by the manufacturer.

d. Limit haul trucks from idling for periods greater than 5 minutes, except as needed to perform a specified function (e.g., concrete mixing).

e. Limit onsite vehicle speeds to 15 miles per hour, or less (except in cases of emergency).

f. Adjust back-up beepers for construction equipment to the lowest noise levels possible, provided that the Occupational Safety and Health Administration and California Division of Occupational Safety and Health's safety requirements are not violated. On vehicles where back-up beepers are not available, employ alternative safety measures such as escorts and spotters.

MM 4.13-2: Prior to the issuance of grading permits, the construction contractor shall establish a Noise Disturbance Coordinator for the project during construction. The Noise Disturbance Coordinator is responsible for responding to any complaints about construction noise. The Noise Disturbance Coordinator shall be responsible for determining the cause of the complaint and shall be required to implement reasonable measures to resolve the complaint. Contact information for the Noise Disturbance Coordinator shall be submitted to the Kern County Planning and Natural Resources Department prior to commencement of any ground disturbing activities.

MM 4.13-3: Prior to commencement of any onsite construction and decommissioning activities (i.e., fence construction, mobilization of construction equipment, initial grading, etc.), the project proponent/operator shall provide written notice to the public through mailing a notice, which shall include:

a. The mailing notice shall be to all residences within 1,000 feet of the project site, 15 days or less prior to construction activities. The notices shall include the construction schedule and a telephone number and email address where complaints and questions can be registered with the noise disturbance coordinator.

b. A minimum of one sign, legible at a distance of 50 feet, shall be posted at the construction site, or adjacent to the nearest public access to the main construction entrance, throughout construction activities that shall provide the construction schedule (updated as needed) and a telephone number where noise complaints can be registered with the noise disturbance coordinator.

c. Documentation that the public notice has been sent and the sign has been posted shall be provided to the Kern County Planning and Natural Resources Department.

C. Environmental Effects of the Project that Cannot Be Mitigated to a Less Than Significant Level.

None.

D. Cumulative Environmental Effects of the Proposed Project that Would Have a Less Than Significant Impact on the Environment.

Significant Effect

The proposed project may have a cumulative environmental impact related to noise.

Description of Significant Impact

The cumulative scenario for the analysis of operational noise impacts considers potential impacts from present or reasonably foreseeable projects, shown in Table 3-5 of the EIR, *Cumulative Projects List.* There are a total of 482 projects in the vicinity to the project site, which include other solar projects and some development projects. Due to the localized nature of noise impacts, cumulative impacts would be largely limited to areas within the general vicinity. Based on review of the project characteristics, status, and location in proximity to the project site, five cumulative project were identified that could add construction traffic noise to the area roadway segments and potentially generate construction noise in proximity to the project site: the Sanborn 2.0 Solar Project, Enterprise Solar Storage Project, Edwards Air Force Base Solar Project, SEPV Mojave West Solar Project, and Bellefield Solar Project. The construction schedule for the Enterprise Solar Project will not overlap with the construction schedule for the Galaxy Solar Project.

Construction noise impacts are localized in nature because they are limited to the construction site where construction equipment is operating. Sound levels from typical construction equipment range from 76 dBA to 88 dBA L_{eq} at 50 feet from the source. Construction noise would decrease approximately 6 dBA (hard-site conditions) with every doubling of distance. Therefore, construction noise would be reduced to less than 60 dBA approximately 0.25 miles from the construction site, assuming worst-case construction noise of 88 dBA L_{eq}, hard-site conditions, and no intervening topography or structures. Additionally, construction noise is temporary and would cease at completion of the proposed project.

Due to the logarithmic nature of adding decibels, in order for there to be a cumulative impact, the Galaxy Solar PV & Storage Project would need to produce a noise level over 70 dBA at a sensitive area during construction. This is because when summing two decibel levels that have a difference of 10 dB or more, the result is just the higher of the decibel levels, e.g. 70 dBA plus 80 dBA would still equal 80 dBA. The closest residence (NSA-14) to the solar panel area is approximately one mile away and the closest residence (NSA-34) to the gen-tie line is approximately 4,530 feet away. While construction is occurring in proximity to these residences, the sound level is expected to be approximately 50 dBA and 54 dBA, respectively. As this level is below 70 dBA, construction of the project would result in less than significant impacts and also would not have a cumulatively considerable contribution at nearby residences. Furthermore, cumulative projects would also be subject to noise standards defined in the applicable ordinance, including time of day standards for construction activities. Therefore, when considered with other past, present, and reasonably foreseeable future projects, the proposed project would not result in a cumulatively considerable contribution to construction noise impacts.

With respect to operational noise, the nearest cumulative operational project, the Sanborn 2.0 Solar Project, is directly adjacent to the proposed project. Given that the proposed project and the Sanborn 2.0 Solar Project are both solar projects with limited operational noise, and given the distance of the nearest sensitive area to the Galaxy Solar PV & Storage Project, cumulative impacts associated with operational noise from both facilities are anticipated to comply with Kern County noise thresholds. Additionally, during operation, the gen-tie line would not increase the ambient environment above the Kern County 65 dBA threshold. Thus, cumulative operational noise impacts would be less than significant.

The project's vibration levels would not exceed any applicable thresholds for ground-borne noise or vibration and would result in a less than significant impact. Due to the rapid attenuation of ground-borne vibration, none of the cumulative projects are close enough to contribute to a potential cumulative impact for vibration. Therefore, potential construction-related vibration impacts would not be cumulatively considerable, and potential impacts would be less than significant.

Cumulative operation could also result in the exposure of people to or the generation of excessive ground-borne vibration. However, since operation of the proposed project and related projects would involve operational traffic, including operations and maintenance staff and regular maintenance trucks (0.076 in/sec peak particle velocity), and panel washing activity (not measurable), potential project-related vibration impacts would not have any measurable effect on the nearest sensitive areas. Therefore, potential cumulative vibrational impacts would be less than significant.

Finding

The proposed project would not result in cumulatively considerable impacts related to noise. The project proponent would implement typical construction noise minimization measures as described in Mitigation Measures MM 4.13-1 through MM 4.13-3, to further reduce potential impacts.

Level of Significance

With implementation of Mitigation Measures MM 4.13-1 through MM 4.13-3, stated above, impacts would be less than significant.

Brief Explanation of the Rationale for the Finding

CEQA requires that all feasible and reasonable mitigation be applied to the project to reduce impacts. While cumulative impacts would be less than significant, implementation of Mitigation Measures MM 4.13-1 through MM 4.13-3, described above, would further reduce potential impacts.

E. Cumulative Environmental Effects of the Proposed Project that Would Have a Significant and Unavoidable Impact on the Environment.

None.

14. PUBLIC SERVICES

A. Environmental Effects of the Project Found to Have No Impact on the Environment, or Have a Less Than Significant Impact on the Environment

None.

B. Environmental Effects of the Project that Are Potentially Significant, but that Can Be Mitigated to Less Than Significant Levels

Significant Effect

The project would result in the 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 fire protection services or police protection and law enforcement services (Impact 4.14-1).

Description of Significant Impact

Fire Protection. The onsite construction workforce is expected to peak at approximately 550 individuals; however, the average daily workforce is expected to be approximately 250 construction, supervisory, support, and construction management personnel onsite during construction. The presence of construction workers at the project site would be temporary during the approximately 26-month construction period. The project includes the development of a PV solar facility and associated infrastructure necessary to generate up to 600 megawatts (MW) of renewable electrical energy with up to 4 gigawatt-hours (GWh) of battery energy storage capacity on an approximately 3,500-acre project site in unincorporated Kern County, California.

As determined by the County, the project site is not within an area of high or very high fire hazard. The project site and the gen-tie line are categorized as State Responsibility Area (SRA) Moderate and Local Responsibility Area (LRA) Moderate fire hazards severity zones. The landscape of the project site consists of primarily low topographic relief and sparse vegetation with little potential for fuel buildup, which is indicative that the potential for wildfires to occur would be relatively low. Additionally, site preparation includes trash removal, mowing, and clearing of vegetation that would unduly interfere with project construction or the health and safety of onsite personnel, further reducing vegetation fuel buildup.

Fire protection requirements are based on the number of residents and workers in the KCFD primary service areas. Service demand is primarily tied to population, not building size, because emergency medical calls typically make up the majority of responses provided by the fire department. As the number of residents and workers increases, so does the number of emergency medical calls. There are no residential uses proposed as a part of the project. Therefore, no residents would occupy the project site and an increase in service demands as a result of an increase in residential uses would not occur.

Service demands as a result of construction personnel onsite would occur during construction of the proposed project. Typically, service demands per employee are less than service demands per resident. Nevertheless, the addition of construction personnel on the project site would result in an increase in demand for fire protection services. While this would be an increase above existing levels, the presence of construction personnel on site would be temporary, as the construction period for the proposed project would last approximately 26 months.

While construction of the proposed project would increase the number of people on the project site, the increase would be temporary and would therefore not substantially increase the service demand for fire protection services in Kern County. In addition, the project site is not located within an area of very high fire hazard, as determined by the County and the California Department of Forestry and Fire Protection. As required by Mitigation Measure MM 4.14-1, the project proponent would develop and implement a Fire Safety Plan that contains notification procedures and emergency fire precautions consistent with the current California Fire Code and Kern County Fire Code. The plan would be used throughout the construction period, as well as during operations, and would include emergency fire precautions for vehicles and equipment as well as implement fire rules and trainings so personnel are equipped to handle fire threats. Given the temporary nature of the project's construction phase and with implementation of MM 4.14-1, potential impacts to fire protection services and facilities during project construction would be less than significant.

Operations staff for the proposed project would primarily be located at an onsite facility. A small satellite office and operations and maintenance facility may be built onsite near the collector substation to facilitate rapid repair of equipment. These portable trailers may include a small storage yard for spare equipment storage. It is anticipated that approximately six permanent full-time staff employees would be needed to maintain the facility. Additional employees may visit the project site for short periods of time to conduct

certain maintenance activities such as panel washing. Although unlikely, maintenance activities could introduce fire risks to the project site from maintenance vehicles. However, all maintenance activities would be required to comply with the Fire Safety Plan implemented per Mitigation Measure MM 4.14-1, which would reduce fire risks onsite. In addition, all project facilities will be designed, constructed, and operated pursuant to the current California Fire Code and Kern County building code requirements such that fire hazards are reduced and/or avoided.

The proposed project includes an energy storage facility that would have a fire rating in conformance with current County and California Building and Fire Code standards. The energy storage facility would include specialized fire suppression systems installed for the battery rooms to minimize fire risk. In accordance with Mitigation Measure MM 4.14-1, a Fire Safety Plan would be prepared to ensure the energy storage facility is constructed and operated in accordance with current County and California Building and Fire Code standards that will minimize potential impacts to public services and associated fire hazards. See also Section 4.9, *Hazards and Hazardous Materials*, and Section 4.18, *Wildfire*, for additional discussion of the fire safety systems applicable to the project's energy storage facility.

Through implementation of Mitigation Measure MM 4.14-2, the project shall pay all legally required property taxes or, if the project qualifies, based on State Legislative action and the State Board of Equalization guidance, for any reduction in property taxes under a Solar Tax Exclusion or other specific property tax relief for solar or battery storage regardless of the name, then the project shall pay a Cumulative Impact Charge (CIC). Through the implementation of Mitigation Measure MM 4.14-3, if the ownership of the project is sold to a city, county, or utility company that pays assessed taxes that are under $3,000 per megawatt, a Supplemental Cumulative Impact Charge (SCIC) shall be paid for the difference annually up to $3,000 per megawatt. Through implementation of Mitigation Measure MM 4.14-4, the project proponent/operator shall work with the County to determine how the use of sales and use taxes from construction of the project can be maximized. With implementation of Mitigation Measures MM 4.14-1 through MM 4.14-4, any potential operational impacts on public services would be reduced. The project would not result in the need for new or physically altered KCFD facilities and potential impacts would be less than significant.

Law Enforcement Protection. As described above in Section 4.14.2, *Environmental Setting*, the Kern County Sheriff's Office (KCSO) provides primary law enforcement protection services for the project site and surrounding areas. The Mojave Substation is located approximately 6.1 miles northeast of the project site and would provide primary law enforcement services to the project site. Similar to fire protection services, the need for sheriff protection services would increase temporarily during construction of the proposed project. The project site is located in a relatively remote location surrounded by generally undeveloped land and sparse rural residential development. It is unlikely that construction of the project would attract attention that would make project facilities susceptible to crime. Therefore, a large increase for KCSO services is not expected. Construction activities may temporarily increase traffic volumes along SR-58 and SR-14 during the project construction period. However, the added traffic associated with workers commuting to the project site, haul routes, deliveries, and other project-related traffic would be temporary and, therefore, would not have a significant adverse effect on the KCSO protective service provision or California Highway Patrol's (CHP) ability to patrol the highways.

Additionally, fencing would be installed around the perimeter of the project site, onsite collector substation, 230-kV switchyard, and other areas requiring controlled access, as needed for safety and security purposes. Locking gates would be installed at access roads entering the site. Limiting access to the site would be necessary both to ensure the safety of the public and to protect the equipment from potential theft and vandalism. Fencing would remain for the life of the project.

While project construction would increase the number of people on the project site, the increase would be temporary and negligible and, thus, would not substantially increase the service demand for police protection services in Kern County. Therefore, new or physically altered KCSO or CHP facilities would not be required to accommodate the limited increase in needs from the project during construction, and potential impacts to police services would be less than significant.

Project operation could potentially attract vandals or present other security risks. As described above, the project site is located in a relatively remote location in a rural community and is thus unlikely to attract attention that would make project facilities susceptible to crime. The security fencing around the perimeter of the project site and other areas requiring controlled access, and motion-sensitive security lights and cameras, would minimize the need for sheriff surveillance and response during project operation. Furthermore, facility personnel, contractors, agency personnel, and visitors would normally be within the project facility premises during normal business hours. Therefore, new or physically altered KCSO facilities would not be required to accommodate the proposed project. The additional volume of vehicles associated with workers commuting to the project site during routine maintenance would be minor and is not expected to adversely affect traffic (see Section 4.15, *Transportation*, of the EIR for more details). Therefore, impacts to the CHP patrol are not anticipated. In addition, as part of Mitigation Measures MMs 4.14-2 through 4.145, the project operator would be required to pay Kern County a cumulative impact charge to compensate for any potential impacts to public services provided by Kern County General Fund (including law enforcement services) resulting from operation of the proposed project. With implementation of these mitigation measures, potential impacts would be less than significant.

Schools/Parks/Other Facilities.

The construction workforce for the project is expected to peak at 550 workers; however, the average daily workforce is expected to be approximately 250 workers during the project construction period. Most of the construction workforce is expected to live in the region and would commute to the project site from various local communities where their children are enrolled in school. Even if workers came from out of the area, they would likely return to their out-of-town residences once the facilities were built and would not take their children out of their current schooling. If temporary housing should be necessary for construction workers, sufficient accommodations are expected to be available in nearby hotels in Rosamond, Mojave, Lancaster, or other local communities. Therefore, it is not expected that a substantial temporary increase in population would occur that would adversely affect local school populations, park facilities, or local public facilities, such as post offices, courthouses, and library services. As a result, potential impacts to schools, parks, or other public services resulting from project construction are anticipated to be less than significant.

Operation of the project would have up to six permanent full-time employees to maintain the facility. Employees would likely commute to the project site from their existing permanent residences in the surrounding communities; however, even if the maintenance employees were hired from out of the area and had to relocate to eastern Kern County, the resulting addition of potential families to this area would not result in a substantial increase in the number of users at local schools, parks, or other public facilities. Thus, potential impacts to schools, parks, or other public services resulting from project operations are anticipated to be less than significant.

Potential impacts related to public services such as fire protection, law enforcement, schools, parks, and other related facilities resulting from decommissioning of the project are expected to be similar to or less than those experienced during construction.

Finding

The proposed project has the potential to result in the need for new or physically altered governmental facilities, the construction of which would cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for fire protection services or police protection and law enforcement services. However, implementation of Mitigation Measures MM 4.14-1 through MM 4.14-5, described below, would reduce these impacts to a less than significant level.

Potential Impacts related to public services such as fire protection, law enforcement, schools, parks, and other related facilities resulting from decommissioning of the project are expected to be similar to or less than those experienced during construction.

Level of Significance

With implementation of Mitigation Measures MM 4.14-1 through MM 4.14-5, described below, impacts would be less than significant.

Brief Explanation of the Rationale for the Finding

CEQA requires that all feasible and reasonable mitigation be applied to the project to reduce impacts. Implementation of Mitigation Measures MM 4.14-1 through MM 4.14-5, described below, would reduce these impacts to a less than significant level.

MM 4.14-1: Prior to the issuance of grading or building permits, the project proponent/operator shall develop and implement a Fire Safety Plan for use during construction, operation, and decommissioning.

The project proponent/operator shall submit the plan, along with maps of the project site and access roads, to the Kern County Fire Department for review and approval. A copy of the approved Fire Safety Plan shall be submitted to the Kern County Planning and Natural Resources Department. The Fire Safety Plan shall contain notification procedures and emergency fire precautions including, but not limited to, the following:

a. All internal combustion engines, both stationary and mobile, shall be equipped with spark arresters. Spark arresters shall be in good working order.

b. Light trucks and cars with factory installed (type) mufflers shall be used only on roads where the roadway is cleared of vegetation. These vehicle types will maintain their factory installed (type) muffler in good condition.

c. Fire rules shall be posted on the project bulletin board at the contractor's field office and areas visible to employees.

d. Procedures shall be established for minimizing potential ignition, including, but not limited to, vegetation clearing and management, parking requirements/restrictions, idling restrictions, smoking restrictions, and proper use of gas-powered equipment.

e. Personnel shall be trained in the practices of the fire safety plan relevant to their duties. Construction and maintenance personnel shall be trained and equipped to extinguish small fires to prevent them from growing into more serious threats.

f. The project proponent/operator shall make an effort to restrict the use of chainsaws, chippers, vegetation masticators, grinders, drill rigs, tractors, torches, and explosives to periods outside of the official fire season. When the above tools are used, water tanks equipped with hoses, fire rakes, and axes shall be easily accessible to personnel.

g. Building plans shall be included for the energy storage system to verify adherence to Kern County and California Building and Fire Code standards.

h. Information for first responders about the type of battery energy storage technology on site, potential hazards and mitigations, and recommended firefighting tactical procedures in case of an accidental fire.

MM 4.14-2: Payment of property taxes or Cumulative Impact Charge (CIC):

a. The project shall pay all legally required property taxes; or

b. If the project qualifies, based on State Legislative action and the State Board of Equalization guidance, for any reduction in property taxes under a Solar Tax Exclusion or other specific property tax relief for solar or battery storage regardless of the name, then the following CIC shall apply. The first annual payment is to be paid by December 31 of the year the first legislatively provided property tax reduction is assessed, and annually every year for the life of the project, or as a lump sum for multiple years, until the project is decommissioned and the Conditional Use Permit(s) is/are voided.

1. Submittal of Building Permit or Calculation of Amount

A. Any building permit or calculation of amount submitted shall be accompanied by a map and legal description of the entire approved Conditional Use Permit area.

B. The map shall calculate the CIC net acreage as follows:

i. Total gross acreage of the approved Conditional Use Permit.

ii. Total acres of recorded easements.

iii. Delineation (using, for example, areas on a site plan) of any permanent structures or energy storage that is not covered under a property tax reduction and evidence from legislation or State Board of Equalization that they have no reduction in taxes.

C. Formula is Net Acreage = B.i minus (B.ii and B.iii), if applicable.

D. Temporary storage areas or non-permanent commercial coaches or cargo containers for construction or operations are not eligible for inclusion under B.~~3~~iii, above.

E. All areas of buildings, accessory improvements and easements used in the calculations shall be shown on the submitted Map.

2. Calculation of Cumulative Impact Charge (CIC) and annual payment

A. A payment of up to a maximum of $690 per net acre (calculated above in provision b.1.C) shall be paid annually. The payment shall cover the net acreage for the entire approved Conditional Use Permit(s) regardless of phased implementation of building permits, the total number of building permits, or type of building permit issued.

B. The first annual payment is to be paid by December 31 of the year the first property tax reduction is assessed. If it is not paid by December 31 of that year, then a notice of violation of the Conditional Use Permit shall be filed and the procedure in Chapter 19.114 of the Kern County Zoning Ordinance shall commence immediately under the authority of the Planning and Natural Resources Department Director.

C. Annual payments are due every year by the anniversary date of the first payment..

D. Payments shall be made to the Planning and Natural Resources Department for transfer directly to the County Administrative Office Fiscal Division (CAO) and labeled Cumulative Impact Charge with the project name, location and APNs.

E. An advance payment option for a lump sum of all payment years, or a reduction in each year's payment for 5 or more years, may be requested by submittal of a written request to the Planning and Natural Resources Department with details of the offer no later than 60 days before the annual payment is due. A 10% discount in the lump sum amount will be applied if the advance payment option is accepted by the CAO by written response.(RTC 7/31/26)

MM 4.14-3: Written verification of ownership of the proposed project shall be submitted to the Kern County Planning and Natural Resources Department by April 15 of each calendar year. If the project is sold to a city, county, or utility company that pays assessed taxes that total less than $3,000 per megawatt per year, then a Supplemental Cumulative Impact Charge (SCIC) shall be paid for the difference annually up to $3,000 per megawatt. The SCIC payments shall be made annually directly to the County Administrative Office (CAO) Fiscal Division and labeled "Supplemental Cumulative Impact Charge (SCIC)" with the project name and phase number. The fee shall be paid to the Kern County Auditor/Controller by April 30 of each calendar year.

MM 4.14-4: The project proponent/operator shall work with the County to determine how the use of sales and use taxes from construction of the project can be maximized. This process shall include, but is not necessarily limited to, the project proponent/operator obtaining a street address within the unincorporated portion of Kern County for acquisition, purchasing and billing purposes, and registering this address with the State Board of Equalization. As an alternative to the aforementioned process, the project proponent/operator may make arrangements with Kern County for a guaranteed single payment that is equivalent to the amount of sales and use taxes that would have otherwise been received (less any sales and use taxes actually paid); with the amount of the single payment to be determined via a formula approved by Kern County. The project proponent/operator shall allow the County to use this sales tax information publicly for reporting purposes.

MM 4.14-5: Prior to the issuance of building permits, the project operator shall submit a letter detailing the hiring efforts prior to commencement of construction, which encourages all contractors of the project site to hire at least 50 percent of their workers from local Kern County communities. The project operator shall provide the contractors a list of training programs that provide skilled workers and shall require the contractor to advertise locally for available jobs, notifying the training programs of job availability, all in conjunction with normal hiring practices of the contractor.

C. Environmental Effects of the Project that Cannot Be Mitigated to a Less Than Significant Level.

None.

D. Cumulative Environmental Effects of the Proposed Project that Would Have a Less Than Significant Impact on the Environment.

Significant Effect

The proposed project would have a cumulative environmental impact on public services.

Description of Significant Impact

As described in Table 3-5, *Cumulative Projects List*, in Chapter 3, *Project Description*, of the EIR, multiple projects, including several utility-scale solar and wind energy production facilities, are proposed throughout Kern County. The cumulative study area is based on the service area for each of the fire, sheriff, and other governmental offices/facilities serving the project site. Since the project would not induce population growth in the area, project implementation would not result in the need to construct new, or physically alter or expand, existing sheriff's office and fire protection services. In addition, the project would not impede the effective operation of these services.

As discussed above, fire and sheriff service impacts related to the project would be less than significant with mitigation, while impacts to schools, parks, and other local facilities would be less than significant with no mitigation required. Mitigation Measure MM 4.14-1 requires implementation of a Fire Safety Plan during project construction and operation that would include notification procedures and emergency fire precautions to help reduce fire risks and the consequential need for fire protection services onsite. Implementation of Mitigation Measures MM 4.14-2 through MM 4.14-5 would also prevent the decline of services in unincorporated communities that result in physical impacts on neighborhoods. Such cumulative impacts could include an increase in vandalism on public spaces such as parks, lack of maintenance of roads and park facilities, abandoned vehicles and buildings, trash abandonment on private property and lack of funding for code enforcement of regulations for public health and safety, lack of services for homeless prevention programs, as well as lack of services and facilities for elder, adolescent, and child health safety services and general mental health facilities. Mitigation Measures MM 4.14-3 through 4.14-5 would also address potential impacts related to public services. Implementation of these mitigation measures would require the project proponent to pay certain assessed taxes, work with the County to determine how sales and use taxes from project construction can be maximized, and provide a letter detailing efforts encouraging contractors to hire at least 50 percent of works from local Kern County communities. With implementation of these mitigation measures, potential impacts from the project's cumulative contribution to the decline of services would be less than significant.

Incorporation of Mitigation Measures MM 4.14-1 through MM 4.14-5 would reduce potential project impacts to a less-than-significant level. In addition, the application of similar mitigation at all other past,

present, and reasonably foreseeable future projects located within these fire and sheriff service areas would reduce potential cumulative impacts to a less than significant level. Therefore, the project would not be a cumulatively considerable contributor to significant cumulative impacts related to public services with incorporation of Mitigation Measures MM 4.14-1 through MM 4.14-5.

Finding

The proposed project has the potential to result in cumulative impacts related to public services. However, implementation of Mitigation Measures MM 4.14-1 through 4.14-5, described above, would reduce these impacts to a less than significant level.

Level of Significance

With implementation of Mitigation Measures MM 4.14-1 through MM 4.14-5, cumulative impacts would be less than significant.

Brief Explanation of Rationale for Finding

CEQA requires that all feasible and reasonable mitigation be applied to the project to reduce impacts. Implementation of Mitigation Measures MM 4.14-1 through 4.14-5, described above, would reduce these impacts to a less than significant level.

E. Cumulative Environmental Effects of the Proposed Project that Would Have a Significant and Unavoidable Impact on the Environment.

None.

15. TRANSPORTATION

A. Environmental Effects of the Project Found to Have No Impact on the Environment, or Have a Less Than Significant Impact on the Environment

The project would not conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b) (Impact 4.15-2).

The project would not result in inadequate emergency access (Impact 4.15-4).

B. Environmental Effects of the Project that Are Potentially Significant, but that Can Be Mitigated to Less Than Significant Levels

Significant Effect

The project would conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities (Impact 4.15-1).

Description of Significant Impact

To determine construction-related trip generation for the proposed project, the project description and construction staging operations were reviewed to identify construction worker–related trips and system/materials delivery–related trips. The majority of construction vehicle trips to and from the project site would be associated with construction workers and trucks making deliveries. Heavy equipment used at

the project site would not be hauled to and from the site daily but would be hauled in at the beginning of construction and hauled out upon completion of construction. Construction trips would occur throughout the day, but because the proposed project does not require intense grading/offsite hauling, the majority of the trips would be associated with construction workers traveling to and from the site during the peak hours. The construction peak workforce is up to 653 workers, and the average daily workforce onsite during construction is expected to include 354 construction, supervisory, support, and construction management personnel.

According to Kern County Ordinance Section 8.36.020, all construction shall be limited to the hours of 6 AM to 9 PM on weekdays and 8 AM to 9 PM on weekends. Therefore, construction may occur during AM peak (7 to 9 AM) or PM peak (4 to 6 PM) commute periods on weekdays. However, as is typical with construction activities, trips are anticipated to be distributed over longer AM and PM periods and would not necessarily coincide with the traditional commuting peak periods of 7 to 9 AM or 4 to 6 PM. However, to provide a worst-case scenario, the traffic analysis assumed that all construction workers would arrive at the project site during the AM peak hour and depart the project site during the PM peak hour. The maximum of 36 offsite delivery trucks (trucks delivering materials from offsite locations) were assumed to be evenly distributed over the course of the entire workday.

As shown in Table 4.15-1, *Peak Construction Trip Generation (Overall),* construction-related activity associated with the proposed project is forecast to generate (during the peak construction phase overlap) up to approximately 1,116 passenger car equivalent (PCE) vehicle trips. There would be up to an estimated 533 PCE vehicle trips during the AM and PM peak hours.

Although project construction would result in an estimated 533 PCE vehicle trips during the AM and PM peak hours, construction traffic would be temporary and would not result in long-term or permanent changes to local roadway conditions. The Study Area evaluated in the *Traffic Impact Analysis* provided as Appendix L to the EIR includes 14 intersections and four roadway segments. The analysis indicates that ample capacity is available to support the peak construction workforce levels associated with the project. The analyzed roadways operate well below capacity at Level of Service (LOS) B or better under existing and future year conditions with or without the project, as shown in Table 4.15-2, *2025 Existing Plus Project Weekday Peak Hour Segment LOS* and in Figure 4.15-2, *2025 Existing Plus Peak Construction Weekday Peak Hour Traffic Volumes.*

As shown in Table 4.15-3, *2025 Existing Plus Project Weekday Peak Hour Intersection LOS,* analyzed intersections are anticipated to operate below capacity at acceptable LOS C or better for the 2025 Existing Plus Project weekday commuter peak hour conditions. Detailed LOS worksheets are included in Appendix L to the EIR. Accordingly, construction of the project would not conflict with a program, plan, ordinance, or policy addressing the circulation system, including the KCOG Congestion Management Program (CMP), such that the impact would be less than significant.

While construction traffic would be temporary and would not impact local free-flowing roadway conditions, potential temporary impacts to intersections proposed to be utilized for site access could occur during peak hour construction commute periods. Therefore, the proposed project includes Mitigation Measures MM 4.15-1 and 4.15-2, below, which require, among other things, the development of a construction traffic control plan, which would further reduce potential impacts to intersections resulting from temporary construction traffic.

Approximately six permanent staff employees would be needed to maintain the facility and would travel to the site during project operations. During project operations, solar panel washing is expected to occur one to two times per year to increase operational efficiency. Panel washing is expected to take 15 to 30 days to complete per wash cycle. Up to 10 individuals may assist in panel washing and are expected to be hired from the local community. Trips associated with routine O&M would generate approximately 12 peak hour trips, which are

considered negligible in terms of traffic impact. Panel washing activities are not anticipated to result in a measurable increase in vehicle traffic and would only occur up to twice a year. When feasible, required planned maintenance would be scheduled to avoid peak load periods, and maintenance and security personnel would travel to the site during off-peak times. Unplanned maintenance would typically be responded to as needed depending on the event. These maintenance activities would not generate trips on a regular basis, and the estimated trips by full-time project personnel would generate minimal operational traffic. Trips generated by project operation and maintenance would be substantially lower than the trips generated by project construction, and as stated above, the impact during construction would be less than significant. Operation of the project would not conflict with a program, plan, ordinance, or policy addressing the circulation system, including the KCOG CMP. The proposed project also would be consistent with the Kern County General Plan, as well as countywide, State, and regional transportation plans. Impacts would be less than significant.

At the end of the project site's operational term, the project operator may determine that the project site should be decommissioned and deconstructed, which would adhere to the requirements of the appropriate governing authorities and in accordance with all applicable federal, state, and county regulations. Decommissioning impacts would be relatively similar to those identified for construction of the proposed project and would be short-term and temporary. Thus, decommissioning of the proposed project would result in a less-than-significant impact and would not conflict with a program, plan, ordinance, or policy addressing the circulation system, including the KCOG CMP. The proposed project also would be consistent with the Kern County General Plan, as well as countywide, State, and regional transportation plans.

There are no dedicated pedestrian or bicycle facilities in the immediate vicinity of the project site or along the surrounding roadways. Due to the rural nature of the project area, bicycle traffic is limited. The project is not located along an existing bus route and few bus stops exist on the roadways likely to be used during construction and operation. The project would not house residents or employees and, therefore, would not have characteristics that could influence alternative means of transportation. Therefore, impacts would be less than significant.

The road reservations requested to be removed are listed in Table 3-3, *Road Reservations Requested for Removal,* in Chapter 3, *Project Description* of the EIR. The project includes General Plan Amendments to the Circulation Element of the Kern County General Plan to remove future road reservations at section and mid-section lines (see Figure 3-11, *Proposed General Plan Amendment* (*Circulation),* in Chapter 3, *Project Description* of the EIR*).* Additionally, many project proponent-owned parcels would be merged to the maximum extent feasible with the intention to provide access to one consolidated, large parcel in lieu of coordinating many access points to multiple, smaller parcels. Existing public access easements are proposed to be vacated through parcel maps to facilitate the optimal layout of solar panels by removal of record of unused/undeveloped public and private easements and other rights-of-way on vacant land. These easements and unaccepted offers of dedication have been created by grant deed or parcel maps, and some dirt roads exist within the project development footprint. As requested, the easement vacations would not eliminate any legal access for any property or persons in the area. In the cases where one of the proposed vacations removes primary access to a parcel, the project proponent would be responsible for recording public or private easements for access purposes prior to or concurrent with the vacation being recorded such that legal access remains. In most cases, the proposed alternate public or private easements would be recorded along with the vacation of the original public easement. The vacations are included in Figure 312, *Parcel Maps and Easements.* Parcel maps are shown in Figure 3-13, *Proposed Vesting Tentative Parcel Map Boundaries,* Figure 3-14, *Assessor's Parcelization Map,* and Exhibit 1 in Chapter 3, *Project Description.* The project would comply with Kern County General Plan Circulation Section 2.3.6 Vacation of Existing or Recorded Future Streets, Highways, or Public Easements, Goal 2, and Policies 1 through 14 related to the maintenance and coordination of proposed street vacations. The proposed vacations would not restrict the traveling public or neighboring property owner access to areas outside the project boundary. It should also be noted the

proposed easement vacations and road reservation removals have been reviewed for adequacy by the Kern County Public Works Department. As such, impacts related to the approval of the removal of road reservations, vacation of easements, and vesting tentative parcel maps would be less than significant.

Finding

The project could conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities. However, implementation of Mitigation Measures MM 4.15-1 and MM 4.15-2, described below, would reduce impacts to less than significant levels.

Level of Significance

Impacts would be less than significant, and implementation of Mitigation Measures MM 4.15-1 and MM 4.15-2 would further reduce impacts.

Brief Explanation of Rationale for Finding

CEQA requires that all feasible and reasonable mitigation be applied to the project to reduce impacts. Implementation of Mitigation Measures MM 4.15-1 and MM 4.15-2 would reduce impacts to less than significant levels.

MM 4.15-1: Prior to the issuance of grading or building permits, the project proponent/operator shall:

a. Prepare and submit a Construction Traffic Control Plan to Kern County Public Works Department-Development Review and the California Department of Transportation offices for District 9, as appropriate, for approval. The Construction Traffic Control Plan must be prepared in accordance with both the California Department of Transportation Manual on Uniform Traffic Control Devices and Work Area Traffic Control Handbook and must include, but not be limited to, the following issues:

    1. Timing of deliveries of heavy equipment and building materials during off-peak hours to the extent feasible;

    2. Review of transport routes to determine how turns on existing roads would be accomplished and identifying intersections at which use of a flag person would be required to assist large trucks in making unobstructed turns, including from State Route 58;

    3. Placing temporary signing, lighting, and traffic control devices if required, including, but not limited to, appropriate signage along access routes to indicate the presence of heavy vehicles and construction traffic, including along State Route 58,

    4. Establish procedures for coordinating with local emergency response agencies to ensure dissemination of information regarding emergency response vehicle routes affected by construction activities;

    5. Temporarily closing travel lanes or delaying traffic during materials delivery, transmission line stringing activities, or any other utility connections;

6. Maintaining access to adjacent property;

7. Encourage carpooling among workers to reduce worker commute trips entering and exiting the study area; and

8. Specifying both construction-related vehicle travel and oversize load haul routes, minimizing construction traffic during the AM and PM peak hour, distributing construction traffic flow across alternative routes to access the project sites, and avoiding residential neighborhoods to the maximum extent feasible.

b. Obtain all necessary encroachment permits for work within the road right-of-way or use of oversized/overweight vehicles that will utilize County-maintained roads, which may require California Highway Patrol or a pilot car escort. Copies of the approved traffic plan and issued permits shall be submitted to the Kern County Planning and Natural Resources Department and the Kern County Public Works Department-Development Review.

c. Enter into a secured agreement with Kern County to ensure that any County roads that are demonstrably damaged by project-related activities are promptly repaired and, if necessary, paved, slurry-sealed, or reconstructed as per requirements of the State and/or Kern County.

d. Submit documentation that identifies the roads to be used during construction. The project proponent/operator shall be responsible for repairing any damage to non-County maintained roads that may result from construction activities. The project proponent/operator shall submit a preconstruction video log and inspection report regarding roadway conditions for roads used during construction to the Kern County Public Work Department-Development Review and the Kern County Planning and Natural Resources Department.

e. Within 30 days of completion of construction, the project proponent/operator shall submit a post-construction video log and inspection report to the County. This information shall be submitted in electronic format. The County, in consultation with the project proponent/operator's engineer, shall determine the extent of remediation required, if any.

MM 4.15-2: Prior to the issuance of grading or building permits, the project proponent/operator shall implement measures to reduce construction worker vehicle trips during the AM and PM peak hours. These measures may include, but are not limited to the following:

a. The Construction Traffic Control Plan (see MM 4.15-1, above) shall outline the methods used to control the number of worker vehicles arriving and departing from the project site during peak AM and PM hours, and document all reasonable efforts made to avoid impacts to area intersections.

b. The project proponent/operator shall limit construction worker vehicle trips to and from the site to the extent possible during the AM and PM peak periods (i.e., 7:00 AM to 9:00 AM and 4:00 PM to 6:00 PM) by implementing such measures as:

1. Instituting incentives and providing options for construction workers to carpool and/or vanpool to and from the project site.

2. Scheduling construction worker shifts so that a majority of the workers arrive and depart the project site outside the AM and PM peak periods.

3. Staggering construction worker shifts so that construction worker vehicle trips are distributed over a broader period (i.e., construction workers arrive in staggered shifts starting from 6:00 a.m. and depart in staggered shifts starting from 2:00 p.m.).

Significant Effect

The project would substantially increase hazards due to a geometric design feature (such as sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment) (Impact 4.15-3).

Description of Significant Impact

During construction, the project would require the delivery of heavy construction equipment and photovoltaic solar components using area roadways, some of which may require transport by oversize vehicles. Heavy equipment associated with these components would not be hauled to/from the site daily, but rather would be hauled in and out on an as-needed basis. Nevertheless, the use of oversize vehicles during construction can create a hazard to the public by limiting motorist views on roadways and by the obstruction of space, which is considered a potentially significant impact. However, the project would be required under existing regulations to obtain CHP escorts, as well as coordinate the timing of transport, in oversize load permits from the California Department of Transportation and Kern County, as appropriate.

The project would not include a design feature or utilize vehicles with incompatible uses that would create a hazard on the roadways surrounding the project site. Security fencing would be installed around the perimeter of each site, substation, switchyard, and other areas requiring controlled access, prior to commencement of construction, for safety and security purposes. All fence installation requirements would be evaluated, and the best-fit scenario would be incorporated in the site. The fencing would remain for the life of the project. Additionally, the project would not include the development of sharp curves, dangerous intersections or other hazardous design features. The project would be set back from the roadways as required by Kern County Zoning Ordinance. Impacts would be less than significant.

Mitigation Measure MM 4.15-1 would require that all oversize vehicles used on public roadways during construction obtain required permits and obtain approval of a Construction Traffic Control Plan, as well as identify anticipated construction delivery times and vehicle travel routes in advance to minimize construction traffic during AM and PM peak hours and to avoid any potentially hazardous routes. This measure would also ensure that construction-related oversize vehicle loads are in compliance with applicable California Vehicle Code sections and California Street and Highway Codes applicable to licensing, size, weight, load, and roadway encroachment of construction vehicles.

Finding

The project has the potential to substantially increase hazards due to a geometric design feature (such as sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment). However, implementation of Mitigation Measure MM 4.15-1, described above, would reduce impacts to less than significant levels.

Level of Significance

With implementation of Mitigation Measure MM 4.15-1, impacts would be less than significant.

Brief Explanation of Rationale for Finding

CEQA requires that all feasible and reasonable mitigation be applied to the project to reduce impacts. Implementation of Mitigation Measure MM 4.15-1, described above, would reduce impacts to less than significant levels.

C. Environmental Effects of the Project that Cannot Be Mitigated to a Less Than Significant Level.

None.

D. Cumulative Environmental Effects of the Proposed Project that Would Have a Less Than Significant Impact on the Environment.

Significant Effect

The proposed project would have a cumulative environmental impact on traffic and transportation.

Description of Significant Impact

A list of cumulative projects is provided in Chapter 3, *Project Description,* of the EIR. The cumulative projects are projects that are proposed and in the review process, but not yet fully approved; or projects that have been approved, but not fully constructed or occupied. Due to the rural nature of the project site and the different schedules for construction among the various projects, project construction combined with other past, present, or reasonably foreseeable future projects.

Due to the rural nature of the project site and the different schedules for construction among the various projects, project construction combined with other past, present, or reasonably foreseeable future projects is not anticipated to substantially conflict with circulation patterns or operations, including roadway, bicycle, transit, and pedestrian facilities during construction. The Pacific Steel Group Reinforcing Bar Manufacturing Plant and the True North Renewable Energy (TNRE) Organic Waste to Energy Facility would likely add traffic to study area roadway segments and intersections in the design year 2027.

The *Traffic Impact Analysis* provided as Appendix L to the EIR analyzed cumulative traffic associated with the Pacific Steel Group Steel Mill and TNRE Organic Waste to Energy Facility to distribute trips associated with these projects along SR-58, Business Route 58, SR-14, and Backus Road. As presented in Appendix L, study area intersections are anticipated to generally operate below capacity at LOS C or better (overall) with some movements operating at acceptable LOS D during both peak hours. The exceptions are the SR-14 northbound and southbound off-ramp approaches to Backus Road, which would operate below capacity with manageable queues, albeit with longer delays (LOS E or LOS F) during peak hours. However, this is a temporary condition during the project's peak construction phase and assumes peak construction trips of the cumulative projects would coincide with the project. Without the other Cumulative Projects (Existing plus Project), these movements operate with less delay at LOS C. Furthermore, the project would generate significantly fewer trips during the other phases of the project's construction and negligible peak hour trips during the project's long-term O&M phase.

Implementation of Mitigation Measure MM 4.15-1, requiring a Construction Traffic Control Plan, and Mitigation Measure MM 4.15-2 would further reduce project-related impacts and ensure that the project would not cumulatively contribute to a significant cumulative impact. Other projects similarly would be expected to require construction traffic control plans, such that cumulative impacts would be less than significant.

Transportation impacts involving a project's vehicle miles traveled (VMT) are long term and cumulative in nature. Project construction activities, and the construction activities of other cumulative projects, would be temporary and would not result in long-term or permanent changes in VMT. Project operations are estimated to generate minimal vehicle trips. Cumulative impacts from the project during operation, when considered with nearby, reasonably foreseeable planned projects, would be minimal. Since the project would result in a negligible increase of vehicle traffic, the project, in conjunction with the existing, approved, proposed, and reasonably foreseeable projects in the vicinity of the site, would result in a less than significant cumulative impacts.

The proposed project would not include a design feature or utilize vehicles with incompatible uses that would create a hazard on the surrounding roadways, nor would the project result in inadequate emergency access. Implementation of Mitigation Measure MM 4.15-1 would further reduce project impacts to emergency access and design hazards. Other projects would be expected to implement similar measures. Thus, cumulative impacts would be less than significant, and the project's contribution to cumulative impacts would be less than cumulatively considerable.

Finding

The proposed project has the potential to result in cumulatively considerable impacts to traffic and transportation. However, implementation of Mitigation Measures MM 4.15-1 and MM 4.15-2, described above, would reduce these impacts to a less than significant level.

Level of Significance

With implementation of Mitigation Measures MM 4.15-1 and MM 4.15-2, cumulative impacts would be less than significant.

Brief Explanation of the Rationale for the Finding

CEQA requires that all feasible and reasonable mitigation be applied to the project to reduce cumulative impacts. Implementation of Mitigation Measures MM 4.15-1 and MM 4.15-2, described above, would reduce these impacts to a less than significant level.

E. Cumulative Environmental Effects of the Proposed Project that Would Have a Significant and Unavoidable Impact on the Environment.

None.

16. TRIBAL AND CULTURAL RESOURCES

A. Environmental Effects of the Project Found to Have No Impact on the Environment, or Have a Less Than Significant Impact on the Environment

None.

B. Environmental Effects of the Project that Are Potentially Significant, but that Can Be Mitigated to Less Than Significant Levels

Significant Effect

The project could cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code Section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe that is listed or eligible for listing in the CRHR, or in a local register of historical resources as defined in Public Resources Code Section 5020.1(k) (Impact 4.16-1a).

Description of Significant Impact

The Sacred Lands File search conducted by the Native American Heritage Commission did not indicate the presence of sacred lands within the Study Area. Furthermore, the County's government-to-government consultation efforts with interested Native American groups conducted pursuant to Assembly Bill 52 and Senate Bill 18 did not result in the identification of any tribal cultural places under Senate Bill 18 or tribal cultural resources under CEQA within the Study Area. The Tejon Indian Tribe indicated that it considers the project site highly culturally sensitive due to the potential for discovery of cultural and tribal cultural resources on the site.

As described in Section 4.5.5, *Cultural Resources – Regulatory Setting,* of the EIR, the Study Area has the potential to contain previously unknown archaeological deposits that may underlie the ground surface. Should buried archaeological deposits be uncovered during project implementation, and should such resources qualify as tribal cultural resources under CEQA, they could be subject to significant impacts. To reduce potential impacts to less than significant, Mitigation Measures MM 4.5-1 through MM 4.5-5 require cultural resources, including tribal cultural resources, sensitivity training for construction workers; establishment of an exclusion area around archaeological and tribal cultural resource sites for avoidance or, if sites cannot be avoided, implementation of a subsurface testing plan, if appropriate, to evaluate CRHR eligibility status, and development of additional mitigation strategies in consultation with a Native American monitor for sites that qualify as tribal cultural resources under CEQA; archaeological and Native American monitoring during construction; and appropriate treatment of unearthed archaeological and tribal cultural resources during construction.

There is no indication, either from research results or the archaeological survey, that any particular location within the Study Area has been used for human burial purposes in the recent or distant past. In the event that human remains are inadvertently discovered during project construction activities, the human remains could be damaged or disturbed, which would be a significant impact. Existing regulations identified as Mitigation Measure MM 4.5-5 would ensure that any human remains encountered during project construction are properly treated, thus reducing potential impacts to a less-than-significant level.

Finding

The project could cause a substantial adverse change in the significance of a tribal cultural resource. Implementation of Mitigation Measures MM 4.5-1 through MM 4.5-5, as described under Findings for Cultural Resources, above, would reduce impacts to a less than significant level.

Level of Significance

With implementation of the Mitigation Measures MM 4.5-1 through MM 4.5-5, impacts would be less than significant.

Brief Explanation of the Rationale for the Finding

CEQA requires that all feasible and reasonable mitigation be applied to the project to reduce impacts. Implementation of Mitigation Measures MM 4.5-1 through MM 4.5-5, as described under Findings for *Cultural Resources*, above, would reduce impacts to less than significant.

Significant Effect

The project would cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe that is a resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe (Impact 4.16-1b).

Description of Significant Impact

As noted above, no tribal cultural resources were identified as part of the County's government-to-government notification and consultation efforts with interested Native American groups conducted pursuant to Assembly Bill 52 and Senate Bill 18.

Given that no tribal cultural resources have been identified within the Study Area based on the Cultural Resource Phase I Investigation Report (Appendix F1 to the EIR) prepared for this project, the proposed project would not cause a substantial adverse change in the significance of a known tribal cultural resource. However, as discussed above under Impact 4.16-1a, the Study Area has the potential to contain previously unknown archaeological deposits that may underlie the ground surface. Should buried archaeological deposits be uncovered during project implementation, and should such resources qualify as tribal cultural resources under CEQA and meet CRHR eligibility criteria, they could be subject to significant impacts. Therefore, implementation of Mitigation Measures MM 4.5-1 through MM 4.5-5 included Findings for *Cultural Resources* (above), would reduce potential impacts to tribal cultural resources to a less than significant level.

Finding

The project would not cause a substantial adverse change in the significance of a tribal cultural resource. Implementation of Mitigation Measures MM 4.5-1 through MM 4.5-5, as described under Findings for *Cultural Resources*, above, would further reduce the potential for impacts to tribal cultural resources.

Level of Significance

With implementation of Mitigation Measures MM 4.5-1 through MM 4.5-5, impacts would be less than significant.

Brief Explanation of the Rationale for the Finding

CEQA requires that all feasible and reasonable mitigation be applied to the project to reduce impacts. While impacts would be less than significant, implementation of Mitigation Measures MM 4.5-1 through MM 4.5-5, as described under Findings for *Cultural Resources*, would further reduce the potential for impacts to tribal cultural resources.

C. Environmental Effects of the Project that Cannot Be Mitigated to a Less Than Significant Level.

None.

D. Cumulative Environmental Effects of the Proposed Project that Would Have a Less Than Significant Impact on the Environment.

Significant Effect

The proposed project has the potential to contribute a significant cumulative environmental impact on tribal cultural resources.

Description of Significant Impact

The geographic scope for cumulative cultural resources impacts is considered the Antelope Valley. This geographic scope of analysis is appropriate because the tribal cultural resources within the region are expected to be similar to those that may occur within the Study Area because of their proximity, their similarities in environments and landforms, and their location within the same Native American tribal territories. Further, this is a large enough area to encompass any effects of the proposed project on tribal cultural resources that may combine with similar effects caused by other past, current, and reasonably foreseeable future projects, and provides a reasonable context wherein cumulative actions could affect cultural resources. As shown in Figure 3-18, *Cumulative Projects,* there are 48 cumulative projects proposed, approved, or recently constructed in the Antelope Valley vicinity.

Development of the proposed project, in combination with other projects in the area, has the potential to contribute to a cumulatively significant tribal cultural resources impact due to the potential loss of tribal cultural resources unique to the region. However, as discussed above, no tribal cultural resources have been identified in the Study Area and the proposed project would not have a significant impact on tribal cultural resources. Therefore, the proposed project's incremental effect is not cumulatively considerable when viewed in connection with the effects of other closely related past projects, the effects of other current projects and the effects of probable future projects; thus, the proposed project would not have a cumulatively considerable contribution to impacts to tribal cultural resources.

Finding

The project has the potential to contribute to a cumulatively significant tribal cultural resource impact. Implementation of Mitigation Measures MM 4.5-1 through MM 4.5-5, as described above, would reduce cumulative impacts to less than significant.

Level of Significance

With implementation of Mitigation Measures MM 4.5-1 through MM 4.5-5, cumulative impacts would be less than significant.

Brief Explanation of the Rationale for the Finding

CEQA requires that all feasible and reasonable mitigation be applied to the project to reduce impacts. Implementation of Mitigation Measures MM 4.5-1 through MM 4.5-5 above, would reduce cumulative impacts to less than significant.

E. Cumulative Environmental Effects of the Proposed Project that Would Have a Significant and Unavoidable Impact on the Environment.

None.

17. UTILITIES AND SERVICE SYSTEMS

A. Environmental Effects of the Project Found to Have No Impact on the Environment, or Have a Less Than Significant Impact on the Environment

The project would have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years (Impact 4.17-2).

The project would not result in a determination by the wastewater treatment provider, which serves or may serve the project that it has inadequate capacity to serve the project's projected demand in addition to the provider's existing commitments (Impact 4.17-3).

B. Environmental Effects of the Project that Are Potentially Significant, but that Can Be Mitigated to Less Than Significant Levels

Significant Effect

The project would require or result in the relocation or construction of new or expanded water, wastewater treatment or stormwater drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects (Impact 4.17-1).

Description of Significant Impact

The proposed project would require an estimated 451 acre-feet (AF) of water during the approximately 26-month construction period. The yearly water demand for the project is assumed to be approximately 205 AF per year (26 months divided by 12 and multiplied by 205) for common construction-related purposes, including, but not limited to, dust suppression, soil compaction, and grading and dust control for ingress and egress of onsite construction vehicle equipment traffic and for project facilities construction (Tetra Tech, 2025). A similar quantity of water would be required during decommissioning. The primary source of water used during construction and decommissioning would be sourced exclusively from the FVGB, either from a municipal source such as the Mojave Public Utilities District (MPUD) or new or existing wells (Tetra Tech, 2025); well water is not expected to require treatment for construction use. Non-potable water would be supplied by a municipal supplier such as MPUD, or new or existing water wells that draw from the FVGB and have proven to have sufficient water supply. Further, recent evaluations of water supply availability within the FVGB indicate that MPUD will have an available surplus of water through 2060. For these reasons, potential impacts during construction and decommissioning would be less than significant.

Construction and decommissioning of the project would generate a minimal volume of wastewater. During construction activity, wastewater would be contained within portable toilet facilities and disposed of at an approved disposal site. The same would be true during decommissioning. The Kern County Environmental Health Services Division is responsible for monitoring the use of portable toilet facilities, and a condition of approval would require the project applicant/proponent to provide documentation of a portable toilet pumping contract. No offsite sewage or disposal connections to a municipal sewer system exist or are proposed; thus, potential impacts during construction and decommissioning would be less than significant.

Water used during construction would run off into drainage features on the project site, which, as previously mentioned, are scattered and discontinuous. As a result, surface runoff events would generally be brief and infrequent, with rapid infiltration into the sandy substrate, and/or shallow ponding in low-lying areas quickly followed by high evaporation. Mitigation Measure MM 4.10-1 would require implementation of a SWPPP during construction, which would include BMPs designed to prevent the occurrence of soil erosion and discharge of other construction-related pollutants that could contaminate water quality. There are no constructed stormwater drainage systems present onsite and stormwater on the project site either percolates onsite or drains offsite by way of existing ephemeral drainages. Further, per Mitigation Measure MM 4.10-2, a Final Drainage Plan would be prepared in accordance with the Kern County Development Standards and Kern County Code of Building Regulations which would demonstrate the ability of any planned onsite storm drainage to adequately collect onsite stormwater flows in accordance with all applicable standards and BMPs. Thus, the project would not increase or alter runoff patterns such that new or expanded stormwater drainage facilities would be required. No offsite connections to a municipal stormwater facility exist or are proposed. Similar impacts are expected during decommissioning. Thus, potential impacts during construction and decommissioning would be less than significant.

Power required for project construction and decommissioning activities, such as for the temporary construction trailers, would be provided via portable generators or temporary local distribution. SCE operates distribution circuits in the project area. The project proponent would coordinate with SCE to obtain access to a nearby distribution circuit, if needed. The improvements needed to interconnect into the distribution circuit would occur within the proposed development footprint. The project does include the construction of the generation tie (gen-tie) line and overhead and/or underground line(s) that would transmit electricity to the existing SCE Windhub Substation. SCE would also relocate an existing transmission line and perform work within and adjacent to the Windhub Substation, as described further below. However, all potential impacts from this work are discussed within the respective sections of this EIR. Thus, potential impacts during construction and decommissioning would be less than significant.

Natural gas would not be required to support construction or decommissioning activities. No offsite natural gas connections are proposed during construction; thus, no impacts during construction or decommissioning would occur.

Telecommunications via fiber optic lines would be required to support construction or decommissioning activities. Telecommunications would be supported by radio links, satellite, and cellular service during construction. The project would connect to telecommunication fiber optic lines owned and managed by AT&T or an alternative provider. The cabinet holding the telecommunication connection equipment would have a base of approximately 4 feet by 2 feet and would be approximately 5 feet in height. From the point of demarcation, an underground or overhead fiber optic cable would be installed within the project footprint to connect the cabinet to the supervisory control and data acquisition equipment within the onsite collector substation. No offsite telecommunication connections are proposed during construction; thus, no impacts during construction or decommissioning would occur.

During operations, water would be provided from the MPUD or existing or new onsite or offsite water wells. Water would be required for PV panel washing, equipment washing, and other miscellaneous water uses, including O&M building use (if constructed), and a permanent water source in the form of trucked water, well water (from onsite and/or offsite wells), and/or bottled water would be provided for staff. Although PV panel washing is expected to occur once per year, the panels may need to be washed up to twice a year based on site conditions, such as usual weather occurrences, wild/forest fires, local air pollutants, and other similar conditions. Water consumption is expected to be approximately 0.28 gallon per square yard of panel, based on other similar operations. Given a 600-MW facility, with two cycles per year, the annual water usage is expected to be approximately 6 AF of water. This amount includes the water necessary for project operations, fire suppression, and site maintenance. Onsite water resources would also include aboveground fire water tank(s),

which would be placed at designated locations throughout the project site, including near battery energy storage system locations, if installed as a part of the project. Final locations and tank volumes would be subject to review and approval by the Kern County Fire Department.

As stated above, the primary source of water used during operations would be sourced from the FVGB, either from a municipal source such as MPUD or new or existing wells. Well water is not expected to require treatment and could be pulled directly from the well for operational use. Installation of onsite wells would be in accordance with Kern County standards and requirements and, thus, would not result in impacts. For these reasons, the project would not require or result in the construction of new water facilities, which could cause significant environmental effects; thus, potential impacts during operation and maintenance would be less than significant.

The project would not require or result in the relocation or construction of new or expanded municipal wastewater facilities, and no connection to a public wastewater system is required or proposed. It is anticipated that approximately six permanent full-time employees would be needed to maintain the project. A permanent O&M facility and/or small satellite offices would be built onsite to facilitate rapid repair of equipment. Permanent restroom facilities with septic tanks and/or portable toilets would be used for sanitary purposes. Wastewater generated is expected to be minimal from the six employees and would not require connection to a wastewater treatment provider. Wastewater generation occurring within the project site contained in portable toilets would be emptied at an existing, approved, offsite disposal site as part of regular, ongoing project-related maintenance. Onsite O&M facilities may alternatively pursue the installation of an onsite septic system, which would be permitted in accordance with the Kern County Public Health Environmental Health Division permitting process. Therefore, potential impacts would be less than significant.

As previously mentioned, there are no constructed stormwater drainage systems present onsite. As noted above and discussed in Section 4.10, *Hydrology and Water Quality,* of the EIR, Mitigation Measure MM 4.10-2 would be implemented as a part of the proposed project and requires preparation of a Final Drainage Plan to reduce potential increases in stormwater runoff onsite and would detail any necessary physical structures required to control stormwater. These structures would be developed onsite along with the rest of project construction. No offsite disposal connections to a municipal stormwater facility exist or are proposed; thus, potential impacts during O&M would be less than significant.

Power for operational and maintenance activities would be provided by the project's electrical generation or supplied by the local power provider. SCE operates distribution circuits in the project area. The project proponent would coordinate with SCE to obtain access to a nearby distribution circuit, if needed. The project would not require or result in the construction of new electrical facilities, which could cause significant environmental effects; thus, potential impacts during operation and maintenance would be less than significant.

No natural gas is anticipated to be required for operation and maintenance of the project. The project would not require or result in the construction of new gas facilities, which could cause significant environmental effects; thus, no impacts during operation and maintenance would occur.

Telecommunications via fiber optic lines would be required to support operation and maintenance facilities. The project would use local exchange carrier services for telecommunication to support remote monitoring requirements. It would connect to telecommunication fiberoptic lines owned and managed by AT&T or an alternative provider. Telecommunications would be supported by fiber optic lines installed underground within the footprint of the project to connect the supervisory control and data acquisition equipment within the solar collector substations to local telecommunication lines within the project area. No offsite telecommunication connections are proposed during operation and maintenance located beyond the

development footprint; thus, potential impacts during operation and maintenance would be less than significant.

Finding

The project has the potential to require or result in relocation or construction of new or expanded water, wastewater treatment or stormwater drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects. Implementation of Mitigation Measure MM 4.10-1 and MM 4.10-2, described above in Findings for *Hydrology and Water Quality*, would reduce those impacts to a less than significant level.

Level of Significance

With implementation of Mitigation Measures MM 4.10-1 and MM 4.10-2, impacts would be less than significant.

Brief Explanation of Rationale for Finding

CEQA requires that all feasible and reasonable mitigation be applied to the project to reduce impacts. Implementation of Mitigation Measure MM 4.10-1 and MM 4.10-2, described above in Findings for Hydrology and Water Quality, would reduce these impacts to a less than significant level.

Significant Effect

The project would generate solid waste in excess of state or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals (Impact 4.17-4).

Description of Significant Impact

It is anticipated the project would not generate substantial amounts of nonrecyclable waste during construction. Currently, the project site is largely undeveloped and, therefore, there would be minimal demolition or removal of large debris. The project anticipates the demolition of multiple abandoned and/or previously occupied structures, as well as associated non-occupied accessory structures. Materials brought to the project site would be used to construct facilities, and few residual materials are expected. Solar modules would be delivered to the site via shipping containers packaged using wood and cardboard materials. The shipping containers materials for module deliveries would be recycled and are not anticipated to generate nonrecyclable waste. Common construction waste may include paper, wood, glass, plastics from packing material, waste lumber, insulation, scrap metal and concrete, empty nonhazardous containers, and vegetation wastes. Any hazardous waste generated during construction would be disposed of at an approved location. In addition, with implementation of Mitigation Measure MM 4.1-1, as discussed in Section 4.1, *Aesthetics,* of the EIR, a Maintenance, Trash Abatement, and Pest Management Program would be required to establish proper debris clearing, trash removal, and recycling protocols. Any hazardous waste generated during construction would be disposed of at an approved location.

Nonhazardous construction refuse and solid waste would either be collected and recycled or disposed of at a local landfill. The Mojave-Rosamond Recycling and Sanitary Landfill (approximately 4 miles to the west of the project area) is the closest landfill to the project site and, therefore, would be the most likely recipient of solid waste generated during project construction. The Mojave-Rosemond Recycling and Sanitary Landfill has a remaining capacity of 76,310,297 cubic yards (cy) with an anticipated closure year of 2123 (CalRecycle, 2019a). The next closest landfill is the Tehachapi Sanitary Landfill, which is located approximately 20 miles north of the project site in Tehachapi, with a remaining capacity of 522,298 cy. Both

landfills are Class III landfills and, therefore, accept wastes from construction and demolition as well as industrial sources, but do not accept hazardous waste, hot ashes, and liquids of any kind. As shown in Table 4.17-1, *Summary of Kern County Public Works Landfills,* both landfills have significant capacity remaining. In addition, with implementation of Mitigation Measure MM 4.17-1, a recycling coordinator would ensure the separation and proper disposal of recyclable materials and solid waste during construction. Therefore, potential impacts to existing landfills during project construction are anticipated to be less than significant.

During operation, little to no solid waste would be generated. The O&M would include approximately six permanent employees, and the only waste generated onsite would result from O&M activities. The Mojave Rosamond Recycling and Sanitary Landfill would continue to operate through 2123 and is expected to continue to serve the project throughout the rest of its operation. In addition, with implementation of Mitigation Measure MM 4.17-1, as discussed below, a recycling coordinator would ensure the separation and proper disposal of recyclable materials and solid waste generated during project operation, thereby further reducing solid waste generated during operation. Therefore, potential impacts related to landfill capacity would be less than significant with implementation of Mitigation Measure MM 4.17-1.

At the end of the project's anticipated operational life of up to approximately 35 years, the project proponent would determine at the time whether the project site should be decommissioned and deconstructed, or if it would seek an extension of its operation and the appropriate permitting pathways. If any portion of the project site is decommissioned, all solar energy generation structures would be removed to facilitate conversion of the site to other uses in accordance with the applicable land use regulations in effect at that time. Solar photovoltaic (PV) panels contain valuable materials that would likely be reused and recycled at the end of their useful life. Solar panel manufacturers have identified that approximately 90 percent of materials in solar panel modules can be recycled. Site infrastructure would be removed, including the fences and the concrete pads that may support the inverters, transformers, and related equipment; concrete posts would be removed to grade level; and all materials would be recycled to the extent feasible. As the energy storage system is dismantled and removed, the batteries would be discharged, hauled offsite, and recycled or disposed of at an appropriate location in accordance with all applicable hazardous waste requirements. Decommissioning of the gen-tie line would not generate substantial amounts of solid waste.

As stated above, the Mojave-Rosamond Recycling and Sanitary Landfill is expected to be in operation through 2123 and would serve as a solid waste disposal location during project decommissioning. Per Mitigation Measure MM 4.17-1, a collection and recycling program would be implemented during decommissioning to recycle project components and minimize disposal of project components in landfills. Project roads would be restored to their preconstruction condition unless the landowner elects to retain the improved roads for access throughout that landowner's property. The area would be thoroughly cleaned, and all debris removed. A collection and recycling program would be executed to promote recycling of project components and minimize disposal in landfills. Therefore, potential impacts related to landfill capacity would be less than significant during decommissioning with implementation of Mitigation Measure MM 4.17-1.

Finding

The project has the potential to generate solid waste in excess of state or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals. However, implementation of Mitigation Measure MM 4.1-1, discussed above in the Findings for Aesthetics, and MM 4.17-1, described below, would reduce impacts to less than significant levels.

Level of Significance

With implementation of Mitigation Measures MM 4.1-1 and MM 4.17-1, impacts would be less than significant.

Brief Explanation of the Rationale for the Finding

CEQA requires that all feasible and reasonable mitigation be applied to the project to reduce impacts. Implementation of Mitigation Measure MM 4.1-1, discussed above in the Findings for *Aesthetics*, and MM 4.17-1, below, would reduce these impacts to a less than significant level.

MM 4.17-1: Prior to issuance of a grading or building permit, an onsite Waste Disposal and Recycling Coordinator shall be designated by the project proponent/operator to facilitate waste disposal and recycling as part of the Maintenance, Trash Abatement, and Pest Management Program. The provisions listed below shall apply to the project:

a. The project proponent/operator shall provide a storage area (or areas) for waste and recyclable materials within the fenced project site that is clearly identified for waste and recycling. This area shall be maintained on the site during construction, operations and decommissioning.

b. During construction, operation, and decommissioning, debris and waste generated shall be recycled to the extent feasible.

c. The Waste Disposal and Recycling Coordinator shall facilitate recycling of all construction and decommissioning waste through coordination with contractors, local waste haulers, and/or other facilities that recycle construction/demolition wastes.

d. The Waste Disposal and Recycling Coordinator shall coordinate with Kern County Public Works Department – Solid Waste Division the acceptance for disposal or recycling of construction and decommissioning waste prior to being transported to any public disposal facility.

e. The Waste Disposal and Recycling Coordinator shall ensure that materials transported to public disposal facilities for recycling shall be separated by material type so as not to be co-mingled or contaminated with waste material.

f. The Waste Disposal and Recycling Coordinator shall also be responsible for ensuring wastes requiring special disposal are handled according to State and County regulations that are in effect at the time of disposal.

g. Contact information of the coordinator shall be provided to the Kern County Planning and Natural Resources Department prior to issuance of building permits.

Significant Effects

The project would comply with federal, State, and local management and reduction statutes and regulations related to solid waste (Impact 4.17-5).

Description of Significant Impact

The project would generate solid waste during construction, operation, and decommissioning. Common construction waste may include paper, wood, glass, plastics from packing material, waste lumber, insulation, scrap metal and concrete, empty nonhazardous containers, and vegetation wastes. The 1989 California Integrated Waste Management Act (Assembly Bill 939) requires Kern County to attain specific waste diversion goals. In addition, the California Solid Waste Reuse and Recycling Access Act of 1991, as

amended, requires expanded or new development projects to incorporate storage areas for recycling bins into the project. In 2011, the State passed Assembly Bill 341, which established a policy goal that a minimum of 75 percent of solid waste must be reduced, recycled, or composted by the year 2020. In addition, as part of compliance with CALGreen requirements, Kern County implements the following construction waste diversion requirements:

- Submittal of a Construction Waste Management Plan;
- Recycle and/or reuse a minimum of 65 percent of construction and demolition waste; and
- Recycle or reuse 100 percent of tree stumps, rocks, and associated vegetation and soils resulting from land clearing.

Furthermore, the California Solid Waste Reuse and Recycling Access Act of 1991, as amended, requires expanded or new development projects to incorporate storage areas for recycling bins into the project design. Implementation of Mitigation Measure MM 4.17-1 would ensure compliance with all waste diversion and recycling requirements by requiring recycling during construction, operation, and decommissioning of the project. The project would be required to comply with all federal, State, and local statutes and regulations related to the handling and disposal of solid waste. Therefore, implementation of the project would result in less than significant impacts.

Finding

The project has the potential to result in less than significant impacts related to compliance with federal, State, and local management and reduction statutes and regulations related to solid waste. Implementation of Mitigation Measure MM 4.17-1, described above, would ensure impacts remain less than significant.

Level of Significance

With implementation of the Mitigation Measure MM 4.17-1, impacts would be less than significant.

Brief Explanation of Rationale for the Finding

CEQA requires that all feasible and reasonable mitigation be applied to the project to reduce impacts related to solid waste management and reduction statutes. Implementation of Mitigation Measure MM 4.17-1 would ensure impacts remain less than significant.

C. Environmental Effects of the Project that Cannot Be Mitigated to a Less Than Significant Level.

None.

D. Cumulative Environmental Effects of the Proposed Project that Would Have a Less Than Significant Impact on the Environment.

Significant Effects

The proposed project would have a cumulative environmental impact on utilities and service systems.

Description of Significant Impact

Past, present, or reasonably foreseeable future projects within the Antelope Valley are listed in Table 3-5, *Cumulative Projects List,* in Chapter 3, *Project Description,* of the EIR. The geographic scope for impacts to utilities and service systems includes projects within the service area for each of the utility providers described above, which includes demands on water supply, wastewater, stormwater drainage, and solid waste disposal. The scope for impacts to water and wastewater includes projects within the FVGB. The scope for impacts to stormwater drainage and solid waste disposal includes projects that rely on the same infrastructure and solid waste disposal facilities. Impacts of the project would be cumulatively considerable if the incremental effects of the project when combined with other past, present, or reasonably foreseeable projects would result in a significant cumulative effect.

Physical impacts to public services, utilities, and service systems are usually associated with population in-migration and growth in an area, which increase the demand for a particular service, leading to the need for expanded or new facilities. There is little to no growth associated with the project and nearby other solar and wind energy projects, thereby limiting the potential to contribute to demand for a particular service. As described above, the project would place few demands on water, wastewater, stormwater drainage, electricity telecommunications, and solid waste disposal (during construction and operation). As described above, the project would place no demands on natural gas.

As described in Chapter 3, *Project Description,* of the EIR, 48 projects are proposed in the project vicinity that have the potential to impact existing water supply, if the projects were also to draw water from the FVGB. The projects could potentially draw from MPUD which include a series of existing wells, or rely on new or existing water service hydrants, wells, transmission pipelines, or truck in their water supply. Therefore, the cumulative projects have the potential to result in significant impact on water supply within the local vicinity.

As described under Impact 4.17-2, the project would need minimal water supply during construction, operation, and decommissioning, particularly compared to other existing and historic uses in the area, such as agricultural activities. Non-potable water would be supplied by a municipal supplier such as MPUD, and/or onsite or offsite water wells which draw from the FVGB and have proven to have sufficient water supply in comparison to the project demand and anticipated future demands from other development as shown in Table 4.17-2, *Projected Water Provider Supply Availability.* Therefore, cumulative impacts would be less than significant, and the project's contribution to cumulative water supply impacts would be less than cumulatively considerable.

With regard to wastewater, the project is located in an area with no wastewater treatment provider and is not expected to generate a significant amount of wastewater. Wastewater produced during construction would be collected in portable toilet facilities and disposed of at an approved facility. Wastewater generated during project operations would be collected in portable toilets emptied as part of regular ongoing project-related maintenance and disposed of at an existing, approved, offsite disposal site. Onsite O&M facilities may alternatively pursue the installation of an onsite septic system, which would be permitted in accordance with the Kern County Public Health Environmental Health Division permitting process. Well water used onsite is not anticipated to require treatment for construction and operational uses; bottled potable water would be trucked to the site during construction. Similar to the project, other solar projects would generate the same minimal amounts of wastewater. Therefore, cumulative impacts would be less than significant, and the project would not contribute to any cumulative impact on regional wastewater treatment facilities or capacity.

As described above, there are no constructed stormwater drainage systems present onsite and stormwater on the project site either percolates onsite or drains offsite by way of existing ephemeral drainages. Per Mitigation Measure MM 4.10-2 (see Findings for *Hydrology and Water Quality* for full mitigation measure text a Final

Drainage Plan would be prepared in accordance with the Kern County Development Standards and Kern County Code of Building Regulations. The Final Drainage Plan would include postconstruction structural and nonstructural BMPs that could include features such as drainage swales for collection of runoff prior to offsite discharge. The Final Drainage Plan would demonstrate the ability of any planned onsite storm drainage to adequately collect onsite stormwater flows in accordance with all applicable standards and BMPs. Thus, the project would not increase or alter runoff patterns such that new or expanded stormwater drainage facilities would be required. These structures would be developed onsite along with the rest of project construction. Surrounding projects would also be required to prepare a drainage plan in accordance with Kern County Development Standards and Kern County Code of Building Regulations, which would help avoid substantial increases of stormwater generated onsite by their proposed ground disturbance; depending on the findings of their drainage plan, these projects may need to construct stormwater control structures onsite to reduce the potential for increased stormwater runoff. Additionally, as with the project, all other projects would be expected to prepare a SWPPP, per Mitigation Measure MM 4.10-1, which would include BMPs designed to prevent the mixture of sediment and other pollutants with stormwater and degrading water quality. Therefore, the project would not contribute to cumulatively considerable impacts related to stormwater drainage facilities.

The proposed project would generate a minimal amount of non-recyclable solid waste. The Mojave-Rosamond Landfill is expected to operate until 2123. To ensure that the project reduces the amount of waste sent to these landfills, implementation of Mitigation Measure MM 4.17-1 requires that debris and waste generated shall be recycled to the extent feasible, and an onsite recycling coordinator be designated by the project proponent to facilitate recycling efforts. Additionally, Mitigation Measure MM 4.1-1, as discussed in Section 4.1, *Aesthetics,* of the EIR, a Maintenance, Trash Abatement, and Pest Management Program would require the project to implement a debris clearing, trash removal, and recycling protocol to further promote proper waste management. Surrounding projects would also be required to comply with all applicable ordinances in place designed to reduce the amount of solid waste disposed in landfills. Therefore, the proposed project would not contribute to a cumulatively considerable impact related to landfill capacity exceedance.

The project includes construction of a gen-tie line that would tie into the existing Windhub Substation and generate up to 600 MW of renewable electrical energy and up to 4 GWh of energy storage capacity to the statewide utility grid. Electricity demand of the project would be minimal during construction, and operations and would be provided by the onsite PV system in combination with SCE distribution facilities. This project, in combination with other cumulative solar projects in East Kern County, would provide renewable energy to support existing demand and projected growth and, therefore, provide a beneficial cumulative impact on electrical demand and facilities.

The project does not include the relocation of existing natural gas facilities on the project site and natural gas would not be required for construction or operation of the project. Therefore, the project would not contribute to a cumulatively considerable impact related to natural gas demand and facilities.

The project in combination with cumulative projects would increase demand on telecommunication facilities. However, demand associated with energy projects and other cumulative development would be minimal and is expected to be within the planning forecasts of the affected telecommunications provider. Therefore, cumulative impacts related to telecommunications facilities would be less than significant. In conclusion, the proposed project would be largely self-contained and would not have a significant impact on public utilities. The incremental effects of the proposed project would also not be substantial enough to result in a cumulatively considerable impact on utilities and service systems with implementation of Mitigation Measures MM 4.10-1, MM 4.10-2, and MM 4.17-1. Furthermore, the proposed project would result in a beneficial impact on utility services and offset future stress on energy service providers as energy demand grows in Kern County and Southern California.

Finding

The proposed project has the potential to result in cumulatively considerable impacts related to stormwater drainage and solid waste. However, implementation of Mitigation Measure MM 4.1-1, as described in Findings for *Aesthetics*, MM 4.10-1 and MM 4.10-2, as described above in Findings for *Hydrology and Water Quality*, and Mitigation Measure MM 4.17-1, described above, would reduce these impacts to a less than significant level.

Level of Significance

With implementation of Mitigation Measures MM 4.1-1, MM 4.10-1, MM 4.10-2, and MM 4.17-1, cumulative impacts would be less than significant.

Brief Explanation of Rationale for the Finding

CEQA requires that all feasible and reasonable mitigation be applied to the project to reduce impacts. Implementation of Mitigation Measures MM 4.1-1, MM 4.10-1, MM 4.10-2, and MM 4.17-1 would be required (see Findings above discussing *Aesthetics,* and *Hydrology and Water Quality*) would reduce impacts to a less than significant level.

E. Cumulative Environmental Effects of the Proposed Project that Would Have a Significant and Unavoidable Impact on the Environment.

None.

18. WILDFIRE

A. Environmental Effects of the Project Found to Have No Impact on the Environment, or Have a Less Than Significant Impact on the Environment

The project would not substantially impair an adopted emergency response plan or emergency evacuation plan (Impact 4.18-1).

B. Environmental Effects of the Project that Are Potentially Significant, but that Can Be Mitigated to Less Than Significant Levels

Significant Effect

The project would, due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire (Impact 4.18-2).

Description of Significant Impact

Slope and wind speed can influence the spread of fires. Upslope topography eventually increases the spread rate of the fire in all fuel beds when compared to flat conditions. As described in Chapter 3, *Project Description*, of the EIR, elevations across the project site range from approximately 2,460 feet above mean sea level in the southeast portion of the project site to 2,900 feet above mean sea level in the northwest portion of the project site. Due to the project site having low topographic relief and being relatively flat, slope will not be a material contributing factor to the spread rate of potential fires.

In the event of a wildfire within the area, any employees occupying the site would be evacuated at the time of the event, and/or evacuated well in advance of an approaching wildfire, in conformance with applicable County evacuation directives put in place. Such measures would ensure that the exposure of project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of wildfire from prevailing winds would be minimized to the extent feasible.

The project site and most of the gen-tie line are classified as LRA Moderate, and the westernmost portion of the gen-tie line is within an area categorized as SRA Moderate; thus, the potential for wildfire on the project site exists, but is not considered high. The landscape of the project site consists of primarily low topographic relief and sparse vegetation with little potential for fuel buildup, as stated previously in Chapter 3, *Project Description.* Site preparation includes trash removal, mowing, and clearing of vegetation that would unduly interfere with project construction or the health and safety of onsite personnel and further reducing vegetation fuel buildup. Additionally, project construction would comply with applicable existing codes and ordinances related to the maintenance of mechanical equipment, handling and storage of flammable materials, cleanup of spills of flammable materials, and vegetation management.

Project design established a 100-foot setback by eliminating all vegetation within 100 feet of the battery energy storage yards to align with the definition of a "remote" facility (CFC Section 1207.8.1) and to provide a conservative fire break setback. The project will also comply with the requirements of California Public Utilities Code Section 761.3, which requires battery energy storage facilities to have an emergency response and emergency action plan covering the premises of the facility that is prepared in coordination with local emergency management agencies, unified program agencies, and local first responders. The project proponent/operator will work with first responders to develop these plans and to coordinate site-specific training for first responders.

Wildfire risk associated with the BESS would be minimal due to a combination of factors including installation/use of only outdoor cabinet-type BESS enclosures like the examples in Figure 3-16, *Battery Energy Storage System,* of the EIR which limit the "fuel" in a fire event because they are made of non-combustible metals; conducting LSFT that, during a worst case fire scenario within a cabinet, ensures the fire does not extend beyond a single enclosure; implementation of requisite spacing and setbacks per the fire code and HMA based on the LSFT; installation of rock/aggregate base foundations; and strict vegetation clearing and ongoing management per the Fire Safety Plan. If an outdoor battery cabinet-type BESS enclosure were to catch fire, the primary fuel is gas from the breakdown of electrolytes and synthetic polymers because the materials of the enclosure structure are non-combustible metals; therefore, no embers are produced. Instead, a cabinet-type battery fire spreads to other exposures primarily through thermal radiation (i.e., adjacency to heat). As part of the HMA, which will be submitted for KCFD approval as part of the building permit application, a thermal radiation analysis will be performed to confirm that a battery fire will not pose an ignition risk to other exposures (including vegetation) at a 100-foot distance. As stated, project design includes a conservative 100-foot setback from onsite vegetation to battery cabinets, which is well beyond the 10-foot CFC Section 1207.8.3 requirement. In addition, the project includes a minimum 300-foot setback to adjacent property lines. Therefore, sufficient distance between BESS containers and onsite or offsite vegetation will be established and continuously maintained to eliminate risk of fire spread to adjacent vegetation. Further, no BESS fires in the United States have resulted in offsite fires. Therefore, potential wildfire risk impacts associated with BESS at the project site are considered less than significant.

As discussed in Section 4.14, *Public Services,* of the EIR, the project proponent/operator shall develop and implement a Fire Safety Plan that contains notification procedures and emergency fire precautions consistent with the 2022 California Fire Code and Kern County Fire Code plus procedures on vegetation clearing and maintenance for use during construction, operation and decommissioning, per implementation of Mitigation Measure MM 4.14-1. Under the Fire Safety Plan, construction and maintenance personnel would also be trained and equipped to extinguish small fires, thus reducing the risk of fire onsite, and information would be

provided to first responders about the type of battery energy storage technology onsite, potential hazards and mitigations, and recommended firefighting tactical procedures in case of a fire incident.

Wildfire risk along the gen-tie corridor would be minimal due to the lack of substantial vegetation, and concrete foundations would further reduce the spread of fire. As described previously, fire safety measures would be implemented to ensure that operation of the project components, including the gen-tie line, in accordance with applicable fire protection and environmental, health, and safety requirements. Although the potential for wildfire does exist, the project site's flat topography and equipment layout, sparse vegetation, strict vegetation management during construction and operation, employee and fire fighter training, and implementation of Mitigation Measure MM 4.14-1, the project would not create conditions that would exacerbate wildfire risks. There is a low potential that the project would expose project occupants to pollutant concentrations from a wildfire or lead to the uncontrolled spread of wildfire due to slope, prevailing winds, and other factors. Therefore, potential impacts would be less than significant.

Finding

The proposed project has the potential to exacerbate fire risk due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire. Implementation of Mitigation Measure MM 4.14-1, as described under Findings for *Public Services*, would reduce these impacts to a less than significant level.

Level of Significance

With implementation of Mitigation Measure MM 4.14-1, impacts would be less than significant.

Brief Description of Rationale for Finding

CEQA requires that all feasible and reasonable mitigation be applied to the project to reduce impacts. Implementation of Mitigation Measure MM 4.14-1, described above under Findings for Public Services, would reduce these impacts to a less than significant level.

Significant Effect

The project would require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment (Impact 4.18-3).

Description of Significant Impact

The project would include the construction of solar PV panels, energy storage system(s), electrical collection systems and inverters, an onsite collector substation, a gen-tie line, telecommunications facilities, a 230-kilovolt (kV) switchyard, supporting equipment, SCE interconnection upgrades, and access roads that could potentially exacerbate fire risk and result in temporary or ongoing impacts to the environment. The collection system would connect to the solar panels via above- and underground wiring. Underground electrical cables (underground collection system) would be installed from groups of PV arrays that would be arranged into power blocks. All electrical inverters and the transformers would be dispersed among the arrays and installed on prefabricated metal skids that would sit on steel pier foundations or concrete foundations, depending on the design. The inverter pad transformers would step up the voltage of the array output to 34.5 kV, which would be collected at the onsite circuit breakers or switchgear positions. From the circuit breakers or switchgear positions, the medium-voltage collector lines would be routed underground or aboveground to the onsite collector substation. The onsite collector substation is the termination point of the collection system.

At the onsite collector substation, the output of the field of interconnected arrays would be passed through an interconnection step-up transformer to convert it from 34.5 kV to 230 kV. The onsite collector substation would host the grid intertie safety equipment, transformers and switches required to step the voltage up from 34.5 kV to 230 kV and interconnect to the high-voltage transmission system (gen-tie line). Ultimately, the power would then be delivered to the proposed 230-kV switchyard. At this switching area, which consists of 230-kV breakers, poles and structures, disconnect switches, bus work, a control shelter, and other high-voltage equipment, the project conductors will be routed off of the Enterprise Solar Storage Project gen-tie poles and onto its own transmission line poles that continue north and then west to the SCE Windhub Substation. These facilities would be installed in accordance with all County and State building codes.

New internal unpaved roads would be constructed to serve as access roads from the existing road network to the solar array blocks. All road improvements would be completed per the California Department of Transportation and/or County code and regulations. These roads would be up to 25 feet wide and would be cleared and compacted for equipment and emergency vehicle travel and access to the solar blocks and equipment within the project site. These project site access roads would remain in place for ongoing operations and maintenance (O&M) activities after construction is completed. All new roads would comply with development requirements for emergency access and, therefore, would not exacerbate fire risk that could result in temporary or ongoing impacts to the environment.

Finally, the project would include a number of aboveground fire water tanks for operations, exposure cooling, and non-battery fire suppression, which would be placed at designated locations throughout the project site, including near battery energy storage system locations. Final locations and tank volumes would be subject to review and approval by KCFD. As discussed in Section 4.17, *Utilities and Service Systems,* of the EIR, there is sufficient water available to meet the future water demands of the proposed project during normal, single dry, and multiple dry years through 2060.

An energy storage system is proposed as part of the project. Fires at BESS are uncommon; in the rare instances where fires have occurred, modern safety features and protocols are designed to protect operators, first responders and neighbors, and confine an incident to a single battery enclosure. As described in Impact 4.18-2, the CFC, Chapter 12 (Energy Systems), includes specific, detailed requirements for stationary electrical energy storage systems to promote fire safe construction, operation, and decommissioning. The project will be designed to comply with Chapter 12 of the CFC and applicable NFPA standards, which establish stringent fire safety requirements for stationary electrical energy storage facilities.

Unlike typical structural or wildland fires, a battery enclosure fire does not produce embers, which reduces the likelihood of ignition of adjacent vegetation or offsite areas. Instead, the principal spread mechanism is radiant or convective heat transfer to adjacent exposures. This risk is mitigated through enclosure spacing, barriers, and/or cooling. The CFC and NFPA 855 require rigorous large-scale fire testing, with performance-based criteria demonstrating that listed enclosures do not pose credible fire risk to adjacent enclosures and that a fire will not propagate beyond a single enclosure under testing conditions, even without the use of suppression. To achieve these results, energy storage systems designs typically employ various types of passive controls such as thermal runaway mitigation systems, equipment spacing, setbacks, vegetation control/rock cover, and fire-resistant and/or non-combustible construction materials. Documentation demonstrating compliance with the CFC and NFPA 855—including testing results, listings, plans, analysis, and drawings—will be submitted with the building permit application to KCFD for review and approval.

Should a battery fire occur, incident response tactics—determined by the fire Authority Having Jurisdiction and consistent with project-specific training and pre-incident Emergency Response Planning—may include allowing the single affected enclosure to burn while monitoring surrounding areas and applying water to cool adjacent exposures, as needed. As noted above, no BESS fires in the United States have resulted in offsite fires.

The ignition source for most fires in the desert are caused by lightning or vehicles. Further, the use of maintenance vehicles can increase fire risk due to driving heated mufflers over vegetated areas. However, as described above, vegetation control measures will be utilized during construction and operation of the project. The project would result in a minimal increase in fire risks that could result in temporary or ongoing impacts to the environment.

As discussed in Section 4.14, *Public Services,* of the EIR, the project proponent/operator will develop and implement a Fire Safety Plan that contains notification procedures and emergency fire precautions consistent with the California and Kern County Fire Code for use during construction, operation and decommissioning, per implementation of Mitigation Measure MM 4.14-1. The Fire Safety Plan will contain procedures and protocols to ensure that first responders are adequately trained to control a fire emergency at the site during both project development and operation. Implementation of this plan would ensure that potential impacts related to installation or maintenance of infrastructure associated with the energy storage system would be reduced to a level less than significant.

Finding

The proposed project has the potential to exacerbate fire risk due to the installation or maintenance of associated project infrastructure. However, implementation of Mitigation Measure MM 4.14-1, as described under Findings for *Public Services*, would reduce these impacts to a less than significant level.

Level of Significance

With implementation of Mitigation Measure MM 4.14-1, impacts would be less than significant.

Brief Explanation of the Rationale for the Finding

CEQA requires that all feasible and reasonable mitigation be applied to the project to reduce impacts. Implementation of Mitigation Measure MM 4.14-1, described above under Findings for *Public Services*, would reduce these impacts to a less than significant level.

Significant Effect

The project would expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire instability, or drainage changes (Impact 4.18-4).

Description of Significant Impact

Development of the project would alter existing onsite drainage patterns and flowpaths compared to existing conditions and include the introduction of new impervious surfaces. In accordance with Mitigation Measure MM 4.10-1 (see Section 4.10, *Hydrology and Water Quality*, for full mitigation measure text), the project would require implementation of a SWPPP, which would include erosion and sediment control BMPs during construction, thereby reducing the potential of erosion and siltation during construction and would control potential flooding events that could occur during construction. Additionally, the proposed new impervious surfaces would generate additional stormwater runoff onsite, albeit in minor quantities compared to existing conditions. However, this could exacerbate potential erosion and sedimentation onsite or downstream. As discussed in Section 4.10, *Hydrology and Water Quality*, of this EIR, Kern County requires development of a drainage plan with the site development grading permit, which will manage stormwater and reduce the risk for offsite impacts due to erosion and impacts on water quality, as implemented by Mitigation Measure MM 4.10-1. Design measures are intended to minimize or manage flow concentration and changes in flow depth or velocity so as to minimize erosion, sedimentation, and flooding on or off site. The drainage plan would include engineer recommendations meant to offset increases in stormwater runoff and would incorporate them into the project design. Since the project site is generally undeveloped under existing conditions, the project would result in a net increase in the amount of impervious surfaces as a result of constructing equipment foundations. However, a majority of the project site would remain pervious. Implementation of Mitigation Measure MM 4.10-1 would minimize potential increases in runoff and ensure that the retention basins and other stormwater management features are implemented to minimize erosion and sedimentation to less than significant. As discussed in Section 4.10, *Hydrology and Water Quality,* of the EIR, most of the drainage flow within the project site infiltrates into the soils onsite.

The project site is located approximately 20 miles southeast of the Tehachapi Mountains and is relatively flat. Based on the fire history immediately surrounding the site, moderate fire hazard severity zone designation, soil types, and surface hydrology, there is a low potential for the project site to be at risk of post-fire instability or drainage changes.

While the project would introduce new structures to the project site, the structures would not be placed in a highly flammable landscape. In addition, as described further in Section 4.7, *Geology and Soils,* conditions for landslides are not present at the project site, which is characterized by relatively gradual inclines across the site. Furthermore, with implementation of Mitigation Measure MM 4.10-1, any potential impacts from runoff and erosion would be minimized. Therefore, the project would not expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes. Potential impacts would be less than significant with incorporation of Mitigation Measure MM 4.10-1.

Finding

The proposed project has the potential to expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire instability, or drainage changes. However, these impacts would be reduced to a less than significant level with the implementation of Mitigation Measures MM 4.10-1, described above under Findings for Hydrology and Water Quality impacts.

Level of Significance

With implementation of Mitigation Measure MM 4.10-1, impacts would be less than significant.

Brief Explanation of the Rationale for the Finding

CEQA requires that all feasible and reasonable mitigation be applied to the project to reduce impacts. Implementation of Mitigation Measures MM 4.10-1, described above in Findings for Hydrology and Water Quality impacts, would reduce impacts to less than significant levels.

C. Environmental Effects of the Project that Cannot Be Mitigated to a Less Than Significant Level.

None.

D. Cumulative Environmental Effects of the Proposed Project that Would Have a Less Than Significant Impact on the Environment.

None.

E. Cumulative Environmental Effects of the Proposed Project that Would Have a Significant and Unavoidable Impact on the Environment.

Significant Effect

The proposed project would result in a cumulatively considerable impact to wildfire.

Description of Significant Impact

The geographic scope for wildfire impacts is considered the Antelope Valley. This geographic scope was selected because the land within the region possesses relatively similar uses, including sparse desert vegetation, rural access roads, scattered rural residences, producing and non-producing water wells, cattle ranching and maintenance facilities, mining, wind and solar energy uses. As shown in Chapter 3, *Project Description*, there are 48 projects proposed or approved throughout the Antelope Valley in Kern County and in the desert portion of Kern County outside the Antelope Valley. Of the 48 total projects in Kern County, 32 would be located within 6 miles of the project site and 5 would be located within 1 mile of the project site. Furthermore, of these cumulative projects, all related projects would be located within either LRA Moderate or SRA Moderate FHSZs, with the exception of Windstar Upper and Lower BESS project, which is located in a SRA High FHSZ. Apart from the Windstar Upper and Lower BESS project, most cumulative projects similar in nature to the project would be located outside of High or Very High FHSZs, which are primarily located in the Tehachapi Mountains to the west/northwest of Antelope Valley.

With regard to impairment of an adopted emergency response plan or emergency evacuation plan, all of the related projects would be required to provide adequate emergency access in accordance with County Fire Code and Building Code requirements and prior to the issuance of a building permit. Further, the project site is located within a moderate fire hazard severity zone, is located in a rural, sparsely developed area with limited population, is sparsely vegetated and lacks steep slopes, and would be in compliance with Fire Code and Building Code requirements including fire prevention and emergency response training for site personnel. Additionally, as discussed in Section 4.14, *Public Services*, of the EIR, the project proponent/operator will develop and implement a Fire Safety Plan that contains notification procedures and emergency fire precautions consistent with the California Fire Code and Kern County Fire Code for use

during construction, operation and decommissioning, per implementation of Mitigation Measure MM 4.14-1. All related projects would also be required to implement Fire Safety Plans and to comply with applicable California and Kern County Fire Codes. As concluded in the discussion of project impacts above, the project would have a less than significant impact related to impairment of an adopted emergency response or evacuation plan.

With regard to cumulative impacts related to exposure of project occupants to pollutant concentrations from a wildfire, the project is not within an LRA, SRA, or Federal Responsibility Area identified as having a high or very high fire risk, and most related projects would be located within either LRA Moderate or SRA Moderate FHSZs. No related cumulative projects would be located within Very High FHSZs, as these areas are primarily located in the Tehachapi Mountains to the west/northwest of Antelope Valley. Similar to the project, all related projects would be required to implement a Fire Safety Plan similar to the one required by Mitigation Measure MM 4.14-1 and would be required to implement building and landscape design features in accordance with the CFC and Building Code to reduce wildfire risk and exposure of occupants to pollutant concentrations from a wildfire. Adherence to the CFC and Building Code requirements would minimize potential impacts related to exposure to and the uncontrolled spread of a wildfire. Furthermore, with the exception of certain topographical features located throughout Antelope Valley, the region is relatively flat overall and does not contain many steep slopes, although elevations gradually increase towards the Tehachapi Mountains. Thus, cumulative projects in Antelope Valley would not exacerbate wildfire risks due to slope. Potential pollutant concentrations occurring at cumulative projects are unlikely to impact project occupants due to distance. Conversely, potential pollutant concentrations occurring at the project site are unlikely to impact cumulative project occupants due to distance. As concluded in the discussion of project impacts above, the project would have a less-than-significant impact related to exposure of project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire. Nevertheless, given the location in a rural area and limited existing infrastructure, the project and related projects have the potential to result in a cumulative impact related to exposure of project occupants to pollutant concentrations from a wildfire and, thus, would result in a significant and unavoidable cumulative impact.

Related projects may require associated infrastructure such as roads, fuel breaks, and power lines that could exacerbate fire risk or that may result in temporary or ongoing impacts to the environment. These projects would be reviewed by Kern County for land use and zoning consistency and compliance with applicable requirements, and potentially analyzed for environmental impacts. The placement of infrastructure associated with cumulative projects would adhere to all fire codes to minimize the potential fire risk such as siting and design. The project would include the construction of solar PV panels, energy storage system(s), electrical collection systems and inverters, collector substations, a 230-kV switchyard, a gen-tie line, telecommunications facilities, supporting equipment, and access roads. While the potential for fire is considered moderate, Mitigation Measure MM 4.14-1 would be implemented to ensure that a Fire Safety Plan is prepared that contains notification procedures and emergency fire precautions consistent with the CFC and Kern County Fire Code, for use during project construction, operation, and decommissioning. All related projects would also be required to implement Fire Safety Plans. Similarly, all cumulative projects would be required to mitigate any significant impacts to public services, utilities, and transportation, as does the project. As described above, the project would result in a less than significant impact related to the exacerbation of fire risk associated with the installation or maintenance of project infrastructure. Nevertheless, given the location in a rural area and limited existing infrastructure, the project and related projects have the potential to result in a cumulative impact related to the installation or maintenance of associated infrastructure and, thus, would result in a significant and unavoidable cumulative impact.

Some related projects could be proposed in areas that could expose people or structures to risks from downslope or downstream flooding or landslides as a result of post-fire instability. Based on the recent fire events in California, all projects would be required to adhere to Kern County's zoning and land use designations and codes, State and local fire codes, and regulations associated with drainage and site stability.

These regulations, policies, and codes would reduce the potential for exposing people or structures to risks from downslope or downstream flooding or landslides as a result of post-fire instability. There are no landslide areas within Antelope Valley, and with the exception of certain topographical features, the area is relatively flat overall and does not contain many steep slopes, although elevations gradually increase towards the Tehachapi Mountains. Thus, cumulative projects would not be located in areas where post-fire slope instability is a concern. Regarding runoff and drainage, each cumulative project would also require site-specific hydrology and drainage studies for effective drainage design, as is required for the project with implementation of Mitigation Measure MM 4.10-1. Further, all cumulative projects would disturb more than an acre of ground, therefore requiring conformance with the requirements of the NPDES General Construction Permit Program through the preparation of a SWPPP, which would include erosion and sediment control BMPs during construction, thereby reducing the potential of erosion and siltation during construction and would control potential flooding events that could occur during construction. As concluded in the discussion of project impacts above, with implementation of Mitigation Measure MM 4.10-1, the project would not expose people or structures to significant risks due to post-fire slope instability or drainage changes and would have a less-than-significant impact. Nevertheless, given the location in a rural area and limited existing infrastructure, the project and related projects have the potential to result in a cumulative impact related to exposing people or structures to runoff, post-fire slope instability, or drainage changes with implementation of the projects and, thus, would result in a significant and unavoidable cumulative impact.

Finding

The project would contribute to cumulative impacts to wildfire. Even with implementation of Mitigation Measures MM 4.10-1 and MM 4.14-1, described above under Findings for *Hydrology and Water Quality* and *Public Services*, cumulative impacts would be significant and unavoidable.

Level of Significance

Cumulative impacts would be significant and unavoidable, even with implementation of mitigation.

Brief Explanation of the Rationale for the Finding

CEQA requires that all feasible and reasonable mitigation be applied to the project to reduce impacts. Implementation of Mitigation Measures MM 4.10-1 and MM 4.14-1, described under Findings for Hydrology and Water Quality and Public Services, would reduce impacts but not to a less than significant level. Impacts would remain significant and unavoidable.

SECTION III. FINDINGS REGARDING GROWTH INDUCING IMPACTS

The Kern County General Plan recognizes that certain forms of growth are beneficial, both economically and socially. Section 15126.2(d) of the CEQA Guidelines provides the following guidance on growth-inducing impacts: A project is identified as growth-inducing if it "would foster economic or population growth, or the construction of additional housing, either directly or indirectly, in the surrounding environment."

Growth inducement can be a result of new development that requires an increase in employment levels, removes barriers to development, or provides resources that lead to secondary growth. With respect to employment, the project would not induce substantial growth. There would be six permanent employees during operations. It is anticipated that the construction workforce would commute to the sites each day from local and regional communities, and the majority would likely come from the existing labor pool as construction workers travel from site to site as needed. Construction staff not drawn from the local and regional labor pool would stay in any of the local hotels in local communities.

Although the project would contribute to the energy supply, which supports growth, the development of power infrastructure is a response to increased market demand. It does not induce new growth. Kern County planning documents already permit and anticipate a certain level of growth in the area of the project and in the State as a whole, along with attendant growth in energy demand. It is this anticipated growth that drives energy-production projects, not vice versa. The project would supply energy to accommodate and support existing demand and projected growth statewide, but it would not foster any new growth within the project vicinity. Therefore, any link between the project and growth in Kern County would be speculative.

SECTION IV. FINDINGS REGARDING CONSIDERATIONS, WHICH MAKE CERTAIN ALTERNATIVES, ANALYZED IN THE FINAL ENVIRONMENTAL IMPACT REPORT INFEASIBLE

Potentially significant adverse environmental impacts that would result from the project are evaluated in Chapter 4, *Environmental Setting, Impacts, and Mitigation Measures*, of the EIR. The mitigation measures and impact conclusions are summarized in Chapter 1, *Executive Summary,* of the EIR, which includes a summary chart of impact conclusions for all topic areas. The Final EIR concluded that the project has the potential to cause significant environmental impacts in the following categories:

- Aesthetics (project and cumulative)
- Biological resources (project [Western Joshua tree only] and cumulative)
- Wildfire (cumulative only)

Even with the mitigation measures described in Chapter 4, *Environmental Setting, Impacts, and Mitigation Measures*, of the EIR, impacts regarding these environmental topics would be significant and unavoidable. Therefore, per the state CEQA Guidelines, this section discusses alternatives that are capable of avoiding or substantially lessening effects on these resources. The significant and unavoidable impacts of the project are discussed below.

Aesthetics

As discussed in Section 4.1, *Aesthetics*, implementation of the project would result in potentially significant visual impacts to the existing visual quality or character of the site and surrounding area. The visual simulations demonstrate that the proposed solar arrays, by expanding the polygon of the existing solar arrays on the eastern portion of the project site, would not only contrast against the earth-toned landscape, but would also attract attention, and proposed generation tie (gen-tie) structures, modeled at a worst-case scenario of 250 feet, would also be noticeable as the poles extend above the horizon, lining up across the mountainous background terrain. Along SR-14, the project would be subtly visible, blending into the background due to distance. Along Oak Creek Road, the gen-tie line and switchyard would blend into the existing wind energy infrastructure and, although visible, would not attract attention. As demonstrated in all of the visual simulations, the project's components would mimic the form and colors of existing infrastructure, resulting in a minimal visual impact. Overall, all views would remain in the same average visual quality class. However, introduction of solar arrays, collector substations, battery energy storage facilities, and the gen-tie supported by up to 250-foot-high poles would increase the footprint of solar and electrical transmission development in the Mojave area. Development of the project also would expand existing renewable energy development (i.e., solar and wind developments) in the Antelope Valley.

Mitigation Measures MM 4.1-1 through MM 4.1-5 (See Findings for *Aesthetics* for full mitigation measure text) would reduce visual impacts associated with the project by limiting vegetation removal, planting native vegetation, providing privacy fencing, reducing visibility of project facilities, and minimizing debris and trash.

Native vegetation would be left in place on the project site where feasible, allowing for a natural screening of project components. Nevertheless, even with implementation of Mitigation Measures MM 4.1-1 through MM 4.1-5, project-level impacts to visual character and quality would remain significant and unavoidable. The project would result in less than significant impacts related to light and glare with the implementation of Mitigation Measures MM 4.1-6 and MM 4.1-7 (see Findings for *Aesthetics*).

Additionally, while other projects in the region would also be required to implement various mitigation measures to reduce impacts, the conversion of approximately 3,500 acres in a presently rural area to solar energy production uses cannot be mitigated to a degree that impacts are no longer significant. Therefore, even with implementation of Mitigation Measures MM 4.1-1 through MM 4.1-7, the project's contribution to significant impacts associated with visual character in the Antelope Valley would be cumulatively significant and unavoidable. Cumulative impacts related to scenic vistas, scenic resources, and light and glare would be less than significant.

Biological Resources

The project site and the surrounding area provide suitable habitat for a number of special-status species or otherwise protected plant and wildlife species (broadly referred to as special-status species). Implementation of the project, in addition to the other projects under way or proposed within Kern County, has the potential to impact habitat for special-status wildlife species and migratory birds known to occur or with potential to occur on the project site. The project site contains habitat that supports insects, rodents, and small birds that provide a prey base for raptors and terrestrial wildlife. The project would also result in potentially significant impacts to various special-status plant species, particularly WJT, as well as potentially jurisdictional water features. Given the number of past, present, and reasonably foreseeable future development projects in the Antelope Valley, the proposed project, when combined with other projects, would result in a significant and unavoidable cumulative loss of foraging and nesting habitat for a number of special-status species. Nonetheless, even with the implementation of the project design features and Mitigation Measures MM 4.1-1, MM 4.1-3, MM 4.1-6, MM 4.1-7, MM 4.3-3, MM 4.9-2, MM 4.13-1, and MM 4.4-1 through MM 4.4-23 (see Findings for *Aesthetics*, *Air Quality*, *Biological Resources*, *Hazards and Hazardous Materials*, *Hydrology and Water Quality*, and *Noise*), project impacts to WJT would be significant and unavoidable; however, impacts would be less than significant for all other affected species. Cumulative impacts to biological resources would be significant and unavoidable.

Wildfire

The project site is located within a rural, sparsely developed area with limited population and existing infrastructure, and lacks steep slopes. The area contains low desert vegetation typical of the Mojave Desert. Wildland fires in such desert environments are generally infrequent and of low severity because the fuel loads are incapable of sustaining fire. No recorded wildfires have burned across the project site, and the project is not within an LRA, SRA, or Federal Responsibility Area identified as having a high or very high fire risk, which are the primary indicators for elevated fire risks.

The project would be developed in compliance with Fire Code and Building Code requirements including fire prevention and emergency response training for site personnel. Additionally, as discussed in the Findings for *Public Services*, the project proponent/operator will develop and implement a Fire Safety Plan that contains notification procedures and emergency fire precautions consistent with the California Fire Code and Kern County Fire Code for use during construction, operation and decommissioning, per implementation of Mitigation Measure MM 4.14-1. Construction and operation of the project would pose minor risks of causing or exacerbating the uncontrolled spread of wildfire and adverse post-fire conditions. The associated impacts would all be less than significant with implementation of Mitigation Measure MM 4.14-1. To ensure the proposed project would not substantially impair an adopted emergency response or evacuation plan,

Mitigation Measure MM 4.15-1 (see Findings for *Transportation* for full mitigation measure text) would be implemented during construction which requires the project to obtain the necessary traffic permits and approvals and to follow proper traffic control procedures.

Further, with implementation of Mitigation Measure MM 4.10-1, requiring a site-specific hydrology and drainage plan, the project would not expose people or structures to significant risks due to post-fire slope instability or drainage changes and would have a less-than-significant impact.

Although impacts of the proposed project by itself would be less than significant with mitigation, the project would have cumulatively considerable impacts related to wildfire due to the rural nature of the project region and the numerous other projects in the area. The proposed project in conjunction with other current and foreseeable projects would result in significant cumulative impacts related to wildfire, including potential conflicts with an adopted emergency response or evacuation plan; exposing people to pollutant concentrations from wildfire; and the installation or maintenance of associated infrastructure that may exacerbate fire risk. The cumulative impacts would be significant and unavoidable.

OVERVIEW OF PROJECT ALTERNATIVES

Under CEQA, and as indicated in California Public Resources Code Section 21002.1(a), the identification and analysis of alternatives to a project is a fundamental aspect of the environmental review process and is required to ensure the consideration of ways to mitigate or avoid the significant environmental effects of a project. Based on the significant environmental impacts of the project, the aforementioned objectives established for the project, and the feasibility of the alternatives considered, this chapter provides the comparative analysis of the alternatives considered, including the No Project Alternative as required by CEQA, which is summarized in Table 6-1, *Summary of Development Alternatives*. The Environmentally Superior Alternative, as required by CEQA, is described in Section 6.8, *Environmentally Superior Alternative* of the EIR.

1. ALTERNATIVE 1: NO PROJECT ALTERNATIVE

The CEQA Guidelines require EIRs to include a No Project Alternative for the purpose of allowing decision makers to compare the effects of approving the project versus a No Project Alternative. Accordingly, Alternative 1, the No Project Alternative, assumes that the development of the 600-MW solar PV facility with up to 4 GWh of energy storage on the approximately 3,500-acre site would not occur. The No Project Alternative would not require the requested entitlements, including Conditional Use Permits (CUPs), amendments to the Circulation Element of the Kern County General Plan, Zone Classification Changes (ZCCs), Zone Variances, or Vesting Tentative Parcel Maps (VTPMs). The No Project Alternative would maintain the current zoning, road reservations, parcel acreages, public access easements, and existing land uses, which consist of generally undeveloped desert land. No physical changes would be made to the project site.

Aesthetics

Under the No Project Alternative, the project site would remain undeveloped and there would be no construction activities or operational activities that would generate air emissions, nor would the No Project Alternative contribute to a cumulative net increase of criteria pollutant in the region. Therefore, there would be no impact, and the No Project Alternative would result in less impact related to air quality compared to the proposed project.

Biological Resources

Under the No Project Alternative, the project site would remain undeveloped and existing biological resources on the project site, including habitat for special-status plant and wildlife species, would remain undisturbed since no construction or operation would occur. The project site would remain in its current state, as undeveloped land containing desert vegetation, and would not contribute to a cumulative loss of habitat for wildlife species known to occur or with potential to occur on the project site. Therefore, there would be no impact, and the No Project Alternative would result in less impact related to biological resources compared to the proposed project.

Wildfire

Under the No Project Alternative, the solar panels and energy storage system would not be constructed. As such, the No Project Alternative would not expose occupants to pollutant concentrations from a wildfire; require the installation or maintenance of associated infrastructure; or expose people or structures to significant risks. Therefore, there would be no impact, and the No Project Alternative would result in less impact related to wildfires compared to the proposed project.

Conclusion and Relationship to Project Objectives

The No Project Alternative would avoid the significant and unavoidable impacts associated with the project. This alternative would result in less impact to all environmental resource areas with the exception of GHGs; since this alternative would not offset GHGs through the operation of a solar power generation and energy storage facility, impacts to GHGs would be greater under this alternative. The No Project Alternative would not achieve any of the project objectives listed above, including assisting California in meeting its GHG emissions reduction goals. Although this alternative would create less environmental impacts overall, the objectives that shape the project would not be realized under this alternative.

2. ALTERNATIVE 2: GENERAL PLAN/SPECIFIC PLAN AND ZONING BUILD-OUT ALTERNATIVE

Alternative 2, the General Plan/Specific Plan and Zoning Build-Out Alternative, assumes the project site would be developed to the maximum intensity allowed under the existing Kern County General Plan and Mojave Specific Plan land use and zoning classifications. The existing General and Specific Plan designations are described in Chapter 3, *Project Description,* and shown in Figure 3-6, *Existing General Plan Map,* and listed in Table 3-1, *Project Assessor Parcel Numbers, Existing and Proposed Land Use, Zoning, and Acreages.* The existing land uses, map code designations, and zone classifications for the project site are summarized in Table 6-1, *Project Site and Surrounding Land Uses.*

Implementation of Alternative 2 would consist of developing the project site under the current land use classifications, which is currently designated 8.5 (Resource Management) with the exception of two parcels totaling approximately 173 acres designated as 3.3 (Other Facilities), one approximately 636-acre parcel designated 8.4 (Mineral and Petroleum, Min 5 Acre Parcel Size), and one 10-acre parcel designated 5.7 (Minimum 5 Gross Acres per Unit) by the Kern County General Plan. The 8.5 land use designation applies primarily to open space lands containing important resources, such as wildlife habitat, scenic values, or watershed recharge areas. The other land use designations within the project site would allow for low density residential development on one parcel and mineral and petroleum development. The project site is zoned A-1 (Limited Agriculture) allowing for agricultural uses. No solar or energy storage facilities would be developed under this alternative and, therefore, no zone classification changes, CUPs, General Plan amendments, zone variances, removal of road reservations, vacation of easements, or vesting tentative parcel maps for construction and operation would be required for this alternative. The project site would be

developed in accordance with the existing land use designations and zone districts while adhering to the applicable General/Specific Plan goals, policies and implementation measures. Implementation of Alternative 2 also assumes any uses developed on site would be limited in scope to the listed "by right" or discretionary uses outlined for the existing zone district, and design features would conform with special development standards and best practices outlined in the Kern County Zoning Ordinance or other local regulatory frameworks.

Aesthetics

Under the General Plan/Specific Plan and Zoning Build-Out Alternative, the project site would be developed to the maximum extent possible in accordance with the applicable, existing General Plan/Specific Plan (Kern County General Plan and Zoning Ordinance or Mojave Specific Plan) in which the project is located. The project site includes existing Map Code designations for resource management, residential, and mineral extraction that are defined in the Kern County General Plan (refer to Section 4.1, *Aesthetics*, for additional details).

The General Plan/Specific Plan and Zoning Build-Out Alternative would develop the project site into various uses allowable for agricultural, residential, and other development. Solar panels and an energy storage system would not be installed and solar energy would not be generated on the site. Under this alternative, there would be no zone classification changes, and development of the project site under existing land use and zoning classifications would be visually similar to the types of uses that are within the project area and, thus, potential impacts to visual character would be reduced under this alternative. Therefore, impacts would be less than significant under the General Plan/Specific Plan and Zoning Build-Out Alternative and this alternative would result in less aesthetic impacts compared to the proposed project.

Biological Resources

Under the General Plan/Specific Plan and Zoning Build-Out Alternative, the project site would be developed to the maximum extent possible in accordance with the applicable, existing General Plan/Specific Plan (Kern County General Plan and Zoning Ordinance or Mojave Specific Plan) in which the project is located. Solar panels and an energy storage system would not be installed and solar energy would not be generated on the site. Conversion of the undeveloped site to the maximum intensity allowed under existing land use and zoning classifications would affect biological resources on the project site as this alternative would replace native vegetation with agricultural crops or grazing areas. Agricultural uses would also result in increased human presence as opposed to a solar power generation and energy storage facility with limited staff required for operations and maintenance and occasional panel washing. Ground-disturbing activities would increase in intensity to facilitate clearing of land and grading when compared to the proposed project's minimized approach to conventional grading through a less-intensive mow-and-roll vegetation clearance strategy. Thus, impacts from this alternative would be greater than the proposed project.

As it relates to impacts on candidate, sensitive, or a special-status species in local or regional plans, policies, or regulations or by the CDFW or USFWS, as with the project, the General Plan and Zoning Build-Out Alternative would have the potential to impact special-status plant and wildlife species and habitat regulated by CDFW. As with the project, implementation of development standards/conditions of approval similar to Mitigation Measures MM 4.1-1, MM 4.1-3, MM 4.1-6, MM 4.1-7, 4.3-3, MM 4.4-1 through MM 4.4-23, 4.9-2, and MM 4.13- 1 (see Findings for *Aesthetics*, *Air Quality*, *Biological Resources*, *Hazards and Hazardous Materials*, and *Noise*) would reduce impacts to less than significant, with exception to impacts on WJT, which are considered significant and unavoidable on a project level. With regard to impacts on any riparian habitat or other sensitive natural community, or jurisdictional waters, identified in local or regional plans, policies, or regulations or by the CDFW or USFWS, construction and agricultural activities could result in significant impacts related to CDFW and RWQCB jurisdictional areas present on the project site; no USFWS

jurisdictional waters are present. Implementation of development standards/conditions of approval similar to Mitigation Measures MM 4.4-7, MM 4.4-22, MM 4.4-23, MM 4.10-1, and MM 4.10-2 (see Findings for *Biological Resources* and *Hydrology and Water Quality*) would reduce impacts to less than significant under the General Plan/Specific Plan and Zoning Build-Out Alternative.

Implementation of the above referenced mitigation measures would also reduce potential impacts to state waters, the movement of resident or migratory wildlife species or with established resident or migratory wildlife corridors, and consistency with local policies and ordinances protecting biological resources. The General Plan/Specific Plan and Zoning Build-Out Alternative, as with the project, would 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.

Project-level impacts under the General Plan/Specific Plan and Zoning Build-Out Alternative would be significant and unavoidable due to the absence of a clear mitigation measure, reporting, and monitoring plan, with impacts being greater to those required for the proposed project. Cumulatively, this alternative would still result in significant and unavoidable impacts to biological resources; regardless of the type of development, biological resources would be impacted throughout the Antelope Valley. Therefore, the General Plan/Specific Plan and Zoning Build-Out Alternative would result in greater impacts related to biological resources as the proposed project.

Wildfire

Under the General Plan/Specific Plan and Zoning Build-Out Alternative, the project site would be developed to the maximum extent possible in accordance with the applicable, existing General Plan/Specific Plan (Kern County General Plan and Zoning Ordinance or Mojave Specific Plan) in which the project is located. Solar panels and an energy storage system would not be installed and solar energy would not be generated on the site.

Agricultural equipment and other uses may introduce additional sources of ignition sources and vegetation, which may exacerbate wildfire risks. Additionally, use of the project site for agriculture would result in an increase of operational residents and workers on the project site, which would further increase potential impacts from wildfire risks. As with the project, this alternative is not located within a high or very high fire hazard severity zone. The site is located in a rural, sparsely developed areas with limited population. The project site is not located along an identified emergency evacuation route and is not identified in any adopted emergency evacuation plan. Therefore, the General Plan/Specific Plan and Zoning Build-Out Alternative would not substantially impair an adopted emergency response plan or emergency evacuation plan.

Similar to the proposed project, the General Plan/Specific Plan and Zoning Build-Out Alternative would implement special development standards and/or conditions of approval similar to Mitigation Measure MM 4.14-1 (see Findings for *Public Services*) for non-agricultural uses, which would require the development and implementation of a Fire Safety Plan for use during construction and operation, which would further reduce fire risks onsite. As such, impacts under this alternative related to exposing project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire would be less than significant with mitigation.

Similar to the proposed project, conversion of the project site to the maximum intensity allowed under existing land use and zoning classifications could alter the existing drainage patterns and flowpaths compared to existing conditions. This alternative would implement special development standards and/or conditions of approval similar to Mitigation Measure MM 4.10-2 (see Findings for *Hydrology and Water Quality*), which requires preparation of Final Drainage Plans for non-agricultural uses. This mitigation measure would

minimize potential increases in runoff and ensure that the retention basins and other stormwater management features are implemented to minimize erosion and sedimentation to less than significant. As such, similar to the proposed project, the General Plan/Specific Plan and Zoning Build-Out Alternative would not include significant risks related to downslope or downstream flooding or landslides as a result of runoff, post-fire slope instability, or drainage changes.

With implementation of mitigation measures similar to those required for the project, wildfire impacts would be less than significant and less than the project.

Conclusion and Relationship to Project Objectives

The General Plan/Specific Plan and Zoning Build-Out Alternative would result in less impact to aesthetics, agriculture and forestry resources, and wildfire than the proposed project. The alternative would result in similar impacts to geology and soils, land use and planning, mineral resources, and noise. This alternative would result in greater impacts in all remaining environmental resource areas. Greater impacts to air quality would result from routine emissions associated with agricultural vehicles, ongoing ground disturbance, and livestock emissions, etc. Greater impacts to biological resources would occur due to this alternative's need to implement more intensive ground clearing and grading strategies, thereby irreversibly altering the existing landscape. Greater impacts to hazards and hazardous materials would be anticipated due to the allowed use of herbicides for agricultural operations. Greater impacts to noise would be anticipated during operations of ongoing agricultural uses. Given the ground disturbance required, greater impacts could occur to potentially undiscovered cultural and tribal cultural resources. This alternative would result in greater energy impacts as the project site would not generate renewable energy as compared to the proposed project and would therefore not assist the state in meeting its renewable energy generation goals. Greater impacts to hydrology and water quality would result from greater initial soil disturbance during construction and ongoing earthwork for agricultural activities. This alternative would result in greater GHG emission impacts than the project because the potential offset or displacement of GHG emissions from operation of the solar power generation and energy storage facility would not be realized. The increase in human population onsite during operation would also result in greater impacts to public services, transportation, and utilities and service systems. This alternative would not eliminate significant and unavoidable impacts associated with biological resources (project WJT only and cumulative).

The General Plan/Specific Plan and Zoning Build-Out Alternative would not achieve any of the project objectives listed above in Section 6.2, including the project objective related to assisting California in meeting its GHG emissions reduction goals by 2030 and 2045 as required by the California Global Warming Solutions Act (Assembly Bill 32), as amended by Senate Bill 32 and Senate Bill 100.

3. ALTERNATIVE 3: REDUCED ACREAGE ALTERNATIVE

Under Alternative 3, the Reduced Acreage Alternative, approximately 2,500 acres south of the gen-tie line would be developed with a solar power generation and energy storage facility with the capacity to generate up to 400 MW of renewable electric energy with 3 GWh of battery energy storage. Under this alternative, approximately 900 acres north of the gen-tie line would not be developed for solar energy production and would remain undeveloped to avoid concentrated populations of alkali mariposa lily. The gen-tie interconnection, water storage area, and switchyard would remain unchanged. Eliminating development of approximately 900 acres from the project would reduce the project's total solar power generation capacity by up to 200 MW (from 600 MW to 400 MW), reduce the project's battery storage capacity by up to 1 GWh (from 4 GWh to 3 GWh), and reduce the developed area from approximately 3,500 acres to approximately 2,500 acres. Similar to the proposed project, this alternative would require proportionally reduced entitlement boundaries for zone classification changes, CUPs, General Plan amendments, zone

variances, removal of road reservations, vacation of easements, and vesting tentative parcel maps for construction and operation of a utility-scale solar generation and energy storage facility.

Aesthetics

Under the Reduced Acreage Alternative, the project would not develop north of the gen-tie line and would include the offsite water storage area and the 230-kV switchyard, reducing the project's footprint from approximately 3,500 acres to approximately 2,500 acres.

This alternative would include the installation of solar panels, BESS, and other associated facilities. Similar to the proposed project, the Reduced Acreage Alternative would implement Mitigation Measures MM 4.1-1 through MM 4.1-5 (see Findings for *Aesthetics*), to reduce potential visual impacts that would occur from the collection of debris along the site boundary and to reduce views of the project by strategically installing view-screening materials in fencing. In addition, the color treatment of buildings would help these components to better blend in with the natural landscape. The view from key observation points (KOPs) 1, 2, and 3 would not be altered by solar arrays; however, the gen-tie line would remain a noticeable feature, Similar to the proposed project, because there are no feasible mitigation measures that can be implemented to maintain the existing open and undeveloped desert landscape character of the project site, impacts to visual resources would remain significant and unavoidable, though less than the proposed project.

In addition, in combination with other projects, the Reduced Acreage Alternative would contribute to added modifications to the visual landscape. While Mitigation Measures MM 4.1-1 through MM 4.1-5 would be implemented to reduce aesthetics impacts, and other projects in the region would be required to implement similar mitigation measures to reduce impacts, the cumulative conversion of thousands of acres of a low density rural area to a solar power generation and energy storage facility cannot be mitigated to a degree that impacts are no longer significant. As such, similar to the proposed project, cumulative impacts from the change to the visual character of the site would remain significant and unavoidable for the Reduced Acreage Alternative.

As the Reduced Acreage Alternative includes the development of a solar power generation and energy storage facility, as with the proposed project, the potential for light and glare impacts would be similar to the proposed project during construction and operation of the Reduced Acreage Alternative. As such, this alternative would implement Mitigation Measures MM 4.1-6 and MM 4.1-7 (see Findings for *Aesthetics*). Impacts related to light and glare under the Reduced Acreage Alternative site would be less than significant.

The Reduced Acreage Alternative would have less overall impact to aesthetics compared to the proposed project due to the reduction in project site size under this alternative; however, impacts related to aesthetics would remain significant and unavoidable.

Biological Resources

Under the Reduced Acreage Alternative, the project would not develop north of the gen-tie line and would include the offsite water storage area and the 230-kV switchyard, reducing the project's footprint from approximately 3,500 acres to approximately 2,500 acres.

As it relates to impacts on candidate, sensitive, or a special-status species in local or regional plans, policies, or regulations or by the CDFW or USFWS, the Reduced Acreage Alternative would result in similar but decreased impacts than the proposed project on CDFW special-status plant and wildlife species (refer to Section 4.4, *Biological Resources*, of the EIR for details). Areas occupied by or that provide suitable habitat for special-status species are spread out across the project site. The Reduced Acreage Alternative would avoid disturbing approximately 900 acres of land north of the gen-tie line, which would reduce potential

direct and indirect impacts on special-status species at the project site, including avoiding a majority of the alkali mariposa lily populations and individuals present on the project site. As with the project, implementation of Mitigation Measures MM 4.1-1, MM 4.1-3, MM 4.1-6, 4.1-7, MM 4.3-3, MM 4.4-1 through MM 4.4-23, MM 4.9-2, MM 4.13-1, and 4.14-4 (see Findings for *Aesthetics*, *Air Quality*, *Biological Resources*, *Hazards and Hazardous Materials*, *Noise*, and *Public Services*) would be implemented to proportionally reduce project-level impacts, but impacts would remain significant and unavoidable for WJT.

With regard to impacts on any riparian habitat or other sensitive natural community, or jurisdictional waters, identified in local or regional plans, policies, or regulations or by the CDFW or USFWS, construction and agricultural activities could result in significant impacts related to CDFW and RWQCB jurisdictional areas present on the project site. Implementation of Mitigation Measures MM 4.4-7, MM 4.4-22, MM 4.4-23, MM 4.10-1, and MM 4.10-2 (see Findings for *Biological Resources* and *Hydrology and Water Quality*) would reduce impacts to less than significant. The Reduced Acreage Alternative, as with the proposed project, would 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.

Project-level impacts under the Reduced Acreage Alternative would be less than significant with implementation of mitigation and proportionally less than those of the proposed project due to a reduced footprint. Cumulatively, this alternative would still result in significant and unavoidable impacts on biological resources because, regardless of the type of development, biological resources would be impacted throughout the Antelope Valley. However, as this alternative would avoid disturbing approximately 900 fewer acres of land than the proposed project, the Reduced Acreage Alternative would result in less cumulatively considerable impacts related to biological resources when compared to the proposed project.

Wildfire

Under the Reduced Acreage Alternative, the project would not develop north of the gen-tie line and would include the offsite water storage area and the 230-kV switchyard, reducing the project's footprint from approximately 3,500 acres to approximately 2,500 acres.

The project site has low topographic relief and is relatively flat. As with the proposed project, this alternative is not located in an area classified as an SRA high or very high fire hazard severity zone (FHSZ). Development of the alternative would not be anticipated to physically impede the existing emergency response plans, emergency vehicle access, or personnel access to the site. The site is located in a rural, generally undeveloped area with limited population. The Reduced Acreage Alternative site is not located along an identified emergency evacuation route and is not identified in any adopted emergency evacuation plan. Therefore, the Reduced Acreage Alternative would not substantially impair an adopted emergency response plan or emergency evacuation plan. Nonetheless, Mitigation Measure MM 4.15-1 (see Findings for *Traffic and Transportation*) would be implemented to ensure the project would not impede emergency access conditions during construction.

The portion of the project site south of the gen-tie line is within a Local Responsibility Area Moderate zone, which is considered wildland areas with low fire frequency and relatively modest fire behavior. Similar to the project, the Reduced Acreage Alternative would implement Mitigation Measure MM 4.14-1 (see Findings for *Public Services*), which would require the development and implementation of a Fire Safety Plan for use during construction, operation, and decommissioning of the project. As such, impacts under this alternative related to exposing project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire would be less than significant.

With regard to the installation or maintenance of associated infrastructure, this alternative includes installation of a gen-tie line, similar to the proposed project. The installation of the gen-tie line would not

be placed within a high or very high FHSZ and vegetation would be continuously managed to minimize fire risk and thus would not result in increased fire risks that could result in temporary or ongoing impacts to the environment.

Similar to the proposed project, the development proposed under the Reduced Acreage Alternative could alter the existing drainage patterns and flowpaths compared to existing conditions as well as increase impervious surfaces. As with the project, the Reduced Acreage Alternative would implement Mitigation Measure MM 4.10-2 (see Findings for *Hydrology and Water Quality*), which requires preparation of a Final Drainage Plan. This mitigation measure would minimize potential increases in runoff and ensure that the retention basins and other stormwater management features are implemented to minimize erosion and sedimentation to less than significant. As such, similar to the proposed project, the Reduced Acreage Alternative would not include significant risks related to downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes. With implementation of mitigation measures similar to those required for the proposed project, this alternative is expected to result in less than significant project-level impacts to wildfires and significant and unavoidable cumulative wildfire impacts; overall, the Reduced Acreage Alternative impacts related to wildfires would be similar to the proposed project.

Conclusion and Relationship to Project Objectives

The Reduced Acreage Alternative would be reduced in size compared to the proposed project and would develop up to 400 MW of solar energy generation with up to 3 GWh of energy storage capacity, due to the proportional reduction in project size; therefore, all construction and operational methods, workforce, and timing for the Reduced Acreage Alternative would be reduced in comparison with the project. Due to the reduced footprint, the Reduced Acreage Alternative would result in less or similar impacts for the majority of environmental issue areas. This alternative would result in greater impacts to GHG emissions given its reduced solar energy output. In addition, this alternative would not eliminate or substantially lessen significant and unavoidable impacts associated with aesthetics (project and cumulative), biological resources (project WJT only and cumulative), or wildfire (cumulative only).

The project would not develop north of the gen-tie and would reduce the project's footprint from approximately 3,500 acres to approximately 2,500 acres, reducing energy-generating capacity from 600 MW to 400 MW and energy storage capacity from up to 4 GWh to approximately 3 GWh. The Reduced Acreage Alternative would meet most of the project objectives listed above in Section 6.2, although to a lesser degree. This alternative would meet the objective of developing the solar power generation and energy storage facility in proximity to an available connection to the existing electrical distribution infrastructure and customer loads; minimizing environmental impacts by using existing electrical distribution facilities; minimizing impacts on threatened and/or endangered species; minimizing water use; reducing GHG emissions; and using technology that is available, proven, efficient, and easily maintained, recyclable, and environmentally sound. However, the Reduced Acreage Alternative would be reduced in size compared to the proposed project and would generate approximately 400 MW of solar energy and 3 GWh of energy storage capacity due to the proportional reduction in project size and, therefore, would not assist the State in achieving or exceeding its RPS or GHG emissions reduction objectives and would not assist the State in achieving or exceeding its energy storage mandate to the same extent as the proposed project. Due to the reduction in size, this alternative also would not achieve the project objective of producing and transmitting electricity at a competitive cost to the same extent as the proposed project.

4. ALTERNATIVE 4: NO GROUND-MOUNTED UTILITY-SOLAR DEVELOPMENT ALTERNATIVE – DISTRIBUTED COMMERCIAL AND INDUSTRIAL ROOFTOP SOLAR ONLY

Alternative 4, the No Ground-Mounted Utility-Solar Development Alternative, would involve the development of a number of geographically distributed small to medium solar PV systems (100 kilowatt hours to 1 MW) within existing developed areas, typically on the rooftops of commercial and industrial facilities situated throughout western Antelope Valley. Under this alternative, no undeveloped desert land would be developed or altered. However, depending on the type of solar modules installed and the type of tracking equipment used (if any), a similar or greater amount of acreage (i.e., greater than 3,500 acres of total rooftop area) may be required to attain the project's capacity of up to 600 MW of solar PV generating capacity. Because of space or capital cost constraints, many rooftop solar PV systems would be fixed-axis systems or would not include the same type of sun-tracking equipment that would be installed in a freestanding utility-scale solar PV project and, therefore, would not attain the same level of efficiency with respect to solar PV generation. Alternative 4 would generate up to 600 MW of electricity, but dispersed across different land uses and development types not likely to exceed onsite demand, and would not include up to 4 GWh of battery storage capacity. This alternative assumes that rooftop development would occur primarily on commercial and industrial structures due to the greater availability of large, relatively flat roof areas necessary for efficient solar installations. Solar panel shade structures constructed over parking lots or landscaped areas within the commercial or industrial development could potentially contribute to the available acreage suitable for solar installations, also noting the County's minimum requirement for landscaping area is 5 percent of the developed area. Similar to the proposed project, this alternative would be designed to operate year-round using PV panels to convert solar energy directly to electrical power. Power generated by such distributed solar PV systems would typically be consumed onsite by the commercial or industrial facility without requiring the construction of a new electrical substation or transmission facilities. Under this alternative the proposed project's requested zone classification changes, CUPs, General Plan amendments, zone variances, removal of road reservations, vacation of easements, or vesting tentative parcel maps would not necessarily be required, with exception to CUPs for instances the generated solar energy exceeds onsite demands as part of the intended use.

Aesthetics

Under the No Ground-Mounted Utility-Solar Development Alternative, a number of geographically distributed small to medium solar PV systems would be developed, typically on the rooftops of commercial and industrial facilities.

The installation of small to medium solar PV systems on large commercial and industrial rooftops would be visually unobtrusive or unnoticeable from receptors at ground level. However, from other vantage points, the installation of rooftop small to medium solar PV systems may be visible but would not likely affect the visual character or quality of an area, because the character or quality of an area has already been altered as a result of the existing building's construction. The exceptions may be if rooftop solar were proposed on historic buildings, which could affect the historic character and integrity of the buildings. Implementation of this alternative would require historic surveys and investigations to evaluate the eligibility of potentially historic structures that are over 50 years old, and either avoidance of such buildings, or incorporation of design measures to minimize impacts on historic integrity of historically significant structures.

The No Ground-Mounted Utility-Solar Development Alternative would have less than significant impacts after mitigation as well as less impacts related to aesthetics compared to the proposed project.

Biological Resources

Under the No Ground-Mounted Utility-Solar Development Alternative, a number of geographically distributed small to medium solar PV systems would be developed, typically on the rooftops of commercial and industrial facilities situated throughout the Antelope Valley. The project site would remain undeveloped and only developed areas, typically on the rooftops of commercial and industrial facilities, in the Antelope Valley would be modified. Given that rooftops of existing commercial and industrial facilities would be used for solar PV system installation, these areas would be unlikely to provide habitat for special-status species. Development of this alternative would not disturb any land or remove habitat for special-status plants and wildlife or have a substantial adverse effect on any riparian habitat. As such, special development standards and/or conditions of approval similar to Mitigation Measures MM 4.1-1, MM 4.1-3, MM 4.3- 3, MM 4.4-1 through MM 4.4-23, MM 4.9-2, MM 4.10-1, MM 4-10-2, and MM 4.13-1 (see Findings for *Aesthetics*, *Air Quality*, *Biological Resources*, *Hazards and Hazardous Materials*, *Hydrology and Water Quality*, and *Noise*), would be required. The No Ground-Mounted Utility-Solar Development Alternative would result in less-than-significant impacts with mitigation for biological resources, with reduced impacts compared to the proposed project as this alternative would not require ground disturbance. The No Ground-Mounted Utility-Solar Development Alternative would not contribute to a cumulative loss of biological resources. As such, significant and unavoidable cumulative impacts would be eliminated.

Wildfires

Under the No Ground-Mounted Utility-Solar Development Alternative, a number of geographically distributed small to medium solar PV systems would be developed, typically on the rooftops of existing commercial and industrial facilities situated throughout the Antelope Valley with fewer wildfire risks. With regard to the installation or maintenance of associated infrastructure, solar panels would require the installation of an electrical collector line, similar to the proposed project. The installation of the electrical collector line would not be placed within a high fire hazard zone and thus would not result in increased fire risks that could result in temporary or ongoing impacts to the environment. Development of the No Ground-Mounted Utility-Solar Development Alternative would not require grading and excavation to reduce the overall slope of the project site. As such, the No Ground-Mounted Utility-Solar Development Alternative would not include significant risks related to downslope or downstream flooding or landslides as a result of runoff, post-fire slope instability, or drainage changes.

This alternative is expected to result in less-than-significant impacts to wildfires. The No Ground-Mounted Utility-Solar Development Alternative would likely result in less impacts related to wildfires compared to the proposed project as solar panels would be located in more urbanized areas.

Conclusion and Relationship to Project Objectives

The No Ground-Mounted Utility-Solar Development Alternative would result in less impacts related to aesthetics, agriculture and forestry resources, biological resources, cultural resources, geology and soils, hazards and hazardous materials, hydrology and water quality, land use and planning, mineral resources, public services, transportation, tribal cultural resources, utilities and service systems, and wildfires. However, impacts related to GHG emissions would be greater under this alternative due to the potential for increased truck trips associated with solar panel delivery and the lower efficiency of the distributed systems. Further, this alternative would avoid the significant and unavoidable impacts to aesthetics (project and cumulative), biological resources (project WJT only and cumulative), and wildfire (cumulative only) that would occur under the project.

This alternative would partially satisfy the project objective of assisting California in meeting its GHG emissions reduction goals. However, up to 4 GWh of energy storage (a component of the proposed project)

would not be constructed under this alternative. The alternative would not achieve other project objectives including utilizing existing transmission infrastructure to minimize costs. It is also unlikely that the alternative would have an average insolation value similar to or greater than that of the project site given the reduction of solar insultation closer to the coast (especially in the LA region) as well as the lack of efficiency of rooftop solar compared to solar tracking technology. Additionally, this alternative would not meet the following objectives:

- Up to 4 GWh of energy storage would not be included, and the alternative would not provide a new source of energy storage that assists the state in achieving or exceeding its energy storage mandate.
- The system would not likely be built out within a timeframe that would be similar to that of the project.
- Given the distributed nature of such a network of facilities, construction, management, and maintenance would not be as efficient, and total capital costs would likely be higher.
- The project proponent does not have immediate control or access to potential developed sites that could accommodate facilities to generate the solar power.
- A distributed system on the scale of the project would be cost-prohibitive to implement due to reduced cost efficiency of distributed solar.

This alternative theoretically has the potential to generate up to 600 MW of electricity, but the electricity would be used on the sites generating the power and would not achieve the project objective of assisting California load-serving entities in meeting their obligations under California's RPS Program. Further, given rooftop suitability and availability as well as space constraints, the extensive area of rooftop solar needed to replace the project (approximately 100,000 homes at 6 kilowatts per household) would be infeasible within any medium-term timeline. Additionally, this alternative does not include up to 4 GWh of energy storage. Given the size of the project, the project objectives, and the need to arrange a suitable assemblage of participating commercial and industrial properties, it is impractical and infeasible to propose a distributed generation project of this type and still proceed within a reasonably similar timeframe.

5. ENVIRONMENTALLY SUPERIOR ALTERNATIVE

The CEQA Guidelines require the identification of an environmentally superior alternative to the project (CEQA Guidelines, Section 15126.6[e] [2]). An environmentally superior alternative is an alternative to the project that would reduce and/or eliminate the significant environmental impacts associated with the project without creating other significant impacts and without substantially reducing and/or eliminating the environmental benefits attributable to the project. Selection of an environmentally superior alternative is based on an evaluation of the extent to which the alternatives reduce or eliminate the significant impacts associated with the project on a comparison of the remaining environmental impacts of each alternative. In conducting this comparative evaluation, it can be difficult to make a determination of relative significance because some categories are relatively more or less important and cannot be simply summed. In some cases, these categories do not create a picture of the nuances of the alternatives.

As presented in the comparative analysis above, and as shown in Table 6-3, *Comparison of Alternatives,* of the EIR, there are a number of factors in selecting the environmentally superior alternative. An EIR must identify the environmentally superior alternative to the project. Alternative 1, the No Project Alternative, would be environmentally superior to the project on the basis of its minimization or avoidance of physical environmental impacts. However, CEQA *Guidelines* Section 15126.6(e)(2) states:

> *The "no project" analysis shall discuss the existing conditions at the time the notice of preparation is published, or if no notice of preparation is published, at the time environmental analysis is commenced, as well as what would be reasonably expected to occur in the foreseeable future if the project were not approved, based on current plans and consistent with available infrastructure and community services. If the environmentally superior alternative is the "no project" alternative, the EIR shall also identify an environmentally superior alternative among the other alternatives.*

Because the No Project Alternative cannot be the Environmentally Superior Alternative under CEQA, the Environmentally Superior Alternative is considered to be the No Ground-Mounted Utility-Solar Development Alternative. This alternative would avoid significant and unavoidable impacts to aesthetics (project and cumulative), biological resources (project WJT only and cumulative), and wildfire (cumulative only). However, impacts related to GHG emissions would be greater under this alternative due to the potential for significant truck trips associated with solar panel delivery and the lower efficiency of the distributed systems. The alternative also would not include up to 4 GWh of energy storage. The potential for an increased fire risk is considered small as solar is commonly and safely added to structures, and all building codes would be conformed to under this alternative. This alternative would result in less impact to aesthetics, agriculture and forestry resources, biological resources, cultural resources, geology and soils, hazards and hazardous materials, hydrology and water quality, land use and planning, mineral resources, public services, transportation, tribal cultural resources, utilities and service systems, and wildfires. Thus, for most environmental resource areas, this alternative would result in fewer environmental impacts, both short term and long term, when compared to the proposed project.

It is important to note that it is considered to be impracticable and infeasible to construct the No Ground-Mounted Utility-Solar Development Alternative within the same timeframe and/or with the same efficiency as the project because the project proponent lacks control and access to the sites required to develop 600 MW of distributed solar generated electricity. Additionally, doing so would be economically infeasible because, given rooftop suitability and availability as well as space constraints, the extensive area of rooftop solar needed to replace the project (approximately 100,000 homes at 6 kilowatts per household) would be infeasible within any medium-term timeline. In addition, this alternative would not achieve the project objective of assisting California load-serving entities in meeting their obligations under California's RPS Program, as the rooftop solar technology is primarily designed to not exceed onsite demands. Nonetheless, because this alternative reduces impacts to a greater degree than the General Plan and Zoning Build-Out Alternative and Reduced Acreage Alternative, the No Ground-Mounted Utility-Solar Development Alternative is considered the Environmentally Superior Alternative.

Exhibit B
15093 Statement of Overriding Considerations

STATEMENT OF OVERRIDING CONSIDERATIONS

***CEQA Guidelines* Section 15093**

For
Galaxy Solar PV & Storage Project

By Galaxy Solar Storage, LLC
(PP25404)

GPA No. 7, Map 212;
ZCC No. 5, Map 195; ZCC No. 4, Map 212; ZCC No. 5, Map 212;
CUP No. 4, Map 195; CUP No. 5, Map 195; CUP No. 7, Map 212;
ZV No. 1, Map 195; ZV No. 2, Map 212;
GPA No. 5, Map 195 (Circulation); GPA No. 6, Map 212 (Circulation);
Vesting Tentative Parcel Maps (Multiple)

Board of Supervisors – September 29, 2026

Final Environmental Impact Report
SCH # 2025081409

Lead Agency: Kern County Planning and Natural Resource Department

Section 15093 Statement of Overriding Considerations

The California Environmental Quality Act (CEQA) requires the decision-making agency to balance the benefits of a proposed project against its significant unavoidable risks when determining whether to approve the proposed project. The Galaxy Solar PV & Storage Project by Galaxy Solar Storage LLC would result in environmental effects that, although mitigated to the extent feasible by the implementation of mitigation measures required for the project, would remain as significant and unavoidable adverse impacts, as discussed in the Environmental Impact Report (EIR) and CEQA Findings of Fact. These impacts are summarized below and constitute those impacts for which this statement of overriding considerations is made.

1) The proposed project would, in nonurbanized areas, substantially degrade the existing visual character or quality of the site and its surroundings. Implementation of the project would result in potentially significant visual impacts to the existing visual quality or character of the site and surrounding area. As shown in the visual simulations provided in the EIR, the project's components would mimic the form and colors of existing infrastructure, resulting in a minimal visual impact. Overall, all views would remain in the same average visual quality class.

   However, visual change would be evident from certain viewpoints. Even with distance and diminished visibility, visual change associated with introduction of large areas of solar development and associated infrastructure on currently undeveloped desert terrain would likely attract attention. Further, development of the project would expand existing renewable energy development (i.e., solar and wind developments) present south of State Route (SR) 58 and east and west of SR-14.

   Mitigation measures would be incorporated to reduce visual impacts associated with the project by limiting vegetation removal, planting native vegetation, providing privacy fencing, reducing visibility of project facilities, and minimizing debris and trash. Native vegetation would be left in place on the project site where feasible, allowing for a natural screening of project components. However, because there are no feasible mitigation measures that can be implemented to maintain the existing, open and undeveloped desert landscape character of the project site until such time the project is decommissioned and the land restored, impacts to visual resources would remain significant and unavoidable.

2) The proposed project would result in cumulative aesthetics impacts related to visual character. The project in combination with the cumulative projects would have significant and unavoidable impacts related to aesthetics. While other projects in the region would also be required to implement various mitigation measures to reduce impacts, the conversion of thousands of acres to a developed landscape cannot be mitigated to a degree in which impacts are no longer significant. Even with implementation of mitigation measures, the project's contribution to significant cumulative impacts associated with visual character in the Antelope Valley would be significant and unavoidable.

3) The proposed project would have a substantial adverse effect on a candidate species (Western Joshua Tree, "WJT"). WJTs are a candidate species under CESA. Given that WJT individuals would be impacted by the project, impacts on WJT would be considered significant without mitigation.

   The project includes design features to avoid, preserve, and minimize impacts to WJT. Mitigation for impacts to WJTs would be coordinated with California Department of Fish and Wildlife through take coverage permitting and is expected to include measures such as seed collection, WJT relocation requirements, and the acquisition of offsite compensatory mitigation lands with a focus on WJT refugia habitat. Mitigation also requires a lead biologist to oversee all biological mitigation measures, implementation of a Worker Environmental Awareness Training Program, and general avoidance and protective measures designed to avoid impacts to special-status species during construction, operation and maintenance, and decommissioning activities. While implementation of the project design features

and mitigation measures would reduce impacts to WJT, the County considers impacts to WJT to be significant and unavoidable due to the number of WJT that would be impacted to implement the project.

4) The project would result in cumulative impacts on biological resources. Given the number of present and reasonably foreseeable future development projects in the Antelope Valley, the project, when combined with other projects, would result in a significant and unavoidable cumulative loss of foraging and nesting habitat for special-status species. While the project would have less-than-significant impacts on the project-level scale, with the exception of the Western Joshua Tree, when combined with related projects, the project would contribute to impacts that would be cumulatively significant and unavoidable.

5) The proposed project would result in cumulative wildfire impacts. The proposed project site is located within a rural, sparsely developed area with limited existing infrastructure. The area contains low desert vegetation typical of the Antelope Valley. No recorded wildfires have burned across the project site, and neither the proposed solar field or generation tie (gen-tie) lines are located in or near State Responsibility Areas or lands classified as "very high" Fire Hazards Severity Zones, which are the primary indicators for elevated fire risks. Construction and operation of the project would pose minor risks of causing or exacerbating the uncontrolled spread of wildfire and adverse post-fire conditions. The associated impacts would all be less than significant.

   Although impacts of the proposed project by itself would be less than significant, the project would have cumulatively considerable impacts related to wildfire due to the rural nature of the project region and the numerous other projects in the area. The proposed project in conjunction with other current and foreseeable projects would result in significant cumulative impacts related to wildfire, including potential conflicts with an adopted emergency response or evacuation plan; exposing people to pollutant concentrations from a wildfire; the installation or maintenance of associated infrastructure that may exacerbate fire risk; and exposing people or structures to significant risks as a result of runoff, post-fire slope instability, or drainage changes. The cumulative impacts would be significant and unavoidable.

Findings

This Board of Supervisors (Board) finds and determines that it has considered the identified means of lessening or avoiding the Project's significant effects and that to the extent any significant direct or indirect environmental effects, including cumulative project impacts, remain unavoidable or not mitigated to below a level of significance after mitigation, such impacts are at an acceptable level in light of the specific economic, legal, social, technological, or other benefits, including region-wide or statewide environmental benefits of the project, as discussed below, and such benefits override, outweigh, and make "acceptable" any such remaining environmental impacts of the project (CEQA Guidelines Sections 15092(b), 15093(a)).

The following benefits and considerations outweigh the identified significant and unavoidable adverse environmental impacts. All of these benefits and considerations are based on the facts set forth in the Findings, the Final EIR, and the record of proceedings for the project. Each of these benefits and considerations is a separate and independent basis that justifies approval of the project, so that if a court were to set aside the determination that any particular benefit or consideration would occur and justifies project approval, this Board would otherwise stand by its determination that the remaining benefit(s) or considerations are sufficient to justify and substantiate project approval.

Facts

Each benefit set forth below constitutes an overriding consideration warranting approval of the project, independent of the other benefits, and the Board determines that the adverse environmental impacts of the project are "acceptable" if any of these benefits would be realized. The project would provide benefits to the County of Kern as follows:

1. The project would utilize approximately 3,500 acres of vacant, undeveloped land, with little water, in unincorporated Kern County for a renewable energy solar storage project. It will have a useful life of 35 years, which will pay property taxes and fees to Kern County, including to the General Fund. With the expiration of the solar property tax exclusion on January 1, 2027, the project will contribute property taxes of an estimated total of $120 million over 35 years with over $66.5 million being paid in its first 5 years of operations. Within that first 5-year period, 18% or over $11.9 million will be paid into the General Fund alone, approximately 59% or $39.2 million would go to Kern County Schools, and over $7.3 million to the Kern County Fire Department. With an estimated $16.1 million being paid in property taxes in its first year of full operations, the project is expected to be one of the top 10 taxpayers in Kern County as compared to the 2025/2026 tax period. Alternatively, if the project qualifies, based on State Legislative action and the State Board of Equalization guidance, for any reduction in property taxes under a Solar Tax Exclusion or other specific property tax relief for solar or battery storage regardless of the name, then the Cumulative Impact Charge (CIC) would apply, resulting in an annual contribution of approximately $2.28 million over the life of the project.

2. The Applicant has developed a comprehensive mitigation package that will substantially mitigate project-related impacts to WJTs through minimization and avoidance, compensatory land acquisition, habitat augmentation, and ecosystems management coordinated with CDFW through Incidental Take Permitting. Mitigation for WJT will also include additional measures such as onsite or offsite WJT relocation, potential seed collection, and acquisition of offsite compensatory mitigation lands with a focus on WJT refugia habitat. Together, these measures, as a comprehensive mitigation package, are intended to maximize WJT preservation efforts and minimize project impacts to substantially mitigate project impacts to WJT.

3. The project would establish a solar facility and associated infrastructure capable of producing up to 600 megawatts (MW) of renewable electrical energy with up to 4 gigawatt-hours (GWh) of energy storage capacity (approximately 1,000 MW), and help meet the increasing demand of the State of California for clean, renewable electrical power at a competitive cost.

4. The proposed project would assist the state of California in achieving the Renewable Portfolio Standard (RPS) under Senate Bill (SB) 100 for 2045, by providing a significant new source of renewable energy (California State Assembly Bill [AB] 32, Global Warming Solutions Act of 2006, and SB 32).

5. The proposed project would enhance existing electrical distribution infrastructure and provide greater support to existing and future customer loads to ensure Southern California Edison can provide power to all customers, including customers in Kern County.

6. The project would expand the reach of renewable energy development through the creation of a high-capacity battery energy storage system (BESS), making solar more effective by storing energy after sunset and placing it on the grid.

7. Project construction would generate an estimated daily average of up to 354 jobs (653 jobs during peak construction periods), and approximately six (6) full time jobs during operation, which would provide increased business for local contractors and vendors.

8. The proposed project would minimize environmental effects by:

    a. Locating generating facilities in areas which receive intense solar radiation;

    b. Using existing electrical transmission facilities, rights-of-way, roads, and other existing infrastructure where practicable;

    c. Minimizing water use; and

    d. Reducing greenhouse gas emissions.

Exhibit C
Mitigation Monitoring & Reporting Program (MMRP)

EXHIBIT C

Mitigation Monitoring Reporting Program (MMRP)

Galaxy Solar PV and Storage Project
By Galaxy Solar Storage, LLC
(PP25404)

GPA No. 7, Map 212;
ZCC No. 5, Map 195; ZCC No. 4, Map 212; ZCC No. 5, Map 212;
CUP No. 4, Map 195; CUP No. 5, Map 195; CUP No. 7, Map 212;
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Vesting Tentative Parcel Maps (Multiple)

Board of Supervisors – September 29, 2026

Final Environmental Impact Report
SCH# 2025081409

Lead Agency: Kern County Planning and Natural Resources Department

Impact	Mitigation Measure(s)	Time Frame for Implementation	Responsible Monitoring Agency	Date	Initials
4.1	**Aesthetics**				
4.1-3	**MM 4.1-1:** Prior to issuance of a grading or building permit, a Maintenance, Trash Abatement, and Pest Management Program shall be submitted for review and approval to the Kern County Planning and Natural Resources Department. The program shall include, but not be limited to the following: a. The project proponent/operator shall clear debris from the project area at least twice per year; this can be done in conjunction with regular array washing and site maintenance activities. b. The project proponent/operator shall erect signs with contact information for the project proponent/operator's maintenance staff at regular intervals along the site boundary, as required by the Kern County Planning and Natural Resources Department. Maintenance staff shall respond within two (2) weeks to resident requests for additional cleanup of debris. Correspondence with such requests and responses shall be submitted to the Kern County Planning and Natural Resources Department. c. The project proponent/operator shall implement a regular trash removal and recycling program on an ongoing basis during construction, operation, and decommissioning of the project. Barriers to prevent pest/rodent access to food waste receptacles shall be implemented. Locations of all trash receptacles during operation of the project shall be shown on final plans. d. Trash and food items shall be contained in closed containers to be locked at the end of the day and removed at least once per week to reduce the attractiveness to opportunistic predators such as common ravens, coyotes, and feral dogs.	Prior to the issuance of grading or building permit and during operation and construction	Kern County Planning and Natural Resources Department		
		Steps to compliance: A. This mitigation measure shall be incorporated as a condition of approval. B. The project proponent shall prepare a maintenance, trash abatement, and pest management program, as identified in the mitigation measure. C. The project proponent shall submit the maintenance, trash abatement, and pest management program to the Kern County Planning and Natural Resources Department for review and approval prior to the issuance of grading permits.			
4.1-3	**MM 4.1-2:** Prior to the issuance of building permits, the project proponent/operator shall submit a proposed color scheme and treatment plan, for review and approval by the Kern County Panning and Natural Resources Department, that will ensure project facilities including operations and maintenance buildings, gen-tie poles, array facilities, etc. blend in with the colors found in the natural landscape. Color treatments shall result in matte or nonglossy/non-reflective finishes.	Prior to the issuance of building permit	Kern County Planning and Natural Resources Department		
		Steps to compliance: A. This mitigation measure shall be incorporated as a condition of approval. B. The project proponent shall submit a proposed color scheme and treatment plan. C. The project proponent shall submit the proposed color scheme and treatment plan for review and approval to the Kern County Planning and Natural Resources Department prior to the issuance of the building permit.			
4.1-3	**MM 4.1-3**: Wherever possible, within the project boundary, native vegetation shall remain undisturbed unless mowing or grading is necessary for placement of project components. Native vegetation adjacent to the project boundary shall remain in place as permitted by Fire Code. Prior to the commencement of project operations and decommissioning, the project proponent/operator shall submit a Landscape Revegetation and Restoration Plan for the project site to the Kern County Planning and Natural Resources Department for review and approval. The plan shall include the measures detailed below. a. In areas temporarily disturbed during construction and decommissioning (including grading or removal of root balls resulting in loose soil), the ground surface shall be revegetated with a native seed mix or native plants (including Mohave creosote scrub habitat) and/or allowed to re-vegetate with the existing native seed bank in the topsoil where possible to establish revegetation. Areas that contain permanent project features such as security fencing, substations, BESS facilities, stormwater basins, perimeter and maintenance roads, or under solar arrays do not require revegetation. b. The plan must include but is not limited to: (1) the approved California native seed mix that will be used onsite, (2) a timeline for seeding the site, (3) the details of which areas are to be revegetated, (4) a list of the consultation efforts completed, and (5) the methods and schedule for installation of fencing that complies with wildlife agency regulations, and a clear prohibition of the use of toxic rodenticides. c. Ground cover shall include native seed mix and shall be spread where earthmoving activities have taken place, as needed to establish re-vegetation. The seed mix or native plants shall be determined through consultation with professionals such as landscape architect(s), horticulturist(s), botanist(s), etc. with local knowledge as shown on submitted resume and shall be approved by the Kern County Planning and Natural Resources Department prior to planting. Phased seeding may be used if a phased construction approach is used (i.e., the entire site need not be seeded at the same time). d. Vegetation/ground cover shall be continuously maintained on the site by the project operator. e. Revegetation and restoration of the site shall be monitored annually for a three- (3-) year period following restoration activities that occur post-construction and post-decommissioning until vegetative cover is evenly established over 70 percent of disturbed and exposed areas of soil (non-paved or non-built). In areas that naturally have low vegetative coverage (e.g., deserts), 70 percent of natural conditions of local undisturbed areas is acceptable. Based on annual monitoring visits during these three- (3-) year periods, an annual evaluation report shall be submitted to the Kern County Planning and Natural Resources Department for the three- (3-) year period. Should efforts to reach 70 percent final cover prove in the second year to not be successful compared to existing conditions, re-evaluation of revegetation methods shall be made in consultation with the Kern County Planning and Natural Resources Department and an additional year shall be added to the monitoring program until the required minimum is achieved. The three- (3-) year monitoring program is intended to ensure the site naturally achieves native plant diversity, establishes perennials, and is consistent with conditions prior to implementation of the proposed project, where feasible.	During construction, operation, and decommissioning	Kern County Planning and Natural Resources Department		
		Steps to Compliance: A. This mitigation measure shall be incorporated as a condition of approval. B. The project proponent shall ensure that native vegetation remain undisturbed, wherever possible. C. The project proponent shall submit a Landscape Revegetation and Restoration Plan for approval to the Kern County Planning and Natural Resource Department. D. The project proponent shall submit evidence of implementation of compliance to the Kern County Planning and Natural Resources Department with practices outlined in the mitigation.			

Impact	Mitigation Measure(s)	Time Frame for Implementation	Responsible Monitoring Agency	Date	Initials
4.1	**Aesthetics**				
4.1-3	**MM 4.1-4:** The project proponent shall install fence slats or similar view-screening materials, as approved by the Kern County Planning and Natural Resources Department, in on-site perimeter fencing for the portion of the solar site that abuts parcels zoned for residential use, including E (Estate Residential), R-1 (Low-Density Residential), R-2 (Medium-Density Residential), R-3 (High-Density Residential), or PL (Platted Lands) zoning unless the adjacent property is owned by the project proponent (to be verified by the Kern County Planning and Natural Resources Department) or a public or private agency that has submitted correspondence to the Kern County Planning and Natural Resources Department requesting this requirement to be waived. Should the project proponent sell the adjacent property, slat fencing or similar view-screening materials shall be installed prior to the sale.	Prior to site plan approvals and issuance of grading permits	Kern County Planning and Natural Resources Department		
		Steps to compliance: A. This mitigation measure shall be incorporated as a condition of approval. B. The Kern County Planning and Natural Resources Department will verify ownership of adjacent property and will approve metal fence slats or other similar view-screening materials. C. The project proponent shall install metal fence slats or other similar view-screening materials as outlined in the mitigation.			
4.1-3	**MM 4.1-5**: For portions of the project that abut residentially zoned parcels not controlled by the project proponent, an aesthetics setback of 100 feet shall be required from the project property boundary line, which includes the centerline of any public roadway or easement. If a public roadway or easement does not exist between the project site and the residentially zoned property, the 100-foot setback shall be measured from the edge of the shared property line. The project proponent shall be responsible for continued dust control and weed maintenance within this additional setback area. No solar arrays, substations or operating equipment shall be located in or stored in the identified setback area.	Prior to site plan approvals and issuance of grading permits	Kern County Planning and Natural Resources Department		
		Steps to Compliance: A. This mitigation measure shall be incorporated as a condition of approval. B. The project proponent shall set an additional aesthetics setback of 100 feet from the project property boundary line, which includes the centerline of any public roadway, for portions of the project that abut residentially zoned parcels. C. The project proponent shall be responsible for continued dust control and weed maintenance within this additional setback area. D. The project proponent shall ensure no solar panels, substations, or operating equipment are located or stored in the identified setback area. E. The Kern County Planning and Natural Resources Department shall verify compliance.			
4.1-4	**MM 4.1-6:** Prior to the issuance of building permits, the project proponent shall demonstrate to the Kern County Planning and Natural Resources Department, through the submittal of a lighting plan, that the project site complies with the applicable provisions of the Dark Skies Ordinance (Chapter 19.81 of the Kern County Zoning Ordinance) and shall be designed to provide the minimum illumination needed to achieve safety and security objectives. Lighting shall be directed downward and shielded to focus illumination on the desired areas only and avoid light trespass into adjacent properties and roadways. Lenses and bulbs shall not be exposed or extend below the shields.	Prior to the issuance of building permits	Kern County Planning and Natural Resources Department		
		Steps to Compliance: A. This mitigation measure shall be incorporated as a condition of approval. B. The project shall comply with the Dark Skies Ordinance, as listed in this mitigation measure. C. The project proponent shall submit evidence of compliance with the Dark Skies Ordinance to the Kern County Planning and Natural Resources Department staff.			
4.1-4	**MM 4.1-7:** Prior to the issuance of building permits, the project proponent shall demonstrate solar arrays and hardware are designed to minimize glare and spectral highlighting. Emerging technologies, such as diffusion coatings and nanotechnological innovations shall be used to effectively reduce the refractive index of the solar cells and protective glass. These technological advancements are intended to make the solar arrays more efficient with respect to converting incident sunlight into electrical power while also reducing the amount of glare generated by the arrays. Specifications of such designs shall be submitted to the Kern County Planning and Natural Resources Department.	Prior to the issuance of building permits.	Kern County Planning and Natural Resources Department		
		Steps to Compliance: A. This mitigation measure shall be incorporated as a condition of approval. B. The project proponent shall submit evidence to the Kern County Planning and Natural Resources Department that the solar panels and hardware are designed to minimize glare and spectral highlighting, as identified in the mitigation measure. C. The Kern County Planning and Natural Resources Department shall review specifications of designs prior to the issuance of building permits.			
Justification: Changes or alterations to the project have been required to substantially reduce the potentially significant environmental effects identified in the Final EIR to the extent feasible.					

Impact	Mitigation Measure(s)	Time Frame for Implementation	Responsible Monitoring Agency	Date	Initials
4.3	**Air Quality**				
4.3-1	**MM 4.3-1:** The project shall continuously comply with applicable rules and regulations set forth by the East Kern Air Pollution Control District.	During construction, operation, and decommissioning	Kern County Planning and Natural Resources Department; East Kern Air Pollution Control District		
		Steps to Compliance: A. This mitigation measure shall be incorporated as a condition of approval. B. The project proponent shall comply with the applicable rules and regulations set forth by the EKAPCD. C. The project proponent shall submit proof of compliance and/or correspondence with EKAPCD to Kern County Planning and Natural Resources Department.			
4.3-1	**MM 4.3-2:** To control fugitive PM emissions during implementation of the project, prior to the issuance of grading or building permits, the project proponent shall prepare a comprehensive Site-Specific Fugitive Dust Control Plan in coordination with the Eastern Kern Air Pollution Control District. If installation of the gen-tie line will result in disturbance of more than 10 contiguous acres, a separate Fugitive Dust Control Plan may be required to be submitted. A copy of the final plan shall be submitted to the Kern County Planning and Natural Resources Department to be kept on file. The plan shall include Eastern Kern Air Pollution Control District-recommended measures, including but not limited to, the following: a. Identify a comprehensive grading schedule for the entire project site. When feasible, grading activities shall be phased and minimized to those areas necessary for project access and installation of solar panels and other areas of infrastructure associated with the solar facility. b. The Site-Specific Fugitive Dust Control Plan shall identify, in addition to those measures required by the air district, measures being undertaken during construction activities, operational activities and decommissioning activities to ensure fugitive dust being blown off site is minimized. Measures may include, but are not limited to: 1. Use of water trucks as required for the expected level of winds in the area. 2. Use of dust suppressant (i.e., soil binders or mulch). 3. Pre-seeding and irrigating prior to construction to create vegetation with useful root structures. 4. Construction of dust screening in appropriate locations around the project site (i.e., fence slats or mesh screening). 5. A copy of the final Site-Specific Fugitive Dust Control Plan shall be kept at the site construction office and measures included in the Site-Specific Fugitive Dust Control Plan shall be included on Grading Plans issued for the project by the Kern County Public Works Department.	Prior to the issuance of a grading permit	Kern County Planning and Natural Resources Department; Kern County Building Inspection Department		
		Steps to Compliance: A. This mitigation measure shall be incorporated as a condition of approval for any site plan review. B. The project proponent shall ensure that dust measures are implemented as outlined in the mitigation. C. The project proponent shall submit the Site-Specific Dust Control Plan to the Kern County Planning and Natural Resources Department for review and approval prior to the issuance of any grading permit.			
4.3-1	**MM 4.3-3:** The project proponent and/or its contractors shall continuously implement the following measures during implementation of the project to control emissions from the on-site equipment: a. All equipment shall be maintained in accordance with the manufacture's specifications. b. All equipment, including heavy-duty equipment, motor vehicles, and portable equipment, shall be turned off when not in use for extended periods of time. Engine idling of all equipment shall be minimized. c. Construction equipment shall not operate longer than eight cumulative hours per day. d. All construction vehicles shall be equipped with proper emissions control equipment and kept in good and proper running order to substantially reduce NO_X emissions. e. On-road and off-road diesel equipment shall use diesel particulate filters (or the equivalent) if permitted under manufacturer's guidelines. f. All on-site off-road equipment and on-road vehicles shall meet the recent California Air Resources Board engine emission standards or alternatively fueled equipment, such as compressed natural gas, liquefied natural gas, or electric, as appropriate.	Prior to the issuance of any grading permit and during construction	Kern County Planning and Natural Resources Department		
		Steps to Compliance: A. This mitigation measure shall be incorporated as a condition of approval. B. The project proponent shall ensure construction and operation parameters, as identified in the mitigation measure, are adopted and maintained. C. The Kern County Planning and Natural Resources Department shall verify in the field during the construction phase of the project.			
4.3-1	**MM 4.3-4:** Prior to commencement of any onsite construction activities (i.e., fence construction, mobilization of construction equipment, initial grading), including decommissioning, the project proponent shall provide written notice to the public through mailing a notice to property owners of all parcels within 1,000 feet of the project site, no sooner than 15 days prior to construction activities. The notices shall include the construction schedule, a telephone number and email address where complaints and questions can be registered. Additionally, a minimum of one sign, legible at a distance of 50 feet, shall also be posted at the construction sites or adjacent to the nearest public access to the main construction entrances throughout construction activities which include the construction schedule (updated as needed) and a telephone number where complaints can be registered. Documentation that the public notice has been sent and the sign has been posted shall be provided to the Kern County Planning and Natural Resources Department.	Prior to the commencement of any construction activities, including decommissioning	Kern County Planning and Natural Resources Department		
		Steps to Compliance: A. This mitigation measure shall be incorporated as a condition of approval. B. Proof of mailings shall be provided to Kern County Planning and Natural Resources Department prior to issuance of any grading and/or building permit. C. Proof of sign installation shall be provided to Kern County Planning and Natural Resources Department.			

Impact	Mitigation Measure(s)	Time Frame for Implementation	Responsible Monitoring Agency	Date	Initials
4.3	**Air Quality**				
4.3-1	**MM 4.3-5:** Prior to the issuance of any grading or building permit, the project proponent shall establish a "construction coordinator" and submit written documentation which includes their phone number, email address and mailing address. The construction coordinator shall be responsible for the following: a. Responding to any local complaints about construction activities. The construction coordinator shall determine the cause of the construction complaint and shall be required to implement reasonable measures such that the complaint is resolved. b. Ensuring all appropriate construction notices have been made available to the public and that all appropriate construction signs have been installed. c. Maintaining an ongoing up-to-date log of all construction related complaints (i.e., blowing dust, inability to access parcels, etc.) during project construction activities. The log shall include the nature of the complaint and the measures that were undertaken to address the concerns. Upon request, the construction coordinator shall provide the log to the Planning and Natural Resources Department no later than three business days from request.	Prior to the issuance of any grading or building permit	Kern County Planning and Natural Resources Department		
		Steps to Compliance: A. This mitigation measure shall be incorporated as a condition of approval. B. The project proponent shall submit all contact information for the "Construction Coordinator" to the Kern County Planning and Natural Resources Department. C. Updated logs shall be maintained on site and are to be provided to the Kern County Planning and Natural Resources Department on request.			
4.3-2	**MM 4.3-6:** To minimize personnel and public exposure to potential Valley Fever-containing dust on and offsite, the following control measures shall be implemented during project construction: a. Equipment, vehicles, and other items shall be thoroughly cleaned of dust before they are moved offsite to other work locations. b. Wherever possible, grading and trenching work shall be phased so that earth-moving equipment is working well ahead or downwind of workers on the ground. c. The area immediately behind grading or trenching equipment shall be sprayed with water before ground workers move into the area. d. In the event that a water truck runs out of water before dust is sufficiently dampened, ground workers being exposed to dust shall leave the area until a truck can resume water spraying. e. To the greatest extent feasible, heavy-duty earth-moving vehicles shall be closed-cab and equipped with HEP-filtered air system. f. Workers shall receive training in procedures to minimize activities that may result in the release of airborne *Coccidioides immitis* (CI) spores, to recognize the symptoms of Valley Fever, and shall be instructed to promptly report suspected symptoms of work-related Valley Fever to a supervisor. Evidence of training shall be provided to the Kern County Planning and Natural Resources Department. g. A Valley Fever informational handout shall be provided to all onsite construction personnel. The handout shall, at a minimum, provide information regarding the symptoms, health effects, preventative measures, and treatment. Additional information and handouts can be obtained by contacting the Kern County Public Health Services Department. h. Onsite personnel shall be trained on the proper use of personal protective equipment, including respiratory equipment. National Institute for Occupational Safety and Health–approved respirators shall be provided to onsite personal upon request. When exposure to dust is unavoidable, provide appropriate National Institute for Occupational Safety & Health-approved respiratory protection to affected workers, if necessary. If respiratory protection is deemed necessary, employers must develop and implement a respiratory protection program in accordance with California Division of Occupational Safety and Health's Respiratory Protection standard (8 CCR 5144).	Prior to the issuance of any grading permits and ground disturbance activities	Kern County Public Health Services Department, Kern County Planning and Natural Resources Department		
		Steps to Compliance: A. This mitigation measure shall be incorporated as a condition of approval. B. All Valley Fever Awareness handouts shall be provided to onsite workers. C. The project proponent shall ensure practices are implemented as outlined in the mitigation measure.			
4.3-2	**MM 4.3-7:** Prior to the issuance of grading permits, a one-time fee shall be paid to the Kern County Public Health Services Department in the amount of $3,200 for Valley Fever public awareness programs	Prior to the issuance of grading permits	Kern County Planning and Natural Resources Department, Kern County Public Health Services Department		
		Steps to Compliance: A. This mitigation measure shall be incorporated as a condition of approval. B. The project proponent shall pay the one-time fee to the Kern County Public Health Services Department. C. The project proponent shall provide proof of payment to the Kern County Planning and Natural Resources Department prior to issuance of grading permits.			
4.3-2	**MM 4.3-8:** At the time of project implementation, a COVID-19 Health and Safety Plan should be prepared in accordance with the Kern County Public Health Services Department and Kern County Health Officer mandates. A copy of the COVID-19 Health and Safety Plan shall be submitted to the Kern County Planning and Natural Resources Department for review and approval.	At the time of project implementation	Kern County Planning and Natural Resources Department, Kern County Public Health Services Department		
		Steps to Compliance: A. This mitigation measure shall be incorporated as a condition of approval. B. The project proponent shall prepare and submit the COVID-19 Health and Safety Plan to the Kern County Planning and Natural Resources Department.			
Justification: Changes or alterations to the project have been required to substantially reduce the potentially significant environmental effects identified in the approved Final EIR to the extent feasible.					

Impact	Mitigation Measure	Time Frame for Implementation	Responsible Monitoring Agency	Date	Initials
4.4	**Biological Resources**				
4.4-1	**MM 4.4-1:** Prior to the issuance of grading or building permits, and prior to decommissioning, the project operator shall retain a Lead Biologist(s) who meets the qualifications of an Authorized Biologist as defined by the U.S. Fish and Wildlife Service (USFWS) to oversee compliance with protection measures for all listed and other special-status species that may be affected by the construction, operation, and decommissioning of the project. The contact information for the Lead Biologist(s) shall be provided in writing to the Planning and Natural Resources Department. The following measures pertain to the Lead Biologist(s): a. The Lead Biologist(s) or approved Biological Monitor shall be on the project site during construction and decommissioning of the project, and shall monitor all initial ground-disturbance activities and remain on-call throughout construction/decommissioning. Initial ground-disturbing construction activities include, but are not limited to, installation of perimeter fencing, clearing of vegetation, grading, site buildout, and decommissioning. b. The project operator shall retain a Lead Biologist(s) to oversee compliance with protection measures during operations. c. The Lead Biologist(s) or approved Biological Monitor(s) shall have the right to halt all activities that are in violation of the special-status species protection measures, as well as any regulatory permits from the USFWS and/or the California Department of Fish and Wildlife (CDFW), if applicable. Work shall proceed only after hazards to special-status species are removed and the species is no longer at risk.	Prior to the issuance of grading or building permits and prior to decommissioning	Kern County Planning and Natural Resources Department		
		Steps to Compliance: A. This mitigation measure shall be incorporated as a condition of approval. B. The project proponent shall submit evidence of the Lead Biologist along with the contact information of the Lead Biologist(s) to the Kern County Planning and Natural Resources Department. C. The Kern County Planning and Natural Resources Department shall verify the Lead Biologist prior to issuance of building and grading permits. D. The project proponent shall notify the Kern County Planning and Natural Resources Department, the Lead Biologist, and the appropriate resources agency before proceeding with construction. E. The project proponent shall stop work if in violation of the special-status species protection measures.			
4.4-1	**MM 4.4-2:** Prior to the issuance of grading or building permits, or decommissioning of the site, the Lead Biologist(s) shall develop a Worker Environmental Awareness Training Program containing life history and identification information of special-status wildlife and plant species with potential to occur on site. The Worker Environmental Awareness Training Program shall review responsibilities for all on-site personnel including trash control, checking under and around vehicles and heavy equipment before starting, scanning for wildlife resources, contacting the Lead Biologist(s) in the unanticipated instance of encountering special status wildlife species, and prohibition of pets and firearms. All on-site personnel shall be required to attend a worker environmental training. A sticker shall be placed on hard hats, indicating that the worker has completed the Worker Environmental Awareness Training. Copies of all prepared materials including, but not limited to, PowerPoint presentations, videos, information handouts and signed acknowledgement from each worker who has attended the required training shall be provided to the Kern County Planning and Natural Resources Department.	Prior to the issuance of grading or building permits, and decommissioning	Kern County Planning and Natural Resources Department		
		Steps to Compliance: A. This mitigation measure shall be incorporated as a condition of approval. B. The project proponent shall prepare a Worker Environmental Awareness Training Program for all construction personnel. C. The project proponent shall provide training materials to the Kern County Planning and Natural Resources Department. D. All construction workers shall attend the Worker Environmental Awareness Training Program prior to participating in construction activities; Full-time employees during regular operations shall also receive this training. E. An acknowledgement form signed by each worker indicating that environmental training has been completed will be kept on record. F. A copy of the training materials, as well as a list of names of all personnel who attended the training and copies of the signed acknowledgement forms, shall be submitted to the Kern County Planning and Natural Resources Department upon the County's request.			
4.4-1	**MM 4.4-3:** During project construction and decommissioning, the project proponent and/or contractor(s) shall implement the following general avoidance and protective measures: a. Immediately prior to conducting vegetation clearing or similar activities, the Lead Biologist(s) or their designee shall perform a pre-construction visual survey of the area to ensure that no special-status species are present. Daily reports of these inspections shall be retained by the Lead Biologist(s) and provided to the Kern County Planning and Natural Resources Department, and as required by resource agency permits issued to the project. b. All proposed impact areas, including solar fields, staging areas, access routes, and disposal or temporary placement of spoils, shall be delineated with stakes and/or flagging prior to construction to avoid natural resources where possible. Construction-related activities outside of the impact zone shall be avoided. c. Access roads that are planned for use during construction activities shall not extend beyond the planned impact area; this area includes all previously disturbed lands and any location within the project fenceline not delineated for avoidance of sensitive biological resources. Where new access routes are required, the route shall be clearly marked prior to construction. d. The project proponent/operator shall minimize the areas of disturbance. Parking areas, new roads, staging, storage, excavation, and disposal site locations shall be confined to the smallest areas possible. These areas shall be demarcated and disturbance activities, vehicles, and equipment shall be confined to these areas. e. Any spoils shall be stockpiled in disturbed areas that lack native vegetation to the maximum extent practicable. Spoils that have been stockpiled and inactive for more than 24 hours shall be inspected by the Lead Biologist(s) or approved Biological Monitor(s) for signs of special-status wildlife before moving or disturbing. f. To prevent inadvertent entrapment of desert kit foxes, American badgers, or other animals during construction, all excavated steep-walled holes or trenches more than two (2) feet deep shall be covered with plywood or similar materials at the close of each working	During construction and decommissioning of the project.	Kern County Planning and Natural Resources Department; U.S. Fish and Wildlife Service; and California Department of Fish and Wildlife		
		Steps to Compliance: A. This mitigation measure shall be incorporated as a condition of approval. B. The project proponent shall comply with this mitigation measure pertaining to construction activities and biological resources in coordination with the California Department of Fish and Wildlife as needed. C. Kern County Public Works Department shall verify compliance in the field during construction. D. The Lead Biologist or their designee shall perform a pre-construction visual survey of the area, and daily reports of these inspections shall be provided to the Kern County Planning and Natural Resources Department or California Department Fish and Wildlife upon request.			

Impact	Mitigation Measure	Time Frame for Implementation	Responsible Monitoring Agency	Date	Initials
4.4	**Biological Resources**				
	day. If holes or trenches cannot be covered, one or more escape ramps constructed of earthen fill or wooden planks, no less than 12 inches wide and secured at the top, shall be placed a minimum of every 100 feet within the open trench. Covered and non-covered holes or trenches shall be thoroughly inspected for trapped animals by the Lead Biologist(s) or approved Biological Monitor(s) at the beginning and end of each working day. Immediately before such holes or trenches are filled, they shall again be thoroughly inspected by the Lead Biologist, approved Biological Monitor(s), or trained Staff approved by the Lead Biologist. If trapped animals are observed, escape ramps or structures shall be installed immediately to allow escape or the Lead Biologist(s) may capture and relocate the animal (for non-listed species). If a listed species is found trapped, all work in the vicinity shall cease immediately. If the animal is apparently uninjured, then the Lead Biologist(s) shall directly supervise the provision of escape structures and/or trench modification to allow the trapped animal to escape safely. The animal shall be allowed to leave the work area and project site on its own and work shall not resume in the vicinity until the animal is out of harm's way. If the listed animal is injured, then the Lead Biologist(s) or approved Biological Monitor(s) shall immediately contact the USFWS and/or CDFW to identify an individual with the appropriate permit or authorization to handle listed species, who shall bring the animal to a pre-identified wildlife rehabilitation or veterinary facility for care. g. Burrowing owls, mammals, and nesting birds may use construction pipes, culverts, or similar structures for refuge or nesting. All towers that are of the monopole variety and all hollow vertical structures, such as solar mount poles, or fencing poles, shall be capped immediately after installation to prevent bird entrapment. Therefore, all construction pipes, culverts, or similar structures with a diameter of four (4) inches or more that are stored at a construction site for one or more overnight periods shall be thoroughly inspected for special-status wildlife or nesting birds before the pipe is subsequently buried, capped, or otherwise used or moved in any way. If an animal is discovered inside a pipe, that section of pipe shall not be moved until the Lead Biologist(s) has been consulted and the animal has either moved from the structure on its own accord (for listed species) or until the animal has been captured and relocated (for non-listed species) by the Lead Biologist(s) or approved Biological Monitor(s). If the animal is a listed species, then work shall immediately halt in the vicinity, and the animal shall be allowed to move from the structure and the work area of its own accord. The Lead Biologist(s) will direct work stoppages near the animal to allow it to freely move out of the pipe and away from the work area. Listed species shall not be handled or captured by anyone without the appropriate permit or authorization. h. No vehicle or equipment parked on the project site shall be moved prior to inspecting the ground beneath the vehicle or equipment for the presence of listed wildlife species. If present, the animal shall be left to move on its own. i. Vehicular traffic to and from the project site shall use existing routes of travel. Cross country vehicle and equipment use outside designated work areas shall be prohibited. j. A speed limit of 15 miles per hour shall be enforced within the limits of the project site. If night work occurs on the project site, the speed limit shall be 10 miles per hour. This requirement shall be posted with signage noted throughout the site. k. Fueling of equipment shall take place within existing roads or disturbed areas. No refueling within or adjacent to drainages (within 150 feet) shall be permitted. Contractor equipment shall be checked for leaks prior to operation and repaired as necessary. l. A long-term trash abatement program shall be established for construction, operations and maintenance, and decommissioning. Trash and food items shall be contained in closed containers to reduce the attractiveness to opportunistic predators such as common ravens, coyotes, and feral dogs. m. Workers shall be prohibited from bringing pets and firearms to the project site and from feeding wildlife. n. Intentional and unpermitted killing or collection of any listed plant or wildlife species shall be prohibited. o. Herbicides that may be used as vegetation control measures in project areas shall be restricted. All uses of such herbicidal compounds shall observe label and other restrictions mandated by the U.S. Environmental Protection Agency, California Department of Food and Agriculture, and state/federal legislation as well as additional project-related restrictions deemed necessary by the USFWS or CDFW. No rodenticides shall be used on the project site. p. To enable kit foxes and other wildlife (e.g., American badger) to pass through the project site after construction, the permanent perimeter security fence around the solar field shall be a wildlife friendly design that meets the goals of allowing wildlife to move freely through the project site during operation. The fence around the solar field ~~leaving 4- to 7-inch openings or portals in the fence or the fence~~ shall be raised 4 to 7 inches above the ground leaving a gap between the fence mesh and the ground. ~~, or as approved by USFWS or CDFW. In the latter case t~~ The bottom of the fence fabric shall be knuckled (wrapped back to form a smooth edge) to protect wildlife that passes under the fence. Should this measure conflict with permits (ITP) issued by USFWS or CDFW, the measures in the ITP shall prevail.(RTC 7/31/26)				
4.4-1	**MM 4.4-4:** During construction, operation and maintenance, and decommissioning, project work crews shall be directed to use industry accepted and standard construction best management practices (BMPs) consistent with the County zoning ordinances and with guidelines provided in the California Stormwater Quality Association's Construction Best Management Practice Handbook, where applicable, to avoid,	During construction, operation and maintenance, and decommissioning Steps to Compliance: A. This mitigation measure shall be incorporated as a condition of approval.	Kern County Planning and Natural Resources Department		

Impact	Mitigation Measure	Time Frame for Implementation	Responsible Monitoring Agency	Date	Initials
4.4	**Biological Resources**				
	minimize, and/or reduce potential construction-related impacts on biological resources. BMPs shall be monitored and repaired throughout the life of the project. The project proponent/operator and/or contractor(s) shall implement the general measures described below: a. BMPs shall be employed to prevent erosion in accordance with the project's approved Stormwater Pollution Prevention Plan. Detected erosion shall be remedied as described in the *Erosion Control Plan* of the Stormwater Pollution Prevention Plan. b. Material/spoils generated from project activities shall be located away from jurisdictional areas and environmentally sensitive areas that are not slated for impacts. c. Jurisdictional areas and environmentally sensitive areas shall be protected from storm water run-off using temporary perimeter sediment barriers such as berms, silt fences, fiber rolls, covers, sand/gravel bags, and straw bale barriers, as appropriate. d. Materials shall be stored on impervious surfaces or plastic ground covers to prevent any spills or leakage from contaminating the ground and generally at least 50 feet from the top of bank of any jurisdictional areas and environmentally sensitive areas. e. Any spillage of material shall be stopped if it can be done safely. The contaminated area shall be cleaned, and any contaminated materials properly disposed of. For all spills, the project foreman or designated environmental representative shall be notified.	B. The project proponent shall implement BMPs to control dust pollution, prevent discharge of potentially harmful chemicals, and prevent changes in hydrology, consistent with the CASQA 2023 Construction BMP Handbook, or most current version of this document.			
4.4-1	**MM 4.4-5:** Within 14 days prior to the commencement of ground-disturbing activities, the Lead Biologist(s) or their designee shall perform a pre-construction visual survey of the area to determine if rare plants and/or California Desert Native Plant Act species are present. Surveys need not be conducted for all areas of suitable habitat at one time; they may be phased so that surveys occur no more than 14 days prior to ground disturbance in specific areas of the site. Copies of reports for these inspections shall be retained by the Lead Biologist(s) and provided to the Kern County Planning and Natural Resources Department to be kept on file and to CDFW upon request. If no species with a California Native Plant Society Rank of 2B or higher are observed, no further mitigation would be required. If species with a California Native Plant Society Rank of 2B or higher are observed, and have not otherwise been accounted for in an approved removal action or separate mitigation action (see **MM 4.4-6** for a~~A~~lkali mariposa lily), they shall be delineated with stakes and/or flagged for avoidance to the extent feasible. After the preconstruction survey determines the exact location of these species, if present, on the project site and the number of individuals or populations present, the project proponent/operator shall submit written documentation to the Kern County Planning and Natural Resources Department confirming implementation of the measures described below: a. The project proponent/operator shall work with the Lead Biologist(s) to determine presence of the subject plant species and identify all known locations of subject plant species to establish "avoidance areas". All species with a California Native Plant Society Rank of 2B or higher found within the project site that has not otherwise been accounted for in an approved removal action or separate mitigation action shall be avoided by a buffer of 50 feet. Sturdy, highly visible, orange plastic construction fencing (or equivalent material verified by the Lead Biologist(s)) shall be installed around all locations of detected plant species to protect from impacts during the construction phase, until they can be relocated. The fence shall be securely staked and installed in a durable manner that would be reasonably expected to withstand wind and weather events and last at least through the construction period. Permanent perimeter security fence around the solar field ~~Fencing~~ will ~~also~~ be installed in such a way as to avoid wildlife entanglement (i.e., installed with a 4-7-inch gap between the bottom of the fence and ground level, or as determined by guidance from CDFW and/or USFWS) and promote wildlife permeability. ~~Fencing~~ Construction fencing shall be removed upon completion of the project construction. b. Any identified species with a California Native Plant Society Rank of 2B or higher present on the site that have not otherwise been accounted for in an approved removal action or separate mitigation action and that cannot be feasibly avoided in final project design shall require the project proponent to prepare and submit a transplantation plan that includes the following: 1. Identify an area of occupied habitat to be preserved and removed; 2. Identify areas of onsite or offsite preservation, restoration, or enhancement locations; 3. Methods for preservation, restoration, enhancement, and/or translocation; 4. Indicate a replacement ratio and success standard developed in coordination with the appropriate agencies for impacts to individuals; 5. Establish a monitoring program to ensure mitigation success; 6. Create an adaptive management and remedial measures in the event that performance standards are not achieved; 7. Ensure financial assurances and a mechanism for conservation of any mitigation lands required in perpetuity. c. Temporary ground disturbance associated with the gen-tie lines or collector lines shall be recontoured to natural grade (if the grade was modified during the temporary disturbance activity) and revegetated with an application of a native seed mix prior to or during seasonal rains to promote passive restoration of the area to pre-project conditions. However, if invasive plant species were present, these species would not be restored. An area subjected to temporary ground disturbance means any area that is disturbed but will not	Within 14 days to the commencement of any ground disturbing activities and during construction Steps to Compliance: A. This mitigation measure shall be incorporated as a condition of approval. B. The project proponent shall retain a biologist knowledgeable in the identification of rare plant species and California Desert Native Plant Act species to conduct preconstruction surveys. C. The project proponent shall prepare a transplantation plan, if required, as outlined in the mitigation. D. The Kern County Planning and Natural Resources Department will approve the transplantation plan prior to issuance to ground disturbance, if required.	Kern County Planning and Natural Resources Department, and/or California Department of Fish and Wildlife		

Impact	Mitigation Measure	Time Frame for Implementation	Responsible Monitoring Agency	Date	Initials
4.4	**Biological Resources**				
	be subjected to further disturbance as part of the project. This does not include areas already designated as urban/developed. Prior to seeding temporary ground disturbance areas, the Lead Biologist(s) will review the seeding palette to ensure that no seeding of invasive plant species, as identified in the most recent version of the California Invasive Plant Inventory for the region, will occur.(RTC 7/31/26) (BOS 9/29/2026)				
	MM 4.4-6: Alkali mariposa lily, a rare plant species with a California Native Plant Society rank of 1.B2, was documented as present on the project site. If the project would eliminate more than 10 percent of the local population, a Habitat Mitigation Plan would be prepared and would include the following: a. A figure illustrating the area of the population to be preserved, and the area of the population to be removed; a. Identification of on-site or off-site preservation, restoration, or enhancement location(s) and avoidance of those locations through the establishment of preservation areas and/or buffers; b. Methods for preservation, restoration, enhancement, and/or population translocation; c. A replacement ratio ~~and success standard criteria~~of 1:1 for occupied habitat or an alternative equivalent mitigation in coordination with the C~~c~~ounty; d. A five-year monitoring program to ensure mitigation success in accordance with the following survivorship percentage performance standard: 1. Because the plant lives above-ground during only a portion of its lifecycle, a minimum of 90 percent survival during one or more of the monitoring periods shall be considered success for this species. e. Adaptive management and remedial measures in the event that performance standards are not achieved; and f. Financial assurances and a mechanism for conservation of any mitigation lands required in perpetuity. A 1:1 mitigation ratio for occupied habitat is considered sufficient because alkali mariposa lily is not federally or state listed as threatened or endangered and is relatively common in the project area. Copies of all surveys and reports shall be submitted to the Kern County Planning and Natural Resources Department.(RTC 7/31/26)	Prior to issuance of grading or building permits	Kern County Planning and Natural Resources Department		
		Steps to Compliance: A. This mitigation measure shall be incorporated as a condition of approval. B. The project proponent shall prepare a Habitat Mitigation Plan, in accordance with the mitigation measure, if the criteria described in the mitigation measure occur.			
4.4-1	**MM 4.4-7:** Prior to the issuance of grading permits, the project proponent shall provide proof of fee payment for the removal of silver cholla in accordance with the California Desert Native Plant Act to the Kern County Planning and Natural Resources Department.	Prior to the issuance of grading permits	Kern County Planning and Natural Resources Department		
		Steps to Compliance: A. This mitigation measure shall be incorporated as a condition of approval. B. The project proponent shall provide proof of fee payment for the removal of silver cholla and beavertail prickly pear to the Kern County Planning and Natural Resources Department.			
4.4-1	**MM 4.4-8**: The project shall avoid western Joshua tree (WJT) individuals, if feasible except to the extent take is permitted by the California Department of Fish and Wildlife (CDFW). If avoidance of WJT is not feasible, as determined by the Lead Biologist, and p~~P~~rior to the issuance of grading permits, the project applicant shall consult with CDFW ~~regarding~~ and obtain an incidental take permit (ITP) for the take of WJT and shall comply with all avoidance, minimization, and compensatory mitigation measures, as set forth in any incidental take permit issued to the project by CDFW. Documentation of any such CDFW take authorization and mitigation shall be provided to the Kern County Planning and Natural Resources Department. The project proponent shall also submit to the Kern County Planning and Natural Resources Department confirming documentation that the following has been implemented where take of WJT individuals cannot be avoided: a. Prior to the issuance of a grading permit, the project proponent/operator shall develop a Joshua Tree Preservation Plan or other similar plan as required by any incidental take permit issued to the project by CDFW. The Plan shall be prepared by the Lead Biologist(s) or their designee pre-approved by Kern County and shall be approved by the appropriate agencies, including Kern County, prior to implementation. At a minimum, the plan shall identify the methods utilized, as applicable, ~~that the project is taking~~ to comply with any California Endangered Species Act (CESA) or CDFW take requirements, including relocation methods, monitoring and reporting, and compensatory mitigation related to the protection or mitigation of impacted Joshua trees. The Plan shall also clearly delineate how the project includes restoration and enhancements of WJT habitats through relocation of a minimum of 900 onsite WJT stems to onsite or offsite conserved lands.	Prior to issuance of grading permits for (a) – (b); Prior to final occupancy for (c)	Kern County Planning and Natural Resources Department, California Department of Fish and Wildlife		
		Steps to Compliance: A. This mitigation measure shall be incorporated as a condition of approval. B. The project proponent shall prepare a Joshua Tree Preservation Plan or other similar plan as required by any incidental take permit issued to the project by CDFW. C. Project site plans shall identify any onsite lands for WJT relocation, in accordance with the mitigation measure. D. Documentation of any such CDFW take authorization and mitigation shall be provided to the Kern County Planning and Natural Resources Department. E. Prior to final occupancy approval, a Post WJT Relocation Report shall be submitted to the Kern County Planning and Natural Resources Department documenting completion of WJT relocation.			

Impact	Mitigation Measure	Time Frame for Implementation	Responsible Monitoring Agency	Date	Initials
4.4	**Biological Resources**				
	b. Documentation of any such CDFW take authorization and mitigation implementation shall be provided to the Kern County Planning and Natural Resources Department to be kept on file. ~~The Plan shall also clearly delineate how the project includes restoration and enhancements of WJT habitats through relocation of a minimum of 900 onsite WJT stems to onsite or offsite lands.~~ c. Prior to final occupancy approval, a Post WJT Relocation Report shall be submitted to the Kern County Planning and Natural Resources Department documenting completion of WJT relocation.(RTC 7/31/26)				
4.4-1	**MM 4.4-9:** Within a maximum of 30 days of the start of ground disturbance for construction or decommissioning activities, a Lead Biologist(s) or their designee knowledgeable in the identification of special-status wildlife species with potential to occur on the project site shall conduct pre-construction surveys for special-status wildlife species within the project site, as well as within a minimum of 500 feet (where legally accessible) to determine if any special-status species are present. Surveys need not be conducted for all areas of suitable habitat at one time; they may be phased so that surveys occur no more than 30 days prior to ground disturbance in specific areas of the site.	Within 30 days prior to ground disturbing construction activities and decommissioning activities	Kern County Planning and Natural Resources Department and/or California Department of Fish and Wildlife		
		Steps to Compliance: A. This mitigation measure shall be incorporated as a condition of approval. B. The lead biologist shall conduct preconstruction surveys as outlined in the mitigation and prepare and submit reports summarizing the results to Kern County Planning and Natural Resources Department.			
4.4-1	**MM 4.4-10:** If construction and decommissioning activities are conducted during the typical nesting bird season (February 1 through August 31), the Lead Biologist(s) or their designee shall conduct a pre-construction or pre-decommissioning nesting survey within 10 days of ground disturbance activities to reduce potential impacts to avian species. Surveys need not be conducted for the entire project site at one time; they may be phased so that surveys occur within 10 days prior to disturbance in specific areas of the site. The survey area shall cover a 500-foot buffer (where legally accessible). a. If nesting birds/raptors are observed, ~~and continuous monitoring by the qualified biologists(s) will occur,~~ the Lead Biologist(s) or approved Biological Monitor(s) shall establish an appropriate buffer distance around the nest site (typically 100 feet for passerines and up to 500 feet for Le Conte's thrasher and raptors) and if feasible, continuous monitoring by a qualified biologist shall occur. If continuous monitoring is not feasible, then a minimum no-disturbance buffer of ~~250~~ 100 feet will be established for non-listed passerines under the protection of MBTA. Continuous monitoring is required for listed passerines and raptors. The buffer shall remain in place until the Lead Biologist(s) or approved Biological Monitor(s) has determined that the nest is no longer active. Encroachment into the buffer may occur at the discretion of the Lead Biologist(s) in consultation with the Kern County Planning and Natural Resources Department. Nesting bird protections will only apply to MBTA, CESA, and/or ESA species and will not be applied to non-native bird species (i.e. European starlings, English sparrows, rock doves, etc.). b. If construction is scheduled to occur during the non-nesting season (September 1 to January 31), no pre-construction surveys or additional measures are required for nesting birds, including raptors.(RTC 7/31/26)	Within 14 days prior to ground-disturbing activities, during construction, and before decommissioning activities	Kern County Planning and Natural Resources Department		
		Steps to Compliance A. This mitigation measure shall be incorporated as a condition of approval. B. During avian nesting season (February 1–August 31), a qualified biologist shall conduct a preconstruction avian nest survey no more than 14 days prior to initial vegetation clearing. The surveying biologist must be qualified to determine the status and stage of nesting by migratory birds and all locally breeding raptor species without causing intrusive disturbance. C. If active nests are found, a suitable buffer shall be established around active nests and no construction within the buffer allowed until the Lead Biologist has determined that the nest is no longer active. D. Copies of the pre-construction survey and results, as well as all permits and evidence of compliance with applicable regulations, shall be submitted to the Kern County Planning and Natural Resources Department.			
4.4-1	**MM 4.4-11:** No more than 14 days prior to commencement of ground-disturbing activities, the Lead Biologist(s) or their designee shall conduct a pre-construction survey in areas with suitable western burrowing owl habitat proposed for disturbance within the project site and 500-meter buffer (where legally accessible) to determine if occupied known and/or occupied nesting western burrowing owl burrows are present. Burrowing owl burrows shall be evaluated and classified per the definitions below: a. Potential Burrow: Any subterranean hole four inches or larger for which no current evidence is present to conclude that the burrow is being used by a burrowing owl. b. Occupied Known Burrow: A burrow that shows sign of burrowing owl presence (whitewash, feathers, pellets, prey remains, eggshell fragments) and presence of at least one burrowing owl. If monitoring confirms that burrowing owl are no longer using a burrow, it will be redesignated as potential. c. Occupied Nesting Burrow: A burrow where monitoring overseen by the Lead Biologist(s) or approved Biological Monitor(s) demonstrates the presence of burrowing owl eggs, chicks, dependent young, and/or brooding or egg incubation (via inter-burrow scope). Survey methodology shall be consistent with the methods outlined in the 2012 California Department of Fish and Game Staff Report on Burrowing Owl Mitigation and shall consist of walking parallel transects 7 to 20 meters apart, adjusting for vegetation height and density as needed, and noting burrows with fresh burrowing owl sign or presence of burrowing owl. Surveys need not be conducted for all areas of suitable habitat at one time; they may be phased so that surveys occur prior to disturbance in specific areas of the site. The burrowing owl surveys may be conducted in conjunction with other required preconstruction surveys, if timing is appropriate. Copies of the survey results shall be submitted to the Kern County Planning and Natural Resources Department. a. If potential burrowing owl burrows are detected any time of year, burrows may be excavated under the direct supervision of the Lead Biologist(s) without prior camera monitoring. b. If occupied known and/or occupied nesting burrowing owl burrows are detected, a no-disturbance buffer shall be established around the burrow and no ground-disturbing activities may occur within the buffer zone.	No more than 14 days prior to commencement of ground-disturbing activities	Kern County Planning and Natural Resources Department; California Department of Fish and Wildlife		
		Steps to Compliance: A. This mitigation measure shall be incorporated as a condition of approval. B. The project proponent shall comply with this mitigation measure pertaining to construction activities and biological resources. C. The project proponent shall implement burrowing owl measures as specified in the mitigation measure and in consultation with the California Department of Fish and Wildlife, as appropriate.			

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4.4	**Biological Resources**				
	c. An established burrowing owl burrow no-disturbance buffer may be removed once the burrowing owl(s) is/are no longer using the burrow (redesignated as a potential burrow). The size of employed no-disturbance buffers may be up to 500 meters from an occupied known and/or occupied nesting burrowing owl burrow year-round. Buffer size is dependent upon time of year and level of construction activity disturbance. ~~Depending on the level of disturbance, a smaller buffer may be established by the Lead Biologist based on the visibility and sensitivity responses of each individual burrowing owl.~~ Ultimate buffer distances shall be determined in consultation with CDFW based on the visibility and sensitivity responses of each burrowing owl and as defined in the incidental take permit. Buffers shall be maintained for the duration the burrowing owl burrow remains occupied as determined by the Lead Biologist. In October 2024, western burrowing owl was designated a candidate species under the CESA. If, at the commencement of project construction, western burrowing owl is present and is either still a candidate species, or has been listed as threatened, or endangered under CESA, and avoidance of occupied known and/or occupied nesting western burrowing owl burrows is infeasible as determined by the Lead Biologist, the Applicant shall ~~consult with the California Department of Fish and Wildlife (CDFW) regarding the potential for project construction activities to result in take of burrowing owl~~ obtain an incidental take permit (ITP) for western burrowing owl and shall comply with all avoidance, minimization, and compensatory mitigation requirements set forth in any ~~Incidental Take Permit (~~ITP~~)~~ issued for the project by CDFW authorizing take of the species.(RTC 7/31/26)				
4.4-1	**MM 4.4-12:** If potential American badger or desert kit fox dens are found during pre-construction surveys, the status of the dens shall be evaluated by the Lead Biologist(s) or their designee no more than 30 days prior to project ground disturbance. a. If the Lead Biologist(s) determines that the den(s) are inactive, den(s) shall be collapsed by the Lead Biologist(s) to prevent occupation of the den(s) between the time of the preconstruction survey and construction activities. b. If the Lead Biologist(s) determines that the den(s) are active, construction activities shall not occur within 50 feet of an active badger den or 100 feet of an active kit fox den, unless otherwise approved by the Lead Biologist(s). c. If the Lead Biologist(s) determines that potential den(s) outside of the pupping season may be active, a passive relocation program can occur. The pupping season is defined as March 15–July 31 for American badger and February 1–August 31 for desert kit fox. The program shall consist of determining status of the den(s) (confirming it is a nonmaternity den through remote camera monitoring), excluding American badger or desert kit fox from the occupied nonmaternity den(s) by installation of one-way doors at burrow entrances, monitoring of the den for a minimum of 48 hours to confirm usage has been discontinued, and excavation and collapse of the den.	30 days prior to construction commencement	Kern County Planning and Natural Resources Department; California Department of Fish and Wildlife		
		Steps to Compliance A. This mitigation measure shall be incorporated as a condition of approval. B. The Lead Biologist or their designee shall conduct a preconstruction survey for American badger and desert kit fox as specified in the mitigation measure. C. If an American badger or desert kit fox den is found on the within the site, the Lead Biologist shall follow the steps outlined in this mitigation measure.			
4.4-1	**MM 4.4-13:** If construction activities are scheduled to be initiated during the Swainson's hawk nesting season (March 1 through September 15), the Lead Biologist(s) or their designee shall conduct a preconstruction survey of all accessible areas within 0.5 mile of the planned disturbance area to determine the presence and activity of known or new Swainson's hawk nests. Inaccessible areas shall be surveyed by binocular or spotting scope. The preconstruction survey shall occur within 30 days prior to the start of construction. If construction is scheduled to commence outside of the Swainson's hawk nesting season (September 16 to February 28), no preconstruction surveys are required. The preconstruction nest survey shall follow the protocols set out in the CEC and CDFW Guidance (2010). To the extent feasible, the project proponent/operator shall design the project site to allow sufficient foraging and fledging area to maintain active Swainson's hawk nests located within 0.5 miles of the project site, if present. If preconstruction surveys detect a nesting Swainson's hawk within 0.5 miles of the project site, a 0.5-mile avoidance buffer shall be established around the nest by the Lead Biologist(s) or approved Biological Monitor(s) and no construction within the buffer shall be allowed until the Lead Biologist(s) has determined the nest is no longer active. Encroachment into the buffer may occur at the discretion of the Lead Biologist(s) in consultation with the California Department of Fish and Wildlife (CDFW). If at the commencement of project construction, Swainson's hawk remain listed as a State threatened species, and if active Swainson's hawk nests are found within a 5-mile radius of the project site during preconstruction surveys, the project proponent/operator shall mitigate the loss of any moderate quality Swainson's hawk foraging habitat for any portion of the project site within 5-miles of an active nest at a ratio up to 0.5:1. Mitigation lands may be nested with other compensatory lands provided it meets the necessary biological requirements. Avoided habitat would not count toward impacts in determining compensatory mitigation requirements and may be used to satisfy mitigation requirements if protected by a deed restriction or other conservation mechanism/strategy. If at the commencement of project construction, Swainson's hawk remain listed as a State threatened species, and if avoidance of an active nest is not feasible, the project proponent/operator shall consult with CDFW regarding the potential for project activities to result in take of the Swainson's hawk and shall comply with all avoidance, minimization, and compensatory mitigation requirements set forth in any Incidental	Prior to construction and during construction activities	Kern County Planning and Natural Resources Department, California Department of Fish and Wildlife.		
		Steps to Compliance: A. This mitigation measure shall be incorporated as a condition of approval. B. A Lead Biologist or their designee shall conduct pre-construction nest surveys for Swainson's hawk as specified in the mitigation measure. C. The project proponent shall stablish an avoidance buffer if active Swainson's hawk nests are found within a 0.5-mile radius of the project site during the pre-construction surveys. D. If active Swainson's hawk nests are found within a 5-mile radius of the project site during preconstruction surveys, the project proponent/operator shall mitigate for the loss of any moderate quality Swainson's hawk foraging habitat as provided in the measure.			

Impact	Mitigation Measure	Time Frame for Implementation	Responsible Monitoring Agency	Date	Initials
4.4	**Biological Resources**				
	Take Permit (ITP) issued for the project by CDFW authorizing take of the species. Documentation of any such CDFW take authorization and mitigation shall be provided to the Kern County Planning and Natural Resources Department.				
4.4-1	**MM 4.4-14:** A Raven Management Plan shall be developed for the project site in accordance with U.S. Fish and Wildlife Service guidelines and shall implement management measures for ravens in the project area. This plan shall include at a minimum: a. Structure designs that eliminate perches, waste management, roadkill management, management of ponded water during construction and operations, and nest removal on structures within the project site and along the transmission line. b. Identification of all common raven nests within the project area during construction. c. Weekly inspections during construction under all nests in the project area for evidence of desert tortoise predation (e.g., scutes, shells, etc.). If evidence of desert tortoise predation is noted, a report shall be submitted to the U.S. Fish and Wildlife Service, California Department of Fish and Wildlife, and the Kern County Planning and Natural Resources Department within five calendar days; and d. Provisions for the management of trash that could attract common ravens during the construction, operations and maintenance, and decommissioning phases of the proposed project.	Within 14 days prior to the commencement of any ground-disturbing activities	Kern County Planning Natural Resources Department, United States Fish and Wildlife Service, California Department of Fish and Wildlife		
		Steps to Compliance: A. This mitigation measure shall be incorporated as a conditional of approval. B. The project proponent shall retain a Lead Biologist to conduct or appoint a designee to conduct preconstruction surveys. C. The project proponent shall prepare a Raven Management Plan. D. The project proponent shall submit the Raven Management Plan to the Kern County Planning and Natural Resources Department for review and shall pay a one-time fee addressing raven management. E. The project proponent shall submit evidence of predation to the United States Fish and Wildlife Service Regional Common Raven Management Program, the California Department of Fish and Wildlife, and the Kern County Planning and Natural Resources Department.				
4.4-1	**MM 4.4-15:** Wherever possible, vegetation removal shall be minimized within the project site. Native vegetation shall remain undisturbed unless removal is necessary for placement of project components to allow for continued use by potential raptor prey species (i.e., small mammals, reptiles, and amphibians). a. Native vegetation adjacent to the project site shall remain in place as permitted by the Kern County Fire Code. b. In areas temporarily disturbed during construction and decommissioning (including grading or removal of root balls resulting in loose soil), the ground surface shall be revegetated with a native seed mix or native plants and/or allowed to re-vegetate with the existing native seed bank in the topsoil where possible to establish revegetation. c. Vegetation/ground cover shall be continuously maintained on the site by the project proponent/operator.	During construction, operations and maintenance, and decommissioning	Kern County Planning and Natural Resources Department		
		Steps to Compliance: A. This mitigation measure shall be incorporated as a condition of approval.			
4.4-1	**MM 4.4-16:** The project proponent/operator shall install power lines in conformance with Avian Power Line Interaction Committee (APLIC) standards for electrocution-reducing techniques as outlined in Suggested Practices for Avian Protection on Power Lines: The State of the Art in 2006 (APLIC, 2006), and the collision-reducing techniques outlined in Reducing Avian Collisions with Power Lines: The State of the Art in 2012 (APLIC, 2012), or any superseding document issued by APLIC.	During and after construction activities; during operations	Kern County Planning and Natural Resources Department; Kern County Building Inspection Department		
		Steps to Compliance: A. This mitigation measure shall be incorporated as a condition of approval. B. Notes on the project plans shall state that power lines shall be constructed in conformance with APLIC standards for electrocution-reducing techniques			
4.4-1	**MM 4.4-17:** During the operation and maintenance phase of the project, an *Avian Mortality Monitoring Program* shall be developed and implemented to systematically and periodically determine the extent of mortality occurring because of collisions with solar arrays. The measures listed below apply to the program: a. The Avian Mortality Monitoring Program shall be developed following the Mortality Monitoring Design for Utility-Scale Solar Power Facilities and include methods to achieve Objective 1 (monitoring to estimate total bird and bat mortality). Methods include using a trained and skilled team of biologists to systematically sample the project site by walking transects through the solar arrays scanning for deceased birds. b. Data shall be collected on any encountered deceased bird (or any other wildlife) species including species, condition of the carcass, approximate age, presence of feathers, and the like. c. Additionally, maintenance personnel working on the project site who encounter injured or deceased birds (or any other wildlife) shall be trained to collect data and photograph the encountered species. d. Mortality monitoring shall be conducted for a minimum of a 1-year period following the commencement of the operation and maintenance phase of the project. e. If, after 1 year of mortality monitoring, project impacts to any avian species caused by the project are shown to result in a substantial, long-term reduction in the demographic viability of the population of the species in question, then adaptive management must be implemented to reduce impacts. Adaptive management measures may include but not be limited to passive avian diverter installations, the use of sound, light, or other means to discourage site use consistent with legal requirements, on site habitat	During operations and maintenance	Kern County Planning and Natural Resource Department		
		Steps to Compliance: A. This mitigation measure shall be incorporated as a condition of approval. B. The project proponent shall develop an Avian Mortality Monitoring Program in accordance with the specifications of this mitigation measure.			

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4.4	**Biological Resources**				
	management or control measures consistent with applicable legal requirements, or modification to support structures to exclude nesting birds.				
4.4-1	**MM 4.4-18:** Preconstruction surveys for Crotch's bumble bee shall be conducted prior to initial ground-disturbing activities. The survey area shall consist of suitable habitat areas within the project site and 50-foot buffer (access permitting). Surveys and timing would be consistent with the survey methodologies set out in the CDFW *Survey Considerations for CESA Candidate Bumble Bee* (CDFW, 2023) or as determined adequate for the project per coordination with California Department of Fish and Wildlife (CDFW). The purpose of this survey will be to identify active Crotch's bumble bee nest colonies. a. If active Crotch's bumble bee nests are discovered onsite, the Lead Biologist(s) or approved Biological Monitor shall establish a 50-foot no disturbance buffer around the nest to reduce the risk of disturbance or accidental take. b. If establishment of a no disturbance buffer is feasible, construction activities shall not occur within the no disturbance buffer until the Lead Biologist(s) determines that the colony is no longer active (i.e., no Crotch's bumble bees are seen flying in or out of the nest for three consecutive days indicating the colony has completed its nesting season and the next season's queens have dispersed from the colony). Once the nest has been determined inactive, construction activities within the no disturbance buffer(s) shall be allowed to resume. c. In June 2019, Crotch's bumble bee was designated a candidate species under the CESA. If, at the commencement of project construction, Crotch's bumble bee is present and is either still a candidate species, or has been listed as threatened, or endangered under CESA, and ~~If~~ avoidance of an active nest is not feasible, as determined by the Lead Biologist, the project proponent/operator shall ~~consult with CDFW regarding potential for project activities to result in~~ obtain an incidental take permit of the Crotch's bumble bee and shall comply with all avoidance, minimization, and compensatory mitigation requirements set forth in any ITP issued for the project by CDFW authorizing take of the species. Documentation of any such CDFW take authorization and mitigation shall be provided to the Kern County Planning and Natural Resources Department.(RTC 7/31/26)	Prior to initial ground-disturbing activities and during operations	Kern County Planning and Natural Resources Department; and/or California Department of Fish and Wildlife		
		Steps to Compliance: A. This mitigation measure shall be incorporated as a condition of approval. B. The project proponent shall comply with this mitigation measure pertaining to construction activities and biological resources. C. A biologist shall conduct pre-construction surveys for Crotch's bumble bee as specified in the mitigation measure. D. The project proponent shall implement proper avoidance measures as specified in the mitigation measure.			
	MM 4.4-19: Preconstruction surveys for small mammals including Mohave ground squirrel shall be conducted within suitable habitat 14 days prior to initial ground-disturbing activities. If a Mohave ground squirrel is found on the construction site, work shall be halted and redirected to areas not supporting this species, and consultation with the California Department of Fish and Wildlife (CDFW) shall occur. A written report shall be sent to CDFW within 5 calendar days of the sighting. The report shall include the date, time of the finding or incident (if known), and location of the animal. If a dead Mohave ground squirrel is encountered, the remains shall be collected, frozen as soon as possible, and CDFW shall be contacted to determine where the remains would be sent. If it is determined from surveys that Mohave ground squirrels are not present, no further action would be required. If Mohave ground squirrels are detected during preconstruction surveys or construction monitoring, the project proponent shall prepare a Mohave Ground Squirrel Avoidance and Monitoring Plan. The Mohave Ground Squirrel Avoidance and Monitoring Plan shall include, at a minimum: a. Specifications for designation of the Lead Biologist(s) or approved Biological Monitor(s) for conducting surveys and monitoring. b. Methods for excluding Mohave ground squirrels from the work area, such as fencing. c. Measures and procedures related to monitoring of construction for presence of Mohave ground squirrels. d. A requirement to cease work if a Mohave ground squirrel is encountered in a work area. e. Requirements for the worker environmental awareness training and education program training as it pertains to Mohave ground squirrels reporting requirements. f. All documented active Mohave ground squirrel burrows shall be avoided by a minimum of 50 feet to avoid take and potentially significant impacts; if avoidance is not feasible, the project proponent/operator shall consult with CDFW regarding potential for project activities to result in take of Mohave ground squirrel and shall comply with all avoidance, minimization, and compensatory mitigation requirements set forth in any Incidental Take Permit issued for the project by CDFW authorizing take of the species. Documentation of any such CDFW take authorization and mitigation shall be provided to the Kern County Planning and Natural Resources Department.	Prior to initial ground-disturbing activities	Kern County Planning and Natural Resources Department; and/or California Department of Fish and Wildlife		
		Steps to Compliance: A. This mitigation measure shall be incorporated as a condition of approval. B. The project proponent shall conduct pre-construction surveys for small mammals including Mohave ground squirrel. C. If Mohave ground squirrels are discovered during the surveys, the project proponent shall prepare a Mohave Ground Squirrel Avoidance and Monitoring Plan D. The project proponent shall consult with the CDFW if Mohave ground squirrels are detected.			

Impact	Mitigation Measure	Time Frame for Implementation	Responsible Monitoring Agency	Date	Initials
4.4	**Biological Resources**				
	MM 4.4-20: No more than 30 days prior to commencement of ground-disturbing activities, the Lead Biologist(s) or their designee shall conduct a pre-construction survey in areas with suitable desert tortoise habitat proposed for disturbance within the project site to determine if desert tortoise are present. Pre-construction surveys shall adhere to the current U.S. Fish and Wildlife Service (USFWS) clearance survey protocols described in the Desert Tortoise Field Manual, including a minimum of two clearance passes, which shall coincide with heightened desert tortoise activity from late March through May and September through October or as or as determined adequate for the project per coordination with applicable regulatory agencies. Surveys need not be conducted for all areas of suitable habitat at one time; they may be phased so that surveys occur prior to disturbance in specific areas of the site. The desert tortoise surveys may be conducted in conjunction with other required preconstruction surveys, if timing is appropriate. Copies of the survey results shall be submitted to the Kern County Planning and Natural Resources Department. If avoidance of desert tortoise is not feasible, the project proponent/operator shall consult with USFWS and California Department of Fish and Wildlife (CDFW) regarding the potential for project activities to result in take of the desert tortoise and shall comply with all avoidance (including prescribed preconstruction surveys), minimization, and compensatory mitigation requirements set forth in any issued permit for the project. USFWS and CDFW take authorization requirements shall supersede County requirements. Documentation of any such take authorization and mitigation shall be provided to the Kern County Planning and Natural Resources Department.	No more than 30 days prior to commencement of ground-disturbing activities	Kern County Planning and Natural Resources Department; and/or California Department of Fish and Wildlife; and/or U.S. Fish and Wildlife Service		
		Steps to Compliance: A. This mitigation measure shall be incorporated as a condition of approval. B. The project proponent shall conduct preconstruction surveys in habitats suitable for desert tortoise. C. The project proponent shall consult with the USFWS and CDFW, if desert tortoise avoidance is not feasible.			
4.4-1	**MM 4.4-21**: A weed control plan shall be prepared to address the control of invasive weeds and plants. The weed control plan shall be in place prior to construction activities and shall be completed to the satisfaction of the Kern County Planning and Natural Resources Department. The plan shall include a risk assessment of the invasive weed and plant species currently known within the project site, procedures to control their spread on-site and to adjacent offsite areas, and procedures to minimize the introductions of new weed and plant species. The Weed Control Plan shall include preventive measures that would minimize the potential establishment of invasive weed and plant species during project implementation, including the O&M phase. To minimize the spread and establishment, tires and surfaces of all trucks and construction equipment shall be cleaned with water or high-pressure air prior to commencing work in off-site areas, and/or the use of rocks/grates at the entries to the project site shall be installed to physically dislodge seeds. Certified weed-free mulch shall be used when stabilizing areas of disturbed soils and onsite soils shall be used to the maximum extent practicable for fill. This measure also shall apply during decommissioning activities.	Prior to construction, operations and decommissioning	Kern County Planning and Natural Resources Department		
		Steps to Compliance: A. This mitigation measure shall be incorporated as a condition of approval. B. The project proponent shall develop a weed control plan to minimize the spread of invasive species and submit the plan to the Kern County Planning and Natural Resources Department for review and approval.			
4.4-2	**MM 4.4-22:** Prior to issuance of any grading or building permit, the project proponent/operator shall submit to Kern County a jurisdictional delineation report detailing identified ephemeral drainages within the project boundary. The report shall include information as shown below as a plan if necessary and shall outline compliance with the following: a. Clearly identify jurisdictional features identified in the jurisdictional delineation that cannot feasibly be avoided. This may be shown in plan form. b. Any material/spoils generated from project activities shall be located away from jurisdictional areas or special-status habitat and protected from storm water run-off using temporary perimeter sediment barriers such as berms, silt fences, fiber rolls, covers, sand/gravel bags, and straw bale barriers, as appropriate. c. Materials shall be stored on impervious surfaces or plastic ground covers to prevent any spills or leakage from contaminating the ground and generally at least 50 feet from the top of bank. d. Any spillage of material shall be stopped if it can be done safely. The contaminated area shall be cleaned and any contaminated materials properly disposed. For all spills, the project foreman or designated environmental representative shall be notified.	Prior to grading or building permits	Kern County Planning and Natural Resources Department; Kern County Building Inspection Department		
		Steps to Compliance: A. This mitigation measure shall be incorporated as a condition of approval. B. The project proponent shall prepare a report identifying jurisdictional features, as outlined in this mitigation measure. C. The project proponent shall submit the reports to the Kern County Planning and Natural Resources Department prior to issuance of building and grading permits. D. Any material/spoils generated from project activities containing hazardous materials will be located away from State and federal jurisdictional waters. E. Equipment containing hazardous liquid materials will be stored on impervious surfaces or plastic ground covers to prevent any spills			
4.4-2	**MM 4.4-23**: If Regional Water Quality Control Board (RWQCB) and/or California Department of Fish and Wildlife (CDFW) jurisdictional resources cannot be avoided, the project proponent/operator shall be subject to provisions as identified below: a. Prior to ground disturbance activities that could impact RWQCB and/or CDFW jurisdictional resources, the project proponent/operator shall consult with the RWQCB to obtain Waste Discharge Requirements (WDRs) and/or CDFW to obtain a Lake and Streambed Alteration Agreement (LSAA). Permits shall be obtained prior to disturbance of jurisdictional resources. b. The project proponent/operator shall comply with all avoidance, minimization, and compensatory mitigation measures, as set forth in permits issued to the project by RWQCB and/or CDFW. c. Copies of coordination, proof of compliance, documentation of any mitigation, along with copies of permits obtained from the RWQCB and/or CDFW shall be provided to the Kern County Planning and Natural Resources Department.	Prior to ground disturbing activities	Kern County Planning and Natural Resources Department; Lahontan Regional Water Quality Control Board; California Department of Fish and Wildlife		
		Steps to Compliance: A. This mitigation measure shall be incorporated as a condition of approval. B. The project proponent/operator shall consult with the RWQCB and/or CDFW and shall obtain appropriate permits, if required. C. The project proponent shall provide proof of compliance, along with copies of permits obtained from the RWQCB and CDFW to the Kern County Planning and Natural Resources Department.			
Justification: Changes or alterations to the project have been required to substantially reduce the potentially significant environmental effects identified in the approved Final EIR to the extent feasible.					

Impact	Mitigation Measure	Time Frame for Implementation	Responsible Monitoring Agency	Date	Initials
4.5	**Cultural Resources**				
4.5-1	**MM 4.5-1:** The project proponent/operator shall retain a Lead Archaeologist, defined as an archaeologist meeting the Secretary of the Interior's Standards for professional archaeology (U.S. Department of the Interior, 2011) and having at least three years of regional experience, to carry out all mitigation measures related to archaeological and unique historical resources. The contact information for this Lead Archaeologist shall be provided to the Kern County Planning and Natural Resources Department prior to the commencement of any construction activities onsite. Further, the Lead Archaeologist shall be responsible for ensuring the following employee training provisions are implemented during implementation of the project: a. Prior to commencement of any ground disturbing activities, the Lead Archaeologist, in consultation with Native American monitor(s), shall prepare Cultural Resources Sensitivity Training materials, including a Cultural Resources Sensitivity Training Guide, to be used in an orientation program given to all personnel working on the project. The training guide may be presented in video form. A copy of the proposed training materials shall be provided to the Planning and Natural Resources Department prior to the issuance of grading or building permits. b. The project proponent/operator shall ensure all new employees or onsite workers who have not participated in earlier Cultural Resources Sensitivity Trainings shall meet provisions specified above. c. The training shall include an overview of potential cultural resources that could be encountered during ground disturbing activities to facilitate worker recognition, avoidance, and subsequent immediate notification to the Lead Archaeologist and/or Native American monitor(s) for further evaluation and action, as appropriate; and penalties for unauthorized artifact collecting or intentional disturbance of archaeological resources. d. A copy of the Cultural Resources Sensitivity Training Guide/Materials shall be kept onsite and available for all personnel to review and be familiar with, as necessary. It is the responsibility of the Lead Archaeologist to ensure all employees receive appropriate training before they work onsite. e. The services of Native American Monitors, as identified through consultation with appropriate Native American tribes, working under the supervision of the Lead Archaeologist, shall be retained to monitor initial excavation or ground-disturbing activities as identified in **Mitigation Measure MM 4.5-2** below.	Prior to the start of any ground disturbing activities	Kern County Planning and Natural Resources Department		
		Steps to Compliance: A. This mitigation measure shall be incorporated as a condition of approval. B. The project proponent will retain a Lead Archeologist and provide evidence to Kern County Planning and Natural Resources Department. C. The Lead Archaeologist, in consultation with the Native American monitor(s), shall prepare Cultural Resources Sensitivity Training material and submit to Kern County Planning and Natural Resources Department.			
4.5-1	**MM 4.5-2:** Prior to the issuance of grading or building permits, the project proponent shall submit to the Kern County Planning and Natural Resources Department a Cultural Resources Treatment Plan. The plan shall: a. Require that prior to conducting initial ground disturbance in the vicinity of a prehistoric archaeological site that requires avoidance, an "exclusion area" (i.e., the recorded boundary of the archaeological site that require avoidance and the area within 60 feet thereof) shall be temporarily marked with exclusion markers or protective fencing as determined by the Lead Archaeologist in consultation with the Native American Monitor. b. Require that the construction zone shall be narrowed or otherwise altered to avoid any exclusion areas. c. Provide an overview of best management practices to be utilized during ground-disturbing construction activities to ensure protection of cultural resources. d. Outline the process for evaluation of any unanticipated cultural discoveries during project construction activities. e. Provide a Data Recovery Plan, if required, prepared by the Lead Archeologist in consultation with the Native American Monitor(s), for the recovery of known and unanticipated cultural discoveries that cannot be avoided or preserved in place.	Prior to the issuance of any grading or building permit	Kern County Planning and Natural Resources Department		
		Steps to Compliance: A. This mitigation measure shall be incorporated as a condition of approval. B. The project proponent shall submit to the Kern County Planning and Natural Resources Department a Cultural Resources Treatment Plan in accordance with this measure.			

Impact	Mitigation Measure	Time Frame for Implementation	Responsible Monitoring Agency	Date	Initials
4.5	**Cultural Resources**				
4.5-1	**MM 4.5-3**: In the event that previously unknown archaeological materials are encountered during the course of grading or construction, the project contractor shall cease ground-disturbing activities within 60 feet of the find. The area of the discovery shall be marked off by temporary fencing that encloses a 60-foot radius from the location of the discovery. Signs shall be posted that establish it as an "Exclusion Area," and all entrance into the area shall be avoided until the discovery is assessed by the Lead Archaeologist and Native American Monitor. The Lead Archaeologist, in consultation with the Native American Monitor, shall evaluate the significance of the resources and recommend appropriate treatment measures. If further treatment of the discovery is necessary, the Exclusion Area shall remain in place until the treatment is completed. Per CEQA Guidelines Section 15126.4(b)(3), project redesign and preservation in place shall be the preferred means to avoid impacts to significant historical resources. Consistent with CEQA Guidelines Section 15126.4(b)(3)(C), if it is demonstrated that resources cannot be avoided, the Lead Archaeologist, in consultation with Native American Monitor, shall develop additional treatment measures in consultation with Kern County, which may include data recovery or other appropriate measures. The County shall consult with appropriate Native American representatives in determining appropriate treatment for unearthed cultural resources if the resources are prehistoric or Native American in nature. Diagnostic archaeological materials with research potential recovered during an investigation shall be curated at an accredited curation facility. The Lead Archaeologist, in consultation with a designated Native American Monitor, shall prepare a report documenting evaluation and/or additional treatment of the resource. A copy of the report shall be provided to the Kern County Planning and Natural Resources Department and to the Southern San Joaquin Valley Information Center at California State University, Bakersfield.	During grading or ground disturbance activities	Kern County Planning and Natural Resources Department		
		Steps to Compliance: A. This mitigation measure shall be incorporated as a condition of approval. B. In the event that unanticipated archaeological materials are encountered during construction activities, ground-disturbing activities shall cease within 50 feet of the find until the qualified professional archaeologist can evaluate the significance and make recommendations. C. The qualified professional archaeologist shall recommend appropriate treatment measures, as described in the mitigation measure. D. If a potentially-eligible resource is encountered, the qualified professional archaeologist, the Kern County Planning and Natural Resource Department and the project proponent shall determine the appropriate action (e.g., testing, significance evaluation, avoidance, and/or recovery). E. The resource evaluation, determination, and/or treatment shall be formally documented in writing and submitted to the Kern County Planning and Natural Resources Department and the San Joaquin Valley Information Center as verification that the provisions for managing unanticipated discoveries have been met.			
4.5-1	**MM 4.5-4:** The services of both an Archaeological and Native American Monitor, working under the supervision of the Lead Archaeologist as identified through consultation with appropriate Native American Tribes, shall be retained by the project proponent to monitor ground-disturbing activities associated with project construction, as follows: a. During project construction, Archaeological and Native American monitoring shall be conducted for all initial excavation or ground-disturbing activities. If no archaeological discoveries are made during the course of this monitoring, no additional monitoring will be required. If the Lead Archaeologist can demonstrate that the level of monitoring should be reduced or discontinued, or a need for continuing monitoring, the Lead Archaeologist, in consultation with the Kern County Planning and Natural Resources Department, may adjust the level of monitoring to circumstances as warranted. b. All ground disturbing activities within 100 feet of a grave site shall be monitored by Native American Monitor(s) and Archaeological Monitor(s). c. The Lead Archaeologist and Native American Monitor(s) shall be provided all project documentation related to cultural resources within the Study Area prior to commencement of ground disturbance activities. Should the services of any additional individuals be retained (as the Lead Archaeologist, Archaeological Monitor, or Native American Monitor) subsequent to commencement of ground disturbing activities, such individuals shall be provided all proposed project documentation related to cultural resources within the Study Area, prior to beginning work. Documentation shall include but not be limited to previous cultural studies, surveys, maps, drawings, etc. Any modifications or updates to project documentation, including construction plans and schedules, shall immediately be provided to the Lead Archaeologist, Archaeological Monitor, and Native American Monitor. d. The Archaeological Monitor(s) shall keep daily logs and the Lead Archaeologist shall submit monthly written updates to the Kern County Planning and Natural Resources Department and Native American Monitor. After monitoring has been completed, the Lead Archaeologist shall prepare a monitoring report that details monitoring results; assessment of inadvertent discoveries; communication with Tribal representatives; installation of, maintenance of, and guidance for environmentally sensitive areas; and general implementation of the required mitigation. The final monitoring report shall act as a record of compliance with guiding documents and mitigation, and shall be submitted to the Kern County Planning and Natural Resources Department and the SSJVIC at California State University, Bakersfield.	Prior to conducting initial ground disturbance and during construction	Kern County Planning and Natural Resources Department		
		Steps to Compliance: A. This mitigation measure shall be incorporated as a condition of approval. B. The project proponent will retain an Archaeological and Native American Tribal Monitor and provide evidence to the Kern County Planning and Natural Resources Department. C. All initial ground-disturbing activities shall be monitored by Native American monitors and archaeological monitors. D. The specific protocol, guidelines, and channels of communication outlined by the Native American Heritage Commission shall be followed, at the direction of the Kern County coroner. E. The project proponent shall be required to ensure that all reports, correspondence, and determinations regarding the discover of human remains on the project site are submitted to the Kern County Planning and Natural Resources Department. F. The archaeological monitor shall keep daily logs and the Lead Archaeologist shall submit monthly written updates to the Kern County Planning and Natural Resources Department. G. After monitoring has been completed, the Lead Archaeologist shall prepare a monitoring report detailing the results of monitoring, which shall be submitted to the Kern County Planning and Natural Resources Department.			
4.5-3	**MM 4.5-5:** If human remains are uncovered during project construction, the project contractor shall immediately halt work within 100 feet of the find, contact the Kern County Coroner to evaluate the remains, and follow the procedures and protocols set forth in Section 15064.5 of the California Environmental Quality Act Guidelines. The area shall be protected by the establishment of an Environmentally Sensitive Area (ESA) with a marked boundary, from which Project personnel and observers will be restricted. No photographs are to be taken except by the coroner. If the remains are determined to be Native American, no photographs can be taken without the written approval by the Consulting Tribe[s]. If the County Coroner determines that the remains are Native American, the coroner shall contact the Native American Heritage Commission within 24 hours of discovery, in accordance with Health and Safety Code Section 7050.5, subdivision (c), and Public Resources Code 5097.98 (as amended by Assembly Bill 2641). The Native American Heritage Commission shall designate a Most Likely Descendent for the remains per Public Resources Code 5097.98. Per Public Resources Code 5097.98, and in accordance with generally accepted cultural or archeological standards or practices, the project proponent shall ensure that the immediate vicinity of the Native American human remains is not damaged or disturbed by further development activity until the project proponent has discussed and conferred with the most likely descendent regarding their recommendations, if applicable,	During grading or construction activities	Kern County Planning and Natural Resources Department		
		Steps to Compliance: A. This mitigation measure shall be incorporated as a condition of approval. B. If human remains are discovered, the project proponent shall stop l work within 100 feet of the find and contact the Kern County Coroner to evaluate the remains then follow procedures and protocols set out in California Environmental Quality Act (CEQA) Section 15064.5(e). C. The project proponent shall follow CEQA guidelines, if remains are determined to be Native American. D. The Kern County Planning and Natural Resource Department shall verify compliance with the mitigation.			

Impact	Mitigation Measure	Time Frame for Implementation	Responsible Monitoring Agency	Date	Initials
4.5	**Cultural Resources**				
	taking into account the possibility of multiple human remains. If the remains are determined to be neither of forensic value to the Coroner, nor of Native American origin, provisions of the California Health and Safety Code (7100 et. seq.) directing identification of the next-of-kin will apply.				
Justification: Changes or alterations to the project have been required to substantially reduce the potentially significant environmental effects identified in the approved Final EIR to the extent feasible.					

Impact	Mitigation Measure	Time Frame for Implementation	Responsible Monitoring Agency	Date	Initials
4.7	**Geology and Soils**				
4.7-1	**MM 4.7-1:** Prior to the issuance of grading or building permits, the project proponent shall conduct a site-specific final geotechnical study in accordance with applicable ordinances of the Kern County Building Code (Chapter 17.08) and the CBC to evaluate soil conditions and geologic hazards on the project site and submit it to the Kern County Public Works Department for review and approval. The project proponent shall determine the final siting of project facilities based on the results of the site-specific final geotechnical study and implement recommended measures to minimize geologic hazards. The project proponent shall not locate project facilities on or immediately adjacent to an active fault trace.	Prior to the issuance of grading or building permits	Kern County Planning and Natural Resources Department, Kern County Public Works Department		
		Steps to Compliance: A. This mitigation measure shall be incorporated as a condition of approval. B. Prior to construction, the project proponent shall retain a licensed professional engineer to prepare and submit final geotechnical study and foundation plans to the Kern County Public Works Department for approval. C. The project proponent shall submit a copy of the approved geotechnical report to the Kern County Planning and Natural Resources Department prior to issuance of grading or building permits. D. During site inspections, the Kern County Public Works Department shall verify in the field that grading and construction complies with the approved geotechnical report.				
4.7-1	**MM 4.7-2:** Prior to the issuance of grading permits, the project proponent shall retain a California registered and licensed geotechnical engineer to design project facilities to withstand probable seismically induced ground shaking at the site. All grading and construction onsite shall adhere to the specifications, procedures, and site conditions contained in the final design plans, which shall be fully compliant with the seismic recommendations of the California-registered professional engineer. The Kern County Public Works Department shall evaluate any final facility siting design developed prior to the issuance of any grading or building permits to verify that geological constraints have been avoided. Additionally, structures supported on a shallow foundation system should bear on engineered fill extending to a depth determined by a California registered and licensed geotechnical engineer, based on site-specific conditions.	Prior to the issuance of grading or building permits and during construction	Kern County Planning and Natural Resources Department, Kern County Public Works Department		
		Steps to Compliance: A. This mitigation measure shall be incorporated as a condition of approval. B. The project proponent shall submit written documentation to the Kern County Public Works Department that a California registered geotechnical engineer has been retained. Documentation shall include the engineer's phone number, email address, and mailing address. C. The project proponent shall comply with the full specifications, procedures, and site conditions contained in the final design plans. D. The final structural design shall be subjected to approval and follow-up inspection by the Kern County Public Works Department.				
4.7-6	**MM 4.7-3:** Prior to the issuance of grading or building permits for the operation and maintenance facility, the project operator shall obtain all required permits and approvals from Kern County Environmental Health Services Division and shall implement all required conditions regarding the design and siting of the septic system.	Prior to the issuance of grading or building permits for the operation and maintenance facility,	Kern County Planning and Natural Resources Department, Kern County Environmental Health Services		
		Steps to Compliance: A. This mitigation measure shall be incorporated as a condition of approval. B. The project operator shall obtain all necessary permits and approvals from the Kern County Environmental Health Services Division with respect to the design and siting of the septic system. C. The project proponent shall provide documentation to Kern County Planning and Natural Resources Department that all required permits and approvals have been obtained from Kern County Environmental Health Services Division with respect to the siting and design of the septic system.				
4.7-7	**MM 4.7-4:** The project proponent shall retain a qualified paleontologist, defined as a paleontologist meeting the Society for Vertebrate Paleontology's Professional Standards (SVP 2010), to carry out all mitigation measures related to paleontological resources. a. Prior to the start of any ground disturbing activities, the qualified paleontologist shall prepare a Paleontological Resources Awareness Training program for all construction personnel working on the project. A Paleontological Resources Awareness Training Guide approved by the qualified paleontologist shall be provided to all personnel. A copy of the Paleontological Resources Awareness Training Guide shall be submitted to the Kern County Planning and Natural Resources Department. The training guide may be presented in video form. b. Paleontological Resources Awareness Training may be conducted in conjunction with other awareness training requirements.	During construction	Kern County Planning and Natural Resources Department		
		Steps to Compliance: A. This mitigation measure shall be incorporated as a condition of approval. B. The project proponent shall retain a qualified paleontologist. C. The qualified paleontologist shall prepare a Paleontological Resources Worker Environmental Awareness Program (WEAP). D. A Paleontological Resources Awareness Training Guide approved by the qualified paleontologist shall be provided to all personnel.				

Impact	Mitigation Measure	Time Frame for Implementation	Responsible Monitoring Agency	Date	Initials
4.7	**Geology and Soils**				
	c. The training shall include an overview of potential paleontological resources that could be encountered during ground disturbing activities to facilitate worker recognition, avoidance, and subsequent immediate notification to the qualified paleontologist for further evaluation and action, as appropriate; and penalties for unauthorized artifact collecting or intentional disturbance of paleontological resources. d. The project operator shall ensure all new employees who have not participated in earlier Paleontological Resources Sensitivity Trainings shall meet the provisions specified above. e. The Paleontological Resources Awareness Training Guides shall be kept onsite and available for all personnel to review and be familiar with as necessary.	E. The project proponent shall provide a copy of the Paleontological Resources Awareness Training Guide to the Kern County Planning and Natural Resources Department.			
4.7-7	**MM 4.7-5:** Prior to construction, the qualified paleontologist shall review excavation plans to determine where paleontologically sensitive stratigraphic units will potentially be disturbed by ground-disturbing activities.	Prior to construction	Kern County Planning and Natural Resources Department		
		Steps to Compliance: A. This mitigation measure shall be incorporated as a condition of approval. B. The project proponent shall ensure a qualified paleontologist reviews excavation plans to determine where paleontologically sensitive stratigraphic units will potentially be disturbed by ground-disturbing activities. C. The project proponent shall provide documentation to the Kern County Planning and Natural Resources Department confirming a qualified paleontologist reviewed excavation plans as outlined in the mitigation.			
4.7-7	**MM 4.7-6:** During construction, the qualified paleontologist or designated monitor shall monitor all ground-disturbing activities (with the exception of vibratory or hydraulic installation of tracking or mounting structures and foundations or supports) that occurs at a depth of 15 feet or deeper below ground surface. Following completion of monitoring, the paleontologist shall prepare a report documenting the absence or discovery of fossil resources on site. A copy of the report shall be submitted to the Kern County Planning and Natural Resources Department to be kept on file.	During construction	Kern County Planning and Natural Resources Department		
		Steps to Compliance: A. This mitigation measure shall be incorporated as a condition of approval. B. The project proponent shall ensure a qualified paleontologist or designated monitor monitors all ground-disturbing activities that occurs at a depth of 15 feet or deeper below ground surface. C. Following the completion of monitoring, the paleontologist shall prepare a report documenting the absence or discovery of fossil resources onsite, which shall be provided to the Kern County Planning and Natural Resources Department.			
4.7-7	**MM 4.7-7:** If a paleontological resource is found, the project contractor shall cease ground-disturbing activities within 50 feet of the find. The qualified paleontologist shall evaluate the significance of the resources and recommend appropriate treatment measures. At each fossil locality, field data forms shall be used to record pertinent geologic data, stratigraphic sections shall be measured, and appropriate sediment samples shall be collected and submitted for analysis. Any fossils encountered and recovered shall be catalogued and donated to a public, non-profit institution with a research interest in the materials. Accompanying notes, maps, and photographs shall also be filed at the repository.	During construction	Kern County Planning and Natural Resources Department		
		Steps to Compliance: A. This mitigation measure shall be incorporated as a condition of approval. B. If a paleontological resource is found, the project contractor shall cease ground-disturbing activities within 50 feet of the find and the qualified paleontologist shall evaluate the significance of the resources and recommend appropriate treatment measures. C. Any fossils encountered and recovered shall be cataloged and donated to a public, non-profit institution with a research interest in the materials, and accompanying notes, maps, and photographs shall also be filed at the repository.			
Justification: Changes or alterations to the project have been required to substantially reduce the potentially significant environmental effects identified in the approved Final EIR to the extent feasible.					

Impact	Mitigation Measure	Time Frame for Implementation	Responsible Monitoring Agency	Date	Initials
4.9	**Hazards and Hazardous Materials**				
4.9-1	**MM 4.9-1**: During the life of the project, including decommissioning, the project operator shall prepare and maintain a Hazardous Materials Business Plan (HMBP), as applicable, pursuant to Article 1 and Article 2 of California Health and Safety Code 6.95 and in accordance with Kern County Ordinance Code 8.04.030, by submitting all the required information to the California Environmental Reporting System (CERS) for review and acceptance by the Kern County Environmental Health Services Division/Hazardous Materials Section. The HMBP shall: a. Delineate hazardous material and hazardous waste storage areas. b. Describe proper handling, storage, transport, and disposal techniques. c. Describe methods to be used to avoid spills and minimize impacts in the event of a spill. d. Describe procedures for handling and disposing of unanticipated hazardous materials encountered during construction and operation. e. Establish public and agency notification procedures for spills and other emergencies including fires. f. Include procedures to avoid or minimize dust from existing residual pesticides and herbicides that may be present on the site. The project proponent shall ensure that all contractors working on the project are familiar with the facility's HMBP as well as ensure that one copy is available at the project site at all times. In addition, a copy of the accepted HMBP from CERS shall be submitted to the Kern County Planning and Natural Resources Department for inclusion in the project's permanent record.	Continuous compliance	Kern County Environmental Health Services Division/Hazardous Materials Section, Kern County Planning and Natural Resources Department		
		Steps to Compliance: A. This mitigation measure shall be incorporated as a condition of approval. B. The project proponent shall prepare an HMBP by submitting all the required information to the CERS for review and approval. C. The project proponent shall provide the HMBP to all contractors working on the project site at all times. D. The Kern County Planning and Natural Resources Department shall verify documentation prior to issuance of a grading or building permit.			
4.9-2	**MM 4.9-2**: The project proponent/operator shall continuously comply with the following: a. The construction contractor or project personnel shall use herbicides that are approved for use in California and are appropriate for application adjacent to natural vegetation areas (i.e., non-agricultural use). Personnel applying herbicides shall have all appropriate State and local herbicide applicator licenses and comply with all State and local regulations regarding herbicide use. b. Herbicides shall be mixed and applied in conformance with the manufacturer's directions. c. The herbicide applicator shall be equipped with splash protection clothing and gear, chemical resistant gloves, chemical spill/splash wash supplies, and material safety data sheets for all hazardous materials to be used. To minimize harm to wildlife, vegetation, and water bodies, herbicides shall not be applied directly to wildlife. d. Products identified as non-toxic to birds and small mammals shall be used if nests or dens are observed; and herbicides shall not be applied if it is raining at the site, rain is imminent, or the target area has puddles or standing water. e. Herbicides shall not be applied when wind velocity exceeds 10 miles per hour. If spray is observed to be drifting to a non-target location, spraying shall be discontinued until conditions causing the drift have abated. f. A written record of all herbicide applications on the site, including dates and amounts shall be furnished annually to the Kern County Planning and Natural Resources Department.	Continuous compliance	Kern County Public Health and Services Department, Kern County Planning and Natural Resources Department		
		Steps to Compliance: A. This mitigation measure shall be incorporated as a condition of approval. B. The project proponent shall provide proof of herbicide applicator licenses to the Kern County Public Health and Services Department and Kern County Planning and Natural Resources Department prior to issuance of a grading or building permit. C. The proponent shall ensure the person performing the work has the appropriate State and local applicator licenses and complies with all State and local regulations regarding use. D. The Kern County Public Health and Services Department shall verify work is completed in accordance with the mitigation measure. E. The project proponent will provide a copy of all documentation to the Kern County Planning and Natural Resources Department.			
4.9-5	**MM 4.9-3:** Prior to the issuance of grading or building permits, the project proponent/operator shall comply with the following: a. Submit Form 7460-1 (Notification of Proposed Construction or Alteration) to the Federal Aviation Administration, in the form and manner prescribed in Code of Federal Regulation 77.17, for any project components that would meet noticing requirements under 14 CFR Part 77. b. For project components meeting noticing requirements under 14 CFR Part 77, obtain a Federal Aviation Administration issued "Determination of No Hazard to Air Navigation." c. Provide documentation to the Kern County Planning and Natural Resources Department demonstrating that a copy of the final site plans have been provided to the operators of Mojave Air Space and Port.	Prior to the issuance of building and grading permits	Kern County Planning and Natural Resources Department		
		Steps to Compliance: A. This mitigation measure shall be incorporated as a condition of approval. B. The project proponent shall submit Form 7460-1 to the FAA and shall obtain an FAA-issued "Determination of No Hazard to Air Navigation." C. The project proponent shall provide documentation to the Kern County Planning and Natural Resources Department demonstrating that a copy of the final site plans has been provided to the operators of Mojave Air Space and Port.			
Justification: Changes or alterations to the project have been required to substantially reduce the potentially significant environmental effects identified in the approved Final EIR to the extent feasible.					

Impact	Mitigation Measure	Time Frame for Implementation	Responsible Monitoring Agency	Date	Initials
4.10	**Hydrology and Water Quality**				
4.10-1	**MM 4.10-1:** Prior to issuance of a grading permit, the project proponent/operator shall submit a Stormwater Pollution Prevention Plan (SWPPP) for review and approval by the Kern County Planning and Natural Resources Department and/or Kern County Public Works Department. The SWPPP shall be designed to minimize runoff and shall specify best management practices to prevent all construction pollutants from contacting stormwater, with the intent of keeping sediment or any other pollutants from moving offsite and into receiving waters. The requirements of the SWPPP shall be incorporated into design specifications and construction contracts. Recommended best management practices to be incorporated in the SWPPP may include the following: a. Minimization of vegetation removal; b. Implementing sediment controls, including silt fences a necessary; c. Installation of a stabilized construction entrance/exit and stabilization of disturbed areas; d. Properly containing and disposing of hazardous materials used for construction onsite; e. Properly covering stockpiled soils to prevent wind erosion; f. Proper protections and containment for fueling and maintenance of equipment and vehicles; and g. Appropriate disposal of demolition debris, concrete and soil, and aggressively controlling litter. h. Cleanup of silt and mud on adjacent street due to construction activity. i. Checking all lined and unlined ditches after each rainfall. j. Restore all erosion control devices to working order to the satisfaction of the Kern County Planning and Natural Resources Department and/or Kern County Public Works Department after each rainfall runoff. k. Install additional erosion control measures as may be required due to uncompleted grading operations or unforeseen circumstances which may arise.	Prior to the issuance of grading permits	Kern County Planning and Natural Resources Department, Kern County Public Works Department		
		Steps to Compliance: A. This mitigation measure shall be incorporated as a condition of approval. B. The project proponent shall submit a copy of the Storm Water Pollution Prevention Plan (SWPPP) approved by the Regional Water Quality Control Board to the Kern County Planning and Natural Resources Department and/or the Kern County Public Works Department. C. The Kern County Public Works Department shall verify compliance in the field during construction.				
4.10-1	**MM 4.10-2:** Prior to the issuance of grading permits, the project proponent/operator shall complete a Final Drainage Plan designed to evaluate and minimize potential increases in runoff from the project site. The study shall include, but is not limited to, the following: a. A numerical stormwater model for the project site that evaluates existing and proposed (with project) drainage conditions during storm events ranging up to the 100-year event. b. The study shall also consider potential for erosion and sedimentation in light of modeled changes in stormwater flow across the project area that would result from project implementation. c. Engineering recommendations to be incorporated into the project design and applied within the site boundary. Engineering recommendations will include measures to offset increases in stormwater runoff that would result from the project, as well as implementation of design measures to minimize or manage flow concentration and changes in flow depth or velocity so as to minimize erosion, sedimentation, and flooding onsite or offsite. d. A specification that the final design of the solar arrays shall include one foot of freeboard clearance above the calculated maximum flood depths for the solar arrays or the finished floor of any permanent structures. Solar panels placed within a 100-year floodplain shall be graded to direct potential flood waters without increasing the water surface elevations more than one foot or as required by Kern County's Floodplain Management Ordinance. e. The Final Drainage Plan shall be prepared in accordance with the Kern County Grading Code and Kern County Development Standards, and approved by the Kern County Public Works Department prior to the issuance of grading permits.	Prior to the issuance of a grading permit	Kern County Public Works Department, Kern County Planning and Natural Resources Department		
		Steps to Compliance: A. This mitigation measure shall be incorporated as a condition of approval. B. The project proponent shall submit a final drainage plan to the Kern County Public Works Department for approval. C. The final drainage plan shall be prepared in accordance with the Kern County Grading Code and Kern County Development Standards, and approved by the Kern County Public Works Department prior to the issuance of grading permits. D. The Kern County Public Works Department shall verify compliance in the field during construction.				
Justification: Changes or alterations to the project have been required to substantially reduce the potentially significant environmental effects identified in the approved Final EIR to the extent feasible.					

Impact	Mitigation Measure	Time Frame for Implementation	Responsible Monitoring Agency	Date	Initials
4.11	**Land Use**				
4.11: Cumulative Impacts	**MM 4.11-1:** Prior to issuance of building permits, the project operator shall provide a Decommission Plan for review and approval by the Kern County Engineering, Surveying, and Permit Services Department or a County-contracted consulting firm at a cost to be borne by the project operator. The Decommission Plan shall factor in the cost to remove the solar panels and support structures, replacement of any disturbed soil from removal of support structures, and control of fugitive dust on the remaining undeveloped land. Salvage value for the solar panels and support structures shall be included in the financial assurance calculations. The assumption, when preparing the estimate, is that the project operator is incapable of performing the work or has abandoned the solar facility, thereby requiring Kern County to hire an independent contractor to perform the decommissioning work. In addition to submitting a Decommission Plan, the project operator shall post or establish and maintain financial assurances with Kern County related to the deconstruction of the site as identified on the approved Decommission Plan in the event that at any point in time the project operator determines it is not in the company's best interest to operate the facility. The financial assurance required prior to issuance of any building permit shall be established using one of the following: a. An irrevocable letter of credit; b. A surety bond; c. A trust fund in accordance with the approved financial assurances to guarantee the deconstruction work will be completed in accordance with the approved decommission plan; or d. Other financial assurances as reviewed and approved by the respective County administrative offices, in consultation with the Kern County Planning and Natural Resources Department. The financial institution or Surety Company shall give the County at least 180 days' notice of intent to terminate the letter of credit or bond. Financial assurances shall be reviewed annually by the Kern County Engineering, Surveying, and Permit Services Department or County contracted consulting firm(s) at a cost to be borne by the project operator to substantiate those adequate funds exist to ensure deconstruction of all solar panels and support structures identified on the approved Decommission Plan. Should the project operator deconstruct the site on their own, the County will not pursue forfeiture of the financial assurance. Once deconstruction has occurred, financial assurance for that portion of the site will no longer be required and any financial assurance posted shall be adjusted or returned accordingly. Any funds not utilized through decommission of the site by the County shall be returned to the project operator. Should any portion of the solar field not be in operational condition for a consecutive period of twelve 12 months that portion of the site shall be deemed abandoned and shall be removed within sixty (60) days from the date a written notice is sent to the property owner and solar field owner, as well as the project operator, by the County. Within this sixty (60) day period, the property owner, solar field owner, or project operator may provide the director of the Kern County Planning and Natural Resources Department a written request and justification for an extension for an additional twelve (12) months. The Kern County Planning and Natural Resources Director shall consider any such request at a Director's Hearing as provided for in Section 19.102.070 of the Kern County Zoning Ordinance. In no case shall a solar field that has been deemed abandoned be permitted to remain in place for more than forty-eight (48) months from the date the solar facility was first deemed abandoned.	Prior to the issuance of building permits	Kern County Planning and Natural Resources Department		
		Steps to Compliance: A. This mitigation measure shall be incorporated as a condition of approval. B. The project proponent shall prepare a Decommission Plan, as identified in the mitigation measure. C. The Decommission Plan will be submitted to the Kern County Planning and Natural Resources Department for review and approval.			
4.11: Cumulative Impacts	**MM 4.11-2:** Prior to the operation of the solar facility, the operator shall invite the Department of Defense and Mojave Air & Space Port to identify the appropriate Frequency Management Office officials to coordinate the use of telemetry to avoid potential frequency conflicts with military and facility operations.	Prior to operation	Department of Defense and Mojave Air & Space Port		
		Steps to Compliance A. This mitigation measure shall be incorporated as a condition of approval.			
Justification: Changes or alterations to the project have been required to substantially reduce the potentially significant environmental effects identified in the approved Final EIR to the extent feasible.					

Impact	Mitigation Measure	Time Frame for Implementation	Responsible Monitoring Agency	Date	Initials
4.13	**Noise**				
4.13-1	**MM 4.13-1:** The following measures are to be implemented to further reduce short-term noise levels associated with project construction and decommissioning: a. Construction and decommissioning activities at the project site shall comply with the hourly restrictions for noise-generating construction activities, as specified in the Kern County Noise Ordinance, Chapter 8.36. Construction activities shall be prohibited between the hours of 9:00 p.m. to 6:00 a.m. on weekdays, and between 9:00 p.m. to 8:00 a.m. on weekends, if they result in noise which is audible to a person with average hearing faculties or capacity at a distance of 150 feet from the construction site, if the construction site is within 1,000 feet of an occupied residential dwelling. These hourly limitations shall not apply to activities where hourly limitations would result in increased safety risk to workers or the public, such as commissioning and maintenance activities that must occur after dark to ensure photovoltaic arrays are not energized, unanticipated emergencies requiring immediate attention, or security patrols. b. Stage equipment in areas that will create the greatest distance between construction- related noise sources and noise-sensitive areas nearest the project site during construction to the extent practical. Place stationary construction equipment so that emitted noise is directed away from sensitive areas nearest the project site, where feasible. c. Ensure construction equipment is fitted with noise-reduction features such as mufflers and engine shrouds that are no less effective than those originally installed by the manufacturer. d. Limit haul trucks from idling for periods greater than 5 minutes, except as needed to perform a specified function (e.g., concrete mixing). e. Limit onsite vehicle speeds to 15 miles per hour, or less (except in cases of emergency). f. Adjust back-up beepers for construction equipment to the lowest noise levels possible, provided that the Occupational Safety and Health Administration and California Division of Occupational Safety and Health's safety requirements are not violated. On vehicles where back-up beepers are not available, employ alternative safety measures such as escorts and spotters.	During construction and decommissioning	Kern County Planning and Natural Resources Department, Kern County Public Works Department		
		Steps to Compliance A. This mitigation measure shall be incorporated as a condition of approval. B. The project proponent shall adhere to noise reduction measures outlined in this mitigation measure. C. The Kern County Public Works Department shall verify compliance with the Kern County Noise Ordinance in the field as needed.			
4.13-1	**MM 4.13-2:** Prior to the issuance of grading permits, the construction contractor shall establish a Noise Disturbance Coordinator for the project during construction. The Noise Disturbance Coordinator is responsible for responding to any complaints about construction noise. The Noise Disturbance Coordinator shall be responsible for determining the cause of the complaint and shall be required to implement reasonable measures to resolve the complaint. Contact information for the Noise Disturbance Coordinator shall be submitted to the Kern County Planning and Natural Resources Department prior to commencement of any ground disturbing activities.	Prior to the issuance of grading permits and during construction	Kern County Planning and Natural Resources Department		
		Steps to Compliance: A. This mitigation measure shall be incorporated as a condition of approval. B. The construction contractor shall establish a "Noise Disturbance Coordinator" who shall continuously ensure adherence to noise reduction measures outlined in this measure. C. The project operator shall submit evidence of methods of implementation to the Kern County Planning and Natural Resources Department.			
4.13-1	**MM 4.13-3:** Prior to commencement of any onsite construction and decommissioning activities (i.e., fence construction, mobilization of construction equipment, initial grading, etc.), the project proponent/operator shall provide written notice to the public through mailing a notice, which shall include: a. The mailing notice shall be to all residences within 1,000 feet of the project site, 15 days or less prior to construction activities. The notices shall include the construction schedule and a telephone number and email address where complaints and questions can be registered with the noise disturbance coordinator. b. A minimum of one sign, legible at a distance of 50 feet, shall be posted at the construction site, or adjacent to the nearest public access to the main construction entrance, throughout construction activities that shall provide the construction schedule (updated as needed) and a telephone number where noise complaints can be registered with the noise disturbance coordinator. c. Documentation that the public notice has been sent and the sign has been posted shall be provided to the Kern County Planning and Natural Resources Department.	Prior to construction or decommissioning	Kern County Planning and Natural Resources Department		
		Steps to Compliance: A. This mitigation measure shall be incorporated as a condition of approval. B. The project proponent shall provide written notice to the public through mailing a notice on the construction schedule, telephone number, and email address where complaints and questions can be registered with the Noise Disturbance Coordinator, as listed in the mitigation measure. C. The project proponent shall provide the Kern County Planning and Natural Resource Department with documentation that the public notice has been sent. D. Signage shall be identified and labeled on site plans for review and approval prior to issuance of building permits. Conceptual illustrations of signs with required contact information shall be submitted for concurrent review. E. The project proponent or contractor shall install signs as listed in the mitigation measure.			
Justification: Changes or alterations to the project have been required to substantially reduce the potentially significant environmental effects identified in the approved Final EIR to the extent feasible.					

Impact	Mitigation Measure	Time Frame for Implementation	Responsible Monitoring Agency	Date	Initials
4.14	**Public Services**				
4.14-1	**MM 4.14-1**: Prior to the issuance of grading or building permits, the project proponent/operator shall develop and implement a Fire Safety Plan for use during construction, operation, and decommissioning. The project proponent/operator shall submit the plan, along with maps of the project site and access roads, to the Kern County Fire Department for review and approval. A copy of the approved Fire Safety Plan shall be submitted to the Kern County Planning and Natural Resources Department. The Fire Safety Plan shall contain notification procedures and emergency fire precautions including, but not limited to, the following: a. All internal combustion engines, both stationary and mobile, shall be equipped with spark arresters. Spark arresters shall be in good working order. b. Light trucks and cars with factory installed (type) mufflers shall be used only on roads where the roadway is cleared of vegetation. These vehicle types will maintain their factory installed (type) muffler in good condition. c. Fire rules shall be posted on the project bulletin board at the contractor's field office and areas visible to employees. d. Procedures shall be established for minimizing potential ignition, including, but not limited to, vegetation clearing and management, parking requirements/restrictions, idling restrictions, smoking restrictions, and proper use of gas-powered equipment. e. Personnel shall be trained in the practices of the fire safety plan relevant to their duties. Construction and maintenance personnel shall be trained and equipped to extinguish small fires to prevent them from growing into more serious threats. f. The project proponent/operator shall make an effort to restrict the use of chainsaws, chippers, vegetation masticators, grinders, drill rigs, tractors, torches, and explosives to periods outside of the official fire season. When the above tools are used, water tanks equipped with hoses, fire rakes, and axes shall be easily accessible to personnel. g. Building plans shall be included for the energy storage system to verify adherence to Kern County and California Building and Fire Code standards. h. Information for first responders about the type of battery energy storage technology on site, potential hazards and mitigations, and recommended firefighting tactical procedures in case of an accidental fire.	Prior to the issuance of building and grading permits	Kern County Planning and Natural Resources Department; Kern County Fire Department		
		Steps to Compliance: A. This mitigation measure shall be incorporated as a condition of approval. B. The project proponent shall develop a Fire Safety Plan and submit it to the Kern County Fire Department for review and approval. C. A copy of the approved Fire Safety Plan shall be submitted to the Kern County Planning and Natural Resources Department.			
4.14-1	**MM 4.14-2:** Payment of property taxes or Cumulative Impact Charge (CIC): a. The project shall pay all legally required property taxes; or b. If the project qualifies, based on State Legislative action and the State Board of Equalization guidance, for any reduction in property taxes under a Solar Tax Exclusion or other specific property tax relief for solar or battery storage regardless of the name, then the following CIC shall apply. The first annual payment is to be paid by December 31 of the year the first legislatively provided property tax reduction is assessed, and annually every year for the life of the project, or as a lump sum for multiple years, until the project is decommissioned and the Conditional Use Permit(s) is/are voided. 1. Submittal of Building Permit or Calculation of Amount A. Any building permit or calculation of amount submitted shall be accompanied by a map and legal description of the entire approved Conditional Use Permit area. B. The map shall calculate the CIC net acreage as follows: i. Total gross acreage of the approved Conditional Use Permit. ii. Total acres of recorded easements. iii. Delineation (using, for example, areas on a site plan) of any permanent structures or energy storage that is not covered under a property tax reduction and evidence from legislation or State Board of Equalization that they have no reduction in taxes. C. Formula is Net Acreage = B.i minus (B.ii and B.iii), if applicable. D. Temporary storage areas or non-permanent commercial coaches or cargo containers for construction or operations are not eligible for inclusion under B.~~3~~iii, above. E. All areas of buildings, accessory improvements and easements used in the calculations shall be shown on the submitted Map. 2. Calculation of CIC and annual payment A. A payment of up to a maximum of $690 per net acre (calculated above in provision b.1.C) shall be paid annually. The payment shall cover the net acreage for the entire approved Conditional Use Permit(s) regardless of phased implementation of building permits, the total number of building permits, or type of building permit issued.	Prior to the issuance of a final building permit and during operation	Kern County Planning and Natural Resource Department		
		Steps to Compliance: A. This mitigation measure shall be incorporated as a condition of approval. B. The project proponent shall coordinate with the Kern County Planning and Natural Resources Department to determine qualification of any reduction in property taxes under a Solar Tax Exclusion, and shall adhere to the requirements listed in the mitigation measure or pay all legally required property taxes. C. Documentation demonstrating compliance with this mitigation measure shall be submitted to the Kern County Planning and Natural Resources Department.			

Impact	Mitigation Measure	Time Frame for Implementation	Responsible Monitoring Agency	Date	Initials
4.14	**Public Services**				
	B. The first annual payment is to be paid by December 31 of the year the first property tax reduction is assessed. If it is not paid by December 31 of that year, then a notice of violation of the Conditional Use Permit shall be filed and the procedure in Chapter 19.114 of the Kern County Zoning Ordinance shall commence immediately under the authority of the Planning and Natural Resources Department Director. C. Annual payments are due every year by the anniversary date of the first payment. D. Payments shall be made to the Planning and Natural Resources Department for transfer directly to the County Administrative Office Fiscal Division (CAO) and labeled CIC with the project name, location and APNs. E. An advance payment option for a lump sum of all payment years, or a reduction in each year's payment for 5 or more years, may be requested by submittal of a written request to the Planning and Natural Resources Department with details of the offer no later than 60 days before the annual payment is due. A 10% discount in the lump sum amount will be applied if the advance payment option is accepted by the CAO by written response.(RTC 7/31/26)				
4.14-1	**MM 4.14-3:** Written verification of ownership of the proposed project shall be submitted to the Kern County Planning and Natural Resources Department by April 15 of each calendar year. If the project is sold to a city, county, or utility company that pays assessed taxes that total less than $3,000 per megawatt per year, then a Supplemental Cumulative Impact Charge (SCIC) shall be paid for the difference annually up to $3,000 per megawatt. The SCIC payments shall be made annually directly to the County Administrative Office (CAO) Fiscal Division and labeled "Supplemental Cumulative Impact Charge (SCIC)" with the project name and phase number. The fee shall be paid to the Kern County Auditor/Controller by April 30 of each calendar year.	Prior to April 15 yearly	Kern County Planning and Natural Resources Department		
		Steps to compliance: A. This mitigation measure shall be incorporated as a condition of approval. B. The project proponent shall provide proof of ownership to the Kern County Planning and Natural Resources Department by April 15 of each calendar year. C. The project proponent will coordinate with Kern County to determine appropriate fee.			
4.14-1	**MM 4.14-4:** The project proponent/operator shall work with the County to determine how the use of sales and use taxes from construction of the project can be maximized. This process shall include, but is not necessarily limited to, the project proponent/operator obtaining a street address within the unincorporated portion of Kern County for acquisition, purchasing and billing purposes, and registering this address with the State Board of Equalization. As an alternative to the aforementioned process, the project proponent/operator may make arrangements with Kern County for a guaranteed single payment that is equivalent to the amount of sales and use taxes that would have otherwise been received (less any sales and use taxes actually paid); with the amount of the single payment to be determined via a formula approved by Kern County. The project proponent/operator shall allow the County to use this sales tax information publicly for reporting purposes.	Prior to the issuance of grading permits	Kern County Planning and Natural Resources Department		
		Steps to compliance: A. This mitigation measure shall be incorporated as a condition of approval. B. The project proponent/operator shall work with the County to determine how the use of sales and use taxes from construction of the project can be maximized, as outlined in the measure. C. Confirming documentation demonstrating compliance with this mitigation measure shall be submitted to the Kern County Planning and Natural Resources Department to be kept on file.			
4.14-1	**MM 4.14-5**: Prior to the issuance of building permits, the project operator shall submit a letter detailing the hiring efforts prior to commencement of construction, which encourages all contractors of the project site to hire at least 50 percent of their workers from local Kern County communities. The project operator shall provide the contractors a list of training programs that provide skilled workers and shall require the contractor to advertise locally for available jobs, notifying the training programs of job availability, all in conjunction with normal hiring practices of the contractor.	Prior to the issuance of building permits	Kern County Planning and Natural Resources Department		
		Steps to compliance: A. This mitigation measure shall be incorporated as a condition of approval. B. The project proponent shall submit a letter detailing the hiring efforts prior to commencement of construction to the Kern County Planning and Natural Resources Department, as listed in the mitigation measure.			
Justification: Changes or alterations to the project have been required to substantially reduce the potentially significant environmental effects identified in the approved Final EIR to the extent feasible.					

Impact	Mitigation Measure	Time Frame for Implementation	Responsible Monitoring Agency	Date	Initials
4.15	**Traffic and Transportation**				
4.15-1	**MM 4.15-1**: Prior to the issuance of grading or building permits, the project proponent/operator shall: a. Prepare and submit a Construction Traffic Control Plan to Kern County Public Works Department- Development Review and the California Department of Transportation offices for District 9, as appropriate, for approval. The Construction Traffic Control Plan must be prepared in accordance with both the California Department of Transportation Manual on Uniform Traffic Control Devices and Work Area Traffic Control Handbook and must include, but not be limited to, the following issues: 1. Timing of deliveries of heavy equipment and building materials during off-peak hours to the extent feasible; 2. Review of transport routes to determine how turns on existing roads would be accomplished and identifying intersections at which use of a flag person would be required to assist large trucks in making unobstructed turns, including from State Route 58; 3. Placing temporary signing, lighting, and traffic control devices if required, including, but not limited to, appropriate signage along access routes to indicate the presence of heavy vehicles and construction traffic; including from State Route 58, 4. Establish procedures for coordinating with local emergency response agencies to ensure dissemination of information regarding emergency response vehicle routes affected by construction activities; 5. Temporarily closing travel lanes or delaying traffic during materials delivery, transmission line stringing activities, or any other utility connections; 6. Maintaining access to adjacent property; 7. Encourage carpooling among workers to reduce worker commute trips entering and exiting the study area; and 8. Specifying both construction-related vehicle travel and oversize load haul routes, minimizing construction traffic during the AM and PM peak hour, distributing construction traffic flow across alternative routes to access the project sites, and avoiding residential neighborhoods to the maximum extent feasible. b. Obtain all necessary encroachment permits for work within the road right-of-way or use of oversized/overweight vehicles that will utilize County-maintained roads, which may require California Highway Patrol or a pilot car escort. Copies of the approved traffic plan and issued permits shall be submitted to the Kern County Planning and Natural Resources Department and the Kern County Public Works Department- Development Review. c. Enter into a secured agreement with Kern County to ensure that any County roads that are demonstrably damaged by project-related activities are promptly repaired and, if necessary, paved, slurry-sealed, or reconstructed as per requirements of the State and/or Kern County. d. Submit documentation that identifies the roads to be used during construction. The project proponent/operator shall be responsible for repairing any damage to non-County maintained roads that may result from construction activities. The project proponent/operator shall submit a preconstruction video log and inspection report regarding roadway conditions for roads used during construction to the Kern County Public Work Department-Development Review and the Kern County Planning and Natural Resources Department. e. Within 30 days of completion of construction, the project proponent/operator shall submit a post-construction video log and inspection report to the County. This information shall be submitted in electronic format. The County, in consultation with the project proponent/operator's engineer, shall determine the extent of remediation required, if any.	Prior to issuing grading or building permits	Kern County Planning and Natural Resources Department, Kern County Public Works Department, California Department of Transportation		
		Steps to Compliance: A. This mitigation measure shall be incorporated as a conditional of approval. B. The project proponent shall obtain all necessary encroachment or other permits for the work within the road right-of-way or use of oversized/overweight vehicles that will utilize County-maintained roads. C. The project proponent shall prepare and submit to the Kern County Public Works Department and Caltrans District 9 office a Construction Traffic Control Plan prepared in accordance with the Caltrans Manual on Uniform Traffic Control Devices, the Work Area Traffic Control Handbook, and the specifications of the mitigation measure. D. The project proponent shall enter a secured agreement with Kern County to ensure that any County roads that are demonstrably damaged by project-related activities are promptly repaired and, if necessary, paved, slurry-sealed, or reconstructed as per requirements of the State and/or Kern County. E. The project proponent shall submit documentation that identifies roads to be used during construction, as listed in the mitigation measure. F. The project proponent shall submit a post-construction video log and inspection report, as listed in the mitigation measure.			
4.15-1	**MM 4.15-2:** Prior to the issuance of grading or building permits, the project proponent/operator shall implement measures to reduce construction worker vehicle trips during the AM and PM peak hours. These measures may include, but are not limited to the following: a. The Construction Traffic Control Plan (see **MM 4.15-1**, above) shall outline the methods used to control the number of worker vehicles arriving and departing from the project site during peak AM and PM hours, and document all reasonable efforts made to avoid impacts to area intersections. b. The project proponent/operator shall limit construction worker vehicle trips to and from the site to the extent possible during the AM and PM peak periods (i.e., 7:00 a.m. to 9:00 a.m. and 4:00 p.m. to 6:00 p.m.) by implementing such measures as: 1. Instituting incentives and providing options for construction workers to carpool and/or vanpool to and from the project site. 2. Scheduling construction worker shifts so that a majority of the workers arrive and depart the project site outside the AM and PM peak periods. 3. Staggering construction worker shifts so that construction worker vehicle trips are distributed over a broader period (i.e., construction workers arrive in staggered shifts starting from 6:00 a.m. and depart in staggered shifts starting from 2:00 p.m.).	Prior to the issuance of construction or building permits	Kern County Planning and Natural Resources Department		
		Steps to Compliance: A. This mitigation measure shall be incorporated as a condition of approval. B. The project proponent shall prepare and submit a plan to implement measures to reduce construction worker vehicle trips during the AM and PM peak hours. C. The project proponent shall submit a copy of the approved Construction Traffic Control Plan to the Kern County Public Works Department.			
Justification: Changes or alterations to the project have been required to substantially reduce the potentially significant environmental effects identified in the approved Final EIR to the extent feasible.					

Impact	Mitigation Measure	Time Frame for Implementation	Responsible Monitoring Agency	Date	Initials
4.17	**Utilities and Service Systems**				
4.17-4	**MM 4.17-1**: Prior to issuance of a grading or building permit, an onsite Waste Disposal and Recycling Coordinator shall be designated by the project proponent/operator to facilitate waste disposal and recycling as part of the Maintenance, Trash Abatement, and Pest Management Program. The provisions listed below shall apply to the project: a. The project proponent/operator shall provide a storage area (or areas) for waste and recyclable materials within the fenced project site that is clearly identified for waste and recycling. This area shall be maintained on the site during construction, operations and decommissioning. b. During construction, operation, and decommissioning, debris and waste generated shall be recycled to the extent feasible. c. The Waste Disposal and Recycling Coordinator shall facilitate recycling of all construction and decommissioning waste through coordination with contractors, local waste haulers, and/or other facilities that recycle construction/demolition wastes. d. The Waste Disposal and Recycling Coordinator shall coordinate with Kern County Public Works Department – Solid Waste Division the acceptance for disposal or recycling of construction and decommissioning waste prior to being transported to any public disposal facility. e. The Waste Disposal and Recycling Coordinator shall ensure that materials transported to public disposal facilities for recycling shall be separated by material type so as not to be co-mingled or contaminated with waste material. f. The Waste Disposal and Recycling Coordinator shall also be responsible for ensuring wastes requiring special disposal are handled according to State and County regulations that are in effect at the time of disposal. g. Contact information of the coordinator shall be provided to the Kern County Planning and Natural Resources Department prior to issuance of building permits.	Prior to the issuance of a grading or building permit and during construction, operations, and decommissioning	Kern County Planning and Natural Resources Department; Kern County Public Works Department		
		Steps to Compliance: A. This mitigation measure shall be incorporated as a condition of approval. B. Prior to issuance of grading or building permits, the project proponent shall designate an onsite-recycling coordinator and provide name and phone number to Kern County Waste Management Department. C. The project proponent shall recycle construction, operation, and decommissioning waste to the extent feasible. D. The project proponent shall provide Kern County Planning and Natural Resource Department and Kern County Public Works Department with a site plan showing the recycling storage area prior to the issuance of grading or building permits for the site. E. Kern County Public Works Department will verify compliance in the field during the construction period.			
Justification: Changes or alterations to the project have been required to substantially reduce the potentially significant environmental effects identified in the approved Final EIR to the extent feasible.					

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MEMORANDUM OF UNDERSTANDING AND AGREEMENT

FOR

PERFORMANCE OF ZONING ORDINANCE AND MITIGATION MEASURES

AS ENVIRONMENTAL RESTRICTIONS

(Kern County – Property Lessee - Operator)

THIS AGREEMENT, made and entered into this 29th day of September, 2026 by and between the COUNTY OF KERN, a political subdivision of the State of California (hereinafter "County") and Galaxy Solar Storage, LLC, a Delaware limited liability company (hereinafter collectively referred to as "Property Lessee - Operator").

WITNESSETH:

WHEREAS, in consideration of the COUNTY's approval of the Galaxy Solar PV & Storage Project: Zone Classification Change No. 5, Map 195; Zone Classification Change No. 57, Map 197; Zone Classification Change No. 4, Map 212; Zone Classification Change No. 5, Map 212; Conditional Use Permit No. 4, Map 195; Conditional Use Permit No. 5, Map 195; Conditional Use Permit No. 24, Map 197; Conditional Use Permit No. 7, Map 212; General Plan Amendment No. 5, Map 195; General Plan Amendment No. 6, Map 212; General Plan Amendment No. 7, Map 212; Zone Variance No. 1, Map 195; Zone Variance No. 2, Map 212; Zone Variance No. 21, Map 197; Vesting Tentative Parcel Map No. 12577; Vesting Tentative Parcel Map No. 12578; Vesting Tentative Parcel Map No. 12579; Vesting Tentative Parcel Map No. 12580; Vesting Tentative Parcel Map No. 12581; Vesting Tentative Parcel Map No. 12582; and in satisfaction of the conditions of Project approval requiring a contractual mechanism to assure that all provisions of the zoning ordinance and project approval CEQA mitigation measures will be implemented, County and Property Lessee - Operator now desire to enter into this Agreement.

NOW, THEREFORE, IT IS MUTUALLY AGREED between County and Property Lessee -Operator as follows:

1. The Property Lessee - Operator agrees to perform all mitigation measures that are contained in the adopted Mitigation Measure Monitoring Program, attached hereto as Exhibit "A", as they relate in any way to the development of a commercial solar project described above. The Property Lessee - Operator obligations under this Agreement shall apply regardless of whether any other permits or entitlements are issued, except to the extent performance of such obligations is expressly prohibited under state or federal law. The obligations under this agreement, which shall not be amended absent prior written agreement of County and the Property Lessee - Operator, shall be binding on all successors and assigns of the property described in Exhibit "B" hereto, and Property

Lessee - Operator agrees that they shall so obligate all successors, assigns, transferees, and lessees. The provisions of all exhibits attached hereto are hereby incorporated in this Agreement by this reference as through fully set forth herein.

2. The Property Lessee - Operator, successors, assigns, transferees, and lessees agree to be bound by all the requirements of the A (Exclusive Agriculture) Zoning ordinance and all other provisions of the Kern County Zoning Ordinance (Title 19), the adopted Final Environmental Impact Report, and the adopted Mitigation Measure Monitoring Program (Exhibit A) and Conditional Use Permit conditions, (Exhibit C), regardless of any exemption under California Law.

3. All notices to Property Lessee - Operator under this Agreement shall be deemed valid and effective five (5) calendar days following deposit in the United States mail, postage prepaid, by certified and/or registered mail, addressed to:

Galaxy Solar Storage, LLC
Attn: Simon Day
4275 Executive Square Suite 400
La Jolla, CA 92037

All notices to County under this Agreement shall be deemed valid and effective when personally served upon the Department of Planning and Natural Resources Director or upon deposit in the United States mail, postage prepaid, by certified and/or registered mail, addressed to the Director, Kern County Planning and Natural Resources Department, 2700 "M" Street, Suite 100, Bakersfield, California 93301.

4. This Agreement represents the complete understanding between the parties with respect to matters set forth herein.

5. The persons executing this Agreement on behalf of the Property Lessee - Operator warrant and represent that they have the authority to execute this Agreement on behalf of the Property Lessee -Operator Galaxy Solar Storage, LLC, and warrants and represents that they have the authority to bind Property Lessee - Operator to their performance hereunder.

6. Failure by a party to insist upon the strict performance of any of the provisions of this Agreement by the other party, or the failure by a party to exercise its rights upon the default of the other party, shall not constitute a waiver of such party's right to insist and demand strict compliance by the other party with the terms of this Agreement thereafter.

7. Time is of the essence in the performance of the provisions of this Agreement as to which time is an element. Further, the rule of construction to the effect that ambiguities are to be resolved against the drafting party shall not by employed in interpreting this Agreement, all parties having been represented by counsel in the negotiation and preparation hereof.

8. The obligations of Property Lessee - Operator's successors, assigns, transferees, and lessees shall arise upon acquisition of any interest in real property in the Galaxy Solar Storage, LLC project site that will allow them to engage in any of the land uses allowed under: Zone Classification Change No. 5, Map 195; Zone Classification Change No. 57, Map 197; Zone Classification Change No. 4, Map 212; Zone Classification Change No. 5, Map 212; Conditional Use Permit No. 4, Map 195; Conditional Use Permit No. 5, Map 195; Conditional Use Permit No. 24, Map 197; Conditional Use Permit No. 7, Map 212; General Plan Amendment No. 5, Map 195; General Plan Amendment No. 6, Map 212; General Plan Amendment No. 7, Map 212; Zone Variance No. 1, Map 195; Zone Variance No. 2, Map 212; Zone Variance No. 21, Map 197; Vesting Tentative Parcel Map No. 12577; Vesting Tentative Parcel Map No. 12578; Vesting Tentative Parcel Map No. 12579; Vesting Tentative Parcel Map No. 12580; Vesting Tentative Parcel Map No. 12581; Vesting Tentative Parcel Map No. 12582.

IN WITNESS WHEREOF, the parties hereto have duly caused this Agreement to be executed on the date hereinabove first written.

RECOMMENDED FOR APPROVAL:

KERN COUNTY PLANNING AND
NATURAL RESOURCES DEPARTMENT

By: _____
Craig M. Murphy
Director

PROJECT Lessee /OPERATOR – Galaxy Solar Storage, LLC.

By: _____
Simon Day
Vice President – Head of Solar Development of Terra-Gen

APPROVED AS TO FORM:
Office of County Counsel

By: _____
Joshua H. Rudnick
Deputy County Counsel

COUNTY OF KERN

By: _____
Chairman, Board of Supervisors